

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1550 Session of
1989

INTRODUCED BY PETRONE, REBER, TRELLO, LASHINGER, GIGLIOTTI,
McNALLY, WOZNIAK, DeWEESE, PISTELLA AND CESSAR, MAY 23, 1989

REFERRED TO COMMITTEE ON FINANCE, MAY 23, 1989

AN ACT

1 Amending the act of December 19, 1988 (P.L.1262, No.156),
2 entitled "An act providing for the licensing of clubs to
3 conduct games of chance, for the licensing of persons to
4 distribute games of chance, for the registration of
5 manufacturers of games of chance, and for suspensions and
6 revocations of licenses and permits; requiring records;
7 providing for local referendum by electorate; and prescribing
8 penalties," providing for liquor licensees to conduct video
9 poker; further providing for games of chance; and conferring
10 powers and duties upon the State lottery.

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

13 Section 1. The title and section 1 of the act of December
14 19, 1988 (P.L.1262, No.156), known as the Local Option Small
15 Games of Chance Act, are amended to read:

16 An Act

17 Providing for the licensing of clubs to conduct games of chance,
18 for certain liquor licensees to conduct video poker games,
19 for the licensing of persons to distribute games of chance,
20 for the registration of manufacturers of games of chance, and
21 for suspensions and revocations of licenses and permits;
22 requiring records; providing for local referendum by

1 electorate; and prescribing penalties."

2 Section 1. Short title.

3 This act shall be known and may be cited as the [Local
4 Option] Small Games of Chance Act.

5 Section 2. The definition of "games of chance" in section 3
6 of the act is amended to read:

7 Section 3. Definitions.

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

11 * * *

12 "Games of chance." Punchboards, lotteries, raffles and pull-
13 tabs, as defined in this act, [provided that no such game shall
14 be] and games of poker played by or with the assistance of any
15 mechanical or electrical devices or media [and further],
16 provided that the particular chance taken by any person in any
17 such game shall not be made contingent upon any other occurrence
18 or the winning of any other contest, but shall be determined
19 solely at the discretion of the purchaser. This definition shall
20 not be construed to authorize any other form of gambling
21 currently prohibited under any provision of Title 18 of the
22 Pennsylvania Consolidated Statutes (relating to crimes and
23 offenses). Nothing in this act shall be construed to authorize
24 games commonly known as "slot machines[" or "video poker]."

25 * * *

26 Section 3. Section 4 of the act is amended to read:

27 Section 4. Games of chance permitted.

28 (a) Clubs.--Every club to which a license has been issued
29 under the provisions of this act may conduct games of chance for
30 the purpose of raising funds for legitimate club purposes. If a

1 club conducts a game of chance that is a game of poker played by
2 or with the assistance of any mechanical or electrical device or
3 medium, the club shall pay a one-time fee of \$1,000 to the State
4 Lottery; and the only prize awarded shall be a nontransferable
5 certificate issued by the State Lottery and redeemable for a
6 lottery ticket under the act of August 26, 1971 (P.L.351,
7 No.91), known as the State Lottery Law. All proceeds of games of
8 chance shall be used exclusively for legitimate club purposes or
9 for the purchase of games of chance as permitted by this act.

10 (b) Liquor licensees.--Persons who are licensed under
11 Article IV of the act of April 12, 1951 (P.L.90, No.21), known
12 as the Liquor Code, may conduct a game of poker played by or
13 with the assistance of mechanical or electrical device or medium
14 if all of the following apply:

15 (1) The licensee pays a one-time fee of \$1,000 to the
16 State Lottery.

17 (2) The only prize awarded is a nontransferable
18 certificate issued by the State Lottery and redeemable for a
19 lottery ticket under the State Lottery Law.

20 Section 4. The State Lottery shall promulgate regulations
21 governing fees and certificates under section 3 (section 4).

22 Section 5. This act shall take effect as follows:

23 (1) Section 2 (section 3) and section 3 (section 4)
24 shall take effect in 240 days.

25 (2) The remainder of this act shall take effect in 60
26 days.