

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 806 Session of 2009

INTRODUCED BY RAFFERTY, ORIE, FARNESE, VANCE, EARLL, WAUGH,
SMUCKER, PICCOLA, FOLMER, D. WHITE, EICHELBERGER, M. WHITE
AND BOSCOLA, APRIL 23, 2009

REFERRED TO COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT,
APRIL 23, 2009

AN ACT

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

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

6 Section 1. Section 1213 of Title 4 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 1213. [License or permit prohibition.] Consideration of
9 criminal record.

10 (a) License or permit.--No applicant for a license or permit
11 under this part, including principals and key employees, who has
12 been convicted of a felony or gambling offense in any
13 jurisdiction shall be issued a license or permit [unless 15
14 years has elapsed from the date of expiration of the sentence
15 for the offense. When determining whether to issue a license or
16 permit to an applicant who has been convicted in any
17 jurisdiction of a felony or gambling offense, the board shall

1 consider the following factors:

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

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

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

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

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

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

16 (b) Approval of others.--A person required by law or
17 regulation of the board to go through an approval process for
18 employment related to a licensed entity, involving either direct
19 employment by the licensed entity or providing services to the
20 licensed entity, shall not be approved by the board if the
21 person has been convicted of a felony in any jurisdiction.

22 Section 2. This act shall take effect immediately.