Unofficial Copy   2001 Regular Session
C2   1lr2256

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By: **Senator Astle**
Introduced and read first time: February 2, 2001
Assigned to: Finance and Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2   **Racing - Horsemen - Standardbred and Thoroughbred Assistance Funds**

3 FOR the purpose of abolishing the Maryland Horsemen's Assistance Fund, Inc. and
4   establishing the Maryland Thoroughbred Horsemen's Assistance Fund, Inc. and
5   the Maryland Standardbred Horsemen's Assistance Fund, Inc.; requiring the
6   Maryland Racing Commission to pay certain money to certain funds; imposing
7   certain requirements on certain recipient funds; requiring that certain money
8   remaining in certain accounts on a certain date be paid over to certain funds;
9   and generally relating to assistance funds for Maryland horsemen.

10 BY repealing
11   Article - Business Regulation
12   Section 11-909
13   Annotated Code of Maryland
14   (1998 Replacement Volume and 2000 Supplement)

15 BY adding to
16   Article - Business Regulation
17   Section 11-909
18   Annotated Code of Maryland
19   (1998 Replacement Volume and 2000 Supplement)

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

22   **Article - Business Regulation**

23 [11-909.

24   (a)   In this section, "Horsemen's Fund" means the Maryland Horsemen's
25 Assistance Fund, Inc.

26   (b)   The clerk of the course shall:

1   (1)   collect each overpayment on a tote machine and each fine and
2 penalty that is not imposed on a licensee; and

3   (2)   pay that money to the Commission within 10 days after the close of
4 each race meeting.

5   (c)   The Commission shall pay the money collected under subsection (a) of this
6 section to the Horsemen's Fund on or before December 31 of each year, if the
7 Commission is satisfied that:

8   (1)   the Horsemen's Fund is operated entirely for the charitable purposes
9 set forth in its Articles of Amendment and Restatement approved by the State
10 Department of Assessments and Taxation on December 9, 1985; and

11   (2)   money that the Commission sends to the Horsemen's Fund or net
12 earnings of the Horsemen's Fund is not used for the benefit of a director, member, or
13 officer of the Horsemen's Fund, or for the benefit of any private individual who is not
14 an object of those charitable purposes.]

15 11-909.

16   (A)   THERE IS A MARYLAND STANDARDBRED HORSEMEN'S ASSISTANCE FUND,
17 INC., AND A MARYLAND THOROUGHBRED HORSEMEN'S ASSISTANCE FUND, INC.

18   (B)   THE CLERK OF THE COURSE AT EACH THOROUGHBRED TRACK AND AT
19 EACH HARNESS TRACK SHALL:

20   (1)   COLLECT EACH OVERPAYMENT ON A TOTE MACHINE AND EACH
21 FINE AND PENALTY THAT IS NOT IMPOSED ON A LICENSEE; AND

22   (2)   PAY THAT MONEY TO THE COMMISSION WITHIN 10 DAYS AFTER THE
23 CLOSE OF EACH RACE MEETING.

24   (C)   THE COMMISSION SHALL PAY THE MONEY COLLECTED UNDER
25 SUBSECTION (B) OF THIS SECTION FROM EACH HARNESS TRACK TO THE MARYLAND
26 STANDARDBRED HORSEMEN'S ASSISTANCE FUND, INC., AND THE MONEY COLLECTED
27 FROM EACH THOROUGHBRED TRACK TO THE MARYLAND THOROUGHBRED
28 HORSEMEN'S ASSISTANCE FUND, INC., ON OR BEFORE DECEMBER 31 OF EACH YEAR,
29 IF THE COMMISSION IS SATISFIED THAT:

30   (1)   THE RECIPIENT FUND IS OPERATED ENTIRELY FOR THE
31 CHARITABLE PURPOSES CONSISTENT WITH THE INTERESTS OF RACING; AND

32   (2)   MONEY THAT THE COMMISSION SENDS TO A RECIPIENT FUND OR
33 NET EARNINGS OF A RECIPIENT FUND IS NOT USED FOR THE BENEFIT OF A
34 DIRECTOR, MEMBER, OR OFFICER OF THAT FUND, OR FOR THE BENEFIT OF ANY
35 PRIVATE INDIVIDUAL WHO IS NOT AN OBJECT OF THE CHARITABLE PURPOSES OF
36 THAT FUND.

1   SECTION 2. AND BE IT FURTHER ENACTED, That on October 1, 2001, any
2 money remaining in the Standardbred Account of the Maryland Horsemen's
3 Assistance Fund, Inc. and the Thoroughbred Account of the Maryland Horsemen's
4 Assistance Fund, Inc. shall be paid over to the Maryland Standardbred Horsemen's
5 Assistance Fund, Inc. and the Maryland Thoroughbred Horsemen's Assistance Fund,
6 Inc., respectively.

7   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2001.