

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 569 Session of
2005

INTRODUCED BY LESCOVITZ, CALTAGIRONE, DeLUCA, DeWEESE, FABRIZIO,
GRUCELA, KOTIK, LEACH, MARKOSEK, PALLONE, PETRARCA, READSHAW,
SOLOBAY, J. TAYLOR, YOUNGBLOOD, SAINATO, TANGRETTI AND WILT,
FEBRUARY 16, 2005

REFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT,
FEBRUARY 16, 2005

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 providing for
9 prize limits, for sales limited and for special permits.

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

12 Section 1. Section 5 of the act of December 19, 1988
13 (P.L.1262, No.156), known as the Local Option Small Games of
14 Chance Act, amended December 19, 1990 (P.L.812, No.195) and
15 October 18, 2000 (P.L.620, No.79), is amended to read:

16 Section 5. Prize limits.

17 (a) Individual prize limit.--The maximum cash value which
18 may be awarded for any single chance shall be [\$500] \$1,000.

19 (b) Weekly limit.--No more than \$5,000 in cash or
20 merchandise shall be awarded by any eligible organization in any

1 seven-day period.

2 (c) Limit on raffles.--No more than \$5,000 in cash or
3 merchandise shall be awarded in raffles in any calendar month.

4 (d) Exception.--An eligible organization may conduct a
5 raffle and award a prize or prizes valued in excess of [\$500]
6 \$1,000 each only under the following conditions:

7 (1) The licensing authority has issued a special permit
8 for the raffle under section 11.

9 (2) Eligible organizations shall be eligible to receive
10 no more than two special permits in any licensed year except
11 that volunteer fire, ambulance and rescue organizations shall
12 be eligible to receive no more than three special permits in
13 any licensed year.

14 (3) Only one raffle may be conducted under each special
15 permit.

16 (4) The total cash value of all prizes shall be no more
17 than \$100,000 per calendar year.

18 (e) Limit on daily drawings.--Daily drawings shall be
19 governed by the prize limitations contained in subsections (a)
20 and (b). An eligible organization shall not conduct daily
21 drawings during a period when a weekly drawing is taking place.

22 (f) Exception.--The prize limitation contained in
23 subsections (a) and (b) may be exceeded by a daily drawing under
24 the following circumstances: a daily drawing may award a prize
25 where the cash value is in excess of [\$500] \$1,000 if such prize
26 is the result of a carryover of a drawing or drawings which
27 resulted from the winning number in such drawing or drawings not
28 being among the eligible entrants in such drawings. Nothing
29 contained herein shall authorize the prize limitations as
30 contained in subsections (a) and (b) to be exceeded as a result

1 of a failure to conduct a drawing on an operating day during
2 which chances were sold for a daily drawing or for a daily
3 drawing for which chances were sold in excess of \$1 or for which
4 more than one chance was sold to an eligible participant.

5 (g) Daily drawing and weekly drawing exception.--When a
6 daily drawing or weekly drawing is set up or conducted in such a
7 manner as to pay out or award 100% of the gross revenues
8 generated from such drawing, the limitations contained in
9 subsection (b) shall not apply.

10 (h) Limit on weekly drawings.--Weekly drawings shall be
11 governed by the prize limitations contained in subsection (b).
12 The prize limitation contained in subsection (b) may be exceeded
13 by a weekly drawing under the following circumstances: a weekly
14 drawing may award a prize where the cash value is in excess of
15 \$5,000 if such prize is the result of a carryover of a drawing
16 or drawings which resulted from the winning number or numbers in
17 such drawing or drawings not being among the eligible entrants
18 in such drawings. Nothing contained in this act shall authorize
19 the prize limitations as contained in subsection (b) to be
20 exceeded as a result of a failure to conduct a drawing for a
21 week during which chances were sold for a weekly drawing or for
22 a weekly drawing for which chances were sold in excess of \$1. An
23 eligible organization shall not conduct weekly drawings during a
24 period when a daily drawing is taking place.

25 Section 2. Sections 6 and 11 of the act, amended December
26 19, 1990 (P.L.812, No.195), are amended to read:

27 Section 6. Sales limited.

28 No person shall sell, offer for sale or furnish games of
29 chance for use within this Commonwealth except to an eligible
30 organization or distributor licensed under this act. No game of

1 chance, other than a raffle, sold, offered for sale or furnished
2 for use within this Commonwealth shall contain, permit, depict
3 or designate a prize having a cash value in excess of [\$500]
4 \$1,000

5 Section 11. Special permits.

6 (a) Issuance and fee.--The licensing authority shall issue a
7 special permit for each raffle in which the licensee proposes to
8 award individual prizes having a cash value in excess of [\$500]
9 \$1,000. The licensing authority may establish and collect a fee
10 not to exceed \$25 for the issuance of special permits under this
11 section.

12 (b) Permit application.--Each special permit application
13 shall specify the location where the actual drawing will be
14 held, the number of chances to be sold, the price per chance and
15 the cash value of the prize or prizes to be awarded.

16 Section 3. This act shall take effect in 60 days.