

Chapter 130

(House Bill 597)

AN ACT concerning

Horse Racing – Mile Thoroughbred Racetracks – Payment of Taxes and Impact Aid and Arabian Breed Racing Authorization

FOR the purpose of extending the time within which a mile thoroughbred racetrack licensee shall pay to the State Racing Commission the State tax imposed on the gross amount, less refunds, of money bet at the track for each racing day; authorizing a licensee at Pimlico Race Course to conduct live racing of Arabian breed horses under certain circumstances; extending the time in which a certain mile thoroughbred licensee shall pay to the Commission \$1,000 of the impact aid to be paid to certain political subdivisions for intertrack betting for each day of intertrack betting; defining a certain term; making this Act an emergency measure; and generally relating to horse racing and the State Racing Commission.

BY repealing and reenacting, with amendments,
 Article – Business Regulation
 Section 11–509 and 11–812
 Annotated Code of Maryland
 (2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Business Regulation
Section 11–522
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Regulation

11–509.

(a) A licensee shall pay to the Commission within [7] 10 days after each racing day the State tax imposed in this subtitle on the handle for that racing day.

(b) A licensee or an agent of the licensee shall submit with the daily tax payment a statement under oath of the handle for that day.

(c) The Commission shall pay promptly to the Comptroller all taxes collected under this section.

11-522.

(A) IN THIS SECTION, "ARABIAN BREED HORSE" MEANS A HORSE THAT:

(1) IS A PUREBRED ARABIAN BREED HORSE; AND

(2) HAS A VALID CERTIFICATE OF REGISTRY WITH THE ARABIAN JOCKEY CLUB OF AMERICA.

(B) A LICENSEE AT PIMLICO RACE COURSE MAY CONDUCT LIVE RACING OF ARABIAN BREED HORSES IF:

(1) NO MORE THAN ONE ARABIAN BREED RACE IS CONDUCTED PER DAY;

(2) NO MORE THAN THREE ARABIAN BREED RACES ARE CONDUCTED DURING A RACE MEET;

(3) AN ARABIAN BREED RACE IS CONDUCTED IN ADDITION TO, AND NOT IN PLACE OF, AN EXISTING THOROUGHBRED RACE;

(4) AN ARABIAN BREED RACE DOES NOT REDUCE THE NUMBER OF THOROUGHBRED RACES CONDUCTED BY THE LICENSEE PER RACING DAY;

(5) THE PURSE FOR AN ARABIAN BREED RACE IS:

(I) NOT FUNDED BY THE THOROUGHBRED PURSE ACCOUNT; AND

(II) FUNDED BY THE LICENSEE OR THE SPONSOR OF THE ARABIAN HORSE RACE;

(6) THE TAKEOUT PROVISIONS OF §§ 11-514 AND 11-515 OF THIS SUBTITLE ARE APPLIED TO THE RACE;

(7) THE LICENSEE PAYS ALL TAXES AND FEES ASSOCIATED WITH THE ARABIAN BREED RACE THAT WOULD OTHERWISE BE DUE ON A THOROUGHBRED RACE; AND

(8) THE ARABIAN BREED RACE IS APPROVED BY THE STATE RACING COMMISSION.

11-812.

(a) A mile thoroughbred racing licensee operating a sending track shall pay to the Commission, within ~~[3]~~ **10** days after each day of intertrack betting on thoroughbred racing at a receiving track, \$1,000 of the impact aid to be paid to political subdivisions for intertrack betting for that day under § 11-404(c) and (d) of this title.

(b) The licensee shall deduct from the takeout the payment under subsection (a) of this section and then shall allocate the rest of the takeout in the way normally applicable to racing at the sending track.

(c) The Commission shall pay promptly to the Comptroller all money collected under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect October 1, 2012~~ is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, April 10, 2012.