

Commission under certain circumstances; making this Act an emergency measure; and generally relating to horse racing and common mutuel pools.

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 11-809

Annotated Code of Maryland

(1992 Volume)

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

**Article - Business Regulation**

11-809.

(a) On a [simulcast of a] race that a licensee holds AND SIMULCASTS TO AN OUT-OF-STATE FACILITY OR ON A SIMULCAST OF A RACE THAT A LICENSEE RECEIVES, the licensee may, with the approval of the Commission, combine bets made at the licensee's track with bets of the same type made at THE out-of-state [facilities] FACILITY where betting is lawful.

(b) This section allows the creation of common mutuel pools for calculating odds and determining payouts.

(c) Bets made at AN out-of-state [facilities] FACILITY may not be considered part of the licensee's mutuel pools for any purpose other than the purpose stated in subsection (b) of this section.

(d) [The] FOR RACES THAT ARE HELD BY A LICENSEE IN THIS STATE AND SIMULCAST TO AN OUT-OF-STATE FACILITY, THE takeout on bets made in [the] THIS State that are [included] COMMINGLED in a common mutuel pool shall be [the same as the takeout applicable at the track that accepts the bets in the State] THE TAKEOUT AS PRESCRIBED FOR THE LICENSEE BY THIS TITLE.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE GOVERNING THE AMOUNT OF TAKEOUT, FOR A RACE THAT IS HELD BY AN OUT-OF-STATE FACILITY AND SIMULCAST TO A LICENSEE IN THIS STATE, THE TAKEOUT ON BETS MADE IN THIS STATE THAT ARE COMMINGLED IN A COMMON MUTUEL POOL SHALL BE, SUBJECT TO THE APPROVAL OF THE COMMISSION, AS AGREED BY THE LICENSEE AND THE OUT-OF-STATE FACILITY.

(F) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE GOVERNING THE ALLOCATION OF TAKEOUT, FOR A RACE THAT IS HELD BY AN OUT-OF-STATE FACILITY AND SIMULCAST TO A LICENSEE IN THIS STATE, THE ALLOCATION OF TAKEOUT ON BETS MADE IN THIS STATE THAT ARE COMMINGLED IN A COMMON MUTUEL POOL SHALL BE, SUBJECT TO THE APPROVAL OF THE COMMISSION, ALLOCATED IN THE FOLLOWING MANNER:

(1) TO THE STATE FOR TAXES ON THE HANDLE OF THE LICENSEE AS PROVIDED UNDER THIS TITLE;