

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1313 Session of 2015

INTRODUCED BY MOUL, SNYDER, PICKETT, MILLARD, GROVE AND KLUNK, SEPTEMBER 29, 2015

AS REPORTED FROM COMMITTEE ON GAMING OVERSIGHT, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 20, 2016

AN ACT

1 Amending the act of December 19, 1988 (P.L.1262, No.156),
2 entitled, as amended, "An act providing for the licensing of
3 eligible organizations to conduct games of chance, for the
4 licensing of persons to distribute games of chance, for the
5 registration of manufacturers of games of chance, and for
6 suspensions and revocations of licenses and permits;
7 requiring records; providing for local referendum by
8 electorate; and prescribing penalties," IN PRELIMINARY <--
9 PROVISIONS, further providing for LEGISLATIVE INTENT AND FOR <--
10 definitions, for games of chance permitted,; IN GAMES OF <--
11 CHANCE, FURTHER PROVIDING for prize limits for distributor <--
12 licenses, AND FOR SALES LIMITED, PROVIDING FOR PULL-TAB DEAL, <--
13 FURTHER PROVIDING FOR DISTRIBUTOR LICENSES AND FOR MAJOR
14 LEAGUE SPORTS DRAWING, PROVIDING FOR AIRPORT 50/50 DRAWING,
15 FURTHER PROVIDING for registration of manufacturers and, for <--
16 REGULATIONS OF DEPARTMENT, FOR licensing of eligible <--
17 organizations, and imposing a club licensee tax. AND FOR <--
18 SPECIAL PERMITS AND PROVIDING FOR SPECIAL LOCATION PERMITS,
19 FOR VERTICAL WHEEL GAME PERMITS AND FOR POKER RUN PERMITS; IN
20 CLUB LICENSEES, FURTHER PROVIDING FOR CLUB LICENSEE,
21 PROVIDING FOR DEFINITION AND FOR CLUB LICENSEE, FURTHER
22 PROVIDING FOR DISTRIBUTION OF PROCEEDS AND PROVIDING FOR CLUB
23 LICENSEE LOCATION PERMITS; IN ENFORCEMENT, FURTHER PROVIDING
24 FOR REVOCATION OF LICENSES AND FOR ENFORCEMENT; AND, IN
25 TAVERN GAMING, FURTHER PROVIDING FOR DEFINITIONS, FOR
26 LICENSES, FOR APPLICATION, FOR APPROVAL, FOR TAVERN RAFFLE,
27 FOR DISTRIBUTION OF NET REVENUE, FOR TAVERN GAMES TAX, FOR
28 HOST MUNICIPALITY TAVERN GAMES TAX AND FOR ENFORCEMENT.

29 The General Assembly of the Commonwealth of Pennsylvania
30 hereby enacts as follows:

1 ~~Section 1. The definition of "games of chance" in section~~ <--
2 ~~103 of the act of December 19, 1988 (P.L.1262, No.156), known as~~
3 ~~the Local Option Small Games of Chance Act, amended November 27,~~
4 ~~2013 (P.L.1045, No.90) and November 27, 2013 (P.L.1062, No.92),~~
5 ~~is amended and the section is amended by adding definitions to~~
6 ~~read:~~

7 SECTION 1. SECTION 102 OF THE ACT OF DECEMBER 19, 1988 <--
8 (P.L.1262, NO.156), KNOWN AS THE LOCAL OPTION SMALL GAMES OF
9 CHANCE ACT, AMENDED NOVEMBER 27, 2013 (P.L.1045, NO.90), IS
10 AMENDED TO READ:

11 SECTION 102. LEGISLATIVE INTENT.

12 THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE PLAYING OF
13 GAMES OF CHANCE FOR THE PURPOSE OF RAISING FUNDS, BY CERTAIN
14 NONPROFIT ASSOCIATIONS, FOR THE PROMOTION OF CHARITABLE OR CIVIC
15 PURPOSES, IS IN THE PUBLIC INTEREST. IN SOME CASES, THE PROCEEDS
16 FROM GAMES OF CHANCE MAY BE UTILIZED TO SUPPORT CERTAIN
17 OPERATING EXPENSES OF CERTAIN ORGANIZATIONS.

18 THE GENERAL ASSEMBLY HEREBY DECLARES THAT RAISING PUBLIC
19 FUNDS FROM GAMES OF CHANCE IN LICENSED RESTAURANTS AND
20 PROTECTING THE COMPETITIVENESS OF THESE RESTAURANTS IS ALSO IN
21 THE PUBLIC INTEREST.

22 THE GENERAL ASSEMBLY HEREBY DECLARES THAT RAISING FUNDS FROM
23 A 50/50 DRAWING CONDUCTED IN AIRPORT SYSTEMS, THE NET PROCEEDS
24 OF WHICH WILL BE USED FOR CHARITABLE PURPOSES, IS IN THE PUBLIC
25 INTEREST.

26 IT IS HEREBY DECLARED TO BE THE POLICY OF THE GENERAL
27 ASSEMBLY THAT ALL PHASES OF LICENSING, OPERATION AND REGULATION
28 OF GAMES OF CHANCE BE STRICTLY CONTROLLED, AND THAT ALL LAWS AND
29 REGULATIONS WITH RESPECT THERETO AS WELL AS ALL GAMBLING LAWS
30 SHOULD BE STRICTLY CONSTRUED AND RIGIDLY ENFORCED.

1 THE GENERAL ASSEMBLY RECOGNIZES THE POSSIBILITY OF
2 ASSOCIATION BETWEEN COMMERCIAL GAMBLING AND ORGANIZED CRIME, AND
3 WISHES TO PREVENT PARTICIPATION BY ORGANIZED CRIME AND PREVENT
4 THE DIVERSION OF FUNDS FROM THE PURPOSES HEREIN AUTHORIZED.

5 SECTION 2. THE DEFINITIONS OF "AFFILIATED NONPROFIT
6 ORGANIZATION," "GAMES OF CHANCE," "MAJOR LEAGUE SPORTS DRAWING,"
7 "MAJOR LEAGUE SPORTS TEAM," "PULL-TAB" AND "TAVERN GAMES" IN
8 SECTION 103 OF THE ACT, AMENDED OR ADDED NOVEMBER 27, 2013
9 (P.L.1045, NO.90) AND NOVEMBER 27, 2013 (P.L.1062, NO.92), ARE
10 AMENDED AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO
11 READ:

12 Section 103. Definitions.

13 The following words and phrases when used in this act shall,
14 except as provided under section 902, have the meanings given to
15 them in this section unless the context clearly indicates
16 otherwise:

17 * * *

18 "AFFILIATED NONPROFIT ORGANIZATION." AN ORGANIZATION <--
19 ESTABLISHED BY OR AFFILIATED WITH [A MAJOR LEAGUE BASEBALL,
20 NATIONAL HOCKEY LEAGUE, NATIONAL BASKETBALL ASSOCIATION OR MAJOR
21 LEAGUE SOCCER TEAM] AN ATHLETIC TEAM OR AN INSTITUTION OF HIGHER
22 EDUCATION FOR THE PURPOSE OF RAISING FUNDS FOR CHARITY, WHICH IS
23 QUALIFIED FOR AN EXEMPTION UNDER SECTION 501(C) (3) OF THE
24 INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. §
25 101(C) (3)).

26 "AIRPORT." A PUBLICLY OWNED COMMERCIAL SERVICE AIRPORT THAT
27 IS DESIGNATED BY THE FEDERAL GOVERNMENT AS AN INTERNATIONAL
28 AIRPORT.

29 "AIRPORT 50/50 DRAWING." A 50/50 DRAWING THAT IS CONDUCTED
30 BY AN AIRPORT IN ACCORDANCE WITH SECTION 304.2.

1 "ATHLETIC EVENT DRAWING." A 50/50 DRAWING THAT IS CONDUCTED
2 BY AN AFFILIATED NONPROFIT ORGANIZATION IN ACCORDANCE WITH
3 SECTION 304.1.

4 "ATHLETIC TEAM." A SPORTS TEAM OR RACING FACILITY THAT IS
5 ANY OF THE FOLLOWING:

6 (1) A MEMBER OF MAJOR LEAGUE BASEBALL, THE NATIONAL
7 HOCKEY LEAGUE, THE NATIONAL BASKETBALL ASSOCIATION, THE
8 NATIONAL FOOTBALL LEAGUE OR MAJOR LEAGUE SOCCER.

9 (2) A PROFESSIONAL SPORTS TEAM AFFILIATED WITH A TEAM
10 UNDER PARAGRAPH (1).

11 (3) ANY OTHER PROFESSIONAL SPORTS TEAM THAT HAS A SPORTS
12 FACILITY OR AN AGREEMENT WITH A SPORTS FACILITY TO CONDUCT
13 HOME GAMES AT THE FACILITY.

14 (4) A STADIUM, GRANDSTAND OR BLEACHER AT A CLOSED-COURSE
15 MOTOR FACILITY WHERE SPECTATORS ARE DIRECTLY OBSERVING MOTOR
16 RACES WITH NASCAR, INDY, STOCK OR DRAG RACING CARS.

17 (5) A COLLEGIATE TEAM.

18 * * *

19 "Coin auction." A game in which a participant buys a
20 numbered paddle for a chance to bid on a donated prize with the
21 winner determined by a random drawing of corresponding numbers.

22 "COLLEGIATE TEAM." A SPORTS TEAM COMPRISED OF STUDENT <--
23 ATHLETES THAT IS ORGANIZED AND CONTROLLED BY AN INSTITUTION OF
24 HIGHER EDUCATION.

25 * * *

26 "EVENT GAME." A TYPE OF PULL-TAB GAME, PLAYED WITH OR <--
27 WITHOUT A SEAL CARD, IN WHICH CERTAIN PRIZES ARE DETERMINED BY
28 THE DRAW OF A BINGO BALL OR SOME OTHER APPROVED SPECIFIED EVENT
29 WHICH RANDOMLY SELECTS NUMBERS OR SYMBOLS THAT CORRESPOND TO THE
30 NUMBERS OR SYMBOLS PRINTED BY THE MANUFACTURER ON THE PULL-TAB

1 AND WHICH GAME SATISFIES THE FOLLOWING:

2 (1) NO EVENT PULL-TAB MAY BE BOTH AN INSTANT WINNER AND
3 A HOLD CARD.

4 (2) THE GAME MAY NOT CONTAIN DUPLICATE HOLD
5 COMBINATIONS. IF THE GAME CONTAINS MULTIPLE SETS OF HOLD
6 COMBINATIONS, EACH SET MUST BE DISTINGUISHABLE BY COLOR OR
7 DISTINGUISHING FEATURES.

8 (3) AN EVENT PULL-TAB TICKET MAY CONTAIN MORE THAN ONE
9 HOLD COMBINATION.

10 (4) THE NUMBER OF WINNERS AND THE PRIZE AMOUNT MUST BE
11 BUILT INTO THE PAYOUT STRUCTURE FOR THE GAME BY THE
12 MANUFACTURER.

13 * * *

14 "Games of chance." Punchboards, daily drawings, weekly
15 drawings, 50/50 drawings, raffles, tavern games, pools, race
16 night games, POKER RUNS, coin auctions, vertical wheel games and <--
17 pull-tabs, as defined in this act, provided that no such game,
18 except vertical wheel games, shall be played by or with the
19 assistance of any mechanical or electrical devices or media
20 other than a dispensing machine or passive selection device and
21 further provided that the particular chance taken by any person
22 in any such game shall not be made contingent upon any other
23 occurrence or the winning of any other contest, but shall be
24 determined solely at the discretion of the purchaser. This
25 definition shall not be construed to authorize any other form of
26 gambling currently prohibited under any provision of 18 Pa.C.S.
27 (relating to crimes and offenses) or authorized under 4 Pa.C.S.
28 (relating to amusements). Nothing in this act shall be construed
29 to authorize games commonly known as "slot machines" or "video
30 poker" or other games regulated by the Pennsylvania Gaming

1 Control Board.

2 * * *

<--

3 "INSTITUTION OF HIGHER EDUCATION." ANY OF THE FOLLOWING: <--

4 (1) A COMMUNITY COLLEGE OPERATING UNDER ARTICLE XIX-A OF
5 THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE
6 PUBLIC SCHOOL CODE OF 1949.

7 (2) A UNIVERSITY WITHIN THE STATE SYSTEM OF HIGHER
8 EDUCATION.

9 (3) THE PENNSYLVANIA STATE UNIVERSITY.

10 (4) THE UNIVERSITY OF PITTSBURGH.

11 (5) TEMPLE UNIVERSITY.

12 (6) LINCOLN UNIVERSITY.

13 (7) ANY OTHER INSTITUTION THAT IS DESIGNATED AS "STATE-
14 RELATED" BY THE COMMONWEALTH.

15 (8) ANY ACCREDITED PRIVATE OR INDEPENDENT COLLEGE OR
16 UNIVERSITY.

17 * * *

18 ["MAJOR LEAGUE SPORTS DRAWING." A 50/50 DRAWING CONDUCTED BY
19 A NONPROFIT AFFILIATE OF A MAJOR LEAGUE SPORTS TEAM IN
20 ACCORDANCE WITH SECTION 304.1.

21 "MAJOR LEAGUE SPORTS TEAM." A SPORTS TEAM OR RACING FACILITY
22 THAT IS ANY OF THE FOLLOWING:

23 (1) A MEMBER OF MAJOR LEAGUE BASEBALL, THE NATIONAL
24 HOCKEY LEAGUE, THE NATIONAL BASKETBALL ASSOCIATION, THE
25 NATIONAL FOOTBALL LEAGUE OR MAJOR LEAGUE SOCCER.

26 (2) A PROFESSIONAL SPORTS TEAM AFFILIATED WITH A TEAM
27 UNDER PARAGRAPH (1).

28 (3) ANY OTHER PROFESSIONAL SPORTS TEAM THAT HAS A SPORTS
29 FACILITY OR AN AGREEMENT WITH A SPORTS FACILITY TO CONDUCT
30 HOME GAMES AT THE FACILITY.

1 (4) A STADIUM, GRANDSTAND OR BLEACHER AT A CLOSED-COURSE
2 MOTOR FACILITY WHERE SPECTATORS ARE DIRECTLY OBSERVING MOTOR
3 RACES WITH NASCAR, INDY, STOCK OR DRAG RACING CARS.]

4 * * *

5 "POKER RUN." A GAME OPERATED BY ONE OR MORE LICENSED
6 ELIGIBLE ORGANIZATIONS IN WHICH A PARTICIPANT PURCHASES A
7 SCORECARD TO PARTICIPATE IN A GAME WHERE ALL OF THE FOLLOWING
8 OCCURS:

9 (1) A PARTICIPANT MEETS AT A DESIGNATED LOCATION TO
10 RECEIVE INSTRUCTIONS FOR THE EVENT.

11 (2) EACH PARTICIPANT RECEIVES A DETAILED EXPLANATION OF
12 THE GAME DESTINATIONS AND A SCORE CARD TO BE COMPLETED AS THE
13 PARTICIPANT PROGRESSES TO EACH LOCATION WITHIN THE COUNTY.

14 (3) AT EACH DESIGNATED LOCATION ON THE RUN ROUTE, THE
15 PARTICIPANT DRAWS OR IS DEALT A PLAYING CARD AT RANDOM. THE
16 CARD WHICH IS DRAWN OR DEALT IS RECORDED ON THE PARTICIPANT'S
17 SCORE CARD.

18 (4) THE PARTICIPANT OR PARTICIPANTS WHO HAVE OBTAINED
19 THE HIGHEST HAND OR HANDS, ACCORDING TO THE INSTRUCTIONS
20 ESTABLISHED FOR THE EVENT UNDER PARAGRAPH (1), WIN A PRIZE OR
21 PRIZES, WHICH IS DETERMINED AT THE FINAL LOCATION ON THE RUN
22 ROUTE.

23 FOR PURPOSES OF THIS ACT, THE TERM IS NOT A "TABLE GAME" AS
24 DEFINED IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS).

25 * * *

26 "PROGRESSIVE PULL-TAB GAME." A GAME OF ONE OR MORE PULL-TAB
27 DEALS, EACH BEARING A DIFFERENT SERIAL NUMBER THAT, IN ADDITION
28 TO ANY CONSOLATION PRIZE AWARDED BY A WINNING TICKET, OFFERS A
29 WINNING PLAYER A CHANCE TO SELECT AND OPEN A SEALED TAB ON THE
30 FLARE THAT ACCOMPANIES THE GAME TO DETERMINE IF THE JACKPOT

1 PRIZE HAS BEEN WON, AND THE JACKPOT PRIZE OF WHICH GAME IS
2 PREDETERMINED BY THE MANUFACTURER AND CONSISTS OF AN AMOUNT TO
3 WHICH EACH DEAL OF THE GAME WHERE THE JACKPOT PRIZE IS NOT WON
4 CONTRIBUTES TO AN ACCUMULATING JACKPOT PRIZE LEVEL.

5 * * *

6 "PULL-TAB." A SINGLE FOLDED OR BANDED TICKET OR A STRIP
7 TICKET OR CARD WITH A FACE COVERED TO CONCEAL ONE OR MORE
8 NUMBERS OR SYMBOLS, WHERE ONE OR MORE OF EACH SET OF TICKETS OR
9 CARDS HAS BEEN DESIGNATED IN ADVANCE AS A WINNER. THE TERM
10 INCLUDES AN EVENT GAME, SUBSET PULL-TAB GAME AND PROGRESSIVE
11 PULL-TAB GAME.

12 * * *

13 "SUBSET PULL-TAB GAME." A GAME CONSISTING OF A SINGLE PULL-
14 TAB DEAL OF TICKETS HAVING THE SAME SERIAL NUMBER THAT IS
15 SEGREGATED AND PACKAGED BY THE MANUFACTURER INTO SMALLER
16 SUBDEALS, EACH OF WHICH IS PLAYED SEPARATELY FROM THE REST OF
17 THE SUBSETS DURING THE GAME, AND THE WINNING TICKETS PURCHASED
18 BY A PLAYER OF WHICH GAME WILL BEAR A DESIGNATION THAT ENTITLES
19 THE PLAYER TO SELECT AND OPEN A SEALED TAB ON THE FLARE WHICH
20 ACCOMPANIES THE GAME TO DETERMINE THE PRIZE LEVEL TO BE AWARDED
21 TO THE PLAYER.

22 "TAVERN GAMES." PULL-TABS, RACE NIGHT GAMES, TAVERN WEEKLY
23 DRAWINGS, TAVERN DAILY DRAWINGS AND TAVERN RAFFLES.

24 * * *

25 "Vertical wheel game." A game in which a participant places
26 a coin or token on a color, number or word or purchases a ticket
27 containing a color, number or word and watches a spinning
28 vertical wheel until the pointer of the wheel rests on a section
29 of the wheel designating a winner. VERTICAL WHEEL GAME CHANCES <--
30 MAY NOT BE SOLD FOR AN AMOUNT IN EXCESS OF \$10. FOR THE PURPOSES

1 OF THIS ACT, THE TERM IS NOT A "TABLE GAME" AS DEFINED IN 4
2 PA.C.S. § 1103 (RELATING TO DEFINITIONS).

3 * * *

4 ~~Section 2. Section 301 of the act, amended November 27, 2013 <--~~
5 ~~(P.L.1045, No.90) and November 27, 2013 (P.L.1062, No.92), is~~
6 ~~amended to read:~~

7 ~~Section 301. Games of chance permitted.~~

8 ~~[Every] (a) General rule. Except as otherwise provided in~~
9 ~~subsection (b), every eligible organization to which a license~~
10 ~~has been issued under the provisions of this chapter may conduct~~
11 ~~games of chance for the purpose of raising funds for public~~
12 ~~interest purposes. Except as provided in Chapter 5, all proceeds~~
13 ~~of a licensed eligible organization shall be used exclusively~~
14 ~~for public interest purposes, for the purchase of games of~~
15 ~~chance or for the payment of the license fee, as required by~~
16 ~~this act. An eligible organization whose primary purpose is the~~
17 ~~promotion of a public interest may utilize the proceeds from~~
18 ~~small games of chance to fulfill that purpose.~~

19 ~~(b) Exception. A club licensee may not operate a vertical~~
20 ~~wheel game or coin action.~~

21 ~~Section 3. Sections 302, 304(i) and 305(d) AND 303(B) of the <--~~
22 ~~act, amended or added November 27, 2013 (P.L.1062, No.92), are~~
23 ~~amended to read:~~

24 ~~Section 302. Prize limits.~~

25 ~~(a) Individual prize limit.--Except as provided under~~
26 ~~subsections (d) [and (d.1)], (D.1) AND (D.2), the maximum prize <--~~
27 ~~which may be awarded for any single chance shall be \$2,000.~~

28 ~~[(b) Aggregate prize limit.--No more than \$35,000 in prizes~~
29 ~~shall be awarded from games of chance by a licensed eligible~~
30 ~~organization in any seven-day period.]~~

1 (c) Raffle prize limit.--Up to \$15,000 in prizes may be
2 awarded in raffles in any calendar month.

3 [(c.1) Total limit.--All prizes awarded under this section
4 shall be subject to the aggregate prize limits under subsection
5 (b).]

6 (d) Exception for raffles.--Notwithstanding subsection [(b)
7 or] (c), a licensed eligible organization may conduct a raffle
8 under section 308 and award a prize or prizes valued in excess
9 of \$3,000 each only under the following conditions:

10 (1) The licensing authority has issued a special permit
11 for the raffle under section 308.

12 (2) A licensed eligible organization shall be eligible
13 to receive no more than ten special permits in any [licensed <--
14 term] CALENDAR YEAR except that a volunteer fire, ambulance, <--
15 rescue or conservation organization that is not a club
16 licensee shall be eligible to receive 12 special permits in
17 any [licensed term] CALENDAR YEAR. <--

18 (3) Only one raffle may be conducted under each special
19 permit issued under section 308.

20 (4) Except as provided under subsection (d.1), the total
21 of all prizes awarded under this subsection shall be no more
22 than \$150,000 per calendar year, which shall not be subject
23 to the aggregate limit under subsection [(b) or] (c).

24 (d.1) Additional award.--A volunteer fire, ambulance, rescue
25 or conservation organization may, in addition to the total under
26 subsection (d) (4), award up to \$100,000 from raffles which shall
27 not be subject to the aggregate limit under subsection [(b),]
28 (c) or (d).

29 (D.2) EXCEPTION FOR POKER RUNS.--NOTWITHSTANDING SUBSECTION <--
30 (A), A LICENSED ELIGIBLE ORGANIZATION MAY CONDUCT A POKER RUN

1 UNDER SECTION 311 AND AWARD A PRIZE OR PRIZES VALUED IN EXCESS
2 OF \$2,000, SUBJECT TO THE FOLLOWING CONDITIONS:

3 (1) THE LICENSING AUTHORITY HAS ISSUED A POKER RUN PERMIT TO
4 EACH PARTICIPATING ELIGIBLE ORGANIZATION UNDER SECTION 311.

5 (2) ONLY ONE POKER RUN MAY BE CONDUCTED UNDER EACH POKER RUN
6 PERMIT ISSUED UNDER SECTION 311.

7 (3) THE TOTAL OF ALL PRIZES AWARDED FOR A SINGLE POKER RUN
8 MAY NOT EXCEED \$15,000.

9 (f) Daily drawing carryover.--The prize limitation contained
10 in [subsections] subsection (a) [and (b)] may be exceeded by a
11 daily drawing under the following circumstances: a daily drawing
12 may award a prize in excess of \$2,000 if such prize is the
13 result of a carryover of a drawing which resulted from the
14 winning number in such drawing not being among the eligible
15 entrants in such drawings. Nothing contained herein shall
16 authorize the prize limitation as contained in [subsections]
17 subsection (a) [and (b)] to be exceeded as a result of a failure
18 to conduct a drawing on an operating day during which chances
19 were sold for a daily drawing or for a daily drawing for which
20 chances were sold in excess of \$1 or for which more than one
21 chance was sold to an eligible participant.

22 [(g) Additional exception.--When a daily drawing or weekly
23 drawing is set up or conducted in such a manner as to pay out or
24 award 100% of the gross revenues generated from such drawing,
25 the limitation contained in subsection (b) shall not apply.

26 (h) Weekly drawing carryover exception.--Weekly drawings
27 shall be governed by the prize limitation contained in
28 subsection (b). The prize limitation contained in subsection (b)
29 may be exceeded by a weekly drawing under the following
30 circumstances: a weekly drawing may award a prize where the cash

1 value is in excess of \$35,000 if such prize is the result of a
2 carryover of a drawing or drawings which resulted from the
3 winning number or numbers in such drawing or drawings not being
4 among the eligible entrants in such drawings. Nothing contained
5 in this chapter shall authorize the prize limitation under
6 subsection (b) to be exceeded as a result of a failure to
7 conduct a drawing for a week during which chances were sold for
8 a weekly drawing or for a weekly drawing for which chances were
9 sold in excess of \$1.]

10 (i) Concurrent operation.--Nothing under this act shall
11 prohibit the concurrent operation of daily or weekly drawings.

12 SECTION 303. SALES LIMITED.

<--

13 * * *

14 (B) LIMITATION.--NO GAME OF CHANCE, OTHER THAN A RAFFLE
15 UNDER SECTION 302(D) OR A POKER RUN UNDER SECTION 302(D.2),
16 SOLD, OFFERED FOR SALE OR FURNISHED TO A LICENSED ELIGIBLE
17 ORGANIZATION FOR USE WITHIN THIS COMMONWEALTH SHALL CONTAIN,
18 PERMIT, DEPICT OR DESIGNATE A PRIZE HAVING A PRIZE LIMIT IN
19 EXCESS OF \$2,000.

20 SECTION 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
21 SECTION 303.2. PULL-TAB DEAL.

22 NOTHING IN THIS ACT SHALL BE CONSTRUED:

23 (1) TO PROHIBIT THE SALE OF A PULL-TAB DEAL WHICH
24 CONTAINS MORE THAN 4,000 INDIVIDUAL PULL-TABS.

25 (2) TO PLACE ANY RESTRICTION ON THE NUMBER OF PULL-TABS
26 THAT MAY BE PUT OUT FOR PUBLIC PLAY AS PART OF A SINGLE DEAL.

27 SECTION 5. SECTIONS 304(I) AND 305(D) OF THE ACT, AMENDED
28 NOVEMBER 27, 2013 (P.L.1062, NO.92), ARE AMENDED TO READ:
29 Section 304. Distributor licenses.

30 * * *

1 (i) Exception.--This section shall not apply to the
2 manufacture or distribution of raffle tickets, 50/50 drawings,
3 daily drawings, weekly drawings, POKER RUNS, coin auctions, <--
4 vertical wheel games, TAVERN RAFFLES, TAVERN DAILY DRAWINGS, <--
5 TAVERN WEEKLY DRAWINGS or pools.

6 SECTION 6. SECTION 304.1 OF THE ACT, AMENDED OR ADDED <--
7 OCTOBER 24, 2012 (P.L.1462, NO.184) AND NOVEMBER 27, 2013
8 (P.L.1045, NO.90), IS AMENDED TO READ:

9 SECTION 304.1. [MAJOR LEAGUE SPORTS] ATHLETIC EVENT DRAWING.

10 (A) GENERAL RULE.--A PERSON MAY PURCHASE ONE OR MORE [MAJOR
11 LEAGUE SPORTS] ATHLETIC EVENT DRAWING TICKETS AT A HOME GAME,
12 AND EACH TICKET PURCHASED SHALL REPRESENT ONE ENTRY IN THE
13 DRAWING FOR A WINNER. A SINGLE TICKET SHALL BE RANDOMLY CHOSEN
14 AS THE WINNER AFTER A CERTAIN NUMBER OF TICKETS ARE SOLD OR A
15 SPECIFIED TIME PERIOD EXPIRES AS DESIGNATED BY THE AFFILIATED
16 NONPROFIT ORGANIZATION. PURCHASE OF ATHLETIC EVENT DRAWING
17 TICKETS MAY BE MADE BY CASH, CREDIT CARD OR DEBIT CARD.

18 (B) FREQUENCY.--AN AFFILIATED NONPROFIT ORGANIZATION MAY
19 CONDUCT NO MORE THAN ONE [MAJOR LEAGUE SPORTS] ATHLETIC EVENT
20 DRAWING PER HOME GAME.

21 (B.1) SALES RESTRICTED.--TICKETS FOR [A MAJOR LEAGUE SPORTS]
22 AN ATHLETIC EVENT DRAWING MAY NOT BE SOLD IN ANY SEATING AREA
23 DESIGNATED AS A FAMILY SECTION.

24 (B.2) CHARITABLE EVENT.--[A MAJOR LEAGUE SPORTS] AN ATHLETIC
25 EVENT DRAWING MAY BE CONDUCTED BY THE AFFILIATED NONPROFIT
26 ORGANIZATION DURING A CHARITABLE EVENT HELD WITHIN THE SAME
27 ARENA, STADIUM, GRANDSTAND, BLEACHERS OR OTHER FACILITY DURING A
28 HOME GAME OR CAR RACE OF THE [MAJOR LEAGUE SPORTS] ATHLETIC
29 TEAM. DRAWINGS MAY ONLY BE HELD WITHIN SPECTATOR AREAS WITHIN
30 THE ARENA, STADIUM, GRANDSTAND OR BLEACHERS WHERE THE HOME GAME

1 OR CAR RACE IS BEING CONDUCTED AND, EXCEPT AS PROVIDED FOR IN
2 SUBSECTION (B.3), NOT AT ANCILLARY AREAS OR FACILITIES,
3 INCLUDING PARKING AREAS, RESTAURANTS AND BARS OR AREAS OUTSIDE
4 THE ARENA, STADIUM, GRANDSTAND OR BLEACHERS OR AREAS WHERE THE
5 SPORT IS SHOWN ON REMOTE ELECTRONIC EQUIPMENT.

6 (B.3) OUTSIDE SALES.--NOTWITHSTANDING SUBSECTION (B.2),
7 ATHLETIC EVENT DRAWING TICKETS MAY BE SOLD PRIOR TO A HOME GAME
8 OR CAR RACE IN AN OFFICIALLY DESIGNATED PARKING AREA ADJACENT TO
9 THE ARENA, STADIUM, GRANDSTAND OR BLEACHERS OR SIMILAR FACILITY
10 WHERE THE HOME GAME OR CAR RACE IS BEING CONDUCTED AND WHICH IS
11 NOT SEPARATED BY A HIGHWAY OR STREET, UNLESS THE HIGHWAY OR
12 STREET IS ADJACENT TO THE ARENA, STADIUM, GRANDSTAND, BLEACHERS
13 OR SIMILAR FACILITY.

14 (C) DISTRIBUTION.--THE PRIZE AMOUNT OF [A MAJOR LEAGUE
15 SPORTS] AN ATHLETIC EVENT DRAWING SHALL BE 50% OF THE TOTAL
16 AMOUNT COLLECTED FROM THE SALE OF [MAJOR LEAGUE SPORTS] ATHLETIC
17 EVENT DRAWING TICKETS. EXCEPT AS SET FORTH IN SUBSECTION (C.1),
18 THE OTHER 50% OF THE TOTAL AMOUNT COLLECTED FROM THE SALE OF
19 [MAJOR LEAGUE SPORTS] ATHLETIC EVENT DRAWING TICKETS SHALL BE
20 DONATED WITHIN SEVEN DAYS FROM THE DATE OF THE DRAWING BY THE
21 AFFILIATED NONPROFIT ORGANIZATION CONDUCTING THE [MAJOR LEAGUE
22 SPORTS] ATHLETIC EVENT DRAWING TO ONE OR MORE DESIGNATED
23 CHARITABLE ORGANIZATIONS FOR WHICH THE DRAWING WAS CONDUCTED.

24 (C.1) USE OF FUNDS.--

25 (1) THE AFFILIATED NONPROFIT ORGANIZATION MAY UTILIZE
26 NONPRIZE MONEY COLLECTED FOR THE FOLLOWING:

27 (I) TO EMPLOY OR PROVIDE PAYMENT TO INDIVIDUALS 18
28 YEARS OF AGE OR OLDER TO SELL [MAJOR LEAGUE SPORTS]
29 ATHLETIC EVENT DRAWING TICKETS [AT A PROFESSIONAL
30 SPORTING EVENT].

1 (II) FOR ADMINISTRATIVE EXPENSES DIRECTLY RELATED TO
2 THE CONDUCT OF THE ATHLETIC EVENT DRAWING UNDER THIS
3 SECTION.

4 (2) AUTHORIZED EXPENSES UNDER PARAGRAPH (1) (II) MAY NOT
5 EXCEED 2% OF THE TOTAL AMOUNT COLLECTED FROM THE SALE OF
6 [MAJOR LEAGUE SPORTS] ATHLETIC EVENT DRAWING TICKETS.

7 (D) DESIGNATED CHARITABLE ORGANIZATION.--THE AFFILIATED
8 NONPROFIT ORGANIZATION CONDUCTING THE [MAJOR LEAGUE SPORTS]
9 ATHLETIC EVENT DRAWING SHALL DISCLOSE TO ALL TICKET PURCHASERS
10 THE DESIGNATED CHARITABLE ORGANIZATION FOR WHICH THE [MAJOR
11 LEAGUE SPORTS] ATHLETIC EVENT DRAWING IS BEING CONDUCTED.

12 (E) ELIGIBILITY.--IN ORDER TO RECEIVE PROCEEDS FROM [A MAJOR
13 LEAGUE SPORTS] AN ATHLETIC EVENT DRAWING, A CHARITABLE
14 ORGANIZATION MUST BE IN EXISTENCE AND FULFILLING ITS PURPOSES
15 FOR AT LEAST TWO YEARS PRIOR TO THE DRAWING AND SHALL BE
16 ELIGIBLE FOR EXEMPTION UNDER SECTION 501(C) (3) OF THE INTERNAL
17 REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. § 501(C) (3)).
18 A POLITICAL SUBDIVISION SHALL NOT QUALIFY AS A CHARITABLE
19 ORGANIZATION UNDER THIS SECTION.

20 (F) UNCLAIMED PRIZES.--ANY [MAJOR LEAGUE SPORTS] ATHLETIC
21 EVENT DRAWING PRIZE REMAINING UNCLAIMED BY A WINNER AT THE END
22 OF THE [MAJOR LEAGUE SPORTS] ATHLETIC TEAM'S SEASON SHALL BE
23 DONATED WITHIN 30 DAYS FROM THE END OF THE SEASON BY THE
24 AFFILIATED NONPROFIT ORGANIZATION TO THE DESIGNATED CHARITABLE
25 ORGANIZATION FOR WHICH THE [MAJOR LEAGUE SPORTS] ATHLETIC EVENT
26 DRAWING WAS CONDUCTED.

27 (G) APPLICABILITY.--THE LIMITATIONS UNDER SECTIONS 302,
28 303(B), 308 AND 704 SHALL NOT APPLY TO [A MAJOR LEAGUE SPORTS]
29 AN ATHLETIC EVENT DRAWING.

30 (H) ADDITIONAL RECORDKEEPING.--THE DEPARTMENT MAY REQUIRE

1 ADDITIONAL RECORDKEEPING OR ACCOUNTABILITY MEASURES FOR [MAJOR
2 LEAGUE SPORTS] ATHLETIC EVENT DRAWINGS.

3 SECTION 7. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
4 SECTION 304.2. AIRPORT 50/50 DRAWING.

5 (A) GENERAL RULE.--A PERSON MAY PURCHASE ONE OR MORE AIRPORT
6 50/50 DRAWING TICKETS, AND EACH TICKET SHALL REPRESENT ONE ENTRY
7 IN THE DRAWING FOR A WINNER. A SINGLE TICKET SHALL BE RANDOMLY
8 CHOSEN AS THE WINNER AFTER A CERTAIN NUMBER OF TICKETS ARE SOLD
9 OR A SPECIFIED TIME PERIOD EXPIRES, AS DESIGNATED BY THE
10 AIRPORT. PURCHASE OF AIRPORT 50/50 DRAWING TICKETS MAY BE MADE
11 BY CASH, CREDIT CARD OR DEBIT CARD.

12 (B) FREQUENCY AND LOCATION.--AN AIRPORT 50/50 DRAWING MAY BE
13 CONDUCTED AT AN AIRPORT NO MORE THAN ONE TIME PER CALENDAR DAY.
14 DRAWINGS MAY ONLY BE HELD WITHIN THE SPACES OF AN AIRPORT
15 TERMINAL TO WHICH THE GENERAL PUBLIC, INCLUDING TICKETED
16 PASSENGERS, REGULARLY HAVE ACCESS.

17 (C) DISTRIBUTION.--THE PRIZE AMOUNT OF AN AIRPORT 50/50
18 DRAWING SHALL BE 50% OF THE TOTAL AMOUNT COLLECTED FROM THE SALE
19 OF AIRPORT 50/50 DRAWING TICKETS. THE OTHER 50% OF THE TOTAL
20 AMOUNT COLLECTED FROM THE SALE OF AIRPORT 50/50 DRAWING TICKETS
21 SHALL BE DONATED WITHIN SEVEN DAYS FROM THE DATE OF THE DRAWING
22 BY THE AIRPORT TO THE DESIGNATED CHARITABLE ORGANIZATION FOR
23 WHICH THE DRAWING WAS CONDUCTED.

24 (D) DESIGNATED CHARITABLE ORGANIZATION.--THE IDENTITY OF THE
25 DESIGNATED CHARITABLE ORGANIZATION FOR WHICH THE AIRPORT 50/50
26 DRAWING IS BEING CONDUCTED SHALL BE DISCLOSED TO ALL TICKET
27 PURCHASERS.

28 (E) ELIGIBILITY.--IN ORDER TO RECEIVE PROCEEDS FROM AN
29 AIRPORT 50/50 DRAWING, A CHARITABLE ORGANIZATION MUST BE IN
30 EXISTENCE AND FULFILL ITS PURPOSES PRIOR TO THE AIRPORT 50/50

1 DRAWING AND SHALL BE ELIGIBLE FOR EXEMPTION UNDER SECTION 501(C)
2 (3) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26
3 U.S.C. § 501(C)(3)). A POLITICAL SUBDIVISION SHALL NOT QUALIFY
4 AS A CHARITABLE ORGANIZATION UNDER THIS ACT, BUT AN ORGANIZATION
5 FORMED BY A POLITICAL SUBDIVISION THAT IS ELIGIBLE FOR EXEMPTION
6 UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986
7 SHALL QUALIFY AS A CHARITABLE ORGANIZATION UNDER THIS ACT.

8 (F) UNCLAIMED PRIZES.--ANY AIRPORT 50/50 DRAWING PRIZE
9 REMAINING UNCLAIMED BY A WINNER 180 DAYS AFTER THE DRAWING SHALL
10 BE DONATED TO THE DESIGNATED CHARITABLE ORGANIZATION FOR WHICH
11 THE AIRPORT 50/50 DRAWING WAS CONDUCTED.

12 (G) APPLICABILITY.--THE LIMITATIONS UNDER SECTIONS 302,
13 303(B), 308 AND 704 SHALL NOT APPLY TO AN AIRPORT 50/50 DRAWING.

14 (H) ADDITIONAL RECORDKEEPING.--THE DEPARTMENT MAY REQUIRE
15 ADDITIONAL RECORDKEEPING OR ACCOUNTABILITY MEASURES FOR AIRPORT
16 50/50 DRAWINGS.

17 SECTION 8. SECTION 305(D) OF THE ACT, AMENDED NOVEMBER 27,
18 2013 (P.L.1062, NO.92), IS AMENDED TO READ:

19 Section 305. Registration of manufacturers.

20 * * *

21 (d) Exception.--This section shall not apply to the
22 manufacture or distribution of raffle tickets, 50/50 drawings,
23 daily drawings, weekly drawings, POKER RUNS, coin auctions, <--
24 vertical wheel games, TAVERN RAFFLES, TAVERN DAILY DRAWINGS, <--
25 TAVERN WEEKLY DRAWINGS or pools.

26 SECTION 9. SECTION 306 OF THE ACT, AMENDED OR ADDED OCTOBER <--
27 24, 2012 (P.L.1462, NO.184) AND NOVEMBER 27, 2013 (P.L.1062,
28 NO.92), IS AMENDED TO READ:

29 SECTION 306. REGULATIONS OF DEPARTMENT.

30 (A) AUTHORIZATION.--THE DEPARTMENT SHALL PROMULGATE

1 REGULATIONS TO:

2 (1) IMPOSE MINIMUM STANDARDS [AND RESTRICTIONS]
3 APPLICABLE TO GAMES OF CHANCE MANUFACTURED FOR SALE IN THIS
4 COMMONWEALTH[, WHICH MAY INCLUDE STANDARDS AND RESTRICTIONS
5 WHICH SPECIFY THE MAXIMUM NUMBER OF CHANCES AVAILABLE TO BE
6 SOLD FOR ANY SINGLE GAME OF CHANCE OR PRIZE AND SUCH OTHER
7 STANDARDS AND RESTRICTIONS] AS THE DEPARTMENT DEEMS NECESSARY
8 FOR THE PURPOSES OF THIS CHAPTER. THE DEPARTMENT SHALL
9 CONSIDER STANDARDS ADOPTED BY THE NATIONAL ASSOCIATION OF
10 GAMBLING REGULATORY AGENCIES AND OTHER STANDARDS COMMONLY
11 ACCEPTED IN THE INDUSTRY.

12 (2) ESTABLISH PROCEDURES BY WHICH MANUFACTURERS MAY
13 REGISTER AND DISTRIBUTORS OF GAMES OF CHANCE MAY APPLY FOR
14 LICENSURE ON FORMS WHICH THE DEPARTMENT SHALL PROVIDE.
15 PROCEDURES SHALL INCLUDE A REQUIREMENT THAT MANUFACTURER AND
16 DISTRIBUTOR APPLICANTS PROVIDE CRIMINAL HISTORY RECORD
17 INFORMATION OBTAINED FROM THE PENNSYLVANIA STATE POLICE UNDER
18 18 PA.C.S. § 9121(B) (RELATING TO GENERAL REGULATIONS) FOR
19 EACH OFFICER AND MANAGER OF THE MANUFACTURER'S OR
20 DISTRIBUTOR'S ORGANIZATION AND FOR ANY OTHER INDIVIDUAL
21 SPECIFIED BY THE DEPARTMENT. AS USED IN THIS PARAGRAPH, THE
22 TERM "CRIMINAL HISTORY RECORD INFORMATION" HAS THE MEANING
23 GIVEN IN 18 PA.C.S. § 9102 (RELATING TO DEFINITIONS).

24 (3) PROVIDE FOR THE SUSPENSION OR REVOCATION OF
25 DISTRIBUTION LICENSES OR MANUFACTURER CERTIFICATES FOR
26 VIOLATIONS OF THIS ACT OR REGULATIONS OF THE DEPARTMENT.

27 (3.1) ESTABLISH PROCEDURES TO ENSURE THAT RACE NIGHT
28 GAMES ARE SECURE, RANDOM AND TOTALLY DEPENDENT UPON CHANCE.

29 (3.2) NOTHING IN THIS ACT SHALL BE CONSTRUED TO REQUIRE
30 GAMES OF CHANCE DISTRIBUTED FOR PLAY IN THIS COMMONWEALTH TO

1 BE APPROVED BY THE DEPARTMENT.

2 (4) CARRY OUT OTHER PROVISIONS OF THIS ACT.

3 (B) LIMITATION ON RECORDKEEPING REQUIREMENTS.--THIS SECTION
4 SHALL NOT BE CONSTRUED TO AUTHORIZE THE DEPARTMENT TO PROMULGATE
5 REGULATIONS PROVIDING FOR RECORDKEEPING REQUIREMENTS FOR
6 LICENSED ELIGIBLE ORGANIZATIONS WHICH REQUIRE UNREASONABLE OR
7 UNNECESSARY INFORMATION OR A REPETITIOUS LISTING OF INFORMATION.
8 THE DEPARTMENT SHALL STRIVE TO KEEP SUCH RECORDKEEPING
9 REQUIREMENTS FROM BEING AN UNDUE HARDSHIP OR BURDEN ON LICENSED
10 ELIGIBLE ORGANIZATIONS. [EXCEPT AS PROVIDED UNDER SECTION
11 701(B), THE] THE DEPARTMENT MAY NOT REQUIRE THE RETENTION OF
12 RECORDS FOR A PERIOD IN EXCESS OF TWO YEARS. IF AN INDIVIDUAL
13 PRIZE IS IN EXCESS OF \$600, THE RECORD SHALL INCLUDE THE NAME
14 AND ADDRESS OF THE WINNER. AN ELIGIBLE ORGANIZATION SHALL
15 PROVIDE EACH WINNER WITH A RECEIPT OF THE VALUE OF THE PRIZE
16 WHEN THE PRIZE EXCEEDS \$600.

17 (C) (RESERVED).

18 Section ~~4~~ 10. Section 307(a)(1), (b) ~~and (b.1)~~, (B.1) AND <--
19 (B.2) of the act, amended November 27, 2013 (P.L.1062, No.92),
20 are amended and the section is amended by adding a subsection to
21 read:

22 Section 307. Licensing of eligible organizations.

23 (a) License required.--The following shall apply:

24 (1) An eligible organization shall not conduct or
25 operate games of chance unless the eligible organization has
26 obtained a valid license as follows:

27 (i) A regular license which must be renewed
28 annually.

29 (ii) A triennial license which must be renewed every
30 three years.

1 [(ii)] (iii) A monthly license which permits the
2 eligible organization to conduct games of chance for a
3 30-consecutive-day period.

4 * * *

5 (b) Issuance.--The licensing authority shall issue a license
6 within 30 days of the submission of an application by an
7 eligible organization that meets the requirements under this
8 chapter. Upon issuance, the licensing authority shall provide
9 the eligible organization with a unique license number.

10 (b.1) Fee.--The [license fee to be charged to each eligible
11 organization for a regular license shall be \$125. The license
12 fee to be charged for a monthly license shall be \$25. A regular
13 license must be renewed annually. The fee shall be used by the
14 licensing authority to administer this act.] licensing authority
15 shall charge a license fee to each eligible organization to be
16 used by the licensing authority to administer this act. The fees
17 shall be as follows:

18 (1) A regular license fee shall be \$125.

19 (2) A triennial license fee shall be \$375.

20 (3) A monthly license fee shall be \$25.

21 (B.2) LOCATION.--[AN] EXCEPT AS PROVIDED FOR IN SECTION 311 <--
22 AND NOTWITHSTANDING SECTIONS 309 AND 505.2, AN ELIGIBLE
23 ORGANIZATION THAT HOLDS A LICENSE UNDER SUBSECTION (A) AND THAT
24 IS NOT A CLUB LICENSEE MAY CONDUCT SMALL GAMES OF CHANCE IN THE
25 COUNTY WHERE THE LICENSE IS ISSUED AT A PREMISES WHICH IS THE
26 OPERATING SITE OF THE ELIGIBLE ORGANIZATION OR AT A PREMISES OR
27 OTHER LOCATION NOT PROHIBITED BY LOCAL ORDINANCE, AND FOR WHICH
28 THE TREASURER HAS BEEN NOTIFIED. THE FOLLOWING SHALL APPLY:

29 (1) NO MORE THAN THREE LICENSEES, INCLUDING THE LICENSEE
30 THAT OWNS OR LEASES THE PREMISES, MAY CONDUCT SMALL GAMES OF

1 CHANCE SIMULTANEOUSLY AT A PREMISES OR LOCATION.

2 (2) A LICENSEE SHALL ENSURE THAT THE CONDUCT OF SMALL
3 GAMES OF CHANCE BY DIFFERENT ORGANIZATIONS ARE SEPARATE AND
4 CLEARLY IDENTIFIED WITHIN A PREMISES OR LOCATION.

5 (3) A LICENSEE THAT IS NOT A CLUB LICENSEE MAY CONDUCT
6 GAMES OF CHANCE SIMULTANEOUSLY WITH THE CONDUCT OF GAMES OF
7 CHANCE BY A CLUB LICENSEE ON NOT MORE THAN THREE OCCASIONS
8 COVERING A TOTAL OF SEVEN DAYS DURING THE YEAR.

9 (4) THE FOLLOWING SHALL APPLY:

10 (I) NOTWITHSTANDING PARAGRAPH (1), IF A CLUB
11 LICENSEE IS UNABLE TO CONDUCT GAMES OF CHANCE AT THE
12 LOCATION LISTED ON ITS APPLICATION AND LICENSE DUE TO
13 NATURAL DISASTER, FIRE OR OTHER CIRCUMSTANCE THAT RENDERS
14 THE LOCATION UNUSABLE, THE CLUB LICENSEE MAY SUBMIT A
15 WRITTEN REQUEST TO THE DISTRICT ATTORNEY TO CONDUCT GAMES
16 OF CHANCE IN A DIFFERENT LOCATION, INCLUDING THE LICENSED
17 PREMISES OF ANOTHER ELIGIBLE ORGANIZATION.

18 (II) A REQUEST UNDER SUBPARAGRAPH (I) MUST INCLUDE
19 THE CHANGE IN THE LOCATION AND THE DATES AND TIMES THE
20 GAMES OF CHANCE WILL BE OPERATED AT THE ALTERNATIVE
21 LOCATION.

22 (III) THE DISTRICT ATTORNEY SHALL APPROVE OR DENY
23 THE REQUEST AND SHALL ESTABLISH A LIMIT ON THE DURATION
24 OF THE AUTHORIZATION TO CONDUCT GAMES OF CHANCE AT THE
25 ALTERNATIVE LOCATION. FOLLOWING THE EXPIRATION OF THE
26 AUTHORIZATION PERIOD, THE CLUB LICENSEE MUST RETURN TO
27 THE LOCATION SPECIFIED IN ITS APPLICATION AND LICENSE OR
28 APPLY TO THE LICENSING AUTHORITY FOR A NEW PERMANENT
29 LOCATION. THE DISTRICT ATTORNEY MAY STIPULATE ADDITIONAL
30 REQUIREMENTS AS A CONDITION OF APPROVAL.

1 (IV) IF A CLUB LICENSEE PERMITS ANOTHER CLUB
2 LICENSEE TO USE ITS LICENSED PREMISES UNDER THIS
3 PARAGRAPH TO CONDUCT GAMES OF CHANCE, THE HOST CLUB
4 LICENSEE MUST CEASE ITS OPERATION OF GAMES OF CHANCE
5 DURING THE TIME THE CLUB LICENSEE UTILIZING ITS PREMISES
6 IS CONDUCTING ITS GAMES OF CHANCE.

7 * * *

8 (b.5) License renewal.--A regular license or triennial
9 license may be renewed by the eligible organization up to 90
10 days prior to the expiration of the license. A renewed regular
11 or triennial license shall contain the same unique license
12 number provided to the eligible organization under subsection
13 (b).

14 * * *

15 ~~Section 5. The act is amended by adding a section to read: <--~~
16 ~~Section 501.1. Club licensee tax.~~

17 ~~(a) Imposition. A \$5 tax is imposed on each set bearing a~~
18 ~~common serial number of a game of chance sold by a licensed~~
19 ~~distributor to a club licensee within this Commonwealth.~~

20 ~~(b) Collection. The tax imposed under subsection (a) shall~~
21 ~~be collected by the licensed distributor from the club licensee~~
22 ~~in an instance where the game of chance is required to be~~
23 ~~purchased from a licensed distributor under this act and must be~~
24 ~~paid to the Commonwealth.~~

25 ~~(c) Returns.--~~

26 ~~(1) A licensed distributor subject to this section shall~~
27 ~~file with the department, upon a form prescribed by the~~
28 ~~department, a club licensee tax return. The return must be~~
29 ~~filed under oath or affirmation of an authorized officer of~~
30 ~~the licensed distributor reporting the total number of games~~

~~of chance sold to club licensees and the tax due under this section in the prior calendar month. A return is due by the 20th day following the end of the reporting period.~~

~~(2) The return must include the following:~~

~~(i) The total number of games of chance sold to club licensees in the prior calendar month, which must be calculated by indicating the number of each type of game of chance sold.~~

~~(ii) Calculation of the tax due under this section.~~

~~(iii) Other information required by the department.~~

~~(d) Payment. A licensed distributor required to collect the tax under this section shall remit the tax to the department when the return in subsection (c) is made.~~

~~(e) Penalties and interest. If the licensed distributor fails to file the return required under subsection (c) or fails to pay the tax imposed under subsection (a), the department may do the following:~~

~~(1) assess the amount of tax due;~~

~~(2) impose and assess an administrative penalty equal to 10% of the tax due but unpaid for each quarter or fraction thereof that the tax remains unpaid together with interest at the rate established under section 806 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, on the tax from the time the tax became due. The penalty provided in this paragraph must be added to the tax and assessed and collected at the same time and in the same manner as a part of the tax. Unless otherwise specified, the tax shall be assessed, collected and enforced by the department under the provisions of Article II of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971; or~~

1 ~~(3) revoke a licensed distributor's license.~~

2 ~~(f) Funds held in trust. The funds owed to the Commonwealth~~
3 ~~under this section shall be held in trust by a licensed~~
4 ~~distributor.~~

5 ~~(g) Deposit. Beginning in fiscal year 2015-2016, the taxes~~
6 ~~imposed by this section shall be deposited as follows:~~

7 ~~(1) Ninety percent shall be deposited into the General~~
8 ~~Fund.~~

9 ~~(2) Ten percent shall be deposited into the State Stores~~
10 ~~Fund and allocated to the Pennsylvania State Police for~~
11 ~~liquor control enforcement expenses.~~

12 SECTION 11. SECTION 308 OF THE ACT, AMENDED FEBRUARY 2, 2012 <--
13 (P.L.7, NO.2) AND NOVEMBER 27, 2013 (P.L.1062, NO.92), IS
14 AMENDED TO READ:

15 SECTION 308. SPECIAL RAFFLE PERMITS.

16 (A) ISSUANCE AND FEE.--THE LICENSING AUTHORITY SHALL ISSUE A
17 SPECIAL PERMIT FOR EACH RAFFLE IN WHICH THE LICENSED ELIGIBLE
18 ORGANIZATION PROPOSES TO AWARD INDIVIDUAL PRIZES IN EXCESS OF
19 \$3,000. THE LICENSING AUTHORITY MAY ESTABLISH AND COLLECT A FEE
20 NOT TO EXCEED \$25 FOR THE ISSUANCE OF SPECIAL PERMITS UNDER THIS
21 SECTION.

22 (B) PERMIT APPLICATION.--EACH SPECIAL PERMIT APPLICATION
23 SHALL SPECIFY THE LOCATION WHERE THE ACTUAL DRAWING WILL BE
24 HELD, THE NUMBER OF CHANCES TO BE SOLD, THE PRICE PER CHANCE AND
25 THE PRIZE TO BE AWARDED.

26 SECTION 12. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

27 SECTION 309. SPECIAL LOCATION PERMITS.

28 (A) SPECIAL PERMIT REQUIRED.--NOTWITHSTANDING SECTION 307

29 (B.2), A LICENSED ELIGIBLE ORGANIZATION THAT IS NOT A CLUB

30 LICENSEE MAY CONDUCT GAMES OF CHANCE IN ANY COUNTY OUTSIDE THE

1 COUNTY WHERE THE LICENSE IS ISSUED AT A PREMISES OR OTHER
2 LOCATION NOT PROHIBITED BY LOCAL ORDINANCE OR THIS ACT AND FOR
3 WHICH THE LICENSING AUTHORITY OF THE COUNTY IN WHICH THE
4 LICENSED ELIGIBLE ORGANIZATION PROPOSES TO CONDUCT GAMES OF
5 CHANCE HAS ISSUED A SPECIAL LOCATION PERMIT UNDER THIS SECTION.

6 (B) PERMIT APPLICATION.--EACH SPECIAL LOCATION PERMIT
7 APPLICATION SHALL BE SUBMITTED ON A FORM AND IN A MANNER AS
8 REQUIRED BY THE LICENSING AUTHORITY, PROVIDED THAT EACH
9 APPLICATION SHALL SPECIFY:

10 (1) THE GAMES OF CHANCE TO BE OFFERED.

11 (2) THE DATE, TIME AND LOCATION OF WHERE THE GAMES OF
12 CHANCE WILL BE OFFERED.

13 (3) THE PRICES FOR CHANCES TO BE SOLD.

14 (4) THE PRIZES TO BE AWARDED.

15 (5) THE LICENSE NUMBER OF THE LICENSED ELIGIBLE
16 ORGANIZATION.

17 (6) THE ADDRESS OF THE OPERATING SITE OF THE LICENSED
18 ELIGIBLE ORGANIZATION.

19 (C) ISSUANCE AND FEE.--PRIOR TO ISSUING A SPECIAL LOCATION
20 PERMIT, THE LICENSING AUTHORITY SHALL CONFIRM WITH THE LICENSING
21 AUTHORITY THAT ISSUED THE LICENSE TO THE ELIGIBLE ORGANIZATION
22 THAT THE ELIGIBLE ORGANIZATION'S LICENSE IS VALID. A LICENSED
23 ELIGIBLE ORGANIZATION WHOSE LICENSE IS VALID AND PROPOSES TO
24 OFFER GAMES OF CHANCE AT A LOCATION NOT OTHERWISE PROHIBITED BY
25 LOCAL ORDINANCE OR THIS ACT SHALL BE CONSIDERED SUITABLE FOR
26 ISSUANCE OF A SPECIAL LOCATION PERMIT BY THE LICENSING
27 AUTHORITY. THE LICENSING AUTHORITY MAY ESTABLISH AND COLLECT A
28 FEE NOT TO EXCEED \$25 FOR THE ISSUANCE OF SPECIAL LOCATION
29 PERMITS UNDER THIS SECTION.

30 (D) LIMITATIONS.--THE FOLLOWING LIMITATIONS SHALL APPLY TO A

1 LICENSED ELIGIBLE ORGANIZATION ISSUED A SPECIAL LOCATION PERMIT
2 UNDER THIS SECTION:

3 (1) A LICENSED ELIGIBLE ORGANIZATION SHALL BE ELIGIBLE
4 TO RECEIVE NO MORE THAN TEN SPECIAL LOCATION PERMITS IN A
5 CALENDAR YEAR EXCEPT THAT A VOLUNTEER FIRE, AMBULANCE, RESCUE
6 OR CONSERVATION ORGANIZATION THAT IS NOT A CLUB LICENSEE
7 SHALL BE ELIGIBLE TO RECEIVE 12 SPECIAL LOCATION PERMITS IN A
8 CALENDAR YEAR.

9 (2) A SPECIAL LOCATION PERMIT SHALL AUTHORIZE THE
10 LICENSED ORGANIZATION TO CONDUCT GAMES OF CHANCE ONLY AT THE
11 LOCATION, TIME AND DATE AS INDICATED ON THE APPLICATION FOR
12 THE SPECIAL LOCATION PERMIT, PROVIDED THAT THE DURATION DOES
13 NOT EXCEED ONE CALENDAR DAY.

14 (3) NO MORE THAN THREE LICENSED ELIGIBLE ORGANIZATIONS,
15 INCLUDING THE LICENSED ELIGIBLE ORGANIZATION THAT OWNS OR
16 LEASES THE PREMISES, MAY CONDUCT GAMES OF CHANCE
17 SIMULTANEOUSLY AT A PREMISES OR LOCATION.

18 (4) A LICENSED ELIGIBLE ORGANIZATION SHALL ENSURE THAT
19 THE CONDUCT OF GAMES OF CHANCE BY DIFFERENT LICENSED ELIGIBLE
20 ORGANIZATIONS ARE SEPARATE AND CLEARLY IDENTIFIED WITHIN A
21 PREMISES OR LOCATION.

22 (5) A LICENSED ELIGIBLE ORGANIZATION THAT IS NOT A CLUB
23 LICENSEE MAY CONDUCT GAMES OF CHANCE SIMULTANEOUSLY WITH THE
24 CONDUCT OF GAMES OF CHANCE BY A CLUB LICENSEE NOT MORE THAN A
25 TOTAL OF SEVEN DAYS DURING THE CALENDAR YEAR.

26 (E) PROCEEDS.--A LICENSED ELIGIBLE ORGANIZATION SHALL USE
27 PROCEEDS FROM GAMES OF CHANCE OPERATED UNDER A SPECIAL LOCATION
28 PERMIT FOR PUBLIC INTEREST PURPOSES WITHIN OR DIRECTLY
29 BENEFITING THE COUNTY IN WHICH THE LICENSING AUTHORITY ISSUED
30 THE SPECIAL LOCATION PERMIT. NOTHING IN THIS PARAGRAPH SHALL BE

1 CONSTRUED TO REQUIRE PROCEEDS TO BE USED EXCLUSIVELY FOR PUBLIC
2 INTEREST PURPOSES WITHIN THE COUNTY.

3 (F) ADDITIONAL PERMITS.--A LICENSED ELIGIBLE ORGANIZATION
4 ISSUED A SPECIAL LOCATION PERMIT UNDER THIS SECTION MAY ALSO
5 APPLY TO THE LICENSING AUTHORITY FOR A SPECIAL RAFFLE PERMIT IN
6 ACCORDANCE WITH SECTION 308 AND A VERTICAL WHEEL GAME PERMIT IN
7 ACCORDANCE WITH SECTION 310, PROVIDED THAT A SPECIAL RAFFLE
8 PERMIT OR A VERTICAL WHEEL GAME PERMIT SHALL ONLY BE VALID FOR
9 THE DURATION OF THE SPECIAL LOCATION PERMIT.

10 SECTION 310. VERTICAL WHEEL GAME PERMITS.

11 (A) SPECIAL PERMIT REQUIRED.--NOTWITHSTANDING ANY OTHER
12 PROVISIONS OF THIS ACT, A LICENSED ELIGIBLE ORGANIZATION MAY
13 OPERATE A VERTICAL WHEEL GAME AT ONE LOCATION NOT PROHIBITED BY
14 LOCAL ORDINANCE OR THIS ACT FOR NO MORE THAN SEVEN CONSECUTIVE
15 DAYS UPON ISSUANCE OF A VERTICAL WHEEL GAME PERMIT FROM THE
16 LICENSING AUTHORITY.

17 (B) PERMIT APPLICATION.--EACH VERTICAL WHEEL GAME PERMIT
18 APPLICATION SHALL BE SUBMITTED ON A FORM AND IN A MANNER AS
19 REQUIRED BY THE LICENSING AUTHORITY, PROVIDED THAT EACH
20 APPLICATION SHALL SPECIFY THE LOCATION WHERE THE VERTICAL WHEEL
21 GAME WILL BE OFFERED, THE PRICE PER CHANCE AND THE PRIZES TO BE
22 AWARDED.

23 (C) ISSUANCE AND FEE.--A LICENSED ELIGIBLE ORGANIZATION
24 WHOSE LICENSE IS VALID, PROPOSES TO OFFER THE VERTICAL WHEEL
25 GAME AT A LOCATION NOT OTHERWISE PROHIBITED BY LOCAL ORDINANCE
26 OR THIS ACT AND WHOSE APPLICATION SPECIFIES THAT NO SINGLE
27 CHANCE WILL BE SOLD IN EXCESS OF \$10 SHALL BE CONSIDERED
28 SUITABLE FOR ISSUANCE OF A VERTICAL WHEEL GAME PERMIT BY THE
29 LICENSING AUTHORITY. THE LICENSING AUTHORITY MAY ESTABLISH AND
30 COLLECT A FEE NOT TO EXCEED \$25 FOR THE ISSUANCE OF VERTICAL

1 WHEEL GAME PERMITS UNDER THIS SECTION.

2 (D) LIMITATION.--A LICENSING AUTHORITY MAY ISSUE NO MORE
3 THAN FOUR VERTICAL WHEEL GAME PERMITS UNDER THIS SECTION TO ANY
4 ONE LICENSED ELIGIBLE ORGANIZATION IN A CALENDAR YEAR.
5 SECTION 311. POKER RUN PERMITS.

6 (A) SPECIAL PERMIT REQUIRED.--A LICENSED ELIGIBLE
7 ORGANIZATION MAY OPERATE A POKER RUN FOR NO MORE THAN ONE DAY
8 UPON ISSUANCE OF A POKER RUN PERMIT FROM THE LICENSING
9 AUTHORITY. LICENSED ELIGIBLE ORGANIZATIONS MAY JOINTLY OPERATE A
10 SINGLE POKER RUN, PROVIDED THAT EACH PARTICIPATING LICENSED
11 ELIGIBLE ORGANIZATION IS ISSUED A POKER RUN PERMIT. NO MORE THAN
12 FIVE LICENSED ELIGIBLE ORGANIZATIONS MAY JOINTLY OPERATE A POKER
13 RUN.

14 (B) PERMIT APPLICATION.--EACH POKER RUN PERMIT APPLICATION
15 SHALL BE SUBMITTED ON A FORM AND IN A MANNER AS REQUIRED BY THE
16 LICENSING AUTHORITY. A LICENSING AUTHORITY MAY REQUIRE THE
17 SUBMISSION OF A SINGLE CONSOLIDATED APPLICATION FOR A POKER RUN
18 TO BE OPERATED JOINTLY BY MULTIPLE LICENSED ELIGIBLE
19 ORGANIZATIONS. EACH APPLICATION SHALL INCLUDE:

- 20 (1) THE POKER RUN LOCATIONS OF OPERATION.
21 (2) THE DATE AND HOURS OF OPERATION OF THE POKER RUN.
22 (3) THE PRICE PER CHANCE.
23 (4) THE PRIZES TO BE AWARDED.
24 (5) A COPY OF THE AGREEMENT REQUIRED UNDER SUBSECTION

25 (E) IF THE POKER RUN WILL BE OPERATED JOINTLY WITH OTHER
26 LICENSED ELIGIBLE ORGANIZATIONS.

27 (6) ANY OTHER INFORMATION REQUIRED BY THE LICENSING
28 AUTHORITY.

29 (C) ISSUANCE AND FEE.--A LICENSED ELIGIBLE ORGANIZATION
30 WHOSE LICENSE IS VALID, PROPOSES TO OFFER A POKER RUN AT

1 LOCATIONS PERMITTED UNDER SUBSECTION (D) AND WHOSE APPLICATION
2 SPECIFIES THAT THE TOTAL OF ALL PRIZES TO BE AWARDED FOR THE
3 POKER RUN WILL NOT EXCEED \$15,000 SHALL BE CONSIDERED SUITABLE
4 FOR ISSUANCE OF A POKER RUN PERMIT. THE LICENSING AUTHORITY MAY
5 ESTABLISH AND COLLECT A FEE NOT TO EXCEED \$25 FOR THE ISSUANCE
6 OF POKER RUN PERMITS UNDER THIS SECTION. A LICENSING AUTHORITY
7 SHALL ISSUE NO MORE THAN TWO POKER RUN PERMITS TO A SINGLE
8 LICENSED ELIGIBLE ORGANIZATION IN ANY CALENDAR YEAR.

9 (D) LOCATIONS.--A POKER RUN MAY ONLY BE OPERATED AT
10 LOCATIONS WITHIN THE COUNTY IN WHICH THE ELIGIBLE ORGANIZATION
11 HAS BEEN ISSUED A POKER RUN PERMIT UNDER THIS SECTION AND A
12 LICENSE UNDER SECTION 307 BY THE LICENSING AUTHORITY, PROVIDED
13 THAT THE LOCATIONS ARE NOT PROHIBITED BY LOCAL ORDINANCE. A CLUB
14 LICENSEE ISSUED A POKER RUN PERMIT UNDER THIS SECTION MAY
15 OPERATE A POKER RUN, INCLUDING JOINTLY WITH OTHER ELIGIBLE
16 ORGANIZATIONS, AT ITS OWN LICENSED PREMISES, LOCATIONS OUTSIDE
17 ITS LICENSED PREMISES NOT PROHIBITED BY LOCAL ORDINANCE OR AT
18 THE LICENSED PREMISES OF ANOTHER CLUB LICENSEE ALSO HOLDING A
19 POKER RUN PERMIT.

20 (E) JOINT OPERATION AGREEMENT.--IF A POKER RUN IS TO BE
21 JOINTLY OPERATED BY MORE THAN ONE LICENSED ELIGIBLE
22 ORGANIZATION, EACH LICENSED ORGANIZATION MUST ENTER INTO A
23 WRITTEN AGREEMENT THAT IS SIGNED BY THE EXECUTIVE OFFICER OR
24 SECRETARY OF EACH PARTICIPATING ELIGIBLE ORGANIZATION. THE
25 WRITTEN AGREEMENT SHALL CONTAIN AT MINIMUM:

26 (1) THE DATE AND HOURS OF OPERATION OF THE POKER RUN.

27 (2) THE LOCATIONS THE POKER RUN WILL BE OPERATED.

28 (3) THE RESPONSIBILITIES OF EACH ELIGIBLE ORGANIZATION
29 FOR OPERATING THE POKER RUN.

30 (4) USE OF THE PROCEEDS FROM THE POKER RUN.

1 (5) A LIST OF OTHER GAMES OF CHANCE THAT WILL BE
2 OPERATED AT POKER RUN LOCATIONS, ITEMIZED BY LICENSED
3 ELIGIBLE ORGANIZATION.

4 (F) CONCURRENT OPERATION.--THE FOLLOWING SHALL APPLY TO THE
5 CONCURRENT OPERATION OF A POKER RUN WITH OTHER GAMES OF CHANCE
6 OPERATED BY A LICENSED ORGANIZATION HOLDING A POKER RUN PERMIT:

7 (1) EXCEPT AT THE LICENSED PREMISES OF A CLUB LICENSEE,
8 AN ELIGIBLE ORGANIZATION THAT IS NOT A CLUB LICENSEE MAY
9 OPERATE OTHER GAMES OF CHANCE AT ANY LOCATION IN WHICH THE
10 POKER RUN IS OPERATED.

11 (2) A CLUB LICENSEE OPERATING A POKER RUN MAY
12 CONCURRENTLY OPERATE OTHER GAMES OF CHANCE AT ITS LICENSED
13 PREMISES. A CLUB LICENSEE MAY NOT OPERATE ANY GAME OF CHANCE,
14 OTHER THAN A POKER RUN, OUTSIDE ITS LICENSED PREMISES DURING
15 THE OPERATION OF A POKER RUN.

16 (3) IF A POKER RUN IS OPERATED BY MORE THAN ONE LICENSED
17 ELIGIBLE ORGANIZATION, EACH LICENSED ELIGIBLE ORGANIZATION
18 ISSUED A POKER RUN PERMIT THAT IS NOT A CLUB LICENSEE MAY
19 OPERATE OTHER GAMES OF CHANCE AT ANY POKER RUN LOCATION
20 PROVIDED THAT:

21 (I) THE LOCATION IS NOT THE LICENSED PREMISES OF A
22 CLUB LICENSEE.

23 (II) THE OPERATION OF GAMES OF CHANCE BY EACH
24 LICENSED ELIGIBLE ORGANIZATION IS SEPARATE AND CLEARLY
25 IDENTIFIED AT THE POKER RUN LOCATION.

26 (G) APPLICABILITY.--SECTION 307(B.2) SHALL NOT APPLY TO A
27 POKER RUN OR OTHER GAMES OF CHANCE OPERATED AT POKER RUN
28 LOCATIONS BY A LICENSED ELIGIBLE ORGANIZATION ISSUED A POKER RUN
29 PERMIT UNDER THIS SECTION.

30 SECTION 13. SECTION 501 OF THE ACT IS REPEALED:

1 [SECTION 501. CLUB LICENSEE.

2 (A) REPORT.--

3 (1) BEGINNING IN 2014, A CLUB LICENSEE WITH PROCEEDS IN
4 EXCESS OF \$20,000 IN A CALENDAR YEAR SHALL SUBMIT ANNUAL
5 REPORTS TO THE DEPARTMENT FOR THE PRECEDING 12-MONTH PERIOD
6 ON A FORM AND IN A MANNER PRESCRIBED BY THE DEPARTMENT.

7 (2) THE REPORT UNDER PARAGRAPH (1) MUST BE FILED UNDER
8 OATH OR AFFIRMATION OF AN AUTHORIZED OFFICER OF THE CLUB
9 LICENSEE AND SHALL INCLUDE ALL OF THE FOLLOWING INFORMATION:

10 (I) THE PROCEEDS RECEIVED BY THE CLUB LICENSEE FROM
11 EACH GAME OF CHANCE CONDUCTED, ITEMIZED BY WEEK.

12 (II) THE AMOUNT OF PRIZES PAID FROM ALL GAMES OF
13 CHANCE, ITEMIZED BY WEEK.

14 (III) OTHER COSTS INCURRED RELATED TO THE CONDUCT OF
15 GAMES OF CHANCE.

16 (IV) VERIFICATION AND ITEMIZATION OF AMOUNTS
17 DISTRIBUTED FOR PUBLIC INTEREST.

18 (VII) OTHER INFORMATION OR DOCUMENTATION REQUIRED BY
19 THE DEPARTMENT.

20 (B) DISTRIBUTION.--THE DEPARTMENT SHALL PROVIDE A COPY OF
21 THE REPORT TO THE BUREAU OF LIQUOR CONTROL ENFORCEMENT.

22 (C) POSTING.--THE REPORTS UNDER SUBSECTION (A) SHALL BE
23 PUBLISHED ON THE DEPARTMENT'S INTERNET WEBSITE.]

24 SECTION 14. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:
25 SECTION 501.1. DEFINITION.

26 AS USED IN THIS CHAPTER, THE TERM "PROCEEDS" SHALL MEAN:

27 (1) FOR ANY GAME OF CHANCE, OTHER THAN A POKER RUN
28 OPERATED JOINTLY WITH OTHER LICENSED ELIGIBLE ORGANIZATIONS
29 UNDER SECTION 311, THE DIFFERENCE BETWEEN:

30 (I) THE ACTUAL GROSS REVENUE COLLECTED BY A CLUB

1 LICENSEE FROM A GAME OF CHANCE; AND

2 (II) THE ACTUAL AMOUNT OF PRIZES PAID BY A CLUB
3 LICENSEE FROM A GAME OF CHANCE PLUS THE COST TO PURCHASE
4 GAMES OF CHANCE.

5 (2) FOR A POKER RUN OPERATED JOINTLY BY A CLUB LICENSEE
6 WITH OTHER LICENSED ELIGIBLE ORGANIZATIONS UNDER SECTION 311,
7 AN AMOUNT, UNLESS OTHERWISE SPECIFIED IN THE JOINT OPERATION
8 AGREEMENT BETWEEN THE CLUB LICENSEE AND THE OTHER LICENSED
9 ELIGIBLE ORGANIZATIONS, EQUAL TO:

10 (I) THE DIFFERENCE BETWEEN THE ACTUAL GROSS REVENUE
11 COLLECTED FROM THE OPERATION OF THE POKER RUN AND THE
12 ACTUAL AMOUNT OF PRIZES PAID FROM THE POKER RUN PLUS THE
13 COST TO PURCHASE THE POKER RUN; AND

14 (II) DIVIDED BY THE TOTAL NUMBER OF ELIGIBLE
15 ORGANIZATIONS JOINTLY OPERATING THE POKER RUN.

16 SECTION 501.2. CLUB LICENSEE.

17 (A) REPORT.--

18 (1) A CLUB LICENSEE WITH PROCEEDS IN EXCESS OF \$20,000
19 IN A CALENDAR YEAR SHALL SUBMIT ANNUAL REPORTS TO THE
20 DEPARTMENT FOR THE PRECEDING 12-MONTH PERIOD ON A FORM AND IN
21 A MANNER PRESCRIBED BY THE DEPARTMENT.

22 (2) THE REPORT UNDER PARAGRAPH (1) MUST BE FILED UNDER
23 OATH OR AFFIRMATION OF AN AUTHORIZED OFFICER OF THE CLUB
24 LICENSEE AND SHALL INCLUDE ALL OF THE FOLLOWING INFORMATION:

25 (I) THE PROCEEDS RECEIVED BY THE CLUB LICENSEE FROM
26 EACH GAME OF CHANCE CONDUCTED.

27 (II) THE AMOUNT OF PRIZES PAID FROM ALL GAMES OF
28 CHANCE.

29 (III) OTHER COSTS INCURRED RELATED TO THE CONDUCT OF
30 GAMES OF CHANCE.

1 (IV) VERIFICATION AND ITEMIZATION OF AMOUNTS
2 DISTRIBUTED FOR PUBLIC INTEREST.

3 (V) OTHER INFORMATION OR DOCUMENTATION REQUIRED BY
4 THE DEPARTMENT.

5 (B) DISTRIBUTION.--THE DEPARTMENT SHALL PROVIDE A COPY OF
6 THE REPORT TO THE BUREAU OF LIQUOR CONTROL ENFORCEMENT.

7 (C) POSTING.--THE REPORTS UNDER SUBSECTION (A) SHALL BE
8 PUBLISHED ON THE DEPARTMENT'S INTERNET WEBSITE.

9 SECTION 15. SECTION 502(A.1) OF THE ACT, AMENDED NOVEMBER
10 27, 2013 (P.L.1045, NO.90), IS AMENDED TO READ:

11 SECTION 502. DISTRIBUTION OF PROCEEDS.

12 * * *

13 (A.1) AMOUNTS RETAINED.--

14 (1) NOTWITHSTANDING SUBSECTION (A), [IF IN A CALENDAR
15 YEAR BEGINNING JANUARY 1, 2013, THE PROCEEDS FROM A GAME OF
16 CHANCE FOR A CLUB LICENSEE ARE \$40,000 OR LESS, THE LICENSEE
17 SHALL BE ELIGIBLE TO RETAIN THE FIRST \$20,000 IN PROCEEDS IN
18 THE FOLLOWING CALENDAR YEAR BEFORE SUBSECTION (A) APPLIES.]
19 IN EACH CALENDAR YEAR BEGINNING ON OR AFTER JANUARY 1, 2017,
20 A CLUB LICENSEE MAY RETAIN THE GREATER OF THE FOLLOWING:

21 (I) THE FIRST \$20,000 IN PROCEEDS BEFORE SUBSECTION
22 (A) APPLIES; OR

23 (II) AN AMOUNT NECESSARY FOR THE PURCHASE OR REPAIR
24 OF ELECTRONIC PULL-TAB DISPENSING MACHINES OR A POINT OF
25 SALE SOFTWARE SYSTEM WHICH RECORDS DATA RELATIVE TO THE
26 SALE OF GAMES OF CHANCE BEFORE SUBSECTION (A) APPLIES.

27 (2) AMOUNTS RETAINED BY A CLUB LICENSEE UNDER SUBSECTION
28 (A) (2) SHALL BE EXPENDED WITHIN ONE YEAR OF THE END OF THE
29 CALENDAR YEAR IN WHICH THE PROCEEDS WERE OBTAINED UNLESS THE
30 CLUB LICENSEE NOTIFIES THE DEPARTMENT THAT FUNDS ARE BEING

1 RETAINED FOR A SUBSTANTIAL PUBLIC INTEREST PURCHASE OR
2 PROJECT.

3 * * *

4 SECTION 16. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
5 SECTION 505.2. CLUB LICENSEE LOCATION PERMITS.

6 (A) SPECIAL PERMIT REQUIRED.--NOTWITHSTANDING SECTION
7 307(B.2), A CLUB LICENSEE MAY CONDUCT GAMES OF CHANCE OUTSIDE
8 THE CLUB LICENSEE'S LICENSED PREMISES IN THE COUNTY WHERE THE
9 LICENSE IS ISSUED AT A PREMISES OR OTHER LOCATION NOT PROHIBITED
10 BY LOCAL ORDINANCE OR THIS ACT, AND FOR WHICH THE LICENSING
11 AUTHORITY HAS ISSUED A CLUB LICENSEE LOCATION PERMIT UNDER THIS
12 SECTION.

13 (B) PERMIT APPLICATION.--EACH CLUB LICENSEE LOCATION PERMIT
14 APPLICATION SHALL BE SUBMITTED ON A FORM AND IN A MANNER AS
15 REQUIRED BY THE LICENSING AUTHORITY, PROVIDED THAT EACH
16 APPLICATION SHALL SPECIFY:

17 (1) THE GAMES OF CHANCE TO BE OFFERED.

18 (2) THE DATES, TIMES AND LOCATION OF WHERE THE GAMES OF
19 CHANCE WILL BE OFFERED.

20 (3) THE PRICES FOR CHANCES TO BE SOLD.

21 (4) THE PRIZES TO BE AWARDED.

22 (C) ISSUANCE AND FEE.--A CLUB LICENSEE WHOSE LICENSE IS
23 VALID AND PROPOSES TO OFFER GAMES OF CHANCE AT A LOCATION NOT
24 OTHERWISE PROHIBITED BY LOCAL ORDINANCE OR THIS ACT SHALL BE
25 CONSIDERED SUITABLE FOR ISSUANCE OF A CLUB LICENSEE LOCATION
26 PERMIT BY THE LICENSING AUTHORITY. THE LICENSING AUTHORITY MAY
27 ESTABLISH AND COLLECT A FEE NOT TO EXCEED \$25 FOR THE ISSUANCE
28 OF CLUB LICENSEE LOCATION PERMITS UNDER THIS SECTION.

29 (D) LIMITATIONS.--THE FOLLOWING LIMITATIONS SHALL APPLY TO A
30 CLUB LICENSEE ISSUED A CLUB LICENSEE LOCATION PERMIT UNDER THIS

1 SECTION:

2 (1) THE CLUB LICENSEE SHALL BE ELIGIBLE TO RECEIVE NO
3 MORE THAN TWO CLUB LICENSEE LOCATION PERMITS IN A CALENDAR
4 YEAR.

5 (2) THE CLUB LICENSEE LOCATION PERMIT SHALL AUTHORIZE
6 THE CLUB LICENSEE TO CONDUCT GAMES OF CHANCE ONLY AT THE
7 LOCATION, TIMES AND DATES AS INDICATED ON THE APPLICATION FOR
8 THE CLUB LICENSEE LOCATION PERMIT, PROVIDED THAT THE DURATION
9 DOES NOT EXCEED SEVEN CONSECUTIVE CALENDAR DAYS.

10 (3) NO MORE THAN THREE LICENSED ELIGIBLE ORGANIZATIONS,
11 INCLUDING THE LICENSED ELIGIBLE ORGANIZATION THAT OWNS OR
12 LEASES THE PREMISES, MAY CONDUCT GAMES OF CHANCE
13 SIMULTANEOUSLY AT A PREMISES OR LOCATION.

14 (4) A LICENSED ELIGIBLE ORGANIZATION SHALL ENSURE THAT
15 THE CONDUCT OF GAMES OF CHANCE BY DIFFERENT LICENSED ELIGIBLE
16 ORGANIZATIONS ARE SEPARATE AND CLEARLY IDENTIFIED WITHIN A
17 PREMISES OR LOCATION.

18 (5) EXCEPT AS PROVIDED FOR IN SECTION 307(B.2) (4), A
19 CLUB LICENSEE MAY NOT CONDUCT GAMES OF CHANCE AT THE LICENSED
20 PREMISES OF ANOTHER CLUB LICENSEE.

21 (E) ADDITIONAL PERMITS.--

22 (1) A CLUB LICENSEE ISSUED A CLUB LICENSEE LOCATION
23 PERMIT UNDER THIS SECTION MAY OPERATE A RAFFLE OR VERTICAL
24 WHEEL GAME IN ACCORDANCE WITH SECTIONS 308 AND 310.

25 (2) A CLUB LICENSEE LOCATION PERMIT SHALL NOT BE
26 REQUIRED FOR THE OPERATION OF A POKER RUN IN ACCORDANCE WITH
27 SECTION 311.

28 SECTION 17. SECTION 701(A) (8) AND (B) OF THE ACT, AMENDED
29 FEBRUARY 2, 2012 (P.L.7, NO.2), ARE AMENDED TO READ:
30 SECTION 701. REVOCATION OF LICENSES.

1 (A) GROUNDS.--THE FOLLOWING SHALL BE GROUNDS FOR SUSPENSION,
2 REVOCATION OR NONRENEWAL OF A LICENSE:

3 * * *

4 (8) THE ELIGIBLE ORGANIZATION HAS VIOLATED ANY CONDITION
5 OF A [SPECIAL] PERMIT ISSUED PURSUANT TO SECTION 308, 309,
6 310, 311 OR 505.2.

7 * * *

8 (B) PRODUCTION OF RECORDS.--THE DISTRICT ATTORNEY MAY
9 REQUIRE LICENSEES TO PRODUCE THEIR BOOKS, ACCOUNTS AND RECORDS
10 RELATING TO THE CONDUCT OF GAMES OF CHANCE IN ORDER TO DETERMINE
11 IF A VIOLATION OF THIS ACT HAS OCCURRED. LICENSEES SHALL ALSO BE
12 REQUIRED, UPON REQUEST, TO PROVIDE THEIR LICENSE, BOOKS,
13 ACCOUNTS AND RECORDS RELATING TO THE CONDUCT OF GAMES OF CHANCE
14 TO THE LICENSING AUTHORITY, THE BUREAU OF LIQUOR CONTROL
15 ENFORCEMENT OR TO A LAW ENFORCEMENT AGENCY OR OFFICIAL. [A CLUB
16 LICENSEE SHALL RETAIN RECORDS FOR A PERIOD OF FIVE YEARS.]

17 SECTION 18. SECTION 702(B) AND (G) OF THE ACT, AMENDED
18 FEBRUARY 2, 2012 (P.L.7, NO.2), NOVEMBER 27, 2013 (P.L.1045,
19 NO.90) AND NOVEMBER 27, 2013 (P.L.1062, NO.92), ARE AMENDED TO
20 READ:

21 SECTION 702. ENFORCEMENT.

22 * * *

23 (B) BUREAU OF LIQUOR CONTROL ENFORCEMENT.--IF THE LICENSEE
24 IS A CLUB LICENSEE OR A LICENSEE UNDER CHAPTER 9, THE BUREAU OF
25 LIQUOR CONTROL ENFORCEMENT MAY ENFORCE THE PROVISIONS OF THIS
26 ACT IN ACCORDANCE WITH SUBSECTION (G). AN ADMINISTRATIVE LAW
27 JUDGE UNDER SECTION 212 OF THE ACT OF APRIL 12, 1951 (P.L.90,
28 NO.21), KNOWN AS THE LIQUOR CODE, MAY IMPOSE THE PENALTIES UNDER
29 SUBSECTION (D) FOLLOWING THE ISSUANCE OF A CITATION BY THE
30 BUREAU. THE BUREAU OF LIQUOR CONTROL ENFORCEMENT SHALL HAVE NO

1 JURISDICTION TO ENFORCE THE PROVISIONS OF THIS ACT ON ANY
2 SPECIAL OCCASION PERMIT HOLDER UNDER SECTION 408.4 OF THE LIQUOR
3 CODE. THE BUREAU OF LIQUOR CONTROL ENFORCEMENT SHALL RETAIN ALL
4 POWERS AND DUTIES TO ENFORCE THE PROVISIONS OF THE LIQUOR CODE
5 ON A SPECIAL OCCASION PERMIT HOLDER.

6 * * *

7 (G) [GENERAL RULE] VIOLATIONS OF LIQUOR CODE.--

8 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), A VIOLATION OF
9 THIS ACT BY A CLUB LICENSEE SHALL NOT CONSTITUTE A VIOLATION
10 OF THE LIQUOR CODE.

11 (2) IF A CLUB LICENSEE HAS COMMITTED THREE OR MORE
12 VIOLATIONS OF THIS ACT, THE BUREAU OF LIQUOR CONTROL
13 ENFORCEMENT MAY ENFORCE A VIOLATION OF THIS ACT AS A
14 VIOLATION OF THE LIQUOR CODE.

15 (3) A VIOLATION OF THIS ACT SHALL NOT CONSTITUTE A
16 VIOLATION OF THE LIQUOR CODE FOR THE PURPOSES OF SECTION
17 471(C) OF THE LIQUOR CODE.

18 (4) A VIOLATION OF SECTION 304.1 OR 304.2 SHALL NOT
19 CONSTITUTE A VIOLATION OF THE LIQUOR CODE.

20 SECTION 19. THE DEFINITIONS OF "BUREAU" AND "NET REVENUE" IN
21 SECTION 902 OF THE ACT, ADDED NOVEMBER 27, 2013 (P.L.1045,
22 NO.90), ARE AMENDED AND THE SECTION IS AMENDED BY ADDING A
23 DEFINITION TO READ:

24 SECTION 902. DEFINITIONS.

25 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
26 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
27 CONTEXT CLEARLY INDICATES OTHERWISE:

28 * * *

29 ["BUREAU." THE BUREAU OF INVESTIGATIONS AND ENFORCEMENT OF
30 THE PENNSYLVANIA GAMING CONTROL BOARD.]

1 * * *

2 "NET REVENUE." AS FOLLOWS:

3 (1) FOR TAVERN GAMES REQUIRED TO BE PURCHASED FROM A
4 LICENSED DISTRIBUTOR UNDER THIS ACT, THE DIFFERENCE BETWEEN:

5 (I) THE AMOUNT OF THE FACE VALUE, AS INDICATED BY
6 THE MANUFACTURER, MINUS THE COST OF THE GAME, COLLECTIBLE
7 BY A LICENSEE FROM A TAVERN GAME; AND

8 (II) THE MAXIMUM AMOUNT OF PRIZES PAYABLE, AS
9 INDICATED BY THE MANUFACTURER, BY A LICENSEE FROM A
10 TAVERN GAME.

11 (2) FOR TAVERN GAMES NOT REQUIRED TO BE PURCHASED FROM A
12 LICENSED DISTRIBUTOR, THE TERM HAS THE SAME MEANING AS
13 PROCEEDS.

14 * * *

15 "TAVERN WEEKLY DRAWING." A GAME IN WHICH:

16 (1) AN INDIVIDUAL AT A TAVERN SELECTS OR IS ASSIGNED A
17 NUMBER FOR A CHANCE AT A PRIZE WITH THE WINNER DETERMINED BY
18 RANDOM DRAWING TO TAKE PLACE AT THE TAVERN AT THE END OF A
19 SEVEN-DAY PERIOD;

20 (2) A WINNER MAY BE DETERMINED WITH THE AID OF A PASSIVE
21 SELECTION DEVICE OR REFERENCE TO DRAWINGS CONDUCTED BY THE
22 DEPARTMENT UNDER THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91),
23 KNOWN AS THE STATE LOTTERY LAW;

24 (3) CHANCES ARE NOT SOLD FOR AN AMOUNT IN EXCESS OF \$1;
25 AND

26 (4) NO MORE THAN ONE CHANCE PER INDIVIDUAL IS SOLD PER
27 DRAWING.

28 SECTION 20. SECTIONS 903, 904, 905, 908.1, 909, 909.1(A) AND
29 (C), 909.2(C) AND 913 OF THE ACT, ADDED NOVEMBER 27, 2013
30 (P.L.1045, NO.90), ARE AMENDED TO READ:

1 SECTION 903. LICENSES.

2 (A) APPLICATION.--A RESTAURANT LICENSEE MAY APPLY TO THE
3 BOARD FOR A LICENSE TO CONDUCT TAVERN GAMES AT A LICENSED
4 PREMISES LOCATED IN A MUNICIPALITY THAT HAS ADOPTED A REFERENDUM
5 TO ALLOW SMALL GAMES OF CHANCE UNDER SECTION 703.

6 (B) INFORMATION.--THE APPLICATION UNDER SUBSECTION (A) SHALL
7 INCLUDE THE FOLLOWING INFORMATION:

8 (1) THE NAME, ADDRESS AND PHOTOGRAPH OF THE APPLICANT.

9 (2) A CURRENT TAX LIEN CERTIFICATE ISSUED BY THE
10 DEPARTMENT AND A CERTIFICATE FROM THE DEPARTMENT OF LABOR AND
11 INDUSTRY OF PAYMENT OF ALL WORKERS' COMPENSATION AND
12 UNEMPLOYMENT COMPENSATION OWED.

13 (3) THE DETAILS OF ANY LICENSE ISSUED UNDER 4 PA.C.S.
14 PT. II (RELATING TO GAMING), THE ACT OF APRIL 12, 1951
15 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, OR THIS ACT WHICH
16 WAS APPLIED FOR OR IN WHICH THE APPLICANT OR OTHER OWNER HAS
17 AN INTEREST.

18 (4) CERTIFIED CONSENT BY THE APPLICANT, INCLUDING EACH
19 OWNER AND OFFICER OF THE RESTAURANT LICENSEE, TO A BACKGROUND
20 INVESTIGATION [BY THE BUREAU] IN ACCORDANCE WITH SUBSECTION
21 (E).

22 (5) RELATING TO CRIMINAL INFORMATION, DISCLOSURE OF ALL
23 ARRESTS AND CITATIONS OF THE APPLICANT, INCLUDING NONTRAFFIC
24 SUMMARY OFFENSES. THE INFORMATION SHALL INCLUDE ALL OF THE
25 FOLLOWING:

26 (I) A BRIEF DESCRIPTION OF THE CIRCUMSTANCES
27 SURROUNDING THE ARREST OR ISSUANCE OF THE CITATION.

28 (II) THE SPECIFIC OFFENSE CHARGED.

29 (III) THE ULTIMATE DISPOSITION OF THE CHARGE,
30 INCLUDING ANY DISMISSAL, PLEA BARGAIN, CONVICTION,

1 SENTENCE[, PARDON, EXPUNGEMENT] OR ORDER OF ACCELERATED
2 REHABILITATIVE DISPOSITION.

3 (6) FINANCIAL INTERESTS AND TRANSACTIONS AS REQUIRED BY
4 THE [BUREAU] BOARD.

5 (7) RELATING TO CITATIONS OF THE APPLICANT ISSUED UNDER
6 THE LIQUOR CODE.

7 (8) RELATING TO DISCLOSURE OF CONDITIONAL LICENSE
8 AGREEMENTS ENTERED INTO UNDER THE LIQUOR CODE.

9 (9) ANY OTHER INFORMATION REQUIRED BY THE BOARD.

10 [(C) DUTY OF BUREAU.--THE BUREAU SHALL CONDUCT A BACKGROUND
11 INVESTIGATION OF EACH APPLICANT, THE SCOPE OF WHICH SHALL BE
12 DETERMINED BY THE BUREAU.]

13 (D) REVIEW.--[WITHIN SIX MONTHS OF RECEIPT OF THE BACKGROUND
14 INVESTIGATION REPORT FROM THE BUREAU, THE] THE BOARD SHALL
15 APPROVE OR DISAPPROVE THE APPLICATION WITHIN 30 DAYS OF RECEIPT
16 OF THE APPLICATION.

17 (E) BACKGROUND INVESTIGATION.--EACH APPLICANT SHALL INCLUDE
18 INFORMATION AND DOCUMENTATION AS REQUIRED TO ESTABLISH PERSONAL
19 AND FINANCIAL SUITABILITY, HONESTY AND INTEGRITY. INFORMATION
20 SHALL INCLUDE:

21 (1) [CRIMINAL HISTORY RECORD INFORMATION.] A CRIMINAL
22 HISTORY RECORD INFORMATION CHECK OBTAINED FROM THE
23 PENNSYLVANIA STATE POLICE AS DEFINED IN 18 PA.C.S. § 9102
24 (RELATING TO DEFINITIONS) AND PERMITTED BY 18 PA.C.S. §
25 9121(B) (RELATING TO GENERAL REGULATIONS), FOR THE APPLICANT,
26 INCLUDING EACH OWNER AND OFFICER OF THE RESTAURANT LICENSEE.

27 (2) FINANCIAL BACKGROUND INFORMATION.

28 (3) REGULATORY HISTORY BEFORE THE BOARD OR OTHER
29 COMMONWEALTH AGENCY.

30 (4) OTHER INFORMATION REQUIRED BY THE [BUREAU] BOARD.

1 (F) PERSONAL INTERVIEW.--IF THE [BUREAU] BOARD DETERMINES
2 THAT THE RESULTS OF THE BACKGROUND REPORT INVESTIGATION WARRANT
3 ADDITIONAL REVIEW OF THE INDIVIDUAL, THE [BUREAU] BOARD SHALL
4 CONDUCT A PERSONAL INTERVIEW WITH THE APPLICANT AND MAY REQUEST
5 INFORMATION AND INTERVIEWS FROM OTHER PERSONAL OR PROFESSIONAL
6 ASSOCIATES.

7 (G) COOPERATION.--THE APPLICANT SHALL COOPERATE WITH THE
8 [BUREAU] BOARD AS REQUESTED DURING THE CONDUCT OF THE BACKGROUND
9 INVESTIGATION. ANY REFUSAL TO PROVIDE THE INFORMATION REQUIRED
10 UNDER THIS SECTION OR TO CONSENT TO A BACKGROUND INVESTIGATION
11 SHALL RESULT IN THE IMMEDIATE DENIAL OF A LICENSE BY THE BOARD.

12 [(H) COSTS.--THE APPLICANT SHALL REIMBURSE THE BUREAU FOR
13 THE ACTUAL COSTS OF CONDUCTING THE BACKGROUND INVESTIGATION. THE
14 BOARD SHALL NOT APPROVE AN APPLICANT THAT HAS NOT FULLY
15 REIMBURSED THE BUREAU FOR THE INVESTIGATION.]

16 (I) APPROVAL.--[THE BUREAU SHALL TRANSMIT THE INVESTIGATIVE
17 REPORT AND MAY MAKE A RECOMMENDATION TO THE BOARD.] THE BOARD
18 SHALL REVIEW THE INFORMATION [OBTAINED] REQUIRED UNDER THIS
19 SECTION TO DETERMINE IF THE APPLICANT POSSESSES THE FOLLOWING:

20 (1) FINANCIAL STABILITY, INTEGRITY AND RESPONSIBILITY.

21 (2) SUFFICIENT BUSINESS EXPERIENCE AND ABILITY TO
22 EFFECTIVELY OPERATE TAVERN GAMES AS PART OF THE RESTAURANT
23 LICENSEE'S OPERATOR.

24 (3) CHARACTER, HONESTY AND INTEGRITY TO BE LICENSED TO
25 OPERATE TAVERN GAMES IN A RESPONSIBLE AND LAWFUL MANNER.

26 (J) DISAPPROVAL.--THE BOARD MAY DISAPPROVE THE ISSUANCE OF A
27 TAVERN GAMING LICENSE FOR THE FOLLOWING REASONS:

28 (1) A LICENSE SHALL NOT BE ISSUED TO A RESTAURANT
29 LICENSEE WHOSE LIQUOR LICENSE IS IN SAFEKEEPING PURSUANT TO
30 SECTION 474.1 OF THE LIQUOR CODE.

1 (2) A LICENSE SHALL NOT BE ISSUED TO A LOCATION THAT IS
2 SUBJECT TO A PENDING OBJECTION UNDER SECTION 470 (A.1) OF THE
3 LIQUOR CODE.

4 (3) A LICENSE SHALL NOT BE ISSUED TO A LOCATION THAT IS
5 SUBJECT TO:

6 (I) A PENDING LICENSE SUSPENSION UNDER SECTION 471
7 OF THE LIQUOR CODE; OR

8 (II) A ONE-YEAR PROHIBITION ON THE ISSUANCE OR
9 TRANSFER OF A LICENSE UNDER SECTION 471 (B) OF THE LIQUOR
10 CODE.

11 SECTION 904. APPLICATION.

12 (A) APPLICATION FEE.--AN APPLICANT SHALL PAY THE BOARD A
13 NONREFUNDABLE APPLICATION FEE OF [\$1,000] \$500.

14 [(B) INVESTIGATIVE FEE.--AN APPLICANT SHALL PAY AN
15 INVESTIGATIVE FEE OF \$1,000 TO THE BUREAU.

16 (C) COSTS.--IN ADDITION TO THE FEE UNDER SUBSECTION (B), AN
17 APPLICANT AND ANY OWNER AND OFFICER OF THE APPLICANT SHALL PAY
18 FOR THE ACTUAL COSTS OF A BACKGROUND INVESTIGATION CONDUCTED BY
19 THE BUREAU THAT EXCEED THE APPLICATION FEE. THE BUREAU MAY:

20 (1) CHARGE AN ESTIMATED AMOUNT TO BE PROVIDED PRIOR TO
21 THE BACKGROUND INVESTIGATION.

22 (2) SUBMIT FOR REIMBURSEMENT FROM THE APPLICANT FOR THE
23 ADDITIONAL COSTS INCURRED IN THE BACKGROUND INVESTIGATION.

24 (D) FUNDS.--FUNDS COLLECTED UNDER SUBSECTIONS (B) AND (C)
25 SHALL AUGMENT THE FUNDS APPROPRIATED TO THE PENNSYLVANIA GAMING
26 CONTROL BOARD UNDER 4 PA.C.S. (RELATING TO AMUSEMENTS).]

27 SECTION 905. APPROVAL.

28 (A) ISSUANCE.--UPON BEING SATISFIED THAT THE REQUIREMENTS OF
29 SECTION 903 HAVE BEEN MET, THE BOARD MAY APPROVE THE APPLICATION
30 AND ISSUE A TAVERN GAMES LICENSE FOR A PERIOD OF ONE YEAR. THE

1 BOARD MAY ENTER INTO AN AGREEMENT WITH THE LICENSEE CONCERNING
2 ADDITIONAL RESTRICTIONS ON THE LICENSE, AND THIS AGREEMENT SHALL
3 BE BINDING ON THE LICENSEE. FAILURE OF THE LICENSEE TO ADHERE TO
4 THE AGREEMENT WILL BE CAUSE FOR PENALTIES UNDER SECTION 913(C)
5 AND FOR THE NONRENEWAL OF THE LICENSE UNDER SECTION 913(F).

6 (B) RENEWAL.--A LICENSE SHALL BE RENEWED ANNUALLY. A LICENSE
7 RENEWAL SHALL NOT REQUIRE REVIEW OF THE [BUREAU] BOARD, UNLESS
8 [REQUESTED] REQUIRED BY THE BOARD. THE BOARD MAY REFUSE TO RENEW
9 A TAVERN GAMING LICENSE FOR THE FOLLOWING REASONS:

10 (1) A LICENSE SHALL NOT BE ISSUED TO A RESTAURANT
11 LICENSEE WHOSE LIQUOR LICENSE IS IN SAFEKEEPING UNDER SECTION
12 474.1 OF THE ACT OF APRIL 12, 1951 (P.L.90, NO.21), KNOWN AS
13 THE LIQUOR CODE.

14 (2) A LICENSE SHALL NOT BE ISSUED TO A LOCATION THAT IS
15 SUBJECT TO A PENDING OBJECTION UNDER SECTION 470(A.1) OF THE
16 LIQUOR CODE.

17 (3) A LICENSE SHALL NOT BE ISSUED TO A LOCATION THAT IS
18 SUBJECT TO:

19 (I) A PENDING LICENSE SUSPENSION UNDER SECTION 471
20 OF THE LIQUOR CODE; OR

21 (II) A ONE-YEAR PROHIBITION ON THE ISSUANCE OR
22 TRANSFER OF A LICENSE UNDER SECTION 471(B) OF THE LIQUOR
23 CODE.

24 (C) FEE.--UPON APPROVAL, THE APPLICANT SHALL PAY A [\$2,000]
25 \$1,000 LICENSE FEE TO BE DEPOSITED IN THE GENERAL FUND. THE
26 ANNUAL RENEWAL FEE SHALL BE [\$1,000] \$500.

27 (D) ENTITLEMENT.--NOTHING UNDER THIS CHAPTER SHALL BE
28 CONSTRUED TO CREATE AN ENTITLEMENT TO A LICENSE BY A PERSON. THE
29 BOARD SHALL HAVE SOLE DISCRETION TO ISSUE, RENEW, CONDITION,
30 SUSPEND, REVOKE OR DENY A LICENSE BASED ON THE REQUIREMENTS OF

1 THIS CHAPTER AND WHETHER THE ISSUANCE AND MAINTENANCE OF THE
2 LICENSE ARE IN THE BEST INTERESTS OF THE COMMONWEALTH.

3 (E) NONTRANSFERABILITY.--A LICENSE SHALL BE A GRANT OF
4 PRIVILEGE TO CONDUCT TAVERN GAMES. A LICENSE MAY NOT BE SOLD,
5 TRANSFERRED OR ASSIGNED TO ANY OTHER PERSON. A LICENSEE MAY NOT
6 PLEDGE OR OTHERWISE GRANT A SECURITY INTEREST IN OR LIEN ON THE
7 LICENSE. THE BOARD SHALL HAVE THE SOLE DISCRETION TO ISSUE,
8 RENEW, CONDITION OR DENY THE ISSUANCE OF A LICENSE.

9 SECTION 908.1. TAVERN RAFFLE.

10 THE FOLLOWING SHALL APPLY TO A TAVERN RAFFLE:

11 (1) NO MORE THAN [ONE] TWO TAVERN [RAFFLE] RAFFLES MAY
12 BE HELD IN A CALENDAR MONTH.

13 (2) A TAVERN RAFFLE MUST BE HELD FOR A DESIGNATED
14 CHARITABLE PURPOSE.

15 (3) EACH INDIVIDUAL PARTICIPATING IN THE TAVERN RAFFLE
16 MUST BE INFORMED OF THE CHARITABLE PURPOSE INVOLVED.

17 (4) AT LEAST 50% OF THE NET REVENUES FROM THE TAVERN
18 RAFFLE SHALL BE TRANSMITTED TO THE DESIGNATED CHARITY WITHIN
19 SEVEN DAYS OF THE TAVERN RAFFLE.

20 (5) ANY NET REVENUES NOT TRANSMITTED UNDER PARAGRAPH (4)
21 SHALL BE DISTRIBUTED AS FOLLOWS:

22 (I) [SIXTY] FIFTY PERCENT SHALL BE PAID TO THE
23 COMMONWEALTH AS THE TAX IMPOSED UNDER SECTION 909.1(C).

24 (II) [THIRTY-FIVE] FORTY-FIVE PERCENT MAY BE
25 RETAINED BY THE LICENSEE.

26 (III) FIVE PERCENT SHALL BE PAID TO THE COMMONWEALTH
27 AS THE TAX IMPOSED UNDER SECTION 909.2(C) AND DEPOSITED
28 INTO THE RESTRICTED RECEIPTS ACCOUNT ESTABLISHED IN
29 SECTION 909.3.

30 (6) A TAVERN RAFFLE PRIZE REMAINING UNCLAIMED BY A

1 WINNER 60 DAYS AFTER THE TAVERN RAFFLE WAS HELD SHALL BE
2 DONATED BY THE LICENSEE WITHIN 30 DAYS TO THE DESIGNATED
3 CHARITABLE ORGANIZATION FOR WHICH THE TAVERN RAFFLE WAS
4 CONDUCTED.

5 SECTION 909. DISTRIBUTION OF NET REVENUE.

6 BEGINNING JANUARY 1, 2014, THE NET REVENUE FROM TAVERN GAMES
7 RECEIVED BY A LICENSEE SHALL BE DISTRIBUTED AS FOLLOWS:

8 (1) [~~SIXTY~~] FIFTY PERCENT OF THE NET REVENUE OBTAINED IN
9 ANY CALENDAR YEAR SHALL BE PAID TO THE COMMONWEALTH.

10 (2) [~~THIRTY-FIVE~~] FORTY-FIVE PERCENT OF THE NET REVENUE
11 OBTAINED IN ANY CALENDAR YEAR MAY BE RETAINED BY THE
12 LICENSEE.

13 (3) FIVE PERCENT SHALL BE PAID TO THE COMMONWEALTH AND
14 DEPOSITED INTO THE RESTRICTED RECEIPTS ACCOUNT ESTABLISHED IN
15 SECTION 909.3.

16 SECTION 909.1. TAVERN GAMES TAX.

17 (A) IMPOSITION.--THERE IS IMPOSED A TAX OF [~~60%~~] 50% OF THE
18 NET REVENUE FROM TAVERN GAMES SOLD BY A LICENSED DISTRIBUTOR TO
19 A LICENSEE WITHIN THIS COMMONWEALTH.

20 * * *

21 (C) OTHER GAMES.--IN AN INSTANCE WHERE THE TAVERN GAME IS
22 NOT REQUIRED TO BE PURCHASED FROM A LICENSED DISTRIBUTOR UNDER
23 THIS ACT, A TAX OF [~~60%~~] 50% IS IMPOSED UPON THE NET REVENUE
24 FROM TAVERN DAILY DRAWINGS, TAVERN WEEKLY DRAWINGS AND TAVERN
25 RAFFLES UNDER SECTION 908.1 AND MUST BE PAID TO THE COMMONWEALTH
26 BY THE LICENSEE.

27 * * *

28 SECTION 909.2. HOST MUNICIPALITY TAVERN GAMES TAX.

29 * * *

30 (C) OTHER GAMES.--IN AN INSTANCE WHERE THE TAVERN GAME IS

1 NOT REQUIRED TO BE PURCHASED FROM A LICENSED DISTRIBUTOR UNDER
2 THIS ACT, A TAX OF 5% IS IMPOSED UPON THE NET REVENUE FROM
3 TAVERN DAILY DRAWINGS, TAVERN WEEKLY DRAWINGS AND TAVERN RAFFLES
4 UNDER SECTION 908.1 AND MUST BE PAID TO THE COMMONWEALTH AND
5 DEPOSITED INTO THE RESTRICTED RECEIPTS ACCOUNT ESTABLISHED IN
6 SECTION 909.3.

7 * * *

8 SECTION 913. ENFORCEMENT.

9 (A) BOARD.--THE BOARD MAY, FOLLOWING NOTICE AND HEARING,
10 IMPOSE PENALTIES OR SUSPEND OR REVOKE A LICENSE UNDER THIS
11 CHAPTER.

12 (B) AUTHORITY OF DEPARTMENT.--NOTWITHSTANDING ANY LAW TO THE
13 CONTRARY, THE DEPARTMENT MAY REPORT VIOLATIONS OF THIS CHAPTER
14 TO THE BOARD AND TO THE BUREAU OF LIQUOR CONTROL ENFORCEMENT.

15 (C) [PENALTIES] CIVIL PENALTIES.--THE BOARD MAY IMPOSE A
16 CIVIL PENALTY FOR A VIOLATION OF THIS CHAPTER IN ACCORDANCE WITH
17 THE FOLLOWING:

18 (1) UP TO [\$2,000] \$800 FOR AN INITIAL VIOLATION.

19 (2) UP TO [\$3,000] \$1,000 FOR A SECOND VIOLATION.

20 (3) UP TO [\$5,000] \$2,000 FOR A THIRD VIOLATION.

21 (D) CRIMINAL [PENALTY] PENALTIES.--A VIOLATION OF THIS
22 CHAPTER SHALL BE A [MISDEMEANOR OF THE THIRD DEGREE] SUMMARY
23 OFFENSE. A SECOND OR SUBSEQUENT OFFENSE SHALL BE A MISDEMEANOR
24 OF THE [SECOND] THIRD DEGREE.

25 (E) ADMINISTRATIVE LAW JUDGE.--AN ADMINISTRATIVE LAW JUDGE
26 UNDER SECTION 212 OF THE ACT OF APRIL 12, 1951 (P.L.90, NO.21),
27 KNOWN AS THE LIQUOR CODE, MAY IMPOSE THE PENALTIES UNDER THIS
28 SECTION FOLLOWING THE ISSUANCE OF A CITATION BY THE BUREAU OF
29 LIQUOR CONTROL ENFORCEMENT.

30 (F) SUSPENSION, REVOCATION OR FAILURE TO RENEW.--

1 (1) IN ADDITION TO ANY OTHER SANCTIONS THE BOARD MAY
2 IMPOSE UNDER THIS CHAPTER OR UNDER THE LIQUOR CODE, THE BOARD
3 MAY, AT ITS DISCRETION, SUSPEND, REVOKE OR DENY RENEWAL OF
4 ANY LICENSE ISSUED UNDER THIS CHAPTER IF IT RECEIVES ANY
5 INFORMATION FROM ANY SOURCE AND DETERMINES THAT:

6 (I) THE APPLICANT OR ANY OF ITS OFFICERS, DIRECTORS,
7 OWNERS OR EMPLOYEES:

8 (A) IS IN VIOLATION OF ANY PROVISION OF THIS
9 CHAPTER.

10 (B) FURNISHED THE BOARD WITH FALSE OR MISLEADING
11 INFORMATION.

12 (II) THE INFORMATION CONTAINED IN THE APPLICANT'S
13 INITIAL APPLICATION OR ANY RENEWAL APPLICATION IS NO
14 LONGER TRUE AND CORRECT.

15 (2) IN THE EVENT OF A REVOCATION, SUSPENSION OR FAILURE
16 TO RENEW, THE APPLICANT'S AUTHORIZATION TO CONDUCT THE
17 PREVIOUSLY APPROVED ACTIVITY SHALL IMMEDIATELY CEASE, AND ALL
18 FEES PAID IN CONNECTION THEREWITH SHALL BE DEEMED TO BE
19 FORFEITED. IN THE EVENT OF A SUSPENSION, THE APPLICANT'S
20 AUTHORIZATION TO CONDUCT THE PREVIOUSLY APPROVED ACTIVITY
21 SHALL IMMEDIATELY CEASE UNTIL THE BOARD HAS NOTIFIED THE
22 APPLICANT THAT THE SUSPENSION IS NO LONGER IN EFFECT.

23 (3) THE BOARD SHALL IMMEDIATELY AND PERMANENTLY REVOKE A
24 LICENSE ISSUED UNDER THIS CHAPTER IF THE LICENSEE HAS
25 COMMITTED FOUR OR MORE VIOLATIONS OF THIS CHAPTER IN A TWO-
26 YEAR PERIOD.

27 (G) LAW ENFORCEMENT OFFICIALS.--NOTHING IN THIS CHAPTER
28 SHALL BE CONSTRUED TO RESTRICT OR LIMIT THE POWER OF A STATE,
29 COUNTY OR LOCAL LAW ENFORCEMENT OFFICIAL TO CONDUCT
30 INVESTIGATIONS AND FILE CRIMINAL CHARGES UNDER THIS CHAPTER.

1 (H) VIOLATIONS.--

2 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), A VIOLATION OF
3 THIS CHAPTER BY A RESTAURANT LICENSEE SHALL NOT CONSTITUTE A
4 VIOLATION OF THE LIQUOR CODE.

5 (2) IF A RESTAURANT LICENSEE HAS COMMITTED THREE OR MORE
6 VIOLATIONS OF THIS ACT IN A CALENDAR YEAR, THE BUREAU MAY
7 ENFORCE A VIOLATION OF THIS CHAPTER AS A VIOLATION OF THE
8 LIQUOR CODE.

9 (3) A VIOLATION OF THIS CHAPTER SHALL NOT CONSTITUTE A
10 VIOLATION OF THE LIQUOR CODE FOR THE PURPOSES OF SECTION
11 471(C) OF THE LIQUOR CODE.

12 SECTION 21. WITHIN TWO YEARS OF THE EFFECTIVE DATE OF THIS
13 SECTION, THE DEPARTMENT OF REVENUE SHALL PUBLISH REGULATIONS TO
14 IMPLEMENT AND ADMINISTER THE PROVISIONS OF THIS ACT.

15 Section 6 22. This act shall take effect in 60 days.

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