

3980

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 30, 2013

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Introduced by M. of A. PRETLOW, RA -- 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 payments by off track betting corporations to regional  
harness tracks for out-of-state and out-of-country simulcasting reven-  
ue

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

1     Section 1. Subdivision 2 of section 1017 of the racing, pari-mutuel  
2     wagering and breeding law, as amended by chapter 18 of the laws of 2008,  
3     is amended to read as follows:  
4     2. [a. Maintenance of effort. Any off-track betting corporation which  
5     engages in accepting wagers on the simulcasts of thoroughbred races from  
6     out-of-state or out-of-country as permitted under subdivision one of  
7     this section shall submit to the board, for its approval, a schedule of  
8     payments to be made in any year or portion thereof, that such off-track  
9     corporation engages in nighttime thoroughbred simulcasting. In order to  
10    be approved by the board, the payment schedule shall be identical to the  
11    actual payments and distributions of such payments to tracks and purses  
12    made by such off-track corporation pursuant to the provisions of section  
13    one thousand fifteen of this article during the year two thousand two,  
14    as derived from out-of-state harness races displayed after 6:00 P.M. If  
15    approved by the board, such scheduled payments shall be made from reven-  
16    ues derived from any simulcasting conducted pursuant to this section and  
17    section one thousand fifteen of this article.  
18    b. Additional payments] PAYMENTS. During each calendar year, to the  
19    extent, and at such time in the event, that aggregate statewide wagering  
20    handle after 7Labor P.M. on out-of-state and out-of-country thoroughbred  
21    races exceeds one hundred million dollars, each off-track betting corpo-  
22    ration conducting such simulcasting shall pay to its regional harness  
23    track or tracks, an amount equal to [two percent] THE FOLLOWING PERCENT-

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

LBD05570-01-3

1 AGE of its proportionate share of such excess handle: FOR CALENDAR  
2 YEARS THROUGH TWO THOUSAND THIRTEEN, TWO PERCENT; FOR CALENDAR YEAR TWO  
3 THOUSAND FOURTEEN, ONE AND ONE-HALF PERCENT; FOR CALENDAR YEAR TWO THOU-  
4 SAND FIFTEEN, ONE PERCENT; AND FOR CALENDAR YEAR TWO THOUSAND SIXTEEN,  
5 ONE-HALF OF ONE PERCENT. THERE SHALL BE NO FURTHER ADDITIONAL PAYMENT  
6 OBLIGATION PURSUANT TO THIS SUBDIVISION FOR CALENDAR YEARS COMMENCING ON  
7 OR AFTER JANUARY FIRST, TWO THOUSAND SEVENTEEN. In any region where  
8 there are two or more regional harness tracks, such [two percent]  
9 PAYMENT AMOUNT shall be divided between or among the tracks in a propor-  
10 tion equal to the proportion of handle on live harness races conducted  
11 at such tracks during the preceding calendar year. Fifty percent of the  
12 sum received by each track pursuant to this [paragraph] SUBDIVISION  
13 shall be used exclusively for increasing purses, stakes and prizes at  
14 that regional harness track.  
15 S 2. This act shall take effect immediately.