

# 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 Assem-  
bly, do enact as follows:

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

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

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

23 (c) In the first fiscal year in which mobile sports wagering licensees  
24 commence operations and accept mobile sports wagers pursuant to this  
25 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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1 on mobile sports wagering by this section to the general fund, a program  
2 to be administered by the office of children and family services for a  
3 statewide youth sports activities and education grant program for the  
4 purpose of providing annual awards to sports teams and programs for  
5 underserved youth under the age of eighteen years for programming,  
6 improvements, and capital equipment; provided however, that such amount  
7 shall be equal to one percent of mobile sports tax revenue and no less  
8 than five million dollars for each fiscal year thereafter. This funding  
9 shall be distributed by county youth bureaus, except in the city of New  
10 York, where the funding shall be distributed by Laureus Sport for Good  
11 Foundation USA. In all cases, availability of funding and standards for  
12 being awarded a grant shall be widely advertised, and a report on organ-  
13 izations receiving awards and the impact of the awards shall be made  
14 annually by the December first following the conclusion of the grant to  
15 the office of children and family services.

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

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