

# STATE OF NEW YORK

9385

## IN SENATE

March 6, 2026

Introduced by Sen. ZELLNER -- 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 additional qualifications for the board members of regional off-track betting corporations; and to amend section 2 of part JJ of chapter 56 of the laws of 2023 amending the racing, pari-mutuel wagering and breeding law, relating to the membership of the board of directors of the western regional off-track betting corporation, in relation to the effectiveness thereof

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

1 Section 1. Subdivision 1 of section 502 of the racing, pari-mutuel  
2 wagering and breeding law, as amended by chapter 710 of the laws of  
3 1990, is amended to read as follows:  
4 1. a. A regional off-track betting corporation is hereby established  
5 for each region, except the New York city region for which the New York  
6 city off-track betting corporation established pursuant to and subject  
7 to article six of this chapter shall constitute the regional corporation  
8 and such article six shall govern such New York city off-track betting  
9 corporation. Each regional corporation shall be a body corporate and  
10 politic constituting a public benefit corporation. Each corporation  
11 shall be administered by a board of directors consisting of two members  
12 from each participating county containing a city of over one hundred  
13 fifty thousand in population, according to the last federal census, and  
14 one member from each other participating county. Notwithstanding any  
15 other provision of law to the contrary, the members shall be appointed  
16 by the county governing body, and may, at the discretion of such govern-  
17 ing body of counties which have a population of less than two hundred  
18 thousand, include sitting members of such governing body. A member of a  
19 governing body who is appointed a director after July first, nineteen  
20 hundred ninety shall not be compensated by the regional corporation;  
21 provided, however, that the mayor of a city of over one hundred fifty  
22 thousand that has elected to participate in the management of a corpo-

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

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1 ration pursuant to subdivision two of this section shall, with the  
2 approval of the city's legislative body, appoint one of the members to  
3 which the county containing such city is entitled. In the case of the  
4 corporation established for the Suffolk region and Nassau region, the  
5 board of directors of each corporation shall consist of three members  
6 appointed by the governing body of each county, not more than two of  
7 whom shall be members of the same political party. Each director shall  
8 serve at the pleasure of the governing body or mayor appointing [~~him~~]  
9 such director, as the case may be. A [~~chairman~~] chair shall be elected  
10 by the members to serve a term of one year.

11 b. No person who has served as a member, officer or employee of the  
12 corporation shall within a period of ten years after such person's  
13 termination of such service or employment, regardless of the reason for  
14 termination, (i) be appointed or qualified as a member of the corpo-  
15 ration; or (ii) appear, practice before, or communicate with the corpo-  
16 ration, directly or indirectly, to promote or oppose the passage of  
17 resolutions by the board of directors.

18 c. No person who is appointed to be a member of the board of directors  
19 may attend or participate in any board meetings, including executive  
20 sessions, until that person's application for a license has been  
21 approved by the commission.

22 § 2. Subdivisions 6 and 7 of section 502-a of the racing, pari-mutuel  
23 wagering and breeding law are renumbered subdivisions 7 and 8 and a new  
24 subdivision 6 is added to read as follows:

25 6. a. No person who has served as a member, officer or employee of the  
26 corporation shall within a period of ten years after such person's  
27 termination of such service or employment, regardless of the reason for  
28 termination, (i) be appointed or qualified as a member of the corpo-  
29 ration; or (ii) appear, practice before, or communicate with the corpo-  
30 ration, directly or indirectly, to promote or oppose the passage of  
31 resolutions by the board of directors.

32 b. No person who is appointed to be a member of the board of directors  
33 may attend or participate in any board meetings, including executive  
34 sessions, until that person's application for a license has been  
35 approved by the commission.

36 § 3. Section 2 of part JJ of chapter 56 of the laws of 2023, amending  
37 the racing, pari-mutuel wagering and breeding law, relating to the  
38 membership of the board of directors of the western regional off-track  
39 betting corporation, is amended to read as follows:

40 § 2. This act shall take effect immediately; provided, however, that  
41 effective immediately, cities and counties may take any action necessary  
42 to begin the selection and appointment process for new board member  
43 terms pursuant to this act; and provided further, that upon selection of  
44 new board members, cities and counties shall notify the corporation of  
45 their respective appointments via certified mail; and provided further,  
46 that this act shall expire and be deemed repealed [~~four~~] fourteen years  
47 after such effective date.

48 § 4. This act shall take effect immediately; provided, however, that  
49 the amendments to section 502-a of the racing, pari-mutuel wagering and  
50 breeding law made by section two of this act shall not affect the repeal  
51 of such section and shall be deemed repealed therewith.