

4011

2013-2014 Regular Sessions

I N S E N A T E

March 4, 2013

Introduced by Sen. ADAMS -- 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 rebates and free passes

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. REBATES. 1. FOR THE PURPOSES OF THIS SECTION, "REBATE" SHALL  
4 MEAN A PORTION OF PARI-MUTUEL WAGERS, OTHERWISE PAYABLE TO AN ASSOCI-  
5 ATION OR CORPORATION CONDUCTING PARI-MUTUEL BETTING AT A RACE MEETING ON  
6 RACES RUN THEREAT, WHICH IS PAID TO HOLDERS OF PARI-MUTUEL WAGERING  
7 TICKETS AND WHICH REDUCES THE AMOUNT OTHERWISE PAYABLE TO SUCH ASSOCI-  
8 ATION OR CORPORATION. REBATES SHALL INCLUDE, BUT NOT BE LIMITED TO,  
9 REFUNDS TO HOLDERS OF PARI-MUTUEL WAGERING TICKETS ON ANY PORTION OR  
10 PERCENTAGE OF THE FULL FACE VALUE OF A PARI-MUTUEL WAGER, INCREASING THE  
11 PAYOFF OF OR PAYING A BONUS ON A WINNING PARI-MUTUEL TICKET, AWARDS OF  
12 MERCHANDISE, SERVICES SUCH AS MEALS, PARKING, ADMISSION, SEATING AND  
13 PROGRAMS, FREE OR REDUCED COST PARI-MUTUEL WAGERS, AND MONETARY AWARDS.  
14 2. THE RACING AND WAGERING BOARD, UPON APPLICATION OF AN ASSOCIATION  
15 OR CORPORATION CONDUCTING PARI-MUTUEL BETTING AT A RACE MEETING ON RACES  
16 RUN THEREAT, MAY ANNUALLY APPROVE THE PAYMENT OF REBATES BY SUCH ASSOCI-  
17 ATION OR CORPORATION, SUBJECT TO THE FOLLOWING REQUIREMENTS:  
18 A. THE APPLICANT FULLY DISCLOSES THE EXTENT OF THE REBATE PROGRAM.  
19 FULL DISCLOSURE SHALL INCLUDE THE DISCLOSURE OF THE MONETARY VALUE OF  
20 ALL REBATES PAID TO BETTORS DURING THE PREVIOUS CALENDAR YEAR, AND THE  
21 TERMS AND CONDITIONS GOVERNING THE AWARD OF REBATES TO BETTORS FOR THE  
22 CALENDAR YEAR TO WHICH THE APPLICATION APPLIES;  
23 B. THE APPLICANT PROVIDES ASSURANCES THAT THE VALUES OF THE REBATES  
24 ARE DETERMINED SOLELY BY (I) THE AMOUNT WAGERED BY A BETTOR, (II) THE

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

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1 AMOUNT PAYABLE TO THE ASSOCIATION OR CORPORATION ON EACH WAGER, AND  
2 (III) HOW FREQUENTLY A BETTOR WAGERS;

3 C. THE ASSOCIATION OR CORPORATION MAINTAINS RECORDS OF ALL WAGERS  
4 SUBJECT TO A REBATE, FOR A PERIOD OF NOT LESS THAN THREE YEARS; AND

5 D. THE APPLICANT DEMONSTRATES THAT SUCH REBATES ARE IN THE BEST INTER-  
6 ESTS OF HORSE RACING.

7 3. REGIONAL OFF-TRACK BETTING CORPORATIONS MAY OFFER REBATES ON WAGERS  
8 MADE ON RACES RUN BY ANY ASSOCIATION OR CORPORATION WHICH OFFERS REBATES  
9 PURSUANT TO THIS SECTION. SUCH REBATES SHALL BE SUBJECT TO THE  
10 PROVISIONS OF SUBDIVISIONS ONE AND TWO OF THIS SECTION.

11 4. UPON THE APPROVAL OF AN ASSOCIATION OR CORPORATION CONDUCTING  
12 PARI-MUTUEL BETTING AT A RACE MEETING ON RACES RUN THEREAT, ANOTHER  
13 RACING ASSOCIATION OR CORPORATION MAY PROVIDE BETTORS WITH REBATES ON  
14 WAGERS ON RACES RUN AT THE RACETRACK OPERATED BY SUCH APPROVING ASSOCI-  
15 ATION OR CORPORATION. ALL SUCH REBATES SHALL BE SUBJECT TO THE  
16 PROVISIONS OF SUBDIVISIONS ONE AND TWO OF THIS SECTION.

17 S 2. This act shall take effect immediately.