

STATE OF NEW YORK

589

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

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.

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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.