

# STATE OF NEW YORK

3519

2023-2024 Regular Sessions

## IN ASSEMBLY

February 3, 2023

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Racing and Wagering

AN ACT to amend the general municipal law, in relation to requiring a New York state legend on all bell jar tickets sold in New York state

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

1 Section 1. Subdivision 1 of section 195-n of the general municipal  
2 law, as amended by chapter 637 of the laws of 1999, is amended to read  
3 as follows:

4 1. Distribution; manufacturers. (a) For business conducted in this  
5 state, manufacturers licensed by the board to sell bell jar tickets  
6 shall ~~[sell]~~ : (i) only sell such tickets to distributors licensed by  
7 the board; (ii) only sell such tickets that have been approved by the  
8 board; and (iii) are imprinted with an approved legend prescribed by the  
9 board in a manner prescribed by the board. Bell jar tickets that are  
10 banded single-sided single-tabbed, double-sided single-tabbed or folded  
11 bell jar tickets are excluded from the approved legend requirement.  
12 Manufacturers of bell jar tickets, seal cards, merchandise boards, and  
13 coin boards may submit samples, artists' renderings, or color photocopies  
14 of proposed bell jar tickets, seal cards, merchandise boards, coin  
15 boards, payout cards, and flares for review and approval by the board.  
16 Within thirty days of receipt of such sample or rendering, the board  
17 shall approve or deny such bell jar tickets. Following approval of a  
18 rendering of a bell jar ticket, seal card, merchandise board, or coin  
19 board by the board, the manufacturer shall submit to the board a sample  
20 of the printed bell jar ticket, seal card, merchandise board, coin  
21 board, payout card, and flare for such game. Such sample shall be  
22 submitted prior to the sale of the game to any licensed distributor for  
23 resale in this state. For coin boards and merchandise boards, nothing  
24 herein shall require the submittal of actual coins or merchandise as  
25 part of the approval process. (b) Any licensed manufacturer who ~~[will-~~

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

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1 ~~fully~~] intentionally violates the provisions of this section shall:  
2 [~~(a)~~] (i) upon such first offense, have their license suspended for a  
3 period of thirty days; [~~(b)~~] (ii) upon such second offense, participate  
4 in a hearing to be conducted by the board, and surrender their license  
5 for such period as recommended by the board; and [~~(c)~~] (iii) upon such  
6 third or subsequent offense, have their license suspended for a period  
7 of one year and shall be guilty of a class E felony. Any unlicensed  
8 manufacturer who violates the provisions of this section shall be guilty  
9 of a class E felony.

10 § 2. Subdivision 1 of section 195-o of the general municipal law, as  
11 amended by chapter 637 of the laws of 1999, is amended to read as  
12 follows:

13 1. Distribution; distributors. Any distributor licensed in accordance  
14 with section one hundred eighty-nine-a of this article to distribute  
15 bell jar tickets shall purchase bell jar tickets only from licensed  
16 manufacturers and may manufacture coin boards and merchandise boards  
17 only as authorized in subdivision one-a of this section. Licensed  
18 distributors who purchase bell jar tickets for resale in New York state  
19 shall only purchase and resell bell jar tickets imprinted with an  
20 approved legend prescribed by the board in a manner prescribed by the  
21 board, or bell jar tickets that have been approved by the board that are  
22 banded single-sided single-tabbed, double-sided single-tabbed or folded  
23 bell jar tickets. Licensed distributors of bell jar tickets shall sell  
24 such tickets only to not-for-profit, charitable or religious organiza-  
25 tions registered by the board. Any licensed distributor who [~~willfully~~]  
26 intentionally violates the provisions of this section shall: (a) upon  
27 such first offense, have their license suspended for a period of thirty  
28 days; (b) upon such second offense, participate in a hearing to be  
29 conducted by the board, and surrender their license for such period as  
30 recommended by the board; and (c) upon such third or subsequent offense,  
31 have their license suspended for a period of one year and shall be guilty  
32 of a class E felony. Any unlicensed distributor who violates this  
33 section shall be guilty of a class E felony.

34 § 3. This act shall take effect on the first of January next succeed-  
35 ing the year in which it shall have become a law and shall apply to  
36 tickets which are manufactured on or after such date. Effective imme-  
37 diately the addition, amendment and/or repeal of any rule or regulation  
38 necessary for the implementation of this act on its effective date are  
39 authorized to be made and completed on or before such date.