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

6353--B

2011-2012 Regular Sessions

I N A S S E M B L Y

March 15, 2011

Introduced by M. of A. MAGEE -- read once and referred to the Committee on Racing and Wagering -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Racing and Wagering in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to the location of new harness tracks

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

Section 1. Subdivision 4 of section 307 of the racing, pari-mutuel wagering and breeding law is amended to read as follows:

4. In considering an application for a license under this section the state racing and wagering board may give consideration to the number of licenses already granted and to the location of the tracks previously licensed. No such license shall be granted to any track which has not conducted pari-mutuel harness racing during at least ten calendar years and which is located within ten miles of a state, county or town fair conducting harness racing for the three consecutive years immediately preceding April second, nineteen hundred fifty-three, which license shall be operative during the racing dates of such fair, unless the association, corporation or society conducting such fair shall affirmatively waive objection to the issuance of such license for dates within such period. No such license shall be granted to any track located within the corporate limits of a city of the first class. [No] ON AND AFTER MARCH THIRTY-FIRST, TWO THOUSAND TWELVE, EXCEPT IN SULLIVAN COUNTY, NO such license shall be granted to any harness horse racetrack located within [twenty-five] SEVENTY-FIVE miles of any track already licensed for the same dates and hours except with the consent of the licensee located within such [twenty-five] SEVENTY-FIVE mile area. NOTHING CONTAINED IN THIS SECTION SHALL AFFECT THE VALIDITY OF A LICENSE ISSUED

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

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FOR A TRACK OPERATING OR TO BE OPERATED IN SULLIVAN COUNTY OR OTHERWISE OPERATING MORE THAN TWENTY-FIVE MILES FROM ANOTHER TRACK LICENSED FOR THE SAME HOURS AND DATES, IF GRANTED PRIOR TO THE EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND TWELVE WHICH AMENDED THIS SUBDIVISION.

S 2. This act shall take effect immediately, except that if this act shall have become a law on or after March 31, 2012, this act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2012.