STATE OF NEW YORK

5921--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 24, 2025

Introduced by M. of A. WOERNER -- 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 the creation of the jockey health insurance reserve fund

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

Section 1. Subdivision 1 of section 221-a of the racing, pari-mutuel wagering and breeding law, as amended by chapter 243 of the laws of 2020, is amended to read as follows:

1. a. A franchised corporation shall, as a condition of racing, establish a program to administer the purchase of health insurance for eligible jockeys.

Such program shall be funded through the deposit of one and one-half percent of the gross purse enhancement amount from video lottery gaming at a thoroughbred track pursuant to paragraph two of subdivision b and paragraph one of subdivision f of section sixteen hundred twelve of the tax law. The franchised corporation shall establish a segregated account for the receipt of these monies and these monies shall remain separate from any other funds. Any corporation or association licensed pursuant to this article shall pay into such account any amount due within ten days of the receipt of revenue pursuant to section sixteen hundred twelve of the tax law.

b. Any portion of such funding to the account, outlined in paragraph a of this subdivision, unused during a calendar year, less an amount sufficient to cover anticipated premium liabilities over the next sixty days, shall be either (i) returned on a pro rata basis in accordance with the amounts originally contributed [~~and shall~~] to be used for the purpose of enhancing purses at such tracks, (ii) deposited into the account established in paragraph c of this section, or (iii) distributed via a combination of both purposes outlined in subparagraphs (i) and

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

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<u>(ii) of this paragraph. The distribution of such unused funding described in this paragraph shall be determined and agreed upon by the franchised corporation and the jockey's organization that represents at least fifty-one percent of eligible jockeys</u>. Provided, however, if a corporation or association licensed pursuant to this article provides an alternative source of funding for this program, an amount equal to this alternative funding, but not in excess of the amount originally contributed during the year from the gross purse enhancement amount from video lottery gaming attributable to such corporation or association, shall be returned to the corporation or association and used for the purpose of enhancing purses at such track. Provided, further, any such alternative source of funding must be approved by the commission.

<u>c. An additional segregated account may be established with such monies as a reserve fund for the payment of premiums not yet paid. The amount paid into such fund during any calendar year, if any, shall be determined upon the agreement between the franchised corporation and the jockey's organization that represents at least fifty-one percent of eligible active jockeys outlined in paragraph b of this subdivision. If, after the establishment of such fund, a determination and agreement is made between the franchised corporation and the jockey's organization that represents at least fifty-one percent of eligible jockeys that such fund is no longer needed, the monies remaining in such fund shall be returned on a pro rata basis in accordance with the amounts originally contributed and shall be used for the purposes of enhancing purses at such tracks.</u>

§ 2. This act shall take effect immediately.