

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:

1 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  
2 read as follows:  
3

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

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

12 S 2. Section 195-c of the general municipal law, as amended by chapter  
13 252 of the laws of 1998, is amended to read as follows:

14 S 195-c. [1.] Persons operating games; equipment; expenses; compensation.  
15 1. No person shall operate any game of chance under any license  
16 issued under this article except a bona fide member OR EMPLOYEE of the  
17 authorized organization to which the license is issued, or a bona fide  
18 member OR EMPLOYEE of an organization or association which is an auxiliary  
19 to the licensee or a bona fide member OR EMPLOYEE of an organization  
20 or association of which such licensee is an auxiliary or a bona  
21 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.

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1 affiliated with the licensee by being, with it, auxiliary to another  
2 organization or association. Nothing herein shall be construed to limit  
3 the number of games of chance licensees for whom such persons may oper-  
4 ate games of chance nor to prevent non-members OR NON-EMPLOYEES from  
5 assisting the licensee in any activity other than managing or operating  
6 games. No game of chance shall be conducted with any equipment except  
7 such as shall be owned or leased by the authorized organization so  
8 licensed or used without payment of any compensation therefor by the  
9 licensee. However, in no event shall bell jar tickets be transferred  
10 from one authorized organization to another, with or without payment of  
11 any compensation thereof. The head or heads of the authorized organiza-  
12 tion shall upon request certify, under oath, that the persons operating  
13 any game of chance are bona fide members OR EMPLOYEES of such authorized  
14 organization, auxiliary or affiliated organization. Upon request by an  
15 officer or the department any such person involved in such games of  
16 chance shall certify that he or she has no criminal record. No items of  
17 expense shall be incurred or paid in connection with the conducting of  
18 any game of chance pursuant to any license issued under this article  
19 except those that are reasonable and are necessarily expended for games  
20 of chance supplies and equipment, prizes, security personnel, stated  
21 rental if any, bookkeeping or accounting services according to a sched-  
22 ule of compensation prescribed by the board, janitorial services and  
23 utility supplies if any, and license fees, and the cost of bus transpor-  
24 tation, if authorized by such clerk or department. No commission, sala-  
25 ry, compensation, reward or recompense shall be paid or given to any  
26 person OTHER THAN AN EMPLOYEE for the sale or assisting with the sale of  
27 raffle tickets.

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

32 S 3. This act shall take effect immediately.