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623

2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011
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Introduced by Sen. KLEIN -- read twice and ordered printed, and when
  printed to be committed to the Committee on Racing, Gaming and Wager-
  ing

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 ASSEM-
BLY, 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.
                                                        LBD04869-01-1