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

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:

Section 1. Subdivision 3-a of section 186 of the general municipal law, as amended by chapter 531 of the laws of 2011, is amended to read as follows:

3-a. "Bell jars" shall mean and include those games in which a participant shall draw a card from a jar, vending machine, or other suitable device or container which contains numbers, colors or symbols that are covered and which, when uncovered, may reveal that a prize shall be awarded on the basis of a designated winning number, color or symbol or combination of numbers, colors or symbols. Bell jars shall also include seal cards, coin boards, event games, and merchandise boards. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, BELL JAR VENDING MACHINES SHALL DISPENSE PRE-PRINTED PHYSICAL BELL JAR TICKETS AND MAY INCLUDE FEATURES TO AID PLAYERS AND ENHANCE ACCOUNTABILITY, INCLUDING FUNCTIONALITY TO ELECTRONICALLY VERIFY IF A TICKET IS REDEEMABLE FOR A PRIZE, REVEAL TICKET RESULTS THROUGH CREATIVE AUDIO AND VIDEO DISPLAYS, AND ELECTRONICALLY AGGREGATE WINNING PRIZES FOR CONTINUED PLAY OR A SINGLE VOUCHER 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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LAWS OF TWO THOUSAND SIXTEEN THAT AMENDED THIS SUBDIVISION, NO NEW BELL JAR TICKET VENDING MACHINE WHICH FEATURES THE PLAYER AIDS DESCRIBED HEREIN SHALL BE DEPLOYED OR USED BY ANY LICENSED ORGANIZATION WITHIN THE JURISDICTIONAL BOUNDARIES DEFINED IN SUBDIVISION TWO OF SECTION THIRTEEN HUNDRED ELEVEN OF THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW UNLESS THE BOARD SHALL FIRST ISSUE A FORMAL WRITTEN OPINION THAT THE SPECIFIC TYPE OF VENDING MACHINE TO BE DEPLOYED IS NOT VIOLATIVE OF A VALID AND EFFECTIVE GAMING COMPACT BETWEEN THE STATE AND AN INDIAN TRIBE OR NATION.

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

1-A. APPROVAL. NO MANUFACTURER OF BELL JAR VENDING MACHINES SHALL SELL, LEASE OR OTHERWISE DISTRIBUTE SUCH VENDING MACHINES TO AN AUTHORIZED DISTRIBUTOR FOR SALE OR LEASE TO AN AUTHORIZED ORGANIZATION OR PERMIT ITS VENDING MACHINES TO BE SOLD, LEASED OR OTHERWISE DISTRIBUTED TO AN AUTHORIZED DISTRIBUTOR OR AUTHORIZED ORGANIZATION UNTIL SUCH VENDING MACHINE HAS BEEN APPROVED BY THE BOARD, PURSUANT TO REGULATIONS ADOPTED BY THE BOARD, PROVIDED SUCH VENDING MACHINE CONTAINS IDENTICAL FUNCTIONALITY AS THE VENDING MACHINE APPROVED BY THE BOARD. AN APPLICATION FOR A LICENSE OR A RENEWAL OF SUCH LICENSE SHALL BE ACCOMPANIED BY A FEE OF ONE THOUSAND DOLLARS AND SHALL BE MADE ON FORMS PRESCRIBED BY THE BOARD. A LICENSE SHALL BE VALID FOR A PERIOD OF ONE YEAR FROM THE DATE OF ISSUANCE.

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

2. A. WITHIN FIVE BUSINESS DAYS AFTER THE SALE, LEASE OR DISTRIBUTION OF A BELL JAR VENDING MACHINE TO AN AUTHORIZED ORGANIZATION, A DISTRIBUTOR SHALL PROVIDE THE BOARD WITH A COPY OF AN INVOICE WHICH SHOWS (I) THE NAME AND ADDRESS OF THE AUTHORIZED ORGANIZATION; (II) THE DATE OF SALE, LEASE OR DISTRIBUTION; (III) THE SERIAL NUMBER OF EACH SUCH VENDING MACHINE; AND (IV) SUCH OTHER INFORMATION AS THE BOARD MAY, BY REGULATION DIRECT.

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

C. EACH BELL JAR VENDING MACHINE SHALL GENERATE SUCH REPORTS AND SUCH OTHER INFORMATION THAT THE BOARD MAY DIRECT, BY REGULATION, WHICH ALLOWS THE BOARD TO DETERMINE THAT THE VENDING MACHINE IS OPERATING IN ACCORDANCE WITH LAW.

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

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