

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 831 Session of
2009

INTRODUCED BY WOZNIAK, FONTANA AND STACK, MAY 1, 2009

SENATOR EARLL, COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT,
AS AMENDED, MAY 26, 2010

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, in licensees, further providing for Category 2 slot
3 machine license AND FOR NUMBER OF SLOT MACHINE LICENSES. ←

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

6 Section 1. Section 1304(b)(1) of Title 4 of the Pennsylvania
7 Consolidated Statutes ~~is amended~~, AMENDED JANUARY 7, 2010 ←

8 (P.L.1, NO.1), IS AMENDED AND THE SUBSECTION IS AMENDED BY
9 ADDING A PARAGRAPH to read:

10 § 1304. Category 2 slot machine license.

11 * * *

12 (b) Location.--

13 (1) [Two] ~~One~~ (I) SUBJECT TO THE PROVISIONS OF ←
14 PARAGRAPH (1.1), TWO Category 2 licensed ~~facilities~~ ←
15 facility and no more shall be located by the board within ←
16 a city of the first class, [and] one Category 2 licensed
17 facility and no more shall be located by the board within
18 a city of the second class~~]. and one Category 2 licensed~~ ←

~~facility and no more shall be located in either a county of the fourth class having a population during the 2000 Federal Decennial Census of not less than 150,000 nor more than 160,000 or a county of the sixth class having a population during the 2000 Federal Decennial Census of not less than 80,000 nor more than 83,000. No~~

(II) NO Category 2 licensed facility located by the board within a city of the first class shall be within ten linear miles of a Category 1 licensed facility regardless of the municipality where the Category 1 licensed facility is located. Except for any Category 2 licensed facility located by the board within a city of the first class or a city of the second class, no Category 2 licensed facility shall be located within 30 linear miles of any Category 1 licensed facility that has conducted over 200 racing days per year for the two calendar years immediately preceding the effective date of this part and not within 20 linear miles of any other Category 1 licensed facility. Except for any Category 2 licensed facility located by the board within a city of the first class, no Category 2 licensed facility shall be located within 20 linear miles of another Category 2 licensed facility.

(1.1) IN THE EVENT THAT A LICENSE FOR A CATEGORY 2 LICENSED FACILITY TO BE LOCATED WITHIN A CITY OF THE FIRST CLASS, WHICH LICENSE WAS ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH, IS REVOKED BY THE BOARD PRIOR TO COMMENCEMENT OF OPERATIONS OF THE CATEGORY 2 LICENSED FACILITY, THEN THE BOARD MAY REISSUE THE REVOKED CATEGORY 2 SLOT MACHINE LICENSE TO ANOTHER APPLICANT FOR A CATEGORY 2

1 LICENSED FACILITY, PROVIDED THAT:

2 (I) NO MORE THAN TWO CATEGORY 2 LICENSED FACILITIES
3 MAY BE LOCATED WITHIN A CITY OF THE FIRST CLASS;

4 (II) NO MORE THAN ONE CATEGORY 2 LICENSED FACILITY
5 MAY BE LOCATED IN A CITY OF THE SECOND CLASS; AND

6 (III) THE PROVISIONS OF PARAGRAPH (1)(II) ARE
7 SATISFIED.

8 * * *

9 SECTION 2. SECTION 1307 OF TITLE 4, AMENDED JANUARY 7, 2010
10 (P.L.1, NO.1), IS AMENDED TO READ:

11 § 1307. NUMBER OF SLOT MACHINE LICENSES.

12 THE BOARD MAY LICENSE NO MORE THAN SEVEN CATEGORY 1 LICENSED
13 FACILITIES AND NO MORE THAN FIVE CATEGORY 2 LICENSED FACILITIES,
14 AS IT MAY DEEM APPROPRIATE, AS LONG AS TWO, AND NOT MORE,
15 CATEGORY 2 LICENSED FACILITIES ARE LOCATED BY THE BOARD, SUBJECT
16 TO THE PROVISIONS OF SECTION 1304(B)(1.1) (RELATING TO CATEGORY
17 2 SLOT MACHINE LICENSE), WITHIN THE CITY OF THE FIRST CLASS AND
18 THAT ONE, AND NOT MORE, CATEGORY 2 LICENSED FACILITY IS LOCATED
19 BY THE BOARD WITHIN THE CITY OF THE SECOND CLASS. THE BOARD MAY
20 AT ITS DISCRETION INCREASE THE TOTAL NUMBER OF CATEGORY 2
21 LICENSED FACILITIES PERMITTED TO BE LICENSED BY THE BOARD BY AN
22 AMOUNT NOT TO EXCEED THE TOTAL NUMBER OF CATEGORY 1 LICENSES NOT
23 APPLIED FOR WITHIN FIVE YEARS FOLLOWING THE EFFECTIVE DATE OF
24 THIS PART. EXCEPT AS PERMITTED BY SECTION 1328 (RELATING TO
25 CHANGE IN OWNERSHIP OR CONTROL OF SLOT MACHINE LICENSEE), ANY
26 CATEGORY 1 LICENSE MAY BE REISSUED BY THE BOARD AT ITS
27 DISCRETION AS A CATEGORY 2 LICENSE IF AN APPLICATION FOR
28 ISSUANCE OF SUCH LICENSE HAS NOT BEEN MADE TO THE BOARD. THE
29 BOARD MAY LICENSE NO MORE THAN THREE CATEGORY 3 [LICENSED]
30 LICENSED FACILITIES.

1 Section ~~2~~ 3. This act shall take effect in 60 days.

