

SENATE BILL 121

L2, J1

8lr1529

By: **Senator Astle**

Introduced and read first time: January 17, 2008

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 26, 2008

CHAPTER _____

1 AN ACT concerning

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

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

10 BY repealing and reenacting, with amendments,
11 Article – Health – General
12 Section 21–308
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2007 Supplement)

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

17 **Article – Health – General**

18 21–308.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 (i) A county governing body or the Mayor and City Council of
4 Baltimore City may AND THE ANNE ARUNDEL COUNTY COUNCIL SHALL provide
5 for a license fee schedule based on the anticipated cost of licensing, inspecting, and
6 regulating food establishments and may provide for exemptions from the license fee
7 schedule; and

8 (ii) All license fees shall be paid to the local health department
9 or chief financial officer of the county governing body or Baltimore City.

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

13 (i) \$300; or

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

15 1. Uses only food that is grown on the property of the
16 licensee; and

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

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

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

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

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

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