

STATE OF NEW YORK

3419

2025-2026 Regular Sessions

IN SENATE

January 27, 2025

Introduced by Sen. BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law, in relation to comptroller oversight of tribal-state compacts prior to federal approval

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

1 Section 1. Section 8 of the state finance law is amended by adding a
2 new subdivision 21 to read as follows:

3 21. Notwithstanding any inconsistent provision of law, review and
4 provide a recommendation of approval or modifications, for submission
5 for federal approval of any tribal-state compact approved or executed
6 between the state of New York, the governor, or their designee and an
7 Indian nation or tribe, pursuant to the Indian Gaming Regulatory Act of
8 1988 (P.L. 100-497; 25 U.S.C. §§ 2701-2721 and 187 U.S.C. §§
9 1166-1168). When reviewing and providing a recommendation of approval or
10 modifications, the comptroller shall consider the following factors:

11 a. whether proper procedures were followed by the governor or their
12 designee and any other parties that have entered into a recusal agree-
13 ment if a recusal was warranted and/or occurred;

14 b. direct lobbying by interested parties and continued compliance with
15 any applicable recusal agreements;

16 c. whether the agreement to revenue share between an Indian nation or
17 tribe and the state is commensurate with exclusivity value as required
18 by federal law; and

19 d. any other factor the comptroller deems relevant.

20 Nothing in this section shall be construed to affect the existing
21 authority of the governor under the state constitution and laws to
22 execute tribal-state compacts, provided however such tribal-state
23 compact shall not be sent for federal approval until such tribal-state
24 compact shall have been reviewed and either recommended for approval or
25 modification by the state comptroller within thirty calendar days after
26 receipt.

27 § 2. This act shall take effect immediately.

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

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