

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2264 Session of
2005

INTRODUCED BY MAITLAND, CLYMER, NICKOL, ARMSTRONG, BAKER, BOYD,
BUNT, CALTAGIRONE, CAPPELLI, CORRIGAN, CRAHALLA, CREIGHTON,
CURRY, DALEY, FAIRCHILD, GINGRICH, GRELL, HARRIS, HERMAN,
HERSHEY, HESS, HICKERNELL, KAUFFMAN, M. KELLER, LEDERER,
MAHER, McILHATTAN, MILLARD, NAILOR, PAYNE, PHILLIPS,
PISTELLA, PYLE, SATHER, SAYLOR, SCHRODER, B. SMITH, STERN,
R. STEVENSON, TANGRETTI, E. Z. TAYLOR, THOMAS, TRUE, TURZAI,
WILT AND YOUNGBLOOD, NOVEMBER 22, 2005

REFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT,
NOVEMBER 22, 2005

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, further providing for Category 2 slot machine
3 licenses and for slot machine license applications.

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

6 Section 1. Sections 1304(b) and 1309(a) of Title 4 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 1304. Category 2 slot machine license.

9 * * *

10 (b) Location.--

11 (1) Two Category 2 licensed facilities and no more shall
12 be located by the board within a city of the first class, and
13 one Category 2 licensed facility and no more shall be located
14 by the board within a city of the second class. No Category 2
15 licensed facility located by the board within a city of the

1 first class shall be within ten linear miles of a Category 1
2 licensed facility regardless of the municipality where the
3 Category 1 licensed facility is located. Except for any
4 Category 2 licensed facility located by the board within a
5 city of the first class or a city of the second class, no
6 Category 2 licensed facility shall be located within 30
7 linear miles of any Category 1 licensed facility that has
8 conducted over 200 racing days per year for the two calendar
9 years immediately preceding the effective date of this part
10 and not within 20 linear miles of any other Category 1
11 licensed facility. Except for any Category 2 licensed
12 facility located by the board within a city of the first
13 class, no Category 2 licensed facility shall be located
14 within 20 linear miles of another Category 2 licensed
15 facility.

16 (2) Notwithstanding the provisions of paragraph (1), no
17 Category 2 licensed facility shall be located by the board:

18 (i) Within a city of the first or second class, if
19 the licensed facility would also be located within two
20 miles of the boundary of a national battlefield, national
21 historic site or national military park, as administered
22 by the National Park Service.

23 (ii) Within 15 miles of the boundary of a national
24 battlefield, national historic site or national military
25 park as administered by the National Park Service.

26 § 1309. Slot machine license application.

27 (a) General requirements.--In addition to any other
28 information required under this part or as may be required by
29 the board, the application for any category of slot machine
30 license shall include at a minimum:

1 (1) The name, address, photograph and handwriting
2 exemplar of the applicant and of all directors and owners and
3 key employees and their positions within the corporation or
4 organization, as well as any additional financial information
5 required by the board.

6 (2) The proposed location of the slot machine areas, if
7 known.

8 (3) The number of slot machines requested.

9 (4) A current tax lien certificate issued by the
10 department.

11 (5) In those instances where additional slot machines
12 are being requested, the justification and explanation for
13 the number and proposed location of the slot machine areas
14 within the confines of the licensed facility.

15 (6) The current status of the horse or harness racing
16 license issued pursuant to the Race Horse Industry Reform
17 Act, if any.

18 (7) The details of any gaming, slot machine or casino
19 license applied for, granted to or denied to the applicant by
20 other jurisdictions where such form of gaming is legal, and
21 the consent for the board to acquire copies of applications
22 submitted or licenses issued in connection therewith.

23 (8) The details of any loans obtained from a financial
24 institution or not obtained from a financial institution.

25 (9) The consent to conduct a background investigation by
26 the board, the scope of which shall be determined by the
27 board in its discretion consistent with the provisions of
28 this part, and a release signed by all persons subject to the
29 investigation of all information required to complete the
30 investigation.

1 (10) A statement detailing and establishing that the
2 proposed location is not adjacent to a national battlefield,
3 national historic park or national military park as
4 administered by the National Park Service. The statement
5 shall include the appropriate business and tourism studies,
6 economic impact studies, projected revenue and business
7 plans. The economic impact studies shall include:

8 (i) An assessment of the economic impact of the
9 proposed licensed facility on existing tourism, including
10 heritage tourism, and businesses servicing tourists.

11 (ii) An assessment of the impact of the proposed
12 licensed facility on current unemployment and community
13 growth, which includes an estimate of how many employees
14 will be employed by the proposed licensed facility and
15 what geographic areas the employees will be drawn from.

16 (iii) A detailed analysis of the anticipated
17 customer base of the proposed licensed facility, which
18 includes an assessment of what geographic areas the
19 customers will be drawn from.

20 (iv) An assessment of the economic impact that the
21 proposed licensed facility will have on Category 1 slot
22 machine licensees and the other Category 2 slot machine
23 licensees.

24 (v) An assessment of the impact of anticipated and
25 potential competitive responses of existing and proposed
26 gaming operations in Ohio, West Virginia, Maryland,
27 Delaware, New Jersey and New York on the operation of the
28 licensed facility.

29 [(10)] (11) Any other information determined to be
30 appropriate by the board.

1 * * *

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