

3792

2013-2014 Regular Sessions

I N S E N A T E

February 15, 2013

Introduced by Sen. BONACIC -- 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 and the penal law, in relation to the transportation and possession of a gambling device

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

1 Section 1. Section 104 of the racing, pari-mutuel wagering and breed-
2 ing law is amended by adding a new subdivision 21 to read as follows:
3 21. NOTWITHSTANDING SECTION 225.30 OF THE PENAL LAW, THE COMMISSION
4 SHALL ACCEPT FOR FILING THE STATEMENT OF ANY OFFICER OR EMPLOYEE OF A
5 MANUFACTURER OF DISTRIBUTOR OF GAMBLING DEVICES TO PERMIT THE TRANSPOR-
6 TATION AND POSSESSION OF A GAMBLING DEVICE WITHIN THE STATE. THE STATE-
7 MENT SHALL AFFIRM UNDER PENALTY OF PERJURY THAT SUCH DEVICE WAS TRANS-
8 PORTED INTO THIS STATE IN A SEALED CONTAINER AND POSSESSED SOLELY FOR
9 THE PURPOSE OF EXHIBITION, MARKETING, AND PRODUCT DEVELOPMENT. SUCH
10 STATEMENT SHALL FURTHER SPECIFY THE NUMBER OF MACHINES, TYPES OF
11 MACHINES AND THE DATES UPON WHICH SUCH MACHINES ARE TO BE SO TRANSPORTED
12 AND POSSESSED WITHIN THE STATE, WHICH PERIOD SHALL NOT EXCEED TWO WEEKS.
13 THE COMMISSION MAY PRESCRIBE BY REGULATION THE FORM AND CONTENT OF SUCH
14 STATEMENT.
15 S 2. Section 225.30 of the penal law is amended by adding a new subdi-
16 vision e to read as follows:
17 E. TRANSPORTATION AND POSSESSION OF A GAMBLING DEVICE SHALL NOT BE
18 UNLAWFUL WHERE SUCH GAMBLING DEVICE WAS TRANSPORTED INTO THIS STATE
19 PURSUANT TO PARAGRAPH TWENTY-ONE OF SECTION ONE HUNDRED FOUR OF THE
20 RACING, PARI-MUTUEL WAGERING AND BREEDING LAW.
21 S 3. This act shall take effect immediately; provided however that
22 section one of this act shall take effect on the same date and in the
23 same manner as section 1 of part A of chapter 60 of the laws of 2012,
24 takes effect.

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

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