

HOUSE BILL 241

L2, J1

8lr1746
CF SB 121

By: **Delegate Love**

Introduced and read first time: January 23, 2008

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Health Department – License Fees for Food**
3 **Establishments**

4 FOR the purpose of adding Anne Arundel County to the list of counties that are
5 exempt from limitations on the amount a county may charge for certain fees to
6 obtain a license to operate a food establishment; and generally relating to
7 certain license fees in Anne Arundel County.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 21–308
11 Annotated Code of Maryland
12 (2005 Replacement Volume and 2007 Supplement)

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

15 **Article – Health – General**

16 21–308.

17 (a) In this section, “on–farm home processing facility” means a home or
18 domestic kitchen located on an individual’s farm that manufactures and processes
19 foods for commercial sale.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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
4 or chief financial officer of the county governing body or Baltimore City.

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

8 (i) \$300; or

9 (ii) \$70 for a seasonal food processing operation that:

10 1. Uses only food that is grown on the property of the
11 licensee; and

12 2. Is in operation for not more than a 3-month
13 continuous period in the calendar year.

14 (3) A seasonal food processing operation may obtain a food
15 establishment license for a fee of \$70 under paragraph (2)(ii) of this subsection only
16 twice in a calendar year.

17 (c) (1) An on-farm home processing facility may obtain an on-farm home
18 processing plant license for a fee established in regulations.

19 (2) An on-farm home processing facility that obtains an on-farm home
20 processing plant license may manufacture or process only foods provided for in
21 regulations of the department.

22 (d) For any other food establishment license, the Secretary shall establish a
23 license fee in accordance with § 2-104 of this article.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2008.