
By: Senator Ferguson

Requested: July 18, 1995

Introduced and read first time: January 10, 1996

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Proration of Fees for Licenses Issued Under the Business Occupations and Professions**

3 **Article**

4 FOR the purpose of requiring a unit of State government that issues a certain license at
5 a certain time to prorate the amount of the fee charged for the license on a certain
6 monthly basis; limiting the scope of this Act; defining certain terms; and generally
7 relating to the proration of fees charged by units of State government under the
8 Business Occupations and Professions Article.

9 BY repealing and reenacting, without amendments,
10 Article - State Government
11 Section 10-226(a)(2)
12 Annotated Code of Maryland
13 (1993 Replacement Volume and 1995 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - State Government
16 Section 10-227
17 Annotated Code of Maryland
18 (1993 Replacement Volume and 1995 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - State Government**

22 10-226.

23 (a) (2) "License" means all or any part of permission that:

24 (i) is required by law to be obtained from a unit;

25 (ii) is not required only for revenue purposes; and

26 (iii) is in any form, including:

27 1. an approval;

2

- 1 2. a certificate;
- 2 3. a charter;
- 3 4. a permit; or
- 4 5. a registration.

5 10-227.

6 (a) (1) In this section[, "license"] THE FOLLOWING WORDS HAVE THE
7 MEANINGS INDICATED.

8 (2) "LICENSE" has the meaning stated in § 10-226(a)(2) of this subtitle.

9 (3) "UNIT" MEANS AN OFFICER OR UNIT OF STATE GOVERNMENT THAT
10 IS AUTHORIZED BY LAW TO ISSUE A LICENSE.

11 (b) This section:

12 (1) applies only to a fee for an initial license issued for a 2-year term under
13 the provisions of the Business Occupations and Professions Article;

14 (2) does not apply to a fee for the renewal of a license; and

15 (3) may not affect any other law that requires a unit to prorate a fee on any
16 basis for the issuance or renewal of a license.

17 (c) [(1) For a license issued] IF A UNIT OF STATE GOVERNMENT IS
18 AUTHORIZED TO ISSUE A LICENSE at any time during the [first year of the] term of the
19 license, the [issuing authority] UNIT shall [charge the full amount of]PRORATE the fee
20 CHARGED to the license applicant ACCORDING TO THE NUMBER OF MONTHS,
21 INCLUDING THE MONTH THE LICENSE IS ISSUED, THAT REMAIN IN THE TERM OF
22 THE LICENSE.

23 [(2) For a license issued in the second year of the term of the license, the
24 issuing authority shall charge the license applicant:

25 (i) one-half of the fee, if issued in the first 6 months of the second
26 year; or

27 (ii) one-quarter of the fee, if issued in the last 6 months of the second
28 year.]

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 1996.