

2015-2016 Regular Sessions

I N A S S E M B L Y

January 8, 2015

Introduced by M. of A. PRETLOW -- 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 payments by off track betting corporations to regional harness tracks for out-of-state and out-of-country simulcasting revenue

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

- 1 Section 1. Subdivision 2 of section 1017 of the racing, pari-mutuel
2 wagering and breeding law, as amended by chapter 174 of the laws of
3 2013, is amended to read as follows:
4 2. [a. Maintenance of effort. Any off-track betting corporation which
5 engages in accepting wagers on the simulcasts of thoroughbred races from
6 out-of-state or out-of-country as permitted under subdivision one of
7 this section shall submit to the commission, for its approval, a schedule of payments to be made in any year or portion thereof, that such
8 off-track corporation engages in nighttime thoroughbred simulcasting. In
9 order to be approved by the commission, the payment schedule shall be
10 identical to the actual payments and distributions of such payments to
11 tracks and purses made by such off-track corporation pursuant to the
12 provisions of section one thousand fifteen of this article during the
13 year two thousand two, as derived from out-of-state harness races
14 displayed after 6:00 P.M. If approved by the commission, such scheduled
15 payments shall be made from revenues derived from any simulcasting
16 conducted pursuant to this section and section one thousand fifteen of
17 this article.
18 b. Additional payments.] PAYMENTS. During each calendar year, to the
19 extent, and at such time in the event, that aggregate statewide wagering
20 handle after 7:30 P.M. on out-of-state and out-of-country thoroughbred
21 races exceeds one hundred million dollars, each off-track betting corporation
22 conducting such simulcasting shall pay to its regional harness
23

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

LBD05469-01-5

1 track or tracks, an amount equal to [two percent] THE FOLLOWING PERCENT-
2 AGE of its proportionate share of such excess handle: FOR CALENDAR YEARS
3 THROUGH TWO THOUSAND FIFTEEN, TWO PERCENT; FOR CALENDAR YEAR TWO THOU-
4 SAND SIXTEEN, ONE AND ONE-HALF PERCENT; FOR CALENDAR YEAR TWO THOUSAND
5 SEVENTEEN, ONE PERCENT; AND FOR CALENDAR YEAR TWO THOUSAND EIGHTEEN,
6 ONE-HALF OF ONE PERCENT. THERE SHALL BE NO FURTHER ADDITIONAL PAYMENT
7 OBLIGATION PURSUANT TO THIS SUBDIVISION FOR CALENDAR YEARS COMMENCING ON
8 OR AFTER JANUARY FIRST, TWO THOUSAND NINETEEN. In any region where there
9 are two or more regional harness tracks, such [two percent] PAYMENT
10 AMOUNT shall be divided between or among the tracks in a proportion
11 equal to the proportion of handle on live harness races conducted at
12 such tracks during the preceding calendar year. Fifty percent of the sum
13 received by each track pursuant to this [paragraph] SUBDIVISION shall be
14 used exclusively for increasing purses, stakes and prizes at that
15 regional harness track. For the purpose of determining whether such
16 aggregate statewide handle exceeds one hundred million dollars, all
17 wagering on such thoroughbred races accepted by licensed multi-jurisdic-
18 tional account wagering providers from customers within New York state
19 shall be excluded.

20 S 2. This act shall take effect immediately.