S T A T E O F N E W Y O R K

2243--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. CYMBROWITZ, ORTIZ -- Multi-Sponsored by -- M. of A. BARRETT, BENEDETTO, COOK, CRESPO, ENGLEBRIGHT, HIKIND, JAFFEE, KEARNS, MILLMAN, NOLAN, ROBERTS, SWEENEY, TITUS -- read once and referred to the Committee on Alcoholism and Drug Abuse -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law and the racing, pari-mutuel wagering and breeding law, in relation to compulsive gambling assistance

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

Section 1. Section 19.09 of the mental hygiene law is amended by adding two new subdivisions (i) and (j) to read as follows:

(I) THE COMMISSIONER SHALL CREATE EDUCATIONAL MATERIALS REGARDING COMPULSIVE GAMBLING FOR THE PURPOSE OF EDUCATING INDIVIDUALS THAT VOLUNTARILY PLACE THEMSELVES ON A SELF EXCLUSION LIST OF AN ASSOCIATION OR CORPORATION LICENSED OR ENFRANCHISED BY THE NEW YORK STATE GAMING COMMISSION PURSUANT TO SECTION ONE HUNDRED ELEVEN OF THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW IMMEDIATELY UPON PLACEMENT ON SUCH LIST. THE EDUCATIONAL MATERIALS SHALL BE MADE AVAILABLE ON THE WEBSITE OF THE OFFICE AND SHALL INCLUDE BUT NOT BE LIMITED TO RESOURCES TO TREATMENT.

(J) THE COMMISSIONER, IN CONSULTATION WITH THE NEW YORK STATE GAMING COMMISSION SHALL ESTABLISH A PROBLEM GAMBLING EDUCATION PROGRAM TO BE COMPLETED BY ALL INDIVIDUALS THAT HAVE PLACED THEMSELVES ON A SELF EXCLUSION LIST PURSUANT TO SECTION ONE HUNDRED ELEVEN OF THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW, WHOM SUBSEQUENTLY REQUEST REMOVAL FROM SUCH EXCLUSION LIST. THIS EDUCATION PROGRAM SHALL BE MADE AVAILABLE

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

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ON THE WEBSITES OF BOTH THE OFFICE AND THE NEW YORK STATE GAMING COMMISSION AND SHALL INCLUDE BUT NOT BE LIMITED TO RESOURCES TO TREATMENT.

S 2. Paragraphs (a) and (c) of subdivision 2 of section 111 of the racing, pari-mutuel wagering and breeding law, as added by section 1 of part A of chapter 60 of the laws of 2012, are amended to read as follows:

(a) The commission shall promulgate rules and regulations pursuant to which people may: voluntarily exclude themselves from entering the premises of an association or corporation licensed or enfranchised by the commission pursuant to this chapter; RECEIVE THE REQUIRED EDUCATIONAL MATERIALS PURSUANT TO SUBDIVISION (I) OF SECTION 19.09 OF THE MENTAL HYGIENE LAW; AND, UPON REQUEST TO BE REMOVED FROM THE SELF EXCLUSION LIST, COMPLETE THE PROBLEM GAMBLING EDUCATION PROGRAM PURSUANT TO SUBDIVISION (J) OF SECTION 19.09 OF THE MENTAL HYGIENE LAW.

(c) No voluntary order or request to exclude persons from entering the premises of any such association, corporation, or facility may be rescinded, canceled, or declared null and void until [seven days after a request] SUCH INDIVIDUAL WHO IS SELF EXCLUDED COMPLETES IN PAPER OR ELECTRONIC FORMAT, AN EDUCATIONAL PROGRAM APPROVED BY THE OFFICE PURSUANT TO THE PROVISIONS OF SUBDIVISION (J) OF SECTION 19.09 OF THE MENTAL HYGIENE LAW AND PROOF OF COMPLETION has been received by such association, corporation, or facility to cancel such order or request.

S 3. This act shall take effect on the sixtieth day after it shall have become a law.