

2433--A

2013-2014 Regular Sessions

I N S E N A T E

January 17, 2013

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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.