STATE OF NEW YORK

3423

2021-2022 Regular Sessions

IN ASSEMBLY

January 26, 2021

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

AN ACT to amend the tax law, in relation to video lottery gaming at commercial bowling establishments

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

Section 1. Subparagraph (iii) of paragraph 1 of subdivision b of section 1612 of the tax law is amended by adding a new clause (C) to read as follows:

(C) A commercial bowling establishment that is authorized by section sixteen hundred seventeen-a of this article shall be entitled to a vendor fee of not less than 20.25 percent in the first, second and third years of video lottery gaming at such commercial bowling establishment, 20.0 percent in the fourth and fifth years and 17.5 percent in all subsequent years.

§ 2. Section 1617-a of the tax law is amended by adding a new subdivision a-1 to read as follows:

a-1. The division of the lottery is hereby authorized to license, pursuant to rules and regulations to be promulgated by the division of the lottery, the operation of video lottery gaming at commercial bowling establishments that are duly licensed to serve alcoholic beverages, have segregated areas that prohibit access to persons under twenty-one years of age, and that are located in a county or counties in which video lottery gaming has been authorized pursuant to local law. Such rules and regulations shall provide, as a condition of licensure, that such bowling establishments to be licensed are certified to be in compliance with all state and local fire and safety codes, that the division is afforded adequate space, infrastructure, and amenities consistent with industry standards for such video lottery gaming operations and to ensure that persons under twenty-one years of age are prohibited access from such areas, that employees involved in the operation of video lottery gaming

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

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pursuant to this section are licensed by the racing and wagering board, and such other terms and conditions of licensure as the division may establish. Notwithstanding any inconsistent provision of law, video lottery gaming at a commercial bowling establishment pursuant to this section shall be deemed an approved activity for such bowling establishment under the relevant city, county, town, or village land use or zoning ordinances, rules, or regulations. No bowling establishment operating video lottery gaming pursuant to this section may house such gaming activity in a structure deemed or approved by the division as "temporary" for a duration of longer than eighteen months.

§ 3. This act shall take effect immediately.