

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

5671--A

2009-2010 Regular Sessions

I N S E N A T E

May 27, 2009

Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering -- recommitted to the Committee on Racing, Gaming and Wagering in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to requiring a New York state legend on all bell jar tickets sold in New York State

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

1 Section 1. Subdivision 1 of section 195-n of the general municipal
2 law, as amended by chapter 637 of the laws of 1999, is amended to read
3 as follows:
4 1. Distribution; manufacturers. [For business conducted in this state,
5 manufacturers licensed by the board to sell bell jar tickets shall sell
6 only such tickets to distributors licensed by the board] BELL JARS MANU-
7 FACTURED WITH A BOARD-APPROVED LEGEND MAY ONLY BE SOLD TO BOARD-LICENSED
8 DISTRIBUTOR FOR RESALE WITHIN THE STATE. Manufacturers of bell jar tick-
9 ets, seal cards, merchandise boards, and coin boards may submit samples,
10 artists' renderings, or color photocopies of proposed bell jar tickets,
11 seal cards, merchandise boards, coin boards, payout cards, and flares
12 for review and approval by the board. Within thirty days of receipt of
13 such sample or rendering, the board shall approve or deny such bell jar
14 tickets. Following approval of a rendering of a bell jar ticket, seal
15 card, merchandise board, or coin board by the board, the manufacturer
16 shall submit to the board a sample of the printed bell jar ticket, seal
17 card, merchandise board, coin board, payout card, and flare for such
18 game. Such sample shall be submitted prior to the sale of the game to
19 any licensed distributor for resale in this state. For coin boards and
20 merchandise boards, nothing herein shall require the submittal of actual

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

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1 coins or merchandise as part of the approval process. Any licensed
2 manufacturer who [willfully] INTENTIONALLY violates the provisions of
3 this section shall: (a) upon such first offense, have their license
4 suspended for a period of thirty days; (b) upon such second offense,
5 participate in a hearing to be conducted by the board, and surrender
6 their license for such period as recommended by the board; and (c) upon
7 such third or subsequent offense, have their license suspended for a
8 period of one year and shall be guilty of a class E felony. Any unli-
9 censed manufacturer who violates the provisions of this section shall be
10 guilty of a class E felony.

11 S 2. Subdivision 3-a of section 186 of the general municipal law, as
12 amended by chapter 337 of the laws of 1998, is amended to read as
13 follows:

14 3-a. "Bell jars" shall mean and include those games in which a partic-
15 ipant shall draw a card from a jar, vending machine, or other suitable
16 device or container which contains numbers, colors or symbols that are
17 covered and which, when uncovered, may reveal that a prize shall be
18 awarded on the basis of a designated winning number, color or symbol or
19 combination of numbers, colors or symbols. Bell jars shall also include
20 seal cards, coin boards, and merchandise boards. ALL BELL JARS SOLD
21 WITHIN THE STATE SHALL BE MANUFACTURED WITH A BOARD-APPROVED LEGEND ON
22 ITS FACE OR REVERSE.

23 S 3. This act shall take effect on the first of January next succeed-
24 ing the year in which it shall have become a law, provided, however,
25 that any rules and regulations necessary for the timely implementation
26 of this act shall be promulgated on or before such effective date.