

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 35

Session of
1983

INTRODUCED BY TIGUE, RICHARDSON, BLAUM, CAWLEY, F. E. TAYLOR,
BELFANTI, BURNS, SALOOM, SERAFINI, OLASZ, CAPPABIANCA,
PETRARCA, DOMBROWSKI, STEVENS, COSLETT, CLARK, JAROLIN, FEE,
McMONAGLE, McCALL, DUFFY, TRELLO, GALLEN, KASUNIC, LETTERMAN,
LESCOVITZ, HASAY, DALEY, KUKOVICH, BUNT, TELEK AND COHEN,
JANUARY 25, 1983

SENATOR O'CONNELL, STATE GOVERNMENT, IN SENATE, AS AMENDED,
DECEMBER 7, 1983

AN ACT

1 ~~Providing for the manufacture, assembly and sale of certain~~ <—
2 ~~mechanical, electronic and coin operated gaming machines in~~
3 ~~the Commonwealth of Pennsylvania.~~

1 PROVIDING FOR A STATEWIDE REFERENDUM ON THE LEGALIZATION OF <—
2 GAMBLING.

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

5 ~~Section 1. Legislative purpose.~~ <—

6 ~~The General Assembly of Pennsylvania recognizes that the~~
7 ~~number of persons unemployed in Pennsylvania is at or near an~~
8 ~~all time high. Pennsylvania has been losing jobs to other states~~
9 ~~for a number of years. The General Assembly realizes that some~~
10 ~~positive steps must be made in order to stimulate the economy~~
11 ~~and halt this downward trend of unemployment. One positive step~~
12 ~~concerns this legislation which would permit the manufacturing~~
13 ~~of games of chance to be utilized in states where their use is~~

~~not prohibited by law. It is a well known economic fact that an increase in manufacturing has a beneficial effect on the total economy of a state, to include stepped up employment.~~

~~Section 2.— Short title.~~

~~This act shall be known and may be cited as the Game Manufacturing Law.~~

~~Section 3.— Definitions.~~

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

~~"Game machine." Any mechanical, electrical or other coin-operated device, contrivance or machine which, upon insertion of a coin or token therein or upon payment of any consideration whatsoever, is available to play or operate with the opportunity to win coins, tokens, cash, premiums, merchandise or anything of value whatsoever, by application of the element of skill or chance, or both. A slot machine shall be considered as such a machine.~~

~~"Person." An individual, firm, partnership, company, association or corporation.~~

~~Section 4.— Qualifications.~~

~~(a) Making and distribution of machines. It shall be lawful for any person to engage in the manufacture, assembly and distribution of all coin operated game machines as provided for in this act.~~

~~(b) Permitted sales. It shall be lawful for any person engaged in the manufacture, assembly or distribution of any game machine to sell or offer to sell any game machine to any person, for use in any state wherein the use of such a type of game machine is not prohibited by law.~~

~~(c) Use of premises. It shall be lawful for any person being the owner, tenant, lessee or occupant of any premises to use the premises or to knowingly permit the premises to be used for the manufacture, assembly and distribution of game machines in accordance with the provisions of this act.~~

~~Section 5. Prohibitions.~~

~~It shall be unlawful for any person engaged in the manufacture, assembly or distribution of game machines to sell any slot machine for use in the Commonwealth unless otherwise permitted by law.~~

~~Section 6. Penalties.~~

~~Any person who violates any provision of this act commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine not exceeding \$10,000 and costs of prosecution or undergo imprisonment not exceeding 30 days, or both.~~

~~Section 7. Repeals.~~

~~(a) Specific repeal. The provisions of 18 Pa.C.S. § 5513 (relating to gambling devices, gambling, etc.) are repealed to the extent that they are inconsistent with this act.~~

~~(b) General repeal. All other acts and parts of acts are repealed insofar as they are inconsistent with this act.~~

~~Section 8. Effective date.~~

~~This act shall take effect in 60 days.~~

SECTION 1. REFERENDUM.

THE QUESTION OF THE LEGALIZATION OF GAMBLING THROUGH CASINOS OR BY THE USE OF GAMING MACHINES SHALL BE SUBMITTED TO THE ELECTORS AT THE NEXT PRIMARY ELECTION FOLLOWING ENACTMENT OF THIS ACT.

SECTION 2. QUESTIONS.

THE QUESTIONS SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

1 DO YOU FAVOR THE LEGALIZATION IN
2 PENNSYLVANIA OF GAMBLING THROUGH CASINOS?
3 DO YOU FAVOR THE LEGALIZATION IN
4 PENNSYLVANIA OF GAMBLING BY GAMING MACHINES?
5 DO YOU FAVOR THE LEGALIZATION IN
6 PENNSYLVANIA OF GAMBLING THROUGH CASINOS
7 AND GAMING MACHINES?

8 SECTION 3. CONDUCT OF ELECTION.

9 THE ELECTION SHALL BE CONDUCTED UNDER THE ACT OF JUNE 3, 1937
10 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE.

11 SECTION 4. EFFECTIVE DATE.

12 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.