

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1162 Session of 2017

INTRODUCED BY CEPHAS, KINSEY, MILLARD, McCLINTON, THOMAS, SOLOMON, FREEMAN, HILL-EVANS, D. COSTA, DONATUCCI AND DAVIS, APRIL 12, 2017

AS REPORTED FROM COMMITTEE ON GAMING OVERSIGHT, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 22, 2017

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, in general provisions, providing for unclaimed
3 winnings and prizes.

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

6 Section 1. Title 4 of the Pennsylvania Consolidated Statutes
7 is amended by adding a section to read:

8 § 1104. Unclaimed winnings and prizes.

9 (a) Effect of unclaimed winnings and prizes.--

10 (1) Winnings and prizes earned by a player from gaming
11 activity at a licensed facility that remain unclaimed ~~one~~ <--
12 ~~year~~ TWO YEARS after the date on which the winnings and <--
13 prizes are earned shall be paid ~~immediately~~ ON A QUARTERLY <--
14 BASIS by the licensed gaming entity to the Secretary of
15 Revenue for deposit into the State Lottery Fund- TO BE USED <--
16 FOR THE PURPOSES OF PROGRAMS AND SERVICES FOR PERSONS 65
17 YEARS OF AGE OR OLDER AS PROVIDED IN THE ACT OF AUGUST 26,

1 1971 (P.L.351, NO.91), KNOWN AS THE STATE LOTTERY LAW.

2 (2) After expiration of the ~~one-year~~ TWO-YEAR time <--
3 period described in paragraph (1), the player that earned the
4 winnings or prizes shall forfeit all right, title and
5 interest to the winnings and prizes.

6 (b) Civil immunity.--A licensed gaming entity shall be
7 immune from civil liability for complying, in good faith, with
8 the licensed gaming entity's duty under this section.

9 (c) Inapplicable law.--Winnings and prizes described under
10 subsection (a) shall not be deemed abandoned and unclaimed
11 property subject to the provisions of Article XIII.1 of the act
12 of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

13 (D) REGULATIONS.--THE DEPARTMENT MAY PROMULGATE REGULATIONS <--
14 NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT.

15 (E) LIST.--NO LATER THAN NOVEMBER 1, 2020, AND EACH NOVEMBER
16 1 THEREAFTER, THE DEPARTMENT SHALL PUBLISH ON THE PENNSYLVANIA
17 STATE LOTTERY'S PUBLICLY ACCESSIBLE INTERNET WEBSITE A LIST OF
18 THE AMOUNT PAID EACH QUARTER BY EACH LICENSED GAMING ENTITY TO
19 THE SECRETARY OF REVENUE UNDER THIS ACT.

20 (F) NOTICE.--

21 (1) A LICENSED GAMING ENTITY SHALL POST NOTICE WITHIN
22 THE LICENSED FACILITY THAT ALL WINNINGS OR PRIZES EARNED BY A
23 PLAYER MUST BE CLAIMED WITHIN THE TWO-YEAR TIME PERIOD
24 DESCRIBED IN SUBSECTION (A) (1) OR THE PLAYER SHALL FORFEIT
25 ALL RIGHT, TITLE AND INTEREST TO THE WINNINGS OR PRIZES.

26 (2) A LICENSED GAMING ENTITY SHALL SEND WRITTEN NOTICE
27 TO A PLAYER BY FIRST CLASS MAIL OR A METHOD OF ELECTRONIC
28 NOTICE STATING THAT THE PLAYER HAS UNCLAIMED WINNINGS OR
29 PRIZES SUBJECT TO THIS ACT IF:

30 (I) THE VALUE OF THE WINNINGS OR PRIZES IS \$50 OR

1 MORE.

2 (II) THE WINNINGS OR PRIZES HAVE REMAINED UNCLAIMED
3 FOR MORE THAN ONE YEAR.

4 (III) THE LICENSED GAMING ENTITY HAS IN ITS RECORDS
5 CONTACT INFORMATION FOR THE PLAYER THAT THE LICENSED
6 GAMING ENTITY'S RECORDS DO NOT DISCLOSE AS INACCURATE.

7 (3) IN ADDITION TO THE NOTICE REQUIRED UNDER PARAGRAPHS
8 (1) AND (2), A LICENSED GAMING ENTITY MAY GIVE AT ANY TIME
9 ADDITIONAL NOTICE RELATING TO UNCLAIMED WINNINGS AND PRIZES.

10 SECTION 2. WINNINGS OR PRIZES EARNED BY PLAYERS PRIOR TO THE
11 EFFECTIVE DATE OF THIS SECTION SHALL CONTINUE TO BE SUBJECT TO
12 THE PROVISIONS OF ARTICLE XIII.1 OF THE ACT OF APRIL 9, 1929
13 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE.

14 Section ~~2~~ 3. This act shall apply to winnings and prizes <--
15 earned by players at licensed gaming entities ON AND after the <--
16 effective date of this section.

17 Section ~~3~~ 4. This act shall take effect in 60 days. <--