STATE OF NEW YORK

9455--A

IN ASSEMBLY

March 7, 2022

Introduced by M. of A. WALLACE -- read once and referred to the Committee on Racing and Wagering -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the racing, pari-mutuel wagering and breeding law and the tax law, in relation to compensation for directors of the regional off-track betting corporation

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

Section 1. Paragraphs d and e of subdivision 10 of section 502 of the racing, pari-mutuel wagering and breeding law, as added by chapter 462 of the laws of 2000, are amended to read as follows:

d. In addition, the directors shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties **upon presentation of a form, sworn under penalty of perjury, certifying that such expenses were actually incurred**.

e. **No director shall be permitted to receive any compensation in any form whatsoever unless expressly provided for herein.**

f. Any expenses incurred by a director in excess of those authorized by paragraph d of this subdivision shall be the responsibility of the appointing political subdivision, payable on vouchers certified or approved by the chief fiscal officer of such political subdivision as is provided by law. **Directors shall swear under penalty of perjury that such expenses were incurred prior to certification or approval by the appointing political subdivision.**

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

1. Subject to gaming commission rules and regulations, any regional off-track betting corporation which is also a video lottery gaming agent for a facility located within Genesee county, shall submit a marketing and promotion plan for the video lottery gaming facility. Each annual marketing plan shall be submitted to the commission for review and approval through resolution by the board. Thereafter, the video gaming

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

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agent shall submit a report to the commission detailing the accounting of the actual use and implementation of the approved marketing promotion plan from the previous year, which shall include the name and address of each person receiving any promotional item or thing of value in excess of fifty dollars. The failure to submit any marketing plan and subsequent report thereafter to the commission when due shall be a violation of the video lottery gaming agent's license.

§ 3. This act shall take effect immediately.