

SENATE BILL 391

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2001 Regular Session
11r2256
CF 11r2824

By: **Senator Astle**

Introduced and read first time: February 2, 2001
Assigned to: Finance and Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 15, 2001

CHAPTER _____

1 AN ACT concerning

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

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

11 BY repealing
12 Article - Business Regulation
13 Section 11-909
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 2000 Supplement)

16 BY adding to
17 Article - Business Regulation
18 Section 11-909
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 2000 Supplement)

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

1

Article - Business Regulation

2 [11-909.

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

5 (b) The clerk of the course shall:

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

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

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

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

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

20 11-909.

21 (A) THERE IS A MARYLAND STANDARDBRED HORSEMEN'S ASSISTANCE FUND,
22 INC., AND A MARYLAND ~~THOROUGHBRED~~ HORSEMEN'S ASSISTANCE FUND, INC.

23 (B) THE CLERK OF THE COURSE AT EACH THOROUGHBRED TRACK AND AT
24 EACH HARNESS TRACK SHALL:

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

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

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

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

1 (2) MONEY THAT THE COMMISSION SENDS TO A RECIPIENT FUND OR
2 NET EARNINGS OF A RECIPIENT FUND IS NOT USED FOR THE BENEFIT OF A
3 DIRECTOR, MEMBER, OR OFFICER OF THAT FUND, OR FOR THE BENEFIT OF ANY
4 PRIVATE INDIVIDUAL WHO IS NOT AN OBJECT OF THE CHARITABLE PURPOSES OF
5 THAT FUND.

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

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