

STATE OF NEW YORK

8026

IN SENATE

March 20, 2018

Introduced by Sen. BONACIC -- (at request of the New York State Gaming Commission) -- 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, in relation to the gaming inspector general; and to repeal title 9 of article 13 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. Sections 1368, 1369, 1370, and 1371 of the racing, pari-mu-
2 tuel wagering and breeding law are renumbered sections 130, 131, 132,
3 and 133.

4 § 2. Title 9 of article 13 of the racing, pari-mutuel wagering and
5 breeding law is REPEALED.

6 § 3. Section 130 of the racing, pari-mutuel wagering and breeding law,
7 as added by chapter 174 of the laws of 2013 and as renumbered by section
8 one of this act, is amended to read as follows:

9 § 130. Establishment of the office of gaming inspector general. There
10 is hereby created within the commission the office of gaming inspector
11 general. The head of the office shall be the gaming inspector general
12 who shall be appointed by the governor by and with the advice and
13 consent of the senate. The **gaming** inspector general shall serve at the
14 pleasure of the governor. The **gaming** inspector general shall report
15 directly to the governor. The person appointed as **gaming** inspector
16 general shall, upon his or her appointment, have not less than ten years
17 professional experience in law, investigation, or auditing. The **gaming**
18 inspector general shall be compensated within the limits of funds avail-
19 able therefor, provided, however, such salary shall be no less than the
20 salaries of certain state officers holding the positions indicated in
21 paragraph (a) of subdivision one of section one hundred sixty-nine of
22 the executive law.

23 § 4. The section heading, opening paragraph and subdivision 7 of
24 section 131 of the racing, pari-mutuel wagering and breeding law, as

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

LBD14479-01-8

1 added by chapter 174 of the laws of 2013 and as renumbered by section
2 one of this act, are amended to read as follows:

3 [~~State gaming~~] Gaming inspector general; functions and duties. The
4 [~~state~~] gaming inspector general shall have the following duties and
5 responsibilities:

6 7. establish programs for training commission officers and employees
7 [~~regarding~~] in regard to the prevention and elimination of corruption,
8 fraud, criminal activity, conflicts of interest or abuse in the commis-
9 sion.

10 § 5. The opening paragraph of section 132 of the racing, pari-mutuel
11 wagering and breeding law, as added by chapter 174 of the laws of 2013
12 and as renumbered by section one of this act, is amended to read as
13 follows:

14 The [~~state~~] gaming inspector general shall have the power to:

15 § 6. Section 133 of the racing, pari-mutuel wagering and breeding law,
16 as added by chapter 174 of the laws of 2013 and as renumbered by section
17 one of this act, is amended to read as follows:

18 § 133. Responsibilities of the commission and its officers and employ-
19 ees. 1. Every commission officer or employee shall report promptly to
20 the [~~state~~] gaming inspector general any information concerning
21 corruption, fraud, criminal activity, conflicts of interest or abuse by
22 another state officer or employee relating to his or her office or
23 employment, or by a person having business dealings with the commission
24 relating to those dealings. The knowing failure of any officer or
25 employee to so report shall be cause for removal from office or employ-
26 ment or other appropriate penalty under this article. Any officer or
27 employee who acts pursuant to this subdivision by reporting to the
28 [~~state~~] gaming inspector general or other appropriate law enforcement
29 official improper governmental action as defined in section seventy-
30 five-b of the civil service law shall not be subject to dismissal,
31 discipline or other adverse personnel action.

32 2. The commission chair shall advise the governor within ninety days
33 of the issuance of a report by the [~~state~~] gaming inspector general as
34 to the remedial action that the commission has taken in response to any
35 recommendation for such action contained in such report.

36 § 7. This act shall take effect immediately.