
By: **Delegate Stocksdale**
Introduced and read first time: February 13, 1998
Assigned to: Environmental Matters

Committee Report: Favorable
House action: Adopted with floor amendments
Read second time: March 25, 1998

CHAPTER _____

1 AN ACT concerning

2 **Food Processing - License Fee**

3 FOR the purpose of altering provisions relating to assessment of licensing fees for
4 certain food establishments by providing that a county health department may
5 not assess a license fee of more than a certain amount for certain seasonal food
6 processing operations that meet certain criteria; providing that a seasonal food
7 processing operation may obtain a food establishment license for a certain fee
8 only twice in a calendar year; and generally relating to license fees for food
9 establishments.

10 BY repealing and reenacting, with amendments,
11 Article - Health - General
12 Section 21-308
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1997 Supplement)

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

17 **Article - Health - General**

18 21-308.

19 (a) (1) For any license issued for which the authority to conduct a program
20 under this subtitle has been delegated to a county health department:

21 (i) A county governing body or the Mayor and City Council of
22 Baltimore City may provide for a license fee schedule based on the anticipated cost of

1 licensing, inspecting, and regulating food establishments and may provide for
2 exemptions from the license fee schedule; and

3 (ii) All license fees shall be paid to the local health department or
4 chief financial officer of the county governing body or Baltimore City.

5 (2) Except in Baltimore City, Montgomery County, and Prince George's
6 County, a license fee under this subsection may not exceed:

7 (I) \$150; OR

8 (II) \$35 FOR A SEASONAL FOOD PROCESSING OPERATION THAT:

9 1. USES ONLY FOOD THAT IS GROWN ON THE PROPERTY OF
10 THE LICENSEE; AND

11 2. IS IN OPERATION FOR NOT MORE THAN A 3-MONTH
12 CONTINUOUS PERIOD IN THE CALENDAR YEAR.

13 (3) A SEASONAL FOOD PROCESSING OPERATION MAY OBTAIN A FOOD
14 ESTABLISHMENT LICENSE FOR A FEE OF \$35 UNDER PARAGRAPH (2)(II) OF THIS
15 SUBSECTION ONLY TWICE IN A CALENDAR YEAR.

16 (b) For any other food establishment license:

17 (1) The Department shall establish a license fee schedule based on the
18 anticipated cost of licensing, inspecting, and regulating food establishments.

19 (2) All fees collected shall go into the General Fund.

20 (3) A license fee may not exceed \$150.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1998.