

# STATE OF NEW YORK

5549

2023-2024 Regular Sessions

## IN SENATE

March 8, 2023

Introduced by Sens. KENNEDY, SKOUFIS -- 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 prohibiting regional off-track betting corporations from  
providing items of value exceeding fifteen dollars to certain associ-  
ates of the corporation

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

1 Section 1. The racing, pari-mutuel wagering and breeding law is  
2 amended by adding a new section 503-b to read as follows:

3 § 503-b. Promotional spending restricted from corporation associates.  
4 No regional off-track betting corporation or any subsidiary wholly or  
5 partially controlled by such regional off-track betting corporation,  
6 including but not limited to video lottery terminal facilities, shall  
7 make available to any board member, officer, or employee of the corpo-  
8 ration, any contractor, subcontractor, consultant, or other agent of the  
9 corporation, or any spouse, child, sibling or parent residing in the  
10 principal place of abode of any of the foregoing persons, or any busi-  
11 ness, professional, or personal associates of any of the foregoing  
12 persons, any event tickets, beverages, food, or other thing of value  
13 that exceeds a value of fifteen dollars, except as otherwise explicitly  
14 provided in this chapter. This limitation shall apply, but not be limit-  
15 ed to, the marketing plan and promotional activities of the corporation.  
16 All promotional and marketing activities of the corporation shall be  
17 subject to approval and oversight by the gaming commission, which shall  
18 ensure that such marketing plan and activities of the corporation  
19 prohibit self-dealing.

20 § 2. Section 517 of the racing, pari-mutuel wagering and breeding law,  
21 as amended by chapter 243 of the laws of 2020, is amended to read as  
22 follows:

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

LBD02054-01-3

1     § 517. Annual reports. In addition to the reports required by article  
2 five-a of this chapter, within one hundred twenty days after the end of  
3 the fiscal year of the corporation, the directors thereof shall submit  
4 to the participating counties, the commission, the temporary president  
5 of the senate, the speaker of the assembly, and the state comptroller a  
6 complete and detailed audited report setting forth:

7     1. its operations and accomplishments during such fiscal year;

8     2. its receipts and expenditures during such fiscal year in accordance  
9 with categories or classifications established by the corporation for  
10 its own operating and capital outlay purposes;

11    3. its assets and liabilities at the end of such fiscal year including  
12 a schedule of its bonds, notes or other obligations and the status of  
13 reserves, depreciations, special, sinking or other funds;

14    4. details of branch offices being planned or in the process of being  
15 constructed or otherwise established and branch offices that have been  
16 constructed or established;

17    5. details of its marketing and promotional plans, the structure of  
18 such plans, any spending pursuant to such plans, and how such plans have  
19 or are anticipated to benefit the operations and financial position of  
20 the corporation, as well as any measures taken to prohibit self-dealing  
21 in conflict of section five hundred three-b of this article; and

22    [5] 6. such other information relating to the operations of the corpo-  
23 ration as shall be deemed pertinent by the directors, the participating  
24 counties, the commission, and the state comptroller.

25    § 3. This act shall take effect on the sixtieth day after it shall  
26 have become a law.