

(3) THE CLERK SHALL PAY INTO THE GENERAL FUND OF THE STATE ANY MONEY THAT IS NOT DISTRIBUTED AT THE END OF THE FISCAL YEAR OF A COUNTY OR MUNICIPAL CORPORATION BECAUSE THE COUNTY OR MUNICIPAL CORPORATION FAILED TO MAKE THE LEVY AND CERTIFICATION REQUIRED BY PARAGRAPH (2) OF THIS SUBSECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 4 and the first, second, and third sentences and the first clause of the fourth sentence of § 3.

In subsection (a) of this section, the former specific list of licenses is deleted. The former references to licenses for "bowling alleys", "circuses", "motion picture machines", "moving picture shows", "shows", and "theatres" are deleted as obsolete since the clerks of the circuit courts no longer issue licenses for these entities. The former references to licenses for "billiard tables", "chain stores", "cleaning, dyeing and pressing", "construction firms", "garages", "hawkers and peddlers", "laundries", "plumbers and gas fitters", "restaurants or eating places", "soda water fountains", "traders", and "wholesale dealers in farm machinery" are deleted as included in the defined term "license". The former reference to licenses for "cigarettes" is deleted as covered by Title 16 of this article.

The second clause of the fourth sentence of former Art. 56, § 3, which provided that former § 3 only applied to licenses issued after June 30, 1947, is deleted as obsolete.

The third clause of the fourth sentence of former Art. 56, § 3, which provided that former § 3 did not apply to restaurants or eating places in Montgomery County, is deleted as surplusage in light of the general exclusion in Subtitle 16 of this title for restaurants in Montgomery County.

As to the percentage of license fees authorized by law, see Art. 17, § 74.

As to the additional issuance fee now allowed, in practice the clerks charge \$2.00 unless there is a statutorily required fee for the issuance of a license.

Defined terms: "Clerk" § 1-101

"County" § 1-101

"License" § 17-201

GENERAL REVISOR'S NOTE TO SUBTITLE:

The first clause of former Art. 56, § 11(e), which repealed any law under which the Department of Assessments and Taxation had supervisory authority over the issuance of licenses by the clerks, is repealed as obsolete since the Comptroller currently exercises that supervisory authority. This provision originally was enacted in 1922.

The fourth clause of former Art. 56, § 11(e), which provided that former § 11 did not apply to restaurants or eating places in Montgomery County, is deleted as surplusage in light of the general exclusion in Subtitle 16 of this title for restaurants in Montgomery County.