

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1021 Session of 2024

INTRODUCED BY DILLON, GEBHARD, TARTAGLIONE, FONTANA, DUSH, COSTA, CAPPELLETTI AND KEARNEY, JANUARY 10, 2024

SENATOR BAKER, JUDICIARY, AS AMENDED, MARCH 19, 2024

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in burglary and other criminal
3 intrusion, further providing for the offense of criminal
4 trespass; and, in offenses against the family, further
5 providing for the offense of endangering welfare of children.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 3503(d) of Title 18 of the Pennsylvania
9 Consolidated Statutes is amended and the section is amended by
10 adding a subsection to read:

11 § 3503. Criminal trespass.

12 \* \* \*

13 (b.4) Evaluation for gambling disorder.--

14 (1) Upon conviction or admission to Accelerated
15 Rehabilitative Disposition or other pretrial diversion
16 program of a person for an offense committed under subsection
17 (b), where the person's name is included on a self-exclusion
18 list and the offense was committed at a licensed facility or
19 a video gaming area, the court may direct that the person be

1 evaluated in a manner deemed appropriate by the court to  
2 determine:

3 (i) if the person has a gambling disorder; and  
4 (ii) whether there is a need for counseling or  
5 treatment as part of the sentence or preadjudication  
6 disposition.

7 (2) The evaluation shall be conducted by a clinician  
8 appointed by the court and shall include recommendations for  
9 levels of care, continuing care and monitoring.

10 \* \* \*

11 (d) [Definition.--As used in this section, the term "school  
12 grounds" means any] Definitions.--As used in this section, the  
13 following words and phrases shall have the meanings given to  
14 them in this subsection unless the context clearly indicates  
15 otherwise:

16 "Establishment licensee." As defined in 4 Pa.C.S. § 3102  
17 (relating to definitions).

18 "Licensed facility." As defined in 4 Pa.C.S. § 1103  
19 (relating to definitions).

20 "Licensed gaming entity." As defined in 4 Pa.C.S. § 1103.

21 "School grounds." Any building of or grounds of any  
22 elementary or secondary publicly funded educational institution,  
23 any elementary or secondary private school licensed by the  
24 Department of Education, any elementary or secondary parochial  
25 school, any certified day-care center or any licensed preschool  
26 program.

27 "Self-exclusion list." The lists established and maintained  
28 by the Pennsylvania Gaming Control Board under 4 Pa.C.S. §§ 1516  
29 (relating to list of persons self excluded from gaming  
30 activities) and 3903 (relating to self-exclusion) or self-

1 exclusion lists maintained by a licensed gaming entity which  
2 meets the minimum criteria stated in 4 Pa.C.S. § 1516 or by an  
3 establishment licensee which meets the minimum criteria stated  
4 in 4 Pa.C.S. § 3903.

5 "Video gaming area." As defined in 4 Pa.C.S. § 3102.

6 Section 2. Section 4304(b)(1) of Title 18 is amended by  
7 adding a subparagraph and the section is amended by adding  
8 subsections to read:

9 § 4304. Endangering welfare of children.

10 \* \* \*

11 (b) Grading.--

12 (1) Except as provided under paragraph (2), the  
13 following apply:

14 \* \* \*

15 (v) If the actor's conduct under subsection (a)(1)  
16 included leaving a child unattended in any part of a  
17 licensed gaming facility, the offense constitutes a  
18 felony of the third degree.

19 \* \* \*

20 (d) Leaving child unattended at a licensed gaming  
21 facility.--The following shall apply to an offense graded under  
22 subsection (b)(1)(v):

23 (1) A person who commits an offense may be placed on the  
24 exclusion list under 4 Pa.C.S. § 1514 (relating to regulation  
25 requiring exclusion, ejection or denial of access of certain  
26 persons).

27 (2) The commission of an offense shall be reported BY <--  
28 LAW ENFORCEMENT to the children and youth services agency of  
29 the county in which the violation occurred for investigation.

30 (3) A licensed gaming entity shall provide notice of the

1 offense and grading in a licensed gaming facility. The notice  
2 shall include the use of signage in conjunction with  
3 pamphlets or brochures.

4 (4) A licensed gaming entity shall establish policies  
5 and procedures to train employees in the care of unattended  
6 children.

7 (e) Definitions.--As used in this section, the following  
8 words and phrases shall have the meanings given to them in this  
9 subsection unless the context clearly indicates otherwise:

10 "Licensed gaming entity." As defined in 4 Pa.C.S. § 1103  
11 (relating to definitions).

12 "Licensed gaming facility." The physical land-based location  
13 at which a licensed gaming entity is authorized to place and  
14 operate slot machines and, if authorized by the Pennsylvania  
15 Gaming Control Board under 4 Pa.C.S. Ch. 13A (relating to table  
16 games), to conduct table games. The term includes a hotel or  
17 parking facility that is owned or operated by the licensed  
18 gaming entity and is located on and attached to, physically  
19 connected to or adjacent to the property of the facility.

20 Section 3. This act shall take effect in 60 days.