

# New York Lifts Ban on Palm Sunday Racing

**By Tom Precious**

**Courtesy BloodHorse.com**

A New York law banning racing and pari-mutuel wagering activities in the state on Palm Sunday, which dates back to the days when Richard Nixon was president, has been overturned.

More than five months after lawmakers approved the change in law, Gov. Andrew Cuomo Nov. 21 signed the measure that backers say has cut into additional revenues for state and local governments and the racing industry. Critics of the decades-old law say it had also become outdated, since every other form of state-sanctioned gambling is already allowed to operate on Palm Sunday.

The new law will permit racing next spring on Palm Sunday for the first time since 1973. Palm Sunday falls on March 20 next year.

The approval comes while the Cuomo administration is effectively in charge of the New York Racing Association and its three tracks under a 2012 law providing for state oversight of the nonprofit corporation. That oversight period is due to expire next year.

The new statute leaves Christmas and Easter as the sole days of the year in which live racing, and wagering on them, is banned in New York.

In 1973, New York legalized racing on Sundays, and the exceptions— Christmas, Easter, and Palm Sunday— were included to help win over some nervous state lawmakers. There have been assorted theories as to why the Palm Sunday ban has existed for so long, but critics in recent years have pointed out that, while racing was prohibited on that Sunday before Easter, gambling was still allowed that day on the state's lotteries and gambling halls, including VLT facilities that are attached to racetracks, such as Aqueduct's Resorts World.

"The inclusion of Palm Sunday as a date that the (Gaming Commission board) is authorized to allow horse racing or licensing race meetings, at which pari-mutuel betting is permitted, affords the public more recreational opportunities to enjoy the excitement and relaxation of horse racing," states a legislative memo justifying the change in law. The memo, in a separate section, notes that the change should increase pari-mutuel revenues that will "benefit local governments,

racetracks, and horse owners." The state also gets a share of those revenues. The memo does not provide a revenue estimate for opening the day to racing.

There were a number of baby-step efforts over the years to amend the law, such as only allowing bets on out-of-state races, but they were all unsuccessful. In 2003, the New York City Off-Track Betting Corp., which has since closed down, defied the law and opened its parlors on Palm Sunday. Various bills in the Legislature have come and gone nowhere.

This year, backers tried a new approach: no fanfare. The measure got through both houses during the end-of-session flurry last June, when hundreds of bills a day can hit the floors of the Senate and Assembly in ways that can catch opponents off guard. The 2015 bill also had bi-partisan support. It was sponsored by Assembly Racing and Wagering Chairman Gary Pretlow, a Westchester County Democrat, and Sen. Michael Ranzenhofer, an Erie County Republican.

Insiders over the years have said lawmakers were not anxious to upset upstate church leaders, especially the politically potent Catholic Church. The Senate approved the change 43-19 and the Assembly passed it 108-40. A number of no votes came from lawmakers, including those in the majority in the legislative houses, from heavily Catholic districts.

New York's adult population is about 60% Christian, and the largest subset within that category, at 41%, is Catholic, according to the 2014 Religion and Public Life survey by the Pew Research Center. Twelve percent are non-Christian and 27% are "unaffiliated," which includes agnostics and those with religious affiliations described as "nothing in particular."