

CHAPTER 702

(House Bill 973)

AN ACT concerning

Maryland Horse Industry Fund – Assessments on Commercial Equine Feed

FOR the purpose of altering the amount of the assessment that the Secretary of Agriculture may impose on commercial equine feed sold in the State; prohibiting certain funds from reverting to the General Fund; and generally relating to the Maryland Horse Industry Board and the authority of the Secretary of Agriculture to impose assessments on commercial equine feed.

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 2–708.2(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–708.2(e) and 6–107.2

Annotated Code of Maryland

(2007 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 – Agriculture

2–708.2.

(a) In this section, “Fund” means the Maryland Horse Industry Fund.

(e) At the end of a fiscal year, any unspent or unencumbered balance in the Fund [shall] MAY NOT revert to the General Fund of the State[, in accordance with §§ 7–302 and 7–303 of the State Finance and Procurement Article].

6–107.2.

(a) The Secretary may establish an assessment of up to [2] **\$6** per ton on commercial equine feed that is sold in Maryland.

(b) The assessment shall be paid by the person registering the feed according to the collection and reporting guidelines established by the Secretary by regulation.

(c) Any assessments collected shall be paid into the Maryland Horse Industry Fund as provided in § 2-708.2 of this article.

(d) The Secretary shall adopt regulations to:

(1) Allow a person who purchases commercial equine feed in the State to request reimbursement of any assessment that was paid on the feed; and

(2) Require that a purchaser of feed be notified, at the point of sale, of the possibility of reimbursement.

(e) Notwithstanding any other provision of this subtitle, any funds collected under this section may be used only for education, research, and promotional materials and activities intended to benefit the Maryland equine industry.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

Approved by the Governor, May 19, 2009.