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

6887

2013-2014 Regular Sessions

I N A S S E M B L Y

April 23, 2013

Introduced by M. of A. CUSICK -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to authorizing advertising during quick draw

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

Section 1. Section 1604 of the tax law is amended by adding three new subdivisions d, e and f to read as follows:

D. THE DIVISION MAY CONTRACT WITH ONE OR MORE PERSONS TO ALLOW THE PLACEMENT OF ADVERTISING OR PROMOTIONAL MATERIAL ON AVAILABLE MEDIA RELATED TO ANY ONLINE LOTTERY GAME OR TO SPONSOR INDIVIDUAL DRAWS IN ANY ONLINE LOTTERY GAME. IF THE DIVISION ENTERS INTO A CONTRACT UNDER THIS SUBDIVISION, THE DIVISION SHALL ALLOW AT LEAST ONE MINUTE BETWEEN DRAWS OF ONLINE LOTTERY GAMES DURING WHICH ONE OR MORE ADVERTISEMENTS MAY BE EXHIBITED.

E. A CONTRACT ENTERED INTO UNDER SUBDIVISION D OF THIS SECTION SHALL PROVIDE THAT ANY ADVERTISEMENTS EXHIBITED BETWEEN DRAWS OF ONLINE LOTTERY GAMES SHALL COMPLY WITH CONTENT REGULATIONS FOR TELEVISED BROADCAST ADOPTED BY THE FEDERAL COMMUNICATIONS COMMISSION, WITH THE EXCEPTION THAT THE ADVERTISING UNDER SUBDIVISION D OF THIS SECTION MAY INCLUDE ADVERTISEMENTS FOR ALCOHOLIC BEVERAGES WITH RESTRICTIONS IMPOSED ONLY BY THE DIVISION.

F. THE DIVISION SHALL SOLICIT BIDS FROM RESPONSIBLE PERSONS FOR ADVERTISING OR PROMOTIONAL CONTRACTS UNDER SUBDIVISION D OF THIS SECTION. THE DIVISION SHALL SELECT FROM AMONG THE BIDS RECEIVED SO AS TO PRODUCE THE MAXIMUM AMOUNT OF NET REVENUE FOR THE STATE CONSISTENT WITH THE GENERAL WELFARE OF THE CITIZENS OF THE STATE. IN DECIDING WHETHER TO ENTER INTO A CONTRACT UNDER SUBDIVISION D OF THIS SECTION, THE DIVISION SHALL CONSIDER WHETHER THE TERMS OF THE CONTRACT ARE COMPARABLE TO THE TERMS OF SIMILAR ADVERTISING OR PROMOTIONAL CONTRACTS RELATING TO LOTTERY OR OTHER GAMING IN OTHER STATES.

S 2. This act shall take effect immediately.

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

LBD08675-01-3