

Title 9 of the NYCRR is amended as follows:

Section 4003.39 is amended to read as follows:

§ 4003.39. Betting by minors.

(a) No licensed association or corporation shall permit any person who is actually or apparently under 18 years of age to bet at the race meetings of such association or corporation.

(b) The commission shall penalize a track operator found to have violated subdivision (a) of this section as follows:

(1) for a first violation, a fine of \$1,000;

(2) for a second violation within one year of a violation, a fine of \$5,000;

(3) for a third violation within one year of a violation, a fine of \$10,000; and

(4) for a fourth or subsequent violation within one year of a violation, a fine of \$25,000 and, in addition, such further action as the commission may deem appropriate, which may include without limitation suspension or revocation of any license or privilege to operate or manage a track in this State.

Section 4122.6 is amended to read as follows:

§ 4122.6. Betting by minors.

(a) No licensed association or corporation shall permit any person who is actually or apparently under 18 years of age to bet at such association or corporation's race meetings.

(b) The commission shall penalize a track operator found to have violated subdivision (a) of this section as follows:

(1) for a first violation, a fine of \$1,000;

(2) for a second violation within one year of a violation, a fine of \$5,000;

(3) for a third violation within one year of a violation, a fine of \$10,000; and

(4) for a fourth or subsequent violation within one year of a violation, a fine of \$25,000 and, in addition, such further action as the commission may deem appropriate, which may include without limitation suspension or revocation of any license or privilege to operate or manage a track in this State.

Section 4404.10 is amended to read as follows:

§ 4404.10. Betting by a person under the age of 18.

(a) (1) No corporation shall permit any [A] person who is [less than] actually or apparently under 18 years of age [shall not] to enter a branch office[, and shall not]. For purposes of this paragraph, a branch office shall not include a simulcast theater, as defined in Racing, Pari-Mutuel Wagering and Breeding Law section 1001(l), or a branch office operated by an entity

other than the corporation (commonly referred to as an EZ Bet location, a Quick Bet location or a similar name).

(2) No corporation shall permit any person who is actually or apparently under 18 years of age to place a bet at any branch office directly for himself or herself or for or through another person.

(b) The commission shall penalize a corporation found to have violated paragraph (1) of subdivision (a) of this section or paragraph (2) of subdivision (a) of this section with respect to a simulcast theater, as defined in Racing, Pari-Mutuel Wagering and Breeding Law section 1001(1) as follows:

(1) for a first violation, a fine of \$1,000;

(2) for a second violation within one year of a violation, a fine of \$5,000;

(3) for a third violation within one year of a violation, a fine of \$10,000; and

(4) for a fourth or subsequent violation within one year of a violation, a fine of \$25,000 and such further action as the commission may deem appropriate, which may include without limitation the revocation of approval of the corporation's plan of operation.

(c) The commission shall penalize an entity, other than a corporation, that operates a branch office (commonly referred to as an EZ Bet location, a Quick Bet location or a similar name), found to have violated paragraph (2) of subdivision (a) of this section, as follows:

(1) for a first violation, a written warning of such violation;

(2) for a second violation within one year of a violation, a fine of \$500;

(3) for a third violation within one year of a violation, a fine of \$1,000; and

(4) for a fourth or subsequent violation within one year of a violation, such further action as the commission may deem appropriate, which may include without limitation the revocation of approval of the corporation's plan of operation with respect to such branch office.

Paragraphs 1 and 2 of subdivision (b) of section 4602.1 are amended and a new paragraph 3 is added to read as follows:

§ 4602.1. Form for application.

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(1) No person under the age of eighteen shall be permitted to play, operate or assist in any raffle conducted pursuant to this subdivision [(b) of this section].

(2) Raffles conducted pursuant to this subdivision [(b) of this section] shall [only] be conducted only within a municipality in which the authorized organization is domiciled that has passed a local law, ordinance or resolution in accordance with Sections 187 and 188 of the General Municipal Law approving the conduct of games of chance that are located within the county or contiguous to the county in which the organization is domiciled.

(3) The commission shall penalize a licensee found to have violated paragraph (1) of this subdivision as follows:

(i) for a first violation, a written warning of such violation;

(ii) for a second violation within one year of a violation, a fine of \$500;

(iii) for a third violation within one year of a violation, a fine of \$1,000; and

(iv) for a fourth or subsequent violation within one year of a violation, such further actions as the commission may deem appropriate, which may include without limitation the suspension or revocation of any license or privilege to conduct raffles in this State.

Section 4622.2 is amended to read as follows:

§ 4622.2. Minors.

(a) Persons under 18 years of age may be permitted to attend games of chance license periods at the discretion of the games of chance licensee, but shall not be allowed to participate in the operation or play of any game or games of chance.

(b) One or more signs restricting participation of persons under 18 years of age shall be prominently displayed in each playing area.

(c) The commission shall penalize a licensee found to have violated subdivision (a) of this section as follows:

(1) for a first violation, a written warning of such violation;

(2) for a second violation within one year of a violation, a fine of \$500;

(3) for a third violation within one year of a violation, a fine of \$1,000; and

(4) for a fourth or subsequent violation within one year of a violation, such further action as the commission may deem appropriate, which may include without limitation the suspension or revocation of any license or privilege to conduct games of chance in this State.

Section 4622.3 is amended to read as follows:

§ 4622.3. Restriction on participation.

(a) No person shall assist in the management of games of chance except a bona fide member of the licensee. No person shall assist in the operation of games of chance except a bona fide member of the licensee or a bona fide member of an organization which is an auxiliary or an affiliate of the licensee. [No person under the age of 18 years shall be permitted to assist in the conduct of games of chance or participate in the play of any game or games of chance.] For the purpose of the sale of tickets for the game of raffle, the term *operate* shall not include the sale of such tickets by any person with a blood relationship or affinity with a member of an authorized organization licensed to conduct a raffle. Nonmembers may assist the licensee in any activity other than managing or operating games of chance.

(b) No person under the age of 18 years shall be permitted to assist in the conduct of games of chance or participate in the play of any game or games of chance.

(c) The commission shall penalize a licensee found to have violated subdivision (b) of this section according to the penalties set forth in subdivision (c) of section 4622.2 of this Part.

Subdivision (c) of section 5001.27 is amended to read as follows:

§ 5001.27. Ticket Sales.

\* \* \*

(c) (1) No ticket shall be sold to any person under the age of 18 but this shall not prohibit the purchase of a ticket for the purpose of making a gift by a person 18 years of age or older to a person less than that age.

(2) The commission shall penalize a licensee found to have violated paragraph (1) of this subdivision as follows:

(i) for a first violation, a written warning of such violation;

(ii) for a second violation within one year of a violation, a fine of \$500;

(iii) for a third violation within one year of a violation, a fine of \$1,000; and

(iv) for a fourth or subsequent violation within one year of a violation, such further action as the commission may deem appropriate, which may include without limitation the suspension or revocation of any license or privilege to sell lottery tickets.

Subdivision (a) of section 5007.5 is amended to read as follows:

§ 5007.5. Play characteristics and restrictions.

(a) (1) Mega Millions tickets may only be sold to persons 18 years of age or older.

(2) The commission shall penalize a licensee found to have violated paragraph (1) of this subdivision according to the provisions of paragraph (2) of subdivision (c) of section 5001.27 of this Chapter.

Paragraph (1) of subdivision (f) of section 5007.5 is amended to read as follows:

§ 5007.13. Powerball.

(f) *Play characteristics and restrictions.*

(1) (i) A Powerball ticket may [only] be sold only to a person 18 years of age or older.

(ii) The commission shall penalize a licensee found to have violated subparagraph (i) of this paragraph according to the provisions of paragraph (2) of subdivision (c) of section 5001.27 of this Chapter.

Subdivision (d) of section 5013.3 is amended to read as follows:

§ 5013.3. Ticket Sales.

(a) (1) No person shall sell a Quick Draw ticket to a person under the age of 18 years. No person under the age of 21 years may purchase a Quick Draw ticket on the premises of a licensee who holds a license issued pursuant to the Alcoholic Beverage Control Law to sell alcoholic beverages for consumption on the premises.

(2) The commission shall penalize a licensee found to have violated paragraph (1) of this subdivision according to the provisions of paragraph (2) of this subdivision (c) of section 5001.27 of this Chapter.

Paragraph 3 of subdivision (a) and subdivision (c) of section 5117.1 are amended to read as follows:

§ 5117.1. Underage gaming violations.

(a) No video lottery gaming agent, representative, licensed employee or contractor thereof, shall allow, permit or suffer any person under the age of 18 years (underage person) to:

\* \* \*

(3) [loiter or remain] be present on the gaming floor without the escort of a licensed video lottery facility employee and for longer than [reasonably] necessary [for a legitimate non-gaming purpose or] to reach a destination that is not on the gaming floor.

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(c) Each violation of any of the provisions of subdivision (a) of this section as to a single underage person shall be considered a separate and distinct violation [subject to the penalties that may be imposed by the commission as set forth in these regulations].

(1) The commission shall penalize a licensee found to have violated paragraph (1) of subdivision (a) of this section as follows:

(i) for a first violation, a fine of \$5,000;

(ii) for a second violation within one year of a violation, a fine of \$20,000;

(iii) for a third violation within one year of a violation, a fine of \$25,000; and

(iv) for a fourth violation or subsequent violation within one year of a violation, a fine of \$25,000 and such further action as the commission may deem appropriate, which may include without limitation the suspension or revocation of the occupational license of any key employee found to be responsible for the violation.

(2) The commission shall penalize a licensee found to have violated paragraph (3) of subdivision (a) of this section as follows:

(i) for a first violation, a fine of \$1,000;

(ii) for a second violation within one year of a violation, a fine of \$5,000;

(iii)for a third violation within one year of a violation, a fine of \$10,000; and

(iv)for a fourth violation or subsequent violation within one year of a violation, a fine of \$25,000 and such further action as the commission may deem appropriate, which may include without limitation the suspension or revocation of the occupational license of any key employee found to be responsible for the violation.