
By: **Delegates Conway, Eckardt, Cane, Bozman, and McClenahan**
Introduced and read first time: February 23, 1999
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Wicomico County - Alcoholic Beverages - Fee and Fine Collection**

3 FOR the purpose of substituting in Wicomico County the director of finance for the
4 Board of License Commissioners as the local collecting agent for alcoholic
5 beverages fees and fines; clarifying that the director of finance in Wicomico
6 County shall collect certain fees and fines; and generally relating to the
7 collection of alcoholic beverages fees and fines in Wicomico County.

8 BY repealing and reenacting, with amendments,
9 Article 2B - Alcoholic Beverages
10 Section 1-102(a)(18), 10-104(x)(5), 10-301(h)(1) and (k), 15-111(c), and
11 16-507(x)
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 1998 Supplement)

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

16 **Article 2B - Alcoholic Beverages**

17 1-102.

18 (a) (18) (i) "Local collecting agent" means:

19 1. In the City of Annapolis, the city clerk;

20 2. In Allegany County, Baltimore County, Howard County,
21 [or] Prince George's County, OR WICOMICO COUNTY, the director of finance;

22 3. In Calvert County, Dorchester County, St. Mary's County,
23 or Somerset County, the treasurer of the county; and

24 4. In each other county, the board of license commissioners or
25 other local agency expressly authorized by this article to collect fees under this article.

1 (ii) "Local collecting agent" does not include a clerk of a circuit
2 court.

3 10-104.

4 (x) (5) The application for a new license of any class shall be accompanied by
5 payment of a fee of \$75 payable to the [Board] LOCAL COLLECTING AGENT. This sum
6 is in addition to any other fee required for a license in Wicomico County, and the
7 application fee may not be returned whether the license is granted or denied. The
8 application fee shall be used by the Board to cover the expenses of the Board in
9 connection with its functions. The provisions of this subsection do not apply to an
10 application for a license by way of renewal or transfer for the same premises.

11 10-301.

12 (h) (1) In Worcester, Wicomico, Dorchester, Somerset, and Howard Counties,
13 notwithstanding any other provision of Article 2B, any corporation or club holding
14 any class of alcoholic beverage license may, during any license year, substitute the
15 name of one of its officers for the name of any other officer on the license when the
16 deleted officer has died, retired, been removed from office, or no longer holds an office
17 in the corporation or club if the substitute is a fit person approved by the Board and
18 can meet all the requirements the substitute would have to meet if the substitute
19 were named in the original application. The corporation or club shall file an affidavit
20 with the Board of License Commissioners showing the substitution of the officer or
21 officers with an explanation of the substitution. Upon receipt of the affidavit the
22 Board shall amend its records and issue a new license with the corrected names on it.
23 The corporation or club shall pay a fee of \$5 to the Board of License Commissioners
24 for this service. In Wicomico County the fee is \$50 AND IS PAYABLE TO THE LOCAL
25 COLLECTING AGENT. In Worcester County, this section applies only to Class C (clubs)
26 establishments for which the fee is \$5. In Wicomico County, an application for renewal
27 of a restaurant license is subject to requirements specified in § 6-201(x), as amended
28 from time to time.

29 (k) (1) This subsection applies only in Wicomico County.

30 (2) In this subsection "Board" means the Board of License
31 Commissioners.

32 (3) An applicant for a renewal of a license issued by the Board shall pay
33 an additional renewal application fee of \$35 TO THE LOCAL COLLECTING AGENT.

34 (4) The Board may not renew an alcoholic beverages license until the
35 licensee has presented the Board with a certificate of receipt from the County Finance
36 Office that shows that there are not unpaid taxes on the merchandise, fixtures, and
37 stock of the applicant due to the County or State.

38 15-111.

39 (c) (1) The Board of License Commissioners shall:

- 1 (1) Collect the license fees; and
- 2 (2) Issue] ISSUE licenses for which provision is made in this article.
- 3 (2) THE DIRECTOR OF FINANCE SHALL COLLECT THE LICENSE FEES
- 4 FOR WHICH PROVISION IS MADE IN THIS ARTICLE.

5 16-507.

- 6 (x) In Wicomico County the Board of License Commissioners may impose a
- 7 fine of not more than \$2,000 PAYABLE TO THE LOCAL COLLECTING AGENT or suspend
- 8 a license or both fine and suspend for any violation that is cause for suspension under
- 9 the alcoholic beverage laws affecting Wicomico County.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

11 October 1, 1999.