
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1840 Session of
2007

INTRODUCED BY W. KELLER AND M. O'BRIEN, SEPTEMBER 17, 2007

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, SEPTEMBER 17, 2007

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, further providing for Category 2 slot machine
3 license and nonportability of slot machine license.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Sections 1304(b) and 1329 of Title 4 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 1304. Category 2 slot machine license.

9 * * *

10 (b) Location.--

11 (1) Two Category 2 licensed facilities and no more shall
12 be located by the board within a city of the first class, and
13 one Category 2 licensed facility and no more shall be located
14 by the board within a city of the second class. [No Category
15 2 licensed facility located by the board within a city of the
16 first class shall be within ten linear miles of a Category 1
17 licensed facility regardless of the municipality where the
18 Category 1 licensed facility is located.] Except for any
19 Category 2 licensed facility located by the board within a

1 city of the first class or a city of the second class, no
2 Category 2 licensed facility shall be located within 30
3 linear miles of any Category 1 licensed facility that has
4 conducted over 200 racing days per year for the two calendar
5 years immediately preceding the effective date of this part
6 and not within 20 linear miles of any other Category 1
7 licensed facility. Except for any Category 2 licensed
8 facility located by the board within a city of the first
9 class, no Category 2 licensed facility shall be located
10 within 20 linear miles of another Category 2 licensed
11 facility.

12 (2) Within five days of approving a license for an
13 applicant with a proposed licensed facility consisting of
14 land designated a subzone, an expansion subzone or an
15 improvement subzone under the Keystone Opportunity Zone,
16 Keystone Opportunity Expansion Zone and Keystone Opportunity
17 Improvement Zone Act for a slot machine license under this
18 section, the board shall notify the Department of Community
19 and Economic Development. The notice shall include a
20 description of the land of the proposed licensed facility
21 which is designated a subzone, an expansion subzone or an
22 improvement subzone. Within five days of receiving the notice
23 required by this paragraph, the Secretary of Community and
24 Economic Development shall decertify the land of the proposed
25 licensed facility as being a subzone, an expansion subzone or
26 an improvement subzone. Upon decertification in accordance
27 with this paragraph and notwithstanding Chapter 3 of the
28 Keystone Opportunity Zone, Keystone Opportunity Expansion
29 Zone and Keystone Opportunity Improvement Zone Act, a
30 political subdivision may amend the ordinance, resolution or

1 other required action which granted the exemptions,
2 deductions, abatements or credits required by the Keystone
3 Opportunity Zone, Keystone Opportunity Expansion Zone and
4 Keystone Opportunity Improvement Zone Act to repeal the
5 exemptions, deductions, abatements or credits for the land
6 decertified.

7 § 1329. Nonportability of slot machine license.

8 Each slot machine license shall only be valid for the
9 specific physical location within the municipality and county
10 for which it was originally granted. No slot machine licensee
11 shall be permitted to move or relocate the physical location of
12 the licensed facility without board approval for good cause
13 shown[.] or at the board's discretion if the awarded specific
14 physical location is deemed, by the board, not to be viable as a
15 licensed gaming facility.

16 Section 2. This act shall take effect in 60 days.