

HOUSE BILL 338

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2004 Regular Session
4lr0344
CF 4lr2149

By: **Harford County Delegation**

Introduced and read first time: January 28, 2004

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County Liquor Control Board - Deduction of Proportionate Amount**
3 **for Operating Expenses**

4 FOR the purpose of increasing from one-half to the full amount of the salaries of the
5 members of the Harford County Liquor Control Board that are to be included as
6 expenses related to the board's administration and enforcement of the alcoholic
7 beverages laws in Harford County when the board calculates the amount of the
8 deduction it is required to make for those expenses before paying to the county
9 treasurer and the treasurers of the municipal corporations in the county the net
10 proceeds of the funds received by the board from the sale of alcoholic beverages
11 licenses in Harford County; making technical and conforming changes with
12 respect to references to the Liquor Control Board; and generally relating to the
13 Harford County Liquor Control Board.

14 BY repealing and reenacting, without amendments,
15 Article 2B - Alcoholic Beverages
16 Section 10-204(a)
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2003 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article 2B - Alcoholic Beverages
21 Section 10-204(n)
22 Annotated Code of Maryland
23 (2001 Replacement Volume and 2003 Supplement)

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

1

Article 2B - Alcoholic Beverages

2 10-204.

3 (a) (1) Except as otherwise provided in this section, the local collecting agent
4 shall remit all license fees collected under this article to the board of county
5 commissioners or county fiscal officer for the county, or to the Mayor and City Council
6 of Baltimore, as the case may be.

7 (2) The board of county commissioners or Mayor and City Council of
8 Baltimore shall use the portion of the receipts as may be necessary to pay refunds as
9 provided in this section, and devote the balance to the general purposes of the county
10 or city, as the case may be.

11 (3) The Comptroller's office may retain from the license and permit fees
12 collected by the office for the use of the State of Maryland sums necessary to pay
13 refunds on licenses issued by the office and the expenses incurred by the office in the
14 discharge of the duties imposed by this article.

15 (n) (1) The provisions of this subsection apply only in Harford County.

16 (2) The net proceeds of all funds received by the Board from the sale of
17 licenses under the provisions of this article, outside of the corporate limits of the
18 municipalities of Aberdeen, Bel Air and Havre de Grace, shall be paid to the
19 Treasurer and credited to the general funds of the county.

20 (3) The net proceeds of the funds derived from the sale of licenses within
21 the corporate limits of the municipalities of Aberdeen, Bel Air and Havre de Grace,
22 after the deduction of a proportionate part of the expenses incident to the proper
23 administration and enforcement of this article, shall be paid by the Board to the
24 treasurers of the respective towns, to be applied to the payment of the interest and
25 the redemption of the principal of any bonded indebtedness.

26 (4) All expenses incident to the proper administration and enforcement
27 of this article, including [one half] the salaries of the members of the Board, and the
28 proper proportion of the salaries of any employees of the Board, whose duties include
29 the handling of licenses, including the salaries of officers, inspectors, etc., shall be
30 deducted proportionately from the shares of the license fees payable as set forth in
31 this subsection, to the general funds of the county and the governing bodies of the
32 three municipalities.

33 (5) (i) Prior to the beginning of each fiscal year, the Board [of License
34 Commissioners] shall submit an annual budget to the Council and County Executive
35 for review.

36 (ii) Except as provided under § 15-205(i)(3) of this article, the
37 budget is not subject to approval by the County Council or County Executive.

38 (iii) The expenditure of license fees collected by the [County] Board
39 for the administration and enforcement of county liquor laws is a matter entirely

1 within the sound discretion of the [County] Board and the provisions of this
2 subsection.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2004.