

STATE OF NEW YORK

409

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. BIAGGI, GAUGHRAN, GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Substance Abuse

AN ACT to amend the mental hygiene law, in relation to establishing the problem gambling advisory council

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

1 Section 1. The mental hygiene law is amended by adding a new section
2 25.04 to read as follows:

3 § 25.04 Problem gambling advisory council.

4 (a) Creation and purpose. The problem gambling advisory council
5 (hereinafter the "council") is hereby established. The purpose of the
6 council is to make findings and recommendations to the governor and
7 legislature on how to prevent and treat problem gambling in the state of
8 New York.

9 (b) Composition. The council shall consist of thirteen members,
10 including the commissioner of the office of alcoholism and substance
11 abuse services, the chair of the gaming commission, and eleven addi-
12 tional members: four members appointed by the temporary president of
13 the senate; four members appointed by the speaker of the assembly; one
14 member appointed by the minority leader of the senate; one member
15 appointed by the minority leader of the assembly; and one member
16 appointed by the governor; provided, however, the temporary president of
17 the senate and the speaker of the assembly shall each appoint at least
18 two representatives of community-based behavioral health services
19 providers.

20 (c) Duties of the council. The council shall meet as frequently as
21 necessary, but not less than two times per year. Meetings shall be held
22 at locations determined by the council. All meetings of the council
23 shall be subject to the open meetings law. The council shall:

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

LBD00434-01-1

1 1. develop and recommend strategies to ensure availability and access
2 to problem gambling programs and resources, including information and
3 resources regarding prevention of problem gambling, for individuals
4 throughout the state;

5 2. consult with individuals or organizations with experience in the
6 field of problem gambling services on funding and policy recommenda-
7 tions, including the availability of problem gambling services, the
8 location of such services, and the need for such services;

9 3. create strategies to increase public awareness of problem gambling
10 and the availability of problem gambling resources;

11 4. recommend allocations of machine and table fees collected from a
12 gaming licensee pursuant to section thirteen hundred forty-eight of the
13 racing, pari-mutuel wagering and breeding law and distributed pursuant
14 to section ninety-seven-nnnn of the state finance law to effectuate the
15 recommendations and strategies developed pursuant to paragraphs one, two
16 and three of this subdivision; and

17 5. develop an annual report to be provided to the governor and legis-
18 lature containing its findings and recommendations with regard to prob-
19 lem gambling, including programs, resources, and services throughout the
20 state. The annual report shall be due no later than October first of
21 each year, with the first report provided no later than the first of
22 October next succeeding the effective date of this section.

23 (d) Term. Appointed members of the council shall serve for a term of
24 four years and continue to serve until their successor is appointed.
25 Each member of the council shall be entitled to designate in writing a
26 representative to attend meetings in his or her place and to vote or
27 otherwise act on his or her behalf in his or her absence. A member
28 appointed to fill a vacancy shall serve the remainder of the term of the
29 member he or she is appointed to succeed. The members of the council
30 shall receive no compensation for their services but shall be reimbursed
31 for their expenses actually incurred in the performance of their duties
32 hereunder. The council shall select, by a majority vote, members to
33 serve as a chair and as a secretary.

34 (e) Sharing of information. The council may request, and shall
35 receive, information from any state or local governmental agency neces-
36 sary to complete its duties pursuant to this section, so long as such
37 information does not contain any personally identifying information and
38 not otherwise protected by state or federal law.

39 § 2. This act shall take effect on the one hundred eightieth day after
40 it shall have become a law.