# STATE OF NEW YORK

6612

2023-2024 Regular Sessions

# IN SENATE

May 1, 2023

Introduced by Sen. KENNEDY -- 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 and the tax law, in relation to compensation for directors of the regional off-track betting corporation

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

Section 1. Paragraphs d and e of subdivision 10 of section 502 of the racing, pari-mutuel wagering and breeding law, as added by chapter 462 of the laws of 2000, are amended to read as follows:

d. In addition, the directors shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties **upon presentation of a form, sworn under penalty of perjury, certifying that such expenses were actually incurred**.

e. **No director shall be permitted to receive any compensation in any form whatsoever unless expressly provided for herein.**

**f.** Any expenses incurred by a director in excess of those authorized by paragraph d of this subdivision shall be the responsibility of the appointing political subdivision, payable on vouchers certified or approved by the chief fiscal officer of such political subdivision as is provided by law. **Directors shall swear under penalty of perjury that such expenses were incurred prior to certification or approval by the appointing political subdivision.**

§ 2. Section 1617-a of the tax law is amended by adding a new subdivision l to read as follows:

**l. Subject to gaming commission rules and regulations, any regional off-track betting corporation which is also a video lottery gaming agent for a facility located within Genesee county, shall submit a marketing and promotion plan for the video lottery gaming facility. Each annual marketing plan shall be submitted to the commission for review and**

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

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approval through resolution by the board. Thereafter, the video gaming agent shall submit a report to the commission detailing the accounting of the actual use and implementation of the approved marketing promotion plan from the previous year, which shall include the name and address of each person receiving any promotional item or thing of value in excess of fifty dollars. The failure to submit any marketing plan and subsequent report thereafter to the commission when due shall be a violation of the video lottery gaming agent's license.

§ 3. This act shall take effect immediately.