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

3793

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, in relation to days of racing

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

Section 1. Paragraph (d) of subdivision 1 of section 238 of the racing, pari-mutuel wagering and breeding law, as amended by chapter 18 of the laws of 2008, is amended to read as follows:

(d) The pari-mutuel tax rate authorized by paragraph (a) of this subdivision shall be effective so long as a franchised corporation notifies the racing and wagering board by August fifteenth of each year that such pari-mutuel tax rate is effective of its intent to conduct a race meeting at Aqueduct racetrack during the months of December, January, February, March and April. [For] NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, AND FOR purposes of this paragraph such race meeting shall consist of not less than [ninety-five] SEVENTY-FIVE days of racing. Not later than May first of each year that such pari-mutuel tax rate is effective, the racing and wagering board shall determine whether a race meeting at Aqueduct racetrack consisted of the number of days as required by this paragraph. In determining the number of race days, cancellation of a race day because of an act of God, which the racing and wagering board approves or because of weather conditions that are unsafe or hazardous which the racing and wagering board approves shall not be construed as a failure to conduct a race day. Additionally, cancellation of a race day because of circumstances beyond the control of such franchised corporation for which the racing and wagering board gives approval shall not be construed as a failure to conduct a race day. If the racing and wagering board determines that the number of days of racing as required by this paragraph have not occurred then the pari-

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

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mutuel tax rate in paragraph (a) of this subdivision shall revert to the pari-mutuel tax rates in effect prior to January first, nineteen hundred ninety-five. Such franchised corporation shall pay to the racing and wagering board as a regulatory fee, which fee is hereby levied, fifty hundredths of one per centum of the total daily on-track pari-mutuel pools of such franchised corporation.

S 2. This act shall take effect February 1, 2013.