

(II) ONE OF THE TRACKS SPECIFIED IN ITEM (1) OF THIS SUBSECTION.

(2) ~~This section does not apply to intertrack betting under § 11-810 of this subtitle.~~

[(b)](C) The Commission may authorize intertrack betting [between] INVOLVING tracks of:

- (1) mile thoroughbred racing [and] LICENSEES;
- (2) harness racing licensees; OR
- (3) THE STATE FAIR SOCIETY.

[(c)](D) The Commission may authorize licensees OR THE STATE FAIR SOCIETY to participate in intertrack betting BY OPERATING SENDING TRACKS AND RECEIVING TRACKS only if:

- (1) [the licensees that will operate] THE OPERATORS OF the sending track and the receiving track submit a joint application to the Commission;
- (2) the Commission holds a public hearing on the matter;
- (3) [the licensee that will operate] THE OPERATOR OF the receiving track shows to the satisfaction of the Commission that the [licensee] 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) the receiving track meets the requirements of subsection [(d)] (E) of this section, unless the Commission has waived them, and subsection [(e)] (F) of this section.

[(d)](E) (1) [Laurel Race Course] ~~A MILE THOROUGHBRED TRACK LAUREL RACE COURSE~~, A TRACK WHERE RACING IS CONDUCTED BY THE STATE FAIR SOCIETY, or Rosecroft Raceway may be a receiving track only if live racing was held there in the previous calendar year on at least 75% of the racing days available to it.

(2) Delmarva Downs may be a receiving track only if at least 65 days of live racing were held there in the previous calendar year.

(3) PIMLICO RACE COURSE MAY BE A RECEIVING TRACK ONLY IF AT LEAST 90 DAYS OF LIVE RACING WERE HELD THERE IN THE PREVIOUS CALENDAR YEAR.

(4) The Commission may waive a requirement of this subsection if the receiving track could not meet the requirement because of:

- (i) an act of God; or
- (ii) what the Commission finds to be an emergency.