# STATE OF NEW YORK

5108

2017-2018 Regular Sessions

# IN SENATE

March 8, 2017

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering

AN ACT to amend the tax law, in relation to increasing the commission paid to lottery sales agents

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

Section 1. Paragraph 9 of subdivision a of section 1604 of the tax law, as added by chapter 92 of the laws of 1976, is amended to read as follows:

9. The [~~compensation in such manner and amounts and subject to such~~] limitations **on compensation** as the division may determine to licensed sellers of lottery tickets, but only where the division finds that such [~~compensation is~~] **limitations are** necessary to assure adequate availability of lottery tickets, and that the public convenience will be served thereby.

§ 2. Section 1604 of the tax law is amended by adding a new subdivision d to read as follows:

**d. The division shall set a compensation rate of eight percent for each ticket sold to a licensed agent. The division shall allow such compensation by permitting a licensed agent to deduct such compensation rate from the face value otherwise payable by the licensed agent to the division.**

§ 3. This act shall take effect on July 1, 2017; 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 are authorized and directed to be made and completed on or before such effective date.

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

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