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

7172

2013-2014 Regular Sessions

I N A S S E M B L Y

May 3, 2013

Introduced by M. of A. SCHIMMINGER -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the general municipal law, in relation to increasing the maximum for raffle prizes to five hundred thousand dollars and allowing organizations to raffle real property as a prize

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

Section 1. Subdivisions 11 and 12 of section 186 of the general municipal law, subdivision 11 as amended by chapter 337 of the laws of 1998, and subdivision 12 as amended by chapter 252 of the laws of 1998, are amended to read as follows:

11. "Single prize" shall mean the sum of money or fair market value of merchandise, PERSONAL PROPERTY, REAL PROPERTY, or coins awarded to a participant by a games of chance licensee in any one operation of a single type of game of chance in excess of his OR HER wager.

12. "Series of prizes" shall mean the total amount of single prizes minus the total amount of wagers lost during the successive operations of a single type of game of chance, except that for merchandise wheels and raffles, "series of prizes" shall mean the sum of cash and the fair market value of merchandise, PERSONAL PROPERTY, REAL PROPERTY, OR COINS awarded as single prizes during the successive operations of any single merchandise wheel or raffle. In the game of raffle, a series of prizes may include a percentage of the sum of cash received from the sale of raffle tickets.

S 2. Subdivisions 5 and 13 of section 189 of the general municipal law, subdivision 5 as amended by chapter 455 of the laws of 2012 and subdivision 13 as amended by chapter 252 of the laws of 1998, are amended to read as follows:

5. No single prize awarded by games of chance other than raffle shall exceed the sum or value of three hundred dollars, except that for merchandise wheels, no single prize shall exceed the sum or value of two

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

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hundred fifty dollars. No single prize awarded by raffle shall exceed the sum or value of one hundred thousand dollars, EXCEPT THAT AN AUTHORIZED ORGANIZATION OR A NOT-FOR-PROFIT CORPORATION AS DEFINED BY SUBPARAGRAPH TEN OF PARAGRAPH (A) OF SECTION ONE HUNDRED TWO OF THE NOT-FOR-PROFIT CORPORATION LAW MAY AWARD BY RAFFLE ONCE PER CALENDAR YEAR A SINGLE PRIZE HAVING A VALUE OF UP TO AND INCLUDING FIVE HUNDRED THOUSAND DOLLARS IF ITS APPLICATION FOR A LICENSE FILED PURSUANT TO SECTION ONE HUNDRED NINETY OF THIS ARTICLE INCLUDES A STATEMENT OF ITS INTENT TO AWARD A PRIZE HAVING SUCH VALUE. No single wager shall exceed six dollars and for bell jars, coin boards, or merchandise boards, no single prize shall exceed five hundred dollars provided, however, that such limitation shall not apply to the amount of money or value paid by the participant in a raffle in return for a ticket or other receipt. For coin boards and merchandise boards, the value of a prize shall be determined by its costs to the authorized organization OR NOT-FOR-PROFIT CORPORATION or, if donated, its fair market value.

13. No game of chance shall be conducted on other than the premises of an authorized organization OR NOT-FOR-PROFIT CORPORATION, EXCEPT IF THE PRIZE IS REAL ESTATE, THEN AT THE LOCATION OF THE REAL ESTATE, or an authorized games of chance lessor. Nothing herein shall prohibit the sale of raffle tickets to the public outside the premises of an authorized organization OR NOT-FOR-PROFIT CORPORATION or an authorized games of chance lessor; or in municipalities which have passed a local law, ordinance or resolution in accordance with sections one hundred eighty-seven and one hundred eighty-eight of this article approving the conduct of games of chance that are located in the county in which the municipality issuing the license is located and in the counties which are contiguous to the county in which the municipality issuing the raffle license is located, provided those municipalities have authorized the licensee, in writing, to sell such raffle tickets therein and provided, however, that no sale of raffle tickets shall be made more than one hundred eighty days prior to the date scheduled for the occasion at which the raffle will be conducted. The winner of any single prize in a raffle shall not be required to be present at the time such raffle is conducted.

S 3. This act shall take effect immediately.