

**SB0106/553692/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 106  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “altering” and substitute “imposing”; in lines 16 and 17, strike “establishing a certain nonrefundable license renewal fee” and substitute “requiring the Anne Arundel County Board of License Commissioners to prepare an annual budget; specifying the contents of the budget; requiring the Board to submit the budget to the Comptroller for approval and to transmit the budget after it is approved to certain delegations in the General Assembly on or before a certain date; authorizing the Board to engage the services of a certain person for a certain purpose; requiring the county government to provide the Board with certain information”; strike beginning with “and” in line 17 down through “license” in line 18; in line 19, strike “fees” and substitute “fee”; in line 20, strike “and special outdoor entertainment licenses”; and in lines 22 and 23, strike “altering the annual salary of the attorney for the Board;”.

On page 2, in line 1, strike “a”; in line 2, strike “provision” and substitute “provisions”; strike beginning with “5–101(c)(1)” in line 6 down through “(d)(2),” in line 8; strike beginning with “and (5)” in line 8 down through “8–202.1(f),” in line 9 and substitute “, 10–204(c),”; in line 9, strike “and (5)(iii)”; after line 12, insert:

“BY repealing

Article 2B – Alcoholic Beverages

Section 5–201(c)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)”;

strike beginning with “5–101(a)(1),” in line 15 down through “7–101(b)(1)(i),” in line 17; in line 17, strike “(e)(1), (h)(3), and”; in line 18, strike “8–202.1(a) and (c)(1),”; in

(Over)

line 23, after “8–202(j),” insert “and”; and in the same line, strike “, and 10–301(u)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 14 through 21, inclusive; and strike beginning with “(1)” in line 23 down through “\$480.” in line 25.

On pages 4 through 6, strike in their entirety the lines beginning with line 1 on page 4 through line 15 on page 6, inclusive.

On pages 6 and 7, strike in their entirety the lines beginning with line 25 on page 6 through line 11 on page 7, inclusive.

On pages 7 and 8, strike in their entirety the lines beginning with line 30 on page 7 through line 3 on page 8, inclusive.

On page 8, strike beginning with “THIS” in line 19 down through “2.” in line 21 and substitute “A.”; in line 21, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

B.”;

after line 24, insert:

“C. “BOARD” MEANS THE ANNE ARUNDEL COUNTY BOARD OF LICENSE COMMISSIONERS.”;

strike beginning with “3.” in line 25 down through “THE” in line 29 and substitute “2. IN ANNE ARUNDEL COUNTY, THE”; in line 29, strike “OF LICENSE COMMISSIONERS”; in line 30, strike “A” and substitute “STATE AND NATIONAL”; in line 31, strike “CHECK” and substitute “CHECKS”; in the same line, strike “AND, AS” and substitute “.”

**3.    AS**”;

and in line 32, strike the comma and substitute “**FOR A CRIMINAL HISTORY RECORDS CHECK, THE BOARD**”.

On page 9, in line 2, strike “**LEGIBLE**”; in line 6, strike the second “**THE**”; in lines 11 and 14, strike “**5.**” and “**6.**”, respectively, and substitute “**4.**” and “**5.**”, respectively; in line 11, strike “**THE**” and substitute “**IN ACCORDANCE WITH §§ 10-201 THROUGH 10-234 OF THE CRIMINAL PROCEDURE ARTICLE, THE**”; in line 12, strike “**OF LICENSE COMMISSIONERS**”; in line 15, after “**SUBPARAGRAPH**” insert “**SHALL BE**”; in line 16, strike “**IS CONFIDENTIAL**” and substitute “**CONFIDENTIAL**”; in line 18, strike “**MAY BE USED**” and substitute “**USED**”; in line 19, strike “**SECTION**” and substitute “**SUBPARAGRAPH**”; and after line 19, insert:

**“6.    THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SUBPARAGRAPH MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY UNDER § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.”**

**AMENDMENT NO. 3**

On page 9, strike lines 20 through 23, inclusive, and substitute:

**“10-204.**

**(c)    (1)    Except for licenses granted to places of business located in the City of Annapolis, the Anne Arundel County Board of License Commissioners shall:**

**(i)    Collect all alcoholic beverages license fees; and**

(Over)

(ii) Issue all alcoholic beverages licenses authorized under this article for Anne Arundel County.

(2) (i) The Anne Arundel County Board of License Commissioners shall remit to the county all fees collected by the Board.

(ii) The county shall pay from the receipts the salaries and expenses of the Board and of its employees, as approved by the State Comptroller, and shall devote the balance of the receipts to the general purposes of the county.

**(3) (I) FOR EACH FISCAL YEAR BEGINNING JULY 1 AND ENDING JUNE 30 OF THE SUBSEQUENT YEAR, THE ANNE ARUNDEL COUNTY BOARD OF LICENSE COMMISSIONERS SHALL PREPARE AN ANNUAL BUDGET THAT LISTS ALL SIGNIFICANT COMPONENTS OF THE BOARD'S REVENUE AND EXPENSES, INCLUDING PAYROLL, RENT, AND COSTS OF JANITORIAL SERVICES AND UTILITIES.**

**(II) THE BOARD SHALL:**

**1. SUBMIT THE BUDGET TO THE COMPTROLLER FOR APPROVAL; AND**

**2. AFTER THE BUDGET REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH IS APPROVED BY THE COMPTROLLER, BUT ON OR BEFORE JANUARY 15 OF EACH YEAR, TRANSMIT THE BUDGET AND RECOMMENDATIONS REGARDING WHETHER ADJUSTMENTS SHOULD BE MADE TO ALCOHOLIC BEVERAGES LICENSE FEES TO THE CHAIR OF THE ANNE ARUNDEL COUNTY SENATE DELEGATION AND THE CHAIR OF THE ANNE ARUNDEL COUNTY HOUSE DELEGATION IN THE GENERAL ASSEMBLY.**

**(III) TO HELP PREPARE THE BUDGET:**

**1. THE BOARD MAY ENGAGE THE SERVICES OF AN OUTSIDE FINANCIAL ADVISOR; AND**

**2. THE COUNTY GOVERNMENT SHALL PROVIDE TO THE BOARD ALL INFORMATION REASONABLY REQUESTED BY THE BOARD.**

**[(3)](4) The City Clerk of the City of Annapolis shall:**

**(i) Collect all alcoholic beverages license fees for licenses granted to places of business located in the City of Annapolis; and**

**(ii) Issue all alcoholic beverages licenses authorized under this article for the City of Annapolis.**

**[(4)](5) (i) The City Clerk of the City of Annapolis shall remit to the City of Annapolis all fees collected by the City Clerk.**

**(ii) The City of Annapolis shall devote the receipts to the general purposes of the City.”.**

**AMENDMENT NO. 4**

On page 10, in line 20, strike “\$200” and substitute “\$100”; in line 23, strike “(I)”; strike beginning with “ISSUE” in line 23 down through “LICENSE” in line 24 and substitute “GRANT PERMISSION”; and strike beginning with the period in line 27 down through “THE” in line 30 and substitute “TO PROVIDE THE”.

On pages 10 and 11, strike beginning with the semicolon in line 32 on page 10 through “BOARD” in line 5 on page 11.

On page 11, strike in their entirety lines 30 through 32, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages”.

On page 12, in line 20, strike “(I)”; strike beginning with “may” in line 21 down through “BOTH” in line 22 and substitute a comma; and in line 23, after “County” insert “, **MAY IMPOSE THE FOLLOWING PENALTIES:**

**(I) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$2,500;**

**(II) FOR A SECOND OFFENSE, A FINE NOT EXCEEDING \$2,500 OR SUSPENSION OF THE LICENSE FOR A PERIOD NOT EXCEEDING 120 DAYS OR BOTH; OR**

**(III) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$2,500 OR A SUSPENSION OF THE LICENSE FOR A PERIOD TO BE DETERMINED BY THE BOARD OR BOTH”;**

and strike in their entirety lines 24 through 30, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act may not be applied to any case for which a final judgment has been rendered and for which all judicial appeals have been exhausted before the effective date of this Act.”.

On page 13, in line 1, strike “3.” and substitute “4.”; and in line 2, strike “July” and substitute “June”.