

# STATE OF NEW YORK

9143

## IN SENATE

February 5, 2026

Introduced by Sen. C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law, in relation to establishing the empire state sports and entertainment fund

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

1 Section 1. The economic development law is amended by adding a new  
2 article 29 to read as follows:

### ARTICLE 29

#### EMPIRE STATE SPORTS AND ENTERTAINMENT FUND

3 Section 520. Short title.

4 521. Statement of legislative findings and declaration.

5 522. Definitions.

6 523. Eligibility criteria.

7 524. Application and approval process.

8 525. Powers and duties of the commissioner.

9 526. Maintenance of records.

10 § 520. Short title. This article shall be known and may be cited as  
11 the "empire state sports and entertainment fund".

12 § 521. Statement of legislative findings and declaration. It is hereby  
13 found and declared that New York state needs, as a matter of public  
14 policy, to create competitive financial incentives to attract sports and  
15 entertainment events that can be located in any state. The empire state  
16 sports and entertainment fund is created to help New York compete with  
17 other states for the siting of these unique opportunities.

18 This article creates a fund that will make New York venues more  
19 competitive when trying to secure these types of events. The sports and  
20 entertainment opportunities targeted by this fund will be events that  
21 are not currently designated for New York and that are not part of a  
22 regular schedule in New York and could reasonably be located in other  
23 markets.

24 § 522. Definitions. For the purposes of this article:

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

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1 1. "Qualifying sports or entertainment event" means a sports or enter-  
2 tainment event that is not part of a fixed, recurring residency or  
3 exclusive home schedule at a single venue in the state, that has a live  
4 audience of at least five thousand ticketholders, and is capable of  
5 being held in other states or markets and is not contractually, legally  
6 or otherwise obligated to take place in the state.

7 2. "Certificate of eligibility" means the document issued by the  
8 department to an applicant that has completed an application to be  
9 admitted into the empire state sports and entertainment fund program and  
10 has been accepted into the program by the department. Possession of a  
11 certificate of eligibility does not by itself guarantee the eligibility  
12 to claim any funds.

13 3. "Certificate of funding" means the document issued to a participant  
14 by the department, after the department has verified that the partic-  
15 ipant has met all applicable eligibility criteria in this article. The  
16 certificate shall be issued if such criteria are satisfied and shall  
17 specify the exact amount of funding under this article that a partic-  
18 ipant may claim and shall specify the taxable year in which such funding  
19 may be awarded.

20 4. "Participant" means a business entity that:

21 (a) has completed an application prescribed by the department to be  
22 admitted into the program;

23 (b) has been issued a certificate of eligibility by the department;

24 (c) has demonstrated that it meets the eligibility criteria in section  
25 five hundred twenty-three and subdivision two of section five hundred  
26 twenty-four of this article; and

27 (d) has been certified as a participant by the commissioner.

28 § 523. Eligibility criteria. 1. To be a participant in the empire  
29 state sports and entertainment fund, a business entity shall host a  
30 qualifying sports or entertainment event in New York state.

31 2. A business entity must be in compliance with all worker protection  
32 laws and regulations. In addition, a business entity may not owe past  
33 due state taxes.

34 § 524. Application and approval process. 1. A business entity must  
35 submit a completed application as prescribed by the commissioner. Such  
36 completed application must be submitted to the commissioner at least  
37 ninety days prior to the proposed date of such qualifying entertainment  
38 or sports event.

39 2. As part of such application, each business entity must:

40 (a) demonstrate that the qualifying sports or entertainment event  
41 meets the criteria of such definition.

42 (b) demonstrate the expected economic benefit to the host location.

43 (c) certify, under penalty of perjury, that it is in substantial  
44 compliance with all, worker protection, and local, state, and federal  
45 tax laws.

46 3. After reviewing a business enterprise's completed application and  
47 determining that the business entity will meet the conditions set forth  
48 in section five hundred twenty-three of this article, the department may  
49 admit the applicant into the fund and provide the applicant with a  
50 certificate of eligibility.

51 4. In order to become a participant in the fund, an applicant must  
52 submit evidence that it satisfies the eligibility criteria specified in  
53 section five hundred twenty-three of this article and subdivision two of  
54 this section in such form as the commissioner may prescribe. After  
55 reviewing such evidence and finding it sufficient, the department shall

1 certify the applicant as a participant and issue to that participant a  
2 certificate of funding for one taxable year.

3 § 525. Powers and duties of the commissioner. 1. The commissioner  
4 shall promulgate regulations establishing an application process and  
5 eligibility criteria, that will be applied consistent with the purposes  
6 of this article. Such regulations shall include, but not be limited to,  
7 criteria for determining whether a specific event is excluded from the  
8 definition of qualifying sports or entertainment event. Any business  
9 entity excluded from the definition may appeal the determination to the  
10 commissioner.

11 2. The commissioner shall solely determine the eligibility of any  
12 applicant applying for entry into the program and shall remove any  
13 participant from the program for failing to meet any of the requirements  
14 of this article.

15 § 526. Maintenance of records. Each participant shall keep all rele-  
16 vant records for the duration of its program participation plus three  
17 years.

18 § 2. This act shall take effect immediately.