

---

By: **Delegates Hurson and Busch**  
Introduced and read first time: February 9, 2001  
Assigned to: Ways and Means

---

A BILL ENTITLED

1 AN ACT concerning

2 **Thoroughbred Racing - Racing Times - Restrictions**

3 FOR the purpose of altering the time after which certain thoroughbred racing  
4 licensees may not hold racing; repealing certain conditions under which certain  
5 thoroughbred racing licenses may hold racing; altering certain exceptions; and  
6 generally relating to thoroughbred racing.

7 BY repealing and reenacting, without amendments,  
8 Article - Business Regulation  
9 Section 11-501  
10 Annotated Code of Maryland  
11 (1998 Replacement Volume and 2000 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Business Regulation  
14 Section 11-504  
15 Annotated Code of Maryland  
16 (1998 Replacement Volume and 2000 Supplement)

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

19 **Article - Business Regulation**

20 11-501.

21 This part applies only to mile thoroughbred racing licensees and to special  
22 thoroughbred racing licensees.

23 11-504.

24 (a) (1) A licensee may hold live racing after 6:15 p.m. but not later than  
25 [9:00 p.m.] 11 P.M. if [:

26 (i)] circumstances beyond the control of the licensee cause a delay[;

1 (ii) the racing day is of national prominence; or

2 (iii) the racing is approved by the harness track licensee whose  
3 track is closest to the licensee's track, the group that represents a majority of the  
4 owners and trainers who race horses at that harness track, and the group that  
5 represents a majority of the harness breeders in this State].

6 (2) A licensee may hold racing after [6:15 p.m.] 11 P.M. that consists of  
7 betting on races held at an out-of-state track, if the racing is[:

8 (i)] authorized under § 11-804 of this title[; and

9 (ii) approved by the harness track licensee whose track is closest to  
10 the licensee's track, the group that represents a majority of the owners and trainers  
11 who race horses at that harness track, and the group that represents a majority of the  
12 harness breeders in this State].

13 (3) Notwithstanding any approval for racing after [6:15 p.m.] 11 P.M.,  
14 electrical or artificial illumination, necessary for the purpose of holding live racing,  
15 may not be permitted at Pimlico Race Course.

16 (4) Notwithstanding the provisions of paragraph (1) or (2) of this  
17 subsection, a licensee in Allegany County may hold live or simulcast racing after 6:15  
18 p.m., but not later than 11:30 p.m., unless circumstances beyond the control of the  
19 licensee cause a delay.

20 (b) (1) Mile thoroughbred racing may not be held on a Sunday unless:

21 (i) the Commission approves; and

22 (ii) the racing begins at noon or later.

23 (2) The Maryland State Fair and Agricultural Society, Inc., may not hold  
24 a race on a Sunday except during the Maryland State Fair.

25 11-804.

26 (a) The intent of this section is similar to that of the Interstate Horseracing  
27 Act of 1978, 15 U.S.C. §§ 3001 through 3007.

28 (b) If the Commission approves, [a licensee] THOROUGHBRED RACING  
29 LICENSEES AND HARNESS RACING LICENSEES may contract to hold pari-mutuel  
30 betting on [a race that is] THOROUGHBRED RACES AND HARNESS RACES held at  
31 [an] out-of-state [track] TRACKS where betting on racing is lawful.

32 (c) Pari-mutuel betting under this section may only occur:

33 (1) on a racing day when the Commission has authorized the licensee to  
34 hold racing; and

35 (2) (i) at the track of the licensee;

1 (ii) at any track where pari-mutuel betting on races on the racing  
2 program of the licensee for that day is authorized; or

3 (iii) at a satellite simulcast facility.

4 (d) (1) The breakage and takeout for pari-mutuel betting under this section  
5 shall be computed in the way normally applicable to pari-mutuel betting on racing  
6 the licensee holds.

7 (2) From the takeout the licensee shall deduct:

8 (i) the State tax on all mutuel pools;

9 (ii) the amount to be paid under the contract to the out-of-state  
10 track; and

11 (iii) the cost of transmission.

12 (3) The licensee shall then allocate the rest of the takeout in the way  
13 applicable to the racing that the licensee holds.

14 (e) A contract with an out-of-state track under this section is subject to the  
15 approval of the group that represents a majority of the owners and trainers who race  
16 horses at that track and the group that represents a majority of the applicable  
17 breeders in this State.

18 11-811.

19 (d) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE [The]  
20 Commission may authorize licensees, Fair Hill, or the State Fair Society to  
21 participate in intertrack betting by operating sending tracks and receiving tracks  
22 only if:

23 (1) the operators of the sending track and the receiving track submit a  
24 joint application to the Commission;

25 (2) the Commission holds a public hearing on the matter;

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

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

32 (f) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION:(1) Intertrack betting  
33 may be held only if the organizations specified in this subsection approve the  
34 agreement between the receiving track and the sending track to simulcast races.

1 (I) NOTWITHSTANDING THE OTHER PROVISIONS OF THIS  
2 SECTION:

3 (1) THE RACING ASSOCIATIONS LICENSED TO HOLD LIVE RACING AT  
4 PLIMICO RACE COURSE, LAUREL PARK AND ROSECROFT RACEWAY SHALL:

5 (A) NOT BE REQUIRED TO PROVIDE A SIGNAL OF THEIR LIVE  
6 RACES TO EACH OTHER; AND

7 (B) BE REQUIRED TO PROVIDE A SIGNAL OF THEIR LIVE RACES TO  
8 THE RACING ASSOCIATION LICENSED TO HOLD LIVE RACING AT OCEAN DOWNS FOR  
9 A PRICE NOT TO EXCEED THE AVERAGE AMOUNT CHARGED BY ANY OF THE RACING  
10 ASSOCIATIONS TO OUT-OF-STATE TRACKS; AND

11 (2) THE RACING ASSOCIATIONS LICENSED TO HOLD LIVE RACING AT  
12 PIMLICO RACE COURSE, LAUREL PARK, ROSECROFT RACEWAY AND OCEAN DOWNS  
13 SHALL PROVIDDE A SIGNAL OF THEIR LIVE RACES TO EACH SATELLITE SIMULCAST  
14 BETTING FACILITY IN THE STATE LOCATED OUTSIDE A 35 MILE RADIUS OF THE  
15 TRACK WHERE THE LIVE RACING IS BEING HELD FOR A PRICE NOT TO EXCEED THE  
16 AVERAGE AMOUT CHARGED BY ANY OF THE RACING ASSOCIATIONS TO  
17 OUT-OF-STATE TRACKS.

18 (II) NOTWITHSTANDING THE OTHER PROVISIONS OF THIS  
19 SECTION:

20 (1) THE RACING ASSOCIATIONS LICENSED TO HOLD LIVE RACING AT  
21 PLIMICO RACE COURSE, LAUREL PARK AND ROSECROFT RACEWAY SHALL;

22 (A) NOT BE REQUIRED TO PROVIDE A SIGNAL OF THEIR LIVE  
23 RACES TO EACH OTHER; AND

24 (B) BE REQUIRED TO PROVIDE A SIGNAL OF THEIR LIVE  
25 RACES TO THE RACING ASSOCIATION LICENSED TO HOLD LIVE RACING AT OCEAN  
26 DOWNS FOR A PRICE NOT TO EXCEED THE AVERAGE AMOUNT CHARGED BY ANY OF  
27 THE RACING ASSOCIATIONS TO OUT-OF-STATE TRACKS; AND

28 (2) THE RACING ASSOCIATIONS LICENSED TO HOLD LIVE RACING AT  
29 PIMLICO RACE COURSE, LAUREL PARK, ROSECROFT RACEWAY AND OCEAN DOWNS  
30 SHALL PROVIDDE A SIGNAL OF THEIR LIVE RACES TO EACH SATELLITE  
31 SIMULCAST BETTING FACILITY IN THE STATE LOCATED OUTSIDE A 35 MILE RADIUS  
32 OF THE TRACK WHERE THE LIVE RACING IS BEING HELD FOR A PRICE NOT TO  
33 EXCEED THE AVERAGE AMOUT CHARGED BY ANY OF THE RACING ASSOCIATIONS TO  
34 OUT-OF-STATE TRACKS.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 October 1, 2001.