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

7266

I N S E N A T E

March 26, 2010

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

AN ACT in relation to authorizing the New York city off-track betting corporation to file a petition for adjustment of its indebtedness

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

Section 1. The New York city off-track betting corporation is specifically authorized to file a petition with the United States bankruptcy court for the southern district of New York for adjustment of its indebtedness pursuant to chapter 9 of the federal bankruptcy code, provided, however, that at the time of such filing there are no bonds or notes outstanding that were issued by said corporation pursuant to the authority contained in section 611 of the racing, pari-mutuel wagering and breeding law.

S 2. The filing of a chapter 9 petition for adjustment of indebtedness by the New York city off-track betting corporation to initiate a proceeding that is pending in the United States bankruptcy court for the southern district of New York as of the effective date of the chapter of the laws of 2010 that shall enact this act into law is, in all respects, hereby ratified and confirmed by the legislature as the act and deed of said corporation that was and is specifically authorized by the laws of this state, and said corporation shall be and hereby is authorized to continue to maintain and prosecute such chapter 9 proceeding.

S 3. Notwithstanding any inconsistent provision of the racing, pari-mutuel wagering and breeding law or of any other law or regulation, throughout the period beginning with the effective date of the chapter of the laws of 2010 that added this provision and continuing thereafter without interruption until May 8, 2010, the New York city off-track betting corporation may defer making any payments to a franchised corporation or a thoroughbred racing corporation, or a harness racing corporation or association licensed by the racing and wagering board to conduct race meetings at which pari-mutuel wagering is authorized within this state, or to the New York state thoroughbred breeding and develop-

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

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ment fund established under section 252 of the racing, pari-mutuel wagering and breeding law or to the agriculture and New York state horse breeding development fund established under section 330 of the racing, pari-mutuel wagering and breeding law, from retained commissions from wagering accepted by such corporation, other than direct commission payments required to be made to any such licensed racetrack or breeding fund pursuant to section 527 of the racing, pari-mutuel wagering and breeding law on account of wagers accepted by such corporation on races conducted by such franchised corporation, or thoroughbred or harness racing corporation or association. In addition, during the period of authorized deferral of such payments, the corporation may defer making payments to the state department of taxation and finance that otherwise would be required to be made pursuant to the provisions of subdivision 2 of section 529 of the racing, pari-mutuel wagering and breeding law.

S 4. This act shall take effect immediately; provided, however, that section one of this act shall be deemed to have been in full force and effect on and after December 2, 2009.