

# SENATE BILL 961

C6

3lr2491

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By: **Senator Peters**

Introduced and read first time: February 15, 2013

Assigned to: Rules

Re-referred to: Finance, February 21, 2013

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2013

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## CHAPTER \_\_\_\_\_

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2010 Replacement Volume and 2012 Supplement)

2 ~~BY repealing~~

3 ~~Article — State Government~~

4 ~~Section 9-1A-09~~

5 ~~Annotated Code of Maryland~~

6 ~~(2009 Replacement Volume and 2012 Supplement)~~

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

9 **Article – Business Regulation**

10 11–514.

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

13 (1) all the breakage;

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

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

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

19 **(B) (1) FOR SPECIFIC WAGERS AUTHORIZED UNDER REGULATIONS**  
20 **ADOPTED BY THE COMMISSION, A LICENSEE SHALL DEDUCT FROM THE**  
21 **HANDLE:**

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

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

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

27 **(I) THE COMMISSION;**

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

1                   **(III) THE GROUP THAT REPRESENTS A MAJORITY OF THE**  
2 **BREEDERS IN THE STATE.**

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

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

9                   (i)     the licensee;

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

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

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

17 ~~11-519.~~

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

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

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

26                   ~~(1)     provide enough stalls;~~

27                   ~~(2)     maintain safe operating conditions;~~

28                   ~~(3)     require the owner of the Center to submit an annual operating~~  
29 ~~financial statement; and~~

30                   ~~(4)     order reasonable improvements.~~

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

~~(2) PENDING ANY SUCH CONVEYANCE, THE OWNER OF THE BOWIE RACE COURSE TRAINING CENTER SHALL PROVIDE REPAIR, MAINTENANCE, AND SECURITY SERVICES AS NECESSARY FOR THE UPKEEP OF THE PROPERTY, INCLUDING THE PERIMETER FENCING AND THE COVERED HORSE BRIDGE OVER BOWIE RACE TRACK ROAD.~~

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

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

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

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

#### ~~Article State Government~~

~~[9-1A-00.~~

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

~~1. maintain the operation of the Bowie Training Center;~~  
~~or~~

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

~~(ii) 1. When the Bowie Training Center is no longer required by the State to be operated as a thoroughbred training facility, the State~~

1 ~~shall have the right of first refusal as grantee for any conveyance under subparagraph~~  
2 ~~(i) of this paragraph.~~

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.