

2360

2009-2010 Regular Sessions

I N S E N A T E

February 18, 2009

Introduced by Sen. ADAMS -- 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 payments by off track betting corporations to regional harness tracks for out-of-state and out-of-country simulcasting revenue

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

1 Section 1. Subdivision 2 of section 1017 of the racing, pari-mutuel
2 wagering and breeding law, as amended by chapter 18 of the laws of 2008,
3 is amended to read as follows:
4 2. [a. Maintenance of effort. Any off-track betting corporation which
5 engages in accepting wagers on the simulcasts of thoroughbred races from
6 out-of-state or out-of-country as permitted under subdivision one of
7 this section shall submit to the board, for its approval, a schedule of
8 payments to be made in any year or portion thereof, that such off-track
9 corporation engages in nighttime thoroughbred simulcasting. In order to
10 be approved by the board, the payment schedule shall be identical to the
11 actual payments and distributions of such payments to tracks and purses
12 made by such off-track corporation pursuant to the provisions of section
13 one thousand fifteen of this article during the year two thousand two,
14 as derived from out-of-state harness races displayed after 6:00 P.M. If
15 approved by the board, such scheduled payments shall be made from revenues
16 derived from any simulcasting conducted pursuant to this section and
17 section one thousand fifteen of this article.
18 b. Additional payments] PAYMENTS. During each calendar year, to the
19 extent, and at such time in the event, that aggregate statewide wagering
20 handle after 7Labor P.M. on out-of-state and out-of-country thoroughbred
21 races exceeds one hundred million dollars, each off-track betting corporation
22 conducting such simulcasting shall pay to its regional harness

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

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1 track or tracks, an amount equal to [two percent] THE FOLLOWING PERCENT-
2 AGE of its proportionate share of such excess handle: FOR CALENDAR
3 YEARS THROUGH TWO THOUSAND NINE, TWO PERCENT; FOR CALENDAR YEAR TWO
4 THOUSAND TEN, ONE AND ONE-HALF PERCENT; FOR CALENDAR YEAR TWO THOUSAND
5 ELEVEN, ONE PERCENT; AND FOR CALENDAR YEAR TWO THOUSAND TWELVE, ONE-HALF
6 OF ONE PERCENT. THERE SHALL BE NO FURTHER ADDITIONAL PAYMENT OBLIGATION
7 PURSUANT TO THIS SUBDIVISION FOR CALENDAR YEARS COMMENCING ON OR AFTER
8 JANUARY FIRST, TWO THOUSAND THIRTEEN. In any region where there are two
9 or more regional harness tracks, such [two percent] PAYMENT AMOUNT shall
10 be divided between or among the tracks in a proportion equal to the
11 proportion of handle on live harness races conducted at such tracks
12 during the preceding calendar year. Fifty percent of the sum received by
13 each track pursuant to this [paragraph] SUBDIVISION shall be used exclu-
14 sively for increasing purses, stakes and prizes at that regional harness
15 track.
16 S 2. This act shall take effect immediately.