

STATE OF NEW YORK

3535

2019-2020 Regular Sessions

IN ASSEMBLY

January 29, 2019

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 establishing the commission on retired racehorses

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

1 Section 1. The racing, pari-mutuel wagering and breeding law is
2 amended by adding a new article 7-A to read as follows:

ARTICLE 7-A

COMMISSION ON RETIRED RACEHORSES

Section 710. Commission on retired racehorses.

711. Powers and duties of commission.

712. Reports on retired racehorses.

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8 § 710. Commission on retired racehorses. 1. There is hereby estab-
9 lished a commission on retired racehorses. Such commission on retired
10 racehorses shall consist of seven members, three of whom shall be
11 appointed by the governor, two of whom shall be appointed by the tempo-
12 rary president of the senate and two of whom shall be appointed by the
13 speaker of the assembly. Of the three members appointed by the governor,
14 two shall be appointed upon the recommendation of the gaming commission.
15 One of the appointed members of the commission on retired racehorses
16 shall be representative of owners and breeders of standardbred horses
17 and one shall be representative of owners and breeders of thoroughbred
18 horses. Three of the appointed members of the commission on retired
19 racehorses shall be representative of: (a) persons with expertise in
20 training horses for uses other than racing, such as riding schools,
21 steeplechase competitions, show horse competitions (e.g., dressage,
22 hunter/jumper, English, Western, and costume competitions), and other
23 recreational uses, (b) persons with experience in the potential farm or
24 other rural economic business applications for horses, and (c) persons
25 familiar with the use of horses for recreational or therapeutic uses.

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

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1 2. The members of the commission on retired racehorses shall serve for
2 terms of two years each.

3 3. Every member of the commission on retired racehorses shall serve at
4 the pleasure of the official who appointed him or her. Vacancies in the
5 membership of such commission shall be filled in the manner provided for
6 original appointments.

7 4. The members of the commission on retired racehorses shall receive
8 no compensation for their services, but shall be allowed their actual
9 and necessary expenses incurred in the performance of their duties
10 pursuant to this section.

11 § 711. Powers and duties of commission. 1. The commission on retired
12 racehorses, in cooperation with the gaming commission, shall be respon-
13 sible for the oversight of retired racehorses, including the tracking of
14 such racehorses. For the purposes of this article, a retired racehorse
15 shall mean (a) a New York-bred thoroughbred as defined by subdivision
16 three of section two hundred fifty-one of this chapter which is no long-
17 er engaged in horseracing or (b) a standardbred which meets or ever met
18 the standards set forth in subdivision one of section three hundred
19 thirty-four of this chapter and which is no longer engaged in horse
20 racing.

21 2. The commission on retired racehorses, in cooperation with the
22 gaming commission, shall be responsible for the creation of a registry
23 which would track retired racehorses. Such registry shall include infor-
24 mation provided by each owner and subsequent owner of a retired
25 racehorse, as provided in section seven hundred twelve of this article.
26 Notwithstanding any other provision of law, the commission on retired
27 racehorses shall maintain and update this registry. The commission on
28 retired racehorses may access any relevant information in the registries
29 designated and administered by the New York state thoroughbred breeding
30 and development fund and the agriculture and New York state horse breed-
31 ing development fund.

32 3. The commission on retired racehorses shall work with the gaming
33 commission to identify methods by which the information in the retired
34 racehorse registry may be utilized to address the well-being and/or
35 employment of retired racehorses, including but not limited to strate-
36 gies to address the issue of abandoned racehorses and to prevent the
37 slaughter of retired racehorses. The commission on retired racehorses
38 shall also furnish related future recommendations regarding the funding,
39 care and treatment of retired racehorses. Such recommendations and rele-
40 vant data that support such recommendations shall be submitted to the
41 gaming commission, the governor, the temporary president of the senate,
42 the chair of the senate racing, gaming and wagering committee, the
43 speaker of the assembly and the chair of the assembly racing and wager-
44 ing committee no less often than biannually.

45 4. The commission on retired racehorses shall work with the gaming
46 commission to publish on the gaming commission website at least quarter-
47 ly, in such forms as the gaming commission may deem proper, a report of
48 aggregate data from the retired racehorse registry including the number
49 of retired racehorses and any other information which the gaming commis-
50 sion may deem proper. Such report shall also include information on how
51 to report violations as provided in subdivision three of section seven
52 hundred twelve of this article to the commission on retired racehorses.

53 5. The commission on retired racehorses shall share with the gaming
54 commission any suspected violations as provided in subdivision three of
55 section seven hundred twelve of this article at a time and in a manner

1 to be determined and prescribed by the gaming commission for the purpose
2 of assessing civil penalties.

3 § 712. Reports on retired racehorses. 1. Within seventy-two hours
4 after any change in ownership regarding a retired racehorse, the new
5 owner or owners of the horse shall report to the commission on retired
6 racehorses that such ownership has changed and shall file a statement
7 listing the name or names of the previous owner or owners and the
8 license number of any license issued by the gaming commission to the
9 previous owner or owners, the name or names, telephone number or tele-
10 phone numbers and address or addresses of the new owner or owners, the
11 license number of any license issued by the gaming commission to the new
12 owner or owners, the tattoo number of such horse and any other informa-
13 tion which the commission on retired racehorses may require.

14 2. Within seventy-two hours after the death of a retired racehorse,
15 the owner or owners of the horse shall report such death to the commis-
16 sion on retired racehorses and shall file a statement including a death
17 certificate by a licensed veterinarian and any other information which
18 the commission on retired racehorses may require.

19 3. Any sole or joint owner of a retired racehorse who is a resident of
20 the state and who fails to file a statement required to be filed by this
21 section shall be subject to a civil penalty not to exceed five hundred
22 dollars for each violation.

23 § 2. Severability. If any clause, sentence, subdivision, paragraph,
24 section or part of this act be adjudged by any court of competent juris-
25 isdiction to be invalid, such judgement shall not affect, impair or inval-
26 idate the remainder thereof, but shall be confined in its operation to
27 the clause, sentence, subdivision, paragraph, section or part thereof
28 directly involved in the controversy in which such judgement shall have
29 been rendered.

30 § 3. This act shall take effect on the one hundred eightieth day after
31 it shall have become a law.