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**To: Whom it May Concern**  
**From: Edmund Burns, General Counsel**  
**Date: September 25, 2013**  
**Re: Casino Gaming Expenditures**

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Please be advised that the New York Racing, Pari-Mutuel Wagering and Breeding Law was amended on July 30, 2013 to include a new section 1330-a that applies to Gaming Commission video lottery agents, regulated race tracks and regional off-track betting corporations. The provision reads as follows:

**§ 1330-a. Casino gaming expenditures.**

1. (a) In addition to any other registration or reporting required by law, any entity licensed under section sixteen hundred seventeen-a of the tax law, or which possesses a pari-mutuel wagering license or franchise awarded pursuant to article two or three of this chapter that makes an expenditure of more than one thousand dollars for any written, typed, or other printed communication, or any internet-based communication, or any television or radio communication, or any automated or paid telephone communications, *in support or opposition to any referendum* authorized by the state legislature following second passage of a concurrent resolution *to amend the state constitution to permit or authorize casino gaming to a general public audience*, shall *file any reports required pursuant to the election law simultaneously with the gaming commission* and shall provide such additional reports as required by the gaming commission. This requirement shall apply irrespective of whether such entity makes such expenditure directly or indirectly via one or more persons. The gaming commission shall promulgate regulations to implement the requirements of this section.

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(b) Casino gaming expenditures do not include expenditures in connection with: (i) a written news story, commentary, or editorial or a news story, commentary, or editorial distributed through the facilities of any broadcasting station, cable or satellite unless such publication or facilities are owned or controlled directly or indirectly by the person making such expenditure; or (ii) a communication published on the Internet, unless the communication is a paid advertisement.

(c) For purposes of this section, the term "person" shall mean person, group of persons, corporation, unincorporated business entity, labor organization or business, trade or professional association or organization, or political committee.

(d) *A knowing or willful violation* of the provisions of this section shall subject the person to a *civil penalty equal to up to one hundred thousand dollars or the cost of the communication, whichever is greater*, imposed by the gaming commission for each violation.

2. *A copy of all communications* paid for by the casino gaming expenditure, including but not limited to broadcast, cable or satellite schedules and scripts, advertisements, pamphlets, circulars, flyers, brochures, letterheads and other printed matter and statements or information conveyed to one thousand or more members of a general public audience *shall be filed with the gaming commission with the statements required* [in] this article.

(Emphasis Added)

All parties subject to §1330-a are reminded of their continued filing and reporting obligations pursuant to Article 14 of the State Election Law.

You may comply with this requirement by sending copies to:

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If by mail:

Secretary  
New York State Gaming Commission  
P.O. Box 7500  
Schenectady, NY 12301-7500

This must be postmarked on the same date that it is filed with the  
State Board of Elections.

If by electronic mail:

[kristen.buckley@gaming.ny.gov](mailto:kristen.buckley@gaming.ny.gov)

The Commission requires no additional reports at this time.

cc: Robert Williams, Acting Executive Director