STATE OF NEW YORK

9236

IN SENATE

May 7, 2024

Introduced by Sens. BAILEY, 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 authorizing one percent of mobile sports tax revenue be used for problem gambling, one percent for youth sports and education funding, and one percent for youth team sports funding

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

Section 1. Subdivision 8 of section 1367 of the racing, pari-mutuel wagering and breeding law, as added by section 3 of part Y of chapter 59 of the laws of 2021, is amended to read as follows:

8. **(a)** Notwithstanding section thirteen hundred fifty-one of this article, mobile sports wagering gross gaming revenue and tax revenue shall be excluded from sports wagering gross gaming revenue and tax revenue. Mobile sports wagering tax revenue shall be separately maintained and returned to the state for deposit into the state lottery fund for education aid except as otherwise provided in this subdivision. Any interest and penalties imposed by the commission relating to those taxes, all penalties levied and collected by the commission, and the appropriate funds, cash or prizes forfeited from sports wagering shall be deposited into the state lottery fund for education.

(b) In the first fiscal year in which mobile sports wagering licensees commence operations and accept mobile sports wagers pursuant to this section, the commission shall pay into the commercial gaming fund one percent of the state tax imposed on mobile sports wagering by this section to be distributed for problem gambling education and treatment purposes pursuant to paragraph a of subdivision four of section ninety-seven-nnnn of the state finance law; provided however, that such amount shall be equal to **one percent of mobile sports tax revenue and no less than** six million dollars for each fiscal year thereafter.

(c) In the first fiscal year in which mobile sports wagering licensees commence operations and accept mobile sports wagers pursuant to this section, the commission shall pay one percent of the state tax imposed

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

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on mobile sports wagering by this section to the general fund, a program to be administered by the office of children and family services for a statewide youth sports activities and education grant program for the purpose of providing annual awards to sports **teams and** programs for underserved youth under the age of eighteen years **for programming, improvements, and capital equipment**; provided however, that such amount shall be equal to **one percent of mobile sports tax revenue and no less than** five million dollars for each fiscal year thereafter. **This funding shall be distributed by county youth bureaus, except in the city of New York, where the funding shall be distributed by Laureus Sport for Good Foundation USA. In all cases, availability of funding and standards for being awarded a grant shall be widely advertised, and a report on organizations receiving awards and the impact of the awards shall be made annually by the December first following the conclusion of the grant to the office of children and family services.**

(d) The commission shall require at least monthly deposits by a platform provider of any payments pursuant to subdivision seven of this section, at such times, under such conditions, and in such depositories as shall be prescribed by the state comptroller. The deposits shall be deposited to the credit of the state commercial gaming revenue fund. The commission shall require a monthly report and reconciliation statement to be filed with it on or before the tenth day of each month, with respect to gross revenues and deposits received and made, respectively, during the preceding month.

§ 2. This act shall take effect on the first of April next succeeding the date on which it shall have become a law.