

STATE OF NEW YORK

9600

IN SENATE

March 27, 2026

Introduced by Sen. FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Racing, Gaming 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 ~~ule 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~~

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

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

13 § 2. The act shall take effect immediately.