

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 169 Session of  
2009

INTRODUCED BY SOLOBAY, CALTAGIRONE, BELFANTI, BEYER, BRENNAN,  
BUXTON, CARROLL, DALEY, FABRIZIO, FRANKEL, GALLOWAY, GEORGE,  
GRELL, GRUCELA, HALUSKA, HARKINS, HORNAMAN, KOTIK, KULA,  
LONGIETTI, MAHONEY, MANN, MELIO, PALLONE, PETRARCA, ROCK,  
SIPTROTH, SWANGER, VULAKOVICH, WHITE, YOUNGBLOOD, D. COSTA,  
GIBBONS, KORTZ, GEIST, GOODMAN, KAUFFMAN, DeLUCA, SAINATO,  
MARSICO, M. KELLER, M. SMITH, HOUGHTON, DELOZIER, MARSHALL,  
BARBIN, FARRY, BENNINGHOFF, SEIP, YUDICHAK AND HELM,  
MARCH 4, 2009

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 27, 2010

## AN ACT

1 Amending the act of December 19, 1988 (P.L.1262, No.156),  
2 entitled, as amended, "An act providing for the licensing of  
3 eligible organizations to conduct games of chance, for the  
4 licensing of persons to distribute games of chance, for the  
5 registration of manufacturers of games of chance, and for  
6 suspensions and revocations of licenses and permits;  
7 requiring records; providing for local referendum by  
8 electorate; and prescribing penalties," further providing for  
9 definitions, for permitted games of chance, for prize limits,  
10 for insured games, for limited sales, for recordkeeping, for  
11 eligible organizations' use of locations for conducting small  
12 games of chance, for separate individual prize limitations,  
13 for enforcement and for advertising.

14 The General Assembly of the Commonwealth of Pennsylvania  
15 hereby enacts as follows:

16 Section 1. The definitions of "daily drawing" and "games of  
17 chance" in section 3 of the act of December 19, 1988 (P.L.1262,  
18 No.156), known as the Local Option Small Games of Chance Act,  
19 amended December 19, 1990 (P.L.812, No.195) and October 18, 2000

1 (P.L.602, No.79), are amended and the section is amended by  
2 adding definitions to read:

3 Section 3. Definitions.

4 The following words and phrases when used in this act shall  
5 have the meanings given to them in this section unless the  
6 context clearly indicates otherwise:

7 \* \* \*

8 "Daily drawing." A game in which a bona fide member selects  
9 or is assigned a number for a chance at a prize with the winner  
10 determined by [a] random drawing to take place on the eligible  
11 organization's premises [during the same operating day]. The  
12 term includes games commonly known as "member sign-in lotteries"  
13 and "half-and-half lotteries." Nothing in this act shall be  
14 construed to prohibit the carrying over of a jackpot where the  
15 winning number has not been entered in the game on a particular  
16 operating day. Daily drawing winners may be determined with the  
17 aid of a passive selection device or reference to drawings  
18 conducted by the department pursuant to the act of August 26,  
19 1971 (P.L.351, No.91), known as the State Lottery Law. Daily  
20 drawing chances may not be sold for an amount in excess of \$1,  
21 and no more than one chance per individual may be sold [to an  
22 individual during the same operating day.] per drawing. Nothing  
23 in this definition shall restrict an eligible organization from  
24 conducting more than one drawing per day.

25 \* \* \*

26 "Games of chance." Punchboards, daily drawings, weekly  
27 drawings, monthly drawings, raffles, ~~vertical wheel games~~ and  
28 pull-tabs, as defined in this act, provided that, ~~except for~~  
29 ~~vertical wheel games~~, no such game shall be played by or with  
30 the assistance of any mechanical or electrical devices or media

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1 other than a dispensing machine or passive selection device and  
2 further provided that the particular chance taken by any person  
3 in any such game shall not be made contingent upon any other  
4 occurrence or the winning of any other contest, but shall be  
5 determined solely at the discretion of the purchaser. This  
6 definition shall not be construed to authorize any other form of  
7 gambling currently prohibited under any provision of Title 18 of  
8 the Pennsylvania Consolidated Statutes (relating to crimes and  
9 offenses). Nothing in this act shall be construed to authorize  
10 games commonly known as "slot machines" or "video poker."

11 "General operating expenses." The following operating  
12 expenses associated with the real property owned or leased by an  
13 eligible organization and used for public interest purposes or  
14 for conducting small games of chance:

- 15 (1) Real property taxes.
- 16 (2) Utilities.
- 17 (3) Heating and air conditioning.
- 18 (4) Water and sewer.
- 19 (5) Property insurance.
- 20 (6) Liability insurance.
- 21 (7) Mortgage payments.
- 22 (8) Interior and exterior repairs, including parking lot  
23 repairs.
- 24 (9) New facility construction.
- 25 (10) Any other expense as provided in regulations  
26 promulgated by the department.

27 The term shall not include wages, alcohol purchases or payment  
28 of any fine levied against the eligible organization.

29 \* \* \*

30 "Monthly drawing." A game in which a bona fide member

1 selects or receives a number or numbers for chance at a prize  
2 with the winner determined by a random drawing to take place on  
3 the eligible organization's premises during any operating month.  
4 Nothing in this act shall be construed to prohibit the carrying  
5 over of a jackpot where the winning number has not been entered  
6 in the game in a particular month. Monthly drawing winners may  
7 be determined with the aid of a passive selection device or  
8 reference to drawings conducted by the Department of Revenue  
9 pursuant to the act of August 26, 1971 (P.L.351, No.91), known  
10 as the State Lottery Law. Monthly drawing chances may not be  
11 sold for an amount in excess of \$1.

12 \* \* \*

13 ~~"Vertical wheel game." A game in which a participant places~~  
14 ~~a coin or chip on a color, number or word or purchases a ticket~~  
15 ~~containing a color, number or word and watches a spinning~~  
16 ~~vertical wheel until the pointer of the wheel rests on a section~~  
17 ~~of the wheel designating a winner.~~

18 \* \* \*

19 Section 2. Section 4 of the act, amended December 19, 1990  
20 (P.L.812, No.195), is amended to read:

21 Section 4. Games of chance permitted.

22 Every eligible organization to which a license has been  
23 issued under the provisions of this act may conduct games of  
24 chance for the purpose of raising funds for general operating  
25 expenses and for public interest purposes. [All proceeds of  
26 games of chance shall be used exclusively for public interest  
27 purposes or for the purchase of games of chance as permitted by  
28 this act.] Proceeds of games of chance shall be used as follows:

29 (1) ~~Fifty-five~~ SIXTY percent of proceeds shall be used  
30 for public interest purposes.

1        (2) Forty percent of proceeds shall be used for general  
2        operating expenses.

3        ~~(3) Five percent of proceeds shall be remitted to the~~ ←  
4        ~~department headquarters of the eligible organization.~~

5        Section 3. Section 5 of the act, amended December 19, 1990  
6        (P.L.812, No.195) and October 18, 2000 (P.L.602, No.79), is  
7        amended to read:

8        Section 5. Prize limits.

9        (a) Individual prize limit.--[The] Except as provided for in  
10       subsection (j), the maximum cash value which may be awarded for  
11       any single chance shall be [\$500] \$1,000.

12       (b) Weekly limit.--No more than [\$5,000] \$25,000 in cash or  
13       merchandise shall be awarded by any eligible organization in any  
14       seven-day period. Payouts of less than \$26 shall not be counted  
15       toward the weekly limit.

16       (c) Limit on raffles.--No more than \$5,000 in cash or  
17       merchandise shall be awarded in raffles in any calendar month.

18       (d) Exception.--An eligible organization may conduct a  
19       raffle and award a prize or prizes valued in excess of [\$500]  
20       \$1,000 each only under the following conditions:

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

23            (2) Eligible organizations shall be eligible to receive  
24            no more than [two] three special permits in any licensed year  
25            [except that volunteer fire, ambulance and rescue  
26            organizations shall be eligible to receive no more than three  
27            special permits in any licensed year].

28            (3) Only one raffle may be conducted under each special  
29            permit.

30            (4) The total cash value of all prizes shall be no more

1 than \$100,000 per calendar year.

2 (e) Limit on daily drawings.--Daily drawings shall be  
3 governed by the prize [limitations] limitation contained in  
4 [subsections (a) and (b)] subsection (a). [An eligible  
5 organization shall not conduct daily drawings during a period  
6 when a weekly drawing is taking place.]

7 (f) Exception.--The prize limitation contained in  
8 [subsections (a) and (b)] subsection (a) may be exceeded by a  
9 daily drawing under the following circumstances: a daily drawing  
10 may award a prize where the cash value is in excess of [\$500]  
11 \$1,000 if such prize is the result of a carryover of a drawing  
12 or drawings which resulted from the winning number in such  
13 drawing or drawings not being among the eligible entrants in  
14 such drawings. Nothing contained herein shall authorize the  
15 prize [limitations] limitation as contained in [subsections (a)  
16 and (b)] subsection (a) to be exceeded as a result of a failure  
17 to conduct a drawing on an operating day during which chances  
18 were sold for a daily drawing or for a daily drawing for which  
19 chances were sold in excess of \$1 or for which more than one  
20 chance was sold to an eligible participant.

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

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

1   [\$5,000] \$25,000 if such prize is the result of a carryover of a  
2   drawing or drawings which resulted from the winning number or  
3   numbers in such drawing or drawings not being among the eligible  
4   entrants in such drawings. Nothing contained in this act shall  
5   authorize the prize limitations as contained in subsection (b)  
6   to be exceeded as a result of a failure to conduct a drawing for  
7   a week during which chances were sold for a weekly drawing or  
8   for a weekly drawing for which chances were sold in excess of  
9   \$1. [An eligible organization shall not conduct weekly drawings  
10   during a period when a daily drawing is taking place.]

11     (i) Limit on monthly drawings.--No more than \$50,000 in cash  
12   or merchandise may be awarded in any calendar month except under  
13   the following circumstances: a monthly drawing may award a prize  
14   where the cash value is in excess of \$50,000 if the prize is the  
15   result of a carryover of a drawing or drawings that resulted  
16   from the winning number or numbers in the drawing or drawings  
17   not being among the eligible entrants in the drawing. Nothing  
18   contained in this act shall authorize the prize limitations to  
19   be exceeded as a result of a failure to conduct a drawing for a  
20   month during which chances were sold for a monthly drawing or  
21   for a monthly drawing for which chances were sold in excess of  
22   \$1.

23     (j) ~~Progressive games~~ AUTHORIZATION.--Progressive games  
24   shall be permitted with a maximum cash value of \$5,000.  
25   Contributions to the pot shall be counted against the limit for  
26   the week in which the contribution is made except that when the  
27   limit is reached the amount awarded shall be counted toward the  
28   limit only to the extent it was not previously counted toward a  
29   prior week's limit. For the purpose of this section, progressive  
30   games are those in which a winning ticket awards the ticket

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~~holder an additional chance at another game or games.~~

(k) Emergency services fundraiser.--Notwithstanding any other provision of this section, an eligible organization that performs emergency services shall be permitted to conduct one drawing per year with an award of \$50,000 for the purpose of raising funds to purchase emergency services equipment.

(L) DEFINITION.--AS USED IN THIS SECTION, THE TERM "PROGRESSIVE GAME" MEANS A GAME OF CHANCE IN WHICH A WINNING TICKET AWARDS THE TICKETHOLDER AN ADDITIONAL CHANCE AT ANOTHER GAME OF CHANCE.

Section 4. The act is amended by adding a section to read:  
Section 5.1. Insured games.

~~Notwithstanding~~ (A) AUTHORIZATION.--NOTWITHSTANDING any provision of this act to the contrary, an eligible organization may conduct small games of chance using insured games. Insured games sold by a licensed distributor shall be backed INSURED by a valid insurance contract issued by an insurance company licensed to do business BY THE INSURANCE DEPARTMENT TO DO BUSINESS AS AN INSURANCE COMPANY in this Commonwealth. Proof of the insurance contract must be provided to the department prior to the game being sold. The license of a distributor and an insurance company issuing a contract for an insured game may be suspended or revoked for failure to pay an award. For the purposes of this section, an insured game is a game in which the distributor or other licensed third party guarantees making the payment on a win of a jackpot.

(B) DEFINITION.--AS USED IN THIS SECTION, THE TERM "INSURED GAME" MEANS A GAME OF CHANCE IN WHICH THE DISTRIBUTOR OR OTHER LICENSED THIRD PARTY GUARANTEES MAKING THE PAYMENT ON A WIN OF A JACKPOT.



Section 5. Section 6 of the act, amended December 19, 1990 (P.L.812, No.195), is amended to read:

Section 6. Sales limited.

No person shall sell, offer for sale or furnish games of chance for use within this Commonwealth except to an eligible organization or distributor licensed under this act. No game of chance, other than a raffle, sold, offered for sale or furnished for use within this Commonwealth shall contain, permit, depict or designate a prize having a cash value in excess of [\$500] \$1,000.

~~Section 6. Section 7 of the act is amended by adding a subsection to read:~~

~~Section 7. Distributor licenses.~~

~~\* \* \*~~

~~(j) Tax surcharge. A licensed distributor shall pay a 1% surcharge on the amount of all games sales, to be paid directly to the General Fund.~~

Section 7 6. Section 9(b) of the act, amended December 19, 1990 (P.L.812, No.195), is amended to read:

Section 9. Regulations of department.

\* \* \*

(b) Limitation on recordkeeping requirements.--This section shall not be construed to authorize the department to promulgate regulations providing for recordkeeping requirements for eligible organizations which require unreasonable or unnecessary information or a repetitious listing of information. The department shall strive to keep such recordkeeping requirements from being an undue hardship or burden on eligible organizations. Under no circumstances shall the department require the retention of records for a period in excess of [two

1 years] one year. Each eligible organization shall report to the  
2 department prizes awarded as required by section 335 of the act  
3 of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of  
4 1971.

5 Section ~~8~~ 7. Section 10 of the act, amended December 19, ←  
6 1990 (P.L.812, No.195) and October 18, 2000 (P.L.602, No.79), is  
7 amended to read:

8 Section 10. Licensing of eligible organizations to conduct  
9 games of chance.

10 (a) License required.--No eligible organization shall  
11 conduct or operate any games of chance unless such eligible  
12 organization has obtained and maintains a valid license issued  
13 pursuant to this section. Auxiliary groups within eligible  
14 organizations shall be eligible to conduct small games of chance  
15 using the license issued to the eligible organization provided  
16 that the auxiliary group or groups are listed on the application  
17 and license of the eligible organization. No additional  
18 licensing fee shall be charged for an auxiliary group's  
19 eligibility under this act. Auxiliary groups shall not include  
20 branches, lodges or chapters of a Statewide organization.

21 (b) Issuance and fees.--The licensing authority shall  
22 license, upon application, within 30 days any eligible  
23 organization meeting the requirements for licensure contained in  
24 this act to conduct and operate games of chance at such  
25 locations within the county or in such manner as stated on the  
26 application as limited by subsection (b.1). The license fee to  
27 be charged to each eligible organization shall be [\$100] \$300,  
28 except for limited occasion licenses which shall be [\$10] \$30.  
29 Licenses shall be renewable [annually] on a biennial basis upon  
30 the anniversary of the date of issue.

1 (b.1) Location of small games of chance.--Where there exists  
2 a location or premises which is the normal business or operating  
3 site of the eligible organization and is owned or leased by that  
4 eligible organization to conduct its normal business, that site  
5 shall be the licensed premises for small games of chance  
6 conducted by the eligible organization. If that location  
7 consists of more than one building and the eligible organization  
8 wishes to conduct its games in a different building at that  
9 location from the one that is listed on its application and  
10 license, the eligible organization must notify, in writing, the  
11 district attorney and the licensing authority of the change in  
12 building site and the dates and times that will be affected.  
13 When an eligible organization does not own or lease a specific  
14 location to conduct its normal business, that eligible  
15 organization may use another eligible organization's premises to  
16 conduct its games or may make such other arrangements that are  
17 consistent with this act, including, but not limited to, leasing  
18 a premise under a written agreement for a rental which is not  
19 determined by either the amount of receipts realized from the  
20 playing of games of chance nor the number of people attending  
21 except that an eligible organization may lease a facility for a  
22 banquet where a per head charge is applied in connection with  
23 the serving of a meal. When such eligible organization changes  
24 the site of its games from that which is listed on its  
25 application and license, the eligible organization must notify,  
26 in writing, the district attorney and licensing authority of the  
27 change in their games' site and dates and times that will be  
28 affected. More than one ELIGIBLE organization may use the same  
29 location, provided that each ELIGIBLE organization has its own  
30 license and that the prize limitations of this act shall apply

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~~separately to each organization. A SEPARATE LICENSE. IF MORE~~  
~~THAN ONE LICENSED ELIGIBLE ORGANIZATION USES THE SAME LOCATION,~~  
~~THE PRIZE LIMITATIONS OF THIS ACT SHALL APPLY TO EACH LICENSED~~  
~~ELIGIBLE ORGANIZATION.~~

(b.2) Off-premises games of chance.--Notwithstanding any other provisions of this section, an eligible organization may conduct small games of chance at a location off its premises when such games are part of an annual carnival, fair, picnic or banquet held or participated in by that eligible organization on a historical basis. The eligible organization must notify, in writing, the district attorney and licensing authority of the location, date and times of such events where it will be conducting small games of chance.

(b.3) Limited occasion licenses.--Eligible organizations which do not own their own premises or which do not lease a specific location to conduct their normal business may apply for a limited occasion license to conduct small games of chance on not more than three occasions covering a total of seven days during a licensed year. A limited occasion license entitles eligible organizations holding such a license to conduct no more than two raffles during a licensed year where prizes may not exceed the established limits for regular monthly raffles.

Holder of limited occasion licenses may not apply or be granted any other license or special permit under this act. No holder of a regular license or special permit under this act shall apply or be granted a limited occasion license.

(b.4) Gambling facility prohibited.--It shall be unlawful for a person, corporation, association, partnership or other business entity to offer for rent or offer for use a building or facility to be used exclusively for the conducting of small

1 games of chance. It shall also be unlawful for any eligible  
2 organization to lease under any terms a facility or building  
3 which is used exclusively for the conducting of small games of  
4 chance.

5 (B.5) AUTHORIZATION.--A LICENSED ELIGIBLE ORGANIZATION MAY  
6 SELL ON ITS LICENSED PREMISES THE RAFFLE TICKETS OF ANOTHER  
7 LICENSED ELIGIBLE ORGANIZATION THAT HAS BEEN ISSUED A LIMITED  
8 OCCASION LICENSE UNDER SUBSECTION (B.3).



9 (c) Display.--Licenses issued pursuant to this section shall  
10 be publicly displayed at the site of the small games of chance.

11 (d) Operation.--Each licensed eligible organization shall  
12 comply with the following restrictions and rules governing the  
13 operation of games of chance:

14 (1) No person under 18 years of age shall be permitted  
15 to operate or play games of chance.

16 (2) No eligible organization shall permit any person who  
17 has been convicted of a felony in a Federal or State court  
18 within the past five years or has been convicted in a Federal  
19 or State court within the past ten years of a violation of  
20 the act of July 10, 1981 (P.L.214, No.67), known as the Bingo  
21 Law, or of this act to manage, set up, supervise or  
22 participate in the operation of games of chance.

23 (3) No eligible organization shall pay any compensation  
24 to any person for conducting any games of chance. Games of  
25 chance may only be conducted by managers, officers,  
26 directors, bar personnel and bona fide members of the  
27 eligible organization.

28 (4) Games shall be conducted only on the licensed  
29 premises or as otherwise provided by this act.

30 (5) The eligible organization shall not lease such

1 premises under either an oral or a written agreement for a  
2 rental which is determined by either the amount of receipts  
3 realized from the playing of games of chance or the number of  
4 people attending, except that an eligible organization may  
5 lease a facility for a banquet where a per head charge is  
6 applied in connection with the serving of a meal. An eligible  
7 organization shall not lease such premises from any person  
8 who has been convicted of a violation of this act within the  
9 past ten years.

10 (6) Games, other than raffles, daily drawings [and],  
11 weekly drawings and monthly drawings, shall be purchased only  
12 from manufacturers and distributors approved by the  
13 department.

14 (7) No licensed eligible organization shall permit its  
15 premises to be used for small games of chance by another  
16 licensed eligible organization at the same time that it is  
17 conducting small games of chance on the premises. When a  
18 licensed eligible organization is permitting another licensed  
19 eligible organization to use its premises for purposes of  
20 small games of chance, it must cease the operation of its own  
21 small games of chance during the period that the other  
22 licensed eligible organization is conducting its games on the  
23 premises.

24 (8) Raffle tickets may be sold off the licensed premise  
25 in any municipality in this Commonwealth which has adopted  
26 the provisions of this act by an affirmative vote in a  
27 municipal referendum. A licensed eligible organization which  
28 plans to sell raffle tickets in a municipality located in a  
29 county other than the county in which the eligible  
30 organization is licensed must notify that county's district

1 attorney and licensing authority as to the location and the  
2 dates that the eligible organization plans to sell raffle  
3 tickets.

4 (9) The eligible organization shall keep a bank account  
5 to hold the proceeds of small games of chance, which shall be  
6 separate from all other funds belonging to the eligible  
7 organization. Account records shall show all expenditures and  
8 income, and these records shall be retained by the eligible  
9 organization for no less than one year in a fire-proof  
10 container.

11 (e) Application for license.--Each eligible organization  
12 shall apply to the licensing authority for a license on a form  
13 to be prescribed by the Secretary of Revenue. The form shall  
14 contain an affidavit to be affirmed by the executive officer or  
15 secretary of the eligible organization stating that:

16 (1) No person under 18 years of age will be permitted by  
17 the eligible organization to operate or play games of chance.

18 (2) The facility in which the games of chance are to be  
19 played has adequate means of ingress and egress and adequate  
20 sanitary facilities available in the area.

21 (3) The eligible organization is not leasing such  
22 premises from the owner thereof under an oral agreement, nor  
23 is it leasing such premises from the owner thereof under a  
24 written agreement at a rental which is determined by the  
25 amount of receipts realized from the playing of games of  
26 chance or by the number of people attending, except that an  
27 eligible organization may lease a facility for a banquet  
28 where a per head charge is applied in connection with the  
29 serving of a meal.

30 (4) The eligible organization has a separate bank

account to hold all proceeds of small games of chance.

(e.1) Supplemental materials to accompany application.--An annual financial report limited to the operation of games of chance detailing gross profit, allowable expenses, rent, staff per diem, cost of supplies, net profit and contributions to charitable causes shall be filed with the licensing authority and submitted with the application. This report shall be filed with the application for license and shall be filed by the midterm anniversary date of the license in nonapplication years. This report shall be prepared on a one-page form to be designed by the department. The report shall contain information for the 12-month period immediately preceding a date 60 days prior to the filing of the report. Failure to file the report by the midterm anniversary date of the license shall result in the automatic suspension of the license until the ~~county treasurer~~ LICENSING AUTHORITY certifies the report has been filed in compliance with this act.

(f) List of licensees.--The licensing authority, on a semiannual basis, shall send a copy of all licensees to the Department of Revenue.

(g) List of municipalities.--The licensing authority shall include with any license or renewal issued to an eligible organization, an up-to-date listing of those municipalities within the licensing county which have approved the referendum question on small games of chance.

(h) Background checks.--Each application shall include criminal history records obtained from the Pennsylvania State Police for the executive officer or secretary of the eligible organization making the application and, all other responsible persons listed on the application AND THE ELIGIBLE



1 ORGANIZATION'S TREASURER.

2 Section ~~8.1~~ 8. Section 13 of the act is amended to read: ←

3 Section 13. Enforcement.

4 (a) District attorney.--The district attorney shall  
5 investigate alleged violations of this act. If the district  
6 attorney finds probable cause to believe that a violation has  
7 occurred, he may file a complaint against the alleged violator  
8 in the court of common pleas of said county, except in counties  
9 of the first class where the complaint may be filed in the  
10 municipal court. In addition, the district attorney shall  
11 prosecute said complaint in the manner provided by law.

12 (b) Other law enforcement officials.--Nothing in this act  
13 shall be interpreted to restrict the power of State, county or  
14 local law enforcement officials to conduct investigations [and  
15 enforce the provisions] of this act[.] and provide the results  
16 of those investigations to the district attorney for enforcement  
17 pursuant to subsection (a).

18 (C) DEPARTMENT.--THE DEPARTMENT SHALL INVESTIGATE AND ←  
19 ENFORCE VIOLATIONS OF THIS ACT IN ACCORDANCE WITH THE ACT OF  
20 APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, AND  
21 THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM  
22 CODE OF 1971.

23 Section 9. Section 15 of the act, amended December 19, 1990  
24 (P.L.812, No.195), is amended to read:

25 Section 15. Advertising.

26 [It shall ~~not~~ be unlawful for any] AN eligible organization ←  
27 or person [to] MAY advertise the prizes or their dollar value to ←  
28 be awarded in games of chance, provided that [prizes may be  
29 identified on raffle tickets. Notwithstanding the prohibition of  
30 advertising contained within this section, an eligible

1 organization may advertise prizes and values thereof in periodic  
2 publications which are limited in their circulation to members  
3 of the eligible organization.] ~~such advertisements shall contain~~ ←  
4 ~~the date, time, location, whether cash or merchandise prizes~~  
5 ~~will be awarded and the name of the eligible organization~~  
6 ~~licensed to conduct games of chance and the name of the person~~  
7 ~~who conducts the games of chance~~ ARE LIMITED TO PUBLICATIONS TO ←  
8 MEMBERS OF THE ELIGIBLE ORGANIZATION OR SIGNS LOCATED ON THE  
9 ELIGIBLE ORGANIZATION'S PREMISES.

10 Section 10. The amendment or addition of section 10(b),  
11 (e.1) and (h) of the act shall apply to applications filed more  
12 than two years after the effective date of this section.

13 Section 11. This act shall take effect as follows:

14 (1) The following provisions shall take effect  
15 immediately:

- 16 (i) The amendment or addition of section 10(b),  
17 (e.1) and (h) of the act.  
18 (ii) Section 10 of this act.  
19 (iii) This section.

20 (2) The remainder of this act shall take effect in 60  
21 days.