

7223

2015-2016 Regular Sessions

I N A S S E M B L Y

April 28, 2015

Introduced by M. of A. CUSICK -- read once and referred to the Committee
on Ways and Means

AN ACT to amend the tax law, in relation to authorizing advertising
during quick draw

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

1 Section 1. Section 1604 of the tax law is amended by adding three new
2 subdivisions d, e and f to read as follows:
3 D. THE DIVISION MAY CONTRACT WITH ONE OR MORE PERSONS TO ALLOW THE
4 PLACEMENT OF ADVERTISING OR PROMOTIONAL MATERIAL ON AVAILABLE MEDIA
5 RELATED TO ANY ONLINE LOTTERY GAME OR TO SPONSOR INDIVIDUAL DRAWS IN ANY
6 ONLINE LOTTERY GAME. IF THE DIVISION ENTERS INTO A CONTRACT UNDER THIS
7 SUBDIVISION, THE DIVISION SHALL ALLOW AT LEAST ONE MINUTE BETWEEN DRAWS
8 OF ONLINE LOTTERY GAMES DURING WHICH ONE OR MORE ADVERTISEMENTS MAY BE
9 EXHIBITED.
10 E. A CONTRACT ENTERED INTO UNDER SUBDIVISION D OF THIS SECTION SHALL
11 PROVIDE THAT ANY ADVERTISEMENTS EXHIBITED BETWEEN DRAWS OF ONLINE
12 LOTTERY GAMES SHALL COMPLY WITH CONTENT REGULATIONS FOR TELEVISED BROADCAST
13 ADOPTED BY THE FEDERAL COMMUNICATIONS COMMISSION, WITH THE EXCEPTION
14 THAT THE ADVERTISING UNDER SUBDIVISION D OF THIS SECTION MAY
15 INCLUDE ADVERTISEMENTS FOR ALCOHOLIC BEVERAGES WITH RESTRICTIONS IMPOSED
16 ONLY BY THE DIVISION.
17 F. THE DIVISION SHALL SOLICIT BIDS FROM RESPONSIBLE PERSONS FOR ADVERTISING
18 OR PROMOTIONAL CONTRACTS UNDER SUBDIVISION D OF THIS SECTION. THE
19 DIVISION SHALL SELECT FROM AMONG THE BIDS RECEIVED SO AS TO PRODUCE THE
20 MAXIMUM AMOUNT OF NET REVENUE FOR THE STATE CONSISTENT WITH THE GENERAL
21 WELFARE OF THE CITIZENS OF THE STATE. IN DECIDING WHETHER TO ENTER INTO
22 A CONTRACT UNDER SUBDIVISION D OF THIS SECTION, THE DIVISION SHALL
23 CONSIDER WHETHER THE TERMS OF THE CONTRACT ARE COMPARABLE TO THE TERMS
24 OF SIMILAR ADVERTISING OR PROMOTIONAL CONTRACTS RELATING TO LOTTERY OR
25 OTHER GAMING IN OTHER STATES.
26 S 2. This act shall take effect immediately.

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

LBD08901-01-5