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

5482

2015-2016 Regular Sessions

I N A S S E M B L Y

February 24, 2015

Introduced by M. of A. O'DONNELL -- 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 exclusion of certain persons from eligibility to be licensed to conduct destination resort gaming and the exclusion of certain persons from gaming facilities

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

Section 1. The opening paragraph of subdivision 1 of section 1318 of the racing, pari-mutuel wagering and breeding law, as added by chapter 174 of the laws of 2013, is amended to read as follows:

The commission shall [deny a license to any applicant who the commission determines is disqualified on the basis of any of the following criteria] CONSIDER THE FOLLOWING CRITERIA IN DETERMINING THE SUITABILITY OF AN APPLICANT, subject to notice and an opportunity for hearing, FURTHER, ANY CRIMINAL HISTORY INFORMATION SHALL BE CONSIDERED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE TWENTY-THREE-A OF THE CORRECTION LAW AND SUBDIVISION FIFTEEN AND SIXTEEN OF SECTION TWO HUNDRED NINETY-SIX OF THE EXECUTIVE LAW:

S 2. Subdivision 1 of section 1342 of the racing, pari-mutuel wagering and breeding law, as added by chapter 174 of the laws of 2013, is amended to read as follows:

1. The commission shall, by regulation, provide for the establishment of a list of persons who are to be excluded or ejected from any licensed gaming facility. [Such provisions shall define the standards for exclusion, and shall include standards relating to persons:

(a) Who are career or professional offenders as defined by regulations promulgated hereunder; or

(b) Who have been convicted of a criminal offense under the laws of any state or of the United States, which is punishable by more than

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

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twelve months in prison, or any crime or offense involving moral turpitude.]

The commission shall promulgate definitions establishing those categories of persons who shall be excluded pursuant to this section, including cheats and persons whose privileges for licensure or registration have been revoked.

S 3. This act shall take effect immediately.