

1288

2015-2016 Regular Sessions

I N A S S E M B L Y

January 9, 2015

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to the imposition of fines

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 213-a to read as follows:  
3 S 213-A. POWER OF THE COMMISSION TO IMPOSE FINES AND PENALTIES. IN  
4 ADDITION TO ITS POWER TO SUSPEND OR REVOKE LICENSES GRANTED BY IT, THE  
5 STATE GAMING COMMISSION IS HEREBY AUTHORIZED AND EMPOWERED TO IMPOSE  
6 MONETARY FINES UPON ANY CORPORATION, ASSOCIATION OR PERSON PARTICIPATING  
7 IN ANY WAY IN ANY THOROUGHBRED RACE MEET AT WHICH PARI-MUTUEL BETTING IS  
8 CONDUCTED, OTHER THAN AS A PATRON, AND WHETHER LICENSED BY THE COMMISS-  
9 SION OR NOT, FOR A VIOLATION OF ANY PROVISION OF THIS CHAPTER OR THE  
10 RULES PROMULGATED BY THE COMMISSION PURSUANT THERETO, NOT EXCEEDING TEN  
11 THOUSAND DOLLARS FOR EACH VIOLATION. THE COMMISSION IS FURTHER AUTHOR-  
12 IZED AND EMPOWERED TO IMPOSE MONETARY FINES, NOT EXCEEDING TEN THOUSAND  
13 DOLLARS FOR EACH VIOLATION, UPON ANY SUCH CORPORATION, ASSOCIATION OR  
14 PERSON FOR A VIOLATION OF ANY ORDER ISSUED BY THE COMMISSION PURSUANT TO  
15 THIS ARTICLE OR THE RULES PROMULGATED BY THE COMMISSION PURSUANT THERE-  
16 TO, PROVIDED THAT A COPY OF SUCH ORDER SHALL HAVE BEEN SERVED EITHER  
17 PERSONALLY OR BY REGISTERED MAIL, UPON THE CORPORATION, ASSOCIATION OR  
18 PERSON TO WHOM THE SAME WAS DIRECTED, PRIOR TO THE OCCURRENCE OF THE  
19 VIOLATION, FOR WHICH SUCH FINE IS IMPOSED. THE COMMISSION SHALL ONLY  
20 IMPOSE SUCH FINE UPON A CORPORATION, ASSOCIATION OR PERSON IN AN AMOUNT  
21 WHICH REFLECTS THE SEVERITY OF THE VIOLATION. THE COMMISSION SHALL  
22 IMPOSE SUCH FINES SUBJECT TO THE NOTICE AND HEARING PROVISIONS OF THE  
23 STATE ADMINISTRATIVE PROCEDURE ACT. SUCH FINES SHALL BE PAID INTO THE  
24 TREASURY OF THE STATE. THE ACTION OF THE COMMISSION IN IMPOSING ANY  
25 MONETARY FINE SHALL BE REVIEWABLE IN THE SUPREME COURT IN THE MANNER  
26 PROVIDED BY AND SUBJECT TO THE PROVISIONS OF ARTICLE SEVENTY-EIGHT OF  
27 THE CIVIL PRACTICE LAW AND RULES.  
28 S 2. This act shall take effect immediately.

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

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