

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2765 Session of
2002

INTRODUCED BY CAPPELLI, CAWLEY, HORSEY, PETRARCA, TIGUE, TRELLO,
WANSACZ AND YOUNGBLOOD, JUNE 27, 2002

REFERRED TO COMMITTEE ON FINANCE, JUNE 27, 2002

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 defining
9 "dispensing machine," "games of chance" and "passive
10 selection device."

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

13 Section 1. The definitions of "dispensing machine," "games
14 of chance" and "passive selection device" in section 3 of the
15 act of December 19, 1988 (P.L.1262, No.156), known as the Local
16 Option Small Games of Chance Act, amended December 19, 1990
17 (P.L.812, No.195) and October 18, 2000 (P.L.602, No.79), are
18 amended to read:

19 Section 3. 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

1 context clearly indicates otherwise:

2 * * *

3 "Dispensing machine." A device designed exclusively for the
4 dispensing of the games of chance authorized by this act,
5 including, but not limited to, ticket jars, fish bowls and stamp
6 machines. The term includes a device that signals the dispensing
7 of a preprinted approved paper winning ticket, or that visually
8 displays a winning amount and the symbols, provided that the
9 method used to signal or visually display the winning amount and
10 symbols of the winning ticket does not alter the chance of
11 winning or the amount of the win and that a winning ticket must
12 be physically presented for redemption in order to claim a
13 prize. Nothing in this act shall be construed to authorize
14 devices commonly known as "slot machines" or "video poker."

15 * * *

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

30 * * *

1 "Passive selection device." A device which is used to hold
2 or denote the universe of possible winning numbers or entrants
3 in a daily drawing or raffle and which, when used, does not
4 alter the outcome of the game in any way. Such a device may not
5 have the capability of being utilized to conduct or aid in the
6 conducting of unauthorized or illegal forms of gambling.

7 * * *

8 Section 2. This act shall take effect in 60 days.