S T A T E O F N E W Y O R K

11130--A

I N A S S E M B L Y

May 18, 2010

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to the New York state thoroughbred breeding and development fund; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph a of subdivision 1 and paragraphs a, e and f of subdivision 2 of section 254 of the racing, pari-mutuel wagering and breeding law, as amended by chapter 18 of the laws of 2008, are amended to read as follows:

a. The fund is authorized and directed to collect and receive ON A QUARTERLY BASIS in each calendar year from any racing corporation or regional off-track betting corporations from on-track wagers or off-track wagers, as the case may be, the sum of one-half of one percent of regular, multiple and exotic wagers, and three percent of super exotic wagers and to deposit such moneys in a bank or banks in this state.

a. An amount as shall be determined by the fund, but not in excess of forty-three percent as awards to breeders of New York-breds finishing first, second, third and fourth in pari-mutuel races run in New York state; except that during any calendar year when the total percentage of breeder awards exceeds forty-three percent of total revenue, the fund, by a two-thirds vote of its board, may increase the percentage of revenue allotted to breeder awards, but in no event shall the allotment exceed [fifty] SIXTY-FIVE percent of total revenue.

e. An amount as shall be determined by the fund but not in excess of [five] SIX percent to advance and promote breeding and raising of thoroughbreds in this state by the publication and dissemination of information relating thereto, and the encouragement of interest, including among youth, in the breeding and raising of New York-breds, and to advance and promote interest generally in agricultural pursuits.

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

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f. An amount as shall be determined by the fund but not in excess of [four] FIVE percent for the administration and management of the fund.

S 2. This act shall take effect immediately, provided, however that this act shall expire and be deemed repealed upon the commencement of the operation of a video lottery facility at Aqueduct racetrack; provided that the chair of the New York state thoroughbred breeding and development fund shall notify the legislative bill drafting commission upon the occurrence of the commencement of the operation of a video lottery facility at Aqueduct racetrack in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law; provided further, that effective immediately the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such date.