STATE OF NEW YORK

10205

IN ASSEMBLY

May 10, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Pretlow) -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to equine screening and advanced imaging expenses; and providing for the repeal of certain provisions upon expiration thereof

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

Section 1. The racing, pari-mutuel wagering and breeding law is amended by adding a new section 902-a to read as follows:

§ 902-a. Equine screening and advanced imaging expenses. 1. In order to assure the public's confidence and continue the high degree of integrity in racing at the pari-mutuel betting tracks, clinical services related to screening and advanced imaging shall be conducted by a land grant university within this state at a location proximate to a racetrack owned by the state.

2. Notwithstanding any inconsistent provision of law, the land grant university's costs of operating such preventive screening and advanced imaging services shall be offset by an assessment collected by the commission pursuant to subdivision seven of section one thousand twelve-a of this chapter, and distributed by the commission to such land grant university. The commission shall determine the distribution schedule of such assessments to the land grant university outlined in this subdivision, provided that such distributions occur in a reasonable amount of time subsequent to the commission collecting such assessments.

3. In consideration of the state and industry support provided for the screening and advanced imaging services to the land grant university: (a) the clinical services shall be provided for the benefit of New York horsemen at reasonable costs; and (b) any data or educational material generated from such program shall be shared with the commission and any entity licensed or franchised pursuant to article one or two of this chapter.

§ 2. Subdivision 6 of section 1012-a of the racing, pari-mutuel wagering and breeding law, as amended by chapter 243 of the laws of 2020, is amended and a new subdivision 7 is added to read as follows:

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

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6. multi-jurisdictional account wagering providers shall pay a market origin fee equal to five percent on each wager accepted from New York residents. Multi-jurisdictional account wagering providers shall make the required payments to the market origin account on or before the fifth business day of each month and such required payments shall cover payments due for the period of the preceding calendar month; provided, however, that such payments required to be made on April fifteenth shall be accompanied by a report under oath, showing the total of all such payments, together with such other information as the commission may require. A penalty of five percent and interest at the rate of one percent per month from the date the report is required to be filed to the date the payment shall be payable in case any payments required by this subdivision are not paid when due. If the commission determines that any moneys received under this subdivision were paid in error, the commission may cause the same to be refunded without interest out of any moneys collected thereunder, provided an application therefor is filed with the commission within one year from the time the erroneous payment was made. The commission shall pay into the racing regulation account, under the joint custody of the comptroller and the commission, the total amount of the fee collected pursuant to this section[~~.~~]**; and**

7. any multi-jurisdictional account wagering providers that are not controlled by an entity otherwise licensed or franchised in this state to conduct pari-mutuel wagering pursuant to article two or three of this chapter through which New York residents have wagered an aggregate amount of at least fifteen million dollars in every month of calendar year two thousand twenty-three shall pay an additional assessment of 0.03 percent not to exceed one million dollars in calendar year two thousand twenty-four, and 0.05 percent not to exceed one million seven hundred fifty thousand dollars in calendar years two thousand twenty-five through two thousand twenty-nine, which shall be distributed pursuant to section nine hundred two-a of this chapter. This assessment shall continue only as long as necessary to fund the operations of the screening and advanced imaging clinical services described in such section.

§ 3. This act shall take effect immediately; provided, however, that sections one and two of this act shall expire on March 31, 2029 when upon such date the provisions of such sections shall be deemed repealed.