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

5303--A

2015-2016 Regular Sessions

I N S E N A T E

May 13, 2015

Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to creating the racing fan advisory council

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

Section 1. The racing, pari-mutuel wagering and breeding law is amended by adding a new section 103-a to read as follows:

S 103-A. RACING FAN ADVISORY COUNCIL. THERE IS HEREBY ESTABLISHED A RACING FAN ADVISORY COUNCIL WITHIN THE COMMISSION WHICH WILL OPERATE AS FOLLOWS:

1. THE COUNCIL SHALL BE COMPOSED OF FIVE MEMBERS. NONE OF THE MEMBERS OF THE COUNCIL SHALL BE EMPLOYEES OR OFFICERS OF THE COMMISSION OR BE PAID EMPLOYEES, LOBBYISTS, OR OFFICERS OF ANY LICENSED OR FRANCHISED RACETRACK OR OFF-TRACK BETTING CORPORATION OR ANY NONPROFIT CORPORATION WHICH REPRESENTS BREEDERS OR HORSEMEN. MEMBERS SHALL BE SELECTED BASED ON THEIR LONG-TERM INVOLVEMENT AND INTEREST IN, KNOWLEDGE OF, AND DEVOTION TO THE SPORT OF HORSE RACING AS FANS OF THE SPORT. FIVE PERSONS SHALL BE APPOINTED BY THE CHAIRPERSON OF THE COMMISSION. ONE PERSON SHALL BE APPOINTED UPON THE RECOMMENDATION OF THE CHAIRPERSON OF THE SENATE COMMITTEE ON RACING, GAMING AND WAGERING, AND ONE PERSON SHALL BE APPOINTED BY THE CHAIRPERSON OF THE ASSEMBLY COMMITTEE ON RACING AND WAGERING.

2. THE CHAIRPERSON AND THE DEPUTY CHAIRPERSON OF THE COUNCIL SHALL BE SELECTED BY THE CHAIRPERSON OF THE COMMISSION. THE DEPUTY CHAIRPERSON SHALL BE SELECTED FROM AMONG THE PERSONS APPOINTED BY THE CHAIRPERSONS OF THE DESIGNATED LEGISLATIVE COMMITTEES.

3. THE MEMBERS OF THE COUNCIL SHALL SERVE FOR A PERIOD OF FIVE YEARS. IN THE EVENT OF A VACANCY OCCURRING DURING A TERM OF APPOINTMENT BY

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

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REASON OF DEATH, RESIGNATION, DISQUALIFICATION OR OTHERWISE, SUCH VACANCY SHALL BE FILLED FOR THE UNEXPIRED TERM IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

4. THE RACING FAN ADVISORY COUNCIL SHALL REQUEST AND SHALL RECEIVE THE ASSISTANCE AND COOPERATION OF THE COMMISSION IN REGARD TO RECEIPT OF INFORMATION RELATING TO HORSE RACING AND WAGERING IN THIS STATE.

5. THE RACING FAN ADVISORY COUNCIL SHALL:

(A) HAVE AS ITS MISSION THE GROWTH OF THE FAN BASE RELATED TO THE SPORT OF HORSE RACING;

(B) RECOMMEND PROCEDURES TO ENSURE THAT THE OPINION OF THE FAN IS A CENTRAL PART OF THE REGULATION OF HORSE RACING;

(C) ADVISE THE COMMISSION ON ISSUES RELATED TO HORSE RACING AND WAGERING;

(D) PREPARE AN ANNUAL REPORT, AND ANY OTHER REPORTS IT DEEMS NECESSARY, TO THE COMMISSION REGARDING THE OPERATION OF THE STATE'S THOROUGHBRED AND HARNESS RACETRACKS AND THE STATE'S OFF-TRACK BETTING CORPORATIONS;

(E) ADVISE THE COMMISSION ON APPROPRIATE ACTIONS TO ENCOURAGE FAN ATTENDANCE AND WAGERING AT THE STATE'S THOROUGHBRED AND HARNESS RACETRACKS AND THE STATE'S OFF-TRACK BETTING CORPORATIONS;

(F) BE AUTHORIZED BY THE COMMISSION TO ENTER UPON THE RACETRACKS AND THEIR FACILITIES REGULATED OR CONTROLLED BY THE BOARD DURING RACE TIMES, AND DURING PERIODS OF HORSE WORKOUTS, AND DURING HOURS WHEN MEMBERS OF THE MEDIA ARE PERMITTED TO BE PRESENT AT THE FACILITIES;

(G) ADVISE THE COMMISSION ON THE CREATION AND DEVELOPMENT OF AN I LOVE NY RACING PROMOTION;

(H) GIVE AN ANNUAL, NON-MONETARY AWARD TO A NEW YORK STATE THOROUGHBRED BREEDING FARM, IN CONJUNCTION WITH THE STATEWIDE THOROUGHBRED BREEDERS ASSOCIATION REPRESENTING THE MAJORITY OF BREEDERS OF REGISTERED THOROUGHBREDS IN NEW YORK STATE, WHICH HAS WORKED TO PROMOTE HORSE RACING IN THIS STATE;

(I) GIVE AN ANNUAL, NON-MONETARY AWARD TO A NEW YORK STATE STANDARD BREEDING FARM, IN CONJUNCTION WITH THE STATEWIDE STANDARDBRED BREEDERS ASSOCIATION REPRESENTING THE MAJORITY OF BREEDERS OF REGISTERED STANDARDBRED IN NEW YORK STATE, WHICH HAS WORKED TO PROMOTE HORSE RACING IN THIS STATE;

(J) RECOMMEND CHANGES TO THE RULES OF THE COMMISSION AND TO THE LAWS AFFECTING HORSE RACING; AND

(K) PERFORM SUCH OTHER DUTIES AS MAY BE INCREASED BY ORDER OF THE COMMISSION.

S 2. This act shall take effect immediately; provided, however, that the members of the racing fan advisory council as created by resolution adopted by the New York state racing and wagering board on June 29, 2011, shall be the initial members of the racing fan advisory council as established by this act.