

# SENATE BILL 106

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CF HB 1304

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By: **Anne Arundel County Senators**

Introduced and read first time: January 15, 2009

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 18, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages Act of 2009**

3 FOR the purpose of altering certain alcoholic beverages license fees in Anne Arundel  
4 County; establishing certain hotel-limited service licenses in the county;  
5 authorizing the Board of License Commissioners to issue the hotel-limited  
6 service licenses to certain persons; providing for the privileges and annual fees  
7 for the hotel-limited service licenses; requiring the Board to obtain criminal  
8 records of alcoholic beverages license applicants from certain governmental  
9 units, ~~require applicants for licenses to be fingerprinted, and forward the~~  
10 ~~fingerprints to certain governmental units; requiring the Board to apply for~~  
11 certain criminal records and to submit certain information and certain fees to  
12 the Criminal Justice Information System Central Repository of the Department  
13 of Public Safety and Correctional Services; requiring the Central Repository to  
14 forward certain information to an applicant and the Board; providing that  
15 certain information is confidential, may not be disseminated, and may be used  
16 only for a certain purpose; establishing a certain nonrefundable license renewal  
17 fee; authorizing the Board to issue a special outdoor license and a special  
18 outdoor entertainment license to holders of certain licenses; providing for the  
19 privileges, annual fees, and renewal requirement for special outdoor licenses  
20 and special outdoor entertainment licenses; authorizing the Board to employ a  
21 part-time deputy chief inspector at a certain annual salary; altering the  
22 number of part-time inspectors that the Board may employ; altering the annual  
23 salary of the attorney for the Board; adding Anne Arundel County to a list of  
24 jurisdictions in which a certain court may remand certain proceedings to the  
25 local licensing board; altering the penalty the Board may impose for a violation  
26 that is cause for suspension of a license; making certain stylistic changes;

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**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 ~~defining a certain term~~ certain terms; providing for the application of a certain  
 2 provision of this Act; and generally relating to alcoholic beverages in Anne  
 3 Arundel County.

4 BY repealing and reenacting, with amendments,

5 Article 2B – Alcoholic Beverages

6 Section 1–102(b), 5–101(c)(1), 5–201(c), 5–202(d), 5–301(c), 5–401(c)(1)(i),  
 7 6–101(c), 6–201(c), 6–301(c)(2), (5)(ii), (6)(ii), and (7)(ii), 6–401(c)(3),  
 8 7–101(b)(2)(i) and (d)(2), 8–202(d)(4)(ii) and (5), (e)(3), (h)(4)(i), and  
 9 (i)(4)(i), 8–202.1(f), 12–202(a), 15–112(c)(3) and (5)(iii), 16–101(e)(4), and  
 10 16–507(c)(1)

11 Annotated Code of Maryland

12 (2005 Replacement Volume and 2008 Supplement)

13 BY repealing and reenacting, without amendments,

14 Article 2B – Alcoholic Beverages

15 Section 4–201(a)(1), 5–101(a)(1), 5–202(b)(1), 5–301(a)(1), 5–401(a)(1),  
 16 6–101(a)(1), 6–301(a)(1), (c)(1), (5)(i), (6)(i), and (7)(i), 6–401(a)(1) and  
 17 (c)(1), 7–101(b)(1)(i), 8–202(a), (b)(1) and (2), (e)(1), (h)(3), and (i)(1),  
 18 8–202.1(a) and (c)(1), and 15–112(c)(1)(i)

19 Annotated Code of Maryland

20 (2005 Replacement Volume and 2008 Supplement)

21 BY adding to

22 Article 2B – Alcoholic Beverages

23 Section 4–201(b)(7), 8–202(j), 10–103(b)(13)(xv), and 10–301(u)

24 Annotated Code of Maryland

25 (2005 Replacement Volume and 2008 Supplement)

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

28 **Article 2B – Alcoholic Beverages**

29 1–102.

30 (b) (1) In this article the following words have the meanings indicated  
 31 within the specified subdivisions.

32 (2) **IN ANNE ARUNDEL COUNTY, “TAXPAYER” MEANS AN**  
 33 **INDIVIDUAL WHO OWNS REAL PROPERTY IN THE INDIVIDUAL’S OWN NAME,**  
 34 **INDIVIDUALLY OR JOINTLY WITH OTHERS, AND PAYS REAL PROPERTY TAXES TO**  
 35 **ANNE ARUNDEL COUNTY.**

36 [(2)] (3) In Prince George’s and St. Mary’s counties “taxpayer” means  
 37 a resident who pays either real estate tax, income tax, or both.

1            [(3)] (4) In Wicomico County, “bowling alley” means an  
2 establishment in which the primary business activity is to provide bowling lanes and  
3 bowling activities for the public, and which may be equipped with a dining room or  
4 snack bar area for the sale of food and beverages.

5            [(4)] (5) In Worcester [County] COUNTY, “taxpayer” means an  
6 individual who owns real estate in Worcester County in his own name, either  
7 individually or jointly with others, and actually pays real estate tax in Worcester  
8 County.

9 4–201.

10            (a) A Class A light wine license may be issued only in:

11                    (1) Anne Arundel County;

12            (b) (7) IN ANNE ARUNDEL COUNTY THE ANNUAL FEE FOR THIS  
13 LICENSE IS \$60.

14 5–101.

15            (a) (1) A Class A beer and light wine license shall be issued by the license  
16 issuing authority of the county in which the place of business is located. The holder of  
17 the license may keep for sale and sell beer and light wines at retail, in any quantity to  
18 any consumers, at the place described in the license. The holder shall deliver the beer  
19 and light wines in a sealed package or container, which package or container may not  
20 be opened nor its contents consumed on the premises where sold.

21            (c) (1) In Anne Arundel County the annual license fee is [\$200] \$240.

22 5–201.

23            (c) (1) This subsection applies only in Anne Arundel County.

24                    (2) The annual license fee for a Class B beer and light wine license is  
25 [\$400] \$480.

26            [(3) (i) There is a Class B–LSH (limited service hotel) beer and light  
27 wine license for use in a hotel that contains more than 100 rooms and operates a  
28 kitchen licensed as a food service facility.

29                    (ii) The annual license fee is \$2,000.

30                    (iii) A Class B–LSH license authorizes the licensee to sell beer  
31 and light wine in containers to registered guests, who may consume the beverage in  
32 their hotel rooms or remove unopened containers from the hotel premises.]

1 5-202.

2 (b) (1) A Class H beer and light wine license shall be issued by the license  
3 issuing authority of the county in which the place of business is located. The license  
4 authorizes the holder to keep for sale and sell beer and light wines at retail at any  
5 hotel or restaurant, at the place described in the license, for consumption on the  
6 premises.

7 (d) In Anne Arundel County the annual license fee is [~~\$300~~] **\$360**.

8 5-301.

9 (a) (1) Except as provided in subsection (n) of this section, a Class C beer  
10 and light wine license shall be issued by the license issuing authority of the county in  
11 which the place of business is located. The holder of the license may keep for sale and  
12 sell beer and light wines at retail to bona fide members and their guests, at any club,  
13 at the place described in the license, for consumption on the premises only.

14 (c) In Anne Arundel County the annual license fee is [~~\$100~~] **\$120**.

15 5-401.

16 (a) (1) A Class D beer and light wine license shall be issued by the license  
17 issuing authority of the county in which the place of business is located. The license  
18 authorizes its holder to keep for sale and to sell beer and light wines at retail, at the  
19 place described in the license, for consumption on the premises or elsewhere. The  
20 license may not be issued for any drugstore.

21 (c) (1) (i) In Anne Arundel County the annual license fee is [~~\$400~~]  
22 **\$480**.

23 6-101.

24 (a) (1) A Class A beer, wine and liquor license shall be issued by the  
25 license issuing authority of the county in which the place of business is located. The  
26 license authorizes the holder to keep for sale and to sell all alcoholic beverages at  
27 retail, in any quantity, at the place described in the license. The licensee shall deliver  
28 the alcoholic beverages in a sealed package or container and the package or container  
29 may not be opened nor its contents consumed on the premises where sold.

30 (c) In Anne Arundel County the annual license fee is [~~\$600~~] **\$720**.

31 6-201.

32 (c) (1) The provisions of this subsection apply only in Anne Arundel  
33 County and do not apply to the City of Annapolis.

1           (2)    The annual fee for a Class B license is [~~\$900~~] **\$1,080**.

2           (3)    (i)    A Class H beer, wine and liquor license authorizes the  
3 holder to keep for sale and sell beer, wine and liquor at retail at any restaurant for  
4 consumption on the premises.

5                   (ii)   The annual fee for this license is [~~\$800~~] **\$960**.

6   6–301.

7           (a)    (1)    Except as provided in subsection (n) of this section, a Class C beer,  
8 wine and liquor license shall be issued by the license issuing authority of the county in  
9 which the place of business is located. It authorizes the holder to keep for sale and sell  
10 all alcoholic beverages at retail at any club, at the place described in the license, for  
11 consumption on the premises only.

12           (c)    (1)    This subsection applies only in Anne Arundel County.

13                   (2)    The annual license fee is [~~\$400~~] **\$480**.

14                   (5)    (i)    There is a special Class C (yacht club) license.

15                           (ii)   The annual license fee is [~~\$1,500~~] **\$1,800**.

16                   (6)    (i)    There is a special Class C (golf and country club) license.

17                           (ii)   The annual license fee is [~~\$1,500~~] **\$1,800**.

18                   (7)    (i)    There is a special Class C (country club) license.

19                           (ii)   The annual license fee is [~~\$625~~] **\$750**.

20   6–401.

21           (a)    (1)    A Class D beer, wine and liquor license shall be issued by the  
22 license issuing authority of the county in which the place of business is located. It  
23 authorizes the holder to keep for sale and sell all alcoholic beverages at retail at the  
24 place described in it, for consumption on the premises or elsewhere. A license may not  
25 be issued for any drugstore.

26           (c)    (1)    This subsection applies only in Anne Arundel County.

27                   (3)    (i)    The annual license fee for a limited Class D license is [~~\$900~~]  
28 **\$1,080**.

29                           (ii)   The annual license fee for a Class D on– and off–sale license  
30 is [~~\$1,000~~] **\$1,200**.

1 7-101.

2 (b) (1) (i) Subject to subsection (a) of this section, a special Class C  
3 beer license or a special Class C beer and wine license entitles the holder to exercise  
4 any of the privileges conferred by the respective classes of licenses for the use of any  
5 person holding any bona fide entertainment conducted by any club, society or  
6 association at the place described in the license, for a period not exceeding seven  
7 consecutive days from the effective date thereof.

8 (2) In Anne Arundel County:

9 (i) The fee is [~~\$10~~] **\$25** per day; and

10 (d) (2) In Anne Arundel County:

11 (i) A special beer, wine and liquor license, Class C licensee may  
12 purchase beer from a wholesaler;

13 (ii) The fee is [~~\$25~~] **\$50** per day; and

14 (iii) The provisions of §§ 10-103(b) and 10-202 of this article and  
15 § 10-501 of the State Government Article do not apply to an applicant for the license.

16 8-202.

17 (a) This section applies only in Anne Arundel County.

18 (b) (1) In this section the following words have the meanings indicated.

19 (2) "Board" means the Board of License Commissioners.

20 (d) (4) (ii) A "special Sunday license" may not be issued to any person:

21 **1. WHO HOLDS A HOTEL-LIMITED SERVICE LICENSE**  
22 **UNDER SUBSECTION (J) OF THIS SECTION; OR**

23 **2. [who] WHO** does not hold an alcoholic beverages  
24 license of some other class issued by the Board.

25 (5) (i) The annual fee for each beer and light wine "special Sunday  
26 license" is [~~\$50~~] **\$60**.

27 (ii) The annual fee for each beer, wine and liquor "special  
28 Sunday license" is [~~\$100~~] **\$120**.

29 (e) (1) There is a racetrack license.

1           (3)    The license fee is [~~\$50~~] **\$60** per day to be paid on January 1 for the  
2 racing of the preceding year, payable to the Board. It entitles the holder to sell at one  
3 or more locations within its park.

4           (h)   (3)    The Board may issue a resort complex license covering “on-sales”  
5 of beer, wine and liquor to any person, for the sale of any and all alcoholic beverages  
6 within the confines of the resort complex. This license shall be issued only to the  
7 person, firm, or corporation owning or leasing a resort complex.

8           (4)   (i)    The annual license fee is [~~\$1,500~~] **\$1,800**.

9           (i)   (1)    There is a motel/hotel–restaurant license.

10          (4)   (i)    The annual license fee for each separate establishment is  
11 [~~\$3,000~~] **\$3,600**.

12          **(J)   (1)   (I)    THERE IS A BEER AND WINE (HOTEL–LIMITED SERVICE)**  
13 **(ON–SALE) LICENSE.**

14                   **(II)   THERE IS A BEER, WINE AND LIQUOR (HOTEL–LIMITED**  
15 **SERVICE) (ON–SALE) LICENSE.**

16           **(2)    THE BOARD MAY ISSUE A LICENSE UNDER PARAGRAPH (1)(I)**  
17 **OR (II) OF THIS SUBSECTION ONLY TO A PERSON WHO OWNS OR LEASES A HOTEL**  
18 **THAT CONTAINS AT LEAST 50 ROOMS AND OPERATES A KITCHEN LICENSED AT**  
19 **LEAST AS A FOOD SERVICE FACILITY.**

20           **(3)    A LICENSE ISSUED UNDER THIS SUBSECTION ENTITLES THE**  
21 **HOLDER TO SELL ALCOHOLIC BEVERAGES EVERY DAY AT ONE OR MORE**  
22 **LOCATIONS WITHIN THE HOTEL.**

23           **(4)    THE ANNUAL LICENSE FEE IS:**

24                   **(I)    \$2,400 FOR A BEER AND WINE (HOTEL–LIMITED**  
25 **SERVICE) LICENSE; AND**

26                   **(II)   \$2,800 FOR A BEER, WINE AND LIQUOR**  
27 **(HOTEL–LIMITED SERVICE) LICENSE.**

28           **(5)    THE ANNUAL LICENSE FEE SHALL BE PAID ON MAY 1 TO THE**  
29 **BOARD.**

30 8–202.1.

31           (a)    This section applies only in Anne Arundel County.

1 (c) (1) There is a 7-day Class BLX (deluxe restaurant) (on-sale) beer,  
2 wine and liquor license.

3 (f) The annual license fee is [\$1,000] **\$1,200.**

4 10-103.

5 (b) (13) (XV) ~~IN ANNE ARUNDEL COUNTY, THE BOARD OF LICENSE~~  
6 ~~COMMISSIONERS SHALL:~~

7 ~~1. OBTAIN CRIMINAL RECORDS OF ALCOHOLIC~~  
8 ~~BEVERAGES LICENSE APPLICANTS FROM THE ANNE ARUNDEL COUNTY POLICE~~  
9 ~~DEPARTMENT AND THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL~~  
10 ~~REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL~~  
11 ~~SERVICES;~~

12 ~~2. REQUIRE APPLICANTS FOR ALCOHOLIC~~  
13 ~~BEVERAGES LICENSES TO BE FINGERPRINTED; AND~~

14 ~~3. FORWARD THE FINGERPRINTS THROUGH THE~~  
15 ~~CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE~~  
16 ~~DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES FOR~~  
17 ~~TRANSMITTAL TO THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL~~  
18 ~~CRIMINAL HISTORY RECORDS CHECK~~

19 1. THIS SUBPARAGRAPH APPLIES ONLY IN ANNE  
20 ARUNDEL COUNTY.

21 2. IN THIS SUBPARAGRAPH, "CENTRAL  
22 REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM  
23 CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND  
24 CORRECTIONAL SERVICES.

25 3. THE BOARD OF LICENSE COMMISSIONERS SHALL  
26 OBTAIN CRIMINAL RECORDS OF EACH ALCOHOLIC BEVERAGES LICENSE  
27 APPLICANT FROM THE ANNE ARUNDEL COUNTY POLICE DEPARTMENT AND  
28 THE CENTRAL REPOSITORY.

29 4. THE BOARD OF LICENSE COMMISSIONERS SHALL  
30 APPLY TO THE CENTRAL REPOSITORY FOR A CRIMINAL HISTORY RECORDS  
31 CHECK FOR EACH ALCOHOLIC BEVERAGES LICENSE APPLICANT AND, AS PART  
32 OF THE APPLICATION, SHALL SUBMIT TO THE CENTRAL REPOSITORY:



1                   **A. TWO COMPLETE SETS OF THE APPLICANT'S**  
2 **LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF**  
3 **THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF**  
4 **INVESTIGATION;**

5                   **B. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF**  
6 **THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO THE MARYLAND**  
7 **CRIMINAL HISTORY RECORDS; AND**

8                   **C. THE MANDATORY PROCESSING FEE REQUIRED BY**  
9 **THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL**  
10 **HISTORY RECORDS CHECK.**

11                   **5. THE CENTRAL REPOSITORY SHALL FORWARD TO**  
12 **THE APPLICANT AND THE BOARD OF LICENSE COMMISSIONERS THE**  
13 **APPLICANT'S CRIMINAL HISTORY RECORD INFORMATION.**

14                   **6. INFORMATION OBTAINED FROM THE CENTRAL**  
15 **REPOSITORY UNDER THIS SUBPARAGRAPH:**

16                   **A. IS CONFIDENTIAL AND MAY NOT BE**  
17 **REDISSEMINATED; AND**

18                   **B. MAY BE USED ONLY FOR THE LICENSING PURPOSE**  
19 **AUTHORIZED UNDER THIS SECTION.**

20 10-301.

21                   **(U) IN ANNE ARUNDEL COUNTY, AN APPLICANT FOR A RENEWAL OF A**  
22 **LICENSE SHALL PAY TO THE LOCAL COLLECTING AGENT A NONREFUNDABLE**  
23 **RENEWAL FEE OF \$50 IN ADDITION TO THE ANNUAL LICENSE FEE.**

24 12-202.

25                   (a) In Anne Arundel County no holder of any class of alcoholic beverage  
26 license or the holder of a club license shall permit the playing of music of any kind  
27 (except one radio speaker or one television screen), or dancing, floor shows, or any  
28 other similar type of entertainment on the licensed premises or on adjacent property  
29 over which the licensee has ownership or control, except:

30                   (1) Any holder of a Class B, Class D, or Class H license shall be  
31 permitted to play recorded music of any kind, or live music with no more than two  
32 musicians if the licensee obtains a special music license. A special music license may  
33 be issued in the same manner as any other special license. The annual fee for the  
34 license shall be \$100. Dancing, floor shows, or other similar live entertainment may  
35 not be permitted.

1           (2)   (i)    Except as provided in subparagraph (ii) of this paragraph,  
2 any holder of a Class B, Class D or Class H license shall be permitted to have music,  
3 dancing and other legal forms of entertainment, provided the licensee obtains a special  
4 dancing license which shall be issued in the same manner as any other special license.  
5 The annual fee shall be \$400 when issued to a licensee holding a beer, wine and liquor  
6 license and \$200 when issued to a licensee holding a beer and wine license.

7           (ii)   A Class H license that is located within 1,000 feet in a  
8 straight line from entry to entry from a church or school may not obtain a special  
9 dancing license.

10          (3)   Any holder of a Class C license shall be permitted to have music,  
11 dancing and other legal forms of entertainment, provided the licensee obtains a special  
12 dancing license which shall be issued in the same manner as any other special license  
13 at no additional charge.

14          (4)   (i)    **THE BOARD MAY ISSUE A SPECIAL OUTDOOR LICENSE**  
15 **TO A HOLDER OF A CLASS B, CLASS C, CLASS D, OR CLASS H LICENSE.**

16               (ii)   **A SPECIAL OUTDOOR LICENSE UNDER THIS PARAGRAPH**  
17 **ENTITLES THE HOLDER TO PROVIDE OUTDOOR TABLE SERVICE TO**  
18 **CUSTOMERS ON THE GROUNDS OF THE LICENSED ESTABLISHMENT.**

19               (iii)   **THE ANNUAL FEE FOR A SPECIAL OUTDOOR LICENSE IS**  
20 **\$200.**

21               (iv)   **BEFORE A SPECIAL OUTDOOR LICENSE IS RENEWED, A**  
22 **HOLDER SHALL OBTAIN APPROVAL FROM THE BOARD.**

23          (5)   (i)    **THE BOARD MAY ISSUE A SPECIAL OUTDOOR**  
24 **ENTERTAINMENT LICENSE TO A HOLDER OF A CLASS B, CLASS C, CLASS D, AND**  
25 **CLASS H LICENSE WHO ALSO HOLDS A SPECIAL DANCING LICENSE OR A**  
26 **SPECIAL MUSIC LICENSE UNDER PARAGRAPH (1), (2), OR (3) OF THIS**  
27 **SUBSECTION.**

28               (ii)   **A SPECIAL OUTDOOR ENTERTAINMENT LICENSE UNDER**  
29 **THIS PARAGRAPH ENTITLES THE HOLDER TO PROVIDE:**

30                   1.   **THE SAME FORM OF ENTERTAINMENT OUTDOORS**  
31 **THAT THE HOLDER IS ALLOWED TO PROVIDE INDOORS UNDER THE HOLDER'S**  
32 **SPECIAL DANCING LICENSE OR SPECIAL MUSIC LICENSE; AND**

33                   2.   **OUTDOOR TABLE SERVICE OR CAFE SERVICE.**

1                   (III) THE ANNUAL FEE FOR A SPECIAL OUTDOOR  
2 ENTERTAINMENT LICENSE IS \$500.

3                   (IV) BEFORE A SPECIAL OUTDOOR ENTERTAINMENT  
4 LICENSE IS RENEWED, THE HOLDER OF THE LICENSE SHALL  
5 OBTAIN APPROVAL FROM THE BOARD.

6                   [(4)] (6) All special licenses set forth in paragraphs (1), (2), [and] (3),  
7 [above] (4), AND (5) OF THIS SUBSECTION shall be authorized by the Board of  
8 License Commissioners for Anne Arundel County only when the Board finds:

9                   (i) That the use of the licensed premises for such purposes shall  
10 not be in violation of any fire, health, or building regulation of Anne Arundel County,

11                   (ii) That the applicant can adequately control the persons using  
12 the licensed premises,

13                   (iii) That the granting of such special license is necessary for the  
14 accommodation of the public,

15                   (iv) That the operation of the premises under such special  
16 license will not unduly disturb the peace of the residents of the neighborhood in which  
17 the place of business is located, and

18                   (v) That in the opinion of the Board the granting of such special  
19 license will not be detrimental to the general public welfare.

20 15–112.

21                   (c) (1) (i) This subsection applies only in Anne Arundel County.

22                   (3) (I) In addition to the powers given to the Board in subsection  
23 (a) of this section, the Board may employ one part–time chief inspector at an annual  
24 salary of \$10,000, **ONE PART–TIME DEPUTY CHIEF INSPECTOR AT AN ANNUAL**  
25 **SALARY OF \$8,000** and [19] **18** part–time inspectors at an annual salary of \$6,000  
26 each.

27                   (II) In addition to [this] A salary **STATED IN SUBPARAGRAPH**  
28 **(I) OF THIS PARAGRAPH**, each of the inspectors shall receive a monthly expense of  
29 \$300 per month, subject to the approval of the State Comptroller.

30                   (5) The Board of License Commissioners:

31                   (iii) Shall employ an attorney at an annual salary of [\$12,000]  
32 **\$20,000.**

1 16-101.

2 (e) (4) (i) If the court reverses the action of the local licensing board it  
 3 shall file with the papers a written statement of the reasons. The court may modify, as  
 4 well as affirm or reverse, the action of the local licensing board. Costs shall be  
 5 awarded as in other civil cases.

6 (ii) In addition to the other powers of the court provided in this  
 7 article, the court may remand the proceedings to the local licensing board in the  
 8 following jurisdictions:

9 **1. ANNE ARUNDEL COUNTY;**

10 **[1.] 2. Baltimore City;**

11 **[2.] 3. Carroll County;**

12 **[3.] 4. Charles County;**

13 **[4.] 5. Frederick County;**

14 **[5.] 6. Harford County;**

15 **[6.] 7. Howard County;**

16 **[7.] 8. Montgomery County;**

17 **[8.] 9. Prince George's County; and**

18 **[9.] 10. St. Mary's County.**

19 16-507.

20 (c) (1) (I) In Anne Arundel County the Board of License  
 21 Commissioners may impose a fine of not more than [\$1,000 in lieu of suspension of a  
 22 license] **\$2,500 OR SUSPEND THE LICENSE OR BOTH** for any violation that is cause  
 23 for suspension under the alcoholic beverage laws affecting Anne Arundel County.

24 (II) **A FINE OR SUSPENSION UNDER SUBPARAGRAPH (I) OF**  
 25 **THIS PARAGRAPH IS IN ADDITION TO ANY OTHER TERM OR CONDITION THAT**  
 26 **THE BOARD MAY IMPOSE AS A RESULT OF THE VIOLATION.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That Article 2B,  
 28 § 16-101(e)(4)(ii)1, as enacted by Section 1 of this Act, shall be construed to apply  
 29 retroactively and shall be applied to and interpreted to affect all matters on judicial  
 30 review in the Circuit Court for Anne Arundel County on or after August 1, 2008.

1           SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take  
2 effect July 1, 2009.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.