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

2743

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. MARKEY -- Multi-Sponsored by -- M. of A. V. LOPEZ, MAYERSOHN, SEMINERIO -- 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 providing for the New York state pari-mutuel credit for the promotion of equine sports 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. Section 241 of the racing, pari-mutuel wagering and breeding law, as amended by chapter 18 of the laws of 2008, is amended to read as follows:

S 241. Disposition of unpaid money due on account of pari-mutuel tickets not presented. 1. The sum held by any corporation authorized to conduct pari-mutuel betting for payment of outstanding winning pari-mutuel tickets and for refunding the price of pari-mutuel tickets shall be retained by such corporation for such purposes until April first of the succeeding year; provided, however, that ninety-five per centum of such sum remaining unclaimed as of the last day of February of such year shall be paid to the department of taxation and finance by March fifteenth. On April tenth, the balance of such sum remaining unclaimed and any other unclaimed amount received in the course of conducting pari-mutuel betting shall be paid to the department of taxation and finance. A penalty of five per centum and interest at the rate of one per centum per month from the due date to the date of payment of the unclaimed balance due March fifteenth or April tenth, as the case may be, shall be payable in case such balance is not paid when due. Such amounts, interest and penalties when collected shall be paid by the department of taxation and finance into the general fund of the state treasury.

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

LBD03039-01-9

2. COMMENCING JULY FIFTEENTH, TWO THOUSAND NINE THERE IS HEREBY AUTHORIZED PURSUANT TO THIS SECTION AN EXPERIMENTAL PROGRAM KNOWN AS THE "NEW YORK STATE PARI-MUTUEL CREDIT FOR THE PROMOTION OF EQUINE SPORTS". NEW YORK CITY OFF-TRACK BETTING CORPORATION AND FINGER LAKES RACING ASSOCIATION, INC. SHALL RECEIVE A CREDIT OF ONE HUNDRED FIFTY THOUSAND DOLLARS EACH TOWARD ACTUAL EXPENDITURES FROM THE AMOUNTS OWED IN SUBDIVISION ONE OF THIS SECTION PROVIDED THAT ALL OF THE FOLLOWING CRITERIA ARE MET:

(A) A WRITTEN AGREEMENT IS ENTERED INTO BETWEEN THE PARTIES ITEMIZING THE PROPOSED EXPENDITURES FOR THE PROMOTION OF RACING AT FINGER LAKES RACETRACK AND TOURISM IN THE FINGER LAKES REGION OF NEW YORK STATE;

(B) THE WRITTEN AGREEMENT IS APPROVED BY THE CHAIRMAN OF THE STATE RACING AND WAGERING BOARD; AND

(C) THE PROMOTIONAL ACTIVITIES ARE LIMITED TO PRINT AND MULTI-MEDIA ADVERTISING; PROMOTIONAL GIVEAWAYS OF ITEMS WITH A FAIR MARKET VALUE OF LESS THAN THIRTY DOLLARS; PURSE ENHANCEMENTS OF SPECIAL RACES FEATURING NEW YORK BRED HORSES AT THE FINGER LAKES RACETRACK; HANDICAPPING TOURNAMENT PRIZES JOINTLY ADMINISTERED BY NEW YORK CITY OFF-TRACK BETTING CORPORATION AND FINGER LAKES RACING ASSOCIATION, INC.; PRIZES WITH A FAIR MARKET VALUE OF LESS THAN ONE THOUSAND DOLLARS FOR VACATIONS IN THE FINGER LAKES REGION OF NEW YORK STATE; ANY OTHER PROMOTIONAL ACTIVITIES SPECIFICALLY APPROVED IN WRITING BY THE CHAIRMAN OF THE STATE RACING AND WAGERING BOARD.

3. ON OR BEFORE APRIL TENTH, TWO THOUSAND TEN THE CHAIRMAN OF THE STATE RACING AND WAGERING BOARD SHALL CERTIFY TO THE DEPARTMENT OF TAXATION AND FINANCE THE ACTUAL CREDITS ENTITLED TO BE CLAIMED BY NEW YORK CITY OFF-TRACK BETTING CORPORATION AND FINGER LAKES RACING ASSOCIATION, INC. TOWARD THE SUMS OWED IN SUBDIVISION ONE OF THIS SECTION.

S 2. This act shall take effect July 15, 2009 and shall expire and be deemed repealed April 10, 2010.