

## Chapter 496

**(House Bill 727)**

AN ACT concerning

**Horse Racing – ~~Intertrack~~ Satellite Simulcast Betting – Public Hearing Requirements**

FOR the purpose of requiring the State Racing Commission to hold certain public hearings at certain ~~track~~ locations; requiring the Commission to give notice of certain public hearings to certain individuals ~~and businesses~~ within a certain area in a certain manner; requiring the Commission to require an applicant for a certain permit to take certain actions; and generally relating to public hearings on ~~intertrack~~ satellite simulcast betting on horse racing.

BY repealing and reenacting, without amendments,  
 Article – Business Regulation  
 Section ~~11-811(a), (b), and (c)~~ 11-816(a) and 11-817(a)  
 Annotated Code of Maryland  
 (2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,  
 Article – Business Regulation  
 Section ~~11-811(d)~~ 11-819  
 Annotated Code of Maryland  
 (2015 Replacement Volume and 2015 Supplement)

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

**Article – Business Regulation**~~11-811.~~

~~(a) (1) In this section the following words have the meanings indicated:~~

~~(2) “Fair Hill” means the Cecil County Breeders’ Fair, Inc., or its successor.~~

~~(3) “State Fair Society” means the Maryland State Fair and Agricultural Society, Inc.~~

~~(b) This section applies only to intertrack betting in which:~~

~~(1) the sending track is equipped to transmit simulcast races and is:~~

~~(i) a mile thoroughbred track;~~

- ~~(ii) a harness track;~~
- ~~(iii) a track where racing is conducted by Fair Hill; or~~
- ~~(iv) a track where racing is conducted by the State Fair Society; and~~
- ~~(2) the receiving track is:~~
  - ~~(i) equipped to receive simulcast races and hold intertrack betting on those races; and~~
  - ~~(ii) one of the tracks specified in item (1) of this subsection.~~
- ~~(e) The Commission may authorize intertrack betting involving tracks of:~~
  - ~~(1) mile thoroughbred racing licensees;~~
  - ~~(2) harness racing licensees;~~
  - ~~(3) Fair Hill; or~~
  - ~~(4) the State Fair Society.~~
- ~~(d) (1) The Commission may authorize licensees, Fair Hill, or the State Fair Society to participate in intertrack betting by operating sending tracks and receiving tracks only if:~~
  - ~~[(1)] (I) the operators of the sending track and the receiving track submit a joint application to the Commission;~~
  - ~~[(2)] (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, the Commission holds a public hearing on the matter;~~
  - ~~[(3)] (III) the operator of the receiving track shows to the satisfaction of the Commission that the operator has held, is holding, or will hold regularly scheduled race meetings at the receiving track in accordance with a license and has complied with the terms of the license; and~~
  - ~~[(4)] (IV) the receiving track meets the requirements of subsection (e) of this section, unless the Commission has waived them, and subsection (f) of this section.~~
- ~~(2) THE COMMISSION SHALL:~~

~~(I) HOLD THE PUBLIC HEARING UNDER PARAGRAPH (1) OF THIS SUBSECTION AT THE LOCATION OF THE RECEIVING TRACK; AND~~

~~(II) GIVE AT LEAST 30 DAYS' NOTICE OF THE PUBLIC HEARING TO:~~

~~1. ALL RESIDENTS AND BUSINESSES WITHIN A 1 MILE RADIUS OF THE RECEIVING TRACK; AND~~

~~2. THE SENATORS, DELEGATES, AND COUNTY ELECTED OFFICIALS THAT REPRESENT THE AREA THAT IS WITHIN A 1 MILE RADIUS OF THE RECEIVING TRACK.~~

11-816.

(a) The Commission may approve satellite simulcast facilities that may conduct satellite simulcast betting.

11-817.

(a) A person must have a permit granted by the Commission whenever the person holds satellite simulcast betting.

11-819.

(A) The factors that the Commission shall consider in deciding whether to grant a permit shall include:

(1) the needs and convenience of the public;

(2) whether the satellite simulcast facility:

(i) would be expected to interfere unreasonably with attendance at tracks; and

(ii) meets the requirements of § 11-825(a) of this subtitle;

(3) the desires of the political subdivision where the proposed satellite simulcast facility is to be located;

(4) the interests of the racing industry; and

(5) other matters that the Commission finds appropriate.

(B) BEFORE GRANTING A PERMIT, THE COMMISSION SHALL:

**(1) HOLD A PUBLIC HEARING WITHIN 10 MILES OF THE PROPOSED SATELLITE SIMULCAST FACILITY;**

**(2) ADVERTISE THE DATE, TIME, AND LOCATION OF THE PUBLIC HEARING IN A LOCAL PUBLICATION AT LEAST 30 DAYS BEFORE THE PUBLIC HEARING;**

**(3) PROVIDE WRITTEN NOTICE OF THE DATE, TIME, AND LOCATION OF THE PUBLIC HEARING TO EACH OF THE SENATORS, DELEGATES, AND COUNTY-ELECTED OFFICIALS THAT REPRESENT THE JURISDICTION WITHIN WHICH THE PROPOSED SATELLITE SIMULCAST BETTING FACILITY IS TO BE LOCATED;**

**(4) POST NOTICE OF THE PUBLIC HEARING ON THE COMMISSION'S WEB SITE AT LEAST 30 DAYS BEFORE THE PUBLIC HEARING;**

**(5) REQUIRE THE APPLICANT, AT LEAST 30 DAYS BEFORE THE PUBLIC HEARING, TO POST A SIGN IN A CONSPICUOUS LOCATION AT THE FACILITY FOR WHICH THE APPLICATION FOR THE PERMIT WAS SUBMITTED STATING THAT AN APPLICATION IS PENDING FOR USE OF THE FACILITY FOR SATELLITE SIMULCAST BETTING AND SPECIFYING THE DATE, TIME, AND LOCATION OF THE PUBLIC HEARING; AND**

**(6) REQUEST FROM THE APPLICANT A LIST OF COMMUNITY ASSOCIATIONS THAT WERE NOTIFIED OF THE PUBLIC HEARING.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, May 10, 2016.