STATE OF NEW YORK

8533

IN ASSEMBLY

January 5, 2024

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 allowing New York sire stakes eligibility for foals sired by New York state stallions; and to repeal certain provisions of such law relating thereto

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

Section 1. The opening paragraph of subdivision 1 and subdivision 2 of section 334 of the racing, pari-mutuel wagering and breeding law, as amended by a chapter of the laws of 2023 amending the racing, pari-mutuel wagering and breeding law relating to allowing New York sire stakes eligibility for foals sired by New York state stallions, as proposed in legislative bills numbers S. 2779 and A. 3528, are amended to read as follows:

The fund is further authorized and directed to conduct each year, at the New York state exposition, with the approval of the director of the exposition, or at any licensed pari-mutuel track in New York state, with a preference given to any available licensed pari-mutuel track that is five-eighths of a mile long or larger, colt, stake and overnight events for standardbred horses to provide contests for two year old and three year old colts and fillies at each gait of trotting and pacing. The colt, stake and overnight events so conducted for two year old and three year old colts and fillies at each gait of trotting and pacing hereunder shall be conditioned to admit only those colts and fillies **dropped from a mare bred in this state and** sired by a stallion owned or leased and permanently standing for service at and within this state at the time of the said foal's conception, provided, however, that such **mare,** stallion, and foal shall be microchipped with such microchip information which the commission may request be provided and made available pursuant to section two hundred twenty-five of this chapter. Such colt, stake and overnight events shall be opened for nomination not earlier than the first day of January in the year the event is to be held and only colts

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

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and fillies and horses complying with the following standards shall be eligible for such nomination:

2. The fund is further authorized and directed in each year, in cooperation with each licensee harness track in this state, to provide for the running of stake events conditioned to admit only two year old and three year old colts and fillies sired by a stallion owned or leased and permanently standing for service at and within this state at the time of the said foal's conception, at each gait of trotting and pacing, to be known as "New York sire stakes" and to contribute to the purses, stakes or prizes to be awarded in such "New York sire stakes", such sums as the fund shall deem advisable. **The fund may establish a system that distinguishes between (a) foals sired by a stallion standing in this state and bred within this state, (b) foals sired by a stallion standing in this state and with a mare bred outside this state, and (c) foals sired by a stallion standing in this state and dropped from a mare who was bred, and resided, in this state for at least one hundred eighty days in the year of conception. The fund shall provide bonus payments to those foals bred within the state that meet other conditions imposed by the fund.** The fund may prescribe a starting fee for such "New York-bred harness horse stakes" but in no event shall such fee be less than two per centum of the estimated purse for each entry. The fee prescribed shall be added to the purses awarded.

§ 2. Subdivision 3-a of section 334 of the racing, pari-mutuel wagering and breeding law, as added by a chapter of the laws of 2023 amending the racing, pari-mutuel wagering and breeding law relating to allowing New York sire stakes eligibility for foals sired by New York state stallions, as proposed in legislative bills numbers S. 2779 and A. 3528, is REPEALED.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 amending the racing, pari-mutuel wagering and breeding law relating to allowing New York sire stakes eligibility for foals sired by New York state stallions, as proposed in legislative bills numbers S. 2779 and A. 3528, takes effect.