

11-809.

(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;

(2) [to the applicable pension funds created by this title;

(3)] to the host racing association where live racing is conducted in an amount determined by the licensee and the out-of-state facility; and

[(4)](3) the remainder to the licensee, THE APPLICABLE PENSION FUNDS CREATED BY THIS TITLE, purse money, and the applicable bred fund in proportion to their respective shares of the takeout under this title.

Article - State Personnel and Pensions

8-108.

(c) (1) If a retiree receives a State disability retirement allowance or has 16 or more years of creditable service, the retiree or the retiree's surviving spouse or dependent child is entitled to the same State subsidy allowed a State employee.

(2) In all other cases, if a retiree has at least 5 years of creditable service, the retiree or the retiree's surviving spouse or dependent child is entitled to 1/16 of the State subsidy allowed a State employee for each year of the retiree's creditable service up to 16 years.

(3) NOTWITHSTANDING § 8-108(A)(4)(I) AND § 8-108(C)(2), IF A RETIREE IS AN ADDITIONAL EMPLOYEE OR AGENT OF THE STATE RACING COMMISSION, FOR THE PURPOSES OF DETERMINING A RETIREE'S STATE SUBSIDY, CREDITABLE SERVICE SHALL BE DETERMINED WITH RESPECT TO SERVICE AS AN ADDITIONAL EMPLOYEE OR AGENT BEGINNING FROM THE INITIAL DATE OF EMPLOYMENT OR JANUARY 1, 1986, WHICHEVER IS LATER.

23-201.

(a) Except as provided in subsection (b) of this section, §§ 23-202 through 23-205 of this subtitle apply only to:

(5) an additional employee or agent of the State Racing Commission authorized by § 11-207 of the Business Regulation Article [, subject to a determination of eligibility by the Board of Trustees under § 23-205 of this subtitle];

23-205.

[(a)] If eligibility of an individual for membership in the Employees' Pension System is unclear, the Board of Trustees shall determine whether the individual is a member without regard to the method of payment of the individual's compensation.