STATE OF NEW YORK

4207

2023-2024 Regular Sessions

IN ASSEMBLY

February 13, 2023

Introduced by M. of A. HAWLEY, ANGELINO, DiPIETRO, TANNOUSIS, SMULLEN, BYRNES, McDONOUGH, GALLAHAN, MILLER -- 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 authorizing certain law enforcement personnel to apply for an exemption from the restrictions on employment with gaming activity entities

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

Section 1. Subdivisions 8 and 9 of section 107 of the racing, pari-mutuel wagering and breeding law, as added by section 1 of part A of chapter 60 of the laws of 2012, are amended to read as follows:

8. The provisions of paragraph (b) of subdivision seven of this section shall not apply to a public employee other than an employee of the commission, a police officer or a peace officer employed by a sheriff's office, district attorney's office or other state or local law enforcement agency, or those employees classified as management confidential employees pursuant to section two hundred fourteen of the civil service law who are employed by a state or local law enforcement agency or regional off-track betting corporation; **provided, however, that a police officer, a peace officer employed by a sheriff's office, district attorney's office or other state or local law enforcement agency may apply for an exemption with the commission to obtain a license; and** provided **further**, however, that employment of employees of a political subdivision may be prohibited by ordinance, resolution or local law adopted by the local legislative body or other governing board of such political subdivision.

9. The commission shall have the power to refuse to grant or to revoke or suspend a license of any person, association or corporation that aids or knowingly permits or conspires to permit any public officer, public employee or party officer to acquire or retain any interest prohibited

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

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by this section and shall have the power to exclude from the grounds of any racing association any such person, association or corporation**; provided, however, that upon the denial of an application for an exemption pursuant to subdivision eight of this section, the individual whose application has been denied may appeal the decision before the commission for review**.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.