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I N   A S S E M B L Y

January 17, 2014

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

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. Section 109-b of the racing, pari-mutuel wagering and  
2 breeding law, as added by chapter 472 of the laws of 2013, is amended to  
3 read as follows:

4     S 109-b. Rebates. 1. For the purposes of this section, "rebate" shall  
5 mean a portion of pari-mutuel wagers, otherwise payable to an [associ-  
6 ation or corporation] ENTITY conducting pari-mutuel betting [at a race  
7 meeting on races run thereat, which], THAT is paid to holders of pari-  
8 mutuel wagering tickets and [which] THAT reduces the amount otherwise  
9 payable to such [association or corporation. Such term shall be defined  
10 in rules promulgated by the commission and may include] ENTITY, INCLUD-  
11 ING, but not [be] limited to, refunds to holders of pari-mutuel wagering  
12 tickets of any portion or percentage of the full face value of a pari-  
13 mutuel wager, [increasing the payoff of,] paying a bonus on a winning  
14 pari-mutuel ticket, awards of merchandise, services such as meals, park-  
15 ing, admission, seating and programs, free or reduced cost pari-mutuel  
16 wagers [and], monetary awards, or any other benefit that the state  
17 gaming commission deems appropriate to reward horse racing patrons for  
18 their [participation] PATRONAGE at race meetings.

19     2. The state gaming commission, upon application of an [association or  
20 corporation conducting] ENTITY AUTHORIZED TO CONDUCT pari-mutuel betting  
21 [at a race meeting on races run thereat], may approve the payment of  
22 rebates by such [association or corporation] ENTITY for a rebate program  
23 [for a period of up to one year], subject to the following requirements:

24     a. the applicant discloses the extent of the rebate program. Such  
25 disclosure shall include a listing of the monetary value of all rebates  
26 paid to bettors during the previous calendar year, and the terms and  
27 conditions governing the award of rebates to bettors [for the calendar  
28 year to which the application applies];

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

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1     b. the applicant provides assurances that the values of the rebates  
2 are determined solely by (i) attendance at one or more race meetings,  
3 (ii) the amount wagered by a bettor, (iii) the amount payable to the  
4 [association or corporation] ENTITY on each wager, or (iv) how frequent-  
5 ly a bettor wagers;

6     c. the [association or corporation] ENTITY maintains records of all  
7 wagers subject to a rebate, for a period of not less than three years;  
8 and

9     d. the applicant demonstrates that such rebates are in the best inter-  
10 ests of horse racing.

11     [3. Regional off-track betting corporations may offer rebates on  
12 wagers made on races run by any association or corporation which offers  
13 rebates pursuant to this section. Such rebates shall be subject to the  
14 provisions of subdivisions one and two of this section.]

15     4. Upon the approval of an association or corporation conducting pari-  
16 mutuel betting at a race meeting on races run thereat, another racing  
17 association or corporation may provide bettors with rebates on wagers on  
18 races run at the racetrack operated by such approving association or  
19 corporation. All such rebates shall be subject to the provisions of  
20 subdivisions one and two of this section.]

21     S 2. This act shall take effect on the same date and in the same  
22 manner as chapter 472 of the laws of 2013 takes effect.