

STATE OF NEW YORK

4543

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

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

AN ACT to amend the state finance law, in relation to the tribal-state
compact revenue account

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

1 Section 1. Subdivision 3 of section 99-h of the state finance law, as
2 amended by chapter 174 of the laws of 2013, is amended and a new subdi-
3 vision 4 is added to read as follows:
4 3. Moneys of the account, following the segregation of appropriations
5 enacted by the legislature, shall be available for purposes including
6 but not limited to: (a) reimbursements or payments to municipal govern-
7 ments that host tribal casinos pursuant to a tribal-state compact for
8 costs incurred in connection with services provided to such casinos or
9 arising as a result thereof, for economic development opportunities and
10 job expansion programs authorized by the executive law; provided, howev-
11 er, that for any gaming facility located in the county of Erie [~~or~~
12 ~~Niagara~~], the municipal governments hosting the facility shall collec-
13 tively receive a minimum of twenty-five percent of the negotiated
14 percentage of the net drop from electronic gaming devices the state
15 receives pursuant to the compact, and provided further that for any
16 gaming facility located in the city of Niagara Falls, county of Niagara
17 a minimum of twenty-five percent of the negotiated percentage of the net
18 drop from electronic gaming devices the state receives pursuant to the
19 compact shall be distributed in accordance with subdivision four of this
20 section, and provided further that for any gaming facility located in
21 the county or counties of Cattaraugus, Chautauqua or Allegany, the
22 municipal governments of the state hosting the facility shall collec-
23 tively receive a minimum of twenty-five percent of the negotiated
24 percentage of the net drop from electronic gaming devices the state
25 receives pursuant to the compact; and provided further that pursuant to
26 chapter five hundred ninety of the laws of two thousand four, a minimum
27 of twenty-five percent of the revenues received by the state pursuant to
28 the state's compact with the St. Regis Mohawk tribe shall be made avail-

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

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1 able to the counties of Franklin and St. Lawrence, and affected towns in
2 such counties. Each such county and its affected towns shall receive
3 fifty percent of the moneys made available by the state; and provided
4 further that the state shall annually make twenty-five percent of the
5 negotiated percentage of the net drop from all gaming devices the state
6 actually receives pursuant to the Oneida Settlement Agreement confirmed
7 by section eleven of the executive law available to the county of Onei-
8 da, and a sum of three and one-half million dollars to the county of
9 Madison. Additionally, the state shall distribute, for a period of nine-
10 teen and one-quarter years, an additional annual sum of two and one-half
11 million dollars to the county of Oneida. Additionally, the state shall
12 distribute the one-time eleven million dollar payment actually received
13 by the state pursuant to the Oneida Settlement Agreement to the county
14 of Madison by wire transfer upon receipt of such payment by the state;
15 and (b) support and services of treatment programs for persons suffering
16 from gambling addictions. Moneys not segregated for such purposes shall
17 be transferred to the general fund for the support of government during
18 the fiscal year in which they are received.

19 4. (a) Monies which are appropriated and received each year by the
20 state as a portion of the negotiated percentage of the net drop from
21 electronic gaming devices the state receives in relation to the opera-
22 tion of a gaming facility in the city of Niagara Falls, county of
23 Niagara as required under subdivision three of this section, shall be
24 budgeted and disbursed by the city of Niagara Falls in the following
25 manner:

26 (i) eighty percent of the total annual amount received shall be avail-
27 able for expenditure by the city of Niagara Falls for such public
28 purposes as are determined, by the city, to be necessary and desirable
29 to accommodate and enhance economic development, neighborhood revitali-
30 zation, public health and safety, and infrastructure improvement in the
31 city, shall be deposited into the tribal revenue account of the city and
32 any and all interest and income derived from the deposit and investment
33 of such monies shall be deposited into the general operating fund of the
34 city; provided however, that any amount allocated to the not-for-profit
35 organization known as the Niagara Falls underground railroad interpre-
36 tive center created to continue the Niagara Falls Underground Railroad
37 Heritage Commission's mission to operate an underground railroad museum,
38 to the extent that its share pursuant to the formula established in
39 clause four of subparagraph (ii) of this paragraph exceeds one percent,
40 such amounts shall be distributed from the funds available to the city
41 for its public purposes pursuant to this paragraph; and

42 (ii) the remaining twenty percent of the total annual amount received
43 shall be allocated for the city of Niagara Falls to be available for
44 expenditure in the following manner:

45 (1) within thirty-five days upon receipt of such funds by such city,
46 five and one-half percent of the total annual amount received in each
47 year, not to exceed seven hundred fifty thousand dollars annually, shall
48 be transferred to Niagara Falls memorial medical center to be used for
49 capital construction projects; and

50 (2) within thirty-five days upon receipt of such funds by such city,
51 five and one-half percent of the total annual amount received in each
52 year, not to exceed seven hundred fifty thousand dollars annually, shall
53 be transferred to the Niagara Falls city school district for capital
54 construction projects; and

55 (3) within thirty-five days upon receipt of such funds by such city,
56 seven percent of the total amount received in each year not to exceed

1 one million dollars, shall be transferred to the Niagara tourism and
2 convention center corporation for marketing and tourism promotion in the
3 county of Niagara including the city of Niagara Falls; and

4 (4) within thirty-five days upon receipt of such funds by such city,
5 one percent or two hundred thousand dollars, whichever is greater, of
6 the total annual amount received in each year shall be transferred to
7 the not-for-profit organization known as the Niagara Falls underground
8 railroad interpretive center created to continue the Niagara Falls
9 Underground Railroad Heritage Commission's mission to operate an under-
10 ground railroad museum, to be used for, but not limited to, development,
11 capital improvements, acquisition of real property, and acquisition of
12 personal property within the heritage area in the city of Niagara Falls
13 as established pursuant to the commission; provided in the event the
14 distribution available pursuant to this clause exceeds one percent, it
15 shall be distributed from the moneys available pursuant to subparagraph
16 (i) of this paragraph; and

17 (5) within thirty-five days upon receipt of such funds by such city,
18 fifty thousand dollars of the total amount received in each year shall
19 be transferred to Mount Saint Mary's Neighborhood Health Center; and

20 (6) within thirty-five days upon receipt of such funds by such city,
21 fifty thousand dollars of the total annual amount received in each year
22 shall be transferred to the Niagara Falls housing authority established
23 pursuant to title twelve of article thirteen of the public housing law
24 for upgrades to their facilities; and

25 (7) all other monies appropriated or received for distribution pursu-
26 ant to this subdivision after the transfer of money pursuant to this
27 subparagraph and subparagraph (i) of this paragraph in each year shall
28 be allocated to the city of Niagara Falls for infrastructure and road
29 improvement projects.

30 (b) On or before the first of April, each entity receiving moneys
31 pursuant to subparagraphs (i) and (ii) of paragraph (a) of this subdivi-
32 sion, shall annually submit a report to the governor, temporary presi-
33 dent of the senate, speaker of the assembly, minority leader of the
34 senate, minority leader of the assembly, mayor of the city of Niagara
35 Falls and leader of the city council of the city of Niagara Falls. Each
36 such report shall include an accounting of all moneys received by such
37 entity pursuant to paragraph (a) of this subdivision and the expenditure
38 of any such moneys.

39 (c) Notwithstanding any other provision of law to the contrary, fail-
40 ure by the city of Niagara Falls to disburse funds as such city is
41 required pursuant to clauses one, two, three and four of subparagraph
42 (ii) of paragraph (a) of this subdivision within thirty-five days of the
43 actual receipt of the funds or the submission of the subentity expendi-
44 ture report due by April first of each year, whichever is later, shall
45 result in an additional payment by the city of Niagara Falls of one-half
46 percent per week not to exceed eighteen percent of the amount which was
47 to have been disbursed pursuant to such clauses. Any such additional
48 payment required to be made by the city shall be disbursed from the
49 city's share described in subparagraph (i) of paragraph (a) of this
50 subdivision.

51 (d) In the event that any monies to be distributed pursuant to clauses
52 one, three and four of subparagraph (ii) of paragraph (a) of this subdivi-
53 vision cannot, for any reason, be received or utilized, such monies
54 shall be distributed to the city of Niagara Falls for economic develop-
55 ment projects within such city.

56 § 2. This act shall take effect immediately.