

# STATE OF NEW YORK

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589

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

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Introduced by Sen. KENNEDY -- 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 the disposition of revenue from the lottery prize account

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

1 Section 1. Paragraphs 3 and 4 of subdivision a of section 1612 of the  
2 tax law, as amended by of chapter 174 of the laws of 2013, are amended  
3 to read as follows:

4 (3) [~~fifty-five~~ forty-five percent of the total amount for which  
5 tickets have been sold for any joint, multi-jurisdiction, and out-of-  
6 state lottery except as otherwise provided in paragraph one of subdivi-  
7 sion b of this section for any joint, multi-jurisdiction, out-of-state  
8 video lottery gaming; or

9 (4) [~~fifty~~ thirty-five percent of the total amount for which tickets  
10 have been sold for games known as: (A) the "Daily Numbers Game" or "Win  
11 4", discrete games in which the participants select no more than three  
12 or four of their own numbers to match with three or four numbers drawn  
13 by the division for purposes of determining winners of such games, (B)  
14 "Pick 10", offered no more than once daily, in which participants select  
15 from a specified field of numbers a subset of ten numbers to match  
16 against a subset of numbers to be drawn by the division from such field  
17 of numbers for the purpose of determining winners of such game, (C)  
18 "Take 5", offered no more than once daily, in which participants select  
19 from a specified field of numbers a subset of five numbers to match  
20 against a subset of five numbers to be drawn by the division from such  
21 field of numbers for purposes of determining winners of such game; or

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

LBD02775-01-9

1     § 2. The opening paragraph of paragraph 1 of subdivision b of section  
2 1612 of the tax law, as amended by chapter 174 of the laws of 2013, is  
3 amended to read as follows:

4     Notwithstanding section one hundred twenty-one of the state finance  
5 law, on or before the twentieth day of each month, the division shall  
6 pay into the state treasury, to the credit of the state lottery fund  
7 created by section ninety-two-c of the state finance law, not less than  
8 [~~forty-five~~] fifty percent of the total amount for which tickets have  
9 been sold for games defined in paragraph four of subdivision a of this  
10 section during the preceding month, not less than thirty-five percent of  
11 the total amount for which tickets have been sold for games defined in  
12 paragraph three of subdivision a of this section during the preceding  
13 month, not less than [~~twenty~~] forty percent of the total amount for  
14 which tickets have been sold for games defined in paragraph two of  
15 subdivision a of this section during the preceding month, provided  
16 however that for games with a prize payout of seventy-five percent of  
17 the total amount for which tickets have been sold, the division shall  
18 pay not less than ten percent of sales into the state treasury and not  
19 less than twenty-five percent of the total amount for which tickets have  
20 been sold for games defined in paragraph one of subdivision a of this  
21 section during the preceding month; and the balance of the total revenue  
22 after payout for prizes for games known as "video lottery gaming,"  
23 including any joint, multi-jurisdiction, and out-of-state video lottery  
24 gaming,

25     § 3. This act shall take effect on the first of October next succeed-  
26 ing the date on which it shall have become a law.