

CHAPTER 386
(Senate Bill 694)

AN ACT to repeal and re-enact, with amendments, Sections 66 and 68 (A) of Article 48 of the Annotated Code of Maryland (1965 Replacement Volume and 1970 Supplement), title "Inspections," subtitle "State Tobacco Authority," AMENDING THE AUCTION SALES OF TOBACCO LAW UNDER THE JURISDICTION OF THE STATE TOBACCO AUTHORITY to allow for the increase of certain license fees, AND to allow for an increase of fees to a licensed tobacco commission selling agency for certain sales, ~~and to provide that moneys received by the Authority will stay with the Authority and be disbursed with the approval of the State Comptroller.~~

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 66 and 68 (A) of Article 48 of the Annotated Code of Maryland (1965 Replacement Volume and 1970 Supplement), title "Inspections," subtitle "State Tobacco Authority," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

66.

(a) Every person engaged in the business of a tobacco commission selling agency, whether in the form of an individual, firm, association or corporation, shall obtain upon payment of a license fee [of two hundred and fifty dollars (\$250)] *set by the Authority but not to exceed three hundred and fifty dollars (\$350)* per year a license to engage in business as a tobacco commission selling agency; and no such person shall engage in such business in Maryland without having secured such a license for the current year.

(b) Every person who purchases any tobacco from a producer shall obtain a license to engage in such business upon payment of a licensee fee [one hundred dollars (\$100)] *set by the Authority but not to exceed two hundred dollars (\$200)* per year. No such person shall engage in such business in Maryland without having secured such a license for the current year. This requirement includes, but is not limited to, that class of buyers and purchasers commonly known and referred to as "transfer buyers." Provided, that nothing in this subsection shall be construed to require any such license for purchases which are made by and between landlords and their tenants.

(c) Every buyer or other person who purchases tobacco from the sales floor of a licensed commission selling agency shall annually obtain a sales floor buyer's license to engage in such business upon payment of a license fee [of one hundred dollars (\$100)] *set by the Authority but not to exceed two hundred dollars (\$200) annually* whether such person buys for or on the account of another person, firm or corporation. No such person shall engage in such business in Maryland without having secured such a license for the current year, provided, that an agent for a person holding a sales floor buyer's license issued under the provisions of this subsection shall be entitled to engage in such business for and on the account of his principal when he has obtained and holds for the current year a sales floor buyer's agent's license to engage in the business of buying tobacco on a sales floor as agent for and on behalf of such licensed buyer,