

3334

2011-2012 Regular Sessions

I N   S E N A T E

February 17, 2011

---

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

AN ACT to amend the racing, pari-mutuel wagering and breeding law and the state finance law, in relation to the New York city off-track betting corporation and establishing the New York city off-track betting corporation fund; and to repeal certain provisions of the racing, pari-mutuel wagering and breeding law relating thereto

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

1     Section 1. Subdivision 9 of section 602 of the racing, pari-mutuel  
2     wagering and breeding law, as amended by chapter 115 of the laws of  
3     2008, is amended and a new subdivision 15 is added to read as follows:  
4     9. "Cost of corporation's functions." All costs and expenses incurred  
5     by the corporation in connection with the performance of the functions  
6     of the corporation, including, but not limited to, operating expenses of  
7     the corporation, the cost of acquiring, constructing or equipping branch  
8     offices and other facilities and premises of the corporation, [and  
9     interest and principal on bonds,] notes or other obligations of the  
10    corporation issued to finance the acquisition, construction or equipment  
11    of such offices, facilities or premises.  
12    15. "VENDOR OPERATOR." THE VENDOR OPERATOR SHALL BE SELECTED PURSUANT  
13    TO THE PROVISIONS SET FORTH IN SECTION SIX HUNDRED TWENTY-FIVE OF THIS  
14    ARTICLE AND SHALL BE RESPONSIBLE FOR THE ADMINISTRATION AND OPERATION OF  
15    THE CORPORATION.  
16    S 2. Section 603 of the racing, pari-mutuel wagering and breeding law,  
17    as amended by chapter 115 of the laws of 2008, is amended to read as  
18    follows:  
19    S 603. New York city off-track betting corporation. 1. A corporation  
20    to be known as the "New York city off-track betting corporation" is  
21    hereby created. Such corporation shall be a body corporate and politic

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

LBD08961-03-1

1 constituting a public benefit corporation. It shall be [administered]  
2 OVERSEEN by a board of directors consisting of five members, who may be  
3 public officers, appointed by the governor for fixed terms as hereinaft-  
4 er provided, one of whom shall be appointed on the recommendation of the  
5 temporary president of the senate, and one of whom shall be appointed on  
6 the recommendation of the speaker of the assembly.

7 2. THE TERMS OF ALL DIRECTORS SERVING A TERM THAT ENCOMPASSED JANUARY  
8 TWENTY-FIFTH, TWO THOUSAND ELEVEN, SHALL BE DEEMED TO HAVE EXPIRED AND  
9 NEW DIRECTORS SHALL BE APPOINTED. Of the directors, one shall be  
10 appointed for a term ending on December thirty-first, two thousand  
11 [nine] ELEVEN, one for a term ending on December thirty-first, two thou-  
12 sand [ten] TWELVE, one for a term ending on December thirty-first, two  
13 thousand [twelve] THIRTEEN, and the two directors appointed on the  
14 recommendation of the temporary president of the senate and the speaker  
15 of the assembly, for a term ending December thirty-first, two thousand  
16 fourteen. Upon the expiration of such terms, the terms of office of  
17 their successors shall be six years. Vacancies occurring otherwise than  
18 by expiration of term shall be filled for the unexpired term.

19 3. The governor shall designate one of the directors to be chairman of  
20 the board of directors and may at his pleasure, change his designation  
21 of any such director to be chairman.

22 4. Each director shall continue to serve until the appointment and  
23 qualification of his successor.

24 5. The directors shall be removable for cause by the governor, upon  
25 charges and after a hearing.

26 6. The [powers] OVERSIGHT of the corporation shall be vested in and  
27 exercised by the board at a meeting duly held at a time fixed by any  
28 by-law adopted by the board, or at any duly adjourned meeting of such  
29 meeting or at any meeting held upon reasonable notice to all of the  
30 directors, or upon written waiver thereof, and a majority of the whole  
31 number of directors shall constitute a quorum[; provided that neither  
32 the business nor the powers of the corporation shall be transacted or  
33 exercised except pursuant to the favorable vote of at least a majority  
34 of the directors present at a meeting at which a quorum is in attend-  
35 ance].

36 7. The board may delegate to one or more of the directors, officers,  
37 agents or employees of the corporation such powers and duties as it may  
38 deem proper.

39 8. The directors shall be reimbursed for their actual and necessary  
40 expenses incurred in the performance of their official duties.

41 9. The directors may engage in outside employment or in a profession  
42 or business EXCEPT AS AN EXECUTIVE OR LEGISLATIVE EMPLOYEE OR unless  
43 otherwise prohibited from doing so by virtue of holding another public  
44 office subject to the provisions of section seventy-three of the public  
45 officers law.

46 10. The board shall hold an annual meeting.

47 11. The fiscal year of the corporation shall be the same as [that of  
48 the city, provided, however, that the corporation shall have a nine  
49 month fiscal year from July first, two thousand eight through March  
50 thirty-first, two thousand nine, and then the fiscal year of the corpo-  
51 ration shall be the same as] the state.

52 12. THE CORPORATION WILL BE ADMINISTERED BY THE VENDOR OPERATOR AND  
53 THE POWERS OF THE CORPORATION SHALL BE VESTED IN THE VENDOR OPERATOR.

54 S 3. Section 617 of the racing, pari-mutuel wagering and breeding law  
55 is amended to read as follows:

1 S 617. Exemption from taxation. [1.] The moneys and property of the  
2 corporation and any property under its jurisdiction, control or super-  
3 vision, and all of its activities and operations shall be exempt from  
4 taxation.

5 [2. The state covenants with the purchasers of and with all subsequent  
6 holders and transferees of bonds and notes issued by the corporation  
7 pursuant to this article, in consideration of the acceptance of and  
8 payment for the said bonds and notes, that the said bonds and notes and  
9 the income therefrom, and all moneys, funds and revenue pledged to pay  
10 or secure the payment of such bonds and notes shall at all time be free  
11 from taxation, except for estate and gift taxes and taxes on transfers.]

12 S 4. The opening paragraph of section 621 of the racing, pari-mutuel  
13 wagering and breeding law, as amended by chapter 115 of the laws of  
14 2008, is amended to read as follows:

15 Within one hundred twenty days after the end of the fiscal year of the  
16 corporation, the [directors thereof] VENDOR OPERATOR shall submit to the  
17 governor, the legislature, the racing and wagering board and the state  
18 comptroller a complete and detailed report setting forth:

19 S 5. The racing, pari-mutuel wagering and breeding law is amended by  
20 adding a new section 625 to read as follows:

21 S 625. SELECTION OF VENDOR OPERATOR. 1. THE NEW YORK STATE RACING AND  
22 WAGERING BOARD SHALL SUBMIT, WITHIN THIRTY DAYS AFTER THESE PROVISIONS  
23 BECOME LAW, A REQUEST FOR PROPOSALS FROM QUALIFYING ENTITIES AS  
24 DESCRIBED HEREIN FOR THE PURPOSE OF THE ADMINISTRATION OF THE CORPO-  
25 RATION. THE ENTITY CHOSEN TO ADMINISTER THE CORPORATION SHALL ENTER INTO  
26 A CONTRACT WITH THE STATE FOR A TERM OF TEN YEARS, WHICH MAY BE RENEWED  
27 SUBJECT TO THE APPROVAL OF THE STATE RACING AND WAGERING BOARD AND THE  
28 APPROVAL OF THE NEW YORK CITY OFF-TRACK BETTING BOARD OF DIRECTORS.

29 2. ELIGIBLE ENTITIES SHALL CONSIST OF INDIVIDUALS, PARTNERSHIPS OR  
30 CORPORATIONS WHICH ARE REQUIRED AS PART OF THEIR PROPOSAL TO SUBMIT AT  
31 LEAST ONE BUSINESS PLAN FOR THE RE-ESTABLISHMENT AND CONTINUATION OF A  
32 PROFITABLE CORPORATION. IN AWARDED THE CONTRACT, THE STATE RACING AND  
33 WAGERING BOARD MUST CONSIDER THE FOLLOWING CRITERIA WITH RESPECT TO EACH  
34 APPLICANT: ITS EXPERIENCE IN MANAGING SUCCESSFUL BUSINESS ENTERPRISES,  
35 ITS EXPERIENCE IN THE RACING INDUSTRY, ITS EXPERIENCE IN THE PARI-MUTUEL  
36 AND/OR OFF-TRACK BETTING INDUSTRIES, ITS EXPERIENCE IN THE ENTERTAINMENT  
37 INDUSTRY, THE FEASIBILITY OF ITS PROPOSED BUSINESS PLAN OR PLANS, AND  
38 ITS COMMITMENT TO USE ITS BEST EFFORTS TO SUPPORT THE VIABILITY OF OFF-  
39 TRACK BETTING IN THE CITY OF NEW YORK AS WELL AS THE RACING INDUSTRY  
40 THROUGHOUT THE STATE.

41 3. ALL BUSINESS PLANS SUBMITTED BY AN ENTITY MUST INCLUDE PROVISIONS  
42 FOR PRIORITY FOR CONSIDERATION FOR EMPLOYMENT BY ANY FORMER EMPLOYEE OF  
43 THE CORPORATION WHOSE EMPLOYMENT TERMINATED OTHER THAN FOR CAUSE, BY  
44 RETIREMENT, OR WITH A SEVERANCE AWARD. SUCH PLANS MUST ALSO PROVIDE FOR  
45 REPRESENTATION OF OFF-TRACK BETTING BRANCH OFFICES, OR AN EQUIVALENT, IN  
46 ALL OF THE BOROUGHES OF THE CITY OF NEW YORK, WITH PREFERENCE GIVEN FOR  
47 BUSINESS PLANS THAT HAVE AT LEAST THREE FACILITIES IN EACH BOROUGH AND  
48 THAT MAINTAIN THE SAME RATIO OF ACCESS TO OFF-TRACK BETTING FACILITIES  
49 AS WAS PREVIOUSLY PROVIDED BY THE CORPORATION PRIOR TO DECEMBER FIRST,  
50 TWO THOUSAND TEN.

51 4. THE STATE RACING AND WAGERING BOARD SHALL MAKE PUBLIC ITS PRELIMI-  
52 NARY SELECTION OF THE VENDOR OPERATOR NO LATER THAN THREE MONTHS AFTER  
53 THE SUBMISSION OF THE REQUEST FOR PROPOSALS, AND ALLOW FOR TWO WEEKS FOR  
54 PUBLIC COMMENT. THE FINAL SELECTION AND THE CONTRACT BETWEEN THE VENDOR  
55 AND THE STATE MUST BE FINALIZED WITHIN THIRTY DAYS OF THE PRELIMINARY

1 SELECTION, BUT NO SOONER THAN THE END OF THE TWO WEEK PUBLIC COMMENT  
2 PERIOD.

3 5. THE SELECTION OF VENDOR MAY BE REVOKED AND CANCELLED BY THE STATE  
4 RACING AND WAGERING BOARD FOR A MATERIAL BREACH OF CONTRACT OR FOR A  
5 VIOLATION OF THE RULES OF THE STATE RACING AND WAGERING BOARD OR IF SUCH  
6 VENDOR OR ITS OFFICERS OR DIRECTORS SHALL KNOWINGLY VIOLATE THE  
7 PROVISIONS OF THIS CHAPTER OR OF THE PENAL LAW. THE ACTION OF THE STATE  
8 RACING AND WAGERING BOARD IN REVOKING THE SELECTION SHALL BE REVIEWABLE  
9 IN THE SUPREME COURT IN THE MANNER PROVIDED BY AND SUBJECT TO THE  
10 PROVISIONS OF ARTICLE SEVENTY-EIGHT OF THE CIVIL PRACTICE LAW AND RULES.

11 6. FOR CONTRACTS IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS, ENTERED  
12 INTO BY THE VENDOR FOR THE PROCUREMENT OF GOODS OR SERVICES, THE BOARD  
13 MAY REVIEW THE CHARACTER AND FITNESS OF THE ENTITY OR ITS PRINCIPALS  
14 ENTERING INTO CONTRACTS WITH THE VENDOR.

15 S 6. Clause (E) of subparagraph 5 and clause (F) of subparagraph 6 of  
16 paragraph b of subdivision 1 of section 1016 of the racing, pari-mutuel  
17 wagering and breeding law, as amended by chapter 18 of the laws of 2008,  
18 are amended to read as follows:

19 (E) On days when a franchised corporation is not conducting a race  
20 meeting and when a licensed harness track is neither accepting wagers  
21 nor displaying the signal from an in-state thoroughbred corporation or  
22 association or an out-of-state thoroughbred track:

23 (i) Such licensed regional harness track shall receive in lieu of any  
24 other payments on wagers placed at off-track betting facilities outside  
25 the special betting district on races conducted by an in-state thorough-  
26 bred racing corporation, [two and eight-tenths] ONE AND FOUR-TENTHS  
27 percent on regular and multiple bets during a regional meeting and [one  
28 and nine-tenths] NINETY-FIVE HUNDREDTHS percent of such bets if there is  
29 no regional meeting and [four and eight-tenths] TWO AND FOUR-TENTHS  
30 percent on exotic bets on days on which there is a regional meeting and  
31 [three and four-tenths] ONE AND SEVEN-TENTHS percent of such bets if  
32 there is no regional meeting.

33 (ii) Such licensed regional harness track shall receive [one and one-  
34 half] SEVENTY-FIVE HUNDREDTHS per centum on total regional handle on  
35 races conducted at out-of-state or out-of-country thoroughbred tracks.

36 (iii) In those regions in which there is more than one licensed  
37 regional harness track, if no track is accepting wagers or displaying  
38 the live simulcast signal from the out-of-state track, the total sum  
39 shall be divided among the tracks in proportion to the ratio the wagers  
40 placed on races conducted by each track bears to the corporation's total  
41 in-region harness handle. If one or more tracks are accepting wagers or  
42 displaying the live simulcast signal, the total amount shall be divided  
43 among those tracks not accepting wagers or displaying the simulcast  
44 signal for an out-of-state track or in-state thoroughbred corporation or  
45 association.

46 (F) Of the sums retained by a licensed harness facility, [fifty] ONE  
47 HUNDRED percent shall be used exclusively for purses awarded in races  
48 conducted by such licensed facility [and the remaining fifty percent  
49 shall be retained by such licensed facility for its general purposes,  
50 provided, however, that in a harness special betting district the  
51 portion of the sums retained by a licensed harness facility to be used  
52 for purses or the methodology for calculating the amount to be used for  
53 purses may be specified in a written contract between a harness racing  
54 association or corporation and its representative horsemen's associ-  
55 ation].

1 S 7. Section 1017 of the racing, pari-mutuel wagering and breeding  
2 law, as amended by chapter 18 of the laws of 2008, is amended to read as  
3 follows:

4 S 1017. Out-of-state or out-of-country races. 1. Licensed simulcast  
5 facilities may accept wagers and display the signal of out-of-state or  
6 out-of-country thoroughbred tracks after 7Labor P.M. in accordance with  
7 the provisions of this section. Such simulcasting may include mixed  
8 meetings if such meetings are integral to such racing programs and all  
9 such wagering on such races shall be construed to be thoroughbred races.  
10 For facilities located within the special betting district, such  
11 approval shall also be required from a thoroughbred racing corporation  
12 during the period a racing program is being conducted at such track.  
13 Such approval shall not be required on any day such thoroughbred racing  
14 corporation is also accepting an out-of-state or out-of-country signal  
15 and wager, as authorized by this section. The provisions of section one  
16 thousand sixteen of this article shall be applicable to the conduct of  
17 such simulcasting and the provisions of clauses (A) and (B) of subpara-  
18 graph four of paragraph b of subdivision one of section one thousand  
19 sixteen of this article shall apply to those facilities licensed in  
20 accordance with sections one thousand eight and one thousand nine of  
21 this article and the provisions of clauses (A) and (B) of subparagraph  
22 six of paragraph b of subdivision one of section one thousand sixteen of  
23 this article shall apply to those facilities licensed in accordance with  
24 section one thousand seven of this article, when such provisions are in  
25 full force and effect pursuant to such section. Provided, however, the  
26 provisions of section one thousand fourteen of this article shall be  
27 applicable to the conduct of such simulcasting, when such provisions are  
28 in full force and effect pursuant to such section.

29 2. a. Maintenance of effort. Any off-track betting corporation which  
30 engages in accepting wagers on the simulcasts of thoroughbred races from  
31 out-of-state or out-of-country as permitted under subdivision one of  
32 this section shall submit to the board, for its approval, a schedule of  
33 payments to be made in any year or portion thereof, that such off-track  
34 corporation engages in nighttime thoroughbred simulcasting. In order to  
35 be approved by the board, the payment schedule shall be identical to the  
36 actual payments and distributions of such payments to [tracks and] purs-  
37 es made by such off-track corporation pursuant to the provisions of  
38 section one thousand fifteen of this article during the year two thou-  
39 sand two, as derived from out-of-state harness races displayed after  
40 6:00 P.M. If approved by the board, such scheduled payments shall be  
41 made from revenues derived from any simulcasting conducted pursuant to  
42 this section and section one thousand fifteen of this article.

43 b. Additional payments. During each calendar year, to the extent, and  
44 at such time in the event, that aggregate statewide wagering handle  
45 after 7Labor P.M. on out-of-state and out-of-country thoroughbred races  
46 exceeds one hundred million dollars, each off-track betting corporation  
47 conducting such simulcasting shall pay to its regional harness track or  
48 tracks, an amount equal to [two] ONE percent of its proportionate share  
49 of such excess handle. In any region where there are two or more  
50 regional harness tracks, such two percent shall be divided between or  
51 among the tracks in a proportion equal to the proportion of handle on  
52 live harness races conducted at such tracks during the preceding calen-  
53 dar year. [Fifty percent of the] THE sum received by each track pursuant  
54 to this paragraph shall be used exclusively for increasing purses,  
55 stakes and prizes at that regional harness track.

1 S 8. Subdivision 2 of section 529 of the racing, pari-mutuel wagering  
2 and breeding law is amended to read as follows:

3 2. [Ninety-five percent of the balance of such account remaining  
4 unclaimed as of the last day of February of such year shall be paid to  
5 the state tax commission by March fifteenth. On or before April tenth of  
6 each year the balance of such account and any other unclaimed amounts  
7 received in the course of conducting off-track betting shall be paid by  
8 such corporation to the state tax commission. A penalty of five percent  
9 and interest at the rate of one percent per month from the due date to  
10 the date of payment of the unclaimed balance due March fifteenth or  
11 April tenth, as the case may be, shall be payable in case such balance  
12 is not paid when due. Such amounts, interest and penalties when  
13 collected by the state tax commission shall be deposited into the gener-  
14 al fund of the state treasury] ON APRIL FIRST OF EACH YEAR, THE AMOUNT  
15 OF TICKETS REMAINING UNCLAIMED FROM THE PRIOR YEAR MAY BE USED FOR  
16 CORPORATE PURPOSES.

17 S 9. Subdivision 7 of section 532 of the racing, pari-mutuel wagering  
18 and breeding law, as added by chapter 115 of the laws of 2008, is  
19 amended to read as follows:

20 7. Notwithstanding any other provision of this section, any payments  
21 otherwise payable to a city with a population of one million or more,  
22 pursuant to this section, [other than payments pursuant to subparagraphs  
23 (i) and (iii) of paragraph b of subdivision three of this section, shall  
24 be payable to the corporation and shall be available for its corporate  
25 purposes] SHALL PAY REMAINING AMOUNTS TO THE COMPTROLLER OF THE STATE OF  
26 NEW YORK FOR DEPOSIT IN THE NEW YORK CITY OFF-TRACK BETTING CORPORATION  
27 FUND.

28 S 10. Subdivision 2 of section 610 of the racing, pari-mutuel wagering  
29 and breeding law, as amended by chapter 115 of the laws of 2008, is  
30 amended to read as follows:

31 2. All moneys due the city pursuant to article five-A of this chapter  
32 shall be paid to the New York city [comptroller] OFF-TRACK BETTING  
33 CORPORATION FUND.

34 S 11. Subdivision 6 of section 527 of the racing, pari-mutuel wagering  
35 and breeding law, as amended by chapter 115 of the laws of 2008, is  
36 amended to read as follows:

37 6. The net amount remaining to each regional corporation after payment  
38 of taxes and distributions pursuant to this section and after payment of  
39 operating expenses and principal and interest on any obligations shall,  
40 in the case of the New York city off-track betting corporation, be  
41 retained by the corporation, and in the case of other regional corpo-  
42 rations shall accrue and be payable to participating counties pursuant  
43 to section five hundred sixteen of this chapter; provided, however, that  
44 the New York city off-track betting corporation, after payment of all  
45 current taxes and distributions shall use such net amount to pay all  
46 liabilities of such corporation as of [the effective date of the chapter  
47 of the laws of] JUNE SEVENTEENTH, two thousand eight [which amended this  
48 subdivision], and at such time as all liabilities have been paid such  
49 corporation shall pay remaining amounts to the comptroller of the state  
50 of New York for deposit in the [general fund of the state] NEW YORK CITY  
51 OFF-TRACK BETTING CORPORATION FUND.

52 S 12. The racing, pari-mutuel wagering and breeding law is amended by  
53 adding a new section 626 to read as follows:

54 S 626. VENDOR OPERATOR FEE. AS CONSIDERATION FOR THE OPERATION OF THE  
55 CORPORATION, THE COMPTROLLER SHALL PAY A VENDOR FEE IN EXCHANGE FOR THE  
56 DAILY OPERATIONS AND CAPITALIZATION OF A NEW YORK CITY OFF-TRACK BETTING

1 OPERATION TO BE PAID AS FOLLOWS: IF THE ANNUAL DEPOSIT INTO THE NEW  
2 YORK CITY OFF-TRACK BETTING CORPORATION FUND IS LESS THAN TWO AND  
3 ONE-HALF MILLION DOLLARS, THE VENDOR OPERATOR SHALL RECEIVE ONE HUNDRED  
4 PERCENT OF THE ANNUAL DEPOSITS; IF THE ANNUAL DEPOSIT INTO THE NEW YORK  
5 CITY OFF-TRACK BETTING CORPORATION FUND IS LESS THAN OR EQUAL TO TEN  
6 MILLION DOLLARS, THE VENDOR OPERATOR SHALL BE PAID TWO AND ONE-HALF  
7 MILLION DOLLARS AND THE REMAINING FUNDS SHALL BE DEPOSITED TO THE STATE  
8 GENERAL FUND; IF THE ANNUAL DEPOSIT IS MORE THAN TEN MILLION DOLLARS,  
9 THE VENDOR OPERATOR SHALL BE PAID TWENTY-FIVE PERCENT OF THE TOTAL ANNU-  
10 AL DEPOSITS AND THE REMAINING FUNDS SHALL BE DEPOSITED TO THE STATE  
11 GENERAL FUND.

12 S 13. The state finance law is amended by adding a new section 97-kkkk  
13 to read as follows:

14 S 97-KKKK. NEW YORK CITY OFF-TRACK BETTING CORPORATION FUND. 1. THERE  
15 IS HEREBY ESTABLISHED IN THE CUSTODY OF THE COMPTROLLER, A SPECIAL FUND  
16 TO BE KNOWN AS THE "NEW YORK CITY OFF-TRACK BETTING CORPORATION FUND".

17 2. SUCH FUND SHALL CONSIST OF ALL MONIES RECEIVED BY THE STATE PURSU-  
18 ANT TO SUBDIVISION SIX OF SECTION FIVE HUNDRED TWENTY-SEVEN AND SUBDIVI-  
19 SION SEVEN OF SECTION FIVE HUNDRED THIRTY-TWO OF THE RACING, PARI-MUTUEL  
20 WAGERING AND BREEDING LAW. ANY INTEREST EARNED BY THE INVESTMENT OF  
21 MONEYS IN SUCH FUND SHALL BE ADDED TO SUCH FUND, BECOME A PART OF SUCH  
22 FUND, AND BE USED FOR THE PURPOSE OF SUCH FUND.

23 3. MONEYS OF THE NEW YORK CITY OFF-TRACK BETTING CORPORATION FUND  
24 SHALL BE MADE AVAILABLE TO THE COMPTROLLER FOR THE PURPOSE OF PAYING THE  
25 NEW YORK CITY OFF-TRACK BETTING VENDOR OPERATOR FEE DISTRIBUTED ACCORD-  
26 ING TO SECTION SIX HUNDRED TWENTY-SIX OF THE RACING, PARI-MUTUEL WAGER-  
27 ING AND BREEDING LAW; ALL REMAINING MONEY SHALL BE DISBURSED INTO THE  
28 STATE GENERAL FUND.

29 S 14. The racing, pari-mutuel wagering and breeding law is amended by  
30 adding a new section 113 to read as follows:

31 S 113. TELEPHONE AND INTERNET WAGERING. THE STATE RACING AND WAGERING  
32 BOARD SHALL DETERMINE WHETHER ELIMINATING OR REGULATING THE AUTHORITY OF  
33 OUT-OF-STATE ENTITIES TO ACCEPT TELEPHONE AND/OR INTERNET WAGERING FROM  
34 NEW YORK STATE RESIDENTS PLACED WHILE IN NEW YORK STATE, WOULD BE  
35 CONSISTENT WITH THE OBJECTIVES OF OFF-TRACK PARI-MUTUEL BETTING AS  
36 DEFINED IN SECTION FIVE HUNDRED EIGHTEEN OF THIS CHAPTER, AND IF SO  
37 DETERMINED, THE STATE RACING AND WAGERING BOARD SHALL ESTABLISH SUCH  
38 GENERAL REGULATIONS TO ELIMINATE OR REGULATE THE PRACTICE OF  
39 OUT-OF-STATE ENTITIES OF ACCEPTING SUCH WAGERS.

40 S 15. Subdivision 4 of section 606 of the racing, pari-mutuel wagering  
41 and breeding law, as amended by chapter 115 of the laws of 2008, is  
42 amended to read as follows:

43 4. All [employees and officers] PRESENT AND FUTURE RETIREES of the  
44 corporation in classes or positions whose incumbents, in equivalent  
45 classes or positions of the city, are eligible, as of the effective date  
46 hereof, to participate in, and receive benefits from any city authorized  
47 health insurance or welfare benefit program, shall be eligible to  
48 participate in, and receive benefits from any such health insurance or  
49 welfare benefit program; provided, however, that the [corporation] STATE  
50 shall reimburse the city or its designee for the actual cost of benefits  
51 under this subdivision.

52 S 16. Subdivisions 4 and 5 of section 610 of the racing, pari-mutuel  
53 wagering and breeding law are REPEALED.

54 S 17. Section 611 of the racing, pari-mutuel wagering and breeding law  
55 is REPEALED.

1       S 18. Section 612 of the racing, pari-mutuel wagering and breeding law  
2 is REPEALED.  
3       S 19. Section 613 of the racing, pari-mutuel wagering and breeding law  
4 is REPEALED.  
5       S 20. Section 614 of the racing, pari-mutuel wagering and breeding law  
6 is REPEALED.  
7       S 21. Section 616 of the racing, pari-mutuel wagering and breeding law  
8 is REPEALED.  
9       S 22. Section 620 of the racing, pari-mutuel wagering and breeding law  
10 is REPEALED.  
11       S 23. This act shall take effect immediately.