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

10310

I N A S S E M B L Y

May 22, 2012

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

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to antitrust exemptions for horse racing agreements

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

Section 1. The racing, pari-mutuel wagering and breeding law is amended by adding a new section 113-a to read as follows:

S 113-A. ANTITRUST EXEMPTIONS. STATE AND FEDERAL ANTITRUST LAWS SHALL NOT APPLY TO ANY JOINT AGREEMENT ENTERED INTO, IN CONSULTATION WITH AND JOINTLY APPROVED BY THE STATE GAMING COMMISSION AND THE ATTORNEY GENERAL, BY OR AMONG NON-PROFIT RACING ASSOCIATIONS, THOROUGHBRED RACING ASSOCIATIONS OR CORPORATIONS, HARNESS RACING ASSOCIATIONS OR CORPORATIONS, QUARTER HORSE RACING ASSOCIATIONS OR CORPORATIONS, AND REGIONAL OFF-TRACK BETTING CORPORATIONS TO COORDINATE THE DATES AND TIMES UNDER WHICH THEY WILL CONDUCT PROGRAMS OF RACING AND OFFER PARI-MUTUEL WAGERING. IN ADDITION, SUCH ANTITRUST LAWS SHALL NOT APPLY TO JOINT AGREEMENTS ENTERED INTO, IN CONSULTATION WITH AND JOINTLY APPROVED BY THE STATE GAMING COMMISSION AND THE ATTORNEY GENERAL, BY OR AMONG NON-PROFIT RACING ASSOCIATIONS, THOROUGHBRED RACING ASSOCIATIONS OR CORPORATIONS, HARNESS RACING ASSOCIATIONS OR CORPORATIONS, QUARTER HORSE RACING ASSOCIATIONS OR CORPORATIONS, AND REGIONAL OFF-TRACK BETTING CORPORATIONS TO SELL, TRANSFER, ASSIGN OR PURCHASE THE RIGHTS TO BROADCAST, SIMULCAST, ELECTRONICALLY TRANSMIT OR OFFER PARI-MUTUEL WAGERING ON HORSE RACES. THE STATE GAMING COMMISSION AND THE ATTORNEY GENERAL SHALL JOINTLY CONSIDER AND APPROVE SUCH AGREEMENTS AND THE TERMS THEREIN TO FURTHER THE STATE'S INTEREST IN ENSURING THE VIABILITY AND CONTINUED EXISTENCE IN THIS STATE OF THE HORSE RACING AND AGRICULTURE INDUSTRIES.

S 2. This act shall take effect on the same date and in the same manner as section 1 of part A of chapter 60 of the laws of 2012 takes effect.

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

LBD04869-02-2