

# STATE OF NEW YORK

4815

2023-2024 Regular Sessions

## IN SENATE

February 15, 2023

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 issuing temporary permits to certain fantasy sports operators

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

1 Section 1. Subdivision 2 of section 1402 of the racing, pari-mutuel  
2 wagering and breeding law, as added by chapter 237 of the laws of 2016,  
3 is amended and subdivision 1 is amended by adding a new paragraph (c) to  
4 read as follows:

5 (c) Additional interactive fantasy sports operators, who were not  
6 offering contests to persons located in New York prior to the tenth of  
7 November, two thousand fifteen, may apply for a temporary permit subject  
8 to approval by the gaming commission, provided that such operator meets  
9 all the requirements of this article. A temporary permit issued under  
10 this paragraph shall be deemed effective as of the date that the opera-  
11 tor first offered interactive fantasy sports contests in the state,  
12 provided that the operator remits the tax provided in section one thou-  
13 sand four hundred seven of this article within thirty days of issuance  
14 of the temporary permit for all contests the operator previously offered  
15 in the state.

16 2. The commission shall provide a temporary permit [~~to each operator~~  
17 ~~that was offering contests pursuant to paragraph (b) of subdivision one~~  
18 ~~of this section]~~ to allow [~~such operator to continue]~~ an interactive  
19 fantasy sports operator to offer such contests, on a provisional basis,  
20 until such operator's application for registration has been approved or  
21 denied in accordance with section fourteen hundred three of this arti-  
22 cle, provided that such operator meets all the requirements in section  
23 fourteen hundred four of this article.

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

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1 § 2. Subdivision 8 of section 1401 of the racing, pari-mutuel wagering  
2 and breeding law, as added by chapter 237 of the laws of 2016, is  
3 amended to read as follows:

4 8. "Interactive fantasy sports contest" or "contest" shall mean a game  
5 of skill wherein one or more contestants compete [~~against each other~~] by  
6 using their knowledge and understanding of athletic events and athletes  
7 to select and manage rosters of simulated players whose performance  
8 directly corresponds with the actual performance of human competitors on  
9 sports teams and in sports events.  
10 § 3. This act shall take effect immediately.