STATE OF NEW YORK

5294

2017-2018 Regular Sessions

IN ASSEMBLY

February 7, 2017

Introduced by M. of A. PERRY -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the general business law, in relation to creating the "honesty in sports act"

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

Section 1. This act shall be known and may be cited as the "honesty in sports act".

§ 2. Section 1016 of the general business law is amended by adding a new subdivision 5 to read as follows:

5. (a) The commission shall require all amateur and professional athletes in all sports including, but not limited to, basketball, baseball, football, and hockey who perform before spectators, who have paid an admission fee for a sporting event or exhibition in New York state, to submit a signed affidavit certifying that such athlete has not used performance enhancing substances. The promoter, organizer, producer or another that participates in the proposition, selection, or arrangement of one or more amateurs or professionals for a contest must file with the commission a copy of a signed affidavit certifying that such athlete has not used performance enhancing substances. The form of such certifications shall be determined by the commission. Such certifications shall be filed with the commission semiannually and shall be limited in scope to the preceding six months. An athlete who fails to submit such certification is hereby prohibited from performing before spectators who have paid an admission fee for such amateur or professional sporting events or exhibitions in New York.

(b) The powers and duties of the commission are hereby expanded to develop and implement the certification process required in paragraph (a) of this subdivision. The chairperson, or his or her designees, shall make a record of such filed certifications available to the public in a manner determined by the commission.

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

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(c) For the purposes of this subdivision, "performance enhancing substances" shall mean the same as the national collegiate athletic association's current list of banned drugs.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.