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

2598

2013-2014 Regular Sessions

I N A S S E M B L Y

January 16, 2013

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 and the penal law, in relation to the transportation and possession of a gambling device

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

Section 1. Section 104 of the racing, pari-mutuel wagering and breeding law is amended by adding a new subdivision 21 to read as follows:

21. NOTWITHSTANDING SECTION 225.30 OF THE PENAL LAW, THE COMMISSION SHALL ACCEPT FOR FILING THE STATEMENT OF ANY OFFICER OR EMPLOYEE OF A MANUFACTURER OF DISTRIBUTOR OF GAMBLING DEVICES TO PERMIT THE TRANSPORTATION AND POSSESSION OF A GAMBLING DEVICE WITHIN THE STATE. THE STATEMENT SHALL AFFIRM UNDER PENALTY OF PERJURY THAT SUCH DEVICE WAS TRANSPORTED INTO THIS STATE IN A SEALED CONTAINER AND POSSESSED SOLELY FOR THE PURPOSE OF EXHIBITION, MARKETING, AND PRODUCT DEVELOPMENT. SUCH STATEMENT SHALL FURTHER SPECIFY THE NUMBER OF MACHINES, TYPES OF MACHINES AND THE DATES UPON WHICH SUCH MACHINES ARE TO BE SO TRANSPORTED AND POSSESSED WITHIN THE STATE, WHICH PERIOD SHALL NOT EXCEED TWO WEEKS. THE COMMISSION MAY PRESCRIBE BY REGULATION THE FORM AND CONTENT OF SUCH STATEMENT.

S 2. Section 225.30 of the penal law is amended by adding a new subdivision e to read as follows:

E. TRANSPORTATION AND POSSESSION OF A GAMBLING DEVICE SHALL NOT BE UNLAWFUL WHERE SUCH GAMBLING DEVICE WAS TRANSPORTED INTO THIS STATE PURSUANT TO PARAGRAPH TWENTY-ONE OF SECTION ONE HUNDRED FOUR OF THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW.

S 3. This act shall take effect immediately; provided however that section one of this act shall take effect on the same date and in the same manner as section 1 of part A of chapter 60 of the laws of 2012, takes effect.

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

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