

2382

2009-2010 Regular Sessions

I N S E N A T E

February 19, 2009

Introduced by Sen. PADAVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering

AN ACT to amend the tax law, in relation to the location of lottery vending machines

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

1 Section 1. The tax law is amended by adding a new section 1621 to read
2 as follows:
3 S 1621. LOTTERY VENDING MACHINES. NOTWITHSTANDING ANY OTHER PROVISION
4 OF LAW, NO PERSON, FIRM, PARTNERSHIP, COMPANY OR CORPORATION SHALL OPER-
5 ATE A LOTTERY VENDING MACHINE UNLESS SUCH MACHINE IS LOCATED: (A) IN A
6 BAR AS DEFINED IN SUBDIVISION ONE OF SECTION THIRTEEN HUNDRED
7 NINETY-NINE-N OF THE PUBLIC HEALTH LAW, OR THE BAR AREA OF A FOOD
8 SERVICE ESTABLISHMENT WITH A VALID, ON-PREMISES FULL LIQUOR LICENSE; (B)
9 IN A PRIVATE CLUB; (C) IN A TOBACCO BUSINESS AS DEFINED IN SUBDIVISION
10 SEVEN OF SECTION THIRTEEN HUNDRED NINETY-NINE-N OF THE PUBLIC HEALTH
11 LAW; OR (D) IN A PLACE OF EMPLOYMENT WHICH HAS AN INSIGNIFICANT PORTION
12 OF ITS REGULAR WORKFORCE COMPRISED OF PEOPLE UNDER THE AGE OF EIGHTEEN
13 YEARS AND ONLY IN SUCH LOCATIONS THAT ARE NOT ACCESSIBLE TO THE GENERAL
14 PUBLIC; PROVIDED, HOWEVER, THAT IN SUCH LOCATIONS SUCH MACHINE IS
15 LOCATED IN PLAIN VIEW AND UNDER THE DIRECT SUPERVISION AND CONTROL OF
16 THE PERSON IN CHARGE OF THE LOCATION OR HIS OR HER DESIGNATED AGENT OR
17 EMPLOYEE.
18 S 2. This act shall take effect on the sixtieth day after it shall
19 have become a law.

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

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