

CHAPTER 196

(Senate Bill 119)

AN ACT concerning

Maryland Horse Racing Act – Sunset Extension and Program Evaluation

FOR the purpose of extending the date on which the Maryland Horse Racing Act terminates; requiring that an evaluation in accordance with the Maryland Program Evaluation Act (sunset law) be made of the State Racing Commission, the Maryland–Bred Race Fund Advisory Committee, and the Maryland Standardbred Race Fund Advisory Committee and the related statutes and regulations on or before a certain date; exempting the Commission and certain advisory committees from certain evaluation requirements; and generally relating to the Maryland Horse Racing Act.

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

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

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

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(37), (56), and (64)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

Article – Business Regulation

11-1101.

This title is the Maryland Horse Racing Act.

11-1102.

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

Article – State Government

8-403.

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

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

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

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

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

8-404.

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

(2) The preliminary evaluation report shall include:

(i) significant legislative changes that affect the governmental activity or unit after the last evaluation;

(ii) changes in technology that impact the conduct of the profession or occupation regulated by the governmental activity or unit;

(iii) changes in the regulatory environment;

(iv) registered complaints and complaint outcomes in the time period after the last evaluation;

(v) a 5-year revenue and expenditure comparison, including indirect costs as part of the expenditures of the activity or unit; and

(vi) a recommendation whether a full evaluation should be undertaken.

(b) On request of the Department of Legislative Services, the governmental activity or unit shall provide the Department with the information required to undertake the preliminary evaluation.

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

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

Approved by the Governor, May 7, 2009.