

# SENATE BILL 961

C6

3lr2491

---

By: **Senator Peters**

Introduced and read first time: February 15, 2013

Assigned to: Rules

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Horse Racing – Special Takeout and Bowie Race Course Training Center**

3 FOR the purpose of authorizing certain wagers under certain regulations adopted by  
4 the State Racing Commission; requiring a racing licensee to deduct certain  
5 amounts from the handle; authorizing a racing licensee to conduct certain  
6 wagers only with the consent of the Commission and certain groups; authorizing  
7 the owner of the Bowie Race Course Training Center to convey the Center to the  
8 City of Bowie; requiring the owner of the Center to provide certain services for  
9 certain purposes under a certain circumstance; requiring the owner of the  
10 Center to provide a certain notification to certain land owners under certain  
11 circumstances; prohibiting the City from being required to operate the Center  
12 as a certain facility under certain circumstances; providing that a certain  
13 conveyance may take place between the owner of the Center and the City under  
14 certain circumstances; providing for the application of certain provisions of this  
15 Act; repealing certain requirements that a certain racing licensee maintain the  
16 operation of the Center, or convey the certain property associated with the  
17 Center as preserved land under certain circumstances; and generally relating to  
18 the operation of the Bowie Race Course Training Center and wagers authorized  
19 by the State Racing Commission.

20 BY repealing and reenacting, with amendments,  
21 Article – Business Regulation  
22 Section 11–514 and 11–519  
23 Annotated Code of Maryland  
24 (2010 Replacement Volume and 2012 Supplement)

25 BY repealing  
26 Article – State Government  
27 Section 9–1A–09  
28 Annotated Code of Maryland  
29 (2009 Replacement Volume and 2012 Supplement)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Business Regulation**

4 11–514.

5 (a) **[A] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**  
6 licensee shall deduct from the handle:

7 (1) all the breakage;

8 (2) not more than 18% from each regular mutuel pool;

9 (3) not more than 21% from each multiple mutuel pool on 2 horses;  
10 and

11 (4) not more than 25.75% from each multiple mutuel pool on 3 or more  
12 horses.

13 **(B) (1) FOR SPECIFIC WAGERS AUTHORIZED UNDER REGULATIONS**  
14 **ADOPTED BY THE COMMISSION, A LICENSEE SHALL DEDUCT FROM THE**  
15 **HANDLE:**

16 **(I) ALL THE BREAKAGE; AND**

17 **(II) NOT MORE THAN 40% FROM EACH MULTIPLE MUTUEL**  
18 **POOL ON 3 OR MORE HORSES.**

19 **(2) A LICENSEE MAY OFFER THE WAGERS DESCRIBED IN THIS**  
20 **SUBSECTION ONLY WITH THE CONSENT OF:**

21 **(I) THE COMMISSION;**

22 **(II) THE GROUP THAT REPRESENTS A MAJORITY OF THE**  
23 **OWNERS AND TRAINERS LICENSED IN THE STATE; AND**

24 **(III) THE GROUP THAT REPRESENTS A MAJORITY OF THE**  
25 **BREEDERS IN THE STATE.**

26 **[(b)] (C)** Money that remains after deductions are made under subsection  
27 (a) of this section shall be returned as winnings to successful bettors.

1            **[(c)] (D)**    (1)    The amount deducted by the licensee under subsection (a) of  
2 this section shall be the sum of the allocations provided in § 11–515 of this subtitle,  
3 unless otherwise provided in a written agreement signed by the authorized  
4 representatives of:

5                            (i)    the licensee;

6                            (ii)   the group that represents a majority of the owners and  
7 trainers licensed in the State at the time the agreement is signed; and

8                            (iii) the group that represents a majority of the breeders in the  
9 State at the time the agreement is signed.

10                    (2)    Nothing in this subsection may be construed to permit the licensee  
11 to in any way alter the mandatory takeout allocated to the Commission for the State  
12 tax.

13    11–519.

14            (a)    The owner of the Bowie Race Course Training Center shall operate the  
15 Center as a thoroughbred training facility to provide more stall space for a race  
16 meeting that a licensee holds.

17            (b)    The owner of the Bowie Race Course Training Center is responsible for  
18 the cost to improve, maintain, and operate the Center.

19            (c)    As long as the Bowie Race Course Training Center is used for the purpose  
20 specified in subsection (a) of this section, the Commission shall have general  
21 regulatory jurisdiction over the Center to:

22                            (1)    provide enough stalls;

23                            (2)    maintain safe operating conditions;

24                            (3)    require the owner of the Center to submit an annual operating  
25 financial statement; and

26                            (4)    order reasonable improvements.

27            **(D)    (1)    NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE**  
28 **OWNER OF THE BOWIE RACE COURSE TRAINING CENTER MAY CONVEY THE**  
29 **PROPERTY ASSOCIATED WITH THE CENTER TO THE CITY OF BOWIE.**

30            **(2)    PENDING ANY SUCH CONVEYANCE, THE OWNER OF THE**  
31 **BOWIE RACE COURSE TRAINING CENTER SHALL PROVIDE REPAIR,**  
32 **MAINTENANCE, AND SECURITY SERVICES AS NECESSARY FOR THE UPKEEP OF**

1 THE PROPERTY, INCLUDING THE PERIMETER FENCING AND THE COVERED  
2 HORSE BRIDGE OVER BOWIE RACE TRACK ROAD.

3 (3) IMMEDIATELY PRIOR TO CONVEYANCE, THE OWNER OF THE  
4 BOWIE RACE COURSE TRAINING CENTER SHALL PROVIDE NOTICE TO ALL  
5 OWNERS OF LAND LOCATED WITHIN ONE MILE OF THE BOUNDARY OF THE  
6 CENTER OF THE PENDING CONVEYANCE.

7 (4) ON CONVEYANCE, THE CITY OF BOWIE MAY NOT BE  
8 REQUIRED TO OPERATE THE BOWIE RACE COURSE TRAINING CENTER AS A  
9 THOROUGHBRED TRAINING FACILITY FOR ANY PURPOSE.

10 (E) (1) THE CONVEYANCE UNDER SUBSECTION (D) OF THIS SECTION  
11 MAY TAKE PLACE WHEN THERE IS A MUTUAL AGREEMENT BETWEEN THE OWNER  
12 OF THE BOWIE RACE COURSE TRAINING CENTER AND THE CITY OF BOWIE AS  
13 TO THE PRICE AND THE CONDITION OF THE LAND, INCLUDING THE COST OF  
14 ENVIRONMENTAL REMEDIATION AND DEMOLITION OF ALL FIXTURES.

15 (2) THIS SECTION MAY NOT BE CONSTRUED TO ALLOW THE  
16 OWNER OF THE CENTER TO CONVEY THE PROPERTY TO ANY OTHER PERSON,  
17 CORPORATION, OR ENTITY THAT IS NOT THE CITY OF BOWIE.

18 **Article – State Government**

19 [9–1A–09.

20 (d) (4) (i) A racing licensee of a racetrack location at Laurel Park  
21 shall:

22 1. maintain the operation of the Bowie Training Center;  
23 or

24 2. convey the property associated with the Bowie  
25 Training Center as preserved land.

26 (ii) 1. When the Bowie Training Center is no longer  
27 required by the State to be operated as a thoroughbred training facility, the State  
28 shall have the right of first refusal as grantee for any conveyance under subparagraph  
29 (i) of this paragraph.

30 2. The City of Bowie shall have the second right of  
31 refusal as grantee for any conveyance under subparagraph (i) of this paragraph.

1                                   3.     A grantee under subsubparagraph 1 or 2 of this  
2 subparagraph may not be required to operate the Bowie Training Center as a training  
3 facility.]

4                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 June 1, 2013.