

Expedited Bill No. 17-05
Concerning: Licenses - Benefit
Performances
Revised: 6-3-05 Draft No. 1
Introduced: June 14, 2005
Enacted: July 26, 2005
Executive: August 4, 2005
Effective: August 4, 2005
Sunset Date: None
Ch. 18, Laws of Mont. Co. 2005

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Silverman

AN EXPEDITED ACT to:

- (1) allow certain organizations to contract for operation of benefit performances; and
- (2) generally amend the law governing licensing of benefit performances.

By amending

Montgomery County Code
Chapter 30, Licensing and Regulations Generally
Section 30-4, Benefit performances

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 30-4 is amended as follows:**

2 **30-4. Benefit performances.**

3 (a) A bona fide non-profit organization may conduct a performance for the
4 exclusive benefit of a volunteer fire department, or a charitable,
5 benevolent, patriotic, fraternal, educational, religious or civic object. A
6 benefit performance includes an outdoor or indoor carnival, fair, picnic,
7 dance, card party, bazaar, concert, contest, horse show, exhibition,
8 lecture, barbecue, or dinner, to which the public is invited or admitted,
9 with or without charge for admission. The net proceeds must benefit
10 solely the non-profit organization.

11 (b) At a benefit performance, [it is lawful to] the organization or operator
12 may award prizes in merchandise, conduct games of skill, dispose of
13 merchandise [and] or any other [things] thing of value by auction or
14 voting or by any mechanical [devices] device, such as a paddle [wheels]
15 wheel, [wheels] wheel of fortune, bingo, or similar [devices] device.
16 [Nothing in this Section, however, permits awarding] However, the
17 organization or operator must not award prizes in money or tokens or
18 certificates redeemable in money, in any game, auction, contest, or
19 method which is prohibited under any State or County gaming [laws]
20 law.


21 (c) Before [operating] conducting any benefit performance, any
22 organization must obtain from the Director of Permitting Services a
23 written permit under this Chapter. A benefit performance must be
24 managed [and operated only] by [members of] the organization
25 [personally] that will benefit from it, and may be operated by or with a
26 contractor of that organization.

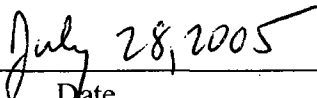
27 (d) Any person who [operates] conducts a benefit performance in violation
28 of this Section has committed a class A violation.

29 **Sec. 2. Expedited Effective Date.**

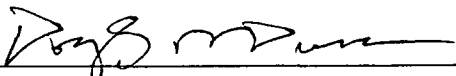
30 The Council declares that this legislation is necessary for the immediate
31 protection of the public interest. This Act takes effect on the date on which it
32 becomes law.

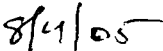
33 *Approved:*

34 

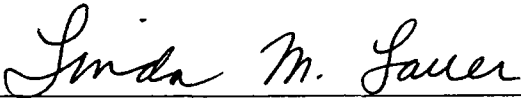
Thomas E. Perez, President, County Council
Date 

35 *Approved:*

36 

Douglas M. Duncan, County Executive
Date 

37 *This is a correct copy of Council action.*

38 

Linda M. Lauer, Clerk of the Council
Date 