

STATE OF NEW YORK

5360

2017-2018 Regular Sessions

IN ASSEMBLY

February 8, 2017

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

AN ACT to amend the state finance law, in relation to state assistance for eligible cities and eligible municipalities with a video lottery gaming facility

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 54-1 of the state finance law, as added by section
2 1 of part J of chapter 57 of the laws of 2011, paragraph b of subdivi-
3 sion 2 as amended by section 1 of part X of chapter 55 of the laws of
4 2014, is amended to read as follows:

5 § 54-1. State assistance to eligible cities and eligible municipi-
6 palities in which a video lottery gaming facility is located. 1. Defi-
7 nitions. When used in this section, unless otherwise expressly stated:

8 a. "Eligible city" shall mean a city with a population equal to or
9 greater than one hundred twenty-five thousand and less than one million
10 in which a video lottery gaming facility is located and operating as of
11 January first, two thousand nine pursuant to section sixteen hundred
12 seventeen-a of the tax law.

13 b. "Eligible municipality" shall mean a county, city, town or village
14 in which a video lottery gaming facility is located pursuant to section
15 sixteen hundred seventeen-a of the tax law that is not located in a city
16 with a population equal to or greater than one hundred twenty-five thou-
17 sand.

18 c. "Newly eligible municipality" shall mean a city, town or village in
19 which a video lottery gaming facility is located pursuant to section
20 sixteen hundred seventeen-a of the tax law that is not located in a city
21 with a population equal to or greater than one hundred twenty-five thou-
22 sand and which was not operating as of January first, two thousand
23 seventeen. In no event shall the term newly eligible municipality
24 include a city, town or village in which a video lottery gaming facility

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

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1 is located pursuant to paragraph four of subdivision a of section
2 sixteen hundred seventeen-a of the tax law.

3 d. "Estimated net machine income" shall mean the estimated full annual
4 value of total revenue wagered after payout for prizes for games known
5 as video lottery gaming as authorized under article thirty-four of the
6 tax law during the state fiscal year in which state aid payments are
7 made pursuant to subdivision two of this section.

8 2. a. Within the amount appropriated therefor, an eligible city shall
9 receive an amount equal to the state aid payment received in the state
10 fiscal year commencing April first, two thousand eight from an appropri-
11 ation for aid to municipalities with video lottery gaming facilities.

12 b. Within the amounts appropriated therefor, eligible municipalities
13 shall receive an amount equal to seventy percent of the state aid
14 payment received in the state fiscal year commencing April first, two
15 thousand eight from an appropriation for aid to municipalities with
16 video lottery gaming facilities.

17 c. A newly eligible municipality shall receive a state aid payment
18 equal to one and a half percent of the "estimated net machine income"
19 generated by a video lottery gaming facility located within such newly
20 eligible municipality which shall be apportioned and paid on a pro rata
21 basis to eligible municipalities based upon the population of such
22 eligible municipalities. Such state aid payment shall not exceed twen-
23 ty-five percent of an eligible municipality's total expenditures as
24 reported in the statistical report of the comptroller in the preceding
25 state fiscal year pursuant to section thirty-seven of the general munic-
26 ipal law.

27 3. a. State aid payments made to an eligible city pursuant to para-
28 graph a of subdivision two of this section shall be used to increase
29 support for public schools in such city.

30 b. State aid payments made to [~~an~~] eligible [~~municipality~~] municipi-
31 palities and newly eligible municipalities pursuant to [~~paragraph~~] para-
32 graphs b and c of subdivision two of this section shall be used by such
33 eligible municipality to: (i) defray local costs associated with a video
34 lottery gaming facility, or (ii) minimize or reduce real property taxes.

35 4. Payments of state aid pursuant to this section shall be made on or
36 before June thirtieth of each state fiscal year to the chief fiscal
37 officer of each eligible city and each eligible municipality on audit
38 and warrant of the state comptroller out of moneys appropriated by the
39 legislature for such purpose to the credit of the local assistance fund
40 in the general fund of the state treasury.

41 § 2. This act shall take effect immediately.