

MECHANICAL MUSIC, RADIO OR TELEVISION, ALONE, AND WHERE NO DANCING IS PERMITTED, ARE AFFORDED THE MEMBERS, GUESTS, OR PATRONS IN CONNECTION WITH THE SERVING OR SELLING OF FOOD, REFRESHMENT OR MERCHANDISE. PROVIDED, IF ANY INCORPORATED CITY OR TOWN LOCATED IN THE COUNTY LEVIES A TAX UNDER SUBSECTION (C) OF THIS SECTION, THE COUNTY SHALL NOT LEVY A TAX ON THE GROSS RECEIPTS LISTED ABOVE, OBTAINED FROM SOURCES WITHIN THE INCORPORATED CITY OR TOWN.

(B) EFFECTIVE JULY 1, 1972, ANY INCORPORATED CITY OR TOWN BY RESOLUTION MAY LEVY AND COLLECT A TAX ON THE GROSS RECEIPTS OF EVERY PERSON, FIRM OR CORPORATION OBTAINED FROM SOURCES WITHIN THE INCORPORATED CITY OR TOWN DERIVED FROM THE AMOUNTS CHARGED FOR (1) ADMISSION TO ANY PLACE, WHETHER THE ADMISSION BE BY SINGLE TICKET, SEASON TICKET OR SUBSCRIPTION, INCLUDING A COVER CHARGE FOR SEATS OR TABLES AT ANY ROOF GARDEN, CABARET OR OTHER SIMILAR PLACE WHERE THERE IS FURNISHED A PERFORMANCE WHEN PAYMENT OF THE AMOUNTS ENTITLES THE PATRON THEREOF TO BE PRESENT DURING ANY PORTION OF THE PERFORMANCE; (2) ADMISSION WITHIN AN ENCLOSURE IN ADDITION TO THE INITIAL CHARGE FOR ADMISSION TO THE ENCLOSURE; (3) THE USE OF SPORTING OR RECREATIONAL FACILITIES OR EQUIPMENT, INCLUDING THE RENTAL OF SPORTING OR RECREATIONAL EQUIPMENT; AND (4) REFRESHMENT, SERVICE OR MERCHANDISE AT ANY ROOF GARDEN, CABARET OR OTHER SIMILAR PLACE WHERE THERE IS FURNISHED A PERFORMANCE. THE TERM "ROOF GARDEN OR OTHER SIMILAR PLACE" SHALL INCLUDE ANY ROOM IN ANY HOTEL, RESTAURANT, HALL OR OTHER PLACE WHERE MUSIC OR DANCING PRIVILEGES OR OTHER ENTERTAINMENT, EXCEPT MECHANICAL MUSIC, RADIO OR TELEVISION, ALONE, AND WHERE NO DANCING IS PERMITTED, ARE AFFORDED THE MEMBERS, GUESTS OR PATRONS IN CONNECTION WITH THE SERVING OR SELLING OF FOOD, REFRESHMENT, OR MERCHANDISE.

SEC. 4. *AND BE IT FURTHER ENACTED*, THAT THE REPEAL AS OF JUNE 30, 1972, OF SECTIONS 402 THROUGH 411, INCLUSIVE, OF THE SAID ARTICLE OF THE CODE, AS THESE SECTIONS EXISTED ON JUNE 30, 1972, SHALL NOT BE CONSTRUED OR APPLIED TO REPEAL OR REMOVE ANY POWER THEREFORE HELD BY THE STATE OF MARYLAND TO COLLECT ANY OF SUCH TAXES LAWFULLY DUE AND OWING AS OF JUNE 30, 1972. ALL AND ANY OF SUCH TAXES AS OF JUNE 30, 1972, MAY BE COLLECTED BY THE STATE WITH THE SAME POWERS AND REMEDIES AS IF THE SAID SECTIONS 402 TO 411, INCLUSIVE, HAD NOT BEEN REPEALED.

SEC. 3 5. *And be it further enacted*, That if any portion of this Act or the application thereof to any person or circumstances is held