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I N   A S S E M B L Y

March 10, 2016

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Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to providing funds from the purse cushion fund to the New York Jockey Injury Compensation Fund, Inc. for two thousand sixteen

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

1     Section 1. The opening paragraph of subdivision 7 of section 221 of  
2     the racing, pari-mutuel wagering and breeding law, as amended by section  
3     1 of part VV of chapter 59 of the laws of 2015, is amended to read as  
4     follows:  
5     In order to pay the costs of the insurance required by this section  
6     and by the workers' compensation law and to carry out its other powers  
7     and duties and to pay for any of its liabilities under section four-  
8     teen-a of the workers' compensation law, the New York Jockey Injury  
9     Compensation Fund, Inc. shall ascertain the total funding necessary and  
10    establish the sums that are to be paid by all owners and trainers  
11    licensed or required to be licensed under section two hundred twenty of  
12    this article, to obtain the total funding amount required annually. In  
13    order to provide that any sum required to be paid by an owner or trainer  
14    is equitable, the fund shall establish payment schedules which reflect  
15    such factors as are appropriate, including where applicable, the  
16    geographic location of the racing corporation at which the owner or  
17    trainer participates, the duration of such participation, the amount of  
18    any purse earnings, the number of horses involved, or such other factors  
19    as the fund shall determine to be fair, equitable and in the best inter-  
20    ests of racing. In no event shall the amount deducted from an owner's  
21    share of purses exceed two per centum, NOTWITHSTANDING THE ABOVE  
22    PROVISIONS, FOR TWO THOUSAND SIXTEEN, THE NEW YORK JOCKEY INJURY COMPEN-  
23    SATION FUND, INC. MAY USE UP TO TWO MILLION DOLLARS FROM THE UNPAID  
24    PURSE CUSHION UNDER SUBDIVISION NINE OF SECTION TWO HUNDRED EIGHT OF  
25    THIS ARTICLE, TO PAY TOWARDS THE ANNUAL COSTS UNDER THIS SECTION AND  
26    SUCH UNUSED PURSE CUSHION FUNDS SHALL NOT COUNT AGAINST THE TWO PER  
27    CENTUM OF PURSES DEDUCTED FROM AN OWNER'S SHARE OF PURSES. The amount

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

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1 deducted from an owner's share of purses shall not exceed one per centum  
2 after April first, two thousand seventeen. In the cases of multiple  
3 ownerships and limited racing appearances, the fund shall equitably  
4 adjust the sum required.

5 S 2. Paragraph (a) of subdivision 9 of section 208 of the racing,  
6 pari-mutuel wagering and breeding law, as added by chapter 18 of the  
7 laws of 2008, is amended to read as follows:

8 (a) The franchised corporation shall maintain a separate account for  
9 all funds held on deposit in trust by the corporation for individual  
10 horsemen's accounts. Purse funds shall be paid by the corporation as  
11 required to meet its purse payment obligations. Funds held in horsemen's  
12 accounts shall only be released or applied as requested and directed by  
13 the individual horseman. NOTWITHSTANDING THE ABOVE PROVISIONS, FOR TWO  
14 THOUSAND SIXTEEN, THE NEW YORK JOCKEY INJURY COMPENSATION FUND, INC. MAY  
15 USE UP TO TWO MILLION DOLLARS FROM THE UNPAID PURSE CUSHION UNDER THIS  
16 SECTION TO PAY TOWARDS THE ANNUAL COSTS UNDER SECTION TWO HUNDRED TWEN-  
17 TY-ONE OF THIS ARTICLE.

18 S 3. This act shall take effect immediately.