

# STATE OF NEW YORK

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7034

2021-2022 Regular Sessions

## IN SENATE

May 25, 2021

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Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to handicapping tournaments for multi-jurisdictional account wagering providers

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

1 Section 1. Section 906 of the racing, pari-mutuel wagering and breed-  
2 ing law, as added by chapter 2 of the laws of 1995, and as renumbered  
3 and subdivision 1 as amended by chapter 18 of the laws of 2008, and  
4 paragraph (b) of subdivision 2 as amended by chapter 243 of the laws of  
5 2020, is amended to read as follows:

6 § 906. Handicapping tournaments. 1. Notwithstanding any other  
7 provision of law, a thoroughbred racing corporation, a harness racing  
8 corporation or association, a regional off-track betting corporation or  
9 a combination thereof, a multi-jurisdictional account wagering provider  
10 or a party that contracts with any of the foregoing, may operate a  
11 handicapping tournament at which the participants may be charged an  
12 entry fee if the tournament is conducted in accordance with the  
13 provisions of this section.

14 2. (a) The operator of a handicapping tournament shall distribute no  
15 less than eighty percent of all of the entry fees as prizes to the  
16 winners of the tournament. Nothing herein shall preclude an operator  
17 from providing additional prizes or promotions.

18 (b) The commission shall approve the rules and the payment of prizes  
19 of a handicapping tournament. No operator of a handicapping tournament  
20 may accept an entry fee for a tournament until the commission has  
21 approved the rules and the payment of prizes of a handicapping tourna-  
22 ment.

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

LBD11686-01-1

1 (c) The horse races which are the subject of the tournament must be  
2 races on which the operator of the tournament is authorized to conduct  
3 wagering. [~~At least fifty percent of the races which are the subject of~~  
4 ~~the tournament must be races run in New York state.~~]

5 3. A handicapping tournament operated in accordance with the  
6 provisions of this section shall be considered a contest of skill and  
7 shall not be considered gambling.

8 4. Any handicapping tournament entry fee conducted by a multi-juris-  
9 dictional account wagering provider shall be subject to the provisions  
10 of subdivision six of section one thousand twelve-a of this chapter.

11 § 2. This act shall take effect immediately.