

Chapter 269

(Senate Bill 679)

AN ACT concerning

Fair Hill Improvement Fund – Special Event Area and Operations

FOR the purpose of requiring that certain funds credited to the Fair Hill Improvement Fund be used for certain purposes; ~~requiring~~ authorizing the Governor to include in the annual budget bill a certain appropriation to the Fund; authorizing the Department of Natural Resources to use certain funds for certain grants for certain purposes; and generally relating to the Fair Hill Improvement Fund.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 11–701 and 11–704
Annotated Code of Maryland
(2015 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–908
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Business Regulation

11–701.

This subtitle applies only to the licensee that is the Cecil County Breeders’ Fair, Inc., or its successor.

11–704.

- (a) (1) The licensee shall deduct from the handle:
 - (i) all the breakage; and
 - (ii) an amount not to exceed 25%.

(2) Excluding the breakage, of the amount the licensee deducts from the handle, 36% of that amount 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) **(1)** 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.

(2) MONEY CREDITED TO THE FUND UNDER § 11–704 OF THE BUSINESS REGULATION ARTICLE SHALL BE USED EXCLUSIVELY FOR THE GROUNDS AND FACILITIES WITHIN THE SPECIAL EVENT AREA AT FAIR HILL.

(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 FISCAL YEAR 2024, AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR ~~SHALL~~ MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$1,800,000 TO THE FUND TO BE USED EXCLUSIVELY FOR THE PURPOSES SPECIFIED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(F) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE DEPARTMENT MAY USE THE FUND TO PROVIDE A GRANT OR GRANTS TO A UNIT OF STATE GOVERNMENT, A LOCAL JURISDICTION, A NONPROFIT ENTITY, OR AN AFFILIATED FOUNDATION ESTABLISHED BY THE MARYLAND STADIUM AUTHORITY UNDER § 10–612 OF THE ECONOMIC DEVELOPMENT ARTICLE, IF:

(1) THE DEPARTMENT HAS ENTERED INTO AN AGREEMENT WITH THE GRANT RECIPIENT FOR THE ONGOING OPERATION, USE, MAINTENANCE,

DEVELOPMENT, OR IMPROVEMENT OF THE GROUNDS AND FACILITIES WITHIN THE SPECIAL EVENT AREA AT FAIR HILL; AND

(2) THE GRANT FUNDS ARE RESTRICTED TO THE PURPOSES REQUIRED TO BE INCLUDED IN THE GRANT AGREEMENT UNDER ITEM (1) OF THIS SUBSECTION AND THE GRANT RECIPIENT'S ASSOCIATED ADMINISTRATIVE COSTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2022.

Approved by the Governor, May 12, 2022.