

S4137-B LARKIN Same as [A 7139-B](#) Gromack (MS)
ON FILE: 06/13/02 Racing, Pari-Mutuel Wagering and Breeding Law
TITLE....Provides for the posting of information regarding compulsive gambling on signs and the internet and makes provision for the voluntary exclusion of persons

04/03/01 REFERRED TO RACING, GAMING AND WAGERING
01/09/02 REFERRED TO RACING, GAMING AND WAGERING
04/23/02 ORDERED TO THIRD READING CAL.680
05/06/02 AMENDED ON THIRD READING 4137A
06/10/02 AMENDED ON THIRD READING (T) 4137B
06/17/02 PASSED SENATE
06/17/02 DELIVERED TO ASSEMBLY
06/17/02 referred to racing and wagering
06/20/02 substituted for a7139b
06/20/02 ordered to third reading cal.20
06/20/02 passed assembly
06/20/02 returned to senate
08/08/02 DELIVERED TO GOVERNOR
08/20/02 SIGNED CHAP.434

LAWS OF NEW YORK, 2002

CHAPTER 434

AN ACT to amend the racing, pari-mutuel wagering and breeding law and the mental hygiene law, in relation to compulsive gambling assistance

Became a law August 20, 2002, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

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

Section 1. The racing, pari-mutuel wagering and breeding law is amended by adding a new section 104-b to read as follows:

§ 104-b. Prohibition against wagering on credit. No licensee authorized by the board to accept pari-mutuel wagers shall directly extend credit for any wager under this chapter.

§ 2. Section 108 of the racing, pari-mutuel wagering and breeding law, as added by chapter 750 of the laws of 1989, is amended to read as follows:

§ 108. ~~Posting of signs to assist compulsive gamblers~~ **Compulsive gambling assistance.** **1.** The ~~chairman~~ **chairperson** of the board shall cooperate with the commissioner of mental health to ensure the posting of signs **and listing of information on the internet** designed to assist compulsive gamblers pursuant to the provisions of subdivision (g) of section 7.09 of the mental hygiene law.

2. a. The board shall promulgate rules and regulations pursuant to which people may voluntarily exclude themselves from entering the premises of an association or corporation licensed or enfranchised under article two, three, or four of this chapter or a facility licensed under

section one thousand eight or one thousand nine of this chapter.

b. An association or corporation licensed or enfranchised under article two, three, or four of this chapter or a facility licensed under section one thousand eight or one thousand nine of this chapter shall not be liable to any self-excluded person or to any other party in any judicial proceeding for any harm, monetary or otherwise, which may arise as a result of a self-excluded person's engaging in gambling activity while on the list of self-excluded persons; provided that nothing contained in this paragraph shall limit the liability of any such association, corporation, or facility for any other acts or omissions under any other statutory law or under the common law.

c. No voluntary order or request to exclude persons from entering the premises of any such association, corporation, or facility may be rescinded, canceled, or declared null and void until seven days after a request has been received by such association, corporation, or facility to cancel such order or request.

3. The board shall promulgate rules and regulations under which a person with an account authorized pursuant to section one thousand twelve of this chapter may voluntarily place limits on the amounts of his or her wagers or potential wagers on a daily or weekly basis. No order from a person to remove any limit placed on account wagers shall

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

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be effective until seven days after it has been received by the entity conducting account wagering.

§ 3. Subdivision (g) of section 7.09 of the mental hygiene law, as added by chapter 750 of the laws of 1989, is amended to read as follows:

(g) The commissioner shall promulgate rules and regulations requiring the state racing and wagering board and the state lottery division to provide for the posting of signs in facilities licensed by the state racing and wagering board to conduct pari-mutuel wagering and facilities licensed by the state lottery division advising where to get help in dealing with a compulsion to gamble. In addition, the information contained on such signs shall be posted on the internet at appropriate internet sites. Such signs and information posted on the internet shall include, but not be limited to, notice of the availability of one ~~of~~ or more organizations, approved by the commissioner, which offer assistance in dealing with compulsive gambling. Such signs, not less than eight and one-half inches by eleven inches, shall be conspicuously posted by the facility which is conducting the gambling. Such signs shall be available at the state racing and wagering board, the state lottery division, and the state office of mental health and shall be distributed by the appropriate licensing agency.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided that the state racing and wagering board is authorized to promulgate any rules and regulations necessary to implement this act on or before its effective date.

The Legislature of the STATE OF NEW YORK **ss:**

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

JOSEPH L. BRUNO
Temporary President of the Senate

SHELDON SILVER
Speaker of the Assembly