

## Gaming Commission, New York State

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### Mission

The New York State Gaming Commission's mission is 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. The Commission is also tasked with promoting 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 is able to ensure fair and strict regulation of all gaming activity, while reducing costs and regulatory burdens to the gaming industry. The Commission provides 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.

### Organization and Staffing

The New York State Gaming Commission regulates all aspects of gaming and gambling activity in the State, including horse racing and pari-mutuel wagering, Class III Indian Gaming, commercial casino gaming, the state lottery (including video lottery terminals), charitable gaming, and interactive fantasy sports. The New York State Gaming Commission was formally created via Chapter 60 of the Laws of 2012 as part of the 2012-13 Enacted State Budget. This measure merged the New York State Racing and Wagering Board with the New York State Division of Lottery, creating a single state agency. The law also consolidated the administration of the New York Thoroughbred Breeding & Development Fund and the Agriculture & New York State Horse Breeding Development Fund into the Office of Racing Promotion and Development under the umbrella of the Gaming Commission. The New York State Gaming Commission became effective February 1, 2013.

### Budget Highlights

The FY 2023 Executive Budget recommends \$493.8 million All Funds for the Commission, an increase of \$69.5 million (16.4 percent) in All Funds from the amount appropriated in FY 2022. The Executive Budget recommends continuing to appropriate \$100,000 in State Operations Funds for the Racing Fan Advisory Council, along with a \$69.0 million increase (21.5 percent) in Aid to Localities primarily to account for the possibility that the unpaid revenue share owed by the Seneca Nation is not paid for another year. The Executive Budget recommends an appropriation of \$328.0 million for Tribal State Compact Revenue, which represents the local share of the State's estimated revenues from Native American casinos. In addition, the Executive Budget recommends an appropriation of \$62.0 million, which represents the local share of the State's estimated revenues from commercial gaming revenues.

The Executive Budget recommends a workforce of 391 FTEs for the Commission which is consistent with FY 2022 levels.

### Program Highlights

#### **Lottery**

The New York Lottery's sole mission is to earn revenue for education. Lottery revenue is distributed to local school districts by the same statutory formula used to distribute other State aid to education. Lottery games include drawings like Numbers, Mega Millions and Powerball and some 35-50 scratch-off tickets.

#### **Charitable Gaming**

Charitable gaming occurs in the form of bingo, bell jar sales, the conduct of Las Vegas nights, and operation of raffles. The Division of Charitable Gaming is responsible for the investigation, audit, and monitoring of bell jar ticket sales, as well as verification of the lawful disbursement of bingo, bell jar, Las Vegas night, and raffle proceeds by licensees in New York State. This Division also issues licenses and assists members of authorized organizations, manufacturers, and equipment distributors to comply with State law and Commission rules and regulations.

#### **Gaming**

The Division of Gaming oversees the regulation of seven Class III Indian gaming facilities, four commercial gaming facilities, and facilities operating video lottery terminals across the State. Gaming inspectors conduct compliance examinations to ensure that gaming operations such as dealing procedures, internal accounting

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and other controls strictly conform to the applicable provisions of the respective gaming facility.

***Horse Racing and Pari-Mutuel Wagering***

The Division of Horse Racing and Pari-Mutuel Wagering regulates all horse racing and pari-mutuel wagering in New York State. New York currently features both Thoroughbred and Standardbred horse racing where pari-mutuel wagering takes place. There are four Thoroughbred tracks and seven Standardbred (harness) tracks in the State. Additionally, bettors may wager on races remotely through any of the State’s five off-track betting corporations. The tracks and off-track betting locations also feature simulcasting of races taking place within and beyond New York’s borders.

***Interactive Fantasy Sports***

The Division of Interactive Fantasy Sports provides general oversight of permissible fantasy sports contests. Responsibilities also include the investigation of violations, processing and issuing registrations, and processing and auditing regulatory assessments.

**ALL FUNDS  
APPROPRIATIONS  
(dollars)**

Category	Available FY 2022	Appropriations Recommended FY 2023	Change From FY 2022	Reappropriations Recommended FY 2023
State Operations	103,352,000	103,826,000	474,000	0
Aid To Localities	321,000,000	390,000,000	69,000,000	0
<b>Total</b>	<b>424,352,000</b>	<b>493,826,000</b>	<b>69,474,000</b>	<b>0</b>

**ALL FUND TYPES  
PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM  
FILLED ANNUAL SALARIED POSITIONS**

Program	FY 2022 Estimated FTEs 03/31/22	FY 2023 Estimated FTEs 03/31/23	FTE Change
Administration of the Lottery			
Special Revenue Funds - Other	199	199	0
Administration			
General Fund	52	52	0
Charitable Gaming			
Special Revenue Funds - Other	8	8	0
Gaming			
Special Revenue Funds - Other	112	112	0
Horse Racing and Pari-Mutuel Wagering			
Special Revenue Funds - Other	20	20	0
<b>Total</b>	<b>391</b>	<b>391</b>	<b>0</b>

**STATE OPERATIONS  
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE  
APPROPRIATIONS  
(dollars)**

Fund Type	Available FY 2022	Recommended FY 2023	Change
General Fund	5,635,000	6,109,000	474,000
Special Revenue Funds - Other	97,717,000	97,717,000	0
<b>Total</b>	<b>103,352,000</b>	<b>103,826,000</b>	<b>474,000</b>

**STATE OPERATIONS  
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM  
APPROPRIATIONS  
(dollars)**

Program	Available FY 2022	Recommended FY 2023	Change
Administration			
General Fund	5,635,000	6,109,000	474,000
Administration of the Lottery			
Special Revenue Funds - Other	54,330,000	53,744,000	(586,000)
Charitable Gaming			
Special Revenue Funds - Other	2,380,000	2,280,000	(100,000)
Gaming			
Special Revenue Funds - Other	22,135,000	22,520,000	385,000
Horse Racing and Pari-Mutuel Wagering			
Special Revenue Funds - Other	18,735,000	19,010,000	275,000
Interactive Fantasy Sports			
Special Revenue Funds - Other	137,000	163,000	26,000
<b>Total</b>	<b>103,352,000</b>	<b>103,826,000</b>	<b>474,000</b>

**STATE OPERATIONS - GENERAL FUND  
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES  
FY 2023 RECOMMENDED  
(dollars)**

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	3,781,000	433,000	3,750,000	433,000
<b>Total</b>	<b>3,781,000</b>	<b>433,000</b>	<b>3,750,000</b>	<b>433,000</b>

Program	Temporary Service (Nonannual Salaried)		Holiday/Overtime Pay	
	Amount	Change	Amount	Change
Administration	26,000	0	5,000	0
<b>Total</b>	<b>26,000</b>	<b>0</b>	<b>5,000</b>	<b>0</b>

**STATE OPERATIONS - GENERAL FUND  
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED  
APPROPRIATIONS AND CHANGES  
FY 2023 RECOMMENDED  
(dollars)**

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	2,328,000	41,000	405,000	5,000
<b>Total</b>	<b>2,328,000</b>	<b>41,000</b>	<b>405,000</b>	<b>5,000</b>

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Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	55,000	10,000	1,828,000	26,000
<b>Total</b>	<b>55,000</b>	<b>10,000</b>	<b>1,828,000</b>	<b>26,000</b>

Program	Equipment	
	Amount	Change
Administration	40,000	0
<b>Total</b>	<b>40,000</b>	<b>0</b>

**STATE OPERATIONS - OTHER THAN GENERAL FUND  
SUMMARY OF APPROPRIATIONS AND CHANGES  
FY 2023 RECOMMENDED  
(dollars)**

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Administration of the Lottery	53,744,000	(586,000)	18,929,000	(371,000)
Charitable Gaming	2,280,000	(100,000)	810,000	20,000
Gaming	22,520,000	385,000	12,300,000	360,000
Horse Racing and Pari-Mutuel Wagering	19,010,000	275,000	7,975,000	370,000
Interactive Fantasy Sports	163,000	26,000	65,000	15,000
<b>Total</b>	<b>97,717,000</b>	<b>0</b>	<b>40,079,000</b>	<b>394,000</b>

Program	Nonpersonal Service	
	Amount	Change
Administration of the Lottery	34,815,000	(215,000)
Charitable Gaming	1,470,000	(120,000)
Gaming	10,220,000	25,000
Horse Racing and Pari-Mutuel Wagering	11,035,000	(95,000)
Interactive Fantasy Sports	98,000	11,000
<b>Total</b>	<b>57,638,000</b>	<b>(394,000)</b>

**AID TO LOCALITIES  
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE  
APPROPRIATIONS  
(dollars)**

Fund Type	Available FY 2022	Recommended FY 2023	Change
Special Revenue Funds - Other	321,000,000	390,000,000	69,000,000
<b>Total</b>	<b>321,000,000</b>	<b>390,000,000</b>	<b>69,000,000</b>

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**AID TO LOCALITIES**  
**ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM**  
**APPROPRIATIONS**  
 (dollars)

Program	Available FY 2022	Recommended FY 2023	Change
Gaming			
Special Revenue Funds - Other	62,000,000	62,000,000	0
Tribal State Compact Revenue			
Special Revenue Funds - Other	259,000,000	328,000,000	69,000,000
<b>Total</b>	<b>321,000,000</b>	<b>390,000,000</b>	<b>69,000,000</b>

Note: Most recent estimates as of 05/11/2020