STATE OF NEW YORK

3551--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the racing, pari-mutuel wagering and breeding law, in relation to issuing temporary permits to certain fantasy sports operators

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

Section 1. Subdivision 2 of section 1402 of the racing, pari-mutuel wagering and breeding law, as added by chapter 237 of the laws of 2016, is amended and subdivision 1 is amended by adding a new paragraph (c) to read as follows:

(c) Additional interactive fantasy sports operators, who were not offering contests to persons located in New York prior to the tenth of November, two thousand fifteen, may apply for a temporary permit subject to approval by the gaming commission, provided that such operator meets all the requirements of this article. A temporary permit issued under this paragraph shall be deemed effective as of the date that the operator first offered interactive fantasy sports contests in the state, provided that the operator remits the tax provided in section one thousand four hundred seven of this article within thirty days of issuance of the temporary permit for all contests the operator previously offered in the state.

2. The commission shall provide a temporary permit [~~to each operator that was offering contests pursuant to paragraph (b) of subdivision one of this section~~] to allow [~~such operator to continue~~] **an interactive fantasy sports operator** to offer such contests, on a provisional basis, until such operator's application for registration has been approved or denied in accordance with section fourteen hundred three of this article, provided that such operator meets all the requirements in section fourteen hundred four of this article.

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

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§ 2. Subdivision 8 of section 1401 of the racing, pari-mutuel wagering and breeding law, as added by chapter 237 of the laws of 2016, is amended to read as follows:

8. "Interactive fantasy sports contest" or "contest" shall mean a game of skill wherein one or more contestants compete [~~against each other~~] by using their knowledge and understanding of athletic events and athletes to select and manage rosters of simulated players whose performance directly corresponds with the actual performance of human competitors on sports teams and in sports events.

§ 3. This act shall take effect immediately.