STATE OF NEW YORK

7925

2017-2018 Regular Sessions

IN ASSEMBLY

May 19, 2017

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Introduced by M. of A. PRETLOW -- read once and referred to the Commit-
   tee on Ways and Means

AN ACT to amend the tax law, in relation to the disposition of vender
   fees for the operation of video lottery gaming at certain race tracks

   **The People of the State of New York, represented in Senate and Assem-
   bly, do enact as follows:**

1   Section 1. Subdivision f-1 of section 1612 of the tax law, as amended
2 by chapter 175 of the laws of 2013, is amended to read as follows:
3   f-1. As consideration for operation of video lottery gaming facility
4 located in the county of Nassau or Suffolk and operated by a corporation
5 established pursuant to section five hundred two of the racing, pari-mu-
6 tuel wagering and breeding law, the division shall cause the investment
7 in the racing industry of the following percentages of the vendor fee to
8 be deposited or paid as follows:
9   1. Two and three tenths percent of the total wagered after payout of
10 prizes for the purpose of enhancing purses at Aqueduct racetrack,
11 Belmont Park racetrack and Saratoga race course[, provided, however,
12 that any amount that is in excess of the amount necessary to maintain
13 purse support from video lottery gaming at Aqueduct racetrack, Belmont
14 Park racetrack and Saratoga race course at the same level realized in
15 two thousand thirteen, to be adjusted by the consumer price index for
16 all urban consumers, as published annually by the United States depart-
17 ment of labor, bureau of labor statistics, shall instead be returned to
18 the commission].
19   2. five tenths percent of the total wagered after payout of prizes for
20 the appropriate breeding fund for the manner of racing at Aqueduct race-
21 track, Belmont Park racetrack and Saratoga race course[, provided,
22 however, that any amount that is in excess of the amount necessary to
23 maintain payments from video lottery gaming at Aqueduct racetrack at the
24 same level realized in two thousand thirteen, to be adjusted by the
25 consumer price index for all urban consumers, as published annually by

1 the United States department of labor, bureau of labor statistics, shall
2 instead be returned to the commission].
3   3. one and three tenths percent of the total revenue wagered after
4 payout of prizes to be deposited into an account of the franchised
5 corporation established pursuant to section two hundred six of the
6 racing, pari-mutuel wagering and breeding law to be used for capital
7 expenditures in maintaining and upgrading Aqueduct racetrack, Belmont
8 Park racetrack and Saratoga race course[, provided, however, that any
9 amount that is in excess of the amount necessary to maintain payments
10 for capital expenditures from video lottery gaming at Aqueduct racetrack
11 at the same level realized in two thousand thirteen, to be adjusted by
12 the consumer price index for all urban consumers, as published annually
13 by the United States department of labor, bureau of labor statistics,
14 shall instead be returned to the commission].
15   4. Nine tenths percent of the total revenue wagered after payout for
16 prizes to be deposited into an account of the franchised corporation
17 established pursuant to section two hundred six of the racing, pari-mu-
18 tuel wagering and breeding law to be used for general thoroughbred
19 racing operations at Aqueduct racetrack, Belmont Park racetrack and
20 Saratoga race course[, provided, however, that any amount that is in
21 excess of the amount necessary to maintain payments for general
22 thoroughbred racing operations from video lottery gaming at Aqueduct
23 racetrack at the same level realized in two thousand thirteen, to be
24 adjusted by the consumer price index for all urban consumers, as
25 published annually by the United States department of labor, bureau of
26 labor statistics, shall instead be returned to the commission].
27   § 2. This act shall take effect immediately.