

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1209 Session of
2004

INTRODUCED BY PIPPY, BRIGHTBILL, JUBELIRER, ARMSTRONG,
TOMLINSON, EARLL, GORDNER, ERICKSON, O'PAKE, M. WHITE, ORIE,
WAGNER, WENGER, SCHWARTZ, FERLO, ROBBINS, RAFFERTY, CORMAN,
DENT, C. WILLIAMS, PICCOLA, WONDERLING, THOMPSON, WAUGH,
D. WHITE, MADIGAN, CONTI, RHOADES, SCARNATI, LEMMOND, MOWERY,
PUNT, KASUNIC, KUKOVICH, PILEGGI AND GREENLEAF,
AUGUST 2, 2004

SENATOR BRIGHTBILL, RULES AND EXECUTIVE NOMINATIONS, RE-REPORTED
AS AMENDED, OCTOBER 6, 2004

AN ACT

1 ~~Amending Title 4 (Amusements) of the Pennsylvania Consolidated~~ <—
2 ~~Statutes, prohibiting public officials from having financial~~
3 ~~interest relating to slot machines or horse racing.~~
4 AMENDING TITLES 4 (AMUSEMENTS) AND 18 (CRIMES AND OFFENSES) OF <—
5 THE PENNSYLVANIA CONSOLIDATED STATUTES, FURTHER PROVIDING FOR
6 DEFINITIONS AND FOR THE PENNSYLVANIA GAMING CONTROL BOARD
7 ESTABLISHED; PROVIDING FOR APPLICABILITY OF OTHER STATUTES
8 AND FOR REVIEW OF DEEDS, LEASES AND CONTRACTS; FURTHER
9 PROVIDING FOR GENERAL AND SPECIFIC POWERS, FOR TEMPORARY
10 REGULATIONS, FOR BOARD MINUTES AND RECORDS AND FOR SUPPLIER
11 AND MANUFACTURER LICENSES APPLICATION; PROVIDING FOR
12 MANUFACTURER LICENSES; FURTHER PROVIDING FOR OCCUPATION
13 PERMIT APPLICATION, FOR LOCAL LAND USE PREEMPTION, FOR PUBLIC
14 OFFICIAL FINANCIAL INTEREST, FOR ENFORCEMENT AND FOR CORRUPT
15 ORGANIZATIONS; AND MAKING RELATED REPEALS.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 ~~Section 1. Section 1512 of Title 4 of the Pennsylvania~~ <—
19 ~~Consolidated Statutes, added July 5, 2004 (P.L. , No.71), is~~
20 ~~amended to read:-~~
21 ~~§ 1512. Public official financial interest.~~

1 ~~(a) General rule. [Except as may be provided by rule or~~
2 ~~order of the Pennsylvania Supreme Court, no] No executive level~~
3 ~~State employee, public official, party officer or immediate~~
4 ~~family member thereof shall have, at or following the effective~~
5 ~~date of this part, a financial interest in or be employed,~~
6 ~~directly or indirectly, by any manufacturer licensee, supplier~~
7 ~~licensee, licensed racing entity or licensed gaming entity, or~~
8 ~~any holding, affiliate, intermediary or subsidiary company,~~
9 ~~thereof, or any [such] applicant for such a license, nor solicit~~
10 ~~or accept, directly or indirectly, any complimentary service or~~
11 ~~discount from any licensed racing entity or licensed gaming~~
12 ~~entity which he knows or has reason to know is other than a~~
13 ~~service or discount that is offered to members of the general~~
14 ~~public in like circumstances during his or hers status as an~~
15 ~~executive level State employee, public official or party officer~~
16 ~~and for one year following termination of the person's status as~~
17 ~~an executive level State employee, public official or party~~
18 ~~officer.~~

19 ~~(b) Definitions. As used in this section, the following~~
20 ~~words and phrases shall have the meanings given to them in this~~
21 ~~subsection:~~

22 ~~"Executive level State employee." The Governor, Lieutenant~~
23 ~~Governor, cabinet members, deputy secretaries, the Governor's~~
24 ~~office executive staff, any State employee with discretionary~~
25 ~~powers which may affect the outcome of a State agency's decision~~
26 ~~in relation to a private corporation or business, with respect~~
27 ~~to any matter covered by this part or any executive employee who~~
28 ~~by virtue of his job function could influence the outcome of~~
29 ~~such a decision.~~

30 ~~"Financial interest." Owning or holding securities~~

1 ~~[exceeding 1% of the equity or fair market value of the] of a~~
2 ~~licensed racing entity, manufacturer licensee, supplier licensee~~
3 ~~or licensed gaming entity, its holding company, affiliate,~~
4 ~~intermediary or subsidiary business or an applicant for such a~~
5 ~~license. A financial interest shall not include any such stock~~
6 ~~that is held in a blind trust over which the executive level~~
7 ~~State employee, public official, party officer or immediate~~
8 ~~family member thereof may not exercise any managerial control or~~
9 ~~receive income during the tenure of office and the period under~~
10 ~~subsection (a) or of a mutual fund as defined in 20 Pa.C.S. §~~
11 ~~7201 (relating to definitions).~~

12 ~~"Immediate family." A parent, spouse, minor or unemancipated~~
13 ~~child, brother or sister.~~

14 ~~"Party officer." A member of a national committee; a~~
15 ~~chairman, vice chairman, secretary, treasurer or counsel of a~~
16 ~~State committee or member of the executive committee of a State~~
17 ~~committee; a county chairman, vice chairman, counsel, secretary~~
18 ~~or treasurer of a county committee; or a city chairman, vice~~
19 ~~chairman, counsel, secretary or treasurer of a city committee.~~

20 ~~"Public official." Any person elected by the public or~~
21 ~~elected or appointed by a governmental body or an appointed~~
22 ~~official in the executive, legislative or judicial branch of~~
23 ~~this Commonwealth or any political subdivision thereof, provided~~
24 ~~that it shall not include members of advisory boards that have~~
25 ~~no authority to expend public funds other than reimbursement for~~
26 ~~personal expense or to otherwise exercise the power of the~~
27 ~~Commonwealth or any political subdivision [or commissioner of~~
28 ~~any authority or joint state commission].~~

29 ~~Section 2. This act shall take effect immediately.~~

30 ~~SECTION 1. THE DEFINITION OF "SUPPLIER" IN SECTION 1103 OF~~

<—

1 TITLE 4 OF THE PENNSYLVANIA CONSOLIDATED STATUTES, ADDED JULY 5,
2 2004 (P.L.572, NO.71), IS AMENDED AND THE SECTION IS AMENDED BY
3 ADDING A DEFINITION TO READ:

4 § 1103. DEFINITIONS.

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

8 * * *

9 "MEMBER." AN INDIVIDUAL APPOINTED TO THE PENNSYLVANIA GAMING
10 CONTROL BOARD PURSUANT TO SECTION 1201(B) (RELATING TO
11 PENNSYLVANIA GAMING CONTROL BOARD).

12 * * *

13 "SUPPLIER." A PERSON THAT SELLS, LEASES, OFFERS OR OTHERWISE
14 PROVIDES, DISTRIBUTES OR SERVICES ANY SLOT MACHINE IN THIS
15 COMMONWEALTH. THE TERM DOES NOT INCLUDE A PERSON WHO SELLS SLOT
16 MONITORING SYSTEMS, CASINO MANAGEMENT SYSTEMS, PLAYER TRACKING
17 SYSTEMS AND WIDE-AREA PROGRESSIVE SYSTEMS.

18 * * *

19 SECTION 2. SECTION 1201 HEADING AND (F)(3), (H)(7) AND (L)
20 OF TITLE 4, ADDED JULY 5, 2004 (P.L.572, NO.71), IS AMENDED AND
21 THE SECTION IS AMENDED BY ADDING PARAGRAPHS TO READ:

22 § 1201. PENNSYLVANIA GAMING CONTROL BOARD [ESTABLISHED].

23 * * *

24 (F) QUALIFIED MAJORITY VOTE.--

25 * * *

26 (3) NOTWITHSTANDING ANY OTHER PROVISION [TO THE
27 CONTRARY] OF THIS PART OR 65 PA.C.S. § 1103(J) (RELATING TO
28 RESTRICTED ACTIVITIES), A MEMBER SHALL DISCLOSE THE NATURE OF
29 HIS DISQUALIFYING INTEREST, DISQUALIFY HIMSELF AND ABSTAIN
30 FROM VOTING IN A PROCEEDING IN WHICH HIS OR HER IMPARTIALITY

1 MAY BE REASONABLY QUESTIONED, INCLUDING, BUT NOT LIMITED TO,
2 INSTANCES WHERE HE OR SHE KNOWS THAT THEY POSSESS A
3 SUBSTANTIAL FINANCIAL INTEREST IN THE SUBJECT MATTER OF THE
4 PROCEEDING OR ANY OTHER INTEREST THAT COULD BE SUBSTANTIALLY
5 AFFECTED BY THE OUTCOME OF THE PROCEEDING. IN SUCH
6 CIRCUMSTANCES IN WHICH IT IS A LEGISLATIVE APPOINTEE MEMBER
7 THAT HAS DISQUALIFIED HIMSELF OR HERSELF, THE QUALIFIED
8 MAJORITY SHALL CONSIST OF THE REMAINING THREE LEGISLATIVE
9 APPOINTEES AND AT LEAST TWO GUBERNATORIAL APPOINTEES.

10 * * *

11 (H) [QUALIFICATIONS AND RESTRICTIONS] RESTRICTIONS.--

12 * * *

13 [(7) AT THE TIME OF APPOINTMENT AND ANNUALLY THEREAFTER,
14 EACH MEMBER SHALL DISCLOSE THE EXISTENCE OF ALL OWNERSHIP
15 INTERESTS IN LICENSED FACILITIES AND ALL SECURITIES IN ANY
16 LICENSED ENTITY OR APPLICANT, ITS AFFILIATES OR SUBSIDIARIES
17 HELD BY THE MEMBER, THE MEMBER'S SPOUSE AND ANY MINOR OR
18 UNEMANCIPATED CHILDREN AND MUST DIVEST SUCH OWNERSHIP
19 INTERESTS IN LICENSED FACILITIES OR SECURITIES PRIOR TO AN
20 APPOINTMENT BECOMING FINAL. A MEMBER MAY NOT ACQUIRE ANY
21 SECURITY IN ANY LICENSED ENTITY, ITS AFFILIATES OR
22 SUBSIDIARIES DURING THE MEMBER'S TENURE. THE DISCLOSURE
23 STATEMENT SHALL BE FILED WITH THE EXECUTIVE DIRECTOR OF THE
24 BOARD AND WITH THE APPOINTING AUTHORITY FOR SUCH MEMBER AND
25 SHALL BE OPEN TO INSPECTION BY THE PUBLIC AT THE OFFICE OF
26 THE BOARD DURING THE NORMAL BUSINESS HOURS OF THE BOARD
27 DURING THE TENURE OF THE MEMBER AND FOR TWO YEARS AFTER THE
28 MEMBER LEAVES OFFICE.]

29 (7) (I) AT THE TIME OF APPOINTMENT, AND ANNUALLY
30 THEREAFTER, EACH MEMBER OF THE BOARD SHALL DISCLOSE THE

1 EXISTENCE OF ALL FINANCIAL, PROPERTY, LEASEHOLD OR OTHER
2 BENEFICIAL INTEREST IN ANY SLOT MACHINE LICENSE
3 APPLICANT, MANUFACTURER LICENSE APPLICANT, SUPPLIER
4 LICENSE APPLICANT, LICENSED ENTITY OR LICENSED FACILITY
5 AND IN ANY HOLDING COMPANIES, AFFILIATES, INTERMEDIARIES
6 OR SUBSIDIARY BUSINESSES THEREOF, WHICH ARE HELD BY THE
7 MEMBER OR THE IMMEDIATE FAMILY OF THE MEMBER. THE
8 DISCLOSURE STATEMENT SHALL BE FILED WITH THE EXECUTIVE
9 DIRECTOR OF THE BOARD AND WITH THE APPOINTING AUTHORITY
10 OF THE MEMBER. THE DISCLOSURE STATEMENT SHALL BE OPEN TO
11 INSPECTION BY THE PUBLIC AT THE OFFICE OF THE BOARD
12 DURING THE NORMAL BUSINESS HOURS OF THE BOARD DURING THE
13 MEMBER'S TERM ON THE BOARD AND CONTINUING FOR TWO YEARS
14 AFTER THE MEMBER LEAVES OFFICE. PRIOR TO THE MEMBER'S
15 APPOINTMENT BECOMING FINAL, ANY FINANCIAL, PROPERTY,
16 LEASEHOLD, OWNERSHIP OR OTHER BENEFICIAL INTEREST IN ANY
17 SLOT MACHINE LICENSE APPLICANT, MANUFACTURER LICENSE
18 APPLICANT, SUPPLIER LICENSE APPLICANT, LICENSED ENTITY OR
19 LICENSED FACILITY AND IN ANY HOLDING COMPANIES,
20 AFFILIATES, INTERMEDIARIES OR SUBSIDIARY BUSINESSES
21 THEREOF, OWNED OR HELD BY THE MEMBER OR THE IMMEDIATE
22 FAMILY OF THE MEMBER MUST BE DIVESTED. DURING THE
23 MEMBER'S TERM AND CONTINUING FOR ONE YEAR THEREAFTER, THE
24 MEMBER AND THE IMMEDIATE FAMILY OF THE MEMBER MAY NOT
25 ACQUIRE BY PURCHASE, GIFT, EXCHANGE OR OTHERWISE, ANY
26 FINANCIAL, PROPERTY, LEASEHOLD, OWNERSHIP OR OTHER
27 BENEFICIAL INTEREST IN ANY SLOT MACHINE LICENSE
28 APPLICANT, MANUFACTURER LICENSE APPLICANT, SUPPLIER
29 LICENSE APPLICANT, LICENSED ENTITY OR LICENSED FACILITY
30 AND IN ANY HOLDING COMPANIES, AFFILIATES, INTERMEDIARIES

1 OR SUBSIDIARY BUSINESSES THEREOF.

2 (II) AS USED IN THIS PARAGRAPH, THE FOLLOWING WORDS
3 AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
4 SUBPARAGRAPH:

5 "FINANCIAL INTEREST." OWNING OR HOLDING OR BEING
6 DEEMED TO HOLD DEBT OR EQUITY SECURITIES OR OTHER
7 OWNERSHIP INTEREST OR PROFITS INTEREST.

8 "IMMEDIATE FAMILY." THE TERM SHALL HAVE THE SAME
9 MEANING GIVEN TO IT IN SECTION 1512 (RELATING TO
10 PUBLIC OFFICIAL FINANCIAL INTEREST).

11 (7.1) (I) AT THE TIME OF EMPLOYMENT, AND ANNUALLY
12 THEREAFTER, EACH EMPLOYEE OR CONTRACT EMPLOYEE OF THE
13 BOARD SHALL DISCLOSE THE EXISTENCE OF ALL FINANCIAL,
14 PROPERTY, LEASEHOLD OR OTHER BENEFICIAL INTEREST IN ANY
15 SLOT MACHINE LICENSE APPLICANT, MANUFACTURER LICENSE
16 APPLICANT, SUPPLIER LICENSE APPLICANT, LICENSED ENTITY OR
17 LICENSED FACILITY AND IN ANY HOLDING COMPANIES,
18 AFFILIATES, INTERMEDIARIES OR SUBSIDIARY BUSINESSES
19 THEREOF, WHICH ARE HELD BY THE EMPLOYEE OR CONTRACT
20 EMPLOYEE OR THE IMMEDIATE FAMILY OF THE EMPLOYEE OR
21 CONTRACT EMPLOYEE. THE DISCLOSURE STATEMENT SHALL BE
22 FILED WITH THE EXECUTIVE DIRECTOR OF THE BOARD. THE
23 DISCLOSURE STATEMENT SHALL BE OPEN TO INSPECTION BY THE
24 PUBLIC AT THE OFFICE OF THE BOARD DURING NORMAL BUSINESS
25 HOURS OF THE BOARD DURING THE EMPLOYEE'S OR CONTRACT
26 EMPLOYEE'S EMPLOYMENT WITH THE BOARD AND CONTINUING FOR
27 TWO YEARS AFTER THE EMPLOYEE OR CONTRACT EMPLOYEE
28 TERMINATES EMPLOYMENT WITH THE BOARD. PRIOR TO COMMENCING
29 EMPLOYMENT, ANY FINANCIAL, PROPERTY, LEASEHOLD, OWNERSHIP
30 OR OTHER BENEFICIAL INTEREST IN ANY SLOT MACHINE LICENSE

1 APPLICANT, MANUFACTURER LICENSE APPLICANT, SUPPLIER
2 LICENSE APPLICANT, LICENSED ENTITY OR LICENSED FACILITY
3 AND IN ANY HOLDING COMPANIES, AFFILIATES, INTERMEDIARIES
4 OR SUBSIDIARY BUSINESSES THEREOF, OWNED OR HELD BY THE
5 EMPLOYEE OR CONTRACT EMPLOYEE OR THE IMMEDIATE FAMILY OF
6 THE EMPLOYEE OR CONTRACT EMPLOYEE MUST BE DIVESTED.
7 DURING THE EMPLOYEE'S OR CONTRACT EMPLOYEE'S EMPLOYMENT
8 AND CONTINUING FOR ONE YEAR THEREAFTER, THE EMPLOYEE OR
9 CONTRACT EMPLOYEE AND THE IMMEDIATE FAMILY OF THE
10 EMPLOYEE OR CONTRACT EMPLOYEE MAY NOT ACQUIRE BY
11 PURCHASE, GIFT, EXCHANGE OR OTHERWISE, ANY FINANCIAL,
12 PROPERTY, LEASEHOLD, OWNERSHIP OR OTHER BENEFICIAL
13 INTEREST IN ANY SLOT MACHINE LICENSE APPLICANT,
14 MANUFACTURER LICENSE APPLICANT, SUPPLIER LICENSE
15 APPLICANT, LICENSED ENTITY OR LICENSED FACILITY AND IN
16 ANY HOLDING COMPANIES, AFFILIATES, INTERMEDIARIES OR
17 SUBSIDIARY BUSINESSES THEREOF.

18 (II) AS USED IN THIS PARAGRAPH, THE FOLLOWING WORDS
19 AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
20 SUBPARAGRAPH:

21 "FINANCIAL INTEREST." OWNING OR HOLDING OR BEING
22 DEEMED TO HOLD DEBT OR EQUITY SECURITIES OR OTHER
23 OWNERSHIP INTEREST OR PROFITS INTEREST.

24 "IMMEDIATE FAMILY." THE TERM SHALL HAVE THE SAME
25 MEANING GIVEN TO IT IN SECTION 1512 (RELATING TO
26 PUBLIC OFFICIAL FINANCIAL INTEREST).

27 * * *

28 (13) NO PERSON MAY BE EMPLOYED, WHETHER AS AN EMPLOYEE
29 OR A CONTRACT EMPLOYEE, BY THE BOARD UNTIL THE BOARD RECEIVES
30 A BACKGROUND INVESTIGATION CONDUCTED ON THE PERSON IN

1 ACCORDANCE WITH THIS PART.

2 (14) NO MEMBER SHALL HOLD OR CAMPAIGN FOR ANY OTHER
3 PUBLIC OFFICE, HOLD OFFICE IN ANY POLITICAL PARTY OR
4 POLITICAL COMMITTEE OR ACTIVELY PARTICIPATE IN ANY POLITICAL
5 CAMPAIGN.

6 (15) NO EMPLOYEE OF THE BOARD SHALL HOLD OR CAMPAIGN FOR
7 ANY OTHER PUBLIC OFFICE, HOLD OFFICE IN ANY POLITICAL PARTY
8 OR POLITICAL COMMITTEE OR ACTIVELY PARTICIPATE IN OR
9 CONTRIBUTE TO ANY POLITICAL CAMPAIGN.

10 * * *

11 [(L) DISCLOSURE STATEMENTS.--MEMBERS AND EMPLOYEES OF THE
12 BOARD ARE SUBJECT TO THE PROVISIONS OF 65 PA.C.S. CH. 11
13 (RELATING TO ETHICS STANDARDS AND FINANCIAL DISCLOSURE) AND THE
14 ACT OF JULY 19, 1957 (P.L.1017, NO.451), KNOWN AS THE STATE
15 ADVERSE INTEREST ACT.]

16 SECTION 3. TITLE 4 IS AMENDED BY ADDING SECTIONS TO READ:

17 § 1201.1. APPLICABILITY OF OTHER STATUTES.

18 THE FOLLOWING SHALL APPLY:

19 (1) THE FOLLOWING ACTS SHALL APPLY TO THE BOARD, ITS
20 MEMBERS AND EMPLOYEES:

21 (I) ACT OF JUNE 21, 1957 (P.L.390, NO.212), REFERRED
22 TO AS THE RIGHT-TO-KNOW LAW.

23 (II) ACT OF JULY 19, 1957 (P.L.1017, NO.451), KNOWN
24 AS THE STATE ADVERSE INTEREST ACT.

25 (III) THE PROVISIONS OF 65 PA.C.S. CHS. 7 (RELATING
26 TO OPEN MEETINGS) AND 11 (RELATING TO ETHICS STANDARDS
27 AND FINANCIAL DISCLOSURE).

28 (2) THE BOARD SHALL BE CONSIDERED AN "INDEPENDENT
29 AGENCY" FOR THE PURPOSES OF ALL OF THE FOLLOWING:

30 (I) ACT OF OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN

1 AS THE COMMONWEALTH ATTORNEYS ACT.

2 (II) THE PROVISIONS OF 62 PA.C.S. PT. I (RELATING TO
3 COMMONWEALTH PROCUREMENT CODE).

4 (3) THE BOARD SHALL BE CONSIDERED AN "AGENCY" FOR THE
5 PURPOSES OF ALL OF THE FOLLOWING:

6 (I) ACT OF JULY 31, 1968 (P.L.769, NO.240), REFERRED
7 TO AS THE COMMONWEALTH DOCUMENTS LAW.

8 (II) ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN
9 AS THE REGULATORY REVIEW ACT.

10 § 1201.2. REVIEW OF DEEDS, LEASES AND CONTRACTS.

11 (A) TIMING.--REVIEW OF A DEED, LEASE OR CONTRACT OF THE
12 BOARD BY THE ATTORNEY GENERAL UNDER THE ACT OF OCTOBER 15, 1980
13 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT, MUST
14 BE COMPLETED WITHIN 30 DAYS OF DELIVERY OF THE DEED, LEASE OR
15 CONTRACT BY THE BOARD TO THE ATTORNEY GENERAL.

16 (B) LIMITATION.--AN ISSUE NOT RAISED BY THE ATTORNEY GENERAL
17 DURING THE REVIEW PERIOD REQUIRED BY SUBSECTION (A) IS DEEMED
18 WAIVED.

19 SECTION 4. SECTIONS 1202 HEADING AND (A), 1203, 1206(A), (D)
20 AND (F) AND 1317 OF TITLE 4, ADDED JULY 5, 2004 (P.L.572,
21 NO.71), ARE AMENDED TO READ:

22 § 1202. [GENERAL AND SPECIFIC POWERS] POWERS AND DUTIES.

23 (A) GENERAL POWERS.--THE BOARD SHALL HAVE GENERAL
24 JURISDICTION OVER ALL GAMING ACTIVITIES OR RELATED ACTIVITIES AS
25 DESCRIBED IN THIS PART. THE BOARD SHALL BE RESPONSIBLE TO ENSURE
26 THE INTEGRITY OF THE ACQUISITION AND OPERATION OF SLOT MACHINES
27 AND ASSOCIATED EQUIPMENT AND SHALL HAVE JURISDICTION OVER EVERY
28 ASPECT OF THE AUTHORIZATION AND OPERATION OF SLOT MACHINES. THE
29 BOARD SHALL EMPLOY AN EXECUTIVE DIRECTOR, CHIEF COUNSEL,
30 DEPUTIES, SECRETARIES, OFFICERS, HEARING OFFICERS AND AGENTS AS

1 IT MAY DEEM NECESSARY, WHO SHALL SERVE AT THE BOARD'S PLEASURE.
2 THE BOARD SHALL ALSO EMPLOY OTHER EMPLOYEES AS IT DEEMS
3 APPROPRIATE WHOSE DUTIES SHALL BE DETERMINED BY THE BOARD. THE
4 BOARD SHALL ESTABLISH AND PUBLISH IN THE PENNSYLVANIA BULLETIN
5 AND ON ITS INTERNET WEBSITE A CLASSIFICATION OF ITS EMPLOYEES.
6 THE CLASSIFICATION SHALL INCLUDE THE SCOPE OF THE BACKGROUND
7 INVESTIGATIONS REQUIRED BY SECTION 1201(H)(13) (RELATING TO
8 PENNSYLVANIA GAMING CONTROL BOARD) FOR EACH CLASS OF EMPLOYEES
9 AND CONTRACT EMPLOYEES OF THE BOARD. IN ORDER TO ENSURE THE
10 ABILITY OF THE BOARD TO RECRUIT AND RETAIN INDIVIDUALS NECESSARY
11 TO EXECUTE ITS RESPONSIBILITIES UNDER THIS PART, THE BOARD SHALL
12 SET THE CLASSIFICATION AND COMPENSATION OF ITS EMPLOYEES AND
13 SHALL NOT BE SUBJECT TO THE PROVISIONS OF THE ACT OF APRIL 9,
14 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF
15 1929, AS TO CLASSIFICATION AND COMPENSATION FOR ITS EMPLOYEES
16 AND CONDUCT ITS ACTIVITIES CONSISTENT WITH THE PRACTICES AND
17 PROCEDURES OF COMMONWEALTH AGENCIES. [FOR THE PURPOSES OF THE
18 ACT OF OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS THE
19 COMMONWEALTH ATTORNEYS ACT, THE BOARD SHALL NOT BE CONSIDERED AN
20 EXECUTIVE OR INDEPENDENT AGENCY.] THE BOARD SHALL HAVE SUCH
21 OTHER POWERS AND AUTHORITY NECESSARY TO CARRY OUT ITS DUTIES AND
22 THE OBJECTIVES OF THIS PART.

23 * * *

24 § 1203. TEMPORARY REGULATIONS.

25 (A) PROMULGATION.--[NOTWITHSTANDING ANY OTHER PROVISION OF
26 LAW TO THE CONTRARY AND IN] IN ORDER TO FACILITATE THE PROMPT
27 IMPLEMENTATION OF THIS PART, [REGULATIONS PROMULGATED BY THE
28 BOARD DURING THE TWO YEARS FOLLOWING THE EFFECTIVE DATE OF THIS
29 PART SHALL BE DEEMED TEMPORARY REGULATIONS WHICH SHALL EXPIRE NO
30 LATER THAN THREE YEARS FOLLOWING THE EFFECTIVE DATE OF THIS PART

1 OR UPON PROMULGATION OF REGULATIONS AS GENERALLY PROVIDED BY
2 LAW. THE TEMPORARY REGULATIONS SHALL NOT BE] THE BOARD MAY
3 PROMULGATE REGULATIONS NOT SUBJECT TO:

4 (1) SECTIONS 201 [THROUGH 205], 202 AND 203 OF THE ACT
5 OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
6 COMMONWEALTH DOCUMENTS LAW.

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

9 (B) EXPIRATION.--[THE AUTHORITY PROVIDED TO THE BOARD TO
10 ADOPT TEMPORARY REGULATIONS IN] REGULATIONS PROMULGATED IN
11 ACCORDANCE WITH SUBSECTION (A) SHALL EXPIRE [TWO] THREE YEARS
12 FROM THE EFFECTIVE DATE OF THIS SECTION. [REGULATIONS ADOPTED
13 AFTER THE TWO-YEAR PERIOD SHALL BE PROMULGATED AS PROVIDED BY
14 LAW.]

15 § 1206. BOARD MINUTES AND RECORDS.

16 [(A) OPEN PROCEEDINGS AND RECORDS.--THE PROCEEDINGS OF THE
17 BOARD SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF 65
18 P.A.C.S. CH. 7 (RELATING TO OPEN MEETINGS). THE BOARD SHALL BE AN
19 AGENCY FOR PURPOSES OF THE ACT OF JUNE 21, 1957 (P.L.390,
20 NO.212), REFERRED TO AS THE RIGHT-TO-KNOW LAW. NOTWITHSTANDING
21 ANY PROVISION OF LAW TO THE CONTRARY, CONFIDENTIAL DOCUMENTS
22 RELATIVE TO PERSONAL BACKGROUND INFORMATION PROVIDED TO THE
23 BOARD PURSUANT TO THIS PART AND ANY CLOSED DELIBERATIONS OF THE
24 BOARD, INCLUDING DISCIPLINARY PROCEEDINGS, SHALL BE CONFIDENTIAL
25 AND CONSIDERED IN CLOSED EXECUTIVE SESSION PURSUANT TO
26 SUBSECTION (F).]

27 * * *

28 (D) APPLICANT INFORMATION.--

29 (1) THE BOARD SHALL [KEEP AND] MAINTAIN A LIST OF [ALL]
30 APPLICANTS FOR LICENSES AND [PERMITS UNDER THIS PART TOGETHER

1 WITH] PERMITS. THE LIST SHALL INCLUDE A RECORD OF ALL ACTIONS
2 TAKEN WITH RESPECT TO [THE APPLICANTS, WHICH FILE AND RECORD]
3 EACH APPLICANT. THE LIST SHALL BE OPEN TO PUBLIC INSPECTION
4 DURING NORMAL BUSINESS HOURS OF THE BOARD.

5 (2) INFORMATION UNDER PARAGRAPH (1) REGARDING ANY
6 APPLICANT WHOSE LICENSE OR PERMIT HAS BEEN DENIED, REVOKED OR
7 NOT RENEWED SHALL BE REMOVED FROM SUCH LIST AFTER SEVEN YEARS
8 FROM THE DATE OF THE ACTION.

9 * * *

10 (F) CONFIDENTIALITY OF INFORMATION.--[ALL INFORMATION
11 CONTAINED IN THE APPLICATION PROCESS PURSUANT TO SECTION 1310(A)
12 (RELATING TO SLOT MACHINE LICENSE APPLICATION CHARACTER
13 REQUIREMENTS) AND THE REPORT OF AN APPLICANT'S] AN APPLICANT'S
14 ARCHITECTURE AND ENGINEERING PLANS, SECURITY AND SURVEILLANCE
15 SYSTEMS AND BACKGROUND INVESTIGATION FURNISHED TO OR OBTAINED BY
16 THE BOARD OR THE BUREAU FROM ANY SOURCE SHALL BE CONSIDERED
17 CONFIDENTIAL. [AND SHALL BE WITHHELD FROM PUBLIC DISCLOSURE IN
18 WHOLE OR IN PART, EXCEPT THAT ANY INFORMATION SHALL BE RELEASED
19 UPON THE LAWFUL ORDER OF A COURT OF COMPETENT JURISDICTION OR,
20 WITH THE APPROVAL OF THE ATTORNEY GENERAL, TO A DULY AUTHORIZED
21 LAW ENFORCEMENT AGENCY OR SHALL BE RELEASED TO THE PUBLIC, IN
22 WHOLE OR IN PART, TO THE EXTENT THAT SUCH RELEASE IS REQUESTED
23 BY AN APPLICANT AND DOES NOT OTHERWISE CONTAIN CONFIDENTIAL
24 INFORMATION ABOUT ANOTHER PERSON. THE BOARD MAY NOT REQUIRE ANY
25 APPLICANT TO WAIVE ANY CONFIDENTIALITY PROVIDED FOR IN THIS
26 SUBSECTION AS A CONDITION FOR THE APPROVAL OF A LICENSE OR ANY
27 OTHER ACTION OF THE BOARD. ANY PERSON WHO VIOLATES THIS
28 SUBSECTION SHALL BE ADMINISTRATIVELY DISCIPLINED BY DISCHARGE,
29 SUSPENSION OR OTHER FORMAL DISCIPLINARY ACTION AS THE BOARD
30 DEEMS APPROPRIATE.]

1 * * *

2 § 1317. SUPPLIER [AND MANUFACTURER] LICENSES [APPLICATION].

3 (A) APPLICATION.--[ANY] A PERSON SEEKING TO PROVIDE SLOT
4 MACHINES OR ASSOCIATED EQUIPMENT TO A SLOT MACHINE LICENSEE
5 WITHIN THIS COMMONWEALTH [OR TO MANUFACTURE SLOT MACHINES FOR
6 USE IN THIS COMMONWEALTH] SHALL APPLY TO THE BOARD FOR [EITHER]
7 A SUPPLIER [OR MANUFACTURER] LICENSE. [NO PERSON, ITS AFFILIATE,
8 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY WHO HAS APPLIED FOR
9 OR IS A HOLDER OF A MANUFACTURER OR SLOT MACHINE LICENSE SHALL
10 BE ELIGIBLE TO APPLY FOR OR HOLD A SUPPLIER LICENSE. A SUPPLIER
11 LICENSEE SHALL ESTABLISH A PRINCIPLE PLACE OF BUSINESS IN THIS
12 COMMONWEALTH WITHIN ONE YEAR OF ISSUANCE OF ITS SUPPLIER LICENSE
13 AND MAINTAIN SUCH DURING THE PERIOD IN WHICH THE LICENSE IS
14 HELD. NO SLOT MACHINE LICENSEE SHALL ENTER INTO ANY SALE, LEASE,
15 CONTRACT OR ANY OTHER TYPE OF AGREEMENT PROVIDING SLOT MACHINES,
16 PROGRESSIVE SLOT MACHINES, PARTS OR ASSOCIATED EQUIPMENT FOR USE
17 OR PLAY WITH ANY PERSON OTHER THAN A SUPPLIER LICENSED PURSUANT
18 TO THIS SECTION. SLOT MONITORING SYSTEMS, CASINO MANAGEMENT
19 SYSTEMS, PLAYER TRACKING SYSTEMS AND WIDE-AREA PROGRESSIVE
20 SYSTEMS ARE EXCLUDED FROM ANY REQUIREMENTS THAT THEY BE PROVIDED
21 THROUGH A LICENSED SUPPLIER AS SET FORTH IN THIS PART.]

22 (B) REQUIREMENTS.--[THE APPLICATION FOR A SUPPLIER OR
23 MANUFACTURER LICENSE SHALL INCLUDE, AT A MINIMUM:] THE
24 APPLICATION FOR A SUPPLIER LICENSE SHALL BE ON THE FORM REQUIRED
25 BY THE BOARD, ACCOMPANIED BY THE APPLICATION FEE AND SHALL
26 INCLUDE ALL OF THE FOLLOWING:

27 (1) THE NAME AND BUSINESS ADDRESS OF THE APPLICANT, THE
28 DIRECTORS AND OWNERS OF THE APPLICANT AND A LIST OF EMPLOYEES
29 AND THEIR POSITIONS WITHIN THE BUSINESS, AS WELL AS ANY
30 FINANCIAL INFORMATION REQUIRED BY THE BOARD.

1 (1.1) A STATEMENT THAT THE APPLICANT OR AN AFFILIATE,
2 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF THE APPLICANT
3 IS NOT A SLOT MACHINE LICENSEE.

4 (2) THE CONSENT TO A BACKGROUND INVESTIGATION OF THE
5 APPLICANT, ITS OFFICERS, DIRECTORS, OWNERS, KEY EMPLOYEES OR
6 OTHER PERSONS REQUIRED BY THE BOARD AND A RELEASE TO OBTAIN
7 ANY AND ALL INFORMATION NECESSARY FOR THE COMPLETION OF THE
8 BACKGROUND INVESTIGATION.

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

14 (4) THE TYPE OF GOODS AND SERVICES TO BE SUPPLIED [OR
15 MANUFACTURED] AND WHETHER THOSE GOODS AND SERVICES WILL BE
16 PROVIDED THROUGH PURCHASE, LEASE, CONTRACT OR OTHERWISE.

17 (5) ANY OTHER INFORMATION DETERMINED BY THE BOARD TO BE
18 APPROPRIATE.

19 (C) REVIEW AND APPROVAL.--UPON BEING SATISFIED THAT THE
20 REQUIREMENTS OF SUBSECTION (B) HAVE BEEN MET, THE BOARD MAY
21 APPROVE THE APPLICATION AND GRANT THE APPLICANT A SUPPLIER
22 LICENSE CONSISTENT WITH ALL OF THE FOLLOWING:

23 (1) THE LICENSE SHALL BE FOR A PERIOD OF ONE YEAR. UPON
24 EXPIRATION, A LICENSE MAY BE RENEWED IN ACCORDANCE WITH
25 SUBSECTION (D).

26 (2) THE LICENSE SHALL BE NONTRANSFERABLE.

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

28 (D) RENEWAL.--SIX MONTHS PRIOR TO EXPIRATION OF A SUPPLIER
29 LICENSE, A SUPPLIER LICENSEE SEEKING RENEWAL OF ITS LICENSE
30 SHALL SUBMIT A RENEWAL APPLICATION ACCOMPANIED BY THE RENEWAL

1 FEE TO THE BOARD. IF THE RENEWAL APPLICATION SATISFIES THE
2 REQUIREMENTS OF SUBSECTION (B), THE BOARD MAY RENEW THE
3 LICENSEE'S SUPPLIER LICENSE. IF THE BOARD RECEIVES A COMPLETE
4 RENEWAL APPLICATION BUT FAILS TO ACT UPON THE RENEWAL
5 APPLICATION PRIOR TO THE EXPIRATION OF THE SUPPLIER LICENSE, THE
6 SUPPLIER LICENSE SHALL CONTINUE IN EFFECT FOR AN ADDITIONAL SIX-
7 MONTH PERIOD OR UNTIL ACTED UPON BY THE BOARD, WHICHEVER OCCURS
8 FIRST.

9 (E) PROHIBITIONS.--

10 (1) NO PERSON MAY PROVIDE SLOT MACHINES OR ASSOCIATED
11 EQUIPMENT TO A SLOT MACHINE LICENSEE WITHIN THIS COMMONWEALTH
12 UNLESS THE PERSON HAS BEEN ISSUED A SUPPLIER LICENSE UNDER
13 THIS SECTION OR A MANUFACTURER LICENSE UNDER SECTION 1317.1
14 (RELATING TO MANUFACTURER LICENSES).

15 (2) NO SLOT MACHINE LICENSEE MAY ACQUIRE, PURCHASE OR
16 LEASE SLOT MACHINES OR ASSOCIATED EQUIPMENT FROM A PERSON
17 UNLESS THE PERSON HAS BEEN ISSUED A SUPPLIER LICENSE UNDER
18 THIS SECTION OR A MANUFACTURER LICENSE UNDER SECTION 1317.1.

19 SECTION 5. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:
20 § 1317.1. MANUFACTURER LICENSES.

21 (A) APPLICATION.--A PERSON SEEKING TO MANUFACTURE SLOT
22 MACHINES FOR USE IN THIS COMMONWEALTH AND TO PROVIDE SLOT
23 MACHINES OR ASSOCIATED EQUIPMENT TO A SLOT MACHINE LICENSEE
24 WITHIN THIS COMMONWEALTH SHALL APPLY TO THE BOARD FOR A
25 MANUFACTURER LICENSE.

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

29 (1) THE NAME AND BUSINESS ADDRESS OF THE APPLICANT, THE
30 DIRECTORS AND OWNERS OF THE APPLICANT AND A LIST OF EMPLOYEES

1 AND THEIR POSITIONS WITHIN THE BUSINESS, AS WELL AS ANY
2 FINANCIAL INFORMATION REQUIRED BY THE BOARD.

3 (2) A STATEMENT THAT THE APPLICANT OR AN AFFILIATE,
4 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF THE APPLICANT
5 IS NOT A SLOT MACHINE LICENSEE.

6 (3) THE CONSENT TO A BACKGROUND INVESTIGATION OF THE
7 APPLICANT, ITS OFFICERS, DIRECTORS, OWNERS, KEY EMPLOYEES OR
8 OTHER PERSONS REQUIRED BY THE BOARD AND A RELEASE TO OBTAIN
9 ANY AND ALL INFORMATION NECESSARY FOR THE COMPLETION OF THE
10 BACKGROUND INVESTIGATION.

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

16 (5) THE TYPE OF SLOT MACHINES OR ASSOCIATED EQUIPMENT TO
17 BE MANUFACTURED AND SUPPLIED AND WHETHER THOSE SLOT MACHINES
18 OR ASSOCIATED EQUIPMENT WILL BE PROVIDED THROUGH PURCHASE,
19 LEASE, CONTRACT OR OTHERWISE.

20 (6) ANY OTHER INFORMATION DETERMINED BY THE BOARD TO BE
21 APPROPRIATE.

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

26 (1) THE LICENSE SHALL BE FOR A PERIOD OF ONE YEAR. UPON
27 EXPIRATION, A LICENSE MAY BE RENEWED IN ACCORDANCE WITH
28 SUBSECTION (D).

29 (2) THE LICENSE SHALL BE NONTRANSFERABLE.

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

1 (D) RENEWAL.--SIX MONTHS PRIOR TO EXPIRATION OF A
2 MANUFACTURER LICENSE, A MANUFACTURER LICENSEE SEEKING RENEWAL OF
3 ITS LICENSE SHALL SUBMIT A RENEWAL APPLICATION ACCOMPANIED BY
4 THE RENEWAL FEE TO THE BOARD. IF THE RENEWAL APPLICATION
5 SATISFIES THE REQUIREMENTS OF SUBSECTION (B), THE BOARD MAY
6 RENEW THE LICENSEE'S MANUFACTURER LICENSE. IF THE BOARD RECEIVES
7 A COMPLETE RENEWAL APPLICATION BUT FAILS TO ACT UPON THE RENEWAL
8 APPLICATION PRIOR TO THE EXPIRATION OF THE MANUFACTURER LICENSE,
9 THE MANUFACTURER LICENSE SHALL CONTINUE IN EFFECT FOR AN
10 ADDITIONAL SIX-MONTH PERIOD OR UNTIL ACTED UPON BY THE BOARD,
11 WHICHEVER OCCURS FIRST.

12 (E) PROHIBITIONS.--

13 (1) NO PERSON MAY MANUFACTURE AND PROVIDE SLOT MACHINES
14 OR ASSOCIATED EQUIPMENT TO A SLOT MACHINE LICENSEE WITHIN
15 THIS COMMONWEALTH UNLESS THE PERSON HAS BEEN ISSUED A
16 MANUFACTURER LICENSE UNDER THIS SECTION.

17 (2) NO SLOT MACHINE LICENSEE MAY ACQUIRE, PURCHASE OR
18 LEASE SLOT MACHINES OR ASSOCIATED EQUIPMENT TO A SLOT MACHINE
19 LICENSEE WITHIN THIS COMMONWEALTH UNLESS THE PERSON HAS BEEN
20 ISSUED A MANUFACTURER LICENSE UNDER THIS SECTION OR A
21 SUPPLIER LICENSE UNDER SECTION 1317 (RELATING TO SUPPLIER
22 LICENSES).

23 SECTION 6. SECTIONS 1318, 1506 AND 1512 OF TITLE 4, ADDED
24 JULY 5, 2004 (P.L.572, NO.71), ARE AMENDED TO READ:

25 § 1318. OCCUPATION [PERMIT APPLICATION] PERMITS.

26 (A) APPLICATION.--[ANY] A PERSON WHO DESIRES TO BE A GAMING
27 EMPLOYEE AND HAS A BONA FIDE OFFER OF EMPLOYMENT FROM A LICENSED
28 GAMING ENTITY SHALL APPLY TO THE BOARD FOR AN OCCUPATION PERMIT.
29 [A PERSON MAY NOT BE EMPLOYED AS A GAMING EMPLOYEE UNLESS AND
30 UNTIL THAT PERSON HOLDS AN APPROPRIATE OCCUPATION PERMIT ISSUED

1 UNDER THIS SECTION. THE BOARD MAY PROMULGATE REGULATIONS TO
2 RECLASSIFY A CATEGORY OF NONGAMING EMPLOYEES OR GAMING EMPLOYEES
3 UPON A FINDING THAT THE RECLASSIFICATION IS IN THE PUBLIC
4 INTEREST AND CONSISTENT WITH THE OBJECTIVES OF THIS PART.]

5 (B) REQUIREMENTS.--[THE APPLICATION FOR AN OCCUPATION PERMIT
6 SHALL INCLUDE, AT A MINIMUM:] THE APPLICATION FOR AN OCCUPATION
7 PERMIT SHALL BE ON THE FORM REQUIRED BY THE BOARD, ACCOMPANIED
8 BY THE APPLICATION FEE AND SHALL INCLUDE ALL OF THE FOLLOWING:

9 (1) THE NAME AND HOME ADDRESS OF THE PERSON.

10 (2) THE PREVIOUS EMPLOYMENT HISTORY OF THE PERSON.

11 (3) THE CRIMINAL HISTORY RECORD OF THE PERSON, AS WELL
12 AS THE PERSON'S CONSENT FOR THE PENNSYLVANIA STATE POLICE TO
13 CONDUCT A BACKGROUND INVESTIGATION.

14 (4) A PHOTOGRAPH AND HANDWRITING EXEMPLAR OF THE PERSON.

15 (5) EVIDENCE OF THE OFFER OF EMPLOYMENT AND THE NATURE
16 AND SCOPE OF THE PROPOSED DUTIES OF THE PERSON, IF KNOWN.

17 (6) THE DETAILS OF ANY OCCUPATION PERMIT OR SIMILAR
18 LICENSE GRANTED OR DENIED TO THE APPLICANT IN OTHER
19 JURISDICTIONS WHERE GAMING ACTIVITIES AS AUTHORIZED BY THIS
20 PART ARE PERMITTED AND CONSENT FOR THE BOARD TO OBTAIN COPIES
21 OF APPLICATIONS SUBMITTED OR PERMITS OR LICENSES ISSUED IN
22 CONNECTION THEREWITH.

23 (7) ANY OTHER INFORMATION DETERMINED BY THE BOARD TO BE
24 APPROPRIATE.

25 [(C) PROHIBITION.--NO SLOT MACHINE LICENSEE MAY EMPLOY OR
26 PERMIT ANY PERSON UNDER 18 YEARS OF AGE TO RENDER ANY SERVICE
27 WHATSOEVER IN ANY AREA OF ITS LICENSED FACILITY AT WHICH SLOT
28 MACHINES ARE PHYSICALLY LOCATED.]

29 (C.1) REVIEW AND APPROVAL.--UPON BEING SATISFIED THAT THE
30 REQUIREMENTS OF SUBSECTION (B) HAVE BEEN MET, THE BOARD MAY

1 APPROVE THE APPLICATION AND GRANT THE APPLICANT AN OCCUPATION
2 PERMIT CONSISTENT WITH ALL OF THE FOLLOWING:

3 (1) THE OCCUPATION PERMIT SHALL BE FOR A PERIOD OF ONE
4 YEAR. UPON EXPIRATION, AN OCCUPATION PERMIT MAY BE RENEWED IN
5 ACCORDANCE WITH SUBSECTION (D).

6 (2) THE OCCUPATION PERMIT SHALL BE NONTRANSFERABLE.

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

8 (D) RENEWAL.--SIX MONTHS PRIOR TO EXPIRATION OF AN
9 OCCUPATION PERMIT, AN INDIVIDUAL HOLDING AN OCCUPATION PERMIT
10 AND SEEKING RENEWAL OF THE OCCUPATION PERMIT SHALL SUBMIT A
11 RENEWAL APPLICATION ACCOMPANIED BY THE RENEWAL FEE TO THE BOARD.
12 IF THE RENEWAL APPLICATION SATISFIES THE REQUIREMENTS OF
13 SUBSECTION (B), THE BOARD MAY RENEW THE OCCUPATION PERMIT. IF
14 THE BOARD RECEIVES A COMPLETE RENEWAL APPLICATION BUT FAILS TO
15 ACT UPON THE RENEWAL APPLICATION PRIOR TO THE EXPIRATION OF THE
16 OCCUPATION PERMIT, THE OCCUPATION PERMIT SHALL CONTINUE IN
17 EFFECT FOR AN ADDITIONAL SIX-MONTH PERIOD OR UNTIL ACTED UPON BY
18 THE BOARD, WHICHEVER OCCURS FIRST.

19 (E) PROHIBITIONS.--

20 (1) NO SLOT MACHINE LICENSEE MAY EMPLOY OR PERMIT ANY
21 PERSON UNDER 18 YEARS OF AGE TO RENDER ANY SERVICE IN ANY
22 AREA OF ITS LICENSED FACILITY AT WHICH SLOT MACHINES ARE
23 PHYSICALLY LOCATED.

24 (2) NO SLOT MACHINE LICENSEE MAY EMPLOY AN INDIVIDUAL AS
25 A GAMING EMPLOYEE UNLESS THE INDIVIDUAL HAS BEEN ISSUED AN
26 OCCUPATION PERMIT UNDER THIS SECTION.

27 § 1506. [LOCAL LAND USE PREEMPTION] PREEMPTION.

28 [THE CONDUCT OF GAMING AS PERMITTED UNDER THIS PART,
29 INCLUDING THE PHYSICAL LOCATION OF ANY LICENSED FACILITY,] (A)
30 REGULATION.--GAMING AUTHORIZED BY THIS PART SHALL NOT BE

1 PROHIBITED OR, EXCEPT AS PROVIDED IN SUBSECTION (B), OTHERWISE
2 REGULATED BY ANY ORDINANCE, HOME RULE CHARTER PROVISION,
3 RESOLUTION, RULE OR REGULATION OF ANY [POLITICAL SUBDIVISION OR
4 ANY LOCAL OR STATE INSTRUMENTALITY OR AUTHORITY THAT RELATES TO
5 ZONING OR LAND USE TO THE EXTENT THAT THE LICENSED FACILITY HAS
6 BEEN APPROVED BY THE BOARD.] MUNICIPALITY.

7 (B) LAND USE.--

8 (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3), ANY
9 ZONING AND LAND USE ORDINANCES, HOME RULE CHARTER PROVISIONS,
10 RESOLUTIONS, RULES OR REGULATIONS OF ANY MUNICIPALITY SHALL
11 NOT APPLY TO PROPERTY UPON WHICH A LICENSED FACILITY OR
12 LICENSED RACETRACK IS OR WILL BE LOCATED. THE BOARD MAY [IN
13 ITS DISCRETION CONSIDER SUCH] CONSIDER LOCAL ZONING
14 ORDINANCES WHEN CONSIDERING AN APPLICATION FOR A SLOT MACHINE
15 LICENSE. THE BOARD SHALL PROVIDE THE POLITICAL SUBDIVISION,
16 WITHIN WHICH AN APPLICANT FOR A SLOT MACHINE LICENSE HAS
17 PROPOSED TO LOCATE A LICENSED [GAMING] FACILITY, A 60-DAY
18 COMMENT PERIOD PRIOR TO THE BOARD'S FINAL APPROVAL, CONDITION
19 OR DENIAL OF APPROVAL OF ITS APPLICATION FOR A SLOT MACHINE
20 LICENSE. THE POLITICAL SUBDIVISION MAY MAKE RECOMMENDATIONS
21 TO THE BOARD FOR IMPROVEMENTS TO THE APPLICANT'S PROPOSED
22 SITE PLANS THAT TAKE INTO ACCOUNT THE IMPACT ON THE LOCAL
23 COMMUNITY.[, INCLUDING, BUT NOT LIMITED TO, LAND USE AND
24 TRANSPORTATION IMPACT. THIS SECTION SHALL ALSO APPLY TO ANY
25 PROPOSED RACETRACK OR LICENSED RACETRACK.]

26 (2) PLANS AND ORDINANCES ADOPTED BY A MUNICIPALITY IN
27 ACCORDANCE WITH THE ACT OF JULY 31, 1968 (P.L.805, NO.247),
28 KNOWN AS THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, SHALL
29 APPLY TO PROPERTY UPON WHICH A LICENSED FACILITY OR LICENSED
30 RACETRACK IS OR WILL BE LOCATED.

1 (3) AN ORDINANCE, HOME RULE CHARTER PROVISION,
2 RESOLUTION, RULE OR REGULATION WHICH RELATES TO ZONING OR
3 LAND USE ADOPTED BY A CITY OF THE SECOND CLASS SHALL APPLY TO
4 PROPERTY UPON WHICH A LICENSED FACILITY OR LICENSED RACETRACK
5 IS OR WILL BE LOCATED.

6 § 1512. [PUBLIC OFFICIAL FINANCIAL INTEREST] FINANCIAL
7 INTERESTS AND COMPLIMENTARY SERVICES AND DISCOUNTS.

8 [(A) GENERAL RULE.--EXCEPT AS MAY BE PROVIDED BY RULE OR
9 ORDER OF THE PENNSYLVANIA SUPREME COURT, NO EXECUTIVE-LEVEL
10 STATE EMPLOYEE, PUBLIC OFFICIAL, PARTY OFFICER OR IMMEDIATE
11 FAMILY MEMBER THEREOF SHALL HAVE, AT OR FOLLOWING THE EFFECTIVE
12 DATE OF THIS PART, A FINANCIAL INTEREST IN OR BE EMPLOYED,
13 DIRECTLY OR INDIRECTLY, BY ANY LICENSED RACING ENTITY OR
14 LICENSED GAMING ENTITY, OR ANY HOLDING, AFFILIATE, INTERMEDIARY
15 OR SUBSIDIARY COMPANY, THEREOF, OR ANY SUCH APPLICANT, NOR
16 SOLICIT OR ACCEPT, DIRECTLY OR INDIRECTLY, ANY COMPLIMENTARY
17 SERVICE OR DISCOUNT FROM ANY LICENSED RACING ENTITY OR LICENSED
18 GAMING ENTITY WHICH HE OR SHE KNOWS OR HAS REASON TO KNOW IS
19 OTHER THAN A SERVICE OR DISCOUNT THAT IS OFFERED TO MEMBERS OF
20 THE GENERAL PUBLIC IN LIKE CIRCUMSTANCES DURING HIS OR HER
21 STATUS AS AN EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC OFFICIAL OR
22 PARTY OFFICER AND FOR ONE YEAR FOLLOWING TERMINATION OF THE
23 PERSON'S STATUS AS AN EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC
24 OFFICIAL OR PARTY OFFICER.]

25 (A) FINANCIAL INTERESTS.--AN EXECUTIVE-LEVEL STATE EMPLOYEE,
26 PUBLIC OFFICIAL OR PARTY OFFICER, OR AN IMMEDIATE FAMILY MEMBER
27 THEREOF, SHALL NOT DO ANY OF THE FOLLOWING:

28 (1) HOLD, WHETHER DIRECTLY OR INDIRECTLY, A FINANCIAL
29 INTEREST IN ANY SLOT MACHINE LICENSEE, MANUFACTURER LICENSEE,
30 SUPPLIER LICENSEE, LICENSED RACING ENTITY OR IN ANY HOLDING,

1 AFFILIATE, INTERMEDIARY OR SUBSIDIARY COMPANY THEREOF WHILE
2 THE INDIVIDUAL IS AN EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC
3 OFFICIAL OR PARTY OFFICER AND FOR ONE YEAR FOLLOWING
4 TERMINATION OF THE INDIVIDUAL'S STATUS AS AN EXECUTIVE-LEVEL
5 STATE EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER.

6 (2) HOLD, WHETHER DIRECTLY OR INDIRECTLY, A FINANCIAL
7 INTEREST IN ANY APPLICANT FOR A SLOT MACHINE LICENSE,
8 MANUFACTURER LICENSE, SUPPLIER LICENSE OR RACETRACK OR IN ANY
9 HOLDING, AFFILIATE, INTERMEDIARY OR SUBSIDIARY COMPANY OF THE
10 APPLICANT WHILE THE INDIVIDUAL IS AN EXECUTIVE-LEVEL STATE
11 EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER AND FOR ONE YEAR
12 FOLLOWING TERMINATION OF THE INDIVIDUAL'S STATUS AS AN
13 EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC OFFICIAL OR PARTY
14 OFFICER.

15 (A.1) EMPLOYMENT.--

16 (1) AN EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC OFFICIAL
17 OR PARTY OFFICER SHALL NOT BE EMPLOYED, WHETHER DIRECTLY OR
18 INDIRECTLY, BY ANY SLOT MACHINE LICENSEE, MANUFACTURER
19 LICENSEE, SUPPLIER LICENSEE, LICENSED RACING ENTITY OR
20 RACETRACK, OR AN APPLICANT THEREFOR, OR BY ANY HOLDING,
21 AFFILIATE, INTERMEDIARY OR SUBSIDIARY COMPANY THEREOF, WHILE
22 THE INDIVIDUAL IS AN EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC
23 OFFICIAL OR PARTY OFFICER AND FOR ONE YEAR FOLLOWING
24 TERMINATION OF THE INDIVIDUAL'S STATUS AS AN EXECUTIVE-LEVEL
25 STATE EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER.

26 (2) AN IMMEDIATE FAMILY MEMBER OF AN EXECUTIVE-LEVEL
27 STATE EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER SHALL NOT BE
28 EMPLOYED TO PROVIDE SERVICES FOR ANY SLOT MACHINE LICENSEE,
29 MANUFACTURER LICENSEE, SUPPLIER LICENSEE, LICENSED RACING
30 ENTITY OR RACETRACK, OR AN APPLICANT THEREFOR, OR BY ANY

1 HOLDING, AFFILIATE, INTERMEDIARY OR SUBSIDIARY COMPANY
2 THEREOF, WHILE THE EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC
3 OFFICIAL OR PARTY OFFICER OF THE IMMEDIATE FAMILY MEMBER IS
4 AN EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC OFFICIAL OR PARTY
5 OFFICER.

6 (A.2) COMPLIMENTARY SERVICES AND DISCOUNTS.--NO EXECUTIVE-
7 LEVEL STATE EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER, OR AN
8 IMMEDIATE FAMILY MEMBER THEREOF, SHALL SOLICIT OR ACCEPT,
9 WHETHER DIRECTLY OR INDIRECTLY, ANY COMPLIMENTARY SERVICE OR
10 DISCOUNT FROM ANY SLOT MACHINE LICENSEE, MANUFACTURER LICENSEE,
11 SUPPLIER LICENSEE OR LICENSED RACING ENTITY WHICH THE EXECUTIVE-
12 LEVEL STATE EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER, OR AN
13 IMMEDIATE FAMILY MEMBER THEREOF, KNOWS OR HAS REASON TO KNOW IS
14 OTHER THAN A SERVICE OR DISCOUNT THAT IS OFFERED TO MEMBERS OF
15 THE GENERAL PUBLIC IN LIKE CIRCUMSTANCES WHILE THE INDIVIDUAL IS
16 AN EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC OFFICIAL OR PARTY
17 OFFICER.

18 (A.3) GRADING.--AN INDIVIDUAL WHO VIOLATES THIS SECTION
19 COMMITTS A MISDEMEANOR AND SHALL, UPON CONVICTION, BE SENTENCED
20 TO PAY A FINE OF NOT MORE THAN \$1,000 OR TO IMPRISONMENT FOR NOT
21 MORE THAN ONE YEAR, OR BOTH.

22 (A.4) DIVESTITURE.--AN EXECUTIVE-LEVEL STATE EMPLOYEE,
23 PUBLIC OFFICIAL OR PARTY OFFICER, OR AN IMMEDIATE FAMILY MEMBER
24 THEREOF, WHO HOLDS A FINANCIAL INTEREST PROHIBITED BY THIS
25 SECTION SHALL DIVEST THE FINANCIAL INTEREST WITHIN THREE MONTHS
26 OF THE EFFECTUATION OF THE RESTRICTIONS SET FORTH IN SUBSECTION
27 (A), AS APPLICABLE.

28 (A.5) LIST OF APPLICANTS.--THE BOARD SHALL PUBLISH MONTHLY
29 IN THE PENNSYLVANIA BULLETIN AND ON ITS INTERNET WEBSITE A LIST
30 OF APPLICANTS FOR SLOT MACHINE LICENSES, SUPPLIER LICENSES AND

1 MANUFACTURER LICENSES.

2 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
3 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
4 SUBSECTION:

5 "EXECUTIVE-LEVEL STATE EMPLOYEE." THE GOVERNOR, LIEUTENANT
6 GOVERNOR, CABINET MEMBERS, DEPUTY SECRETARIES, THE GOVERNOR'S
7 OFFICE EXECUTIVE STAFF, ANY STATE EMPLOYEE WITH DISCRETIONARY
8 POWERS WHICH MAY AFFECT THE OUTCOME OF A STATE AGENCY'S DECISION
9 IN RELATION TO A PRIVATE CORPORATION OR BUSINESS, WITH RESPECT
10 TO ANY MATTER COVERED BY THIS PART OR ANY EXECUTIVE EMPLOYEE WHO
11 BY VIRTUE OF HIS JOB FUNCTION COULD INFLUENCE THE OUTCOME OF
12 SUCH A DECISION.

13 "FINANCIAL INTEREST." OWNING OR HOLDING SECURITIES
14 [EXCEEDING 1% OF THE EQUITY OR FAIR MARKET VALUE OF THE] OF A
15 LICENSED RACING ENTITY, MANUFACTURER LICENSEE, SUPPLIER LICENSEE
16 OR LICENSED GAMING ENTITY, ITS HOLDING COMPANY, AFFILIATE,
17 INTERMEDIARY OR SUBSIDIARY BUSINESS OR AN APPLICANT FOR SUCH A
18 LICENSE. A FINANCIAL INTEREST SHALL NOT INCLUDE ANY [SUCH STOCK
19 THAT IS HELD IN A BLIND TRUST OVER WHICH THE EXECUTIVE-LEVEL
20 STATE EMPLOYEE, PUBLIC OFFICIAL, PARTY OFFICER OR IMMEDIATE
21 FAMILY MEMBER THEREOF MAY NOT EXERCISE ANY MANAGERIAL CONTROL OR
22 RECEIVE INCOME DURING THE TENURE OF OFFICE AND THE PERIOD UNDER
23 SUBSECTION (A).] OF THE FOLLOWING:

24 (1) A STOCK THAT IS HELD IN A BLIND TRUST OVER WHICH THE
25 EXECUTIVE-LEVEL STATE EMPLOYEE, PUBLIC OFFICIAL OR PARTY
26 OFFICER, OR AN IMMEDIATE FAMILY MEMBER THEREOF, MAY NOT
27 EXERCISE MANAGERIAL CONTROL OR RECEIVE INCOME DURING THE
28 TENURE OF OFFICE AND THE PERIOD UNDER SUBSECTION (A).

29 (2) AN INTEREST HELD THROUGH A DEFINED BENEFIT PENSION
30 PLAN.

1 (3) AN INTEREST HELD THROUGH A TUITION ACCOUNT PLAN
2 ORGANIZED AND OPERATED PURSUANT TO SECTION 529 OF THE
3 INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. §
4 1 ET SEQ.).

5 (4) AN INTEREST HELD IN A MUTUAL FUND WHERE THE INTEREST
6 OWNED BY THE INDIVIDUAL FUND IN THE LICENSED GAMING ENTITY
7 DOES NOT AMOUNT TO CONTROL OF THE LICENSED GAMING ENTITY AS
8 DEFINED BY THE INVESTMENT COMPANY ACT OF 1940 54 STAT. 789,
9 15 U.S.C. § 80A-1 ET SEQ.).

10 "IMMEDIATE FAMILY." A PARENT, SPOUSE, MINOR OR UNEMANCIPATED
11 CHILD, BROTHER OR SISTER.

12 "PARTY OFFICER." A MEMBER OF A NATIONAL COMMITTEE; A
13 CHAIRMAN, VICE CHAIRMAN, SECRETARY, TREASURER OR COUNSEL OF A
14 STATE COMMITTEE OR MEMBER OF THE EXECUTIVE COMMITTEE OF A STATE
15 COMMITTEE; A COUNTY CHAIRMAN, VICE CHAIRMAN, COUNSEL, SECRETARY
16 OR TREASURER OF A COUNTY COMMITTEE; OR A CITY CHAIRMAN, VICE
17 CHAIRMAN, COUNSEL, SECRETARY OR TREASURER OF A CITY COMMITTEE.

18 "PUBLIC OFFICIAL." ANY PERSON ELECTED BY THE PUBLIC OR
19 ELECTED OR APPOINTED BY A GOVERNMENTAL BODY OR AN APPOINTED
20 OFFICIAL IN THE EXECUTIVE, LEGISLATIVE OR JUDICIAL BRANCH OF
21 THIS COMMONWEALTH OR ANY POLITICAL SUBDIVISION THEREOF, PROVIDED
22 THAT IT SHALL NOT INCLUDE MEMBERS OF ADVISORY BOARDS THAT HAVE
23 NO AUTHORITY TO EXPEND PUBLIC FUNDS OTHER THAN REIMBURSEMENT FOR
24 PERSONAL EXPENSE OR TO OTHERWISE EXERCISE THE POWER OF THE
25 COMMONWEALTH OR ANY POLITICAL SUBDIVISION [OR COMMISSIONER OF
26 ANY AUTHORITY OR JOINT-STATE COMMISSION].

27 SECTION 7. SECTION 1517(D) OF TITLE 4, ADDED JULY 5, 2004
28 (P.L.572, NO.71), IS AMENDED AND THE SECTION IS AMENDED BY
29 ADDING SUBSECTIONS TO READ:

30 § 1517. ENFORCEMENT.

1 * * *

2 (C.1) POWERS AND DUTIES OF ATTORNEY GENERAL.--WITHIN THE
3 OFFICE OF ATTORNEY GENERAL, THE ATTORNEY GENERAL SHALL ESTABLISH
4 A GAMING DIVISION. THE DIVISION SHALL INVESTIGATE AND INSTITUTE
5 CRIMINAL PROCEEDINGS AS AUTHORIZED BY SUBSECTION (D).

6 (D) CRIMINAL ACTION.--

7 (1) THE DISTRICT ATTORNEYS OF THE SEVERAL COUNTIES SHALL
8 HAVE AUTHORITY TO INVESTIGATE AND TO INSTITUTE CRIMINAL
9 PROCEEDINGS FOR [ANY] A VIOLATION OF THIS PART.

10 (2) IN ADDITION TO THE AUTHORITY CONFERRED UPON THE
11 ATTORNEY GENERAL [BY] UNDER THE ACT OF OCTOBER 15, 1980
12 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT,
13 THE ATTORNEY GENERAL SHALL HAVE THE AUTHORITY TO INVESTIGATE
14 AND, FOLLOWING CONSULTATION WITH THE APPROPRIATE DISTRICT
15 ATTORNEY, TO INSTITUTE CRIMINAL PROCEEDINGS FOR [ANY] A
16 VIOLATION OF THIS PART, [OR ANY SERIES OF SUCH VIOLATIONS
17 INVOLVING ANY COUNTY OF THIS COMMONWEALTH AND ANOTHER STATE.
18 NO] A PERSON CHARGED WITH A VIOLATION OF THIS PART BY THE
19 ATTORNEY GENERAL SHALL NOT HAVE STANDING TO CHALLENGE THE
20 AUTHORITY OF THE ATTORNEY GENERAL TO INVESTIGATE OR PROSECUTE
21 THE CASE, AND, IF ANY SUCH CHALLENGE IS MADE, THE CHALLENGE
22 SHALL BE DISMISSED AND NO RELIEF SHALL BE AVAILABLE IN THE
23 COURTS OF THIS COMMONWEALTH TO THE PERSON MAKING THE
24 CHALLENGE.

25 (D.1) REGULATORY ACTION.--NOTHING CONTAINED IN SUBSECTION
26 (D) SHALL BE CONSTRUED TO LIMIT THE EXISTING REGULATORY OR
27 INVESTIGATIVE AUTHORITY OF A DEPARTMENT OR AGENCY OF THE
28 COMMONWEALTH WHOSE FUNCTIONS RELATE TO PERSONS OR MATTERS
29 FALLING WITHIN THE SCOPE OF THIS PART.

30 * * *

SECTION 8. SECTION 911(H)(1) OF TITLE 18 IS AMENDED TO READ:

§ 911. CORRUPT ORGANIZATIONS.

* * *

(H) DEFINITIONS.--AS USED IN THIS SECTION:

(1) "RACKETEERING ACTIVITY" MEANS ALL OF THE FOLLOWING:

(I) [ANY] AN ACT WHICH IS INDICTABLE UNDER ANY OF
THE FOLLOWING PROVISIONS OF THIS TITLE:

CHAPTER 25 (RELATING TO CRIMINAL HOMICIDE)

SECTION 2706 (RELATING TO TERRORISTIC THREATS)

CHAPTER 29 (RELATING TO KIDNAPPING)

CHAPTER 33 (RELATING TO ARSON, ETC.)

CHAPTER 37 (RELATING TO ROBBERY)

CHAPTER 39 (RELATING TO THEFT AND RELATED
OFFENSES)

SECTION 4108 (RELATING TO COMMERCIAL BRIBERY AND
BREACH OF DUTY TO ACT DISINTERESTEDLY)

SECTION 4109 (RELATING TO RIGGING PUBLICLY
EXHIBITED CONTEST)

SECTION 4117 (RELATING TO INSURANCE FRAUD)

CHAPTER 47 (RELATING TO BRIBERY AND CORRUPT
INFLUENCE)

CHAPTER 49 (RELATING TO FALSIFICATION AND
INTIMIDATION)

SECTION 5111 (RELATING TO DEALING IN PROCEEDS OF
UNLAWFUL ACTIVITIES)

SECTION 5512 THROUGH 5514 (RELATING TO GAMBLING)

CHAPTER 59 (RELATING TO PUBLIC INDECENCY).

(II) [ANY] AN OFFENSE INDICTABLE UNDER SECTION 13 OF
THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS THE
CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT

1 (RELATING TO THE SALE AND DISPENSING OF NARCOTIC
2 DRUGS)[;]_.

3 (III) [ANY] A CONSPIRACY TO COMMIT ANY OF THE
4 OFFENSES SET FORTH IN SUBPARAGRAPHS (I) [AND (II) OF THIS
5 PARAGRAPH; OR], (II) OR (V).

6 (IV) [THE] THE COLLECTION OF ANY MONEY OR OTHER
7 PROPERTY IN FULL OR PARTIAL SATISFACTION OF A DEBT WHICH
8 AROSE AS THE RESULT OF THE LENDING OF MONEY OR OTHER
9 PROPERTY AT A RATE OF INTEREST EXCEEDING 25% PER ANNUM OR
10 THE EQUIVALENT RATE FOR A LONGER OR SHORTER PERIOD, WHERE
11 NOT OTHERWISE AUTHORIZED BY LAW.

12 (V) AN OFFENSE INDICTABLE UNDER 4 PA.C.S. PT. II
13 (RELATING TO GAMING).

14 [ANY] AN ACT WHICH OTHERWISE WOULD BE CONSIDERED RACKETEERING
15 ACTIVITY BY REASON OF THE APPLICATION OF THIS PARAGRAPH,
16 SHALL NOT BE EXCLUDED FROM ITS APPLICATION SOLELY BECAUSE THE
17 OPERATIVE ACTS TOOK PLACE OUTSIDE THE JURISDICTION OF THIS
18 COMMONWEALTH, IF SUCH ACTS WOULD HAVE BEEN IN VIOLATION OF
19 THE LAW OF THE JURISDICTION IN WHICH THEY OCCURRED.

20 * * *

21 SECTION 9. ALL ACTS AND PARTS OF ACTS, INCLUDING 4 PA.C.S.
22 PT. II, ARE REPEALED INSOFAR AS THEY ARE INCONSISTENT WITH THIS
23 ACT.

24 SECTION 10. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.