

SENATE BILL 368

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2000 Regular Session  
0lr2234  
CF HB 298

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By: **Chairman, Finance Committee**

Introduced and read first time: February 3, 2000

Assigned to: Finance

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A BILL ENTITLED

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)  
24 Annotated Code of Maryland  
25 (1999 Replacement Volume)

26 BY repealing and reenacting, without amendments,  
27 Article - State Government  
28 Section 8-403(e)  
29 Annotated Code of Maryland

1 (1999 Replacement Volume)

2 BY adding to

3 Article - State Government

4 Section 8-403(m)

5 Annotated Code of Maryland

6 (1999 Replacement Volume)

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 11-825.

11 (a) A satellite simulcast facility:

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

13 (2) may not be within a 35-mile radius of any mile thoroughbred track or  
14 harness track unless approved by the track licensee, the group that represents a  
15 majority of the applicable owners and trainers licensed in the State and the group  
16 that represents a majority of the applicable breeders in the State, considered  
17 separately;

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

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

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

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

27 2. teletheatre screen capacity; and

28 (ii) appropriate for the area where the satellite simulcast facility is  
29 located.

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

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

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

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

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

14 11-1101.

15 This title is the Maryland Horse Racing Act.

16 11-1102.

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

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#### **Article - State Government**

21 8-403.

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

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

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

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

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

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

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

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

5 [(8)] (5) State Board of Waterworks and Waste Systems Operators (§  
6 12-201 of the Environment Article);

7 [(9)] (6) State Board of Well Drillers (§ 13-201 of the Environment  
8 Article);

9 [(10)] (7) the Tobacco Authority (§ 7-201 of the Agriculture Article);

10 [(11)] (8) Maryland Home Improvement Commission (§ 8-201 of the  
11 Business Regulation Article); and

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

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

18 (M) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (E) OF THIS SECTION,  
19 ON OR BEFORE JULY 1, 2010, AN EVALUATION SHALL BE MADE OF THE STATE RACING  
20 COMMISSION, THE MARYLAND-BRED RACE FUND ADVISORY COMMITTEE, THE  
21 MARYLAND STANDARDBRED RACE FUND ADVISORY COMMITTEE, AND THE  
22 REGULATIONS THAT RELATE TO THE STATE RACING COMMISSION, THE  
23 MARYLAND-BRED RACE FUND ADVISORY COMMITTEE, AND THE MARYLAND  
24 STANDARDBRED RACE FUND ADVISORY COMMITTEE.

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