

HOUSE BILL 298

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2000 Regular Session
0lr0726
CF 0lr2234

By: **Chairman, Ways and Means Committee**
Introduced and read first time: January 28, 2000
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: April 5, 2000

CHAPTER _____

1 AN ACT concerning

2 **Maryland Horse Racing Act - Sunset Extension and Program Evaluation**

3 FOR the purpose of extending the date on which the Maryland Horse Racing Act
4 terminates; requiring that an evaluation in accordance with the Maryland
5 Program Evaluation Act (Sunset Law) be made of the Racing Commission,
6 certain race fund advisory committees, and related regulations on or before a
7 certain date; requiring that the Racing Commission inspect satellite simulcast
8 facilities a minimum number of times each year to determine if the permit
9 holders are continuing to comply with certain requirements; and generally
10 relating to the program evaluation of the Maryland Horse Racing Act.

11 BY repealing and reenacting, with amendments,
12 Article - Business Regulation
13 Section 11-825 and 11-1102
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 1999 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article - Business Regulation
18 Section 11-1101
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 1999 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - State Government
23 Section 8-403(a)

1 Annotated Code of Maryland
2 (1999 Replacement Volume)

3 BY repealing and reenacting, without amendments,
4 Article - State Government
5 Section 8-403(e)
6 Annotated Code of Maryland
7 (1999 Replacement Volume)

8 BY adding to
9 Article - State Government
10 Section 8-403(m)
11 Annotated Code of Maryland
12 (1999 Replacement Volume)

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

15 **Article - Business Regulation**

16 11-825.

17 (a) A satellite simulcast facility:

18 (1) shall be in premises owned or leased by a permit holder;

19 (2) may not be within a 35-mile radius of any mile thoroughbred track or
20 harness track unless approved by the track licensee, the group that represents a
21 majority of the applicable owners and trainers licensed in the State and the group
22 that represents a majority of the applicable breeders in the State, considered
23 separately;

24 (3) unless the track agrees otherwise, may not operate during hours on
25 those days that racing with pari-mutuel betting is permitted at a racetrack located in
26 this State within a 35-mile radius of the satellite simulcast facility; and

27 (4) shall offer pari-mutuel betting facilities and amenities that the
28 Commission finds are:

29 (i) comparable to those available in the sports palace facilities of
30 the mile thoroughbred racing licensees including:

31 1. high quality dining, lounge, and seating areas that are of a
32 manner generally found in fine restaurants; and

33 2. teletheatre screen capacity; and

1 (ii) appropriate for the area where the satellite simulcast facility is
2 located.

3 (b) A mile thoroughbred racing licensee or a harness racing licensee shall
4 or lease the pari-mutuel betting equipment at a satellite simulcast facility and shall,
5 with its employees, operate the equipment.

6 (c) A mile thoroughbred racing licensee or a harness racing licensee shall
7 submit to the Commission all contracts and agreements relating to satellite simulcast
8 betting under this subtitle.

9 (d) (1) The Commission shall periodically be assured by permit holders that
10 facilities continue to meet the requirements of this section.

11 (2) (I) The Commission shall inspect satellite simulcast facilities
12 [from time to time] AT LEAST FOUR TIMES EACH YEAR to determine if the permit
13 holders are continuing to comply with the ~~FINANCIAL REQUIREMENTS, SITE~~
14 ~~REQUIREMENTS, AND OTHER~~ provisions of this section.

15 (II) THE INSPECTIONS UNDER THIS SUBSECTION SHALL INCLUDE
16 EVALUATIONS OF THE FINANCIAL AND PHYSICAL CONDITIONS OF EACH SATELLITE
17 SIMULCAST FACILITY.

18 (3) If the Commission finds that a permit holder is not complying with
19 the provisions of this section, the Commission may impose a penalty on the permit
20 holder similar to those penalties levied on licensees as provided under § 11-308 of this
21 title.

22 11-1101.

23 This title is the Maryland Horse Racing Act.

24 11-1102.

25 Subject to the evaluation and reestablishment provisions of the Maryland
26 Program Evaluation Act, this title and all regulations adopted under this title shall
27 terminate on July 1, [2001] 2011.

28 **Article - State Government**

29 8-403.

30 (a) Except as otherwise provided in subsection (e) of this section, on or before
31 July 1, 2000, an evaluation shall be made of the following governmental activities or
32 units and the statutes and regulations that relate to the governmental activities or
33 units:

34 (1) State Athletic Commission (§ 4-201 of the Business Regulation
35 Article);

1 (2) State Board of Barbers (§ 4-201 of the Business Occupations and
2 Professions Article);

3 (3) State Board of Cosmetologists (§ 5-201 of the Business Occupations
4 and Professions Article);

5 (4) [State Racing Commission (§ 11-201 of the Business Regulation
6 Article);

7 (5) Maryland-Bred Race Fund Advisory Committee (§ 11-531 of the
8 Business Regulation Article);

9 (6) Maryland Standardbred Race Fund Advisory Committee (§ 11-625 of
10 the Business Regulation Article);

11 (7)] State Board of Veterinary Medical Examiners (§ 2-302 of the
12 Agriculture Article);

13 [(8)] (5) State Board of Waterworks and Waste Systems Operators (§
14 12-201 of the Environment Article);

15 [(9)] (6) State Board of Well Drillers (§ 13-201 of the Environment
16 Article);

17 [(10)] (7) the Tobacco Authority (§ 7-201 of the Agriculture Article);

18 [(11)] (8) Maryland Home Improvement Commission (§ 8-201 of the
19 Business Regulation Article); and

20 [(12)] (9) State Board of Inspection of Horse Riding Stables (§ 2-701 of
21 the Agriculture Article).

22 (e) On or before November 30 of the 2nd year before the evaluation date of a
23 governmental activity or unit, the Legislative Policy Committee, based on a
24 preliminary evaluation, may waive as unnecessary the evaluation required under this
25 section.

26 (M) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (E) OF THIS SECTION,
27 ON OR BEFORE JULY 1, 2010, AN EVALUATION SHALL BE MADE OF THE STATE RACING
28 COMMISSION, THE MARYLAND-BRED RACE FUND ADVISORY COMMITTEE, THE
29 MARYLAND STANDARDBRED RACE FUND ADVISORY COMMITTEE, AND THE
30 REGULATIONS THAT RELATE TO THE STATE RACING COMMISSION, THE
31 MARYLAND-BRED RACE FUND ADVISORY COMMITTEE, AND THE MARYLAND
32 STANDARDBRED RACE FUND ADVISORY COMMITTEE.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2000.

