

HOUSE BILL 238

A2, P1

6lr2081
CF SB 175

By: **Delegate Sophocleus**

Introduced and read first time: January 25, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Alcoholic Beverages – Disposition of Fees**

3 FOR the purpose of requiring the Anne Arundel County Board of License Commissioners
4 to remit a certain administrative fee to the Office of the Comptroller instead of using
5 the fee to cover certain expenses; requiring the Board to remit to the Office of the
6 Comptroller, rather than to Anne Arundel County, all fees that the Board collects;
7 requiring the Office of the Comptroller, rather than the county, to pay from certain
8 receipts certain salaries and expenses and to remit the balance to the county for
9 certain purposes; and generally relating to the disposition of fees related to alcoholic
10 beverages licenses in Anne Arundel County.

11 BY repealing and reenacting, with amendments,
12 Article 2B – Alcoholic Beverages
13 Section 10–104(c)(1) and 10–204(c)
14 Annotated Code of Maryland
15 (2011 Replacement Volume and 2015 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article 2B – Alcoholic Beverages
18 Section 10–204(a)
19 Annotated Code of Maryland
20 (2011 Replacement Volume and 2015 Supplement)

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

23 **Article 2B – Alcoholic Beverages**

24 10–104.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) (I) In Anne Arundel County, any administrative action that
2 requires a hearing, including an application for a new license, a transfer of a license to a
3 third party, or a change of ownership of a majority interest in a license, shall be
4 accompanied by payment of an administrative fee of \$200 payable to the Board.

5 (II) This sum is in addition to any other fee required for a license in
6 Anne Arundel County, and the administrative fee may not be returned whether the
7 requested administrative action is granted or denied.

8 (III) The administrative fee shall be [used by the Board to cover the
9 expenses of the Board in connection with its functions] **REMITTED TO THE OFFICE OF**
10 **THE COMPTROLLER AS REQUIRED UNDER § 10-204(C) OF THIS TITLE.**

11 (IV) The provisions of this subsection do not apply to any application
12 for a license by way of renewal.

13 10-204.

14 (a) (1) Except as otherwise provided in this section, the local collecting agent
15 shall remit all license fees collected under this article to the board of county commissioners
16 or county fiscal officer for the county, or to the Mayor and City Council of Baltimore, as the
17 case may be.

18 (2) The board of county commissioners or Mayor and City Council of
19 Baltimore shall use the portion of the receipts as may be necessary to pay refunds as
20 provided in this section, and devote the balance to the general purposes of the county or
21 city, as the case may be.

22 (3) The Comptroller's office may retain from the license and permit fees
23 collected by the office for the use of the State of Maryland sums necessary to pay refunds
24 on licenses issued by the office and the expenses incurred by the office in the discharge of
25 the duties imposed by this article.

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

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

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

31 (2) (i) The Anne Arundel County Board of License Commissioners shall
32 remit to the [county] **OFFICE OF THE COMPTROLLER** all fees collected by the Board.

33 (ii) The [county] **OFFICE OF THE COMPTROLLER** shall:

1 **1. APPROVE AND** pay from the receipts the salaries and
2 expenses of the Board and [of] its employees[, as approved by the State Comptroller,]; and
3 [shall devote]

4 **2. REMIT** the balance of the receipts to **THE COUNTY FOR**
5 the general purposes of the county.

6 (3) The City Clerk of the City of Annapolis shall:

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

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

11 (4) (i) The City Clerk of the City of Annapolis shall remit to the City of
12 Annapolis all fees collected by the City Clerk.

13 (ii) The City of Annapolis shall devote the receipts to the general
14 purposes of the City.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2016.