

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 806 Session of  
2009

INTRODUCED BY RAFFERTY, ORIE, FARNESE, VANCE, ERICKSON, 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.