

STATE OF NEW YORK

5518

2017-2018 Regular Sessions

IN ASSEMBLY

February 9, 2017

Introduced by M. of A. GARBARINO -- Multi-Sponsored by -- M. of A. RA,
RAIA -- read once and referred to the Committee on Ways and Means

AN ACT to amend the state finance law, in relation to state aid to newly
eligible municipalities in which a video lottery gaming facility is
located

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

1 Section 1. Section 54-l 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-l. State assistance to eligible cities and eligible munici-
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 county, city, town or
19 village in which a video lottery gaming facility is located pursuant to
20 section sixteen hundred seventeen-a of the tax law that is not located
21 in a city with a population equal to or greater than one hundred twen-
22 ty-five thousand and which was not operating as of January first, two
23 thousand seventeen.

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

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1 d. "Estimated net machine income" for a newly eligible municipality
2 shall mean the estimated full annual value of total revenue wagered
3 after payout for prizes for games known as video lottery gaming as
4 authorized under article thirty-four of the tax law for the period
5 commencing on April first next succeeding the date on which machines
6 located within such municipality first generate income and ending on the
7 following March thirty-first.

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 three and one-half percent of the "estimated net machine
19 income" generated by a video lottery gaming facility located within such
20 newly eligible municipality as follows: (i) twenty-five percent shall be
21 apportioned and paid to the county; and (ii) seventy-five percent shall
22 be apportioned and paid on pro rata basis to eligible municipalities,
23 other than the county, based upon the population of such eligible muni-
24 cipalities. Such state aid payment shall not exceed twenty-five percent
25 of an eligible municipality's total expenditures as reported in the
26 statistical report of the comptroller in the preceding state fiscal year
27 pursuant to section thirty-seven of the general municipal law.

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

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

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

43 § 2. This act shall take effect immediately.