

# SENATE BILL 363

C6, C7

3lr1605  
CF HB 455

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By: **Senators Guzzone, Zucker, King, McCray, and Corderman**

Introduced and read first time: January 30, 2023

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Video Lottery Terminal Proceeds – Purse Dedication Account – Ocean Downs**  
3 **Race Course Operating Loss Assistance**

4 FOR the purpose of altering the authority of the Ocean Downs Race Course to use certain  
5 Purse Dedication Account funds generated from video lottery terminal proceeds for  
6 operating loss assistance to support a certain minimum number of live racing days  
7 at the racecourse; and generally relating to the use of Purse Dedication Account  
8 funds by the Ocean Downs Race Course for operating loss assistance.

9 BY repealing and reenacting, without amendments,  
10 Article – State Government  
11 Section 9–1A–28(a) and (e)  
12 Annotated Code of Maryland  
13 (2021 Replacement Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – State Government  
16 Section 9–1A–28(g)  
17 Annotated Code of Maryland  
18 (2021 Replacement Volume and 2022 Supplement)

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

21 **Article – State Government**

22 9–1A–28.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (e) The amount of funds allocated to standardbred purses and the Standardbred  
2 Race Fund shall be allocated as follows:

3 (1) 89% to standardbred purses at Rosecroft Raceway, Ocean Downs Race  
4 Course, and the racecourse in Allegany County, allocated based on the number of live racing  
5 days at each track location; and

6 (2) 11% to the Standardbred Race Fund.

7 (g) (1) Of the amount provided from the Purse Dedication Account under  
8 subsection (e)(1) of this section:

9 (i) for Ocean Downs Race Course, [up to \$1,200,000 each year for  
10 calendar years 2018, 2019, 2020, 2021, 2022, 2023, and 2024] **AN AMOUNT EQUAL TO BUT  
11 NOT EXCEEDING \$30,000 MULTIPLIED BY THE TOTAL NUMBER OF LIVE RACING DAYS  
12 HELD DURING THE CALENDAR YEAR** may be used to provide financial assistance for  
13 operating losses **INCURRED DURING THAT CALENDAR YEAR**, in accordance with  
14 generally accepted accounting principles, to support a minimum of 40 annual live racing  
15 days unless the racing licensee is prevented by weather, acts of God, or other circumstances  
16 beyond the racing licensee's control; and

17 (ii) for Rosecroft Raceway, up to \$1,200,000 each year for calendar  
18 years 2018, 2019, 2020, 2021, 2022, 2023, and 2024 may be used to provide financial  
19 assistance for operating losses, in accordance with generally accepted accounting  
20 principles, to support a minimum of 40 annual live racing days unless the racing licensee  
21 is prevented by weather, acts of God, or other circumstances beyond the racing licensee's  
22 control.

23 (2) Funds received by Ocean Downs Race Course or Rosecroft Raceway  
24 under paragraph (1) of this subsection may not be used to contribute to a campaign finance  
25 entity under Title 13 of the Election Law Article or make an independent expenditure as  
26 defined in § 1-101 of the Election Law Article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
28 1, 2023.