

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 468

(Delegate Edwards)

Environmental Matters

Education, Health, and Environmental Affairs

Garrett County - Special Event Permit

This bill repeals the provision of current law regarding the issuance of amusement licenses by Garrett County and authorizes the county to issue special event licenses at a reasonable fee set by the Garrett County Commissioners.

Fiscal Summary

State Effect: None.

Local Effect: Garrett County revenues could increase by approximately \$300 annually, beginning in FY 2006. Expenditures would not be affected.

Small Business Effect: Potential minimal impact in complying with any regulations that may apply to a special event.

Analysis

Bill Summary: The bill defines special event as a gathering that is open to the public, is expected to have an attendance of at least 250 individuals, is not held on a regular basis, and includes the sale of food or beverage for public consumption. The bill authorizes the Garrett County Commissioners to require a person who seeks to hold a special event in the county to obtain a special event permit from the county commissioners. The county commissioners are further authorized to set a reasonable fee for the permit and to require the individual holding the event to post a bond or other security. If an individual holds a special event without obtaining a permit, or post a bond (if required), then the person is

guilty of a misdemeanor and is subject to a penalty of between \$25 and \$100, confinement in the county jail of between 60 days and 6 months, or both.

Current Law: A firm, person, association, or corporation giving any kind of circus, carnival, sporting event, theatrical performance, or any performance for amusement and charging admission is required to obtain an amusement license from the Clerk of the Circuit Court of Garrett County. This license must be obtained by all groups except for religious, fraternal, or agricultural associations where the proceeds derived from the admission charge are used to further the work of the organization. The license fee is \$10 for the first tent and \$5 for each additional tent, as well as a 50 cent charge for issuance costs. If an individual fails to obtain a permit, he or she is guilty of a misdemeanor and upon conviction in the District Court is subject to a fine of between \$25 and \$100.

Any person or corporation maintaining a dance hall, dance floor, or picnic for profit is required to obtain an amusement license for an annual fee of \$50 dollars. Restaurants and businesses maintaining a dance floor may obtain a license for \$10 dollars, provided that no more than three couples are permitted on the dance floor at any given time. Any peace officer of Garret County may inspect the premises, without warrant, of a dance hall, business with a dance floor, or a picnic event. If an individual fails to obtain a permit, he or she is guilty of a misdemeanor and upon conviction in the District Court is subject to a fine of between \$25 and \$100. In default of payment of the fine, the court may sentence the individual to between 60 days and 6 months in the county jail.

Local Fiscal Effect: Garrett County advises that it has not issued amusement licenses in over 20 years. The county estimates, however, that they will issue approximately 20 to 30 special event licenses as a result of this bill. While the exact amount at which the license fee will be set is unknown, the county advises that the fee would be set between \$5 and \$10 each. Assuming the county issues 30 special event permits at \$10 each, county revenues would increase by \$300. Monitoring of such licenses can be handled with existing resources.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Garrett County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2005
mp/hlb Revised - House Third Reader - March 29, 2005

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