

4370

2015-2016 Regular Sessions

I N   S E N A T E

March 17, 2015

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Introduced by Sen. MARCHIONE -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to extending the disposition of off-track pools state tax to Saratoga county

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

1     Section 1. The opening paragraph of subdivision 1 of section 527 of  
2     the racing, pari-mutuel wagering and breeding law, as amended by chapter  
3     18 of the laws of 2008, is amended to read as follows:  
4     The disposition of the retained commission from pools resulting from  
5     regular, multiple or exotic bets, as the case may be, whether placed on  
6     races run within a region or outside a region, conducted by racing  
7     corporations, harness racing associations or corporations, quarter horse  
8     racing associations or corporations or races run outside the state shall  
9     be governed by the tables in paragraphs a and b of this subdivision. The  
10    rate denominated "state tax" shall represent the rate of a reasonable  
11    tax imposed upon the retained commission for the privilege of conducting  
12    off-track pari-mutuel betting, which tax is hereby levied and shall be  
13    payable in the manner set forth in this section. Each off-track betting  
14    corporation shall pay to the racing and wagering board as a regulatory  
15    fee, which fee is hereby levied, fifty hundredths of one percent of the  
16    total daily pools of such corporation. Each corporation shall also pay  
17    twenty per centum of the breaks derived from bets on harness races and  
18    fifty per centum of the breaks derived from bets on all other races to  
19    the agriculture and New York State horse breeding and development fund  
20    and to the thoroughbred breeding and development fund, the total of such  
21    payments to be apportioned fifty per centum to each such fund. For the  
22    purposes of this section, the New York city, Suffolk, Nassau, and the  
23    Catskill regions shall constitute a single region and any thoroughbred

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

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1 track located within the Capital District region shall be deemed to be  
2 within such single region. A "regional meeting" shall refer to either  
3 harness or thoroughbred meetings, or both, except that a franchised  
4 corporation shall not be a regional track for the purpose of receiving  
5 distributions from bets on thoroughbred races conducted by a thorough-  
6 bred track in the Catskill region conducting a mixed meeting. With the  
7 exception of a harness racing association or corporation first licensed  
8 to conduct pari-mutuel wagering at a track located in Tioga OR SARATOGA  
9 county after January first, two thousand five, racing corporations first  
10 licensed to conduct pari-mutuel racing after January first, nineteen  
11 hundred eighty-six or a harness racing association or corporation first  
12 licensed to conduct pari-mutuel wagering at a track located in Genesee  
13 County after January first, two thousand five, and quarter horse tracks  
14 shall not be "regional tracks"; if there is more than one harness track  
15 within a region, such tracks shall evenly divide payments made pursuant  
16 to the tables in paragraphs a and b of this subdivision when neither  
17 track is running. In the event a track elects to reduce its retained  
18 percentage from any or all of its pari-mutuel pools, the payments to the  
19 track holding the race and the regional track required by paragraphs a  
20 and b of this subdivision shall be reduced in proportion to such  
21 reduction. Nothing in this section shall be construed to authorize the  
22 conduct of off-track betting contrary to the provisions of section five  
23 hundred twenty-three of this article.  
24 S 2. This act shall take effect immediately.