STATE OF NEW YORK

3611

2023-2024 Regular Sessions

IN ASSEMBLY

February 3, 2023

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

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to handicapping tournaments

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

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

§ 906. Handicapping tournaments. 1. Notwithstanding any other provision of law, a thoroughbred racing corporation, **including a franchise corporation,** a harness racing corporation or association, a regional off-track betting corporation or a combination thereof, **or a party that contracts with any of the foregoing,** may operate a handicapping tournament at which the participants may be charged an entry fee if the tournament is conducted in accordance with the provisions of this section.

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

(b) The commission shall approve the rules and the payment of prizes of a handicapping tournament. No operator of a handicapping tournament may accept an entry fee for a tournament until the commission has approved the rules and the payment of prizes of a handicapping tournament.

(c) The horse races which are the subject of the tournament must be races on which the operator of the tournament is authorized to conduct

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

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wagering. [~~At least fifty percent of the races which are the subject of the tournament must be races run in New York state.~~]

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

§ 2. This act shall take effect immediately.