



Gaming
Commission

2020

ANNUAL REPORT

DIVISION OF CHARITABLE GAMING

DIVISION OF GAMING

DIVISION OF HORSE RACING
AND PARI-MUTUEL WAGERING

DIVISION OF LOTTERY



Letter from the Executive Director _____ 1

Locations of Gaming Facilities, Racetracks, and Customer Service Centers _____ 2

About the Commission _____ 3

Commissioners _____ 6

Division of Charitable Gaming _____ 8

Division of Gaming _____ 11

 Indian Gaming _____ 11

 Commercial Gaming _____ 12

 Video Lottery Gaming _____ 14

 Interactive Fantasy Sports _____ 15

Division of Horse Racing and Pari-Mutuel Wagering _____ 16

 Office of The Equine Medical Director _____ 25

Division of Lottery _____ 27

 Traditional Lottery _____ 27

 Video Lottery Gaming _____ 28

Minority- and Women-Owned Business _____ 30

Bureau of Licensing _____ 30

Responsible Gaming _____ 32

Rulemaking _____ 33

To: **The Honorable Andrew M. Cuomo, Governor of New York**
 Members of the New York State Legislature
 Robert F. Mujica, Director of the Budget
 March 31, 2021

On behalf of the New York State Gaming Commission, I respectfully submit this 2020 Annual Report, as required by N.Y. Racing, Pari-Mutuel Wagering and Breeding Law Section 104(18). Incorporated into this Report is the simulcast report required by N.Y. Racing, Pari-Mutuel Wagering and Breeding Law Sections 236(2), 318(1)(a)(iii), 318(1)(b)(i), and 1002(2). Financial information and other data provided for the Division of Lottery and the Division of Gaming are by the State's fiscal year; all other financial information and data is on a calendar year basis.

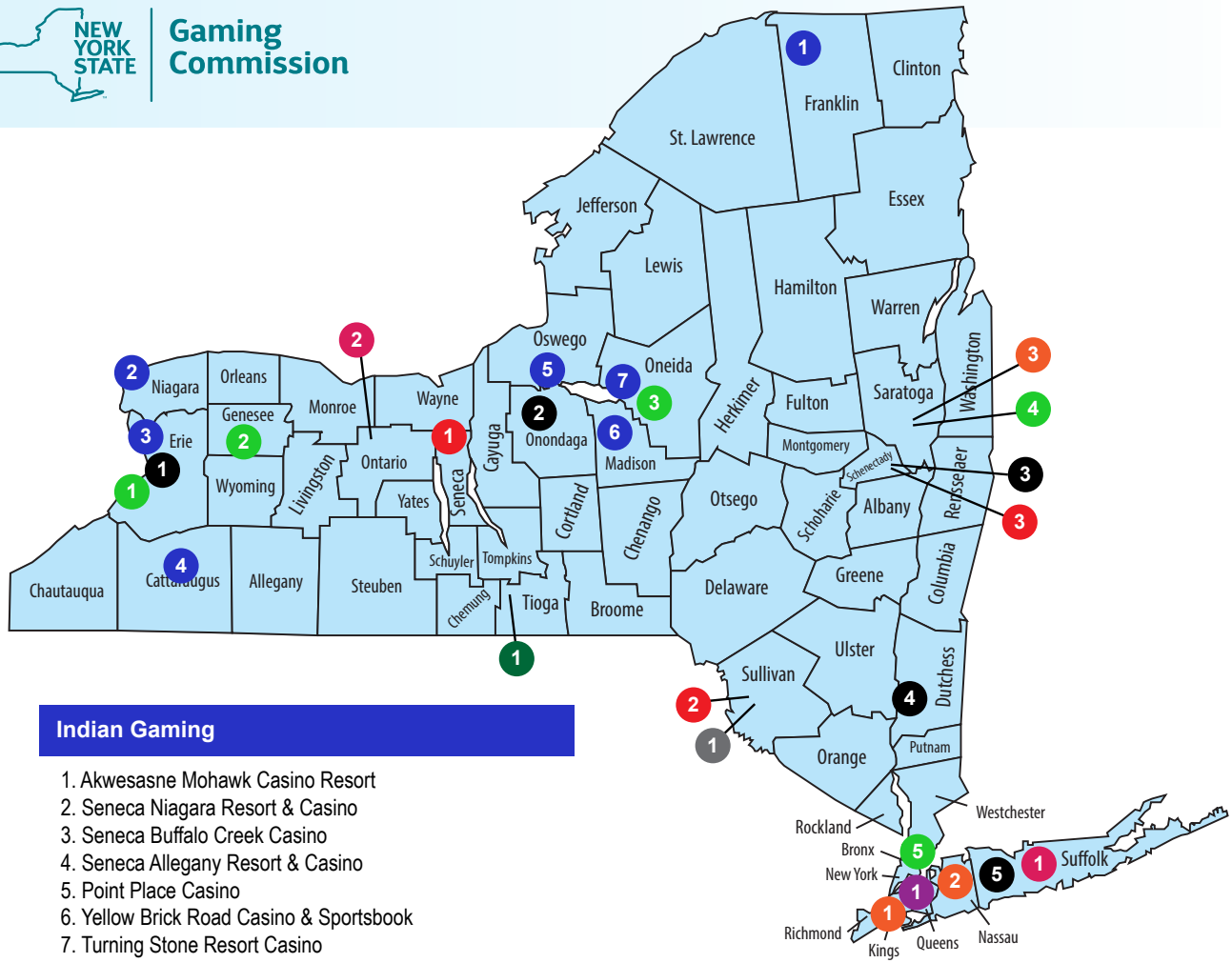
Respectfully Submitted,



Robert Williams
Executive Director



Gaming Commission



Indian Gaming

1. Akwesasne Mohawk Casino Resort
2. Seneca Niagara Resort & Casino
3. Seneca Buffalo Creek Casino
4. Seneca Allegany Resort & Casino
5. Point Place Casino
6. Yellow Brick Road Casino & Sportsbook
7. Turning Stone Resort Casino

Video Lottery & Harness Racetracks

1. Hamburg Gaming & Buffalo Raceway at The Fairgrounds
2. Batavia Downs Gaming & Hotel
3. Vernon Downs Casino Hotel
4. Saratoga Casino Hotel
5. Empire City Casino by MGM Resorts / Yonkers Raceway

Stand-Alone Video Lottery Gaming Properties

1. Jake's 58 Casino Hotel

Video Lottery at Thoroughbred Racetracks

1. Resorts World New York City at Aqueduct Racetrack
2. Finger Lakes Gaming & Racetrack

Thoroughbred Racetracks

1. Aqueduct Racetrack
2. Belmont Race Track
3. Saratoga Race Course

Lottery Customer Service Centers

1. Buffalo
2. Syracuse
3. Schenectady
4. Fishkill
5. Plainview

Commercial Casino & Harness Racetrack

1. Tioga Downs Casino Resort & Harness Racing

Commercial Gaming

1. del Lago Resort & Casino
2. Resorts World Catskills
3. Rivers Casino & Resort Schenectady

Stand-Alone Harness Racetrack

1. Monticello Raceway

About The Commission

Mission Statement

It is the Mission of the New York State Gaming Commission to ensure that all lawful gaming and horse racing activity conducted in this State is of the highest integrity, credibility and quality. Operating in the most efficient and transparent manner, the Commission conducts the New York Lottery and serves the best interests of the public by providing responsive and effective state gaming regulation. The Commission strives to ensure that all stakeholders in the gaming and horse racing industries, including the consumers who wager on activities regulated or operated by the Commission, are treated in an equitable and responsible manner and to promote the health and safety of horses and all participants in racing. By consolidating various regulatory functions into one oversight body with broad powers, the Commission seeks to ensure fair and strict regulation of all gaming activity while reducing costs and regulatory burdens to the gaming industry. The Commission aspires to provide the regulatory structure necessary for New York gaming activity to operate effectively in a global, evolving and increasingly competitive marketplace to generate revenue for aid to education and for the support of government, and to contribute to overall economic development and job creation in New York.

Services to the Public

The Commission regulates and provides oversight for all aspects of lawful gaming and gaming-like activity in the State, including charitable gaming; gaming, which includes commercial casinos, video lottery gaming and Class III Indian gaming; horse racing and pari-mutuel wagering; the State Lottery; and interactive fantasy sports which, by law, is not considered gambling.

Division of Charitable Gaming

Division staff issue identification and registration numbers to qualified religious, charitable, and not-for-profit organizations for charitable gaming activities and consider applications for licenses to gaming suppliers. The Division also conducts outreach training seminars at various locations around the State and interacts with organizations that request guidance or have regulatory issues.

Division of Gaming

Commercial Gaming

Division staff at each of New York's four commercial casinos are responsible for regulatory reviews of operations and to ensure the gaming is conducted in accordance with all applicable laws, rules, and regulations. The Division also conducts or causes the conduct of background investigations on all employees of the casino and related enterprises who conduct gaming-related business with each facility.

Class III Indian Gaming

Pursuant to each tribal-state compact, the Division staff jointly regulates or oversees Class III gaming facilities with a Nation or Tribal Gaming Agency. The Division maintains a presence at each of the seven Class III Indian Gaming facilities to maintain the integrity of all activities and to ensure the fair and honest operation of all gaming activities. In addition, the Division conducts or causes the conduct background investigations on all employees of the casino and related enterprises who conduct certain business to ensure their suitability.

Interactive Fantasy Sports

Division staff is responsible for reviewing applications for registration and issuing temporary operating permits for entities wishing to engage in Interactive Fantasy Sports within the State. Staff also reviews and considers requests for contests.

Video Lottery Gaming

The Commission has staff located at each of the eight video lottery gaming facilities. Staff perform regular operational reviews to ensure gaming is conducted in accordance with all applicable laws, rules, and regulations. Additionally, the Division conducts or causes to be conducted background investigations on all employees of the facility and certain enterprises who conduct business with each facility.

Division of Horse Racing and Pari-Mutuel Wagering

Division staff provide oversight and regulation of horse racing and pari-mutuel wagering. Staff is responsible for the regulation of the racing and wagering operators to ensure business is conducted in accordance with all applicable laws, rules, and regulations. This includes the review of applications for occupational licenses.

Division of Lottery

Traditional Lottery

The Division of Lottery maintains regional staff who provide licensed sales agents with on-going support in inventory management, promotions, and responsible sales practices. Lottery staff also engage in ongoing retailer recruitment. In addition, Lottery operates five stand-alone regional Customer Service Centers which process claims.

Calendar Year 2020 Commission Meetings

- 2/10/2020
- 5/19/2020
- 7/21/2020
- 9/21/2020
- 10/19/2020
- 11/30/2020

Landmark Gaming Law, Rulemaking and Regulation

- ◆ 1821: State Constitution prohibits new lotteries.
- ◆ 1846: State Constitution prohibits all lotteries.
- ◆ 1894: State Constitution prohibits all forms of gambling.
- ◆ 1939: Pari-mutuel betting on horse racing is authorized.
- ◆ 1957: Charitable bingo authorized.
- ◆ 1966: State Lottery authorized.
- ◆ 1975: Charitable games of chance are authorized.
- ◆ 1981: Lottery subscriptions begin with Lotto.
- ◆ 1993: New York enters a Class III Gaming Compact with the Oneida Indian Nation.
- ◆ 1993: New York enters a Class III Gaming Compact with Saint Regis Mohawk Tribe.
- ◆ 2001: Video lottery gaming is authorized.
- ◆ 2002: New York enters a Class III Gaming Compact with Seneca Nation of Indians.
- ◆ 2013: The Upstate New York Gaming and Economic Development Act is signed into law.
- ◆ 2013: State Constitution is amended to authorize casino gaming at no more than seven facilities statewide.
- ◆ 2014: Gaming Facility Location Board unanimously approves selections for three entities for consideration for commercial gaming facility licensure.

- ◆ 2015: Commission awards gaming facility licenses to the three applicants.
- ◆ 2016: Gaming Facility Location Board unanimously selects a fourth entity for consideration for commercial gaming facility licensure.
- ◆ 2016: The operation of Interactive Fantasy Sports is authorized.
- ◆ 2018: The Supreme Court of the United States overturns the Professional and Amateur Sports Protection Act that prevented states other than Delaware, Montana, Nevada, Oregon from regulating sports wagering.
- ◆ 2019: Commission adopts sports wagering regulations for commercial casinos.

Notable Dates in New York’s Gambling History

- ◆ 1838: Goshen Historic Track opens.
- ◆ August 3, 1863: Saratoga Race Course conducts its first organized meet.
- ◆ September 27, 1894: Aqueduct Racetrack opens.
- ◆ 1899: Yonkers Raceway opens.
- ◆ September 20, 1940: Batavia Downs opens.
- ◆ 1941: Saratoga Raceway opens.
- ◆ June 1942: Buffalo Raceway at the Fairgrounds opens.
- ◆ 1953: Vernon Downs opens.
- ◆ June 27, 1958: Monticello Raceway opens.
- ◆ May 23, 1962: Finger Lakes Racetrack opens.
- ◆ June 1, 1967: The first day of sales for the New York Lottery.
- ◆ April 8, 1971: New York City Off-Track Betting formed.
- ◆ 1973: Western Regional Off-Track Betting Corporation formed.
- ◆ 1975: Suffolk Off-Track Betting Corporation, Nassau Off-Track Betting Corporation, Capital Region Off-Track Betting Corporation formed.
- ◆ 1976:
 - Catskill Off-Track Betting Corporation formed.
 - Tioga Park opens (later to become Tioga Downs).
 - October 11, 1976: The first \$1 million Lottery winner.
- ◆ January 22, 1989: “Quick Pick” player option introduced.
- ◆ July 20, 1993: Turning Stone Casino opens.
- ◆ September 6, 1995: The Quick Draw game starts.
- ◆ April 12, 1999: Akwesasne Mohawk Casino opens.

- ◆ 2002:
 - May 2002: New York Lottery joins Mega Millions.
 - December 31, 2002: Seneca Niagara Casino opens.
- ◆ 2004:
 - January 28, 2004: Video lottery gaming facility opens at Saratoga Casino & Raceway.
 - February 18, 2004: Video lottery gaming facility opens at Finger Lakes Gaming & Racetrack.
 - March 17, 2004: Video lottery gaming facility opens at Fairgrounds Gaming & Raceway.
 - May 1, 2004: Seneca Allegany Casino opens.
 - June 30, 2004: Video lottery gaming facility opens at Mighty M Gaming at Monticello Raceway.
- ◆ May 18, 2005: Video lottery gaming facility opens at Batavia Downs Gaming.
- ◆ 2006:
 - July 4, 2006: Video lottery gaming facility opens at Tioga Downs Gaming Racing Entertainment.
 - October 11, 2006: Video lottery gaming facility opens at Empire City at Yonkers Raceway.
 - October 26, 2006: Video lottery gaming facility opens at Vernon Downs Gaming Racing Entertainment.
- ◆ July 3, 2007: Seneca Buffalo Creek Casino opens.
- ◆ February, 2010: New York Lottery joins Powerball.
- ◆ December 7, 2010: New York City OTB closes.
- ◆ October 28, 2011: Video lottery gaming facility opens at Resorts World Casino New York City.
- ◆ December 1, 2016: The first commercial gaming facility opens at Tioga Downs.
- ◆ 2017:
 - January 31, 2017: The second commercial gaming facility opens at del Lago.
 - February 6, 2017: The third commercial gaming facility opens at Rivers.
 - February 27, 2017: Video lottery gaming facility opens at Jake's 58.
- ◆ February 5, 2018: The fourth commercial gaming facility opens at Resorts World Catskills.
- ◆ July 16, 2019: First lawful sports wager made in New York at Rivers.

Commissioners

Commissioners are appointed by the Governor to serve a five-year unpaid term. One member is recommended for appointment by the Speaker of the Assembly and one member is recommended for appointment by the Temporary President of the Senate.

Barry Sample



Barry Sample previously served as Deputy Director of State Operations where he handled the day-to-day management of state government following nearly two decades in service to New York State. In addition to his most recent experience, Mr. Sample served as Deputy Director at the New York State Division of Criminal Justice Services, Deputy Director at the New York State Division of Budget, and Director of Intergovernmental Affairs and Community Relations at the New York State Comptroller's Office. Mr. Sample also taught at SUNY Albany, where he was involved in their Center on Minorities and their School of Criminal Justice.

Commissioner Sample (Governor appointment) was confirmed by the Senate on June 19, 2013.

John A. Crotty

John A. Crotty is a founding member of Workforce Housing Advisors, a New York City-based development firm with a particular focus on repositioning distressed multifamily properties as affordable housing. In total, Mr. Crotty has nearly two decades of experience in housing, government, and finance in a variety of capacities. Mr. Crotty is a former member of the Board of Directors of the New York City Off-Track Betting Corporation and was appointed by Governor Paterson to a panel to restructure the Off-Track Gaming system statewide. Mr. Crotty was also a member of the New York State Franchise Oversight Board, which oversees the finances of The New York Racing Association, Inc. Prior to founding Workforce Housing Advisors, Mr. Crotty was the Executive Director of JPMorganChase's municipal housing finance group, which he started in 2007. He was the Executive Vice President of the New York City Housing Development Corporation from 2004 to 2007 and was Mayor Michael Bloomberg's Director of City Legislative Affairs. Prior to joining the Bloomberg administration in 2002, he held a variety of financial management positions at MCI, PaineWebber, Winstar and Verizon from 1996 to 2002. Mr. Crotty is a Founding Member of Santa's Angels, a not-for-profit organization that raises money and distributes gifts to the poor during the holiday season. He was a member of the Citizen's Union Board of Directors. Mr. Crotty holds a MBA from Columbia Business School and a BA from the University of Rochester.

Commissioner Crotty (Governor appointment) was confirmed by the Senate on June 19, 2013.

Peter J. Moschetti, Jr.

Peter J. Moschetti, Jr. is a founding member of the firm of Anderson, Moschetti and Taffany. He served as a prosecutor in the Nassau County District Attorney's Office from 1984 to 1987. Since then, Moschetti has focused on the trial of personal injury and wrongful death cases, including products liability and medical malpractice actions. He represents individuals and corporations in both state and federal courts and has been appointed as a special prosecutor in a number of high-profile criminal cases in the region. He also served as a member of the New York State Temporary Commission on Lobbying, a precursor of the Joint Commission on Public Integrity. Moschetti has been named one of the top 25 lawyers in the Hudson Valley by New York Super Lawyers Magazine every year since 2007 and has received the highest possible rating by Martindale Hubbell for both legal ability and ethical standards. He has lectured for continuing legal education in the areas of civil and criminal law and has taught at Albany Law School. Moschetti was graduated with honors from both the University of New Haven in Connecticut in 1981 and Albany Law School in 1984.

Commissioner Moschetti (Governor appointment) was confirmed by the Senate on May 14, 2014.

John J. Poklemba

John J. Poklemba serves as General Counsel to American Transit Insurance Company, a New York City-based Commercial Automobile Insurer. Previously, Mr. Poklemba was the managing partner of his general practice in Saratoga County for more than a decade. Prior to that, Mr. Poklemba was principal attorney responsible for governmental relations and litigation for Bartlett, Pontiff, Stewart & Rhodes, P.C. in Glens Falls. Mr. Poklemba served as New York State Director of Criminal Justice and Commissioner of the New York State Division of Criminal Justice Services from 1987 to 1991. He also served as Counsel to the agency from 1984 to 1987. Prior to his work in New York's Criminal Justice division, Mr. Poklemba worked as a Chief Appellate Law Assistant to the New York State Appellate Division, Fourth Department in Rochester, Deputy Counsel for the New York State Office of Court Administration in Albany, Law Secretary to the Hon. Robert J. Sise in the New York Court of Claims in Albany and as a Trial Preparation Assistant for the Office of the District Attorney in the Bronx. Mr. Poklemba began his law career as a litigation assistant for Dewey, Ballantine, Bushby, Palmer and Wood in New York City in 1972 and worked as a senior auditor for Travelers Insurance Company. Mr. Poklemba has been published several times in various legal journals. He received a B.A. in Economics from Boston College and graduated from St. John's School of Law.

Commissioner Poklemba (Governor appointment) was re-confirmed by the Senate on June 22, 2015.

Jerry Skurnik

Jerry Skurnik has lived in New York City his entire life. He is currently a partner in Engage Voters US, the successor firm of Prime New York, a political consulting firm he established in 1988. The firm primarily supplies data for campaigns on local, state and national levels. He first became active in politics in 1966 when he worked as a volunteer for Ted Weiss' Congressional campaign and worked in numerous political campaigns since then. He served eight years as a mayoral advisor, mainly as liaison to elected officials and community groups for New York City Mayor Ed Koch. More significantly to the responsibilities of the Commission, Jerry served as a member of the Task Force on the Future of Off-Track Betting in New York State.

Commissioner Skurnik (Assembly appointment) was confirmed by the Senate on June 21, 2017.

Division of Charitable Gaming

The Division of Charitable Gaming investigates, audits, and monitors the sale of bell jar tickets sold annually across the 62 counties that comprise New York State. Division employees also verify the lawful disbursement of bell jar, bingo, Las Vegas night, and raffle proceeds by licensed organizations.

| Program | Amount Wagered in 2020 | Profit to Charities in 2020 |
|------------------|-------------------------|-----------------------------|
| Bell Jar | \$154,720,252.00 | \$21,958,287.00 |
| Bingo | \$76,760,853.00 | \$11,384,081.00 |
| Las Vegas Nights | \$878,046.00 | \$453,197.00 |
| Raffles | \$8,218,759.00 | \$3,157,530.00 |
| Total | \$240,577,910.00 | \$36,953,095.00 |

Bell Jar Proceeds by County

| Name | Deals* | Handle** | Net Profit*** |
|-------------|--------|-----------------|----------------|
| Albany | 1408 | \$3,839,989.54 | \$683,708.57 |
| Allegany | 1593 | \$4,807,751.00 | \$612,289.34 |
| Bronx | 0 | \$0.00 | \$0.00 |
| Broome | 21582 | \$3,038,766.00 | \$433,939.59 |
| Cattaraugus | 5194 | \$7,847,185.06 | \$967,721.66 |
| Cayuga | 763 | \$1,576,514.00 | \$256,157.02 |
| Chautauqua | 7709 | \$14,321,187.00 | \$1,783,707.06 |
| Chemung | 1169 | \$1,952,245.75 | \$332,806.40 |
| Chenango | 12414 | \$317,341.50 | \$56,101.64 |
| Clinton | 1026 | \$3,493,326.50 | \$507,277.96 |
| Columbia | 15 | \$54,070.00 | \$9,656.92 |
| Cortland | 375 | \$1,078,840.00 | \$165,412.98 |
| Delaware | 303 | \$1,071,659.50 | \$145,363.68 |
| Dutchess | 303 | \$1,013,145.00 | \$188,061.76 |
| Erie | 3353 | \$8,334,007.75 | \$1,233,174.54 |
| Essex | 282 | \$878,025.00 | \$161,842.25 |
| Franklin | 866 | \$2,015,949.25 | \$233,884.66 |
| Fulton | 771 | \$2,574,972.75 | \$332,787.49 |
| Genesee | 242 | \$496,484.00 | \$82,981.98 |
| Greene | 16 | \$49,850.00 | \$10,828.87 |
| Herkimer | 1027 | \$3,484,906.75 | \$402,489.69 |
| Jefferson | 3422 | \$8,950,278.00 | \$1,125,945.28 |
| Kings | 0 | \$0.00 | \$0.00 |
| Lewis | 1951 | \$3,354,265.00 | \$403,803.94 |
| Livingston | 679 | \$1,144,024.40 | \$164,716.38 |
| Madison | 503 | \$1,603,989.00 | \$210,116.69 |
| Monroe | 1980 | \$3,105,835.75 | \$595,654.54 |
| Montgomery | 557 | \$1,583,754.50 | \$231,829.69 |

| Name | Deals* | Handle** | Net Profit*** |
|--------------|--------------|-------------------------|------------------------|
| Nassau | 77 | \$276,124.00 | \$59,565.47 |
| New York | 0 | \$0.00 | (\$6.00) |
| Niagara | 1595 | \$4,386,145.50 | \$624,997.50 |
| Oneida | 5696 | \$10,604,981.50 | \$1,408,375.57 |
| Onondaga | 897 | \$1,899,646.25 | \$344,043.87 |
| Ontario | 1438 | \$3,095,471.00 | \$465,371.07 |
| Orange | 233 | \$661,934.50 | \$172,255.24 |
| Orleans | 1098 | \$2,401,916.00 | \$350,300.50 |
| Oswego | 958 | \$2,472,688.50 | \$443,105.58 |
| Otsego | 398 | \$1,284,206.00 | \$179,071.40 |
| Putnam | 47 | \$159,393.00 | \$31,282.54 |
| Queens | 6 | \$10,900.00 | \$2,496.60 |
| Rensselaer | 909 | \$2,731,769.25 | \$422,715.49 |
| Richmond | 10 | \$28,710.00 | \$4,299.41 |
| Rockland | 154 | \$501,000.00 | \$103,433.38 |
| Saratoga | 1100 | \$3,521,719.50 | \$490,837.98 |
| Schenectady | 447 | \$1,667,809.00 | \$292,688.76 |
| Schoharie | 137 | \$338,277.00 | \$53,580.08 |
| Schuyler | 544 | \$1,364,965.50 | \$208,693.01 |
| Seneca | 826 | \$1,965,016.00 | \$268,682.99 |
| St. Lawrence | 2895 | \$8,241,396.00 | \$1,108,822.22 |
| Steuben | 5309 | \$11,562,900.75 | \$1,633,888.98 |
| Suffolk | 250 | \$730,295.00 | \$133,977.04 |
| Sullivan | 4 | \$8,200.00 | \$1,617.48 |
| Tioga | 154 | \$469,565.00 | \$68,606.61 |
| Tompkins | 431 | \$1,292,966.00 | \$145,135.68 |
| Ulster | 217 | \$530,268.00 | \$99,497.33 |
| Warren | 478 | \$1,527,826.00 | \$220,546.22 |
| Washington | 367 | \$1,201,348.00 | \$191,029.56 |
| Wayne | 1728 | \$3,467,221.00 | \$441,798.57 |
| Westchester | 165 | \$460,639.00 | \$92,741.71 |
| Wyoming | 554 | \$1,191,852.25 | \$174,914.79 |
| Yates | 1148 | \$2,674,739.00 | \$387,659.94 |
| TOTAL | 99773 | \$154,720,251.50 | \$21,958,287.15 |

*Deals: The number of bell jar games that are reported sold by a licensed authorized organization.

**Handle: The gross profit to the organizations from the sale of bell jar tickets prior to deducting prizes, the value of their unsold bell jar tickets and the cost of bell jar deals.

***Net Profit: The total amount realized by the organization from the sale of bell jar tickets.

The Division also considers applications for license for qualified bingo and games of chance manufacturers and suppliers, and monitors licenses issued by municipalities; collects and assists municipalities in the collection of license fees from game operators; determines that commercial bingo hall rental fees are fair and reasonable as a prerequisite to licensure by municipalities; approves bell jar ticket games; considers bingo and games of chance identification numbers for applicant organizations as a prerequisite to their licensing by municipalities; conducts compliance training for bingo and games of chance licensees; and investigates and resolves complaints to ensure the operational integrity of charitable games statewide.

Identification Numbers Issued by the Commission

| | |
|-----------------|----|
| Games of Chance | 32 |
| Bingo | 8 |

Bell Jar Ticket Approval

| | |
|----------------------------|-------|
| Games Submitted & Reviewed | 4,271 |
| Games Approved | 4,271 |
| Games Denied | 0 |

Suppliers

Games of Chance

| | |
|--|-------------|
| Games of Chance Supplier Licenses Issued | 37 |
| Games of Chance License Fees to Commission | \$142,410 |
| Gross Sales of Bell Jar, Las Vegas Night & Raffle Supplies & Equipment | \$7,117,515 |

Bingo

| | |
|---|-----------|
| Bingo Supplier Licenses Issued | 26 |
| Bingo License Fees to Commission | \$5,090 |
| Gross Sales of Bingo Supplies & Equipment | \$788,575 |
| Bingo Hall - Rent Determinations | 9 |

Enforcement

| | |
|-------------------|-----|
| Complaints | 130 |
| Inspections | 9 |
| Investigations | 78 |
| Meetings | 6 |
| Training Seminars | 1 |

License Issued by Municipal Clerks*

| | |
|------------------|-------|
| Bell Jar | 1754 |
| Bingo | 40549 |
| Las Vegas Nights | 715 |
| Raffles | 125 |

License Fees Collected by Municipal Clerks

| | |
|------------------|--------------|
| Bell Jar | \$43,850 |
| Bingo | \$760,294.00 |
| Las Vegas Nights | \$17,875.00 |
| Raffles | \$3,125.00 |

Additional License Fees Collected by Municipal Clerks & Commission

| | |
|---------------------------------|----------------|
| Bell Jar (Commission) | \$1,180,120.00 |
| Bingo (Municipality) | \$483,871.00 |
| Las Vegas Nights (Municipality) | \$3,358.00 |
| Raffles (Municipality) | \$34,192.00 |

* There are 1,528 municipal clerks required to annually report charitable gaming licensing activity to the Commission. The figures reflected are compiled from reports filed by municipal clerks who have complied with the mandatory reporting requirements.

Division of Gaming

Indian Gaming

Class III gaming compacts exist between the State of New York and the Oneida Indian Nation of New York, the Saint Regis Mohawk Tribe and the Seneca Nation of Indians.

| Compact Partner | Casino | Location |
|--------------------------|-------------------------|---------------|
| Oneida Indian Nation | Turning Stone | Verona |
| | Yellow Brick Road | Chittenango |
| | Point Place | Bridgeport |
| St. Regis Mohawk Tribe | Akwesasne Mohawk Casino | Hogansburg |
| Seneca Nation of Indians | Seneca Niagara Casino | Niagara Falls |
| | Seneca Allegany Casino | Salamanca |
| | Seneca Buffalo Creek | Buffalo |

These compacts guarantee the State specific regulatory or oversight authority with respect to Class III gaming operations and establish the State’s three regulatory goals: ensure public order and safety; protect the integrity of the games authorized by the compacts; and gain mutual agreement on a sound system of fiscal and auditing controls over casino gaming operations.

Each compact and its appendices contain standards and specifications for all authorized games played at a Tribe or Nation’s Class III facilities along with the rules and internal controls governing the operation of the gaming facility, procedures for certification and/or registration of gaming employees and companies transacting business with the facility, and a system for mediation of disputes.

The Division maintains a presence within each Indian-operated facility to ensure that gaming operations, such as dealing procedures, internal accounting, and other controls, strictly conform to the applicable provisions of the relevant compact and its appendices. The Division’s on-site Inspectors are experienced, professional investigators who monitor the gaming activities with Nation or Tribal gaming inspectors, security officers, and surveillance departments. Casino patrons may seek Commission inspectors to clarify rules of a game and for recourse after filing a complaint.

Each compact requires individuals seeking employment and enterprises desiring to conduct business with a Class III gaming facility to undergo a thorough registration and licensing process. Each business applicant and their principal officers and employees must be fingerprinted and undergo a background review. The State’s regulatory expenses, for both personnel and equipment, are paid for or reimbursed by the applicable Indian Nation or Tribe.

Commercial Gaming

The Division of Gaming regulates four commercial casinos.

In 2020, it is estimated that these four commercial properties collectively received a combined 2,203,285 visitors to their destination resort locations.

To ensure that operations within each commercial casino is conducted with the highest integrity, credibility and quality, Division staff are present at each of the properties. These teams are charged with executing various audits to ensure regulatory compliance across all operations, including but not limited to: cage; drop; soft count; surveillance; table games; poker; sports wagering; underage gaming prevention; floor plan changes; internal controls; surveillance; and operating, policy and procedure amendments.

In 2020, the teams performed a total of 339 audits resulting in 116 documented violations.

As of January 1, 2021, the four commercial properties collectively had 5,344 slot assets on their floors, 292 live table games, and 56 live poker games. Changes to the number, theme and/or type of devices on the gaming floor at a property require a formal submission from an authorized game developer to the Commission. Commercial staff research the proposed change(s) and, if approved, place the new devices on the gaming floor for beta testing for up to 270 days, after which the game developer can expect its device to be accepted or denied permanent status. To date, game reorganizations have occurred at each of the four commercial properties in keeping with each facility's license level.



Opened Dec 1, 2016



Opened Jan 31, 2017



Opened Feb 6, 2017



Opened Feb 5, 2018

Gross Gaming Revenue (GGR):
Slot/ETGs:

| | | | | |
|-------------------------|---------------|---------------|---------------|---------------|
| Credits Played | \$434,725,521 | \$580,630,420 | \$618,225,406 | \$740,151,246 |
| Promotional Slot Gaming | \$4,964,032 | \$8,349,786 | \$3,810,302 | \$15,710,156 |

Credits

| | | | | |
|-------------------------|---------------|---------------|---------------|---------------|
| Credits Won | \$398,709,825 | \$526,277,122 | \$560,617,411 | \$672,943,781 |
| Slot & ETG GGR | \$31,051,664 | \$46,003,512 | \$53,797,693 | \$51,497,309 |
| Avg Daily Slots & ETG's | 637 | 1,254 | 920 | 1,368 |
| Win/Unit per Day | \$259 | \$193 | \$308 | \$198 |

Table Games:

| | | | | |
|--------------------------------|--------------|--------------|--------------|---------------|
| Avg Daily Tables | 22 | 40 | 62 | 82 |
| Table Game Drop | \$17,789,874 | \$58,255,943 | \$83,812,305 | \$177,271,758 |
| Promotional Table Game Credits | \$412,460 | \$690,620 | \$845,900 | \$1,743,700 |
| Table Game GGR | \$3,214,603 | \$10,845,772 | \$16,781,031 | \$33,122,752 |

Poker Tables:

| | | | | |
|------------------------|-----------|-----------|-----------|-----------|
| Avg Daily Poker Tables | 6 | 14 | 16 | 20 |
| Poker Table GGR | \$129,050 | \$593,710 | \$975,172 | \$995,435 |

Sports Wagering:

| | | | | |
|---------------------|-------------|-------------|-------------|-------------|
| Sports Wagering GGR | \$1,059,502 | \$3,804,584 | \$4,518,653 | \$1,385,990 |
|---------------------|-------------|-------------|-------------|-------------|

| | | | | |
|------------------|---------------------|---------------------|---------------------|---------------------|
| Total GGR | \$35,454,819 | \$61,247,578 | \$76,072,549 | \$87,001,486 |
|------------------|---------------------|---------------------|---------------------|---------------------|

Gaming Tax:

| | | | | |
|--|---------------------|---------------------|---------------------|---------------------|
| Slots/ETG Tax ¹ | \$11,489,116 | \$17,021,300 | \$24,208,962 | \$20,083,950 |
| Table/Sports Betting Game Tax ² | \$440,315 | \$1,524,407 | \$2,227,486 | \$3,550,418 |
| Total Gaming Tax | \$11,929,431 | \$18,545,706 | \$26,436,447 | \$23,634,368 |
| Unclaimed Funds ⁶ | \$84,125 | \$208,998 | \$118,961 | \$85,589 |
| Miscellaneous Adjustments ⁷ | (\$6,840) | \$52,392 | \$82,327 | (\$9,382) |
| Total Revenue Allocable | \$12,006,716 | \$18,807,096 | \$26,637,735 | \$23,710,575 |

Statutory Allocation of Gaming Tax:

| | | | | |
|--|-------------|--------------|--------------|--------------|
| Education/Property Tax Relief (80%) | \$9,605,373 | \$15,045,677 | \$21,310,188 | \$18,968,460 |
| Host County (5%) ³ | \$600,336 | \$940,355 | \$1,331,887 | \$1,185,529 |
| Host Municipality (5%) ⁴ | \$600,336 | \$940,355 | \$1,331,887 | \$1,185,529 |
| Non-host Counties within Region (10%) ⁵ | \$1,200,670 | \$1,880,709 | \$2,663,773 | \$2,371,057 |

| | | | | |
|--------------------------------|---------------------|---------------------|---------------------|---------------------|
| Net Revenue to Operator | \$23,525,387 | \$42,701,872 | \$49,636,102 | \$63,367,118 |
|--------------------------------|---------------------|---------------------|---------------------|---------------------|

| | | | | |
|--|-----|-----|-----|-----|
| ¹ Slot/ETG tax rate varies by region. | 37% | 37% | 45% | 39% |
|--|-----|-----|-----|-----|

| | | | | |
|--|-----|-----|-----|-----|
| ² Table/Sports Betting game tax rate. | 10% | 10% | 10% | 10% |
|--|-----|-----|-----|-----|

| | | | | |
|--------------------------|-------|--------|-------------|----------|
| ³ Host county | Tioga | Seneca | Schenectady | Sullivan |
|--------------------------|-------|--------|-------------|----------|

| | | | | |
|--------------------------------|-----------------|--------------|---------------------|------------------|
| ⁴ Host Municipality | Town of Nichols | Town of Tyre | City of Schenectady | Town of Thompson |
|--------------------------------|-----------------|--------------|---------------------|------------------|

⁵ Non-host counties within each region share 10% of the gaming tax on a per capita basis. For a listing of counties within each region and how much they receive, see the monthly commercial gaming reports on the NYS Gaming Commission website at: <https://www.gaming.ny.gov/gaming/index.php?ID=1>

⁶ Unclaimed Funds are distributed in accordance with Racing, Pari-Mutuel Wagering and Breeding Law § 1345.

⁷ Miscellaneous Adjustments comprise audit adjustments to gross gaming revenue, fines, and penalties, and are shown net of tax.

Video Lottery Gaming

Video lottery games, also known as Video lottery terminals (VLTs), are offered on approximately 18,406 video gaming machines spread over eight facilities – Saratoga Casino Hotel, Finger Lakes Gaming & Racetrack, Hamburg Gaming, Batavia Downs Gaming, Empire City Casino, Vernon Downs Casino, Resorts World New York City and Jake’s 58 Casino Hotel. The revenue generated from these games is considered part of the New York Lottery, with all proceeds going to Aid to Education.

| | Saratoga Casino Hotel | Finger Lakes Gaming & Racetrack | Hamburg Gaming | Batavia Downs Gaming | Empire City Casino | Vernon Downs Casino | Jake's 58 Suffolk OTB | Nassau OTB | Resorts World Casino | Statewide |
|--|---------------------------------|---------------------------------|----------------------|-----------------------|-------------------------|---------------------|-----------------------|-----------------|----------------------|------------------|
| <i>CY 2020 Net Win</i> | | | | | | | | | | |
| Credits Played | \$751,166,673 | \$685,431,185 | \$361,061,583 | \$369,807,225 | \$4,076,822,788 | \$149,539,910 | \$1,788,386,861 | \$4,963,526,000 | \$4,056,752,479 | \$17,202,494,703 |
| Free Play Allowance | \$6,270,129 | \$5,532,484 | \$3,261,796 | \$3,994,437 | \$19,418,803 | \$1,758,716 | \$4,014,561 | \$619,415 | \$34,374,713 | \$79,245,054 |
| Credits Won | \$694,490,240 | \$631,258,962 | \$331,137,184 | \$339,201,591 | \$3,805,151,058 | \$136,969,226 | \$1,680,189,846 | \$4,828,185,563 | \$3,751,713,396 | \$16,198,297,068 |
| Net Win | \$50,406,304 | \$48,639,739 | \$26,662,603 | \$26,611,197 | \$252,252,927 | \$10,811,967 | \$104,182,454 | \$134,721,022 | \$270,664,370 | \$924,952,583 |
| Avg Daily VGM's | 836 | 765 | 609 | 602 | 3,088 | 332 | 676 | 977 | 3,811 | 11,696 |
| Win/VGM/Day | \$317 | \$335 | \$230 | \$233 | \$444 | \$171 | \$819 | \$730 | \$376 | \$406 |
| <i>Statutory Allocation of Net Win</i> | | | | | | | | | | |
| Education Contribution | \$24,423,350 | \$23,950,369 | \$9,065,285 | \$10,378,367 | \$127,387,728 | \$3,676,069 | \$46,882,104 | \$60,624,460 | \$108,265,748 | \$414,653,479 |
| Net Agent Commission ⁴ | \$15,901,694 | \$14,961,423 | \$12,264,797 | \$10,910,591 | \$74,414,613 | \$4,973,505 | \$41,672,982 | \$53,888,409 | \$92,025,886 | \$321,013,899 |
| Purses ¹ | \$4,410,552 | \$4,255,977 | \$2,332,978 | \$2,328,480 | \$22,072,131 | \$946,047 | \$2,396,196 | \$3,098,583 | \$20,299,828 | \$62,140,772 |
| Breeding Fund | \$630,079 | \$607,997 | \$333,283 | \$332,640 | \$3,153,162 | \$135,150 | \$520,912 | \$673,605 | \$4,059,966 | \$10,446,792 |
| NYRA Operations | | | | | | | \$937,642 | \$1,212,489 | \$8,119,931 | \$10,270,062 |
| NYRA Capital Expenditures | | | | | | | \$1,354,372 | \$1,751,373 | \$10,826,575 | \$13,932,320 |
| Gaming Floor & Admin ³ | \$5,040,630 | \$4,863,974 | \$2,666,260 | \$2,661,120 | \$25,225,293 | \$1,081,197 | \$10,418,246 | \$13,472,102 | \$27,066,437 | \$92,495,259 |
| | \$50,406,304 | \$48,639,739 | \$26,662,603 | \$26,611,197 | \$252,252,927 | \$10,811,967 | \$104,182,454 | \$134,721,022 | \$270,664,370 | \$924,952,583 |
| <i>Local Assistance Funding</i> ² | | | | | | | | | | |
| Eligible County | Saratoga \$775,198 | Ontario \$591,174 | Erie \$288,560 | Genessee \$200,392 | N/A \$0.00 | Oneida \$256,796 | N/A \$0.00 | N/A \$0.00 | N/A \$0.00 | |
| Eligible City | Saratoga Springs \$2,325,592 | N/A \$0.00 | N/A \$0.00 | Batavia \$440,789 | Yonkers \$19,600,000 | N/A \$0.00 | N/A \$0.00 | N/A \$0.00 | N/A \$0.00 | |
| Eligible Town | N/A \$0.00 | Farmington \$1,777,573 | Hamburg \$865,679 | Batavia \$160,388 | N/A \$0.00 | Vernon \$231,788 | N/A \$0.00 | N/A \$0.00 | N/A \$0.00 | |
| Eligible Village | N/A \$0.00 | N/A \$0.00 | N/A \$0.00 | N/A \$0.00 | N/A \$0.00 | Vernon \$137,103 | N/A \$0.00 | N/A \$0.00 | N/A \$0.00 | |

¹ NYS Tax Law allows facility operators and horsemen organizations to negotiate purse rates. 1% of gross purse contributions from VLT proceeds are refunded to the Gaming Commission for equine health & safety programs.

² Eligible municipalities hosting a video lottery gaming facility receive local assistance funding per State Finance Law, Section 54-L.

³ Chapter 61 of the Laws of 2017 allows Vernon Downs to retain up to 75% of the administration allocation as determined by the Commission. The amount for 2020 is \$935,059.33 and is not included in "Gaming Floor & Admin" above.

⁴ Agent Commissions do not reflect "additional commissions" paid to Saratoga, Finger Lakes, and Vernon Downs pursuant to Section 1612 of the tax Law. Additional commission amounts for 2020

Interactive Fantasy Sports

Interactive Fantasy Sports are skill-based contests in which the participants assemble a roster of athletes in a given sport and use the actual aggregated performance statistics of those athletes to determine the contest's winner. Individuals pay fees to enter the contest and, if successful, win prizes. Article 14 gives the Commission the authority to establish consumer fraud and abuse protections and safeguards for both players and operators.

Interactive Fantasy Sports operators seeking to do business in New York State must register with the Gaming Commission and pay a tax equivalent to 15 percent of their interactive fantasy sports gross revenue generated within the state. In addition, registered operators shall pay a tax equal to ½ of 1 percent, but not to exceed \$50,000 annually. All taxes collected from operators, as well as interest and penalties (as applicable) imposed by the Gaming Commission, are deposited, on a monthly basis, directly in the New York Lottery fund for the sole purpose of supporting New York's public K-12 schools.

Calculation of NYS Resident Percentage:

| | |
|-------------------------------------|-----------------|
| Total entry fees from NYS locations | \$303,935,756 |
| Total entry fees from all players | \$3,930,875,152 |
| NYS resident percentage | 7.7% |

Gross Revenue:

| | |
|--|-----------------|
| Total entry fees from all players | \$3,930,875,152 |
| Total winnings paid out to all players | \$3,510,119,215 |
| Gross revenue | \$420,774,364 |
| Gross revenue after NYS resident percentage (subject to tax) | \$32,770,565 |

Tax & Other Adjustments:

| | |
|--|-------------|
| Tax on NYS gross revenue ¹ | \$4,916,447 |
| NYS additional tax ² | \$97,402 |
| Total monthly and additional tax | \$5,013,849 |
| Forfeited prizes | \$1,037 |
| Adjustments (errors, penalty, interest, audit) | \$0 |
| Total tax and other adjustments | \$5,014,886 |

New York Player Account Information:

| | |
|---|---------|
| Number of registrants reporting | 13 |
| Number of accounts held by authorized players | 380,532 |
| Number of accounts held by highly experienced players | 68,139 |
| Number of new accounts established in the preceding year | 72,872 |
| Number of accounts permanently closed in the preceding year | 3,494 |
| Total players who requested to exclude themselves from contests | 445 |

1. Gross revenue totals represent entry fees from all players less winnings paid out to players. In the event that a registrant reports negative gross revenue (winnings paid out exceed entry fees collected) the monthly tax is zero. Positive monthly gross revenue is taxed at 15%.

2. The NYS Additional Tax of 0.5% has an annual cap of \$50,000 per registrant for the State Fiscal Year.

3. Data is shown in aggregate for all 13 registrants

4. All figures reported by the registrants are unaudited and subject to change.

Division of Horse Racing and Pari-Mutuel Wagering

New York State features racing at four Thoroughbred tracks and seven harness tracks.

| Thoroughbred Tracks | Harness Tracks | |
|-----------------------------|--------------------|-----------------|
| Aqueduct Racetrack (NYRA) | Batavia Downs | Tioga Downs |
| Belmont Park (NYRA) | Buffalo Raceway | Vernon Downs |
| Finger Lakes Racetrack | Monticello Raceway | Yonkers Raceway |
| Saratoga Race Course (NYRA) | Saratoga Raceway | |

While bettors may wager on-track, they may also wager on races remotely through any of the State’s five off-track betting corporations or through licensed multi-jurisdictional account wagering providers.

**Capital District Regional
Off-Track Betting Corporation**

**Western Regional
Off-Track Betting Corporation**

**Suffolk Regional
Off-Track Betting Corporation**

**Nassau Regional
Off-Track Betting Corporation**

**Catskill Regional
Off-Track Betting Corporation**

The tracks and off-track betting corporations both feature simulcasting of races taking place within and beyond New York’s borders. Additionally, the following companies offer advance deposit wagering (ADW):

- AmWest Entertainment LLC
- Churchill Downs Technology Initiatives Company
- Day at the Track
- Game Play dba b spot
- Lien Games Racing, LLC

- ODS Technologies, L.P. d/b/a TVG Network
- Penn ADW
- Player Management Group LLC
- WatchandWager
- Xpressbet, LLC

Officiating and Integrity

Each race conducted at a Thoroughbred racetrack is observed by three stewards employed by the Commission, the racing association, and The Jockey Club. At the harness tracks, each race is observed by three judges who are all Commission employees. The stewards’ and judges’ viewing stands are located near the finish line of each racetrack and are equipped with several monitors to permit the viewing of multiple angles of each race. The stewards and judges observe the races to ensure that all conduct complies with the rules and regulations.

Preparation to become a steward or presiding judge includes coursework and testing. Examples of the testing and preparation are:

- ◆ All presiding and associate judges and starters must be licensed by the United States Trotting Association (USTA) before being hired. A test must be passed to obtain each license.
- ◆ All full-time stewards must attend the Louisville Equine Steward Certification Class. They must also attend periodic seminars in order to keep their licenses valid.

- ◆ All current judges are retested periodically on the rules, equipment, medications and procedures and the training tests are updated frequently.
- ◆ New officials receive extensive on-the-job training at their new positions before being hired full-time.

Regulatory Activities

During calendar year 2020, the Division imposed 563 sanctions for violations of racing laws, rules and regulations at both harness and Thoroughbred tracks. The rulings include driving and riding infractions, general conduct violations, human and equine drug violations, and general business practice violations. The Division also issued 198 violations that were not assigned to a specific track (ie Head office). Overall, fines levied in 2020 totaled \$46595.

Racing Licensing

Participants in New York State racing are required to obtain an occupational license. The character and integrity of all participants are important to the continuity of the sport. A substantial number of license applications are reviewed, updated and processed carefully by the Division licensing bureau before a license is issued. Also, by statute, fingerprinting is required of each applicant.

Where it is believed that an applicant's background or licensee's conduct may warrant a finding that their participation in racing would be inconsistent with the public interest or the best interest of racing generally, a thorough investigation is conducted before action is taken. Licenses are suspended or revoked where warranted.

See Page 30 for information on the number and type of licenses issued by the Division.

Racing Handle

The Commission regulates all horse racing and pari-mutuel wagering at the State's four Thoroughbred tracks and seven harness tracks. The Gaming Commission oversees operations at the state's five off-track betting corporations as well as the simulcasting of races within New York State and beyond.

2020 Total Handle on Races Run in New York On-Track, Off-Track and Out-of-State Guest

| | Track Holding Race | | | | | | | | | |
|-----------------------------------|-------------------------|----------------------|---------------------|---------------------|----------------------|----------------------|---------------------|---------------------|----------------------|-------------------------|
| | NYRA | Finger Lakes | Batavia | Buffalo | Monticello | Saratoga Harness | Tioga | Vernon | Yonkers | TOTAL |
| ON-TRACK LIVE | \$ 152,114,600 | \$ 39,669 | \$ 105,495 | \$ 191,147 | \$ 219,755 | \$ 915,727 | \$ 41,507 | \$ - | \$ 2,297,964 | \$ 155,925,864 |
| SIMULCAST IMPORTS: | | | | | | | | | | |
| Imported to NYS Tracks: | | | | | | | | | | |
| NYRA | \$ - | \$ 2,372,401 | \$ 440,123 | \$ 346,800 | \$ 911,705 | \$ 908,116 | \$ 249,635 | \$ 196,873 | \$ 3,940,125 | \$ 9,365,778 |
| Finger Lakes | 500,124 | | 6,078 | 5,331 | 55,234 | 13,849 | 3,693 | 3,630 | 18,572 | 606,511 |
| Batavia | 51,174 | 277 | | 28,178 | 20,082 | 7,609 | 4 | 12 | 15,015 | 122,351 |
| Buffalo | 135,159 | - | - | | 23,990 | 14,111 | - | - | 11,533 | 184,793 |
| Monticello | 82,012 | - | - | 1,554 | | 14,430 | - | - | 26,392 | 124,388 |
| Saratoga | 7,325,939 | 145,741 | 42,391 | 20,454 | 267,509 | | 61,879 | 60,131 | 322,668 | 8,246,712 |
| Tioga | 62,960 | - | 53 | 2,877 | 7,915 | 5,315 | | 27 | 9,343 | 88,490 |
| Vernon | 94,028 | - | - | 3,226 | 33,149 | 20,146 | - | | 25,424 | 175,973 |
| Yonkers | 3,803,395 | 36,394 | 41,475 | 32,105 | 237,798 | 144,026 | 41,098 | 31,245 | | 4,367,536 |
| TOTAL TO NYS TRACKS | \$ 12,054,791 | \$ 2,554,813 | \$ 530,120 | \$ 440,525 | \$ 1,557,382 | \$ 1,127,602 | \$ 356,309 | \$ 291,918 | \$ 4,369,072 | \$ 23,282,532 |
| IMPORTED TO NYS OTB'S | | | | | | | | | | |
| Capital | \$ 37,881,622 | \$ 893,944 | \$ 138,305 | \$ 100,810 | \$ 572,110 | \$ 915,396 | \$ 73,941 | \$ 172,702 | \$ 770,580 | \$ 41,519,410 |
| Catskill | 2,284,922 | 39,959 | 6,530 | 17,814 | 338,835 | 73,150 | 14,160 | 7,433 | 325,831 | 3,108,634 |
| Nassau | 25,945,037 | 474,043 | 37,590 | 37,872 | 756,104 | 210,495 | 28,896 | 14,164 | 860,489 | 28,364,690 |
| Suffolk | 16,310,318 | 345,785 | 60,443 | 35,414 | 435,469 | 133,812 | 20,334 | 20,815 | 510,545 | 17,872,935 |
| Western | 9,507,349 | 1,282,746 | 1,017,280 | 472,355 | 765,857 | 505,475 | 112,378 | 107,730 | 729,225 | 14,500,395 |
| TOTAL TO NYS OTB'S | \$ 91,929,248 | \$ 3,036,477 | \$ 1,260,148 | \$ 664,265 | \$ 2,868,375 | \$ 1,838,328 | \$ 249,709 | \$ 322,844 | \$ 3,196,670 | \$ 105,366,064 |
| EXPORTED OUT OF STATE | \$ 1,557,838,979 | \$ 49,563,413 | \$ 5,255,521 | \$ 5,742,436 | \$ 35,828,751 | \$ 22,028,842 | \$ 5,819,446 | \$ 4,201,040 | \$ 84,254,371 | \$ 1,770,532,799 |
| TOTAL HANDLE ON NYS RACING | \$ 1,813,937,618 | \$ 55,194,372 | \$ 7,151,284 | \$ 7,038,373 | \$ 40,474,263 | \$ 25,910,499 | \$ 6,466,971 | \$ 4,815,802 | \$ 94,118,077 | \$ 2,055,107,259 |

2020 Total Betting at New York State Race Tracks

On-Track Betting on Live and Simulcast Import of All Races

| | 2020 | | | 2019 | | |
|----------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | Simulcast Imports | Live Racing | On-Track Betting | Simulcast Imports | Live Racing | On-Track Betting |
| RECEIVING TRACK: | | | | | | |
| THOROUGHBRED: | | | | | | |
| Aqueduct | \$ 136,490,922 | \$ 38,997,702 | \$ 175,488,624 | \$ 223,463,149 | \$ 63,743,689 | \$ 287,206,838 |
| Belmont | 121,696,127 | 48,732,065 | 170,428,192 | 111,080,106 | 78,918,203 | 189,998,309 |
| Saratoga | 49,652,944 | 64,384,833 | 114,037,777 | 32,022,406 | 131,537,701 | 163,560,107 |
| NYRA* | <u>\$ 307,839,993</u> | <u>\$ 152,114,600</u> | <u>\$ 459,954,593</u> | <u>\$ 366,565,661</u> | <u>\$ 274,199,593</u> | <u>\$ 640,765,254</u> |
| Finger Lakes | 2,878,913 | 39,669 | 2,918,582 | 10,284,965 | 3,191,828 | 13,476,793 |
| THOROUGHBRED TRACKS | \$ 310,718,906 | \$ 152,154,269 | \$ 462,873,175 | \$ 376,850,626 | \$ 277,391,421 | \$ 654,242,047 |
| HARNESS: | | | | | | |
| Batavia | \$ 498,125 | \$ 105,495 | \$ 603,620 | \$ 2,355,161 | \$ 1,161,657 | \$ 3,516,818 |
| Buffalo | 800,796 | 191,147 | 991,943 | 4,575,062 | 868,512 | 5,443,574 |
| Monticello | 435,930 | 219,755 | 655,685 | 2,672,833 | 1,096,951 | 3,769,784 |
| Saratoga | 27,445,272 | 915,727 | 28,360,999 | 37,214,993 | 4,333,765 | 41,548,758 |
| Tioga | 608,791 | 41,507 | 650,298 | 3,085,524 | 919,251 | 4,004,775 |
| Vernon | 905,600 | - | 905,600 | 5,367,686 | 1,666,335 | 7,034,021 |
| Yonkers | 22,887,832 | 2,297,964 | 25,185,796 | 61,966,414 | 8,194,808 | 70,161,222 |
| HARNESS TRACKS | \$ 53,582,346 | \$ 3,771,595 | \$ 57,353,941 | \$ 117,237,673 | \$ 18,241,279 | \$ 135,478,952 |
| ALL TRACKS | \$ 364,301,252 | \$ 155,925,864 | \$ 520,227,116 | \$ 494,088,299 | \$ 295,632,700 | \$ 789,720,999 |

* Simulcast Imports for NYRA tracks includes \$0 of inter-track simulcasting of NYRA racing to other NYRA tracks.

2020 Total Betting at New York State Race Tracks

On-Track Betting By Breed and Location of Race

| | Betting at NYS Thoroughbred Tracks | Percent of Total Thoroughbred | Betting at NYS Harness Tracks | Percent of Total Harness | Total | Percent of Total |
|--|------------------------------------|-------------------------------|-------------------------------|--------------------------|-----------------------|------------------|
| SUMMARY OF ON-TRACK BETTING | | | | | | |
| LIVE RACING: | | | | | | |
| NYRA | \$ 152,114,600 | 32.9% | \$ - | 0.0% | \$ 152,114,600 | 29.2% |
| Finger Lakes | 39,669 | 0.0% | - | 0.0% | 39,669 | 0.0% |
| NYS Harness Tracks | - | 0.0% | 3,771,595 | 6.6% | 3,771,595 | 0.7% |
| All Live Racing at NYS Tracks | <u>\$ 152,154,269</u> | <u>32.9%</u> | <u>\$ 3,771,595</u> | <u>6.6%</u> | <u>\$ 155,925,864</u> | <u>30.0%</u> |
| IN-STATE SIMULCASTING BETWEEN NYS TRACKS: | | | | | | |
| NYRA | \$ 500,124 | 0.0% | \$ 11,554,667 | 20.1% | \$ 12,054,791 | 2.3% |
| Finger Lakes | 2,372,401 | 0.5% | 182,412 | 0.3% | 2,554,813 | 0.5% |
| NYS Harness Tracks | 7,099,764 | 1.5% | 1,573,164 | 2.7% | 8,672,928 | 1.7% |
| All Simulcasts from NYS Tracks | <u>\$ 9,972,289</u> | <u>2.2%</u> | <u>\$ 13,310,243</u> | <u>23.1%</u> | <u>\$ 23,282,532</u> | <u>4.5%</u> |
| WAGERING ON NYS RACING AT NYS TRACKS | \$ 162,126,558 | 35.0% | \$ 17,081,838 | 29.7% | \$ 179,208,396 | 34.5% |
| WAGERING ON OUT OF STATE RACES AT NYS TRACKS: | | | | | | |
| Thoroughbred Races | \$ 300,746,617 | 65.0% | \$ 30,484,462 | 53.2% | \$ 331,231,079 | 63.7% |
| Harness Races | - | 0.0% | 9,787,641 | 17.1% | 9,787,641 | 1.9% |
| All Simulcasts from Out-of-State Tracks | <u>\$ 300,746,617</u> | <u>65.0%</u> | <u>\$ 40,272,103</u> | <u>70.3%</u> | <u>\$ 341,018,720</u> | <u>65.6%</u> |
| TOTAL BETTING AT NYS TRACKS FROM ALL SOURCES | \$ 462,873,175 | 100.0% | \$ 57,353,941 | 100.0% | \$ 520,227,116 | 100.1% |

2020 Thoroughbred Tracks, Harness Tracks, and OTBs

Thoroughbred Tracks

| Track | Live Handle | Simulcast Import Handle | Total Facility Handle | Race Dates | Attendance |
|-------------------------------|--------------|-------------------------|-----------------------|------------|------------|
| Aqueduct Racetrack | \$38,997,702 | \$136,490,922 | \$175,488,624 | 65 | 71,072 |
| Belmont Park | \$48,732,065 | \$121,696,127 | \$170,428,192 | 52 | 0 |
| Saratoga Race Course | \$64,384,833 | \$49,652,944 | \$114,037,777 | 39 | 1,056,053 |
| Finger Lakes Racetrack | \$39,669 | \$2,878,913 | \$2,918,582 | 46 | 0 |

*Attendance data not required for non-NYRA tracks.

Harness Tracks

| Track | Live Handle | Simulcast Import Handle | Total Facility Handle | Race Dates |
|-------------------------------|----------------------|-------------------------|-----------------------|------------|
| Batavia Downs | \$105,495 | \$498,125 | \$603,620 | 42 |
| Buffalo Raceway | \$191,147 | \$800,796 | \$991,943 | 28 |
| Monticello Raceway | \$219,755 | \$435,930 | \$655,685 | 101 |
| Saratoga Raceway | \$915,727 | \$27,445,272 | \$28,360,999 | 72 |
| Tioga Downs | \$41,507 | \$608,791 | \$650,298 | 35 |
| Vernon Downs | \$0 | \$905,600 | \$905,600 | 33 |
| Yonkers Raceway | \$2,297,964 | \$22,887,832 | \$25,185,796 | 157 |
| TOTAL - ALL RACETRACKS | \$155,925,864 | \$364,301,252 | \$520,227,116 | 671 |

OTBs

| OTB | In-State Handle | Out-of-State Handle | Total Handle |
|-------------------------|----------------------|----------------------|----------------------|
| Capital OTB | \$41,519,410 | \$86,244,019 | \$127,763,429 |
| Catskill OTB | \$3,108,634 | \$12,544,272 | \$15,652,906 |
| Nassau OTB | \$28,364,690 | \$59,654,040 | \$88,018,730 |
| Suffolk OTB | \$17,872,935 | \$32,118,318 | \$49,991,253 |
| Western OTB | \$14,500,395 | \$41,547,113 | \$56,047,508 |
| TOTAL - ALL OTBs | \$105,366,064 | \$232,107,762 | \$337,473,826 |

2020 Distribution of On-Track Betting

| | NYRA | Finger Lakes | Batavia | Buffalo | Monticello | Saratoga | Tioga | Vernon | Yonkers | All NYS Tracks |
|-------------------------------------|-----------------------|---------------------|-------------------|-------------------|-------------------|----------------------|-------------------|-------------------|----------------------|-----------------------|
| Regular | \$ 157,177,817 | \$ 861,088 | \$ 140,205 | \$ 209,198 | \$ 98,412 | \$ 8,142,266 | \$ 142,034 | \$ 215,873 | \$ 6,988,028 | \$ 173,974,921 |
| Multiple | 142,722,600 | 852,091 | 169,095 | 328,899 | 253,288 | 8,598,497 | 221,930 | 308,023 | 7,300,896 | 160,755,319 |
| Exotic | 160,054,176 | 1,205,403 | 291,907 | 438,624 | 303,985 | 11,009,601 | 286,334 | 381,704 | 10,896,872 | 184,868,606 |
| Super Exotic | - | - | 2,413 | 15,222 | - | 610,635 | - | - | - | 628,270 |
| Total Handle | \$ 459,954,593 | \$ 2,918,582 | \$ 603,620 | \$ 991,943 | \$ 655,685 | \$ 28,360,999 | \$ 650,298 | \$ 905,600 | \$ 25,185,796 | \$ 520,227,116 |
| Takeout | \$ 90,580,716 | \$ 591,756 | \$ 128,268 | \$ 203,685 | \$ 142,184 | \$ 5,631,130 | \$ 135,890 | \$ 185,089 | \$ 5,162,208 | \$ 102,760,926 |
| Breakage | 2,100,457 | 14,196 | 2,197 | 3,476 | 2,373 | 120,422 | 2,436 | 3,602 | 98,971 | 2,348,130 |
| Total Takeout and Breakage | \$ 92,681,173 | \$ 605,952 | \$ 130,465 | \$ 207,161 | \$ 144,557 | \$ 5,751,552 | \$ 138,326 | \$ 188,691 | \$ 5,261,179 | \$ 105,109,056 |
| State Tax on Handle | \$ 4,263,905 | \$ 37,436 | \$ 6,526 | \$ 11,019 | \$ 6,570 | \$ 347,786 | \$ 9,050 | \$ 14,589 | \$ 278,623 | \$ 4,975,504 |
| State Regulatory Fee | 2,759,728 | 17,511 | 3,622 | 5,952 | 3,934 | 170,166 | 3,902 | 5,434 | 151,115 | 3,121,364 |
| State Tax on Breakage | 868,408 | 6,272 | 959 | 1,555 | 1,085 | 49,602 | 1,128 | 1,583 | 38,934 | 969,526 |
| Total Tax and Regulatory Fee | \$ 7,892,041 | \$ 61,219 | \$ 11,107 | \$ 18,526 | \$ 11,589 | \$ 567,554 | \$ 14,080 | \$ 21,606 | \$ 468,672 | \$ 9,066,394 |
| Racetrack Commission | \$ 81,229,729 | \$ 521,683 | \$ 113,543 | \$ 179,949 | \$ 126,548 | \$ 4,946,725 | \$ 117,716 | \$ 157,874 | \$ 4,563,019 | \$ 91,956,786 |
| Racetrack Breakage | 1,232,049 | 7,924 | 1,237 | 1,921 | 1,288 | 70,820 | 1,308 | 2,019 | 60,037 | 1,378,603 |
| Total to Racetrack | \$ 82,461,778 | \$ 529,607 | \$ 114,780 | \$ 181,870 | \$ 127,836 | \$ 5,017,545 | \$ 119,024 | \$ 159,893 | \$ 4,623,056 | \$ 93,335,389 |
| Horse Breeders Fund Share | \$ 2,327,356 | \$ 15,125 | \$ 4,577 | \$ 6,765 | \$ 5,131 | \$ 166,452 | \$ 5,221 | \$ 7,193 | \$ 169,451 | \$ 2,707,271 |
| Racetrack Payouts | | | | | | | | | | |
| Paid to Simulcast Senders | \$ 17,410,620 | \$ 165,120 | \$ 21,728 | \$ 41,366 | \$ 21,044 | \$ 1,779,233 | \$ 29,749 | \$ 44,299 | \$ 1,307,240 | \$ 20,820,399 |
| Paid to NYRA and Finger Lakes | - | - | \$ 6,523 | \$ 13,479 | \$ 5,076 | \$ 443,099 | \$ 11,052 | \$ 14,534 | \$ 351,104 | \$ 844,867 |
| Gross Purses Paid | \$ 101,638,950 | \$ 6,437,875 | \$ 3,346,074 | \$ 2,521,700 | \$ 4,376,944 | \$ 6,193,329 | \$ 4,922,300 | \$ 3,388,790 | \$ 26,014,448 | \$ 158,840,410 |
| Minus Pool | \$ 241,712 | \$ 2,959 | \$ 136 | \$ 97 | \$ 56 | \$ 29,523 | \$ 30 | \$ 162 | \$ 15,695 | \$ 290,370 |
| Uncashed Tickets | \$ 148,852 | \$ 11,476 | \$ 7,910 | \$ 6,863 | \$ 3,905 | \$ 55,578 | \$ 273 | \$ - | \$ 52,038 | \$ 286,895 |
| State Admission Taxes | \$ 2,977 | \$ 3 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 2,980 |

NYS Regional Off-Track Betting Corporations 2020 Distribution of Revenues

| | <u>Capital</u> | <u>Catskill</u> | <u>Nassau</u> | <u>Suffolk</u> | <u>Western</u> | <u>All Regions</u> |
|---|----------------------|-----------------------|----------------------|------------------------|-----------------------|-----------------------|
| Pari-Mutuel Revenue: | | | | | | |
| Statutory Take-Out | \$ 25,498,251 | \$ 3,268,672 | \$ 17,535,650 | \$ 10,077,213 | \$ 11,759,412 | \$ 68,139,198 |
| Breakage | 539,492 | 54,549 | 350,000 | 194,434 | 187,618 | 1,326,093 |
| Minus Pools | (26,410) | (2,729) | (71,260) | (3,104) | (19,141) | (122,644) |
| Missed Pools | (139) | - | - | - | - | (139) |
| Derived from Section 532.3.b.(iv) & 532.7 | 376,963 | 100,155 | 474,577 | 259,880 | 535,698 | 1,747,273 |
| Total Pari-Mutuel Revenue | \$ 26,388,157 | \$ 3,420,648 | \$ 18,288,967 | \$ 10,528,423 | \$ 12,463,587 | \$ 71,089,782 |
| Statutory & Simulcast Payments | | | | | | |
| New York State (Pari-Mutuel Tax & Breakage) | \$ 871,534 | \$ 114,164 | \$ 550,888 | \$ 377,178 | \$ 439,928 | \$ 2,353,692 |
| New York State Racing & Wagering Board Regulatory Fee | 766,581 | 93,917 | 528,112 | 299,947 | 336,285 | 2,024,843 |
| NYS Thoroughbred Development & Breeding Fund | 546,984 | 63,492 | 420,208 | 239,116 | 235,545 | 1,505,346 |
| Ag. & NYS Breeding & Dev. Fund Breeders' Fund - Harness | 241,722 | 39,926 | 169,678 | 102,578 | 177,360 | 731,264 |
| In State Thoroughbred Tracks | 6,353,970 | 636,379 | 4,488,182 | 2,552,845 | 1,978,836 | 16,010,212 |
| Out of State Thoroughbred Tracks | 4,329,506 | 551,139 | 2,801,635 | 1,442,887 | 1,515,813 | 10,640,980 |
| In State Harness Tracks | 1,672,150 | 316,522 | 1,062,528 | 547,171 | 1,168,052 | 4,766,423 |
| Out of State Harness Tracks | 259,799 | 62,673 | 195,848 | 106,727 | 267,529 | 892,576 |
| Special Events | 187,121 | 10,827 | 131,803 | 80,556 | 124,424 | 534,731 |
| Total Statutory & Simulcast Payments | \$ 15,229,366 | \$ 1,889,040 | \$ 10,348,882 | \$ 5,749,006 | \$ 6,243,772 | \$ 39,460,067 |
| Net Pari-Mutuel Revenue | \$ 11,158,791 | \$ 1,531,607 | \$ 7,940,085 | \$ 4,779,417 | \$ 6,219,815 | \$ 31,629,715 |
| Other Revenue | | | | | | |
| Admission Income & Tax | \$ 11,074 | \$ 13,663 | \$ 15,472 | \$ 33,206 | \$ - | \$ 73,415 |
| Lottery Income | 69,086 | 16,242 | 10,939 | 21,682 | 37,647 | 155,596 |
| Concession Income | 28,998 | 3,410 | - | - | 23,508 | 55,916 |
| Derived from Section 509-a(3) | 404,368 | - | - | - | - | 404,368 |
| Transfer from Section 509 Reserve Fund | - | - | - | - | - | - |
| Interest Income | 14,571 | - | 11,434 | 244 | 2,467 | 28,716 |
| Enterprise Fund - Net Revenue / (Loss) | (1,251,166) | - | - | 1,501,168 | 336,950 | 586,952 |
| Other Income | 4,954,159 | 1,249,615 | 21,349,517 | 2,482,394 | 3,058,137 | 33,093,822 |
| Net Revenue from Operations | \$ 15,389,881 | \$ 2,814,536 | \$ 29,327,447 | \$ 8,818,111 | \$ 9,678,524 | \$ 66,028,499 |
| Operating Expenses | | | | | | |
| Branch Expenses | \$ 8,444,071 | \$ 3,072,528 | \$ 15,781,817 | \$ 7,546,470 | \$ 7,960,312 | \$ 42,805,198 |
| General & Administrative Expenses | 3,384,642 | 1,403,406 | 2,633,433 | 15,386,833 | 8,209,916 | 31,018,230 |
| Total Operating Expenses | \$ 11,828,713 | \$ 4,475,934 | \$ 18,415,250 | \$ 22,933,303 | \$ 16,170,228 | \$ 73,823,428 |
| Section 516 Net Revenues from Operations | \$ 3,561,168 | \$ (1,661,398) | \$ 10,912,197 | \$ (14,115,192) | \$ (6,491,704) | \$ (7,794,929) |
| Less: Section 509-a(ii) Contributions to Capital Acquisition Fund | \$ 713,200 | \$ - | \$ - | \$ 146,195 | \$ - | \$ 859,395 |
| Section 509 Contributions to Reserve Fund | - | - | - | - | - | - |
| Section 527.6 Obligations | - | - | - | - | - | - |
| Section 516 Net Revenue for Distribution | \$ 2,847,968 | \$ (1,661,398) | \$ 10,912,197 | \$ (14,261,386) | \$ (6,491,704) | \$ (8,654,323) |

NYS Regional Off-Track Betting Corporations

2020 Summary of Direct and Regional Payments to Tracks

| | <u>Capital</u> | <u>Catskill</u> | <u>Nassau</u> | <u>Suffolk</u> | <u>Western</u> | <u>All Regions</u> |
|--|-----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| <u>New York State Thoroughbred:</u> | | | | | | |
| NYRA: | | | | | | |
| Aqueduct | \$ 786,164 | \$ 106,197 | \$ 807,527 | \$ 439,499 | \$ 121,782 | \$ 2,261,169 |
| Belmont | 800,480 | 31,967 | 636,515 | 375,229 | 157,395 | 2,001,586 |
| Saratoga | 1,283,230 | 33,633 | 585,599 | 393,555 | 171,787 | 2,467,804 |
| Total NYRA Direct | <u>\$ 2,869,874</u> | <u>\$ 171,797</u> | <u>\$ 2,029,641</u> | <u>\$ 1,208,283</u> | <u>\$ 450,964</u> | <u>\$ 6,730,559</u> |
| NYRA Regional | 2,907,911 | 392,195 | 2,013,085 | 1,120,488 | 1,232,260 | 7,665,939 |
| Finger Lakes Direct | 40,431 | 1,244 | 36,167 | 30,046 | 71,906 | 179,794 |
| Finger Lakes Regional | 535,754 | 71,143 | 409,289 | 194,028 | 223,706 | 1,433,920 |
| Total New York State Thoroughbred | <u>\$ 6,353,970</u> | <u>\$ 636,379</u> | <u>\$ 4,488,182</u> | <u>\$ 2,552,845</u> | <u>\$ 1,978,836</u> | <u>\$ 16,010,212</u> |
| <u>New York State Harness:</u> | | | | | | |
| Batavia Direct | \$ 3,704 | \$ 140 | \$ 638 | \$ 1,098 | \$ 56,256 | \$ 61,836 |
| Batavia Regional | - | - | - | - | 457,952 | 457,952 |
| Buffalo Direct | 2,551 | 349 | 644 | 634 | 25,786 | 29,964 |
| Buffalo Regional | - | - | - | - | 462,156 | 462,156 |
| Monticello Direct | 15,949 | 19,152 | 108,579 | 24,975 | 21,481 | 190,136 |
| Monticello Regional | - | 119,938 | 378,784 | 253,610 | - | 752,332 |
| Saratoga Direct | 197,401 | 1,613 | 3,610 | 2,377 | 8,936 | 213,937 |
| Saratoga Regional | 1,109,372 | - | - | - | - | 1,109,372 |
| Tioga Direct | 1,953 | 665 | 1,438 | 1,122 | 2,997 | 8,175 |
| Tioga Regional | - | 11,038 | 39,050 | 35,832 | - | 85,920 |
| Vernon Direct | 7,682 | 155 | 232 | 369 | 3,398 | 11,836 |
| Vernon Regional | 313,514 | 110 | - | - | 108,611 | 422,235 |
| Yonkers Direct | 20,024 | 20,586 | 296,313 | 28,762 | 20,479 | 386,164 |
| Yonkers Regional | - | 142,776 | 233,240 | 198,391 | - | 574,407 |
| Total New York State Harness | <u>\$ 1,672,150</u> | <u>\$ 316,522</u> | <u>\$ 1,062,528</u> | <u>\$ 547,170</u> | <u>\$ 1,168,052</u> | <u>\$ 4,766,422</u> |
| Total Payments to New York State Tracks | <u>\$ 8,026,120</u> | <u>\$ 952,901</u> | <u>\$ 5,550,710</u> | <u>\$ 3,100,015</u> | <u>\$ 3,146,888</u> | <u>\$ 20,776,634</u> |
| Out-of-State Thoroughbred | \$ 4,329,506 | \$ 551,140 | \$ 2,801,635 | \$ 1,442,887 | \$ 1,515,813 | \$ 10,640,981 |
| Out-of-State Harness | 259,799 | 62,673 | 195,849 | 106,727 | 267,530 | 892,578 |
| Total Payments to Out-of-State Tracks | <u>\$ 4,589,305</u> | <u>\$ 613,813</u> | <u>\$ 2,997,484</u> | <u>\$ 1,549,614</u> | <u>\$ 1,783,343</u> | <u>\$ 11,533,559</u> |
| Special Events: | | | | | | |
| Kentucky Derby | \$ 78,606 | \$ 4,738 | \$ 63,540 | \$ 39,039 | \$ 70,397 | \$ 256,320 |
| Preakness Stakes | 20,422 | 1,664 | 26,603 | 11,889 | 24,007 | 84,585 |
| Breeders Cup | 88,093 | 4,425 | 41,660 | 29,628 | 30,020 | 193,826 |
| Total Special Events | <u>\$ 187,121</u> | <u>\$ 10,827</u> | <u>\$ 131,803</u> | <u>\$ 80,556</u> | <u>\$ 124,424</u> | <u>\$ 534,731</u> |
| Total Payments to All Tracks | <u>\$ 12,802,546</u> | <u>\$ 1,577,541</u> | <u>\$ 8,679,997</u> | <u>\$ 4,730,185</u> | <u>\$ 5,054,655</u> | <u>\$ 32,844,924</u> |

**NYS Regional Off-Track Betting Corporations
Supplemental Information/Definitions**

Revenue:

Enterprise Fund: Net revenue or loss from the corporations business enterprise. For Capital OTB the amount relates to the operation of a simulcast television channel. For Western OTB the amount relates to the operation of Batavia Downs Racetrack and Video Gaming Facility. For Suffolk OTB the amount relates to the operation of a Video Gaming Facility.

Operating Expenses:

GASB 75: Certain expense include amounts relating to the Government Accounting Standards Board Statement 75 (GASB 75). GASB 75 requires the recognition of Other Post Employment Benefits (OPEB).

| <u>Expense</u> | <u>Capital</u> | <u>Catskill</u> | <u>Nassau</u> | <u>Suffolk</u> | <u>Western</u> | <u>Total</u> |
|--------------------------|---------------------|--------------------|---------------------|----------------------|-------------------|---------------------|
| Enterprise Fund | \$ (35,190) | \$ - | \$ - | \$ 5,438,646 | \$ 369,849 | \$ 5,773,305 |
| Branch Expenses | (168,720) | - | 1,364,742 | 1,604,296 | 369,848 | 3,170,166 |
| General & Administrative | (219,992) | (24,410) | 299,578 | 7,571,079 | - | 7,626,255 |
| Total | \$ (423,902) | \$ (24,410) | \$ 1,664,320 | \$ 14,614,021 | \$ 739,697 | \$16,569,726 |

Section 516 Net Revenue Available for Distribution: Amounts available after payment of allowable expenses that must be distributed to participating localities on a quarterly basis.

General Notes:

Reference to "section" relates to sections within the New York State Racing, Pari-Mutuel Wagering and Breeding Law.

Distributable Surcharge

In addition to Section 516 Net Revenue, corporations are required to distribute surcharge levied on winning payoffs to participating and other localities on a monthly basis. The following is a summary of the surcharge available for distribution as of 12/31/2020 for each corporation.

| | <u>Capital</u> | <u>Catskill</u> | <u>Nassau</u> | <u>Suffolk</u> | <u>Western</u> | <u>Total</u> |
|--------------------------|-------------------|-------------------|---------------------|-------------------|-------------------|---------------------|
| Participating Localities | \$ 600,919 | \$ 131,131 | \$ 757,390 | \$ 427,820 | \$ 732,898 | \$ 2,650,158 |
| Other Localities | 221,717 | 21,243 | 282,812 | 167,940 | 176,883 | 870,595 |
| Total Surcharge | \$ 822,636 | \$ 152,374 | \$ 1,040,202 | \$ 595,760 | \$ 909,781 | \$ 3,520,753 |

The above does not include surcharge retained by the corporation for corporate purposes or the capital acquisition fund.

Participating Localities are local governments within the Off-Track Betting Region that have elected to participate under Section 502 of the Racing, Pari-Mutuel Wagering and Breeding Law. Other Localities are local governments which have racetracks located within their borders and receive a portion of the surcharge.

2020 Nationwide Thoroughbred Purses

| State | Gross Purses | No. of Races | Average Purse | Race Days | Starters | Starts | Average Field | Average Starts Per Runner |
|---------------|---------------|--------------|---------------|-----------|----------|--------|---------------|---------------------------|
| Kentucky | \$122,655,688 | 1,570 | \$78,125 | 170 | 5,885 | 13,872 | 8.8 | 2.4 |
| New York | \$110,650,829 | 1,884 | \$58,732 | 203 | 4,705 | 14,963 | 7.9 | 3.2 |
| Florida | \$106,819,140 | 3,356 | \$31,829 | 343 | 7,560 | 28,071 | 8.4 | 3.7 |
| California | \$104,096,053 | 2,784 | \$37,391 | 414 | 4,718 | 19,920 | 7.2 | 4.2 |
| Louisiana | \$56,364,000 | 2,132 | \$26,437 | 245 | 5,212 | 17,458 | 8.2 | 3.3 |
| Pennsylvania | \$54,165,453 | 2,355 | \$23,000 | 250 | 4,713 | 18,607 | 7.9 | 3.9 |
| Maryland | \$46,649,144 | 1,230 | \$37,926 | 140 | 3,123 | 9,271 | 7.5 | 3 |
| Ohio | \$38,704,100 | 1,913 | \$20,232 | 239 | 3,536 | 14,415 | 7.5 | 4.1 |
| West Virginia | \$32,590,875 | 2,101 | \$15,512 | 246 | 4,002 | 15,896 | 7.6 | 4 |
| Arkansas | \$31,239,980 | 541 | \$57,745 | 57 | 2,133 | 5,257 | 9.7 | 2.5 |
| Oklahoma | \$22,572,461 | 1,066 | \$21,175 | 110 | 2,735 | 8,994 | 8.4 | 3.3 |
| Indiana | \$22,445,885 | 814 | \$27,575 | 92 | 2,306 | 6,430 | 7.9 | 2.8 |
| New Jersey | \$21,060,666 | 476 | \$44,245 | 44 | 1,518 | 3,687 | 7.7 | 2.4 |
| Texas | \$17,629,345 | 668 | \$26,391 | 79 | 2,195 | 5,858 | 8.8 | 2.7 |
| Delaware | \$15,330,803 | 539 | \$28,443 | 65 | 1,893 | 4,068 | 7.5 | 2.1 |

Data provided courtesy of The Jockey Club, which had a source of Equibase Company LLC. Purses include monies not won and returned to state breeders or other funds. Not all states are presented.

2020 Nationwide Harness Purses

| State | Gross Purses Paid | Purse Races | Avg. Purses | Race Cards | Starters | Earnings per Starter | Avg. Won by Trotter | Avg. Won by Pacer |
|---------------|-------------------|-------------|-------------|------------|----------|----------------------|---------------------|-------------------|
| Ohio | \$58,037,638 | 5,692 | \$10,196 | 387 | 4,860 | \$11,942 | \$11,910 | \$11,952 |
| Pennsylvania | \$56,973,325 | 4,714 | \$12,086 | 348 | 5,236 | \$10,881 | \$11,760 | \$10,373 |
| New York | \$50,856,989 | 5,154 | \$9,867 | 485 | 4,415 | \$11,519 | \$11,691 | \$11,436 |
| New Jersey | \$29,318,399 | 1,646 | \$17,812 | 146 | 2,818 | \$10,404 | \$14,328 | \$8,520 |
| Indiana | \$28,843,930 | 1,583 | \$18,221 | 115 | 2,204 | \$13,087 | \$15,827 | \$11,727 |
| Delaware | \$20,230,815 | 1,518 | \$13,327 | 130 | 1,474 | \$13,725 | \$14,670 | \$13,414 |
| Kentucky | \$11,429,045 | 478 | \$23,910 | 47 | 1,113 | \$10,269 | \$13,058 | \$8,571 |
| Massachusetts | \$8,280,314 | 708 | \$11,695 | 70 | 847 | \$9,776 | \$11,233 | \$9,233 |
| Illinois | \$7,005,975 | 927 | \$7,558 | 74 | 1,016 | \$6,896 | \$9,993 | \$5,959 |
| Maryland | \$6,940,826 | 1,082 | \$6,415 | 89 | 1,098 | \$6,321 | \$7,166 | \$6,136 |
| Florida | \$5,552,417 | 812 | \$6,838 | 96 | 848 | \$6,548 | \$7,143 | \$6,190 |
| Maine | \$3,473,223 | 727 | \$4,777 | 107 | 629 | \$5,522 | \$7,355 | \$5,133 |
| Minnesota | \$3,270,814 | 463 | \$7,064 | 54 | 451 | \$7,252 | \$8,734 | \$6,757 |
| California | \$1,802,219 | 432 | \$4,172 | 42 | 375 | \$4,806 | \$4,814 | \$4,805 |
| Michigan | \$1,535,092 | 329 | \$4,666 | 29 | 497 | \$3,089 | \$2,662 | \$3,241 |

Data provided courtesy of the United States Trotting Association. This only includes races for pari-mutuel meets. Not all states are presented.

Office of Equine Medicine

Scott E. Palmer, VMD **Equine Medical Director**

Scott E. Palmer, VMD, a renowned veterinarian with more than three decades of experience in providing medical care for horses, oversees the health and safety of horses at all New York State Thoroughbred and Standardbred (harness) racetracks.

As New York's Equine Medical Director, Dr. Palmer is responsible for all aspects of equine health, safety, and welfare at New York racetracks and advises the Gaming Commission on equine medication policies as well as the safety and condition of racetrack facilities and surfaces. He supervises all on-track regulatory veterinarians as well as the New York State Equine Drug Testing Program laboratory. He oversees equine testing procedures, ensures compliance with regulatory veterinary protocols, investigates incidents, and monitors the Gaming Commission's necropsy program.

Dr. Palmer also serves as an Adjunct Professor at Cornell University's College of Veterinary Medicine, where he is responsible for developing and coordinating continuing education programs for veterinarians and trainers related to medication and equine injuries. He coordinates research on equine sports medicine topics and collaborates with faculty on epidemiological studies to analyze equine safety issues. Since his graduation from the University of Pennsylvania School of Veterinary Medicine in 1976, Dr. Palmer has worked as a staff clinician at the New Jersey Equine Clinic, serving as the Hospital Director since 1997. He is a two-time recipient of the New Jersey Equine Practitioners Veterinarian of the Year award, as well as a recipient of the AAEP President's Award in 2009 and the AAEP Distinguished Service Award in 2010.

Dr. Palmer is board certified in equine practice by the American Board of Veterinary Practitioners. He has authored dozens of peer-reviewed publications and is a featured speaker at veterinary conferences worldwide. He is a member of several professional organizations and has held leadership positions in many, including the American Veterinary Medical Association, the American Association of Equine Practitioners, the American Board of Veterinary Practitioners, the New Jersey Veterinary Medical Association, and the New Jersey Association of Equine Practitioners.

Dr. Palmer chaired the New York Task Force on Racehorse Health and Safety, which was formed in 2012 in the wake of 21 equine fatalities during Aqueduct's 2011-12 Winter Meet. The New York State Equine Medical Director position was established in 2013 as a key recommendation of that Task Force. Dr. Palmer serves as a Board Member for the NTRA Safety and Integrity Alliance Advisory Board and the Thoroughbred Charities of America. He previously served on the ARCI Special Task Force on Medication and chaired the International Summit on Race Day Medication as well as the Ad-Hoc RMTTC Committee on Race Day Security and served two terms as a member of the Grayson-Jockey Club Research Advisory Committee.

Equine Drug Testing

Equine drug testing is mandated by Racing, Pari-Mutuel Wagering and Breeding Law Section 902.

The Equine Drug Testing Program (EDTP) for Thoroughbred and harness racing in New York State is performed by Morrisville State College under contract with New York State. The EDTP at Morrisville State College continues to be one of the leading equine drug testing programs in the world.

When the EDTP detects and confirms the presence of a prohibited substance, the laboratory immediately informs the Division of Horse Racing and Pari-Mutuel Wagering staff and the Commission's General Counsel's office. Division staff will immediately inform the steward or presiding judge at the racetrack where the horse's sample originated, along with other appropriate Commission staff. An investigation into the matter is begun after the steward or presiding judge identifies the horse and its trainer.

The steward or presiding judge matches the sample identifying numbers to the previously locked documentation of collected samples. After identification, investigation into the circumstances, including interviews with involved parties, begins. The trainer is afforded the option of having a residual sample of the original, if available, tested at an approved laboratory of his or her choice at his or her expense. After the investigation is completed and all other information is gathered and studied, the licensee, if appropriate, is assessed a penalty by the State steward or presiding judge. The licensee may challenge the penalty through a hearing process. After receipt of the hearing officer’s completed report, the Commission renders a decision.

A listing of commonly used medicines in the equine racing world is contained within the applicable rules. Also contained are the number of hours “out” (before race day) that these listed drugs may be administered. The only allowable medication on race day in New York is furosemide. Furosemide is permitted to be administered only to horses properly enrolled in a furosemide medication program.

Summary Post-Race Drug Report

| Race Day Positives* | Standardbred | Thoroughbred | Total |
|---------------------|--------------|--------------|----------|
| Clenbuterol | 1 | | 1 |
| Flunixin | 1 | | 1 |
| Furosemide | 4 | | 4 |
| Prednisolone | 1 | | 1 |
| TOTAL | 7 | 0 | 7 |

* Includes Sire Stakes County Fair Series

Division of Lottery

The Division of Lottery is responsible for the administration of all traditional lottery games.

Traditional Lottery Games

The New York Lottery offers players the chance to participate in various Draw and Scratch-off games through a network of licensed sales agents. Offerings include nine draw games as well as the introduction of approximately 40 new instant games each year. The wide variety of Lottery games offer different methods of play, ranges of jackpot prizes, and convenience aspects that make playing the games fun, easy, and exciting entertainment.

MULTI-JURISDICTIONAL DRAW GAMES

MEGA MILLIONS is a multi-jurisdictional high jackpot game in which the New York Lottery participates with 47 other U.S. lottery jurisdictions. Draws are held twice per week, every Tuesday and Friday. Mega Millions is also available by subscription. The largest advertised FY19-20 Mega Millions jackpot was \$731 Million.

POWERBALL is a multi-jurisdictional high jackpot game in which the New York Lottery participates with 48 other U.S. lottery jurisdictions. Draws are held twice per week, every Wednesday and Saturday. The largest advertised FY19-20 Powerball jackpot was \$1.050 Billion.

CASH4LIFE is a multi-jurisdictional “for life” game in which New York Lottery participates with 9 other U.S. lottery jurisdictions. Draws were held twice per week, every Monday and Thursday. Since July 2019, drawings have been held every night. Cash4Life is also available by subscription.

NEW YORK DRAW GAMES

LOTTO is a jackpot game. Draws are held twice per week, every Wednesday and Saturday. Lotto is also available by subscription. The largest advertised FY19-20 Lotto jackpot was \$15.7 Million.

PICK 10 is a daily draw game with a chance to win up to \$500,000.

TAKE 5 is a parimutuel game with draws held every night. An add-on Instant Win feature allows players to win instantly.

NUMBERS and WIN 4 are lower top prize New York daily games, drawn twice daily. An add-on Instant Win feature allows players to win instantly.

QUICK DRAW is a social game with draws held every four minutes on a daily basis except for the half-hour from 3:30 a.m. to 4:00 a.m.

SCRATCH-OFF GAMES

Scratch-Off Games are played by scratching a covering from pre-printed tickets to reveal prizes. There are a large variety of themes and price points available with up to 51 games for sale at any given time in FY19-20.

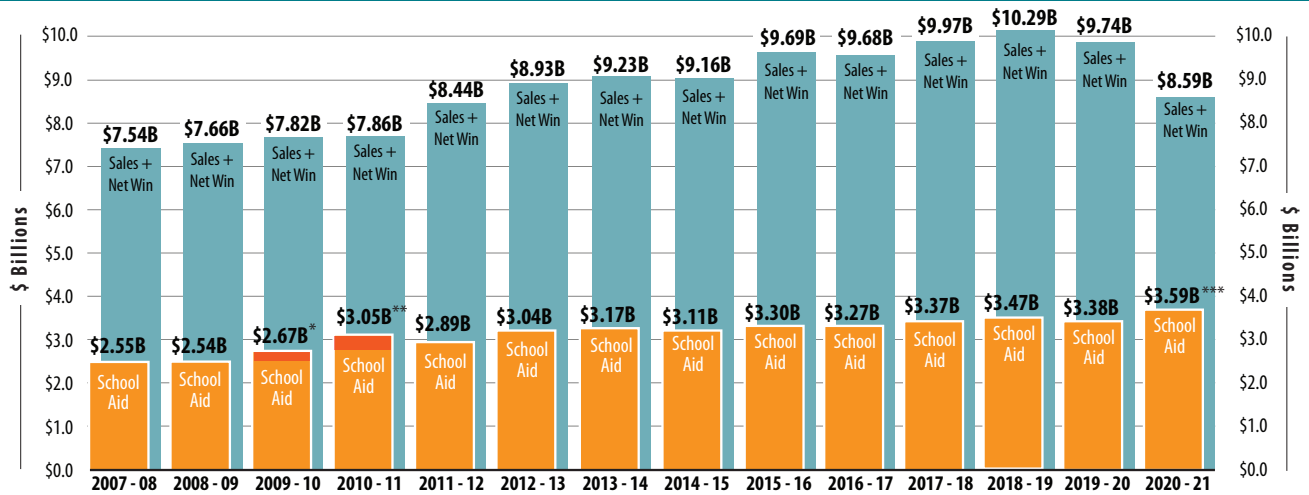
Lottery Sales Agents

The Division’s network of nearly 14,600 licensed sales agents brings Lottery games to New Yorkers 18 years of age or older across the State. Sales agents earn 6% commission on Lottery sales.

Fiscal Year 2020-2021 Year-End Review

The New York State Gaming Commission's Lottery and Video Lottery Gaming operations closed out Fiscal Year 2020-21 New York Tough once again; producing \$8.59 billion in combined sales and net win and aid to education of \$3.59 billion for its sole beneficiary, New York's K-12 schools.

LEADING THE NATION IN AID TO EDUCATION



* Includes a one-time gain from investment bond swaps of \$63.1 million.

** Includes a \$380 million licensing fee from Resorts World New York and a one-time gain from investment bond swaps of \$15.3 million.

*** New York Lottery revenue totaled \$8.595 billion, while the required allocation for the Lottery Aid to Education was \$3.591 billion for fiscal year 2021. The New York State budget guarantees the amount of education funding provided by the Lottery (Lottery Aid Guarantee) by way of a transfer from the New York State general fund. Due to a COVID-19-related decline in revenue, a Lottery Aid Guarantee transfer was required in the amount of \$692.8 million for fiscal year 2021.

FUN, GAMES AND FUNDS RAISED BY GAME/VIDEO LOTTERY FACILITY*

Jackpot Games



Total Sales: \$333,932,996
Education Aid: \$136,591,949



Total Sales: \$257,074,032
Education Aid: \$105,153,559



Total Sales: \$119,718,049
Education Aid: \$48,969,469



Total Sales: \$59,663,459
Education Aid: \$30,371,086

Scratch-Off Games



Total Sales: \$4,231,742,980
Education Aid: \$917,206,931

Daily Games



Total Sales: \$942,312,572
Education Aid: \$479,674,781



Total Sales: \$903,243,470
Education Aid: \$459,787,045



Total Sales: \$218,749,519
Education Aid: \$111,352,253



Total Sales: \$31,836,323
Education Aid: \$16,205,961



Total Sales: \$567,862,800
Education Aid: \$175,492,313

Video Gaming Facilities



Net Win: \$26,079,873
Education Aid: \$10,249,353



Net Win: \$254,365,494
Education Aid: \$129,217,304



Net Win: \$50,635,489
Education Aid: \$23,697,336



Net Win: \$25,237,632
Education Aid: \$8,656,472



Net Win: \$104,273,362
Education Aid: \$47,235,683



Net Win: \$131,722,818
Education Aid: \$59,670,247



Net Win: \$275,119,878
Education Aid: \$110,872,914



Net Win: \$51,201,953
Education Aid: \$23,962,440



Net Win: \$10,103,883
Education Aid: \$3,465,618

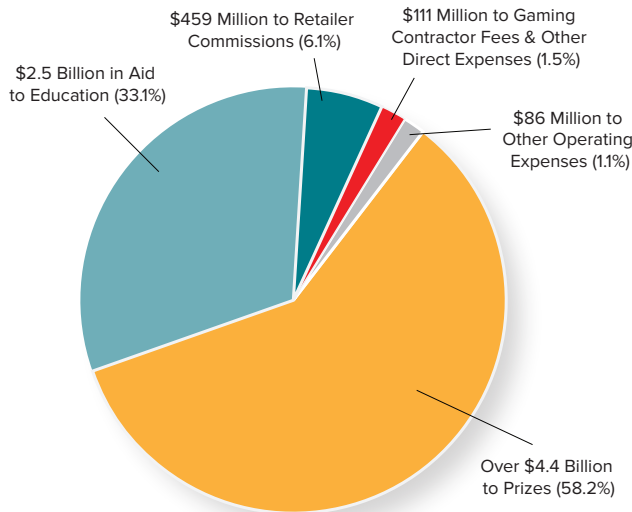
* Education Aid does not include \$693 million of Lottery Aid Guarantee.

WHERE DO LOTTERY DOLLARS GO?



Total New York Lottery Sales & Net Win: \$8.59 Billion - Aid to Education: \$3.59 Billion

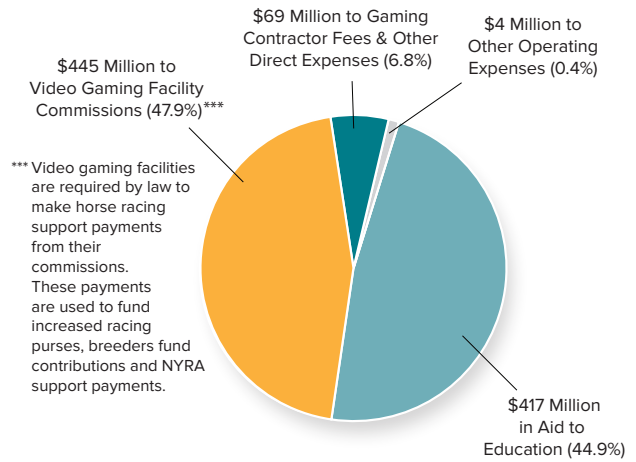
Traditional Lottery (FY 2020-2021)
Over \$7.6 Billion in Sales*



* Does not include an additional \$97 million of Lottery Aid Guarantee due to COVID-19-related decline in revenues.

Video Lottery Gaming (FY 2020-2021)
\$929 Million in Video Gaming Net Win**

| | |
|----------------------|------------------|
| Video gaming Net Win | |
| Credits Played | \$16.407 Billion |
| Credits Won | \$929 Million |
| Net Win | \$292 Million |

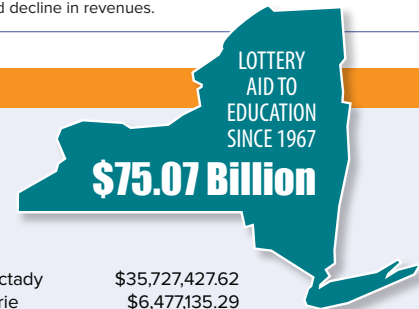


*** Video gaming facilities are required by law to make horse racing support payments from their commissions. These payments are used to fund increased racing purses, breeders fund contributions and NYRA support payments.

** Does not include an additional \$596 million in Lottery Aid Guarantee due to COVID-19-related decline in revenues.

LOTTERY AID TO EDUCATION BY COUNTY (FY 2020-2021)

| | | | |
|-------------|------------------|----------------|--------------------|
| Albany | \$49,954,303.96 | Jefferson | \$29,655,850.59 |
| Allegany | \$13,168,952.52 | Lewis | \$7,114,678.93 |
| Broome | \$45,427,001.81 | Livingston | \$12,568,636.70 |
| Cattaraugus | \$23,253,225.54 | Madison | \$15,548,488.10 |
| Cayuga | \$15,196,363.05 | Monroe | \$181,873,558.83 |
| Chautauqua | \$33,196,362.49 | Montgomery | \$14,036,384.71 |
| Chemung | \$19,772,143.78 | Nassau | \$176,051,834.30 |
| Chenango | \$14,708,472.49 | New York City* | \$1,331,975,933.60 |
| Clinton | \$18,236,426.49 | Niagara | \$49,258,353.05 |
| Columbia | \$6,309,724.94 | Oneida | \$61,700,606.53 |
| Cortland | \$11,288,610.41 | Onondaga | \$117,022,329.61 |
| Delaware | \$7,538,335.63 | Ontario | \$22,671,564.72 |
| Dutchess | \$47,523,567.79 | Orange | \$94,351,793.03 |
| Erie | \$207,031,443.06 | Orleans | \$11,057,307.28 |
| Essex | \$3,349,139.57 | Oswego | \$35,082,775.02 |
| Franklin | \$12,079,955.33 | Otsego | \$10,618,977.28 |
| Fulton | \$13,120,425.56 | Putnam | \$14,072,571.17 |
| Genesee | \$13,961,635.49 | Rensselaer | \$32,880,603.56 |
| Greene | \$7,155,369.48 | Rockland | \$38,314,734.95 |
| Hamilton | \$131,994.92 | St Lawrence | \$27,884,397.25 |
| Herkimer | \$16,637,940.45 | Saratoga | \$38,052,544.54 |



The above amounts are based on the New York State Education Department's Division of Aid to Localities for Education from the State Lottery Fund as required by law. For a complete listing visit nylottery.ny.gov.

Lottery revenue is distributed to local school districts by the same statutory formula used to distribute other state aid to education. It takes into account both a school district's size and its income level; larger, lower-income school districts receive proportionately larger shares of Lottery school funding.

*Includes Bronx, Kings, New York, Queens and Richmond Counties.

Minority- and Women-Owned Businesses

Pursuant to Articles 15-A and 17-B of the Executive Law and Parts 140 through 144 of Title 5 of the New York Codes, Rules and Regulations concerning Minority- and Women-Owned Business Enterprises (MWBE) and Service-Disabled-Veteran-Owned business (SDVOB), the Commission promotes and encourages economic opportunities for MWBE and SDVOB firms. The Commission's goal for MWBE procurement is 30%, and the goal for SDVOB procurement is 6% of all State contracts. The Commission reached a 27.04% goal for MWBE and a 9.5% goal for SDVOB.

Commission regulations (9 NYCRR Section 5311) also require commercial casinos to develop a utilization plan and quarterly reporting while tasking the Commission with monitoring the effectiveness of such plans. The Commission established the Contract Compliance Office to help MWBE's and SDVOB's find contract opportunities, as well as assist in setting these goals in our agency contracts. The Office also provides guidance and assistance to the commercial casinos to find opportunities for MWBE's.

| MWBE FY2019-20 | TOTAL MWBE'S | TOTAL \$ |
|-------------------|--------------|---------------------|
| Gaming Commission | 63 | \$29,099,360 |
| Commercial Gaming | 4 | \$192,192 |
| TOTAL | 67 | \$29,291,552 |

| SDVOB's FY2019-20 | TOTAL MWBE'S | TOTAL \$ |
|-------------------|--------------|------------------|
| Gaming Commission | | \$255,329 |
| TOTAL | 2 | \$369,296 |

Bureau of Licensing

New York State requires the majority of operators, agents and employees associated with in-state horse racing; traditional and video lottery gaming; commercial gaming; and sports wagering activities to be licensed. The Commission's Licensing Bureau reviews every application before a license is issued. By statute, fingerprinting is required of each applicant. Where it is believed that an applicant's background or licensee's conduct may warrant a finding that the applicant's actions would be inconsistent with the public interest or the best interest of New York's gaming operations, a thorough investigation is conducted before action is taken in the form of a license denial, suspension, or revocation.

2020 Horse Racing and Pari-Mutuel Wagering Licenses Granted

| Occupation | Harness | Thoroughbred | Total |
|-------------------|---------|--------------|-------|
| APPRENTICE JOCKEY | | 14 | 14 |
| ASST. TRAINER | | 177 | 177 |
| AUTHORIZED AGENT | | 48 | 48 |
| CLEANING SERVICE | 74 | 38 | 112 |
| DRIVER | 198 | | 198 |
| EXERCISE RIDER | | 333 | 333 |
| FARRIER | 22 | 27 | 49 |
| FOOD SERVICE | 91 | 33 | 124 |
| GAP ATTENDANT | | 2 | 2 |
| GENERAL SERVICES | 362 | 347 | 709 |
| GROOM | 996 | 1038 | 2034 |
| JOCKEY | | 99 | 99 |
| JOCKEY AGENT | | 18 | 18 |
| MUTUEL CLERK | 59 | 199 | 258 |
| OWNER ORIGINAL | 168 | 468 | 636 |

| Occupation | Harness | Thoroughbred | Total |
|--------------------|-------------|--------------|--------------|
| OWNER RENEWAL | 1399 | 1841 | 3240 |
| PEACE OFFICER | 56 | 115 | 171 |
| PRIVATE TRAINER | 2 | 4 | 6 |
| PROVISIONAL DRIVER | 38 | | 38 |
| Qualifier Driver | 19 | | 19 |
| RACING OFFICIAL | | 31 | 31 |
| SECURITY | 159 | 101 | 260 |
| STABLE EMPLOYEE | 3 | 882 | 885 |
| TOTE EMPLOYEE | 389 | 390 | 779 |
| TOTE OFFICER | 20 | 18 | 38 |
| TOTE OTB | 4 | 3 | 7 |
| TRACK MGT. | 83 | 15 | 98 |
| TRAINER | 493 | 209 | 702 |
| VETERINARIAN | 19 | 32 | 51 |
| TOTALS | 4654 | 6482 | 11136 |

2020 Commercial Casinos Licenses Granted

| License Type | Number Issued |
|--------------|---------------|
| Non-Gaming | 81 |
| Gaming | 132 |
| Key | 36 |

2020 Indian Gaming Certifications Issued

| License Type | Oneida | Seneca | Mohawk |
|--------------|--------|--------|--------|
| Non-Gaming | 218 | 74 | 31 |
| Gaming | 302 | 183 | 0 |
| Key | 13 | 30 | 3 |

2020 Video Lottery Licenses Issued

| License Type | Number Issued |
|---------------|---------------|
| Service level | 152 |
| Gaming level | 142 |
| Key level | 109 |

2020 Lottery Licenses Issued

| License Type | Number Issued |
|--------------|---------------|
| New Retailer | 760 |

2020 Charitable Gaming Licenses Issued

| License Type | Number Issued |
|--------------|---------------|
| Manufacturer | 16 |
| Distributor | 23 |

Responsible Gaming

The Commission is a founding member of New York’s Responsible Play Partnership (RPP), which also includes the New York State Office of Alcohol and Substance Abuse Services and the New York Council on Problem Gambling. The goal of the partnership is to address the issues surrounding problem gambling, promote responsible gaming practices, and ensure help is available for those who need it. For gaming venues, this includes undertaking proper outreach measures in addition to ensuring compliance with all rules and regulations. For the Commission, this includes incorporating global Responsible Gaming best practices into the daily operations of all Divisions and committing ourselves to continuous improvement in all fundamental areas, including problem gambling/underage play prevention, voluntary self-exclusion and responsible play/gifting/sales messaging. The Commission is charged with developing and distributing problem gambling/responsible gaming messaging on a regular basis to all New Yorkers.

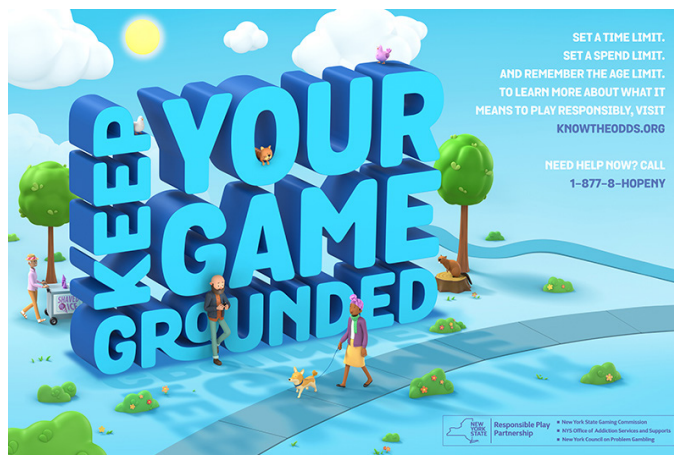
In 2020, the RPP released one new advocacy campaign:

“Keep Your Game Grounded” infused language used in focus groups to connect the ideas of playing responsibly and staying grounded.

The campaign relied on humanizing elements to destigmatize the issue of problem gambling while offering positive, tangible examples of what it means to “Play Responsibly.”

The same call to action was used across all campaign elements, e.g. radio, TV, social media, retailer communications, digital subscriber newsletter, to drive traffic to KnowTheOdds.org.

The campaign generated an earned media value of \$380,000 (which does not include New York State owned assets) and produced an estimated 38,000,000 impressions statewide over its eight-week flight, thus reducing the need for such expenditures by the New York Council on Problem Gambling or OASAS and freeing them to fund other worthy endeavors.



2020 Campaign Poster

www.ny.gov/NYResponsibleGaming houses information regarding NY’s free and confidential HOPEline, an addictions referral hotline administered by OASAS as well as a wide array of Responsible Gambling materials, including:

- An industry-standard problem gambling self-assessment tool
- The Statewide Voluntary Self-Exclusion Form and mail-in info
- Links to prevention and treatment resources
- A sampling of popular gambling myths and related facts

The Commission is a co-founder of a business roundtable with some of the state’s largest business groups to reinforce the Commission’s age verification processes and procedures across all gaming divisions.

The Commission also participates in national and statewide problem gambling prevention and responsible gaming advocacy campaigns, including Problem Gambling Awareness Month, Disordered Gambling Screening Day, and Gift Responsibly campaigns sponsored by the National Council on Problem Gambling.

Rulemaking

The Commission's Office of Counsel provides legal advice to ensure compliance with legal requirements and to reduce exposure to legal risks and liabilities. The Office represents the Commission as legal counsel in governmental and judicial proceedings and advocating and defending its interests in those proceedings. In addition, the Office of Counsel manages the Commission's rulemaking activities across all Divisions.

Rules adopted in 2020:

| SGC # | Name of Rule | Adopted at Gaming Commission Meeting | NYS Register Effective Date |
|-------------------|---|--------------------------------------|-----------------------------|
| SGC-42-19-00004-P | Horse racing definition – harness | December 19, 2019 | January 8 |
| SGC-40-19-00011-P | Safety vests | December 19, 2019 | January 8 |
| SCG-40-19-00012-P | Horse racing definition – Thoroughbred | December 19, 2019 | January 8 |
| SGC-01-20-00006-P | Thoroughbred Horse tattoos | May 19 | June 3 |
| SGC-07-20-00002-P | Voidable claims of lame Thoroughbred horses | May 19 | June 3 |
| SGC-07-20-00003-P | Spanish 21 casino wager | May 19 | June 3 |
| SGC-07-20-00004-P | Use of Social Security Numbers in wagering | May 19 | June 3 |
| SGC-07-20-00014-P | Thoroughbred pick-five and pick-six wagering amendments | May 19 | June 3 |
| SGC-11-20-00012-P | Intra-articular injections regulation in Thoroughbred racing | May 19 | June 3 |
| SGC-22-20-00010-E | Qualification in harness racing | May 19 | June 3 |
| SGC-22-20-00008-P | Qualification in harness racing | September 21 | October 7 |
| SGC-22-20-00009-P | Technical cross-reference corrections in gaming regulations | September 21 | October 7 |
| SGC-33-20-00006-P | Protection of trade secrets | November 30 | December 16 |
| SGC-35-20-00002-P | Quick Draw Money Dots feature | November 30 | December 16 |
| SGC-35-20-00003-P | Triple Wager in harness racing | November 30 | December 16 |
| SGC-35-20-00004-P | Non-steroidal anti-inflammatory drugs use in Thoroughbred racing | November 30 | December 16 |
| SGC-35-20-00005-P | Furosemide Use and Practice | November 30 | December 16 |
| SGC-35-20-00006-P | Jackpot Super-High Five wager for harness racing | November 30 | December 16 |
| SGC-35-20-00007-P | Exercise-induced pulmonary hemorrhage protections for Thoroughbred horses | November 30 | December 16 |
| SGC-35-20-00008-P | Rider licensing, health and safety | November 30 | December 16 |
| SGC-35-20-00009-P | Backstretch housing standards at racetracks | November 30 | December 16 |
| SGC-35-20-00010-P | Thoroughbred trainers' logs | November 30 | December 16 |
| SGC-35-20-00011-P | Pick-six jackpot wager for harness racing | November 30 | December 16 |
| SGC-35-20-00012-P | Casino vendor key employee wagering restrictions | November 30 | December 16 |

| SGC # | Name of Rule | Adopted at Gaming Commission Meeting | NYS Register Effective Date |
|-------------------|---|--------------------------------------|-----------------------------|
| SGC-35-20-00014-P | Thoroughbred out-of-competition testing amendments | November 30 | December 16 |
| SGC-50-20-00007-E | Charitable gaming games of chance payment methods (emergency) | November 30 | January 20, 2021 |

Explanation of 2020 Rulemaking

SGC-42-19-00004 — Horse racing definition – harness. The Commission adopted, through consensus rulemaking, a definition of racetrack operator in its harness racing rules.

SGC-40-19-00011 — Safety vests. The Commission adopted, through consensus rulemaking, an amendment that deleted an obsolete provision about the maximum weight of safety vests at Thoroughbred racetracks.

SGC-40-19-00012 — Horse racing definition – Thoroughbred. The Commission adopted, through consensus rulemaking, a definition of racetrack operator in its Thoroughbred racing rules.

SGC-01-20-00006-P — Thoroughbred Horse tattoos. The Commission adopted, through consensus rulemaking, an amendment to permit Thoroughbred horses with digital tattoos to race in New York.

SGC-07-20-00002-P — Voidable claims of lame Thoroughbred horses. The Commission adopted a rule to reduce the incentive to use the claiming race process as a means to race and sell an unsound Thoroughbred horse. The amendments allow a person who filed a claim to purchase such a horse to void the claim if the horse is lame or bleeds from a nostril (epistaxis) due to the exertions of the claiming race.

SGC-07-20-00003-P — Spanish 21 casino wager. The Commission adopted a rule detailing the rules of play for the Spanish 21 wager, an optional wager for the blackjack game, including relevant pay tables.

SGC-07-20-00004-P — Use of Social Security Numbers in wagering. The Commission adopted rules to reduce the instances in which an individual is required to provide a Social Security Number to the Commission and to allow for the substitution of other unique indicators, reducing the exposure by players to potential identity theft and enabling individuals who may not currently possess a Social Security Number to avoid disqualification based on such.

SGC-07-20-00014-P — Thoroughbred pick-five and pick-six wagering amendments. The Commission adopted amendments to its Thoroughbred pick-five and pick-six wagering rules to allow a track to display wagering information about pick-five or pick-six combinations other than will-pays after the penultimate race in the sequence. The revision allows a track to disclose publicly combinations wagered upon, amounts wagered on such combinations, numbers of tickets sold or number of tickets still capable of winning a pick-five or pick-six pool.

SGC-11-20-00012-P — Intra-articular injections regulation in Thoroughbred racing. The Commission adopted rules to amend the restricted time period for the use of corticosteroid joint injections to 14 days from the prior restriction of seven days before a Thoroughbred horse’s next race; to amend the restricted time period for the intra-articular injection (“IA”) of any substance to a Thoroughbred horse to match the proposal of a 14-day restricted time period for a corticosteroid joint injection (“CJI”) before a horse’s next race; and to amend, to encompass the reporting of every IA, the requirement that Thoroughbred trainers maintain and submit accurate records to the Commission of every CJI within 48 hours of the treatment.

SGC-22-20-00010-E — Qualification in harness racing (emergency). The Commission adopted an emergency rule to extend the days after which a harness horse must qualify from 30 days to a date as determined appropriate by the Commission in exceptional circumstances, to address qualification issues following track closures due to the novel coronavirus pandemic.

SGC-22-20-00008-P — Qualification in harness racing. The Commission adopted, through consensus rulemaking, the rule on qualification for harness races that it had adopted as an emergency rule.

SGC-22-20-00009-P — Technical cross-reference corrections in gaming regulations. The Commission adopted, through consensus rulemaking, corrections to cross-references in the agency’s Gaming regulations.

SGC-33-20-00006-P — Protection of trade secrets. The Commission, in compliance with Public Officers Law section 87(4) (a), adopted regulations to prescribe the manner in which the agency will safeguard against any unauthorized access to records containing trade secrets submitted to the agency.

SGC-35-20-00002-P — Quick Draw Money Dots feature. The Commission adopted rules to add a feature called “Money Dots” to the Quick Draw game.

SGC-35-20-00003-P — Triple Wager in harness racing. The Commission amended the triple wager rule in harness racing, which requires the selection of the first three finishers in a single race in the correct order of finish, to reduce from six to five the minimum number of entries in a race for which the triple is permitted to be offered.

SGC-35-20-00004-P — Non-steroidal anti-inflammatory drugs use in Thoroughbred racing. The Commission adopted amendments to its Thoroughbred racing rules to limit nonsteroidal anti-inflammatory drugs (“NSAIDs”) to only one clinical dose during the week before the horse races; limit the administration to the intravenous route; and set forth stricter thresholds for the two most commonly used NSAIDs, flunixin and phenylbutazone. The rulemaking also reduced the list of NSAIDs that can be administered lawfully within one week before the horse races to only three, by eliminating the NSAIDs that are not widely used and for which the appropriate lab threshold is unclear.

SGC-35-20-00005-P — Furosemide Use and Practice. The Commission amended its Thoroughbred racing rules to allow a horse eligible for furosemide administrations to be removed from the furosemide list for the limited purpose of running in a race whose conditions forbid the administration of furosemide (commonly known as Lasix) on race day. The rule permits the horse’s trainer to request reinstatement to the Lasix list after the race without having to re-apply for the Lasix list with the eligibility criteria (including demonstrating another bleeding episode) being re-established.

SGC-35-20-00006-P — Jackpot Super-High Five wager for harness racing. The Commission adopted rules for a new wager for harness racing, to require the selection of the first five finishers in a single race in the correct order of finish.

SGC-35-20-00007-P — Exercise-induced pulmonary hemorrhage protections for Thoroughbred horses. The Commission adopted rules to strengthen regulations related to exercise-induced pulmonary hemorrhage (EIPH) in Thoroughbred racing by requiring trainers to maintain a record of serious EIPH episodes and epistaxis (visible bleeding from the horse’s nostrils); requiring that a horse that has experienced a serious EIPH episode must be subjected to another endoscopic examination following the horse’s next race or workout; requiring trainers to provide such information to subsequent owners (or their agents or trainers) within 48 hours of a request for the information, unless the Commission has collected and provided the information itself; and codifying the standard practice of excluding a horse that experiences epistaxis for specific minimum time periods.

SGC-35-20-00008-P — Rider licensing, health and safety. The Commission adopted rules to strengthen the health and fitness protections and upgrade the licensing requirements for jockeys, apprentice jockeys, exercise riders and outriders who ride a Thoroughbred horse. The rules require a jockey to demonstrate to the stewards a competence of riding ability including various aspects of riding; set forth mandatory fitness standards for riders; require riders experiencing significant medical issues to obtain a clearance before riding; require every rider to have a baseline concussion assessment that is posted into a record-keeping system; require another concussive assessment when a rider is thrown from a horse or has a possible concussive event; require riders to report certain injuries and not ride until passed as fit to ride by the stewards; authorize the State steward to temporarily license a rider for the sole purpose of allowing the applicant to demonstrate riding proficiency; require steeplechase jockeys to have a commission license, report medical injuries and be subject to fitness requirements to return to ride; and require steeplechase jockeys to start at least 40 races sanctioned by the National Steeplechase Association before participating in a race with pari-mutuel wagering.

SGC-35-20-00009-P — Backstretch housing standards at racetracks. The Commission adopted rules to extend regulations that set forth standards for housing maintained on the grounds of certain Thoroughbred racetracks to all racetrack housing at Thoroughbred and harness racetracks.

SGC-35-20-00010-P — Thoroughbred trainers' logs. The Commission adopted rules to require Thoroughbred trainers to keep a record of equine drug administrations not recorded in veterinary records, including the drug, dose and date and time of administration.

SGC-35-20-00011-P — Pick-six jackpot wager for harness racing. The Commission adopted a pick-six jackpot wager for harness racing that is substantively identical to the rule for Thoroughbred racing. The wager, also known as a “jackpot” or “rainbow” wager, appeals to bettors by giving a larger prize when there is only one winning wager from a pool.

SGC-35-20-00012-P — Casino vendor key employee wagering restrictions. The Commission adopted a rule to make the wagering restrictions of casino gaming registrants applicable to employees of casino vendor registrants who have responsibility for services to a casino.

SGC-35-20-00014-P — Thoroughbred out-of-competition testing amendments. The Commission adopted revisions to its Thoroughbred out-of-competition sample collection rule, to conform to the national model rule of the Association of Racing Commissioners International, Inc.

SGC-50-20-00007-E — Charitable gaming games of chance payment methods (emergency). The Commission adopted emergency rules to permit organizations authorized to conduct charitable gaming to accept, if they so choose, payment for a chance by personal check, credit card or debit card, as authorized by statute.