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

S. 4150 A. 6485

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

March 21, 2011

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

IN ASSEMBLY -- Introduced by M. of A. BLANKENBUSH -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the general municipal law, in relation to employees of authorized organizations operating games of chance

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

Section 1. Subdivisions 10 and 11 of section 189 of the general municipal law, as amended by chapter 574 of the laws of 1978, are amended to read as follows:

10. No person except a bona fide member OR EMPLOYEE of the licensed authorized organization shall participate in the management of such games; no person except a bona fide member OR EMPLOYEE of the licensed authorized organization, its auxiliary or affiliated organization, shall participate in the operation of such game, as set forth in section one hundred ninety-five-c of this article.

11. No person OTHER THAN AN EMPLOYEE shall receive any remuneration for participating in the management or operation of any such game.

S 2. Section 195-c of the general municipal law, as amended by chapter 252 of the laws of 1998, is amended to read as follows:

S 195-c. [1.] Persons operating games; equipment; expenses; compensation. 1. No person shall operate any game of chance under any license issued under this article except a bona fide member OR EMPLOYEE of the authorized organization to which the license is issued, or a bona fide member OR EMPLOYEE of an organization or association which is an auxiliary to the licensee or a bona fide member OR EMPLOYEE of an organization or association of which such licensee is an auxiliary or a bona fide member OR EMPLOYEE of an organization or association which is

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

LBD09737-01-1

affiliated with the licensee by being, with it, auxiliary to another organization or association. Nothing herein shall be construed to limit the number of games of chance licensees for whom such persons may operate games of chance nor to prevent non-members OR NON-EMPLOYEES from assisting the licensee in any activity other than managing or operating games. No game of chance shall be conducted with any equipment except such as shall be owned or leased by the authorized organization so licensed or used without payment of any compensation therefor by the licensee. However, in no event shall bell jar tickets be transferred from one authorized organization to another, with or without payment of any compensation thereof. The head or heads of the authorized organization shall upon request certify, under oath, that the persons operating any game of chance are bona fide members OR EMPLOYEES of such authorized organization, auxiliary or affiliated organization. Upon request by an officer or the department any such person involved in such games of chance shall certify that he or she has no criminal record. No items of expense shall be incurred or paid in connection with the conducting of any game of chance pursuant to any license issued under this article except those that are reasonable and are necessarily expended for games of chance supplies and equipment, prizes, security personnel, stated rental if any, bookkeeping or accounting services according to a schedule of compensation prescribed by the board, janitorial services and utility supplies if any, and license fees, and the cost of bus transportation, if authorized by such clerk or department. No commission, salary, compensation, reward or recompense shall be paid or given to any person OTHER THAN AN EMPLOYEE for the sale or assisting with the sale of raffle tickets.

2. For the purpose of the sale of tickets for the game of raffle, the term "operate" shall not include the sale of such tickets by persons of lineal or collateral consanguinity to members of an authorized organization licensed to conduct a raffle.

S 3. This act shall take effect immediately.