

6197

2009-2010 Regular Sessions

I N S E N A T E

September 28, 2009

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to antitrust exemptions for horse racing agreements

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

1 Section 1. The racing, pari-mutuel wagering and breeding law is
2 amended by adding a new section 113 to read as follows:
3 S 113. ANTITRUST EXEMPTIONS. STATE AND FEDERAL ANTITRUST LAWS SHALL
4 NOT APPLY TO ANY JOINT AGREEMENT ENTERED INTO, IN CONSULTATION WITH AND
5 APPROVED BY THE STATE RACING AND WAGERING BOARD, BY OR AMONG NON-PROFIT
6 RACING ASSOCIATIONS, THOROUGHBRED RACING ASSOCIATIONS OR CORPORATIONS,
7 HARNESS RACING ASSOCIATIONS OR CORPORATIONS, QUARTER HORSE RACING ASSO-
8 CIATIONS OR CORPORATIONS, AND REGIONAL OFF-TRACK BETTING CORPORATIONS TO
9 COORDINATE THE DATES AND TIMES UNDER WHICH THEY WILL CONDUCT PROGRAMS OF
10 RACING AND OFFER PARI-MUTUEL WAGERING. IN ADDITION, SUCH ANTITRUST LAWS
11 SHALL NOT APPLY TO JOINT AGREEMENTS ENTERED INTO, IN CONSULTATION WITH
12 AND APPROVED BY THE STATE RACING AND WAGERING BOARD, BY OR AMONG
13 NON-PROFIT RACING ASSOCIATIONS, THOROUGHBRED RACING ASSOCIATIONS OR
14 CORPORATIONS, HARNESS RACING ASSOCIATIONS OR CORPORATIONS, QUARTER HORSE
15 RACING ASSOCIATIONS OR CORPORATIONS, AND REGIONAL OFF-TRACK BETTING
16 CORPORATIONS TO SELL, TRANSFER, ASSIGN, OR PURCHASE THE RIGHTS TO BROAD-
17 CAST, SIMULCAST, ELECTRONICALLY TRANSMIT, OR OFFER PARI-MUTUEL WAGERING
18 ON HORSE RACES. THE STATE RACING AND WAGERING BOARD SHALL CONSIDER AND
19 APPROVE SUCH AGREEMENTS AND THE TERMS THEREIN TO FURTHER THE STATE'S
20 INTEREST IN ENSURING THE VIABILITY AND CONTINUED EXISTENCE IN THIS STATE
21 OF THE HORSE RACING AND AGRICULTURE INDUSTRIES.
22 S 2. This act shall take effect immediately.

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

LBD05160-01-9