

5671

2009-2010 Regular Sessions

I N   S E N A T E

May 27, 2009

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Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering

AN ACT to amend the general municipal law, in relation to requiring a New York state legend on all bell jar tickets sold in New York State

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 1 of section 195-n of the general municipal  
2 law, as amended by chapter 637 of the laws of 1999, is amended to read  
3 as follows:  
4     1. Distribution; manufacturers. For business conducted in this state,  
5 manufacturers licensed by the board to sell bell jar tickets shall sell  
6 only such tickets to distributors licensed by the board, AND SHALL ONLY  
7 SELL SUCH TICKETS THAT HAVE BEEN APPROVED BY THE BOARD AND ARE IMPRINTED  
8 WITH AN APPROVED LEGEND PRESCRIBED BY THE BOARD IN A MANNER PRESCRIBED  
9 BY THE BOARD. BELL JAR TICKETS THAT ARE BANDED SINGLE-SIDED  
10 SINGLE-TABBED, DOUBLE-SIDED SINGLE-TABBED OR FOLDED BELL JAR TICKETS ARE  
11 EXCLUDED FROM THE APPROVED LEGEND REQUIREMENT. Manufacturers of bell jar  
12 tickets, seal cards, merchandise boards, and coin boards may submit  
13 samples, artists' renderings, or color photocopies of proposed bell jar  
14 tickets, seal cards, merchandise boards, coin boards, payout cards, and  
15 flares for review and approval by the board. Within thirty days of  
16 receipt of such sample or rendering, the board shall approve or deny  
17 such bell jar tickets. Following approval of a rendering of a bell jar  
18 ticket, seal card, merchandise board, or coin board by the board, the  
19 manufacturer shall submit to the board a sample of the printed bell jar  
20 ticket, seal card, merchandise board, coin board, payout card, and flare  
21 for such game. Such sample shall be submitted prior to the sale of the  
22 game to any licensed distributor for resale in this state. For coin  
23 boards and merchandise boards, nothing herein shall require the submit-  
24 tal of actual coins or merchandise as part of the approval process. Any

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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1 licensed manufacturer who [willfully] INTENTIONALLY violates the  
2 provisions of this section shall: (a) upon such first offense, have  
3 their license suspended for a period of thirty days; (b) upon such  
4 second offense, participate in a hearing to be conducted by the board,  
5 and surrender their license for such period as recommended by the board;  
6 and (c) upon such third or subsequent offense, have their license  
7 suspended for a period of one year and shall be guilty of a class E  
8 felony. Any unlicensed manufacturer who violates the provisions of this  
9 section shall be guilty of a class E felony.

10 S 2. Subdivision 1 of section 195-o of the general municipal law, as  
11 amended by chapter 637 of the laws of 1999, is amended to read as  
12 follows:

13 1. Distribution; distributors. Any distributor licensed in accordance  
14 with section one hundred eighty-nine-a of this article to distribute  
15 bell jar tickets shall purchase bell jar tickets only from licensed  
16 manufacturers and may manufacture coin boards and merchandise boards  
17 only as authorized in subdivision one-a of this section. LICENSED  
18 DISTRIBUTORS WHO PURCHASE BELL JAR TICKETS FOR RESALE IN NEW YORK STATE  
19 SHALL ONLY PURCHASE AND RESELL BELL JAR TICKETS IMPRINTED WITH AN  
20 APPROVED LEGEND PRESCRIBED BY THE BOARD IN A MANNER PRESCRIBED BY THE  
21 BOARD, OR BELL JAR TICKETS THAT HAVE BEEN APPROVED BY THE BOARD THAT ARE  
22 BANDED SINGLE-SIDED SINGLE-TABBED, DOUBLE-SIDED SINGLE-TABBED OR FOLDED  
23 BELL JAR TICKETS. Licensed distributors of bell jar tickets shall sell  
24 such tickets only to not-for-profit, charitable or religious organiza-  
25 tions registered by the board. Any licensed distributor who [willfully]  
26 INTENTIONALLY violates the provisions of this section shall: (a) upon  
27 such first offense, have their license suspended for a period of thirty  
28 days; (b) upon such second offense, participate in a hearing to be  
29 conducted by the board, and surrender their license for such period as  
30 recommended by the board; and (c) upon such third or subsequent offense,  
31 have their license suspended for a period of one year and shall be guilty  
32 of a class E felony. Any unlicensed distributor who violates this  
33 section shall be guilty of a class E felony.

34 S 3. This act shall take effect on the first of January next succeed-  
35 ing the year in which it shall have become a law, provided, however,  
36 that any rules and regulations necessary for the timely implementation  
37 of this act shall be promulgated on or before such effective date.