

STATE OF NEW YORK

10515

IN ASSEMBLY

March 6, 2026

Introduced by M. of A. STERN -- 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 off-track betting maintenance of effort payments

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

1 Section 1. Subdivision 2 of section 1017 of the racing, pari-mutuel
2 wagering and breeding law, as amended by chapter 174 of the laws of
3 2013, paragraph a as amended by chapter 243 of the laws of 2020, is
4 amended to read as follows:

5 2. [~~a. Maintenance of effort.~~] Any off-track betting corporation that
6 engages in accepting wagers on the simulcasts of thoroughbred races from
7 out-of-state or out-of-country as permitted under subdivision one of
8 this section shall [~~submit to the commission, for its approval, a sched-
9 ular of payments to be made in any year or portion thereof, that such
10 off-track corporation engages in nighttime thoroughbred simulcasting. In
11 order to be approved by the commission, the payment schedule shall be
12 identical to the actual payments and distributions of such payments to
13 tracks and purses made by such off-track corporation pursuant to the
14 provisions of section one thousand fifteen of this article during the
15 year two thousand two, as derived from out-of-state harness races
16 displayed after 6:00 P.M. If approved by the commission, such scheduled
17 payments shall be made from revenues derived from any simulcasting
18 conducted pursuant to this section and section one thousand fifteen of
19 this article.~~

20 ~~b. Additional payments. During each calendar year, to the extent, and
21 at such time in the event, that aggregate statewide wagering handle
22 after 7:30 P.M. on out-of-state and out-of-country thoroughbred races
23 exceeds one hundred million dollars, each off-track betting corporation
24 conducting such simulcasting shall pay to its regional harness track or
25 tracks, an amount equal to two percent of its proportionate share of
26 such excess handle. In any region where there are two or more regional
27 harness tracks, such two percent shall be divided between or among the
28 tracks in a proportion equal to the proportion of handle on live harness~~

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

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1 ~~rac~~es conducted at such tracks during the preceding calendar year. Fifty
2 percent of the sum received by each track pursuant to this paragraph
3 shall be used exclusively for increasing purses, stakes and prizes at
4 that regional harness track. For the purpose of determining whether such
5 aggregate statewide handle exceeds one hundred million dollars, all
6 wagering on such thoroughbred races accepted by licensed multi-jurisdic-
7 tional account wagering providers from customers within New York state
8 shall be excluded] pay to its regional harness track or tracks the
9 amount equal to three percent of handle generated from the acceptance of
10 such wagers from out-of-state or out-of-country thoroughbred tracks
11 after 7:30 P.M.

12 § 2. The act shall take effect immediately.