

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2396 Session of
2008

INTRODUCED BY DALLY, BAKER, BENNINGHOFF, CALTAGIRONE, CAPPELLI,
GRELL, HARHART, HICKERNELL, HUTCHINSON, KAUFFMAN, KORTZ,
MANN, R. MILLER, MOUL, MOYER, MURT, MUSTIO, PAYNE, REED,
REICHLEY, SAYLOR, SCAVELLO, STERN, RAPP AND VULAKOVICH,
MARCH 27, 2008

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, MARCH 27, 2008

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, further providing for general and specific powers
3 of the board and for license or permit prohibition.

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

6 Section 1. Sections 1202(b)(26) and 1213 of Title 4 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 1202. General and specific powers.

9 * * *

10 (b) Specific powers.--The board shall have the specific
11 power and duty:

12 * * *

13 (26) To enter into an agreement with the district
14 attorneys of the counties wherein licensed facilities are
15 located and the Office of Attorney General for the
16 reimbursement of actual costs for prosecutions of criminal
17 violations [and for investigating a person applying for a

determination that an individual has been rehabilitated under this part].

* * *

§ 1213. License or permit prohibition.

No applicant for a license or permit under this part, including principals and key employees, who has been convicted of racketeering activity as defined under 18 Pa.C.S. § 911(h)(1) (relating to corrupt organizations) or a felony or gambling offense in any jurisdiction shall be issued a license or permit. [unless 15 years has elapsed from the date of expiration of the sentence for the offense. When determining whether to issue a license or permit to an applicant who has been convicted in any jurisdiction of a felony or gambling offense, the board shall consider the following factors:

(1) The nature and duties of the applicant's position with the licensed entity.

(2) The nature and seriousness of the offense or conduct.

(3) The circumstances under which the offense or conduct occurred.

(4) The age of the applicant when the offense or conduct was committed.

(5) Whether the offense or conduct was an isolated or a repeated incident.

(6) Any evidence of rehabilitation, including good conduct in the community, counseling or psychiatric treatment received and the recommendation of persons who have substantial contact with the applicant.]

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