

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 549

Session of  
1977

INTRODUCED BY DOMBROWSKI, DiCARLO, LAUDADIO, VALICENTI AND  
KOLTER, MARCH 7, 1977

REFERRED TO COMMITTEE ON FINANCE, MARCH 7, 1977

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, authorizing the use in clubs of games  
3 of chance registered with the Department of Revenue and  
4 providing for their registration upon payment of an annual  
5 registration fee, and tax, to be paid into the State Lottery  
6 Fund for the purpose of providing property tax relief for the  
7 elderly and local transit for the elderly.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 5513 of Title 18, act of November 25,  
11 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated  
12 Statutes, is amended by adding subsections to read:

13 § 5513. Gambling devices, gambling, etc.

14 \* \* \*

15 (c) Exception.--Subsections (a) and (b) shall not apply to  
16 games of chance which are registered in accordance with  
17 subsection (d) for use by clubs on premises occupied by such  
18 clubs.

19 (d) Registration of games of chance.--A game of chance  
20 machine shall be registered with the Pennsylvania Department of

1 Revenue upon payment of an annual registration fee of \$500, the  
2 payment of which shall be evidenced by a registration stamp  
3 issued by the department and affixed to the game of chance  
4 machine. Registration shall be for a calendar year and fees for  
5 initial registration filed during a calendar year shall be  
6 reduced to an amount proportionate to the number of months  
7 remaining in the year. The department shall adopt forms and  
8 procedures for application for registration stamps except that,  
9 in addition to other requirements of the department, the  
10 application for registration shall contain the name of the  
11 manufacturer and the name and address of the owner of the game  
12 of chance machine and the registration stamp shall contain the  
13 serial or other identification number of the game of chance  
14 machine and the registration expiration date. The fees collected  
15 by the Department of Revenue shall be paid into the State  
16 Lottery Fund and shall be allocated for the purpose of providing  
17 property tax relief for the elderly pursuant to the provisions  
18 of the act of March 11, 1971 (P.L.104, No.3), known as the  
19 "Senior Citizens Property Tax or Rent Rebate Act," and for the  
20 purpose of providing local transit for the elderly pursuant to  
21 the act of January 22, 1968 (P.L.42, No.8), known as the  
22 "Pennsylvania Urban Mass Transportation Assistance Law of 1967."

23 (e) Imposition of tax.--There is hereby imposed a tax of 15%  
24 of the net profits realized on each game of chance machine. This  
25 tax shall be paid into the State Lottery Fund for the purpose of  
26 providing property tax relief for the elderly pursuant to the  
27 provisions of the "Senior Citizens Property Tax or Rent Rebate  
28 Act," and for the purpose of local transit of the elderly  
29 pursuant to the "Pennsylvania Urban Mass Transportation  
30 Assistance Law of 1967."

1     (f) Ownership and operation.--All games of chance machines  
2     shall be owned, or leased and operated by clubs.

3     (g) Definitions.--The following words and phrases when used  
4     in this section shall have, unless the context clearly indicates  
5     otherwise, the meanings given to them in this subsection:

6     "Club." A nonprofit corporation, association, society,  
7     organization or other nonprofit group of individuals associated  
8     together for legitimate purposes of mutual benefits,  
9     entertainment, fellowship, pleasure, recreation or lawful  
10    convenience having some primary interest and activity to which  
11    the use of game of chance machines shall be secondary and which  
12    regularly occupies, as owner or lessee, a clubhouse or quarters  
13    for the use of its members, and which is licensed by the  
14    Pennsylvania Liquor Control Board.

15    "Game of chance machine." Any electronically or mechanically  
16    coin-operated machine or device manufactured after 1965, which  
17    is encased in an upright cabinet and is operated by the  
18    insertion of a coin or token into the slot and is activated by a  
19    handle, lever or button. The machine generally has three or more  
20    reels which contain numerous symbols and each symbol must have a  
21    stop mechanism to position the symbols to appear on the win  
22    line. The various combinations of these symbols determine the  
23    payout. Each reel is visible to the player. The machine can be a  
24    multiple coin or token machine and each payout is increased  
25    equally by the number of coins or tokens inserted. The machine  
26    shall have a computer attachment recording the number of coins  
27    received and the number of coins returned to the player.

28    Section 2. All acts and parts of acts, general, local and  
29    special, are repealed insofar as they prohibit the use of games  
30    of chance machines in clubs when such games of chance machines

1 are registered in accordance with the provisions of 18 Pa.C.S. §  
2 5513 (relating to gambling devices, gambling, etc.).  
3 Section 3. This act shall take effect immediately.