

3682

2013-2014 Regular Sessions

I N S E N A T E

February 11, 2013

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

AN ACT to amend the tax law, in relation to authorizing advertising during quick draw

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

- 1 Section 1. Section 1604 of the tax law is amended by adding three new
2 subdivisions d, e and f to read as follows:
3 D. THE DIVISION MAY CONTRACT WITH ONE OR MORE PERSONS TO ALLOW THE
4 PLACEMENT OF ADVERTISING OR PROMOTIONAL MATERIAL ON AVAILABLE MEDIA
5 RELATED TO ANY ONLINE LOTTERY GAME OR TO SPONSOR INDIVIDUAL DRAWS IN ANY
6 ONLINE LOTTERY GAME. IF THE DIVISION ENTERS INTO A CONTRACT UNDER THIS
7 SUBDIVISION, THE DIVISION SHALL ALLOW AT LEAST ONE MINUTE BETWEEN DRAWS
8 OF ONLINE LOTTERY GAMES DURING WHICH ONE OR MORE ADVERTISEMENTS MAY BE
9 EXHIBITED.
10 E. A CONTRACT ENTERED INTO UNDER SUBDIVISION D OF THIS SECTION SHALL
11 PROVIDE THAT ANY ADVERTISEMENTS EXHIBITED BETWEEN DRAWS OF ONLINE
12 LOTTERY GAMES SHALL COMPLY WITH CONTENT REGULATIONS FOR TELEVISED BROADCAST ADOPTED BY THE FEDERAL COMMUNICATIONS COMMISSION, WITH THE EXCEPTION THAT THE ADVERTISING UNDER SUBDIVISION D OF THIS SECTION MAY
13 INCLUDE ADVERTISEMENTS FOR ALCOHOLIC BEVERAGES WITH RESTRICTIONS IMPOSED
14 ONLY BY THE DIVISION.
15 F. THE DIVISION SHALL SOLICIT BIDS FROM RESPONSIBLE PERSONS FOR ADVERTISING OR PROMOTIONAL CONTRACTS UNDER SUBDIVISION D OF THIS SECTION. THE
16 DIVISION SHALL SELECT FROM AMONG THE BIDS RECEIVED SO AS TO PRODUCE THE
17 MAXIMUM AMOUNT OF NET REVENUE FOR THE STATE CONSISTENT WITH THE GENERAL
18 WELFARE OF THE CITIZENS OF THE STATE. IN DECIDING WHETHER TO ENTER INTO
19 A CONTRACT UNDER SUBDIVISION D OF THIS SECTION, THE DIVISION SHALL
20 CONSIDER WHETHER THE TERMS OF THE CONTRACT ARE COMPARABLE TO THE TERMS
21 OF SIMILAR ADVERTISING OR PROMOTIONAL CONTRACTS RELATING TO LOTTERY OR
22 OTHER GAMING IN OTHER STATES.
23 S 2. This act shall take effect immediately.

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

LBD08675-01-3