

SENATE BILL 223

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A2

2004 Regular Session  
4r2149  
CF 4r0344

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By: **Harford County Senators**

Introduced and read first time: January 28, 2004

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 24, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

15 BY repealing and reenacting, without amendments,  
16 Article 2B - Alcoholic Beverages  
17 Section 10-204(a)  
18 Annotated Code of Maryland  
19 (2001 Replacement Volume and 2003 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article 2B - Alcoholic Beverages  
22 Section 10-204(n)  
23 Annotated Code of Maryland  
24 (2001 Replacement Volume and 2003 Supplement)

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

3 **Article 2B - Alcoholic Beverages**

4 10-204.

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

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

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

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

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

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

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

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

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

1                   (iii)     The expenditure of license fees collected by the [County] Board  
2 for the administration and enforcement of county liquor laws is a matter entirely  
3 within the sound discretion of the [County] Board and the provisions of this  
4 subsection.

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