

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 1098 Session of  
2013

---

INTRODUCED BY PAYNE, TURZAI, CALTAGIRONE, COHEN, HARHAI, KOTIK,  
MILLARD, MOUL, PASHINSKI, READSHAW, TOOHIL AND WHITE,  
APRIL 3, 2013

---

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, APRIL 3, 2013

---

AN ACT

1 Amending the act of December 19, 1988 (P.L.1262, No.156),  
2 entitled, as amended, "An act providing for the licensing of  
3 eligible organizations to conduct games of chance, for the  
4 licensing of persons to distribute games of chance, for the  
5 registration of manufacturers of games of chance, and for  
6 suspensions and revocations of licenses and permits;  
7 requiring records; providing for local referendum by  
8 electorate; and prescribing penalties," further providing for  
9 definitions, for major league sports drawing and for  
10 licensing of eligible organizations to conduct games of  
11 chance.

12 The General Assembly of the Commonwealth of Pennsylvania  
13 hereby enacts as follows:

14 Section 1. The definitions of "affiliated nonprofit  
15 organization" and "major league sports drawing" in section 103  
16 of act of December 19, 1988 (P.L.1262, No.156), known as the  
17 Local Option Small Games of Chance Act, added October 24, 2012  
18 (P.L.1462, No.184), are amended to read:

19 Section 103. Definitions.

20 The following words and phrases when used in this act shall  
21 have the meanings given to them in this section unless the  
22 context clearly indicates otherwise:

1 \* \* \*

2 "Affiliated nonprofit organization." An organization  
3 established by or affiliated with a Major League Baseball,  
4 National Hockey League, National Basketball Association or Major  
5 League Soccer team, or its affiliate, for the purpose of raising  
6 funds for charity, which is qualified for an exemption under  
7 section 501(c) (3) of the Internal Revenue Code of 1986 (Public  
8 Law 99-514, 26 U.S.C. § 101(c) (3).

9 \* \* \*

10 "[Major league] Professional sports drawing." A 50/50  
11 drawing conducted by an affiliated nonprofit organization at a  
12 home game of a major league sports team, or its affiliate, in  
13 which 50% of the money collected from ticket sales from the  
14 drawing are offered as the prize and the remaining 50% is  
15 retained by the affiliated nonprofit organization sponsoring the  
16 drawing for distribution to charitable organizations.

17 \* \* \*

18 Section 2. Section 304.1 of the act, added October 24, 2012  
19 (P.L.1462, No.184), is amended to read:

20 Section 304.1. [Major league] Professional sports drawing.

21 (a) General rule.--A person may purchase one or more [major  
22 league] professional sports drawing tickets at a home game, and  
23 each ticket purchased shall represent one entry in the drawing  
24 for a winner. A single ticket shall be randomly chosen as the  
25 winner after a certain number of tickets are sold or a specified  
26 time period expires as designated by the affiliated nonprofit  
27 organization.

28 (b) Frequency.--An affiliated nonprofit organization may  
29 conduct no more than one [major league] professional sports  
30 drawing per home game.

1 (b.1) Sales restricted.--Tickets for a [major league]  
2 professional sports drawing may not be sold in any seating area  
3 designated as a family section.

4 (c) Distribution.--The prize amount of a [major league]  
5 professional sports drawing shall be 50% of the total amount  
6 collected from the sale of [major league] professional sports  
7 drawing tickets. The other 50% of the total amount collected  
8 from the sale of [major league] professional sports drawing  
9 tickets shall be donated within seven days from the date of the  
10 drawing by the affiliated nonprofit organization conducting the  
11 [major league] professional sports drawing to a designated  
12 charitable organization for which the drawing was conducted.

13 (d) Designated charitable organization.--The affiliated  
14 nonprofit organization conducting the [major league]  
15 professional sports drawing shall disclose to all ticket  
16 purchasers the designated charitable organization for which the  
17 [major league] professional sports drawing is being conducted.

18 (e) Eligibility.--In order to receive proceeds from a [major  
19 league] professional sports drawing, a charitable organization  
20 must be in existence and fulfilling its purposes for at least  
21 two years prior to the drawing and shall be eligible for  
22 exemption under section 501(c)(3) of the Internal Revenue Code  
23 of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)). A political  
24 subdivision shall not qualify as a charitable organization under  
25 this section.

26 (f) Unclaimed prizes.--Any [major league baseball]  
27 professional sports drawing prize remaining unclaimed by a  
28 winner at the end of the major league sports team's, or its  
29 affiliate's, season shall be donated within 30 days from the end  
30 of the season by the affiliated nonprofit organization to the

1 designated charitable organization for which the [major league]  
2 professional sports drawing was conducted.

3 (g) Applicability.--The limitations under sections 302,  
4 303(b), 308 and 704 shall not apply to a [major league]  
5 professional sports drawing.

6 Section 3. Section 307(b.1)(5) of the act, amended October  
7 24, 2012 (P.L.1462, No.184), is amended to read:

8 Section 307. Licensing of eligible organizations to conduct  
9 games of chance.

10 \* \* \*

11 (b.1) Location of games of chance.--

12 \* \* \*

13 (5) For purposes of [major league] professional sports  
14 drawings, the facility at which a major league sports team,  
15 or its affiliate, conducts its games shall constitute a  
16 premises for purposes of this act.

17 \* \* \*

18 Section 4. This act shall take effect in 60 days.