

1371--B

2015-2016 Regular Sessions

I N S E N A T E

January 12, 2015

Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Racing, Gaming and Wagering in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to electronic bell jar games

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

1 Section 1. Subdivision 3-a of section 186 of the general municipal  
2 law, as amended by chapter 531 of the laws of 2011, is amended to read  
3 as follows:  
4 3-a. "Bell jars" shall mean and include those games in which a partic-  
5 ipant shall draw a card from a jar, vending machine, or other suitable  
6 device or container which contains numbers, colors or symbols that are  
7 covered and which, when uncovered, may reveal that a prize shall be  
8 awarded on the basis of a designated winning number, color or symbol or  
9 combination of numbers, colors or symbols. Bell jars shall also include  
10 seal cards, coin boards, event games, and merchandise boards. NOTWITH-  
11 STANDING ANY OTHER PROVISION OF LAW, BELL JAR VENDING MACHINES SHALL  
12 DISPENSE PRE-PRINTED PHYSICAL BELL JAR TICKETS AND MAY INCLUDE FEATURES  
13 TO AID PLAYERS AND ENHANCE ACCOUNTABILITY, INCLUDING FUNCTIONALITY TO  
14 ELECTRONICALLY VERIFY IF A TICKET IS REDEEMABLE FOR A PRIZE, REVEAL  
15 TICKET RESULTS THROUGH CREATIVE AUDIO AND VIDEO DISPLAYS, AND ELECTRON-  
16 ICALLY AGGREGATE WINNING PRIZES FOR CONTINUED PLAY OR A SINGLE VOUCHER  
17 FOR PRIZE REDEMPTION. AFTER THE EFFECTIVE DATE OF THE CHAPTER OF THE

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

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1 LAWS OF TWO THOUSAND SIXTEEN THAT AMENDED THIS SUBDIVISION, NO NEW BELL  
2 JAR TICKET VENDING MACHINE WHICH FEATURES THE PLAYER AIDS DESCRIBED  
3 HEREIN SHALL BE DEPLOYED OR USED BY ANY LICENSED ORGANIZATION WITHIN THE  
4 JURISDICTIONAL BOUNDARIES DEFINED IN SUBDIVISION TWO OF SECTION THIRTEEN  
5 HUNDRED ELEVEN OF THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW  
6 UNLESS THE BOARD SHALL FIRST ISSUE A FORMAL WRITTEN OPINION THAT THE  
7 SPECIFIC TYPE OF VENDING MACHINE TO BE DEPLOYED IS NOT VIOLATIVE OF A  
8 VALID AND EFFECTIVE GAMING COMPACT BETWEEN THE STATE AND AN INDIAN TRIBE  
9 OR NATION.

10 S 2. Section 195-n of the general municipal law is amended by adding a  
11 new subdivision 1-a to read as follows:

12 1-A. APPROVAL. NO MANUFACTURER OF BELL JAR VENDING MACHINES SHALL  
13 SELL, LEASE OR OTHERWISE DISTRIBUTE SUCH VENDING MACHINES TO AN AUTHOR-  
14 IZED DISTRIBUTOR FOR SALE OR LEASE TO AN AUTHORIZED ORGANIZATION OR  
15 PERMIT ITS VENDING MACHINES TO BE SOLD, LEASED OR OTHERWISE DISTRIBUTED  
16 TO AN AUTHORIZED DISTRIBUTOR OR AUTHORIZED ORGANIZATION UNTIL SUCH VEND-  
17 ING MACHINE HAS BEEN APPROVED BY THE BOARD, PURSUANT TO REGULATIONS  
18 ADOPTED BY THE BOARD, PROVIDED SUCH VENDING MACHINE CONTAINS IDENTICAL  
19 FUNCTIONALITY AS THE VENDING MACHINE APPROVED BY THE BOARD. AN APPLICA-  
20 TION FOR A LICENSE OR A RENEWAL OF SUCH LICENSE SHALL BE ACCOMPANIED BY  
21 A FEE OF ONE THOUSAND DOLLARS AND SHALL BE MADE ON FORMS PRESCRIBED BY  
22 THE BOARD. A LICENSE SHALL BE VALID FOR A PERIOD OF ONE YEAR FROM THE  
23 DATE OF ISSUANCE.

24 S 3. Subdivision 2 of section 195-q of the general municipal law is  
25 renumbered subdivision 3 and a new subdivision 2 is added to read as  
26 follows:

27 2. A. WITHIN FIVE BUSINESS DAYS AFTER THE SALE, LEASE OR DISTRIBUTION  
28 OF A BELL JAR VENDING MACHINE TO AN AUTHORIZED ORGANIZATION, A DISTRIBUTU-  
29 TOR SHALL PROVIDE THE BOARD WITH A COPY OF AN INVOICE WHICH SHOWS (I)  
30 THE NAME AND ADDRESS OF THE AUTHORIZED ORGANIZATION; (II) THE DATE OF  
31 SALE, LEASE OR DISTRIBUTION; (III) THE SERIAL NUMBER OF EACH SUCH VEND-  
32 ING MACHINE; AND (IV) SUCH OTHER INFORMATION AS THE BOARD MAY, BY REGU-  
33 LATION DIRECT.

34 B. AN AUTHORIZED ORGANIZATION MAY ONLY OPERATE BELL JAR VENDING  
35 MACHINES ON PREMISES THAT IT OWNS OR LEASES.

36 C. EACH BELL JAR VENDING MACHINE SHALL GENERATE SUCH REPORTS AND SUCH  
37 OTHER INFORMATION THAT THE BOARD MAY DIRECT, BY REGULATION, WHICH ALLOWS  
38 THE BOARD TO DETERMINE THAT THE VENDING MACHINE IS OPERATING IN ACCORD-  
39 ANCE WITH LAW.

40 D. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION,  
41 THE MONTHLY FEE TO BE PAID TO THE BOARD FOR OPERATING EACH BELL JAR  
42 VENDING MACHINE SHALL BE FIVE PERCENT OF THE NET PROCEEDS. NET PROCEEDS  
43 SHALL BE DEFINED BY THE BOARD.

44 S 4. This act shall take effect on the one hundred eightieth day after  
45 it shall have become a law.