

# STATE OF NEW YORK

1582

2021-2022 Regular Sessions

## IN ASSEMBLY

January 11, 2021

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to payments by off track betting corporations to regional harness tracks for out-of-state and out-of-country simulcasting revenue

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

1 Section 1. Subdivision 2 of section 1017 of the racing, pari-mutuel  
2 wagering and breeding law, as amended by chapter 174 of the laws of 2013  
3 and paragraph a as amended by chapter 243 of the laws of 2020, is  
4 amended to read as follows:

5 2. [~~a. Maintenance of effort. Any off track betting corporation that  
6 engages in accepting wagers on the simulcasts of thoroughbred races from  
7 out-of-state or out-of-country as permitted under subdivision one of  
8 this section shall submit to the commission, for its approval, a sched-  
9 ule of payments to be made in any year or portion thereof, that such  
10 off track corporation engages in nighttime thoroughbred simulcasting. In  
11 order to be approved by the commission, the payment schedule shall be  
12 identical to the actual payments and distributions of such payments to  
13 tracks and purses made by such off track corporation pursuant to the  
14 provisions of section one thousand fifteen of this article during the  
15 year two thousand two, as derived from out of state harness races  
16 displayed after 6:00 P.M. If approved by the commission, such scheduled  
17 payments shall be made from revenues derived from any simulcasting  
18 conducted pursuant to this section and section one thousand fifteen of  
19 this article.~~

20 ~~b. Additional payments.~~ Payments. During each calendar year, to the  
21 extent, and at such time in the event, that aggregate statewide wagering  
22 handle after 7:30 P.M. on out-of-state and out-of-country thoroughbred  
23 races exceeds one hundred million dollars, each off-track betting corpo-

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

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1 ration conducting such simulcasting shall pay to its regional harness  
2 track or tracks, an amount equal to [~~two percent~~] the following percent-  
3 age of its proportionate share of such excess handle: for calendar years  
4 through two thousand twenty-one, two percent; for calendar year two  
5 thousand twenty-two, one and one-half percent; for calendar year two  
6 thousand twenty-three, one percent; and for calendar year two thousand  
7 twenty-four, one-half of one percent. There shall be no further addi-  
8 tional payment obligation pursuant to this subdivision for calendar  
9 years commencing on or after January first, two thousand twenty-five. In  
10 any region where there are two or more regional harness tracks, such  
11 [~~two percent~~] payment amount shall be divided between or among the  
12 tracks in a proportion equal to the proportion of handle on live harness  
13 races conducted at such tracks during the preceding calendar year. Fifty  
14 percent of the sum received by each track pursuant to this [~~paragraph~~]  
15 subdivision shall be used exclusively for increasing purses, stakes and  
16 prizes at that regional harness track. For the purpose of determining  
17 whether such aggregate statewide handle exceeds one hundred million  
18 dollars, all wagering on such thoroughbred races accepted by licensed  
19 multi-jurisdictional account wagering providers from customers within  
20 New York state shall be excluded.

21 § 2. This act shall take effect immediately.