STATE OF NEW YORK

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1738

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021
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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".
3   § 2. Paragraphs 3 and 4 of subdivision a of section 1612 of the tax
4 law, as amended by chapter 174 of the laws of 2013, are amended to read
5 as follows:
6   (3) [fifty-five] **forty** percent of the total amount for which tickets
7 have been sold for any joint, multi-jurisdiction, and out-of-state
8 lottery except as otherwise provided in paragraph one of subdivision b
9 of this section for any joint, multi-jurisdiction, out-of-state video
10 lottery gaming; or
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
13 4", discrete games in which the participants select no more than three
14 or four of their own numbers to match with three or four numbers drawn
15 by the division for purposes of determining winners of such games, (B)
16 "Pick 10", offered no more than once daily, in which participants select
17 from a specified field of numbers a subset of ten numbers to match
18 against a subset of numbers to be drawn by the division from such field
19 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
22 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.

LBD04561-01-1

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 1    § 3. The opening paragraph of paragraph 1 of subdivision b of  section
 2  1612  of the tax law, as amended by section 2 of subpart D of part DD of
 3  chapter 59 of the laws of 2019, is 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 commission  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  percent of the total amount for which tickets have been sold
 9  for games defined in paragraph five of subdivision  a  of  this  section
10  during  the preceding month, not less than [forty-five] sixty percent of
11  the total amount for which tickets have [be] been sold for games defined
12  in paragraph four of subdivision a of this section during the  preceding
13  month, not less than [thirty-five] fifty percent of the total amount for
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
18  this section during the preceding month, provided however that for games
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
22  and  not  less  than  twenty-five  percent of the total amount for which
23  tickets have been sold for games defined in paragraph one of subdivision
24  a of this section during the preceding month; and  the  balance  of  the
25  total  revenue after payout for prizes for games known as "video lottery
26  gaming," including any joint, multi-jurisdiction, and out-of-state video
27  lottery gaming,
28    § 4. This act shall take effect immediately.
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