

2329--A

Cal. No. 11

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 14, 2013

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Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the special order of third reading

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to authorizing the payment of rebates on pari-mutuel wagers

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 109-b to read as follows:  
3     S 109-B. REBATES. 1. FOR THE PURPOSES OF THIS SECTION, "REBATE" SHALL  
4     MEAN A PORTION OF PARI-MUTUEL WAGERS, OTHERWISE PAYABLE TO AN ASSOCI-  
5     ATION OR CORPORATION CONDUCTING PARI-MUTUEL BETTING AT A RACE MEETING ON  
6     RACES RUN THEREAT, WHICH IS PAID TO HOLDERS OF PARI-MUTUEL WAGERING  
7     TICKETS AND WHICH REDUCES THE AMOUNT OTHERWISE PAYABLE TO SUCH ASSOCI-  
8     ATION OR CORPORATION. SUCH TERM SHALL BE DEFINED IN RULES PROMULGATED  
9     BY THE COMMISSION AND MAY INCLUDE, BUT NOT BE LIMITED TO, REFUNDS TO  
10    HOLDERS OF PARI-MUTUEL WAGERING TICKETS OF ANY PORTION OR PERCENTAGE OF  
11    THE FULL FACE VALUE OF A PARI-MUTUEL WAGER, INCREASING THE PAYOFF OF,  
12    PAYING A BONUS ON A WINNING PARI-MUTUEL TICKET, AWARDS OF MERCHANDISE,  
13    SERVICES SUCH AS MEALS, PARKING, ADMISSION, SEATING AND PROGRAMS, FREE  
14    OR REDUCED COST PARI-MUTUEL WAGERS AND MONETARY AWARDS, OR ANY OTHER  
15    BENEFIT THAT THE STATE GAMING COMMISSION DEEMS APPROPRIATE TO REWARD  
16    HORSE RACING PATRONS FOR THEIR PARTICIPATION AT RACE MEETINGS.  
17    2. THE STATE GAMING COMMISSION, UPON APPLICATION OF AN ASSOCIATION OR  
18    CORPORATION CONDUCTING PARI-MUTUEL BETTING AT A RACE MEETING ON RACES  
19    RUN THEREAT, MAY APPROVE THE PAYMENT OF REBATES BY SUCH ASSOCIATION OR  
20    CORPORATION FOR A REBATE PROGRAM FOR A PERIOD OF UP TO ONE YEAR, SUBJECT  
21    TO THE FOLLOWING REQUIREMENTS:

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

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1 A. THE APPLICANT DISCLOSES THE EXTENT OF THE REBATE PROGRAM. SUCH  
2 DISCLOSURE SHALL INCLUDE A LISTING OF THE MONETARY VALUE OF ALL REBATES  
3 PAID TO BETTORS DURING THE PREVIOUS CALENDAR YEAR, AND THE TERMS AND  
4 CONDITIONS GOVERNING THE AWARD OF REBATES TO BETTORS FOR THE CALENDAR  
5 YEAR TO WHICH THE APPLICATION APPLIES;

6 B. THE APPLICANT PROVIDES ASSURANCES THAT THE VALUES OF THE REBATES  
7 ARE DETERMINED SOLELY BY (I) ATTENDANCE AT ONE OR MORE RACE MEETINGS,  
8 (II) THE AMOUNT WAGERED BY A BETTOR, (III) THE AMOUNT PAYABLE TO THE  
9 ASSOCIATION OR CORPORATION ON EACH WAGER, OR (IV) HOW FREQUENTLY A  
10 BETTOR WAGERS;

11 C. THE ASSOCIATION OR CORPORATION MAINTAINS RECORDS OF ALL WAGERS  
12 SUBJECT TO A REBATE, FOR A PERIOD OF NOT LESS THAN THREE YEARS; AND

13 D. THE APPLICANT DEMONSTRATES THAT SUCH REBATES ARE IN THE BEST INTER-  
14 ESTS OF HORSE RACING.

15 3. REGIONAL OFF-TRACK BETTING CORPORATIONS MAY OFFER REBATES ON WAGERS  
16 MADE ON RACES RUN BY ANY ASSOCIATION OR CORPORATION WHICH OFFERS REBATES  
17 PURSUANT TO THIS SECTION. SUCH REBATES SHALL BE SUBJECT TO THE  
18 PROVISIONS OF SUBDIVISIONS ONE AND TWO OF THIS SECTION.

19 4. UPON THE APPROVAL OF AN ASSOCIATION OR CORPORATION CONDUCTING  
20 PARI-MUTUEL BETTING AT A RACE MEETING ON RACES RUN THEREAT, ANOTHER  
21 RACING ASSOCIATION OR CORPORATION MAY PROVIDE BETTORS WITH REBATES ON  
22 WAGERS ON RACES RUN AT THE RACETRACK OPERATED BY SUCH APPROVING ASSOCI-  
23 ATION OR CORPORATION. ALL SUCH REBATES SHALL BE SUBJECT TO THE  
24 PROVISIONS OF SUBDIVISIONS ONE AND TWO OF THIS SECTION.

25 S 2. This act shall take effect on the one hundred eightieth day after  
26 it shall have become a law; provided that effective immediately any  
27 rules, regulations and applications necessary to implement the  
28 provisions of this act on its effective date are authorized to be  
29 completed on or before such date.