

3705

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 26, 2011

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Introduced by M. of A. PRETLOW, REILLY, SPANO -- 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:

1     Section 1. The racing, pari-mutuel wagering and breeding law is  
2 amended by adding a new section 113 to read as follows:  
3     S 113. ANTITRUST EXEMPTIONS. STATE AND FEDERAL ANTITRUST LAWS SHALL  
4 NOT APPLY TO ANY JOINT AGREEMENT ENTERED INTO, IN CONSULTATION WITH AND  
5 APPROVED BY THE STATE RACING AND WAGERING BOARD, BY OR AMONG NON-PROFIT  
6 RACING ASSOCIATIONS, THOROUGHBRED RACING ASSOCIATIONS OR CORPORATIONS,  
7 HARNESS RACING ASSOCIATIONS OR CORPORATIONS, QUARTER HORSE RACING ASSO-  
8 CIATIONS OR CORPORATIONS, AND REGIONAL OFF-TRACK BETTING CORPORATIONS TO  
9 COORDINATE THE DATES AND TIMES UNDER WHICH THEY WILL CONDUCT PROGRAMS OF  
10 RACING AND OFFER PARI-MUTUEL WAGERING. IN ADDITION, SUCH ANTITRUST LAWS  
11 SHALL NOT APPLY TO JOINT AGREEMENTS ENTERED INTO, IN CONSULTATION WITH  
12 AND APPROVED BY THE STATE RACING AND WAGERING BOARD, BY OR AMONG  
13 NON-PROFIT RACING ASSOCIATIONS, THOROUGHBRED RACING ASSOCIATIONS OR  
14 CORPORATIONS, HARNESS RACING ASSOCIATIONS OR CORPORATIONS, QUARTER HORSE  
15 RACING ASSOCIATIONS OR CORPORATIONS, AND REGIONAL OFF-TRACK BETTING  
16 CORPORATIONS TO SELL, TRANSFER, ASSIGN OR PURCHASE THE RIGHTS TO BROAD-  
17 CAST, SIMULCAST, ELECTRONICALLY TRANSMIT OR OFFER PARI-MUTUEL WAGERING  
18 ON HORSE RACES. THE STATE RACING AND WAGERING BOARD SHALL CONSIDER AND  
19 APPROVE SUCH AGREEMENTS AND THE TERMS THEREIN TO FURTHER THE STATE'S  
20 INTEREST IN ENSURING THE VIABILITY AND CONTINUED EXISTENCE IN THIS STATE  
21 OF THE HORSE RACING AND AGRICULTURE INDUSTRIES.  
22     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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