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I N S E N A T E

April 17, 2012

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

AN ACT to amend the general municipal law, in relation to electronic bell jar games

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

1 Section 1. Section 186 of the general municipal law is amended by  
2 adding two new subdivisions 22 and 23 to read as follows:

3 22. "ELECTRONIC BELL JAR DEVICE" SHALL MEAN A DEVICE OR SYSTEM THAT  
4 MAY BE ACTIVATED BY THE INSERTION OF CASH OR A SWIPE CARD THAT PERMITS  
5 SUCCESSIVE BELL JAR GAMES TO BE DISPLAYED ON AN ELECTRONIC SCREEN AND  
6 PRESERVE SUCH DATA THAT ENABLES THE BOARD TO DETERMINE THAT REVENUES  
7 DERIVED FROM THE GAMES ARE PROPERLY ACCOUNTED FOR AND THAT THE INTEGRITY  
8 OF THE GAMES IS MAINTAINED. PRIZES MAY BE AWARDED THROUGH A VOUCHER THAT  
9 MAY BE ISSUED BY AN ELECTRONIC BELL JAR DEVICE OR THROUGH CREDITS THAT  
10 MAY BE RECORDED ON A SWIPE CARD, BOTH OF WHICH MAY BE REDEEMED FOR CASH  
11 THROUGH A CASHIER OR OTHER REDEMPTION SYSTEM AUTHORIZED BY THE BOARD.

12 23. "SWIPE CARD" MEANS A CARD THAT MAY BE PURCHASED FROM AN AUTHORIZED  
13 ORGANIZATION AND INSERTED IN AN ELECTRONIC BELL JAR DEVICE, WHICH WILL  
14 THEN RECORD WINS AND LOSSES DURING THE COURSE OF PLAYING SUCH ELECTRONIC  
15 BELL JAR DEVICE.

16 S 2. Section 195-n of the general municipal law is amended by adding a  
17 new subdivision 1-a to read as follows:

18 1-A. NO MANUFACTURER OF ELECTRONIC BELL JAR DEVICES SHALL SELL, LEASE  
19 OR OTHERWISE DISTRIBUTE SUCH DEVICES TO AN AUTHORIZED ORGANIZATION OR  
20 PERMIT ITS ELECTRONIC BELL JAR DEVICES TO BE SOLD, LEASED OR OTHERWISE  
21 DISTRIBUTED TO AN AUTHORIZED ORGANIZATION UNTIL SUCH MANUFACTURER HAS  
22 BEEN ISSUED A LICENSE BY THE BOARD AND UNTIL AN IDENTICAL DEVICE  
23 CONTAINING IDENTICAL PROPRIETARY SOFTWARE HAS BEEN APPROVED BY THE  
24 BOARD, PURSUANT TO REGULATIONS ADOPTED BY THE BOARD. AN APPLICATION FOR  
25 A LICENSE OR A RENEWAL OF SUCH LICENSE SHALL BE ACCOMPANIED BY A FEE OF  
26 ONE THOUSAND DOLLARS AND SHALL BE MADE ON FORMS PRESCRIBED BY THE BOARD.

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

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1 A LICENSE SHALL BE VALID FOR A PERIOD OF ONE YEAR FROM THE DATE OF ISSU-  
2 ANCE.

3 S 3. Subdivision 2 of section 195-q of the general municipal law is  
4 renumbered subdivision 3 and a new subdivision 2 is added to read as  
5 follows:

6 2. A. WITHIN THREE BUSINESS DAYS AFTER THE SALE, LEASE OR DISTRIBUTION  
7 OF AN ELECTRONIC BELL JAR DEVICE TO AN AUTHORIZED ORGANIZATION, A  
8 MANUFACTURER SHALL PROVIDE THE BOARD WITH A COPY OF AN INVOICE WHICH  
9 SHOWS (I) THE NAME AND ADDRESS OF THE AUTHORIZED ORGANIZATION; (II) THE  
10 DATE OF SALE, LEASE OR DISTRIBUTION; (III) THE SERIAL NUMBER OF EACH  
11 SUCH DEVICE; AND (IV) SUCH OTHER INFORMATION AS THE BOARD MAY, BY REGU-  
12 LATION, DIRECT.

13 B. AN AUTHORIZED ORGANIZATION MAY ONLY CONDUCT ELECTRONIC BELL JAR  
14 GAMES ON PREMISES THAT IT OWNS OR LEASES.

15 C. AN ELECTRONIC BELL JAR DEVICE SHALL CONTAIN A SERIES OF BELL JAR  
16 GAMES THAT HAVE BEEN APPROVED BY THE BOARD PURSUANT TO SECTION ONE  
17 HUNDRED NINETY-FIVE-M OF THIS ARTICLE, EXCEPT THAT PAPER TICKETS SHALL  
18 APPEAR AS IMAGES ON AN ELECTRONIC SCREEN. EACH GAME SHALL BE IDENTIFIED  
19 BY A UNIQUE SERIAL NUMBER AND THE BELL JAR DEVICE SHALL DIVULGE (I) A  
20 DESCRIPTION OF THE GAME; (II) THE TOTAL NUMBER OF TICKETS IN THE GAME;  
21 (III) THE PAYOUT PERCENTAGE OF THE GAME; (IV) THE PURCHASE PRICE PER  
22 TICKET; AND (V) THE NUMBER AND AMOUNTS OF TICKETS THAT RESULT IN  
23 WINNERS. THE AUTHORIZED ORGANIZATION SHALL ALSO MAINTAIN THE FOREGOING  
24 INFORMATION IN PRINTED FORM.

25 D. UPON COMPLETION OF A GAME, THE DATA CONTAINED IN PARAGRAPH C OF  
26 THIS SUBDIVISION SHALL BE PRESERVED BY THE ELECTRONIC BELL JAR DEVICE,  
27 TOGETHER WITH THE FOLLOWING: (I) THE TIME AND DATE THAT THE GAME BECAME  
28 AVAILABLE FOR PLAY; (II) THE TIME AND DATE THAT THE GAME WAS COMPLETED  
29 OR REMOVED FROM PLAY; (III) TOTAL AMOUNT OF TICKETS PURCHASED; (IV)  
30 TOTAL AMOUNT OF PRIZES AWARDED; AND (V) SUCH OTHER INFORMATION THAT THE  
31 BOARD MAY DIRECT, BY REGULATION, THAT ALLOWS THE BOARD TO DETERMINE THAT  
32 THE GAME WAS CONDUCTED IN ACCORDANCE WITH LAW.

33 E. THE INFORMATION CONTAINED IN PARAGRAPH D OF THIS SUBDIVISION, SHALL  
34 BE SUBMITTED TO THE BOARD AT SUCH INTERVALS AS THE BOARD, BY REGULATION,  
35 MAY DIRECT. THE TOTAL AMOUNT OF TICKETS PURCHASED AND THE TOTAL AMOUNT  
36 OF PRIZES AWARDED FOR EACH GAME COMPLETED SHALL ALSO BE COMPILED INTO A  
37 MONTHLY REPORT THAT SHALL BE SUBMITTED TO THE BOARD NO LATER THAN THE  
38 FIFTEENTH DAY OF THE FOLLOWING MONTH, TOGETHER WITH THE MONTHLY FEE  
39 DESCRIBED IN PARAGRAPH F OF THIS SUBDIVISION.

40 F. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION,  
41 THE MONTHLY FEE FOR CONDUCTING ELECTRONIC BELL JAR GAMES SHALL BE FIVE  
42 PERCENT OF THE DIFFERENCE BETWEEN THE TOTAL AMOUNT FOR TICKETS PURCHASED  
43 AND THE TOTAL AMOUNT OF PRIZES AWARDED FOR EACH GAME THAT WAS COMPLETED  
44 DURING THE PRECEDING MONTH.

45 G. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, "NET PROCEEDS" FROM  
46 ELECTRONIC BELL JARS SHALL CONSIST OF THE AMOUNTS DERIVED FROM THE SALE  
47 OF BELL JAR TICKETS, LESS PAYMENTS FOR PRIZES AWARDED, FEES PAID TO THE  
48 BOARD, AND PAYMENTS MADE TO MANUFACTURERS FOR THE PURCHASE, LEASE OR  
49 OTHER DISTRIBUTION OF ELECTRONIC BELL JAR DEVICES AND THE SOFTWARE  
50 CONTAINED IN SUCH DEVICES.

51 S 4. This act shall take effect on the one hundred eightieth day after  
52 it shall have become a law.