

SENATE BILL 178

C6

7lr1567
CF 7lr2312

By: **Senators Peters, Astle, and Middleton**

Introduced and read first time: January 18, 2017

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Horse Racing – Bowie Race Course Training Center – State Purchase or**
3 **Condemnation**

4 FOR the purpose of authorizing the State to acquire, by purchase or condemnation for
5 public use with just compensation, private property relating to the Bowie Race
6 Course Training Center if the owner of the Bowie Race Course Training Center does
7 not meet certain requirements; requiring that all proceedings for condemnation for
8 public use or private property as authorized under this Act are to be in accordance
9 with certain provisions of law and certain rules of procedure; and generally relating
10 to the authority of the State to purchase or condemn certain private property relating
11 to the Bowie Race Course Training Center.

12 BY repealing and reenacting, without amendments,
13 Article – Business Regulation
14 Section 11–519(a)
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2016 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Business Regulation
19 Section 11–521
20 Annotated Code of Maryland
21 (2015 Replacement Volume and 2016 Supplement)

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

24 **Article – Business Regulation**

25 11–519.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 11-521.

5 (a) In addition to the other provisions of this subtitle, in accordance with the
6 sovereign power of the State and the provisions of Article III, §§ 40 and 40A of the Maryland
7 Constitution, and subject to subsections [(b) and (c)] **(C) AND (D)** of this section, the State
8 may acquire by purchase or condemnation for public use with just compensation some or
9 all of the following real, tangible, and intangible private property, including any contractual
10 interests or intellectual property:

11 (1) Pimlico Race Course, a racetrack located in Baltimore City, including
12 any and all property or property rights associated with it wherever located, whether
13 tangible, intangible, real, personal, or mixed, and any business entity that owns it;

14 (2) Laurel Park, a racetrack located in Anne Arundel County, including
15 any and all property or property rights associated with it wherever located, whether
16 tangible, intangible, real, personal, or mixed, and any business entity that owns it;

17 (3) Bowie Race Course Training Center, a training center located in Prince
18 George's County, including any and all property or property rights associated with it
19 wherever located, whether tangible, intangible, real, personal, or mixed, and any business
20 entity that owns it;

21 (4) the Preakness Stakes trophy that is known as the Woodlawn Vase,
22 including any and all property or property rights associated with it, whether tangible,
23 intangible, real, personal, or mixed, and any business entity that owns it;

24 (5) the name, common law and statutory copyrights, service marks,
25 trademarks, trade names, contracts, horse racing events, and other intangible and
26 intellectual property that are associated with the Preakness Stakes and the Woodlawn
27 Vase;

28 (6) all property of the Maryland Jockey Club of Baltimore City, Inc., or its
29 successors and assigns, including stock and equity interests in it, and including any and all
30 property or property rights associated with it, whether tangible, intangible, real, personal,
31 or mixed; and

32 (7) all property of the Laurel Racing Assoc., Inc., the Laurel Racing
33 Association Limited Partnership, or their respective successors and assigns, including stock
34 and equity interests, and including any and all property or property rights associated with
35 them, whether tangible, intangible, real, personal, or mixed.

36 (b) **IF THE OWNER OF THE BOWIE RACE COURSE TRAINING CENTER DOES**
37 **NOT COMPLY WITH § 11-519(A) OF THIS SUBTITLE, IN ACCORDANCE WITH THE**

1 SOVEREIGN POWER OF THE STATE AND THE PROVISIONS OF ARTICLE III, § 40 OF
2 THE MARYLAND CONSTITUTION, AND SUBJECT TO SUBSECTION (C) OF THIS
3 SECTION, THE STATE MAY ACQUIRE BY PURCHASE OR CONDEMNATION FOR PUBLIC
4 USE WITH JUST COMPENSATION THE BOWIE RACE COURSE TRAINING CENTER,
5 INCLUDING ANY AND ALL PROPERTY OR PROPERTY RIGHTS ASSOCIATED WITH IT,
6 WHETHER TANGIBLE, INTANGIBLE, REAL, PERSONAL, OR MIXED.

7 (C) All proceedings for the condemnation for public use of the private property
8 described under [subsection (a)] SUBSECTIONS (A) AND (B) of this section shall be in
9 accordance with the provisions of Title 12 of the Real Property Article and Title 12, Chapter
10 200 of the Maryland Rules.

11 [(c)] (D) Pursuant to the provisions of Article III, § 40A of the Maryland
12 Constitution, as applicable, the private property described under subsection (a) of this
13 section may be taken immediately on payment for the property consistent with the
14 procedures of §§ 8-334 through 8-339 of the Transportation Article.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2017.