

## CHAPTER 148

(Senate Bill 121)

AN ACT concerning

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

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

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

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

#### **Article – Health – General**

21–308.

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

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

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

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

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

(i) \$300; or

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

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

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

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

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

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

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

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

**Approved by the Governor, April 24, 2008.**