

6352--A

Cal. No. 80

2009-2010 Regular Sessions

I N S E N A T E

December 21, 2009

Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- 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 Finance -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to equine drug testing

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

1 Section 1. Subdivision 1 of section 902 of the racing, pari-mutuel
2 wagering and breeding law, as added by chapter 60 of the laws of 1993,
3 is amended to read as follows:
4 1. In order to assure the public's confidence and continue the high
5 degree of integrity in racing at the pari-mutuel betting tracks, equine
6 drug testing at race meetings shall be conducted by a [land grant
7 university] STATE COLLEGE within this state with [a regents] AN approved
8 [veterinary college facility] EQUINE SCIENCE PROGRAM. The state racing
9 and wagering board shall promulgate any rules and regulations necessary
10 to implement the provisions of this section, including administrative
11 penalties of loss of purse money, fines, or denial, suspension, or revo-
12 cation of a license for racing drugged horses.
13 S 2. The opening paragraph of subdivision 2 of section 228 of the
14 racing, pari-mutuel wagering and breeding law, as amended by chapter 400
15 of the laws of 2009, is amended to read as follows:
16 The state racing and wagering board shall, as a condition of racing,
17 require any franchised corporation and every other corporation subject
18 to its jurisdiction to withhold one percent of all purses, except that
19 for the franchised corporation, starting on September first, two thou-

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

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1 sand seven and continuing through August thirty-first, two thousand ten,
2 two percent of all purses shall be withheld, and, in the case of the
3 franchised corporation, to pay such sum to the horsemen's organization
4 or its successor that was first entitled to receive payments pursuant to
5 this section in accordance with rules of the board adopted effective
6 November third, nineteen hundred eighty-three representing at least
7 fifty-one percent of the owners and trainers utilizing the facilities of
8 such franchised corporation, on the condition that such horsemen's
9 organization shall expend as much as is necessary, but not to exceed
10 one-half of one percent of such total sum, to acquire and maintain the
11 equipment required to establish a program at a [land grant university]
12 STATE COLLEGE within this state with [a regents] AN approved [veterinary
13 college facility,] EQUINE SCIENCE PROGRAM to test for the presence of
14 steroids in horses, provided further that the qualified organization
15 shall also, in an amount to be determined by its board of directors,
16 annually include in its expenditures for benevolence programs, funds to
17 support an organization providing services necessary to backstretch
18 employees, and, in the case of every other corporation, to pay such one
19 percent sum of purses to the horsemen's organization or its successor
20 that was first entitled to receive payments pursuant to this section in
21 accordance with rules of the board adopted effective May twenty-third,
22 nineteen hundred eighty-six representing at least fifty-one percent of
23 the owners and trainers utilizing the facilities of such corporation.
24 S 3. This act shall take effect immediately.