# STATE OF NEW YORK

3613

2025-2026 Regular Sessions

# IN SENATE

January 29, 2025

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

AN ACT to amend the tax law, in relation to the percentage of free play allowance credits

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

Section 1. Paragraph 3 of subdivision i of section 1617-a of the tax law, as amended by section 1 of part SS of chapter 60 of the laws of 2016, is amended to read as follows:

(3) For each video lottery facility, the annual value of the free play allowance credits authorized for use by the operator pursuant to this subdivision shall not exceed an amount equal to fifteen percent of the total amount wagered on video lottery games after payout of prizes. The gaming commission shall establish procedures to assure that free play allowance credits do not exceed such amount. **However, the commission may, at the commission's discretion, authorize an increase to the above limitation for individual video lottery facilities, upon illustration of benefit to the state.**

§ 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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