

STATE OF NEW YORK

11218

IN ASSEMBLY

June 15, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Pretlow) --
read once and referred to the Committee on Ways and Means

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

The People of the State of New York, represented in Senate and Assem-
bly, 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 section
3 4 of part BB of chapter 60 of the laws of 2016, is amended to read as
4 follows:

5 The disposition of the retained commission from pools resulting from
6 regular, multiple or exotic bets, as the case may be, whether placed on
7 races run within a region or outside a region, conducted by racing
8 corporations, harness racing associations or corporations, quarter horse
9 racing associations or corporations or races run outside the state shall
10 be governed by the tables in paragraphs a and b of this subdivision. The
11 rate denominated "state tax" shall represent the rate of a reasonable
12 tax imposed upon the retained commission for the privilege of conducting
13 off-track pari-mutuel betting, which tax is hereby levied and shall be
14 payable in the manner set forth in this section. Each off-track betting
15 corporation shall pay to the gaming commission as a regulatory fee,
16 which fee is hereby levied, six-tenths of one percent of the total daily
17 pools of such corporation. Each corporation shall also pay twenty
18 percent of the breaks derived from bets on harness races and fifty
19 percent of the breaks derived from bets on all other races to the agri-
20 culture and New York State horse breeding and development fund and to
21 the thoroughbred breeding and development fund, the total of such
22 payments to be apportioned fifty percent to each such fund. For the
23 purposes of this section, the New York city, Suffolk, Nassau, and the
24 Catskill regions shall constitute a single region and any thoroughbred
25 track located within the Capital District region shall be deemed to be
26 within such single region. A "regional meeting" shall refer to either
27 harness or thoroughbred meetings, or both, except that a franchised
28 corporation shall not be a regional track for the purpose of receiving

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

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