

2679

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 17, 2013

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Introduced by M. of A. BLANKENBUSH -- read once and referred to the  
Committee on Racing and Wagering

AN ACT to amend the general municipal law, in relation to employees of  
authorized organizations operating games of chance

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

1     Section 1. Subdivisions 10 and 11 of section 189 of the general municipal law, as amended by chapter 574 of the laws of 1978, are amended to  
2     read as follows:

3     10. No person except a bona fide member OR EMPLOYEE of the licensed  
4     authorized organization shall participate in the management of such  
5     games; no person except a bona fide member OR EMPLOYEE of the licensed  
6     authorized organization, its auxiliary or affiliated organization, shall  
7     participate in the operation of such game, as set forth in section one  
8     hundred ninety-five-c of this article.

9     11. No person OTHER THAN AN EMPLOYEE shall receive any remuneration  
10    for participating in the management or operation of any such game.

11    S 2. Section 195-c of the general municipal law, as amended by chapter  
12    252 of the laws of 1998, is amended to read as follows:

13    S 195-c. [1.] Persons operating games; equipment; expenses; compensation.  
14    1. No person shall operate any game of chance under any license  
15    issued under this article except a bona fide member OR EMPLOYEE of the  
16    authorized organization to which the license is issued, or a bona fide  
17    member OR EMPLOYEE of an organization or association which is an auxiliary  
18    to the licensee or a bona fide member OR EMPLOYEE of an organization or  
19    association of which such licensee is an auxiliary or a bona fide member  
20    OR EMPLOYEE of an organization or association which is affiliated with the  
21    licensee by being, with it, auxiliary to another organization or association.  
22    Nothing herein shall be construed to limit the number of games of chance  
23    licensees for whom such persons may operate games of chance nor to prevent  
24    non-members OR NON-EMPLOYEES from

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

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1 assisting the licensee in any activity other than managing or operating  
2 games. No game of chance shall be conducted with any equipment except  
3 such as shall be owned or leased by the authorized organization so  
4 licensed or used without payment of any compensation therefor by the  
5 licensee. However, in no event shall bell jar tickets be transferred  
6 from one authorized organization to another, with or without payment of  
7 any compensation thereof. The head or heads of the authorized organiza-  
8 tion shall upon request certify, under oath, that the persons operating  
9 any game of chance are bona fide members OR EMPLOYEES of such authorized  
10 organization, auxiliary or affiliated organization. Upon request by an  
11 officer or the department any such person involved in such games of  
12 chance shall certify that he or she has no criminal record. No items of  
13 expense shall be incurred or paid in connection with the conducting of  
14 any game of chance pursuant to any license issued under this article  
15 except those that are reasonable and are necessarily expended for games  
16 of chance supplies and equipment, prizes, security personnel, stated  
17 rental if any, bookkeeping or accounting services according to a sched-  
18 ule of compensation prescribed by the board, janitorial services and  
19 utility supplies if any, and license fees, and the cost of bus transpor-  
20 tation, if authorized by such clerk or department. No commission, sala-  
21 ry, compensation, reward or recompense shall be paid or given to any  
22 person OTHER THAN AN EMPLOYEE for the sale or assisting with the sale of  
23 raffle tickets.

24 2. For the purpose of the sale of tickets for the game of raffle, the  
25 term "operate" shall not include the sale of such tickets by persons of  
26 lineal or collateral consanguinity to members of an authorized organiza-  
27 tion licensed to conduct a raffle.

28 S 3. This act shall take effect immediately.