

In subsection (c), the present reference to a "licensed tobacco commission sales agency" is proposed for deletion and a reference to a "commission selling agency" is added in light of the definition set forth in §7-101(c). The present reference to a "licensed tobacco sales floor" is proposed for deletion and "sales floor seller licensee" is substituted because the person is licensed, not the sales floor.

The only other changes made are in style.

SEC. 7-412. FEE FOR TOBACCO SOLD ON WAREHOUSE SALES FLOOR.

(A) COMMISSION SELLING AGENCY TO OBTAIN FEE; AMOUNT.

EVERY COMMISSION SELLING AGENCY SHALL COLLECT FROM THE OWNER OR SELLER OF TOBACCO SOLD ON ITS SALES FLOOR, A FEE NOT EXCEEDING THE RATE OF TEN CENTS PER BASKET OR 75 CENTS PER HOGSHEAD. AT ANY TIME LESS THAN 60 DAYS PRIOR TO THE OPENING OF THE SELLING SEASON, THE AUTHORITY MAY ESTABLISH A LOWER RATE FOR THAT ONE SEASON IN CONSIDERATION OF ITS NEED FOR FUNDS IN THE NEXT FISCAL YEAR, OR OTHER POTENTIALLY AVAILABLE REVENUES, AND FUNDS THE STATE COMPTROLLER HOLDS ON ITS ACCOUNT. ANY LOWER RATE SHALL BE AT A LEVEL SUFFICIENT TO KEEP THE SPECIAL FUND AT AN ADEQUATE LEVEL TO MEET REQUIREMENTS OF THIS SUBTITLE.

(B) COLLECTION OF FEE.

THE COMMISSION SELLING AGENCY SHALL COLLECT THE FEE WHEN IT MAKES ITS FIRST RETURN TO THE SELLER OR OWNER FOR THE TOBACCO SOLD. EVERY FEE COLLECTED SHALL BE PAID OVER AND ACCOUNTED FOR BY THE COMMISSION SELLING AGENCY TO THE AUTHORITY AT THE END OF EACH SELLING DAY.

(C) RIGHT TO INSPECT BOOKS AND ACCOUNTS.

THE AUTHORITY OR ITS AGENT, AT ANY REASONABLE TIME, MAY INSPECT THE BOOKS AND ACCOUNTS OF ANY COMMISSION SELLING AGENCY TO VERIFY THE CORRECTNESS OF ANY RETURN.

REVISOR'S NOTE: This section presently appears as Art. 48, §68(a) of the Code. The only changes made are in style.