STATE OF NEW YORK

4402

2017-2018 Regular Sessions

IN ASSEMBLY

February 2, 2017

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the general municipal law, in relation to requiring a New York state legend on all bell jar tickets sold in New York state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 195-n of the general municipal law, as amended by chapter 637 of the laws of 1999, is amended to read as follows:

1. Distribution; manufacturers. For business conducted in this state, manufacturers licensed by the board to sell bell jar tickets shall sell only such tickets to distributors licensed by the board**, and shall only sell such tickets that have been approved by the board and are imprinted with an approved legend prescribed by the board in a manner prescribed by the board. Bell jar tickets that are banded single-sided single-tabbed, double-sided single-tabbed or folded bell jar tickets are excluded from the approved legend requirement**. Manufacturers of bell jar tickets, seal cards, merchandise boards, and coin boards may submit samples, artists' renderings, or color photocopies of proposed bell jar tickets, seal cards, merchandise boards, coin boards, payout cards, and flares for review and approval by the board. Within thirty days of receipt of such sample or rendering, the board shall approve or deny such bell jar tickets. Following approval of a rendering of a bell jar ticket, seal card, merchandise board, or coin board by the board, the manufacturer shall submit to the board a sample of the printed bell jar ticket, seal card, merchandise board, coin board, payout card, and flare for such game. Such sample shall be submitted prior to the sale of the game to any licensed distributor for resale in this state. For coin boards and merchandise boards, nothing herein shall require the submittal of actual coins or merchandise as part of the approval process. Any licensed manufacturer who [~~willfully~~] **intentionally** violates the

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

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provisions of this section shall: (a) upon such first offense, have their license suspended for a period of thirty days; (b) upon such second offense, participate in a hearing to be conducted by the board, and surrender their license for such period as recommended by the board; and (c) upon such third or subsequent offense, have their license suspended for a period of one year and shall be guilty of a class E felony. Any unlicensed manufacturer who violates the provisions of this section shall be guilty of a class E felony.

§ 2. Subdivision 1 of section 195-o of the general municipal law, as amended by chapter 637 of the laws of 1999, is amended to read as follows:

1. Distribution; distributors. Any distributor licensed in accordance with section one hundred eighty-nine-a of this article to distribute bell jar tickets shall purchase bell jar tickets only from licensed manufacturers and may manufacture coin boards and merchandise boards only as authorized in subdivision one-a of this section. **Licensed distributors who purchase bell jar tickets for resale in New York state shall only purchase and resell bell jar tickets imprinted with an approved legend prescribed by the board in a manner prescribed by the board, or bell jar tickets that have been approved by the board that are banded single-sided single-tabbed, double-sided single-tabbed or folded bell jar tickets.** Licensed distributors of bell jar tickets shall sell such tickets only to not-for-profit, charitable or religious organizations registered by the board. Any licensed distributor who [~~willfully~~] **intentionally** violates the provisions of this section shall: (a) upon such first offense, have their license suspended for a period of thirty days; (b) upon such second offense, participate in a hearing to be conducted by the board, and surrender their license for such period as recommended by the board; and (c) upon such third or subsequent offense, have their license suspended for a period of one year and shall be guilty of a class E felony. Any unlicensed distributor who violates this section shall be guilty of a class E felony.

§ 3. This act shall take effect on the first of January next succeeding the year in which it shall have become a law, provided, however, that any rules and regulations necessary for the timely implementation of this act shall be promulgated on or before such effective date.