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

7852--A

2011-2012 Regular Sessions

I N A S S E M B L Y

May 19, 2011

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to certain payments to the horsemen's organization; and to amend chapter 473 of the laws of 2010 amending the racing, pari-mutuel wagering and breeding law relating to the New York state thoroughbred breeding and development fund, in relation to the effectiveness thereof

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

Section 1. Section 2 of chapter 473 of the laws of 2010 amending the racing, pari-mutuel wagering and breeding law relating to the New York state thoroughbred breeding and development fund, is amended to read as follows:

S 2. This act shall take effect immediately, provided, however that this act shall expire and be deemed repealed [upon] ONE YEAR AFTER the commencement of the operation of a video lottery facility at Aqueduct racetrack; provided that the chair of the New York state thoroughbred breeding and development fund shall notify the legislative bill drafting commission upon the occurrence of the commencement of the operation of a video lottery facility at Aqueduct racetrack in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law; provided further, that effective immediately the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such date.

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

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S 2. The opening paragraph of subdivision 2 of section 228 of the racing, pari-mutuel wagering and breeding law, as amended by chapter 259 of the laws of 2010, is amended to read as follows:

The state racing and wagering board shall, as a condition of racing, require any franchised corporation and every other corporation subject to its jurisdiction to withhold one percent of all purses, except that for the franchised corporation, starting on September first, two thousand seven and continuing through August thirty-first, two thousand [eleven] TWELVE, two percent of all purses shall be withheld, and, in the case of the franchised corporation, to pay such sum to the horsemen's organization or its successor that was first entitled to receive payments pursuant to this section in accordance with rules of the board adopted effective November third, nineteen hundred eighty-three representing at least fifty-one percent of the owners and trainers utilizing the facilities of such franchised corporation, on the condition that such horsemen's organization shall expend as much as is necessary, but not to exceed one-half of one percent of such total sum, to acquire and maintain the equipment required to establish a program at a state college within this state with an approved equine science program to test for the presence of steroids in horses, provided further that the qualified organization shall also, in an amount to be determined by its board of directors, annually include in its expenditures for benevolence programs, funds to support an organization providing services necessary to backstretch employees, and, in the case of every other corporation, to pay such one percent sum of purses to the horsemen's organization or its successor that was first entitled to receive payments pursuant to this section in accordance with rules of the board adopted effective May twenty-third, nineteen hundred eighty-six representing at least fifty-one percent of the owners and trainers utilizing the facilities of such corporation.

S 3. This act shall take effect immediately.