

SENATE BILL 720

P3

3lr0101

By: **Chair, Budget and Taxation Committee (By Request – Departmental – Labor)**

Introduced and read first time: February 6, 2023

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2023

CHAPTER _____

1 AN ACT concerning

2 ~~Maryland Horse Racing Act~~ – ~~Sunset Extension of Maryland Horse Racing Act~~
3 and Establishment of Maryland Thoroughbred Racetrack Operating Authority

4 FOR the purpose of extending the termination date of the Maryland Horse Racing Act;
5 establishing the Maryland Thoroughbred Racetrack Operating Authority;
6 establishing the Maryland Racing Operations Fund as a special, nonlapsing fund;
7 authorizing the Maryland Stadium Authority to transfer money from the Racing and
8 Community Development Facilities Fund to the Maryland Racing Operations Fund;
9 requiring interest earnings of the Maryland Racing Operations Fund to be credited
10 to the Maryland Racing Operations Fund; altering the authorized uses of certain
11 grants and the names of certain grantees; extending the date by which the owner of
12 the Bowie Race Course Training Center property must convey the property to the
13 City of Bowie; altering the amount and distribution of certain funds transferred to
14 the City of Bowie; and generally relating to the Maryland Horse Racing Act and the
15 Maryland Thoroughbred Racetrack Operating Authority.

16 BY repealing and reenacting, without amendments,
17 Article – Business Regulation
18 Section 11–1101
19 Annotated Code of Maryland
20 (2015 Replacement Volume and 2022 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Business Regulation
23 Section 11–510, 11–519(d), and 11–1102

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 Annotated Code of Maryland
2 (2015 Replacement Volume and 2022 Supplement)
- 3 BY repealing and reenacting, without amendments,
4 Article – Economic Development
5 Section 10–657.3(a)
6 Annotated Code of Maryland
7 (2018 Replacement Volume and 2022 Supplement)
- 8 BY repealing and reenacting, with amendments,
9 Article – Economic Development
10 Section 10–657.3(f)(1)
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2022 Supplement)
- 13 BY adding to
14 Article – Economic Development
15 Section 10–1001 through 10–1008 to be under the new subtitle “Subtitle 10.
16 Maryland Thoroughbred Racetrack Operating Authority”
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2022 Supplement)
- 19 BY repealing and reenacting, without amendments,
20 Article – State Finance and Procurement
21 Section 6–226(a)(2)(i)
22 Annotated Code of Maryland
23 (2021 Replacement Volume and 2022 Supplement)
- 24 BY repealing and reenacting, with amendments,
25 Article – State Finance and Procurement
26 Section 6–226(a)(2)(ii)170. and 171.
27 Annotated Code of Maryland
28 (2021 Replacement Volume and 2022 Supplement)
- 29 BY adding to
30 Article – State Finance and Procurement
31 Section 6–226(a)(2)(ii)172. and 11–203(j)
32 Annotated Code of Maryland
33 (2021 Replacement Volume and 2022 Supplement)
- 34 BY repealing and reenacting, with amendments,
35 Chapter 590 of the Acts of the General Assembly of 2020
36 Section 8
- 37 BY repealing and reenacting, with amendments,
38 Chapter 344 of the Acts of the General Assembly of 2022
39 Section 1(3) Item DA03(B) and SA25(B)

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

3 **Article – Business Regulation**

4 11–1101.

5 This title is the Maryland Horse Racing Act.

6 11–1102.

7 Subject to the evaluation and reestablishment provisions of the Maryland Program
8 Evaluation Act, this title and all regulations adopted under this title shall terminate on
9 July 1, [2024] **2034**.

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

12 **Article – Business Regulation**

13 11–510.

14 (a) Except as provided in subsection (b) of this section, the Commission may not
15 issue a license, or award racing days, for racing at a mile track.

16 (b) The Commission may issue a license and award racing days only to:

17 (1) the Maryland Jockey Club of Baltimore City, Inc.; [and]

18 (2) the Laurel Racing Assoc., Inc.; AND

19 (3) **SUBJECT TO § 10–1003(B) OF THE ECONOMIC DEVELOPMENT**
20 **ARTICLE, THE MARYLAND THOROUGHBRED RACETRACK OPERATING AUTHORITY.**

21 11–519.

22 (d) (1) (i) On or before December 31, [2023] **2024**, the owner of the Bowie
23 Race Course Training Center shall convey the Bowie Race Course Training Center property
24 to the City of Bowie “as is”, with all defects that may exist, whether known or unknown,
25 and without any express or implied warranty, guarantee by, or recourse against the
26 conveyor of the property.

27 (ii) Notwithstanding any other provision of law, the conveyor of the
28 Bowie Race Course Training Center property shall be held harmless against any and all
29 claims and risks, now or in the future, arising directly or indirectly from, or in any way

1 related to, the condition of the property or conveyance, with all those claims and risks
 2 assumed by the City of Bowie.

3 (2) The portion of the Bowie Race Course Training Center property
 4 transferred to the City of Bowie that is within 100 feet of the top of the Patuxent River
 5 bank shall be used for passive recreational activities, including hiking, wildlife viewing,
 6 picnicking, and walking.

7 (3) The portion of the Bowie Race Course Training Center property
 8 transferred to the City of Bowie not described under paragraph (2) of this subsection may:

9 (i) be used only for active recreational activities, including baseball,
 10 football, soccer, and cricket; and

11 (ii) have only one structure that is up to 50,000 square feet
 12 constructed on the property.

13 (4) On or before January 1, 2021, the City of Bowie shall enter into a joint
 14 use agreement, including an easement, with Bowie State University for the future use of
 15 the property described under paragraph (3) of this subsection.

16 (5) The City of Bowie and Bowie State University shall report to the
 17 General Assembly, in accordance with § 2-1257 of the State Government Article, on the
 18 final terms of the joint use agreement entered into under this subsection.

19 **Article – Economic Development**

20 10-657.3.

21 (a) There is a Racing and Community Development Facilities Fund.

22 (f) (1) Before the issuance of any bonds authorized under this subtitle to
 23 finance improvements to a racing facility, the Authority may:

24 (I) pay [for] FROM THE RACING AND COMMUNITY
 25 DEVELOPMENT FACILITIES FUND any costs for administration, overhead, and
 26 operations of the Authority [or], costs of engineering, architectural, and other design
 27 professionals [from the Racing and Community Development Facilities Fund], OR COSTS
 28 AUTHORIZED UNDER SUBTITLE 10 OF THIS TITLE; AND

29 (II) TRANSFER MONEY FROM THE RACING AND COMMUNITY
 30 DEVELOPMENT FACILITIES FUND TO THE MARYLAND RACING OPERATIONS FUND
 31 UNDER § 10-1008 OF THIS TITLE.

32 SUBTITLE 10. MARYLAND THOROUGHBRED RACETRACK OPERATING AUTHORITY.

1 10-1001.

2 IN THIS SUBTITLE, "AUTHORITY" MEANS THE MARYLAND THOROUGHBRED
3 RACETRACK OPERATING AUTHORITY.

4 10-1002.

5 (A) THERE IS A MARYLAND THOROUGHBRED RACETRACK OPERATING
6 AUTHORITY.

7 (B) THE AUTHORITY IS A BODY POLITIC AND CORPORATE AND IS AN
8 INSTRUMENTALITY OF THE STATE.

9 (C) THE EXERCISE BY THE AUTHORITY OF A POWER UNDER THIS SUBTITLE
10 IS THE PERFORMANCE OF AN ESSENTIAL GOVERNMENTAL FUNCTION.

11 10-1003.

12 (A) THE PURPOSE OF THE AUTHORITY IS TO MAINTAIN THE STATE AS A
13 BEST-IN-CLASS THOROUGHBRED HORSE RACING VENUE.

14 (B) THE AUTHORITY MAY:

15 (1) STUDY AND MAKE ANY RECOMMENDATIONS THAT THE
16 AUTHORITY FINDS ARE IN THE BEST INTERESTS OF THOROUGHBRED RACING IN THE
17 STATE;

18 (2) IN COORDINATION WITH OTHER STATE ENTITIES, DEVELOP NEW
19 AND EXISTING HORSE RACING AND TRAINING FACILITIES IN THE STATE;

20 (3) SUBJECT TO SUBSECTION (C) OF THIS SECTION AND IN
21 ACCORDANCE WITH AN EXECUTIVE ORDER OR A DETERMINATION OF THE STATE
22 RACING COMMISSION THAT A THOROUGHBRED RACING LICENSEE UNDER TITLE 11,
23 SUBTITLE 5 OF THE BUSINESS REGULATION ARTICLE, FOR ANY REASON OTHER
24 THAN WEATHER, AN ACT OF GOD, OR OTHER CIRCUMSTANCES BEYOND THE
25 CONTROL OF THE LICENSEE, IS UNABLE TO SUPPORT THE MINIMUM NUMBER OF
26 LIVE RACING DAYS:

27 (I) MANAGE AND OVERSEE, IN COMPLIANCE WITH TITLE 11,
28 SUBTITLE 5 OF THE BUSINESS REGULATION ARTICLE:

29 1. DAY-TO-DAY THOROUGHBRED HORSE RACING
30 OPERATIONS;

1 **2. LIVE RACING DAYS; AND**

2 **3. ASSETS IN THE STATE; AND**

3 **(II) IN COORDINATION WITH THE MARYLAND ECONOMIC**
4 **DEVELOPMENT CORPORATION, ACQUIRE PROPERTY OR CONTRACTUAL INTERESTS**
5 **CONSISTENT WITH § 11-521 OF THE BUSINESS REGULATION ARTICLE AND THE**
6 **PROCEDURES SET FORTH IN §§ 8-334 THROUGH 8-339 OF THE TRANSPORTATION**
7 **ARTICLE;**

8 **(4) ENTER INTO ANY AGREEMENTS, LEASES, PARTNERSHIPS, OR**
9 **CONTRACTS NECESSARY TO:**

10 **(I) SUPPORT AND SUSTAIN MARYLAND THOROUGHBRED**
11 **RACING AND PARI-MUTUEL WAGERING ACTIVITY; AND**

12 **(II) ENSURE COMPLIANCE WITH STATE RACING COMMISSION**
13 **RULES AND REGULATIONS;**

14 **(5) AUTHORIZE OR CREATE A SEPARATE BODY, ENTITY, OR HOLDING**
15 **COMPANY TO CARRY OUT ANY PROVISIONS OF THIS SUBTITLE;**

16 **(6) ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS**
17 **SUBTITLE; AND**

18 **(7) MAKE ANY OTHER RECOMMENDATIONS THE AUTHORITY DEEMS**
19 **NECESSARY.**

20 **(C) BEFORE THE AUTHORITY MAY EXERCISE THE POWERS AUTHORIZED**
21 **UNDER SUBSECTION (B)(3) OF THIS SECTION, THE LEGISLATIVE POLICY**
22 **COMMITTEE SHALL REVIEW AND COMMENT ON THE EXECUTIVE ORDER OR**
23 **DETERMINATION OF THE STATE RACING COMMISSION DESCRIBED UNDER**
24 **SUBSECTION (B)(3) OF THIS SECTION.**

25 **10-1004.**

26 **(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
27 **AUTHORITY CONSISTS OF:**

28 **(I) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR**
29 **WITH THE ADVICE AND CONSENT OF THE SENATE:**

30 **1. ONE MEMBER FROM A LIST OF TWO INDIVIDUALS**
31 **NOMINATED BY THE MARYLAND THOROUGHBRED HORSEMEN'S ASSOCIATION;**

1 **2. ONE MEMBER FROM A LIST OF TWO INDIVIDUALS**
2 **NOMINATED BY THE MARYLAND HORSE BREEDERS ASSOCIATION; AND**

3 **3. THREE OTHER MEMBERS WHO POSSESS RELEVANT**
4 **INDUSTRY, BUSINESS, OR GOVERNMENT EXPERIENCE:**

5 **A. AT LEAST ONE OF WHOM SHALL HAVE EXPERIENCE IN**
6 **REAL ESTATE DEVELOPMENT OR THE FINANCIAL SERVICES INDUSTRIES; AND**

7 **B. ONE OF WHOM SHALL SERVE AS CHAIR;**

8 **(II) THE CHAIR OR EXECUTIVE DIRECTOR OF THE MARYLAND**
9 **STADIUM AUTHORITY, OR THE DESIGNEE OF THE CHAIR OR EXECUTIVE DIRECTOR;**

10 **(III) THE CHAIR OR EXECUTIVE DIRECTOR OF THE MARYLAND**
11 **ECONOMIC DEVELOPMENT CORPORATION, OR THE DESIGNEE OF THE**
12 **CORPORATION'S BOARD OF DIRECTORS;**

13 **(IV) ONE MEMBER WHO IS NOT AN ELECTED OFFICIAL,**
14 **APPOINTED BY THE PRESIDENT OF THE SENATE;**

15 **(V) ONE MEMBER WHO IS NOT AN ELECTED OFFICIAL,**
16 **APPOINTED BY THE SPEAKER OF THE HOUSE;**

17 **(VI) THE FOLLOWING NONVOTING, EX OFFICIO MEMBERS,**
18 **APPOINTED BY THE GOVERNOR:**

19 **1. ONE MEMBER OF THE COMMUNITY WHO RESIDES**
20 **NEAR LAUREL PARK RACE COURSE;**

21 **2. ONE MEMBER OF THE COMMUNITY WHO RESIDES**
22 **NEAR PIMLICO RACE COURSE; AND**

23 **3. ONE MEMBER OF THE COMMUNITY WHO RESIDES**
24 **NEAR THE BOWIE RACE COURSE TRAINING CENTER PROPERTY; AND**

25 **(VII) ONE NONVOTING, EX OFFICIO MEMBER OF THE STATE**
26 **RACING COMMISSION, DESIGNATED BY A MAJORITY OF THE MEMBERS OF THE**
27 **STATE RACING COMMISSION.**

28 **(2) A MAJORITY OF THE MEMBERS OF THE AUTHORITY MAY NOT**
29 **HAVE A DIRECT INTEREST IN THOROUGHBRED HORSE RACING AS AN OWNER,**
30 **TRAINER, OR LICENSEE.**

1 **(B) (1) THE TERM OF A MEMBER IS 4 YEARS.**

2 **(2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL**
3 **A SUCCESSOR IS APPOINTED AND QUALIFIES.**

4 **(3) THE TERMS OF THE INITIAL FIVE MEMBERS APPOINTED BY THE**
5 **GOVERNOR SHALL BE STAGGERED.**

6 **(C) (1) FIVE MEMBERS OF THE AUTHORITY ARE A QUORUM.**

7 **(2) ACTION BY THE AUTHORITY REQUIRES THE AFFIRMATIVE VOTE**
8 **OF AT LEAST FIVE MEMBERS OF THE AUTHORITY.**

9 **(D) A MEMBER OF THE AUTHORITY:**

10 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
11 **AUTHORITY; AND**

12 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
13 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

14 **10-1005.**

15 **(A) THE AUTHORITY MAY HIRE AN EXECUTIVE DIRECTOR WHO SERVES AS**
16 **THE CHIEF EXECUTIVE OFFICER OF THE AUTHORITY.**

17 **(B) THE EXECUTIVE DIRECTOR SHALL:**

18 **(1) DIRECT AND SUPERVISE THE ADMINISTRATIVE ACTIVITIES OF**
19 **THE AUTHORITY, IN ACCORDANCE WITH ITS REGULATIONS AND POLICIES;**

20 **(2) ATTEND ALL MEETINGS OF THE AUTHORITY;**

21 **(3) KEEP MINUTES OF ALL PROCEEDINGS OF THE AUTHORITY;**

22 **(4) APPROVE ALL ACCOUNTS FOR SALARIES, PER DIEM PAYMENTS,**
23 **AND ALL ALLOWABLE EXPENSES OF THE AUTHORITY, ITS EMPLOYEES, AND ITS**
24 **CONSULTANTS;**

25 **(5) APPROVE ALL EXPENSES INCIDENTAL TO THE OPERATION OF THE**
26 **AUTHORITY;**

27 **(6) REPORT AND MAKE RECOMMENDATIONS TO THE AUTHORITY ON**
28 **THE MERITS AND STATUS OF ANY PROPOSED FACILITY; AND**

1 **(7) PERFORM THE OTHER DUTIES THAT THE AUTHORITY REQUIRES**
2 **TO CARRY OUT THIS SUBTITLE.**

3 **(C) THE EXECUTIVE DIRECTOR SHALL SERVE AT THE PLEASURE OF THE**
4 **AUTHORITY.**

5 **(D) (1) THE AUTHORITY MAY EMPLOY OR RETAIN STAFF AS DEEMED**
6 **NECESSARY OR ADVISABLE, INCLUDING CONSULTANTS, ENGINEERS, ARCHITECTS,**
7 **ACCOUNTANTS, FINANCIAL EXPERTS, CONSTRUCTION EXPERTS AND PERSONNEL,**
8 **SUPERINTENDENTS, MANAGERS, AND OTHER PROFESSIONAL PERSONNEL.**

9 **(2) SUBJECT TO THE APPROVAL OF THE AUTHORITY AND PURSUANT**
10 **TO ITS APPROVED BUDGET, THE EXECUTIVE DIRECTOR SHALL DETERMINE THE**
11 **COMPENSATION OF ALL STAFF THAT THE AUTHORITY EMPLOYS OR RETAINS.**

12 **(E) (1) THE ATTORNEY GENERAL IS THE LEGAL ADVISOR TO THE**
13 **AUTHORITY.**

14 **(2) WITH THE APPROVAL OF THE ATTORNEY GENERAL, THE**
15 **AUTHORITY MAY RETAIN ANY ADDITIONAL LEGAL COUNSEL AS NECESSARY.**

16 **(F) (1) WITH RESPECT TO ANY AGREEMENTS ENTERED INTO BY THE**
17 **AUTHORITY UNDER THIS SUBTITLE AND EXCEPT AS PROVIDED UNDER PARAGRAPH**
18 **(2) OF THIS SUBSECTION, THE AUTHORITY IS EXEMPT FROM DIVISION II OF THE**
19 **STATE FINANCE AND PROCUREMENT ARTICLE.**

20 **(2) THE AUTHORITY IS SUBJECT TO TITLE 12, SUBTITLE 4 AND TITLE**
21 **14, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

22 **10-1006.**

23 **THE AUTHORITY MAY:**

24 **(1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;**

25 **(2) ADOPT A SEAL;**

26 **(3) MAINTAIN OFFICES AT A PLACE IT DESIGNATES IN THE STATE;**

27 **(4) ACCEPT LOANS, GRANTS, OR ASSISTANCE OF ANY KIND FROM THE**
28 **FEDERAL OR STATE GOVERNMENT, A LOCAL GOVERNMENT, A COLLEGE OR**
29 **UNIVERSITY, OR A PRIVATE SOURCE;**

1 **(5) ENTER INTO CONTRACTS AND OTHER LEGAL INSTRUMENTS;**

2 **(6) RETAIN, EMPLOY, OR HIRE AN INDEPENDENT FIRM FOR THE**
3 **PURPOSE OF OPERATING AND MANAGING LIVE HORSE RACING IN THE STATE;**

4 **(7) SUE OR BE SUED;**

5 **(8) ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE, AND USE:**

6 **(I) A FRANCHISE, PATENT, OR LICENSE;**

7 **(II) STOCK OR OTHER FORMS OF OWNERSHIP INTERESTS IN**
8 **CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, OR OTHER**
9 **ENTITIES, WHETHER OPERATED FOR PROFIT OR NOT FOR PROFIT;**

10 **(III) ANY REAL, PERSONAL, MIXED, TANGIBLE, OR INTANGIBLE**
11 **PROPERTY; OR**

12 **(IV) AN INTEREST IN A PROPERTY LISTED UNDER THIS ITEM;**

13 **(9) SELL, LEASE AS LESSOR, TRANSFER, LICENSE, ASSIGN, OR**
14 **DISPOSE OF PROPERTY OR A PROPERTY INTEREST THAT IT ACQUIRES;**

15 **(10) FIX AND COLLECT RATES, RENTALS, FEES, ROYALTIES, AND**
16 **CHARGES FOR SERVICES AND RESOURCES IT PROVIDES OR MAKES AVAILABLE;**

17 **(11) CREATE, OWN, CONTROL, OR BE A MEMBER OF A CORPORATION,**
18 **LIMITED LIABILITY COMPANY, PARTNERSHIP, OR OTHER ENTITY, WHETHER**
19 **OPERATED FOR PROFIT OR NOT FOR PROFIT;**

20 **(12) EXERCISE POWER USUALLY POSSESSED BY A PRIVATE**
21 **CORPORATION IN PERFORMING SIMILAR FUNCTIONS UNLESS TO DO SO WOULD**
22 **CONFLICT WITH STATE LAW;**

23 **(13) ASSIST WITH THE ADVERTISING AND PROMOTION OF HORSE**
24 **RACING INTERESTS; AND**

25 **(14) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE**
26 **POWERS GRANTED BY THIS SUBTITLE.**

27 **10-1007.**

28 **THE AUTHORITY IS EXEMPT FROM STATE AND LOCAL TAXES.**

29 **10-1008.**

1 **(A) IN THIS SECTION, "FUND" MEANS THE MARYLAND RACING**
2 **OPERATIONS FUND.**

3 **(B) THERE IS A MARYLAND RACING OPERATIONS FUND.**

4 **(C) THE PURPOSE OF THE FUND IS TO ASSIST THE AUTHORITY IN**
5 **FINANCING THE ACQUISITION, CONSTRUCTION, REHABILITATION, OR OTHER**
6 **CAPITAL EXPENSES OR OPERATING EXPENSES FOR THOROUGHBRED RACETRACKS**
7 **IN THE STATE.**

8 **(D) THE AUTHORITY SHALL ADMINISTER THE FUND.**

9 **(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
10 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

11 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
12 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

13 **(F) THE FUND CONSISTS OF:**

14 **(1) MONEY DISTRIBUTED TO THE FUND FROM THE RACING AND**
15 **COMMUNITY DEVELOPMENT FINANCING FUND ESTABLISHED UNDER § 10-657.3 OF**
16 **THIS TITLE;**

17 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

18 **(3) INTEREST EARNINGS OF THE FUND; AND**

19 **(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
20 **THE BENEFIT OF THE FUND.**

21 **(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
22 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

23 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
24 **THE FUND.**

25 **(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
26 **WITH THE STATE BUDGET.**

27 **Article – State Finance and Procurement**

28 6-226.

1 (a) (2) (i) Notwithstanding any other provision of law, and unless
 2 inconsistent with a federal law, grant agreement, or other federal requirement or with the
 3 terms of a gift or settlement agreement, net interest on all State money allocated by the
 4 State Treasurer under this section to special funds or accounts, and otherwise entitled to
 5 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
 6 Fund of the State.

7 (ii) The provisions of subparagraph (i) of this paragraph do not apply
 8 to the following funds:

9 170. the Cannabis Public Health Fund; [and]

10 171. the Community Reinvestment and Repair Fund; AND

11 172. THE MARYLAND RACING OPERATIONS FUND.

12 11-203.

13 **(J) EXCEPT AS PROVIDED IN TITLE 12, SUBTITLE 4 AND TITLE 14,**
 14 **SUBTITLE 3 OF THIS ARTICLE, THIS DIVISION II DOES NOT APPLY TO THE**
 15 **MARYLAND THOROUGHBRED RACETRACK OPERATING AUTHORITY.**

16 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 17 as follows:

18 **Chapter 590 of the Acts of 2020**

19 SECTION 8. AND BE IT FURTHER ENACTED, That, in addition to the funds
 20 otherwise available for racing and community development project costs under this Act and
 21 notwithstanding the limitations under § 10-657.3 of the Economic Development Article, as
 22 enacted by Section 1 of this Act, [at least \$1,000,000 but not exceeding] \$1,500,000 of the
 23 funds transferred to the Racing and Community Development Facilities Fund established
 24 under § 10-657.3 of the Economic Development Article in accordance with § 9-1A-29(d)(2)
 25 of the State Government Article, as enacted by Section 1 of this Act, shall be transferred to
 26 the City of Bowie, PROVIDED THAT A JOINT USE AGREEMENT HAS BEEN EXECUTED
 27 BETWEEN THE CITY OF BOWIE AND BOWIE STATE UNIVERSITY IN ACCORDANCE
 28 WITH § 11-519 OF THE BUSINESS REGULATION ARTICLE, AS ENACTED BY SECTION
 29 1 OF THIS ACT, AND SHALL BE DISTRIBUTED AS FOLLOWS:

30 **(1) NOT MORE THAN \$100,000 FOR ENGINEERING DESIGN AND**
 31 **ENVIRONMENTAL ANALYSIS PRIOR TO THE ACQUISITION OF THE BOWIE RACE**
 32 **COURSE TRAINING CENTER PROPERTY; AND**

33 **(2) THE REMAINDER for remediation costs of the Bowie Race Course**
 34 **Training Center property[, provided that a joint use agreement has been executed between**

1 the City of Bowie and Bowie State University in accordance with § 11–519 of the Business
2 Regulation Article, as enacted by Section 1 of this Act].

3 **Chapter 344 of the Acts of 2022**

4 Section 1(3)

5 DA03

MARYLAND STADIUM AUTHORITY

6 (B)

[Pimlico Race Course Demolition. Provide funds for the
7 demolition of existing structures at the Pimlico Race Course
8 (Baltimore City)] **MARYLAND RACING OPERATIONS FUND.**
9 **PROVIDE FUNDS FOR THE ACQUISITION, CONSTRUCTION,**
10 **REHABILITATION, OR OTHER CAPITAL EXPENDITURES**
11 **FOR THOROUGHBRED RACETRACKS (STATEWIDE) 5,000,000**

12 SA25

DIVISION OF DEVELOPMENT FINANCE
13 **(Statewide)**

14 (B)

[Laurel Park – Backstretch Housing. Provide funds for the
15 acquisition, planning, design, construction, repair, renovation,
16 reconstruction, site improvement, and capital equipping of
17 backstretch housing facilities at Laurel Park (Anne Arundel
18 County)] **MARYLAND RACING OPERATIONS FUND.**
19 **PROVIDE FUNDS FOR THE ACQUISITION, CONSTRUCTION,**
20 **REHABILITATION, OR OTHER CAPITAL EXPENDITURES**
21 **FOR THOROUGHBRED RACETRACKS 10,000,000**

22 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1,
23 2023, the Maryland Thoroughbred Racetrack Operating Authority established under §
24 10–1002 of the Economic Development Article, as enacted by Section 2 of this Act, shall
25 report to the Senate Budget and Taxation Committee, the House Appropriations
26 Committee, and the House Ways and Means Committee, in accordance with § 2–1257 of
27 the State Government Article, on:

28 (1) the feasibility of establishing at least two alternative thoroughbred
29 training facilities in the State;

30 (2) a review of best practices for thoroughbred racing industry operating
31 models and recommendations for operating models in the State; and

32 (3) the progress of the Pimlico and Laurel Park racing facility
33 redevelopment plans under Chapter 590 of the Acts of the General Assembly of 2020.

34 SECTION ~~5~~ 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
35 take effect October 1, 2023.

1 SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in Section
2 5 of this Act, this Act shall take effect June 1, 2023. Section 2 of this Act shall remain
3 effective for a period of 4 years and 1 month and, at the end of June 30, 2027, Section 2 of
4 this Act, with no further action required by the General Assembly, shall be abrogated and
5 of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.