

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1887 Session of  
2015

INTRODUCED BY ORTITAY, BAKER, V. BROWN, D. COSTA, ENGLISH,  
PHILLIPS-HILL, JOZWIAK, KAUFER, KAUFFMAN, KLUNK, KOTIK,  
MILLARD, MURT, NEILSON, O'BRIEN, QUIGLEY, RADER, SAYLOR,  
STAATS, THOMAS, WARD, ROZZI, KORTZ, D. PARKER, MICCARELLI AND  
NELSON, MARCH 10, 2016

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,  
OCTOBER 27, 2016

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated  
2 Statutes, in ~~licensees, providing for slot machine license~~ <--  
3 ~~operation fee; in table games, further providing for local~~  
4 ~~share assessment; in revenues, further providing for~~  
5 ~~establishment of State Gaming Fund and net slot machine~~  
6 ~~revenue distribution; in administration and enforcement~~  
7 ~~relating to gaming, further providing for compulsive and~~  
8 ~~problem gambling program; and making a related repeal.~~  
9 PROVIDING FOR FANTASY CONTESTS; IN GENERAL PROVISIONS, <--  
10 FURTHER PROVIDING FOR LEGISLATIVE INTENT AND FOR DEFINITIONS;  
11 IN PENNSYLVANIA GAMING CONTROL BOARD, FURTHER PROVIDING FOR  
12 GENERAL AND SPECIFIC POWERS, FOR LICENSED GAMING ENTITY  
13 APPLICATION APPEALS FROM BOARD, FOR BOARD MINUTES AND  
14 RECORDS, FOR REGULATORY AUTHORITY OF BOARD, FOR SLOT MACHINE  
15 LICENSE FEE, FOR REPORTS OF BOARD AND FOR DIVERSITY GOALS OF  
16 BOARD; IN LICENSEES, FURTHER PROVIDING FOR CATEGORY 3 SLOT  
17 MACHINE LICENSE, FOR SLOT MACHINE LICENSE APPLICATION, FOR  
18 SUPPLIER LICENSES AND FOR MANUFACTURER LICENSES, PROVIDING  
19 FOR NONGAMING SERVICE PROVIDER AND FURTHER PROVIDING FOR SLOT  
20 MACHINE TESTING AND CERTIFICATION STANDARDS AND FOR LICENSE  
21 RENEWALS AND PROVIDING FOR SLOT MACHINE LICENSE OPERATION  
22 FEE; IN TABLE GAMES, FURTHER PROVIDING FOR OTHER FINANCIAL  
23 TRANSACTIONS, FOR TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT  
24 TESTING AND CERTIFICATION STANDARDS AND FOR LOCAL SHARE  
25 ASSESSMENT; PROVIDING FOR INTERACTIVE GAMING; IN REVENUES,  
26 FURTHER PROVIDING FOR ESTABLISHMENT OF STATE GAMING FUND AND  
27 NET SLOT MACHINE REVENUE DISTRIBUTION; IN ADMINISTRATION AND  
28 ENFORCEMENT, FURTHER PROVIDING FOR RESPONSIBILITY AND

1 AUTHORITY OF THE DEPARTMENT OF REVENUE AND FOR COMPULSIVE AND  
2 PROBLEM GAMBLING PROGRAM, FOR FINANCIAL AND EMPLOYMENT  
3 INTERESTS, FOR POLITICAL INFLUENCE, FOR REGULATION REQUIRING  
4 EXCLUSION OR EJECTION OF CERTAIN PERSONS, FOR REPEAT  
5 OFFENDERS EXCLUDABLE FROM LICENSED GAMING FACILITY, FOR LIST  
6 OF PERSONS SELF EXCLUDED FROM GAMING ACTIVITIES, FOR  
7 INVESTIGATIONS AND ENFORCEMENT AND FOR PROHIBITED ACTS AND  
8 PENALTIES; IN MISCELLANEOUS PROVISIONS, FURTHER PROVIDING FOR  
9 APPROPRIATIONS; AND MAKING A RELATED REPEAL.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 ~~Section 1. Title 4 of the Pennsylvania Consolidated Statutes <--~~  
13 ~~is amended by adding a section to read:~~

14 SECTION 1. TITLE 4 OF THE PENNSYLVANIA CONSOLIDATED STATUTES <--  
15 IS AMENDED BY ADDING A PART TO READ:

16 PART I

17 AMUSEMENTS GENERALLY

18 CHAPTER

19 1. PRELIMINARY PROVISIONS (RESERVED)

20 3. FANTASY CONTESTS

21 CHAPTER 1

22 PRELIMINARY PROVISIONS

23 (RESERVED)

24 CHAPTER 3

25 FANTASY CONTESTS

26 SUBCHAPTER

27 A. GENERAL PROVISIONS

28 B. ADMINISTRATION

29 C. LICENSURE

30 D. FISCAL PROVISIONS

31 E. MISCELLANEOUS PROVISIONS

32 SUBCHAPTER A

33 GENERAL PROVISIONS

34 SEC.

1 301. SCOPE.

2 302. DEFINITIONS.

3 § 301. SCOPE.

4 THIS CHAPTER RELATES TO FANTASY CONTESTS.

5 § 302. DEFINITIONS.

6 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER  
7 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
8 CONTEXT CLEARLY INDICATES OTHERWISE:

9 "BOARD." THE PENNSYLVANIA GAMING CONTROL BOARD.

10 "CONDUCT OF GAMING." THE LICENSED PLACEMENT, OPERATION AND  
11 PLAY OF SLOT MACHINES AND TABLE GAMES UNDER PART II (RELATING TO  
12 GAMING) AS AUTHORIZED AND APPROVED BY THE BOARD.

13 "CONTROLLING INTEREST." EITHER OF THE FOLLOWING:

14 (1) FOR A PUBLICLY TRADED DOMESTIC OR FOREIGN  
15 CORPORATION, A CONTROLLING INTEREST IS AN INTEREST IF A  
16 PERSON'S SOLE VOTING RIGHTS UNDER STATE LAW OR CORPORATE  
17 ARTICLES OR BYLAWS ENTITLE THE PERSON TO ELECT OR APPOINT ONE  
18 OR MORE OF THE MEMBERS OF THE BOARD OF DIRECTORS OR OTHER  
19 GOVERNING BOARD OR THE OWNERSHIP OR BENEFICIAL HOLDING OF 5%  
20 OR MORE OF THE SECURITIES OF THE PUBLICLY TRADED CORPORATION,  
21 PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER FORM OF  
22 PUBLICLY TRADED LEGAL ENTITY, UNLESS THIS PRESUMPTION OF  
23 CONTROL OR ABILITY TO ELECT IS REBUTTED BY CLEAR AND  
24 CONVINCING EVIDENCE.

25 (2) FOR A PRIVATELY HELD DOMESTIC OR FOREIGN  
26 CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER  
27 FORM OF PRIVATELY HELD LEGAL ENTITY, A CONTROLLING INTEREST  
28 IS THE HOLDING OF SECURITIES OF 15% OR MORE IN THE LEGAL  
29 ENTITY, UNLESS THIS PRESUMPTION OF CONTROL IS REBUTTED BY  
30 CLEAR AND CONVINCING EVIDENCE.

1 "DEPARTMENT." THE DEPARTMENT OF REVENUE OF THE COMMONWEALTH.  
2 "ENTRY FEE." THE CASH OR CASH EQUIVALENT PAID BY A  
3 PARTICIPANT TO A LICENSED OPERATOR IN ORDER TO PARTICIPATE IN A  
4 FANTASY CONTEST.

5 "FANTASY CONTEST." AN ONLINE FANTASY OR SIMULATED GAME OR  
6 CONTEST WITH AN ENTRY FEE AND A PRIZE OR AWARD ADMINISTERED BY A  
7 LICENSED OPERATOR IN WHICH:

8 (1) THE VALUE OF ALL PRIZES OR AWARDS OFFERED TO WINNING  
9 PARTICIPANTS IS ESTABLISHED AND MADE KNOWN TO PARTICIPANTS IN  
10 ADVANCE OF THE CONTEST.

11 (2) ALL WINNING OUTCOMES REFLECT THE RELATIVE KNOWLEDGE  
12 AND SKILL OF PARTICIPANTS AND ARE DETERMINED BY ACCUMULATED  
13 STATISTICAL RESULTS OF THE PERFORMANCE OF INDIVIDUALS,  
14 INCLUDING ATHLETES IN THE CASE OF SPORTS EVENTS.

15 (3) NO WINNING OUTCOME IS BASED ON THE SCORE, POINT  
16 SPREAD OR PERFORMANCE OF A SINGLE ACTUAL TEAM OR COMBINATION  
17 OF TEAMS OR SOLELY ON A SINGLE PERFORMANCE OF AN INDIVIDUAL  
18 ATHLETE OR PLAYER IN A SINGLE ACTUAL EVENT.

19 "FANTASY CONTEST ACCOUNT." THE FORMAL ELECTRONIC SYSTEM  
20 IMPLEMENTED BY A LICENSED OPERATOR TO RECORD A PARTICIPANT'S  
21 ENTRY FEES, PRIZES OR AWARDS AND OTHER ACTIVITIES RELATED TO  
22 PARTICIPATION IN THE LICENSED OPERATOR'S FANTASY CONTESTS.

23 "FANTASY CONTEST ADJUSTED REVENUES." FOR EACH FANTASY  
24 CONTEST, THE AMOUNT EQUAL TO THE TOTAL AMOUNT OF ALL ENTRY FEES  
25 COLLECTED FROM ALL PARTICIPANTS ENTERING THE FANTASY CONTEST  
26 MINUS PRIZES OR AWARDS PAID TO PARTICIPANTS IN THE FANTASY  
27 CONTEST, MULTIPLIED BY THE IN-STATE PERCENTAGE.

28 "FANTASY CONTEST LICENSE." A LICENSE ISSUED BY THE BOARD  
29 AUTHORIZING A PERSON TO OFFER FANTASY CONTESTS IN THIS  
30 COMMONWEALTH IN ACCORDANCE WITH THIS CHAPTER.

1 "GAMING SERVICE PROVIDER." AS DEFINED IN SECTION 1103  
2 (RELATING TO DEFINITIONS).

3 "IN-STATE PARTICIPANT." AN INDIVIDUAL WHO PARTICIPATES IN A  
4 FANTASY CONTEST CONDUCTED BY A LICENSED OPERATOR AND PAYS A FEE  
5 TO A LICENSED OPERATOR FROM A LOCATION WITHIN THIS COMMONWEALTH.

6 "IN-STATE PERCENTAGE." FOR EACH FANTASY CONTEST, THE  
7 PERCENTAGE, ROUNDED TO THE NEAREST TENTH OF A PERCENT, EQUAL TO  
8 THE TOTAL ENTRY FEES COLLECTED FROM ALL IN-STATE PARTICIPANTS  
9 DIVIDED BY THE TOTAL ENTRY FEES COLLECTED FROM ALL PARTICIPANTS  
10 IN THE FANTASY CONTEST.

11 "KEY EMPLOYEE." AN INDIVIDUAL WHO IS EMPLOYED BY AN  
12 APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR  
13 IN A DIRECTOR OR DEPARTMENT HEAD CAPACITY AND WHO IS EMPOWERED  
14 TO MAKE DISCRETIONARY DECISIONS THAT REGULATE FANTASY CONTEST  
15 OPERATIONS AS DETERMINED BY THE BOARD.

16 "LICENSED ENTITY REPRESENTATIVE." A PERSON, INCLUDING AN  
17 ATTORNEY, AGENT OR LOBBYIST, ACTING ON BEHALF OF OR AUTHORIZED  
18 TO REPRESENT THE INTEREST OF AN APPLICANT, LICENSEE OR OTHER  
19 PERSON AUTHORIZED BY THE BOARD TO ENGAGE IN AN ACT OR ACTIVITY  
20 WHICH IS REGULATED UNDER THIS CHAPTER REGARDING A MATTER BEFORE,  
21 OR WHICH MAY BE REASONABLY BE EXPECTED TO COME BEFORE, THE  
22 BOARD.

23 "LICENSED GAMING ENTITY." AS DEFINED IN SECTION 1103  
24 (RELATING TO DEFINITIONS).

25 "LICENSED OPERATOR." A PERSON WHO HOLDS A FANTASY CONTEST  
26 LICENSE.

27 "PARTICIPANT." AN INDIVIDUAL WHO PARTICIPATES IN A FANTASY  
28 CONTEST, WHETHER THE INDIVIDUAL IS LOCATED IN THIS COMMONWEALTH  
29 OR ANOTHER JURISDICTION.

30 "PERSON." A NATURAL PERSON, CORPORATION, PUBLICLY TRADED

1 CORPORATION, FOUNDATION, ORGANIZATION, BUSINESS TRUST, ESTATE,  
2 LIMITED LIABILITY COMPANY, LICENSED CORPORATION, TRUST,  
3 PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, ASSOCIATION OR ANY  
4 OTHER FORM OF LEGAL BUSINESS ENTITY.

5 "PRINCIPAL." AN OFFICER, DIRECTOR, PERSON WHO DIRECTLY HOLDS  
6 A BENEFICIAL INTEREST IN OR OWNERSHIP OF THE SECURITIES OF AN  
7 APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR,  
8 PERSON WHO HAS A CONTROLLING INTEREST IN AN APPLICANT FOR A  
9 FANTASY CONTEST LICENSE OR A LICENSED OPERATOR OR WHO HAS THE  
10 ABILITY TO ELECT A MAJORITY OF THE BOARD OF DIRECTORS OF A  
11 LICENSED OPERATOR OR TO OTHERWISE CONTROL A LICENSED OPERATOR,  
12 LENDER OR OTHER LICENSED FINANCIAL INSTITUTION OF AN APPLICANT  
13 FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR, OTHER THAN  
14 A BANK OR LENDING INSTITUTION WHICH MAKES A LOAN OR HOLDS A  
15 MORTGAGE OR OTHER LIEN ACQUIRED IN THE ORDINARY COURSE OF  
16 BUSINESS, UNDERWRITER OF AN APPLICANT FOR A FANTASY CONTEST  
17 LICENSE OR A LICENSED OPERATOR OR OTHER PERSON OR EMPLOYEE OF AN  
18 APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR  
19 DEEMED TO BE A PRINCIPAL BY THE BOARD.

20 "PRIZE OR AWARD." ANYTHING OF VALUE WORTH \$100 OR MORE OR  
21 ANY AMOUNT OF CASH OR CASH EQUIVALENTS.

22 "PUBLICLY TRADED CORPORATION." A PERSON, OTHER THAN AN  
23 INDIVIDUAL, THAT:

24 (1) HAS A CLASS OR SERIES OF SECURITIES REGISTERED UNDER  
25 THE SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881, 15 U.S.C.  
26 § 78A ET SEQ.);

27 (2) IS A REGISTERED MANAGEMENT COMPANY UNDER THE  
28 INVESTMENT COMPANY ACT OF 1940 (54 STAT. 789, 15 U.S.C. §  
29 80A-1 ET SEQ.); OR

30 (3) IS SUBJECT TO THE REPORTING OBLIGATIONS IMPOSED BY

1 SECTION 15(D) OF THE SECURITIES EXCHANGE ACT OF 1934 BY  
2 REASON OF HAVING FILED A REGISTRATION STATEMENT THAT HAS  
3 BECOME EFFECTIVE UNDER THE SECURITIES ACT OF 1933 (48 STAT.  
4 74, 15 U.S.C. § 77A ET SEQ.).

5 "SCRIPT." A LIST OF COMMANDS THAT A FANTASY-CONTEST-RELATED  
6 COMPUTER PROGRAM CAN EXECUTE THAT IS CREATED BY A PARTICIPANT OR  
7 THIRD PARTY NOT APPROVED BY THE LICENSED OPERATOR TO AUTOMATE  
8 PROCESSES ON A LICENSED OPERATOR'S FANTASY CONTEST PLATFORM.

9 "SEASON-LONG FANTASY CONTEST." A FANTASY CONTEST OFFERED BY  
10 A LICENSED OPERATOR THAT IS CONDUCTED OVER AN ENTIRE SPORTS  
11 SEASON.

12 SUBCHAPTER B  
13 ADMINISTRATION

14 SEC.

15 311. GENERAL AND SPECIFIC POWERS OF BOARD.

16 312. TEMPORARY REGULATIONS.

17 313. FANTASY CONTEST LICENSE APPEALS.

18 314. BOARD MINUTES AND RECORDS.

19 315. REPORTS OF BOARD.

20 § 311. GENERAL AND SPECIFIC POWERS OF BOARD.

21 (A) GENERAL POWERS.--

22 (1) THE BOARD SHALL HAVE REGULATORY AUTHORITY OVER  
23 LICENSED OPERATORS, PRINCIPALS AND KEY EMPLOYEES AND SHALL  
24 ENSURE THE INTEGRITY OF FANTASY CONTESTS OFFERED IN THIS  
25 COMMONWEALTH IN ACCORDANCE WITH THIS CHAPTER.

26 (2) THE BOARD MAY EMPLOY INDIVIDUALS AS NECESSARY TO  
27 CARRY OUT THE REQUIREMENTS OF THIS CHAPTER, WHO SHALL SERVE  
28 AT THE BOARD'S PLEASURE. AN EMPLOYEE OF THE BOARD SHALL BE  
29 CONSIDERED A STATE EMPLOYEE FOR PURPOSES OF 71 PA.C.S. PT.  
30 XXV (RELATING TO RETIREMENT FOR STATE EMPLOYEES AND

1 OFFICERS).

2 (B) SPECIFIC POWERS.--THE BOARD SHALL HAVE THE FOLLOWING  
3 POWERS:

4 (1) AT THE BOARD'S DISCRETION, TO ISSUE, APPROVE, RENEW,  
5 REVOKE, SUSPEND, CONDITION OR DENY ISSUANCE OF LICENSES.

6 (2) AT THE BOARD'S DISCRETION, TO SUSPEND, CONDITION OR  
7 DENY THE ISSUANCE OR RENEWAL OF A LICENSE OR LEVY FINES FOR  
8 ANY VIOLATION OF THIS CHAPTER.

9 (3) TO PUBLISH EACH JANUARY ON THE BOARD'S PUBLICLY  
10 ACCESSIBLE INTERNET WEBSITE A COMPLETE LIST OF ALL PERSONS  
11 WHO APPLIED FOR OR HELD A FANTASY CONTEST LICENSE AT ANY TIME  
12 DURING THE PRECEDING CALENDAR YEAR AND THE STATUS OF THE  
13 APPLICATION OR FANTASY CONTEST LICENSE.

14 (4) TO PREPARE AND, THROUGH THE GOVERNOR, SUBMIT  
15 ANNUALLY TO THE GENERAL ASSEMBLY AN ITEMIZED BUDGET  
16 CONSISTENT WITH ARTICLE VI OF THE ACT OF APRIL 9, 1929  
17 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929,  
18 CONSISTING OF THE AMOUNTS NECESSARY TO BE APPROPRIATED BY THE  
19 GENERAL ASSEMBLY OUT OF THE ACCOUNTS ESTABLISHED UNDER  
20 SECTION 332 (RELATING TO LICENSED OPERATOR DEPOSITS) REQUIRED  
21 TO MEET THE OBLIGATIONS UNDER THIS CHAPTER ACCRUING DURING  
22 THE FISCAL PERIOD BEGINNING JULY 1 OF THE FOLLOWING YEAR.

23 (5) IN THE EVENT THAT, IN ANY YEAR, APPROPRIATIONS FOR  
24 THE ADMINISTRATION OF THIS CHAPTER ARE NOT ENACTED BY JUNE  
25 30, ANY FUNDS APPROPRIATED FOR THE ADMINISTRATION OF THIS  
26 CHAPTER WHICH ARE UNEXPENDED, UNCOMMITTED AND UNENCUMBERED AT  
27 THE END OF A FISCAL YEAR SHALL REMAIN AVAILABLE FOR  
28 EXPENDITURE BY THE BOARD UNTIL THE ENACTMENT OF APPROPRIATION  
29 FOR THE ENSUING FISCAL YEAR.

30 (6) TO PROMULGATE RULES AND REGULATIONS NECESSARY FOR



1 THE ADMINISTRATION AND ENFORCEMENT OF THIS CHAPTER. EXCEPT AS  
2 PROVIDED IN SECTION 312 (RELATING TO TEMPORARY REGULATIONS),  
3 REGULATIONS SHALL BE ADOPTED UNDER THE ACT OF JULY 31, 1968  
4 (P.L.769, NO.240), REFERRED TO AS THE COMMONWEALTH DOCUMENTS  
5 LAW, AND THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS  
6 THE REGULATORY REVIEW ACT.

7 (7) TO ADMINISTER OATHS, EXAMINE WITNESSES AND ISSUE  
8 SUBPOENAS COMPELLING THE ATTENDANCE OF WITNESSES OR THE  
9 PRODUCTION OF DOCUMENTS AND RECORDS OR OTHER EVIDENCE OR TO  
10 DESIGNATE OFFICERS OR EMPLOYEES TO PERFORM DUTIES REQUIRED BY  
11 THIS CHAPTER.

12 (8) AT THE BOARD'S DISCRETION, TO DELEGATE ANY OF THE  
13 BOARD'S RESPONSIBILITIES UNDER THIS CHAPTER TO THE EXECUTIVE  
14 DIRECTOR OF THE BOARD OR OTHER DESIGNATED STAFF.

15 (9) TO REQUIRE LICENSED OPERATORS AND APPLICANTS FOR A  
16 FANTASY CONTEST LICENSE TO SUBMIT ANY INFORMATION OR  
17 DOCUMENTATION NECESSARY TO ENSURE THE PROPER REGULATION OF  
18 FANTASY CONTESTS IN ACCORDANCE WITH THIS CHAPTER.

19 (10) TO REQUIRE LICENSED OPERATORS, EXCEPT FOR A  
20 LICENSED OPERATOR OPERATING SEASON-LONG FANTASY CONTESTS THAT  
21 GENERATE LESS THAN \$250,000 IN SEASON-LONG FANTASY CONTEST  
22 ADJUSTED REVENUE, UNLESS THE BOARD DETERMINES OTHERWISE, TO:

23 (I) ANNUALLY CONTRACT WITH A CERTIFIED PUBLIC  
24 ACCOUNTANT TO CONDUCT AN INDEPENDENT AUDIT IN ACCORDANCE  
25 WITH STANDARDS ADOPTED BY THE AMERICAN INSTITUTE OF  
26 CERTIFIED PUBLIC ACCOUNTANTS TO VERIFY COMPLIANCE WITH  
27 THE PROVISIONS OF THIS CHAPTER AND BOARD REGULATIONS;

28 (II) ANNUALLY CONTRACT WITH A TESTING LABORATORY  
29 APPROVED BY THE BOARD TO VERIFY COMPLIANCE WITH THE  
30 PROVISIONS OF THIS CHAPTER AND BOARD REGULATIONS; AND

1           (III) ANNUALLY SUBMIT TO THE BOARD AND DEPARTMENT A  
2           COPY OF THE AUDIT REPORT REQUIRED BY SUBPARAGRAPH (I) AND  
3           SUBMIT TO THE BOARD A COPY OF THE REPORT OF THE TESTING  
4           LABORATORY REQUIRED BY SUBPARAGRAPH (II).

5           (11) IN CONJUNCTION WITH THE DEPARTMENT OF DRUG AND  
6           ALCOHOL PROGRAMS, TO DEVELOP A PROCESS BY WHICH LICENSED  
7           OPERATORS PROVIDE PARTICIPANTS WITH A TOLL-FREE TELEPHONE  
8           NUMBER THAT PROVIDES INDIVIDUALS WITH INFORMATION ON HOW TO  
9           ACCESS APPROPRIATE TREATMENT SERVICES FOR COMPULSIVE AND  
10          PROBLEM PLAY.

11          (B.1) LICENSED ENTITY REPRESENTATIVE.--

12           (1) A LICENSED ENTITY REPRESENTATIVE SHALL REGISTER WITH  
13           THE BOARD, IN A MANNER PRESCRIBED BY THE BOARD. THE  
14           REGISTRATION SHALL INCLUDE THE NAME, EMPLOYER OR FIRM,  
15           BUSINESS ADDRESS AND BUSINESS TELEPHONE NUMBER OF BOTH THE  
16           LICENSED ENTITY REPRESENTATIVE AND ANY LICENSED OPERATOR,  
17           APPLICANT FOR LICENSURE OR OTHER PERSON BEING REPRESENTED.

18           (2) A LICENSED ENTITY REPRESENTATIVE SHALL HAVE AN  
19           AFFIRMATIVE DUTY TO UPDATE ITS REGISTRATION INFORMATION ON AN  
20           ONGOING BASIS. FAILURE TO UPDATE SHALL BE PUNISHABLE BY THE  
21           BOARD.

22           (3) THE BOARD SHALL MAINTAIN A LIST OF LICENSED ENTITY  
23           REPRESENTATIVES WHICH SHALL CONTAIN THE INFORMATION REQUIRED  
24           UNDER PARAGRAPH (1) AND SHALL BE AVAILABLE FOR PUBLIC  
25           INSPECTION AT THE OFFICES OF THE BOARD AND ON THE BOARD'S  
26           PUBLICLY ACCESSIBLE INTERNET WEBSITE.

27          (C) EXCEPTIONS.--EXCEPT AS PROVIDED UNDER SECTION 342  
28          (RELATING TO LICENSED GAMING ENTITIES), NOTHING IN THIS SECTION  
29          SHALL BE CONSTRUED TO AUTHORIZE THE BOARD:

30           (1) TO REQUIRE BACKGROUND INVESTIGATIONS FOR EMPLOYEES,

1 OTHER THAN KEY EMPLOYEES AND PRINCIPALS, OF AN APPLICANT FOR  
2 A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR.

3 (2) TO REQUIRE ANY ADDITIONAL PERMITS OR LICENSES NOT  
4 SPECIFICALLY ENUMERATED IN THIS CHAPTER.

5 (3) TO IMPOSE ADDITIONAL CONDITIONS OF LICENSURE ON  
6 LICENSED OPERATORS OR PROHIBITIONS ON THE OPERATION OF  
7 FANTASY CONTESTS NOT SPECIFICALLY ENUMERATED IN THIS CHAPTER.

8 § 312. TEMPORARY REGULATIONS.

9 (A) PROMULGATION.--IN ORDER TO FACILITATE THE PROMPT  
10 IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED BY THE  
11 BOARD SHALL BE DEEMED TEMPORARY REGULATIONS AND SHALL EXPIRE NO  
12 LATER THAN TWO YEARS FOLLOWING THE EFFECTIVE DATE OF THIS  
13 SECTION. THE BOARD MAY PROMULGATE TEMPORARY REGULATIONS NOT  
14 SUBJECT TO:

15 (1) SECTIONS 201, 202 AND 203 OF THE ACT OF JULY 31,  
16 1968 (P.L.769, NO.240), REFERRED TO AS THE COMMONWEALTH  
17 DOCUMENTS LAW.

18 (2) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS  
19 THE REGULATORY REVIEW ACT.

20 (B) EXPIRATION.--EXCEPT FOR TEMPORARY REGULATIONS CONCERNING  
21 NETWORK CONNECTIVITY, SECURITY AND TESTING AND COMPULSIVE AND  
22 PROBLEM PLAY, THE AUTHORITY PROVIDED TO THE BOARD TO ADOPT  
23 TEMPORARY REGULATIONS IN SUBSECTION (A) SHALL EXPIRE NO LATER  
24 THAN TWO YEARS FOLLOWING THE EFFECTIVE DATE OF THIS SECTION.  
25 REGULATIONS ADOPTED AFTER THIS PERIOD SHALL BE PROMULGATED AS  
26 PROVIDED BY LAW.

27 § 313. FANTASY CONTEST LICENSE APPEALS.

28 AN APPLICANT MAY APPEAL ANY FINAL ORDER, DETERMINATION OR  
29 DECISION OF THE BOARD INVOLVING THE APPROVAL, ISSUANCE, DENIAL,  
30 REVOCATION OR CONDITIONING OF A FANTASY CONTEST LICENSE IN

1 ACCORDANCE WITH 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO PRACTICE  
2 AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH. A (RELATING  
3 TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY ACTION).

4 § 314. BOARD MINUTES AND RECORDS.

5 (A) RECORD OF PROCEEDINGS.--THE BOARD SHALL MAINTAIN A  
6 RECORD OF ALL PROCEEDINGS HELD AT PUBLIC MEETINGS OF THE BOARD.  
7 THE VERBATIM TRANSCRIPT OF THE PROCEEDINGS SHALL BE THE PROPERTY  
8 OF THE BOARD AND SHALL BE PREPARED BY THE BOARD UPON THE REQUEST  
9 OF ANY BOARD MEMBER OR UPON THE REQUEST OF ANY OTHER PERSON AND  
10 THE PAYMENT BY THAT PERSON OF THE COSTS OF PREPARATION.

11 (B) APPLICANT INFORMATION.--

12 (1) THE BOARD SHALL MAINTAIN A LIST OF ALL APPLICANTS  
13 FOR A FANTASY CONTEST LICENSE. THE LIST SHALL INCLUDE A  
14 RECORD OF ALL ACTIONS TAKEN WITH RESPECT TO EACH APPLICANT.  
15 THE LIST SHALL BE OPEN TO PUBLIC INSPECTION DURING THE NORMAL  
16 BUSINESS HOURS OF THE BOARD.

17 (2) INFORMATION UNDER PARAGRAPH (1) REGARDING AN  
18 APPLICANT WHOSE FANTASY CONTEST LICENSE HAS BEEN DENIED,  
19 REVOKED OR NOT RENEWED SHALL BE REMOVED FROM THE LIST AFTER  
20 SEVEN YEARS FROM THE DATE OF THE ACTION.

21 (C) OTHER FILES AND RECORDS.--THE BOARD SHALL MAINTAIN SUCH  
22 OTHER FILES AND RECORDS AS IT MAY DEEM APPROPRIATE.

23 (D) CONFIDENTIALITY OF INFORMATION.--

24 (1) THE FOLLOWING INFORMATION SUBMITTED BY AN APPLICANT  
25 FOR A FANTASY CONTEST LICENSE UNDER SECTION 322 (RELATING TO  
26 APPLICATION) OR OTHERWISE OBTAINED BY THE BOARD AS PART OF A  
27 BACKGROUND OR OTHER INVESTIGATION FROM ANY SOURCE SHALL BE  
28 CONFIDENTIAL AND WITHHELD FROM PUBLIC DISCLOSURE:

29 (I) ALL INFORMATION RELATING TO CHARACTER, HONESTY  
30 AND INTEGRITY, INCLUDING FAMILY, HABITS, REPUTATION,

1 HISTORY OF CRIMINAL ACTIVITY, BUSINESS ACTIVITIES,  
2 FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL AND PERSONAL  
3 ASSOCIATIONS.

4 (II) NONPUBLIC PERSONAL INFORMATION, INCLUDING HOME  
5 ADDRESSES, TELEPHONE NUMBERS AND OTHER PERSONAL CONTACT  
6 INFORMATION, SOCIAL SECURITY NUMBERS, EDUCATIONAL  
7 RECORDS, MEMBERSHIPS, MEDICAL RECORDS, TAX RETURNS AND  
8 DECLARATIONS, ACTUAL OR PROPOSED COMPENSATION, FINANCIAL  
9 ACCOUNT RECORDS, CREDITWORTHINESS OR FINANCIAL CONDITION  
10 RELATING TO AN APPLICANT.

11 (III) INFORMATION RELATING TO PROPRIETARY  
12 INFORMATION, TRADE SECRETS, PATENTS OR EXCLUSIVE  
13 LICENSES, ARCHITECTURAL AND ENGINEERING PLANS AND  
14 INFORMATION RELATING TO COMPETITIVE MARKETING MATERIALS  
15 AND STRATEGIES THAT MAY INCLUDE CUSTOMER-IDENTIFYING  
16 INFORMATION OR CUSTOMER PROSPECTS FOR SERVICES SUBJECT TO  
17 COMPETITION.

18 (IV) INFORMATION WITH RESPECT TO WHICH THERE IS A  
19 REASONABLE POSSIBILITY THAT PUBLIC RELEASE OR INSPECTION  
20 OF THE INFORMATION WOULD CONSTITUTE AN UNWARRANTED  
21 INVASION INTO PERSONAL PRIVACY OF AN INDIVIDUAL AS  
22 DETERMINED BY THE BOARD.

23 (V) RECORDS OF AN APPLICANT FOR A FANTASY CONTEST  
24 LICENSE OR A LICENSED OPERATOR NOT REQUIRED TO BE FILED  
25 WITH THE SECURITIES AND EXCHANGE COMMISSION BY ISSUERS  
26 THAT EITHER HAVE SECURITIES REGISTERED UNDER SECTION 12  
27 OF THE SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881, 15  
28 U.S.C. § 78L) OR ARE REQUIRED TO FILE REPORTS UNDER  
29 SECTION 15(D) OF THE SECURITIES EXCHANGE ACT OF 1934 (48  
30 STAT. 881, 15 U.S.C. § 78O)

1           (VI) RECORDS CONSIDERED NONPUBLIC MATTERS OR  
2           INFORMATION BY THE SECURITIES AND EXCHANGE COMMISSION AS  
3           PROVIDED BY 17 CFR 200.80 (RELATING TO COMMISSION RECORDS  
4           AND INFORMATION).

5           (VII) FINANCIAL OR SECURITY INFORMATION DEEMED  
6           CONFIDENTIAL BY THE BOARD UPON A SHOWING OF GOOD CAUSE BY  
7           THE APPLICANT FOR A FANTASY CONTEST LICENSE OR LICENSED  
8           OPERATOR.

9           (2) NO CLAIM OF CONFIDENTIALITY MAY BE MADE REGARDING  
10          ANY CRIMINAL HISTORY RECORD INFORMATION THAT IS AVAILABLE TO  
11          THE PUBLIC UNDER 18 PA.C.S. § 9121(B) (RELATING TO GENERAL  
12          REGULATIONS).

13          (3) NO CLAIM OF CONFIDENTIALITY SHALL BE MADE REGARDING  
14          ANY RECORD IN POSSESSION OF THE BOARD THAT IS OTHERWISE  
15          PUBLICLY AVAILABLE FROM A COMMONWEALTH AGENCY, LOCAL AGENCY  
16          OR ANOTHER JURISDICTION.

17          (4) THE INFORMATION MADE CONFIDENTIAL UNDER THIS SECTION  
18          SHALL BE WITHHELD FROM PUBLIC DISCLOSURE, IN WHOLE OR IN  
19          PART, EXCEPT THAT ANY CONFIDENTIAL INFORMATION SHALL BE  
20          RELEASED UPON THE ORDER OF A COURT OF COMPETENT JURISDICTION  
21          OR, WITH THE APPROVAL OF THE ATTORNEY GENERAL, TO A DULY  
22          AUTHORIZED LAW ENFORCEMENT AGENCY OR SHALL BE RELEASED TO THE  
23          PUBLIC, IN WHOLE OR IN PART, TO THE EXTENT THAT SUCH RELEASE  
24          IS REQUESTED BY AN APPLICANT FOR A FANTASY CONTEST LICENSE OR  
25          LICENSED OPERATOR AND DOES NOT OTHERWISE CONTAIN CONFIDENTIAL  
26          INFORMATION ABOUT ANOTHER PERSON.

27          (5) THE BOARD MAY SEEK A VOLUNTARY WAIVER OF  
28          CONFIDENTIALITY FROM AN APPLICANT FOR A FANTASY CONTEST  
29          LICENSE OR A LICENSED OPERATOR, BUT MAY NOT REQUIRE AN  
30          APPLICANT OR LICENSED OPERATOR TO WAIVE ANY CONFIDENTIALITY

1 PROVIDED FOR IN THIS SUBSECTION AS A CONDITION FOR THE  
2 APPROVAL OF AN APPLICATION, RENEWAL OF A FANTASY CONTEST  
3 LICENSE OR ANY OTHER ACTION OF THE BOARD.

4 (E) NOTICE.--NOTICE OF THE CONTENTS OF ANY INFORMATION,  
5 EXCEPT TO A DULY AUTHORIZED LAW ENFORCEMENT AGENCY UNDER THIS  
6 SECTION, SHALL BE GIVEN TO AN APPLICANT OR LICENSEE IN A MANNER  
7 PRESCRIBED BY THE RULES AND REGULATIONS ADOPTED BY THE BOARD.

8 (F) INFORMATION HELD BY DEPARTMENT.--FILES, RECORDS, REPORTS  
9 AND OTHER INFORMATION IN THE POSSESSION OF THE DEPARTMENT  
10 PERTAINING TO LICENSED OPERATORS SHALL BE MADE AVAILABLE TO THE  
11 BOARD AS MAY BE NECESSARY FOR THE EFFECTIVE ADMINISTRATION OF  
12 THIS CHAPTER.

13 § 315. REPORTS OF BOARD.

14 (A) GENERAL RULE.--THE ANNUAL REPORT SUBMITTED BY THE BOARD  
15 UNDER SECTION 1211 (RELATING TO REPORTS OF BOARD) SHALL INCLUDE  
16 THE FOLLOWING INFORMATION ON THE CONDUCT OF FANTASY CONTESTS:

17 (1) TOTAL FANTASY CONTEST ADJUSTED REVENUES.

18 (2) ALL TAXES, FEES, FINES AND OTHER REVENUE COLLECTED  
19 FROM LICENSED OPERATORS DURING THE PREVIOUS YEAR. THE  
20 DEPARTMENT SHALL COLLABORATE WITH THE BOARD TO CARRY OUT THE  
21 REQUIREMENTS OF THIS SECTION.

22 (3) AT THE BOARD'S DISCRETION, ANY OTHER INFORMATION  
23 RELATED TO THE CONDUCT OF FANTASY CONTESTS OR LICENSED  
24 OPERATORS.

25 (B) LICENSED OPERATORS.--THE BOARD MAY REQUIRE LICENSED  
26 OPERATORS TO PROVIDE INFORMATION TO THE BOARD TO ASSIST IN THE  
27 PREPARATION OF THE REPORT.

28 SUBCHAPTER C

29 LICENSURE

30 SEC.

1 321. GENERAL PROHIBITION.

2 322. APPLICATION.

3 323. ISSUANCE AND DENIAL OF LICENSE.

4 324. LICENSE RENEWAL.

5 325. CONDITIONS OF LICENSURE.

6 326. PROHIBITIONS.

7 327. CHANGE IN OWNERSHIP OR CONTROL OF LICENSED OPERATORS.

8 328. PENALTIES.

9 § 321. GENERAL PROHIBITION.

10 (A) GENERAL RULE.--EXCEPT AS PROVIDED FOR IN SUBSECTION (B),  
11 NO PERSON MAY OFFER OR OTHERWISE MAKE AVAILABLE FOR PLAY IN THIS  
12 COMMONWEALTH A FANTASY CONTEST WITHOUT A FANTASY CONTEST LICENSE  
13 ISSUED BY THE BOARD.

14 (B) EXISTING ACTIVITY.--A PERSON WHO APPLIES FOR OR RENEWS A  
15 FANTASY CONTEST LICENSE IN ACCORDANCE WITH THIS CHAPTER MAY  
16 OPERATE DURING THE APPLICATION OR RENEWAL PERIOD UNLESS:

17 (1) THE BOARD HAS REASONABLE CAUSE TO BELIEVE THE PERSON  
18 IS OR MAY BE IN VIOLATION OF THE PROVISIONS OF THIS CHAPTER.

19 (2) THE BOARD REQUIRES THE PERSON TO SUSPEND THE  
20 OPERATION OF ANY FANTASY CONTEST UNTIL THE LICENSE IS ISSUED  
21 OR RENEWED.

22 § 322. APPLICATION.

23 (A) FORM AND INFORMATION.--AN APPLICATION FOR A LICENSE  
24 SHALL BE SUBMITTED ON A FORM AND IN MANNER AS SHALL BE REQUIRED  
25 BY THE BOARD. AN APPLICATION FOR A FANTASY CONTEST LICENSE SHALL  
26 CONTAIN THE FOLLOWING INFORMATION:

27 (1) THE NAME, FEDERAL EMPLOYER IDENTIFICATION NUMBER AND  
28 PRINCIPAL ADDRESS OF THE APPLICANT; IF A CORPORATION, THE  
29 STATE OF ITS INCORPORATION, THE FULL NAME AND ADDRESS OF EACH  
30 OFFICER AND DIRECTOR THEREOF, AND, IF A FOREIGN CORPORATION,



1 WHETHER IT IS QUALIFIED TO DO BUSINESS IN THIS COMMONWEALTH;  
2 IF A PARTNERSHIP OR JOINT VENTURE, THE NAME AND ADDRESS OF  
3 EACH OFFICER THEREOF.

4 (2) THE NAME AND ADDRESS OF THE PERSON HAVING CUSTODY OF  
5 THE APPLICANT'S FINANCIAL RECORDS.

6 (3) THE NAMES AND ADDRESSES OF KEY EMPLOYEES.

7 (4) THE NAMES AND ADDRESSES OF EACH OF THE APPLICANT'S  
8 PRINCIPALS.

9 (5) INFORMATION, DOCUMENTATION AND ASSURANCES RELATED TO  
10 FINANCIAL AND CRIMINAL HISTORY AS THE BOARD DEEMS NECESSARY  
11 TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL  
12 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE APPLICANT AND  
13 THE APPLICANT'S KEY EMPLOYEES AND PRINCIPALS.

14 (6) INFORMATION AND DOCUMENTATION NECESSARY TO ESTABLISH  
15 THE APPLICANT'S ABILITY TO COMPLY WITH SECTION 325 (RELATING  
16 TO CONDITIONS OF LICENSURE).

17 (7) ANY OTHER INFORMATION REQUIRED BY THE BOARD.

18 (B) NONREFUNDABLE APPLICATION FEE.--EACH APPLICATION  
19 SUBMITTED UNDER THIS CHAPTER SHALL BE ACCOMPANIED BY A  
20 NONREFUNDABLE APPLICATION FEE, WHICH SHALL BE ESTABLISHED BY THE  
21 BOARD, AND WHICH MAY NOT EXCEED THE AMOUNT NECESSARY TO  
22 REIMBURSE THE BOARD FOR ALL COSTS INCURRED BY THE BOARD FOR  
23 FULFILLING THE REQUIREMENTS OF THIS SECTION AND SECTION 323  
24 (RELATING TO ISSUANCE AND DENIAL OF LICENSE) OR EXCEED AN AMOUNT  
25 EQUAL TO 5% OF THE APPLICANT'S FANTASY CONTEST ADJUSTED REVENUES  
26 FOR THE PREVIOUS CALENDAR YEAR.

27 (C) ADDITIONAL INFORMATION.--A PERSON APPLYING FOR A FANTASY  
28 CONTEST LICENSE SHALL HAVE THE CONTINUING DUTY TO PROVIDE  
29 INFORMATION REQUIRED BY THE BOARD AND TO COOPERATE IN ANY  
30 INQUIRY OR INVESTIGATION.

1 (D) ABBREVIATED APPLICATION PROCESS.--THE BOARD, AT ITS  
2 DISCRETION, MAY ESTABLISH AN ABBREVIATED APPLICATION PROCESS FOR  
3 A FANTASY CONTEST LICENSE FOR PERSONS THAT ARE ALSO LICENSED  
4 GAMING ENTITIES. THE ABBREVIATED APPLICATION MAY ONLY REQUIRE  
5 INFORMATION NOT IN POSSESSION OF THE BOARD THAT IS NECESSARY TO  
6 FULFILL THE REQUIREMENTS OF THIS CHAPTER.

7 § 323. ISSUANCE AND DENIAL OF LICENSE.

8 (A) DUTY TO REVIEW APPLICATIONS.--THE BOARD SHALL REVIEW ALL  
9 APPLICATIONS FOR A LICENSE AND SHALL ISSUE A LICENSE TO ANY  
10 APPLICANT THAT:

11 (1) HAS SUBMITTED A COMPLETED APPLICATION AND PAID THE  
12 NONREFUNDABLE APPLICATION FEE AS REQUIRED BY THE BOARD UNDER  
13 SECTION 322 (RELATING TO APPLICATION) .

14 (2) HAS DEMONSTRATED THAT THE APPLICANT HAS THE  
15 FINANCIAL STABILITY, INTEGRITY AND RESPONSIBILITY TO COMPLY  
16 WITH THE PROVISIONS OF THIS CHAPTER AND REGULATIONS  
17 ESTABLISHED BY THE BOARD.

18 (3) HAS NOT BEEN DENIED A LICENSE UNDER SUBSECTION (B) .

19 (B) REASONS TO DENY APPLICATIONS.--THE BOARD MAY DENY AN  
20 APPLICATION FOR A LICENSE IF THE APPLICANT:

21 (1) HAS KNOWINGLY MADE A FALSE STATEMENT OF MATERIAL  
22 FACT OR HAS DELIBERATELY FAILED TO DISCLOSE ANY INFORMATION  
23 REQUESTED;

24 (2) EMPLOYS A PRINCIPAL OR KEY EMPLOYEE WHO HAS BEEN  
25 CONVICTED OF A FELONY, A CRIME OF MORAL TURPITUDE OR ANY  
26 CRIMINAL OFFENSE INVOLVING DISHONESTY OR BREACH OF TRUST  
27 WITHIN 10 YEARS PRIOR TO THE DATE OF THE APPLICATION FOR  
28 LICENSE;

29 (3) HAS AT ANY TIME KNOWINGLY FAILED TO COMPLY WITH THE  
30 PROVISIONS OF THIS CHAPTER OR OF ANY REQUIREMENTS OF THE

1 BOARD;

2 (4) HAS HAD A REGISTRATION, PERMIT OR LICENSE TO CONDUCT  
3 FANTASY CONTESTS DENIED OR REVOKED IN ANY OTHER JURISDICTION;

4 (5) HAS LEGALLY DEFAULTED IN THE PAYMENT OF ANY  
5 OBLIGATION OR DEBT DUE TO THE COMMONWEALTH OR IS NOT  
6 COMPLIANT WITH TAXES DUE; OR

7 (6) IS NOT QUALIFIED TO DO BUSINESS IN THIS COMMONWEALTH  
8 OR IS NOT SUBJECT TO THE JURISDICTION OF THE COURTS OF THE  
9 COMMONWEALTH.

10 (C) TIME PERIOD FOR REVIEW.--THE BOARD SHALL CONCLUDE ITS  
11 REVIEW OF AN APPLICATION FOR A FANTASY CONTEST LICENSE WITHIN  
12 120 DAYS OF RECEIPT OF THE COMPLETED APPLICATION. IF THE LICENSE  
13 IS NOT ISSUED, THE BOARD SHALL PROVIDE THE APPLICANT WITH THE  
14 JUSTIFICATION FOR NOT ISSUING SUCH LICENSE WITH SPECIFICITY.

15 (D) LICENSE FEE.--

16 (1) WITHIN 30 DAYS OF THE BOARD ISSUING A FANTASY  
17 CONTEST LICENSE, AN APPLICANT SHALL PAY TO THE BOARD A  
18 LICENSE FEE OF \$50,000 OR AN AMOUNT EQUIVALENT TO 7.5% OF THE  
19 APPLICANT'S FANTASY CONTEST ADJUSTED REVENUES FOR THE  
20 PREVIOUS CALENDAR YEAR, WHICHEVER IS LESS, EXCEPT THAT AN  
21 APPLICANT WHO IS ALSO A LICENSED GAMING ENTITY SHALL PAY TO  
22 THE BOARD A LICENSE FEE OF \$50,000.

23 (2) THE LICENSE FEE COLLECTED UNDER THIS SUBSECTION  
24 SHALL BE DEPOSITED INTO THE GENERAL FUND.

25 (3) IF AN APPLICANT FAILS TO PAY THE FEE REQUIRED BY  
26 THIS SUBSECTION, THE BOARD SHALL SUSPEND OR REVOKE THE  
27 APPLICANT'S FANTASY CONTEST LICENSE UNTIL PAYMENT OF THE  
28 LICENSE FEE IS RECEIVED.

29 (E) ABBREVIATED APPROVAL PROCESS.--THE BOARD, AT ITS  
30 DISCRETION, MAY ESTABLISH AN ABBREVIATED APPROVAL PROCESS FOR

1 THE ISSUANCE OF A FANTASY CONTEST LICENSE TO A LICENSED GAMING  
2 ENTITY WHOSE SLOT MACHINE LICENSE AND TABLE GAME CERTIFICATE ARE  
3 IN GOOD STANDING.

4 § 324. LICENSE RENEWAL.

5 (A) RENEWAL.--

6 (1) A LICENSE ISSUED UNDER THIS CHAPTER SHALL BE VALID  
7 FOR A PERIOD OF FIVE YEARS.

8 (2) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO  
9 RELIEVE A LICENSED OPERATOR OF THE AFFIRMATIVE DUTY TO NOTIFY  
10 THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS  
11 FANTASY CONTEST LICENSE OR TO ANY OTHER INFORMATION CONTAINED  
12 IN THE APPLICATION MATERIALS ON FILE WITH THE BOARD.

13 (3) THE APPLICATION FOR RENEWAL OF A FANTASY CONTEST  
14 LICENSE MUST BE SUBMITTED AT LEAST 90 DAYS PRIOR TO THE  
15 EXPIRATION OF THE LICENSE AND INCLUDE AN UPDATE OF THE  
16 INFORMATION CONTAINED IN THE INITIAL APPLICATION FOR A  
17 FANTASY CONTEST LICENSE. A FANTASY CONTEST LICENSE FOR WHICH  
18 A COMPLETED RENEWAL APPLICATION AND FEE AS REQUIRED UNDER  
19 SUBSECTION (C) HAS BEEN RECEIVED BY THE BOARD SHALL CONTINUE  
20 IN EFFECT UNLESS AND UNTIL THE BOARD SENDS WRITTEN  
21 NOTIFICATION TO THE LICENSED OPERATOR THAT THE BOARD HAS  
22 DENIED THE RENEWAL OF THE LICENSE.

23 (B) REVOCATION OR FAILURE TO RENEW.--

24 (1) IN ADDITION TO ANY OTHER SANCTION THE BOARD MAY  
25 IMPOSE UNDER THIS CHAPTER, THE BOARD MAY AT ITS DISCRETION  
26 SUSPEND, REVOKE OR DENY RENEWAL OF A FANTASY CONTEST LICENSE  
27 ISSUED UNDER THIS CHAPTER IF IT RECEIVES INFORMATION THAT:

28 (I) THE APPLICANT OR ANY OF THE APPLICANT'S KEY  
29 EMPLOYEES OR PRINCIPALS ARE IN VIOLATION OF ANY PROVISION  
30 OF THIS CHAPTER;

1           (II) THE APPLICANT HAS FURNISHED THE BOARD WITH  
2           FALSE OR MISLEADING INFORMATION;

3           (III) THE INFORMATION CONTAINED IN THE APPLICANT'S  
4           INITIAL APPLICATION OR ANY RENEWAL APPLICATION IS NO  
5           LONGER TRUE AND CORRECT;

6           (IV) THE APPLICANT HAS FAILED TO REMIT TAXES OR  
7           ASSESSMENTS REQUIRED UNDER SECTION 331 (RELATING TO  
8           FANTASY CONTEST TAX), 332 (RELATING TO LICENSED OPERATOR  
9           DEPOSITS) OR 333 (RELATING TO RESPONSIBILITY AND  
10           AUTHORITY OF DEPARTMENT); OR

11           (V) THE APPLICANT HAS LEGALLY DEFAULTED IN THE  
12           PAYMENT OF ANY OBLIGATION OR DEBT DUE TO THE  
13           COMMONWEALTH.

14           (2) IN THE EVENT OF A REVOCATION OR FAILURE TO RENEW,  
15           THE APPLICANT'S AUTHORIZATION TO CONDUCT FANTASY CONTESTS  
16           SHALL IMMEDIATELY CEASE AND ALL FEES PAID IN CONNECTION WITH  
17           THE APPLICATION SHALL BE DEEMED TO BE FORFEITED.

18           (3) IN THE EVENT OF A SUSPENSION, THE APPLICANT'S  
19           AUTHORIZATION TO CONDUCT FANTASY CONTESTS SHALL IMMEDIATELY  
20           CEASE UNTIL THE BOARD HAS NOTIFIED THE APPLICANT THAT THE  
21           SUSPENSION IS NO LONGER IN EFFECT.

22           (C) RENEWAL FEE.--

23           (1) WITHIN 30 DAYS OF THE BOARD RENEWING A FANTASY  
24           CONTEST LICENSE, THE LICENSED OPERATOR SHALL PAY TO THE BOARD  
25           A RENEWAL FEE OF \$5,000, OR AN AMOUNT EQUAL TO 7.5% OF THE  
26           APPLICANT'S FANTASY CONTEST ADJUSTED REVENUE, WHICHEVER IS  
27           LESS.

28           (2) THE RENEWAL FEE COLLECTED BY THE BOARD UNDER THIS  
29           SUBSECTION SHALL BE DEPOSITED INTO THE GENERAL FUND.

30           (3) IF A LICENSED OPERATOR FAILS TO PAY THE RENEWAL FEE

1 REQUIRED UNDER THIS SUBSECTION, THE BOARD SHALL SUSPEND OR  
2 REVOKE THE LICENSED OPERATOR'S FANTASY CONTEST LICENSE UNTIL  
3 PAYMENT OF THE RENEWAL FEE IS RECEIVED.

4 § 325. CONDITIONS OF LICENSURE.

5 AS A CONDITION OF LICENSURE, A LICENSED OPERATOR SHALL  
6 ESTABLISH AND IMPLEMENT THE FOLLOWING COMMERCIALY REASONABLE  
7 PROCEDURES RELATED TO CONDUCT OF FANTASY CONTESTS IN THIS  
8 COMMONWEALTH:

9 (1) PERMIT ONLY PARTICIPANTS WHO HAVE ESTABLISHED A  
10 FANTASY CONTEST ACCOUNT WITH THE LICENSED OPERATOR TO  
11 PARTICIPATE IN A FANTASY CONTEST CONDUCTED BY THE LICENSED  
12 OPERATOR.

13 (2) VERIFY THE AGE, LOCATION AND IDENTITY OF ANY  
14 PARTICIPANT PRIOR TO MAKING A DEPOSIT INTO A FANTASY CONTEST  
15 ACCOUNT FOR A PARTICIPANT LOCATED IN THIS COMMONWEALTH. NO  
16 PARTICIPANT UNDER 18 YEARS OF AGE MAY BE PERMITTED TO  
17 ESTABLISH A FANTASY CONTEST ACCOUNT WITH A LICENSED OPERATOR.

18 (3) VERIFY THE IDENTITY OF A PARTICIPANT BY REQUIRING  
19 THE PARTICIPANT TO PROVIDE THE LICENSED OPERATOR A UNIQUE  
20 USER NAME AND PASSWORD PRIOR TO ACCESSING A FANTASY CONTEST  
21 ACCOUNT.

22 (4) ENSURE RULES AND PRIZES AND AWARDS ESTABLISHED BY  
23 THE LICENSED OPERATOR FOR A FANTASY CONTEST ARE MADE KNOWN TO  
24 A PARTICIPANT PRIOR TO THE ACCEPTANCE OF ANY ENTRY FEE.

25 (5) ENSURE THAT A PLAYER WHO IS THE SUBJECT OF A FANTASY  
26 CONTEST IS RESTRICTED FROM ENTERING AS A PARTICIPANT IN A  
27 FANTASY CONTEST THAT IS DETERMINED, IN WHOLE OR PART, ON THE  
28 ACCUMULATED STATISTICAL RESULTS OF A TEAM OF INDIVIDUALS IN  
29 THE LEAGUE IN WHICH THE PLAYER IS A MEMBER.

30 (6) ALLOW A PERSON TO RESTRICT HIMSELF FROM ENTERING A

1 FANTASY CONTEST OR ACCESSING A FANTASY CONTEST ACCOUNT FOR A  
2 SPECIFIC PERIOD OF TIME AS DETERMINED BY THE PARTICIPANT AND  
3 IMPLEMENT REASONABLE PROCEDURES TO PREVENT THE INDIVIDUAL  
4 FROM PARTICIPATING IN THE LICENSED OPERATOR'S FANTASY  
5 CONTESTS.

6 (7) ALLOW A PERSON TO RESTRICT THE TOTAL AMOUNT OF  
7 DEPOSITS THAT THE PARTICIPANT MAY PAY TO THE LICENSED  
8 OPERATOR FOR A SPECIFIC TIME PERIOD ESTABLISHED BY THE  
9 PARTICIPANT AND IMPLEMENT REASONABLE PROCEDURES TO PREVENT  
10 THE PARTICIPANT FROM EXCEEDING THE LIMIT.

11 (8) CONSPICUOUSLY POST COMPULSIVE AND PROBLEM PLAY  
12 NOTICES AT FANTASY CONTEST REGISTRATION POINTS AND PROVIDE A  
13 TOLL-FREE TELEPHONE NUMBER TO PARTICIPANTS WHO HAVE EXPRESSED  
14 TO THE LICENSED OPERATOR ISSUES WITH COMPULSIVE AND PROBLEM  
15 PLAY OF FANTASY CONTESTS. THE TOLL-FREE TELEPHONE NUMBER AND  
16 THE COMPULSIVE AND PROBLEM PLAY NOTICE SHALL BE APPROVED BY  
17 THE BOARD, IN CONSULTATION WITH THE DEPARTMENT OF DRUG AND  
18 ALCOHOL PROGRAMS.

19 (9) DISCLOSE THE NUMBER OF ENTRIES A SINGLE PARTICIPANT  
20 MAY SUBMIT TO EACH FANTASY CONTEST AND TAKE COMMERCIALY  
21 REASONABLE STEPS TO PREVENT SUCH PARTICIPANTS FROM SUBMITTING  
22 MORE THAN THE ALLOWABLE NUMBER.

23 (10) PREVENT THE LICENSED OPERATOR'S PRINCIPALS,  
24 EMPLOYEES AND RELATIVES LIVING IN THE SAME HOUSEHOLD OF AN  
25 EMPLOYEE OR PRINCIPAL FROM COMPETING IN A FANTASY CONTEST  
26 OFFERED BY ANY LICENSED OPERATOR TO THE GENERAL PUBLIC AND IN  
27 WHICH FANTASY CONTEST THE LICENSED OPERATOR OFFERS A PRIZE OR  
28 AWARD.

29 (11) PREVENT THE SHARING OF CONFIDENTIAL INFORMATION  
30 THAT COULD AFFECT FANTASY CONTEST PLAY WITH THIRD PARTIES

1 UNTIL THE INFORMATION IS MADE PUBLICLY AVAILABLE.

2 (12) TAKE COMMERCIALY REASONABLE STEPS TO MAINTAIN THE  
3 CONFIDENTIALITY OF A PARTICIPANT'S PERSONAL AND FINANCIAL  
4 INFORMATION.

5 (13) SEGREGATE PARTICIPANT FUNDS FROM OPERATIONAL FUNDS  
6 IN SEPARATE ACCOUNTS AND MAINTAIN A RESERVE IN THE FORM OF  
7 CASH, CASH EQUIVALENTS, SECURITY DEPOSITS HELD BY BANKS AND  
8 PROCESSORS, AN IRREVOCABLE LETTER OF CREDIT, PAYMENT  
9 PROCESSOR RESERVES AND RECEIVABLES, A BOND OR A COMBINATION  
10 THEREOF IN AN AMOUNT SUFFICIENT TO PAY ALL PRIZES AND AWARDS  
11 OFFERED TO WINNING PARTICIPANTS. TO SATISFY THIS PARAGRAPH, A  
12 LICENSED OPERATOR THAT ONLY OFFERS SEASON-LONG FANTASY  
13 CONTESTS THAT GENERATE LESS THAN \$250,000 IN SEASON-LONG  
14 FANTASY CONTEST ADJUSTED REVENUE MAY CONTRACT WITH A THIRD  
15 PARTY TO HOLD PRIZES AND AWARDS IN AN ESCROW ACCOUNT UNTIL  
16 AFTER THE SEASON IS CONCLUDED AND PRIZES AND AWARDS ARE  
17 DISTRIBUTED.

18 (14) PROVIDE WINNING IN-STATE PARTICIPANTS WITH  
19 INFORMATION AND DOCUMENTATION NECESSARY TO ENSURE THE PROPER  
20 REPORTING OF WINNINGS BY IN-STATE PARTICIPANTS TO THE  
21 DEPARTMENT.

22 (15) REMIT TAXES OR ASSESSMENTS TO THE DEPARTMENT IN  
23 ACCORDANCE WITH SECTIONS 331 (RELATING TO FANTASY CONTEST  
24 TAX), 332 (RELATING TO LICENSED OPERATOR DEPOSITS) AND 333  
25 (RELATING TO RESPONSIBILITY AND AUTHORITY OF DEPARTMENT).

26 (16) PROHIBIT THE USE OF SCRIPTS BY PARTICIPANTS AND  
27 IMPLEMENT TECHNOLOGIES TO PREVENT THE USE OF SCRIPTS.

28 (17) MONITOR FANTASY CONTESTS FOR THE USE OF SCRIPTS AND  
29 RESTRICT PLAYERS FOUND TO HAVE USED SUCH SCRIPTS FROM  
30 PARTICIPATION IN FUTURE FANTASY CONTESTS.



1           (18) ESTABLISH ANY OTHER CONDITION DEEMED APPROPRIATE BY  
2           THE BOARD.

3   § 326. PROHIBITIONS.

4           (A) GENERAL RULE.--NO LICENSED OPERATOR MAY:

5           (1) ACCEPT AN ENTRY FEE FROM OR PERMIT A NATURAL PERSON  
6           UNDER 18 YEARS OF AGE TO BECOME A PARTICIPANT IN A FANTASY  
7           CONTEST;

8           (2) OFFER A FANTASY CONTEST BASED, IN WHOLE OR IN PART,  
9           ON COLLEGIATE OR HIGH SCHOOL ATHLETIC EVENTS OR PLAYERS;

10           (3) PERMIT A PARTICIPANT TO ENTER A FANTASY CONTEST  
11           PRIOR TO ESTABLISHING A FANTASY CONTEST ACCOUNT;

12           (4) ESTABLISH A FANTASY CONTEST ACCOUNT FOR A PERSON WHO  
13           IS NOT AN INDIVIDUAL;

14           (5) ALTER RULES ESTABLISHED FOR A FANTASY CONTEST AFTER  
15           A PARTICIPANT HAS ENTERED THE FANTASY CONTEST;

16           (6) ISSUE CREDIT TO A PARTICIPANT TO ESTABLISH OR FUND A  
17           FANTASY CONTEST ACCOUNT;

18           (7) KNOWINGLY DIRECTLY MARKET TO A PARTICIPANT DURING  
19           THE TIME PERIOD IN WHICH THE PARTICIPANT HAS SELF-EXCLUDED  
20           FROM THE LICENSED OPERATORS' FANTASY CONTESTS;

21           (8) KNOWINGLY PERMIT A PARTICIPANT TO ENTER THE LICENSED  
22           OPERATOR'S FANTASY CONTESTS DURING THE TIME PERIOD IN WHICH  
23           THE PARTICIPANT HAS SELF-EXCLUDED FROM THE LICENSED  
24           OPERATORS' FANTASY CONTESTS;

25           (8.1) KNOWINGLY ALLOW A SELF-EXCLUDED INDIVIDUAL TO KEEP  
26           A PRIZE OR AWARD.

27           (9) KNOWINGLY ACCEPT A DEPOSIT IN EXCESS OF A LIMIT  
28           ESTABLISHED BY A PARTICIPANT FOR THE SPECIFIC TIME PERIOD  
29           ESTABLISHED BY THE PARTICIPANT;

30           (10) SHARE CONFIDENTIAL INFORMATION THAT COULD AFFECT

1 FANTASY CONTEST PLAY WITH THIRD PARTIES UNTIL THE INFORMATION  
2 IS MADE PUBLICLY AVAILABLE;

3 (11) KNOWINGLY PERMIT A PRINCIPAL, AN EMPLOYEE OR A  
4 RELATIVE LIVING IN THE SAME HOUSEHOLD OF AN EMPLOYEE OR  
5 PRINCIPAL TO BECOME A PARTICIPANT IN A FANTASY CONTEST  
6 OFFERED BY ANY LICENSED OPERATOR IN WHICH A LICENSED OPERATOR  
7 OFFERS A PRIZE OR AWARD;

8 (12) OFFER A FANTASY CONTEST WHERE:

9 (I) THE VALUE OF ALL PRIZES OR AWARDS OFFERED TO  
10 WINNING PARTICIPANTS IS NOT ESTABLISHED AND MADE KNOWN TO  
11 PARTICIPANTS IN ADVANCE OF THE FANTASY CONTEST;

12 (II) WINNING OUTCOMES DO NOT REFLECT THE RELATIVE  
13 KNOWLEDGE AND SKILL OF PARTICIPANTS;

14 (III) THE WINNING OUTCOME IS BASED ON THE SCORE,  
15 POINT SPREAD OR PERFORMANCE OF A SINGLE ACTUAL TEAM OR  
16 COMBINATION OF TEAMS OR SOLELY ON A SINGLE PERFORMANCE OF  
17 AN INDIVIDUAL ATHLETE OR PLAYER IN A SINGLE ACTUAL EVENT;

18 OR

19 (IV) THE WINNING OUTCOME IS NOT BASED ON STATISTICAL  
20 RESULTS ACCUMULATED FROM FULLY COMPLETED ATHLETIC SPORTS  
21 CONTESTS OR EVENTS, EXCEPT THAT PARTICIPANTS MAY BE  
22 CREDITED FOR STATISTICAL RESULTS ACCUMULATED IN A  
23 SUSPENDED OR SHORTENED SPORTS EVENT WHICH HAS BEEN  
24 PARTIALLY COMPLETED ON ACCOUNT OF WEATHER OR OTHER  
25 NATURAL OR UNFORESEEN EVENT;

26 (13) FAIL TO REMIT TAXES OR ASSESSMENTS TO THE  
27 DEPARTMENT IN ACCORDANCE WITH SECTIONS 331 (RELATING TO  
28 FANTASY CONTEST TAX), 332 (RELATING TO LICENSED OPERATOR  
29 DEPOSITS) AND 333 (RELATING TO RESPONSIBILITY AND AUTHORITY  
30 OF DEPARTMENT);

1           (14) KNOWINGLY ALLOW A PARTICIPANT TO USE A SCRIPT  
2           DURING A FANTASY CONTEST; AND

3           (15) PERFORM ANY OTHER ACTION PROHIBITED BY THE BOARD.

4           (B) DEPOSIT.--THE LICENSED OPERATOR SHALL DEPOSIT THE AMOUNT  
5 OF THE PRIZE OR AWARD UNDER SUBSECTION (A) (8.1) IN THE GENERAL  
6 FUND.

7 § 327. CHANGE IN OWNERSHIP OR CONTROL OF LICENSED OPERATORS.

8           (A) NOTIFICATION AND APPROVAL.--

9           (1) A LICENSED OPERATOR SHALL NOTIFY THE BOARD UPON  
10 BECOMING AWARE OF ANY PROPOSED CHANGE OF OWNERSHIP OF THE  
11 LICENSED OPERATOR BY A PERSON OR GROUP OF PERSONS ACTING IN  
12 CONCERT WHICH INVOLVES ANY OF THE FOLLOWING:

13           (I) MORE THAN 15% OF A LICENSED OPERATOR'S  
14 SECURITIES OR OTHER OWNERSHIP INTERESTS.

15           (II) THE SALE OTHER THAN IN THE ORDINARY COURSE OF  
16 BUSINESS OF A LICENSED OPERATOR'S ASSETS.

17           (III) ANY OTHER TRANSACTION OR OCCURRENCE DEEMED BY  
18 THE BOARD TO BE RELEVANT TO FANTASY CONTEST LICENSE  
19 QUALIFICATIONS.

20           (2) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1), A  
21 LICENSED OPERATOR SHALL NOT BE REQUIRED TO NOTIFY THE BOARD  
22 OF ANY ACQUISITION BY AN INSTITUTIONAL INVESTOR UNDER  
23 PARAGRAPH (1) (I) OR (II) IF THE INSTITUTIONAL INVESTOR HOLDS  
24 LESS THAN 10% OF THE SECURITIES OR OTHER OWNERSHIP INTERESTS  
25 REFERRED TO IN PARAGRAPH (1) (I) OR (II), THE SECURITIES OR  
26 INTERESTS ARE PUBLICLY TRADED SECURITIES AND ITS HOLDINGS OF  
27 SUCH SECURITIES WERE PURCHASED FOR INVESTMENT PURPOSES ONLY  
28 AND THE INSTITUTIONAL INVESTOR FILES WITH THE BOARD A  
29 CERTIFIED STATEMENT TO THE EFFECT THAT THE INSTITUTIONAL  
30 INVESTOR HAS NO INTENTION OF INFLUENCING OR AFFECTING,

1 DIRECTLY OR INDIRECTLY, THE AFFAIRS OF THE LICENSED OPERATOR,  
2 PROVIDED, HOWEVER, THAT THE INSTITUTIONAL INVESTOR MAY VOTE  
3 ON MATTERS PUT TO THE VOTE OF THE OUTSTANDING SECURITY  
4 HOLDERS. NOTICE TO THE BOARD SHALL BE REQUIRED PRIOR TO  
5 COMPLETION OF ANY PROPOSED OR CONTEMPLATED CHANGE OF  
6 OWNERSHIP OF A LICENSED OPERATOR THAT MEETS THE CRITERIA OF  
7 THIS SECTION.

8 (B) QUALIFICATION OF PURCHASER AND CHANGE OF CONTROL.--

9 (1) A PURCHASER OF THE ASSETS, OTHER THAN IN THE  
10 ORDINARY COURSE OF BUSINESS, OF A LICENSED OPERATOR SHALL  
11 INDEPENDENTLY QUALIFY FOR A FANTASY CONTEST LICENSE IN  
12 ACCORDANCE WITH THIS CHAPTER AND SHALL PAY THE APPLICATION  
13 FEE AND LICENSE FEE AS REQUIRED BY SECTIONS 322 (RELATING TO  
14 APPLICATION) AND 323 (RELATING TO ISSUANCE AND DENIAL OF  
15 LICENSE), EXCEPT THAT IF THE PURCHASER OF ASSETS IS ANOTHER  
16 LICENSED OPERATOR, THE PURCHASER OF ASSETS SHALL NOT BE  
17 REQUIRED TO REQUALIFY FOR A FANTASY CONTEST LICENSE OR PAY  
18 ANOTHER APPLICATION FEE AND LICENSE FEE.

19 (2) A CHANGE IN CONTROL OF ANY LICENSED OPERATOR SHALL  
20 REQUIRE THAT THE LICENSED OPERATOR INDEPENDENTLY QUALIFY FOR  
21 A FANTASY CONTEST LICENSE IN ACCORDANCE WITH THIS CHAPTER,  
22 AND THE LICENSED OPERATOR SHALL PAY A NEW APPLICATION AND  
23 LICENSE FEE AS REQUIRED BY SECTIONS 322 AND 323, EXCEPT THAT  
24 IF THE NEW CONTROLLER IS ANOTHER LICENSED OPERATOR, THE NEW  
25 CONTROLLER SHALL NOT BE REQUIRED TO REQUALIFY FOR A FANTASY  
26 CONTEST LICENSE OR PAY ANOTHER APPLICATION FEE AND LICENSE  
27 FEE.

28 (C) CHANGE IN CONTROL DEFINED.--FOR PURPOSES OF THIS  
29 SECTION, A CHANGE IN CONTROL OF A LICENSED OPERATOR SHALL MEAN  
30 THE ACQUISITION BY A PERSON OR GROUP OF PERSONS ACTING IN

1 CONCERT OF MORE THAN 20% OF A LICENSED OPERATOR'S SECURITIES OR  
2 OTHER OWNERSHIP INTERESTS, WITH THE EXCEPTION OF ANY OWNERSHIP  
3 INTEREST OF THE PERSON THAT EXISTED AT THE TIME OF INITIAL  
4 LICENSING AND PAYMENT OF THE INITIAL FANTASY CONTEST LICENSE  
5 FEE, OR MORE THAN 20% OF THE SECURITIES OR OTHER OWNERSHIP  
6 INTERESTS OF A CORPORATION OR OTHER FORM OF BUSINESS ENTITY THAT  
7 OWNS DIRECTLY OR INDIRECTLY AT LEAST 20% OF THE VOTING OR OTHER  
8 SECURITIES OR OTHER OWNERSHIP INTERESTS OF THE LICENSED  
9 OPERATOR.

10 (D) LICENSE REVOCATION.--FAILURE TO COMPLY WITH THIS SECTION  
11 MAY CAUSE THE FANTASY CONTEST LICENSE ISSUED UNDER THIS CHAPTER  
12 TO BE REVOKED OR SUSPENDED BY THE BOARD UNLESS THE PURCHASE OF  
13 THE ASSETS OR THE CHANGE IN CONTROL THAT MEETS THE CRITERIA OF  
14 THIS SECTION HAS BEEN INDEPENDENTLY QUALIFIED IN ADVANCE BY THE  
15 BOARD AND ANY REQUIRED APPLICATION OR LICENSE FEE HAS BEEN PAID.  
16 § 328. PENALTIES.

17 (A) SUSPENSION OR REVOCATION OF LICENSE.--

18 (1) AFTER A PUBLIC HEARING WITH AT LEAST 15 DAYS'  
19 NOTICE, THE BOARD MAY SUSPEND OR REVOKE A LICENSED OPERATOR'S  
20 FANTASY CONTEST LICENSE IN ANY CASE WHERE A VIOLATION OF THIS  
21 CHAPTER HAS BEEN SHOWN BY A PREPONDERANCE OF THE EVIDENCE.

22 (2) THE BOARD MAY REVOKE A FANTASY CONTEST LICENSE IF  
23 THE BOARD FINDS THAT FACTS NOT KNOWN BY THE BOARD AT THE TIME  
24 THE BOARD CONSIDERED THE APPLICATION INDICATE THAT SUCH  
25 LICENSE SHOULD NOT HAVE BEEN ISSUED.

26 (B) ADMINISTRATIVE PENALTIES.--

27 (1) IN ADDITION TO SUSPENSION OR REVOCATION OF A FANTASY  
28 CONTEST LICENSE, THE BOARD MAY IMPOSE ADMINISTRATIVE  
29 PENALTIES ON A LICENSED OPERATOR FOR VIOLATIONS OF THIS  
30 CHAPTER NOT TO EXCEED \$5,000 FOR EACH VIOLATION.

1           (2) A VIOLATION OF THIS CHAPTER THAT IS DETERMINED TO BE  
2 AN OFFENSE OF A CONTINUING NATURE SHALL BE DEEMED TO BE A  
3 SEPARATE OFFENSE ON EACH EVENT OR DAY DURING WHICH THE  
4 VIOLATION OCCURS, EXCEPT THAT THE TOTAL ADMINISTRATIVE  
5 PENALTY FOR AN OFFENSE OF A CONTINUING NATURE MAY NOT EXCEED  
6 \$25,000.

7           (3) THE LICENSED OPERATOR SHALL HAVE THE RIGHT TO APPEAL  
8 ADMINISTRATIVE PENALTIES IN ACCORDANCE WITH 2 PA.C.S. CHS. 5  
9 SUBCH. A (RELATING TO PRACTICE AND PROCEDURE OF COMMONWEALTH  
10 AGENCIES) AND 7 SUBCH. A (RELATING TO JUDICIAL REVIEW OF  
11 COMMONWEALTH AGENCY ACTION).

12           (4) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE  
13 DEPOSITED INTO THE GENERAL FUND.

14 (C) CIVIL PENALTIES.--

15           (1) IN ADDITION TO THE PROVISIONS OF THIS SECTION, A  
16 PERSON WHO KNOWINGLY VIOLATES A PROVISION OF THIS CHAPTER  
17 SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN \$1,000  
18 FOR EACH SUCH VIOLATION.

19           (2) THE CIVIL PENALTY SHALL BE RECOVERED IN A CIVIL  
20 ACTION BROUGHT BY THE BOARD AND SHALL BE PAID INTO THE  
21 GENERAL FUND.

22                                   SUBCHAPTER D

23                                   FISCAL PROVISIONS

24 SEC.

25 331. FANTASY CONTEST TAX.

26 332. LICENSED OPERATOR DEPOSITS.

27 333. RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

28 § 331. FANTASY CONTEST TAX.

29           (A) IMPOSITION.--EACH LICENSED OPERATOR SHALL REPORT TO THE  
30 DEPARTMENT AND PAY FROM ITS QUARTERLY FANTASY CONTEST ADJUSTED

1 REVENUES, ON A FORM AND IN THE MANNER PRESCRIBED BY THE  
2 DEPARTMENT, A TAX OF 12% OF ITS QUARTERLY FANTASY CONTEST  
3 ADJUSTED REVENUES.

4 (B) DEPOSITS AND DISTRIBUTIONS.--

5 (1) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE  
6 PAYABLE TO THE DEPARTMENT ON A QUARTERLY BASIS AND SHALL BE  
7 BASED UPON QUARTERLY FANTASY CONTEST ADJUSTED REVENUE DERIVED  
8 DURING THE PREVIOUS QUARTER.

9 (2) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS  
10 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE  
11 LICENSED OPERATOR UNTIL THE FUNDS ARE PAID TO THE DEPARTMENT.

12 (3) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE  
13 DEPOSITED INTO THE GENERAL FUND.

14 (C) PENALTY.--

15 (1) A LICENSED OPERATOR WHO FAILS TO TIMELY REMIT TO THE  
16 DEPARTMENT AMOUNTS REQUIRED UNDER THIS SECTION SHALL BE  
17 LIABLE, IN ADDITION TO ANY LIABILITY IMPOSED ELSEWHERE IN  
18 THIS CHAPTER, TO A PENALTY OF 5% PER MONTH UP TO A MAXIMUM OF  
19 25% OF THE AMOUNTS ULTIMATELY FOUND TO BE DUE, TO BE  
20 RECOVERED BY THE DEPARTMENT.

21 (2) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE  
22 DEPOSITED IN THE GENERAL FUND.

23 § 332. LICENSED OPERATOR DEPOSITS.

24 (A) ACCOUNTS ESTABLISHED.--THE STATE TREASURER SHALL  
25 ESTABLISH WITHIN THE STATE TREASURY AN ACCOUNT FOR EACH LICENSED  
26 OPERATOR FOR THE DEPOSIT OF SUMS REQUIRED UNDER SUBSECTION (B)  
27 TO:

28 (1) RECOVER COSTS OR EXPENSES INCURRED BY THE BOARD AND  
29 THE DEPARTMENT IN CARRYING OUT THEIR POWERS AND DUTIES UNDER  
30 THIS CHAPTER BASED UPON A BUDGET SUBMITTED BY THE BOARD AND

1 THE DEPARTMENT UNDER SUBSECTION (C); AND

2 (2) REPAY ANY LOANS MADE BY THE GENERAL FUND TO THE  
3 BOARD OR THE DEPARTMENT IN CONNECTION WITH CARRYING OUT ITS  
4 POWERS AND DUTIES UNDER THIS CHAPTER.

5 (B) DEPOSITS.--

6 (1) THE DEPARTMENT SHALL DETERMINE THE APPROPRIATE  
7 ASSESSMENT AMOUNT FOR EACH LICENSED OPERATOR, WHICH SHALL BE  
8 A PERCENTAGE ASSESSED ON THE LICENSED OPERATOR'S FANTASY  
9 CONTEST ADJUSTED REVENUES. EACH LICENSED OPERATOR SHALL  
10 DEPOSIT FUNDS INTO ITS ACCOUNT ON A QUARTERLY BASIS.

11 (2) THE PERCENTAGE ASSESSED SHALL NOT EXCEED AN AMOUNT  
12 NECESSARY TO:

13 (I) RECOVER COSTS OR EXPENSES INCURRED BY THE BOARD  
14 AND THE DEPARTMENT IN CARRYING OUT THEIR POWERS AND  
15 DUTIES UNDER THIS CHAPTER BASED ON A BUDGET SUBMITTED BY  
16 THE BOARD AND THE DEPARTMENT UNDER SUBSECTION (C); AND

17 (II) REPAY ANY LOANS MADE FROM THE GENERAL FUND TO  
18 THE BOARD IN CONNECTION WITH CARRYING OUT ITS POWERS AND  
19 DUTIES UNDER THIS CHAPTER.

20 (C) ITEMIZED BUDGET REPORTING.--

21 (1) THE BOARD AND THE DEPARTMENT SHALL PREPARE AND  
22 ANNUALLY SUBMIT TO THE CHAIRMAN OF THE APPROPRIATIONS  
23 COMMITTEE OF THE SENATE AND THE CHAIRMAN OF THE  
24 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AN  
25 ITEMIZED BUDGET CONSISTING OF AMOUNTS TO BE APPROPRIATED OUT  
26 OF THE ACCOUNTS ESTABLISHED UNDER THIS SECTION NECESSARY TO  
27 ADMINISTER THIS CHAPTER.

28 (2) AS SOON AS PRACTICABLE AFTER SUBMITTING COPIES OF  
29 THE ITEMIZED BUDGET, THE BOARD AND THE DEPARTMENT SHALL  
30 JOINTLY PREPARE AND SUBMIT TO THE CHAIRMEN OF THE COMMITTEES



1 ANALYSES OF AND MAKE RECOMMENDATIONS REGARDING THE ITEMIZED  
2 BUDGET.

3 (D) APPROPRIATION.--COSTS AND EXPENSES FROM ACCOUNTS  
4 ESTABLISHED UNDER SUBSECTION (A) SHALL ONLY BE DISBURSED UPON  
5 APPROPRIATION BY THE GENERAL ASSEMBLY.

6 (E) PENALTY.--

7 (1) A LICENSED OPERATOR WHO FAILS TO TIMELY REMIT TO THE  
8 DEPARTMENT AMOUNTS REQUIRED UNDER THIS SECTION SHALL BE  
9 LIABLE, IN ADDITION TO ANY LIABILITY IMPOSED ELSEWHERE IN  
10 THIS CHAPTER, TO A PENALTY OF 5% PER MONTH UP TO A MAXIMUM OF  
11 25% OF THE AMOUNTS ULTIMATELY FOUND TO BE DUE, TO BE  
12 RECOVERED BY THE DEPARTMENT.

13 (2) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE  
14 DEPOSITED INTO THE GENERAL FUND.

15 § 333. RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

16 (A) GENERAL RULE.--THE DEPARTMENT MAY ADMINISTER AND COLLECT  
17 TAXES IMPOSED UNDER SECTION 331 (RELATING TO FANTASY CONTEST  
18 TAX) AND INTEREST IMPOSED UNDER SECTION 806 OF THE ACT OF APRIL  
19 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, AND  
20 PROMULGATE AND ENFORCE RULES AND REGULATIONS TO CARRY OUT ITS  
21 PRESCRIBED DUTIES IN ACCORDANCE WITH SECTIONS 331 AND 332  
22 (RELATING TO LICENSED OPERATOR DEPOSITS), INCLUDING THE  
23 COLLECTION OF TAXES, PENALTIES, ASSESSMENTS AND INTEREST.

24 (B) PROCEDURE.--FOR PURPOSES OF IMPLEMENTING SECTIONS 331  
25 AND 332, THE DEPARTMENT MAY PROMULGATE REGULATIONS IN THE SAME  
26 MANNER IN WHICH THE BOARD IS AUTHORIZED AS PROVIDED IN SECTION  
27 312 (RELATING TO TEMPORARY REGULATIONS).

28 SUPBCHAPTER E  
29 MISCELLANEOUS PROVISIONS  
30 SEC.

1 341. APPLICABILITY OF OTHER STATUTES.

2 342. LICENSED GAMING ENTITIES.

3 343. FUNDING.

4 § 341. APPLICABILITY OF OTHER STATUTES.

5 (A) UNLAWFUL GAMBLING.--THE PROVISIONS OF 18 PA.C.S. § 5513  
6 (RELATING TO GAMBLING DEVICES, GAMBLING, ETC.) SHALL NOT APPLY  
7 TO A FANTASY CONTEST CONDUCTED IN ACCORDANCE WITH THIS CHAPTER.

8 (B) POOL SELLING AND BOOKMAKING.--THE PROVISIONS OF 18  
9 PA.C.S. § 5514 (RELATING TO POOL SELLING AND BOOKMAKING) SHALL  
10 NOT APPLY TO A FANTASY CONTEST CONDUCTED IN ACCORDANCE WITH THIS  
11 CHAPTER.

12 (C) LOTTERIES.--THE PROVISIONS OF 18 PA.C.S. § 5512  
13 (RELATING TO LOTTERIES, ETC.) SHALL NOT APPLY TO A FANTASY  
14 CONTEST CONDUCTED IN ACCORDANCE WITH THIS CHAPTER.

15 (D) STATE LOTTERY LAW.--THIS CHAPTER SHALL NOT APPLY TO A  
16 FANTASY CONTEST OR SIMILAR PRODUCT AUTHORIZED UNDER THE ACT OF  
17 AUGUST 26, 1971 (P.L.351, NO.91), KNOWN AS THE STATE LOTTERY  
18 LAW, AND AUTHORIZED SOLELY BY THE DEPARTMENT AND THE DIVISION OF  
19 THE STATE LOTTERY.

20 § 342. LICENSED GAMING ENTITIES.

21 (A) SCOPE.--THIS SECTION SHALL APPLY TO A LICENSED GAMING  
22 ENTITY THAT HOLDS A FANTASY CONTEST LICENSE.

23 (B) APPLICABILITY.--NOTHING IN THIS CHAPTER SHALL BE  
24 CONSTRUED TO LIMIT THE BOARD'S GENERAL AND SOLE REGULATORY  
25 AUTHORITY OVER THE CONDUCT OF GAMING OR RELATED ACTIVITIES UNDER  
26 PART II (RELATING TO GAMING), INCLUDING, BUT NOT LIMITED TO, THE  
27 CERTIFICATION, REGISTRATION AND REGULATION OF GAMING SERVICE  
28 PROVIDERS AND INDIVIDUALS AND ENTITIES ASSOCIATED WITH THEM.

29 (C) RESTRICTED CONTESTS.--A LICENSED GAMING ENTITY MAY OFFER  
30 FANTASY CONTESTS THAT ARE EXCLUSIVE TO PARTICIPANTS WHO ARE AT

1 LEAST 21 YEARS OF AGE.

2 (D) PROMOTIONAL PLAY.--FOR A RESTRICTED CONTEST UNDER  
3 SUBSECTION (C), A LICENSED GAMING ENTITY MAY OFFER SLOT MACHINE  
4 OR TABLE GAME PROMOTIONAL PLAY TO A PARTICIPANT WHO IS AT LEAST  
5 21 YEARS OF AGE AS A PRIZE OR AWARD OR FOR PARTICIPATING IN A  
6 FANTASY CONTEST CONDUCTED BY THE LICENSED GAMING ENTITY.

7 (E) GAMING SERVICE PROVIDERS.--A LICENSED OPERATOR WHO IS  
8 NOT A LICENSED GAMING ENTITY MAY, AT THE DISCRETION OF THE  
9 BOARD, BE CERTIFICATED OR REGISTERED AS A GAMING SERVICE  
10 PROVIDER UNDER SECTION 1317.2 (RELATING TO GAMING SERVICE  
11 PROVIDER) IN ORDER TO OPERATE FANTASY CONTESTS SUBJECT TO THE  
12 RESTRICTIONS OF SUBSECTION (C) ON BEHALF OF A LICENSED GAMING  
13 ENTITY.

14 § 343. FUNDING.

15 (A) APPROPRIATION.--THE FOLLOWING AMOUNTS ARE APPROPRIATED:

16 (1) THE SUM OF \$1,250,000 IS APPROPRIATED TO THE BOARD  
17 FOR THE FISCAL YEAR PERIOD JULY 1, 2016, TO JUNE 30, 2017,  
18 FOR THE PURPOSE OF IMPLEMENTING AND ADMINISTERING THE  
19 PROVISIONS OF THIS CHAPTER.

20 (2) THE SUM OF \$500,000 IS APPROPRIATED TO THE  
21 DEPARTMENT FOR THE FISCAL PERIOD JULY 1, 2016, TO JUNE 30,  
22 2017, FOR THE PURPOSE OF IMPLEMENTING AND ADMINISTERING THE  
23 PROVISIONS OF THIS CHAPTER.

24 (B) REPAYMENT.--THE APPROPRIATIONS IN THIS SECTION SHALL BE  
25 CONSIDERED LOANS FROM THE GENERAL FUND AND SHALL BE REPAYED TO  
26 THE GENERAL FUND QUARTERLY THROUGH ASSESSMENTS ON LICENSED  
27 OPERATORS AUTHORIZED UNDER SECTION 332 (RELATING TO LICENSED  
28 OPERATOR DEPOSITS) BY THE DEPARTMENT. THE TOTAL AMOUNTS  
29 APPROPRIATED TO THE BOARD AND DEPARTMENT UNDER THIS SECTION  
30 SHALL BE REPAYED TO THE GENERAL FUND NO LATER THAN 10 YEARS FROM

1 THE DATE THE BOARD ISSUES THE FIRST FANTASY CONTEST LICENSE.  
2 (C) UNUSED AMOUNTS.--ON JULY 1, 2017, ANY PORTION OF AMOUNTS  
3 APPROPRIATED UNDER SUBSECTION (A) THAT IS UNEXPENDED,  
4 UNENCUMBERED OR UNCOMMITTED AS OF JUNE 30 OF THE PRIOR FISCAL  
5 YEAR SHALL AUTOMATICALLY BE TRANSFERRED TO THE GENERAL FUND.

6 SECTION 2. SECTION 1102 OF TITLE 4 IS AMENDED BY ADDING  
7 PARAGRAPHS TO READ:

8 § 1102. LEGISLATIVE INTENT.

9 THE GENERAL ASSEMBLY RECOGNIZES THE FOLLOWING PUBLIC POLICY  
10 PURPOSES AND DECLARES THAT THE FOLLOWING OBJECTIVES OF THE  
11 COMMONWEALTH ARE TO BE SERVED BY THIS PART:

12 \* \* \*

13 (12.1) THE CONTINUED GROWTH AND SUCCESS OF THE  
14 COMMERCIAL GAMING INDUSTRY IN THIS COMMONWEALTH IS DEPENDENT  
15 UPON A REGULATORY ENVIRONMENT WHICH PROMOTES AND FOSTERS  
16 TECHNOLOGICAL ADVANCES AND ENCOURAGES THE DEVELOPMENT AND  
17 DELIVERY OF INNOVATIVE GAMING PRODUCTS.

18 (12.2) IT IS ALSO THE INTENT OF THE GENERAL ASSEMBLY TO  
19 ENSURE THE SUSTAINABILITY AND COMPETITIVENESS OF THE  
20 COMMERCIAL GAMING INDUSTRY IN THIS COMMONWEALTH BY  
21 AUTHORIZING INTERACTIVE GAMING, THE OPERATION OF MULTISTATE  
22 WIDE-AREA PROGRESSIVE SLOT MACHINES, SKILL AND HYBRID SLOT  
23 MACHINES.

24 \* \* \*

25 SECTION 3. THE DEFINITIONS OF "ASSOCIATED EQUIPMENT," "CASH  
26 EQUIVALENT," "CHEAT," "CHEATING OR THIEVING DEVICE,"  
27 "COMMISSION" OR "COMMISSIONS," "CONDUCT OF GAMING," "CONTEST,"  
28 "COUNTERFEIT CHIP," "FULLY AUTOMATED ELECTRONIC GAMING TABLE,"  
29 "GAMING EMPLOYEE," "GAMING SCHOOL," "GAMING SERVICE PROVIDER,"  
30 "KEY EMPLOYEE," "LICENSED FACILITY," "MANUFACTURER,"

1 "MANUFACTURER LICENSE," "PLAYER," "PROGRESSIVE PAYOUT,"  
2 "PROGRESSIVE SYSTEM," "SLOT MACHINE," "SUPPLIER," "SUPPLIER  
3 LICENSE" AND "TABLE GAME DEVICE" IN SECTION 1103 OF TITLE 4 ARE  
4 AMENDED AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO  
5 READ:

6 § 1103. DEFINITIONS.

7 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS PART SHALL  
8 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
9 CONTEXT CLEARLY INDICATES OTHERWISE:

10 \* \* \*

11 "AIRPORT AUTHORITY." THE GOVERNING BODY OF A MUNICIPAL  
12 AUTHORITY ORGANIZED AND INCORPORATED TO OVERSEE THE OPERATIONS  
13 OF A QUALIFIED AIRPORT UNDER 53 PA.C.S. CH. 56 (RELATING TO  
14 MUNICIPAL AUTHORITIES) OR THE GOVERNING BODY OF A CITY OF THE  
15 FIRST CLASS, WHICH REGULATES THE USE AND CONTROL OF A QUALIFIED  
16 AIRPORT.

17 "AIRPORT GAMING AREA." A LOCATION OR LOCATIONS WITHIN A  
18 QUALIFIED AIRPORT APPROVED FOR THE CONDUCT OF AUTHORIZED  
19 INTERACTIVE GAMES THROUGH THE USE OF MULTI-USE COMPUTING DEVICES  
20 BY ELIGIBLE PASSENGERS AS APPROVED BY THE AIRPORT AUTHORITY OR  
21 IN THE CASE OF A QUALIFIED AIRPORT LOCATED IN A CITY OF THE  
22 FIRST CLASS, AS APPROVED BY THE GOVERNING BODY OF THE CITY OF  
23 THE FIRST CLASS, AND THE PENNSYLVANIA GAMING CONTROL BOARD.

24 \* \* \*

25 "ASSOCIATED EQUIPMENT." ANY EQUIPMENT OR MECHANICAL,  
26 ELECTROMECHANICAL OR ELECTRONIC CONTRIVANCE, COMPONENT OR  
27 MACHINE USED IN CONNECTION WITH SLOT MACHINES OR TABLE GAMES,  
28 INCLUDING LINKING DEVICES WHICH CONNECT TO PROGRESSIVE SLOT  
29 MACHINES AND MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINES OR  
30 SLOT [MACHINES, REPLACEMENT] MACHINE REPLACEMENT PARTS,

1 EQUIPMENT WHICH AFFECTS THE PROPER REPORTING AND COUNTING OF  
2 GROSS TERMINAL REVENUE [AND] GROSS TABLE GAME REVENUE AND GROSS  
3 INTERACTIVE GAMING REVENUE, COMPUTERIZED SYSTEMS FOR CONTROLLING  
4 AND MONITORING SLOT MACHINES [OR] TABLE GAMES OR INTERACTIVE  
5 GAMES, INCLUDING, BUT NOT LIMITED TO, THE CENTRAL CONTROL  
6 COMPUTER TO WHICH ALL SLOT MACHINES COMMUNICATE [AND] DEVICES  
7 FOR WEIGHING OR COUNTING MONEY[.] AND INTERACTIVE GAMING DEVICES  
8 AND ASSOCIATED EQUIPMENT NECESSARY FOR THE OPERATION OF  
9 INTERACTIVE GAMES AS APPROVED BY THE PENNSYLVANIA GAMING CONTROL  
10 BOARD. THE TERM SHALL NOT INCLUDE COUNT ROOM EQUIPMENT.

11 \* \* \*

12 "AUTHORIZED INTERACTIVE GAME." AN INTERACTIVE GAME APPROVED  
13 BY REGULATION OF THE PENNSYLVANIA GAMING CONTROL BOARD TO BE  
14 SUITABLE FOR INTERACTIVE GAMING OFFERED BY AN INTERACTIVE GAMING  
15 CERTIFICATE HOLDER OR OTHER PERSONS ON BEHALF OF A SLOT MACHINE  
16 LICENSEE IN ACCORDANCE WITH CHAPTER 13B (RELATING TO INTERACTIVE  
17 GAMING). THE TERM SHALL INCLUDE ANY INTERACTIVE GAME APPROVED BY  
18 REGULATION OF THE PENNSYLVANIA CONTROL BOARD TO BE SUITABLE FOR  
19 INTERACTIVE GAMING THROUGH THE USE OF A MULTI-USE COMPUTING  
20 DEVICE.

21 \* \* \*

22 "CASH EQUIVALENT." AN ASSET THAT IS READILY CONVERTIBLE TO  
23 CASH, INCLUDING, BUT NOT LIMITED TO, ANY OF THE FOLLOWING:

- 24 (1) CHIPS OR TOKENS.
- 25 (2) TRAVELERS CHECKS.
- 26 (3) FOREIGN CURRENCY AND COIN.
- 27 (4) CERTIFIED CHECKS, CASHIER'S CHECKS AND MONEY ORDERS.
- 28 (5) PERSONAL CHECKS OR DRAFTS.
- 29 (6) A NEGOTIABLE INSTRUMENT APPLIED AGAINST CREDIT
- 30 EXTENDED BY A CERTIFICATE HOLDER, AN INTERACTIVE GAMING

1       CERTIFICATE HOLDER, A HOLDER OF AN INTERACTIVE GAMING LICENSE  
2       OR A FINANCIAL INSTITUTION.

3           (7) ANY OTHER INSTRUMENT OR REPRESENTATION OF VALUE THAT  
4       THE PENNSYLVANIA GAMING CONTROL BOARD DEEMS A CASH  
5       EQUIVALENT.

6       \* \* \*

7       "CHEAT." TO DEFRAUD OR STEAL FROM ANY PLAYER, SLOT MACHINE  
8       LICENSEE OR THE COMMONWEALTH WHILE OPERATING OR PLAYING A SLOT  
9       MACHINE [OR] TABLE GAME[, ] OR AUTHORIZED INTERACTIVE GAME,  
10      INCLUDING CAUSING, AIDING, ABETTING OR CONSPIRING WITH ANOTHER  
11      PERSON TO DO SO. THE TERM SHALL ALSO MEAN TO ALTER OR CAUSING,  
12      AIDING, ABETTING OR CONSPIRING WITH ANOTHER PERSON TO ALTER THE  
13      ELEMENTS OF CHANCE, METHOD OF SELECTION OR CRITERIA WHICH  
14      DETERMINE:

15           (1) THE RESULT OF A SLOT MACHINE GAME [OR] TABLE GAME  
16           OR AUTHORIZED INTERACTIVE GAME.

17           (2) THE AMOUNT OR FREQUENCY OF PAYMENT IN A SLOT MACHINE  
18           GAME [OR] TABLE GAME OR AUTHORIZED INTERACTIVE GAME.

19           (3) THE VALUE OF A WAGERING INSTRUMENT.

20           (4) THE VALUE OF A WAGERING CREDIT.

21      THE TERM DOES NOT INCLUDE ALTERING A SLOT MACHINE, TABLE GAME  
22      DEVICE OR ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICE OR  
23      ASSOCIATED EQUIPMENT FOR MAINTENANCE OR REPAIR WITH THE APPROVAL  
24      OF A SLOT MACHINE LICENSEE.

25      "CHEATING OR THIEVING DEVICE." A DEVICE, SOFTWARE OR  
26      HARDWARE USED OR POSSESSED WITH THE INTENT TO BE USED TO CHEAT  
27      DURING THE OPERATION OR PLAY OF ANY SLOT MACHINE [OR] TABLE  
28      GAME OR AUTHORIZED INTERACTIVE GAME. THE TERM SHALL ALSO INCLUDE  
29      ANY DEVICE USED TO ALTER A SLOT MACHINE [OR] A TABLE GAME  
30      DEVICE OR ASSOCIATED EQUIPMENT, AN AUTHORIZED INTERACTIVE GAME

1 OR INTERACTIVE GAMING DEVICE OR ASSOCIATED EQUIPMENT WITHOUT THE  
2 SLOT MACHINE LICENSEE'S APPROVAL.

3 \* \* \*

4 ["COMMISSION" OR "COMMISSIONS."] "COMMISSION." THE STATE  
5 HORSE RACING COMMISSION [OR THE STATE HARNESS RACING COMMISSION,  
6 OR BOTH AS THE CONTEXT MAY REQUIRE.] AS DEFINED IN SECTION 2801-  
7 D OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE  
8 ADMINISTRATIVE CODE OF 1929.

9 \* \* \*

10 "CONCESSION OPERATOR." A PERSON ENGAGED IN THE SALE OR  
11 OFFERING FOR SALE OF CONSUMER GOODS OR SERVICES TO THE PUBLIC AT  
12 A QUALIFIED AIRPORT, OR AUTHORIZED TO CONDUCT OTHER COMMERCIAL  
13 ACTIVITIES RELATED TO PASSENGER SERVICES AT A QUALIFIED AIRPORT,  
14 IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF AN AGREEMENT OR  
15 CONTRACT WITH AN AIRPORT AUTHORITY, GOVERNMENT ENTITY OR OTHER  
16 PERSON.

17 "CONDUCT OF GAMING." THE LICENSED PLACEMENT, OPERATION AND  
18 PLAY OF SLOT MACHINES [AND], TABLE GAMES AND INTERACTIVE GAMES  
19 UNDER THIS PART, AS AUTHORIZED AND APPROVED BY THE PENNSYLVANIA  
20 GAMING CONTROL BOARD. THE TERM SHALL INCLUDE THE LICENSED  
21 PLACEMENT, OPERATION AND PLAY OF AUTHORIZED INTERACTIVE GAMES  
22 THROUGH THE USE OF MULTI-USE COMPUTING DEVICES AT A QUALIFIED  
23 AIRPORT, AS AUTHORIZED AND APPROVED BY THE PENNSYLVANIA GAMING  
24 CONTROL BOARD.

25 "CONTEST." A SLOT MACHINE, TABLE GAME OR AUTHORIZED  
26 INTERACTIVE GAME COMPETITION AMONG PLAYERS FOR CASH, CASH  
27 EQUIVALENTS OR PRIZES.

28 \* \* \*

29 "COUNTERFEIT CHIP." ANY OBJECT OR THING THAT IS:

30 (1) USED OR INTENDED TO BE USED TO PLAY A TABLE GAME AT



1 A CERTIFICATE HOLDER'S LICENSED FACILITY AND WHICH WAS NOT  
2 ISSUED BY THAT CERTIFICATE HOLDER FOR SUCH USE; [OR]

3 (2) PRESENTED TO A CERTIFICATE HOLDER FOR REDEMPTION IF  
4 THE OBJECT WAS NOT ISSUED BY THE CERTIFICATE HOLDER[.];

5 (3) USED OR INTENDED TO BE USED TO PLAY AN AUTHORIZED  
6 INTERACTIVE GAME WHICH WAS NOT APPROVED BY THE INTERACTIVE  
7 GAMING CERTIFICATE HOLDER FOR SUCH USE; OR

8 (4) PRESENTED DURING PLAY OF AN AUTHORIZED INTERACTIVE  
9 GAME FOR REDEMPTION, IF THE OBJECT OR THING WAS NOT ISSUED BY  
10 THE INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER PERSON ON  
11 BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER.

12 \* \* \*

13 "ELIGIBLE PASSENGER" OR "PASSENGER." AN INDIVIDUAL 21 YEARS  
14 OF AGE OR OLDER WHO HAS CLEARED SECURITY CHECK POINTS WITH A  
15 VALID AIRLINE BOARDING PASS FOR TRAVEL FROM ONE DESTINATION TO  
16 ANOTHER BY AIRPLANE.

17 \* \* \*

18 "FULLY AUTOMATED ELECTRONIC GAMING TABLE." AN ELECTRONIC  
19 GAMING TABLE DETERMINED BY THE PENNSYLVANIA GAMING CONTROL BOARD  
20 TO BE PLAYABLE OR OPERABLE AS A TABLE GAME WITHOUT THE  
21 ASSISTANCE OR PARTICIPATION OF A PERSON ACTING ON BEHALF OF A  
22 CERTIFICATE HOLDER. THE TERM SHALL INCLUDE A MULTI-USE COMPUTING  
23 DEVICE, WHICH THROUGH THE USE OF DIGITAL, ELECTRONIC OR OTHER  
24 COMMUNICATIONS TECHNOLOGY, IS CAPABLE OF SIMULATING A TABLE  
25 GAME.

26 \* \* \*

27 "GAMING EMPLOYEE." ANY EMPLOYEE OF A SLOT MACHINE LICENSEE,  
28 INCLUDING, BUT NOT LIMITED TO:

29 (1) CASHIERS.

30 (2) CHANGE PERSONNEL.

- 1 (3) COUNT ROOM PERSONNEL.
- 2 (4) SLOT ATTENDANTS.
- 3 (5) HOSTS OR OTHER INDIVIDUALS AUTHORIZED TO EXTEND
- 4 COMPLIMENTARY SERVICES, INCLUDING EMPLOYEES PERFORMING
- 5 FUNCTIONS SIMILAR TO THOSE PERFORMED BY A GAMING JUNKET
- 6 REPRESENTATIVE.
- 7 (6) MACHINE MECHANICS, COMPUTER MACHINE TECHNICIANS OR
- 8 TABLE GAME DEVICE TECHNICIANS.
- 9 (7) SECURITY PERSONNEL.
- 10 (8) SURVEILLANCE PERSONNEL.
- 11 (9) PROMOTIONAL PLAY SUPERVISORS, CREDIT SUPERVISORS,
- 12 PIT SUPERVISORS, CASHIER SUPERVISORS, SHIFT SUPERVISORS,
- 13 TABLE GAME MANAGERS AND ASSISTANT MANAGERS AND OTHER
- 14 SUPERVISORS AND MANAGERS, EXCEPT FOR THOSE SPECIFICALLY
- 15 IDENTIFIED IN THIS PART AS KEY EMPLOYEES.
- 16 (10) BOXMEN.
- 17 (11) DEALERS OR CROUPIERS.
- 18 (12) FLOORMEN.
- 19 (13) PERSONNEL AUTHORIZED TO ISSUE PROMOTIONAL PLAY.
- 20 (14) PERSONNEL AUTHORIZED TO ISSUE CREDIT.

21 THE TERM SHALL INCLUDE EMPLOYEES OF A PERSON HOLDING A  
22 SUPPLIER'S LICENSE WHOSE DUTIES ARE DIRECTLY INVOLVED WITH THE  
23 REPAIR OR DISTRIBUTION OF SLOT MACHINES, TABLE GAME DEVICES OR  
24 ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES OR ASSOCIATED  
25 EQUIPMENT SOLD OR PROVIDED TO A LICENSED FACILITY WITHIN THIS  
26 COMMONWEALTH AS DETERMINED BY THE PENNSYLVANIA GAMING CONTROL  
27 BOARD. THE TERM SHALL FURTHER INCLUDE EMPLOYEES OF A PERSON  
28 AUTHORIZED BY THE BOARD TO SUPPLY GOODS AND SERVICES RELATED TO  
29 INTERACTIVE GAMING OR ANY SUBCONTRACTOR OR AN EMPLOYEE OF A  
30 SUBCONTRACTOR THAT SUPPLIES INTERACTIVE GAMING DEVICES,

1 INCLUDING MULTI-USE COMPUTING DEVICES, OR ASSOCIATED EQUIPMENT  
2 TO A HOLDER OF AN INTERACTIVE GAMING CERTIFICATE OR INTERACTIVE  
3 GAMING LICENSE. THE TERM DOES NOT INCLUDE BARTENDERS, COCKTAIL  
4 SERVERS OR OTHER PERSONS ENGAGED SOLELY IN PREPARING OR SERVING  
5 FOOD OR BEVERAGES, CLERICAL OR SECRETARIAL PERSONNEL, PARKING  
6 ATTENDANTS, JANITORIAL, STAGE, SOUND AND LIGHT TECHNICIANS AND  
7 OTHER NONGAMING PERSONNEL AS DETERMINED BY THE BOARD.

8 "GAMING FLOOR." ANY PORTION OF A LICENSED FACILITY WHERE  
9 SLOT MACHINES OR TABLE GAMES HAVE BEEN INSTALLED FOR USE OR  
10 PLAY.

11 \* \* \*

12 "GAMING-RELATED RESTRICTED AREA." ANY ROOM OR AREA OF A  
13 LICENSED FACILITY AND WHICH IS SPECIFICALLY DESIGNATED BY THE  
14 PENNSYLVANIA GAMING CONTROL BOARD AS RESTRICTED OR BY THE SLOT  
15 MACHINE LICENSEE AS RESTRICTED IN ITS BOARD-APPROVED INTERNAL  
16 CONTROLS.

17 \* \* \*

18 "GAMING SCHOOL." ANY EDUCATIONAL INSTITUTION APPROVED BY THE  
19 DEPARTMENT OF EDUCATION AS AN ACCREDITED COLLEGE OR UNIVERSITY,  
20 COMMUNITY COLLEGE, PENNSYLVANIA PRIVATE LICENSED SCHOOL OR ITS  
21 EQUIVALENT AND WHOSE CURRICULUM GUIDELINES ARE APPROVED BY THE  
22 DEPARTMENT OF LABOR AND INDUSTRY TO PROVIDE EDUCATION AND JOB  
23 TRAINING RELATED TO EMPLOYMENT OPPORTUNITIES ASSOCIATED WITH  
24 SLOT MACHINES [OR], TABLE GAMES OR INTERACTIVE GAMES, INCLUDING  
25 SLOT MACHINE, TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT  
26 MAINTENANCE AND REPAIR AND INTERACTIVE GAMING DEVICES AND  
27 ASSOCIATED EQUIPMENT MAINTENANCE AND REPAIR.

28 "GAMING SERVICE PROVIDER." A PERSON THAT IS NOT REQUIRED TO  
29 BE LICENSED AS A MANUFACTURER, SUPPLIER, MANAGEMENT COMPANY OR  
30 GAMING JUNKET ENTERPRISE UNDER THIS PART OR REGULATIONS OF THE

1 PENNSYLVANIA GAMING CONTROL BOARD AND:

2 (1) PROVIDES GOODS OR SERVICES, INCLUDING, BUT NOT  
3 LIMITED TO, COUNT ROOM EQUIPMENT, TO A SLOT MACHINE LICENSEE  
4 OR AN APPLICANT FOR A SLOT MACHINE LICENSE FOR USE IN THE  
5 OPERATION OF A LICENSED FACILITY; [OR] AND

6 (2) PROVIDES GOODS OR SERVICES [AT] TO A SLOT MACHINE  
7 LICENSEE OR AN APPLICANT FOR A SLOT MACHINE LICENSE THAT  
8 REQUIRES ACCESS TO THE GAMING FLOOR OR A GAMING-RELATED  
9 RESTRICTED AREA OF A LICENSED FACILITY AS DETERMINED BY THE  
10 PENNSYLVANIA GAMING CONTROL BOARD.

11 \* \* \*

12 "GROSS INTERACTIVE GAMING REVENUE." THE TOTAL OF ALL CASH OR  
13 CASH EQUIVALENT WAGERS PAID BY REGISTERED PLAYERS TO AN  
14 INTERACTIVE GAMING CERTIFICATE HOLDER IN CONSIDERATION FOR THE  
15 PLAY OF AUTHORIZED INTERACTIVE GAMES, MINUS:

16 (1) THE TOTAL OF CASH OR CASH EQUIVALENTS PAID OUT TO  
17 REGISTERED PLAYERS AS WINNINGS.

18 (2) THE CASH EQUIVALENT VALUE OF ANY PERSONAL PROPERTY  
19 OR OTHER NONCASH ITEMS OR THINGS OF VALUE INCLUDED IN A  
20 DRAWING, CONTEST OR TOURNAMENT AND DISTRIBUTED TO REGISTERED  
21 PLAYERS AS A RESULT OF PLAYING AUTHORIZED INTERACTIVE GAMES.

22 (3) ANY ADMINISTRATIVE FEE, OPERATIONS FEE OR TAX PAID  
23 TO ANOTHER STATE OR JURISDICTION PURSUANT TO AN INTERACTIVE  
24 GAMING RECIPROCAL AGREEMENT.

25 AMOUNTS DEPOSITED WITH AN INTERACTIVE GAMING CERTIFICATE HOLDER  
26 FOR PURPOSES OF INTERACTIVE GAMING AND AMOUNTS TAKEN IN  
27 FRAUDULENT ACTS PERPETRATED AGAINST AN INTERACTIVE GAMING  
28 CERTIFICATE HOLDER FOR WHICH THE INTERACTIVE GAMING CERTIFICATE  
29 HOLDER IS NOT REIMBURSED MAY NOT BE CONSIDERED TO HAVE BEEN PAID  
30 TO THE INTERACTIVE GAMING CERTIFICATE HOLDER FOR PURPOSES OF

1 CALCULATING GROSS INTERACTIVE GAMING REVENUE.

2 \* \* \*

3 "HYBRID SLOT MACHINE." A SLOT MACHINE IN WHICH A COMBINATION  
4 OF THE SKILL OF THE PLAYER AND ELEMENTS OF CHANCE AFFECTS THE  
5 OUTCOME OF THE GAME.

6 \* \* \*

7 "INTERACTIVE GAME." ANY GAMBLING GAME OFFERED THROUGH THE  
8 USE OF COMMUNICATIONS TECHNOLOGY THAT ALLOWS A PERSON, UTILIZING  
9 MONEY, CHECKS, ELECTRONIC CHECKS, ELECTRONIC TRANSFERS OF MONEY,  
10 CREDIT CARDS OR ANY OTHER INSTRUMENTALITY TO TRANSMIT ELECTRONIC  
11 INFORMATION TO ASSIST IN THE PLACEMENT OF A BET OR WAGER AND  
12 CORRESPONDING INFORMATION RELATED TO THE DISPLAY OF THE GAME,  
13 GAME OUTCOMES OR OTHER SIMILAR INFORMATION. THE TERM SHALL NOT  
14 INCLUDE:

15 (1) A LOTTERY GAME OR INTERNET INSTANT GAME AS DEFINED  
16 IN THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91), KNOWN AS THE  
17 STATE LOTTERY LAW.

18 (2) NONGAMBLING GAMES THAT DO NOT OTHERWISE REQUIRE A  
19 LICENSE UNDER THE LAWS OF THIS COMMONWEALTH.

20 FOR THE PURPOSES OF THIS DEFINITION, THE TERM "COMMUNICATIONS  
21 TECHNOLOGY" SHALL MEAN ANY METHOD USED AND THE COMPONENTS  
22 EMPLOYED TO FACILITATE THE TRANSMISSION AND RECEIPT OF  
23 INFORMATION, INCLUDING TRANSMISSION AND RECEPTION BY SYSTEMS  
24 USING WIRE, WIRELESS, CABLE, RADIO, MICROWAVE, LIGHT, FIBER  
25 OPTICS, SATELLITE OR COMPUTER DATA NETWORKS, INCLUDING THE  
26 INTERNET AND INTRANETS, AS APPROVED BY THE BOARD.

27 "INTERACTIVE GAMING." THE PLACING OF BETS OR WAGERS WITH AN  
28 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING  
29 LICENSEE LOCATED IN THIS COMMONWEALTH USING A COMPUTER NETWORK  
30 OF BOTH FEDERAL AND NON-FEDERAL INTEROPERABLE PACKET SWITCHED

1 DATA NETWORKS THROUGH WHICH AN INTERACTIVE GAMING CERTIFICATE  
2 HOLDER MAY OFFER AUTHORIZED INTERACTIVE GAMES TO REGISTERED  
3 PLAYERS. THE TERM SHALL INCLUDE THE PLACING OF BETS OR WAGERS  
4 THROUGH THE USE OF A MULTI-USE COMPUTING DEVICE.

5 "INTERACTIVE GAMING ACCOUNT." THE FORMAL, ELECTRONIC SYSTEM  
6 IMPLEMENTED BY AN INTERACTIVE GAMING CERTIFICATE HOLDER TO  
7 RECORD THE BALANCE OF A REGISTERED PLAYER'S DEBITS, CREDITS AND  
8 OTHER ACTIVITY RELATED TO INTERACTIVE GAMING.

9 "INTERACTIVE GAMING ACCOUNT AGREEMENT." AN AGREEMENT ENTERED  
10 INTO BETWEEN AN INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER  
11 PERSON ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER AND  
12 AN INDIVIDUAL WHICH GOVERNS THE TERMS AND CONDITIONS OF THE  
13 INDIVIDUAL'S INTERACTIVE GAMING ACCOUNT AND THE USE OF THE  
14 INTERNET FOR PURPOSES OF PLACING BETS OR WAGERS ON AUTHORIZED  
15 INTERACTIVE GAMES OPERATED BY AN INTERACTIVE GAMING CERTIFICATE  
16 HOLDER OR OTHER PERSON ON BEHALF OF AN INTERACTIVE GAMING  
17 CERTIFICATE HOLDER.

18 "INTERACTIVE GAMING AGREEMENT." AN AGREEMENT ENTERED INTO BY  
19 OR BETWEEN AN INTERACTIVE GAMING CERTIFICATE HOLDER AND AN  
20 INTERACTIVE GAMING OPERATOR RELATED TO THE OFFERING OR OPERATION  
21 OF INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF  
22 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER. THE TERM SHALL  
23 INCLUDE AN INTERACTIVE GAMING AGREEMENT ENTERED INTO BY OR  
24 BETWEEN AN INTERACTIVE GAMING CERTIFICATE HOLDER AND AN  
25 INTERACTIVE GAMING OPERATOR FOR THE CONDUCT OF INTERACTIVE  
26 GAMING THROUGH THE USE OF MULTI-USE COMPUTING DEVICES AT A  
27 QUALIFIED AIRPORT IN ACCORDANCE WITH THIS PART.

28 "INTERACTIVE GAMING CERTIFICATE." THE AUTHORIZATION ISSUED  
29 TO A SLOT MACHINE LICENSEE BY THE PENNSYLVANIA GAMING CONTROL  
30 BOARD AUTHORIZING THE OPERATION AND CONDUCT OF INTERACTIVE

1 GAMING BY A SLOT MACHINE LICENSEE OR OTHER PERSON ON BEHALF OF A  
2 SLOT MACHINE LICENSEE IN ACCORDANCE WITH CHAPTER 13B (RELATING  
3 TO INTERACTIVE GAMING).

4 "INTERACTIVE GAMING CERTIFICATE HOLDER." A SLOT MACHINE  
5 LICENSEE THAT HAS BEEN GRANTED AUTHORIZATION BY THE PENNSYLVANIA  
6 GAMING CONTROL BOARD TO OPERATE AUTHORIZED INTERACTIVE GAMES IN  
7 ACCORDANCE WITH CHAPTER 13B (RELATING TO INTERACTIVE GAMING).

8 "INTERACTIVE GAMING DEVICE." ALL HARDWARE AND SOFTWARE AND  
9 OTHER TECHNOLOGY, EQUIPMENT OR DEVICE OF ANY KIND AS DETERMINED  
10 BY THE PENNSYLVANIA GAMING CONTROL BOARD TO BE NECESSARY FOR THE  
11 CONDUCT OF AUTHORIZED INTERACTIVE GAMES.

12 "INTERACTIVE GAMING LICENSE." A LICENSE ISSUED TO A PERSON  
13 BY THE PENNSYLVANIA GAMING CONTROL BOARD UNDER CHAPTER 13B.

14 "INTERACTIVE GAMING LICENSEE." A PERSON WHO HAS BEEN ISSUED  
15 A LICENSE TO ACT AS AN INTERACTIVE GAMING OPERATOR UNDER CHAPTER  
16 13B.

17 "INTERACTIVE GAMING OPERATOR." A PERSON, INCLUDING AN  
18 AFFILIATE OF A SLOT MACHINE LICENSEE, LICENSED BY THE  
19 PENNSYLVANIA GAMING CONTROL BOARD TO OPERATE INTERACTIVE GAMING  
20 OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF AN INTERACTIVE  
21 GAMING CERTIFICATE HOLDER.

22 "INTERACTIVE GAMING PLATFORM." THE COMBINATION OF HARDWARE  
23 AND SOFTWARE OR OTHER TECHNOLOGY DESIGNED AND USED TO MANAGE,  
24 CONDUCT AND RECORD INTERACTIVE GAMES AND THE BETS OR WAGERS  
25 ASSOCIATED WITH INTERACTIVE GAMES, AS APPROVED BY THE  
26 PENNSYLVANIA GAMING CONTROL BOARD. THE TERM SHALL INCLUDE ANY  
27 EMERGING OR NEW TECHNOLOGY DEPLOYED TO ADVANCE THE CONDUCT AND  
28 OPERATION OF INTERACTIVE GAMING, AS APPROVED THROUGH REGULATION  
29 BY THE PENNSYLVANIA GAMING CONTROL BOARD.

30 "INTERACTIVE GAMING RECIPROCAL AGREEMENT." AN AGREEMENT

1 NEGOTIATED BY THE PENNSYLVANIA GAMING CONTROL BOARD ON BEHALF OF  
2 THE COMMONWEALTH WITH THE AUTHORIZED AGENCY OF ONE OR MORE  
3 STATES OR JURISDICTIONS WHERE INTERACTIVE GAMING IS LEGALLY  
4 AUTHORIZED WHICH WILL PERMIT THE CONDUCT OF INTERACTIVE GAMING  
5 BETWEEN INTERACTIVE GAMING CERTIFICATE HOLDERS IN THIS  
6 COMMONWEALTH AND GAMING ENTITIES IN THE STATES OR JURISDICTIONS  
7 THAT ARE PARTIES TO THE AGREEMENT.

8 "INTERACTIVE GAMING RESTRICTED AREA." ANY ROOM OR AREA, AS  
9 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD, USED BY AN  
10 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING  
11 LICENSE HOLDER TO MANAGE, CONTROL AND OPERATE INTERACTIVE  
12 GAMING, INCLUDING, WHERE APPROVED BY THE BOARD, REDUNDANCY  
13 FACILITIES.

14 "INTERACTIVE GAMING SKIN OR SKINS." THE PORTAL OR PORTALS TO  
15 AN INTERACTIVE GAMING PLATFORM OR INTERNET WEBSITE THROUGH WHICH  
16 AUTHORIZED INTERACTIVE GAMES ARE MADE AVAILABLE TO REGISTERED  
17 PLAYERS BY AN INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER  
18 PERSON ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER IN  
19 THIS COMMONWEALTH OR PLAYERS IN ANY OTHER STATE OR JURISDICTION  
20 IN WHICH AN INTERACTIVE GAMING RECIPROCAL AGREEMENT HAS BEEN  
21 ENTERED.

22 "INTERACTIVE GAMING SYSTEM." ALL HARDWARE, SOFTWARE AND  
23 COMMUNICATIONS THAT COMPRISE A TYPE OF SERVER-BASED GAMING  
24 SYSTEM FOR THE PURPOSE OF OFFERING AUTHORIZED INTERACTIVE GAMES.

25 "INTERNET WEBSITE." THE INTERACTIVE GAMING SKIN OR SKINS OR  
26 INTERNET PORTAL OR PORTALS THROUGH WHICH AN INTERACTIVE GAMING  
27 CERTIFICATE HOLDER OR OTHER PERSON MAKES AUTHORIZED INTERACTIVE  
28 GAMES AVAILABLE FOR PLAY.

29 \* \* \*

30 "KEY EMPLOYEE." ANY INDIVIDUAL WHO IS EMPLOYED IN A DIRECTOR



1 OR DEPARTMENT HEAD CAPACITY AND WHO IS EMPOWERED TO MAKE  
2 DISCRETIONARY DECISIONS THAT REGULATE SLOT MACHINE OR TABLE GAME  
3 OPERATIONS OR INTERACTIVE GAMING OPERATIONS, INCLUDING THE  
4 GENERAL MANAGER AND ASSISTANT MANAGER OF THE LICENSED FACILITY,  
5 DIRECTOR OF SLOT OPERATIONS, DIRECTOR OF TABLE GAME OPERATIONS,  
6 DIRECTOR OF INTERACTIVE GAMING, DIRECTOR OF CAGE AND/OR CREDIT  
7 OPERATIONS, DIRECTOR OF SURVEILLANCE, DIRECTOR OF MARKETING,  
8 DIRECTOR OF MANAGEMENT INFORMATION SYSTEMS, DIRECTOR OF  
9 INTERACTIVE GAMING SYSTEM PROGRAMS OR OTHER SIMILAR JOB  
10 CLASSIFICATIONS ASSOCIATED WITH INTERACTIVE GAMING, PERSONS WHO  
11 MANAGE, CONTROL OR ADMINISTER INTERACTIVE GAMING OR THE BETS AND  
12 WAGERS ASSOCIATED WITH AUTHORIZED INTERACTIVE GAMES, DIRECTOR OF  
13 SECURITY, COMPTROLLER AND ANY EMPLOYEE WHO IS NOT OTHERWISE  
14 DESIGNATED AS A GAMING EMPLOYEE AND WHO SUPERVISES THE  
15 OPERATIONS OF THESE DEPARTMENTS OR TO WHOM THESE DEPARTMENT  
16 DIRECTORS OR DEPARTMENT HEADS REPORT AND SUCH OTHER POSITIONS  
17 NOT OTHERWISE DESIGNATED OR DEFINED UNDER THIS PART WHICH THE  
18 PENNSYLVANIA GAMING CONTROL BOARD SHALL DETERMINE BASED ON  
19 DETAILED ANALYSES OF JOB DESCRIPTIONS AS PROVIDED IN THE  
20 INTERNAL CONTROLS OF THE LICENSEE AS APPROVED BY THE  
21 PENNSYLVANIA GAMING CONTROL BOARD. ALL OTHER GAMING EMPLOYEES  
22 UNLESS OTHERWISE DESIGNATED BY THE PENNSYLVANIA GAMING CONTROL  
23 BOARD SHALL BE CLASSIFIED AS NON-KEY EMPLOYEES.

24 \* \* \*

25 "LICENSED FACILITY." THE PHYSICAL LAND-BASED LOCATION AT  
26 WHICH A LICENSED GAMING ENTITY IS AUTHORIZED TO PLACE AND  
27 OPERATE SLOT MACHINES AND, IF AUTHORIZED BY THE PENNSYLVANIA  
28 GAMING CONTROL BOARD UNDER CHAPTER 13A (RELATING TO TABLE  
29 GAMES), TO CONDUCT TABLE GAMES AND IF AUTHORIZED UNDER CHAPTER  
30 13B (RELATING TO INTERACTIVE GAMING), TO CONDUCT INTERACTIVE

1 GAMING. THE TERM INCLUDES ANY:

2 (1) AREA OF A LICENSED RACETRACK AT WHICH A SLOT MACHINE  
3 LICENSEE WAS PREVIOUSLY AUTHORIZED PURSUANT TO SECTION  
4 1207(17) (RELATING TO REGULATORY AUTHORITY OF BOARD) TO  
5 OPERATE SLOT MACHINES PRIOR TO THE EFFECTIVE DATE OF THIS  
6 PARAGRAPH;

7 (2) BOARD-APPROVED INTERIM FACILITY OR TEMPORARY  
8 FACILITY; AND

9 (3) AREA OF A HOTEL WHICH THE PENNSYLVANIA GAMING  
10 CONTROL BOARD DETERMINES IS SUITABLE TO CONDUCT TABLE GAMES.

11 THE TERM SHALL NOT INCLUDE A REDUNDANCY FACILITY OR AN  
12 INTERACTIVE GAMING RESTRICTED AREA WHICH IS NOT LOCATED ON THE  
13 PREMISES OF A LICENSED FACILITY AS APPROVED BY THE PENNSYLVANIA  
14 GAMING CONTROL BOARD AND WHICH IS MAINTAINED AND OPERATED BY AN  
15 INTERACTIVE GAMING CERTIFICATE HOLDER IN CONNECTION WITH  
16 INTERACTIVE GAMING.

17 \* \* \*

18 "LICENSED RACING ENTITY." ANY LEGAL ENTITY THAT HAS OBTAINED  
19 A LICENSE TO CONDUCT LIVE THOROUGHBRED OR HARNESS HORSE RACE  
20 MEETINGS RESPECTIVELY WITH PARI-MUTUEL WAGERING FROM [EITHER]  
21 THE STATE HORSE RACING COMMISSION [OR THE STATE HARNESS RACING  
22 COMMISSION] PURSUANT TO [THE ACT OF DECEMBER 17, 1981 (P.L.435,  
23 NO.135), KNOWN AS] THE RACE HORSE INDUSTRY REFORM ACT.

24 "MANUFACTURER." A PERSON WHO MANUFACTURES, BUILDS, REBUILDS,  
25 FABRICATES, ASSEMBLES, PRODUCES, PROGRAMS, DESIGNS OR OTHERWISE  
26 MAKES MODIFICATIONS TO ANY SLOT MACHINE, TABLE GAME DEVICE OR  
27 ASSOCIATED EQUIPMENT OR AUTHORIZED INTERACTIVE GAMES FOR USE OR  
28 PLAY OF SLOT MACHINES [OR], TABLE GAMES OR AUTHORIZED  
29 INTERACTIVE GAMES IN THIS COMMONWEALTH FOR GAMING PURPOSES. THE  
30 TERM SHALL NOT INCLUDE A PERSON WHO MANUFACTURES, BUILDS,

1 REBUILDS, FABRICATES, ASSEMBLES, PRODUCES, PROGRAMS, DESIGNS OR  
2 OTHERWISE MAKES MODIFICATIONS TO MULTI-USE COMPUTING DEVICES  
3 USED IN CONNECTION WITH THE CONDUCT OF INTERACTIVE GAMING AT A  
4 QUALIFIED AIRPORT.

5 "MANUFACTURER LICENSE." A LICENSE ISSUED BY THE PENNSYLVANIA  
6 GAMING CONTROL BOARD AUTHORIZING A MANUFACTURER TO MANUFACTURE  
7 OR PRODUCE SLOT MACHINES, TABLE GAME DEVICES OR ASSOCIATED  
8 EQUIPMENT, INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT  
9 FOR USE IN THIS COMMONWEALTH FOR GAMING PURPOSES.

10 \* \* \*

11 "MULTI-USE COMPUTING DEVICE." AS FOLLOWS:

12 (1) A COMPUTING DEVICE, INCLUDING, BUT NOT LIMITED TO, A  
13 TABLET COMPUTER, THAT:

14 (I) ALLOWS A PLAYER TO ACCESS AN AUTHORIZED  
15 INTERACTIVE GAME.

16 (II) IS LOCATED AND ACCESSIBLE TO ELIGIBLE  
17 PASSENGERS ONLY IN AN AIRPORT GAMING AREA.

18 (III) COMMUNICATES WITH A SERVER THAT IS IN A  
19 LOCATION APPROVED BY THE PENNSYLVANIA GAMING CONTROL  
20 BOARD.

21 (IV) IS APPROVED BY THE PENNSYLVANIA GAMING CONTROL  
22 BOARD.

23 (V) HAS THE CAPABILITY OF BEING LINKED TO AND  
24 MONITORED BY THE DEPARTMENT'S CENTRAL CONTROL COMPUTER  
25 SYSTEM, AS APPLICABLE FOR ANY PARTICULAR INTERACTIVE  
26 GAME, IN ACCORDANCE WITH SECTION 1323 (RELATING TO  
27 CENTRAL CONTROL COMPUTER SYSTEM).

28 (VI) OFFERS A PLAYER ADDITIONAL FUNCTIONS WHICH  
29 SHALL INCLUDE INTERNET BROWSING, THE CAPABILITY OF  
30 CHECKING FLIGHT STATUS AND ORDERING FOOD OR BEVERAGES.

1           (2) THE TERM SHALL NOT INCLUDE ANY TABLET OR COMPUTING  
2           DEVICE THAT RESTRICTS, PROHIBITS OR IS INCAPABLE OF PROVIDING  
3           ACCESS TO INTERACTIVE GAMING, INTERACTIVE GAMING SKINS OR  
4           INTERACTIVE GAMING PLATFORMS.

5           "MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINE SYSTEM." THE  
6           LINKING OF SLOT MACHINES LOCATED IN THIS COMMONWEALTH WITH SLOT  
7           MACHINES LOCATED IN ONE OR MORE STATES OR JURISDICTIONS IN WHICH  
8           THE PENNSYLVANIA GAMING CONTROL BOARD HAS ENTERED INTO AN  
9           AGREEMENT AUTHORIZING THE CONDUCT OF A MULTISTATE WIDE-AREA  
10           PROGRESSIVE SLOT MACHINE SYSTEM BY SLOT MACHINE LICENSEES IN  
11           THIS COMMONWEALTH WITH GAMING ENTITIES IN SUCH OTHER STATE OR  
12           JURISDICTION, AS APPROVED BY THE PENNSYLVANIA GAMING CONTROL  
13           BOARD.

14           \* \* \*

15           "NONGAMING SERVICE PROVIDER." A PERSON THAT IS NOT A GAMING  
16           SERVICE PROVIDER OR REQUIRED TO BE LICENSED AS A MANUFACTURER,  
17           SUPPLIER, MANAGEMENT COMPANY OR GAMING JUNKET ENTERPRISE UNDER  
18           THIS PART OR REGULATIONS OF THE PENNSYLVANIA GAMING CONTROL  
19           BOARD AND THAT PROVIDES GOODS OR SERVICES:

20           (1) TO A SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT  
21           MACHINE LICENSE FOR USE IN THE OPERATION OF A LICENSED  
22           FACILITY; AND

23           (2) THAT DOES NOT REQUIRE ACCESS TO THE GAMING FLOOR OR  
24           A GAMING-RELATED RESTRICTED AREA OF A LICENSED FACILITY.

25           \* \* \*

26           "PLAYER." AN INDIVIDUAL WAGERING CASH, A CASH EQUIVALENT OR  
27 OTHER THING OF VALUE IN THE PLAY OR OPERATION OF A SLOT MACHINE  
28 [OR], AN AUTHORIZED INTERACTIVE GAME OR A TABLE GAME, INCLUDING  
29 DURING A CONTEST OR TOURNAMENT, THE PLAY OR OPERATION OF WHICH  
30 MAY DELIVER OR ENTITLE THE INDIVIDUAL PLAYING OR OPERATING THE

1 SLOT MACHINE [OR], AUTHORIZED INTERACTIVE GAME OR TABLE GAME TO  
2 RECEIVE CASH, A CASH EQUIVALENT OR OTHER THING OF VALUE FROM  
3 ANOTHER PLAYER OR A SLOT MACHINE LICENSEE.

4 \* \* \*

5 "PROGRESSIVE PAYOUT." A SLOT MACHINE WAGER PAYOUT THAT  
6 INCREASES IN A MONETARY AMOUNT BASED ON THE AMOUNTS WAGERED IN A  
7 PROGRESSIVE SYSTEM, INCLUDING A MULTISTATE WIDE-AREA PROGRESSIVE  
8 SLOT MACHINE SYSTEM.

9 "PROGRESSIVE SYSTEM." A COMPUTERIZED SYSTEM LINKING SLOT  
10 MACHINES IN ONE OR MORE LICENSED FACILITIES WITHIN THIS  
11 COMMONWEALTH AND OFFERING ONE OR MORE COMMON PROGRESSIVE PAYOUTS  
12 BASED ON THE AMOUNTS WAGERED. THE TERM SHALL INCLUDE THE LINKING  
13 OF SLOT MACHINES IN A LICENSED FACILITY IN THIS COMMONWEALTH  
14 WITH A MULTISTATE WIDE-AREA PROGRESSIVE SYSTEM OPERATED BY  
15 GAMING ENTITIES IN ONE OR MORE STATES OR JURISDICTIONS AS  
16 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD.

17 \* \* \*

18 "QUALIFIED AIRPORT." A PUBLICLY OWNED COMMERCIAL SERVICE  
19 AIRPORT THAT IS DESIGNATED BY THE FEDERAL GOVERNMENT AS AN  
20 INTERNATIONAL AIRPORT.

21 \* \* \*

22 "RACE HORSE INDUSTRY REFORM ACT." [THE ACT OF DECEMBER 17,  
23 1981 (P.L.435, NO.135), KNOWN AS THE RACE HORSE INDUSTRY REFORM  
24 ACT.] ARTICLE XXVIII-D OF THE ACT OF APRIL 9, 1929 (P.L.177,  
25 NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

26 "REDUNDANCY FACILITIES." ANY AND ALL ROOMS OR AREAS USED BY  
27 A SLOT MACHINE LICENSEE FOR EMERGENCY BACKUP, REDUNDANCY OR  
28 SECONDARY OPERATIONS ATTENDANT TO INTERACTIVE GAMING AS APPROVED  
29 BY THE PENNSYLVANIA GAMING CONTROL BOARD.

30 "REGISTERED PLAYER." AN INDIVIDUAL WHO HAS ENTERED INTO AN

1 INTERACTIVE GAMING ACCOUNT AGREEMENT WITH AN INTERACTIVE GAMING  
2 CERTIFICATE HOLDER.

3 \* \* \*

4 "SKILL." THE KNOWLEDGE, DEXTERITY, ADROITNESS, ACUMEN OR  
5 OTHER MENTAL SKILL OF AN INDIVIDUAL.

6 "SKILL SLOT MACHINE." A SLOT MACHINE IN WHICH THE SKILL OF  
7 THE PLAYER, RATHER THAN THE ELEMENTS OF CHANCE, IS THE  
8 PREDOMINANT FACTOR IN AFFECTING THE OUTCOME OF THE GAME.

9 "SLOT MACHINE." INCLUDES:

10 (1) ANY MECHANICAL, ELECTRICAL OR COMPUTERIZED  
11 CONTRIVANCE, TERMINAL, MACHINE OR OTHER DEVICE APPROVED BY  
12 THE PENNSYLVANIA GAMING CONTROL BOARD WHICH, UPON INSERTION  
13 OF A COIN, BILL, TICKET, TOKEN OR SIMILAR OBJECT THEREIN OR  
14 UPON PAYMENT OF ANY CONSIDERATION WHATSOEVER, INCLUDING THE  
15 USE OF ANY ELECTRONIC PAYMENT SYSTEM EXCEPT A CREDIT CARD OR  
16 DEBIT CARD, IS AVAILABLE TO PLAY OR OPERATE, THE PLAY OR  
17 OPERATION OF WHICH, WHETHER BY REASON OF SKILL OR APPLICATION  
18 OF THE ELEMENT OF CHANCE OR BOTH, MAY DELIVER OR ENTITLE THE  
19 PERSON OR PERSONS PLAYING OR OPERATING THE CONTRIVANCE,  
20 TERMINAL, MACHINE OR OTHER DEVICE TO RECEIVE CASH, BILLETS,  
21 TICKETS, TOKENS OR ELECTRONIC CREDITS TO BE EXCHANGED FOR  
22 CASH OR TO RECEIVE MERCHANDISE OR ANYTHING OF VALUE  
23 WHATSOEVER, WHETHER THE PAYOFF IS MADE AUTOMATICALLY FROM THE  
24 MACHINE OR MANUALLY. A SLOT MACHINE:

25 [(1)] (I) MAY UTILIZE SPINNING REELS OR VIDEO  
26 DISPLAYS OR BOTH.

27 [(2)] (II) MAY OR MAY NOT DISPENSE COINS, TICKETS OR  
28 TOKENS TO WINNING PATRONS.

29 [(3)] (III) MAY USE AN ELECTRONIC CREDIT SYSTEM FOR  
30 RECEIVING WAGERS AND MAKING PAYOUTS.

1           (2) THE TERM SHALL INCLUDE [ASSOCIATED EQUIPMENT] ALL OF  
2 THE FOLLOWING:

3           (I) ASSOCIATED EQUIPMENT NECESSARY TO CONDUCT THE  
4 OPERATION OF THE CONTRIVANCE, TERMINAL, MACHINE OR OTHER  
5 DEVICE.

6           (II) A SKILL SLOT MACHINE, HYBRID SLOT MACHINE AND  
7 THE DEVICES OR ASSOCIATED EQUIPMENT NECESSARY TO CONDUCT  
8 THE OPERATION OF A SKILL SLOT MACHINE OR HYBRID SLOT  
9 MACHINE.

10           (III) A MULTISTATE WIDE-AREA PROGRESSIVE SLOT  
11 MACHINE AND DEVICES AND ASSOCIATED EQUIPMENT AS DEFINED  
12 BY THE BOARD THROUGH REGULATIONS.

13           (IV) A MULTI-USE COMPUTING DEVICE WHICH IS CAPABLE  
14 OF SIMULATING, EITHER DIGITALLY OR ELECTRONICALLY, A SLOT  
15 MACHINE.

16           \* \* \*

17           "SUPPLIER." A PERSON THAT SELLS, LEASES, OFFERS OR OTHERWISE  
18 PROVIDES, DISTRIBUTES OR SERVICES ANY SLOT MACHINE, TABLE GAME  
19 DEVICE OR ASSOCIATED EQUIPMENT, OR INTERACTIVE GAMING DEVICE OR  
20 ASSOCIATED EQUIPMENT FOR USE OR PLAY OF SLOT MACHINES [OR],  
21 TABLE GAMES OR INTERACTIVE GAMES IN THIS COMMONWEALTH. THE TERM  
22 SHALL INCLUDE A PERSON THAT SELLS, LEASES, OFFERS OR OTHERWISE  
23 PROVIDES, DISTRIBUTES OR SERVICES ANY MULTI-USE COMPUTING DEVICE  
24 AS APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD.

25           "SUPPLIER LICENSE." A LICENSE ISSUED BY THE PENNSYLVANIA  
26 GAMING CONTROL BOARD AUTHORIZING A SUPPLIER TO PROVIDE PRODUCTS  
27 OR SERVICES RELATED TO SLOT MACHINES, TABLE GAME DEVICES OR  
28 ASSOCIATED EQUIPMENT, INTERACTIVE GAMING DEVICE, INCLUDING ANY  
29 MULTI-USE COMPUTING DEVICE OR ASSOCIATED EQUIPMENT, TO SLOT  
30 MACHINE LICENSEES FOR USE IN THIS COMMONWEALTH FOR GAMING

1 PURPOSES.

2 \* \* \*

3 "TABLE GAME DEVICE." INCLUDES GAMING TABLES, CARDS, DICE,  
4 CHIPS, SHUFFLERS, TILES, DOMINOES, WHEELS[, DROP BOXES] OR ANY  
5 MECHANICAL, ELECTRICAL OR COMPUTERIZED CONTRIVANCE, TERMINAL,  
6 MACHINE OR OTHER DEVICE, APPARATUS, EQUIPMENT OR SUPPLIES  
7 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AND USED TO  
8 CONDUCT A TABLE GAME OR THAT IS CAPABLE, THROUGH THE USE OF  
9 DIGITAL, ELECTRONIC OR OTHER COMMUNICATIONS TECHNOLOGY, OF  
10 SIMULATING PLAY OF A TABLE GAME.

11 \* \* \*

12 SECTION 4. SECTION 1202(A)(1) AND (B)(20) AND (23) OF TITLE  
13 4 ARE AMENDED AND SUBSECTION (B) IS AMENDED BY ADDING A  
14 PARAGRAPH TO READ:

15 § 1202. GENERAL AND SPECIFIC POWERS.

16 (A) GENERAL POWERS.--

17 (1) THE BOARD SHALL HAVE GENERAL AND SOLE REGULATORY  
18 AUTHORITY OVER THE CONDUCT OF GAMING [OR] AND RELATED  
19 ACTIVITIES AS DESCRIBED IN THIS PART. THE BOARD SHALL ENSURE  
20 THE INTEGRITY OF THE ACQUISITION AND OPERATION OF SLOT  
21 MACHINES, TABLE GAMES, TABLE GAME DEVICES AND ASSOCIATED  
22 EQUIPMENT AND AUTHORIZED INTERACTIVE GAMES AND INTERACTIVE  
23 GAMING DEVICES AND ASSOCIATED EQUIPMENT AND SHALL HAVE SOLE  
24 REGULATORY AUTHORITY OVER EVERY ASPECT OF THE AUTHORIZATION,  
25 OPERATION AND PLAY OF SLOT MACHINES [AND], TABLE GAMES AND  
26 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT AND THE  
27 IMPLEMENTATION AND REGULATION OF AIRPORT GAMING.

28 \* \* \*

29 (B) SPECIFIC POWERS.--THE BOARD SHALL HAVE THE SPECIFIC  
30 POWER AND DUTY:



1 \* \* \*

2 (12.2) AT ITS DISCRETION, TO AWARD, REVOKE, SUSPEND,  
3 CONDITION OR DENY AN INTERACTIVE GAMING CERTIFICATE OR AN  
4 INTERACTIVE GAMING LICENSE IN ACCORDANCE WITH CHAPTER 13B  
5 (RELATING TO INTERACTIVE GAMING).

6 \* \* \*

7 (20) IN ADDITION TO THE POWER OF THE BOARD REGARDING  
8 LICENSE AND PERMIT APPLICANTS, TO DETERMINE AT ITS DISCRETION  
9 THE SUITABILITY OF ANY PERSON WHO FURNISHES OR SEEKS TO  
10 FURNISH TO A SLOT MACHINE LICENSEE DIRECTLY OR INDIRECTLY ANY  
11 GOODS, SERVICES OR PROPERTY RELATED TO SLOT MACHINES, TABLE  
12 GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,  
13 INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES AND  
14 ASSOCIATED EQUIPMENT OR THROUGH ANY ARRANGEMENTS UNDER WHICH  
15 THAT PERSON RECEIVES PAYMENT BASED DIRECTLY OR INDIRECTLY ON  
16 EARNINGS, PROFITS OR RECEIPTS FROM THE SLOT MACHINES, TABLE  
17 GAMES, TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT,  
18 INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED  
19 EQUIPMENT. THE BOARD MAY REQUIRE ANY SUCH PERSON TO COMPLY  
20 WITH THE REQUIREMENTS OF THIS PART AND THE REGULATIONS OF THE  
21 BOARD AND MAY PROHIBIT THE PERSON FROM FURNISHING THE GOODS,  
22 SERVICES OR PROPERTY.

23 \* \* \*

24 (23) THE BOARD SHALL NOT APPROVE AN APPLICATION FOR OR  
25 ISSUE OR RENEW A LICENSE, CERTIFICATE, REGISTRATION OR PERMIT  
26 UNLESS IT IS SATISFIED THAT THE APPLICANT HAS DEMONSTRATED BY  
27 CLEAR AND CONVINCING EVIDENCE THAT THE APPLICANT IS A PERSON  
28 OF GOOD CHARACTER, HONESTY AND INTEGRITY AND IS A PERSON  
29 WHOSE PRIOR ACTIVITIES, CRIMINAL RECORD, IF ANY, REPUTATION,  
30 HABITS AND ASSOCIATIONS DO NOT POSE A THREAT TO THE PUBLIC

1 INTEREST OR THE EFFECTIVE REGULATION AND CONTROL OF SLOT  
2 MACHINE [OR], TABLE GAME OPERATIONS OR INTERACTIVE GAMING  
3 OPERATIONS, OR CREATE OR ENHANCE THE DANGER OF UNSUITABLE,  
4 UNFAIR OR ILLEGAL PRACTICES, METHODS AND ACTIVITIES IN THE  
5 CONDUCT OF SLOT MACHINE OR TABLE GAME OPERATIONS, INTERACTIVE  
6 GAMING OPERATIONS OR THE CARRYING ON OF THE BUSINESS AND  
7 FINANCIAL ARRANGEMENTS INCIDENTAL THERETO.

8 \* \* \*

9 (27.2) WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS  
10 SECTION, TO PUBLISH ON THE BOARD'S INTERNET WEBSITE A  
11 COMPLETE LIST OF ALL SLOT MACHINE LICENSEES WHO FILED A  
12 PETITION SEEKING AUTHORIZATION TO CONDUCT INTERACTIVE GAMING  
13 AND THE STATUS OF EACH PETITION OR INTERACTIVE GAMING  
14 CERTIFICATE.

15 \* \* \*

16 (35) TO REVIEW DETAILED SITE PLANS IDENTIFYING THE  
17 INTERACTIVE GAMING RESTRICTED AREA OR ROOM WHERE A SLOT  
18 MACHINE LICENSEE PROPOSES TO MANAGE, ADMINISTER OR CONTROL  
19 INTERACTIVE GAMING OPERATIONS TO DETERMINE THE ADEQUACY OF  
20 THE PROPOSED INTERNAL AND EXTERNAL SECURITY AND PROPOSED  
21 SURVEILLANCE MEASURES.

22 (36) TO REQUIRE EACH SLOT MACHINE LICENSEE THAT HOLDS AN  
23 INTERACTIVE GAMING CERTIFICATE TO PROVIDE ON A QUARTERLY  
24 BASIS THE FOLLOWING INFORMATION WITH RESPECT TO INTERACTIVE  
25 GAMING:

26 (I) THE NAME OF ANY PERSON, ENTITY OR FIRM TO WHOM  
27 ANY PAYMENT, REMUNERATION OR OTHER BENEFIT OR THING OF  
28 VALUE HAS BEEN MADE OR CONFERRED FOR PROFESSIONAL  
29 SERVICES, INCLUDING, BUT NOT LIMITED TO, INTERACTIVE  
30 GAMING SYSTEM OPERATIONS OR MANAGEMENT, LEGAL, CONSULTING

1 AND LOBBYING SERVICES;

2 (II) THE AMOUNT OR VALUE OF THE PAYMENTS,  
3 REMUNERATION, BENEFIT OR THING OF VALUE;

4 (III) THE DATE ON WHICH THE PAYMENTS, REMUNERATION,  
5 BENEFIT OR THING OF VALUE WAS SUBMITTED; AND

6 (IV) THE REASON OR PURPOSE FOR THE PROCUREMENT OF  
7 THE SERVICES.

8 (37) TO REVIEW AND APPROVE DETAILED SITE AND  
9 ARCHITECTURAL PLANS IDENTIFYING THE AREA OF A LICENSED  
10 FACILITY WHERE A SLOT MACHINE LICENSEE PROPOSES TO PLACE AND  
11 MAKE MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINES, SKILL  
12 SLOT MACHINES OR HYBRID SLOT MACHINES AVAILABLE FOR PLAY IN  
13 ORDER TO DETERMINE THE ADEQUACY OF PROPOSED INTERNAL AND  
14 EXTERNAL CONTROLS, SECURITY AND PROPOSED SURVEILLANCE  
15 MEASURES.

16 SECTION 5. SECTIONS 1204 AND 1206(F)(1) OF TITLE 4 ARE  
17 AMENDED TO READ:

18 § 1204. LICENSED GAMING ENTITY APPLICATION APPEALS FROM BOARD.

19 THE SUPREME COURT OF PENNSYLVANIA SHALL BE VESTED WITH  
20 EXCLUSIVE APPELLATE JURISDICTION TO CONSIDER APPEALS OF ANY  
21 FINAL ORDER, DETERMINATION OR DECISION OF THE BOARD INVOLVING  
22 THE APPROVAL, ISSUANCE, DENIAL OR CONDITIONING OF A SLOT MACHINE  
23 LICENSE [OR] THE AWARD, DENIAL OR CONDITIONING OF A TABLE GAME  
24 OPERATION CERTIFICATE[.] OR THE AWARD, DENIAL OR CONDITIONING OF  
25 AN INTERACTIVE GAMING CERTIFICATE OR AN INTERACTIVE GAMING  
26 LICENSE. NOTWITHSTANDING THE PROVISIONS OF 2 PA.C.S. CH. 7  
27 SUBCH. A (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY  
28 ACTION) AND 42 PA.C.S. § 763 (RELATING TO DIRECT APPEALS FROM  
29 GOVERNMENT AGENCIES), THE SUPREME COURT SHALL AFFIRM ALL FINAL  
30 ORDERS, DETERMINATIONS OR DECISIONS OF THE BOARD INVOLVING THE

1 APPROVAL, ISSUANCE, DENIAL OR CONDITIONING OF A SLOT MACHINE  
2 LICENSE [OR] THE AWARD, DENIAL OR CONDITIONING OF A TABLE GAME  
3 OPERATION CERTIFICATE OR THE AWARD, DENIAL OR CONDITIONING OF AN  
4 INTERACTIVE GAMING CERTIFICATE OR AN INTERACTIVE GAMING LICENSE,  
5 UNLESS IT SHALL FIND THAT THE BOARD COMMITTED AN ERROR OF LAW OR  
6 THAT THE ORDER, DETERMINATION OR DECISION OF THE BOARD WAS  
7 ARBITRARY AND THERE WAS A CAPRICIOUS DISREGARD OF THE EVIDENCE.  
8 § 1206. BOARD MINUTES AND RECORDS.

9 \* \* \*

10 (F) CONFIDENTIALITY OF INFORMATION.--

11 (1) THE FOLLOWING INFORMATION SUBMITTED BY AN APPLICANT,  
12 PERMITTEE, CERTIFICATE HOLDER OR LICENSEE PURSUANT TO SECTION  
13 1310(A) (RELATING TO SLOT MACHINE LICENSE APPLICATION  
14 CHARACTER REQUIREMENTS) [OR] 1308(A.1) (RELATING TO  
15 APPLICATIONS FOR LICENSE OR PERMIT), 13B12 (RELATING TO  
16 INTERACTIVE GAMING CERTIFICATE REQUIRED AND CONTENT OF  
17 PETITION) OR 13B14 (RELATING TO INTERACTIVE GAMING OPERATORS)  
18 OR OBTAINED BY THE BOARD OR THE BUREAU AS PART OF A  
19 BACKGROUND OR OTHER INVESTIGATION FROM ANY SOURCE SHALL BE  
20 CONFIDENTIAL AND WITHHELD FROM PUBLIC DISCLOSURE:

21 (I) ALL INFORMATION RELATING TO CHARACTER, HONESTY  
22 AND INTEGRITY, INCLUDING FAMILY, HABITS, REPUTATION,  
23 HISTORY OF CRIMINAL ACTIVITY, BUSINESS ACTIVITIES,  
24 FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL AND PERSONAL  
25 ASSOCIATIONS SUBMITTED UNDER SECTION 1310(A) OR 1308(A.1)  
26 OR OTHERWISE OBTAINED BY THE BOARD OR THE BUREAU.

27 (II) NONPUBLIC PERSONAL INFORMATION, INCLUDING HOME  
28 ADDRESSES, TELEPHONE NUMBERS AND OTHER PERSONAL CONTACT  
29 INFORMATION, SOCIAL SECURITY NUMBERS, EDUCATIONAL  
30 RECORDS, MEMBERSHIPS, MEDICAL RECORDS, TAX RETURNS AND

1           DECLARATIONS, ACTUAL OR PROPOSED COMPENSATION, FINANCIAL  
2           ACCOUNT RECORDS, CREDITWORTHINESS OR FINANCIAL CONDITION  
3           RELATING TO AN APPLICANT, LICENSEE [OR] PERMITTEE,  
4           INCLUDING THE HOLDER OF AN INTERACTIVE GAMING CERTIFICATE  
5           OR INTERACTIVE GAMING LICENSE, OR THE IMMEDIATE FAMILY  
6           THEREOF.

7           (III) INFORMATION RELATING TO PROPRIETARY  
8           INFORMATION, TRADE SECRETS, PATENTS OR EXCLUSIVE  
9           LICENSES, ARCHITECTURAL AND ENGINEERING PLANS AND  
10          INFORMATION RELATING TO COMPETITIVE MARKETING MATERIALS  
11          AND STRATEGIES, WHICH MAY INCLUDE CUSTOMER-IDENTIFYING  
12          INFORMATION OR CUSTOMER PROSPECTS FOR SERVICES SUBJECT TO  
13          COMPETITION.

14          (IV) SECURITY INFORMATION, INCLUDING RISK PREVENTION  
15          PLANS, DETECTION AND COUNTERMEASURES, LOCATION OF COUNT  
16          ROOMS, LOCATION OF INTERACTIVE GAMING RESTRICTED AREAS  
17          AND REDUNDANCY FACILITIES, EMERGENCY MANAGEMENT PLANS,  
18          SECURITY AND SURVEILLANCE PLANS, EQUIPMENT AND USAGE  
19          PROTOCOLS AND THEFT AND FRAUD PREVENTION PLANS AND  
20          COUNTERMEASURES.

21          (V) INFORMATION WITH RESPECT TO WHICH THERE IS A  
22          REASONABLE POSSIBILITY THAT PUBLIC RELEASE OR INSPECTION  
23          OF THE INFORMATION WOULD CONSTITUTE AN UNWARRANTED  
24          INVASION INTO PERSONAL PRIVACY OF ANY INDIVIDUAL AS  
25          DETERMINED BY THE BOARD.

26          (VI) RECORDS OF AN APPLICANT OR LICENSEE NOT  
27          REQUIRED TO BE FILED WITH THE SECURITIES AND EXCHANGE  
28          COMMISSION BY ISSUERS THAT EITHER HAVE SECURITIES  
29          REGISTERED UNDER SECTION 12 OF THE SECURITIES EXCHANGE  
30          ACT OF 1934 (48 STAT. 881, 15 U.S.C. § 78L) OR ARE

1 REQUIRED TO FILE REPORTS UNDER SECTION 15(D) OF THE  
2 SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881, 15 U.S.C.  
3 § 780).

4 (VII) RECORDS CONSIDERED NONPUBLIC MATTERS OR  
5 INFORMATION BY THE SECURITIES AND EXCHANGE COMMISSION AS  
6 PROVIDED BY 17 CFR 200.80 (RELATING TO COMMISSION RECORDS  
7 AND INFORMATION).

8 (VIII) ANY FINANCIAL INFORMATION DEEMED CONFIDENTIAL  
9 BY THE BOARD UPON A SHOWING OF GOOD CAUSE BY THE  
10 APPLICANT OR LICENSEE.

11 \* \* \*

12 SECTION 6. SECTION 1207(1), (3), (4), (5), (6), (8), (9),  
13 (10) AND (21) OF TITLE 4 ARE AMENDED AND THE SECTION IS AMENDED  
14 BY ADDING PARAGRAPHS TO READ:

15 § 1207. REGULATORY AUTHORITY OF BOARD.

16 THE BOARD SHALL HAVE THE POWER AND ITS DUTIES SHALL BE TO:

17 (1) DENY, DENY THE RENEWAL, REVOKE, CONDITION OR SUSPEND  
18 ANY LICENSE [OR], PERMIT, CERTIFICATE, REGISTRATION OR OTHER  
19 AUTHORIZATIONS PROVIDED FOR IN THIS PART IF THE BOARD FINDS  
20 IN ITS SOLE DISCRETION THAT A LICENSEE [OR], PERMITTEE,  
21 REGISTRANT OR CERTIFICATE HOLDER, INCLUDING ANY INTERACTIVE  
22 GAMING OPERATOR, UNDER THIS PART, OR ITS OFFICERS, EMPLOYEES  
23 OR AGENTS, HAVE FURNISHED FALSE OR MISLEADING INFORMATION TO  
24 THE BOARD OR FAILED TO COMPLY WITH THE PROVISIONS OF THIS  
25 PART OR THE RULES AND REGULATIONS OF THE BOARD AND THAT IT  
26 WOULD BE IN THE PUBLIC INTEREST TO DENY, DENY THE RENEWAL,  
27 REVOKE, CONDITION OR SUSPEND THE LICENSE [OR], PERMIT,  
28 CERTIFICATE, REGISTRATION OR OTHER AUTHORIZATIONS.

29 \* \* \*

30 (3) PRESCRIBE AND REQUIRE PERIODIC FINANCIAL REPORTING

1 AND INTERNAL CONTROL REQUIREMENTS FOR ALL LICENSED ENTITIES,    
2 INCLUDING, IN THE CASE OF INTERACTIVE GAMING, ALL INTERACTIVE  
3 GAMING OPERATORS.

4 (4) REQUIRE THAT EACH LICENSED ENTITY, INCLUDING, IN THE  
5 CASE OF INTERACTIVE GAMING, EACH INTERACTIVE GAMING OPERATOR,  
6 PROVIDE TO THE BOARD ITS AUDITED ANNUAL FINANCIAL STATEMENTS,  
7 WITH SUCH ADDITIONAL DETAIL AS THE BOARD FROM TIME TO TIME  
8 SHALL REQUIRE, WHICH INFORMATION SHALL BE SUBMITTED NOT LATER  
9 THAN 90 DAYS AFTER THE END OF THE LICENSEE'S FISCAL YEAR.

10 (5) PRESCRIBE THE PROCEDURES TO BE FOLLOWED BY SLOT  
11 MACHINE LICENSEES FOR ANY FINANCIAL EVENT THAT OCCURS IN THE  
12 OPERATION AND PLAY OF SLOT MACHINES [OR], TABLE GAMES,  
13 AUTHORIZED INTERACTIVE GAMES OR MULTI-USE COMPUTING DEVICES.

14 (6) PRESCRIBE CRITERIA AND CONDITIONS FOR THE OPERATION  
15 OF SLOT MACHINE PROGRESSIVE SYSTEMS, INCLUDING MULTISTATE  
16 WIDE-AREA PROGRESSIVE SLOT MACHINE SYSTEMS. A WIDE AREA  
17 PROGRESSIVE SLOT SYSTEM SHALL BE COLLECTIVELY ADMINISTERED BY  
18 PARTICIPATING SLOT MACHINE LICENSEES IN ACCORDANCE WITH THE  
19 TERMS OF A WRITTEN AGREEMENT EXECUTED BY EACH PARTICIPATING  
20 SLOT MACHINE LICENSEE AND, IN THE CASE OF A MULTISTATE WIDE-  
21 AREA PROGRESSIVE SLOT MACHINE SYSTEM, IN ACCORDANCE WITH THE  
22 TERMS OF AN AGREEMENT EXECUTED BY THE SLOT MACHINE LICENSEE  
23 AND AUTHORIZED GAMING ENTITIES IN OTHER STATES OR  
24 JURISDICTIONS, AS APPROVED BY THE BOARD.

25 (6.1) COLLABORATE WITH THE APPROPRIATE GAMING  
26 AUTHORITIES IN OTHER STATES OR JURISDICTIONS TO FACILITATE  
27 THE ESTABLISHMENT OF MULTISTATE WIDE-AREA PROGRESSIVE SLOT  
28 MACHINE SYSTEMS BY SLOT MACHINE LICENSEES IN THIS  
29 COMMONWEALTH AND, IF DETERMINED NECESSARY, ENTER INTO THE  
30 NECESSARY AGREEMENTS WITH SUCH OTHER STATES OR JURISDICTIONS

1 AS NECESSARY FOR THE OPERATION OF MULTISTATE WIDE-AREA  
2 PROGRESSIVE SLOT MACHINE SYSTEMS BY SLOT MACHINE LICENSEES IN  
3 THIS COMMONWEALTH.

4 \* \* \*

5 (7.2) ENFORCE PRESCRIBED HOURS FOR THE OPERATION OF  
6 AUTHORIZED INTERACTIVE GAMES SO THAT AN INTERACTIVE GAMING  
7 CERTIFICATE HOLDER OR INTERACTIVE GAMING LICENSEE MAY CONDUCT  
8 AUTHORIZED INTERACTIVE GAMES ON ANY DAY DURING THE YEAR IN  
9 ORDER TO MEET THE NEEDS OF REGISTERED PLAYERS OR TO MEET  
10 COMPETITION.

11 (8) REQUIRE THAT EACH LICENSED GAMING ENTITY PROHIBIT  
12 PERSONS UNDER 21 YEARS OF AGE FROM OPERATING OR USING SLOT  
13 MACHINES [OR], PLAYING TABLE GAMES OR PARTICIPATING IN  
14 INTERACTIVE GAMING.

15 (9) ESTABLISH PROCEDURES FOR THE INSPECTION AND  
16 CERTIFICATION OF COMPLIANCE OF EACH SLOT MACHINE, TABLE GAME,  
17 TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT, INTERACTIVE GAME  
18 AND INTERACTIVE GAMING DEVICE AND ASSOCIATED EQUIPMENT PRIOR  
19 TO BEING PLACED INTO USE BY A SLOT MACHINE LICENSEE.

20 (10) REQUIRE THAT NO SLOT MACHINE OR AUTHORIZED  
21 INTERACTIVE GAME THAT REPLICATES THE PLAY OF A SLOT MACHINE  
22 MAY BE SET TO PAY OUT LESS THAN THE THEORETICAL PAYOUT  
23 PERCENTAGE, WHICH SHALL BE NO LESS THAN 85%, AS SPECIFICALLY  
24 APPROVED BY THE BOARD. THE BOARD SHALL ADOPT REGULATIONS THAT  
25 DEFINE THE THEORETICAL PAYOUT PERCENTAGE OF A SLOT MACHINE  
26 GAME BASED ON THE TOTAL VALUE OF THE JACKPOTS EXPECTED TO BE  
27 PAID BY A PLAY OR A SLOT MACHINE GAME DIVIDED BY THE TOTAL  
28 VALUE OF SLOT MACHINE WAGERS EXPECTED TO BE MADE ON THAT PLAY  
29 OR SLOT MACHINE GAME DURING THE SAME PORTION OF THE GAME  
30 CYCLE. IN SO DOING, THE BOARD SHALL DECIDE WHETHER THE



1 CALCULATION SHALL INCLUDE THE ENTIRE CYCLE OF A SLOT MACHINE  
2 GAME OR ANY PORTION THEREOF. EXCEPT THAT, IN THE CASE OF  
3 SKILL SLOT MACHINES AND HYBRID SLOT MACHINES, THE BOARD SHALL  
4 ADOPT REGULATIONS TO DEFINE THE PLAYER'S WIN PERCENTAGE BASED  
5 ON THE RELATIVE SKILL OF THE PLAYER OR THE COMBINATION OF  
6 SKILL AND THE ELEMENTS OF CHANCE OF THE GAME. IN THE CASE OF  
7 MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINE SYSTEM, THE  
8 THEORETICAL PAYOUT PERCENTAGE OR A PLAYER'S WIN PERCENTAGE  
9 SHALL BE AS SET FORTH IN THE AGREEMENT, AS APPROVED BY THE  
10 BOARD.

11 \* \* \*

12 (21) AUTHORIZE, IN ITS DISCRETION, A SLOT MACHINE  
13 LICENSEE TO CONDUCT SLOT MACHINE CONTESTS OR TOURNAMENTS,  
14 TABLE GAME TOURNAMENTS OR CONTESTS IN ACCORDANCE WITH SECTION  
15 13A22.1 (RELATING TO TABLE GAME TOURNAMENTS) OR INTERACTIVE  
16 GAMING CONTESTS OR TOURNAMENTS AND ADOPT REGULATIONS  
17 GOVERNING THE CONDUCT OF SUCH TOURNAMENTS AND CONTESTS.

18 (21.1) AUTHORIZE, AT ITS DISCRETION, A SLOT MACHINE  
19 LICENSEE TO PLACE AND MAKE MULTISTATE WIDE-AREA PROGRESSIVE  
20 SLOT MACHINES, SKILL SLOT MACHINES OR HYBRID SLOT MACHINES  
21 AVAILABLE FOR PLAY AT LICENSED FACILITIES.

22 (21.2) ADOPT AND PROMULGATE REGULATIONS TO GOVERN THE  
23 OPERATION AND PLACEMENT OF SKILL SLOT MACHINES AND HYBRID  
24 SLOT MACHINES BY SLOT MACHINE LICENSEES AT LICENSED  
25 FACILITIES. IN ORDER TO FACILITATE THE OPERATION AND  
26 PLACEMENT OF SKILL AND HYBRID SLOT MACHINES AT LICENSED  
27 FACILITIES PURSUANT TO THIS PARAGRAPH, REGULATIONS  
28 PROMULGATED BY THE BOARD SHALL BE DEEMED TEMPORARY  
29 REGULATIONS WHICH SHALL EXPIRE TWO YEARS AFTER THE DATE OF  
30 PUBLICATION IN THE PENNSYLVANIA BULLETIN.

1           (22) LICENSE, REGULATE, INVESTIGATE AND TAKE ANY OTHER  
2 ACTION DETERMINED NECESSARY REGARDING ALL ASPECTS OF  
3 INTERACTIVE GAMING.

4           (23) DEFINE AND LIMIT THE AREAS OF OPERATION AND THE  
5 RULES OF AUTHORIZED INTERACTIVE GAMES, INCLUDING ODDS,  
6 DEVICES AND ASSOCIATED EQUIPMENT PERMITTED AND THE METHOD OF  
7 OPERATION OF AUTHORIZED INTERACTIVE GAMES AND INTERACTIVE  
8 GAMING DEVICES AND ASSOCIATED EQUIPMENT.

9           (24) REQUIRE, AS APPLICABLE, THAT ALL WAGERING OFFERED  
10 THROUGH INTERACTIVE GAMING DISPLAY ONLINE THE PERMISSIBLE  
11 MINIMUM AND MAXIMUM WAGERS ASSOCIATED WITH EACH AUTHORIZED  
12 INTERACTIVE GAME.

13           (25) (RESERVED).

14           (26) NEGOTIATE AND ENTER INTO INTERACTIVE GAMING  
15 RECIPROCAL AGREEMENTS ON BEHALF OF THE COMMONWEALTH TO GOVERN  
16 THE CONDUCT OF INTERACTIVE GAMING BETWEEN INTERACTIVE GAMING  
17 CERTIFICATE HOLDERS IN THIS COMMONWEALTH AND GAMING ENTITIES  
18 OF OTHER STATES OR JURISDICTIONS. NOTWITHSTANDING ANY  
19 PROVISION OF THIS PART, WAGERS MAY BE ACCEPTED IN ACCORDANCE  
20 WITH THIS PART AND REGULATIONS OF THE BOARD FROM PERSONS IN  
21 OTHER STATES OR JURISDICTIONS IF THE BOARD DETERMINES THAT  
22 SUCH WAGERING IS NOT INCONSISTENT WITH FEDERAL LAW OR THE LAW  
23 OF THE STATE OR JURISDICTION, INCLUDING A FOREIGN  
24 JURISDICTION, IN WHICH THE PERSON IS LOCATED, OR SUCH  
25 WAGERING IS CONDUCTED PURSUANT TO AN INTERACTIVE GAMING  
26 RECIPROCAL AGREEMENT TO WHICH THIS COMMONWEALTH IS A PARTY  
27 THAT IS NOT INCONSISTENT WITH FEDERAL LAW. THE BOARD, WITH  
28 THE APPROVAL OF THE GOVERNOR, IS HEREBY DESIGNATED AS THE  
29 AGENCY OF THE COMMONWEALTH WITH THE SOLE POWER AND AUTHORITY  
30 TO ENTER INTO INTERACTIVE GAMING RECIPROCAL AGREEMENTS WITH

1 OTHER STATES OR JURISDICTIONS.

2 (27) ENTER INTO AGREEMENTS WITH OTHER STATES FOR THE  
3 OPERATION OF MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINE  
4 SYSTEMS.

5 SECTION 7. SECTION 1209(B) OF TITLE 4 IS AMENDED TO READ:

6 § 1209. SLOT MACHINE LICENSE FEE.

7 \* \* \*

8 (B) TERM.--A SLOT MACHINE LICENSE, AFTER PAYMENT OF THE FEE,  
9 SHALL BE IN EFFECT UNLESS SUSPENDED, REVOKED OR NOT RENEWED BY  
10 THE BOARD UPON GOOD CAUSE CONSISTENT WITH THE LICENSE  
11 REQUIREMENTS AS PROVIDED FOR IN THIS PART. SLOT MACHINE  
12 LICENSEES SHALL BE REQUIRED TO UPDATE THE INFORMATION IN THEIR  
13 INITIAL APPLICATIONS ANNUALLY, AND THE LICENSE OF A LICENSEE IN  
14 GOOD STANDING SHALL BE RENEWED EVERY [THREE] FIVE YEARS. NOTHING  
15 IN THIS SUBSECTION SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE  
16 DUTY TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS  
17 OF ITS LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN THE  
18 APPLICATION MATERIALS ON FILE WITH THE BOARD. AS TO THE RENEWAL  
19 OF A LICENSE, EXCEPT AS REQUIRED IN SUBSECTION (F) (3), NO  
20 ADDITIONAL LICENSE FEE PURSUANT TO SUBSECTION (A) SHALL BE  
21 REQUIRED.

22 \* \* \*

23 SECTION 8. SECTION 1211 OF TITLE 4 IS AMENDED BY ADDING  
24 SUBSECTIONS TO READ:

25 § 1211. REPORTS OF BOARD.

26 \* \* \*

27 (A.4) INTERACTIVE GAMING REPORTING REQUIREMENTS.--

28 (1) THE ANNUAL REPORT SUBMITTED BY THE BOARD IN  
29 ACCORDANCE WITH SUBSECTION (A) SHALL INCLUDE INFORMATION ON  
30 THE CONDUCT OF INTERACTIVE GAMES AS FOLLOWS:

1           (I) TOTAL GROSS INTERACTIVE GAMING REVENUE.

2           (II) THE NUMBER AND WIN BY TYPE OF AUTHORIZED  
3           INTERACTIVE GAME AT EACH LICENSED FACILITY CONDUCTING  
4           INTERACTIVE GAMING DURING THE PREVIOUS YEAR.

5           (III) ALL TAXES, FEES, FINES AND OTHER REVENUE  
6           COLLECTED AND, WHERE APPROPRIATE, REVENUE DISBURSED  
7           DURING THE PREVIOUS YEAR. THE DEPARTMENT SHALL  
8           COLLABORATE WITH THE BOARD TO CARRY OUT THE REQUIREMENTS  
9           OF THIS SUBPARAGRAPH.

10          (2) THE BOARD MAY REQUIRE INTERACTIVE GAMING CERTIFICATE  
11          HOLDERS AND OTHER PERSONS INVOLVED IN THE OPERATION OF  
12          INTERACTIVE GAMING ON BEHALF OF A SLOT MACHINE LICENSEE TO  
13          PROVIDE INFORMATION TO THE BOARD TO ASSIST IN THE PREPARATION  
14          OF THE REPORT.

15          \* \* \*

16          (D.1) IMPACT OF INTERACTIVE GAMING, ANNUAL REPORT.--ONE YEAR  
17          AFTER THE ISSUANCE OF THE FIRST INTERACTIVE GAMING CERTIFICATE,  
18          AN ANNUAL REPORT SHALL BE PREPARED AND DISTRIBUTED TO THE  
19          GOVERNOR AND THE STANDING COMMITTEES OF THE GENERAL ASSEMBLY  
20          WITH JURISDICTION OVER THIS PART ON THE IMPACT OF INTERACTIVE  
21          GAMING ON COMPULSIVE AND PROBLEM GAMBLING AND GAMBLING ADDICTION  
22          IN THIS COMMONWEALTH. THE REPORT SHALL BE PREPARED BY A PRIVATE  
23          ORGANIZATION OR ENTITY WITH EXPERTISE IN SERVING AND TREATING  
24          THE NEEDS OF PERSONS WITH COMPULSIVE GAMBLING ADDICTIONS, WHICH  
25          ORGANIZATION OR ENTITY SHALL BE SELECTED BY THE DEPARTMENT OF  
26          DRUG AND ALCOHOL PROGRAMS. THE REPORT MAY BE PREPARED AND  
27          DISTRIBUTED IN COORDINATION WITH THE BOARD. ANY COSTS ASSOCIATED  
28          WITH THE PREPARATION AND DISTRIBUTION OF THE REPORT SHALL BE  
29          BORNE BY SLOT MACHINE LICENSEES WHO HAVE BEEN AUTHORIZED BY THE  
30          BOARD TO CONDUCT INTERACTIVE GAMING. THE BOARD SHALL BE

1 AUTHORIZED TO ASSESS A FEE AGAINST EACH SLOT MACHINE LICENSEE  
2 FOR THESE PURPOSES.

3 (D.2) ADDITIONAL INFORMATION AND ANNUAL REPORTING.--

4 (1) ONE YEAR AFTER THE COMMENCEMENT OF THE OPERATION OF  
5 SKILL SLOT MACHINES, HYBRID SLOT MACHINES AND THE OPERATION  
6 OF A MULTISTATE WIDE-AREA SLOT MACHINE SYSTEM, THE REPORT  
7 REQUIRED UNDER SUBSECTION (A) SHALL INCLUDE INFORMATION  
8 RELATED TO THE FOLLOWING:

9 (I) THE OPERATION OF SKILL SLOT MACHINES AND HYBRID  
10 SLOT MACHINES.

11 (II) THE OPERATION OF A MULTISTATE WIDE-AREA  
12 PROGRESSIVE SLOT MACHINE SYSTEM.

13 (2) INFORMATION ON REVENUE, TAXES, FEES AND FINES, IF  
14 ANY, COLLECTED DURING THE PRECEDING CALENDAR YEAR AND ANY  
15 OTHER INFORMATION, DATA OR RECOMMENDATIONS RELATED TO THE  
16 OPERATION OF MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINES,  
17 SKILL SLOT MACHINES AND HYBRID SLOT MACHINES AS DETERMINED BY  
18 THE BOARD.

19 (D.3) ANNUAL REPORT.--IN ADDITION TO ITS DUTIES UNDER  
20 SUBSECTION (D), THE BOARD SHALL HAVE THE CONTINUING DUTY TO  
21 STUDY AND ANNUALLY REPORT TO THE CHAIRPERSON AND MINORITY  
22 CHAIRPERSON OF THE COMMUNITY, ECONOMIC AND RECREATIONAL  
23 DEVELOPMENT COMMITTEE OF THE SENATE AND TO THE CHAIRPERSON AND  
24 MINORITY CHAIRPERSON OF THE GAMING OVERSIGHT COMMITTEE OF THE  
25 HOUSE OF REPRESENTATIVES ON DEVELOPMENTS IN GAMING TECHNOLOGY  
26 AND THE IMPACT, IF ANY, NEW TECHNOLOGIES ARE HAVING OR WILL HAVE  
27 ON THE SUSTAINABILITY AND COMPETITIVENESS OF THE COMMERCIAL  
28 GAMING INDUSTRY IN THIS COMMONWEALTH. THE REPORT SHALL  
29 SPECIFICALLY ADDRESS THE FOLLOWING:

30 (1) AWARENESS AND GROWTH, TO THE EXTENT KNOWN, OF ANY

1 UNREGULATED COMMERCIAL GAMING PRODUCTS, SUCH AS E-SPORTS AND  
2 OTHER SUCH DIGITAL-BASED COMPUTER OR VIDEO TECHNOLOGY.

3 (2) NEW GAMING PRODUCTS, IF ANY, WHICH HAVE BEEN  
4 INTRODUCED IN OTHER JURISDICTIONS, BOTH FOREIGN AND DOMESTIC.

5 (3) ANY GAMING PRODUCTS WHICH THE BOARD MAY HAVE THE  
6 AUTHORITY TO AUTHORIZE PURSUANT TO ITS REGULATORY AUTHORITY  
7 UNDER THIS PART.

8 (4) ANY LEGISLATIVE OR ADMINISTRATIVE CONCERNS REGARDING  
9 TRADITIONAL, NEW OR EMERGING GAMING TECHNOLOGIES WITH  
10 RECOMMENDATIONS REGARDING RESOLUTION OF SUCH CONCERNS.

11 (D.4) TIME OF SUBMISSION AND REPORTS.--NOTWITHSTANDING ANY  
12 PROVISION OF THIS PART, ALL REPORTS AND STUDIES REQUIRED TO BE  
13 SUBMITTED UNDER SUBSECTIONS (D.1), (D.2) AND (D.3) AFTER THE  
14 EFFECTIVE DATE OF THIS SUBSECTION SHALL BE SUBMITTED INITIALLY  
15 BY OCTOBER 1, 2017, AND BY OCTOBER 1 OF EACH YEAR THEREAFTER.

16 \* \* \*

17 SECTION 9. SECTION 1212(E) OF TITLE 4 IS AMENDED BY ADDING A  
18 PARAGRAPH TO READ:

19 § 1212. DIVERSITY GOALS OF BOARD.

20 \* \* \*

21 (E) DEFINITION.--AS USED IN THIS SECTION, THE TERM  
22 "PROFESSIONAL SERVICES" MEANS THOSE SERVICES RENDERED TO A SLOT  
23 MACHINE LICENSEE WHICH RELATE TO A LICENSED FACILITY IN THIS  
24 COMMONWEALTH, INCLUDING, BUT NOT LIMITED TO:

25 \* \* \*

26 (9) TECHNOLOGY RELATED TO INTERACTIVE GAMING AND  
27 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT.

28 SECTION 10. SECTION 1305(A) AND (E) OF TITLE 4 ARE AMENDED  
29 AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

30 § 1305. CATEGORY 3 SLOT MACHINE LICENSE.

1 (A) ELIGIBILITY.--

2 (1) A PERSON MAY BE ELIGIBLE TO APPLY FOR A CATEGORY 3  
3 SLOT MACHINE LICENSE IF THE APPLICANT, ITS AFFILIATE,  
4 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY HAS NOT APPLIED  
5 FOR OR BEEN APPROVED OR ISSUED A CATEGORY 1 OR CATEGORY 2  
6 SLOT MACHINE LICENSE AND THE PERSON IS SEEKING TO LOCATE A  
7 CATEGORY 3 LICENSED FACILITY IN A WELL-ESTABLISHED RESORT  
8 HOTEL HAVING NO FEWER THAN 275 GUEST ROOMS UNDER COMMON  
9 OWNERSHIP AND HAVING SUBSTANTIAL YEAR-ROUND [RECREATIONAL]  
10 GUEST AMENITIES. THE APPLICANT FOR A CATEGORY 3 LICENSE SHALL  
11 BE THE OWNER OR BE A WHOLLY OWNED SUBSIDIARY OF THE OWNER OF  
12 THE WELL-ESTABLISHED RESORT HOTEL. [A CATEGORY 3 LICENSE MAY  
13 ONLY BE GRANTED UPON THE EXPRESS CONDITION THAT AN INDIVIDUAL  
14 MAY NOT ENTER A GAMING AREA OF THE LICENSED FACILITY IF THE  
15 INDIVIDUAL IS NOT ANY OF THE FOLLOWING:

16 (I) A REGISTERED OVERNIGHT GUEST OF THE WELL-  
17 ESTABLISHED RESORT HOTEL.

18 (II) A PATRON OF ONE OR MORE OF THE AMENITIES  
19 PROVIDED BY THE WELL-ESTABLISHED RESORT HOTEL.

20 (III) AN AUTHORIZED EMPLOYEE OF THE SLOT MACHINE  
21 LICENSEE, OF A GAMING SERVICE PROVIDER, OF THE BOARD OR  
22 OF ANY REGULATORY, EMERGENCY RESPONSE OR LAW ENFORCEMENT  
23 AGENCY WHILE ENGAGED IN THE PERFORMANCE OF THE EMPLOYEE'S  
24 DUTIES.

25 (IV) AN INDIVIDUAL HOLDING A VALID MEMBERSHIP  
26 APPROVED IN ACCORDANCE WITH PARAGRAPH (1.1) OR A GUEST OF  
27 SUCH INDIVIDUAL.

28 (1.1) THE BOARD MAY APPROVE A SEASONAL OR YEAR-ROUND  
29 MEMBERSHIP THAT ALLOWS AN INDIVIDUAL TO USE ONE OR MORE OF  
30 THE AMENITIES PROVIDED BY THE WELL-ESTABLISHED RESORT HOTEL

1 HOLDING A CATEGORY 3 SLOT MACHINE LICENSE. THE MEMBERSHIP  
2 SHALL ALLOW THE MEMBER AND ONE GUEST TO ENTER THE GAMING  
3 FLOOR AT ANY TIME AS LONG AS THE GUEST IS ACCOMPANIED BY THE  
4 INDIVIDUAL OWNING OR HOLDING THE MEMBERSHIP. THE BOARD SHALL  
5 BASE ITS APPROVAL OF A MEMBERSHIP ON ALL OF THE FOLLOWING:

6 (I) THE DURATION OF THE MEMBERSHIP.

7 (II) THE AMENITY COVERED BY THE MEMBERSHIP.

8 (III) WHETHER THE FEE CHARGED FOR THE MEMBERSHIP  
9 REPRESENTS THE FAIR MARKET VALUE FOR THE USE OF THE  
10 AMENITY.]

11 (2) NOTWITHSTANDING SECTION 1512(A) AND (A.1) (RELATING  
12 TO PUBLIC OFFICIAL FINANCIAL INTEREST), IF AT THE TIME OF  
13 APPLICATION AN APPLICANT HAS TERMINATED PUBLIC OFFICE OR  
14 EMPLOYMENT AS AN EXECUTIVE-LEVEL PUBLIC EMPLOYEE WITHIN THE  
15 LAST CALENDAR YEAR, THE APPLICANT SHALL BE ELIGIBLE TO APPLY  
16 FOR A SLOT MACHINE LICENSE UNDER THIS SECTION BUT MAY NOT BE  
17 ISSUED A LICENSE UNTIL ONE YEAR FOLLOWING THE DATE OF  
18 TERMINATION AS A PUBLIC OFFICIAL OR EXECUTIVE-LEVEL PUBLIC  
19 EMPLOYEE. AN APPLICATION SUBMITTED IN ACCORDANCE WITH THIS  
20 PARAGRAPH SHALL NOT CONSTITUTE A VIOLATION OF SECTION 1512(A)  
21 OR (A.1).

22 (3) IF THE PERSON SEEKING A SLOT MACHINE LICENSE  
23 PROPOSES TO PLACE THE LICENSED FACILITY UPON LAND DESIGNATED  
24 A SUBZONE, AN EXPANSION SUBZONE OR AN IMPROVEMENT SUBZONE  
25 UNDER THE ACT OF OCTOBER 6, 1998 (P.L.705, NO.92), KNOWN AS  
26 THE KEYSTONE OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION  
27 ZONE AND KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT, THE  
28 PERSON SHALL, AT ANY TIME PRIOR TO THE APPLICATION BEING  
29 APPROVED, SUBMIT A STATEMENT WAIVING THE EXEMPTIONS,  
30 DEDUCTIONS, ABATEMENTS OR CREDITS GRANTED UNDER THE KEYSTONE



1 OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION ZONE AND  
2 KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT IF THE BOARD  
3 APPROVES THE APPLICATION.

4 \* \* \*

5 (D.1) ADDITIONAL FEE.--NOTWITHSTANDING SUBSECTION (D), NO  
6 LATER THAN 60 DAYS AFTER THE EFFECTIVE DATE OF SUBSECTION (A),  
7 EACH HOLDER OF AN EXISTING CATEGORY 3 SLOT MACHINE LICENSE  
8 ISSUED BY THE BOARD BEFORE JANUARY 1, 2017, SHALL PAY A ONE-TIME  
9 FEE OF \$1,000,000 FOR DEPOSIT IN THE GENERAL FUND.

10 [(E) DEFINITIONS.--FOR THE PURPOSE OF SUBSECTION (A), THE  
11 FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANING GIVEN TO THEM  
12 IN THIS SUBSECTION:

13 "AMENITIES." ANY ANCILLARY ACTIVITIES, SERVICES OR  
14 FACILITIES IN WHICH A REGISTERED GUEST OR THE TRANSIENT PUBLIC,  
15 IN RETURN FOR NON-DE MINIMIS CONSIDERATION AS DEFINED BY BOARD  
16 REGULATION, MAY PARTICIPATE AT A WELL-ESTABLISHED RESORT HOTEL,  
17 INCLUDING, BUT NOT LIMITED TO, SPORTS AND RECREATIONAL  
18 ACTIVITIES AND FACILITIES SUCH AS A GOLF COURSE OR GOLF DRIVING  
19 RANGE, TENNIS COURTS OR SWIMMING POOL; HEALTH SPA; CONVENTION,  
20 MEETING AND BANQUET FACILITIES; ENTERTAINMENT FACILITIES; AND  
21 RESTAURANT FACILITIES.

22 "PATRON OF THE AMENITIES." ANY INDIVIDUAL WHO IS A  
23 REGISTERED ATTENDEE OF A CONVENTION, MEETING OR BANQUET EVENT OR  
24 A PARTICIPANT IN A SPORT OR RECREATIONAL EVENT OR ANY OTHER  
25 SOCIAL, CULTURAL OR BUSINESS EVENT HELD AT A RESORT HOTEL OR WHO  
26 PARTICIPATES IN ONE OR MORE OF THE AMENITIES PROVIDED TO  
27 REGISTERED GUESTS OF THE WELL-ESTABLISHED RESORT HOTEL.]

28 SECTION 11. SECTION 1309(A.1) HEADING OF TITLE 4 IS AMENDED  
29 AND THE SUBSECTION IS AMENDED BY ADDING A PARAGRAPH TO READ:  
30 § 1309. SLOT MACHINE LICENSE APPLICATION.

1 \* \* \*

2 (A.1) TABLE GAMES AND INTERACTIVE GAMING INFORMATION.--

3 \* \* \*

4 (3) NOTWITHSTANDING PARAGRAPH (2), THE BOARD MAY PERMIT  
5 AN APPLICANT FOR A SLOT MACHINE LICENSE THAT HAS AN  
6 APPLICATION PENDING BEFORE THE BOARD TO SUPPLEMENT ITS  
7 APPLICATION WITH ALL INFORMATION REQUIRED UNDER CHAPTERS 13B  
8 (RELATING TO INTERACTIVE GAMING) AND TO REQUEST THAT THE  
9 BOARD CONSIDER ITS APPLICATION FOR A SLOT MACHINE LICENSE, A  
10 TABLE GAME OPERATION CERTIFICATE, AN INTERACTIVE GAMING  
11 CERTIFICATE CONCURRENTLY. ALL FEES FOR AN INTERACTIVE GAMING  
12 CERTIFICATE SHALL BE PAID BY THE APPLICANT IN ACCORDANCE WITH  
13 THE REQUIREMENTS OF THIS PART.

14 \* \* \*

15 SECTION 12. SECTIONS 1317(A) AND (C) AND 1317.1(A), (B),  
16 (C), (C.1), (D.1) AND (E) OF TITLE 4 ARE AMENDED AND THE  
17 SECTIONS ARE AMENDED BY ADDING SUBSECTIONS TO READ:

18 § 1317. SUPPLIER LICENSES.

19 (A) APPLICATION.--A MANUFACTURER THAT ELECTS TO CONTRACT  
20 WITH A SUPPLIER UNDER SECTION 1317.1(D.1) (RELATING TO  
21 MANUFACTURER LICENSES) SHALL ENSURE THAT THE SUPPLIER IS  
22 APPROPRIATELY LICENSED UNDER THIS SECTION. A PERSON SEEKING TO  
23 PROVIDE SLOT MACHINES, TABLE GAME DEVICES OR ASSOCIATED  
24 EQUIPMENT, INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT OR  
25 MULTI-USE COMPUTING DEVICES TO A SLOT MACHINE LICENSEE OR AN  
26 INTERACTIVE GAMING LICENSEE WITHIN THIS COMMONWEALTH THROUGH A  
27 CONTRACT WITH A LICENSED MANUFACTURER SHALL APPLY TO THE BOARD  
28 FOR THE APPROPRIATE SUPPLIER LICENSE.

29 \* \* \*

30 (C) REVIEW AND APPROVAL.--UPON BEING SATISFIED THAT THE

1 REQUIREMENTS OF SUBSECTION (B) HAVE BEEN MET, THE BOARD MAY  
2 APPROVE THE APPLICATION AND ISSUE THE APPLICANT A SUPPLIER  
3 LICENSE CONSISTENT WITH ALL OF THE FOLLOWING:

4 (1) THE [INITIAL LICENSE SHALL BE FOR A PERIOD OF ONE  
5 YEAR, AND, IF RENEWED UNDER SUBSECTION (D), THE] LICENSE  
6 SHALL BE ISSUED FOR A PERIOD OF [THREE] FIVE YEARS AND SHALL  
7 BE RENEWED IN ACCORDANCE WITH SUBSECTION (D). NOTHING IN THIS  
8 PARAGRAPH SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE DUTY TO  
9 NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS  
10 LICENSE OR TO ANY INFORMATION CONTAINED IN THE APPLICATION  
11 MATERIALS ON FILE WITH THE BOARD.

12 (2) THE LICENSE SHALL BE NONTRANSFERABLE.

13 (3) ANY OTHER CONDITION ESTABLISHED BY THE BOARD.

14 \* \* \*

15 (C.2) ABBREVIATED PROCESS FOR SUPPLIER.--

16 (1) NOTWITHSTANDING SUBSECTION (C.1) (1) OR ANY  
17 REGULATIONS OF THE BOARD TO THE CONTRARY, THE BOARD MAY  
18 EXTEND THE USE OF THE ABBREVIATED PROCESS AUTHORIZED UNDER  
19 SUBSECTION (C.1) TO AN APPLICANT FOR A SUPPLIER LICENSE TO  
20 SUPPLY SLOT MACHINES USED IN A MULTISTATE WIDE-AREA  
21 PROGRESSIVE SLOT MACHINE SYSTEM, SKILL SLOT MACHINES, HYBRID  
22 SLOT MACHINES AND DEVICES OR ASSOCIATED EQUIPMENT USED IN  
23 CONNECTION WITH MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINE  
24 SYSTEMS, SKILL OR HYBRID SLOT MACHINES, INTERACTIVE GAMING  
25 DEVICES OR ASSOCIATED EQUIPMENT USED IN CONNECTION WITH  
26 INTERACTIVE GAMING, INCLUDING MULTI-USE COMPUTING DEVICES, IF  
27 THE APPLICANT HOLDS A VALID SUPPLIER LICENSE ISSUED BY THE  
28 BOARD TO SUPPLY SLOT MACHINES OR ASSOCIATED EQUIPMENT OR  
29 TABLE GAMES OR TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT.  
30 THE REQUIREMENTS OF SUBSECTION (C.1) (2) AND (3) SHALL APPLY

1 TO THIS SUBSECTION.

2 (2) AN APPLICANT FOR A SUPPLIER'S LICENSE TO SUPPLY SLOT  
3 MACHINES USED IN A MULTISTATE WIDE-AREA PROGRESSIVE SYSTEMS,  
4 SKILL OR HYBRID SLOT MACHINES OR ASSOCIATED EQUIPMENT OR  
5 INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT SHALL BE  
6 SUBJECT TO THE APPLICABLE PROVISIONS OF THIS PART.

7 \* \* \*

8 § 1317.1. MANUFACTURER LICENSES.

9 (A) APPLICATION.--A PERSON SEEKING TO MANUFACTURE SLOT  
10 MACHINES, TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT OR  
11 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT FOR USE IN  
12 THIS COMMONWEALTH SHALL APPLY TO THE BOARD FOR A MANUFACTURER  
13 LICENSE.

14 (B) REQUIREMENTS.--AN APPLICATION FOR A MANUFACTURER LICENSE  
15 SHALL BE ON THE FORM REQUIRED BY THE BOARD, ACCOMPANIED BY THE  
16 APPLICATION FEE, AND SHALL INCLUDE ALL OF THE FOLLOWING:

17 (1) THE NAME AND BUSINESS ADDRESS OF THE APPLICANT AND  
18 THE APPLICANT'S AFFILIATES, INTERMEDIARIES, SUBSIDIARIES AND  
19 HOLDING COMPANIES; THE PRINCIPALS AND KEY EMPLOYEES OF EACH  
20 BUSINESS; AND A LIST OF EMPLOYEES AND THEIR POSITIONS WITHIN  
21 EACH BUSINESS, AS WELL AS ANY FINANCIAL INFORMATION REQUIRED  
22 BY THE BOARD.

23 (2) A STATEMENT THAT THE APPLICANT AND EACH AFFILIATE,  
24 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF THE APPLICANT  
25 ARE NOT SLOT MACHINE LICENSEES.

26 (3) THE CONSENT TO A BACKGROUND INVESTIGATION OF THE  
27 APPLICANT, ITS PRINCIPALS AND KEY EMPLOYEES OR OTHER PERSONS  
28 REQUIRED BY THE BOARD AND A RELEASE TO OBTAIN ANY AND ALL  
29 INFORMATION NECESSARY FOR THE COMPLETION OF THE BACKGROUND  
30 INVESTIGATION.

1 (4) THE DETAILS OF ANY EQUIVALENT LICENSE GRANTED OR  
2 DENIED BY OTHER JURISDICTIONS WHERE GAMING ACTIVITIES AS  
3 AUTHORIZED BY THIS PART ARE PERMITTED AND CONSENT FOR THE  
4 BOARD TO ACQUIRE COPIES OF APPLICATIONS SUBMITTED OR LICENSES  
5 ISSUED IN CONNECTION THEREWITH.

6 (5) THE TYPE OF SLOT MACHINES, TABLE GAME DEVICES OR  
7 ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES OR  
8 ASSOCIATED EQUIPMENT TO BE MANUFACTURED OR REPAIRED.

9 (6) ANY OTHER INFORMATION DETERMINED BY THE BOARD TO BE  
10 APPROPRIATE.

11 (C) REVIEW AND APPROVAL.--UPON BEING SATISFIED THAT THE  
12 REQUIREMENTS OF SUBSECTION (B) HAVE BEEN MET, THE BOARD MAY  
13 APPROVE THE APPLICATION AND GRANT THE APPLICANT A MANUFACTURER  
14 LICENSE CONSISTENT WITH ALL OF THE FOLLOWING:

15 (1) THE [INITIAL LICENSE SHALL BE FOR A PERIOD OF ONE  
16 YEAR, AND, IF RENEWED UNDER SUBSECTION (D), THE] LICENSE  
17 SHALL BE ISSUED FOR A PERIOD OF [THREE] FIVE YEARS AND SHALL  
18 BE RENEWED IN ACCORDANCE WITH SUBSECTION (D). NOTHING IN THIS  
19 PARAGRAPH SHALL RELIEVE THE LICENSEE OF THE AFFIRMATIVE DUTY  
20 TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF  
21 ITS LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN  
22 APPLICATION MATERIALS ON FILE WITH THE BOARD.

23 (2) THE LICENSE SHALL BE NONTRANSFERABLE.

24 (3) ANY OTHER CONDITION ESTABLISHED BY THE BOARD.

25 (C.1) ABBREVIATED PROCESS.--IN THE EVENT AN APPLICANT FOR A  
26 MANUFACTURER LICENSE TO MANUFACTURE TABLE GAME DEVICES OR  
27 ASSOCIATED EQUIPMENT USED IN CONNECTION WITH TABLE GAMES IS  
28 LICENSED BY THE BOARD UNDER THIS SECTION TO MANUFACTURE SLOT  
29 MACHINES OR ASSOCIATED EQUIPMENT USED IN CONNECTION WITH SLOT  
30 MACHINES, THE BOARD MAY DETERMINE TO USE AN ABBREVIATED PROCESS

1 REQUIRING ONLY THAT INFORMATION DETERMINED BY THE BOARD TO BE  
2 NECESSARY TO CONSIDER THE ISSUANCE OF A LICENSE TO MANUFACTURE  
3 TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT USED IN CONNECTION  
4 WITH TABLE GAMES, INCLUDING FINANCIAL VIABILITY OF THE  
5 APPLICANT. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO WAIVE  
6 ANY FEES ASSOCIATED WITH OBTAINING A LICENSE, CERTIFICATE OR  
7 PERMIT THROUGH THE NORMAL APPLICATION PROCESS. THE BOARD MAY  
8 ONLY USE THE ABBREVIATED PROCESS IF ALL OF THE FOLLOWING APPLY:

9 (1) THE MANUFACTURER LICENSE WAS ISSUED BY THE BOARD  
10 WITHIN A 36-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE THE  
11 MANUFACTURER LICENSEE FILES AN APPLICATION TO MANUFACTURE  
12 TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT.

13 (2) THE PERSON TO WHOM THE MANUFACTURER LICENSE WAS  
14 ISSUED AFFIRMS THERE HAS BEEN NO MATERIAL CHANGE IN  
15 CIRCUMSTANCES RELATING TO THE LICENSE.

16 (3) THE BOARD DETERMINES, IN ITS SOLE DISCRETION, THAT  
17 THERE HAS BEEN NO MATERIAL CHANGE IN CIRCUMSTANCES RELATING  
18 TO THE LICENSEE THAT NECESSITATES THAT THE ABBREVIATED  
19 PROCESS NOT BE USED.

20 (C.2) ABBREVIATED PROCESS FOR MANUFACTURER.--

21 (1) NOTWITHSTANDING SUBSECTION (C.1) (1) OR ANY  
22 REGULATIONS OF THE BOARD TO THE CONTRARY, THE BOARD MAY  
23 EXTEND THE USE OF THE ABBREVIATED PROCESS AUTHORIZED UNDER  
24 SUBSECTION (C.1) TO AN APPLICANT FOR A MANUFACTURER LICENSE  
25 TO MANUFACTURE MULTISTATE WIDE-AREA PROGRESSIVE SLOT  
26 MACHINES, SKILL SLOT MACHINES, HYBRID SLOT MACHINES OR  
27 ASSOCIATED EQUIPMENT USED IN CONNECTION WITH MULTISTATE WIDE-  
28 AREA PROGRESSIVE SLOT MACHINES, SKILL OR HYBRID SLOT MACHINES  
29 OR INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT USED IN  
30 CONNECTION WITH INTERACTIVE GAMING, IF THE APPLICANT HOLDS A

1 VALID MANUFACTURER LICENSE ISSUED BY THE BOARD TO  
2 MANUFACTURER SLOT MACHINES OR ASSOCIATED EQUIPMENT OR TABLE  
3 GAMES OR TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT. THE  
4 REQUIREMENTS OF SUBSECTION (C.1) (2) AND (3) SHALL APPLY TO  
5 THIS SUBSECTION.

6 (2) AN APPLICANT FOR A MANUFACTURER LICENSE TO  
7 MANUFACTURE SLOT MACHINES USED IN A MULTISTATE WIDE-AREA  
8 PROGRESSIVE SYSTEM, SKILL OR HYBRID SLOT MACHINES OR  
9 ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES OR  
10 ASSOCIATED EQUIPMENT SHALL BE SUBJECT TO THE APPLICABLE  
11 PROVISIONS OF THIS PART.

12 \* \* \*

13 (D.1) AUTHORITY.--THE FOLLOWING SHALL APPLY TO A LICENSED  
14 MANUFACTURER:

15 (1) A MANUFACTURER OR ITS DESIGNEE, AS LICENSED BY THE  
16 BOARD, MAY SUPPLY OR REPAIR ANY SLOT MACHINE, TABLE GAME  
17 DEVICE OR ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICE  
18 OR ASSOCIATED EQUIPMENT MANUFACTURED BY THE MANUFACTURER,  
19 PROVIDED THE MANUFACTURER HOLDS THE APPROPRIATE MANUFACTURER  
20 LICENSE.

21 (2) A MANUFACTURER OF SLOT MACHINES MAY CONTRACT WITH A  
22 SUPPLIER UNDER SECTION 1317 (RELATING TO SUPPLIER LICENSES)  
23 TO PROVIDE SLOT MACHINES OR ASSOCIATED EQUIPMENT TO A SLOT  
24 MACHINE LICENSEE WITHIN THIS COMMONWEALTH, PROVIDED THE  
25 SUPPLIER IS LICENSED TO SUPPLY SLOT MACHINES OR ASSOCIATED  
26 EQUIPMENT USED IN CONNECTION WITH SLOT MACHINES.

27 (3) A MANUFACTURER MAY CONTRACT WITH A SUPPLIER UNDER  
28 SECTION 1317 TO PROVIDE TABLE GAME DEVICES OR ASSOCIATED  
29 EQUIPMENT TO A CERTIFICATE HOLDER, PROVIDED THE SUPPLIER IS  
30 LICENSED TO SUPPLY TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT

1 USED IN CONNECTION WITH TABLE GAMES.

2 (4) A MANUFACTURER MAY CONTRACT WITH A SUPPLIER UNDER  
3 SECTION 1317 TO PROVIDE SLOT MACHINES USED IN A MULTISTATE  
4 WIDE-AREA PROGRESSIVE SYSTEM, SKILL OR HYBRID SLOT MACHINES  
5 OR ASSOCIATED EQUIPMENT, INTERACTIVE GAMING DEVICES OR  
6 ASSOCIATED EQUIPMENT TO A SLOT MACHINE LICENSEE, PROVIDED  
7 THAT THE MANUFACTURER IS LICENSED TO MANUFACTURE SLOT  
8 MACHINES USED IN A MULTISTATE WIDE-AREA PROGRESSIVE SLOT  
9 MACHINE SYSTEM, SKILL OR HYBRID SLOT MACHINES OR ASSOCIATED  
10 EQUIPMENT OR INTERACTIVE GAMING DEVICES OR ASSOCIATED  
11 EQUIPMENT USED IN CONNECTION WITH INTERACTIVE GAMES.

12 (E) PROHIBITIONS.--

13 (1) NO PERSON MAY MANUFACTURE SLOT MACHINES, TABLE GAME  
14 DEVICES OR ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES  
15 OR ASSOCIATED EQUIPMENT FOR USE WITHIN THIS COMMONWEALTH BY A  
16 SLOT MACHINE LICENSEE UNLESS THE PERSON HAS BEEN ISSUED THE  
17 APPROPRIATE MANUFACTURER LICENSE UNDER THIS SECTION.

18 (2) EXCEPT AS PERMITTED IN SECTION 13A23.1 (RELATING TO  
19 TRAINING EQUIPMENT), NO SLOT MACHINE LICENSEE MAY USE SLOT  
20 MACHINES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,  
21 AUTHORIZED INTERACTIVE GAMES OR INTERACTIVE GAMING DEVICES OR  
22 ASSOCIATED EQUIPMENT UNLESS THE SLOT MACHINES, TABLE GAME  
23 DEVICES OR ASSOCIATED EQUIPMENT, INTERACTIVE GAMES OR  
24 INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT WERE  
25 MANUFACTURED BY A PERSON THAT HAS BEEN ISSUED THE APPROPRIATE  
26 MANUFACTURER LICENSE UNDER THIS SECTION.

27 (3) NO PERSON ISSUED A LICENSE UNDER THIS SECTION SHALL  
28 APPLY FOR OR BE ISSUED A LICENSE UNDER SECTION 1317.

29 (4) NO LIMITATION SHALL BE PLACED ON THE NUMBER OF  
30 MANUFACTURER LICENSES ISSUED OR THE TIME PERIOD TO SUBMIT



1 APPLICATIONS FOR LICENSURE, EXCEPT AS REQUIRED TO COMPLY WITH  
2 SECTION 1306 (RELATING TO ORDER OF INITIAL LICENSE ISSUANCE).  
3 SECTION 13. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:  
4 § 1317.3. NONGAMING SERVICE PROVIDER.

5 (A) NOTIFICATION REQUIRED.--

6 (1) A SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT  
7 MACHINE LICENSE THAT CONTRACTS WITH OR OTHERWISE ENGAGES IN  
8 BUSINESS WITH A NONGAMING SERVICE PROVIDER SHALL PROVIDE  
9 NOTIFICATION TO THE BOARD PRIOR TO:

10 (I) THE NONGAMING SERVICE PROVIDER'S PROVISION OF  
11 GOODS OR SERVICES AT THE SLOT MACHINE LICENSEE'S LICENSED  
12 FACILITY; OR

13 (II) THE PROVISION OF GOODS OR SERVICES FOR USE IN  
14 THE OPERATION OF THE SLOT MACHINE LICENSEE'S LICENSED  
15 FACILITY.

16 (2) NOTIFICATION UNDER THIS SECTION SHALL BE ON A FORM  
17 AND IN A MANNER AS DETERMINED BY THE BOARD. THE BOARD MAY  
18 IMPOSE A FEE, NOT TO EXCEED \$100, WHICH MUST ACCOMPANY THE  
19 NOTIFICATION.

20 (B) CONTENTS OF NOTIFICATION.--NOTIFICATION UNDER THIS  
21 SECTION SHALL INCLUDE:

22 (1) THE NAME AND BUSINESS ADDRESS OF THE NONGAMING  
23 SERVICE PROVIDER.

24 (2) A DESCRIPTION OF THE TYPE OR NATURE OF THE GOODS OR  
25 SERVICES TO BE PROVIDED.

26 (3) AN AFFIRMATION FROM THE SLOT MACHINE LICENSEE OR  
27 APPLICANT FOR A SLOT MACHINE LICENSE THAT THE GOODS OR  
28 SERVICES TO BE PROVIDED BY THE NONGAMING SERVICE PROVIDER  
29 WILL NOT REQUIRE ACCESS TO THE GAMING FLOOR OR A GAMING-  
30 RELATED RESTRICTED AREA OF A LICENSED FACILITY.

1           (4) AN AFFIRMATION FROM THE SLOT MACHINE LICENSEE OR  
2 APPLICANT FOR A SLOT MACHINE LICENSE CERTIFYING THAT THE  
3 LICENSEE OR APPLICANT HAS PERFORMED DUE DILIGENCE REGARDING  
4 THE NONGAMING SERVICE PROVIDER AND BELIEVES THAT THE  
5 NONGAMING SERVICE PROVIDER AND ITS EMPLOYEES WILL NOT  
6 ADVERSELY AFFECT THE PUBLIC INTEREST OR INTEGRITY OF GAMING.

7           (5) ANY OTHER INFORMATION THAT THE BOARD MAY REQUIRE.

8           (C) DURATION OF NOTIFICATION.--THE NONGAMING SERVICE  
9 PROVIDER NOTIFICATION REQUIRED UNDER SUBSECTION (A) MAY BE VALID  
10 FOR THREE YEARS UNLESS MODIFIED BY THE BOARD. IN DETERMINING THE  
11 DURATION OF A NONGAMING SERVICE PROVIDER NOTIFICATION, THE BOARD  
12 SHALL CONSIDER THE FOLLOWING:

13           (1) THE TYPE OR NATURE OF THE GOODS OR SERVICES.

14           (2) THE FREQUENCY OF BUSINESS TRANSACTIONS RELATED TO  
15 THE PROVISION OF SUCH GOODS OR SERVICES.

16           (3) ANY OTHER INFORMATION THE BOARD DEEMS NECESSARY AND  
17 APPROPRIATE.

18           (D) CONDITIONS.--A SLOT MACHINE LICENSEE OR APPLICANT FOR A  
19 SLOT MACHINE LICENSE THAT CONTRACTS OR OTHERWISE ENGAGES IN  
20 BUSINESS WITH A NONGAMING SERVICE PROVIDER SHALL BE SUBJECT TO  
21 THE FOLLOWING CONDITIONS:

22           (1) THE NONGAMING SERVICE PROVIDER OR ITS EMPLOYEES  
23 SHALL ONLY PROVIDE THE GOODS AND SERVICES DESCRIBED IN THE  
24 NOTIFICATION UNDER THIS SECTION.

25           (2) THE SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT  
26 MACHINE LICENSE SHALL NOTIFY THE BOARD OF ANY MATERIAL CHANGE  
27 IN THE INFORMATION PROVIDED IN THE NOTIFICATION UNDER THIS  
28 SECTION. NO FEE SHALL BE REQUIRED FOR A SUBSEQUENT CHANGE  
29 DURING THE TIME FOR WHICH THE NOTIFICATION REMAINS VALID  
30 UNDER SUBSECTION (C).

1           (3) THE SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT  
2 MACHINE LICENSE SHALL ENSURE THAT EMPLOYEES OF THE NONGAMING  
3 SERVICE PROVIDER DO NOT ENTER THE GAMING FLOOR OR A GAMING-  
4 RELATED RESTRICTED AREA OF THE LICENSED FACILITY.

5           (4) THE SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT  
6 MACHINE LICENSE SHALL REPORT TO THE BOARD AN EMPLOYEE OF A  
7 NONGAMING SERVICE PROVIDER THAT DOES ANY OF THE FOLLOWING:

8           (I) ENTERS THE GAMING FLOOR OR A GAMING-RELATED  
9 RESTRICTED AREA OF THE LICENSED FACILITY.

10           (II) COMMITS AN ACT THAT ADVERSELY AFFECTS THE  
11 PUBLIC INTEREST OR INTEGRITY OF GAMING.

12           (5) THE BOARD MAY PROHIBIT A NONGAMING SERVICE PROVIDER  
13 AND ANY EMPLOYEES FROM PROVIDING GOODS OR SERVICES TO A SLOT  
14 MACHINE LICENSEE OR APPLICANT FOR A SLOT MACHINE LICENSE AT A  
15 LICENSED FACILITY IF THE BOARD DETERMINES THE PROHIBITION IS  
16 NECESSARY TO PROTECT THE PUBLIC INTEREST OR INTEGRITY OF  
17 GAMING.

18           (E) AUTHORITY TO EXEMPT.--THE BOARD MAY EXEMPT A NONGAMING  
19 SERVICE PROVIDER FROM THE NOTIFICATION REQUIREMENTS OF THIS  
20 SECTION IF THE BOARD DETERMINES ANY OF THE FOLLOWING:

21           (1) THE NONGAMING SERVICE PROVIDER OR THE TYPE OR NATURE  
22 OF THE NONGAMING SERVICE PROVIDER'S BUSINESS IS REGULATED BY  
23 AN AGENCY OF THE FEDERAL GOVERNMENT, AN AGENCY OF THE  
24 COMMONWEALTH OR THE PENNSYLVANIA SUPREME COURT.

25           (2) NOTIFICATION IS NOT NECESSARY TO PROTECT THE PUBLIC  
26 INTEREST OR INTEGRITY OF GAMING.

27           (F) (RESERVED).

28           (G) CRIMINAL HISTORY RECORD INFORMATION.--NOTWITHSTANDING  
29 ANY OTHER PROVISION OF THIS PART OR REGULATION OF THE BOARD, A  
30 NONGAMING SERVICE PROVIDER SHALL PROVIDE A CRIMINAL HISTORY

1 RECORD INFORMATION CHECK OBTAINED FROM THE PENNSYLVANIA STATE  
2 POLICE AS DEFINED IN 18 PA.C.S. § 9102 (RELATING TO DEFINITIONS)  
3 AND PERMITTED BY 18 PA.C.S. § 9121(B) (RELATING TO GENERAL  
4 REGULATIONS).

5 (H) EMERGENCY NOTIFICATION.--

6 (1) A SLOT MACHINE LICENSEE MAY USE A NONGAMING SERVICE  
7 PROVIDER PRIOR TO THE BOARD RECEIVING NOTIFICATION UNDER THIS  
8 SECTION WHEN A THREAT TO PUBLIC HEALTH, WELFARE OR SAFETY  
9 EXISTS OR CIRCUMSTANCES OUTSIDE THE CONTROL OF THE SLOT  
10 MACHINE LICENSEE REQUIRE IMMEDIATE ACTION TO MITIGATE DAMAGE  
11 OR LOSS TO THE SLOT MACHINE LICENSEE'S LICENSED FACILITY OR  
12 TO THE COMMONWEALTH.

13 (2) A SLOT MACHINE LICENSEE THAT USES A NONGAMING  
14 SERVICE PROVIDER IN ACCORDANCE WITH PARAGRAPH (1) SHALL:

15 (I) NOTIFY THE BOARD IMMEDIATELY UPON ENGAGING A  
16 NONGAMING SERVICE PROVIDER FOR WHICH THE BOARD HAS NOT  
17 PREVIOUSLY RECEIVED NOTIFICATION IN ACCORDANCE WITH  
18 SUBSECTION (A).

19 (II) PROVIDE THE NOTIFICATION REQUIRED UNDER  
20 SUBSECTION (A) WITHIN A REASONABLE TIME AS ESTABLISHED BY  
21 THE BOARD.

22 (I) NONGAMING SERVICE PROVIDER LIST.--

23 (1) THE BOARD SHALL HAVE THE AUTHORITY TO PROHIBIT A  
24 NONGAMING SERVICE PROVIDER FROM ENGAGING IN BUSINESS WITH A  
25 SLOT MACHINE LICENSEE UPON A FINDING BY THE BOARD THAT THE  
26 PROHIBITION IS NECESSARY TO PROTECT THE PUBLIC INTEREST AND  
27 THE INTEGRITY OF GAMING.

28 (2) THE BOARD SHALL DEVELOP AND MAINTAIN A LIST OF  
29 PROHIBITED NONGAMING SERVICE PROVIDERS.

30 (3) A SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT

1 MACHINE LICENSEE MAY NOT ENTER INTO AN AGREEMENT OR ENGAGE IN  
2 BUSINESS WITH A NONGAMING SERVICE PROVIDER APPEARING ON THE  
3 LIST UNDER THIS SUBSECTION.

4 (J) DUTIES OF NONGAMING SERVICE PROVIDER.--A NONGAMING  
5 SERVICE PROVIDER SHALL:

6 (1) COOPERATE WITH THE BOARD AND BUREAU REGARDING AN  
7 INVESTIGATION, HEARING, ENFORCEMENT ACTION OR DISCIPLINARY  
8 ACTION.

9 (2) COMPLY WITH EACH CONDITION, RESTRICTION,  
10 REQUIREMENT, ORDER OR RULING OF THE BOARD IN ACCORDANCE WITH  
11 THIS PART.

12 (3) REPORT ANY CHANGE IN CIRCUMSTANCES TO THE SLOT  
13 MACHINE LICENSEE OR APPLICANT FOR A SLOT MACHINE LICENSE THAT  
14 MAY RENDER THE NONGAMING SERVICE PROVIDER INELIGIBLE,  
15 UNQUALIFIED OR UNSUITABLE FOR THE PROVISION OF GOODS OR  
16 SERVICES AT A LICENSED FACILITY OR USE IN THE OPERATION OF A  
17 LICENSED FACILITY. THE SLOT MACHINE LICENSEE SHALL REPORT ANY  
18 SUCH CHANGE IN CIRCUMSTANCES TO THE BOARD IN SUCH FORM AND  
19 MANNER AS THE BOARD MAY ESTABLISH.

20 (K) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE  
21 CONSTRUED TO LIMIT THE POWERS AND AUTHORITY OF THE BOARD UNDER  
22 SECTION 1202 (RELATING TO GENERAL AND SPECIFIC POWERS OF THE  
23 BOARD) OR THE REGULATORY AUTHORITY OF THE BOARD UNDER SECTION  
24 1207 (RELATING TO REGULATORY AUTHORITY OF THE BOARD).

25 SECTION 14. SECTION 1320(A) OF TITLE 4 IS AMENDED AND THE  
26 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

27 § 1320. SLOT MACHINE TESTING AND CERTIFICATION STANDARDS.

28 (A) USE OF OTHER STATE STANDARDS.--[UNTIL SUCH TIME AS THE  
29 BOARD ESTABLISHES AN INDEPENDENT TESTING AND CERTIFICATION  
30 FACILITY PURSUANT TO SUBSECTION (B), THE] THE BOARD MAY

1 DETERMINE, AT ITS DISCRETION, WHETHER THE SLOT MACHINE TESTING  
2 AND CERTIFICATION STANDARDS OF ANOTHER JURISDICTION WITHIN THE  
3 UNITED STATES IN WHICH AN APPLICANT FOR A MANUFACTURER LICENSE  
4 IS LICENSED ARE COMPREHENSIVE AND THOROUGH AND PROVIDE SIMILAR  
5 ADEQUATE SAFEGUARDS AS THOSE REQUIRED BY THIS PART. IF THE BOARD  
6 MAKES THAT DETERMINATION, IT MAY PERMIT A MANUFACTURER THROUGH A  
7 LICENSED SUPPLIER AS PROVIDED IN SECTION 1317 (RELATING TO  
8 SUPPLIER [AND MANUFACTURER LICENSES APPLICATION] LICENSES) TO  
9 DEPLOY THOSE SLOT MACHINES WHICH HAVE MET THE SLOT MACHINE  
10 TESTING AND CERTIFICATION STANDARDS IN SUCH OTHER JURISDICTIONS  
11 WITHOUT UNDERGOING THE FULL TESTING AND CERTIFICATION PROCESS BY  
12 A BOARD-ESTABLISHED INDEPENDENT FACILITY. IN THE EVENT SLOT  
13 MACHINES OF AN APPLICANT FOR A MANUFACTURER LICENSE ARE LICENSED  
14 IN SUCH OTHER JURISDICTION, THE BOARD MAY DETERMINE TO USE AN  
15 ABBREVIATED PROCESS REQUIRING ONLY THAT INFORMATION DETERMINED  
16 BY THE BOARD TO BE NECESSARY TO CONSIDER THE ISSUANCE OF A SLOT  
17 MACHINE CERTIFICATION TO SUCH AN APPLICANT. [ALTERNATIVELY, THE  
18 BOARD IN ITS DISCRETION MAY ALSO RELY UPON THE CERTIFICATION OF  
19 A SLOT MACHINE THAT HAS MET THE TESTING AND CERTIFICATION  
20 STANDARDS OF A BOARD-APPROVED PRIVATE TESTING AND CERTIFICATION  
21 FACILITY UNTIL SUCH TIME AS THE BOARD ESTABLISHES AN INDEPENDENT  
22 TESTING AND CERTIFICATION FACILITY PURSUANT TO SUBSECTION (B).  
23 NOTHING IN THIS SECTION SHALL BE CONSTRUED TO WAIVE ANY FEES  
24 ASSOCIATED WITH OBTAINING A LICENSE THROUGH THE NORMAL  
25 APPLICATION PROCESS.]

26 \* \* \*

27 (B.1) USE OF PRIVATE TESTING AND CERTIFICATION FACILITIES.--  
28 NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS PART OR REGULATION  
29 OF THE BOARD, IF A SLOT MACHINE IS TESTED AND CERTIFIED BY A  
30 PRIVATE TESTING AND CERTIFICATION FACILITY REGISTERED WITH THE

1 BOARD, THE BOARD SHALL USE AN ABBREVIATED CERTIFICATION PROCESS  
2 REQUIRING ONLY THAT INFORMATION DETERMINED BY IT TO BE NECESSARY  
3 TO CONSIDER THE ISSUANCE OF A SLOT MACHINE CERTIFICATION UNDER  
4 THIS SECTION. WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS  
5 SUBSECTION, THE BOARD SHALL PROMULGATE REGULATIONS THAT:

6 (1) PROVIDE FOR THE REGISTRATION OF PRIVATE TESTING AND  
7 CERTIFICATION FACILITIES. PERSONS SEEKING REGISTRATION UNDER  
8 THIS SUBSECTION SHALL BE SUBJECT TO SECTION 1202(B)(9)  
9 (RELATING TO SPECIFIC POWERS).

10 (2) SPECIFY THE FORM AND CONTENT OF THE APPLICATION FOR  
11 REGISTRATION.

12 (3) ESTABLISH AND COLLECT AN APPLICATION FEE FOR PERSONS  
13 SEEKING REGISTRATION. THE APPLICATION FEE SHALL INCLUDE THE  
14 COSTS OF ALL BACKGROUND INVESTIGATIONS AS DETERMINED  
15 NECESSARY AND APPROPRIATE BY THE BUREAU.

16 (4) ESTABLISH UNIFORM PROCEDURES AND STANDARDS WHICH  
17 PRIVATE TESTING AND CERTIFICATION FACILITIES MUST COMPLY WITH  
18 DURING THE TESTING AND CERTIFICATION OF SLOT MACHINES.

19 (5) UTILIZE INFORMATION PROVIDED BY PRIVATE TESTING AND  
20 CERTIFICATION FACILITIES FOR THE ABBREVIATED CERTIFICATION OF  
21 SLOT MACHINES.

22 (6) ESTABLISH AN ABBREVIATED CERTIFICATION PROCESS THAT  
23 MAY BE USED BY REGISTERED PRIVATE TESTING AND CERTIFICATION  
24 FACILITIES TO TEST AND CERTIFY SLOT MACHINES.

25 (7) ESTABLISH FEES THAT MUST BE PAID BY LICENSED  
26 MANUFACTURERS.

27 (8) REQUIRE SLOT MACHINES SUBMITTED FOR ABBREVIATED  
28 CERTIFICATION TO BE APPROVED OR DENIED BY THE BOARD WITHIN 30  
29 DAYS FROM THE DATE OF SUBMISSION TO THE BOARD. IF THE BOARD  
30 FAILS TO ACT WITHIN THE 30-DAY PERIOD, THE ABBREVIATED

1 CERTIFICATION SHALL BE DEEMED CONDITIONALLY APPROVED.

2 (9) PROVIDE PROCEDURES AND STANDARDS FOR THE SUSPENSION  
3 AND REVOCATION OF THE REGISTRATION OF A PRIVATE TESTING AND  
4 CERTIFICATION FACILITY AND THE REINSTATEMENT OF A SUSPENDED  
5 OR REVOKED REGISTRATION, AS DETERMINED APPROPRIATE BY THE  
6 BOARD.

7 \* \* \*

8 SECTION 15. SECTION 1326 OF TITLE 4 IS AMENDED TO READ:

9 § 1326. [LICENSE RENEWALS] RENEWALS.

10 (A) RENEWAL.--ALL PERMITS [AND], LICENSES, REGISTRATIONS OR  
11 CERTIFICATES ISSUED UNDER THIS PART UNLESS OTHERWISE PROVIDED  
12 SHALL BE SUBJECT TO RENEWAL EVERY [THREE] FIVE YEARS. NOTHING IN  
13 THIS SUBSECTION SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE DUTY  
14 TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS  
15 LICENSE, PERMIT, CERTIFICATE OR REGISTRATION OR TO ANY OTHER  
16 INFORMATION CONTAINED IN THE APPLICATION MATERIALS ON FILE WITH  
17 THE BOARD. THE APPLICATION FOR RENEWAL SHALL BE SUBMITTED AT  
18 LEAST [60] 180 DAYS PRIOR TO THE EXPIRATION OF THE PERMIT [OR],  
19 LICENSE, REGISTRATION OR CERTIFICATE AND SHALL INCLUDE AN UPDATE  
20 OF THE INFORMATION CONTAINED IN THE INITIAL AND ANY PRIOR  
21 RENEWAL APPLICATIONS AND THE PAYMENT OF ANY RENEWAL FEE REQUIRED  
22 BY THIS PART. UNLESS OTHERWISE SPECIFICALLY PROVIDED IN THIS  
23 PART, THE AMOUNT OF ANY RENEWAL FEE SHALL BE CALCULATED BY THE  
24 BOARD TO REFLECT THE LONGER RENEWAL PERIOD. A PERMIT [OR],  
25 LICENSE, REGISTRATION OR CERTIFICATE FOR WHICH A COMPLETED  
26 RENEWAL APPLICATION AND FEE, IF REQUIRED, HAS BEEN RECEIVED BY  
27 THE BOARD WILL CONTINUE IN EFFECT UNLESS AND UNTIL THE BOARD  
28 SENDS WRITTEN NOTIFICATION TO THE HOLDER OF THE PERMIT [OR],  
29 LICENSE, REGISTRATION OR CERTIFICATE THAT THE BOARD HAS DENIED  
30 THE RENEWAL OF SUCH PERMIT [OR], LICENSE, REGISTRATION OR



1 CERTIFICATE.

2 (B) REVOCATION OR FAILURE TO RENEW.--IN ADDITION TO ANY  
3 OTHER SANCTIONS THE BOARD MAY IMPOSE UNDER THIS PART, THE BOARD  
4 MAY AT ITS DISCRETION SUSPEND, REVOKE OR DENY RENEWAL OF ANY  
5 PERMIT [OR], LICENSE, REGISTRATION OR CERTIFICATE ISSUED UNDER  
6 THIS PART IF IT RECEIVES ANY INFORMATION FROM ANY SOURCE THAT  
7 THE APPLICANT OR ANY OF ITS OFFICERS, DIRECTORS, OWNERS OR KEY  
8 EMPLOYEES IS IN VIOLATION OF ANY PROVISION OF THIS PART, THAT  
9 THE APPLICANT HAS FURNISHED THE BOARD WITH FALSE OR MISLEADING  
10 INFORMATION OR THAT THE INFORMATION CONTAINED IN THE APPLICANT'S  
11 INITIAL APPLICATION OR ANY RENEWAL APPLICATION IS NO LONGER TRUE  
12 AND CORRECT. IN THE EVENT OF A REVOCATION OR FAILURE TO RENEW,  
13 THE APPLICANT'S AUTHORIZATION TO CONDUCT THE PREVIOUSLY APPROVED  
14 ACTIVITY SHALL IMMEDIATELY CEASE, AND ALL FEES PAID IN  
15 CONNECTION THEREWITH SHALL BE DEEMED TO BE FORFEITED. IN THE  
16 EVENT OF A SUSPENSION, THE APPLICANT'S AUTHORIZATION TO CONDUCT  
17 THE PREVIOUSLY APPROVED ACTIVITY SHALL IMMEDIATELY CEASE UNTIL  
18 THE BOARD HAS NOTIFIED THE APPLICANT THAT THE SUSPENSION IS NO  
19 LONGER IN EFFECT.

20 \* \* \*

21 SECTION 15.1. TITLE 4 IS AMENDED BY ADDING A SECTION TO  
22 READ:

23 § 1326.1. Slot machine license operation fee.

24 (a) Imposition.--Beginning January 1, 2017, the board shall  
25 impose an annual slot machine license operation fee on each  
26 Category 1 and Category 2 licensed gaming entity, other than a  
27 Category 1 or Category 2 licensed gaming entity operating in a  
28 county of the first class, in an amount equal to 20% of the slot  
29 machine license fee paid at the time of issuance under section  
30 1209(a) (relating to slot machine license fee). The slot machine

1 license operation fee shall be paid by each Category 1 and  
2 Category 2 licensed gaming entity, other than a Category 1 or  
3 Category 2 licensed gaming entity operating in a county of the  
4 first class, in equal installments on a monthly basis.

5 (b) Payment of fee.--The slot machine license operation fee  
6 imposed under subsection (a) shall be paid on or before the  
7 first day of each month.

8 (c) Failure to pay.--The board may at the board's discretion  
9 suspend, revoke or deny any permit or license issued under this  
10 part if a Category 1 or Category 2 licensed gaming entity, other  
11 than a Category 1 or Category 2 licensed gaming entity operating  
12 in a county of the first class, fails to pay the slot machine  
13 license operation fee imposed under subsection (a).

14 (d) Deposit of slot machine license operation fee.--The  
15 total amount of all license operation fees imposed and collected  
16 by the board under this section shall be deposited in the fund  
17 and shall be appropriated to the department on a continuing  
18 basis for the purposes under section 1403(c)(3) (relating to  
19 establishment of State Gaming Fund and net slot machine revenue  
20 distribution).

21 ~~(e) Expiration. This section shall expire May 1, 2017.~~ <--

22 SECTION 15.2. SECTION 13A27(C) OF TITLE 4 IS AMENDED TO <--

23 READ:

24 § 13A27. OTHER FINANCIAL TRANSACTIONS.

25 \* \* \*

26 (C) CREDIT APPLICATION VERIFICATION.---PRIOR TO APPROVING AN  
27 APPLICATION FOR CREDIT, A CERTIFICATE HOLDER SHALL VERIFY:

28 (1) THE IDENTITY, CREDITWORTHINESS AND INDEBTEDNESS  
29 INFORMATION OF THE APPLICANT BY CONDUCTING A COMPREHENSIVE  
30 REVIEW OF THE INFORMATION SUBMITTED WITH THE APPLICATION AND

1 ANY INFORMATION REGARDING THE APPLICANT'S CREDIT ACTIVITY AT  
2 OTHER LICENSED FACILITIES WHICH THE CERTIFICATE HOLDER MAY  
3 OBTAIN THROUGH A CASINO CREDIT BUREAU AND, IF APPROPRIATE,  
4 THROUGH DIRECT CONTACT WITH OTHER SLOT MACHINE LICENSEES.

5 (2) THAT THE APPLICANT'S NAME IS NOT INCLUDED ON AN  
6 EXCLUSION LIST UNDER SECTION 1514 (RELATING TO REGULATION  
7 REQUIRING EXCLUSION [OR] EJECTION OR DENIAL OF ACCESS OF  
8 CERTAIN PERSONS) OR 1516 (RELATING TO LIST OF PERSONS SELF  
9 EXCLUDED FROM GAMING ACTIVITIES) OR THE VOLUNTARY CREDIT  
10 SUSPENSION LIST UNDER SUBSECTION (H).

11 \* \* \*

12 SECTION 16. SECTION 13A41 OF TITLE 4 IS AMENDED BY ADDING A  
13 SUBSECTION TO READ:

14 § 13A41. TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT TESTING AND  
15 CERTIFICATION STANDARDS.

16 \* \* \*

17 (B.1) USE OF PRIVATE TESTING AND CERTIFICATION FACILITIES.--  
18 NOTWITHSTANDING ANY PROVISION OF THIS PART OR REGULATION OF THE  
19 BOARD, IF A TABLE GAME DEVICE OR ASSOCIATED EQUIPMENT IS TESTED  
20 AND CERTIFIED BY A PRIVATE TESTING AND CERTIFICATION FACILITY  
21 REGISTERED WITH THE BOARD, THE BOARD SHALL USE AN ABBREVIATED  
22 CERTIFICATION PROCESS REQUIRING ONLY THAT INFORMATION DETERMINED  
23 BY IT TO BE NECESSARY TO CONSIDER THE ISSUANCE OF A TABLE GAME  
24 DEVICE OR ASSOCIATED EQUIPMENT CERTIFICATION UNDER THIS SECTION.  
25 WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SUBSECTION, THE  
26 BOARD SHALL PROMULGATE REGULATIONS THAT:

27 (1) PROVIDE FOR THE REGISTRATION OF PRIVATE TESTING AND  
28 CERTIFICATION FACILITIES. PERSONS SEEKING REGISTRATION UNDER  
29 THIS SUBSECTION SHALL BE SUBJECT TO SECTION 1202(B)(9)  
30 (RELATING TO SPECIFIC POWERS).

1           (2) SPECIFY THE FORM AND CONTENT OF THE APPLICATION FOR  
2           REGISTRATION.

3           (3) ESTABLISH AND COLLECT AN APPLICATION FEE FOR PERSONS  
4           SEEKING REGISTRATION. THE APPLICATION FEE SHALL INCLUDE THE  
5           COSTS OF ALL BACKGROUND INVESTIGATIONS AS DETERMINED  
6           NECESSARY AND APPROPRIATE BY THE BOARD.

7           (4) ESTABLISH UNIFORM PROCEDURES AND STANDARDS WHICH  
8           PRIVATE TESTING AND CERTIFICATION FACILITIES MUST COMPLY WITH  
9           DURING THE TESTING AND CERTIFICATION OF TABLE GAME DEVICES  
10          AND ASSOCIATED EQUIPMENT.

11          (5) UTILIZE INFORMATION PROVIDED BY PRIVATE TESTING AND  
12          CERTIFICATION FACILITIES FOR THE ABBREVIATED CERTIFICATION OF  
13          TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT.

14          (6) ESTABLISH AN ABBREVIATED CERTIFICATION PROCESS THAT  
15          MAY BE USED BY REGISTERED PRIVATE TESTING AND CERTIFICATION  
16          FACILITIES TO TEST AND CERTIFY TABLE GAME DEVICES AND  
17          ASSOCIATED EQUIPMENT.

18          (7) ESTABLISH FEES THAT MUST BE PAID BY A LICENSED  
19          MANUFACTURER.

20          (8) REQUIRE TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT  
21          SUBMITTED FOR ABBREVIATED CERTIFICATION TO BE APPROVED OR  
22          DENIED BY THE BOARD WITHIN 30 DAYS FROM THE DATE OF  
23          SUBMISSION TO THE BOARD. IF THE BOARD FAILS TO ACT WITHIN THE  
24          30-DAY PERIOD, THE ABBREVIATED CERTIFICATION SHALL BE DEEMED  
25          CONDITIONALLY APPROVED.

26          (9) PROVIDE PROCEDURES AND STANDARDS FOR THE SUSPENSION  
27          AND REVOCATION OF THE REGISTRATION OF A PRIVATE TESTING AND  
28          CERTIFICATION FACILITY AND THE REINSTATEMENT OF A SUSPENDED  
29          OR REVOKED REGISTRATION.

30          Section 2 17. Section 13A63(b) (3) (iii) (A) AND (4) and (C) of <--

1 Title 4 are amended to read:

2 § 13A63. Local share assessment.

3 \* \* \*

4 (b) Distributions to counties.--The department shall make  
5 quarterly distributions from the local share assessments  
6 deposited into the fund under subsection (a) to counties,  
7 including home rule counties, hosting a licensed facility  
8 authorized to conduct table games under this chapter in  
9 accordance with the following:

10 \* \* \*

11 (3) If the facility is a Category 2 licensed facility  
12 and if the county in which the licensed facility is located  
13 is:

14 \* \* \*

15 (iii) A county of the third class where a city of  
16 the third class hosting the licensed facility is located  
17 in two counties of the third class: 50% of the licensed  
18 facility's local share assessment shall be distributed as  
19 follows:

20 (A) Sixty percent to the county in which the  
21 licensed facility is located, which shall be  
22 deposited into a restricted receipts account to be  
23 established in the Commonwealth Financing Authority  
24 to be used exclusively for economic development  
25 projects, community improvement projects and other  
26 projects in the public interest within the county.

27 \* \* \*

28 (C) Twenty percent to the nonhost county in  
29 which the host city is located, of which 50% shall be  
30 deposited into a restricted receipts account to be

1 established in the Commonwealth Financing Authority  
2 to be used [solely] exclusively for grants to  
3 municipalities [that are contiguous to the host city]  
4 within the nonhost county for economic development  
5 projects, community improvement projects and other  
6 projects in the public interest.

7 \* \* \*

8 (4) THE FOLLOWING APPLY: <--

9 (I) IF THE FACILITY IS A CATEGORY 3 LICENSED  
10 FACILITY LOCATED IN A COUNTY OF THE SECOND CLASS A: 50%  
11 OF THE LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL  
12 BE [DEPOSITED INTO A RESTRICTED RECEIPTS ACCOUNT TO BE  
13 ESTABLISHED IN THE COMMONWEALTH FINANCING AUTHORITY TO BE  
14 USED EXCLUSIVELY FOR GRANTS OR GUARANTEES FOR PROJECTS IN  
15 THE COUNTY THAT QUALIFY UNDER 64 PA.C.S. §§ 1551  
16 (RELATING TO BUSINESS IN OUR SITES PROGRAM), 1556  
17 (RELATING TO TAX INCREMENT FINANCING GUARANTEE PROGRAM)  
18 AND 1558 (RELATING TO WATER SUPPLY AND WASTE WATER  
19 INFRASTRUCTURE PROGRAM).] DISTRIBUTED AS FOLLOWS:

20 (A) SEVENTY-FIVE PERCENT SHALL BE DISTRIBUTED TO  
21 THE COUNTY HOSTING THE LICENSED FACILITY FROM EACH  
22 SUCH LICENSED FACILITY FOR THE PURPOSE OF SUPPORTING  
23 THE MAINTENANCE AND REFURBISHMENT OF THE PARKS AND  
24 HERITAGE SITES THROUGHOUT THE COUNTY IN WHICH THE  
25 LICENSEE IS LOCATED.

26 (B) TWELVE AND ONE-HALF PERCENT SHALL BE  
27 DISTRIBUTED TO THE COUNTY HOSTING THE LICENSED  
28 FACILITY FROM EACH SUCH LICENSED FACILITY FOR THE  
29 PURPOSE OF SUPPORTING A CHILD ADVOCACY CENTER LOCATED  
30 WITHIN THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

1                    (C) TWELVE AND ONE-HALF PERCENT SHALL BE  
2                    DISTRIBUTED TO THE COUNTY HOSTING THE LICENSED  
3                    FACILITY FROM EACH SUCH LICENSED FACILITY FOR THE  
4                    PURPOSE OF SUPPORTING AN ORGANIZATION PROVIDING  
5                    COMPREHENSIVE SUPPORT SERVICES TO VICTIMS OF DOMESTIC  
6                    VIOLENCE, INCLUDING LEGAL AND MEDICAL AID, SHELTERS,  
7                    TRANSITIONAL HOUSING AND COUNSELING LOCATED WITHIN  
8                    THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

9                    (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (I), IF THE  
10                    FACILITY IS A CATEGORY 3 LICENSED FACILITY IN A COUNTY OF  
11                    ANY CLASS: 50% OF THE LICENSED FACILITY'S LOCAL SHARE  
12                    ASSESSMENT SHALL BE ADDED TO THE FUNDS IN THE RESTRICTED  
13                    RECEIPTS ACCOUNT ESTABLISHED UNDER SECTION 1403(C)(2)(IV)  
14                    FOR DISTRIBUTION WITH THOSE FUNDS.

15                    \* \* \*

16                    SECTION 18. TITLE 4 IS AMENDED BY ADDING A CHAPTER TO READ:

17    CHAPTER 13B

18    INTERACTIVE GAMING

19                    SUBCHAPTER

20                    A. GENERAL PROVISIONS

21                    B. INTERACTIVE GAMING AUTHORIZED

22                    B.1. MULTI-USE COMPUTING DEVICES

23                    C. CONDUCT OF INTERACTIVE GAMING

24                    D. FACILITIES AND EQUIPMENT

25                    E. TESTING AND CERTIFICATION

26                    F. TAXES AND FEES

27                    G. MISCELLANEOUS PROVISIONS

28    SUBCHAPTER A

29    GENERAL PROVISIONS

30                    SEC.

1 13B01. LEGISLATIVE FINDINGS.

2 13B02. REGULATORY AUTHORITY.

3 13B03. TEMPORARY INTERACTIVE GAMING REGULATIONS.

4 § 13B01. LEGISLATIVE FINDINGS.

5 THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

6 (1) THE PRIMARY OBJECTIVE OF THE PENNSYLVANIA RACE HORSE  
7 DEVELOPMENT AND GAMING ACT, TO WHICH ALL OTHER OBJECTIVES ARE  
8 SECONDARY, IS TO PROTECT THE PUBLIC THROUGH THE REGULATION  
9 AND POLICING OF ALL ACTIVITIES INVOLVING GAMING AND PRACTICES  
10 THAT CONTINUE TO BE UNLAWFUL.

11 (2) LEGISLATIVE AUTHORIZATION OF SLOT MACHINE GAMING AND  
12 THE CONDUCT OF TABLE GAMES IS INTENDED TO ENHANCE LIVE HORSE  
13 RACING, BREEDING PROGRAMS, ENTERTAINMENT AND EMPLOYMENT IN  
14 THIS COMMONWEALTH.

15 (3) LEGALIZED GAMING WAS SEEN AS A MEANS TO PROVIDE A  
16 SOURCE OF REVENUE FOR PROPERTY AND WAGE TAX RELIEF, PROMOTE  
17 ECONOMIC DEVELOPMENT AND ENHANCE DEVELOPMENT OF TOURISM  
18 MARKETS THROUGHOUT THIS COMMONWEALTH.

19 (4) LEGALIZED GAMING IN THE CATEGORY 1, CATEGORY 2 AND  
20 CATEGORY 3 LICENSED FACILITIES GEOGRAPHICALLY DISPERSED IN  
21 THIS COMMONWEALTH HAS BECOME A CRITICAL COMPONENT OF ECONOMIC  
22 DEVELOPMENT AND, IF GAMING ACTIVITIES CONTINUE TO BE PROPERLY  
23 REGULATED AND FOSTERED, IT WILL PROVIDE A SUBSTANTIAL  
24 CONTRIBUTION TO THE GENERAL HEALTH, WELFARE AND PROSPERITY OF  
25 THIS COMMONWEALTH AND ITS CITIZENS.

26 (5) THE GENERAL ASSEMBLY REMAINS COMMITTED TO ENSURING A  
27 ROBUST GAMING INDUSTRY IN THIS COMMONWEALTH THAT IS CAPABLE  
28 OF COMPETING INTERNATIONALLY, NATIONALLY AND REGIONALLY AT  
29 THE HIGHEST LEVELS OF QUALITY WHILE MAINTAINING STRICT  
30 REGULATORY OVERSIGHT TO ENSURE THE INTEGRITY OF ALL GAMING



1 OPERATIONS AS SUPERVISED BY THE BOARD.

2 (6) SINCE ITS DEVELOPMENT, THE INTERNET HAS PROVIDED THE  
3 OPPORTUNITY FOR MILLIONS OF PEOPLE WORLDWIDE TO ENGAGE IN  
4 ONLINE GAMBLING, MOSTLY THROUGH ILLEGAL, UNREGULATED OFF-  
5 SHORE GAMBLING OPERATIONS.

6 (7) IN 2006, THE UNITED STATES CONGRESS PASSED AND THE  
7 PRESIDENT OF THE UNITED STATES SIGNED THE UNLAWFUL INTERNET  
8 GAMBLING ENFORCEMENT ACT OF 2006 (PUBLIC LAW 109-347, 31  
9 U.S.C. § 5361 ET SEQ.), WHICH GENERALLY PROHIBITS THE USE OF  
10 BANKING INSTRUMENTS, INCLUDING CREDIT CARDS, CHECKS AND MONEY  
11 TRANSFERS FOR INTERSTATE INTERNET GAMBLING.

12 (8) ALTHOUGH THE UNLAWFUL INTERNET GAMBLING ENFORCEMENT  
13 ACT OF 2006 PROHIBITS INTERSTATE INTERNET GAMBLING BY UNITED  
14 STATES CITIZENS, IT PERMITS INDIVIDUAL STATES TO CREATE A  
15 REGULATORY FRAMEWORK TO GOVERN INTRASTATE INTERNET OR  
16 INTERACTIVE GAMBLING.

17 (9) INTERACTIVE GAMING IS ILLEGAL IN THIS COMMONWEALTH  
18 AND WITHOUT LEGISLATIVE AUTHORIZATION AND STRICT REGULATION,  
19 THE PUBLIC'S TRUST AND CONFIDENCE IN LEGALIZED COMMERCIAL  
20 GAMING MAY BE IMPACTED.

21 (10) IN THIS COMMONWEALTH, INTERACTIVE GAMING HAS BEEN  
22 CONDUCTED WITHOUT OVERSIGHT, REGULATION OR ENFORCEMENT, ALL  
23 OF WHICH RAISES SIGNIFICANT CONCERNS FOR THE PROTECTION OF  
24 THE HEALTH, WELFARE AND SAFETY OF THE CITIZENS OF THIS  
25 COMMONWEALTH.

26 (11) AN EFFECTIVE REGULATORY, LICENSING AND ENFORCEMENT  
27 SYSTEM FOR INTERACTIVE GAMING IN THIS COMMONWEALTH WOULD  
28 INHIBIT UNDERAGE WAGERING AND OTHERWISE PROTECT VULNERABLE  
29 INDIVIDUALS, ENSURE THAT THE GAMES OFFERED THROUGH THE  
30 INTERNET ARE FAIR AND SAFE, STOP SENDING MUCH-NEEDED JOBS,

1 TAX AND OTHER REVENUE OFFSHORE TO ILLEGAL OPERATORS, PROVIDE  
2 A SIGNIFICANT SOURCE OF TAXABLE REVENUE, CREATE JOBS AND  
3 ECONOMIC DEVELOPMENT AND ADDRESS THE CONCERNS OF LAW  
4 ENFORCEMENT.

5 (12) BY LEGALIZING INTERACTIVE GAMING AND SUBJECTING IT  
6 TO THE REGULATORY OVERSIGHT OF THE PENNSYLVANIA GAMING  
7 CONTROL BOARD, THE GENERAL ASSEMBLY IS ASSURING THE CITIZENS  
8 OF THIS COMMONWEALTH THAT ONLY THOSE PERSONS LICENSED BY THE  
9 BOARD TO CONDUCT SLOT MACHINE GAMING AND TABLE GAMES AND TO  
10 OPERATE INTERACTIVE GAMES OR INTERACTIVE GAMING SYSTEMS, IN  
11 ACCORDANCE WITH THE REQUIREMENTS OF THIS PART, HAVE BEEN  
12 DETERMINED TO BE SUITABLE TO FACILITATE AND CONDUCT  
13 INTERACTIVE GAMING ACTIVITIES IN THIS COMMONWEALTH.

14 (13) AN EFFECTIVE REGULATORY, LICENSING AND ENFORCEMENT  
15 SYSTEM TO GOVERN INTERACTIVE GAMING IN THIS COMMONWEALTH IS  
16 CONSISTENT WITH THE ORIGINAL OBJECTIVES AND INTENT OF THE  
17 PENNSYLVANIA RACE HORSE DEVELOPMENT AND GAMING ACT, THEREBY  
18 ENSURING THE PUBLIC TRUST AND CONFIDENCE IN THE COMMERCIAL  
19 GAMING INDUSTRY IN THIS COMMONWEALTH.

20 (14) THE COMMONWEALTH HAS A LEGITIMATE STATE INTEREST IN  
21 PROTECTING THE INTEGRITY OF STATE-AUTHORIZED INTERACTIVE  
22 GAMING BY LICENSING THOSE ENTITIES ALREADY ENGAGED IN THE  
23 CONDUCT OF GAMING IN THIS COMMONWEALTH, WHICH ARE SUBJECT TO  
24 THE SCRUTINY AND DISCIPLINE OF THE BOARD AND OTHER REGULATORY  
25 AGENCIES AND WHICH ARE IN GOOD STANDING WITH THOSE AGENCIES.

26 § 13B02. REGULATORY AUTHORITY.

27 (A) AUTHORITY.--THE BOARD SHALL PROMULGATE AND ADOPT RULES  
28 AND REGULATIONS TO GOVERN THE CONDUCT OF INTERACTIVE GAMING IN  
29 ORDER TO ENSURE THAT IT WILL BE IMPLEMENTED IN A MANNER THAT  
30 PROVIDES FOR THE SECURITY AND EFFECTIVE MANAGEMENT,

1 ADMINISTRATION AND CONTROL OF INTERACTIVE GAMING, INCLUDING, BUT  
2 NOT LIMITED TO, REGULATIONS:

3 (1) ENSURING THAT INTERACTIVE GAMING IS OFFERED FOR PLAY  
4 IN THIS COMMONWEALTH IN A MANNER THAT IS CONSISTENT WITH  
5 FEDERAL LAW AND THE PROVISIONS OF THIS CHAPTER.

6 (2) ESTABLISHING STANDARDS AND PROCEDURES FOR TESTING  
7 AND APPROVING INTERACTIVE GAMES AND INTERACTIVE GAMING  
8 DEVICES AND ASSOCIATED EQUIPMENT, AND ANY VARIATIONS OR  
9 COMPOSITES OF AUTHORIZED INTERACTIVE GAMES, PROVIDED THAT THE  
10 BOARD DETERMINES THAT THE INTERACTIVE GAMES AND ANY NEW  
11 INTERACTIVE GAMES OR ANY VARIATIONS OR COMPOSITES ARE  
12 SUITABLE FOR USE AFTER A TEST OR EXPERIMENTAL PERIOD UNDER  
13 ANY TERMS AND CONDITIONS AS THE BOARD MAY DEEM APPROPRIATE.  
14 THE BOARD MAY GIVE PRIORITY TO THE TESTING OF INTERACTIVE  
15 GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT OR  
16 OTHER GAMING EQUIPMENT WHICH A SLOT MACHINE LICENSEE HAS  
17 CERTIFIED THAT IT WILL USE TO CONDUCT INTERACTIVE GAMING IN  
18 THIS COMMONWEALTH. NOTHING IN THIS PARAGRAPH SHALL BE  
19 CONSTRUED TO PROHIBIT THE BOARD FROM USING THE TESTING AND  
20 CERTIFICATION STANDARDS OF ANOTHER STATE OR JURISDICTION IN  
21 WHICH INTERACTIVE GAMING IS CONDUCTED, IF IT DETERMINES THAT  
22 THE STANDARDS OF THE JURISDICTION ARE COMPREHENSIVE, THOROUGH  
23 AND PROVIDE SIMILAR AND ADEQUATE SAFEGUARDS AS THOSE REQUIRED  
24 UNDER THIS PART. IF THE BOARD MAKES SUCH A DETERMINATION AND  
25 THE APPLICANT FOR AN INTERACTIVE GAMING CERTIFICATE OR AN  
26 INTERACTIVE GAMING LICENSE IS LICENSED IN ANOTHER STATE OR  
27 JURISDICTION TO OPERATE INTERACTIVE GAMING, IT MAY USE AN  
28 ABBREVIATED PROCESS REQUIRING ONLY THE INFORMATION DETERMINED  
29 BY IT TO BE NECESSARY TO CONSIDER THE ISSUANCE OF A  
30 CERTIFICATION UNDER THIS CHAPTER. THE BOARD, IN ITS

1 DISCRETION, MAY ALSO RELY UPON THE CERTIFICATION OF  
2 INTERACTIVE GAMES THAT HAVE MET THE TESTING AND CERTIFICATION  
3 STANDARDS OF A BOARD-APPROVED PRIVATE TESTING AND  
4 CERTIFICATION FACILITY.

5 (3) ESTABLISHING STANDARDS AND RULES TO GOVERN THE  
6 CONDUCT OF INTERACTIVE GAMING AND THE SYSTEM OF AND WAGERING  
7 ASSOCIATED WITH INTERACTIVE GAMING, INCLUDING INTERNAL  
8 CONTROLS AND ACCOUNTING CONTROLS, AND THE TYPE, NUMBER,  
9 PAYOUT, WAGERING LIMITS AND RULES FOR INTERACTIVE GAMES.

10 (4) ESTABLISHING THE METHOD FOR CALCULATING GROSS  
11 INTERACTIVE GAMING REVENUE AND STANDARDS FOR THE DAILY  
12 COUNTING AND RECORDING OF CASH AND CASH EQUIVALENTS RECEIVED  
13 IN THE CONDUCT OF AUTHORIZED INTERACTIVE GAMES AND ENSURE  
14 THAT INTERNAL CONTROLS AND ACCOUNTING CONTROLS ARE FOLLOWED,  
15 INCLUDING THE MAINTENANCE OF FINANCIAL BOOKS AND RECORDS AND  
16 THE CONDUCT OF AUDITS. THE BOARD SHALL CONSULT WITH THE  
17 DEPARTMENT IN ESTABLISHING THESE REGULATIONS.

18 (5) ESTABLISHING NOTICE REQUIREMENTS PERTAINING TO  
19 MINIMUM AND MAXIMUM WAGERS ON AUTHORIZED INTERACTIVE GAMES.

20 (6) ENSURING THAT ALL FACILITIES AND INTERACTIVE GAMING  
21 DEVICES AND ASSOCIATED EQUIPMENT ARE ARRANGED IN A MANNER TO  
22 PROMOTE APPROPRIATE SECURITY FOR INTERACTIVE GAMING.

23 (7) ESTABLISHING TECHNICAL STANDARDS FOR THE APPROVAL OF  
24 INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED  
25 EQUIPMENT, INCLUDING MECHANICAL, ELECTRICAL OR PROGRAM  
26 RELIABILITY, SECURITY AGAINST TAMPERING AND ANY OTHER  
27 STANDARDS AS IT MAY DEEM NECESSARY TO PROTECT REGISTERED  
28 PLAYERS FROM FRAUD OR DECEPTION.

29 (8) GOVERNING THE CREATION AND UTILIZATION OF  
30 INTERACTIVE GAMING ACCOUNTS BY REGISTERED PLAYERS, INCLUDING

1       REQUIRING THAT:

2               (I) INTERACTIVE GAMING ACCOUNTS BE POSSESSED BY A  
3               NATURAL PERSON AND NOT IN THE NAME OF ANY BENEFICIARY,  
4               CUSTODIAN, JOINT TRUST, CORPORATION, PARTNERSHIP OR OTHER  
5               ORGANIZATION OR ENTITY.

6               (II) INTERACTIVE GAMING ACCOUNTS SHALL NOT BE  
7               ASSIGNABLE OR OTHERWISE TRANSFERABLE.

8               (III) NO ACCOUNT BE ESTABLISHED FOR AN INDIVIDUAL  
9               UNDER 21 YEARS OF AGE.

10              (9) ESTABLISHING PROCEDURES FOR REGISTERED PLAYERS TO  
11              LOG INTO THEIR INTERACTIVE GAMING ACCOUNTS, AUTHENTICATE  
12              IDENTITIES, AGREE TO TERMS, CONDITIONS AND RULES APPLICABLE  
13              TO AUTHORIZED INTERACTIVE GAMES AND LOG OUT OF INTERACTIVE  
14              GAMING ACCOUNTS, INCLUDING PROCEDURES FOR AUTOMATICALLY  
15              LOGGING OFF REGISTERED PLAYERS FROM AN INTERACTIVE GAME AFTER  
16              A SPECIFIED PERIOD OF INACTIVITY.

17              (10) ESTABLISHING PROCEDURES FOR:

18              (I) DEPOSITING FUNDS IN AN INTERACTIVE GAMING  
19              ACCOUNT BY CASH, TRANSFER OR OTHER MEANS, AS APPROVED BY  
20              THE BOARD.

21              (II) THE WITHDRAWAL OF FUNDS FROM INTERACTIVE GAMING  
22              ACCOUNTS.

23              (III) THE SUSPENSION OF INTERACTIVE GAMING ACCOUNT  
24              ACTIVITY FOR SECURITY REASONS.

25              (IV) THE TERMINATION OF INTERACTIVE GAMING ACCOUNTS  
26              AND DISPOSITION OF PROCEEDS IN ACCOUNTS.

27              (V) THE DISPOSITION OF UNCLAIMED AMOUNTS IN DORMANT  
28              INTERACTIVE GAMING ACCOUNTS.

29              (11) ESTABLISHING MECHANISMS BY WHICH REGISTERED PLAYERS  
30              MAY PLACE LIMITS ON THE AMOUNT OF MONEY BEING WAGERED PER

1 AUTHORIZED INTERACTIVE GAME OR DURING ANY SPECIFIED TIME  
2 PERIOD OR THE AMOUNT OF LOSSES INCURRED DURING ANY SPECIFIED  
3 TIME PERIOD.

4 (12) ESTABLISHING MECHANISMS TO EXCLUDE FROM INTERACTIVE  
5 GAMING PERSONS NOT ELIGIBLE TO PLAY BY REASON OF AGE,  
6 IDENTITY OR LOCATION OR INCLUSION ON A LIST OF PERSONS DENIED  
7 ACCESS TO INTERACTIVE GAMING ACTIVITIES IN ACCORDANCE WITH  
8 SECTIONS 1514 (RELATING TO REGULATION REQUIRING EXCLUSION,  
9 EJECTION OR DENIAL OF ACCESS OF CERTAIN PERSONS), 1515  
10 (RELATING TO REPEAT OFFENDERS EXCLUDABLE FROM LICENSED GAMING  
11 FACILITY) AND 1516 (RELATING TO LIST OF PERSONS SELF EXCLUDED  
12 FROM GAMING ACTIVITIES).

13 (13) ESTABLISHING PROCEDURES FOR THE PROTECTION,  
14 SECURITY AND RELIABILITY OF INTERACTIVE GAMING ACCOUNTS,  
15 AUTHORIZED INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND  
16 ASSOCIATED EQUIPMENT AND MECHANISMS TO PREVENT TAMPERING OR  
17 UTILIZATION BY UNAUTHORIZED PERSONS.

18 (14) ESTABLISHING DATA SECURITY STANDARDS TO GOVERN AGE,  
19 IDENTITY AND LOCATION VERIFICATION OF PERSONS ENGAGED IN  
20 INTERACTIVE GAMING ACTIVITY.

21 (15) REQUIRING EACH INTERACTIVE GAMING CERTIFICATE  
22 HOLDER TO:

23 (I) PROVIDE WRITTEN INFORMATION ON ITS INTERACTIVE  
24 GAMING SKIN OR INTERNET WEBSITE, WHICH EXPLAINS THE RULES  
25 FOR EACH AUTHORIZED INTERACTIVE GAME, PAYOFFS OR WINNING  
26 WAGERS AND OTHER INFORMATION AS THE BOARD MAY REQUIRE.

27 (II) DESIGNATE ONE OR MORE INTERACTIVE GAMING  
28 RESTRICTED AREAS WHERE INTERACTIVE GAMING WILL BE  
29 MANAGED, ADMINISTERED OR CONTROLLED.

30 (III) PROVIDE THE BOARD WITH ACCESS TO THE

1 INTERACTIVE GAMING SKIN OR WEBSITE, INTERACTIVE GAMING  
2 PLATFORM, SIGNAL OR TRANSMISSION USED IN CONNECTION WITH  
3 INTERACTIVE GAMING AND INTERACTIVE GAMING RESTRICTED  
4 AREAS.

5 (IV) ADOPT PROCEDURES FOR THE RECORDATION,  
6 REPLICATION AND STORAGE OF ALL PLAY AND TRANSACTIONS FOR  
7 A PERIOD TO BE DETERMINED BY THE BOARD.

8 (V) PROVIDE STATEMENTS ON ITS INTERACTIVE GAMING  
9 SKIN OR WEBSITE ABOUT THE PERMISSIBLE MINIMUM AND MAXIMUM  
10 WAGERS FOR EACH AUTHORIZED INTERACTIVE GAME, AS  
11 APPLICABLE.

12 (VI) ADOPT POLICIES OR PROCEDURES TO PROHIBIT ANY  
13 UNAUTHORIZED PERSON FROM HAVING ACCESS TO INTERACTIVE  
14 GAMING DEVICES AND ASSOCIATED EQUIPMENT, INCLUDING  
15 SOFTWARE, SYSTEM PROGRAMS, HARDWARE AND ANY OTHER GAMING  
16 EQUIPMENT OR DEVICES WHICH ARE USED TO MANAGE, ADMINISTER  
17 OR CONTROL INTERACTIVE GAMING.

18 (VII) ADOPT DATA SECURITY STANDARDS TO VERIFY THE  
19 AGE, IDENTITY AND LOCATION OF PERSONS ENGAGED IN  
20 INTERACTIVE GAMING ACTIVITY AND PREVENT UNAUTHORIZED  
21 ACCESS BY ANY PERSON WHOSE AGE AND LOCATION HAVE NOT BEEN  
22 VERIFIED OR WHOSE AGE AND LOCATION CANNOT BE VERIFIED IN  
23 ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.

24 (VIII) ADOPT STANDARDS TO PROTECT THE PRIVACY AND  
25 SECURITY OF REGISTERED PLAYERS ENGAGED IN INTERACTIVE  
26 GAMING.

27 (IX) COLLECT, REPORT AND PAY ANY AND ALL APPLICABLE  
28 TAXES AND FEES AND MAINTAIN ALL BOOKS, RECORDS AND  
29 DOCUMENTS RELATED TO THE INTERACTIVE GAMING CERTIFICATE  
30 HOLDER'S INTERACTIVE GAMING ACTIVITIES IN A MANNER AND IN

1           A LOCATION WITHIN THIS COMMONWEALTH AS APPROVED BY THE  
2           BOARD OR THE DEPARTMENT. ALL BOOKS, RECORDS AND DOCUMENTS  
3           SHALL BE IMMEDIATELY AVAILABLE FOR INSPECTION DURING ALL  
4           HOURS OF OPERATION IN ACCORDANCE WITH THE REGULATIONS OF  
5           THE BOARD AND SHALL BE MAINTAINED IN A MANNER AND DURING  
6           PERIODS OF TIME AS THE BOARD SHALL BY REGULATION REQUIRE.

7           (B) ADDITIONAL AUTHORITY.--

8           (1) AT ITS DISCRETION, THE BOARD MAY DETERMINE WHETHER  
9           PERSONS THAT PROVIDE THE FOLLOWING GOODS OR SERVICES AND ANY  
10           OTHER GOODS OR SERVICES RELATED TO INTERACTIVE GAMING AS THE  
11           BOARD MAY DETERMINE SHALL BE REQUIRED TO OBTAIN A LICENSE,  
12           PERMIT OR OTHER AUTHORIZATION:

13           (I) PAYMENT PROCESSING AND RELATED MONEY  
14           TRANSMITTING AND SERVICES.

15           (II) CUSTOMER IDENTITY OR AGE VERIFICATION AND  
16           GEOSPATIAL TECHNOLOGY SERVICES.

17           (III) GENERAL TELECOMMUNICATIONS SERVICES, WHICH ARE  
18           NOT SPECIFICALLY DESIGNED FOR OR RELATED TO INTERACTIVE  
19           GAMING.

20           (IV) OTHER GOODS OR SERVICES THAT ARE NOT  
21           SPECIFICALLY DESIGNED FOR USE WITH INTERACTIVE GAMING IF  
22           THE PERSONS PROVIDING THE GOODS OR SERVICES ARE NOT PAID  
23           A PERCENTAGE OF GAMING REVENUE OR OF MONEY WAGERED ON  
24           INTERACTIVE GAMES OR OF ANY FEES, NOT INCLUDING FEES TO  
25           FINANCIAL INSTITUTIONS AND PAYMENT PROVIDERS FOR  
26           FACILITATING A DEPOSIT BY AN INTERACTIVE GAMING ACCOUNT  
27           HOLDER.

28           (2) THE BOARD SHALL DEVELOP A CLASSIFICATION SYSTEM FOR  
29           THE LICENSURE, PERMITTING OR OTHER AUTHORIZATION OF PERSONS  
30           THAT PROVIDE THE FOLLOWING GOODS OR SERVICES RELATED TO



1 INTERACTIVE GAMING:

2 (I) PERSONS THAT PROVIDE INTERACTIVE GAMES AND  
3 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT.

4 (II) PERSONS THAT MANAGE, CONTROL OR ADMINISTER THE  
5 INTERACTIVE GAMES OR THE WAGERS ASSOCIATED WITH  
6 INTERACTIVE GAMES.

7 (III) PROVIDERS OF CUSTOMER LISTS COMPRISED OF  
8 PERSONS IDENTIFIED OR SELECTED, IN WHOLE OR IN PART,  
9 BECAUSE THEY PLACED OR MAY PLACE WAGERS ON INTERACTIVE  
10 GAMING.

11 (C) DEFINITION.--FOR THE PURPOSES OF SUBSECTION (A) (12),  
12 (14) AND (15) (VIII) AND (IX), THE TERM "PERSON" SHALL MEAN A  
13 NATURAL PERSON.

14 § 13B03. TEMPORARY INTERACTIVE GAMING REGULATIONS.

15 (A) PROMULGATION.--

16 (1) IN ORDER TO FACILITATE THE PROMPT IMPLEMENTATION OF  
17 THIS CHAPTER, REGULATIONS PROMULGATED BY THE BOARD SHALL BE  
18 DEEMED TEMPORARY REGULATIONS WHICH SHALL EXPIRE NOT LATER  
19 THAN TWO YEARS FOLLOWING THE PUBLICATION OF THE TEMPORARY  
20 REGULATION IN THE PENNSYLVANIA BULLETIN AND ON THE BOARD'S  
21 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

22 (2) THE BOARD MAY PROMULGATE TEMPORARY REGULATIONS NOT  
23 SUBJECT TO:

24 (I) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT  
25 OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE  
26 COMMONWEALTH DOCUMENTS LAW.

27 (II) SECTIONS 204(B) AND 301(10) OF THE ACT OF  
28 OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS THE  
29 COMMONWEALTH ATTORNEYS ACT.

30 (III) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181),

1 KNOWN AS THE REGULATORY REVIEW ACT.

2 (B) TEMPORARY REGULATIONS.--THE BOARD SHALL BEGIN PUBLISHING  
3 TEMPORARY REGULATIONS GOVERNING THE RULES FOR INTERACTIVE  
4 GAMING, THE ISSUANCE OF INTERACTIVE GAMING CERTIFICATES AND  
5 INTERACTIVE GAMING LICENSES, STANDARDS FOR APPROVING  
6 MANUFACTURERS, SUPPLIERS AND OTHER PERSONS SEEKING TO PROVIDE  
7 INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED  
8 EQUIPMENT, INCLUDING AGE AND LOCATION VERIFICATION SOFTWARE OR  
9 SYSTEM PROGRAMS AND SECURITY AND SURVEILLANCE STANDARDS IN THE  
10 PENNSYLVANIA BULLETIN WITHIN 30 DAYS OF THE EFFECTIVE DATE OF  
11 THIS SUBSECTION.

12 (C) EXPIRATION OF TEMPORARY REGULATIONS.--EXCEPT FOR  
13 TEMPORARY REGULATIONS GOVERNING THE RULES FOR ISSUING  
14 CERTIFICATES AND LICENSES UNDER THIS CHAPTER, FOR NEW  
15 INTERACTIVE GAMES, FOR APPROVING INTERACTIVE GAMES OR VARIATIONS  
16 THEREOF, INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT AND  
17 FOR APPROVING MANUFACTURERS, SUPPLIERS AND OTHER PERSONS SEEKING  
18 TO PROVIDE INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND  
19 ASSOCIATED EQUIPMENT, THE BOARD'S AUTHORITY TO ADOPT TEMPORARY  
20 REGULATIONS UNDER SUBSECTION (A) SHALL EXPIRE TWO YEARS AFTER  
21 THE EFFECTIVE DATE OF THIS SECTION. REGULATIONS ADOPTED AFTER  
22 THIS PERIOD SHALL BE PROMULGATED AS PROVIDED BY LAW.

23 SUBCHAPTER B

24 INTERACTIVE GAMING AUTHORIZED

25 SEC.

26 13B11. AUTHORIZATION TO CONDUCT INTERACTIVE GAMING.

27 13B12. INTERACTIVE GAMING CERTIFICATE REQUIRED AND CONTENT OF  
28 PETITION.

29 13B13. ISSUANCE OF INTERACTIVE GAMING CERTIFICATE.

30 13B14. INTERACTIVE GAMING OPERATORS.

1 13B15. INTERACTIVE GAMING CERTIFICATE AND LICENSE.

2 13B16. TIMING OF INITIAL INTERACTIVE GAMING AUTHORIZATIONS.

3 § 13B11. AUTHORIZATION TO CONDUCT INTERACTIVE GAMING.

4 (A) AUTHORITY OF BOARD.--

5 (1) THE BOARD MAY AUTHORIZE A SLOT MACHINE LICENSEE:

6 (I) TO CONDUCT INTERACTIVE GAMING, INCLUDING  
7 CONTESTS AND TOURNAMENTS AND ANY OTHER GAME WHICH IS  
8 DETERMINED BY THE BOARD TO BE SUITABLE FOR INTERACTIVE  
9 GAMING.

10 (II) TO DEPLOY INTERACTIVE GAMING SKINS OR INTERNET  
11 WEBSITES TO FACILITATE THE CONDUCT OF INTERACTIVE GAMING  
12 ACTIVITIES.

13 (2) EXCEPT AS PROVIDED IN THIS PART, ALL INDIVIDUALS  
14 PLAYING AUTHORIZED INTERACTIVE GAMES MUST BE PHYSICALLY  
15 LOCATED WITHIN THIS COMMONWEALTH OR WITHIN A STATE OR  
16 JURISDICTION IN WHICH THE BOARD HAS ENTERED AN INTERACTIVE  
17 GAMING RECIPROCAL AGREEMENT. NO INDIVIDUAL UNDER 21 YEARS OF  
18 AGE SHALL OPEN, MAINTAIN, USE OR HAVE ACCESS TO AN  
19 INTERACTIVE GAMING ACCOUNT.

20 (B) AUTHORITY TO PLAY INTERACTIVE GAMES.--NOTWITHSTANDING  
21 ANY OTHER PROVISION OF LAW, AN INDIVIDUAL WHO IS 21 YEARS OF AGE  
22 OR OLDER IS HEREBY PERMITTED TO PARTICIPATE AS A REGISTERED  
23 PLAYER IN INTERACTIVE GAMING AND WAGERING ASSOCIATED WITH  
24 PLAYING AN AUTHORIZED INTERACTIVE GAME OFFERED BY AN INTERACTIVE  
25 GAMING CERTIFICATE HOLDER IN ACCORDANCE WITH REGULATIONS OF THE  
26 BOARD.

27 § 13B12. INTERACTIVE GAMING CERTIFICATE REQUIRED AND CONTENT OF  
28 PETITION.

29 (A) CERTIFICATE REQUIRED.--NO SLOT MACHINE LICENSEE OR ANY  
30 OTHER PERSON ASSOCIATED WITH OR REPRESENTING A SLOT MACHINE

1 LICENSEE SHALL OPERATE OR CONDUCT OR ATTEMPT TO OPERATE OR  
2 CONDUCT INTERACTIVE GAMING, EXCEPT FOR TEST PURPOSES OR OPEN  
3 INTERACTIVE GAMING TO THE PUBLIC IN THIS COMMONWEALTH WITHOUT  
4 FIRST OBTAINING AN INTERACTIVE GAMING CERTIFICATE OR AN  
5 INTERACTIVE GAMING LICENSE FROM THE BOARD. A SLOT MACHINE  
6 LICENSEE MAY SEEK APPROVAL TO CONDUCT INTERACTIVE GAMING BY  
7 FILING A PETITION FOR AN INTERACTIVE GAMING CERTIFICATE WITH THE  
8 BOARD. THE BOARD SHALL PRESCRIBE THE FORM AND MANNER TO GOVERN  
9 THE SUBMISSION OF A PETITION FOR AN INTERACTIVE GAMING  
10 CERTIFICATE.

11 (B) CONTENT OF PETITION.--IN ADDITION TO INFORMATION AND  
12 DOCUMENTATION DEMONSTRATING THAT THE SLOT MACHINE LICENSEE IS  
13 QUALIFIED FOR AN INTERACTIVE GAMING CERTIFICATE UNDER THIS  
14 CHAPTER, A PETITION SEEKING BOARD APPROVAL TO CONDUCT  
15 INTERACTIVE GAMING WITHIN THIS COMMONWEALTH SHALL INCLUDE THE  
16 FOLLOWING:

17 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION  
18 OF THE SLOT MACHINE LICENSEE.

19 (2) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION  
20 OF ANY AFFILIATE, INTERACTIVE GAMING OPERATOR OR OTHER PERSON  
21 THAT WILL BE A PARTY TO AN AGREEMENT RELATED TO THE OPERATION  
22 OF INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON  
23 BEHALF OF A SLOT MACHINE LICENSEE.

24 (3) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A  
25 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE SLOT  
26 MACHINE LICENSEE WHO WILL BE INVOLVED IN THE CONDUCT OF  
27 INTERACTIVE GAMING AND WHO IS NOT CURRENTLY LICENSED BY THE  
28 BOARD, IF KNOWN.

29 (4) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A  
30 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE

1 INTERACTIVE GAMING CERTIFICATE HOLDER AND INTERACTIVE GAMING  
2 LICENSEE, IF ANY, WHO WILL BE INVOLVED IN THE CONDUCT OF  
3 INTERACTIVE GAMING AND WHO IS CURRENTLY LICENSED BY THE  
4 BOARD.

5 (5) AN ITEMIZED LIST OF THE INTERACTIVE GAMES AND ANY  
6 OTHER GAME OR GAMES THE SLOT MACHINE LICENSEE PLANS TO OFFER  
7 OVER THE INTERNET FOR WHICH AUTHORIZATION IS BEING SOUGHT.  
8 THE SLOT MACHINE LICENSEE SHALL, IN ACCORDANCE WITH  
9 REGULATIONS PROMULGATED BY THE BOARD, FILE ANY CHANGES IN THE  
10 NUMBER OF AUTHORIZED INTERACTIVE GAMES OFFERED THROUGH  
11 INTERACTIVE GAMING WITH THE BOARD.

12 (6) THE ESTIMATED NUMBER OF FULL-TIME AND PART-TIME  
13 EMPLOYMENT POSITIONS THAT WILL BE CREATED AT THE LICENSED  
14 FACILITY IF INTERACTIVE GAMING IS AUTHORIZED AND AN UPDATED  
15 HIRING PLAN UNDER SECTION 1510(A) (RELATING TO LABOR HIRING  
16 PREFERENCES) WHICH OUTLINES THE SLOT MACHINE LICENSEE'S PLAN  
17 TO PROMOTE THE REPRESENTATION OF DIVERSE GROUPS AND  
18 COMMONWEALTH RESIDENTS IN THE EMPLOYMENT POSITIONS.

19 (7) A BRIEF DESCRIPTION OF THE ECONOMIC BENEFITS  
20 EXPECTED TO BE REALIZED BY THE COMMONWEALTH, THE HOST  
21 MUNICIPALITIES AND RESIDENTS IF INTERACTIVE GAMING IS  
22 AUTHORIZED.

23 (8) THE DETAILS OF ANY FINANCING OBTAINED OR THAT WILL  
24 BE OBTAINED TO FUND AN EXPANSION OR MODIFICATION OF THE  
25 LICENSED FACILITY TO ACCOMMODATE INTERACTIVE GAMING AND TO  
26 OTHERWISE FUND THE COST OF COMMENCING INTERACTIVE GAMING.

27 (9) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL  
28 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO  
29 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL  
30 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE SLOT MACHINE

1 LICENSEE, AND INFORMATION OR DOCUMENTATION CONCERNING ANY  
2 INTERACTIVE GAMING OPERATOR THAT WILL OPERATE INTERACTIVE  
3 GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF THE SLOT  
4 MACHINE LICENSEE, AS THE BOARD MAY REQUIRE.

5 (10) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY  
6 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT  
7 THE SLOT MACHINE LICENSEE HAS SUFFICIENT BUSINESS ABILITY AND  
8 EXPERIENCE TO CONDUCT A SUCCESSFUL INTERACTIVE GAMING  
9 OPERATION. IN MAKING THIS DETERMINATION, THE BOARD MAY  
10 CONSIDER THE RESULTS OF THE SLOT MACHINE LICENSEE'S SLOT  
11 MACHINE AND TABLE GAME OPERATIONS, INCLUDING FINANCIAL  
12 INFORMATION, EMPLOYMENT DATA AND CAPITAL INVESTMENT.

13 (11) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY  
14 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT  
15 THE SLOT MACHINE LICENSEE HAS OR WILL HAVE THE FINANCIAL  
16 ABILITY TO PAY THE INTERACTIVE GAMING AUTHORIZATION FEE.

17 (12) DETAILED SITE PLANS IDENTIFYING THE PROPOSED  
18 INTERACTIVE GAMING RESTRICTED AREA WHERE INTERACTIVE GAMING  
19 OPERATIONS WILL BE MANAGED, ADMINISTERED OR CONTROLLED AS  
20 APPROVED BY THE BOARD.

21 (13) A DETAILED DESCRIPTION OF ALL OF THE FOLLOWING:

22 (I) THE SLOT MACHINE LICENSEE'S INITIAL SYSTEM OF  
23 INTERNAL AND ACCOUNTING CONTROLS APPLICABLE TO  
24 INTERACTIVE GAMING.

25 (II) THE SLOT MACHINE LICENSEE'S PROPOSED STANDARDS  
26 TO PROTECT, WITH A REASONABLE DEGREE OF CERTAINTY, THE  
27 PRIVACY AND SECURITY OF ITS REGISTERED PLAYERS.

28 (III) HOW THE SLOT MACHINE LICENSEE WILL FACILITATE  
29 COMPLIANCE WITH ALL OF THE REQUIREMENTS SET FORTH IN THIS  
30 CHAPTER AND IN SECTION 802(A) OF THE UNLAWFUL INTERNET

1 GAMBLING ENFORCEMENT ACT OF 2006 (PUBLIC LAW 109-347, 31  
2 U.S.C. § 5362(10)(B)), INCLUDING, BUT NOT LIMITED TO, ALL  
3 OF THE FOLLOWING:

4 (A) AGE, IDENTITY AND LOCATION VERIFICATION  
5 REQUIREMENTS DESIGNED TO BLOCK ACCESS TO INDIVIDUALS  
6 UNDER 21 YEARS OF AGE.

7 (B) APPROPRIATE DATA SECURITY STANDARDS TO  
8 PREVENT UNAUTHORIZED ACCESS BY ANY PERSON WHOSE AGE,  
9 IDENTITY AND LOCATION HAVE NOT BEEN VERIFIED OR WHOSE  
10 AGE, IDENTITY AND LOCATION CANNOT BE VERIFIED IN  
11 ACCORDANCE WITH THIS CHAPTER AND APPLICABLE  
12 REGULATIONS OF THE BOARD.

13 (C) EXCEPT AS PROVIDED IN THIS CHAPTER, THE  
14 REQUIREMENT THAT ALL WAGERS MADE IN THE CONDUCT OF  
15 INTERACTIVE GAMING BE INITIATED AND RECEIVED OR  
16 OTHERWISE MADE EXCLUSIVELY WITHIN THIS COMMONWEALTH.

17 (IV) THE SLOT MACHINE LICENSEE'S PROPOSED AGE,  
18 IDENTITY AND LOCATION VERIFICATION STANDARDS DESIGNED TO  
19 BLOCK ACCESS TO PERSONS UNDER 21 YEARS OF AGE AND PERSONS  
20 EXCLUDED OR PROHIBITED FROM PARTICIPATING IN INTERACTIVE  
21 GAMING UNDER THIS CHAPTER.

22 (V) THE PROCEDURES THE SLOT MACHINE LICENSEE WILL  
23 USE TO REGISTER INDIVIDUALS WHO WISH TO PARTICIPATE IN  
24 INTERACTIVE GAMING.

25 (VI) THE PROCEDURES THE SLOT MACHINE LICENSEE WILL  
26 USE TO ESTABLISH INTERACTIVE GAMING ACCOUNTS FOR  
27 REGISTERED PLAYERS.

28 (VII) THE INTERACTIVE GAMES AND SERVICES THE SLOT  
29 MACHINE LICENSEE PROPOSES TO OFFER TO REGISTERED PLAYERS.

30 (VIII) DOCUMENTATION AND INFORMATION RELATING TO ALL

1 PROPOSED SUBCONTRACTORS OF THE SLOT MACHINE LICENSEE,  
2 INCLUDING, BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

3 (A) A DESCRIPTION OF THE SERVICES TO BE PROVIDED  
4 BY EACH SUBCONTRACTOR.

5 (B) INFORMATION ON THE EXPERIENCE AND  
6 QUALIFICATIONS OF EACH SUBCONTRACTOR TO PROVIDE THE  
7 SERVICES ANTICIPATED.

8 (C) THE NAMES OF ALL PROPOSED SUBCONTRACTORS,  
9 OWNERS, EXECUTIVES AND EMPLOYEES THAT WILL BE  
10 DIRECTLY OR INDIRECTLY INVOLVED IN THE SLOT MACHINE  
11 LICENSEE'S INTERACTIVE GAMING OPERATIONS, AS WELL AS  
12 SUFFICIENT PERSONAL IDENTIFYING INFORMATION ON EACH  
13 SUCH PERSON TO CONDUCT BACKGROUND CHECKS AS MAY BE  
14 REQUIRED BY THE BOARD.

15 (14) THE INTERACTIVE GAMING DEVICES AND ASSOCIATED  
16 EQUIPMENT, INCLUDING THE INTERACTIVE GAMING NETWORK,  
17 INTERACTIVE GAMING SYSTEM OR SYSTEMS, THAT THE SLOT MACHINE  
18 LICENSEE PLANS TO OR WILL UTILIZE TO MANAGE, ADMINISTER OR  
19 CONTROL ITS INTERACTIVE GAMING OPERATIONS.

20 (15) COMPLIANCE CERTIFICATION OF ITS INTERACTIVE GAMING  
21 DEVICES AND ASSOCIATED EQUIPMENT, INCLUDING INTERACTIVE  
22 GAMING SOFTWARE AND HARDWARE, BY A BOARD-APPROVED GAMING  
23 LABORATORY TO ENSURE THAT THE GAMING SOFTWARE AND HARDWARE  
24 COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER AND REGULATIONS  
25 OF THE BOARD.

26 (16) DETAILED DESCRIPTION OF ACCOUNTING SYSTEMS,  
27 INCLUDING, BUT NOT LIMITED TO, ACCOUNTING SYSTEMS FOR ALL OF  
28 THE FOLLOWING:

29 (I) INTERACTIVE GAMING ACCOUNTS.

30 (II) PER-HAND CHARGES, IF APPLICABLE.



1           (III) TRANSPARENCY AND REPORTING TO THE BOARD AND  
2           THE DEPARTMENT.

3           (IV) DISTRIBUTION OF REVENUE TO THE COMMONWEALTH AND  
4           WINNINGS TO REGISTERED PLAYERS.

5           (V) ONGOING AUDITING AND INTERNAL CONTROL COMPLIANCE  
6           REVIEWS.

7           (17) DETAILED INFORMATION ON SECURITY SYSTEMS AT THE  
8           LICENSED FACILITY TO PROTECT THE INTERACTIVE GAMING SKINS OR  
9           INTERNET WEBSITE FROM INTERNAL AND EXTERNAL BREACHES AND  
10          THREATS.

11          (18) ANY OTHER INFORMATION THE BOARD MAY REQUIRE.

12          (C) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD  
13          UNDER SUBSECTION (B) MAY BE CONSIDERED CONFIDENTIAL BY THE BOARD  
14          IF THE INFORMATION WOULD BE CONFIDENTIAL UNDER SECTION 1206(F)  
15          (RELATING TO BOARD MINUTES AND RECORDS).

16          § 13B13. ISSUANCE OF INTERACTIVE GAMING CERTIFICATE.

17          (A) REQUIREMENTS FOR APPROVAL OF PETITION.--

18          (1) THE BOARD MAY APPROVE A PETITION UNDER SECTION 13B12  
19          (RELATING TO INTERACTIVE GAMING CERTIFICATE REQUIRED AND  
20          CONTENT OF PETITION) UPON FINDING CLEAR AND CONVINCING  
21          EVIDENCE OF ALL OF THE FOLLOWING:

22                 (I) THE SLOT MACHINE LICENSEE'S CONDUCT OF  
23                 INTERACTIVE GAMING COMPLIES IN ALL RESPECTS WITH THE  
24                 REQUIREMENTS OF THIS CHAPTER AND REGULATIONS PROMULGATED  
25                 BY THE BOARD.

26                 (II) AGE, IDENTITY AND LOCATION VERIFICATION  
27                 REQUIREMENTS DESIGNED TO BLOCK ACCESS TO INDIVIDUALS  
28                 UNDER 21 YEARS OF AGE AND PERSONS OTHERWISE PROHIBITED  
29                 FROM ENGAGING IN INTERACTIVE GAMING IN ACCORDANCE WITH  
30                 THIS CHAPTER, AS APPROVED BY THE BOARD, HAVE BEEN

1 IMPLEMENTED BY THE SLOT MACHINE LICENSEE.

2 (III) THE SLOT MACHINE LICENSEE HAS IMPLEMENTED OR  
3 WILL IMPLEMENT APPROPRIATE DATA SECURITY STANDARDS TO  
4 PREVENT UNAUTHORIZED ACCESS BY ANY PERSON WHOSE AGE,  
5 IDENTITY AND LOCATION HAS NOT BEEN VERIFIED OR CANNOT BE  
6 VERIFIED IN ACCORDANCE WITH THE REGULATIONS PROMULGATED  
7 AND ADOPTED BY THE BOARD.

8 (IV) THE SLOT MACHINE LICENSEE HAS IMPLEMENTED OR  
9 WILL IMPLEMENT APPROPRIATE STANDARDS TO PROTECT THE  
10 PRIVACY AND SECURITY OF REGISTERED PLAYERS.

11 (V) THE SLOT MACHINE LICENSEE'S INITIAL SYSTEM OF  
12 INTERNAL AND ACCOUNTING CONTROLS APPLICABLE TO  
13 INTERACTIVE GAMING, AND THE SECURITY AND INTEGRITY OF ALL  
14 FINANCIAL TRANSACTIONS IN CONNECTION WITH THE SYSTEM,  
15 COMPLIES WITH THIS CHAPTER AND REGULATIONS PROMULGATED  
16 AND ADOPTED BY THE BOARD.

17 (VI) THE SLOT MACHINE LICENSEE IS IN GOOD STANDING  
18 WITH THE BOARD.

19 (VII) THE SLOT MACHINE LICENSEE AGREES THAT THE  
20 NUMBER OF SLOT MACHINES AND TABLE GAMES IN OPERATION AT  
21 ITS LICENSED FACILITY, AS OF THE EFFECTIVE DATE OF THIS  
22 SECTION, WILL NOT BE REDUCED AS A RESULT OF THE  
23 AUTHORIZATION AND COMMENCEMENT OF INTERACTIVE GAMING.

24 (2) IT SHALL BE AN EXPRESS CONDITION OF ANY INTERACTIVE  
25 GAMING CERTIFICATE THAT A SLOT MACHINE LICENSEE SHALL  
26 COLLECT, REPORT AND PAY ALL APPLICABLE TAXES AND FEES AND  
27 SHALL MAINTAIN ALL BOOKS, RECORDS AND DOCUMENTS PERTAINING TO  
28 THE SLOT MACHINE LICENSEE'S INTERACTIVE GAMING OPERATIONS IN  
29 A MANNER AND LOCATION WITHIN THIS COMMONWEALTH AS APPROVED BY  
30 THE BOARD. ALL BOOKS, RECORDS AND DOCUMENTS SHALL BE

1 IMMEDIATELY AVAILABLE FOR INSPECTION BY THE BOARD AND THE  
2 DEPARTMENT DURING ALL HOURS OF OPERATION IN ACCORDANCE WITH  
3 THE REGULATIONS OF THE BOARD AND SHALL BE MAINTAINED IN A  
4 MANNER AND DURING PERIODS OF TIME AS THE BOARD SHALL REQUIRE.

5 (B) ISSUANCE OF INTERACTIVE GAMING CERTIFICATE.--

6 (1) UPON APPROVAL OF A PETITION FOR AN INTERACTIVE  
7 GAMING CERTIFICATE, THE BOARD SHALL ISSUE AN INTERACTIVE  
8 GAMING CERTIFICATE TO THE SLOT MACHINE LICENSEE. THE ISSUANCE  
9 OF AN INTERACTIVE GAMING CERTIFICATE PRIOR TO THE FULL  
10 PAYMENT OF THE AUTHORIZATION FEE REQUIRED UNDER SECTION 13B51  
11 (RELATING TO INTERACTIVE GAMING AUTHORIZATION FEE) SHALL NOT  
12 RELIEVE THE SLOT MACHINE LICENSEE FROM THE OBLIGATION TO PAY  
13 THE AUTHORIZATION FEE IN ACCORDANCE WITH THE REQUIREMENTS OF  
14 SECTION 13B51.

15 (2) UPON ISSUING AN INTERACTIVE GAMING CERTIFICATE, THE  
16 BOARD SHALL AMEND THE SLOT MACHINE LICENSEE'S STATEMENT OF  
17 CONDITIONS TO INCLUDE CONDITIONS PERTAINING TO THE  
18 REQUIREMENTS OF THIS CHAPTER.

19 (C) TERM OF INTERACTIVE GAMING CERTIFICATE.--SUBJECT TO THE  
20 POWER OF THE BOARD TO DENY, REVOKE OR SUSPEND AN INTERACTIVE  
21 GAMING CERTIFICATE ISSUED IN ACCORDANCE WITH THE REQUIREMENTS OF  
22 THIS SECTION, AN INTERACTIVE GAMING CERTIFICATE SHALL BE RENEWED  
23 EVERY FIVE YEARS AND SHALL BE SUBJECT TO THE REQUIREMENTS OF  
24 SECTION 1326 (RELATING TO RENEWALS).

25 (D) SANCTIONS.--A SLOT MACHINE LICENSEE THAT FAILS TO ABIDE  
26 BY THE REQUIREMENTS OF THIS CHAPTER OR ANY CONDITION CONTAINED  
27 IN THE SLOT MACHINE LICENSEE'S STATEMENT OF CONDITIONS GOVERNING  
28 THE OPERATION OF INTERACTIVE GAMING SHALL BE SUBJECT TO BOARD-  
29 IMPOSED ADMINISTRATIVE SANCTIONS OR OTHER PENALTIES AUTHORIZED  
30 UNDER THIS PART. THE IMPOSITION OF ADMINISTRATIVE SANCTIONS IN

1 ACCORDANCE WITH THIS SUBSECTION SHALL APPLY TO ANY INTERACTIVE  
2 GAMING OPERATOR THAT FAILS TO ABIDE BY THE REQUIREMENTS OF THIS  
3 CHAPTER AND REGULATIONS OF THE BOARD.

4 (E) BACKGROUND INVESTIGATIONS.--EACH PETITION FOR AN  
5 INTERACTIVE GAMING CERTIFICATE SHALL BE ACCOMPANIED BY A  
6 NONREFUNDABLE FEE ESTABLISHED BY THE BOARD TO COVER THE COST OF  
7 BACKGROUND INVESTIGATIONS. THE BOARD SHALL DETERMINE BY  
8 REGULATION THE PERSONS INVOLVED, DIRECTLY OR INDIRECTLY, IN A  
9 SLOT MACHINE LICENSEE'S INTERACTIVE GAMING OPERATIONS AND  
10 PERSONS INVOLVED IN THE OPERATIONS OF AN INTERACTIVE GAMING  
11 OPERATOR WHO SHALL BE SUBJECT TO BACKGROUND INVESTIGATION. ANY  
12 ADDITIONAL COSTS AND EXPENSES INCURRED IN ANY BACKGROUND  
13 INVESTIGATION OR OTHER INVESTIGATION OR PROCEEDING UNDER THIS  
14 CHAPTER SHALL BE REIMBURSED TO THE BOARD.

15 § 13B14. INTERACTIVE GAMING OPERATORS.

16 (A) LICENSE REQUIRED.--NO PERSON SHALL SERVE OR ATTEMPT TO  
17 SERVE AS AN INTERACTIVE GAMING OPERATOR WITHOUT FIRST OBTAINING  
18 AN INTERACTIVE GAMING LICENSE FROM THE BOARD. A PERSON MAY SEEK  
19 APPROVAL TO SERVE AS AN INTERACTIVE GAMING OPERATOR BY FILING AN  
20 APPLICATION WITH THE BOARD. THE BOARD SHALL PRESCRIBE THE FORM  
21 AND MANNER TO GOVERN THE SUBMISSION OF AN APPLICATION FOR AN  
22 INTERACTIVE GAMING LICENSE. THE BOARD SHALL PROVIDE FOR THE  
23 LICENSURE OF INTERACTIVE GAMING OPERATORS THAT OPERATE  
24 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF  
25 AN INTERACTIVE GAMING CERTIFICATE HOLDER. THE BOARD SHALL:

26 (1) DETERMINE SUITABILITY AND PROVIDE FOR THE LICENSURE,  
27 PERMITTING, REGISTRATION OR CERTIFICATION, AS IT DEEMS  
28 APPROPRIATE, OF INTERACTIVE GAMING OPERATORS OR OTHER PERSONS  
29 DIRECTLY INVOLVED IN THE OPERATION OF INTERACTIVE GAMING OR  
30 AN INTERACTIVE GAMING SYSTEM ON BEHALF OF A SLOT MACHINE

1 LICENSEE. THE BOARD SHALL DETERMINE SUITABILITY IN ACCORDANCE  
2 WITH THE APPLICABLE REQUIREMENTS OF THIS PART, PROVIDED THAT  
3 THE BOARD MAY EXTEND SUITABILITY TO A HOLDER OF A VALID  
4 LICENSE, PERMIT, REGISTRATION, CERTIFICATE OR OTHER  
5 AUTHORIZATIONS APPROVED AND ISSUED UNDER THIS PART, WHICH IS  
6 IN GOOD STANDING, WITHOUT ADDITIONAL INVESTIGATION. THE  
7 EXTENSION OF SUITABILITY IN ACCORDANCE WITH THIS PARAGRAPH  
8 SHALL NOT RELIEVE THE HOLDER OF A VALID LICENSE, PERMIT,  
9 REGISTRATION OR CERTIFICATE ISSUED UNDER THIS CHAPTER FROM  
10 PAYMENT OF ALL FEES IMPOSED UNDER THIS CHAPTER.

11 (2) PROVIDE FOR THE APPROVAL OF THE TERMS AND CONDITIONS  
12 OF ALL AGREEMENTS ENTERED INTO BY OR BETWEEN AN INTERACTIVE  
13 GAMING CERTIFICATE HOLDER AND AN INTERACTIVE GAMING OPERATOR  
14 OR ANY OTHER PERSON RELATED TO THE OPERATION OF INTERACTIVE  
15 GAMES OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF THE  
16 INTERACTIVE GAMING CERTIFICATE HOLDER.

17 (B) CLASSIFICATION AND APPROVAL OF EMPLOYEES.--

18 (1) THE BOARD SHALL ESTABLISH A CLASSIFICATION SYSTEM  
19 FOR EMPLOYEES OF INTERACTIVE GAMING OPERATORS OR OTHER  
20 PERSONS WHO PROVIDE PRODUCTS OR SERVICES ASSOCIATED WITH OR  
21 RELATED TO INTERACTIVE GAMING, INTERACTIVE GAMING PLATFORMS  
22 AND INTERACTIVE GAMING SYSTEMS.

23 (2) THE BOARD SHALL PROVIDE FOR THE LICENSURE,  
24 PERMITTING, REGISTRATION OR CERTIFICATION, AS IT DEEMS  
25 APPROPRIATE, OF EMPLOYEES IN EACH EMPLOYEE CLASSIFICATION  
26 ESTABLISHED BY IT IN ACCORDANCE WITH PARAGRAPH (1).

27 (C) APPLICABILITY OF CERTAIN PROVISIONS.--INTERACTIVE GAMING  
28 OPERATORS SHALL BE SUBJECT TO THE APPLICABLE PROVISIONS OF THIS  
29 PART THAT APPLY TO INTERACTIVE GAMING CERTIFICATE HOLDERS, AS  
30 DETERMINED BY THE BOARD.

1 (D) OPERATORS OWNED, CONTROLLED BY SLOT MACHINE LICENSEE.--  
2 THIS SECTION SHALL NOT APPLY TO AN INTERACTIVE GAMING OPERATOR  
3 THAT IS OWNED BY, AFFILIATED WITH OR OTHERWISE CONTROLLED BY A  
4 SLOT MACHINE LICENSEE THAT HAS BEEN APPROVED FOR AND ISSUED AN  
5 INTERACTIVE GAMING CERTIFICATE UNDER THIS CHAPTER. THE BOARD  
6 SHALL DETERMINE BY REGULATION THE CRITERIA OR CONDITIONS  
7 NECESSARY TO DETERMINE WHETHER AN INTERACTIVE GAMING OPERATOR IS  
8 OWNED BY, AFFILIATED WITH OR OTHERWISE CONTROLLED BY A SLOT  
9 MACHINE LICENSEE TO EFFECTUATE THE PURPOSE OF THIS SUBSECTION.

10 (E) INTERACTIVE GAMING LICENSE AND CONDITIONAL  
11 AUTHORIZATION.--

12 (1) THE FOLLOWING SHALL APPLY:

13 (I) DURING THE FIRST 18 MONTHS AFTER THE EFFECTIVE  
14 DATE OF THIS SECTION, THE BOARD MAY ISSUE CONDITIONAL  
15 AUTHORIZATIONS TO PERSONS SEEKING LICENSURE AS  
16 INTERACTIVE GAMING OPERATORS.

17 (II) CONDITIONAL AUTHORIZATION AWARDED TO AN  
18 INTERACTIVE GAMING OPERATOR MAY REMAIN IN EFFECT UNTIL  
19 THE SHORTER OF 12 MONTHS AFTER THE DATE OF ISSUE OR THE  
20 DATE BY WHICH THE BOARD CONSIDERS THE SUBJECT  
21 APPLICATION.

22 (III) CONDITIONAL AUTHORIZATION MAY BE RENEWED BY  
23 THE BOARD NOT MORE THAN ONCE, UPON A SHOWING OF GOOD  
24 CAUSE.

25 (IV) CONDITIONAL AUTHORIZATION SHALL ALLOW AN  
26 APPLICANT FOR AN INTERACTIVE GAMING LICENSE TO ENGAGE IN  
27 ALL OF THE FUNCTIONS OF A LICENSED INTERACTIVE GAMING  
28 OPERATOR FOR THE DURATION OF THE CONDITIONAL  
29 AUTHORIZATION.

30 (2) NO CONDITIONAL AUTHORIZATION MAY BE ISSUED UNLESS:

1           (I) THE APPLICANT HAS SUBMITTED A COMPLETE  
2           APPLICATION FOR AN INTERACTIVE GAMING LICENSE TO THE  
3           BOARD.

4           (II) THE APPLICANT AGREES TO PAY OR HAS PAID THE FEE  
5           PRESCRIBED IN SECTION 13B51 (RELATING TO INTERACTIVE  
6           GAMING AUTHORIZATION FEE) PRIOR TO THE ISSUANCE OF  
7           CONDITIONAL AUTHORIZATION, WHICH MAY BE REFUNDABLE IN THE  
8           EVENT THE LICENSE IS NOT APPROVED AND ISSUED BY THE  
9           BOARD.

10           (III) THE BUREAU HAS NO OBJECTION TO THE ISSUANCE OF  
11           A CONDITIONAL AUTHORIZATION TO THE APPLICANT.

12           (3) WITHIN 45 DAYS OF THE DATE THAT THE BUREAU RECEIVES  
13           THE COMPLETED APPLICATION FOR AN INTERACTIVE GAMING LICENSE  
14           FROM AN APPLICANT FOR INVESTIGATION, THE BUREAU SHALL CONDUCT  
15           A PRELIMINARY INVESTIGATION OF THE APPLICANT AND ANY KEY  
16           INTERACTIVE GAMING EMPLOYEE OF THE APPLICANT, AS DETERMINED  
17           BY THE BOARD, WHICH SHALL INCLUDE A CRIMINAL BACKGROUND  
18           INVESTIGATION OF THE APPLICANT AND ANY INTERACTIVE GAMING  
19           EMPLOYEES OF THE APPLICANT, AS DETERMINED BY THE BOARD IN  
20           ACCORDANCE WITH SECTION 1202 (B) (RELATING TO GENERAL AND  
21           SPECIFIC POWERS).

22           (4) IF THE BUREAU'S PRELIMINARY INVESTIGATION DISCLOSES  
23           NO ADVERSE INFORMATION THAT WOULD IMPACT SUITABILITY FOR  
24           LICENSURE, THE BUREAU SHALL PROVIDE THE BOARD WITH A  
25           STATEMENT OF NO OBJECTION TO ISSUANCE OF CONDITIONAL  
26           AUTHORIZATION TO THE APPLICANT.

27           (5) IF THE BUREAU'S PRELIMINARY INVESTIGATION DISCLOSES  
28           ADVERSE INFORMATION THAT WOULD IMPACT SUITABILITY FOR  
29           LICENSURE, IT SHALL REGISTER AN OBJECTION AND NO CONDITIONAL  
30           AUTHORIZATION MAY BE ISSUED UNTIL THE BUREAU'S CONCERNS ARE

1 RESOLVED.

2 (6) ANY CONDITIONAL AUTHORIZATION APPROVED AND ISSUED TO  
3 AN APPLICANT FOR AN INTERACTIVE GAMING LICENSE UNDER THIS  
4 SUBSECTION MAY BE SUSPENDED OR WITHDRAWN BY THE BOARD UPON A  
5 SHOWING OF GOOD CAUSE BY THE BUREAU.

6 § 13B15. INTERACTIVE GAMING CERTIFICATE AND LICENSE.

7 THE FOLLOWING SHALL APPLY:

8 (1) AN INTERACTIVE GAMING CERTIFICATE AND INTERACTIVE  
9 GAMING LICENSE SHALL BE IN EFFECT UNLESS:

10 (I) THE CERTIFICATE OR LICENSE IS SUSPENDED OR  
11 REVOKED BY THE BOARD CONSISTENT WITH THE REQUIREMENTS OF  
12 THIS PART.

13 (II) THE SLOT MACHINE LICENSE IS SUSPENDED, REVOKED  
14 OR NOT RENEWED BY THE BOARD CONSISTENT WITH THE  
15 REQUIREMENTS OF THIS PART.

16 (III) THE SLOT MACHINE LICENSEE RELINQUISHES OR DOES  
17 NOT SEEK RENEWAL OF ITS SLOT MACHINE LICENSE.

18 (IV) THE SLOT MACHINE LICENSEE DOES NOT SEEK RENEWAL  
19 OF ITS INTERACTIVE GAMING CERTIFICATE.

20 (2) THE INTERACTIVE GAMING CERTIFICATE MAY INCLUDE AN  
21 INITIAL ITEMIZED LIST BY NUMBER AND TYPE OF AUTHORIZED  
22 INTERACTIVE GAMES FOR INTERACTIVE GAMING TO BE CONDUCTED BY  
23 THE INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE  
24 GAMING OPERATOR OR OTHER PERSON ON BEHALF OF AN INTERACTIVE  
25 GAMING CERTIFICATE HOLDER. THE SLOT MACHINE LICENSEE MAY  
26 INCREASE OR DECREASE THE NUMBER OF INTERACTIVE GAMES  
27 AUTHORIZED FOR PLAY ON ITS INTERACTIVE GAMING SKIN OR  
28 INTERNET WEBSITE OR CHANGE THE TYPE OF AUTHORIZED INTERACTIVE  
29 GAMES PLAYED ON ITS INTERACTIVE GAMING SKIN OR INTERNET  
30 WEBSITE UPON NOTICE, IF REQUIRED BY THE BOARD, TO THE BOARD



1 AND APPROVAL BY THE BOARD OR A DESIGNATED EMPLOYEE OF THE  
2 BOARD. UNLESS APPROVED BY THE BOARD OR A DESIGNATED EMPLOYEE  
3 OF THE BOARD, THE TOTAL NUMBER AND TYPE OF AUTHORIZED  
4 INTERACTIVE GAMES OFFERED FOR PLAY BY AN INTERACTIVE GAMING  
5 CERTIFICATE HOLDER MAY NOT DIFFER FROM THE NUMBER AND TYPE  
6 APPROVED BY THE BOARD AND AUTHORIZED IN THE INTERACTIVE  
7 GAMING CERTIFICATE.

8 (3) A SLOT MACHINE LICENSEE SHALL BE REQUIRED TO UPDATE  
9 THE INFORMATION IN ITS INITIAL INTERACTIVE GAMING PETITION AT  
10 TIMES AND IN THE FORM AND MANNER AS PRESCRIBED BY THE BOARD.

11 § 13B16. TIMING OF INITIAL INTERACTIVE GAMING AUTHORIZATIONS.

12 THE BOARD SHALL PRESCRIBE THE DATE ON WHICH PETITIONS FOR AN  
13 INTERACTIVE GAMING CERTIFICATE AND APPLICATIONS FOR AN  
14 INTERACTIVE GAMING LICENSE MUST BE FILED WITH THE BOARD AND  
15 SHALL APPROVE OR DENY A PETITION OR APPLICATION WITHIN 90 DAYS  
16 FOLLOWING RECEIPT.

17 SUBCHAPTER B.1

18 MULTI-USE COMPUTING DEVICES

19 SEC.

20 13B20. AUTHORIZATION.

21 13B20.1. BOARD AUTHORIZATION REQUIRED.

22 13B20.2. STANDARD FOR REVIEW OF APPLICATIONS.

23 13B20.3. FEES.

24 13B20.4. MULTI-USE GAMING DEVICE TAX.

25 13B20.5. LOCAL SHARE ASSESSMENT.

26 13B20.6. REGULATIONS.

27 13B20.7. CONSTRUCTION.

28 § 13B20. AUTHORIZATION.

29 (A) AUTHORITY.--

30 (1) NOTWITHSTANDING ANY PROVISION OF THIS PART OR

1 REGULATION OF THE BOARD, AN INTERACTIVE GAMING CERTIFICATE  
2 HOLDER MAY PROVIDE FOR THE CONDUCT OF INTERACTIVE GAMING AT A  
3 QUALIFIED AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING  
4 DEVICES OR ENTER INTO A WRITTEN AGREEMENT WITH AN INTERACTIVE  
5 GAMING OPERATOR THAT PROVIDES FOR THE CONDUCT OF SUCH  
6 INTERACTIVE GAMING BY THE INTERACTIVE GAMING OPERATOR ON  
7 BEHALF OF THE INTERACTIVE GAMING CERTIFICATE HOLDER.

8 (2) AN INTERACTIVE GAMING CERTIFICATE HOLDER SEEKING TO  
9 MAKE AUTHORIZED INTERACTIVE GAMES AVAILABLE FOR PLAY THROUGH  
10 THE USE OF MULTI-USE COMPUTING DEVICES AT A QUALIFIED AIRPORT  
11 SHALL FILE A PETITION WITH THE BOARD IN SUCH FORM AND MANNER  
12 AS THE BOARD, THROUGH REGULATIONS, SHALL REQUIRE.

13 (B) PLACE OF CONDUCT.--THE BOARD, AT ITS DISCRETION, MAY  
14 AUTHORIZE AN INTERACTIVE GAMING CERTIFICATE HOLDER OR AN  
15 INTERACTIVE GAMING OPERATOR TO PLACE AND MAKE AUTHORIZED  
16 INTERACTIVE GAMES AVAILABLE FOR PLAY AT A QUALIFIED AIRPORT  
17 THROUGH THE USE OF MULTI-USE COMPUTING DEVICES IN ACCORDANCE  
18 WITH THE REQUIREMENTS OF THIS SUBCHAPTER AND REGULATIONS OF THE  
19 BOARD.

20 (C) SATISFACTION OF CONTINGENCIES.--AUTHORIZATION FOR AN  
21 INTERACTIVE GAMING CERTIFICATE HOLDER TO CONDUCT INTERACTIVE  
22 GAMING AT A QUALIFIED AIRPORT IN ACCORDANCE WITH SUBSECTION (A)  
23 SHALL BE CONTINGENT UPON THE FOLLOWING:

24 (1) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS  
25 SUBMITTED A PETITION TO THE BOARD SEEKING AUTHORIZATION TO  
26 MANAGE THE CONDUCT OF INTERACTIVE GAMING AT THE QUALIFIED  
27 AIRPORT AND THE BOARD HAS APPROVED THE PETITION.

28 (2) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS  
29 DISCLOSED THAT IT HAS OR WILL ENTER INTO AN AGREEMENT WITH AN  
30 INTERACTIVE GAMING OPERATOR WHO WILL MANAGE, OPERATE AND

1 CONTROL THE CONDUCT OF INTERACTIVE GAMING AT A QUALIFIED  
2 AIRPORT ON BEHALF OF THE INTERACTIVE GAMING CERTIFICATE  
3 HOLDER AND THE INTERACTIVE GAMING OPERATOR HAS PETITIONED THE  
4 BOARD FOR APPROVAL AND THE BOARD HAS APPROVED THE AGREEMENT  
5 AND THE PETITION.

6 (3) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR  
7 INTERACTIVE GAMING OPERATOR, AS THE CASE MAY BE, HAS ENTERED  
8 INTO AN AGREEMENT WITH THE CONCESSION OPERATOR AT THE  
9 QUALIFIED AIRPORT FOR THE CONDUCT OF INTERACTIVE GAMING  
10 THROUGH THE USE OF MULTI-USE COMPUTING DEVICES WITHIN THE  
11 AIRPORT GAMING AREA.

12 (4) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR  
13 INTERACTIVE GAMING OPERATOR, AS APPLICABLE, HAS PROVIDED  
14 ADEQUATE ASSURANCES THAT THE CONDUCT OF INTERACTIVE GAMING AT  
15 THE QUALIFIED AIRPORT WILL BE CONDUCTED AND OPERATED IN  
16 ACCORDANCE WITH THIS PART AND REGULATIONS PROMULGATED BY THE  
17 BOARD.

18 (5) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS PAID  
19 OR WILL PAY ALL APPLICABLE TAXES AND FEES.

20 (6) IN THE CASE OF A QUALIFIED AIRPORT THAT IS GOVERNED  
21 BY A MUNICIPAL AUTHORITY OR JOINT MUNICIPAL AUTHORITY  
22 ORGANIZED AND INCORPORATED TO OVERSEE THE OPERATIONS OF AN  
23 AIRPORT IN ACCORDANCE WITH 53 PA.C.S. CH. 56 (RELATING TO  
24 MUNICIPAL AUTHORITIES), THE INTERACTIVE GAMING CERTIFICATE  
25 HOLDER OR INTERACTIVE GAMING OPERATOR, AS THE CASE MAY BE,  
26 HAS ENTERED INTO AN AGREEMENT WITH THE MUNICIPAL AUTHORITY OR  
27 JOINT MUNICIPAL AUTHORITY FOR THE CONDUCT OF INTERACTIVE  
28 GAMING THROUGH THE USE OF MULTI-USE COMPUTING DEVICES WITHIN  
29 THE GAMING AREA OF THE QUALIFIED AIRPORT AND THE BOARD HAS  
30 APPROVED THE AGREEMENT.

1 (D) AGREEMENT REQUIRED.--THE FOLLOWING SHALL APPLY:

2 (1) AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY SEEK  
3 AUTHORIZATION FOR THE OPERATION AND PLACEMENT OF AUTHORIZED  
4 INTERACTIVE GAMES AT A QUALIFIED AIRPORT OR MAY ENTER INTO AN  
5 AGREEMENT WITH AN INTERACTIVE GAMING OPERATOR TO PROVIDE FOR  
6 THE CONDUCT OF INTERACTIVE GAMING AT THE QUALIFIED AIRPORT.

7 (2) AN AGREEMENT ENTERED INTO IN ACCORDANCE WITH THIS  
8 SUBSECTION SHALL BE IN WRITING AND SHALL BE SUBMITTED TO THE  
9 BOARD FOR REVIEW AND APPROVAL.

10 § 13B20.1. BOARD AUTHORIZATION REQUIRED.

11 (A) CONTENTS OF PETITION.--AN INTERACTIVE GAMING CERTIFICATE  
12 HOLDER SEEKING AUTHORIZATION TO CONDUCT INTERACTIVE GAMING AT A  
13 QUALIFIED AIRPORT THROUGH THE USE OF A MULTI-USE COMPUTING  
14 DEVICE SHALL PETITION THE BOARD FOR APPROVAL. THE PETITION SHALL  
15 INCLUDE:

16 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION  
17 OF THE INTERACTIVE GAMING CERTIFICATE HOLDER OR THE NAME,  
18 BUSINESS ADDRESS AND CONTACT INFORMATION OF THE INTERACTIVE  
19 GAMING OPERATOR, IF AN INTERACTIVE GAMING OPERATOR WILL  
20 MANAGE THE OPERATION OF INTERACTIVE GAMING AT A QUALIFIED  
21 AIRPORT ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER  
22 PURSUANT TO AN INTERACTIVE GAMING AGREEMENT.

23 (2) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A  
24 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE  
25 INTERACTIVE GAMING CERTIFICATE HOLDER AND, IF RELEVANT, THE  
26 INTERACTIVE GAMING OPERATOR WHO WILL BE DIRECTLY INVOLVED IN  
27 THE CONDUCT OF AUTHORIZED INTERACTIVE GAMES AT THE QUALIFIED  
28 AIRPORT AND WHO IS NOT CURRENTLY LICENSED BY THE BOARD, IF  
29 KNOWN.

30 (3) THE NAME AND BUSINESS ADDRESS OF THE AIRPORT

1 AUTHORITY, THE LOCATION OF THE QUALIFIED AIRPORT AND THE  
2 NAMES OF THE GOVERNING BODY OF THE AIRPORT AUTHORITY, IF THE  
3 AIRPORT AUTHORITY IS INCORPORATED IN ACCORDANCE WITH 53  
4 PA.C.S. CH. 56 (RELATING TO MUNICIPAL AUTHORITIES).

5 (4) IF THE USE AND CONTROL OF A QUALIFIED AIRPORT IS  
6 REGULATED BY A CITY OF THE FIRST CLASS, AN IDENTIFICATION OF  
7 THE MUNICIPAL AGENCY AND PRIMARY OFFICIALS OF A CITY OF THE  
8 FIRST CLASS, WHICH REGULATES THE USE AND CONTROL OF THE  
9 QUALIFIED AIRPORT.

10 (5) THE NAME AND JOB TITLE OF THE PERSON OR PERSONS WHO  
11 WILL BE RESPONSIBLE FOR ENSURING THE OPERATION AND INTEGRITY  
12 OF THE CONDUCT OF INTERACTIVE GAMING AT A QUALIFIED AIRPORT  
13 AND REVIEWING REPORTS OF SUSPICIOUS TRANSACTIONS.

14 (6) THE BRAND NAME OF THE MULTI-USE COMPUTING DEVICES  
15 THAT WILL BE PLACED IN OPERATION AT THE QUALIFIED AIRPORT.  
16 THE BOARD, AT ITS DISCRETION, MAY REQUIRE ANY ADDITIONAL  
17 INFORMATION RELATED TO THE CONDUCT OF INTERACTIVE GAMING AT A  
18 QUALIFIED AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING  
19 DEVICES OR PERSONS THAT MANUFACTURE OR SUPPLY MULTI-USE  
20 COMPUTING DEVICES THAT IT MAY DETERMINE NECESSARY AND  
21 APPROPRIATE TO ENSURE THE INTEGRITY OF INTERACTIVE GAMING AT  
22 A QUALIFIED AIRPORT AND PROTECT THE PUBLIC INTEREST.

23 (7) AN ITEMIZED LIST OF THE INTERACTIVE GAMES FOR WHICH  
24 AUTHORIZATION IS BEING SOUGHT.

25 (8) INFORMATION, AS THE BOARD MAY REQUIRE, ON ANY  
26 COMPUTER APPLICATIONS OR APPS, INCLUDING GAMING APPS, WHICH  
27 CAN BE ACCESSED ON THE MULTI-USE COMPUTING DEVICES.

28 (9) INFORMATION ON THE TERMS AND CONDITIONS OF ANY  
29 INTERACTIVE GAMING AGREEMENT ENTERED INTO BY OR BETWEEN AN  
30 INTERACTIVE GAMING CERTIFICATE HOLDER AND INTERACTIVE GAMING

1 OPERATOR OR OTHER PERSON RELATED TO THE CONDUCT OF  
2 INTERACTIVE GAMING THROUGH THE USE OF MULTI-USE COMPUTING  
3 DEVICES AT A QUALIFIED AIRPORT, IF THE BOARD DEEMS NECESSARY  
4 AND APPROPRIATE.

5 (10) DETAILED SITE PLANS ILLUSTRATING THE LOCATION OF  
6 THE PROPOSED AIRPORT GAMING AREA AT THE QUALIFIED AIRPORT.

7 (11) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL  
8 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO  
9 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL  
10 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE PETITIONER.

11 (12) ANY OTHER INFORMATION AS THE BOARD MAY REQUIRE.

12 (B) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD  
13 UNDER SUBSECTION (A) (8), (9), (11) AND (12) MAY BE CONSIDERED  
14 CONFIDENTIAL BY THE BOARD IF THE INFORMATION WOULD BE  
15 CONFIDENTIAL UNDER SECTION 1206(F) (RELATING TO BOARD MINUTES  
16 AND RECORDS).

17 (C) APPROVAL OF PETITION.--UPON APPROVAL OF A PETITION AS  
18 REQUIRED UNDER THIS SECTION, THE BOARD SHALL AUTHORIZE AN  
19 INTERACTIVE GAMING CERTIFICATE HOLDER OR AN INTERACTIVE GAMING  
20 OPERATOR, AS APPLICABLE, TO CONDUCT INTERACTIVE GAMING AT A  
21 QUALIFIED AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING  
22 DEVICES. THE AUTHORIZATION OF AN INTERACTIVE GAMING CERTIFICATE  
23 HOLDER OR AN INTERACTIVE GAMING OPERATOR, AS APPLICABLE, TO  
24 CONDUCT INTERACTIVE GAMING AT A QUALIFIED AIRPORT IN ACCORDANCE  
25 WITH THIS CHAPTER PRIOR TO THE FULL PAYMENT OF THE AUTHORIZATION  
26 FEE UNDER SECTION 13B20.3 (RELATING TO FEES) SHALL NOT RELIEVE  
27 THE INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING  
28 OPERATOR, AS APPLICABLE, FROM THE OBLIGATION TO PAY THE  
29 AUTHORIZATION FEE IN ACCORDANCE WITH SECTION 13B20.3.  
30 § 13B20.2. STANDARD FOR REVIEW OF PETITIONS.

1 THE BOARD SHALL APPROVE A PETITION UNDER SECTION 13B20.1  
2 (RELATING TO BOARD AUTHORIZATION REQUIRED) IF THE INTERACTIVE  
3 GAMING OPERATOR HAS BEEN OR WILL BE ISSUED AN INTERACTIVE GAMING  
4 LICENSE UNDER SECTION 13B14 (RELATING TO INTERACTIVE GAMING  
5 OPERATORS), AND IF IT ESTABLISHES, BY CLEAR AND CONVINCING  
6 EVIDENCE, ALL OF THE FOLLOWING:

7 (1) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR  
8 INTERACTIVE GAMING OPERATOR, AS THE CASE MAY BE, HAS ENTERED  
9 INTO AN AGREEMENT WITH A CONCESSION OPERATOR FOR THE CONDUCT  
10 OF INTERACTIVE GAMING THROUGH THE USE OF MULTI-USE COMPUTING  
11 DEVICES WITHIN THE AIRPORT GAMING AREA OF A QUALIFIED  
12 AIRPORT.

13 (2) THE INTERACTIVE GAMING OPERATOR HAS AN AGREEMENT  
14 WITH AN INTERACTIVE GAMING CERTIFICATE HOLDER RELATING TO THE  
15 CONDUCT OF AUTHORIZED INTERACTIVE GAMES BY THE INTERACTIVE  
16 GAMING OPERATOR ON BEHALF OF THE INTERACTIVE GAMING  
17 CERTIFICATE HOLDER.

18 (3) THE BOARD HAS APPROVED THE AGREEMENTS UNDER  
19 PARAGRAPHS (1) AND (2), AS APPLICABLE.

20 (4) THE INTERACTIVE GAMING OPERATOR HAS PAID THE  
21 AUTHORIZATION FEE UNDER SECTION 13B51 (RELATING TO  
22 INTERACTIVE GAMING AUTHORIZATION FEE).

23 (5) THE INTERACTIVE GAMING OPERATOR POSSESSES THE  
24 NECESSARY FUNDS OR HAS SECURED ADEQUATE FINANCING TO COMMENCE  
25 THE CONDUCT OF INTERACTIVE GAMING AT THE QUALIFIED AIRPORT.

26 (6) THE PROPOSED INTERNAL AND EXTERNAL SECURITY AND  
27 SURVEILLANCE MEASURES WITHIN THE AIRPORT GAMING AREA OF THE  
28 QUALIFIED AIRPORT ARE ADEQUATE.

29 § 13B20.3. FEES.

30 (A) REQUIRED FEES.--AN INTERACTIVE GAMING CERTIFICATE HOLDER

1 SHALL PAY A ONE-TIME, NONREFUNDABLE FEE OF \$1,000,000 UPON THE  
2 AUTHORIZATION TO CONDUCT INTERACTIVE GAMING AT A QUALIFIED  
3 AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING DEVICES IN  
4 ACCORDANCE WITH THIS CHAPTER.

5 (B) DEPOSIT OF FEES.--NOTWITHSTANDING SECTION 1208 (RELATING  
6 TO COLLECTION OF FEES AND FINES), ALL FEES OR PENALTIES RECEIVED  
7 BY THE BOARD UNDER THIS CHAPTER SHALL BE DEPOSITED IN THE  
8 GENERAL FUND.

9 § 13B20.4. MULTI-USE GAMING DEVICE TAX.

10 (A) IMPOSITION.--

11 (1) EACH INTERACTIVE GAMING CERTIFICATE HOLDER  
12 AUTHORIZED TO CONDUCT INTERACTIVE GAMING AT A QUALIFIED  
13 AIRPORT IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBCHAPTER  
14 SHALL REPORT TO THE DEPARTMENT AND PAY FROM ITS DAILY GROSS  
15 INTERACTIVE GAMING REVENUE GENERATED FROM THE CONDUCT OF  
16 INTERACTIVE GAMING THROUGH MULTI-USE COMPUTING DEVICES AT THE  
17 QUALIFIED AIRPORT, ON A FORM AND IN THE MANNER PRESCRIBED BY  
18 THE DEPARTMENT, A TAX OF 14% OF ITS DAILY GROSS INTERACTIVE  
19 GAMING REVENUE GENERATED FROM MULTI-USE COMPUTING DEVICES AT  
20 THE QUALIFIED AIRPORT AND A LOCAL SHARE ASSESSMENT.

21 (2) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE  
22 PAYABLE TO THE DEPARTMENT ON A DAILY BASIS AND SHALL BE BASED  
23 UPON THE GROSS INTERACTIVE GAMING REVENUE GENERATED FROM  
24 MULTI-USE COMPUTING DEVICES AT A QUALIFIED AIRPORT DERIVED  
25 DURING THE PREVIOUS WEEK.

26 (3) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS  
27 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE  
28 INTERACTIVE GAMING CERTIFICATE HOLDER UNTIL THE FUNDS ARE  
29 PAID TO THE DEPARTMENT. AN INTERACTIVE GAMING CERTIFICATE  
30 HOLDER SHALL ESTABLISH A SEPARATE BANK ACCOUNT INTO WHICH



1 GROSS INTERACTIVE GAMING REVENUE FROM MULTI-USE COMPUTING  
2 DEVICES SHALL BE DEPOSITED AND MAINTAINED UNTIL SUCH TIME AS  
3 THE FUNDS ARE PAID TO THE DEPARTMENT UNDER THIS SECTION.

4 (4) THE DEPARTMENT SHALL TRANSFER THE TAX REVENUES  
5 COLLECTED UNDER THIS SECTION TO THE GENERAL FUND.

6 § 13B20.5. LOCAL SHARE ASSESSMENT.

7 (A) REQUIRED PAYMENT.--IN ADDITION TO THE TAX IMPOSED UNDER  
8 SECTION 13B20.4 (RELATING TO MULTI-USE GAMING DEVICE TAX), EACH  
9 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL PAY ON A WEEKLY  
10 BASIS AND ON A FORM AND IN A MANNER PRESCRIBED BY THE DEPARTMENT  
11 A LOCAL SHARE ASSESSMENT INTO A RESTRICTED RECEIPTS ACCOUNT  
12 ESTABLISHED IN THE FUND. ALL FUNDS OWED UNDER THIS SECTION SHALL  
13 BE HELD IN TRUST BY THE INTERACTIVE GAMING CERTIFICATE HOLDER  
14 UNTIL THE FUNDS ARE PAID INTO THE ACCOUNT. FUNDS IN THE ACCOUNT  
15 ARE HEREBY APPROPRIATED TO THE DEPARTMENT ON A CONTINUING BASIS  
16 FOR THE PURPOSES SET FORTH IN THIS SECTION.

17 (B) DISTRIBUTIONS TO QUALIFIED AIRPORTS.--

18 (1) THE DEPARTMENT SHALL MAKE QUARTERLY DISTRIBUTIONS  
19 FROM THE LOCAL SHARE ASSESSMENTS DEPOSITED INTO THE FUND  
20 UNDER SUBSECTION (A) TO QUALIFIED AIRPORTS.

21 (2) NOTWITHSTANDING PARAGRAPH (1) OR ANY OTHER PROVISION  
22 OF LAW, THE MULTI-USE COMPUTING DEVICE LOCAL SHARE ASSESSMENT  
23 GENERATED AT A QUALIFIED AIRPORT LOCATED IN A CITY OF THE  
24 FIRST CLASS WHICH REGULATES THE USE AND CONTROL OF A  
25 QUALIFIED AIRPORT SHALL BE DISTRIBUTED TO THE SCHOOL DISTRICT  
26 OF THE CITY OF THE FIRST CLASS FOR PRE-KINDERGARTEN PROGRAMS.

27 (C) DEFINITION.--AS USED IN THIS SECTION, THE TERM "MULTI-  
28 USE COMPUTING DEVICE LOCAL SHARE ASSESSMENT" MEANS 20% OF AN  
29 INTERACTIVE GAMING CERTIFICATE HOLDER'S GROSS INTERACTIVE GAMING  
30 REVENUE FROM MULTI-USE COMPUTING DEVICES AT QUALIFIED AIRPORTS.

1 § 13B20.6. REGULATIONS.

2 (A) REGULATIONS.--THE BOARD SHALL PROMULGATE REGULATIONS  
3 RELATED TO THE OPERATION OF AUTHORIZED INTERACTIVE GAMES THROUGH  
4 THE USE OF MULTI-USE COMPUTING DEVICES AT QUALIFIED AIRPORTS,  
5 INCLUDING, BUT NOT LIMITED TO:

6 (1) PROCEDURES FOR THE CREATION OF TEMPORARY OR  
7 PROVISIONAL INTERACTIVE GAMING ACCOUNTS THAT TAKE INTO  
8 CONSIDERATION THE NATURE OF INTERACTIVE GAMING THROUGH MULTI-  
9 USE COMPUTING DEVICES AT QUALIFIED AIRPORTS.

10 (2) PROCEDURES TO GOVERN CREDITS, DEBITS, DEPOSITS AND  
11 PAYMENTS TO INTERACTIVE GAMING ACCOUNTS ESTABLISHED THROUGH  
12 MULTI-USE COMPUTING DEVICES AT QUALIFIED AIRPORTS.

13 (3) PROCEDURES, IN CONSULTATION WITH THE DEPARTMENT, TO  
14 GOVERN FINANCIAL TRANSACTIONS BETWEEN AN INTERACTIVE GAMING  
15 CERTIFICATE HOLDER, AN INTERACTIVE GAMING OPERATOR OR OTHER  
16 PERSONS THAT RELATES TO THE REPORTING OF GROSS INTERACTIVE  
17 GAMING REVENUE GENERATED THROUGH THE USE OF MULTI-USE  
18 COMPUTING DEVICES AT QUALIFIED AIRPORTS.

19 (B) TEMPORARY REGULATIONS.--IN ORDER TO FACILITATE THE  
20 PROMPT IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED  
21 BY THE BOARD IN ACCORDANCE WITH SUBSECTION (A) SHALL BE DEEMED  
22 TEMPORARY REGULATIONS. THE BOARD AND THE COMMISSION MAY  
23 PROMULGATE TEMPORARY REGULATIONS NOT SUBJECT TO:

24 (1) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT OF  
25 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE  
26 COMMONWEALTH DOCUMENTS LAW.

27 (2) SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER  
28 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH  
29 ATTORNEYS ACT.

30 (3) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS

1 THE REGULATORY REVIEW ACT.

2 § 13B20.7. CONSTRUCTION.

3 NOTHING IN THIS SUBCHAPTER SHALL BE CONSTRUED TO:

4 (1) CREATE A SEPARATE LICENSE GOVERNING THE USE OF  
5 MULTI-USE COMPUTING DEVICES FOR THE CONDUCT OF INTERACTIVE  
6 GAMES AT ELIGIBLE AIRPORTS BY INTERACTIVE GAMING CERTIFICATE  
7 HOLDERS WITHIN THIS COMMONWEALTH.

8 (2) LIMIT THE BOARD'S AUTHORITY TO DETERMINE THE  
9 SUITABILITY OF ANY PERSON WHO MAY BE DIRECTLY OR INDIRECTLY  
10 INVOLVED IN OR ASSOCIATED WITH THE OPERATION OF INTERACTIVE  
11 GAMING AT A QUALIFIED AIRPORT TO ENSURE THE INTEGRITY OF  
12 INTERACTIVE GAMING AND PROTECT THE PUBLIC INTEREST.

13 SUBCHAPTER C

14 CONDUCT OF INTERACTIVE GAMING

15 SEC.

16 13B21. SITUS OF INTERACTIVE GAMING OPERATIONS.

17 13B22. ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS.

18 13B23. INTERACTIVE GAMING ACCOUNT CREDITS, DEBITS, DEPOSITS AND  
19 PAYMENTS.

20 13B24. ACCEPTANCE OF ACCOUNT WAGERS.

21 13B25. DORMANT INTERACTIVE GAMING ACCOUNTS.

22 13B26. LOG-IN PROCEDURE REQUIRED.

23 13B27. INFORMATION PROVIDED AT LOGIN.

24 13B28. PROHIBITIONS.

25 13B29. COMMENCEMENT OF INTERACTIVE GAMING OPERATIONS.

26 § 13B21. SITUS OF INTERACTIVE GAMING OPERATIONS.

27 EXCEPT AS PROVIDED IN THIS CHAPTER, ALL WAGERS MADE THROUGH  
28 INTERACTIVE GAMING SHALL BE DEEMED TO BE INITIATED, RECEIVED OR  
29 OTHERWISE MADE WITHIN THE GEOGRAPHIC BOUNDARIES OF THIS  
30 COMMONWEALTH. THE INTERMEDIATE ROUTING OF ELECTRONIC DATA

1 ASSOCIATED OR IN CONNECTION WITH INTERACTIVE GAMING SHALL NOT  
2 DETERMINE THE LOCATION OR LOCATIONS IN WHICH A BET OR WAGER IS  
3 INITIATED, RECEIVED OR OTHERWISE MADE.

4 § 13B22. ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS.

5 (A) REGISTRATION RESTRICTIONS.--ONLY A NATURAL PERSON WHO  
6 HAS FIRST ESTABLISHED AN INTERACTIVE GAMING ACCOUNT SHALL BE  
7 PERMITTED TO PLAY AN AUTHORIZED INTERACTIVE GAME OR PLACE ANY  
8 BET OR WAGER ASSOCIATED WITH AN AUTHORIZED INTERACTIVE GAME. AN  
9 INTERACTIVE GAMING ACCOUNT SHALL BE IN THE NAME OF A NATURAL  
10 PERSON AND MAY NOT BE IN THE NAME OF ANY BENEFICIARY, CUSTODIAN,  
11 JOINT TRUST, CORPORATION, PARTNERSHIP OR OTHER ORGANIZATION OR  
12 ENTITY. AN INTERACTIVE GAMING CERTIFICATE HOLDER SHALL NOT  
13 PERMIT AN INDIVIDUAL TO ESTABLISH AN INTERACTIVE GAMING ACCOUNT  
14 UNLESS THE PERSON IS 21 YEARS OF AGE OR OLDER.

15 (B) ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS.--

16 (1) AN INTERACTIVE GAMING ACCOUNT MAY BE EXECUTED IN  
17 PERSON, PROVIDED THAT THE BOARD SHALL, THROUGH REGULATIONS,  
18 PROVIDE PROCEDURES FOR THE ESTABLISHMENT OF INTERACTIVE  
19 GAMING ACCOUNTS OVER THE INTERNET THROUGH THE INTERACTIVE  
20 GAMING CERTIFICATE HOLDER'S INTERACTIVE GAMING SKIN OR PORTAL  
21 OR INTERNET WEBSITE. EACH INTERACTIVE GAMING ACCOUNT SHALL  
22 COMPLY WITH THE INTERNAL CONTROLS OF THE INTERACTIVE GAMING  
23 CERTIFICATE HOLDER THAT, AT A MINIMUM, REQUIRE THE FOLLOWING:

24 (I) THE FILING AND EXECUTION OF AN INTERACTIVE  
25 GAMING ACCOUNT APPLICATION, THE FORM OF WHICH HAS BEEN  
26 PREAPPROVED BY THE BOARD.

27 (II) PROOF OF AGE, IDENTITY AND RESIDENCY AS  
28 DEMONSTRATED BY AT LEAST TWO FORMS OF IDENTIFICATION  
29 APPROVED BY THE BOARD THROUGH REGULATION.

30 (III) PHYSICAL ADDRESS OR THE PRINCIPAL RESIDENCE OF

1 THE PROSPECTIVE ACCOUNT HOLDER, E-MAIL ADDRESS OF THE  
2 PROSPECTIVE ACCOUNT HOLDER AND OTHER CONTACT INFORMATION,  
3 AS THE BOARD OR INTERACTIVE GAMING CERTIFICATE HOLDER MAY  
4 REQUIRE.

5 (IV) PASSWORD OR OTHER SECURED IDENTIFICATION  
6 PROVIDED BY THE INTERACTIVE GAMING CERTIFICATE HOLDER TO  
7 ACCESS THE INTERACTIVE GAMING ACCOUNT OR SOME OTHER  
8 MECHANISM APPROVED BY THE BOARD TO AUTHENTICATE THE  
9 PLAYER AS THE HOLDER TO THE INTERACTIVE GAMING ACCOUNT.

10 (V) AN ACKNOWLEDGMENT UNDER PENALTY OF PERJURY THAT  
11 FALSE OR MISLEADING STATEMENTS MADE IN REGARD TO AN  
12 APPLICATION FOR AN INTERACTIVE GAMING ACCOUNT MAY SUBJECT  
13 THE APPLICANT TO CIVIL AND CRIMINAL PENALTIES.

14 (2) THE INTERACTIVE GAMING CERTIFICATE HOLDER MAY ACCEPT  
15 OR REJECT AN APPLICATION AFTER RECEIPT AND REVIEW OF THE  
16 APPLICATION AND VERIFICATION OF AGE AND IDENTITY FOR  
17 COMPLIANCE WITH THE PROVISIONS OF THIS CHAPTER. THE  
18 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL HAVE THE RIGHT,  
19 AT ANY TIME WITH OR WITHOUT CAUSE, TO SUSPEND OR CLOSE ANY  
20 INTERACTIVE GAMING ACCOUNT AT ITS SOLE DISCRETION.

21 (3) THE ADDRESS PROVIDED BY THE APPLICANT IN THE  
22 APPLICATION FOR AN INTERACTIVE GAMING ACCOUNT SHALL BE DEEMED  
23 THE ADDRESS OF RECORD FOR THE PURPOSES OF MAILING CHECKS,  
24 ACCOUNT WITHDRAWALS, NOTICES AND OTHER MATERIALS TO THE  
25 INTERACTIVE GAMING ACCOUNT HOLDER.

26 (4) AN INTERACTIVE GAMING ACCOUNT SHALL NOT BE  
27 ASSIGNABLE OR OTHERWISE TRANSFERABLE AND AN INTERACTIVE  
28 GAMING CERTIFICATE HOLDER MAY, AT ANY TIME, DECLARE ALL OR  
29 ANY PART OF AN INTERACTIVE GAMING ACCOUNT TO BE CLOSED FOR  
30 WAGERING.

1 (C) PASSWORD REQUIRED.--AS PART OF THE APPLICATION PROCESS,  
2 THE INTERACTIVE GAMING CERTIFICATE HOLDER SHALL PROVIDE THE  
3 PROSPECTIVE INTERACTIVE GAMING ACCOUNT HOLDER WITH A PASSWORD TO  
4 ACCESS THE INTERACTIVE GAMING ACCOUNT OR SHALL ESTABLISH SOME  
5 OTHER METHOD APPROVED BY THE BOARD TO AUTHENTICATE THE  
6 INDIVIDUAL AS THE HOLDER OF THE INTERACTIVE GAMING ACCOUNT AND  
7 ALLOW THE REGISTERED PLAYER ACCESS TO THE INTERACTIVE GAMING  
8 ACCOUNT.

9 (D) GROUNDS FOR REJECTION.--ANY INDIVIDUAL WHO PROVIDES  
10 FALSE OR MISLEADING INFORMATION IN THE APPLICATION FOR AN  
11 INTERACTIVE GAMING ACCOUNT MAY BE SUBJECT TO REJECTION OF THE  
12 APPLICATION OR CANCELLATION OF THE ACCOUNT BY THE INTERACTIVE  
13 GAMING CERTIFICATE HOLDER.

14 (E) SUSPENSION OF INTERACTIVE GAMING ACCOUNT.--THE  
15 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL HAVE THE RIGHT TO  
16 SUSPEND OR CLOSE ANY INTERACTIVE GAMING ACCOUNT AT ITS  
17 DISCRETION.

18 (F) PERSONS PROHIBITED FROM ESTABLISHING OR MAINTAINING AN  
19 INTERACTIVE GAMING ACCOUNT.--THE FOLLOWING PERSONS SHALL NOT BE  
20 ENTITLED TO ESTABLISH OR MAINTAIN AN INTERACTIVE GAMING ACCOUNT:

21 (1) ANY PERSON UNDER 21 YEARS OF AGE.

22 (2) ANY PERSON ON THE LIST OF PERSONS WHO ARE OR WILL BE  
23 EXCLUDED OR EJECTED FROM OR DENIED ACCESS TO ANY LICENSED  
24 FACILITY UNDER SECTION 1514 (RELATING TO REGULATION REQUIRING  
25 EXCLUSION, EJECTION OR DENIAL OF ACCESS OF CERTAIN PERSONS),  
26 1515 (RELATING TO REPEAT OFFENDERS EXCLUDABLE FROM LICENSED  
27 GAMING FACILITY) OR 1516 (RELATING TO LIST OF PERSONS SELF  
28 EXCLUDED FROM GAMING ACTIVITIES).

29 (3) ANY GAMING EMPLOYEE, KEY EMPLOYEE OR PRINCIPAL  
30 EMPLOYEE OF A SLOT MACHINE LICENSEE AND ANY EMPLOYEE OR KEY

1 EMPLOYEE OF AN INTERACTIVE GAMING OPERATOR OR ANY OTHER  
2 PERSON DIRECTLY INVOLVED IN THE OPERATION OF INTERACTIVE  
3 GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF A SLOT  
4 MACHINE LICENSEE.

5 § 13B23. INTERACTIVE GAMING ACCOUNT CREDITS, DEBITS, DEPOSITS  
6 AND PAYMENTS.

7 (A) DUTY OF BOARD.--THE BOARD SHALL, BY REGULATION, DEVELOP  
8 PROCEDURES TO GOVERN CREDITS, DEBITS AND DEPOSITS TO INTERACTIVE  
9 GAMING ACCOUNTS. NOTWITHSTANDING ANY PROVISION OF THIS PART TO  
10 THE CONTRARY, ALL CREDITS, DEBITS AND DEPOSITS TO INTERACTIVE  
11 GAMING ACCOUNTS SHALL BE MADE IN ACCORDANCE WITH REGULATIONS  
12 PROMULGATED BY THE BOARD, IN CONSULTATION WITH THE DEPARTMENT,  
13 AND ALL PAYMENTS OF WINNINGS SHALL BE MADE IN ACCORDANCE WITH  
14 THE RULES OF EACH PARTICULAR AUTHORIZED INTERACTIVE GAME.

15 (B) RIGHTS OF INTERACTIVE GAMING CERTIFICATE HOLDER.--AN  
16 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL HAVE THE RIGHT TO:

17 (1) CREDIT AN INTERACTIVE GAMING ACCOUNT AS PART OF A  
18 PROMOTION.

19 (2) REFUSE ALL OR PART OF ANY WAGER OR DEPOSIT TO THE  
20 INTERACTIVE GAMING ACCOUNT OF A REGISTERED PLAYER.

21 (C) INTEREST PROHIBITED.--FUNDS DEPOSITED IN A REGISTERED  
22 PLAYER'S INTERACTIVE GAMING ACCOUNT SHALL NOT BEAR INTEREST TO  
23 THE ACCOUNT HOLDER.

24 § 13B24. ACCEPTANCE OF ACCOUNT WAGERS.

25 (A) ACCEPTANCE.--AN INTERACTIVE GAMING CERTIFICATE HOLDER  
26 MAY ACCEPT INTERACTIVE GAMING WAGERS OR BETS ONLY AS FOLLOWS:

27 (1) THE WAGER SHALL BE PLACED DIRECTLY WITH THE  
28 INTERACTIVE GAMING CERTIFICATE HOLDER BY THE REGISTERED  
29 PLAYER, AFTER THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS  
30 VERIFIED THAT THE INDIVIDUAL SEEKING TO PLACE A WAGER OR BET

1 IS THE REGISTERED PLAYER.

2 (2) THE REGISTERED PLAYER PROVIDES THE SLOT MACHINE  
3 LICENSEE WITH THE CORRECT PASSWORD OR OTHER AUTHENTICATION  
4 INFORMATION FOR ACCESS TO THE INTERACTIVE GAMING ACCOUNT.

5 (B) NONACCEPTANCE.--AN INTERACTIVE GAMING CERTIFICATE HOLDER  
6 MAY NOT ACCEPT AN ACCOUNT WAGER IN AN AMOUNT IN EXCESS OF FUNDS  
7 ON DEPOSIT IN AN INTERACTIVE GAMING ACCOUNT OF THE REGISTERED  
8 PLAYER PLACING THE BET OR WAGER. FUNDS ON DEPOSIT INCLUDE  
9 AMOUNTS CREDITED TO A REGISTERED PLAYER'S INTERACTIVE GAMING  
10 ACCOUNT IN ACCORDANCE WITH REGULATIONS OF THE BOARD AND ANY  
11 FUNDS IN THE ACCOUNT AT THE TIME THE WAGER IS PLACED.

12 § 13B25. DORMANT INTERACTIVE GAMING ACCOUNTS.

13 BEFORE CLOSING A DORMANT INTERACTIVE GAMING ACCOUNT, THE  
14 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL ATTEMPT TO CONTACT  
15 THE INTERACTIVE GAMING ACCOUNT HOLDER BY MAIL AND PHONE OR E-  
16 MAIL TO INFORM THE ACCOUNT HOLDER THAT THE INTERACTIVE GAMING  
17 ACCOUNT IS INACTIVE AND MAY BE SUBJECT TO TERMINATION AT SUCH  
18 TIME AND MANNER AS DETERMINED BY REGULATION OF THE BOARD.

19 § 13B26. LOG-IN PROCEDURE REQUIRED.

20 EACH INTERACTIVE GAMING CERTIFICATE HOLDER SHALL ESTABLISH A  
21 LOG-IN PROCEDURE FOR REGISTERED PLAYERS TO ACCESS INTERACTIVE  
22 GAMING. THE LOG-IN PROCEDURE SHALL INCLUDE THE PROVISION OF THE  
23 APPROPRIATE AUTHENTICATION INFORMATION BY THE REGISTERED PLAYER  
24 FOR ACCESS TO THE INTERACTIVE GAMING ACCOUNT. THE INTERACTIVE  
25 GAMING CERTIFICATE HOLDER SHALL NOT ALLOW A REGISTERED PLAYER TO  
26 LOG IN AND ACCESS THE INTERACTIVE GAMING ACCOUNT UNLESS THE  
27 CORRECT PASSWORD OR OTHER AUTHENTICATION INFORMATION IS  
28 PROVIDED.

29 § 13B27. INFORMATION PROVIDED AT LOGIN.

30 THE INTERACTIVE GAMING CERTIFICATE HOLDER SHALL CONFIGURE ITS



1 INTERACTIVE GAMING SKIN TO INCLUDE A LINK THAT, UPON LOGIN, WILL  
2 ALLOW A REGISTERED PLAYER TO ACCESS ALL OF THE FOLLOWING  
3 INFORMATION:

4 (1) THE CURRENT AMOUNT OF FUNDS IN THE INTERACTIVE  
5 GAMING ACCOUNT.

6 (2) THE WINS AND LOSSES SINCE THE INTERACTIVE GAMING  
7 ACCOUNT WAS ESTABLISHED.

8 (3) THE WINS AND LOSSES AT THE BEGINNING OF THE CURRENT  
9 GAMING SESSION AND THE WINS AND LOSSES AT THE END OF THE  
10 CURRENT GAMING SESSION.

11 (4) THE COMPLETE TEXT IN SEARCHABLE FORMAT OF THE RULES  
12 OF EACH AUTHORIZED INTERACTIVE GAME OFFERED BY THE  
13 INTERACTIVE GAMING CERTIFICATE HOLDER AND ANY OTHER  
14 INFORMATION AS THE BOARD MAY REQUIRE.

15 § 13B28. PROHIBITIONS.

16 EXCEPT AS PROVIDED IN THIS PART, NO INTERACTIVE GAMING  
17 CERTIFICATE HOLDER OR ANY PERSON LICENSED UNDER THIS PART TO  
18 OPERATE INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM AND  
19 NO PERSON ACTING ON BEHALF OF, OR UNDER ANY ARRANGEMENT WITH, AN  
20 INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER PERSON LICENSED  
21 UNDER THIS PART SHALL:

22 (1) MAKE ANY LOAN TO ANY PERSON FOR THE PURPOSE OF  
23 CREDITING AN INTERACTIVE GAMING ACCOUNT.

24 (2) RELEASE OR DISCHARGE ANY DEBT, EITHER IN WHOLE OR IN  
25 PART, OR MAKE ANY LOAN WHICH REPRESENTS ANY LOSSES INCURRED  
26 BY ANY REGISTERED PLAYER WHILE PLAYING AUTHORIZED INTERACTIVE  
27 GAMES WITHOUT MAINTAINING A WRITTEN RECORD THEREOF IN  
28 ACCORDANCE WITH REGULATIONS OF THE BOARD.

29 § 13B29. COMMENCEMENT OF INTERACTIVE GAMING OPERATIONS.

30 AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY NOT OPERATE OR

1 OFFER INTERACTIVE GAMES FOR PLAY ON ITS INTERACTIVE GAMING SKIN  
2 UNTIL THE BOARD DETERMINES THAT:

3 (1) THE INTERACTIVE GAMING CERTIFICATE HOLDER IS IN  
4 COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER.

5 (2) THE INTERACTIVE GAMING CERTIFICATE HOLDER'S  
6 INTERNAL, ADMINISTRATIVE AND ACCOUNTING CONTROLS ARE  
7 SUFFICIENT TO MEET THE REQUIREMENTS OF SECTION 13B32  
8 (RELATING TO INTERNAL, ADMINISTRATIVE AND ACCOUNTING  
9 CONTROLS).

10 (3) THE INTERACTIVE GAMING CERTIFICATE HOLDER'S  
11 INTERACTIVE GAMING EMPLOYEES, WHERE APPLICABLE, ARE LICENSED,  
12 PERMITTED, REGISTERED, CERTIFIED OR OTHERWISE AUTHORIZED BY  
13 THE BOARD TO PERFORM THEIR RESPECTIVE DUTIES.

14 (4) THE EMPLOYEES OF THE INTERACTIVE GAMING OPERATOR  
15 ARE, WHERE APPLICABLE, LICENSED, PERMITTED OR OTHERWISE  
16 AUTHORIZED BY THE BOARD TO PERFORM THEIR DUTIES.

17 (5) THE INTERACTIVE GAMING CERTIFICATE HOLDER IS  
18 PREPARED IN ALL RESPECTS TO OFFER INTERACTIVE GAMING TO THE  
19 PUBLIC OVER ITS INTERACTIVE GAMING SKIN.

20 (6) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS  
21 IMPLEMENTED NECESSARY INTERNAL, ADMINISTRATIVE AND ACCOUNTING  
22 CONTROLS, SECURITY ARRANGEMENTS AND SURVEILLANCE SYSTEMS FOR  
23 THE OPERATION OF INTERACTIVE GAMING.

24 (7) THE INTERACTIVE GAMING CERTIFICATE HOLDER IS IN  
25 COMPLIANCE WITH OR WILL COMPLY WITH SECTION 13B31 (RELATING  
26 TO RESPONSIBILITIES OF INTERACTIVE GAMING CERTIFICATE  
27 HOLDER).

28 (8) THE BOARD HAS APPROVED AN AGREEMENT ENTERED BETWEEN  
29 THE INTERACTIVE GAMING CERTIFICATE HOLDER AND AN INTERACTIVE  
30 GAMING OPERATOR OR OTHER PERSON RELATED TO THE OPERATION OF

1 INTERACTIVE GAMING OR THE OPERATION OF AN INTERACTIVE GAMING  
2 SYSTEM ON BEHALF OF SUCH INTERACTIVE GAMING CERTIFICATE  
3 HOLDER.

4 SUBCHAPTER D

5 FACILITIES AND EQUIPMENT

6 SEC.

7 13B31. RESPONSIBILITIES OF INTERACTIVE GAMING CERTIFICATE  
8 HOLDER.

9 13B32. INTERNAL, ADMINISTRATIVE AND ACCOUNTING CONTROLS.

10 § 13B31. RESPONSIBILITIES OF INTERACTIVE GAMING CERTIFICATE  
11 HOLDER.

12 (A) FACILITIES AND EQUIPMENT.--ALL FACILITIES AND  
13 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT SHALL:

14 (1) BE ARRANGED IN A MANNER PROMOTING APPROPRIATE  
15 SECURITY FOR INTERACTIVE GAMING.

16 (2) INCLUDE A CLOSED-CIRCUIT VIDEO MONITORING SYSTEM  
17 ACCORDING TO RULES OR SPECIFICATIONS APPROVED BY THE BOARD,  
18 WITH BOARD ABSOLUTE ACCESS TO THE INTERACTIVE GAMING  
19 CERTIFICATE HOLDER'S INTERACTIVE GAMING SKIN, INTERNET  
20 WEBSITE AND PLATFORM, SIGNAL OR TRANSMISSION USED IN  
21 CONNECTION WITH INTERACTIVE GAMING.

22 (3) NOT BE DESIGNED IN ANY WAY THAT MIGHT INTERFERE WITH  
23 OR IMPEDE THE BOARD IN ITS REGULATION OF INTERACTIVE GAMING.

24 (4) COMPLY IN ALL RESPECTS WITH REGULATIONS OF THE  
25 BOARD.

26 (B) LOCATION OF EQUIPMENT AND INTERACTIVE GAMING RESTRICTED  
27 AREAS.--

28 (1) ALL INTERACTIVE GAMING DEVICES AND ASSOCIATED  
29 EQUIPMENT USED BY AN INTERACTIVE GAMING CERTIFICATE HOLDER OR  
30 AN INTERACTIVE GAMING LICENSEE TO CONDUCT INTERACTIVE GAMING

1 MAY BE LOCATED, WITH THE PRIOR APPROVAL OF THE BOARD, IN AN  
2 INTERACTIVE GAMING RESTRICTED AREA ON THE PREMISES OF THE  
3 LICENSED FACILITY, IN AN INTERACTIVE GAMING RESTRICTED AREA  
4 WITHIN THE GEOGRAPHIC LIMITS OF THE COUNTY IN THIS  
5 COMMONWEALTH WHERE THE LICENSED FACILITY IS SITUATED OR IN  
6 ANY OTHER AREA APPROVED BY THE BOARD.

7 (2) ALL WAGERS ASSOCIATED WITH INTERACTIVE GAMING SHALL  
8 BE DEEMED TO BE PLACED WHEN RECEIVED BY THE INTERACTIVE  
9 GAMING CERTIFICATE HOLDER.

10 § 13B32. INTERNAL, ADMINISTRATIVE AND ACCOUNTING CONTROLS.

11 (A) SUBMISSIONS TO BOARD.--NOTWITHSTANDING ANY PROVISION OF  
12 THIS PART, EACH SLOT MACHINE LICENSEE WHO HOLDS OR HAS APPLIED  
13 FOR AN INTERACTIVE GAMING CERTIFICATE IN ACCORDANCE WITH THIS  
14 CHAPTER SHALL SUBMIT A DESCRIPTION OF ITS SYSTEM OF INTERNAL  
15 PROCEDURES AND ADMINISTRATIVE AND ACCOUNTING CONTROLS FOR  
16 INTERACTIVE GAMING TO THE BOARD, INCLUDING PROVISIONS THAT  
17 PROVIDE FOR REAL-TIME MONITORING, RECORDATION OR STORAGE OF ALL  
18 INTERACTIVE GAMES AND A DESCRIPTION OF ANY CHANGES TO ITS  
19 PROCEDURES AND CONTROLS. THE SUBMISSION SHALL BE MADE AT LEAST  
20 90 DAYS BEFORE AUTHORIZED INTERACTIVE GAMING IS TO COMMENCE OR  
21 AT LEAST 90 DAYS BEFORE ANY CHANGE IN THOSE PROCEDURES OR  
22 CONTROLS IS TO TAKE EFFECT, UNLESS OTHERWISE DIRECTED BY THE  
23 BOARD.

24 (B) FILING.--NOTWITHSTANDING SUBSECTION (A), THE PROCEDURES  
25 AND CONTROLS MAY BE IMPLEMENTED BY AN INTERACTIVE GAMING  
26 CERTIFICATE HOLDER UPON THE FILING OF THE PROCEDURES AND  
27 CONTROLS WITH THE BOARD. EACH PROCEDURE OR CONTROL SUBMISSION  
28 SHALL CONTAIN BOTH NARRATIVE AND DIAGRAMMATIC REPRESENTATIONS OF  
29 THE SYSTEM TO BE UTILIZED WITH REGARD TO INTERACTIVE GAMING,  
30 INCLUDING, BUT NOT LIMITED TO:

1           (1) ACCOUNTING CONTROLS, INCLUDING THE STANDARDIZATION  
2 OF FORMS AND DEFINITION OF TERMS TO BE UTILIZED IN THE  
3 INTERACTIVE GAMING OPERATIONS.

4           (2) PROCEDURES, FORMS AND, WHERE APPROPRIATE, FORMULAS  
5 TO GOVERN THE FOLLOWING:

6               (I) CALCULATION OF HOLD PERCENTAGES;

7               (II) REVENUE DROPS;

8               (III) EXPENSE AND OVERHEAD SCHEDULES;

9               (IV) COMPLIMENTARY SERVICES; AND

10              (V) CASH-EQUIVALENT TRANSACTIONS.

11           (3) JOB DESCRIPTIONS AND THE SYSTEM OF PERSONNEL AND  
12 CHAIN OF COMMAND, ESTABLISHING A DIVERSITY OF RESPONSIBILITY  
13 AMONG EMPLOYEES ENGAGED IN INTERACTIVE GAMING OPERATIONS,  
14 INCLUDING EMPLOYEES OF AN INTERACTIVE GAMING OPERATOR, AND  
15 IDENTIFYING PRIMARY AND SECONDARY MANAGEMENT AND SUPERVISORY  
16 POSITIONS FOR AREAS OF RESPONSIBILITY, SALARY STRUCTURE AND  
17 PERSONNEL PRACTICES.

18           (4) PROCEDURES FOR THE REGISTRATION OF PLAYERS AND  
19 ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS, INCLUDING A  
20 PROCEDURE FOR AUTHENTICATING THE AGE, IDENTITY AND LOCATION  
21 OF APPLICANTS FOR INTERACTIVE GAMING ACCOUNTS.

22           (5) PROCEDURES FOR TERMINATING A REGISTERED PLAYER'S  
23 INTERACTIVE GAMING ACCOUNT AND THE RETURN OF ANY FUNDS  
24 REMAINING IN THE INTERACTIVE GAMING ACCOUNT TO THE REGISTERED  
25 PLAYER.

26           (6) PROCEDURES FOR SUSPENDING OR TERMINATING A DORMANT  
27 INTERACTIVE GAMING ACCOUNT.

28           (7) PROCEDURES FOR THE LOGGING IN AND AUTHENTICATION OF  
29 A REGISTERED PLAYER IN ORDER TO ENABLE THE PLAYER TO COMMENCE  
30 INTERACTIVE GAMING AND THE LOGGING OFF OF THE REGISTERED

1 PLAYER WHEN THE PLAYER HAS COMPLETED PLAY, INCLUDING A  
2 PROCEDURE TO AUTOMATICALLY LOG A REGISTERED PLAYER OUT OF THE  
3 PLAYER'S INTERACTIVE GAMING ACCOUNT AFTER A SPECIFIED PERIOD  
4 OF INACTIVITY.

5 (8) PROCEDURES FOR THE CREDITING AND DEBITING OF  
6 REGISTERED PLAYERS' INTERACTIVE GAMING ACCOUNTS.

7 (9) PROCEDURES FOR CASHING CHECKS, RECEIVING ELECTRONIC  
8 NEGOTIABLE INSTRUMENTS AND FOR REDEEMING CHIPS, TOKENS OR  
9 OTHER CASH EQUIVALENTS.

10 (10) PROCEDURES FOR WITHDRAWING FUNDS FROM AN  
11 INTERACTIVE GAMING ACCOUNT BY THE REGISTERED PLAYER.

12 (11) PROCEDURES FOR THE PROTECTION OF PLAYER FUNDS,  
13 INCLUDING THE SEGREGATION OF PLAYER FUNDS FROM OPERATING  
14 FUNDS.

15 (12) PROCEDURES FOR RECORDING TRANSACTIONS PERTAINING TO  
16 INTERACTIVE GAMING.

17 (13) PROCEDURES FOR THE SECURITY AND SHARING OF PERSONAL  
18 IDENTIFIABLE INFORMATION OF REGISTERED PLAYERS AND OTHER  
19 INFORMATION AS REQUIRED BY THE BOARD AND FUNDS IN INTERACTIVE  
20 GAMING ACCOUNTS. THE PROCEDURES SHALL INCLUDE THE MEANS BY  
21 WHICH AN INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE  
22 GAMING OPERATOR WILL PROVIDE NOTICE TO REGISTERED PLAYERS  
23 RELATED TO ITS SHARING OF PERSONAL IDENTIFIABLE INFORMATION.  
24 FOR THE PURPOSE OF THIS PARAGRAPH, "PERSONAL IDENTIFIABLE  
25 INFORMATION" SHALL MEAN ANY DATA OR INFORMATION THAT CAN BE  
26 USED, ON ITS OWN OR WITH OTHER DATA OR INFORMATION, TO  
27 IDENTIFY, CONTACT OR OTHERWISE LOCATE A REGISTERED PLAYER,  
28 INCLUDING A REGISTERED PLAYER'S NAME, ADDRESS, DATE OF BIRTH  
29 AND SOCIAL SECURITY NUMBER.

30 (14) PROCEDURES AND SECURITY FOR THE CALCULATION AND

1 RECORDATION OF REVENUE.

2 (15) PROCEDURES FOR THE SECURITY OF INTERACTIVE GAMING  
3 DEVICES AND ASSOCIATED EQUIPMENT WITHIN AN INTERACTIVE GAMING  
4 RESTRICTED AREA ON THE PREMISES OF THE LICENSED FACILITY OR  
5 IN A SECURE FACILITY INACCESSIBLE TO THE PUBLIC AND  
6 SPECIFICALLY DESIGNED FOR THAT PURPOSE OFF THE PREMISES OF A  
7 LICENSED FACILITY AS APPROVED BY THE BOARD.

8 (16) PROCEDURES AND SECURITY STANDARDS AS TO RECEIPT OF  
9 AND THE HANDLING AND STORAGE OF INTERACTIVE GAMING DEVICES  
10 AND ASSOCIATED EQUIPMENT.

11 (17) PROCEDURES AND SECURITY STANDARDS TO PROTECT THE  
12 INTERACTIVE GAMING CERTIFICATE HOLDER'S INTERACTIVE GAMING  
13 SKIN OR INTERNET WEBSITE AND INTERACTIVE GAMING DEVICES AND  
14 ASSOCIATED EQUIPMENT FROM HACKING OR TAMPERING BY ANY PERSON.

15 (18) PROCEDURES FOR RESPONDING TO SUSPECTED OR ACTUAL  
16 HACKING OR TAMPERING WITH AN INTERACTIVE GAMING CERTIFICATE  
17 HOLDER'S INTERACTIVE GAMING SKIN OR INTERNET WEBSITE AND  
18 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT,  
19 INCLUDING PARTIAL OR COMPLETE SUSPENSION OF INTERACTIVE  
20 GAMING OR THE SUSPENSION OF ANY OR ALL INTERACTIVE GAMING  
21 ACCOUNTS WHEN WARRANTED.

22 (19) PROCEDURES TO VERIFY EACH REGISTERED PLAYER'S  
23 PHYSICAL LOCATION EACH TIME A WAGER IS PLACED ON AN  
24 INTERACTIVE GAME.

25 (20) PROCEDURES TO ENSURE, TO A REASONABLE DEGREE OF  
26 CERTAINTY, THAT THE INTERACTIVE GAMES ARE FAIR AND HONEST AND  
27 THAT APPROPRIATE MEASURES ARE IN PLACE TO DETER, DETECT AND,  
28 TO THE EXTENT REASONABLY POSSIBLE, TO PREVENT CHEATING,  
29 INCLUDING COLLUSION, AND USE OF CHEATING DEVICES, INCLUDING  
30 THE USE OF SOFTWARE PROGRAMS THAT MAKE BETS OR WAGERS

1 ACCORDING TO ALGORITHMS.

2 (21) PROCEDURES TO ASSIST PROBLEM AND COMPULSIVE  
3 GAMBLERS, INCLUDING PROCEDURES REASONABLY INTENDED TO PREVENT  
4 A PERSON FROM PARTICIPATING IN INTERACTIVE GAMING ACTIVITIES  
5 IN ACCORDANCE WITH SECTIONS 1514 (RELATING TO REGULATION  
6 REQUIRING EXCLUSION, EJECTION OR DENIAL OF ACCESS OF CERTAIN  
7 PERSONS), 1515 (RELATING TO REPEAT OFFENDERS EXCLUDABLE FROM  
8 LICENSED GAMING FACILITY) AND 1516 (RELATING TO LIST OF  
9 PERSONS SELF EXCLUDED FROM GAMING ACTIVITIES).

10 (22) PROCEDURES TO GOVERN EMERGENCIES, INCLUDING  
11 SUSPECTED OR ACTUAL CYBER ATTACKS, HACKING OR TAMPERING WITH  
12 THE INTERACTIVE GAMING CERTIFICATE HOLDER'S INTERACTIVE  
13 GAMING PORTAL, PLATFORM OR INTERNET WEBSITE.

14 (C) REVIEW OF SUBMISSIONS.--

15 (1) THE BOARD SHALL REVIEW EACH SUBMISSION REQUIRED BY  
16 SUBSECTIONS (A) AND (B) AND SHALL DETERMINE WHETHER THE  
17 SUBMISSION CONFORMS TO THE REQUIREMENTS OF THIS CHAPTER AND  
18 REGULATIONS PROMULGATED BY THE BOARD AND WHETHER THE SYSTEM  
19 SUBMITTED PROVIDES ADEQUATE AND EFFECTIVE CONTROLS FOR  
20 INTERACTIVE GAMING OF THE PARTICULAR INTERACTIVE GAMING  
21 CERTIFICATE HOLDER.

22 (2) IF THE BOARD DETERMINES THAT INSUFFICIENCIES EXIST,  
23 IT SHALL SPECIFY THE INSUFFICIENCIES IN WRITING TO THE  
24 INTERACTIVE GAMING CERTIFICATE HOLDER, WHO SHALL MAKE  
25 APPROPRIATE ALTERATIONS TO ENSURE COMPLIANCE WITH THE  
26 REQUIREMENTS OF THIS CHAPTER AND REGULATIONS OF THE BOARD.  
27 WHEN THE BOARD DETERMINES A SUBMISSION TO BE ADEQUATE IN ALL  
28 RESPECTS, IT SHALL NOTIFY THE INTERACTIVE GAMING CERTIFICATE  
29 HOLDER.

30 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (A), NO



1 INTERACTIVE GAMING CERTIFICATE HOLDER, INTERACTIVE GAMING  
2 OPERATOR OR OTHER PERSON SHALL COMMENCE OR ALTER INTERACTIVE  
3 GAMING OPERATIONS UNLESS AND UNTIL THE SYSTEM OF PROCEDURES,  
4 CONTROLS AND ALTERNATIONS IS APPROVED BY THE BOARD.

5 SUBCHAPTER E

6 TESTING AND CERTIFICATION

7 SEC.

8 13B41. INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES AND  
9 ASSOCIATED EQUIPMENT TESTING AND CERTIFICATION  
10 STANDARDS.

11 § 13B41. INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES AND  
12 ASSOCIATED EQUIPMENT TESTING AND CERTIFICATION  
13 STANDARDS.

14 (A) TESTING REQUIRED.--

15 (1) NO INTERACTIVE GAME OR INTERACTIVE GAMING DEVICE OR  
16 ASSOCIATED EQUIPMENT SHALL BE USED TO CONDUCT INTERACTIVE  
17 GAMING UNLESS IT HAS BEEN TESTED AND APPROVED BY THE BOARD.  
18 THE BOARD MAY, IN ITS DISCRETION AND FOR THE PURPOSE OF  
19 EXPEDITING THE APPROVAL PROCESS, REFER TESTING TO ANY TESTING  
20 LABORATORY AS APPROVED BY THE BOARD.

21 (2) THE BOARD SHALL ESTABLISH, BY REGULATION, TECHNICAL  
22 STANDARDS FOR APPROVAL OF INTERACTIVE GAMES AND INTERACTIVE  
23 GAMING DEVICES AND ASSOCIATED EQUIPMENT, INCLUDING STANDARDS  
24 TO GOVERN MECHANICAL, ELECTRICAL OR PROGRAM RELIABILITY AND  
25 SECURITY AGAINST TAMPERING AND THREATS, AS IT MAY DEEM  
26 NECESSARY TO PROTECT THE REGISTERED PLAYER FROM FRAUD OR  
27 DECEPTION AND TO ENSURE THE INTEGRITY OF INTERACTIVE GAMING.

28 (B) INDEPENDENT TESTING AND CERTIFICATION FACILITY.--ANY  
29 COSTS ASSOCIATED WITH THE BOARD'S TESTING AND CERTIFICATION  
30 FACILITY SHALL BE ASSESSED ON PERSONS AUTHORIZED BY THE BOARD TO

1 MANUFACTURE, SUPPLY, DISTRIBUTE OR OTHERWISE PROVIDE INTERACTIVE  
2 GAMES AND INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT TO  
3 INTERACTIVE GAMING CERTIFICATE HOLDERS OR TO INTERACTIVE GAMING  
4 OPERATORS IN THIS COMMONWEALTH. THE COSTS SHALL BE ASSESSED IN  
5 ACCORDANCE WITH A SCHEDULE ADOPTED BY THE BOARD.

6 (C) USE OF OTHER STATE STANDARDS.--THE BOARD MAY DETERMINE  
7 WHETHER THE TESTING AND CERTIFICATION STANDARDS FOR INTERACTIVE  
8 GAMES AND INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT AS  
9 ADOPTED BY ANOTHER JURISDICTION WITHIN THE UNITED STATES OR ANY  
10 OF THE TESTING AND CERTIFICATION STANDARDS USED BY AN  
11 INTERACTIVE GAMING CERTIFICATE HOLDER ARE COMPREHENSIVE AND  
12 THOROUGH AND PROVIDE SIMILAR AND ADEQUATE SAFEGUARDS AS THOSE  
13 REQUIRED BY THIS CHAPTER AND REGULATIONS OF THE BOARD. IF THE  
14 BOARD MAKES THAT DETERMINATION, IT MAY PERMIT THE PERSON  
15 AUTHORIZED TO MANUFACTURE, SUPPLY, DISTRIBUTE OR OTHERWISE  
16 PROVIDE INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES OR  
17 ASSOCIATED EQUIPMENT TO FURNISH INTERACTIVE GAMES OR INTERACTIVE  
18 GAMING DEVICES AND ASSOCIATED EQUIPMENT TO INTERACTIVE GAMING  
19 CERTIFICATE HOLDERS IN THIS COMMONWEALTH WITHOUT UNDERGOING THE  
20 FULL TESTING AND CERTIFICATION PROCESS BY THE BOARD'S  
21 INDEPENDENT TESTING AND CERTIFICATION FACILITY.

22 SUBCHAPTER F

23 TAXES AND FEES

24 SEC.

25 13B51. INTERACTIVE GAMING AUTHORIZATION FEE.

26 13B52. INTERACTIVE GAMING TAX.

27 13B53. LOCAL SHARE ASSESSMENT.

28 13B54. COMPULSIVE AND PROBLEM GAMBLING.

29 § 13B51. INTERACTIVE GAMING AUTHORIZATION FEE.

30 (A) AMOUNT OF AUTHORIZATION FEE.--

1           (1) EACH SLOT MACHINE LICENSEE THAT IS ISSUED AN  
2 INTERACTIVE GAMING CERTIFICATE TO CONDUCT INTERACTIVE GAMING  
3 IN ACCORDANCE WITH SECTION 13B11 (RELATING TO AUTHORIZATION  
4 TO CONDUCT INTERACTIVE GAMING) SHALL PAY A ONE-TIME  
5 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$8,000,000.

6           (2) EACH INTERACTIVE GAMING OPERATOR OR AN AFFILIATE OF  
7 AN INTERACTIVE GAMING CERTIFICATE HOLDER THAT IS ISSUED AN  
8 INTERACTIVE GAMING LICENSE UNDER THIS CHAPTER TO OPERATE  
9 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF  
10 OF A SLOT MACHINE LICENSEE PURSUANT TO AN INTERACTIVE GAMING  
11 AGREEMENT AND THAT IS NOT OWNED, AFFILIATED WITH OR OTHERWISE  
12 CONTROLLED BY A SLOT MACHINE LICENSEE SHALL PAY A ONE-TIME  
13 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$2,000,000.

14           (3) EACH INTERACTIVE GAMING OPERATOR THAT HAS BEEN  
15 APPROVED BY THE BOARD TO PROVIDE FOR THE CONDUCT OF  
16 INTERACTIVE GAMING ON BEHALF OF AN INTERACTIVE GAMING  
17 CERTIFICATE HOLDER AT A QUALIFIED AIRPORT IN ACCORDANCE WITH  
18 SUBCHAPTER B.1 SHALL PAY A ONE-TIME NONREFUNDABLE  
19 AUTHORIZATION FEE IN THE AMOUNT OF \$1,000,000.

20           (B) PAYMENT OF FEE.--PERSONS REQUIRED TO PAY THE  
21 AUTHORIZATION FEE UNDER SUBSECTION (A) SHALL REMIT THE FEE TO  
22 THE BOARD WITHIN 60 DAYS OF THE BOARD'S APPROVAL OF ITS  
23 PETITION, LICENSE OR CONDITIONAL LICENSE TO CONDUCT INTERACTIVE  
24 GAMING OR TO OPERATE INTERACTIVE GAMING OR AN INTERACTIVE GAMING  
25 SYSTEM. THE BOARD MAY ALLOW THE FEE TO BE PAID IN INSTALLMENTS,  
26 PROVIDED THAT ALL SUCH INSTALLMENTS ARE PAID WITHIN THE 60-DAY  
27 PERIOD AND THAT THE INSTALLMENT PAYMENTS ARE MADE IN ACCORDANCE  
28 WITH THE TERMS OF AN AGREEMENT BETWEEN THE BOARD AND THE  
29 INTERACTIVE GAMING CERTIFICATE HOLDER OR AN INTERACTIVE GAMING  
30 OPERATOR UNDER SUBSECTION (A) (2) THAT SETS FORTH THE TERMS OF

1 THE INSTALLMENT PAYMENT.

2 (C) RENEWAL FEE.--

3 (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER,  
4 AN INTERACTIVE GAMING CERTIFICATE HOLDER SHALL PAY A RENEWAL  
5 FEE IN THE AMOUNT OF \$250,000 UPON THE RENEWAL OF ITS  
6 INTERACTIVE GAMING CERTIFICATE IN ACCORDANCE WITH SECTIONS  
7 1326 (RELATING TO RENEWALS) AND 13B13(C) (RELATING TO  
8 ISSUANCE OF INTERACTIVE GAMING CERTIFICATE).

9 (2) EACH INTERACTIVE GAMING OPERATOR UNDER SUBSECTION  
10 (A) (2) SHALL PAY A RENEWAL FEE OF \$100,000 UPON THE RENEWAL  
11 OF ITS INTERACTIVE GAMING LICENSE IN ACCORDANCE WITH THIS  
12 CHAPTER.

13 (D) DEPOSIT OF FEES.--THE FEES IMPOSED AND COLLECTED UNDER  
14 THIS SECTION SHALL BE DEPOSITED IN THE GENERAL FUND.  
15 § 13B52. INTERACTIVE GAMING TAX.

16 (A) IMPOSITION OF TAX.--EACH INTERACTIVE GAMING CERTIFICATE  
17 HOLDER THAT CONDUCTS INTERACTIVE GAMING SHALL REPORT TO THE  
18 DEPARTMENT AND PAY FROM ITS DAILY GROSS INTERACTIVE GAMING  
19 REVENUE, ON A FORM AND IN THE MANNER PRESCRIBED BY THE  
20 DEPARTMENT, A TAX OF 14% OF ITS DAILY GROSS INTERACTIVE GAMING  
21 REVENUE AND A LOCAL SHARE ASSESSMENT AS PROVIDED IN SECTION  
22 13B53 (RELATING TO LOCAL SHARE ASSESSMENT).

23 (B) DEPOSITS AND DISTRIBUTIONS.--

24 (1) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE  
25 PAYABLE TO THE DEPARTMENT ON A WEEKLY BASIS AND SHALL BE  
26 BASED UPON GROSS INTERACTIVE GAMING REVENUE DERIVED DURING  
27 THE PREVIOUS WEEK.

28 (2) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS  
29 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE  
30 INTERACTIVE GAMING CERTIFICATE HOLDER UNTIL THE FUNDS ARE

1 PAID TO THE DEPARTMENT FOR DEPOSIT IN THE GENERAL FUND. AN  
2 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL ESTABLISH A  
3 SEPARATE BANK ACCOUNT INTO WHICH GROSS INTERACTIVE GAMING  
4 REVENUE SHALL BE DEPOSITED AND MAINTAINED UNTIL SUCH TIME AS  
5 THE FUNDS ARE PAID TO THE DEPARTMENT UNDER THIS SECTION.

6 (C) TAXES ON OUT-OF-STATE WAGERING.--THE TAX RATE WHICH  
7 SHALL BE ASSESSED AND COLLECTED BY THE DEPARTMENT WITH RESPECT  
8 TO ANY WAGERS PLACED BY REGISTERED PLAYERS LOCATED IN THIS  
9 COMMONWEALTH WITH AN INTERACTIVE GAMING OPERATOR OUTSIDE OF THIS  
10 COMMONWEALTH, BUT AUTHORIZED UNDER AN INTERACTIVE GAMING  
11 RECIPROCAL AGREEMENT SHALL BE GOVERNED BY THE AGREEMENT BUT MAY  
12 NOT EXCEED 16% OF GROSS INTERACTIVE GAMING REVENUE DERIVED FROM  
13 REGISTERED PLAYERS LOCATED IN THIS COMMONWEALTH.

14 (D) DEPOSIT OF FUNDS.--THE TAX IMPOSED UNDER SUBSECTION (A)  
15 SHALL BE COLLECTED BY THE DEPARTMENT FOR DEPOSIT IN THE GENERAL  
16 FUND.

17 § 13B53. LOCAL SHARE ASSESSMENT.

18 (A) REQUIRED PAYMENT.--

19 (1) IN ADDITION TO THE TAX IMPOSED UNDER SECTION 13B52  
20 (RELATING TO INTERACTIVE GAMING TAX), EACH INTERACTIVE GAMING  
21 CERTIFICATE HOLDER THAT CONDUCTS INTERACTIVE GAMING SHALL PAY  
22 ON A WEEKLY BASIS AND ON A FORM AND IN A MANNER PRESCRIBED BY  
23 THE DEPARTMENT A LOCAL SHARE ASSESSMENT INTO A RESTRICTED  
24 RECEIPTS ACCOUNT ESTABLISHED IN THE DEPARTMENT OF COMMUNITY  
25 AND ECONOMIC DEVELOPMENT TO BE USED EXCLUSIVELY FOR GRANTS TO  
26 ALL COUNTIES IN THIS COMMONWEALTH, TO ECONOMIC DEVELOPMENT  
27 AUTHORITIES OR REDEVELOPMENT AUTHORITIES WITHIN EACH COUNTY,  
28 FOR GRANTS FOR ECONOMIC DEVELOPMENT PROJECTS, COMMUNITY  
29 IMPROVEMENT PROJECTS AND OTHER PROJECTS IN THE PUBLIC  
30 INTEREST.

1           (2) THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
2           SHALL DEVELOP POLICIES AND PROCEDURES TO GOVERN THE  
3           DISTRIBUTION OF GRANTS FROM THE LOCAL SHARE ASSESSMENT  
4           ESTABLISHED UNDER PARAGRAPH (1). THE POLICIES AND PROCEDURES  
5           SHALL BE OF SUFFICIENT SCOPE TO ENSURE EQUAL ACCESS TO GRANT  
6           FUNDS BY ALL COUNTIES IN THIS COMMONWEALTH.

7           (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
8           WORDS AND PHRASES SHALL HAVE THE MEANING GIVEN TO THEM IN THIS  
9           SUBSECTION:

10           "LOCAL SHARE ASSESSMENT." TWO PERCENT OF AN INTERACTIVE  
11           GAMING CERTIFICATE HOLDER'S DAILY GROSS INTERACTIVE GAMING  
12           REVENUE.

13           § 13B54. COMPULSIVE AND PROBLEM GAMBLING.

14           THE FOLLOWING SHALL APPLY:

15           (1) EACH YEAR, FROM THE TAX IMPOSED IN SECTION 13B52  
16           (RELATING TO INTERACTIVE GAMING TAX), \$2,000,000 OR AN AMOUNT  
17           EQUAL TO .002 MULTIPLIED BY THE TOTAL GROSS INTERACTIVE  
18           GAMING REVENUE OF ALL ACTIVE AND OPERATING INTERACTIVE GAMING  
19           CERTIFICATE HOLDERS, WHICHEVER IS GREATER, SHALL BE  
20           TRANSFERRED INTO THE COMPULSIVE AND PROBLEM GAMBLING  
21           TREATMENT FUND ESTABLISHED IN SECTION 1509 (RELATING TO  
22           COMPULSIVE AND PROBLEM GAMBLING PROGRAM).

23           (2) EACH YEAR, FROM THE TAX IMPOSED IN SECTION 13B52,  
24           \$2,000,000 OR AN AMOUNT EQUAL TO .002 MULTIPLIED BY THE TOTAL  
25           GROSS INTERACTIVE GAMING REVENUE OF ALL ACTIVE AND OPERATING  
26           INTERACTIVE GAMING CERTIFICATE HOLDERS, WHICHEVER IS GREATER,  
27           SHALL BE TRANSFERRED TO THE DEPARTMENT OF DRUG AND ALCOHOL  
28           PROGRAMS TO BE USED FOR DRUG AND ALCOHOL ADDICTION TREATMENT  
29           SERVICES, INCLUDING TREATMENT FOR DRUG AND ALCOHOL ADDICTION  
30           RELATED TO COMPULSIVE AND PROBLEM GAMBLING, AS SET FORTH IN

1 SECTION 1509.1 (RELATING TO DRUG AND ALCOHOL TREATMENT).

2 SUBCHAPTER G

3 MISCELLANEOUS PROVISIONS

4 SEC.

5 13B61. PARTICIPATION IN INTERACTIVE GAMING BY PERSONS OUTSIDE  
6 COMMONWEALTH.

7 13B62. INSTITUTIONAL INVESTORS.

8 13B63. INTERNET CAFES AND PROHIBITION.

9 § 13B61. PARTICIPATION IN INTERACTIVE GAMING BY PERSONS OUTSIDE  
10 COMMONWEALTH.

11 NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER TO THE  
12 CONTRARY, AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY ACCEPT  
13 INTERACTIVE GAMING WAGERS FROM A PERSON WHO IS NOT PHYSICALLY  
14 PRESENT IN THIS COMMONWEALTH, IF THE BOARD DETERMINES THE  
15 FOLLOWING:

16 (1) PARTICIPATION IN INTERACTIVE GAMING AND ACCEPTANCE  
17 OF WAGERS ASSOCIATED WITH INTERACTIVE GAMING FROM A PERSON  
18 NOT PHYSICALLY PRESENT IN THIS COMMONWEALTH IS NOT  
19 INCONSISTENT WITH FEDERAL LAW OR REGULATION OR THE LAW OR  
20 REGULATION OF THE JURISDICTION, INCLUDING ANY FOREIGN  
21 JURISDICTION, IN WHICH THE PERSON IS LOCATED.

22 (2) PARTICIPATION IN INTERACTIVE GAMING IS CONDUCTED  
23 PURSUANT TO AN INTERACTIVE GAMING RECIPROCAL AGREEMENT  
24 BETWEEN THE COMMONWEALTH AND ANOTHER STATE OR JURISDICTION,  
25 INCLUDING A FOREIGN JURISDICTION, TO WHICH THE COMMONWEALTH  
26 IS A PARTY AND THE INTERACTIVE GAMING RECIPROCAL AGREEMENT IS  
27 NOT INCONSISTENT WITH FEDERAL LAW OR REGULATION.

28 § 13B62. INSTITUTIONAL INVESTORS.

29 (A) DECLARATION OF INVESTMENT INTENT.--NOTWITHSTANDING ANY  
30 OTHER PROVISION OF THIS PART, THE FOLLOWING SHALL APPLY:

1           (1) AN INSTITUTIONAL INVESTOR HOLDING 20% OR LESS OF THE  
2 EQUITY SECURITIES OF AN INTERACTIVE GAMING CERTIFICATE  
3 HOLDER'S, INTERACTIVE GAMING OPERATOR'S OR APPLICANT'S  
4 HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANIES SHALL BE  
5 GRANTED A WAIVER OF ANY INVESTIGATION OF SUITABILITY OR OTHER  
6 REQUIREMENT IF THE SECURITIES ARE THOSE OF A CORPORATION,  
7 WHETHER PUBLICLY TRADED OR PRIVATELY HELD, AND THE HOLDINGS  
8 OF THE SECURITIES WERE PURCHASED FOR INVESTMENT PURPOSES  
9 ONLY. THE INSTITUTIONAL INVESTOR SHALL FILE A CERTIFIED  
10 STATEMENT THAT IT HAS NO INTENTION OF INFLUENCING OR  
11 AFFECTING THE AFFAIRS OF THE INTERACTIVE GAMING CERTIFICATE  
12 HOLDER, INTERACTIVE GAMING OPERATOR, APPLICANT OR ANY  
13 HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANY OF AN INTERACTIVE  
14 GAMING CERTIFICATE HOLDER, INTERACTIVE GAMING OPERATOR OR  
15 APPLICANT. HOWEVER, AN INSTITUTIONAL INVESTOR SHALL BE  
16 PERMITTED TO VOTE ON MATTERS PUT TO THE VOTE OF THE  
17 OUTSTANDING SECURITY HOLDERS.

18           (2) THE BOARD MAY GRANT A WAIVER TO AN INSTITUTIONAL  
19 INVESTOR HOLDING A HIGHER PERCENTAGE OF SECURITIES UPON A  
20 SHOWING OF GOOD CAUSE AND IF THE CONDITIONS SPECIFIED IN  
21 PARAGRAPH (1) ARE MET.

22           (3) AN INSTITUTIONAL INVESTOR GRANTED A WAIVER UNDER  
23 THIS SUBSECTION WHO SUBSEQUENTLY DECIDES TO INFLUENCE OR  
24 AFFECT THE AFFAIRS OF AN INTERACTIVE GAMING CERTIFICATE  
25 HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT'S HOLDING,  
26 SUBSIDIARY OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING  
27 CERTIFICATE HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT  
28 SHALL PROVIDE NOT LESS THAN 30 DAYS' NOTICE OF INTENT AND  
29 SHALL FILE WITH THE BOARD A REQUEST FOR DETERMINATION OF  
30 SUITABILITY BEFORE TAKING ANY ACTION THAT MAY INFLUENCE OR



1 AFFECT THE AFFAIRS OF THE ISSUER. AN INSTITUTIONAL INVESTOR  
2 SHALL BE PERMITTED TO VOTE ON MATTERS PUT TO THE VOTE OF THE  
3 OUTSTANDING SECURITY HOLDERS.

4 (4) IF AN INSTITUTIONAL INVESTOR CHANGES ITS INVESTMENT  
5 INTENT OR IF THE BOARD FINDS REASONABLE CAUSE TO BELIEVE THAT  
6 THE INSTITUTIONAL INVESTOR MAY BE FOUND UNSUITABLE, NO ACTION  
7 OTHER THAN DIVESTITURE SHALL BE TAKEN BY THE INSTITUTIONAL  
8 INVESTOR WITH RESPECT TO ITS SECURITY HOLDINGS UNTIL THERE  
9 HAS BEEN COMPLIANCE WITH ANY REQUIREMENTS ESTABLISHED BY THE  
10 BOARD, WHICH MAY INCLUDE THE EXECUTION OF A TRUST AGREEMENT  
11 IN ACCORDANCE WITH SECTION 1332 (RELATING TO APPOINTMENT OF  
12 TRUSTEE).

13 (5) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR  
14 INTERACTIVE GAMING OPERATOR OR APPLICANT OR ANY HOLDING,  
15 INTERMEDIARY OR SUBSIDIARY COMPANY OF AN INTERACTIVE GAMING  
16 CERTIFICATE HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT  
17 SHALL NOTIFY THE BOARD IMMEDIATELY OF ANY INFORMATION ABOUT,  
18 OR ACTIONS OF, AN INSTITUTIONAL INVESTOR HOLDING ITS EQUITY  
19 SECURITIES WHERE THE INFORMATION OR ACTION MAY IMPACT THE  
20 ELIGIBILITY OF THE INSTITUTIONAL INVESTOR FOR A WAIVER UNDER  
21 THIS SUBSECTION.

22 (B) FAILURE TO DECLARE.--IF THE BOARD FINDS:

23 (1) THAT AN INSTITUTIONAL INVESTOR HOLDING ANY SECURITY  
24 OF A HOLDING OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING  
25 CERTIFICATE HOLDER OR INTERACTIVE GAMING OPERATOR OR  
26 APPLICANT OR, WHERE RELEVANT, OF ANOTHER SUBSIDIARY COMPANY  
27 OF A HOLDING OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING  
28 CERTIFICATE HOLDER OR INTERACTIVE GAMING OPERATOR OR  
29 APPLICANT WHICH IS RELATED IN ANY WAY TO THE FINANCING OF THE  
30 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING

1 OPERATOR OR APPLICANT, FAILS TO COMPLY WITH THE PROVISIONS OF  
2 SUBSECTION (A); OR

3 (2) BY REASON OF THE EXTENT OR NATURE OF ITS HOLDINGS,  
4 AN INSTITUTIONAL INVESTOR IS IN A POSITION TO EXERCISE SUCH A  
5 SUBSTANTIAL IMPACT UPON THE CONTROLLING INTERESTS OF AN  
6 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING  
7 OPERATOR OR APPLICANT THAT INVESTIGATION AND DETERMINATION OF  
8 SUITABILITY OF THE INSTITUTIONAL INVESTOR IS NECESSARY TO  
9 PROTECT THE PUBLIC INTEREST;

10 THEN THE BOARD MAY TAKE ANY NECESSARY ACTION OTHERWISE  
11 AUTHORIZED UNDER THIS CHAPTER TO PROTECT THE PUBLIC INTEREST.

12 § 13B63. INTERNET CAFES AND PROHIBITION.

13 (A) GENERAL RULE.--NO ORGANIZATION OR COMMERCIAL ENTERPRISE  
14 SHALL OPERATE A PLACE OF PUBLIC ACCOMMODATION, CLUB, INCLUDING A  
15 CLUB OR ASSOCIATION LIMITED TO DUES-PAYING MEMBERS OR SIMILAR  
16 RESTRICTED GROUPS, OR SIMILAR ESTABLISHMENT IN WHICH COMPUTER  
17 TERMINALS OR SIMILAR ACCESS DEVICES ARE ADVERTISED OR MADE  
18 AVAILABLE TO BE USED PRINCIPALLY FOR THE PURPOSE OF ACCESSING  
19 AUTHORIZED INTERACTIVE GAMES. NO INTERACTIVE GAMING CERTIFICATE  
20 HOLDER OR INTERACTIVE GAMING OPERATOR SHALL OFFER OR MAKE  
21 AVAILABLE COMPUTER TERMINALS OR SIMILAR ACCESS DEVICES TO BE  
22 USED PRINCIPALLY FOR THE PURPOSE OF ACCESSING INTERACTIVE GAMES  
23 WITHIN A LICENSED FACILITY.

24 (B) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE  
25 CONSTRUED TO:

26 (1) REQUIRE THE OWNER OR OPERATOR OF A HOTEL OR MOTEL OR  
27 OTHER PUBLIC PLACE OF GENERAL USE IN THIS COMMONWEALTH TO  
28 PROHIBIT OR BLOCK GUESTS FROM PLAYING INTERACTIVE GAMES; OR

29 (2) REQUIRE AN INTERACTIVE GAMING CERTIFICATE HOLDER OR  
30 AN INTERACTIVE GAMING OPERATOR TO PROHIBIT REGISTERED PLAYERS



1 and the county, including a home rule county, in which  
2 the licensed facility is located is:

3 (A) A county of the first class: 4% of the  
4 gross terminal revenue to the county hosting the  
5 licensed facility from each such licensed facility.  
6 Notwithstanding any other provision to the contrary,  
7 funds from licensed gaming entities located within a  
8 county of the first class shall not be distributed  
9 outside of a county of the first class.

10 (B) A county of the second class: 2% of the  
11 gross terminal revenue to the county hosting the  
12 licensed facility from each such licensed facility.

13 (C) A county of the second class A: 1% of the  
14 gross terminal revenue to the county hosting the  
15 licensed facility from each such licensed facility.  
16 An additional 1% of the gross terminal revenue to the  
17 county hosting the licensed facility from each such  
18 licensed facility for the purpose of municipal grants  
19 within the county in which the licensee is located.

20 (D) (I) A county of the third class: Except as  
21 provided in subclause (II), 2% of the gross  
22 terminal revenue from each such licensed facility  
23 shall be deposited into a restricted receipts  
24 account to be established in the Commonwealth  
25 Financing Authority to be used exclusively for  
26 grants for projects in the public interest to  
27 municipalities within the county where the  
28 licensed facility is located.

29 (I.1) Priority shall be given to multiyear  
30 projects approved or awarded by the Department of

1 Community and Economic Development under  
2 subclause (I) on or before the effective date of  
3 this subclause.

4 (I.2) In addition to municipalities that are  
5 eligible to receive grant funding under subclause  
6 (I), a county redevelopment authority within the  
7 county shall also be eligible to receive grant  
8 funding to be used exclusively for economic  
9 development projects or infrastructure. A county  
10 redevelopment authority shall not be eligible to  
11 receive more than 10% of the total grant funds  
12 awarded.

13 (I.3) Notwithstanding the act of February 9,  
14 1999 (P.L.1, No.1), known as the Capital  
15 Facilities Debt Enabling Act, grants made under  
16 subclause (I) may be utilized as local matching  
17 funds for other grants or loans from the  
18 Commonwealth.

19 (II) If a licensed facility is located in  
20 one of two counties of the third class where a  
21 city of the third class is located in both  
22 counties of the third class, the county in which  
23 the licensed facility is located shall receive  
24 1.2% of the gross terminal revenue to be  
25 distributed as follows: 20% to the host city,  
26 30% to the host county and 50% to the host county  
27 for the purpose of making municipal grants within  
28 the county, with priority given to municipalities  
29 contiguous to the host city. The county of the  
30 third class, which includes a city of the third

1 class that is located in two counties of the  
2 third class and is not the host county for the  
3 licensed facility, shall receive .8% of the gross  
4 terminal revenue to be distributed as follows:  
5 60% to a nonhost city of the third class located  
6 solely in the nonhost county in which the host  
7 city of the third class is also located or 60% to  
8 the nonhost city of the third class located both  
9 in the host and nonhost counties of the third  
10 class, 35% to the nonhost county and 5% to the  
11 nonhost county for the purpose of making  
12 municipal grants within the county.

13 (E) A county of the fourth class: 2% of the  
14 gross terminal revenue from each such licensed  
15 facility shall be distributed as follows:

16 (I) The department shall make distributions  
17 directly to each municipality within the county,  
18 except the host municipality, by using a formula  
19 equal to the sum of \$25,000 plus \$10 per resident  
20 of the municipality using the most recent  
21 population figures provided by the Department of  
22 Community and Economic Development, provided,  
23 however, that the amount so distributed to any  
24 municipality shall not exceed 50% of its total  
25 budget for fiscal year 2009 or 2013, whichever is  
26 greater, adjusted for inflation in subsequent  
27 fiscal years by an amount not to exceed an annual  
28 cost-of-living adjustment calculated by applying  
29 any upward percentage change in the Consumer  
30 Price Index immediately prior to the date the

1 adjustment is due to take effect. Distributions  
2 to a municipality in accordance with this  
3 subclause shall be deposited into a special fund  
4 which shall be established by the municipality.  
5 The governing body of the municipality shall have  
6 the right to draw upon the special fund for any  
7 lawful purpose provided that the municipality  
8 identifies the fund as the source of the  
9 expenditure. Each municipality shall annually  
10 submit a report to the Department of Community  
11 and Economic Development detailing the amount and  
12 purpose of each expenditure made from the special  
13 fund during the prior fiscal year.

14 (II) Any funds not distributed under  
15 subclause (I) shall be deposited into a  
16 restricted receipts account established in the  
17 Department of Community and Economic Development  
18 to be used exclusively for grants to the county,  
19 to economic development authorities or  
20 redevelopment authorities within the county for  
21 grants for economic development projects,  
22 infrastructure projects, job training, community  
23 improvement projects, other projects in the  
24 public interest, and necessary and reasonable  
25 administrative costs. Notwithstanding the  
26 provisions of the act of February 9, 1999 (P.L.1,  
27 No.1), known as the Capital Facilities Debt  
28 Enabling Act, grants made under this clause may  
29 be utilized as local matching funds for other  
30 grants or loans from the Commonwealth.

1 (F) Counties of the fifth through eighth  
2 classes:

3 (I) Except as set forth in subclause (II),  
4 2% of the gross terminal revenue from each such  
5 licensed facility shall be deposited into a  
6 restricted account established in the Department  
7 of Community and Economic Development to be used  
8 exclusively for grants to the county.

9 (II) If the licensed facility is located in  
10 a second class township in a county of the fifth  
11 class, 2% of the gross terminal revenue from the  
12 licensed facility shall be distributed as  
13 follows:

14 (a) 1% shall be deposited into a  
15 restricted receipts account to be established  
16 in the Commonwealth Financing Authority to be  
17 used exclusively for grants for projects in  
18 the public interest to municipalities within  
19 the county where the licensed facility is  
20 located.

21 (b) 1% shall be distributed to the county  
22 for projects in the public interest in the  
23 county.

24 (G) Any county not specifically enumerated in  
25 clauses (A) through (F), 2% of the gross terminal  
26 revenue to the county hosting the licensed facility  
27 from each such licensed facility.

28 (ii) If the licensed facility is a Category 1  
29 licensed facility and is located at a thoroughbred  
30 racetrack and the county in which the licensed facility



1 is located is:

2 (A) A county of the first class: 4% of the  
3 gross terminal revenue to the county hosting the  
4 licensed facility from each such licensed facility.  
5 Notwithstanding any other provision to the contrary,  
6 funds from licensed gaming entities located within  
7 the county of the first class shall not be  
8 distributed outside of a county of the first class.

9 (B) A county of the second class: 2% of the  
10 gross terminal revenue to the county hosting the  
11 licensed facility from each such licensed facility.

12 (C) A county of the second class A: 1% of the  
13 gross terminal revenue to the county hosting the  
14 licensed facility from each such licensed facility.  
15 An additional 1% of the gross terminal revenue to the  
16 county hosting the licensed facility from each such  
17 licensed facility for the purpose of municipal grants  
18 within the county in which the licensee is located.

19 (D) A county of the third class: 1% of the  
20 gross terminal revenue to the county hosting the  
21 licensed facility from each such licensed facility.  
22 An additional 1% of the gross terminal revenue to the  
23 county hosting the licensed facility from each such  
24 licensed facility for the purpose of municipal grants  
25 within the county in which the licensee is located.  
26 Notwithstanding the provisions of the Capital  
27 Facilities Debt Enabling Act, grants made under this  
28 clause may be utilized as local matching funds for  
29 other grants or loans from the Commonwealth.

30 (E) A county of the fourth class: 2% of the

1 gross terminal revenue from each such licensed  
2 facility shall be deposited into a restricted account  
3 established in the Department of Community and  
4 Economic Development to be used exclusively for  
5 grants to the county, to economic development  
6 authorities or redevelopment authorities within the  
7 county for grants for economic development projects,  
8 community improvement projects, job training, other  
9 projects in the public interest and reasonable  
10 administrative costs. Notwithstanding the Capital  
11 Facilities Debt Enabling Act, grants made under this  
12 clause may be utilized as local matching funds for  
13 other grants or loans from the Commonwealth.

14 (F) Counties of the fifth through eighth  
15 classes: 2% of the gross terminal revenue from each  
16 such licensed facility shall be deposited into a  
17 restricted account established in the Department of  
18 Community and Economic Development to be used  
19 exclusively for grants to the county.

20 (G) Any county not specifically enumerated in  
21 clauses (A) through (F), 2% of the gross terminal  
22 revenue to the county hosting the licensed facility  
23 from each such licensed facility.

24 (iii) If the facility is a Category 2 licensed  
25 facility and if the county in which the licensed facility  
26 is located is:

27 (A) A county of the first class: 4% of the  
28 gross terminal revenue to the county hosting the  
29 licensed facility from each such licensed facility.

30 Notwithstanding any other provision to the contrary,

1 funds from licensed gaming entities located within a  
2 county of the first class shall not be distributed  
3 outside of a county of the first class. [The first <--  
4 \$5,000,000] FIFTY PERCENT OR \$5,000,000, WHICHEVER IS <--  
5 GREATER, of the total amount distributed annually to  
6 the county of the first class shall be distributed to  
7 the Philadelphia School District.

8 (B) A county of the second class: 2% of the  
9 gross terminal revenue to the county hosting the  
10 licensed facility from each such licensed facility.

11 (C) A county of the second class A: 1% of the  
12 gross terminal revenue to the county hosting the  
13 licensed facility from each such licensed facility.  
14 An additional 1% of the gross terminal revenue to the  
15 county hosting the licensed facility from each such  
16 licensed facility for the purpose of municipal grants  
17 within the county in which the licensee is located.

18 (D) A county of the third class: 1% of the  
19 gross terminal revenue to the county hosting the  
20 licensed facility from each such licensed facility.  
21 An additional 1% of the gross terminal revenue to the  
22 county hosting the licensed facility from each such  
23 licensed facility for the purpose of municipal grants  
24 within the county in which the licensee is located.

25 (D.1) If a licensed facility is located in one  
26 of two counties of the third class where a city of  
27 the third class is located in both counties of the  
28 third class, the county in which the licensed  
29 facility is located shall receive 1.2% of the gross  
30 terminal revenue to be distributed as follows: 20%

1 to the host city, 30% to the host county and 50%,  
2 which shall be deposited into a restricted receipts  
3 account to be established in the Commonwealth  
4 Financing Authority to be used exclusively for  
5 economic development projects, community improvement  
6 projects and other projects in the public interest  
7 within the county, to the host county [for the  
8 purpose of making municipal grants within the  
9 county], with priority given to municipalities  
10 contiguous to the host city. The county of the third  
11 class, which includes a city of the third class that  
12 is located in two counties of the third class and is  
13 not the host county for the licensed facility, shall  
14 receive .8% of the gross terminal revenue to be  
15 distributed as follows: 60% to a nonhost city of the  
16 third class located solely in the nonhost county in  
17 which the host city of the third class is also  
18 located or 60% to the nonhost city of the third class  
19 located both in the host and nonhost counties of the  
20 third class, 35% to the nonhost county and 5%, which  
21 shall be deposited into a restricted receipts account  
22 to be established in the Commonwealth Financing  
23 Authority to be used exclusively for economic  
24 development projects, community improvement projects  
25 and other projects in the public interest within the  
26 county, to the nonhost county [for the purpose of  
27 making municipal grants within the county].

28 (E) A county of the fourth class: 2% of the  
29 gross terminal revenue from each such licensed  
30 facility shall be deposited into a restricted account

1 established in the Department of Community and  
2 Economic Development to be used exclusively for  
3 grants to the county, to economic development  
4 authorities or redevelopment authorities within the  
5 county for grants for economic development projects,  
6 community improvement projects, job training, other  
7 projects in the public interest and reasonable  
8 administrative costs. Notwithstanding the Capital  
9 Facilities Debt Enabling Act, grants made under this  
10 clause may be utilized as local matching funds for  
11 other grants or loans from the Commonwealth.

12 (F) Counties of the fifth class: 2% of the  
13 gross terminal revenue from each such licensed  
14 facility shall be deposited and distributed as  
15 follows:

16 (I) One percent to be distributed as  
17 follows:

18 (a) Beginning in 2010, the sum of  
19 \$2,400,000 annually for a period of 20 years  
20 to the county for purposes of funding debt  
21 service related to the construction of a  
22 community college campus located within the  
23 county.

24 (b) Any funds not distributed under  
25 subclause (a) shall be deposited into a  
26 restricted receipts account to be established  
27 in the Commonwealth Financing Authority to be  
28 used exclusively for grants within the county  
29 for economic development projects, road  
30 projects located within a 20-mile radius of

1 the licensed facility and located within the  
2 county, community improvement projects and  
3 other projects in the public interest within  
4 the county. The amount under this subclause  
5 includes reasonable administrative costs.

6 (II) One percent shall be deposited into a  
7 restricted receipts account to be established in  
8 the Commonwealth Financing Authority to be used  
9 exclusively for grants within contiguous counties  
10 for economic development projects, community  
11 improvement projects and other projects in the  
12 public interest within contiguous counties. The  
13 amount under this subclause includes reasonable  
14 administrative costs. A contiguous county that  
15 hosts a Category 1 licensed facility shall be  
16 ineligible to receive grants under this  
17 subclause.

18 (II.1) Priority shall be given to multiyear  
19 projects approved or awarded by the Department of  
20 Community and Economic Development under  
21 subclause (I) (b) or (II) on or before the  
22 effective date of this subclause.

23 (III) Fifty percent of any revenue required  
24 to be transferred under paragraph (3) (v) shall be  
25 deposited into the restricted receipts account  
26 established under subclause (I) (b), and 50% shall  
27 be deposited into the restricted receipts account  
28 established under subclause (II). Notwithstanding  
29 the Capital Facilities Debt Enabling Act, grants  
30 made under this clause may be utilized as local

1 matching funds for other grants or loans from the  
2 Commonwealth.

3 (G) Any county not specifically enumerated in  
4 clauses (A) through (F), 2% of the gross terminal  
5 revenue to the county hosting the licensed facility  
6 from each such licensed facility.

7 (iv) (A) Except as provided in clause (B) or (C),  
8 if the facility is a Category 3 licensed facility, 2%  
9 of the gross terminal revenue from the licensed  
10 facility shall be deposited into a restricted  
11 receipts account established in the Department of  
12 Community and Economic Development to be used  
13 exclusively for grants to the county, to economic  
14 development authorities or redevelopment authorities  
15 within the county for grants for economic development  
16 projects, community improvement projects and other  
17 projects in the public interest.

18 (B) If the facility is a Category 3 licensed  
19 facility located in a county of the second class A,  
20 2% of the gross terminal revenue [from the licensed <--  
21 facility shall be deposited into a restricted  
22 receipts account to be established in the  
23 Commonwealth Financing Authority to be used  
24 exclusively for grants or guarantees for projects in  
25 the host county that qualify under 64 Pa.C.S. §§ 1551  
26 (relating to Business in Our Sites Program), 1556  
27 (relating to Tax Increment Financing Guarantee  
28 Program) and 1558 (relating to Water Supply and  
29 Wastewater Infrastructure Program).] TO THE COUNTY <--  
30 HOSTING THE LICENSED FACILITY FROM EACH SUCH LICENSED

1 FACILITY SHALL BE DEPOSITED AS FOLLOWS:

2 (I) SEVENTY-FIVE PERCENT SHALL BE DEPOSITED  
3 FOR THE PURPOSE OF SUPPORTING THE MAINTENANCE AND  
4 REFURBISHMENT OF THE PARKS AND HERITAGE SITES  
5 THROUGHOUT THE COUNTY IN WHICH THE LICENSED  
6 FACILITY IS LOCATED.

7 (II) TWELVE AND ONE-HALF PERCENT SHALL BE  
8 DEPOSITED FOR THE PURPOSE OF SUPPORTING A CHILD  
9 ADVOCACY CENTER LOCATED WITHIN THE COUNTY IN  
10 WHICH THE LICENSED FACILITY IS LOCATED.

11 (III) TWELVE AND ONE-HALF PERCENT SHALL BE  
12 DEPOSITED FOR THE PURPOSE OF SUPPORTING AN  
13 ORGANIZATION PROVIDING COMPREHENSIVE SUPPORT  
14 SERVICES TO VICTIMS OF DOMESTIC VIOLENCE,  
15 INCLUDING LEGAL AND MEDICAL AID, SHELTERS,  
16 TRANSITIONAL HOUSING AND COUNSELING LOCATED  
17 WITHIN THE COUNTY IN WHICH THE LICENSED FACILITY  
18 IS LOCATED.

19 (C) If the facility is a Category 3 licensed  
20 facility located in a county of the fifth class that  
21 is contiguous to a county of the seventh class, 2% of  
22 the gross terminal revenue from the licensed facility  
23 shall be deposited into a restricted receipts account  
24 to be established in the Commonwealth Financing  
25 Authority to be used exclusively for grants within  
26 the county for economic development projects,  
27 infrastructure projects, community improvement  
28 projects and other projects in the public interest  
29 within the county and for infrastructure projects  
30 within a 20-mile radius of the licensed facility in a



1 contiguous county of the seventh class.

2 (v) Unless otherwise specified, for the purposes of  
3 this paragraph money designated for municipal grants  
4 within a county, other than a county of the first class,  
5 in which a licensed facility is located shall be used to  
6 fund grants to the municipality in which the licensed  
7 facility is located, to the county in which the licensed  
8 facility is located and to the municipalities which are  
9 contiguous to the municipality in which the licensed  
10 facility is located and which are located within the  
11 county in which the licensed facility is located. Grants  
12 shall be administered by the county through its economic  
13 development or redevelopment authority in which the  
14 licensed facility is located. Grants shall be used to  
15 fund the costs of human services, infrastructure  
16 improvements, facilities, emergency services, health and  
17 public safety expenses associated with licensed facility  
18 operations. If at the end of a fiscal year uncommitted  
19 funds exist, the county shall pay to the economic  
20 development or redevelopment authority of the county in  
21 which the licensed facility is located the uncommitted  
22 funds.

23 (vi) If the licensed facility is located in more  
24 than one county, the amount available shall be  
25 distributed on a pro rata basis determined by the  
26 percentage of acreage located in each county to the total  
27 acreage of all counties occupied by the licensed  
28 facility.

29 (vii) The distributions provided in this paragraph  
30 shall be based upon county classifications in effect on

1 the effective date of this section. Any reclassification  
2 of counties as a result of a Federal decennial census or  
3 of a State statute shall not apply to this subparagraph.

4 (viii) If any provision of this paragraph is found  
5 to be unenforceable for any reason, the distribution  
6 provided for in the unenforceable provision shall be made  
7 to the county in which the licensed facility is located  
8 for the purposes of grants to municipalities in that  
9 county, including municipal grants as specified in  
10 subparagraph (v).

11 (ix) Nothing in this paragraph shall prevent any of  
12 the above counties which directly receive a distribution  
13 under this section from entering into intergovernmental  
14 cooperative agreements with other jurisdictions for  
15 sharing this money.

16 (3) From the local share assessment established in  
17 subsection (b) and the slot machine operation fees imposed  
18 under section 1326.1 (relating to slot machine license  
19 operation fee) and deposited under section 1326.1(d), make  
20 quarterly distributions among the municipalities, including  
21 home rule municipalities, hosting a licensed facility in  
22 accordance with the following schedule:

23 (i) To a city of the second class hosting a licensed  
24 facility, other than a Category 3 licensed facility, [2%  
25 of the gross terminal revenue or] \$10,000,000 annually[,  
26 whichever is greater, shall be paid by each licensed  
27 gaming entity operating a facility located in that city.  
28 In the event that the revenues generated by the 2% do not  
29 meet the \$10,000,000 minimum specified in this  
30 subparagraph, the department shall collect the remainder

1 of the minimum amount of \$10,000,000 from each licensed  
2 gaming entity operating a facility in the city and  
3 deposit that amount in the city treasury] shall be  
4 distributed to the city treasury.

5 (ii) To a city of the second class A hosting a  
6 licensed facility, other than a Category 3 licensed  
7 facility, [2% of the gross terminal revenue or  
8 \$10,000,000 annually, whichever is greater, shall be paid  
9 by each licensed entity operating a licensed facility  
10 located in that city] \$10,000,000 annually shall be  
11 distributed to the city, subject, however, to the  
12 budgetary limitation in this subparagraph. The amount  
13 allocated to the designated municipalities shall not  
14 exceed 50% of their total budget for fiscal year 2003-  
15 2004, adjusted for inflation in subsequent years by an  
16 amount not to exceed an annual cost-of-living adjustment  
17 calculated by applying the percentage change in the  
18 Consumer Price Index immediately prior to the date the  
19 adjustment is due to take effect. Any remaining moneys  
20 shall be [collected by the department from each licensed  
21 gaming entity and] distributed in accordance with  
22 paragraph (2) based upon the classification of county  
23 where the licensed facility is located. [In the event  
24 that the revenues generated by the 2% do not meet the  
25 \$10,000,000 minimum specified in this subparagraph, the  
26 department shall collect the remainder of the minimum  
27 amount of \$10,000,000 from each licensed gaming entity  
28 operating a facility in the city, pay any balance due to  
29 the city and transfer any remainder in accordance with  
30 paragraph (2).]

1           (iii) To a city of the third class hosting a  
2 licensed facility, other than a Category 3 licensed  
3 facility, [2% of the gross terminal revenue or  
4 \$10,000,000 annually, whichever is greater, shall be paid  
5 by each licensed gaming entity operating a licensed  
6 facility located in that city] \$10,000,000 annually, less  
7 any amount up to \$5,000,000 received pursuant to a  
8 written agreement with a licensed gaming entity executed  
9 prior to the effective date of this part, shall be  
10 distributed to the city, subject, however, to the  
11 budgetary limitation in this subparagraph. †In the event  
12 that the city has a written agreement with a licensed  
13 gaming entity executed prior to the effective date of  
14 this part, the amount paid under the agreement to the  
15 city shall be applied and credited [to the difference  
16 between 2% of the gross terminal revenue and the  
17 \$10,000,000 owed under this subparagraph if the 2% of the  
18 gross terminal revenue is less than \$10,000,000. If 2% of  
19 the gross terminal revenue is greater than the  
20 \$10,000,000 required to be paid under this subparagraph,  
21 the credit shall not apply. The amount of gross terminal  
22 revenue required to be paid pursuant to the agreement  
23 shall be deemed to be gross terminal revenue for purposes  
24 of this subparagraph.], up to \$5,000,000, to the slot  
25 machine license operation fee owed under section 1326.1  
26 (relating to slot machine license operation fee). The  
27 amount allocated to the designated municipalities shall  
28 not exceed 50% of their total budget for fiscal year  
29 2003-2004, adjusted for inflation in subsequent years by  
30 an amount not to exceed an annual cost-of-living

1 adjustment calculated by applying the percentage change  
2 in the Consumer Price Index immediately prior to the date  
3 the adjustment is due to take effect. Any remaining  
4 moneys shall be [collected by the department from each  
5 licensed gaming entity and] distributed in accordance  
6 with paragraph (2) based upon the classification of  
7 county where the licensed facility is located. [In the  
8 event that the revenues generated by the 2% do not meet  
9 the \$10,000,000 minimum specified in this subparagraph,  
10 the department shall collect the remainder of the minimum  
11 amount of \$10,000,000 from each licensed gaming entity  
12 operating a facility, pay any balance due to the city of  
13 the third class and transfer any remainder in accordance  
14 with paragraph (2).]

15 (iii.1) If a licensed facility is located in a city  
16 of the third class and the city is located in more than  
17 one county of the third class, [2% of the gross terminal  
18 revenue or \$10,000,000 annually, whichever is greater,]  
19 \$10,000,000 annually shall be distributed as follows:  
20 80% to the host city and 20% to the city of the third  
21 class located solely in a nonhost county in which the  
22 host city of the third class is also located. If a  
23 licensed facility is located in a city of the third class  
24 and that city is located solely in a host county of the  
25 third class in which a nonhost city of the third class is  
26 also located[, 2% of gross terminal revenue or  
27 \$10,000,000 annually, whichever is greater], \$10,000,000  
28 annually shall be distributed as follows: 80% to the  
29 host city and 20% to a city of the third class located  
30 both in a nonhost county of the third class and in a host

1 county of the third class in which the host city of the  
2 third class is located.

3 (iv) To a township of the first class hosting a  
4 licensed facility, other than a Category 3 licensed  
5 facility, [2% of the gross terminal revenue or  
6 \$10,000,000 annually, whichever is greater, shall be paid  
7 by each licensed gaming entity operating a licensed  
8 facility located in the township] \$10,000,000 annually  
9 shall be distributed to the township, subject, however,  
10 to the budgetary limitation in this subparagraph. The  
11 amount allocated to the designated municipalities shall  
12 not exceed 50% of their total budget for fiscal year  
13 2003-2004, adjusted for inflation in subsequent years by  
14 an amount not to exceed an annual cost-of-living  
15 adjustment calculated by applying the percentage change  
16 in the Consumer Price Index immediately prior to the date  
17 the adjustment is due to take effect. Any remaining money  
18 shall be [collected by the department from each licensed  
19 gaming entity and] distributed in accordance with  
20 paragraph (2) based upon the classification of county  
21 where the licensed facility is located. [In the event  
22 that the revenues generated by the 2% do not meet the  
23 \$10,000,000 minimum specified in this subparagraph, the  
24 department shall collect the remainder of the minimum  
25 amount of \$10,000,000 from each licensed gaming entity  
26 operating a licensed facility in the township, pay any  
27 balance due to the township and transfer any remainder in  
28 accordance with paragraph (2).]

29 (v) To a township of the second class hosting a  
30 licensed facility:

1 (A) [2% of the gross terminal revenue or  
2 \$10,000,000 annually, whichever is greater, shall be  
3 paid by each licensed gaming entity operating a  
4 licensed facility, other than a Category 3 licensed  
5 facility or a licensed facility owning land adjacent  
6 to the licensed facility located in more than one  
7 township of the second class,] \$10,000,000 annually  
8 shall be distributed to the township of the second  
9 class hosting [the] a licensed facility, other than a  
10 Category 3 licensed facility or a licensed facility  
11 located in more than one township of the second  
12 class, subject, however, to the budgetary limitation  
13 in this subparagraph. The amount allocated to the  
14 designated municipalities shall not exceed 50% of  
15 their total budget for fiscal year 2003-2004,  
16 adjusted for inflation in subsequent years by an  
17 amount not to exceed an annual cost-of-living  
18 adjustment calculated by applying the percentage  
19 change in the Consumer Price Index immediately prior  
20 to the date the adjustment is due to take effect. Any  
21 remaining money shall be [collected by the department  
22 from each licensed gaming entity and] distributed in  
23 accordance with paragraph (2) based upon the  
24 classification of county where the licensed facility  
25 is located. [If revenues generated by the 2% do not  
26 meet the \$10,000,000 minimum specified in this  
27 subparagraph, the department shall collect the  
28 remainder of the minimum amount of \$10,000,000 from  
29 each licensed gaming entity operating a licensed  
30 facility in the township, pay any balance due to the

1 township and transfer any remainder in accordance  
2 with paragraph (2).]

3 (B) [2% of the gross terminal revenue or  
4 \$10,000,000 annually, whichever is greater,]  
5 \$10,000,000 annually, less the amount paid under  
6 clause (C), shall be [paid by each licensed gaming  
7 entity operating a licensed facility and owning land  
8 adjacent to the licensed facility located in more  
9 than one township of the second class, other than a  
10 Category 3 licensed facility,] distributed to the  
11 township of the second class hosting [the] a licensed  
12 facility which owns land adjacent to the licensed  
13 facility located in more than one township of the  
14 second class, other than a Category 3 licensed  
15 facility, subject, however, to the budgetary  
16 limitation in this subparagraph. The amount allocated  
17 to the designated municipalities may not exceed 50%  
18 of their total budget for the fiscal year 2003-2004,  
19 adjusted for inflation in subsequent years by an  
20 amount not to exceed an annual cost-of-living  
21 adjustment calculated by applying the percentage  
22 change in the Consumer Price Index immediately prior  
23 to the date the adjustment is due to take effect. Any  
24 remaining money shall be [collected by the department  
25 from each licensed gaming entity and] distributed in  
26 accordance with paragraph (2) based upon the  
27 classification of the county where the licensed  
28 facility is located. The county commissioners of a  
29 county of the third class in which the licensed  
30 facility is located shall appoint an advisory



1 committee for the purpose of advising the county as  
2 to the need for municipal grants for health, safety,  
3 transportation and other projects in the public  
4 interest to be comprised of two individuals from the  
5 host municipality, two from contiguous municipalities  
6 within the county of the third class and one from the  
7 host county. [In the event that the revenues  
8 generated by the 2% do not meet the \$10,000,000  
9 minimum specified in this subparagraph, the  
10 department shall collect the remainder of the minimum  
11 amount of \$10,000,000 from each licensed gaming  
12 entity operating a licensed facility in the township,  
13 pay any balance due to the township and transfer any  
14 remainder in accordance with paragraph (2).]

15 (C) [\$160,000 annually shall be paid by each  
16 licensed gaming entity operating a licensed facility  
17 and owning land adjacent to the licensed facility  
18 located in more than one township of the second  
19 class, other than a Category 3 licensed facility, to  
20 the township of the second class that is located in a  
21 county of the fifth class in which the adjacent land  
22 is located, including racetracks, grazing fields or  
23 any other adjoining real property.] For land owned by  
24 a licensed gaming entity, other than a Category 3  
25 licensed facility, and located in more than one  
26 township of the second class: \$160,000 shall be  
27 distributed annually to the township of the second  
28 class which is located in a county of the fifth class  
29 if the land owned, including racetracks, grazing  
30 fields and other adjoining real property, is adjacent

1           to the licensed facility.

2           (vi) To a borough hosting a licensed facility, other  
3 than a Category 3 licensed facility, [2% of the gross  
4 terminal revenue or \$10,000,000 annually, whichever is  
5 greater, shall be paid by each licensed gaming entity  
6 operating a licensed facility located in that borough,]  
7 \$10,000,000 annually shall be distributed to the borough,  
8 subject, however, to the budgetary limitation in this  
9 subparagraph. The amount allocated to the designated  
10 municipalities shall not exceed 50% of their total budget  
11 for fiscal year 2003-2004, adjusted for inflation in  
12 subsequent years by an amount not to exceed an annual  
13 cost-of-living adjustment calculated by applying the  
14 percentage change in the Consumer Price Index immediately  
15 prior to the date the adjustment is due to take effect.  
16 Any remaining money shall be [collected by the department  
17 from each licensed gaming entity and] distributed in  
18 accordance with paragraph (2) based upon the  
19 classification of county where the licensed facility is  
20 located. [In the event that the revenues generated by the  
21 2% do not meet the \$10,000,000 minimum specified in this  
22 subparagraph, the department shall collect the remainder  
23 of the minimum amount of \$10,000,000 from each licensed  
24 gaming entity operating a licensed facility in the  
25 borough, pay any balance due to the borough and transfer  
26 any remainder in accordance with paragraph (2).]

27           (vii) To an incorporated town hosting a licensed  
28 facility, other than a Category 3 licensed facility, [2%  
29 of the gross terminal revenue or \$10,000,000 annually,  
30 whichever is greater, shall be paid by each licensed

1 entity operating a licensed facility located in the  
2 town,] \$10,000,000 annually shall be distributed to the  
3 incorporated town, subject, however, to the budgetary  
4 limitation in this subparagraph. The amount allocated to  
5 the designated municipalities shall not exceed 50% of  
6 their total budget for fiscal year 2003-2004, adjusted  
7 for inflation in subsequent years by an amount not to  
8 exceed an annual cost-of-living adjustment calculated by  
9 applying the percentage change in the Consumer Price  
10 Index immediately prior to the date the adjustment is due  
11 to take effect. Any remaining money shall be [collected  
12 by the department from each licensed gaming entity and]  
13 distributed in accordance with paragraph (2) based upon  
14 the classification of county where the licensed facility  
15 is located. [In the event that the revenues generated by  
16 the 2% do not meet the \$10,000,000 minimum specified in  
17 this subparagraph, the department shall collect the  
18 remainder of the minimum amount of \$10,000,000 from each  
19 licensed gaming entity operating a licensed facility in  
20 the incorporated town, pay any balance due to the town  
21 and transfer any remainder in accordance with paragraph  
22 (2).]

23 (viii) (A) Except as provided in clause (B) or (C),  
24 to a municipality of any class hosting a Category 3  
25 facility, 2% of the gross terminal revenue from the  
26 Category 3 licensed facility located in the  
27 municipality, subject, however, to the budgetary  
28 limitation in this clause. The amount allocated to  
29 the designated municipalities shall not exceed 50% of  
30 their total budget for fiscal year 2009, adjusted for

1 inflation in subsequent years by an amount not to  
2 exceed an annual cost-of-living adjustment calculated  
3 by applying the percentage change in the Consumer  
4 Price Index immediately prior to the date the  
5 adjustment is due to take effect. Any remaining money  
6 shall be collected by the department from each  
7 licensed gaming entity and distributed in accordance  
8 with paragraph (2) based upon the classification of  
9 county where the licensed facility is located.

10 (B) If the municipality hosting a Category 3  
11 licensed facility is a borough located in a county of  
12 the third class and the borough is contiguous to a  
13 city of the third class, 1% of gross terminal revenue  
14 shall be distributed to the host borough and 1% of  
15 gross terminal revenue shall be distributed to the  
16 city of the third class that is contiguous to the  
17 host borough, subject, however, to the budgetary  
18 limitation in this clause. The amount allocated to  
19 each designated municipality shall not exceed 50% of  
20 its total budget for fiscal year 2009, adjusted for  
21 inflation in subsequent years by an amount not to  
22 exceed an annual cost-of-living adjustment calculated  
23 by applying the percentage increase, if any, in the  
24 Consumer Price Index immediately prior to the date  
25 the adjustment is due to take effect. Any remaining  
26 money shall be collected by the department from each  
27 licensed gaming entity and distributed in accordance  
28 with paragraph (2) based upon the classification of  
29 county where the licensed facility is located.

30 (C) If the municipality hosting a Category 3

1 licensed facility is a township of the second class  
2 in a county of the fifth class which is contiguous to  
3 a county of the seventh class, 2% of the gross  
4 terminal revenue from the Category 3 licensed  
5 facility located in the municipality shall be  
6 distributed to the municipality, subject, however, to  
7 the budgetary limitation in this clause. The amount  
8 allocated to the designated municipalities shall not  
9 exceed the lesser of \$1,000,000 or 50% of their total  
10 budget for fiscal year 2009, adjusted for inflation  
11 in subsequent years by an amount not to exceed an  
12 annual cost-of-living adjustment calculated by  
13 applying the percentage change in the Consumer Price  
14 Index immediately prior to the date the adjustment is  
15 due to take effect. Any remaining money shall be  
16 collected by the department from each licensed gaming  
17 entity and distributed in equal amounts to each  
18 municipality contiguous to the host municipality.  
19 However, the amount to be allocated to any contiguous  
20 municipality shall not exceed the lesser of  
21 \$1,000,000 or 50% of the municipality's total budget  
22 for fiscal year 2009, adjusted for inflation in  
23 subsequent years by an amount not to exceed an annual  
24 cost-of-living adjustment calculated by applying the  
25 percentage change in the Consumer Price Index  
26 immediately prior to the date the adjustment is due  
27 to take effect. Any money remaining following  
28 distribution to contiguous municipalities shall be  
29 collected by the department and distributed in  
30 accordance with paragraph (2) based upon the

1 classification of county where the licensed facility  
2 is located.

3 (ix) [Any municipality not specifically enumerated  
4 in subparagraphs (i) through (viii),] To any  
5 municipality, except for a city of the first class, not  
6 specifically enumerated in subparagraphs (i) through  
7 (viii) hosting a licensed facility, other than a Category  
8 3 licensed facility, \$10,000,000 annually shall be  
9 distributed to the host municipality. To any municipality  
10 not enumerated in subparagraphs (i) through (viii)  
11 hosting a Category 3 licensed facility, 2% of the gross  
12 terminal revenue to the municipality hosting the Category  
13 3 licensed facility from each such Category 3 licensed  
14 facility.

15 (x) If the licensed facility is located in more than  
16 one municipality, the amount available shall be  
17 distributed on a pro rata basis determined by the  
18 percentage of acreage located in each municipality to the  
19 total acreage of all municipalities occupied by the  
20 licensed facility.

21 (xi) If the licensed facility is located at a resort  
22 which is also an incorporated municipality, such  
23 municipality shall not be eligible to receive any  
24 distribution under this paragraph. The distribution it  
25 would have otherwise been entitled to under this  
26 paragraph shall instead be distributed in accordance with  
27 paragraph (2) based upon the county where the licensed  
28 facility is located.

29 (xii) The distributions provided in this paragraph  
30 shall be based upon municipal classifications in effect

1 on the effective date of this section. For the purposes  
2 of this paragraph, any reclassification of municipalities  
3 as a result of a Federal decennial census or of a State  
4 statute shall not apply to this paragraph.

5 (xiii) If any provision of this paragraph is found  
6 to be unenforceable for any reason, the distribution  
7 provided for in such unenforceable provision shall be  
8 made to the municipality in which the licensed facility  
9 is located.

10 (xiv) Nothing in this paragraph shall prevent any of  
11 the above municipalities from entering into  
12 intergovernmental cooperative agreements with other  
13 jurisdictions for sharing this money.

14 (xv) Notwithstanding any other law, agreement or  
15 provision in this part to the contrary, all revenues  
16 provided, directed or earmarked under this section to or  
17 for the benefit of a city of the second class in which an  
18 intergovernmental cooperation authority has been  
19 established and is in existence pursuant to the act of  
20 February 12, 2004 (P.L.73, No.11), known as the  
21 Intergovernmental Cooperation Authority Act for Cities of  
22 the Second Class, shall be directed to and under the  
23 exclusive control of such intergovernmental cooperation  
24 authority to be used:

25 (A) to reduce the debt of the second class city;

26 (B) to increase the level of funding of the  
27 municipal pension funds of the second class city; or

28 (C) for any other purposes as determined to be  
29 in the best interest of the second class city by such  
30 intergovernmental cooperation authority. Such

1 revenues shall not be directed to or under the  
2 control of such city of the second class or any  
3 coordinator appointed pursuant to the act of July 10,  
4 1987 (P.L.246, No.47), known as the Municipalities  
5 Financial Recovery Act, for such city of the second  
6 class.

7 (d) Consumer Price Index.--For purposes of subsection (c),  
8 references to the Consumer Price Index shall mean the Consumer  
9 Price Index for All Urban Consumers for the Pennsylvania, New  
10 Jersey, Delaware and Maryland area for the most recent 12-month  
11 period for which figures have been officially reported by the  
12 United States Department of Labor, Bureau of Labor Statistics.

13 (e) Reporting.--

14 (1) In cooperation with the department and the  
15 Commonwealth Financing Authority, the Department of Community  
16 and Economic Development shall submit an annual report on all  
17 distributions of local share assessments and slot machine  
18 license operation fees to counties and municipalities under  
19 this section to the chairman and minority chairman of the  
20 Appropriations Committee of the Senate, the chairman and  
21 minority chairman of the Community, Economic and Recreational  
22 Development Committee of the Senate, the chairman and  
23 minority chairman of the Appropriations Committee of the  
24 House of Representatives and the chairman and minority  
25 chairman of the Gaming Oversight Committee of the House of  
26 Representatives. The report shall be submitted by [August 31,  
27 2010] March 31, 2018, and by [August] March 31 of each year  
28 thereafter.

29 (2) All counties and municipalities receiving  
30 distributions of local share assessments or slot machine



1 license operation fees under this section shall submit  
2 information to the Department of Community and Economic  
3 Development on a form prepared by the Department of Community  
4 and Economic Development that sets forth the amount and use  
5 of the funds received in the prior calendar year. The form  
6 shall set forth whether the funds received were deposited in  
7 the county's or municipality's General Fund or committed to a  
8 specific project or use.

9 (f) Prohibited activities.--

10 (1) A person or its affiliated entity or a political  
11 subdivision shall not compensate or incur an obligation to  
12 compensate a person to engage in lobbying for compensation  
13 contingent in whole or in part upon the approval, award,  
14 receipt or denial of funds under this section. A person or  
15 its affiliated entity shall not engage in or agree to engage  
16 in lobbying for compensation contingent in whole or in part  
17 upon the approval, award, receipt or denial of funds under  
18 this section. This subsection shall not apply to a county or  
19 municipality that compensates a person to prepare a grant  
20 application for funds under this section if the following  
21 requirements are met:

22 (i) The person is not identified in the application.

23 (ii) The person has no direct contact with the  
24 agency, county or municipality providing the funding.

25 (iii) The person is paid a fixed fee or percentage  
26 of the amount of any funds approved, awarded or received  
27 up to .5%.

28 (2) A violation of this section shall be considered an  
29 intentional violation of 65 Pa.C.S. § 13A09(e) (relating to  
30 penalties).

1 § 1501. RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

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2 \* \* \*

3 (B) APPLICATION OF RULES AND REGULATIONS.--THE DEPARTMENT  
4 MAY PRESCRIBE THE EXTENT, IF ANY, TO WHICH ANY RULES AND  
5 REGULATIONS SHALL BE APPLIED WITHOUT RETROACTIVE EFFECT. THE  
6 DEPARTMENT SHALL HAVE AUTHORITY TO PRESCRIBE THE FORMS AND THE  
7 SYSTEM OF ACCOUNTING AND RECORDKEEPING TO BE EMPLOYED AND  
8 THROUGH ITS REPRESENTATIVE SHALL AT ALL TIMES HAVE POWER OF  
9 ACCESS TO AND EXAMINATION AND AUDIT OF ANY EQUIPMENT AND RECORDS  
10 RELATING TO ALL ASPECTS OF THE OPERATION OF SLOT MACHINES [AND],  
11 TABLE GAMES AND INTERACTIVE GAMING UNDER THIS PART.

12 \* \* \*

13 § 1509. Compulsive and problem gambling program.

14 (a) Establishment of program.--The Department of [Health]  
15 Drug and Alcohol Programs, in consultation with organizations  
16 similar to the Mid-Atlantic Addiction Training Institute, shall  
17 develop program guidelines for public education, awareness and  
18 training regarding compulsive and problem gambling and the  
19 treatment and prevention of compulsive and problem gambling. The  
20 guidelines shall include strategies for the prevention of  
21 compulsive and problem gambling. The Department of [Health] Drug  
22 and Alcohol Programs may consult with the board and licensed  
23 gaming entities to develop such strategies.

24 (a.1) Duties of Department of [Health] Drug and Alcohol  
25 Programs.--From funds available in the Compulsive and Problem  
26 Gambling Treatment Fund, the Department of [Health] Drug and  
27 Alcohol Programs shall:

28 (1) Maintain [a] one compulsive gamblers assistance  
29 organization's toll-free problem gambling telephone number,  
30 which shall be the number 1-800-GAMBLER, to provide crisis

1 counseling and referral services to individuals and families  
2 experiencing difficulty as a result of problem or compulsive  
3 gambling. If the Department of Drug and Alcohol Programs  
4 determines that it is unable to adopt the number 1-800-  
5 GAMBLER, the Department of Drug and Alcohol Programs shall  
6 maintain another number.

7 (2) Facilitate, through in-service training and other  
8 means, the availability of effective assistance programs for  
9 problem and compulsive gamblers and family members affected  
10 by problem and compulsive gambling.

11 (3) At its discretion, conduct studies to identify  
12 individuals in this Commonwealth who are or are at risk of  
13 becoming problem or compulsive gamblers.

14 (4) Provide grants to and contract with single county  
15 authorities and other organizations which provide services as  
16 set forth in this section.

17 (5) Reimburse organizations for reasonable expenses  
18 incurred assisting the Department of [Health] Drug and  
19 Alcohol Programs with implementing this section.

20 (a.2) Duties of Department of [Health] Drug and Alcohol  
21 Programs and board.--[Within 60 days following the effective  
22 date of this subsection, the] The Department of [Health's Bureau  
23 of] Drug and Alcohol Programs and the board's Office of  
24 Compulsive and Problem Gambling shall jointly collaborate with  
25 other appropriate offices and agencies of State or local  
26 government, including single county authorities, and providers  
27 and other persons, public or private, with expertise in  
28 compulsive and problem gambling treatment to do the following:

29 (1) Implement a strategic plan for the prevention and  
30 treatment of compulsive and problem gambling.

1 (2) Adopt compulsive and problem gambling treatment  
2 standards to be integrated with the [Bureau] Department of  
3 Drug and Alcohol Program's uniform Statewide guidelines that  
4 govern the provision of addiction treatment services.

5 (3) Develop a method to coordinate compulsive and  
6 problem gambling data collection and referral information to  
7 crisis response hotlines, child welfare and domestic violence  
8 programs and providers and other appropriate programs and  
9 providers.

10 (4) Develop and disseminate educational materials to  
11 provide public awareness related to the prevention,  
12 recognition and treatment of compulsive and problem gambling.

13 (5) Develop demographic-specific compulsive and problem  
14 gambling prevention, intervention and treatment programs.

15 (6) Prepare an itemized budget outlining how funds will  
16 be allocated to fulfill the responsibilities under this  
17 section.

18 (b) Compulsive and Problem Gambling Treatment Fund.--There  
19 is hereby established in the State Treasury a special fund to be  
20 known as the Compulsive and Problem Gambling Treatment Fund. All  
21 moneys in the fund shall be administered by the Department of  
22 [Health] Drug and Alcohol Programs and expended solely for  
23 programs for the prevention and treatment of gambling addiction  
24 and other emotional and behavioral problems associated with or  
25 related to gambling addiction and for the administration of the  
26 compulsive and problem gambling program, provided that the  
27 Department of [Health] Drug and Alcohol Programs shall annually  
28 distribute at least 50% of the money in the fund to single  
29 county authorities under subsection (d). The fund shall consist  
30 of money annually allocated to it from the annual payment

1 established under section 1408(a) (relating to transfers from  
2 State Gaming Fund), money which may be allocated by the board,  
3 interest earnings on moneys in the fund and any other  
4 contributions, payments or deposits which may be made to the  
5 fund.

6 (c) Notice of availability of assistance.--

7 (1) [Each] Except as otherwise provided for in paragraph  
8 (4), each slot machine licensee shall [obtain a] use the  
9 toll-free telephone number [to be used] established by the  
10 Department of Drug and Alcohol Programs in subsection (a.1)  
11 (1) to provide persons with information on assistance for  
12 compulsive or problem gambling. Each licensee shall  
13 conspicuously post at least 20 signs similar to the following  
14 statement:

15 If you or someone you know has a gambling problem, help  
16 is available. Call (Toll-free telephone number).

17 The signs must be posted within 50 feet of each entrance and  
18 exit, within 50 feet of each automated teller machine  
19 location within the licensed facility and in other  
20 appropriate public areas of the licensed facility as  
21 determined by the slot machine licensee.

22 (2) Each racetrack where slot machines or table games  
23 are operated shall print a statement on daily racing programs  
24 provided to the general public that is similar to the  
25 following:

26 If you or someone you know has a gambling problem, help  
27 is available. Call (Toll-free telephone number).

28 Except as otherwise provided for in paragraph (4), the toll-  
29 free telephone number shall be the same telephone number  
30 established by the Department of Drug and Alcohol Programs

1 under subsection (a.1)(1).

2 ~~(3) A licensed facility which fails to post or print the <--~~  
3 ~~warning sign in accordance with paragraph (1) or (2) shall be~~  
4 ~~assessed a fine of \$1,000 a day for each day the minimum~~  
5 ~~number of signs are not posted or the required statement is~~  
6 ~~not printed as provided in this subsection.~~

7 (2.1) EACH INTERACTIVE GAMING CERTIFICATE HOLDER, <--  
8 INTERACTIVE GAMING OPERATOR OR OTHER PERSON THAT OPERATES  
9 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF  
10 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER:

11 (I) SHALL CAUSE THE WORDS:

12 IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM,  
13 HELP IS AVAILABLE. CALL (TOLL-FREE TELEPHONE NUMBER).

14 OR SOME COMPARABLE LANGUAGE APPROVED BY THE BOARD, WHICH  
15 LANGUAGE SHALL INCLUDE THE WORDS "GAMBLING PROBLEM" AND  
16 "CALL 1-800-XXXX," TO BE PROMINENTLY AND CONTINUOUSLY  
17 DISPLAYED TO ANY PERSON VISITING OR LOGGED ONTO THE  
18 INTERACTIVE GAMING CERTIFICATE HOLDER'S INTERACTIVE  
19 GAMING SKIN OR INTERNET WEBSITE.

20 (II) SHALL PROVIDE A MECHANISM BY WHICH AN  
21 INTERACTIVE GAMING ACCOUNT HOLDER MAY ESTABLISH THE  
22 FOLLOWING CONTROLS ON WAGERING ACTIVITY THROUGH THE  
23 INTERACTIVE GAMING ACCOUNT:

24 (A) A LIMIT ON THE AMOUNT OF MONEY LOST WITHIN A  
25 SPECIFIED PERIOD OF TIME AND THE LENGTH OF TIME THE  
26 ACCOUNT HOLDER WILL BE UNABLE TO PARTICIPATE IN  
27 GAMING IF THE HOLDER REACHES THE ESTABLISHED LOSS  
28 LIMIT.

29 (B) A LIMIT ON THE MAXIMUM AMOUNT OF ANY SINGLE  
30 WAGER ON ANY INTERACTIVE GAME.

1                   (C) A TEMPORARY SUSPENSION OF INTERACTIVE GAMING  
2                   THROUGH THE ACCOUNT FOR ANY NUMBER OF HOURS OR DAYS.

3                   (III) SHALL NOT MAIL OR OTHERWISE FORWARD ANY  
4                   GAMING-RELATED PROMOTIONAL MATERIAL OR E-MAIL TO A  
5                   REGISTERED PLAYER DURING ANY PERIOD IN WHICH INTERACTIVE  
6                   GAMING THROUGH THE REGISTERED PLAYERS' INTERACTIVE GAMING  
7                   ACCOUNT HAS BEEN SUSPENDED OR TERMINATED. THE INTERACTIVE  
8                   GAMING CERTIFICATE HOLDER SHALL PROVIDE A MECHANISM BY  
9                   WHICH A REGISTERED PLAYER MAY CHANGE THE CONTROLS, EXCEPT  
10                   THAT, WHILE INTERACTIVE GAMING THROUGH THE INTERACTIVE  
11                   GAMING ACCOUNT IS SUSPENDED, THE REGISTERED PLAYER MAY  
12                   NOT CHANGE GAMING CONTROLS UNTIL THE SUSPENSION EXPIRES,  
13                   BUT THE REGISTERED PLAYER SHALL CONTINUE TO HAVE ACCESS  
14                   TO THE ACCOUNT AND SHALL BE PERMITTED TO WITHDRAW FUNDS  
15                   FROM THE ACCOUNT UPON PROPER APPLICATION FOR THE FUNDS TO  
16                   THE INTERACTIVE GAMING CERTIFICATE HOLDER.

17                   (3) A [LICENSED FACILITY] LICENSED GAMING ENTITY WHICH  
18 FAILS TO POST OR PRINT THE WARNING SIGN IN ACCORDANCE WITH  
19 PARAGRAPH (1) [OR], (2) OR (2.1) (I) SHALL BE ASSESSED A FINE  
20 OF \$1,000 A DAY FOR EACH DAY THE MINIMUM NUMBER OF SIGNS ARE  
21 NOT POSTED OR THE REQUIRED STATEMENT IS NOT PRINTED AS  
22 PROVIDED IN THIS SUBSECTION.

23                   (3.1) AN INTERACTIVE GAMING CERTIFICATE HOLDER OR  
24 INTERACTIVE GAMING LICENSE HOLDER, AS THE CASE MAY BE, THAT  
25 FAILS TO ESTABLISH THE MECHANISMS, CONTROLS AND SYSTEMS IN  
26 ACCORDANCE WITH PARAGRAPH (2.1) (II) AND (III) SHALL BE  
27 ASSESSED A FINE OF NOT LESS THAN \$5,000 PER DAY FOR EACH DAY  
28 THE MECHANISMS, CONTROLS AND SYSTEMS ARE NOT AVAILABLE TO  
29 INTERACTIVE GAMING ACCOUNT HOLDERS.

30                   (4) Slot machine licensees or racetracks utilizing a

1 toll-free telephone number other than the number established  
2 by the Department of Drug and Alcohol Programs under  
3 subsection (a.1)(1) prior to the effective date of this  
4 paragraph may continue to use that number for a period not to  
5 exceed three years from the effective date of this paragraph  
6 upon showing good cause to the Department of Drug and Alcohol  
7 Programs.

8 (d) Single county authorities.--The Department of [Health]  
9 Drug and Alcohol Programs shall make grants from the fund  
10 established under subsection (b) to single county authorities  
11 created pursuant to the act of April 14, 1972 (P.L.221, No.63),  
12 known as the Pennsylvania Drug and Alcohol Abuse Control Act,  
13 for the purpose of providing compulsive gambling and gambling  
14 addiction prevention, treatment and education programs.  
15 Treatment may include financial counseling, irrespective of  
16 whether the financial counseling is provided by the single  
17 county authority, the treatment service provider or  
18 subcontracted to a third party. It is the intention of the  
19 General Assembly that any grants made by the Department of  
20 [Health] Drug and Alcohol Programs to any single county  
21 authority in accordance with the provisions of this subsection  
22 be used exclusively for the development and implementation of  
23 compulsive and problem gambling programs authorized under this  
24 section.

25 (d.1) Eligibility.--Eligibility to receive treatment  
26 services for treatment of compulsive and problem gambling under  
27 this section shall be determined using financial eligibility and  
28 other requirements of the single county authorities as approved  
29 by the Department of [Health] Drug and Alcohol Programs.

30 (d.2) Report.--[No later than October 1, 2010, and each]



1 Annually on October 1 [thereafter], the Department of [Health]  
2 Drug and Alcohol Programs, in consultation with the board, shall  
3 prepare and submit a report on the impact of the programs funded  
4 by the Compulsive and Problem Gambling Treatment Fund to the  
5 Governor and to the members of the General Assembly. The report  
6 shall include aggregate demographic-specific data, including  
7 race, gender, geography and income of those individuals treated.

8 (e) Definition.--As used in subsection (d), the term "single  
9 county authority" means the agency designated by the Department  
10 of Health pursuant to the act of April 14, 1972 (P.L.221,  
11 No.63), known as the Pennsylvania Drug and Alcohol Abuse Control  
12 Act, to plan and coordinate drug and alcohol prevention,  
13 intervention and treatment services for a geographic area, which  
14 may consist of one or more counties.

15 SECTION 20. SECTION 1512 OF TITLE 4 IS AMENDED BY ADDING A <--  
16 SUBSECTION TO READ:

17 § 1512. FINANCIAL AND EMPLOYMENT INTERESTS.

18 \* \* \*

19 (A.6) PROHIBITION RELATED TO INTERACTIVE GAMING.--

20 (1) EXCEPT AS MAY BE PROVIDED BY RULE OR ORDER OF THE  
21 PENNSYLVANIA SUPREME COURT AND EXCEPT AS PROVIDED IN SECTION  
22 1202.1 (RELATING TO CODE OF CONDUCT) OR 1512.1 (RELATING TO  
23 ADDITIONAL RESTRICTIONS), NO EXECUTIVE-LEVEL PUBLIC EMPLOYEE,  
24 PUBLIC OFFICIAL OR PARTY OFFICER OR IMMEDIATE FAMILY MEMBER  
25 THEREOF SHALL HOLD, DIRECTLY OR INDIRECTLY, A FINANCIAL  
26 INTEREST IN, BE EMPLOYED BY OR REPRESENT, APPEAR FOR, OR  
27 NEGOTIATE ON BEHALF OF, OR DERIVE ANY REMUNERATION, PAYMENT,  
28 BENEFIT OR ANY OTHER THING OF VALUE FOR ANY SERVICES,  
29 INCLUDING, BUT NOT LIMITED TO, CONSULTING OR SIMILAR SERVICES  
30 FROM ANY HOLDER OF OR APPLICANT FOR AN INTERACTIVE GAMING

1 CERTIFICATE, HOLDER OR APPLICANT FOR AN INTERACTIVE GAMING  
2 LICENSE OR OTHER AUTHORIZATION TO CONDUCT INTERACTIVE GAMING  
3 OR ANY HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANY WITH  
4 RESPECT THERETO, OR ANY BUSINESS, ASSOCIATION, ENTERPRISE OR  
5 OTHER ENTITY THAT IS ORGANIZED IN WHOLE OR IN PART FOR THE  
6 PURPOSE OF PROMOTING, ADVOCATING FOR OR ADVANCING THE  
7 INTERESTS OF THE INTERACTIVE GAMING INDUSTRY GENERALLY OR ANY  
8 INTERACTIVE GAMING-RELATED BUSINESS OR BUSINESSES IN  
9 CONNECTION WITH ANY CAUSE, APPLICATION OR MATTER. THE  
10 FINANCIAL INTEREST AND EMPLOYMENT PROHIBITIONS UNDER THIS  
11 PARAGRAPH SHALL REMAIN IN EFFECT FOR ONE YEAR FOLLOWING  
12 TERMINATION OF THE INDIVIDUAL'S STATUS AS AN EXECUTIVE-LEVEL  
13 PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER.

14 (2) NOTWITHSTANDING PARAGRAPH (1), A MEMBER OF THE  
15 IMMEDIATE FAMILY OF AN EXECUTIVE-LEVEL PUBLIC EMPLOYEE,  
16 PUBLIC OFFICIAL OR PARTY OFFICER MAY HOLD EMPLOYMENT WITH THE  
17 HOLDER OF OR APPLICANT FOR AN INTERACTIVE GAMING CERTIFICATE,  
18 HOLDER OR APPLICANT FOR AN INTERACTIVE GAMING LICENSE OR  
19 OTHER AUTHORIZATION TO CONDUCT INTERACTIVE GAMING OR ANY  
20 HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANY WITH RESPECT  
21 THERETO, IF IN THE JUDGMENT OF THE STATE ETHICS COMMISSION OR  
22 THE SUPREME COURT, AS APPROPRIATE, EMPLOYMENT WILL NOT  
23 INTERFERE WITH THE RESPONSIBILITIES OF THE EXECUTIVE-LEVEL  
24 PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER AND WILL  
25 NOT CREATE A CONFLICT OF INTEREST OR REASONABLE RISK OF THE  
26 PUBLIC PERCEPTION OF A CONFLICT OF INTEREST ON THE PART OF  
27 THE EXECUTIVE-LEVEL PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY  
28 OFFICER.

29 \* \* \*

30 SECTION 21. SECTIONS 1513(A), 1514 HEADING, (A), (D), (E)

1 AND (F), 1515, 1516 AND 1517(B)(1), (C)(12) AND (E)(1) OF TITLE  
2 4 ARE AMENDED TO READ:

3 § 1513. POLITICAL INFLUENCE.

4 (A) CONTRIBUTION RESTRICTION.--THE FOLLOWING PERSONS SHALL  
5 BE PROHIBITED FROM CONTRIBUTING ANY MONEY OR IN-KIND  
6 CONTRIBUTION TO A CANDIDATE FOR NOMINATION OR ELECTION TO ANY  
7 PUBLIC OFFICE IN THIS COMMONWEALTH, OR TO ANY POLITICAL PARTY  
8 COMMITTEE OR OTHER POLITICAL COMMITTEE IN THIS COMMONWEALTH OR  
9 TO ANY GROUP, COMMITTEE OR ASSOCIATION ORGANIZED IN SUPPORT OF A  
10 CANDIDATE, POLITICAL PARTY COMMITTEE OR OTHER POLITICAL  
11 COMMITTEE IN THIS COMMONWEALTH:

12 (1) AN APPLICANT FOR A SLOT MACHINE LICENSE,  
13 MANUFACTURER LICENSE, SUPPLIER LICENSE, PRINCIPAL LICENSE,  
14 KEY EMPLOYEE LICENSE, INTERACTIVE GAMING LICENSE OR HORSE OR  
15 HARNESS RACING LICENSE.

16 (2) A SLOT MACHINE LICENSEE, LICENSED MANUFACTURER,  
17 LICENSED SUPPLIER, INTERACTIVE GAMING OPERATOR OR LICENSED  
18 RACING ENTITY.

19 (3) A LICENSED PRINCIPAL OR LICENSED KEY EMPLOYEE OF A  
20 SLOT MACHINE LICENSEE, LICENSED MANUFACTURER, LICENSED  
21 SUPPLIER, INTERACTIVE GAMING OPERATOR OR LICENSED RACING  
22 ENTITY.

23 (4) AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING  
24 COMPANY OF A SLOT MACHINE LICENSEE, LICENSED MANUFACTURER,  
25 LICENSED SUPPLIER, INTERACTIVE GAMING OPERATOR OR LICENSED  
26 RACING ENTITY.

27 (5) A LICENSED PRINCIPAL OR LICENSED KEY EMPLOYEE OF AN  
28 AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF A  
29 SLOT MACHINE LICENSEE, LICENSED MANUFACTURER, LICENSED  
30 SUPPLIER, INTERACTIVE GAMING OPERATOR OR LICENSED RACING

1 ENTITY.

2 (6) A PERSON WHO HOLDS A SIMILAR GAMING LICENSE IN  
3 ANOTHER JURISDICTION AND THE AFFILIATES, INTERMEDIARIES,  
4 SUBSIDIARIES, HOLDING COMPANIES, PRINCIPALS OR KEY EMPLOYEES  
5 THEREOF.

6 \* \* \*

7 § 1514. REGULATION REQUIRING EXCLUSION [OR], EJECTION OR DENIAL  
8 OF ACCESS OF CERTAIN PERSONS.

9 (A) GENERAL RULE.--THE BOARD SHALL BY REGULATION PROVIDE FOR  
10 THE ESTABLISHMENT OF A LIST OF PERSONS WHO ARE TO BE EXCLUDED OR  
11 EJECTED FROM ANY LICENSED FACILITY OR WHO MAY BE DENIED ACCESS  
12 TO INTERACTIVE GAMING. THE PROVISIONS SHALL DEFINE THE STANDARDS  
13 FOR EXCLUSION AND SHALL INCLUDE STANDARDS RELATING TO PERSONS  
14 WHO ARE CAREER OR PROFESSIONAL OFFENDERS AS DEFINED BY  
15 REGULATIONS OF THE BOARD OR WHOSE PRESENCE IN A LICENSED  
16 FACILITY OR WHOSE ACCESS TO INTERACTIVE GAMING WOULD, IN THE  
17 OPINION OF THE BOARD, BE INIMICAL TO THE INTEREST OF THE  
18 COMMONWEALTH OR OF LICENSED GAMING THEREIN, OR BOTH.

19 \* \* \*

20 (D) SANCTIONS.--THE BOARD MAY IMPOSE SANCTIONS UPON A  
21 LICENSED GAMING ENTITY OR INTERACTIVE GAMING LICENSEE IN  
22 ACCORDANCE WITH THIS PART IF THE LICENSED GAMING ENTITY  
23 KNOWINGLY FAILS TO EXCLUDE OR EJECT FROM THE PREMISES OF ANY  
24 LICENSED FACILITY OR DENY ACCESS TO INTERACTIVE GAMING ANY  
25 PERSON PLACED BY THE BOARD ON THE LIST OF PERSONS TO BE EXCLUDED  
26 [OR], EJECTED OR DENIED ACCESS.

27 (E) LIST NOT ALL-INCLUSIVE.--ANY LIST COMPILED BY THE BOARD  
28 OF PERSONS TO BE EXCLUDED [OR], EJECTED OR DENIED ACCESS SHALL  
29 NOT BE DEEMED AN ALL-INCLUSIVE LIST, AND A LICENSED GAMING  
30 ENTITY SHALL HAVE A DUTY TO KEEP FROM THE LICENSED FACILITY AND

1 FROM INTERACTIVE GAMING PERSONS KNOWN TO IT TO BE WITHIN THE  
2 CLASSIFICATIONS DECLARED IN THIS SECTION AND THE REGULATIONS  
3 PROMULGATED UNDER THIS SECTION WHOSE PRESENCE IN A LICENSED  
4 FACILITY OR WHOSE PARTICIPATION IN INTERACTIVE GAMING WOULD BE  
5 INIMICAL TO THE INTEREST OF THE COMMONWEALTH OR OF LICENSED  
6 GAMING THEREIN, OR BOTH, AS DEFINED IN STANDARDS ESTABLISHED BY  
7 THE BOARD.

8 (F) NOTICE.--WHENEVER THE BUREAU SEEKS TO PLACE THE NAME OF  
9 ANY PERSON ON A LIST PURSUANT TO THIS SECTION, THE BUREAU SHALL  
10 SERVE NOTICE OF THIS FACT TO SUCH PERSON BY PERSONAL SERVICE OR  
11 CERTIFIED MAIL AT THE LAST KNOWN ADDRESS OF THE PERSON. THE  
12 NOTICE SHALL INFORM THE PERSON OF THE RIGHT TO REQUEST A HEARING  
13 UNDER SUBSECTION (G). THE BUREAU MAY ALSO PROVIDE NOTICE BY E-  
14 MAIL, IF THE ELECTRONIC MAIL ADDRESS OF THE PERSON IS KNOWN TO  
15 THE BUREAU.

16 \* \* \*

17 § 1515. REPEAT OFFENDERS EXCLUDABLE FROM LICENSED GAMING  
18 FACILITY.

19 A LICENSED GAMING ENTITY MAY EXCLUDE OR EJECT FROM ITS  
20 LICENSED FACILITY OR DENY ACCESS TO INTERACTIVE GAMING ANY  
21 PERSON WHO IS KNOWN TO IT TO HAVE BEEN CONVICTED OF A  
22 MISDEMEANOR OR FELONY COMMITTED IN OR ON THE PREMISES OF ANY  
23 LICENSED FACILITY. NOTHING IN THIS SECTION OR IN ANY OTHER LAW  
24 OF THIS COMMONWEALTH SHALL LIMIT THE RIGHT OF A LICENSED GAMING  
25 ENTITY TO EXERCISE ITS COMMON LAW RIGHT TO EXCLUDE OR EJECT  
26 PERMANENTLY FROM ITS LICENSED FACILITY OR PERMANENTLY DENY  
27 ACCESS TO ITS INTERACTIVE GAMING ANY PERSON WHO DISRUPTS THE  
28 OPERATIONS OF ITS PREMISES OR ITS INTERACTIVE GAMING, THREATENS  
29 THE SECURITY OF ITS PREMISES OR ITS OCCUPANTS OR IS DISORDERLY  
30 OR INTOXICATED[.] OR WHO THREATENS THE SECURITY OF ITS LICENSED

1 FACILITY OR THE AREA OF A LICENSED FACILITY WHERE INTERACTIVE  
2 GAMING OPERATIONS ARE MANAGED, ADMINISTERED OR CONTROLLED.

3 § 1516. LIST OF PERSONS SELF EXCLUDED FROM GAMING ACTIVITIES.

4 (A) GENERAL RULE.--THE BOARD SHALL PROVIDE BY REGULATION FOR  
5 THE ESTABLISHMENT OF A LIST OF PERSONS SELF EXCLUDED FROM GAMING  
6 ACTIVITIES, INCLUDING INTERACTIVE GAMING, AT ALL LICENSED  
7 FACILITIES. ANY PERSON MAY REQUEST PLACEMENT ON THE LIST OF  
8 SELF-EXCLUDED PERSONS BY ACKNOWLEDGING IN A MANNER TO BE  
9 ESTABLISHED BY THE BOARD THAT THE PERSON IS A PROBLEM GAMBLER  
10 AND BY AGREEING THAT, DURING ANY PERIOD OF VOLUNTARY EXCLUSION,  
11 THE PERSON MAY NOT COLLECT ANY WINNINGS OR RECOVER ANY LOSSES  
12 RESULTING FROM ANY GAMING ACTIVITY AT LICENSED FACILITIES,  
13 INCLUDING INTERACTIVE GAMING.

14 (B) REGULATIONS.--THE REGULATIONS OF THE BOARD SHALL  
15 ESTABLISH PROCEDURES FOR PLACEMENTS ON AND REMOVALS FROM THE  
16 LIST OF SELF-EXCLUDED PERSONS. THE REGULATIONS SHALL ESTABLISH  
17 PROCEDURES FOR THE TRANSMITTAL TO LICENSED GAMING ENTITIES OF  
18 IDENTIFYING INFORMATION CONCERNING SELF-EXCLUDED PERSONS AND  
19 SHALL REQUIRE LICENSED GAMING ENTITIES TO ESTABLISH PROCEDURES  
20 DESIGNED AT A MINIMUM TO DENY SELF-EXCLUDED PERSONS ACCESS TO  
21 INTERACTIVE GAMING AND TO REMOVE SELF-EXCLUDED PERSONS FROM  
22 TARGETED MAILINGS OR OTHER FORMS OF ADVERTISING OR PROMOTIONS  
23 AND DENY SELF-EXCLUDED PERSONS ACCESS TO COMPLIMENTARIES, CHECK  
24 CASHING PRIVILEGES, CLUB PROGRAMS AND OTHER SIMILAR BENEFITS.

25 (C) LIABILITY.--A LICENSED GAMING ENTITY OR EMPLOYEE THEREOF  
26 SHALL NOT BE LIABLE TO ANY SELF-EXCLUDED PERSON OR TO ANY OTHER  
27 PARTY IN ANY JUDICIAL PROCEEDING FOR ANY HARM, MONETARY OR  
28 OTHERWISE, WHICH MAY ARISE AS A RESULT OF:

29 (1) THE FAILURE OF A LICENSED GAMING ENTITY TO WITHHOLD  
30 GAMING PRIVILEGES FROM OR RESTORE GAMING PRIVILEGES TO A

1 SELF-EXCLUDED PERSON; [OR]

2 (1.1) THE FAILURE OF A INTERACTIVE GAMING CERTIFICATE  
3 HOLDER OR INTERACTIVE GAMING LICENSEE TO WITHHOLD INTERACTIVE  
4 GAMING PRIVILEGES FROM OR RESTORE INTERACTIVE GAMING  
5 PRIVILEGES TO A SELF-EXCLUDED PERSON; OR

6 (2) OTHERWISE PERMITTING OR NOT PERMITTING A SELF-  
7 EXCLUDED PERSON TO ENGAGE IN GAMING ACTIVITY IN THE FACILITY  
8 OR PARTICIPATE IN INTERACTIVE GAMING WHILE ON THE LIST OF  
9 SELF-EXCLUDED PERSONS.

10 (D) DISCLOSURE.--NOTWITHSTANDING ANY OTHER LAW TO THE  
11 CONTRARY, THE BOARD'S LIST OF SELF-EXCLUDED PERSONS SHALL NOT BE  
12 OPEN TO PUBLIC INSPECTION. NOTHING IN THIS SECTION, HOWEVER,  
13 SHALL BE CONSTRUED TO PROHIBIT A LICENSED GAMING ENTITY FROM  
14 DISCLOSING THE IDENTITY OF PERSONS SELF EXCLUDED PURSUANT TO  
15 THIS SECTION TO AFFILIATED GAMING ENTITIES IN THIS COMMONWEALTH  
16 OR OTHER JURISDICTIONS FOR THE LIMITED PURPOSE OF ASSISTING IN  
17 THE PROPER ADMINISTRATION OF RESPONSIBLE GAMING PROGRAMS  
18 OPERATED BY AFFILIATED LICENSED GAMING ENTITIES.

19 § 1517. INVESTIGATIONS AND ENFORCEMENT.

20 \* \* \*

21 (B) POWERS AND DUTIES OF DEPARTMENT.--

22 (1) THE DEPARTMENT SHALL AT ALL TIMES HAVE THE POWER OF  
23 ACCESS TO EXAMINE AND AUDIT EQUIPMENT AND RECORDS RELATING TO  
24 ALL ASPECTS OF THE OPERATION OF SLOT MACHINES [OR], TABLE  
25 GAMES OR INTERACTIVE GAMES UNDER THIS PART.

26 \* \* \*

27 (C) POWERS AND DUTIES OF THE PENNSYLVANIA STATE POLICE.--THE  
28 PENNSYLVANIA STATE POLICE SHALL HAVE THE FOLLOWING POWERS AND  
29 DUTIES:

30 \* \* \*

1 (12) CONDUCT AUDITS OR VERIFICATION OF INFORMATION OF  
2 SLOT MACHINE [OR], TABLE GAME OPERATIONS, INCLUDING THE  
3 OPERATION OF SLOT MACHINES USED IN A MULTISTATE WIDE-AREA  
4 PROGRESSIVE SLOT MACHINE SYSTEM AND IN THE OPERATION OF SKILL  
5 OR HYBRID SLOT MACHINES AND INTERACTIVE GAMING OPERATIONS AT  
6 SUCH TIMES, UNDER SUCH CIRCUMSTANCES AND TO SUCH EXTENT AS  
7 THE BUREAU DETERMINES. THIS PARAGRAPH INCLUDES REVIEWS OF  
8 ACCOUNTING, ADMINISTRATIVE AND FINANCIAL RECORDS AND  
9 MANAGEMENT CONTROL SYSTEMS, PROCEDURES AND RECORDS UTILIZED  
10 BY A SLOT MACHINE LICENSEE.

11 \* \* \*

12 (E) INSPECTION, SEIZURE AND WARRANTS.--

13 (1) THE BUREAU, THE DEPARTMENT AND THE PENNSYLVANIA  
14 STATE POLICE SHALL HAVE THE AUTHORITY WITHOUT NOTICE AND  
15 WITHOUT WARRANT TO DO ALL OF THE FOLLOWING IN THE PERFORMANCE  
16 OF THEIR DUTIES:

17 (I) INSPECT AND EXAMINE ALL PREMISES WHERE SLOT  
18 MACHINE [OR], TABLE GAME AND INTERACTIVE GAMING  
19 OPERATIONS ARE CONDUCTED, SLOT MACHINES, TABLE GAME  
20 DEVICES AND ASSOCIATED EQUIPMENT, INTERACTIVE GAMING  
21 DEVICES AND ASSOCIATED EQUIPMENT ARE MANUFACTURED, SOLD,  
22 DISTRIBUTED OR SERVICED OR WHERE RECORDS OF THESE  
23 ACTIVITIES ARE PREPARED OR MAINTAINED.

24 (II) INSPECT ALL EQUIPMENT AND SUPPLIES IN, ABOUT,  
25 UPON OR AROUND PREMISES REFERRED TO IN SUBPARAGRAPH (I).

26 (III) SEIZE, SUMMARILY REMOVE AND IMPOUND EQUIPMENT  
27 AND SUPPLIES FROM PREMISES REFERRED TO IN SUBPARAGRAPH  
28 (I) FOR THE PURPOSES OF EXAMINATION AND INSPECTION.

29 (IV) INSPECT, EXAMINE AND AUDIT ALL BOOKS, RECORDS  
30 AND DOCUMENTS PERTAINING TO A SLOT MACHINE LICENSEE'S



1 OPERATION.

2 (V) SEIZE, IMPOUND OR ASSUME PHYSICAL CONTROL OF ANY  
3 BOOK, RECORD, LEDGER, GAME, DEVICE, CASH BOX AND ITS  
4 CONTENTS, COUNT ROOM OR ITS EQUIPMENT, INTERACTIVE GAMING  
5 DEVICES AND ASSOCIATED EQUIPMENT OR SLOT MACHINE [OR],  
6 TABLE GAME OR INTERACTIVE GAMING OPERATIONS.

7 \* \* \*

8 SECTION 22. SECTION 1518(A)(1), (2), (3), (4), (5), (7.1),  
9 (11), (13), (13.1), (15) AND (17) AND (B)(1), (2) AND (3) OF  
10 TITLE 4 ARE AMENDED AND SUBSECTIONS (A) AND (B) ARE AMENDED BY  
11 ADDING PARAGRAPHS TO READ:

12 § 1518. PROHIBITED ACTS; PENALTIES.

13 (A) CRIMINAL OFFENSES.--

14 (1) THE PROVISIONS OF 18 PA.C.S. § 4902 (RELATING TO  
15 PERJURY), 4903 (RELATING TO FALSE SWEARING) OR 4904 (RELATING  
16 TO UNSWORN FALSIFICATION TO AUTHORITIES) SHALL APPLY TO ANY  
17 PERSON PROVIDING INFORMATION OR MAKING ANY STATEMENT, WHETHER  
18 WRITTEN OR ORAL, TO THE BOARD, THE COMMISSION, THE BUREAU,  
19 THE DEPARTMENT, THE PENNSYLVANIA STATE POLICE OR THE OFFICE  
20 OF ATTORNEY GENERAL, AS REQUIRED BY THIS PART.

21 (2) IT SHALL BE UNLAWFUL FOR A PERSON TO WILLFULLY:

22 (I) FAIL TO REPORT, PAY OR TRUTHFULLY ACCOUNT FOR  
23 AND PAY OVER ANY LICENSE FEE, AUTHORIZATION FEE, PERMIT  
24 FEE, TAX OR ASSESSMENT IMPOSED UNDER THIS PART; OR

25 (II) ATTEMPT IN ANY MANNER TO EVADE OR DEFEAT ANY  
26 LICENSE FEE, AUTHORIZATION FEE, PERMIT FEE, REGISTRATION  
27 FEE, TAX OR ASSESSMENT OR ANY OTHER FEE IMPOSED UNDER  
28 THIS PART.

29 (3) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY, GAMING  
30 EMPLOYEE, KEY EMPLOYEE OR ANY OTHER PERSON TO PERMIT A SLOT

1 MACHINE, TABLE GAME OR TABLE GAME DEVICE, INTERACTIVE GAME OR  
2 INTERACTIVE GAMING DEVICE OR ASSOCIATED EQUIPMENT TO BE  
3 OPERATED, TRANSPORTED, REPAIRED OR OPENED ON THE PREMISES OF  
4 A LICENSED FACILITY BY A PERSON OTHER THAN A PERSON LICENSED  
5 OR PERMITTED BY THE BOARD PURSUANT TO THIS PART.

6 (3.1) IT SHALL BE UNLAWFUL FOR ANY PERSON WHO DOES NOT  
7 POSSESS A VALID AND THEN EFFECTIVE INTERACTIVE GAMING  
8 CERTIFICATE OR INTERACTIVE GAMING LICENSE ISSUED BY THE BOARD  
9 IN ACCORDANCE WITH CHAPTER 13B (RELATING TO INTERACTIVE  
10 GAMING) TO ACCEPT ANY WAGER ASSOCIATED WITH ANY AUTHORIZED  
11 INTERACTIVE GAME FROM ANY INDIVIDUAL WITHOUT VERIFYING THE  
12 AGE, IDENTITY AND PHYSICAL LOCATION OF THE PLAYER AT THE TIME  
13 OF PLAY OR WAGER.

14 (4) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY OR  
15 OTHER PERSON TO MANUFACTURE, SUPPLY OR PLACE SLOT MACHINES,  
16 TABLE GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT, \_\_  
17 AUTHORIZED INTERACTIVE GAME OR INTERACTIVE GAMING DEVICES OR  
18 ASSOCIATED EQUIPMENT INTO PLAY OR DISPLAY SLOT MACHINES,  
19 TABLE GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT ON  
20 THE PREMISES OF A LICENSED FACILITY WITHOUT THE AUTHORITY OF  
21 THE BOARD.

22 (4.1) IT SHALL BE UNLAWFUL FOR ANY SLOT MACHINE LICENSEE  
23 TO OFFER INTERACTIVE GAMES INTO PLAY OR DISPLAY SUCH GAMES ON  
24 ITS INTERACTIVE GAMING SKIN OR INTERNET WEBSITE WITHOUT THE  
25 APPROVAL OF THE BOARD.

26 (4.2) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY OR  
27 OTHER PERSON TO MANUFACTURE, SUPPLY OR PLACE INTERACTIVE  
28 GAMING DEVICES OR ASSOCIATED EQUIPMENT INTO OPERATION AT A  
29 LICENSED FACILITY WITHOUT THE APPROVAL OF THE BOARD.

30 (5) EXCEPT AS PROVIDED FOR IN SECTION 1326 (RELATING TO

1 [LICENSE] RENEWALS), IT SHALL BE UNLAWFUL FOR A LICENSED  
2 ENTITY OR OTHER PERSON TO MANUFACTURE, SUPPLY, OPERATE, CARRY  
3 ON OR EXPOSE FOR PLAY ANY SLOT MACHINE, TABLE GAME, TABLE  
4 GAME DEVICE OR ASSOCIATED EQUIPMENT, INTERACTIVE GAME OR  
5 INTERACTIVE GAMING DEVICE OR ASSOCIATED EQUIPMENT AFTER THE  
6 PERSON'S LICENSE HAS EXPIRED AND PRIOR TO THE ACTUAL RENEWAL  
7 OF THE LICENSE.

8 \* \* \*

9 (7.1) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO DO ANY  
10 OF THE FOLLOWING:

11 (I) USE OR POSSESS COUNTERFEIT, MARKED, LOADED OR  
12 TAMPERED WITH TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,  
13 CHIPS OR OTHER CHEATING DEVICES IN THE CONDUCT OF GAMING  
14 UNDER THIS PART, EXCEPT THAT AN AUTHORIZED EMPLOYEE OF A  
15 LICENSEE OR AN AUTHORIZED EMPLOYEE OF THE BOARD MAY  
16 POSSESS AND USE COUNTERFEIT CHIPS OR TABLE GAME DEVICES  
17 OR ASSOCIATED EQUIPMENT THAT HAVE BEEN MARKED, LOADED OR  
18 TAMPERED WITH, OR OTHER CHEATING DEVICES OR ANY  
19 UNAUTHORIZED INTERACTIVE GAMING DEVICE OR ASSOCIATED  
20 EQUIPMENT IN PERFORMANCE OF THE DUTIES OF EMPLOYMENT FOR  
21 TRAINING, INVESTIGATIVE OR TESTING PURPOSES ONLY.

22 (II) KNOWINGLY, BY A TRICK OR SLEIGHT OF HAND  
23 PERFORMANCE OR BY FRAUD OR FRAUDULENT SCHEME, OR  
24 MANIPULATION, TABLE GAME DEVICE OR OTHER DEVICE, OR  
25 INTERACTIVE GAMING DEVICE FOR HIMSELF OR FOR ANOTHER, WIN  
26 OR ATTEMPT TO WIN ANY CASH, PROPERTY OR PRIZE AT A  
27 LICENSED FACILITY OR TO REDUCE OR ATTEMPT TO REDUCE A  
28 LOSING WAGER.

29 (7.2) IT SHALL BE UNLAWFUL FOR A PERSON TO KNOWINGLY  
30 ALTER, TAMPER OR MANIPULATE INTERACTIVE GAMING DEVICES OR

1 ASSOCIATED EQUIPMENT, INCLUDING SOFTWARE, SYSTEM PROGRAMS,  
2 HARDWARE AND ANY OTHER DEVICE OR ASSOCIATED EQUIPMENT USED IN  
3 INTERACTIVE GAMING OPERATIONS, IN ORDER TO ALTER THE ODDS OR  
4 THE PAYOUT OF AN INTERACTIVE GAME OR TO DISABLE THE  
5 INTERACTIVE GAME FROM OPERATING ACCORDING TO THE RULES OF THE  
6 GAME AS AUTHORIZED BY THE BOARD.

7 (7.3) IT SHALL BE UNLAWFUL FOR A PERSON TO KNOWINGLY  
8 OFFER OR ALLOW TO BE OFFERED ANY AUTHORIZED INTERACTIVE GAME  
9 THAT HAS BEEN ALTERED, TAMPERED WITH OR MANIPULATED IN A WAY  
10 THAT AFFECTS THE ODDS OR THE PAYOUT OF AN AUTHORIZED  
11 INTERACTIVE GAME OR DISABLES THE INTERACTIVE GAME FROM  
12 OPERATING ACCORDING TO THE AUTHORIZED RULES OF THE GAME AS  
13 AUTHORIZED BY THE BOARD.

14 \* \* \*

15 (11) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY  
16 THAT IS A LICENSED RACING ENTITY AND THAT HAS LOST THE  
17 LICENSE ISSUED TO IT BY [EITHER] THE STATE HORSE RACING  
18 COMMISSION OR THE STATE HARNESS RACING COMMISSION UNDER THE  
19 RACE HORSE INDUSTRY REFORM ACT OR THAT HAS HAD THAT LICENSE  
20 SUSPENDED TO OPERATE SLOT MACHINES [OR], TABLE GAMES OR  
21 AUTHORIZED INTERACTIVE GAMES AT THE RACETRACK FOR WHICH ITS  
22 SLOT MACHINE LICENSE WAS ISSUED UNLESS THE LICENSE ISSUED TO  
23 IT BY EITHER THE STATE HORSE RACING COMMISSION OR THE STATE  
24 HARNESS RACING COMMISSION WILL BE SUBSEQUENTLY REISSUED OR  
25 REINSTATED WITHIN 30 DAYS AFTER THE LOSS OR SUSPENSION.

26 \* \* \*

27 (13) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL UNDER 21  
28 YEARS OF AGE TO ENTER AND REMAIN IN ANY AREA OF A LICENSED  
29 FACILITY WHERE SLOT MACHINES ARE OPERATED OR THE PLAY OF  
30 TABLE GAMES IS CONDUCTED, EXCEPT THAT AN INDIVIDUAL 18 YEARS

1 OF AGE OR OLDER EMPLOYED BY A SLOT MACHINE LICENSEE, A GAMING  
2 SERVICE PROVIDER, THE BOARD OR ANY OTHER REGULATORY OR  
3 EMERGENCY RESPONSE AGENCY MAY ENTER AND REMAIN IN ANY SUCH  
4 AREA WHILE ENGAGED IN THE PERFORMANCE OF THE INDIVIDUAL'S  
5 EMPLOYMENT DUTIES.

6 (13.1) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL UNDER 21  
7 YEARS OF AGE TO WAGER, PLAY OR ATTEMPT TO PLAY A SLOT MACHINE  
8 OR TABLE GAME AT A LICENSED FACILITY OR TO WAGER, PLAY OR  
9 ATTEMPT TO PLAY AN INTERACTIVE GAME.

10 (13.2) IT SHALL BE UNLAWFUL TO ALLOW A PERSON UNDER 21  
11 YEARS OF AGE TO OPEN, MAINTAIN OR USE IN ANY WAY AN  
12 INTERACTIVE GAMING ACCOUNT. ANY INTERACTIVE GAMING  
13 CERTIFICATE HOLDER, INTERACTIVE GAMING LICENSEE OR EMPLOYEE  
14 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE  
15 GAMING LICENSEE OR OTHER SUCH PERSON WHO KNOWINGLY ALLOWS A  
16 PERSON UNDER 21 YEARS OF AGE TO OPEN, MAINTAIN OR USE AN  
17 INTERACTIVE GAMING ACCOUNT SHALL BE SUBJECT TO THE PENALTY  
18 SET FORTH IN THIS SECTION, EXCEPT THAT THE ESTABLISHMENT OF  
19 ALL OF THE FOLLOWING FACTS BY AN INTERACTIVE GAMING  
20 CERTIFICATE HOLDER, INTERACTIVE GAMING LICENSEE OR EMPLOYEE  
21 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER, INTERACTIVE  
22 GAMING LICENSEE OR OTHER SUCH PERSON SHALL CONSTITUTE A  
23 DEFENSE TO ANY REGULATORY ACTION BY THE BOARD OR THE PENALTY  
24 AUTHORIZED UNDER THIS SECTION:

25 (I) THE UNDERAGE PERSON FALSELY REPRESENTED THAT HE  
26 WAS OF THE PERMITTED 21 YEARS OF AGE IN THE APPLICATION  
27 FOR AN INTERACTIVE GAMING ACCOUNT; AND

28 (II) THE ESTABLISHMENT OF THE INTERACTIVE GAMING  
29 ACCOUNT WAS MADE IN GOOD FAITH RELIANCE UPON SUCH  
30 REPRESENTATION AND IN THE REASONABLE BELIEF THAT THE

1           UNDERAGE PERSON WAS 21 YEARS OF AGE.

2           \* \* \*

3           (15) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY  
4 TO REQUIRE A WAGER TO BE GREATER THAN THE STATED MINIMUM  
5 WAGER OR LESS THAN THE STATED MAXIMUM WAGER. HOWEVER, A WAGER  
6 MADE BY A PLAYER AND NOT REJECTED BY A LICENSED GAMING ENTITY  
7 PRIOR TO COMMENCEMENT OF PLAY SHALL BE TREATED AS A VALID  
8 WAGER. A WAGER ACCEPTED BY A DEALER OR THROUGH AN AUTHORIZED  
9 INTERACTIVE GAME SHALL BE PAID OR LOST IN ITS ENTIRETY IN  
10 ACCORDANCE WITH THE RULES OF THE GAME, NOTWITHSTANDING THAT  
11 THE WAGER EXCEEDED THE CURRENT TABLE MAXIMUM WAGER OR  
12 AUTHORIZED INTERACTIVE GAME WAGER OR WAS LOWER THAN THE  
13 CURRENT TABLE MINIMUM WAGER OR MINIMUM INTERACTIVE GAME  
14 WAGER.

15           \* \* \*

16           (17) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO CLAIM,  
17 COLLECT OR TAKE, OR ATTEMPT TO CLAIM, COLLECT OR TAKE, MONEY  
18 OR ANYTHING OF VALUE IN OR FROM A SLOT MACHINE, GAMING TABLE  
19 OR OTHER TABLE GAME DEVICE, INTERACTIVE GAME OR INTERACTIVE  
20 GAMING DEVICE WITH THE INTENT TO DEFRAUD, OR TO CLAIM,  
21 COLLECT OR TAKE AN AMOUNT GREATER THAN THE AMOUNT WON, OR TO  
22 MANIPULATE WITH THE INTENT TO CHEAT, ANY COMPONENT OF ANY  
23 SLOT MACHINE, TABLE GAME OR TABLE GAME DEVICE, INTERACTIVE  
24 GAME OR INTERACTIVE GAMING DEVICE IN A MANNER CONTRARY TO THE  
25 DESIGNED AND NORMAL OPERATIONAL PURPOSE.

26           (B) CRIMINAL PENALTIES AND FINES.--

27           (1) (I) A PERSON THAT COMMITS A FIRST OFFENSE IN  
28 VIOLATION OF 18 PA.C.S. § 4902, 4903 OR 4904 IN  
29 CONNECTION WITH PROVIDING INFORMATION OR MAKING ANY  
30 STATEMENT, WHETHER WRITTEN OR ORAL, TO THE BOARD, THE

1 BUREAU, THE DEPARTMENT, THE PENNSYLVANIA STATE POLICE,  
2 THE OFFICE OF ATTORNEY GENERAL OR A DISTRICT ATTORNEY AS  
3 REQUIRED BY THIS PART COMMITS AN OFFENSE TO BE GRADED IN  
4 ACCORDANCE WITH THE APPLICABLE SECTION VIOLATED. A PERSON  
5 THAT IS CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF  
6 18 PA.C.S. § 4902, 4903 OR 4904 IN CONNECTION WITH  
7 PROVIDING INFORMATION OR MAKING ANY STATEMENT, WHETHER  
8 WRITTEN OR ORAL, TO THE BOARD, THE BUREAU, THE  
9 DEPARTMENT, THE PENNSYLVANIA STATE POLICE, THE OFFICE OF  
10 ATTORNEY GENERAL OR A DISTRICT ATTORNEY AS REQUIRED BY  
11 THIS PART COMMITS A FELONY OF THE SECOND DEGREE.

12 (II) A PERSON THAT VIOLATES SUBSECTION (A) (2), (3)  
13 AND (4) THROUGH (12) OR (17) COMMITS A MISDEMEANOR OF THE  
14 FIRST DEGREE. A PERSON THAT IS CONVICTED OF A SECOND OR  
15 SUBSEQUENT VIOLATION OF SUBSECTION (A) (2), (3) AND (4)  
16 THROUGH (12) OR (17) COMMITS A FELONY OF THE SECOND  
17 DEGREE.

18 (2) (I) FOR A FIRST VIOLATION OF SUBSECTION (A) (1)  
19 THROUGH (12) OR (17), A PERSON SHALL BE SENTENCED TO PAY  
20 A FINE OF:

21 (A) NOT LESS THAN \$75,000 NOR MORE THAN \$150,000  
22 IF THE PERSON IS AN INDIVIDUAL;

23 (B) NOT LESS THAN \$300,000 NOR MORE THAN  
24 \$600,000 IF THE PERSON IS A LICENSED GAMING ENTITY OR  
25 AN INTERACTIVE GAMING LICENSEE; OR

26 (C) NOT LESS THAN \$150,000 NOR MORE THAN  
27 \$300,000 IF THE PERSON IS A LICENSED MANUFACTURER OR  
28 SUPPLIER.

29 (II) FOR A SECOND OR SUBSEQUENT VIOLATION OF  
30 SUBSECTION (A) (1), (2), (3) AND (4) THROUGH (12) OR (17),

1 A PERSON SHALL BE SENTENCED TO PAY A FINE OF:

2 (A) NOT LESS THAN \$150,000 NOR MORE THAN  
3 \$300,000 IF THE PERSON IS AN INDIVIDUAL;

4 (B) NOT LESS THAN \$600,000 NOR MORE THAN  
5 \$1,200,000 IF THE PERSON IS A LICENSED GAMING ENTITY;

6 OR

7 (C) NOT LESS THAN \$300,000 NOR MORE THAN  
8 \$600,000 IF THE PERSON IS A LICENSED MANUFACTURER OR  
9 SUPPLIER.

10 (2.1) A PERSON THAT COMMITS AN OFFENSE IN VIOLATION OF  
11 SUBSECTION (A) (3.1) COMMITS A FELONY AND, UPON CONVICTION,  
12 SHALL BE SENTENCED TO PAY A FINE OF NOT LESS THAN \$500,000  
13 NOR MORE THAN \$1,000,000. A PERSON THAT IS CONVICTED OF A  
14 SECOND OR SUBSEQUENT VIOLATION OF SUBSECTION (A) (3.1) COMMITS  
15 A FELONY OF THE FIRST DEGREE AND SHALL BE SENTENCED TO PAY A  
16 FINE OF NOT LESS THAN \$1,000,000 NOR MORE THAN \$2,500,000.

17 (3) AN INDIVIDUAL WHO COMMITS AN OFFENSE IN VIOLATION OF  
18 SUBSECTION (A) (13) [OR], (13.1) OR (13.2) COMMITS A  
19 NONGAMBLING SUMMARY OFFENSE AND UPON CONVICTION OF A FIRST  
20 OFFENSE SHALL BE SENTENCED TO PAY A FINE OF NOT LESS THAN  
21 \$200 NOR MORE THAN \$1,000. AN INDIVIDUAL THAT IS CONVICTED OF  
22 A SECOND OR SUBSEQUENT OFFENSE UNDER SUBSECTION (A) (13) [OR], (13.1) OR (13.2) SHALL BE SENTENCED TO PAY A FINE OF NOT LESS  
23 THAN \$500 NOR MORE THAN \$1,500. IN ADDITION TO THE FINE  
24 IMPOSED, AN INDIVIDUAL CONVICTED OF AN OFFENSE UNDER  
25 SUBSECTION (A) (13) [OR], (13.1) OR (13.2) MAY BE SENTENCED TO  
26 PERFORM A PERIOD OF COMMUNITY SERVICE NOT TO EXCEED 40 HOURS.

28 \* \* \*

29 SECTION 23. SECTION 1901(A) OF TITLE 4 IS AMENDED BY ADDING  
30 A PARAGRAPH TO READ:



1 § 1901. APPROPRIATIONS.

2 (A) APPROPRIATION TO BOARD.--

3 \* \* \*

4 (3) THE SUM OF \$5,000,000 IS HEREBY APPROPRIATED FROM  
5 THE STATE GAMING FUND TO THE PENNSYLVANIA GAMING CONTROL  
6 BOARD FOR SALARIES, WAGES AND ALL NECESSARY EXPENSES FOR THE  
7 PROPER OPERATION AND ADMINISTRATION OF THE BOARD FOR THE  
8 ACTIVITIES AUTHORIZED UNDER THIS ACT. THIS APPROPRIATION  
9 SHALL BE A SUPPLEMENTAL APPROPRIATION FOR FISCAL YEAR 2016-  
10 2017 AND SHALL BE IN ADDITION TO THE APPROPRIATION CONTAINED  
11 IN THE ACT OF JULY 8, 2016 (P.L. , NO.10A), KNOWN AS THE  
12 GAMING CONTROL APPROPRIATION ACT OF 2016.

13 \* \* \*

14 Section 4 24. Repeals are as follows: <--

15 (1) The General Assembly declares that the repeal under  
16 paragraph (2) is necessary to effectuate the addition of 4  
17 Pa.C.S. § 1403(c) (2) (i) (D) (I.2) and (I.3).

18 (2) Section 1753-E of the act of April 9, 1929 (P.L.343,  
19 No.176), known as The Fiscal Code, is repealed.

20 Section 5 25. This act shall take effect as follows: <--

21 (1) The amendment of 4 Pa.C.S. § 1509 shall take effect  
22 in 60 days.

23 (2) The following provisions shall take effect January  
24 1, 2017:

25 (i) The addition of 4 Pa.C.S. § 1326.1.

26 (ii) The amendment of 4 Pa.C.S. § 13A63(b) (3) (iii)  
27 (A) and (C).

28 (iii) The amendment of 4 Pa.C.S. § 1403.

29 (iv) Section 4 of this act.

30 (3) EXCEPT AS SET FORTH IN PARAGRAPH (4) (II), THE <--

1        ADDITION OF 4 PA.C.S. CH. 3 SHALL TAKE EFFECT IN 180 DAYS.

2            ~~(3)~~ (4)    The following provisions shall take effect        <--

3        immediately:

4            (i)    This section.

5            (II)   THE ADDITION OF 4 PA.C.S. § 343.        <--

6            ~~(ii)~~ (III)   The remainder of this act.        <--