

SENATE BILL 119

C6

9lr1409
CF 9lr1410

By: **The President (By Request – Department of Legislative Services)**

Introduced and read first time: January 15, 2009

Assigned to: Finance

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 State Racing Commission,
6 the Maryland–Bred Race Fund Advisory Committee, and the Maryland
7 Standardbred Race Fund Advisory Committee and the related statutes and
8 regulations on or before a certain date; exempting the Commission and certain
9 advisory committees from certain evaluation requirements; and generally
10 relating to the Maryland Horse Racing Act.

11 BY repealing and reenacting, without amendments,
12 Article – Business Regulation
13 Section 11–1101
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2008 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Business Regulation
18 Section 11–1102
19 Annotated Code of Maryland
20 (2004 Replacement Volume and 2008 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article – State Government
23 Section 8–403(a) and 8–404
24 Annotated Code of Maryland
25 (2004 Replacement Volume and 2008 Supplement)

26 BY repealing and reenacting, with amendments,
27 Article – State Government

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 8–403(b)(37), (56), and (64)
2 Annotated Code of Maryland
3 (2004 Replacement Volume and 2008 Supplement)

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

6 **Article – Business Regulation**

7 11–1101.

8 This title is the Maryland Horse Racing Act.

9 11–1102.

10 Subject to the evaluation and reestablishment provisions of the Maryland
11 Program Evaluation Act, this title and all regulations adopted under this title shall
12 terminate on July 1, [2011] **2014**.

13 **Article – State Government**

14 8–403.

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

19 (b) Except as otherwise provided in subsection (a) of this section, on or before
20 the evaluation date for the following governmental activities or units, an evaluation
21 shall be made of the following governmental activities or units and the statutes and
22 regulations that relate to the governmental activities or units:

23 (37) Maryland–Bred Race Fund Advisory Committee (§ 11–531 of the
24 Business Regulation Article: July 1, [2010] **2013**);

25 (56) Racing Commission, State (§ 11–201 of the Business Regulation
26 Article: July 1, [2010] **2013**);

27 (64) Standardbred Race Fund Advisory Committee, Maryland (§
28 11–625 of the Business Regulation Article: July 1, [2010] **2013**);

29 8–404.

30 (a) (1) On or before December 15 of the second year before the evaluation
31 date, the Department of Legislative Services shall prepare a preliminary evaluation
32 report on each governmental activity or unit to be evaluated.

- 1 (2) The preliminary evaluation report shall include:
- 2 (i) significant legislative changes that affect the governmental
3 activity or unit after the last evaluation;
- 4 (ii) changes in technology that impact the conduct of the
5 profession or occupation regulated by the governmental activity or unit;
- 6 (iii) changes in the regulatory environment;
- 7 (iv) registered complaints and complaint outcomes in the time
8 period after the last evaluation;
- 9 (v) a 5-year revenue and expenditure comparison, including
10 indirect costs as part of the expenditures of the activity or unit; and
- 11 (vi) a recommendation whether a full evaluation should be
12 undertaken.
- 13 (b) On request of the Department of Legislative Services, the governmental
14 activity or unit shall provide the Department with the information required to
15 undertake the preliminary evaluation.

16 SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of § 8-404
17 of the State Government Article requiring preliminary evaluations do not apply to the
18 State Racing Commission, the Maryland-Bred Race Fund Advisory Committee, or the
19 Maryland Standardbred Race Fund Advisory Committee prior to the evaluations
20 required on or before July 1, 2013.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 July 1, 2009.