

To the Honorable Board of Estimates (cont'd)

General Assembly of Maryland. Section 15 of Article 2-B of the Annotated Code of Maryland (Chapter 775 of the Acts of 1939) provides as follows:

**"REFUNDS.** No holder of any class of license shall be entitled to a refund of the unearned portion of the fee paid for a license, upon the surrender thereof, except in the event of receivership or bankruptcy of the business, or in the event of the death of the license holder, and in such cases refunds shall be made for the benefit of the creditors or estate of any such licensee."

I am of the opinion that the Board of Estimates is vested with no discretion in connection with requests for refunds of unearned portions of liquor license fees and that in view of the provisions of the above mentioned act of the Legislature, the request must be denied.

Very truly yours,

(signed) CHARLES C. G. EVANS

City Solicitor

CCGE/RRS