

2360

2009-2010 Regular Sessions

I N   S E N A T E

February 18, 2009

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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.