

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2765 Session of  
2002INTRODUCED BY CAPPELLI, CAWLEY, HORSEY, PETRARCA, TIGUE, TRELLO,  
WANSACZ, YOUNGBLOOD, THOMAS AND SAINATO, JUNE 27, 2002AS REPORTED FROM COMMITTEE ON FINANCE, HOUSE OF REPRESENTATIVES,  
AS AMENDED, OCTOBER 7, 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."~~ "DISPENSING MACHINE" AND "GAMES OF <—  
11 CHANCE."

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

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

20 Section 3. Definitions.

21 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 \* \* \*

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

16 \* \* \*

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

1       \* \* \*

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

8       \* \* \*

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