STATE OF NEW YORK

1738

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021

Introduced by M. of A. SANTABARBARA, THIELE, McDONOUGH, STERN, SEAWRIGHT, SIMON, JONES, GALEF, MANKTELOW -- Multi-Sponsored by -- M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to enacting the "emergency school relief act of 2021"

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

1 Section 1. This act shall be known and may be cited as the "emergency 2 school relief act of 2021".

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

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- (3) [fifty-five] forty percent of the total amount for which tickets have been sold for any joint, multi-jurisdiction, and out-of-state lottery except as otherwise provided in paragraph one of subdivision b of this section for any joint, multi-jurisdiction, out-of-state video lottery gaming; or
- 10 11 (4) [fifty] thirty-five percent of the total amount for which tickets 12 have been sold for games known as: (A) the "Daily Numbers Game" or "Win 4", discrete games in which the participants select no more than three or four of their own numbers to match with three or four numbers drawn by the division for purposes of determining winners of such games, (B) 15 "Pick 10", offered no more than once daily, in which participants select from a specified field of numbers a subset of ten numbers to match 17 against a subset of numbers to be drawn by the division from such field 18 of numbers for the purpose of determining winners of such game, (C) 20 "Take 5", offered no more than once daily, in which participants select 21 from a specified field of numbers a subset of five numbers to match against a subset of five numbers to be drawn by the division from such 23 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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§ 3. The opening paragraph of paragraph 1 of subdivision b of section 1612 of the tax law, as amended by section 2 of subpart D of part DD of chapter 59 of the laws of 2019, is amended to read as follows:

Notwithstanding section one hundred twenty-one of the state finance law on or before the twentieth day of each month, the commission shall

law, on or before the twentieth day of each month, the commission shall pay into the state treasury, to the credit of the state lottery fund created by section ninety-two-c of the state finance law, not less than forty-five percent of the total amount for which tickets have been sold 9 for games defined in paragraph five of subdivision a of this section during the preceding month, not less than [forty-five] sixty percent of 10 11 the total amount for which tickets have [be] been sold for games defined in paragraph four of subdivision a of this section during the preceding 12 month, not less than $[\frac{\text{thirty-five}}{\text{fifty}}]$ percent of the total amount for 13 14 which tickets have been sold for games defined in paragraph three of 15 subdivision a of this section during the preceding month, not less than 16 twenty and three-fourths percent of the total amount for which tickets 17 have been sold for games defined in paragraph two of subdivision a of this section during the preceding month, provided however that for games 18 19 with a prize payout of seventy-four and one-fourth percent of the total 20 amount for which tickets have been sold, the commission shall pay not 21 less than ten and three-fourths percent of sales into the state treasury and not less than twenty-five percent of the total amount for which 22 tickets have been sold for games defined in paragraph one of subdivision 23 a of this section during the preceding month; and the balance of the total revenue after payout for prizes for games known as "video lottery gaming, " including any joint, multi-jurisdiction, and out-of-state video 27 lottery gaming,

§ 4. This act shall take effect immediately.