

**SB0987/385660/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 987  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “stating” in line 9 down through “that” in line 10 and substitute “requiring”; in line 10, after “Center” insert “to”; in line 11, strike “certain parts of the property to certain entities” and substitute “the Bowie Race Course Training Center property to the City of Bowie in a certain manner on or before a certain date”; in line 12, strike “only”; in the same line, after “used” insert “only”; in line 13, after “Bowie” insert “, on or before a certain date,”; in the same line, strike “a certain” and substitute “into a joint use”; in line 14, after “University” insert “for the future use of the property; requiring the City of Bowie and Bowie State University to report to the General Assembly on the final terms of the joint use agreement”; in line 24, strike “long-term”; and in the same line, strike “finalized” and substitute “executed”.

On pages 1 and 2, strike beginning with “and” in line 24 on page 1 down through “conveyed” in line 1 on page 2.

On page 2, in line 1, strike “authorizing” and substitute “requiring”; strike beginning with “requiring” in line 5 down through “entities;” in line 6; in line 17, strike “that” and substitute “until”; strike beginning with “remain” in line 17 down through “unpaid” in line 18 and substitute “have matured”; in line 18, after “altering” insert “certain conditions of eligibility for funding from and”; in line 20, after “date;” insert “requiring certain funds to be transferred each year to a certain entity;”; in line 23, strike “received” and substitute “recognized”; in line 24, strike “realized” and substitute “recognized”; in line 25, strike “the purchase of certain personal property” and substitute “certain sales of certain construction materials”; in line 27, after “improvements” insert “or interests in certain real property”; in line 29, after “taxes;” insert “requiring certain housing facilities located at certain racing facility properties and used during certain periods of the racing facility development projects to meet certain health and housing”.

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requirements;” and in line 36, after “study;” insert “requiring certain reports to be submitted to the Legislative Policy Committee in a certain manner;”.

On page 3, in line 17, strike “and (nn),” and substitute “(nn), and (oo).”; and in line 33, after “6–226(a)(2)(ii)123.” insert “and 124.”.

AMENDMENT NO. 2

On page 7, in line 13, after “and” insert “, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE,”.

On page 9, in lines 17 and 21, in each instance, after “CONVEYANCE” insert “REQUIRED”.

On page 10, strike in their entirety lines 1 through 21, inclusive, and substitute:

“(D) (1) (I) ON OR BEFORE DECEMBER 31, 2023, THE OWNER OF THE BOWIE RACE COURSE TRAINING CENTER SHALL CONVEY THE BOWIE RACE COURSE TRAINING CENTER PROPERTY TO THE CITY OF BOWIE “AS IS”, WITH ALL DEFECTS THAT MAY EXIST, WHETHER KNOWN OR UNKNOWN, AND WITHOUT ANY EXPRESS OR IMPLIED WARRANTY, GUARANTEE BY, OR RECOURSE AGAINST THE CONVEYOR OF THE PROPERTY.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE CONVEYOR OF THE BOWIE RACE COURSE TRAINING CENTER PROPERTY SHALL BE HELD HARMLESS AGAINST ANY AND ALL CLAIMS AND RISKS, NOW OR IN THE FUTURE, ARISING DIRECTLY OR INDIRECTLY FROM, OR IN ANYWAY RELATED TO, THE CONDITION OF THE PROPERTY OR CONVEYANCE, WITH ALL THOSE CLAIMS AND RISKS ASSUMED BY THE CITY OF BOWIE.

**(2) THE PORTION OF THE BOWIE RACE COURSE TRAINING CENTER PROPERTY TRANSFERRED TO THE CITY OF BOWIE THAT IS WITHIN 100 FEET OF THE TOP OF THE PATUXENT RIVER BANK SHALL BE USED FOR PASSIVE RECREATIONAL ACTIVITIES, INCLUDING HIKING, WILDLIFE VIEWING, PICNICKING, AND WALKING.**

**(3) THE PORTION OF THE BOWIE RACE COURSE TRAINING CENTER PROPERTY TRANSFERRED TO THE CITY OF BOWIE NOT DESCRIBED UNDER PARAGRAPH (2) OF THIS SUBSECTION MAY:**

**(I) BE USED ONLY FOR ACTIVE RECREATIONAL ACTIVITIES, INCLUDING BASEBALL, FOOTBALL, SOCCER, AND CRICKET; AND**

**(II) HAVE ONLY ONE STRUCTURE THAT IS UP TO 50,000 SQUARE FEET CONSTRUCTED ON THE PROPERTY.**

**(4) ON OR BEFORE JANUARY 1, 2021, THE CITY OF BOWIE SHALL ENTER INTO A JOINT USE AGREEMENT, INCLUDING AN EASEMENT, WITH BOWIE STATE UNIVERSITY FOR THE FUTURE USE OF THE PROPERTY DESCRIBED UNDER PARAGRAPH (3) OF THIS SUBSECTION.**

**(5) THE CITY OF BOWIE AND BOWIE STATE UNIVERSITY SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE FINAL TERMS OF THE JOINT USE AGREEMENT ENTERED INTO UNDER THIS SUBSECTION.”.**

On page 17, in line 6, after “COSTS” insert “AND REIMBURSEMENTS”.

On page 19, in line 32, strike the comma.

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On page 20, in line 14, strike the second **“TO”**; in the same line, strike **“AN”** and substitute **“ANY”**; in line 19, strike **“FINAL MATURITY”** and substitute **“INITIAL TERM”**; in lines 22 and 23, strike **“:**

**(I)**”;

in lines 25, 28, and 31, strike **“1.”**, **“2.”**, and **“3.”**, respectively, and substitute **“(I)”**, **“(II)”**, and **“(III)”**, respectively; and in line 32, after **“FOR”** insert **“THE PLANNING, DESIGN, AND CONSTRUCTION OF”**.

On pages 20 and 21, strike beginning with **“; AND”** in line 32 on page 20 down through **“ARTICLE”** in line 3 on page 21.

On page 21, in line 5, strike **“(2)(I)1”** and substitute **“(2)(I)”**; in line 24, strike **“AND SUBJECT”** and substitute **“, SUBJECT”**; and strike beginning with the second **“OR”** in line 27 down through **“INCLUDING”** in line 28 and substitute **“, THE BALTIMORE DEVELOPMENT CORPORATION OR ITS SUCCESSOR OR ASSIGNS, OR”**.

On page 22, strike beginning with **“THE”** in line 17 down through **“AUTHORITY”** in line 18 and substitute **“BALTIMORE CITY OR THE BALTIMORE DEVELOPMENT CORPORATION OR ITS SUCCESSOR OR ASSIGNS”**; strike beginning with **“THE”** in line 21 down through the second **“AUTHORITY”** in line 22 and substitute **“BALTIMORE CITY OR THE BALTIMORE DEVELOPMENT CORPORATION OR ITS SUCCESSOR OR ASSIGNS”**; strike beginning with **“THE”** in line 26 down through the second **“AUTHORITY”** in line 27 and substitute **“BALTIMORE CITY OR THE BALTIMORE DEVELOPMENT CORPORATION OR ITS SUCCESSOR OR ASSIGNS”**; and in line 33, strike **“(2)(I)1”** and substitute **“(2)(I)”**.

On page 23, in line 6, strike **“UNDER PARAGRAPH (2)(I)1 OF THIS SUBSECTION”**; in line 7, after **“WORKS”** insert **“AT LEAST”**; in line 11, after

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“AGREEMENT” insert “REQUIRED”; in line 12, strike “(2)(I)1” and substitute “(2)(I)”; in the same line, strike “INCLUDE” and substitute “CONTAIN”; in line 13, strike “THAT INCLUDE” and substitute “INCLUDING”; in the same line, after “EVENT” insert “THAT”; in the same line, after “DISPUTE” insert “AMONG THE PARTIES”; in line 23, strike “(2)(II)2” and substitute “(2)(II)”; in line 25, strike “RACE”; and in line 28, strike “THE RACING LICENSEE IS”.

On page 24, in line 11, after “COUNTY” insert “, INCLUDING ANY DESIGNATED PROJECT ENTITY,”; and strike in their entirety lines 28 through 30, inclusive, and substitute:

**“E. AN OBLIGATION TO MAINTAIN AS A FIRST-CLASS FACILITY, IN GOOD CONDITION, REPAIR, AND SECURE THE LAUREL PARK RACING FACILITY SITE DURING THE PERIODS IDENTIFIED IN THE LONG-TERM AGREEMENT;”**.

On page 25, in line 10, strike “(2)(I)2” and substitute “(2)(II)”; in line 16, strike “UNDER PARAGRAPH (2)(I)2 OF THIS SUBSECTION”; in line 17, after “WORKS” insert “AT LEAST”; in line 21, after “AGREEMENT” insert “REQUIRED”; in line 22, strike “(2)(I)2” and substitute “(2)(II)”; in the same line, strike “INCLUDE” and substitute “CONTAIN”; in line 23, strike “THAT INCLUDE” and substitute “INCLUDING”; in the same line, after “EVENT” insert “THAT”; and in the same line, after “DISPUTE” insert “AMONG THE PARTIES”.

On page 26, strike beginning with “(1)” in line 12 down through “(2)” in line 16; in line 17, strike “THE RACING FACILITY” and substitute “RACING FACILITIES”; and in line 20, strike “ESTABLISHED”.

On page 27, in lines 14 and 26, in each instance, after “DEVELOPMENT” insert “FINANCING”.

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On page 28, in line 27, strike "UNDER FEDERAL" and substitute "BY FEDERAL TAX"; and in line 30, strike "RELATING TO" and substitute "CONCERNING".

On page 29, in line 2, strike "AUTHORITY" and substitute "AUTHORITY,"; in line 8, strike "UNDER FEDERAL" and substitute "BY FEDERAL TAX"; in line 15, strike "FACILITIES" and substitute "FINANCING"; in the same line, strike "FINANCING" and substitute "FACILITIES"; in line 16, after "AND" insert "THE"; in line 20, strike "IN ACCORDANCE WITH" and substitute "AS AUTHORIZED UNDER"; and strike in their entirety lines 25 and 26 and substitute:

**"(3) THE UNENCUMBERED FUND BALANCE, INCLUDING ACCRUED INTEREST, EXISTING AS OF JUNE 30, 2020, THAT IS AVAILABLE TO ROSECROFT RACEWAY UNDER THE RACETRACK FACILITY RENEWAL ACCOUNT;"**.

On page 31, in line 30, strike "**2020**" and substitute "**2021**"; and in line 35, strike "**\$13,500,000 IN FISCAL YEAR 2021;**" and substitute "**\$17,000,000 IN EACH FISCAL YEAR UNTIL THE BONDS ISSUED FOR A RACING FACILITY HAVE MATURED; AND**".

On page 32, strike in their entirety lines 1 through 7, inclusive; in lines 8 and 10, strike "**(VI)**" and "**(IV), AND (V)**", respectively, and substitute "**(V)**" and "**AND (IV)**", respectively.

On page 33, in line 27, strike "and"; and in line 28, after "2." insert "**UPDATES TO ANY PRIOR MASTER PLAN SPECIFICALLY IDENTIFYING CAPITAL IMPROVEMENTS AND EXPENDITURES MADE ON OR AFTER JANUARY 1, 2018; AND**

**3.**

On page 36, in line 1, after “2021” insert “, TRANSFER \$5,000,000, FROM THE PORTION OF THE PROCEEDS IN THE ACCOUNT ALLOCATED TO THOROUGHBRED PURSES UNDER SUBSECTION (C)(1) OF THIS SECTION, TO THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND ESTABLISHED UNDER § 10-657.3 OF THE ECONOMIC DEVELOPMENT ARTICLE;”

(III) FOR FISCAL YEAR 2022”;

in line 6, strike “ARTICLE” and substitute “TITLE”; in line 11, strike “(III)” and substitute “(IV)”; and in line 16, after “(3)(II)” insert “AND (III)”.

On page 37, in line 22, after “(d)” insert “(1)”; in line 24, strike “(1)” and substitute “(I) 1. FOR FISCAL YEAR 2021, 80% TO BE DEPOSITED IN THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND ESTABLISHED UNDER § 10-657.3 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND”

2. FOR FISCAL YEAR 2022 AND THEREAFTER,”;

in line 27, strike “(2)” and substitute “(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,”; and after line 29, insert:

“(2) OF THE AMOUNT AVAILABLE TO ROSECROFT RACEWAY FROM THE RACETRACK FACILITY RENEWAL ACCOUNT UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION:

(I) THE UNENCUMBERED FUND BALANCE, INCLUDING ACCRUED INTEREST, EXISTING AS OF JUNE 30, 2020, SHALL BE TRANSFERRED TO THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND ESTABLISHED UNDER § 10-646.3 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

(II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, \$200,000 SHALL BE TRANSFERRED ANNUALLY TO EMPLOY PRINCE GEORGE’S, INC. FOR WORKFORCE DEVELOPMENT AND SMALL, MINORITY, AND WOMEN-OWNED BUSINESS DEVELOPMENT.

(3) (I) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE FUNDS TRANSFERRED TO EMPLOY PRINCE GEORGE’S, INC. SHALL SUPPLEMENT, AND NOT SUPPLANT, FUNDS OTHERWISE AVAILABLE FOR EMPLOY PRINCE GEORGE’S, INC.

(II) IF EMPLOY PRINCE GEORGE’S, INC. IS UNABLE TO EXPEND THE FUNDS TRANSFERRED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION DURING THE 12-MONTH PERIOD AFTER WHICH EMPLOY PRINCE GEORGE’S, INC. RECEIVED THE FUNDS, EMPLOY PRINCE GEORGE’S, INC. SHALL PARTNER WITH SIMILAR ORGANIZATIONS LOCATED WITHIN PRINCE GEORGE’S COUNTY TO EXPEND THE BALANCE OF THE FUNDS FROM THAT PERIOD TO ENCOURAGE WORKFORCE DEVELOPMENT AND SMALL, MINORITY, AND WOMEN-OWNED BUSINESS DEVELOPMENT.”.

On page 41, in lines 2 and 7, in each instance, after “Committee” insert “, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE,”.

On page 42, in line 22, strike “RECEIVED” and substitute “RECOGNIZED”; in the same line, after the second “THE” insert “DIRECT OR INDIRECT”; in line 23, after “OF” insert “:”;

1.”;



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in the same line, after “PROPERTY” insert “LOCATED, OR USED, AT OR”; in line 24, after “AND” insert:

**“2. ANY PORTION OF THE BOWIE RACE COURSE TRAINING CENTER PROPERTY; AND”;**

in line 25, strike “REALIZED” and substitute “RECOGNIZED”; in line 26, after “FUNDS” insert “DIRECTLY OR INDIRECTLY”.

On page 43, in line 13, after the second “SITE” insert “OR BOWIE RACE COURSE TRAINING CENTER PROPERTY”.

On page 44, in line 6, strike the comma; in line 10, strike “EVIDENCE OF”; in line 11, strike “FOR” and substitute “OF”; in lines 21 and 22, strike “MADE AFTER JUNE 1, 2020,”; in line 23, after “SITE” insert “OR AN INTEREST OF A PERSON IN THE REAL PROPERTY OF THE LAUREL PARK RACING FACILITY SITE OR PIMLICO RACING FACILITY SITE”; in the same line, after “TAX” insert “FOR THE DURATION OF:

**(1) WITH RESPECT TO THE PIMLICO RACING FACILITY SITE, THE LONG-TERM AGREEMENT DESCRIBED UNDER § 10-646.1(D)(2)(I) OF THE ECONOMIC DEVELOPMENT ARTICLE; OR**

**(2) WITH RESPECT TO THE LAUREL PARK RACING FACILITY SITE, THE LONG-TERM AGREEMENT DESCRIBED UNDER § 10-646.1(D)(2)(II) OF THE ECONOMIC DEVELOPMENT ARTICLE**; and in line 31, after “IS” insert “:

**(I) LOCATED AT OR**”.

On page 45, in line 2, after “COUNTY” insert “;OR

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**(II) THE PROPERTY IDENTIFIED AS THE BOWIE RACE COURSE TRAINING CENTER UNDER § 11-519 OF THE BUSINESS REGULATION ARTICLE THAT IS TRANSFERRED BY THE OWNER OF THE PROPERTY TO A GOVERNMENT ENTITY**”;

in lines 12 and 21, in each instance, strike “OR”; in the same lines, in each instance, after “SITE” insert “, OR BOWIE RACE COURSE TRAINING CENTER PROPERTY”; after line 21, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That any housing facilities for track workers located at Pimlico Race Course, Laurel Park, or the Bowie Race Course Training Center and used during the transition or construction periods of the development of the projects under this Act shall meet the applicable health and housing requirements of the applicable local jurisdiction.”;

in lines 22 and 32, strike “4.” and “5.”, respectively, and substitute “5.” and “6.”, respectively; in lines 26 and 27, strike “:

(1)”;

in line 28, strike the comma and substitute “:

(1)”;

and in line 30, after “Committee” insert “, in accordance with § 2-1257 of the State Government Article.”.

On page 46, in line 8, strike “parties and” and substitute “parties.”; in line 9, after “properties” insert “, and mutual parking needs”; and in line 24, strike “6.” and substitute “7.”.

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On page 47, after line 6, insert:

“SECTION 8. AND BE IT FURTHER ENACTED, That, in addition to the funds otherwise available for racing and community development project costs under this Act and notwithstanding the limitations under § 10–657.3 of the Economic Development Article, as enacted by Section 1 of this Act, at least \$1,000,000 but not exceeding \$1,500,000 of the funds transferred to the Racing and Community Development Facilities Fund established under § 10–657.3 of the Economic Development Article in accordance with § 9–1A–29(d)(2) of the State Government Article, as enacted by Section 1 of this Act, shall be transferred to the City of Bowie for remediation costs of the Bowie Race Course Training Center property, provided that a joint use agreement has been executed between the City of Bowie and Bowie State University in accordance with § 11–519 of the Business Regulation Article, as enacted by Section 1 of this Act.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) In addition to the funds otherwise available for racing and community development project costs under this Act and notwithstanding the limitations under § 10–657.3 of the Economic Development Article, as enacted by Section 1 of this Act, \$2,000,000 of the funds transferred to the Racing and Community Development Facilities Fund established under § 10–657.3 of the Economic Development Article in accordance with § 9–1A–29(d)(2) of the State Government Article, as enacted by Section 1 of this Act, may be used only to reimburse the racing licensees’ costs attributable to maintaining ongoing year–round racing operations, ensuring the continued running of the Preakness Stakes at the Pimlico site during construction, and expenses related to the Bowie Race Course Training Center before the conveyance of the property in accordance with § 11–519 of the Business Regulation Article, as enacted by Section 1 of this Act.

(b) The Maryland Stadium Authority shall cooperate with the racing licensee to identify the costs described under subsection (a) of this section and establish an

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approval process before any reimbursement is provided in accordance with subsection (a) of this section.

SECTION 10. AND BE IT FURTHER ENACTED, That, in addition to the funds otherwise available for racing and community development project costs under this Act, notwithstanding the limitations under § 10–657.3 of the Economic Development Article and except as provided in Sections 8 and 9 of this Act, the balance of the funds transferred to the Racing and Community Development Facilities Fund established under § 10–657.3 of the Economic Development Article in accordance with § 9–1A–29(d)(2) of the State Government Article, as enacted by Section 1 of this Act, may be expended only by the Maryland Stadium Authority:

(1) after the Maryland Stadium Authority provides the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means at least 90 days to review the feasibility study required under Section 7 of this Act; and

(2) for the costs of planning, design, construction, and equipping of the Equine Health, Safety, and Research Center at Laurel Park.”;

in lines 7, 28, and 32, strike “7.”, “8.”, and “9.”, respectively, and substitute “11.”, “12.”, and “13.”, respectively; strike beginning with the comma in line 16 down through “Act” in line 17; after line 17, insert:

“(2) Before making a request for reimbursement from the Racetrack Facility Renewal Account, a licensee that previously filed a master plan under § 9–1A–09(b) of the State Government Article shall update the licensee’s master plan in accordance with the provisions of § 9–1A–09(b)(2)(ii) of the State Government Article, as enacted by Section 1 of this Act.”;

in lines 18, 20, and 24, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; in line 21, after “approve” insert “or deny”; strike beginning

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with “that” in line 21 down through “Act” in line 23 and substitute “from mile thoroughbred licensees”; and in line 24, after “requests” insert “from mile thoroughbred licensees”.