

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:

- 1 Section 1. The racing, pari-mutuel wagering and breeding law is
2 amended by adding a new section 103-a to read as follows:
3 S 103-A. RACING FAN ADVISORY COUNCIL. THERE IS HEREBY ESTABLISHED A
4 RACING FAN ADVISORY COUNCIL WITHIN THE COMMISSION WHICH WILL OPERATE AS
5 FOLLOWS:
6 1. THE COUNCIL SHALL BE COMPOSED OF FIVE MEMBERS. NONE OF THE MEMBERS
7 OF THE COUNCIL SHALL BE EMPLOYEES OR OFFICERS OF THE COMMISSION OR BE
8 PAID EMPLOYEES, LOBBYISTS, OR OFFICERS OF ANY LICENSED OR FRANCHISED
9 RACETRACK OR OFF-TRACK BETTING CORPORATION OR ANY NONPROFIT CORPORATION
10 WHICH REPRESENTS BREEDERS OR HORSEMEN. MEMBERS SHALL BE SELECTED BASED
11 ON THEIR LONG-TERM INVOLVEMENT AND INTEREST IN, KNOWLEDGE OF, AND
12 DEVOTION TO THE SPORT OF HORSE RACING AS FANS OF THE SPORT. FIVE PERSONS
13 SHALL BE APPOINTED BY THE CHAIRPERSON OF THE COMMISSION. ONE PERSON
14 SHALL BE APPOINTED UPON THE RECOMMENDATION OF THE CHAIRPERSON OF THE
15 SENATE COMMITTEE ON RACING, GAMING AND WAGERING, AND ONE PERSON SHALL BE
16 APPOINTED BY THE CHAIRPERSON OF THE ASSEMBLY COMMITTEE ON RACING AND
17 WAGERING.
18 2. THE CHAIRPERSON AND THE DEPUTY CHAIRPERSON OF THE COUNCIL SHALL BE
19 SELECTED BY THE CHAIRPERSON OF THE COMMISSION. THE DEPUTY CHAIRPERSON
20 SHALL BE SELECTED FROM AMONG THE PERSONS APPOINTED BY THE CHAIRPERSONS
21 OF THE DESIGNATED LEGISLATIVE COMMITTEES.
22 3. THE MEMBERS OF THE COUNCIL SHALL SERVE FOR A PERIOD OF FIVE YEARS.
23 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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1 REASON OF DEATH, RESIGNATION, DISQUALIFICATION OR OTHERWISE, SUCH VACAN-
2 CY SHALL BE FILLED FOR THE UNEXPIRED TERM IN THE SAME MANNER AS THE
3 ORIGINAL APPOINTMENT.

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

7 5. THE RACING FAN ADVISORY COUNCIL SHALL:

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

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

12 (C) ADVISE THE COMMISSION ON ISSUES RELATED TO HORSE RACING AND WAGER-
13 ING;

14 (D) PREPARE AN ANNUAL REPORT, AND ANY OTHER REPORTS IT DEEMS NECES-
15 SARY, TO THE COMMISSION REGARDING THE OPERATION OF THE STATE'S THOROUGH-
16 BRED AND HARNESS RACETRACKS AND THE STATE'S OFF-TRACK BETTING CORPO-
17 RATIONS;

18 (E) ADVISE THE COMMISSION ON APPROPRIATE ACTIONS TO ENCOURAGE FAN
19 ATTENDANCE AND WAGERING AT THE STATE'S THOROUGHbred AND HARNESS RACE-
20 TRACKS AND THE STATE'S OFF-TRACK BETTING CORPORATIONS;

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

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

27 (H) GIVE AN ANNUAL, NON-MONETARY AWARD TO A NEW YORK STATE THOROUGH-
28 BRED BREEDING FARM, IN CONJUNCTION WITH THE STATEWIDE THOROUGHbred
29 BREEDERS ASSOCIATION REPRESENTING THE MAJORITY OF BREEDERS OF REGISTERED
30 THOROUGHbreds IN NEW YORK STATE, WHICH HAS WORKED TO PROMOTE HORSE
31 RACING IN THIS STATE;

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

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

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

41 S 2. This act shall take effect immediately; provided, however, that
42 the members of the racing fan advisory council as created by resolution
43 adopted by the New York state racing and wagering board on June 29,
44 2011, shall be the initial members of the racing fan advisory council as
45 established by this act.