MEETING AGENDA
JULY 23, 2026

1. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

2. CONSIDERATION OF MINUTES FOR MEETING OF MAY 18, 2026

3. CONSIDERATION OF RESOLUTION 26-01:

4. ADJOURNMENT

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Meeting of
18 May 2026

A meeting of the Commission was conducted in New York, New York and Schenectady, New York.

1. Call to Order and Establishment of Quorum

Executive Director Robert Williams called the meeting to order at 1:51 p.m. Establishment of a quorum was noted by Secretary Kristen Buckley. In attendance in New York were Chairman Brian O'Dwyer, and Members Sylvia Hamer, Martin Mack, Marissa Shorenstein, and Jerry Skurnik. Peter Moschetti participated in Schenectady. Bilaterial oral and visual communication between sites was maintained throughout the meeting.

2. Consideration of Minutes for the Meeting of 16 March 2026

The Commission considered previously circulated draft minutes of the meeting conducted on 16 March 2026. The minutes were accepted as circulated.

3. Report of the Executive Director

The executive director provided an update regarding a new Commission micro website on dangers of unlawful gambling, the opening of Resorts World commercial casino development, the State Budget process, and an overview of the comments received regarding the Commission's pre-proposal concepts to provide safeguards to protect youth and implement additional responsible gaming practices.

4. Rulemaking

a. Adoption Consideration: SGC-07-26-00005-P, Powerball Game Features

The Commission considered adoption of rules to add a new Powerball Double Play game feature and set forth rules for the existing Powerball Power Play game feature in the Commission's Powerball rules.

ON A MOTION BY: Commissioner Skurnik
APPROVED: 6-0

b. Proposal: Millionaire for Life Lottery Game Amendment

The Commission considered a proposed rulemaking to one prize level of the new multi-jurisdictional Millionaire for Life lottery draw game.

ON A MOTION BY: Commissioner Shorenstein
APPROVED: 6-0

c. Proposal: Lotto Game Published Odds Correction

The Commission considered an amendment to correct a scrivener's error in one of the prize-level odds in the lotto lottery game as a consensus rulemaking.

ON A MOTION BY: Commissioner Mack
APPROVED: 6-0

d. Proposal: Surface Changes in Thoroughbred Racing

The Commission considered an amendment to accommodate the wagering consequences of surface changes to a course of any surface.

ON A MOTION BY: Commissioner Skurnik
APPROVED: 6-0

5. Adjudications

a. In the Matter of Daniel J. Rawlings

The Commission duly deliberated and considered this matter and determined, upon a 6-0 vote, to reject the Hearing Officers' Recommendation, instead revoking Rawlings' trainers' license and to deny his trainers' license application, finding that all licensees are obligated to follow Commission rules and that sustained, substantial improper conduct as a driver implicates character and fitness qualification for other licenses.

b. In the Matter of Unique Starting Point LLC

The Commission duly deliberated and considered this matter and determined, upon a 6-0 vote, to adopt the findings and sustain the Hearing Officer's Report and Recommendations that Unique Starting

Point LLC's license be revoked and accepting the exceptions to the Hearing Officer Report filed by Commission counsel.

c. In the Matter of BTB Pizza, Inc

The Commission duly deliberated and considered this matter and determined, upon a 6-0 vote, to adopt the findings and sustain the Hearing Officer's Report and Recommendations that BTB Pizza, Inc's license be revoked and accepting the exceptions to the Hearing Officer Report filed by Commission counsel.

d. In the Matter of Mick Greg Pub Inc.

The Commission duly deliberated and considered this matter and determined, upon a 6-0 vote, to adopt the findings and sustain the Hearing Officer's Report and Recommendations that Mick Greg Pub Inc's license be revoked and accepting the exceptions to the Hearing Officer Report filed by Commission counsel.

e. In the Matter of Edgar Clarke

The Commission duly deliberated and considered this matter and determined, upon a 6-0 vote, to adopt the findings and sustain the Hearing Officer's Report and Recommendations that Clarke's license be revoked and he be expelled from racetracks as an undesirable person.

6. New and Old Business

The Chairman thanked several staff members for their dedicated service in getting Resorts World New York City to a position where they could open on their preferred date. He also discussed the IBEW efforts in organizing the backstretch employees who work at NYRA racetracks, indicating that he had spoken with the local business manager who had publicly indicated a work stoppage at Saratoga was possible. The Chairman indicated he would be closely monitoring the situation. Finally, the Chairman closed by noting that Commission members had met with Hard Rock Metropolitan Park's proposed Third-Party Monitor.

7. Adjournment

The Chairman adjourned the meeting at 2:19 p.m.

Item	Consideration of Resolution to Authorize Release of Certain Revenues
Meeting Date	July 16, 2026
Staff Contact	Robert Williams [redacted]

Background. On June 5, 2026, Governor Kathy Hochul signed Chapter 127 of the Laws of 2026. Included at Part F was an amendment to the Racing, Pari-mutuel Wagering and Breeding Law ("Racing Law"), in relation to the temporary transfer of racing support payments; and providing for the repeal of such provisions upon the expiration thereof.

Part F permits the Commission to estimate and provide the ability to forward from tax receipts from a New York City-based gaming facility qualified under subdivision two of § 1321-a and licensed under Title 2-A of Article 13 of the Racing Law, amounts due to maintain racing support payments pursuant to Racing Law § 1355.

[redacted]

As a reminder, funds received by NYRA are used for their operational support, approved capital expenses, enhancement and funding of purses for races run at NYRA operated racetracks, while revenues received by the Fund are used for the enhancement and funding of thoroughbred breeding.

Staff Recommendation. [redacted]

Exhibits.

1. Draft Resolution No. 01-2026, Authority to Release Certain Revenues, per Chapter 127, L. 2026.

2. Part F, Chapter 127, Laws of New York, 2026.

3. Relevant Racing Support Payment Laws and Franchise Agreement Language.

Exhibit 1. Draft Resolution No. 1 - 2026, Authority to Release Certain Revenues, per Chapter 127, L. 2026.

RESOLUTION

Authority to Release Certain Revenues, per Chapter 127, L. 2026

No. 1 - 2026

Whereas, through Part F of Chapter 127 of the Laws of 2026 ("Chapter 127"), the New York State Legislature amended paragraph (e) of subdivision 1 of section 1352 of the Racing, Pari-Mutuel Wagering and Breeding Law ("Racing Law") for one year;

Whereas, Chapter 127 authorizes the Commission to estimate and forward from tax receipts from a New York City-based gaming facility qualified under Racing Law § 1321-a(2) and licensed under Racing Law Article 13, Title 2-A, certain revenues to make whole the beneficiaries of the hold-harmless obligations set forth in Racing Law § 1355;

Whereas, direct beneficiaries of such payments are The New York Racing Association, Inc. ("NYRA"), and the New York State Thoroughbred Breeding and Development Fund Corporation (the "Fund");

Whereas, such payments received by NYRA are used for NYRA operational support, approved capital expenses, enhancement and funding of purses for races run at NYRA-operated racetracks, while revenues received by the Fund are used for the enhancement and funding of thoroughbred breeding; and

Whereas, the Commission has sought, and received, confirmation from such beneficiaries that they have an expectation of receiving such funds and will utilize the same in conformity with law and past practice;

NOW, therefore, it is

Resolved, that the Commission [redacted] and

Further resolved, [redacted]

VOTES:

Member	Aye	Nay	Abstain	Absent
Brian O'Dwyer				
John Crotty				
Sylvia Hamer				
Martin Mack				
Peter Moschetti				
Marissa Shorenstein				
Jerry Skurnik				

Adopted by the affirmative vote of a majority of the members at a duly constituted meeting of the N.Y.S. Gaming Commission on July 23, 2026.

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Brian O'Dwyer
Chair

July 23, 2026

Exhibit 2. Part F, Chapter 127, Laws of 2026.

PART F

Section 1. Paragraph (e) of subdivision 1 of section 1352 of the racing, pari-mutuel wagering and breeding law, as added by section 1 of part R of chapter 58 of the laws of 2023, is amended to read as follows:

(e) For any gaming facility that qualifies under subdivision two of section thirteen hundred twenty-one-a of this article, is licensed under title two-A of this article, and is located within New York City, **upon receiving tax payments from such gaming facility, the commission shall estimate and may forward from such receipts such amount due to maintain racing support payments pursuant to section thirteen hundred fifty-five of this title and remaining tax** revenues shall be distributed in the following manner:

(i) Eighty percent of all **remaining** deposits in a state fiscal year resulting from taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes, shall be deposited in the same manner as in subparagraph (i) of paragraph (d) of this subdivision. For the first fiscal year of gaming facility operations, the hold harmless amount shall reflect a pro-rata amount based on the opening date of the gaming facility.

(ii) Twenty percent of all **remaining** deposits in a state fiscal year resulting from taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes, shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law until the applicable education aid hold harmless amount as prescribed in subparagraph (i) of paragraph (d) of this subdivision has been met.

(iii) Once the **remaining** deposits from a qualifying gaming facility as prescribed in subparagraph (i) of this paragraph exceed the education aid hold harmless amount as determined in subparagraph (i) of paragraph (d) of this subdivision in a given state fiscal year, all subsequent **remaining** deposits in such state fiscal year from taxes imposed by this article, and any interest and penalties imposed by the commission relating to those taxes, shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law; provided however, that once the dollar amount paid directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law matches the same dollar amount paid pursuant to the education aid hold harmless amount as determined in subparagraph (i) of paragraph (d) of this subdivision in a given state fiscal year, fifty percent of any excess dollar amounts shall be deposited to a sole custody fund established under the gaming commission, and paid monthly, without appropriation, directly to the metropolitan transportation authority commercial gaming revenue fund established under section one thousand two hundred seventy-j of the public authorities law, and fifty percent of any excess dollar amounts shall be deposited by the commission into the commercial gaming revenue fund established under section ninety-seven-nnnn of the state finance law for the sole purposes of education aid.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed one year after such effective date.

Exhibit 3. Relevant Racing Support Payment Laws and Franchise Agreement Language.

From the N.Y.S. Racing, Pari-mutuel Wagering and Breeding Law

NYRA Operational Funding:

§ 212. 8. a. (iii):
… [t]he duties and responsibilities of the Franchise Oversight Board shall include, but not be limited to, the following:
(A) review and make recommendations concerning the annual operating budgets of such franchised corporation;

NYRA Capital Funding:

§ 212. 8. a. (iii):
… [t]the duties and responsibilities of the Franchise Oversight Board shall include, but not be limited to, the following:
(G) receive, review, approve or disapprove capital expense plans submitted annually by the franchised corporation.

Commercial Casino Licensee Racing Hold Harmless Obligation:

§ 1355: 3. As part of the final gaming facility license award process for licenses authorized under title two-A of this article, the commission shall determine the obligations of such entity or entities required to maintain certain racing support payments at the same dollar level realized in two thousand nineteen, to be adjusted annually pursuant to changes in the consumer price index for all urban consumers, as published annually by the United States department of labor bureau of labor statistics.
(a) In either region two or three of zone one, one or more licensees shall pay an amount to horsemen for the purpose of enhancing purses at Aqueduct racetrack, Belmont Park race-track and Saratoga race course, an amount to the franchise corporation, and an amount to the New York state thoroughbred breeding and development fund that, in aggregate, shall be equal to the racing support payments made from video lottery gaming operations to the relevant horsemen, breeders organizations or franchised corporation at the same dollar level realized in two thousand nineteen, to be adjusted annually pursuant to changes in the consumer price index for all urban consumers, as published annually by the United States department of labor bureau of labor statistics.

From the Franchise Agreement by and among The New York Racing Association, Inc., The State of New York and The New York State Franchise Oversight Board

NYRA Purse Funding:

Section 2.10 Purse Support. From and after the Effective Date, on a daily basis, and upon commencement of VLT Operations at Aqueduct and thereafter for the term of the license to operate VLTs at Aqueduct, during the Term, an amount equal to (a) six and one-half percent (6.5%) of VLT Revenues for the first (1st) year of VLT Operations at Aqueduct, (b) seven percent (7%) of VLT Revenues for the second (2nd) year of VLT

Operations at Aqueduct and (c) seven and one-half percent (7.5%) of VLT Revenues for the third (3rd) year of VLT Operations at Aqueduct and thereafter, shall be deposited by the VLT Operator, or distributed by the VLT Operator for the purpose of being deposited into a New NYRA ac-count to be used by New NYRA solely for the enhancement and funding of purses for races run at the Racetracks.

Breeder Support Funding:

Section 2.11 Breeder Support. From and after the Effective Date, on a daily basis, and upon commencement of VLT Operations at Aqueduct and thereafter for the term of the license to operate VLTs at Aqueduct, during the Tenn, an amount equal to (a) one percent (1%) of VLT Revenues for the first (1st) year of VLT Operations at Aqueduct, (b) one and one-quarter percent (1.25%) for the second (2nd) year of VLT Operations at Aqueduct and (c) one and one-half percent (1.5%) for the third (3rd) year of VLT Operations at Aqueduct and thereafter, shall be deposited by the VLT Operator, or distributed by the VLT Operator for the purpose of being deposited, into a New NYRA account to be used by New NYRA solely fix the enhancement and funding of breeding for the manner of racing conducted at the Racetracks.