C7 8lr2198 CF 8lr3762

By: Delegates Krimm, Barve, Folden, Fraser-Hidalgo, Frush, Gaines, Ghrist, Gutierrez, Hill, Hixson, C. Howard, Impallaria, Jackson, Jones, Kramer, Lam, McKay, Metzgar, Sophocleus, Valentino-Smith, Vogt, and K. Young

Introduced and read first time: February 8, 2018

Assigned to: Ways and Means

AN ACT concerning

## A BILL ENTITLED

Racehorses

2	Purse Dedication Account - Maryland Horse Industry Fund - Retired

FOR the purpose of requiring that a certain percent of the funds in the Purse Dedication
Account be allocated to the Maryland Horse Industry Fund to be used for certain
purposes; requiring the Maryland Horse Industry Board to administer certain funds;
providing that at the end of a fiscal year certain unspent and unencumbered funds
revert to the Purse Dedication Account; repealing an obsolete reference; and
generally relating to a requirement that a certain percent of funds in the Purse
Dedication Account be allocated to the Maryland Horse Industry Fund.

- 11 BY repealing and reenacting, with amendments,
- 12 Article Agriculture
- 13 Section 2–708.2

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- 14 Annotated Code of Maryland
- 15 (2016 Replacement Volume and 2017 Supplement)
- 16 BY repealing and reenacting, without amendments,
- 17 Article State Government
- 18 Section 9–1A–28(a) and (b)
- 19 Annotated Code of Maryland
- 20 (2014 Replacement Volume and 2017 Supplement)
- 21 BY repealing and reenacting, with amendments,
- 22 Article State Government
- 23 Section 9–1A–28(c)
- 24 Annotated Code of Maryland
- 25 (2014 Replacement Volume and 2017 Supplement)

 ${\bf EXPLANATION: Capitals\ indicate\ matter\ added\ to\ existing\ law}.$ 

[Brackets] indicate matter deleted from existing law.



SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 2 That the Laws of Maryland read as follows:

## 3 Article – Agriculture

- 4 2–708.2.
- 5 (a) In this section, "Fund" means the Maryland Horse Industry Fund.
- 6 (b) There is a Maryland Horse Industry Fund in the Department.
- 7 (c) (1) The Fund is a continuing, revolving special fund to be maintained by 8 the State Treasurer.
- 9 (2) The State Treasurer shall hold and the [State] Comptroller shall 10 account for the Fund.
- 11 (3) THE BOARD SHALL ADMINISTER MONEY MADE AVAILABLE TO THE 12 FUND UNDER SUBSECTION (F)(4) OF THIS SECTION.
- 13 (d) The Fund shall be invested and reinvested. Any interest or other investment earnings of the Fund shall be credited and paid into the Fund.
- 15 (e) **(1)** At the end of a fiscal year, any unspent or unencumbered balance in the Fund may not revert to the General Fund of the State.
- 17 (2) AT THE END OF A FISCAL YEAR, ANY UNSPENT OR UNENCUMBERED BALANCE MADE AVAILABLE TO THE FUND UNDER SUBSECTION (F)(4) OF THIS SECTION SHALL REVERT TO THE PURSE DEDICATION ACCOUNT UNDER § 9–1A–28 OF THE STATE GOVERNMENT ARTICLE.
- 21 (f) The Fund consists of:
- 22 (1) Money made available from an assessment on equine feed as required 23 under § 6–107.2 of this article;
- 24 (2) Money made available to the Fund by general, federal, or special fund 25 appropriations;
- 26 (3) Money made available to the Fund by gifts, grants or transfers from 27 any government or unit or instrumentality of a government or from any private sector 28 sources; [and]
- 29 (4) Money made available to the Fund from the Purse 30 Dedication Account under § 9–1A–28 of the State Government Article; 31 And

$\begin{array}{c} 1 \\ 2 \end{array}$	[(4)] (5) Money made available from licensing and inspection of horse stables as required under $\S\S 2-711$ , $2-712$ , and $2-713$ of this subtitle.
3 4 5	(g) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE Board shall use the money in the Fund in accordance with the provisions of § 2–708 of this subtitle.
6 7 8	(2) THE BOARD SHALL USE THE MONEY MADE AVAILABLE TO THE FUND UNDER SUBSECTION (F)(4) OF THIS SECTION TO FUND AND AWARD GRANTS TO BE USED FOR:
9 10	(I) THE CARE, RETRAINING, AND PROMOTION OF RETIRED RACEHORSES;
11	(II) SANCTUARY THOROUGHBREDS; AND
12 13	(III) SUPPORT OF EQUINE-ASSISTED THERAPY PROGRAMS USING SANCTUARY THOROUGHBREDS.
14 15 16	(h) Except for the purposes in § 2–708.1 of this subtitle <b>AND SUBSECTION (G) OF THIS SECTION</b> , the Board may not use any money in the Fund for any other purpose of the Board.
17	Article - State Government
18	9–1A–28.
19 20	(a) There is a Purse Dedication Account under the authority of the State Racing Commission.
21 22	(b) (1) The Account shall receive money as required under $\$ 9–1A–27 of this subtitle.
23 24	(2) Money in the Account shall be invested and reinvested by the Treasurer and interest and earnings shall accrue to the Account.
25	(3) The Comptroller shall:
26	(i) account for the Account; and
27 28 29	(ii) on a properly approved transmittal prepared by the State Racing Commission, issue a warrant to pay out money from the Account in the manner provided under this section.

The Account is a special, nonlapsing fund that is not subject to  $\S~7-302$ 

(4)

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2 (5) Expenditures from the Account shall only be made on a properly approved transmittal prepared by the State Racing Commission as provided under subsection (c) of this section.

- 5 (c) Subject to subsections (d) and (e) of this section, the State Racing Commission 6 shall allocate funds in the Account as follows:
- 7 (1) 1% TO THE MARYLAND HORSE INDUSTRY FUND ESTABLISHED 8 UNDER § 2–708.2 OF THE AGRICULTURE ARTICLE; AND
- 9 (2) FROM THE AMOUNT REMAINING AFTER THE ALLOCATION UNDER 10 PARAGRAPH (1) OF THIS SUBSECTION:
- [(1)] (I) 80% to the thoroughbred industry; and
- [(2)] (II) 20% to the standardbred industry.

of the State Finance and Procurement Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018.