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Assemblyman 149th District

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11 February 2019

Attorney General Letitia James
Office of the Attorney General
28 Liberty Street
New York, NY 10005
Letitia.James@ag.ny.gov

Re: Request for Formal Opinion

Dear Attorney General James:

I recently became aware that the Western Regional Off-Track Betting Corporation is providing its board members with health insurance benefits. However, with respect to the Suffolk Regional Off-Track Betting Corporation (“Suffolk OTB”), your office concluded in Informal Opinion No. 2008-3 (enclosed) that such corporations are legally precluded from providing health insurance benefits to its current and retired board members. That informal opinion also found that the Suffolk OTB board members could not receive compensation in the form of health insurance benefits paid by the authorizing county, nor could the Suffolk OTB board members participate in the New York State Health insurance Plan (NYSHIP) at their own expense.

I respectfully request a formal opinion from your office regarding whether the conclusions reached in Informal Opinion No. 2008-3 apply to the Western Regional Off-Track Betting Corporation, or whether there are distinguishing facts or changes in the law that make the provision of health insurance benefits to the members of the Western Regional Off-Track Betting Corporation’s board of directors permissible.

Thank you very much.

Sincerely,

Assemblymember Sean Ryan
New York State Assembly District 149

Cc: Jim Heaney, Editor/Executive Director, Investigative Post

Enc.