

## Article - Business Regulation

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§11–811.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Fair Hill” means the Cecil County Breeders’ Fair, Inc., or its successor.
- (3) “State Fair Society” means the Maryland State Fair and Agricultural Society, Inc.
- (b) This section applies only to intertrack betting in which:
  - (1) the sending track is equipped to transmit simulcast races and is:
    - (i) a mile thoroughbred track;
    - (ii) a harness track;
    - (iii) a track where racing is conducted by Fair Hill; or
    - (iv) a track where racing is conducted by the State Fair Society; and
  - (2) the receiving track is:
    - (i) equipped to receive simulcast races and hold intertrack betting on those races; and
    - (ii) one of the tracks specified in item (1) of this subsection.
- (c) The Commission may authorize intertrack betting involving tracks of:
  - (1) mile thoroughbred racing licensees;
  - (2) harness racing licensees;
  - (3) Fair Hill; or
  - (4) the State Fair Society.
- (d) The Commission may authorize licensees, Fair Hill, or the State Fair Society to participate in intertrack betting by operating sending tracks and receiving tracks only if:
  - (1) the operators of the sending track and the receiving track submit a joint application to the Commission;
  - (2) the Commission holds a public hearing on the matter;

(3) the operator of the receiving track shows to the satisfaction of the Commission that the operator has held, is holding, or will hold regularly scheduled race meetings at the receiving track in accordance with a license and has complied with the terms of the license; and

(4) the receiving track meets the requirements of subsection (e) of this section, unless the Commission has waived them, and subsection (f) of this section.

(e) (1) Laurel Race Course, a track where racing is conducted by the State Fair Society or Rosecroft Raceway may be a receiving track only if live racing was held there in the previous calendar year on at least 75% of the racing days available to it.

(2) Ocean Downs may be a receiving track only if at least 40 days of live racing were held there in the previous calendar year.

(3) Pimlico Race Course may be a receiving track only if at least 90 days of live racing were held there in the previous calendar year.

(4) A track where racing is conducted by Fair Hill may be a sending track only on days when Fair Hill is licensed to conduct and actually conducts live racing.

(5) A track in Allegany County may be a sending track:

(i) to any receiving track:

1. on days when the track is licensed to conduct and actually conducts live racing; and

2. for live races conducted at the track; and

(ii) to a receiving track located more than 35 miles from any of Laurel Park, Pimlico Race Course, and Rosecroft Raceway:

1. on any day the Commission has authorized the licensee to hold racing; and

2. for simulcast races conducted at the track.

(6) Subject to § 11-804.2 of this subtitle, nothing in paragraph (5) of this subsection shall limit the ability of a track in Allegany County to act as a sending track to a satellite simulcast facility.

(7) A track in Allegany County may be a receiving track:

(i) during its opening year if it has scheduled at least 21 days of live racing within 12 months of its opening and the Commission has granted its application to race on those days; and

(ii) in subsequent years if at least 21 days of live racing were held at

the track in the previous calendar year.

(8) The Commission may waive a requirement of this subsection if the receiving track could not meet the requirement because of:

- (i) an act of God; or
- (ii) what the Commission finds to be an emergency.

(f) (1) Intertrack betting may be held only if the organizations specified in this subsection approve the agreement between the receiving track and the sending track to simulcast races.

(2) If the sending track is a mile thoroughbred track or a track where racing is conducted by the State Fair Society or Fair Hill, approval shall be by an organization representing:

- (i) a majority of the owners and trainers at the sending track; and
- (ii) a majority of the thoroughbred breeders in the State.

(3) If the sending track is a harness track, approval shall be by an organization representing:

- (i) a majority of the owners, trainers, and drivers of standardbred horses at the sending track; and
- (ii) a majority of the standardbred breeders in the State.

(4) If the receiving track is a mile thoroughbred track or a track where racing is conducted by the State Fair Society, approval shall be by an organization representing:

- (i) a majority of the owners and trainers at the receiving track; and
- (ii) a majority of the thoroughbred breeders in the State.

(5) If the receiving track is a harness track, approval shall be by an organization representing:

- (i) a majority of the owners, trainers, and drivers of standardbred horses at the harness track; and
- (ii) a majority of the standardbred breeders in the State.

(g) (1) The simulcast signal shall be encoded.

(2) The licensee of the receiving track may not transmit the simulcast signal beyond the premises where pari-mutuel betting is allowed.

(h) Notwithstanding the provisions of subsection (f) of this section, if a track where racing is conducted by the State Fair Society is within the 35-mile radius of a mile thoroughbred track, it shall first obtain the concurrence of that mile thoroughbred track before it may be a receiving track during a period of time when the State Fair Society is not licensed to conduct live racing.

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