

2870

2013-2014 Regular Sessions

I N S E N A T E

January 24, 2013

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to the disposition of revenue from the lottery prize account

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

1 Section 1. Paragraphs 3 and 4 of subdivision a of section 1612 of the
2 tax law, as amended by section 1 of part Q of chapter 61 of the laws of
3 2011, are amended to read as follows:
4 (3) [fifty-five] FORTY-FIVE percent of the total amount for which
5 tickets have been sold for any joint, multi-jurisdiction, and out-of-
6 state lottery except as otherwise provided in paragraph one of subdivi-
7 sion b of this section for any joint, multi-jurisdiction, out-of-state
8 video lottery gaming; or
9 (4) [fifty] THIRTY-FIVE percent of the total amount for which tickets
10 have been sold for games known as: (A) the "Daily Numbers Game" or "Win
11 4", discrete games in which the participants select no more than three
12 or four of their own numbers to match with three or four numbers drawn
13 by the division for purposes of determining winners of such games, (B)
14 "Pick 10", offered no more than once daily, in which participants select
15 from a specified field of numbers a subset of ten numbers to match
16 against a subset of numbers to be drawn by the division from such field
17 of numbers for the purpose of determining winners of such game, (C)
18 "Take 5", offered no more than once daily, in which participants select
19 from a specified field of numbers a subset of five numbers to match
20 against a subset of five numbers to be drawn by the division from such
21 field of numbers for purposes of determining winners of such game; or
22 S 2. The opening paragraph of paragraph 1 of subdivision b of section
23 1612 of the tax law, as amended by section 1 of part R of chapter 61 of
24 the laws of 2011, is amended to read as follows:

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

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1 Notwithstanding section one hundred twenty-one of the state finance
2 law, on or before the twentieth day of each month, the division shall
3 pay into the state treasury, to the credit of the state lottery fund
4 created by section ninety-two-c of the state finance law, not less than
5 [forty-five] FIFTY percent of the total amount for which tickets have
6 been sold for games defined in paragraph four of subdivision a of this
7 section during the preceding month, not less than thirty-five percent of
8 the total amount for which tickets have been sold for games defined in
9 paragraph three of subdivision a of this section during the preceding
10 month, not less than [twenty] FORTY percent of the total amount for
11 which tickets have been sold for games defined in paragraph two of
12 subdivision a of this section during the preceding month, provided
13 however that for games with a prize payout of seventy-five percent of
14 the total amount for which tickets have been sold, the division shall
15 pay not less than ten percent of sales into the state treasury and not
16 less than twenty-five percent of the total amount for which tickets have
17 been sold for games defined in paragraph one of subdivision a of this
18 section during the preceding month; and the balance of the total revenue
19 after payout for prizes for games known as "video lottery gaming,"
20 including any joint, multi-jurisdiction, and out-of-state video lottery
21 gaming,
22 S 3. This act shall take effect on the first of October next succeed-
23 ing the date on which it shall have become a law.