



JARETT C. GANDOLFO
Assemblyman 7th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER
Mental Health Committee

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January 18, 2024

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Hochul,

As we are in the thick of the NFL playoffs, we are writing to bring attention to a policy change which has negatively impacted small businesses throughout New York - the State Liquor Authority's crackdown on football box pools at bars and restaurants.

Bars and restaurants have used box pools to attract customers for years, especially during the slower winter months. This practice was essentially permitted via nonenforcement of existing Alcoholic Beverage Control Law. However, following New York's legalization of sports betting, business owners were informed by the SLA that the practice would no longer be permitted and they would begin enforcement. Bars and restaurants have now lost a proven, and quite frankly harmless, method of bringing in customers.

Through the first two years, revenues from mobile sports betting are approaching \$2 billion – football boxes at a local pub are clearly no threat to this revenue stream. It is time to modernize our laws and extend a helping hand to struggling small businesses. Bars and restaurants should be allowed to operate football box pools, so long as they are not profiting from the pool-selling itself.

A constitutional amendment has been introduced which would allow the Legislature to authorize such pool-selling without profit (A.6890 - Gandolfo), as well as accompanying legislation to permit bars and restaurants to manage box pools (A.6880 - Gandolfo). The condition that bars and restaurants may not take a profit from pool-selling ensures that the focus remains on providing a fun and interactive experience for customers, rather than turning it into a commercial venture for the establishments.

As a football fan yourself, we hope you will support this effort to formally legalize this longtime tradition among football fans and their local pubs. In the meantime, please direct the SLA to return to a policy of non-enforcement.

Sincerely,

Jarett C. Gandolfo
Member of Assembly

Andrew R. Garbarino
Member of Congress