

3026

2013-2014 Regular Sessions

I N S E N A T E

January 28, 2013

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to antitrust exemptions for horse racing agreements

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

1 Section 1. The racing, pari-mutuel wagering and breeding law is
2 amended by adding a new section 113-a to read as follows:
3 S 113-A. ANTITRUST EXEMPTIONS. STATE AND FEDERAL ANTITRUST LAWS SHALL
4 NOT APPLY TO ANY JOINT AGREEMENT ENTERED INTO, IN CONSULTATION WITH AND
5 JOINTLY APPROVED BY THE STATE GAMING COMMISSION AND THE ATTORNEY GENERAL,
6 BY OR AMONG NON-PROFIT RACING ASSOCIATIONS, THOROUGHBRED RACING
7 ASSOCIATIONS OR CORPORATIONS, HARNESS RACING ASSOCIATIONS OR CORPORATIONS,
8 QUARTER HORSE RACING ASSOCIATIONS OR CORPORATIONS, AND REGIONAL
9 OFF-TRACK BETTING CORPORATIONS TO COORDINATE THE DATES AND TIMES UNDER
10 WHICH THEY WILL CONDUCT PROGRAMS OF RACING AND OFFER PARI-MUTUEL WAGER-
11 ING. IN ADDITION, SUCH ANTITRUST LAWS SHALL NOT APPLY TO JOINT AGREE-
12 MENTS ENTERED INTO, IN CONSULTATION WITH AND JOINTLY APPROVED BY THE
13 STATE GAMING COMMISSION AND THE ATTORNEY GENERAL, BY OR AMONG NON-PROFIT
14 RACING ASSOCIATIONS, THOROUGHBRED RACING ASSOCIATIONS OR CORPORATIONS,
15 HARNESS RACING ASSOCIATIONS OR CORPORATIONS, QUARTER HORSE RACING ASSO-
16 CIATIONS OR CORPORATIONS, AND REGIONAL OFF-TRACK BETTING CORPORATIONS TO
17 SELL, TRANSFER, ASSIGN OR PURCHASE THE RIGHTS TO BROADCAST, SIMULCAST,
18 ELECTRONICALLY TRANSMIT OR OFFER PARI-MUTUEL WAGERING ON HORSE RACES.
19 THE STATE GAMING COMMISSION AND THE ATTORNEY GENERAL SHALL JOINTLY
20 CONSIDER AND APPROVE SUCH AGREEMENTS AND THE TERMS THEREIN TO FURTHER
21 THE STATE'S INTEREST IN ENSURING THE VIABILITY AND CONTINUED EXISTENCE
22 IN THIS STATE OF THE HORSE RACING AND AGRICULTURE INDUSTRIES.
23 S 2. This act shall take effect on the one hundred eightieth day after
24 it shall have become a law.

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

LBD07679-02-3