

# STATE OF NEW YORK

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4414--A

2017-2018 Regular Sessions

## IN ASSEMBLY

February 2, 2017

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Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering -- recommitted to the Committee on Racing and Wagering in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to creating the racing fan advisory council

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

1 Section 1. The racing, pari-mutuel wagering and breeding law is  
2 amended by adding a new section 103-a to read as follows:

3 § 103-a. Racing fan advisory council. There is hereby established a  
4 racing fan advisory council within the commission which will operate as  
5 follows:

6 1. The council shall be composed of five members. None of the members  
7 of the council shall be employees or officers of the commission or be  
8 paid employees, lobbyists, or officers of any licensed or franchised  
9 racetrack or off-track betting corporation or any nonprofit corporation  
10 which represents breeders or horsemen. Members shall be selected based  
11 on their long-term involvement and interest in, knowledge of, and  
12 devotion to the sport of horse racing as fans of the sport. Five persons  
13 shall be appointed by the executive director of the commission. One  
14 person shall be appointed upon the recommendation of the chairperson of  
15 the senate committee on racing, gaming and wagering, and one person  
16 shall be appointed by the chairperson of the assembly committee on  
17 racing and wagering.

18 2. The chairperson of the council shall be selected by the executive  
19 director of the commission. The deputy chairperson shall be selected by  
20 a majority vote of the council from among the persons appointed at the  
21 recommendation of the chairpersons of the designated legislative commit-  
22 tees.

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

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1 3. The members of the council shall serve for a period of five years  
2 with all terms beginning September first, two thousand sixteen. In the  
3 event of a vacancy occurring during a term of appointment by reason of  
4 death, resignation, disqualification or otherwise, such vacancy shall be  
5 filled for the unexpired term in the same manner as the original  
6 appointment.

7 4. The racing fan advisory council shall request and shall receive the  
8 assistance and cooperation of the commission in regard to receipt of  
9 information relating to horse racing and wagering in this state.

10 5. The racing fan advisory council shall:

11 (a) have as its mission the growth of the fan base related to the  
12 sport of horse racing;

13 (b) recommend procedures to ensure that the opinion of the fan is a  
14 central part of the regulation of horse racing;

15 (c) prepare an annual report, and any other reports it deems neces-  
16 sary, to the commission regarding the operation of the state's thorough-  
17 bred and harness racetracks and the state's off-track betting corpo-  
18 rations;

19 (d) advise the commission on appropriate actions to encourage fan  
20 attendance and wagering at the state's thoroughbred and harness race-  
21 tracks and the state's off-track betting corporations;

22 (e) be authorized by the commission to enter upon the racetracks and  
23 their facilities regulated or controlled by the board during race times,  
24 and during periods of horse workouts, and during hours when members of  
25 the media are permitted to be present at the facilities;

26 (f) recommend changes to the rules of the commission and to the laws  
27 affecting horse racing;

28 (g) perform such other duties as may be increased by order of the  
29 commission;

30 (h) engage New York state's racing fan population on how to make the  
31 sport more appealing;

32 (i) recommend to the commission further procedures to make steward and  
33 presiding judge actions that impact the betting public more transparent;  
34 and

35 (j) work with relevant component industries to better educate the  
36 casual fan as to significant industry topics.

37 § 2. This act shall take effect immediately; provided, however, that  
38 the members of the racing fan advisory council as created by resolution  
39 of the New York Gaming Commission dated September 1, 2016, shall be the  
40 initial members of the racing fan advisory council as established by  
41 this act.