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

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I N S E N A T E

March 20, 2012

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

AN ACT to amend the tax law, in relation to authorizing advertising during quick draw

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

Section 1. Section 1603 of the tax law is amended by adding three new subdivisions 6, 7 and 8 to read as follows:

6. THE DIRECTOR MAY CONTRACT WITH ONE OR MORE PERSONS TO ALLOW THE PLACEMENT OF ADVERTISING OR PROMOTIONAL MATERIAL ON AVAILABLE MEDIA RELATED TO ANY ONLINE LOTTERY GAME OR TO SPONSOR INDIVIDUAL DRAWS IN ANY ONLINE LOTTERY GAME. IF THE DIRECTOR ENTERS INTO A CONTRACT UNDER THIS SUBDIVISION, THE DIRECTOR SHALL ALLOW AT LEAST ONE MINUTE BETWEEN DRAWS OF ON-LINE LOTTERY GAMES DURING WHICH ONE OR MORE ADVERTISEMENTS MAY BE EXHIBITED.

7. A CONTRACT ENTERED INTO UNDER SUBDIVISION SIX OF THIS SECTION SHALL PROVIDE THAT ANY ADVERTISEMENTS EXHIBITED BETWEEN DRAWS OF ON-LINE LOTTERY GAMES SHALL COMPLY WITH CONTENT REGULATIONS FOR TELEVISED BROADCAST ADOPTED BY THE FEDERAL COMMUNICATIONS COMMISSION, WITH THE EXCEPTION THAT THE ADVERTISING UNDER SUBDIVISION SIX OF THIS SECTION MAY INCLUDE ADVERTISEMENTS FOR ALCOHOLIC BEVERAGES WITH RESTRICTIONS IMPOSED ONLY BY THE DIRECTOR.

8. THE DIRECTOR SHALL SOLICIT BIDS FROM RESPONSIBLE PERSONS FOR ADVERTISING OR PROMOTIONAL CONTRACTS UNDER SUBDIVISION SIX OF THIS SECTION. THE DIRECTOR SHALL SELECT FROM AMONG THE BIDS RECEIVED SO AS TO PRODUCE THE MAXIMUM AMOUNT OF NET REVENUE FOR THE STATE CONSISTENT WITH THE GENERAL WELFARE OF THE CITIZENS OF THE STATE. IN DECIDING WHETHER TO ENTER INTO A CONTRACT UNDER SUBDIVISION SIX OF THIS SECTION, THE DIRECTOR SHALL CONSIDER WHETHER THE TERMS OF THE CONTRACT ARE COMPARABLE TO THE TERMS OF SIMILAR ADVERTISING OR PROMOTIONAL CONTRACTS RELATING TO LOTTERY OR OTHER GAMING IN OTHER STATES.

S 2. This act shall take effect immediately.

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

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