

# STATE OF NEW YORK

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11218

## IN ASSEMBLY

June 15, 2018

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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.