

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**2004 Legislative Session**

Bill No. CB-105-2004

Chapter No. \_\_\_\_\_

Proposed and Presented by Council Member Hendershot

Introduced by \_\_\_\_\_

Co-Sponsors \_\_\_\_\_

Date of Introduction \_\_\_\_\_

**BILL**

1 AN ACT concerning

2 Income Tax Refund Anticipation Loan Businesses

3 For the purpose of providing for the licensing of businesses that advance money in anticipation  
4 of receiving income tax refunds, providing standards for operation, and providing penalties for  
5 violations.

6 BY adding:

7 SUBTITLE 5. BUSINESSES AND LICENSES.

8 Sections 5-2601, 5-2602, 5-2603, 5-2604, 5-2605,

9 5-2606, 5-2607, 5-2608, 5-2609, 5-2610, 5-2611,

10 5-2612, 5-2613, and 5-2614,

11 The Prince George's County Code

12 (2003 Edition).

13 SECTION 1. BE IT ENACTED by the County Council of Prince  
14 George's County, Maryland, that Sections 5-2601, 5-2602, 5-2603, 5-2604, 5-2605,  
15 5-2606, 5-2607, 5-2608, 5-2609, 5-2610, 5-2611, 5-2612, 5-2613, and 5-2614, of the Prince  
16 George's County Code be and the same are hereby added:

17 SUBTITLE 5. BUSINESSES AND LICENSES.

18 **DIVISION 26. INCOME TAX REFUND ANTICIPATION LOANS BUSINESS**  
19 **LICENSE.**

1 **Sec. 5-2601. Income tax refund loans; definitions.**

2 (a) For the purposes of this Division, the following words, terms, and phrases shall have  
 3 the following meanings:

4 (1) **Consumer** shall mean a natural person who, singly or jointly with another person,  
 5 is solicited for, applies for, or receives the proceeds of a refund anticipation loan or refund  
 6 anticipation check.

7 (2) **Director** shall mean the Director of Environmental Resources or the Director's  
 8 designee.

9 (3) **Facilitator** shall mean a person who individually or in conjunction or in  
 10 cooperation with another person:

11 (A) Solicits the execution of, processes, receives or accepts an application or  
 12 agreement for a refund anticipation loan or refund anticipation check; or

13 (B) In any other manner facilitates the making of a refund anticipation loan or  
 14 refund anticipation check.

15 (4) **Refund anticipation check** shall mean a check or other payment mechanism:

16 (A) Representing the proceeds of the consumer's tax refund;

17 (B) Which was issued by a depository institution or other person that received a  
 18 direct deposit of the consumer's tax refund or tax credits; and

19 (C) For which the consumer has paid a fee or other consideration for the  
 20 payment mechanism.

21 (5) **Refund anticipation loan** shall mean a loan that is secured by or that the creditor  
 22 arranges to be repaid directly or indirectly from the proceeds of the consumer's income tax  
 23 refund or tax credits. A refund anticipation loan also includes any sale, assignment, or purchase  
 24 of a consumer's tax refund at a discount, whether or not the consumer is required to repay the  
 25 buyer or assignee if the Internal Revenue Service denies or reduces the consumer's tax refund.

26 (6) **Refund anticipation loan fee** shall mean the charges, fees, or other consideration  
 27 charged or imposed by the creditor or facilitator for the making of a refund anticipation loan.  
 28 This term does not include any charge, fee, or other consideration usually charged or imposed by  
 29 the facilitator in the ordinary course of business, such as fees for tax return preparation and fees  
 30 for electronic filing of tax returns, if the same fees in the same amount are charged to the  
 31 facilitator's customers who do not receive refund anticipation loans or refund anticipation

1 checks. This term does include any charge, fee, or other consideration for a deposit account, if  
 2 the deposit account is used for receipt of the consumer's tax refund to repay the amount owed on  
 3 the loan.

4 (7) **Refund anticipation loan interest rate** shall mean the interest rate for a refund  
 5 anticipation loan calculated on an annualized basis. The refund anticipation loan interest rate  
 6 shall include all refund anticipation loan fees, including any administrative, document  
 7 preparation, or any fees that are not charged to customers who do not receive a refund  
 8 anticipation loan or refund anticipation check. If a deposit account is established or maintained  
 9 in whole or in part for the purpose of receiving the consumer's tax refund to repay the amount  
 10 owed on a refund anticipation loan:

11 (A) The maturity of the loan for the purpose of determining the refund  
 12 anticipation loan interest rate shall be assumed to be the estimated date when the tax refund will  
 13 be deposited in the deposit account; and

14 (B) Any fee charged to the consumer for such deposit account shall be  
 15 considered a loan fee and shall be included in the calculation of the refund anticipation loan  
 16 interest rate.

17 (8) **Registrant** shall mean a person who is registered as a facilitator of refund  
 18 anticipation loans or refund anticipation checks under this Division, and any officer, agent,  
 19 employee or representative thereof.

## 20 **Sec. 5-2602. Licenses required.**

21 (a) It shall be unlawful for any person individually or in conjunction or cooperation with  
 22 another person to engage in the business of, or act in the capacity of, a facilitator or to solicit the  
 23 execution of, process, receive or accept an application or agreement for a refund anticipation  
 24 loan or refund anticipation check without first being registered with the Director and posting a  
 25 bond in accordance with the procedures provided in this Division.

26 (b) Exemption. This Division does not apply to a person doing business as a bank, thrift,  
 27 savings association, or credit union, pursuant to the laws of the United States or of the State of  
 28 Maryland.

## 29 **Sec. 5-2603. Application; fee; qualifications.**

30 (a) The Director shall maintain a register of all applicants for licenses and all licenses  
 31 issued.

1       **(b) Any person desiring to be licensed as a facilitator in the County shall file with the**  
2       **Director a written application, under oath, on a form approved by the Director. Each application**  
3       **shall be accompanied by the sum of Five Hundred Dollars (\$500.00) as application fee for each**  
4       **office where the registrant intends to facilitate fund anticipation loans or refund anticipation**  
5       **checks.**

6       **(c) Upon the filing of an application for registration, if the Director finds that the**  
7       **responsibility and general fitness of the applicant are such as to command the confidence of the**  
8       **community and to warrant belief that the business of facilitating refund anticipation loans or**  
9       **refund anticipation checks will be operated within the purposes of this Division, the Director**  
10       **shall register the applicant and shall issue and transmit to the applicant a certificate of**  
11       **registration. If the Director does not so find, the Director shall not register the applicant and**  
12       **shall notify the applicant of the reasons for the denial. The Director shall cause that denial to be**  
13       **personally served or mailed to the applicant at the address supplied on the application.**

14       **(1) The Director shall, upon denial of an application, offer the applicant an**  
15       **opportunity for a public hearing at which he may show cause why the application should not be**  
16       **denied.**

17       **(2) An applicant may appeal the denial to the Board of Appeals by filing the appeal**  
18       **with the Board not later than thirty (30) days after notice of the denial is personally served or**  
19       **mailed.**

20       **(3) An applicant shall be given an opportunity to review all records of the**  
21       **Department pertinent to the application and appeal.**

22       **(d) Upon receipt of a certificate of registration, the applicant is registered under this**  
23       **Division and may engage in the business of facilitating refund anticipation loans and refund**  
24       **anticipation checks at the offices identified on the application for registration. Each registrant**  
25       **shall prominently display a certificate issued under this Act in each place of business in the State**  
26       **where the registrant facilitates the making of refund anticipation loans or refund anticipation**  
27       **checks.**

28       **Sec. 5-2604. License; bond required.**

29       **(a) As a condition precedent to the issuance of a license under this Division, every person**  
30       **required to be licensed under this Division shall deliver to the Director a receipt for a cash bond**  
31       **received from the County Director of Finance or a corporate bond executed by a surety company**

1 qualified to do business in the State of Maryland in the amount of \$100,000 per location, or other  
2 means of security acceptable to the County Attorney.

3 (b) The cash or corporate bond, or other security, shall run to the County and shall be  
4 conditioned that the facilitator shall:

5 (1) Pay any judgment rendered against it by a court of competent jurisdiction as a  
6 result of the operation of a facilitator; and

7 (2) Comply fully with all provisions of the laws of the County and the State of  
8 Maryland regulating and concerning the making of a refund anticipation loan or refund  
9 anticipation check.

10 (c) Any person who has been awarded a final judgment from any court of competent  
11 jurisdiction as a result of the operation of a facilitator by a person required to be licensed under  
12 this Division shall have a right of action against such bond or other security for the recovery of  
13 money, damages, or both, in any court of competent jurisdiction. In the event that the judgment  
14 is not satisfied after the judgment holder has made reasonable efforts to execute on the judgment,  
15 the County, on behalf of the judgment holder, may make demand on the surety company for the  
16 maximum amount of the bond or the amount of the judgment obtained plus interest and costs,  
17 whichever is less.

18 (d) Cash bonds shall be deposited with the County Director of Finance. Such cash bonds  
19 shall be maintained by the County Director of Finance in an interest bearing account for five  
20 years after the date of expiration of the license or the date of the expiration of any renewal period  
21 for which such bond was deposited by the licensee. If the County Director of Finance is notified  
22 in writing that a suit has been filed against any such licensee as a result of which a judgment may  
23 be payable out of such cash bond, the County Director of Finance shall retain such cash bond  
24 until such time as such suit has been reduced to judgment and the period for filing an appeal  
25 from such judgment has expired or the judgment debtor has waived, in writing, his right to take  
26 an appeal or until such time as such suit has otherwise been disposed of.

27 (e) Every person required to be licensed under this Division who has deposited a cash  
28 bond with the County Director of Finance shall be entitled to a return of reasonable interest  
29 earned on such cash bond by the County.

(f) The failure of any person licensed under the provisions of this Division to maintain at all times the cash or corporate bond, or other security, in the amount required by this Section shall constitute grounds for revocation of such person's license by the Director.

**Sec. 5-2605. Term of licenses; renewal.**

(a) Licenses issued by the Director shall expire on December 31 following the date it was issued, and shall be subject to annual renewal by the licensee.

(b) A licensee may renew a license by filing with the Director a written application for renewal on a form approved by the Director, together with a fee of Five Hundred Dollars (\$500.00) for each office where the registrant intends to facilitate refund anticipation loans or refund anticipation checks during the succeeding year.

(c) Upon the filing of an application for renewal of registration under this Act, the Director shall renew the registration, provided that if the Director finds that the registrant has violated this Division during a prior period of registration, the application for renewal shall be denied. If the Director makes such a finding or determination, the Director shall so notify the registrant, stating the reasons for the determination.

**Sec. 5-2606. Revocation of, suspension of, or refusal to renew license.**

(a) The Director shall have the power to revoke, suspend, or refuse to renew the license of any licensee who has committed one or more of the following acts or omissions:

(1) Fraud or deceit in obtaining a license;

(2) Abiding, abetting, or knowingly combining or conspiring with any person with the intent to evade the provisions of this Division;

(3) Failure in any material respect to comply with the provisions of this Division and other laws and to correct promptly upon notice any failure to comply with the laws of the County and the State;

Before revoking, suspending, or refusing to renew any license, the Director shall afford the licensee an opportunity for hearing to show cause why the license should not be revoked, suspended, or the renewal thereof refused. The Director shall give such licensee at least ten (10) days notice in writing of such hearing by personal service or by certified mail to the last address on file with the Department and such notice shall state the complaint and violation. Any person aggrieved by any action of the Director may appeal to the Board of Appeals and to the Circuit

1 Court of Prince George's County, Maryland, pursuant to the rules governing appeals from  
 2 administrative agencies.

3 **Sec. 5-2607. Loan Fees; filing of loan fee schedule.**

4 (a) Filing of Fee Schedule. On or before January 2 of each year, each facilitator shall file  
 5 with the Director a schedule of the fees for refund anticipation loans and refund anticipation  
 6 check fees to be facilitated by the facilitator during the succeeding year. Immediately upon  
 7 learning of any change in any such fees for that year, the facilitator shall file an amendment with  
 8 the Director setting forth the change. Filing is effective upon receipt by the Director.

9 (b) Notice of Excessive Fee. If the Director finds that a refund anticipation loan interest  
 10 rate exceeds 18% per annum, the Director shall notify the facilitator that:

11 (1) The rate exceeds the amount set forth in this Section; and

12 (2) The consequences of charging a refund anticipation loan interest rate in an  
 13 amount that exceeds this Section include liability to the consumer for damages as set forth in  
 14 this Division and possible revocation of registration as a facilitator. The refund anticipation loan  
 15 interest rate shall be calculated and stated on an annualized basis.

16 **Sec. 5-2608. Posting of Fee Schedule and Disclosures.**

17 (a) Every facilitator shall display schedules showing the current fees for refund  
 18 anticipation loans facilitated at the office, for refund anticipation checks facilitated at the office,  
 19 and for the electronic filing of the taxpayer's tax return. These schedules must be displayed in  
 20 every room or section of a room in which customers either wait to receive tax services or  
 21 actually receive tax services. The required schedules and disclosures must be posted in English  
 22 and in Spanish and in every other language in which the office routinely does business in the  
 23 County.

24 (b) Every facilitator shall display on each fee schedule examples of the refund anticipation  
 25 loan interest rates for refund anticipation loans of two hundred dollars (\$200.00), five hundred  
 26 dollars (\$500.00), one thousand dollars (\$1,000.00), one thousand five hundred dollars  
 27 (\$1,500.00), two thousand dollars (\$2,000.00), and five thousand dollars (\$5,000.00). The  
 28 refund anticipation loan interest rate shall be calculated and stated on an annualized basis.

29 (c) Every facilitator shall also prominently display on each fee schedule:

30 (1) A legend, centered, in bold, capital letters, and in two-inch letters stating:

31 NOTICE CONCERNING REFUND ANTICIPATION LOANS (RALs); and

1           (2) The following verbatim statement: “YOU CAN GET YOUR REFUND IN  
 2 ABOUT 10 DAYS WITHOUT GETTING A LOAN OR PAYING ADDITIONAL FEES. You  
 3 can have your tax return filed electronically and directly deposited into your own bank account  
 4 without getting a loan or paying additional fees. If you get a refund anticipation loan you are  
 5 taking a loan against your refund. You will pay at least (amount) in additional fees for this loan.  
 6 If your tax refund is less than expected, you must still repay the entire amount of the loan. If  
 7 your refund is delayed, you may have to pay additional costs.

8           (d) The postings required by this Section shall be made in no less than 40-point type on a  
 9 document measuring no less than 30 inches by 25 inches. The postings required in this Section  
 10 shall be displayed in prominent locations at each office where the facilitator is facilitating refund  
 11 anticipation loans.

12           (e) No facilitator may facilitate a refund anticipation loan or refund anticipation check  
 13 unless:

14               (1) The schedule required by this Subsection is displayed; and

15               (2) The fee actually charged for the refund anticipation loan or refund anticipation  
 16 check is the same as the fee displayed on the schedule and the fee filed with the Director  
 17 pursuant to Section 5-2607.

18 **Sec. 5-2609. Advertising and Marketing.**

19           (a) No facilitator shall market or advertise a refund anticipation loan without stating that  
 20 the product is a loan and without also stating that tax filers can receive their refunds in 8-10 days  
 21 by filing electronically without receiving a loan or paying the additional fees and interest  
 22 associated with the loan.

23           (b) No facilitator shall market or advertise a refund anticipation loan without also stating  
 24 that tax filers will pay additional fees and/or interest for this loan.

25           (c) No facilitator shall market or advertise a refund anticipation check without also stating  
 26 that tax filers can receive their refunds in the same time without paying for a refund anticipation  
 27 check by having the tax refund directly deposited in their own bank accounts.

28           (d) In this Section, “market or advertise” shall mean produce, distribute or otherwise  
 29 display or have displayed, written materials describing the facilitators products and services;  
 30 radio and other oral marketing and advertising; and phone and in person interactions with  
 31 customers.



(e) The information about electronic filing, and about the fact that additional fees and or interest will be charged for the refund anticipation loan must be in the same size type in the case of written materials, and receive the same amount of time, in the case of sales presentations, radio ads, phone scripts, etc., as the information about refund anticipation loans.

(f) The information about direct depositing must be in the same size type in the case of written materials, and receive the same amount of time, in the case of sales presentations, radio ads, phone scripts, etc., as the information about refund anticipation checks.

**Sec. 5-2610. Application Disclosures.**

(a) At the time a consumer applies for a refund anticipation loan or a refund anticipation check, the facilitator shall disclose to the consumer on a form, approved for use by the Director, separate from the application in at least 14-point type, unless larger type is specifically required:

(1) The fee, if any, for the refund anticipation loan or refund anticipation check;

(2) The fee, if any, for electronic filing of a tax return;

(3) The refund anticipation loan interest rate; and

(4) The time within which the proceeds of the refund anticipation loan or refund anticipation check will be paid to the consumer if the refund anticipation loan or refund anticipation check is approved.

(b) For refund anticipation loans, the facilitator shall disclose to the consumer on a form, approved for use by the Director, separate from the application in at least 18-point type stating:

**“NOTICE**

**This is a loan. This loan is borrowing money against your tax refund. If your tax refund is less than expected, you must still repay the entire amount of the loan. If your refund is delayed, you may also have to pay additional interest or costs. YOU CAN GET YOUR REFUND IN ABOUT 10 DAYS WITHOUT GETTING THIS LOAN IF YOU FILE YOUR TAX RETURN ELECTRONICALLY. You can have your refund filed**

1 electronically and directly deposited into your own bank account  
 2 without obtaining a loan or other paid product.”

3 (c) For refund anticipation checks, the facilitator shall disclose to the consumer on a form,  
 4 approved for use by the Director, separate from the application in at least 18-point type stating:

5 “NOTICE

6 You are paying [amount of refund anticipation check fee] to get  
 7 your refund check through [facilitator or issuer of refund  
 8 anticipation check]. YOU CAN AVOID THIS FEE BY  
 9 HAVING THE INTERNAL REVENUE SERVICE OR THE  
 10 COMPTROLLER OF MARYLAND DIRECTLY DEPOSIT  
 11 YOUR REFUND INTO YOUR OWN BANK ACCOUNT. If  
 12 you do not have a bank account, you may wish to consider  
 13 getting one. You can also avoid this fee by having your tax  
 14 refund check paid to you by check.”

15 **Sec. 5-2611. Prohibited activities.**

16 (a) A facilitator of a refund anticipation loan or refund anticipation check shall not:

17 (1) Engage in unfair, deceptive, or fraudulent practices in the facilitating of a refund  
 18 anticipation check or in the making or facilitating of a refund anticipation loan, including  
 19 misrepresenting a material factor or condition of such loan or check or making any oral  
 20 statements contradicting any of the information required to be disclosed under this Division.

21 (2) Engage in any transaction, practice, or course of business that operates a fraud  
 22 upon any person in connection with a refund anticipation loan or refund anticipation check.

23 (3) Threaten to take any action that is prohibited by this Division.

24 (4) Fail to arrange for a refund anticipation loan or refund anticipation check or to  
 25 inform the consumer that the application is rejected promptly after the consumer applies for the

1 loan or check.

2 (5) Facilitate a refund anticipation loan for which the refund anticipation loan interest  
3 rate is:

4 (A) Different from the fee posted or the fee filed with the Director; or

5 (B) Greater than 18% per annum.

6 (6) Charge more than \$5.00 in administrative, document preparation, or application  
7 fees for each refund anticipation loan entered into with a consumer. This limitation on fees shall  
8 apply to any electronic filing fee charged by the facilitator, unless the same electronic filing fee  
9 is charged to the facilitator's customers who do not receive refund anticipation loans or refund  
10 anticipation checks.

11 (7) Directly or indirectly charge, or arrange for the charging of any interest, fee or  
12 charge related to a refund anticipation loan or refund anticipation check, other than those  
13 specifically authorized by this Division, including but not limited to:

14 (A) Charges for insurance;

15 (B) Attorneys' fees or other collection costs; or

16 (C) Check cashing.

17 (8) Fail to give the consumer a copy of the completed loan application and agreement  
18 in a form that can be kept by the consumer, prior to consummation of the loan or check  
19 transaction.

20 (9) Fail to include the information required by Section 5-2609 in English and in any  
21 other language in which the loan was negotiated.

22 (10) Include any of the following provisions in any document provided or signed in  
23 connection with a refund anticipation loan or refund anticipation check:

24 (A) A hold harmless clause;

25 (B) A confession of judgment clause;

26 (C) A waiver of the right to a jury trial, if applicable, in any action brought by or  
27 against a consumer;

28 (D) Any assignment of or order for payment of wages or other compensation for  
29 services;

30 (E) A provision in which the consumer agrees not to assert any claim or defense  
31 arising out of the contract;

1                   (F) A waiver of any provision of this Division, including the right to seek actual  
 2 damages, statutory damages, and attorneys fees and costs pursuant to Section 5-2612.

3                   (G) A waiver of the right to injunctive, declaratory, other equitable relief, or  
 4 relief on a class-wide basis; or

5                   (H) A provision requiring that any aspect of a resolution of a dispute between the  
 6 parties to the agreement be kept confidential. This provision shall not affect the rights of the  
 7 parties to agree that certain specified information is a trade secret or otherwise confidential or to  
 8 later agree, after the dispute arises, to keep a resolution confidential.

9                   (11) Taking or arranging for a creditor to take a security interest in any property of the  
 10 consumer other than the proceeds of the consumer's tax refund to secure payment of a refund  
 11 anticipation loan.

12                   (12) Directly or indirectly, individually or in conjunction or cooperation with another  
 13 person, engage in the collection of an outstanding or delinquent refund anticipation loan for any  
 14 creditor or assignee, including soliciting the execution of, processing, receiving, or accepting an  
 15 application or agreement for a refund anticipation loan or refund anticipation check that contains  
 16 a provision permitting the creditor to repay, by offset or other means, an outstanding or  
 17 delinquent refund anticipation loan for that creditor or any creditor from the proceeds of the  
 18 consumer's tax refund.

19                   (13) Facilitate, refer, or solicit consumers on behalf of a third party engaged in check  
 20 cashing for a fee, or permitting third party check cashing for a fee in any place of business  
 21 identified on the application for registration.

22                   (14) Making a misrepresentation of a material fact in obtaining or attempting to obtain  
 23 a registration as a facilitator.

24 **Sec. 5-2612. Private right of action.**

25                   (a) The remedies provided herein are cumulative and apply to registrants and to  
 26 unregistered persons to whom this Division applies and who fail to register.

27                   (b) Any violating by a facilitator of any State law prohibiting unfair or deceptive trade  
 28 practices constitutes a violation of this Division.

29                   (c) Damages.

30                   (1) A facilitator who engages in an activity prohibited under Section 5-2610 in  
 31 connection with a refund anticipation loan is liable to the consumer for:

1                   (A) Actual and consequential damages;

2                   (B) Statutory damages of \$2,000.00 or three times the amount of the refund  
 3 anticipation loan fee or other unauthorized charge, whichever is greater; and

4                   (C) Reasonable attorney's fees and costs.

5                   (2) Except in the case of a refund anticipation loan or refund anticipation check that is  
 6 not approved, a facilitator who fails to deliver to the consumer the proceeds of a refund  
 7 anticipation loan or refund anticipation check within 48 hours after the time period promised by  
 8 the facilitator when the consumer applied for the loan or the check product shall pay to the  
 9 consumer an amount equal to the fee for the refund anticipation loan or refund anticipation  
 10 check.

11                   (e) A consumer may sue for injunctive and other appropriate equitable relief to stop any  
 12 person from violating any provisions of this Division.

13                   (f) The remedies provided in this Section are not intended to be the exclusive remedies  
 14 available to a consumer nor must the consumer exhaust any administrative remedies provided  
 15 under this Division or any other applicable law.

16 **Sec. 5-2613. Annual reports.**

17                   (a) On or before July 1 of each year, beginning July 1, 2005, each facilitator shall file an  
 18 annual report with the Director pursuant to procedures that the Director shall establish. An  
 19 annual consolidated report shall be prepared by the Director and made available to the public.  
 20 These reports shall include the following information for the time period of April 15 of the prior  
 21 year to April 15 of that year:

22                   (1) The total number and dollar amount of refund anticipation loans facilitated by the  
 23 facilitator.

24                   (2) The total number and dollar amount of refund anticipation checks facilitated by  
 25 the facilitator.

26                   (3) The minimum, maximum, and average amount of refund anticipation loan  
 27 transactions facilitated by the facilitator.

28                   (4) The minimum, maximum, and average amount of refund anticipation check  
 29 transactions facilitated by the facilitator.

30                   (5) The average refund anticipation loan interest rate of loan transactions facilitated  
 31 by the facilitator.

1                   (6) The average number of days for which refund anticipation loans facilitated by the  
2 facilitator were outstanding before being repaid.

3                   (7) The total number and dollar amount of refund anticipation loans charged off as  
4 bad debt.

5                   (8) The total number and dollar amount of refund anticipation loans previously  
6 charged off as bad debt that were recovered directly or indirectly by the facilitator.

7 **Sec. 5-2614. Violations and penalty.**

8                   Any person who shall violate the provisions of this Division by doing business within the  
9 County as a facilitator without a license, or after a license shall have been suspended or revoked,  
10 shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not  
11 more than One Thousand Dollars (\$1,000.00) or imprisonment of not more than six (6) months,  
12 or both.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Tony Knotts  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Jack B. Johnson  
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.