

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 889 Session of 2013

INTRODUCED BY CLYMER, SCHLOSSBERG, EMRICK, BROOKS, DAY, STERN,
BAKER, PETRI, PAINTER, KAUFFMAN, C. HARRIS, SANTARSIERO,
V. BROWN, RAPP, WATSON, SWANGER, AUMENT, HESS, GRELL,
LAWRENCE, MURT, FLECK, MILNE AND DENLINGER, MARCH 11, 2013

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, MARCH 11, 2013

AN ACT

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

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

7 Section 1. Sections 1302(b), 1304(b) and 1305(b) of Title 4
8 of the Pennsylvania Consolidated Statutes are amended to read:
9 § 1302. Category 1 slot machine license.

10 * * *

11 (b) Location.--A Category 1 license may only be issued to an
12 eligible person authorizing slot machine operations at the
13 particular licensed racetrack facility identified in the
14 application. No Category 1 licensed facility shall be located
15 within 20 linear miles of another Category 1 licensed facility
16 or within ten linear miles of the boundary of a national
17 military park or a national memorial designated by the Congress
18 of the United States after September 11, 2001.

1 § 1304. Category 2 slot machine license.

2 * * *

3 (b) Location.--

4 (1) Two Category 2 licensed facilities and no more shall
5 be located by the board within a city of the first class, and
6 one Category 2 licensed facility and no more shall be located
7 by the board within a city of the second class. No Category 2
8 licensed facility located by the board within a city of the
9 first class shall be within ten linear miles of a Category 1
10 licensed facility regardless of the municipality where the
11 Category 1 licensed facility is located. Except for any
12 Category 2 licensed facility located by the board within a
13 city of the first class or a city of the second class, no
14 Category 2 licensed facility shall be located within 30
15 linear miles of any Category 1 licensed facility that has
16 conducted over 200 racing days per year for the two calendar
17 years immediately preceding the effective date of this part
18 and not within 20 linear miles of any other Category 1
19 licensed facility. Except for any Category 2 licensed
20 facility located by the board within a city of the first
21 class, no Category 2 licensed facility shall be located
22 within 20 linear miles of another Category 2 licensed
23 facility or within ten linear miles of the boundary of a
24 national military park or a national memorial designated by
25 the Congress of the United States after September 11, 2001.

26 (2) Within five days of approving a license for an
27 applicant with a proposed licensed facility consisting of
28 land designated a subzone, an expansion subzone or an
29 improvement subzone under the Keystone Opportunity Zone,
30 Keystone Opportunity Expansion Zone and Keystone Opportunity

1 Improvement Zone Act for a slot machine license under this
2 section, the board shall notify the Department of Community
3 and Economic Development. The notice shall include a
4 description of the land of the proposed licensed facility
5 which is designated a subzone, an expansion subzone or an
6 improvement subzone. Within five days of receiving the notice
7 required by this paragraph, the Secretary of Community and
8 Economic Development shall decertify the land of the proposed
9 licensed facility as being a subzone, an expansion subzone or
10 an improvement subzone. Upon decertification in accordance
11 with this paragraph and notwithstanding Chapter 3 of the
12 Keystone Opportunity Zone, Keystone Opportunity Expansion
13 Zone and Keystone Opportunity Improvement Zone Act, a
14 political subdivision may amend the ordinance, resolution or
15 other required action which granted the exemptions,
16 deductions, abatements or credits required by the Keystone
17 Opportunity Zone, Keystone Opportunity Expansion Zone and
18 Keystone Opportunity Improvement Zone Act to repeal the
19 exemptions, deductions, abatements or credits for the land
20 decertified.

21 (3) Notwithstanding any other provision of law, the
22 governing body of a city of the first class shall not exempt
23 from real property taxation or provide any real property tax
24 abatement under the act of December 1, 1977 (P.L.237, No.76),
25 known as the Local Economic Revitalization Tax Assistance
26 Act, to a Category 2 licensed facility located within the
27 city, or any improvements to such facility, unless the owner
28 of the licensed facility enters into or has entered into a
29 tax settlement agreement or payment in lieu of taxes
30 agreement with the city, including any amendments,

1 supplements or modifications of such agreements.

2 § 1305. Category 3 slot machine license.

3 * * *

4 (b) Location.--The following shall apply:

5 (1) Except as provided in paragraph (1.1), no Category 3
6 license shall be located by the board within 15 linear miles
7 of another licensed facility.

8 (1.1) A Category 3 license established on or after July
9 20, 2017, shall not be located by the board within 30 linear
10 miles of another licensed facility or within ten linear miles
11 of the boundary of a national military park or a national
12 memorial designated by the Congress of the United States
13 after September 11, 2001.

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

1 Zone and Keystone Opportunity Improvement Zone Act, a
2 political subdivision may amend the ordinance, resolution or
3 other required action which granted the exemptions,
4 deductions, abatements or credits required by the Keystone
5 Opportunity Zone, Keystone Opportunity Expansion Zone and
6 Keystone Opportunity Improvement Zone Act to repeal the
7 exemptions, deductions, abatements or credits for the land
8 decertified.

9 * * *

10 Section 2. This act shall take effect immediately.