

HOUSE BILL 1056

C6, C7, C8

0lr0840

By: The Speaker

Introduced and read first time: February 6, 2020

Assigned to: Ways and Means and Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2020

Returned to second reading: March 11, 2020

House action: Adopted with floor amendments

Read second time: March 11, 2020

CHAPTER _____

1 AN ACT concerning

2 **Racing and Community Development Act of 2020**

3 FOR the purpose of requiring the State Racing Commission to consider the health, safety,
4 and welfare of certain horses; requiring the Commission to establish the Equine
5 Health, Safety, and Welfare Advisory Committee; providing for the composition and
6 chair of the Advisory Committee; requiring the Advisory Committee to report on
7 certain activities and make certain recommendations; requiring the Commission to
8 include certain information in a certain report; altering the number of live racing
9 days the Commission is required to award each year; requiring the owner of the
10 Bowie Race Course Training Center to convey the Bowie Race Course Training
11 Center property to the City of Bowie in a certain manner on or before a certain date;
12 providing that certain parts of the property conveyed may be used only for certain
13 purposes; requiring the City of Bowie, on or before a certain date, to enter into a joint
14 use agreement with Bowie State University for the future use of the property;
15 requiring the City of Bowie and Bowie State University to report to the General
16 Assembly on the final terms of the joint use agreement; requiring the Mayor of
17 Baltimore City to appoint, subject to confirmation by the Baltimore City Council, the
18 chair of the Pimlico Community Development Authority; providing that certain
19 planning, zoning, and development regulations that apply to the Maryland Stadium
20 Authority do not apply to certain racing facilities; authorizing, subject to the
21 approval of the Board of Public Works, the Authority to issue up to a certain amount
22 of bonds for certain racing facilities; requiring the Authority to provide certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

1 committees of the General Assembly a certain report before seeking certain approval
2 of the Board of Public Works; requiring that certain bonds contain certain
3 statements; requiring the Authority to obtain certain approval of the Board of Public
4 Works; requiring the Authority, before issuing certain bonds, to ensure that certain
5 long-term agreements are finalized executed; authorizing requiring the Authority to
6 enter into a certain agreement with certain project entities; prohibiting the
7 Authority from having any responsibility for a racing facility after the completion of
8 a racing facility; authorizing the Authority to assist with enforcement of certain
9 warranties and claims; authorizing the Authority, if retained, to provide certain
10 services; requiring the Comptroller to deposit a certain amount into certain funds;
11 authorizing transfers between certain funds; establishing the Racing and
12 Community Development Fund certain funds as a continuing, nonlapsing fund
13 funds; specifying the purpose of the Fund funds; requiring the Authority to
14 administer the Fund funds; requiring the State Treasurer to hold the Fund funds;
15 specifying the contents of the Fund funds; specifying the purpose for which the Fund
16 funds may be used; providing for the investment of money in and expenditures from
17 the Fund funds; requiring interest earnings of the Fund funds to be credited to the
18 Fund funds; exempting the Fund funds from a certain provision of law requiring
19 interest earnings on State money to accrue to the General Fund of the State;
20 requiring the Comptroller to pay a certain amount from a certain fund each year that
21 until certain bonds remain outstanding and unpaid have matured; altering certain
22 conditions of eligibility for funding from and the allocation of the Racetrack Facility
23 Renewal Account; authorizing the use of funds in the Account for certain purposes
24 on or before a certain date; requiring certain funds to be transferred each year to a
25 certain entity; altering the distribution of proceeds from video lottery terminals;
26 requiring that certain local impact grants are distributed in a certain manner for
27 certain fiscal years; allowing a subtraction modification under the Maryland income
28 tax for gain received recognized as a result of the transfer of certain property and
29 the amount of any income realized recognized as the result of an expenditure by
30 certain governmental entities; providing an exemption from the sales and use tax for
31 the purchase of certain personal property certain sales of certain construction
32 materials used for certain purposes; providing an exemption from certain property
33 taxes for certain improvements or interests in certain real property at certain
34 locations; providing that transfers of certain property between certain entities are
35 not subject to certain recordation and transfer taxes; establishing the Task Force on
36 the Future of the Bowie Training Facility; providing for the composition, chair, and
37 staffing of the Task Force; prohibiting a member of the Task Force from receiving
38 certain compensation, but authorizing the reimbursement of certain expenses;
39 requiring the Task Force to study and make recommendations regarding certain
40 matters; requiring the Task Force to report its findings and recommendations to the
41 Governor and the General Assembly on or before a certain date; requiring certain
42 housing facilities located at certain racing facility properties and used during certain
43 periods of the racing facility development projects to meet certain health and housing
44 requirements; prohibiting the Authority from expending funds for construction of
45 certain surfaces until certain entities provide the Legislative Policy Committee with
46 a certain report; requiring certain entities to enter into a certain memorandum of
47 understanding that contains certain provisions; prohibiting the Authority from

1 beginning construction of a certain site until it receives a certain memorandum of
2 understanding; requiring that a certain memorandum of understanding remain in
3 place for a certain period of time; requiring the Maryland Stadium Authority to
4 conduct a certain feasibility study; requiring certain reports to be submitted to the
5 Legislative Policy Committee in a certain manner; making conforming changes;
6 defining certain terms; providing for the application ~~and termination~~ of certain
7 provisions of this Act; and generally relating to ~~thoroughbred~~ horse racing in the
8 State.

9 BY repealing and reenacting, with amendments,

10 Article – Business Regulation

11 Section 11–209, 11–213, ~~and 11–511~~ 11–511, 11–519, and 11–1203(b)

12 Annotated Code of Maryland

13 (2015 Replacement Volume and 2019 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Business Regulation

16 Section ~~11–519, 11–520, 11–520~~ and 11–521

17 Annotated Code of Maryland

18 (2015 Replacement Volume and 2019 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Economic Development

21 Section 10–601(a)

22 Annotated Code of Maryland

23 (2018 Replacement Volume and 2019 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Economic Development

26 Section 10–601(q), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), and (ii),
27 10–620(e), and 10–628(c)(1)

28 Annotated Code of Maryland

29 (2018 Replacement Volume and 2019 Supplement)

30 BY adding to

31 Article – Economic Development

32 Section 10–601(x), (y), (z), (hh), (ii), (jj), (kk), (ll), (mm), ~~and~~ (nn), and (oo), 10–646.1,
33 ~~and~~ 10–657.2, and 10–657.3

34 Annotated Code of Maryland

35 (2018 Replacement Volume and 2019 Supplement)

36 BY repealing and reenacting, without amendments,

37 Article – State Finance and Procurement

38 Section 6–226(a)(2)(i)

39 Annotated Code of Maryland

40 (2015 Replacement Volume and 2019 Supplement)

- 1 BY repealing and reenacting, with amendments,
2 Article – State Finance and Procurement
3 Section 6–226(a)(2)(ii)121. and 122.
4 Annotated Code of Maryland
5 (2015 Replacement Volume and 2019 Supplement)
- 6 BY adding to
7 Article – State Finance and Procurement
8 Section 6–226(a)(2)(ii)123. and 124.
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2019 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article – State Government
13 Section 9–120, 9–1A–09, 9–1A–28(b), 9–1A–29, and 9–1A–31(a) and (b)(3)
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2019 Supplement)
- 16 BY repealing and reenacting, without amendments,
17 Article – State Government
18 Section 9–1A–27(a)(5) and 9–1A–28(a), (c), and (d)
19 Annotated Code of Maryland
20 (2014 Replacement Volume and 2019 Supplement)
- 21 BY repealing and reenacting, without amendments,
22 Article – Tax – General
23 Section 10–207(a) and 10–307(a)
24 Annotated Code of Maryland
25 (2016 Replacement Volume and 2019 Supplement)
- 26 BY adding to
27 Article – Tax – General
28 Section 10–207(hh) and 11–236
29 Annotated Code of Maryland
30 (2016 Replacement Volume and 2019 Supplement)
- 31 BY repealing and reenacting, with amendments,
32 Article – Tax – General
33 Section 10–307(g)
34 Annotated Code of Maryland
35 (2016 Replacement Volume and 2019 Supplement)
- 36 BY adding to
37 Article – Tax – Property
38 Section 7–246, 12–108(hh), and 13–207(a)(26)
39 Annotated Code of Maryland
40 (2019 Replacement Volume)

1 BY repealing and reenacting, with amendments,
2 Article – Tax – Property
3 Section 13–207(a)(24) and (25) and 13–410
4 Annotated Code of Maryland
5 (2019 Replacement Volume)

6 Preamble

7 WHEREAS, The thoroughbred horse racing and breeding industries in the State are
8 historically, culturally, and economically significant, and date back to the founding of the
9 Maryland Jockey Club in 1743; and

10 WHEREAS, The thoroughbred horse racing and breeding industries include the
11 agribusiness of hundreds of horse farms throughout the State, which preserve over 700,000
12 acres of open space; and

13 WHEREAS, The thoroughbred horse racing and breeding industries also provide
14 employment directly and indirectly for tens of thousands of Marylanders in various
15 capacities, including:

16 (1) owners, trainers, breeders, and others who raise and care for and train
17 horses for competition;

18 (2) employees at Pimlico Race Course in Baltimore City and Laurel Park
19 in Anne Arundel County; and

20 (3) a myriad of individuals and vendors that service the horse racing and
21 breeding industries, including veterinarians, farms, and others; and

22 WHEREAS, The Preakness Stakes, the middle jewel of thoroughbred racing's Triple
23 Crown, historically conducted at Pimlico, is a civic and culturally significant event and
24 brings national and international attention and substantial economic benefits to the State
25 annually; and

26 WHEREAS, The need for modernization of the Pimlico and Laurel Park racing
27 facilities has been recognized in master development plans adopted by the City of Baltimore
28 in 2006 and 2008 and by Anne Arundel County in 2007, 2008, and 2009, which master
29 development plans include but are not limited to a planned unit development plan and
30 related planned unit development plan sketches for Pimlico, and the Park Heights Plan,
31 and a 2008 approved sketch plan for Laurel Park; and

32 WHEREAS, The State has authorized funding and funded a number of the
33 improvements contemplated pursuant to master development plans through the Racetrack
34 Facilities Renewal Account in conjunction with industry and other funds; and

1 WHEREAS, The funding authorized by this Act will fund improvements arising from
2 and related to the aforementioned master development plans, with amounts attributable
3 to such funding being utilized pursuant to such master development plans; and

4 WHEREAS, It serves the State's interest in economic development, tourism,
5 community development, and other civic, cultural, and public activities and developments
6 to promote the Preakness Stakes and the thoroughbred horse racing and breeding
7 industries, which in turn are highly dependent on modern, state-of-the-art thoroughbred
8 racing facilities at Pimlico and Laurel Park; and

9 WHEREAS, The State's interest in advancing and promoting such activities will be
10 served by authorizing the funding and development of the racing, training, community
11 development, and related facilities, as set forth herein; now, therefore,

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

14 **Article – Business Regulation**

15 11–209.

16 (a) Besides its other powers under this title, the Commission has the powers
17 necessary or proper to carry out fully all the purposes of this title.

18 (b) (1) The jurisdiction, supervision, powers, and duties of the Commission
19 extend to each person who holds racing for a purse, reward, or stake.

20 (2) **IN EXERCISING THE JURISDICTION, SUPERVISION, POWERS, AND**
21 **DUTIES OF THE COMMISSION UNDER THIS TITLE, THE COMMISSION SHALL**
22 **CONSIDER, IN ADDITION TO ANY OTHER FACTOR THE COMMISSION CONSIDERS**
23 **IMPORTANT, THE HEALTH, SAFETY, AND WELFARE OF HORSES ENGAGED IN RACING**
24 **AND TRAINING AT TRACKS AND TRAINING FACILITIES IN THE STATE.**

25 (c) (1) **THE COMMISSION SHALL ESTABLISH AN EQUINE HEALTH,**
26 **SAFETY, AND WELFARE ADVISORY COMMITTEE.**

27 (2) **THE EXECUTIVE DIRECTOR OF THE COMMISSION SHALL APPOINT**
28 **A MEMBER OF THE COMMISSION TO CHAIR THE ADVISORY COMMITTEE.**

29 (3) **THE ADVISORY COMMITTEE CONSISTS OF THE FOLLOWING**
30 **MEMBERS:**

31 (i) **THREE MEMBERS OF THE COMMISSION, APPOINTED BY THE**
32 **EXECUTIVE DIRECTOR OF THE COMMISSION;**

1 (II) ONE REPRESENTATIVE OF ~~THE RACING LICENSEES,~~
2 ~~APPOINTED BY AN ORGANIZATION THAT REPRESENTS THE RACING LICENSEES~~ EACH
3 RACING LICENSEE;

4 (III) ONE REPRESENTATIVE OF THE HORSEMEN, APPOINTED BY
5 AN ORGANIZATION THAT REPRESENTS THE HORSEMEN;

6 (IV) ONE REPRESENTATIVE OF THE HORSE BREEDERS,
7 APPOINTED BY AN ORGANIZATION THAT REPRESENTS THE HORSE BREEDERS;

8 (V) THE COMMISSION'S EQUINE MEDICAL DIRECTOR;

9 (VI) A VETERINARIAN LICENSED IN THE STATE; AND

10 (VII) ANY OTHER INDIVIDUAL WITH EXPERTISE IN EQUINE OR
11 RACING INDUSTRIES THAT THE EXECUTIVE DIRECTOR OF THE COMMISSION
12 APPOINTS.

13 (4) THE EXECUTIVE DIRECTOR OF THE COMMISSION SHALL
14 DETERMINE THE TIME AND LOCATION OF ADVISORY COMMITTEE MEETINGS.

15 (5) THE ADVISORY COMMITTEE SHALL SERVE AS AN ADVISORY BODY
16 TO THE COMMISSION ON MATTERS RELATED TO THE HEALTH, SAFETY, AND
17 WELFARE OF HORSES ENGAGED IN RACING AND TRAINING AT TRACKS AND TRAINING
18 FACILITIES IN THE STATE.

19 (6) THE CHAIRMAN OF THE ADVISORY COMMITTEE SHALL REPORT
20 REGULARLY TO THE COMMISSION ON THE ACTIVITIES OF THE ADVISORY
21 COMMITTEE, INCLUDING ANY RECOMMENDATIONS FOR CHANGES TO RULES,
22 REGULATIONS, LAWS, OR OTHER CONDITIONS OF RACING.

23 11-213.

24 (a) On or before September 15 of each year, the Commission shall submit a report
25 to the Secretary and, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
26 ARTICLE, the Legislative Policy Committee about the preceding calendar year.

27 (b) Each report shall include:

28 (1) a statement of receipts and disbursements of the Commission;

29 (2) a summary of major events that occurred the preceding year that
30 affected horse racing in the State, including any significant changes at tracks in the region
31 as well as a discussion of legislative initiatives in the State;

- 1 (3) a 5-year assessment of each track regarding:
- 2 (i) attendance;
- 3 (ii) purse distributions;
- 4 (iii) live racing days that are allocated and used;
- 5 (iv) betting on live racing that is held at that track broken down by
6 the following categories:
- 7 1. betting conducted at the live track;
- 8 2. betting conducted at other Maryland tracks;
- 9 3. betting conducted at satellite simulcast facilities in the
10 State; and
- 11 4. betting conducted through out-of-state satellite
12 simulcasting;
- 13 (v) betting that is conducted at the live track on races simulcast from
14 other tracks in the State; and
- 15 (vi) betting that is conducted at the live track on races simulcast from
16 out-of-state tracks;
- 17 (4) information on all simulcast betting at satellite simulcast facilities in
18 the State, including information on how much is wagered on in-State races and how much
19 is bet on out-of-state races;
- 20 (5) information on all simulcast betting that is conducted out of state on
21 races being run live in this State;
- 22 (6) to the extent available, information on the breeding industry in the
23 State, including:
- 24 (i) the number of breeders in the State;
- 25 (ii) the number of foals registered in the State;
- 26 (iii) the average sales prices of foals; and
- 27 (iv) any other information pertaining to the regional and national
28 ranking of the State for breeding;

1 (7) all other information that is currently provided by the Commission in
2 its annual report;

3 (8) additional information on satellite simulcast facilities, as required
4 under § 11-831 of this title; [and]

5 (9) **A SUMMARY OF THE ACTIVITIES OF THE EQUINE HEALTH,
6 SAFETY, AND WELFARE ADVISORY COMMITTEE AND ANY RECOMMENDATIONS BY
7 THE COMMISSION FOR CHANGES TO STATE LAW NECESSARY FOR THE
8 ENHANCEMENT OF THE HEALTH, SAFETY, OR WELFARE OF HORSES ENGAGED IN
9 RACING AND TRAINING AT TRACKS AND TRAINING FACILITIES IN THE STATE; AND**

10 (10) any other information that is useful in explaining the financial viability
11 of horse racing in the State and any recommendations to improve the industry.

12 11-511.

13 (a) (1) On or before December 1, the Commission shall award all racing days
14 for the next calendar year.

15 (2) However, the Commission may meet after December 1 to award racing
16 days that are requested in applications.

17 (b) (1) Except as provided in paragraph (2) of this subsection, the Commission
18 may award for any calendar year up to the number of racing days requested by an
19 applicant.

20 (2) The Commission shall award at least [40] **180** live racing days [to be
21 run at the] **COMBINED BETWEEN LAUREL PARK IN ANNE ARUNDEL COUNTY AND**
22 **Pimlico Race Course in Baltimore City in each calendar year unless:**

23 (I) otherwise agreed to by ~~the racing licensee~~ **A MAJORITY OF THE**
24 **RACING LICENSEES** [and], the organization that represents the majority of licensed
25 thoroughbred owners and trainers in the State, **AND A GROUP THAT REPRESENTS A**
26 **MAJORITY OF THE THOROUGHBRED BREEDERS IN THE STATE;** or [unless]

27 (II) the racing licensee is prevented by weather, acts of God, or other
28 circumstances beyond the racing licensee's control.

29 (c) The decision of the Commission on the award of a racing day is final.

30 11-519.

31 (a) ~~The~~ **UNTIL THE CONVEYANCE REQUIRED UNDER SUBSECTION (D) OF**
32 **THIS SECTION, THE** owner of the Bowie Race Course Training Center shall operate the

1 Center as a thoroughbred training facility to provide more stall space for a race meeting
2 that a licensee holds.

3 (b) ~~The~~ **UNTIL THE CONVEYANCE REQUIRED UNDER SUBSECTION (D) OF**
4 **THIS SECTION, THE** owner of the Bowie Race Course Training Center is responsible for
5 the cost to improve, maintain, and operate the Center.

6 (c) As long as the Bowie Race Course Training Center is used for the purpose
7 specified in subsection (a) of this section, the Commission shall have general regulatory
8 jurisdiction over the Center to:

9 (1) provide enough stalls;

10 (2) maintain safe operating conditions;

11 (3) require the owner of the Center to submit an annual operating financial
12 statement; and

13 (4) order reasonable improvements.

14 **(D) (1) (I) ON OR BEFORE DECEMBER 31, 2023, THE OWNER OF THE**
15 **BOWIE RACE COURSE TRAINING CENTER SHALL CONVEY THE BOWIE RACE**
16 **COURSE TRAINING CENTER PROPERTY TO THE CITY OF BOWIE "AS IS", WITH ALL**
17 **DEFECTS THAT MAY EXIST, WHETHER KNOWN OR UNKNOWN, AND WITHOUT ANY**
18 **EXPRESS OR IMPLIED WARRANTY, GUARANTEE BY, OR RECOURSE AGAINST THE**
19 **CONVEYOR OF THE PROPERTY.**

20 **(II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE**
21 **CONVEYOR OF THE BOWIE RACE COURSE TRAINING CENTER PROPERTY SHALL BE**
22 **HELD HARMLESS AGAINST ANY AND ALL CLAIMS AND RISKS, NOW OR IN THE**
23 **FUTURE, ARISING DIRECTLY OR INDIRECTLY FROM, OR IN ANY WAY RELATED TO,**
24 **THE CONDITION OF THE PROPERTY OR CONVEYANCE, WITH ALL THOSE CLAIMS AND**
25 **RISKS ASSUMED BY THE CITY OF BOWIE.**

26 **(2) THE PORTION OF THE BOWIE RACE COURSE TRAINING CENTER**
27 **PROPERTY TRANSFERRED TO THE CITY OF BOWIE THAT IS WITHIN 100 FEET OF THE**
28 **TOP OF THE PATUXENT RIVER BANK SHALL BE USED FOR PASSIVE RECREATIONAL**
29 **ACTIVITIES, INCLUDING HIKING, WILDLIFE VIEWING, PICNICKING, AND WALKING.**

30 **(3) THE PORTION OF THE BOWIE RACE COURSE TRAINING CENTER**
31 **PROPERTY TRANSFERRED TO THE CITY OF BOWIE NOT DESCRIBED UNDER**
32 **PARAGRAPH (2) OF THIS SUBSECTION MAY:**

33 **(I) BE USED ONLY FOR ACTIVE RECREATIONAL ACTIVITIES,**
34 **INCLUDING BASEBALL, FOOTBALL, SOCCER, AND CRICKET; AND**

1 **(II) HAVE ONLY ONE STRUCTURE THAT IS UP TO 50,000 SQUARE**
2 **FEET CONSTRUCTED ON THE PROPERTY.**

3 **(2) (4) ON OR BEFORE JANUARY 1, 2021, THE CITY OF BOWIE**
4 **SHALL ENTER INTO A JOINT USE AGREEMENT, INCLUDING AN EASEMENT, WITH**
5 **BOWIE STATE UNIVERSITY FOR THE FUTURE USE OF THE PROPERTY DESCRIBED**
6 **UNDER PARAGRAPH (3) OF THIS SUBSECTION.**

7 **(3) (5) THE CITY OF BOWIE AND BOWIE STATE UNIVERSITY SHALL**
8 **REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE**
9 **STATE GOVERNMENT ARTICLE, ON THE FINAL TERMS OF THE JOINT USE**
10 **AGREEMENT ENTERED INTO UNDER THIS SUBSECTION.**

11 11-520.

12 (a) The requirements of this section are established in recognition of the
13 significance of the Preakness Stakes to the State.

14 (b) The Preakness Stakes may be transferred to another track in the State only
15 as a result of a disaster or emergency.

16 (c) If the Preakness Stakes is transferred out of the State, the Commission may:

17 (1) revoke any racing days awarded to the Maryland Jockey Club of
18 Baltimore City, Inc., or its successor; and

19 (2) award these racing days to another licensee, notwithstanding §
20 11-511(b) of this subtitle.

21 (d) (1) If the Preakness Stakes is offered for sale, the State has the option to
22 buy the Preakness Stakes for the amount of any offer that the licensee wishes to accept.

23 (2) Within 30 days after receiving an offer that it wishes to accept, the
24 licensee shall give the State notice of the offer.

25 (3) If the State wishes to exercise the option, it shall so notify the licensee
26 within 60 days after it receives the notice.

27 11-521.

28 (a) In addition to the other provisions of this subtitle, in accordance with the
29 sovereign power of the State and the provisions of Article III, §§ 40 and 40A of the Maryland
30 Constitution, and subject to subsections (b) and (c) of this section, the State may acquire by
31 purchase or condemnation for public use with just compensation some or all of the following

1 real, tangible, and intangible private property, including any contractual interests or
2 intellectual property:

3 (1) Pimlico Race Course, a racetrack located in Baltimore City, including
4 any and all property or property rights associated with it wherever located, whether
5 tangible, intangible, real, personal, or mixed, and any business entity that owns it;

6 (2) Laurel Park, a racetrack located in Anne Arundel County, including
7 any and all property or property rights associated with it wherever located, whether
8 tangible, intangible, real, personal, or mixed, and any business entity that owns it;

9 (3) Bowie Race Course Training Center, a training center located in Prince
10 George's County, including any and all property or property rights associated with it
11 wherever located, whether tangible, intangible, real, personal, or mixed, and any business
12 entity that owns it;

13 (4) the Preakness Stakes trophy that is known as the Woodlawn Vase,
14 including any and all property or property rights associated with it, whether tangible,
15 intangible, real, personal, or mixed, and any business entity that owns it;

16 (5) the name, common law and statutory copyrights, service marks,
17 trademarks, trade names, contracts, horse racing events, and other intangible and
18 intellectual property that are associated with the Preakness Stakes and the Woodlawn
19 Vase;

20 (6) all property of the Maryland Jockey Club of Baltimore City, Inc., or its
21 successors and assigns, including stock and equity interests in it, and including any and all
22 property or property rights associated with it, whether tangible, intangible, real, personal,
23 or mixed; and

24 (7) all property of the Laurel Racing Assoc., Inc., the Laurel Racing
25 Association Limited Partnership, or their respective successors and assigns, including stock
26 and equity interests, and including any and all property or property rights associated with
27 them, whether tangible, intangible, real, personal, or mixed.

28 (b) All proceedings for the condemnation for public use of the private property
29 described under subsection (a) of this section shall be in accordance with the provisions of
30 Title 12 of the Real Property Article and Title 12, Chapter 200 of the Maryland Rules.

31 (c) Pursuant to the provisions of Article III, § 40A of the Maryland Constitution,
32 as applicable, the private property described under subsection (a) of this section may be
33 taken immediately on payment for the property consistent with the procedures of §§ 8–334
34 through 8–339 of the Transportation Article.

35 11–1203.

1 (VII) THE ASSOCIATED ROADWAYS, WALKWAYS, SIDEWALKS,
2 PARKING AREAS, GREEN SPACE, FENCING, AND RELATED STRUCTURES AND AREAS
3 AS DESIGNATED IN THE PLANS APPROVED BY THE AUTHORITY.

4 (Y) "LAUREL PARK SITE" MEANS THE SITE IN ANNE ARUNDEL COUNTY
5 GENERALLY BOUNDED BY STATE ROUTE 198, WHISKEY BOTTOM ROAD, BROCK
6 RIDGE ROAD, AND THE CSX RAILWAY.

7 (Z) (1) "MJC ENTITIES" MEANS THE MARYLAND JOCKEY CLUB OF
8 BALTIMORE CITY, INC., LAUREL RACING ASSOCIATION LIMITED PARTNERSHIP,
9 LAUREL RACING ASSOCIATION, INC., AND TSG DEVELOPMENTS INVESTMENTS,
10 INC.

11 (2) "MJC ENTITIES" INCLUDES AN AFFILIATE, AN ASSIGNEE, A
12 DESIGNEE, A SUCCESSOR, OR A TRANSFEREE OF AN MJC ENTITY.

13 [(x)] (AA) "Montgomery County" includes the Montgomery County Revenue
14 Authority.

15 [(y)] (BB) (1) "Montgomery County Conference facility" means the Conference
16 Center facility located at the Montgomery County Conference site used for conferences,
17 trade shows, meetings, displays, or similar events.

18 (2) "Montgomery County Conference facility" includes, at the Montgomery
19 County Conference site, offices, parking lots and garages, access roads, food service
20 facilities, and other functionally related property, structures, improvements, furnishings,
21 or equipment.

22 (3) "Montgomery County Conference facility" does not include the privately
23 owned hotel adjacent to the Montgomery County Conference Center.

24 [(z)] (CC) "Montgomery County Conference Fund" means the Montgomery
25 County Conference Financing Fund established under § 10-654 of this subtitle.

26 [(aa)] (DD) "Montgomery County Conference site" means the site of the
27 Montgomery County Conference Center located in Rockville at the address generally
28 known as 5701 Marinelli Road, identified in the State Department of Assessments and
29 Taxation Real Property database as tax identification number District 04, Account Number
30 03392987.

31 [(bb)] (EE) (1) "Ocean City Convention facility" means:

32 (i) a convention center, trade show facility, meeting hall, or other
33 structure in Ocean City used to hold conventions, trade shows, meetings, displays, or
34 similar events; and

1 (ii) offices, parking lots or garages, access roads, food service
2 facilities, and any other structures, improvements, equipment, furnishings, or other
3 property functionally related to the facilities described in item (i) of this paragraph.

4 (2) "Ocean City Convention facility" includes the following, if used, useful,
5 or usable in the future as, or in connection with, an Ocean City Convention facility:

6 (i) land, structures, equipment, property, property rights, property
7 appurtenances, rights-of-way, franchises, easements, and other interests in land;

8 (ii) land and facilities that are functionally related to an Ocean City
9 Convention facility; and

10 (iii) patents, licenses, and other rights necessary or useful to
11 construct or operate an Ocean City Convention facility.

12 **[(cc)] (FF)** "Ocean City Convention Fund" means the Ocean City Convention
13 Financing Fund established under § 10-655 of this subtitle.

14 **[(dd)] (GG)** "Ocean City Convention site" means the site of the Ocean City
15 Convention Center located in Ocean City at the address generally known as 4001 Coastal
16 Highway, identified in the State Department of Assessments and Taxation Real Property
17 database as tax identification numbers District 10, Account Number 055237; District 10,
18 Account Number 066301; District 10, Account Number 247942; and District 10, Account
19 Number 280346.

20 **(HH) (1) "PIMLICO RACING FACILITY SITE" MEANS THE PORTION OF THE**
21 **PIMLICO SITE CONTAINING THE RACING FACILITIES.**

22 **(2) "PIMLICO RACING FACILITY SITE" INCLUDES THE PORTION OF**
23 **THE SITE DESIGNATED TO CONTAIN:**

24 **(I) THE CLUBHOUSE AND EVENTS CENTER;**

25 **(II) THE DIRT, TURF, OR SYNTHETIC RACETRACKS;**

26 **(III) THE INFIELD AND IMMEDIATELY ADJACENT AREA**
27 **SURROUNDING THE PERIMETER OF THE RACETRACKS THAT IS CONTAINED ON THE**
28 **SITE;**

29 **(V) THE STABLES, BARNS, AND TRAINING FACILITIES;**

30 **(VI) THE TRACKSIDE APRONS; AND**

1 (VII) ASSOCIATED ROADWAYS, WALKWAYS, PARKING AREAS,
2 GREEN SPACE, FENCING, AND RELATED STRUCTURES AND AREAS AS DESIGNATED IN
3 THE PLANS APPROVED BY THE AUTHORITY.

4 (II) "PIMLICO SITE" MEANS THE SITE IN BALTIMORE CITY GENERALLY
5 BOUNDED BY NORTHERN PARKWAY, PARK HEIGHTS AVENUE, BELVEDERE
6 AVENUE, AND PIMLICO ROAD.

7 (JJ) "PROJECT ENTITIES" MEANS EACH ENTITY OR ENTITIES OR A JOINT
8 VENTURE ENTITY OR ENTITIES, THAT EXISTS OR IS FORMED BY ANY COMBINATION
9 OF MJC ENTITIES, AN ENTITY OWNED BY THE CITY OF BALTIMORE (THE
10 BALTIMORE CITY ENTITY), OR AN ENTITY OWNED BY ANNE ARUNDEL COUNTY (THE
11 ANNE ARUNDEL COUNTY ENTITY) FOR:

12 (1) THE MJC ENTITIES' CONVEYANCE OF THE PIMLICO SITE AND THE
13 LAUREL PARK RACING FACILITY SITE;

14 (2) THE OPERATION OF THE PIMLICO RACING FACILITY SITE AND THE
15 LAUREL PARK RACING FACILITY SITE; AND

16 (3) THE CONSTRUCTION, DEVELOPMENT, OWNERSHIP,
17 MANAGEMENT, AND OPERATION OF THE RACING AND COMMUNITY DEVELOPMENT
18 PROJECTS.

19 (KK) "RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND" MEANS
20 THE FUND ESTABLISHED UNDER § 10-657.3 OF THIS SUBTITLE.

21 (LL) "RACING AND COMMUNITY DEVELOPMENT FINANCING FUND" MEANS
22 THE FUND ESTABLISHED UNDER § 10-657.2 OF THIS SUBTITLE.

23 ~~(LL)~~ (MM) (1) "RACING AND COMMUNITY DEVELOPMENT PROJECTS"
24 MEANS IMPROVEMENTS TO THE PIMLICO RACING FACILITY SITE, PIMLICO SITE,
25 LAUREL PARK RACING FACILITY SITE, AND LAUREL PARK SITE.

26 (2) "RACING AND COMMUNITY DEVELOPMENT PROJECTS"
27 INCLUDES:

28 (I) PREDESIGN AND DESIGN WORK;

29 (II) ARCHITECTURAL AND ENGINEERING SERVICES;

30 (III) PROJECT CONSULTING SERVICES;

1 (IV) DEMOLITION, CLEAN-UP, SITE WORK, AND GRADING AND
2 SITE DRAINAGE;

3 (V) LANDSCAPING;

4 (VI) SIGNAGE;

5 (VII) PARKING, ROADWAYS, FENCING, WALKWAYS, SIDEWALKS,
6 AND GREEN SPACE;

7 (VIII) SECURITY SYSTEMS;

8 (IX) LIGHTING, SOUND, VIDEO, AND COMMUNICATION SYSTEMS;

9 (X) PARI-MUTUEL AND TOTE SYSTEMS;

10 (XI) PLUMBING, ELECTRIC, FIBER, CABLE, UTILITIES, AND
11 OTHER INFRASTRUCTURE;

12 (XII) WATER, SEWER, AND STORM WATER MANAGEMENT
13 SYSTEMS;

14 (XIII) CONSTRUCTION AND EQUIPPING OF BARNs, CLUBHOUSES,
15 DORMITORIES OR OTHER HOUSING, AN EQUINE DIAGNOSTIC AND HEALTH FACILITY,
16 A PIMLICO THOROUGHBRED RACING MUSEUM, STABLES, TRACKS, TRAINING
17 FACILITIES, AND OTHER RACING AND COMMUNITY FACILITIES;

18 (XIV) DESIGN AND PROJECT CONTINGENCIES, PROJECT
19 ALLOWANCES, AND COST ESCALATORS AND OTHER SPECIFICATIONS FOR THE
20 PROJECTS; AND

21 (XV) TEMPORARY OR PERMANENT IMPROVEMENTS AND
22 FACILITIES, INCLUDING AT ON- OR OFF-SITE LOCATIONS, USED TO MAINTAIN
23 YEAR-ROUND RACING AND TRAINING.

24 ~~(MM)~~ (NN) (1) "RACING AND COMMUNITY DEVELOPMENT PROJECT
25 COSTS" MEANS COSTS AND EXPENSES ASSOCIATED WITH OR THAT RELATE TO THE
26 RACING AND COMMUNITY DEVELOPMENT PROJECTS.

27 (2) "RACING AND COMMUNITY DEVELOPMENT PROJECT COSTS"
28 INCLUDES:

1 ~~(H)~~ **TRANSITION COSTS AND REIMBURSEMENTS AND THE**
 2 **RECYCLING OF PROJECT COST SAVINGS FOR THE BENEFIT OF THE RACING AND**
 3 **COMMUNITY DEVELOPMENT PROJECTS; ~~OR~~**

4 ~~(H)~~ **~~EXPENSES INCURRED BEFORE JUNE 1, 2020, IF APPROVED~~**
 5 **~~BY THE AUTHORITY.~~**

6 ~~(NN)~~ **(OO)** **“RACING FACILITY” MEANS THE PIMLICO ~~RACING FACILITY~~ SITE**
 7 **AND THE LAUREL PARK RACING FACILITY SITE AND ANY FACILITIES OR OTHER**
 8 **IMPROVEMENTS ON THE PIMLICO ~~RACING FACILITY~~ SITE OR THE LAUREL PARK**
 9 **RACING FACILITY SITE.**

10 [(ee)] ~~(OO)~~ **(PP)** (1) “Sports facility” means:

11 (i) a stadium primarily for professional football, major league
 12 professional baseball, or both, in the Baltimore metropolitan region, as defined in § 13–301
 13 of this article;

14 (ii) practice fields or other areas where professional football or major
 15 league professional baseball teams practice or perform; and

16 (iii) offices for professional football and major league professional
 17 baseball teams or franchises.

18 (2) “Sports facility” includes parking lots, garages, and any other property
 19 adjacent and directly related to an item listed in paragraph (1) of this subsection.

20 [(ff)] ~~(PP)~~ **(QQ)** “Supplemental Facilities Fund” means the Supplemental
 21 Facilities Fund established under § 10–657.1 of this subtitle.

22 [(gg)] ~~(QQ)~~ **(RR)** (1) “Supplemental facility” means a structure or other
 23 improvement developed in Baltimore City outside Camden Yards.

24 (2) “Supplemental facility” does not include the Baltimore Convention
 25 facility or the Hippodrome Performing Arts facility.

26 [(hh)] ~~(RR)~~ **(SS)** “Supplemental facility site” means the site of any supplemental
 27 facility.

28 [(ii)] ~~(SS)~~ **(TT)** “Tax supported debt” has the meaning stated in § 8–104 of the
 29 State Finance and Procurement Article.

30 10–620.

1 (e) (1) This subsection does not apply to the Camden Yards site, Baltimore
2 Convention site, Ocean City Convention site, Hippodrome Performing Arts site, any
3 Baltimore City public school site, **ANY RACING FACILITY**, or any supplemental facility site.

4 (2) The Authority and any Authority affiliate is subject to applicable
5 planning, zoning, and development regulations to the same extent as a private commercial
6 or industrial enterprise.

7 10-628.

8 (c) (1) Unless authorized by the General Assembly, the Board of Public Works
9 may not approve an issuance by the Authority of bonds, whether taxable or tax exempt,
10 that constitute tax supported debt or nontax supported debt if, after issuance, there would
11 be outstanding and unpaid more than the following face amounts of the bonds for the
12 purpose of financing acquisition, construction, renovation, and related expenses for
13 construction management, professional fees, and contingencies in connection with:

14 (i) the Baltimore Convention facility – \$55,000,000;

15 (ii) the Hippodrome Performing Arts facility – \$20,250,000;

16 (iii) the Montgomery County Conference facility – \$23,185,000;

17 (iv) the Ocean City Convention facility – \$24,500,000;

18 (v) Baltimore City public school facilities – \$1,100,000,000; [and]

19 (vi) supplemental facilities – \$25,000,000; **AND**

20 **(VII) RACING FACILITIES – \$375,000,000.**

21 **10-646.1.**

22 **(A) EXCEPT AS ALLOWED BY § 10-639 OF THIS SUBTITLE, TO FINANCE THE**
23 ~~**SITE ACQUISITION PLANNING, DESIGN, AND CONSTRUCTION OF ANY SEGMENT OF A**~~
24 ~~**RACING FACILITY, THE AUTHORITY SHALL COMPLY WITH THIS SECTION.**~~

25 **(B) AT LEAST 45 DAYS BEFORE SEEKING APPROVAL OF THE BOARD OF**
26 ~~**PUBLIC WORKS FOR EACH BOND ISSUE OR OTHER BORROWING, THE AUTHORITY**~~
27 ~~**SHALL PROVIDE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT**~~
28 ~~**ARTICLE, TO THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY:**~~

29 **(1) A COMPREHENSIVE FINANCING PLAN FOR THE RELEVANT**
30 ~~**SEGMENT OF THE FACILITY, INCLUDING THE EFFECT OF THE FINANCING PLAN ON**~~
31 ~~**FINANCING OPTIONS FOR OTHER SEGMENTS OF THE FACILITY**~~ **RACING FACILITY**
32 **THAT INCLUDES:**

1 (I) THE AGGREGATE AMOUNT OF FUNDS NEEDED FOR THE
2 RACING FACILITY TO BE FINANCED WITH THE PROPOSED BONDS;

3 (II) A DESCRIPTION OF THE RACING FACILITY TO BE
4 CONSTRUCTED OR RENOVATED;

5 (III) THE ANTICIPATED TOTAL DEBT SERVICE FOR THE
6 PROPOSED BOND ISSUE;

7 (IV) THE ANTICIPATED TOTAL DEBT SERVICE WHEN COMBINED
8 WITH THE DEBT SERVICE FOR ALL PRIOR OUTSTANDING BOND ISSUES FOR RACING
9 FACILITIES; AND

10 (V) ANTICIPATED PROJECT COSTS OF AT LEAST \$180,000,000
11 FOR THE PIMLICO RACING FACILITY OR \$155,000,000 FOR THE LAUREL PARK
12 RACING FACILITY; AND

13 (2) FOR ANY PLANNED EXPENDITURES AT THE LAUREL PARK RACING
14 FACILITY SITE, A PLAN FOR THE IMPROVEMENTS NECESSARY TO ENSURE THAT THE
15 CONDITION OF ANY PART OF THE SITE WHERE INDIVIDUALS RESIDE IS
16 SATISFACTORY FOR HUMAN HABITATION AND MEETS THE MINIMUM HOUSING AND
17 SANITATION STANDARDS IN ANNE ARUNDEL COUNTY.

18 ~~(c) (1) THE AUTHORITY SHALL OBTAIN THE APPROVAL OF THE BOARD~~
19 ~~OF PUBLIC WORKS OF THE PROPOSED BOND ISSUE AND THE FINANCING PLAN.~~

20 ~~(2) THE FINANCING PLAN OR PLANS REQUIRED UNDER SUBSECTION~~
21 ~~(B)(1) OF THIS SECTION FOR RACING AND COMMUNITY DEVELOPMENT PROJECT~~
22 ~~COSTS SHALL PROVIDE FOR AT LEAST:~~

23 ~~(i) \$180,000,000 AT THE PIMLICO SITE; AND~~

24 ~~(ii) \$155,000,000 AT THE LAUREL PARK SITE.~~

25 (C) (1) A BOND ISSUED TO FINANCE PLANNING, DESIGN, AND
26 CONSTRUCTION OR RENOVATIONS OF OR IMPROVEMENTS TO A RACING FACILITY:

27 (I) IS A LIMITED OBLIGATION OF THE AUTHORITY PAYABLE
28 SOLELY FROM MONEY PLEDGED BY THE AUTHORITY TO THE PAYMENT OF THE
29 PRINCIPAL OF AND THE PREMIUM AND INTEREST ON THE BOND OR MONEY MADE
30 AVAILABLE TO THE AUTHORITY FOR THAT PURPOSE;

1 **(II) IS NOT A DEBT, LIABILITY, OR PLEDGE OF THE FAITH AND**
2 **CREDIT OR THE TAXING POWER OF THE STATE, THE AUTHORITY, OR ANY OTHER**
3 **GOVERNMENTAL UNIT; AND**

4 **(III) MAY NOT GIVE RISE TO ANY PECUNIARY LIABILITY OF THE**
5 **STATE, THE AUTHORITY, OR ANY OTHER GOVERNMENTAL UNIT.**

6 **(2) THE ISSUANCE OF A BOND TO FINANCE THE PLANNING, DESIGN,**
7 **AND CONSTRUCTION OR RENOVATIONS OF OR IMPROVEMENTS TO A RACING**
8 **FACILITY IS NOT DIRECTLY, INDIRECTLY, OR CONTINGENTLY A MORAL OR OTHER**
9 **OBLIGATION OF THE STATE, THE AUTHORITY, OR ANY OTHER GOVERNMENTAL UNIT**
10 **TO LEVY OR PLEDGE ANY TAX OR MAKE ANY APPROPRIATION TO PAY THE BOND.**

11 **(3) EACH BOND SHALL STATE ON ITS FACE THE PROVISIONS OF**
12 **PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.**

13 **(D) (1) IN THIS SUBSECTION, “LONG-TERM AGREEMENT” INCLUDES A**
14 **LEASE, OPERATING, JOINT VENTURE, OR MANAGEMENT AGREEMENT WITH A**
15 **MINIMUM TERM THAT COINCIDES WITH OR EXCEEDS THE INITIAL TERM OF THE**
16 **BONDS ISSUED FOR A RACING FACILITY.**

17 **(2) BEFORE ISSUING ANY BONDS FOR ANY SEGMENT OF A RACING**
18 **FACILITY, THE AUTHORITY SHALL ENSURE THAT THE FOLLOWING ~~LONG-TERM~~**
19 **AGREEMENTS HAVE BEEN ~~FINALIZED~~ EXECUTED:**

20 **(I) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A**
21 **LONG-TERM AGREEMENT REGARDING MANAGEMENT AND OPERATIONS AT THE**
22 **PIMLICO RACING FACILITY SITE; ~~AND~~**

23 **(II) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A**
24 **LONG-TERM AGREEMENT REGARDING MANAGEMENT AND OPERATIONS AT THE**
25 **LAUREL PARK RACING FACILITY SITE; AND**

26 **(III) AGREEMENTS BETWEEN THE AUTHORITY AND PROJECT**
27 **ENTITIES FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF A RACING FACILITY.**

28 **(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**
29 **LONG-TERM AGREEMENT REQUIRED UNDER PARAGRAPH (2)(I) OF THIS**
30 **SUBSECTION SHALL:**

31 **1. ENSURE THE CONTINUITY OF THE PREAKNESS**
32 **STAKES AT THE PIMLICO RACING FACILITY SITE;**

1 2. ENSURE THE MJC ENTITIES' SOLE, EXCLUSIVE, AND
2 UNCONDITIONAL RIGHTS TO:

3 A. MANAGE AND OPERATE THE PIMLICO RACING
4 FACILITY SITE SUBJECT TO THE EXCLUSIONS AND CONDITIONS IN THE LONG-TERM
5 AGREEMENT;

6 B. CONDUCT AT THE PIMLICO RACING FACILITY SITE
7 THOROUGHBRED TRAINING AND RACING, SATELLITE SIMULCAST WAGERING,
8 ADVANCED DEPOSIT WAGERING, AND ANY OTHER LAWFUL ACTIVITIES;

9 C. DESIGNATE ANNUALLY EXCLUSIVE USE PERIODS FOR
10 THE CONDUCT OF LIVE THOROUGHBRED TRAINING AND RACING;

11 D. MAINTAIN THE TRACK SURFACES;

12 E. OPERATE SATELLITE SIMULCAST WAGERING,
13 ADVANCED DEPOSIT WAGERING, AND ANY OTHER LAWFUL ACTIVITIES; AND

14 F. AN OPTION TO REACQUIRE THE PIMLICO RACING
15 FACILITY SITE AT THE TERMINATION OR EXPIRATION OF THE LONG-TERM
16 AGREEMENT ON MUTUALLY AGREEABLE TERMS AND CONDITIONS, SUBJECT TO THE
17 APPROVAL OF THE BOARD OF PUBLIC WORKS;

18 3. REQUIRE THE CONVEYANCE OR CONVEYANCES IN FEE
19 SIMPLE OF THE PIMLICO SITE, IN WHOLE OR IN PART, TO BALTIMORE CITY ~~OR AN~~
20 ~~ENTITY OR ENTITIES DESIGNATED BY BALTIMORE CITY, INCLUDING, THE~~
21 BALTIMORE DEVELOPMENT CORPORATION OR ITS SUCCESSOR OR ASSIGNS, OR ANY
22 DESIGNATED PROJECT ENTITY, AT THE TIME AND ON THE CONDITIONS
23 ESTABLISHED IN THE LONG-TERM AGREEMENT AND SUBJECT TO THE AUTHORITY
24 SECURING ALL THE NECESSARY DEVELOPMENT APPROVALS AND FUNDING FOR THE
25 RACING AND COMMUNITY DEVELOPMENT PROJECT COSTS;

26 4. ESTABLISH THE MJC ENTITIES' RIGHTS TO:

27 A. DESIGNATE ANNUALLY EXCLUSIVE USE PERIODS FOR
28 THE CONDUCT OF LIVE THOROUGHBRED TRAINING AND RACING;

29 B. MAINTAIN THE TRACK SURFACES; AND

30 C. OPERATE SATELLITE SIMULCAST WAGERING,
31 ADVANCED DEPOSIT WAGERING, AND ANY OTHER LAWFUL ACTIVITIES;

1 **5. PRESERVE THE MJC ENTITIES' TANGIBLE,**
2 **INTANGIBLE, MANAGEMENT, PERFORMANCE, DISTRIBUTION, INTELLECTUAL**
3 **PROPERTY, ADVERTISING, CONCESSION, MERCHANDISING, SPONSORSHIP, MEDIA,**
4 **STREAMING, NAMING, LICENSING, AND COMMERCIAL DEVELOPMENT RIGHTS, AND**
5 **ANY OTHER RIGHTS IDENTIFIED BY THE MJC ENTITIES';**

6 **6. SUBJECT TO THE OPERATING AGREEMENTS OF THE**
7 **PROJECT ENTITIES, PRESERVE THE MJC ENTITIES' RIGHT TO RETAIN OR**
8 **DESIGNATE REVENUES AND PROFITS ASSOCIATED WITH THE MJC ENTITIES'**
9 **RIGHTS AND LAWFUL ACTIVITIES; AND**

10 **7. SUBJECT TO SUBPARAGRAPH (III) OF THIS**
11 **PARAGRAPH, ESTABLISH:**

12 **A. THE RIGHT OF BALTIMORE CITY OR ~~AN ENTITY~~**
13 **~~DESIGNATED BY BALTIMORE CITY~~ THE BALTIMORE DEVELOPMENT CORPORATION**
14 **OR ITS SUCCESSOR OR ASSIGNS TO MANAGE AND OPERATE THE PIMLICO**
15 **CLUBHOUSE AND EVENTS FACILITY, GROUNDS, AND ANY FACILITY NOT**
16 **DESIGNATED FOR THE MJC ENTITIES' YEAR-ROUND USE;**

17 **B. THE OBLIGATION OF BALTIMORE CITY OR ~~AN ENTITY~~**
18 **~~DESIGNATED BY BALTIMORE CITY~~ THE BALTIMORE DEVELOPMENT CORPORATION**
19 **OR ITS SUCCESSOR OR ASSIGNS TO OPERATE, MAINTAIN AS A FIRST-CLASS**
20 **FACILITY, IN GOOD CONDITION, REPAIR, AND SECURE THE PIMLICO RACING**
21 **FACILITY SITE DURING PERIODS IDENTIFIED IN THE LONG-TERM AGREEMENT; AND**

22 **C. THE OBLIGATION OF BALTIMORE CITY OR ~~AN ENTITY~~**
23 **~~DESIGNATED BY BALTIMORE CITY~~ THE BALTIMORE DEVELOPMENT CORPORATION**
24 **OR ITS SUCCESSOR OR ASSIGNS TO COOPERATE WITH RESPECT TO THE PROVISION**
25 **OF ADEQUATE PARKING AND EFFICIENT TRANSPORTATION PLANS AROUND THE**
26 **PIMLICO RACING FACILITY SITE.**

27 **(ii) 1. UNLESS THOROUGHBRED RACING IS NO LONGER A**
28 **LAWFUL ACTIVITY, OR IS OTHERWISE RENDERED NOT COMMERCIALY VIABLE AS A**
29 **RESULT OF A CHANGE IN LAW OR REGULATION, THE LONG-TERM AGREEMENT**
30 **UNDER ~~THIS TITLE~~ PARAGRAPH (2)(1) OF THIS SUBSECTION MAY NOT EXPIRE WHILE**
31 **ANY BOND, DEBT, OR OTHER FINANCIAL INSTRUMENT ISSUED BY THE AUTHORITY**
32 **FOR THE IMPROVEMENT OF A RACING FACILITY REMAINS UNPAID.**

33 **2. IF THOROUGHBRED RACING IS NO LONGER A LAWFUL**
34 **ACTIVITY, OR IS OTHERWISE RENDERED NOT COMMERCIALY VIABLE AS A RESULT**
35 **OF A CHANGE IN LAW OR REGULATION, THE PARTIES TO THE LONG-TERM**
36 **AGREEMENT SHALL NOTIFY THE BOARD OF PUBLIC WORKS AT LEAST 180 DAYS**
37 **BEFORE THE EXPIRATION OR TERMINATION OF THE LONG-TERM AGREEMENT.**

1 **3. THE NOTICE REQUIRED UNDER SUBSUBPARAGRAPH**
2 **2 OF THIS SUBPARAGRAPH SHALL CONTAIN A WIND DOWN PLAN.**

3 **4. THE LONG-TERM AGREEMENT REQUIRED UNDER**
4 **PARAGRAPH (2)(I) OF THIS SUBSECTION SHALL CONTAIN DISPUTE RESOLUTION**
5 **PROVISIONS, INCLUDING EXPEDITED REVIEW, IN THE EVENT THAT THERE IS A**
6 **DISPUTE AMONG THE PARTIES REGARDING THE EXISTENCE OF THE CONDITIONS**
7 **DESCRIBED IN SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH OR THE CONTENTS**
8 **OF THE WIND DOWN PLAN.**

9 **(III) THE MJC ENTITIES SHALL HAVE:**

10 **1. PRIORITY OF USE OVER THE PIMLICO CLUBHOUSE**
11 **AND EVENTS FACILITY AND GROUNDS FOR MJC ENTITIES' PURPOSES RELATED TO**
12 **RACING, WAGERING, OR OTHER AGREED-ON USES; AND**

13 **2. THE RIGHT TO ACCESS AND EGRESS FROM THE**
14 **PIMLICO RACING FACILITY SITE DURING PERIODS IDENTIFIED IN THE AGREEMENT.**

15 **(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**
16 **LONG-TERM AGREEMENT REQUIRED UNDER PARAGRAPH (2)(II) OF THIS**
17 **SUBSECTION SHALL:**

18 **1. ENSURE THAT THE MARYLAND MILLION IS RUN**
19 **ANNUALLY AT LAUREL PARK EXCEPT:**

20 **A. DURING PERIODS OF CONSTRUCTION;**

21 **B. IF PREVENTED FROM DOING SO BY WEATHER, ACTS OF**
22 **GOD, OR OTHER CIRCUMSTANCES BEYOND THE CONTROL OF THE RACING**
23 **LICENSEE; OR**

24 **C. IF THE RACING LICENSEE AND THE MARYLAND**
25 **MILLION, LLC AGREE TO ANOTHER LOCATION THAT IS APPROVED BY THE STATE**
26 **RACING COMMISSION;**

27 **2. ENSURE THE MJC ENTITIES' SOLE, EXCLUSIVE, AND**
28 **UNCONDITIONAL RIGHTS TO:**

29 **A. MANAGE AND OPERATE THE LAUREL PARK RACING**
30 **FACILITY SITE; AND**

1 **B. CONDUCT AT THE LAUREL PARK RACING FACILITY**
2 **SITE YEAR-ROUND THOROUGHBRED TRAINING AND RACING, SATELLITE SIMULCAST**
3 **WAGERING, ADVANCED DEPOSIT WAGERING, AND ANY OTHER LAWFUL ACTIVITIES;**

4 ~~2~~ **3. PROVIDE FOR THE MJC ENTITIES:**

5 **A. GRANT OF AN INTEREST IN THE LAUREL PARK**
6 **RACING FACILITY SITE, IN WHOLE OR IN PART, TO ANNE ARUNDEL COUNTY OR AN**
7 **ENTITY OR ENTITIES DESIGNATED BY ANNE ARUNDEL COUNTY ~~AT THE TIME,~~**
8 **INCLUDING ANY DESIGNATED PROJECT ENTITY, FOR A SPECIFIED TERM, INCLUDING**
9 **RENEWALS, AND ON THE CONDITIONS ESTABLISHED IN THE LONG-TERM**
10 **AGREEMENT AND SUBJECT TO THE AUTHORITY SECURING ALL NECESSARY**
11 **DEVELOPMENT APPROVALS AND FUNDING FOR THE RACING AND COMMUNITY**
12 **DEVELOPMENT PROJECT COSTS;**

13 **B. ACCESS TO THE LAUREL PARK RACING FACILITY SITE**
14 **FOR PARKING AND ROADWAYS;**

15 **C. ~~AN OPTION FOR THE RIGHT TO REACQUIRE~~ RIGHTS TO**
16 **THE LAUREL PARK RACING FACILITY SITE AT THE EXPIRATION OR TERMINATION OF**
17 **THE LONG-TERM AGREEMENTS ON MUTUALLY AGREEABLE TERMS AND**
18 **CONDITIONS; ~~AND~~**

19 **D. PAYMENT TO ANNE ARUNDEL COUNTY, OR AN ENTITY**
20 **DESIGNATED BY ANNE ARUNDEL COUNTY, OF AN AMOUNT AT LEAST EQUAL TO THE**
21 **PRORATED AMOUNT OF REAL PROPERTY TAXES PAID IN FISCAL YEAR 2020 FOR THE**
22 **LAUREL PARK RACING FACILITY SITE AND ANY IMPROVEMENTS ON THE SITE,**
23 **UNLESS OTHERWISE AGREED TO BY THE MJC ENTITIES AND ANNE ARUNDEL**
24 **COUNTY; AND**

25 **E. AN OBLIGATION TO MAINTAIN AS A FIRST-CLASS**
26 **FACILITY, IN GOOD CONDITION, REPAIR, AND SECURE THE LAUREL PARK RACING**
27 **FACILITY SITE DURING THE PERIODS IDENTIFIED IN THE LONG-TERM AGREEMENT;**

28 ~~3~~ **4. PRESERVE THE MJC ENTITIES' TANGIBLE,**
29 **INTANGIBLE, MANAGEMENT, PERFORMANCE, DISTRIBUTION, INTELLECTUAL**
30 **PROPERTY, ADVERTISING, CONCESSION, MERCHANDISING, SPONSORSHIP, MEDIA,**
31 **STREAMING, NAMING, LICENSING, COMMERCIAL DEVELOPMENT, AND ANY OTHER**
32 **RIGHTS IDENTIFIED BY THE MJC ENTITIES; AND**

33 ~~4~~ **5. SUBJECT TO THE OPERATING AGREEMENTS OF THE**
34 **PROJECT ENTITIES, PRESERVE THE MJC ENTITIES' RIGHT TO RETAIN OR**
35 **DESIGNATE REVENUES AND PROFITS ASSOCIATED WITH THE MJC ENTITIES'**
36 **RIGHTS AND LAWFUL ACTIVITIES.**

1 (II) 1. UNLESS THOROUGHBRED RACING IS NO LONGER A
2 LAWFUL ACTIVITY, OR IS OTHERWISE RENDERED NOT COMMERCIALY VIABLE AS A
3 RESULT OF A CHANGE IN LAW OR REGULATION, THE LONG-TERM AGREEMENT
4 UNDER ~~THIS TITLE~~ PARAGRAPH (2)(II) OF THIS SUBSECTION MAY NOT EXPIRE
5 WHILE ANY BOND, DEBT, OR OTHER FINANCIAL INSTRUMENT ISSUED BY THE
6 AUTHORITY FOR THE IMPROVEMENT OF A RACING FACILITY REMAINS UNPAID.

7 2. IF THOROUGHBRED RACING IS NO LONGER A LAWFUL
8 ACTIVITY, OR IS OTHERWISE RENDERED NOT COMMERCIALY VIABLE AS A RESULT
9 OF A CHANGE IN LAW OR REGULATION, THE PARTIES TO THE LONG-TERM
10 AGREEMENT SHALL NOTIFY THE BOARD OF PUBLIC WORKS AT LEAST 180 DAYS
11 BEFORE THE EXPIRATION OR TERMINATION OF THE LONG-TERM AGREEMENT.

12 3. THE NOTICE REQUIRED UNDER SUBSUBPARAGRAPH
13 2 OF THIS SUBPARAGRAPH SHALL CONTAIN A WIND DOWN PLAN.

14 4. THE LONG-TERM AGREEMENT REQUIRED UNDER
15 PARAGRAPH (2)(II) OF THIS SUBSECTION SHALL CONTAIN DISPUTE RESOLUTION
16 PROVISIONS, INCLUDING EXPEDITED REVIEW, IN THE EVENT THAT THERE IS A
17 DISPUTE AMONG THE PARTIES REGARDING THE EXISTENCE OF THE CONDITIONS
18 DESCRIBED IN SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH OR THE CONTENTS
19 OF THE WIND DOWN PLAN.

20 ~~(E) (1) THE AUTHORITY MAY ENTER INTO AN AGREEMENT WITH~~
21 ~~PROJECT ENTITIES FOR CONSTRUCTION OF THE RACING AND COMMUNITY~~
22 ~~DEVELOPMENT PROJECTS AT A RACING FACILITY SITE DURING THE PERIODS OF~~
23 ~~PLANNING, DESIGN, AND CONSTRUCTION OF THE RACING FACILITY.~~

24 ~~(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF~~
25 ~~THIS PARAGRAPH, AFTER THE COMPLETION OF A RACING FACILITY, THE~~
26 ~~AUTHORITY MAY NOT HAVE ANY ROLE OR RESPONSIBILITY WITH REGARD TO THE~~
27 ~~RACING FACILITY.~~

28 ~~(II) THE AUTHORITY MAY ASSIST WITH ENFORCEMENT OF~~
29 ~~WARRANTIES, CLAIMS AGAINST CONTRACTORS OR SUPPLIERS, OR REPAIRING~~
30 ~~DEFECTS IN THE CONSTRUCTION AT A RACING FACILITY.~~

31 ~~(III) WITH THE CONSENT OF THE AUTHORITY, BALTIMORE CITY~~
32 ~~OR AN ENTITY DESIGNATED BY BALTIMORE CITY, OR ANNE ARUNDEL COUNTY OR~~
33 ~~AN ENTITY DESIGNATED BY ANNE ARUNDEL COUNTY, MAY RETAIN THE SERVICES~~
34 ~~OF THE AUTHORITY.~~

~~(3) IF THE AUTHORITY IS RETAINED TO PROVIDE SERVICES DIRECTLY RELATED TO RACING AND COMMUNITY DEVELOPMENT PROJECTS, THE AUTHORITY MAY BE PAID FROM THE RACING AND COMMUNITY DEVELOPMENT FUND FOR SERVICES PERFORMED AND EXPENSES INCURRED BEFORE JUNE 1, 2020.~~

(E) THE AUTHORITY SHALL ENTER INTO AGREEMENTS WITH PROJECT ENTITIES OR LOCAL ENTITIES FOR PLANNING, DESIGN, AND CONSTRUCTION OF THE RACING AND COMMUNITY DEVELOPMENT PROJECTS AT A RACING FACILITY SITE.

(F) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE RACING FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, THE COMPTROLLER SHALL DEPOSIT INTO THE RACING AND COMMUNITY DEVELOPMENT FINANCING FUND \$17,000,000 FROM THE STATE LOTTERY FUND UNDER § 9-120(B)(1)(IV) OF THE STATE GOVERNMENT ARTICLE.

(G) IF THE MONEY DEPOSITED IN THE RACING AND COMMUNITY DEVELOPMENT FINANCING FUND IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION IS NOT NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER THOSE FUNDS TO THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND.

(H) IF FUNDS ARE NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER MONEY IN THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND TO THE RACING AND COMMUNITY DEVELOPMENT FINANCING FUND.

10-657.2.

(A) THERE IS A RACING AND COMMUNITY DEVELOPMENT FINANCING FUND.

(B) (1) THE RACING AND COMMUNITY DEVELOPMENT FINANCING FUND IS A CONTINUING, NONLAPSING FUND THAT SHALL BE AVAILABLE IN PERPETUITY TO IMPLEMENT THIS SUBTITLE CONCERNING RACING AND COMMUNITY DEVELOPMENT PROJECTS.

(2) THE AUTHORITY SHALL:

(I) USE THE RACING AND COMMUNITY DEVELOPMENT FINANCING FUND AS A REVOLVING FUND FOR IMPLEMENTING THIS SUBTITLE RELATING TO RACING AND COMMUNITY DEVELOPMENT PROJECTS; AND

1 (II) PAY ANY AND ALL EXPENSES FROM THE RACING AND
2 COMMUNITY DEVELOPMENT FINANCING FUND THAT ARE INCURRED BY THE
3 AUTHORITY, OR OTHERWISE SPECIFICALLY APPROVED BY THE AUTHORITY,
4 CONCERNING RACING AND COMMUNITY DEVELOPMENT PROJECTS.

5 (C) (1) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY,
6 THE RECEIPTS OF THE RACING AND COMMUNITY DEVELOPMENT FINANCING FUND
7 SHALL BE PLEDGED TO AND CHARGED WITH THE FOLLOWING RELATING TO RACING
8 AND COMMUNITY DEVELOPMENT PROJECTS:

9 (I) THE PAYMENT OF DEBT SERVICE ON AUTHORITY BONDS;

10 (II) ALL REASONABLE CHARGES AND EXPENSES RELATED TO
11 AUTHORITY BORROWING; AND

12 (III) THE MANAGEMENT OF AUTHORITY OBLIGATIONS.

13 (2) THE PLEDGE SHALL BE EFFECTIVE IN THE SAME MANNER AS
14 PROVIDED IN § 10-634 OF THIS SUBTITLE.

15 (D) THE RACING AND COMMUNITY DEVELOPMENT FINANCING FUND
16 CONSISTS OF:

17 (1) FUNDS APPROPRIATED FOR DEPOSIT TO THE RACING AND
18 COMMUNITY DEVELOPMENT FINANCING FUND;

19 (2) PROCEEDS FROM THE SALE OF BONDS CONCERNING RACING AND
20 COMMUNITY DEVELOPMENT PROJECTS;

21 (3) REVENUES COLLECTED OR RECEIVED FROM ANY SOURCE UNDER
22 THIS SUBTITLE CONCERNING RACING AND COMMUNITY DEVELOPMENT PROJECTS;

23 (4) INVESTMENT AND INTEREST EARNINGS;

24 (5) MONEY PAID TO THE RACING AND COMMUNITY DEVELOPMENT
25 FINANCING FUND UNDER § 9-120 OF THE STATE GOVERNMENT ARTICLE; AND

26 ~~(6) THE UNENCUMBERED FUND BALANCE, INCLUDING ACCRUED~~
27 ~~INTEREST, EXISTING AS OF JUNE 1, 2020, THAT IS ALLOCATED TO THOROUGHBRED~~
28 ~~TRACKS UNDER THE RACETRACK FACILITY RENEWAL ACCOUNT; AND~~

29 ~~(7)~~ (6) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY
30 PUBLIC OR PRIVATE SOURCES FOR THE PURPOSES ESTABLISHED FOR THE RACING
31 AND COMMUNITY DEVELOPMENT FINANCING FUND.

1 (E) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE
2 RACING AND COMMUNITY DEVELOPMENT FINANCING FUND IN THE SAME MANNER
3 AS OTHER STATE FUNDS.

4 (2) ANY INVESTMENT OR INTEREST EARNING SHALL BE CREDITED TO
5 THE RACING AND COMMUNITY DEVELOPMENT FINANCING FUND.

6 (3) NO PART OF THE RACING AND COMMUNITY DEVELOPMENT
7 FINANCING FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OF THE
8 STATE OR ANY SPECIAL FUND OF THE STATE.

9 10-657.3.

10 (A) THERE IS A RACING AND COMMUNITY DEVELOPMENT FACILITIES
11 FUND.

12 (B) (1) THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND
13 IS A CONTINUING, NONLAPSING FUND THAT SHALL BE AVAILABLE IN PERPETUITY
14 TO IMPLEMENT THIS SUBTITLE CONCERNING RACING FACILITIES.

15 (2) THE AUTHORITY SHALL:

16 (I) USE THE RACING AND COMMUNITY DEVELOPMENT
17 FACILITIES FUND AS A REVOLVING FUND FOR CARRYING OUT THIS SUBTITLE
18 CONCERNING RACING FACILITIES PROJECTS; AND

19 (II) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, PAY
20 ANY AND ALL EXPENSES FROM THE RACING AND COMMUNITY DEVELOPMENT
21 FACILITIES FUND THAT ARE INCURRED BY THE AUTHORITY, OR OTHERWISE
22 SPECIFICALLY APPROVED BY THE AUTHORITY, CONCERNING ANY RACING
23 FACILITIES.

24 (C) SUBJECT TO SUBSECTION (F) OF THIS SECTION AND TO THE EXTENT
25 CONSIDERED APPROPRIATE BY THE AUTHORITY, THE MONEY IN THE RACING AND
26 COMMUNITY DEVELOPMENT FACILITIES FUND SHALL BE USED TO PAY THE
27 FOLLOWING COSTS RELATING TO RACING FACILITIES PROJECTS:

28 (1) DEBT SERVICE ON AUTHORITY BONDS;

29 (2) DESIGN AND CONSTRUCTION COSTS RELATING TO RACING
30 FACILITIES PROJECTS;

1 **(3) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, TRANSITION**
2 **COSTS AND REIMBURSEMENTS, COSTS OF START-UP, ADMINISTRATION, OVERHEAD,**
3 **AND OPERATIONS RELATED TO THE MANAGEMENT OF IMPROVEMENTS TO RACING**
4 **FACILITIES PROJECTS AUTHORIZED UNDER THIS SUBTITLE AND UNDERTAKEN BY**
5 **THE AUTHORITY; AND**

6 **(4) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE**
7 **AUTHORITY'S ADMINISTRATION OF THE RACING AND COMMUNITY DEVELOPMENT**
8 **FINANCING FUND AND THE RACING AND COMMUNITY DEVELOPMENT FACILITIES**
9 **FUND AND THE MANAGEMENT OF THE AUTHORITY'S OBLIGATIONS.**

10 **(D) THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND**
11 **CONSISTS OF:**

12 **(1) FUNDS TRANSFERRED FROM THE RACING AND COMMUNITY**
13 **DEVELOPMENT FINANCING FUND AS AUTHORIZED UNDER § 10-646.1(G) OF THIS**
14 **SUBTITLE;**

15 **(2) THE UNENCUMBERED FUND BALANCE, INCLUDING ACCRUED**
16 **INTEREST, EXISTING AS OF JUNE 30, 2020, THAT IS ALLOCATED TO THOROUGHBRED**
17 **TRACKS UNDER THE RACETRACK FACILITY RENEWAL ACCOUNT;**

18 **(3) THE UNENCUMBERED FUND BALANCE, INCLUDING ACCRUED**
19 **INTEREST, EXISTING AS OF JUNE 30, 2020, THAT IS AVAILABLE TO ROSECROFT**
20 **RACEWAY UNDER THE RACETRACK FACILITY RENEWAL ACCOUNT;**

21 **(4) INVESTMENT AND INTEREST EARNINGS; AND**

22 **(5) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC OR**
23 **PRIVATE SOURCES FOR THE PURPOSES ESTABLISHED FOR THE RACING AND**
24 **COMMUNITY DEVELOPMENT FACILITIES FUND.**

25 **(E) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE**
26 **RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND IN THE SAME MANNER**
27 **AS OTHER STATE FUNDS.**

28 **(2) ANY INVESTMENT OR INTEREST EARNINGS SHALL BE CREDITED**
29 **TO THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND.**

30 **(3) NO PART OF THE RACING AND COMMUNITY DEVELOPMENT**
31 **FACILITIES FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OF THE**
32 **STATE OR ANY SPECIAL FUND OF THE STATE.**

1 (1) on a pro rata basis for the daily and nondaily State lottery games, the
2 expenses of administering and operating the State lottery, as authorized under this subtitle
3 and the State budget; and

4 (2) then, except as provided in § 10–113.1 of the Family Law Article, §
5 11–618 of the Criminal Procedure Article, and § 3–307 of the State Finance and
6 Procurement Article, the holder of each winning ticket or share.

7 (b) (1) By the end of the month following collection, the Comptroller shall
8 deposit or cause to be deposited:

9 (i) into the Maryland Stadium Facilities Fund established under §
10 7–312 of the State Finance and Procurement Article from the money that remains in the
11 State Lottery Fund, after the distribution under subsection (a) of this section, an amount
12 not to exceed \$20,000,000 in any fiscal year;

13 (ii) after June 30, 2014, into the Maryland Veterans Trust Fund 10%
14 of the money that remains in the State Lottery Fund from the proceeds of sales of tickets
15 from instant ticket lottery machines by veterans' organizations under § 9–112(d) of this
16 subtitle, after the distribution under subsection (a) of this section;

17 (iii) after June 30, 2014, into the Baltimore City Public School
18 Construction Financing Fund established under § 10–656 of the Economic Development
19 Article the money that remains in the State Lottery Fund from the proceeds of all lotteries
20 after the distributions under subsection (a) of this section and items (i) and (ii) of this
21 paragraph, an amount equal to \$20,000,000 in each fiscal year that bonds are outstanding
22 and unpaid, to be paid in two installments with at least \$10,000,000 paid no later than
23 December 1 of each fiscal year; [and]

24 **(IV) AFTER JUNE 30, ~~2020~~ 2021, INTO THE RACING AND**
25 **COMMUNITY DEVELOPMENT FINANCING FUND ESTABLISHED UNDER § 10–657.2 OF**
26 **THE ECONOMIC DEVELOPMENT ARTICLE FROM THE MONEY THAT REMAINS IN THE**
27 **STATE LOTTERY FUND, AFTER THE DISTRIBUTION UNDER SUBSECTION (A) OF THIS**
28 **SECTION, AN AMOUNT EQUAL TO \$17,000,000 IN EACH FISCAL YEAR ~~THAT BONDS~~**
29 **~~ARE OUTSTANDING AND UNPAID~~ UNTIL THE BONDS ISSUED FOR A RACING FACILITY**
30 **HAVE MATURED; AND**

31 [(iv)] (v) into the General Fund of the State the money that remains
32 in the State Lottery Fund from the proceeds of all lotteries after the distributions under
33 subsection (a) of this section and items (i), (ii), [and] (iii), AND (IV) of this paragraph.

34 (2) The money paid into the General Fund under this subsection is
35 available in the fiscal year in which the money accumulates in the State Lottery Fund.

36 (c) The regulations of the Agency shall apportion the money in the State Lottery
37 Fund in accordance with subsection (b) of this section.

1 9–1A–09.

2 (a) In this section, “racing licensee” means the holder of a license issued by the
3 State Racing Commission to hold a race meeting in the State under Title 11 of the Business
4 Regulation Article.

5 (b) As a condition of eligibility for funding under § 9–1A–29 of this subtitle, a
6 racing licensee shall:

7 (1) [(i) for Laurel Park and Pimlico Race Course, conduct a minimum of
8 220 annual live racing days combined between Laurel Park and Pimlico Race Course unless
9 otherwise agreed to by the racing licensee and the organization that represents the majority
10 of licensed thoroughbred owners and trainers in the State or unless the racing licensee is
11 prevented by weather, acts of God, or other circumstances beyond the racing licensee’s
12 control;]

13 [(ii) (I) for Rosecroft Raceway, conduct a minimum of [90] 60
14 annual live racing days unless otherwise agreed to by the racing licensee and the
15 organization that represents the majority of licensed standardbred owners and trainers in
16 the State or unless the racing licensee is prevented by weather, acts of God, or other
17 circumstances beyond the racing licensee’s control; and

18 [(iii) (II) for Ocean Downs Racetrack, conduct a minimum of 40
19 annual live racing days unless otherwise agreed to by the racing licensee and the
20 organization that represents the majority of licensed standardbred owners and trainers in
21 the State or unless the racing licensee is prevented by weather, acts of God, or other
22 circumstances beyond the racing licensee’s control;

23 [(2) if the racing licensee holds the racing license for Pimlico Race Course,
24 retain in the State of Maryland the name, common law and statutory copyrights, service
25 marks, trademarks, trade names, and horse racing events that are associated with the
26 Preakness Stakes and the Woodlawn Vase;

27 (3) if the racing licensee holds the racing license for the Pimlico Race
28 Course, promote and conduct the Preakness Stakes each year at:

29 (i) the Pimlico Race Course; or

30 (ii) if the Pimlico Race Course no longer exists, the Preakness Stakes
31 Race is prevented from being conducted at the Pimlico Race Course, or the State Racing
32 Commission, under § 11–513 of the Business Regulation Article, deems an emergency
33 exists, another track located in the State that is approved by the State Racing Commission;

34 (4) if the racing licensee holds the racing license for Laurel Park, permit
35 the event known as the Maryland Million to be run annually at Laurel Park unless:

1 (i) the racing licensee is prevented from doing so by weather, acts of
2 God, or other circumstances beyond the control of the racing licensee; or

3 (ii) the racing licensee and the Maryland Million LLC agree to
4 another location that is approved by the State Racing Commission;

5 (5) (2) develop and submit to the State Racing Commission a multiyear
6 plan to improve the quality and marketing of horse racing at racetrack locations owned or
7 operated by the racing licensee in Maryland, which shall include:

8 (i) goals, indicators, and timelines for specific actions that will be
9 taken by the racing licensee to improve the quality and marketing of the horse racing
10 industry in Maryland; and

11 (ii) a master plan for capital improvements that reflects, at a
12 minimum:

13 1. commitments that have been made to the State Racing
14 Commission; ~~and~~

15 2. UPDATES TO ANY PRIOR MASTER PLAN SPECIFICALLY
16 IDENTIFYING CAPITAL IMPROVEMENTS AND EXPENDITURES MADE ON OR AFTER
17 JANUARY 1, 2018; AND

18 3. an ongoing investment in capital maintenance and
19 improvements in the horse racing facilities;

20 [(6) develop with other racing industry representatives a multiyear plan to
21 improve the quality and marketing of the horse racing industry in Maryland, which shall
22 include goals, indicators, and timelines for specific actions that will be taken by the
23 thoroughbred and harness racing industries to improve the quality and marketing of the
24 horse racing industry in Maryland, including joint marketing efforts; and

25 (7) (3) for each year that funding is requested, spend at least the
26 following minimum amounts for capital maintenance and improvements, which may
27 include amounts provided as a matching fund as required under § 9-1A-29(e)(2) of this
28 subtitle:

29 (i) [for Laurel Park and Pimlico Race Course, a combined total of
30 \$1,500,000;

31 (ii)] for Rosecroft Raceway, \$300,000; and

32 [(iii)] (II) for Ocean Downs Racetrack, \$300,000.

1 (c) As part of the capital maintenance and improvement items in the plan
2 submitted under subsection [(b)(5)] **(B)(2)** of this section, a racing licensee shall include
3 any improvements necessary to ensure that the condition of any part of the racetrack
4 facility where individuals reside is satisfactory for human habitation and meets minimum
5 housing and sanitation standards in the county where the facility is located.

6 (d) The plans required under subsection (b) of this section shall also be provided
7 to the Department of General Services and to the Legislative Policy Committee of the
8 General Assembly.

9 [(e) (1) If a video lottery operation license has been issued for a racetrack
10 location at Laurel Park, the video lottery operation license for the location shall be revoked
11 if the name, common law and statutory copyrights, service marks, trademarks, trade
12 names, or horse racing events that are associated with the Preakness Stakes Race or the
13 Woodlawn Vase are transferred to a location outside the State.

14 (2) As an additional condition of a video lottery operation license, if a
15 racetrack licensee holds a video lottery operation license for Laurel Park, the licensee shall
16 be required to:

17 (i) promote and conduct the Preakness Stakes Race at the Pimlico
18 Race Course each year; or

19 (ii) if the Pimlico Race Course no longer exists, the Preakness Stakes
20 Race is prevented from being conducted at the Pimlico Race Course, or the State Racing
21 Commission, under § 11-513 of the Business Regulation Article, deems an emergency
22 exists, promote and conduct the Preakness Stakes Race each year at another track located
23 in the State that is approved by the State Racing Commission.

24 (3) If a racetrack licensee has been issued a video lottery operation license
25 for a racetrack location at Laurel Park, the licensee shall permit the event known as the
26 Maryland Million to be run annually at Laurel Park unless:

27 (i) the licensee is prevented from doing so by weather, acts of God,
28 or other circumstances beyond the control of the licensee; or

29 (ii) the licensee and the Maryland Million LLC agree to another
30 location that is approved by the State Racing Commission.

31 (4) If a video lottery operation license is issued to a racetrack location at
32 Laurel Park, the video lottery operation licensee shall:

33 (i) maintain the operation of the Bowie Training Center; or

34 (ii) if State law no longer requires the Bowie Training Center to
35 operate as a training facility, convey the property associated with the Bowie Training
36 Center to the State as preserved land under Program Open Space.]

1 9-1A-27.

2 (a) Except as provided in subsections (b) and (c) of this section and §
3 9-1A-26(a)(3) of this subtitle, on a properly approved transmittal prepared by the
4 Commission, the Comptroller shall pay the following amounts from the proceeds of video
5 lottery terminals at each video lottery facility:

6 (5) (i) until the issuance of a video lottery operation license in
7 Baltimore City, 1.75% to the Racetrack Facility Renewal Account established under §
8 9-1A-29 of this subtitle and distributed in accordance with that section; and

9 (ii) on or after the issuance of a video lottery operation license in
10 Baltimore City, 1% to the Racetrack Facility Renewal Account established under §
11 9-1A-29 of this subtitle and distributed in accordance with that section, not to exceed a
12 total of \$20,000,000 to the Account annually;

13 9-1A-28.

14 (a) There is a Purse Dedication Account under the authority of the State Racing
15 Commission.

16 (b) (1) The Account shall receive money as required under § 9-1A-27 of this
17 subtitle.

18 (2) Money in the Account shall be invested and reinvested by the Treasurer
19 and interest and earnings shall accrue to the Account.

20 (3) The Comptroller shall:

21 (i) account for the Account; [and]

22 (ii) **FOR FISCAL YEAR 2021, TRANSFER \$5,000,000, FROM THE**
23 **PORTION OF THE PROCEEDS IN THE ACCOUNT ALLOCATED TO THOROUGHBRED**
24 **PURSES UNDER SUBSECTION (C)(1) OF THIS SECTION, TO THE RACING AND**
25 **COMMUNITY DEVELOPMENT FACILITIES FUND ESTABLISHED UNDER § 10-657.3 OF**
26 **THE ECONOMIC DEVELOPMENT ARTICLE;**

27 **(III) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR**
28 **THEREAFTER, ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE**
29 **MARYLAND STADIUM AUTHORITY, ISSUE A WARRANT TO PAY OUT \$5,000,000, FROM**
30 **THE PORTION OF THE PROCEEDS IN THE ACCOUNT ALLOCATED TO THOROUGHBRED**
31 **PURSES UNDER SUBSECTION (C)(1) OF THIS SECTION, TO THE STATE LOTTERY**
32 **FUND ESTABLISHED UNDER § 9-120 OF THIS ~~ARTICLE~~ TITLE UNTIL ANY BONDS,**
33 **DEBT, OR OTHER FINANCIAL INSTRUMENTS ISSUED OR MADE AVAILABLE BY THE**
34 **MARYLAND STADIUM AUTHORITY FOR A RACING FACILITY UNDER TITLE 10,**

1 **SUBTITLE 6 OF THE ECONOMIC DEVELOPMENT ARTICLE ~~ARE PAID IN FULL~~ REACH**
2 **FINAL MATURITY; AND**

3 ~~(III)~~ **(IV)** on a properly approved transmittal prepared by the State
4 Racing Commission, issue a warrant to pay out money from the Account in the manner
5 provided under this section.

6 (4) The Account is a special, nonlapsing fund that is not subject to § 7-302
7 of the State Finance and Procurement Article.

8 (5) [Expenditures] **EXCEPT AS PROVIDED IN PARAGRAPH (3)(II) AND**
9 **(III) OF THIS SUBSECTION, EXPENDITURES** from the Account shall only be made on a
10 properly approved transmittal prepared by the State Racing Commission as provided under
11 subsection (c) of this section.

12 (c) Subject to subsections (d) and (e) of this section, the State Racing Commission
13 shall allocate funds in the Account as follows:

14 (1) 80% to the thoroughbred industry; and

15 (2) 20% to the standardbred industry.

16 (d) The amount of funds allocated to thoroughbred purses and the Maryland-bred
17 Race Fund shall be allocated as follows:

18 (1) 89% to thoroughbred purses at the Pimlico Race Course, Laurel Park,
19 the racecourse in Allegany County, and the racecourse at Timonium; and

20 (2) 11% to the Maryland-bred Race Fund.

21 9-1A-29.

22 (a) There is a Racetrack Facility Renewal Account under the authority of the
23 State Racing Commission.

24 (b) (1) The Account shall receive money as required under § 9-1A-27 of this
25 subtitle for the first 16 years of operations at each video lottery facility.

26 (2) Money in the Account shall be invested and reinvested by the Treasurer
27 and interest and earnings shall accrue to the Account.

28 (3) The Comptroller shall:

29 (i) account for the Account; and

(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.

(4) The Account is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(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.

(6) (i) Subject to subparagraph (ii) of this paragraph, the State Racing Commission may use the services of a certified public accountant to review an eligible request for a grant under this section.

(ii) The holder of a license to hold a race meeting in the State that has requested a grant under this section shall reimburse the State Racing Commission for any expenditures for services under subparagraph (i) of this paragraph.

(c) **[Funds] EXCEPT AS PROVIDED IN SUBSECTION (D)(1) OF THIS SECTION, FUNDS** from the Account shall be used to provide a grant to the holder of a license to hold a race meeting in the State for racetrack facility capital construction and improvements.

(d) **(1)** The amount of funds made available from the Racetrack Facility Renewal Account shall be allocated as follows:

~~(1)~~ **(I) 1. FOR FISCAL YEAR 2021, 80% TO BE DEPOSITED IN THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND ESTABLISHED UNDER § 10-657.3 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND**

2. FOR FISCAL YEAR 2022 AND THEREAFTER, 80% to [the Pimlico Race Course, Laurel Park, and the racecourse at Timonium] THE STATE LOTTERY FUND ESTABLISHED UNDER § 9-120 OF THIS ~~ARTICLE~~ TITLE; and

~~(2)~~ **(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, 20% to Rosecroft Raceway and Ocean Downs Race Course ACCORDING TO A FORMULA ESTABLISHED IN REGULATIONS ADOPTED BY THE STATE RACING COMMISSION.**

(2) OF THE AMOUNT AVAILABLE TO ROSECROFT RACEWAY FROM THE RACETRACK FACILITY RENEWAL ACCOUNT UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION:

(I) THE UNENCUMBERED FUND BALANCE, INCLUDING ACCRUED INTEREST, EXISTING AS OF JUNE 30, 2020, SHALL BE TRANSFERRED TO

1 THE RACING AND COMMUNITY DEVELOPMENT FACILITIES FUND ESTABLISHED
 2 UNDER § 10-646.3 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

3 (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR
 4 FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, \$200,000 SHALL BE
 5 TRANSFERRED ANNUALLY TO EMPLOY PRINCE GEORGE'S, INC. FOR WORKFORCE
 6 DEVELOPMENT AND SMALL, MINORITY, AND WOMEN-OWNED BUSINESS
 7 DEVELOPMENT.

8 (3) (I) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
 9 FUNDS TRANSFERRED TO EMPLOY PRINCE GEORGE'S, INC. SHALL SUPPLEMENT,
 10 AND NOT SUPPLANT, FUNDS OTHERWISE AVAILABLE FOR EMPLOY PRINCE
 11 GEORGE'S, INC.

12 (II) IF EMPLOY PRINCE GEORGE'S, INC. IS UNABLE TO EXPEND
 13 THE FUNDS TRANSFERRED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION DURING
 14 THE 12-MONTH PERIOD AFTER WHICH EMPLOY PRINCE GEORGE'S, INC. RECEIVED
 15 THE FUNDS, EMPLOY PRINCE GEORGE'S, INC. SHALL PARTNER WITH SIMILAR
 16 ORGANIZATIONS LOCATED WITHIN PRINCE GEORGE'S COUNTY TO EXPEND THE
 17 BALANCE OF THE FUNDS FROM THAT PERIOD TO ENCOURAGE WORKFORCE
 18 DEVELOPMENT AND SMALL, MINORITY, AND WOMEN-OWNED BUSINESS
 19 DEVELOPMENT.

20 (e) In order to obtain a grant, a holder of a license to hold a race meeting in the
 21 State shall:

22 (1) submit a capital construction plan to be implemented within a specified
 23 time frame to the State Racing Commission for approval; and

24 (2) [except as provided in subsection (f) of this section,] provide and expend
 25 a matching fund.

26 [(f) (1) Of the amount provided from the Racetrack Facility Renewal Account
 27 under subsection (d)(1) of this section, the racecourse at Timonium shall be provided the
 28 following amounts for racetrack facility capital construction and improvements:

29 (i) for fiscal year 2012, \$1,125,000;

30 (ii) for fiscal year 2013, \$1,250,000;

31 (iii) for fiscal year 2014, \$1,125,000;

32 (iv) for fiscal year 2015, \$1,000,000; and

33 (v) for fiscal year 2016, \$1,000,000.

1 (2) A matching fund is not required for the amount provided for the
2 racecourse at Timonium under paragraph (1) of this subsection.

3 (3) (i) From the amounts provided in paragraph (1) of this subsection,
4 the holder of a racing license to race at the racecourse at Timonium may use up to \$350,000
5 per year to support a minimum of 7 live racing days.

6 (ii) Use of funds authorized under subparagraph (i) of this
7 paragraph must be approved by the Secretary of Labor under terms and a process
8 consistent with the provisions of subsection (j) of this section.

9 (g) Of the amount provided from the Racetrack Facility Renewal Account under
10 subsection (d)(1) of this section, the State Racing Commission may provide direct grant
11 funding for the establishment of a horse racing museum as part of the Pimlico Race Course.

12 (h)] (F) After a grant has been provided under this section, the State Racing
13 Commission shall:

14 (1) in consultation with the Department of General Services, monitor the
15 implementation of the approved capital construction plan; and

16 (2) make provisions for recapture of grant moneys if the capital
17 construction plan is not implemented within the time frame approved by the State Racing
18 Commission.

19 [(i)] (G) Any unencumbered funds remaining in the Racetrack Facility Renewal
20 Account after a video lottery facility has been in operation for 16 years shall be paid to the
21 Education Trust Fund established under § 9-1A-30 of this subtitle.

22 [(j)] (H) The State Racing Commission shall adopt regulations to implement the
23 provisions of this subsection, including regulations to:

24 (1) address minimum criteria for the types of improvements to be made by
25 the holder of a license; AND

26 (2) **ESTABLISH A FORMULA TO ALLOCATE FUNDS UNDER SUBSECTION**
27 **(D)(2) OF THIS SECTION BETWEEN ROSECROFT RACEWAY AND OCEAN DOWNS RACE**
28 **COURSE.**

29 [(k)] (I) The provisions of this section may not be construed to apply to the
30 racecourse in Allegany County.

31 9-1A-31.

1 (a) (1) Except as provided in paragraph (8) of this subsection, the local impact
2 grants provided under § 9–1A–27 of this subtitle shall be distributed as provided in this
3 subsection.

4 (2) The following amounts shall be distributed to the following
5 jurisdictions:

6 (i) Allegany County – \$200,000;

7 (ii) Cecil County – \$130,000;

8 (iii) Town of Forest Heights – \$120,000;

9 (iv) Town of Perryville – \$70,000; and

10 (v) Worcester County – \$200,000.

11 (3) The remaining funds for local impact grants shall be distributed in the
12 following manner:

13 (i) 82% to the local jurisdictions with video lottery facilities, based
14 on each jurisdiction's percentage of overall gross revenues from video lottery terminals; and

15 (ii) except as provided in paragraph (4) of this subsection, for
16 operations at a video lottery facility starting in fiscal year 2012 and ending in fiscal year
17 2032, 18% to Baltimore City with the Pimlico Community Development Authority acting
18 as the local development council in accordance with subsection (d) of this section, to be
19 distributed primarily for capital projects benefiting economic and community development
20 in the following manner:

21 1. at least 75% in a manner that is consistent with the Park
22 Heights Master Plan; and

23 2. the remainder dedicated to the needs of:

24 A. any census blockgroup that Baltimore City identifies as
25 being located partly or entirely within 1 mile of Pimlico Race Course but not within the
26 boundaries of the Park Heights Master Plan in a manner that is consistent with adopted
27 neighborhood priorities;

28 B. any neighborhood included in the Northwest Community
29 Planning Forum Strategic Neighborhood Action Plan in a manner that is consistent with
30 the adopted Northwest Community Planning Forum Strategic Neighborhood Action Plan
31 priorities; and

32 C. beginning after a video lottery operation license is issued
33 to a video lottery facility in Baltimore City, any neighborhood within an area bounded by

1 Liberty Heights Avenue, Northern Parkway, Druid Park Drive, and Wabash Avenue in a
2 manner that is consistent with adopted neighborhood priorities.

3 (4) (i) Of the amount specified under paragraph (3)(ii) of this
4 subsection:

5 1. \$1,000,000 shall be provided annually to Prince George's
6 County to be used for public safety projects in the community within 5 miles surrounding
7 Rosecroft Raceway; [and]

8 2. \$500,000 shall be provided annually for impact aid to be
9 distributed as provided under § 11-404(d) of the Business Regulation Article to help pay
10 for facilities and services in communities within 3 miles of the Laurel Race Course; ~~AND~~

11 3. FOR FISCAL YEARS ~~2021~~ 2022 THROUGH 2032,
12 **\$3,500,000 SHALL BE PROVIDED ANNUALLY TO THE STATE LOTTERY FUND**
13 **ESTABLISHED UNDER § 9-120 OF THIS ~~ARTICLE~~ TITLE; AND**

14 4. FOR FISCAL YEARS 2021 THROUGH 2032, THE
15 GREATER OF \$2,400,000 OR 24% OF THE TOTAL AMOUNT DISTRIBUTED FOR THE
16 FISCAL YEAR UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION SHALL BE PROVIDED
17 ANNUALLY TO PARK HEIGHTS RENAISSANCE, INC.

18 (ii) The Legislative Policy Committee shall report its findings and
19 recommendations concerning the advisability of the continuation of the distribution of
20 funds after fiscal year 2032 to the Comptroller and, in accordance with § 2-1257 of this
21 article, the General Assembly, on or before November 1, 2030.

22 (5) Anne Arundel County, Howard County, Prince George's County, and
23 the City of Laurel shall report to the Legislative Policy Committee, **IN ACCORDANCE WITH**
24 **§ 2-1257 OF THIS ARTICLE**, by December 31 of each year as to the distribution of the
25 funds provided under this section.

26 (6) Baltimore City shall:

27 (i) except as provided in subsection (b)(3)(i) of this section, establish
28 a schedule for the distribution and expenditure of funds provided under this section; and

29 (ii) provide a quarterly report to the Legislative Policy Committee,
30 **IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE**, on the distribution of the funds
31 provided under this section.

32 (7) (i) The distribution under paragraph (3)(i) of this subsection to
33 Anne Arundel County, Baltimore City, and Prince George's County equals the sum of the
34 amounts to be distributed to Anne Arundel County, Baltimore City, and Prince George's
35 County divided by three.

1 (ii) Notwithstanding subparagraph (i) of this paragraph, the amount
 2 distributed to Anne Arundel County and Baltimore City under paragraph (3)(i) of this
 3 subsection may not be less than the amount received in the fiscal year before the video
 4 lottery operation license for a video lottery facility in Prince George's County was issued.

5 (8) Beginning after a video lottery operation license is issued to a video
 6 lottery facility in Baltimore City, 100% of the local impact grants provided under §
 7 9-1A-27 of this subtitle from the proceeds of the video lottery facilities located in Allegany,
 8 Cecil, and Worcester counties shall be distributed to the local jurisdictions in which those
 9 video lottery facilities are located.

10 (b) (3) (I) In Baltimore City **FROM THE LOCAL IMPACT GRANTS**
 11 **PROVIDED UNDER SUBSECTION (A)(3)(I) OF THIS SECTION:**

12 [(i)] 1. beginning in fiscal year 2018, at least 50% [of the local
 13 impact grants provided under subsection (a)(3)(i) of this section] shall be distributed
 14 directly to the South Baltimore Gateway Community Impact District Management
 15 Authority; and

16 2. **BEGINNING IN FISCAL YEAR 2033 AND EACH FISCAL**
 17 **YEAR THEREAFTER, \$3,500,000 SHALL BE PAID ANNUALLY TO THE STATE LOTTERY**
 18 **FUND ESTABLISHED UNDER § 9-120 OF THIS ~~ARTICLE~~ TITLE UNTIL ANY BONDS,**
 19 **DEBT, OR OTHER FINANCIAL INSTRUMENTS ISSUED OR MADE AVAILABLE BY THE**
 20 **MARYLAND STADIUM AUTHORITY FOR A RACING FACILITY UNDER TITLE 10,**
 21 **SUBTITLE 6 OF THE ECONOMIC DEVELOPMENT ARTICLE ~~ARE PAID IN FULL~~ REACH**
 22 **FINAL MATURITY.**

23 (ii) **EXCEPT AS PROVIDED IN SUBPARAGRAPH (I)2 OF THIS**
 24 **PARAGRAPH,** local impact grants provided under subsection (a)(3)(i) of this section shall
 25 be used for improvements in the communities in immediate proximity to the video lottery
 26 facility and may be used for the following purposes:

- 27 1. infrastructure improvements;
- 28 2. facilities;
- 29 3. public safety;
- 30 4. sanitation;
- 31 5. economic and community development, including housing;
- 32 and
- 33 6. other public services and improvements.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
2 as follows:

3 **Article – Tax – General**

4 10–207.

5 (a) To the extent included in federal adjusted gross income, the amounts under
6 this section are subtracted from the federal adjusted gross income of a resident to determine
7 Maryland adjusted gross income.

8 **(HH) (1) IN THIS SUBSECTION, “LAUREL PARK SITE” AND “PIMLICO SITE”**
9 **HAVE THE MEANINGS STATED IN § 10–601 OF THE ECONOMIC DEVELOPMENT**
10 **ARTICLE.**

11 **(2) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION**
12 **INCLUDES:**

13 **(I) THE AMOUNT OF GAIN ~~RECEIVED~~ RECOGNIZED AS A RESULT**
14 **OF THE DIRECT OR INDIRECT TRANSFER OR CONVEYANCE OF:**

15 **1. ANY PROPERTY LOCATED, OR USED, AT OR WITHIN**
16 **THE LAUREL PARK SITE OR PIMLICO SITE; AND**

17 **2. ANY PORTION OF THE BOWIE RACE COURSE**
18 **TRAINING CENTER PROPERTY; AND**

19 **(II) THE AMOUNT OF INCOME ~~REALIZED~~ RECOGNIZED AS A**
20 **RESULT OF ANY EXPENDITURE OF FUNDS DIRECTLY OR INDIRECTLY BY THE STATE,**
21 **BALTIMORE CITY, OR ANNE ARUNDEL COUNTY WITH RESPECT TO THE LAUREL**
22 **PARK SITE OR PIMLICO SITE.**

23 10–307.

24 (a) To the extent included in federal taxable income, the amounts under this
25 section are subtracted from the federal taxable income of a corporation to determine
26 Maryland modified income.

27 (g) The subtraction under subsection (a) of this section includes the amounts
28 allowed to be subtracted for an individual under:

29 (1) § 10–207(i) of this title (Profits on sale or exchange of State or local
30 bonds);

31 (2) § 10–207(k) of this title (Relocation and assistance payments);

1 (3) § 10–207(m) of this title (State or local income tax refunds); [or]

2 (4) § 10–207(c–1) of this title (State tax–exempt interest from mutual
3 funds); OR

4 (5) § 10–207(HH) OF THIS TITLE (GAIN ON THE TRANSFER OF
5 PROPERTY WITHIN THE LAUREL PARK SITE OR PIMLICO SITE OR BOWIE RACE
6 COURSE TRAINING CENTER PROPERTY AND INCOME REALIZED AS RESULT OF
7 GOVERNMENTAL EXPENDITURES).

8 11–236.

9 ~~(A) IN THIS SECTION, “LAUREL PARK SITE” AND “PIMLICO SITE” HAVE THE~~
10 ~~MEANINGS STATED IN § 10–601 OF THE ECONOMIC DEVELOPMENT ARTICLE.~~

11 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
12 INDICATED.

13 (2) (I) “CONSTRUCTION MATERIAL” MEANS AN ITEM OF TANGIBLE
14 PERSONAL PROPERTY THAT IS USED TO CONSTRUCT OR RENOVATE A BUILDING, A
15 STRUCTURE, OR AN IMPROVEMENT ON LAND AND THAT TYPICALLY LOSES ITS
16 SEPARATE IDENTITY AS PERSONAL PROPERTY ONCE INCORPORATED INTO THE
17 REAL PROPERTY.

18 (II) “CONSTRUCTION MATERIAL” INCLUDES BUILDING
19 MATERIALS, BUILDING SYSTEMS EQUIPMENT, LANDSCAPING MATERIALS, AND
20 SUPPLIES.

21 (3) “LAUREL PARK RACING FACILITY SITE” HAS THE MEANING
22 STATED IN § 10–601 OF THE ECONOMIC DEVELOPMENT ARTICLE.

23 (4) “PIMLICO SITE” HAS THE MEANING STATED IN § 10–601 OF THE
24 ECONOMIC DEVELOPMENT ARTICLE.

25 (B) THE SALES AND USE TAX DOES NOT APPLY TO ~~THE PURCHASE OF~~
26 ~~TANGIBLE PERSONAL PROPERTY TO BE USED~~ A SALE OF CONSTRUCTION MATERIAL,
27 IF:

28 (1) THE CONSTRUCTION MATERIAL IS PURCHASED BY A PERSON
29 SOLELY FOR USE IN FURTHERANCE OF THE PROVISIONS OF TITLE 10, SUBTITLE 6
30 OF THE ECONOMIC DEVELOPMENT ARTICLE FOR THE CONSTRUCTION,
31 FURNISHING, EQUIPPING, OR REDEVELOPMENT AT THE LAUREL PARK RACING
32 FACILITY SITE OR PIMLICO SITE;

1 **(I) LOCATED AT OR WITHIN THE LAUREL PARK RACING**
 2 **FACILITY SITE, PIMLICO RACING FACILITY SITE, OR PIMLICO SITE AND THE**
 3 **TRANSFER OR GRANT IS BY ANY COMBINATION OF PROJECT ENTITIES, MJC**
 4 **ENTITIES, BALTIMORE CITY, AN ENTITY DESIGNATED BY BALTIMORE CITY, ANNE**
 5 **ARUNDEL COUNTY, OR AN ENTITY DESIGNATED BY ANNE ARUNDEL COUNTY; OR**

6 **(II) THE PROPERTY IDENTIFIED AS THE BOWIE RACE COURSE**
 7 **TRAINING CENTER UNDER § 11-519 OF THE BUSINESS REGULATION ARTICLE THAT**
 8 **IS TRANSFERRED BY THE OWNER OF THE PROPERTY TO A GOVERNMENT ENTITY.**

9 13-207.

10 (a) An instrument of writing is not subject to transfer tax to the same extent that
 11 it is not subject to recordation tax under:

12 (24) § 12-108(ff) of this article (Transfer from a certified community
 13 development financial institution); [or]

14 (25) § 12-108(gg) of this article (Transfer of principal residence surrendered
 15 in bankruptcy); OR

16 **(26) § 12-108(HH) OF THIS ARTICLE (TRANSFER OF REAL PROPERTY**
 17 **WITHIN THE LAUREL PARK RACING FACILITY SITE, PIMLICO RACING FACILITY SITE,**
 18 **~~OR~~ PIMLICO SITE, OR BOWIE RACE COURSE TRAINING CENTER PROPERTY).**

19 13-410.

20 An instrument of writing [that is exempt from recordation tax under § 12-108(cc) of
 21 this article (Certain transfers to land trusts)] is not subject to the county transfer tax TO
 22 **THE SAME EXTENT THAT IT IS NOT SUBJECT TO THE RECORDATION TAX UNDER:**

23 **(1) § 12-108(CC) OF THIS ARTICLE (CERTAIN TRANSFERS TO LAND**
 24 **TRUSTS); OR**

25 **(2) § 12-108(HH) OF THIS ARTICLE (TRANSFER OF REAL PROPERTY**
 26 **WITHIN THE LAUREL PARK RACING FACILITY SITE, PIMLICO RACING FACILITY SITE,**
 27 **~~OR~~ PIMLICO SITE, OR BOWIE RACE COURSE TRAINING CENTER PROPERTY).**

28 ~~SECTION 4. AND BE IT FURTHER ENACTED, That:~~

29 ~~(a) There is a Task Force on the Future of the Bowie Training Center Property.~~

30 ~~(b) The Task Force consists of the following members:~~

- 1 ~~(1) two members of the Senate of Maryland, appointed by the President of~~
2 ~~the Senate;~~
- 3 ~~(2) three members of the House of Delegates, appointed by the Speaker of~~
4 ~~the House;~~
- 5 ~~(3) the Secretary of the Department of Natural Resources, or the~~
6 ~~Secretary's designee;~~
- 7 ~~(4) two members of the Prince George's County Council, one of which must~~
8 ~~represent the district in which the Bowie Training Center Property is located, appointed by~~
9 ~~the Chair of the Council;~~
- 10 ~~(5) the County Executive of Prince George's County, or the County~~
11 ~~Executive's designee;~~
- 12 ~~(6) the Mayor of the City of Bowie; and~~
- 13 ~~(7) the Councilmember of the Bowie City Council whose district the Bowie~~
14 ~~Training Center Property is located in.~~
- 15 ~~(e) The President of the Senate and the Speaker of the House shall appoint a~~
16 ~~Senator and a Delegate, respectively, to serve as cochairs.~~
- 17 ~~(d) The Department of Natural Resources shall provide staff for the Task Force.~~
- 18 ~~(e) A member of the Task Force:~~
- 19 ~~(1) may not receive compensation as a member of the Task Force; but~~
- 20 ~~(2) is entitled to reimbursement for expenses under the Standard State~~
21 ~~Travel Regulations, as provided in the State budget.~~
- 22 ~~(f) The Task Force shall:~~
- 23 ~~(1) conduct meetings and public hearings on the potential future uses for a~~
24 ~~portion or portions of the Bowie Training Center Property;~~
- 25 ~~(2) seek input from State, county, and municipal elected and appointed~~
26 ~~officials, neighboring community organizations, area civic, educational, charitable, and~~
27 ~~other organizations, and any other interested parties; and~~
- 28 ~~(3) make recommendations regarding:~~
- 29 ~~(i) the preferred public uses of the property, or portions of the~~
30 ~~property, which may include multiple uses and users of the property;~~

1 ~~(ii) the estimated costs for acquisition, development, and equipping~~
2 ~~of the property and the proposed uses, and possible sources of funding;~~

3 ~~(iii) specific recommended changes to § 11-519 of the Business~~
4 ~~Regulation Article necessary to effectuate a change in use of the property from a~~
5 ~~thoroughbred training center to public uses; and~~

6 ~~(iv) any other findings of the Task Force.~~

7 ~~(g) On or before October 1, 2021, the Task Force shall report its findings and~~
8 ~~recommendations to the Governor and, in accordance with § 2-1257 of the State~~
9 ~~Government Article, the General Assembly.~~

10 SECTION 4. AND BE IT FURTHER ENACTED, That any housing facilities for
11 track workers located at Pimlico Race Course, Laurel Park, or the Bowie Race Course
12 Training Center and used during the transition or construction periods of the development
13 of the projects under this Act shall meet the applicable health and housing requirements of
14 the applicable local jurisdiction.

15 SECTION 5. AND BE IT FURTHER ENACTED, That, except for planning, design,
16 engineering, architectural, professional, demolition, site work, other pre-construction
17 services, or maintenance and repairs, the Maryland Stadium Authority may not expend
18 funds under this Act for construction or reconstruction of racing surfaces, at Pimlico or
19 Laurel Park, until:

20 ~~(1)~~ the State Racing Commission, in conjunction with the Maryland Jockey
21 Club and the Maryland Thoroughbred Horsemen's Association;

22 (1) consults with national experts in thoroughbred racetrack surfaces and
23 equine safety; and

24 (2) provides a report to the Legislative Policy Committee, in accordance
25 with § 2-1257 of the State Government Article, describing the proposed racetrack surfaces
26 and measures taken to enhance equine safety.

27 SECTION 6. AND BE IT FURTHER ENACTED, That:

28 (a) On or before August 1, 2020, the Baltimore Development Corporation, the
29 Maryland Jockey Club, and LifeBridge Health shall enter into a memorandum of
30 understanding that contains the following provisions:

31 (1) reasonable collaboration activity among the parties during the early
32 stages of development of the Pimlico site;

33 (2) reasonable notification requirements among the parties to identify
34 material construction schedules related to planned infrastructure and improvements,

1 including timing and types of work contemplated by the ~~parties and parties~~, any potential
2 interruption to utilities serving the properties, and mutual parking needs;

3 (3) an agreement to cooperate during construction to avoid, as much as
4 practical, disruption to the business activities and operations of the parties; and

5 (4) any other provisions agreed to by the parties.

6 (b) (1) The Maryland Stadium Authority may not begin construction on the
7 Pimlico site unless the memorandum of understanding required under subsection (a) of this
8 section is entered into.

9 (2) The parties required to enter the memorandum of understanding shall
10 provide the Maryland Stadium Authority with a copy of the memorandum of understanding
11 that the parties enter into.

12 (c) The memorandum of understanding required under subsection (a) of this
13 section shall continue until the completion of:

14 (1) construction at the Pimlico site; and

15 (2) development and construction on the LifeBridge Health property
16 adjacent to the Pimlico site.

17 SECTION 7. AND BE IT FURTHER ENACTED, That:

18 (a) On or before February 15, 2021, the Maryland Stadium Authority, after
19 consulting with the State Racing Commission, the owner of Laurel Park, representatives
20 of the thoroughbred racing industry, and other advisors determined by the Authority, shall
21 report on the feasibility of creating an Equine Health, Safety, and Research Center at
22 Laurel Park.

23 (b) The report required under this section shall include:

24 (1) an estimate of the costs of constructing, equipping, and operating the
25 center;

26 (2) a summary of the activities to be conducted at the center, including
27 diagnostic tests, data collection, and research;

28 (3) identification of parties capable of and interested in operating the
29 center or engaging in research activities, including academic research centers;

30 (4) a timeline for the development of the center; and

31 (5) any other information the Authority determines is important.

1 SECTION 8. AND BE IT FURTHER ENACTED, That, in addition to the funds
2 otherwise available for racing and community development project costs under this Act and
3 notwithstanding the limitations under § 10–657.3 of the Economic Development Article, as
4 enacted by Section 1 of this Act, at least \$1,000,000 but not exceeding \$1,500,000 of the
5 funds transferred to the Racing and Community Development Facilities Fund established
6 under § 10–657.3 of the Economic Development Article in accordance with § 9–1A–29(d)(2)
7 of the State Government Article, as enacted by Section 1 of this Act, shall be transferred to
8 the City of Bowie for remediation costs of the Bowie Race Course Training Center property,
9 provided that a joint use agreement has been executed between the City of Bowie and Bowie
10 State University in accordance with § 11–519 of the Business Regulation Article, as enacted
11 by Section 1 of this Act.

12 SECTION 9. AND BE IT FURTHER ENACTED, That:

13 (a) In addition to the funds otherwise available for racing and community
14 development project costs under this Act and notwithstanding the limitations under §
15 10–657.3 of the Economic Development Article, as enacted by Section 1 of this Act,
16 \$2,000,000 of the funds transferred to the Racing and Community Development Facilities
17 Fund established under § 10–657.3 of the Economic Development Article in accordance with
18 § 9–1A–29(d)(2) of the State Government Article, as enacted by Section 1 of this Act, may
19 be used only to reimburse the racing licensees’ costs attributable to maintaining ongoing
20 year–round racing operations, ensuring the continued running of the Preakness Stakes at
21 the Pimlico site during construction, and expenses related to the Bowie Race Course
22 Training Center before the conveyance of the property in accordance with § 11–519 of the
23 Business Regulation Article, as enacted by Section 1 of this Act.

24 (b) The Maryland Stadium Authority shall cooperate with the racing licensee to
25 identify the costs described under subsection (a) of this section and establish an approval
26 process before any reimbursement is provided in accordance with subsection (a) of this
27 section.

28 SECTION 10. AND BE IT FURTHER ENACTED, That, in addition to the funds
29 otherwise available for racing and community development project costs under this Act,
30 notwithstanding the limitations under § 10–657.3 of the Economic Development Article and
31 except as provided in Sections 8 and 9 of this Act, the balance of the funds transferred to
32 the Racing and Community Development Facilities Fund established under § 10–657.3 of
33 the Economic Development Article in accordance with § 9–1A–29(d)(2) of the State
34 Government Article, as enacted by Section 1 of this Act, may be expended only by the
35 Maryland Stadium Authority:

36 (1) after the Maryland Stadium Authority provides the Senate Budget and
37 Taxation Committee, the House Appropriations Committee, and the House Committee on
38 Ways and Means at least 90 days to review the feasibility study required under Section 7
39 of this Act; and

40 (2) for the costs of planning, design, construction, and equipping of the
41 Equine Health, Safety, and Research Center at Laurel Park.

1 SECTION ~~8~~ 11. AND BE IT FURTHER ENACTED, ~~That,~~ That:

2 (a) Subject to subsection (b) of this section and notwithstanding any other
3 provision of law, on or before June 30, 2020, the unencumbered fund balance, including
4 accrued interest, existing as of ~~May 31, 2020~~ June 30, 2020, that is allocated to
5 thoroughbred tracks under the Racetrack Facility Renewal Account shall be transferred to
6 the Racing and Community Development Facilities Fund established under ~~§ 10-657.2~~ §
7 10-657.3 of the Economic Development Article, as enacted by Section 1 of this Act.

8 (b) (1) On or before June 15, 2020, the State Racing Commission shall notify
9 the Comptroller of the amount of anticipated requests for reimbursement under the
10 Racetrack Facility Renewal Account under § 9-1A-29 of the State Government Article.

11 (2) Before making a request for reimbursement from the Racetrack Facility
12 Renewal Account, a licensee that previously filed a master plan under § 9-1A-09(b) of the
13 State Government Article shall update the licensee's master plan in accordance with the
14 provisions of § 9-1A-09(b)(2)(ii) of the State Government Article, as enacted by Section 1
15 of this Act.

16 (3) The Comptroller shall encumber the amount identified under
17 paragraph (1) of this subsection.

18 (4) On or before December 31, 2020, the State Racing Commission shall
19 approve or deny the requests for reimbursement from mile thoroughbred licensees.

20 (5) Any funds not disbursed for eligible requests from mile thoroughbred
21 licensees as of December 31, 2020, shall be transferred to the Racing and Community
22 Development Facilities Fund established under § 10-657.3 of the Economic Development
23 Article, as enacted by Section 1 of this Act.

24 SECTION ~~9~~ 12. AND BE IT FURTHER ENACTED, That:

25 (a) Section 2 of this Act applies to all taxable years beginning after December 31,
26 2019.

27 (b) Section 3 of this Act applies to all taxable years beginning after June 30, 2020.

28 SECTION ~~10~~ 13. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 June 1, 2020. ~~Section 4 of this Act shall remain effective for a period of 1 year and 4 months~~
30 ~~and, at the end of September 30, 2021, Section 4 of this Act, with no further action required~~
31 ~~by the General Assembly, shall be abrogated and of no further force and effect.~~