

3949--B

Cal. No. 326

2011-2012 Regular Sessions

I N   S E N A T E

March 10, 2011

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Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to certain payments to the horsemen's organization; and to amend chapter 473 of the laws of 2010 amending the racing, pari-mutuel wagering and breeding law relating to the New York state thoroughbred breeding and development fund, in relation to the effectiveness thereof

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

1     Section 1. Section 2 of chapter 473 of the laws of 2010 amending the  
2 racing, pari-mutuel wagering and breeding law relating to the New York  
3 state thoroughbred breeding and development fund, is amended to read as  
4 follows:  
5     S 2. This act shall take effect immediately, provided, however that  
6 this act shall expire and be deemed repealed [upon] ONE YEAR AFTER the  
7 commencement of the operation of a video lottery facility at Aqueduct  
8 racetrack; provided that the chair of the New York state thoroughbred  
9 breeding and development fund shall notify the legislative bill drafting  
10 commission upon the occurrence of the commencement of the operation of a  
11 video lottery facility at Aqueduct racetrack in order that the commis-  
12 sion may maintain an accurate and timely effective data base of the  
13 official text of the laws of the state of New York in furtherance of  
14 effectuating the provisions of section 44 of the legislative law and  
15 section 70-b of the public officers law; provided further, that effec-  
16 tive immediately the addition, amendment and/or repeal of any rules or

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

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1 regulations necessary for the implementation of this act on its effec-  
2 tive date are authorized and directed to be made and completed on or  
3 before such date.

4 S 2. The opening paragraph of subdivision 2 of section 228 of the  
5 racing, pari-mutuel wagering and breeding law, as amended by chapter 259  
6 of the laws of 2010, is amended to read as follows:

7 The state racing and wagering board shall, as a condition of racing,  
8 require any franchised corporation and every other corporation subject  
9 to its jurisdiction to withhold one percent of all purses, except that  
10 for the franchised corporation, starting on September first, two thou-  
11 sand seven and continuing through August thirty-first, two thousand  
12 [eleven] TWELVE, two percent of all purses shall be withheld, and, in  
13 the case of the franchised corporation, to pay such sum to the  
14 horsemen's organization or its successor that was first entitled to  
15 receive payments pursuant to this section in accordance with rules of  
16 the board adopted effective November third, nineteen hundred eighty-  
17 three representing at least fifty-one percent of the owners and trainers  
18 utilizing the facilities of such franchised corporation, on the condi-  
19 tion that such horsemen's organization shall expend as much as is neces-  
20 sary, but not to exceed one-half of one percent of such total sum, to  
21 acquire and maintain the equipment required to establish a program at a  
22 state college within this state with an approved equine science program  
23 to test for the presence of steroids in horses, provided further that  
24 the qualified organization shall also, in an amount to be determined by  
25 its board of directors, annually include in its expenditures for benevo-  
26 lence programs, funds to support an organization providing services  
27 necessary to backstretch employees, and, in the case of every other  
28 corporation, to pay such one percent sum of purses to the horsemen's  
29 organization or its successor that was first entitled to receive  
30 payments pursuant to this section in accordance with rules of the board  
31 adopted effective May twenty-third, nineteen hundred eighty-six repres-  
32 enting at least fifty-one percent of the owners and trainers utilizing  
33 the facilities of such corporation.

34 S 3. This act shall take effect immediately.