

Chapter 167

**(House Bill 1259)**

AN ACT concerning

**Horse Racing – Fair Hill Natural Resources Management Area**

FOR the purpose of repealing certain requirements relating to racing at the Fair Hill Natural Resources Management Area; altering the amount of money that is to be credited to the Fair Hill Improvement Fund; ~~requiring the Governor to include certain appropriations in the annual budget bill for certain fiscal years; requiring the money appropriated to the Fund to be spent in a certain manner;~~ and generally relating to racing at the Fair Hill Natural Resources Management Area.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–702 and 11–704  
Annotated Code of Maryland  
(2015 Replacement Volume and 2020 Supplement)

~~BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–908  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)~~

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

**Article – Business Regulation**

11–702.

(a) (1) The Commission shall issue a license to the Cecil County Breeders’ Fair, Inc., or its successor to hold racing on [at least 2 but] not more than 8 one–day race meetings a year for steeplechase, hurdle, or flat racing at the Fair Hill Natural Resources Management Area.

(2) The racing shall be held on dates that the licensee chooses and the Commission approves.

(b) In conjunction with this racing, an agricultural fair with livestock entered for exhibition [shall] **MAY** be held under the auspices of the State Fair Board on at least 1 racing day.

(c) [For each racing day, the licensee shall offer at least 1 steeplechase or hurdle race for each flat race, but an additional flat race may be substituted for a steeplechase race or hurdle race that is not filled.

(d)] An officer of the licensee may not receive a salary or dividends from racing allowed under this subtitle.

11-704.

(a) (1) The licensee shall deduct from the handle:

- (i) all the breakage; and
- (ii) AN AMOUNT NOT TO EXCEED 25%.

(2) [From the 25% that] **EXCLUDING THE BREAKAGE, OF the AMOUNT THE** licensee deducts from the handle, ~~9%~~ **36% OF THAT AMOUNT** [of the handle] shall be paid to the Commission, which shall send it to the Comptroller to be credited to the Fair Hill Improvement Fund established in § 5-908 of the Natural Resources Article.

(b) Money that remains after deductions are made under subsection (a) of this section shall be returned as winnings to successful bettors.

### ~~Article Natural Resources~~

~~5-908.~~

~~(a) In this section, "Fund" means the Fair Hill Improvement Fund.~~

~~(b) There is a Fair Hill Improvement Fund in the Department, to be used for the operation, maintenance, development, and improvement of the Fair Hill facilities at Fair Hill, Maryland.~~

~~(c) Any money obtained by the Department from Fair Hill shall be credited to the Fund.~~

~~(d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.~~

~~(2) Any investment earnings of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund.~~

~~(3) Money in the Fund may be used for administrative costs calculated in accordance with § 1-103(b)(2) of this article.~~

~~(E) FOR EACH OF FISCAL YEARS 2023 THROUGH 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE FUND OF \$1,300,000.~~

~~(F) THE MONEY APPROPRIATED TO THE FUND UNDER SUBSECTION (E) OF THIS SECTION SHALL BE USED EXCLUSIVELY FOR THE OPERATION AND MAINTENANCE OF THE PHYSICAL FACILITIES LOCATED WITHIN THE SPECIAL EVENT AREA OF THE FAIR HILL NATURAL RESOURCES MANAGEMENT AREA.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

Approved by the Governor, May 18, 2021.