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

2468

2009-2010 Regular Sessions

I N S E N A T E

February 20, 2009

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend chapter 912 of the laws of 1920, relating to the regulation of boxing, sparring and wrestling matches, in relation to creating the "honesty in sports act"

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

Section 1. This act shall be known and may be cited as the "honesty in sports act".

S 2. Section 6 of chapter 912 of the laws of 1920, relating to the regulation of boxing, sparring and wrestling matches is amended by adding a new subdivision 3 to read as follows:

3. (A) THE COMMISSION SHALL REQUIRE ALL AMATEUR AND PROFESSIONAL ATHLETES IN ALL SPORTS INCLUDING, BUT NOT LIMITED TO, BASKETBALL, BASEBALL, FOOTBALL, AND HOCKEY WHO PERFORM BEFORE SPECTATORS, WHO HAVE PAID AN ADMISSION FEE FOR A SPORTING EVENT OR EXHIBITION IN NEW YORK STATE, TO SUBMIT A SIGNED AFFIDAVIT CERTIFYING THAT SUCH ATHLETE HAS NOT USED PERFORMANCE ENHANCING SUBSTANCES. THE FORM OF SUCH CERTIFICATION SHALL BE DETERMINED BY THE COMMISSION. SUCH CERTIFICATION SHALL BE FILED WITH THE COMMISSION SEMIANNUALLY AND SHALL BE LIMITED IN SCOPE TO THE PRECEDING SIX MONTHS. AN ATHLETE WHO FAILS TO SUBMIT SUCH CERTIFICATION IS HEREBY PROHIBITED FROM PERFORMING BEFORE SPECTATORS WHO HAVE PAID AN ADMISSION FEE FOR SUCH AMATEUR OR PROFESSIONAL SPORTING EVENT OR EXHIBITION IN NEW YORK.

(B) THE POWERS AND DUTIES OF THE COMMISSION ARE HEREBY EXPANDED TO DEVELOP AND IMPLEMENT THE CERTIFICATION PROCESS REQUIRED IN PARAGRAPH (A) OF THIS SUBDIVISION. THE CHAIRPERSON, OR HIS OR HER DESIGNEES, SHALL MAKE A RECORD OF SUCH FILED CERTIFICATIONS AVAILABLE TO THE PUBLIC IN A MANNER DETERMINED BY THE COMMISSION.

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

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(C) FOR THE PURPOSES OF THIS SUBDIVISION, "PERFORMANCE ENHANCING SUBSTANCES" SHALL MEAN THE SAME AS THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION'S CURRENT LIST OF BANNED DRUGS.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.