

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1033 Session of
2009

INTRODUCED BY TOMLINSON, MELLOW, COSTA, FONTANA, LEACH, BOSCOLA,
MUSTO, STOUT, TARTAGLIONE AND KITCHEN, JULY 17, 2009

REFERRED TO COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT,
JULY 17, 2009

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, further providing for legislative intent, for
3 definitions, for Pennsylvania Gaming Control Board
4 established, for general and specific powers of the
5 Pennsylvania Gaming Control Board, for licensed gaming entity
6 application appeals from board, for regulatory authority of
7 board, for collection of fees and fines, for reports of
8 board, for authorized slot machine licenses, for additional
9 Category 1 slot machine license requirements, for
10 applications for license or permit, for supplier licenses,
11 for manufacturer licenses, for occupation permit
12 applications, for alternative manufacturer licensing
13 standards and for additional licenses and permits and
14 approval of agreement; providing for table games; and further
15 providing for slot machine licensee deposits, for transfers
16 from State Gaming Fund, for responsibility and authority of
17 Department of Revenue, for wagering on credit, for no eminent
18 domain authority, for compulsive and problem gambling
19 program, for political influence, for investigations and
20 enforcement, for prohibited acts and penalties and for
21 interception of oral communications.

22 The General Assembly of the Commonwealth of Pennsylvania
23 hereby enacts as follows:

24 Section 1. Section 1102(11) of Title 4 of the Pennsylvania
25 Consolidated Statutes is amended and the section is amended by
26 adding paragraphs to read:

27 § 1102. Legislative intent.

1 The General Assembly recognizes the following public policy
2 purposes and declares that the following objectives of the
3 Commonwealth are to be served by this part:

4 * * *

5 (2.1) The legalization of the operation of table games
6 as authorized in this part is intended to supplement slot
7 machine gaming by increasing revenues to the Commonwealth and
8 providing new employment opportunities by creating a demand
9 for individuals to fill skilled positions related to the
10 operation of table games at licensed facilities in this
11 Commonwealth.

12 * * *

13 (11) It is necessary to maintain the integrity of the
14 regulatory control and legislative oversight over the
15 operation of slot machines and the conduct of table games in
16 this Commonwealth; to prevent the actual or appearance of
17 corruption that may result from [large] campaign
18 contributions; ensure the bipartisan administration of this
19 part; and avoid actions that may erode public confidence in
20 the system of representative government.

21 (12) It is the intent of the General Assembly to
22 authorize the operation of slot machines and table games
23 under a single slot machine license issued to a slot machine
24 licensee under this part. Nothing in this part shall be
25 construed:

26 (i) To create a separate license governing the
27 operation of table games.

28 (ii) To permit the continuation of the conduct of
29 slot machine gaming if a slot machine license is
30 suspended or revoked based on a violation of this part

1 arising out of a slot machine licensee's table game
2 operation.

3 (iii) To permit the continuation of the conduct of
4 table gaming if a slot machine license is suspended or
5 revoked based on a violation of this part arising out of
6 a slot machine licensee's slot machine operation.

7 Section 2. The definitions of "associated equipment,"
8 "cheat," "conduct of gaming," "gaming employee," "key employee,"
9 "licensed facility," "manufacturer," "manufacturer license,"
10 "slot machine license," "supplier" and "supplier license" in
11 section 1103 of Title 4 are amended and the section is amended
12 by adding definitions to read:

13 § 1103. Definitions.

14 The following words and phrases when used in this part shall
15 have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 * * *

18 "Associated equipment." Any equipment or mechanical,
19 electromechanical or electronic contrivance, component or
20 machine used in connection with slot machine or table gaming,
21 including linking devices which connect to progressive slot
22 machines or slot machines, replacement parts, equipment which
23 affects the proper reporting of gross revenue, computerized
24 systems for controlling and monitoring slot machines or table
25 games, including, but not limited to, the central control
26 computer for linking slot machines and devices for weighing or
27 counting money.

28 * * *

29 "Cash." United States currency and coin or foreign currency
30 and coin that have been exchanged for its equivalent in United

1 States currency and coin.

2 "Cash equivalent." An asset that is readily convertible to
3 cash, including, but not limited to, any of the following:

4 (1) Travelers checks.

5 (2) Certified checks, cashier's checks and money orders.

6 (3) Personal checks or drafts.

7 (4) Credit extended by the slot machine licensee, a
8 recognized credit card company or banking institution.

9 (5) Any other instrument that the Pennsylvania Gaming
10 Control Board deems a cash equivalent. Other than recognized
11 credit cards or credit extended by the table game certificate
12 holder, all instruments that constitute a cash equivalent
13 shall be made payable to the table game certificate holder,
14 to the bearer or to cash. An instrument made payable to a
15 third party shall not be considered a cash equivalent and
16 shall be prohibited.

17 "Cash equivalent value." The monetary value that a table
18 game certificate holder shall assign to a jackpot or payout that
19 consists of merchandise or anything of value other than cash,
20 tokens, chips or plaques. The Pennsylvania Gaming Control Board
21 shall promulgate rules defining "cash equivalent value" in order
22 to assure fairness, uniformity and comparability of valuation of
23 jackpots and payoffs that include merchandise or anything of
24 value.

25 * * *

26 "Cheat." To alter without authorization the elements of
27 chance, method of selection or criteria which determine:

28 (1) The result of a slot machine game or table game.

29 (2) The amount or frequency of payment in a slot machine
30 game or table game.

1 (3) The value of a wagering instrument.

2 (4) The value of a wagering credit.

3 The term does not include altering for required maintenance and
4 repair of a slot machine or table game.

5 "Chip." A representation of value redeemable for cash only
6 issued by a slot machine licensee for use in playing a table
7 game at the licensed facility. All types of chips shall be
8 approved by the board prior to being used for play at a table
9 game at the licensed facility.

10 * * *

11 "Conduct of gaming." The licensed placement and operation of
12 games of skill or chance under this part, as authorized and
13 approved by the Pennsylvania Gaming Control Board at a licensed
14 facility.

15 * * *

16 "Count room." The room designated for counting, wrapping and
17 recording of a slot machine licensee's slot machine and table
18 game receipts.

19 * * *

20 "Gaming employee." Any employee of a slot machine licensee,
21 including, but not limited to:

22 (1) Cashiers.

23 (2) Change personnel.

24 (3) [Counting] Count room personnel.

25 (4) Slot attendants.

26 (5) Hosts or other persons authorized to extend
27 complimentary services.

28 (6) Machine mechanics [or], computer machine technicians
29 or table game device technicians.

30 (7) Security personnel.

- 1 (8) Surveillance personnel.
- 2 (9) Supervisors and managers.
- 3 (10) Boxmen.
- 4 (11) Dealers or croupiers.
- 5 (12) Floormen.

6 The term includes employees of a person holding a supplier's
7 license whose duties are directly involved with the repair or
8 distribution of slot machines, table game devices and associated
9 equipment sold or provided to the licensed facility within this
10 Commonwealth as determined by the Pennsylvania Gaming Control
11 Board. The term does not include bartenders, cocktail servers or
12 other persons engaged solely in preparing or serving food or
13 beverages, clerical or secretarial personnel, parking
14 attendants, janitorial, stage, sound and light technicians and
15 other nongaming personnel as determined by the board.

16 "Gaming school." Any educational institution approved by the
17 the Department of Education as a regionally accredited college
18 or university, community college, Pennsylvania private licensed
19 school or its equivalent, approved by the Pennsylvania Gaming
20 Control Board in consultation with the Department of Education,
21 to offer a curriculum designed to provide education and training
22 related to employment opportunities associated with slot
23 machines or table games, including slot machine or table gaming
24 maintenance and repair.

25 "Gross poker revenue." The total amount of the rake
26 collected by a slot machine licensee each day.

27 "Gross table game revenue." The total of:

28 (1) Cash or cash equivalent wagers received in the
29 playing of a table game minus the total of:

30 (i) Cash or cash equivalents paid out to patrons as

1 a result of playing a table game.

2 (ii) Cash paid to purchase annuities to fund prizes
3 payable to patrons over a period of time as a result of
4 playing a table game.

5 (iii) Any personal property distributed to a patron
6 as a result of playing a table game. This does not
7 include travel expenses, food, refreshments, lodging or
8 other complimentary services.

9 (2) Gross poker revenue.

10 The term does not include counterfeit money, plaques or chips;
11 coins or currency of other countries received in the playing of
12 a table game, except to the extent that they are readily
13 convertible to United States currency; cash taken in a
14 fraudulent act perpetrated against a slot machine licensee for
15 which the licensee is not reimbursed; or cash received as entry
16 fees for contests or tournaments in which patrons compete for
17 prizes, where no profit is made by the licensee.

18 * * *

19 "Key employee." Any individual who is employed in a director
20 or department head capacity and who is empowered to make
21 discretionary decisions that regulate slot machine or table game
22 operations, including the general manager and assistant manager
23 of the licensed facility, director of slot operations, director
24 of table games, pit bosses, shift bosses, credit supervisors,
25 cashier supervisors, table game managers and assistant managers,
26 director of cage and/or credit operations, director of
27 surveillance, director of marketing, director of management
28 information systems, director of security, comptroller and any
29 employee who supervises the operations of these departments or
30 to whom these department directors or department heads report

1 and such other positions which the Pennsylvania Gaming Control
2 Board shall determine based on detailed analyses of job
3 descriptions as provided in the internal controls of the
4 licensee as approved by the Pennsylvania Gaming Control Board.
5 All other gaming employees unless otherwise designated by the
6 Pennsylvania Gaming Control Board shall be classified as non-key
7 employees.

8 * * *

9 "Licensed facility." The physical land-based location at
10 which a licensed gaming entity is authorized to place and
11 operate slot machines and, if authorized by the Pennsylvania
12 Gaming Control Board for purposes of conducting table games
13 under Chapter 13A (relating to table games), table games. The
14 term includes any area of a licensed racetrack previously
15 authorized pursuant to section 1207(17) (relating to regulatory
16 authority of board) to operate slot machines and any area of a
17 hotel which the Pennsylvania Gaming Control Board determines is
18 suitable for the conduct and operation of authorized table
19 games.

20 * * *

21 "Manufacturer." A person who manufactures, builds, rebuilds,
22 fabricates, assembles, produces, programs, designs or otherwise
23 makes modifications to any slot machine, table game or
24 associated equipment for use or play of slot machines or table
25 game devices in this Commonwealth for gaming purposes.

26 "Manufacturer license." A license issued by the Pennsylvania
27 Gaming Control Board authorizing a manufacturer to manufacture
28 or produce slot machines, table game devices or associated
29 equipment for use in this Commonwealth for gaming purposes.

30 * * *

1 "Rake." The total amount of gaming chips, gaming plaques or
2 coins collected by a dealer as poker revenue.

3 * * *

4 "Slot machine license." A license issued by the Pennsylvania
5 Gaming Control Board authorizing a person to place and operate
6 slot machines and, if the licensee holds a table game operation
7 certificate, table games, pursuant to this part and the rules
8 and regulations under this part.

9 * * *

10 "Supplier." A person that sells, leases, offers or otherwise
11 provides, distributes or services any slot machine, table game
12 devices or associated equipment for use or play of slot machines
13 or table games in this Commonwealth.

14 "Supplier license." A license issued by the Pennsylvania
15 Gaming Control Board authorizing a supplier to provide products
16 or services related to slot machines, table games devices or
17 associated equipment to slot machine licensees.

18 * * *

19 "Table game." Any banking, nonbanking or percentage game
20 played with cards, dice, tiles or any mechanical, electronic,
21 computerized or electric device used to play a table game for
22 money, checks, credit or any representation of value. The term
23 includes roulette, baccarat, blackjack, poker, craps, big six
24 wheel, mini-baccarat, red dog, pai gow, casino war, asia poker,
25 Boston 5 stud poker, Caribbean stud poker, Colorado hold 'em
26 poker, double attack blackjack, double cross poker, double down
27 stud poker, fast action hold 'em, flop poker, four card poker,
28 let it ride poker, mini-craps, mini-dice, pai gow poker,
29 pokette, Spanish 21, Texas hold 'em bonus poker, three card
30 poker, two card joker poker, ultimate Texas hold 'em, winner's

pot poker and sic bo and any other games approved by the
Pennsylvania Gaming Control Board. The term includes any new
games and variations or composites of approved games, provided
that the Pennsylvania Gaming Control Board determines that the
new game, or any variations or composites or other approved
games are suitable for use after an appropriate test or
experimental period under such terms and conditions as the
Pennsylvania Gaming Control Board may deem appropriate, and any
other game which the Pennsylvania Gaming Control Board
determines to be suitable for use in a licensed facility after
an appropriate test or experimental period as the Pennsylvania
Gaming Control Board may deem appropriate. The term shall also
include any table game authorized for use in a licensed facility
that is used for gaming contests or tournaments in which players
compete against one another. The term shall not include:

(1) Lottery games of the Pennsylvania State Lottery as
authorized under the act of August 26, 1971 (P.L.351, No.91),
known as the State Lottery Law.

(2) Bingo as authorized under the act of July 10, 1981
(P.L.214, No.67), known as the Bingo Law.

(3) Pari-mutuel betting on the outcome of thoroughbred
or harness horse racing as authorized under the act of
December 17, 1981 (P.L.435, No.135), known as the Race Horse
Industry Reform Act.

(4) Small games of chance as authorized under the act of
December 19, 1988 (P.L.1262, No.156), known as the Local
Option Small Games of Chance Act.

(5) Slot machine gaming and progressive slot machine
gaming as defined and authorized under this part.

"Table game device." Includes tables, cards, dice, chips,

shufflers, tiles, dominoes, wheel, drop boxes or any mechanical
or electrical contrivance, terminal, machine or other device
approved by the Pennsylvania Gaming Control Board and used in
operation of or connection with a table game.

"Table game operation certificate." A certificate issued by
the Pennsylvania Gaming Control Board that certifies that the
table gaming operation of a licensed facility conforms to the
requirements of this part and that authorizes a slot machine
licensee to conduct table gaming in accordance with this part.

* * *

Section 3. Section 1201(h)(11) of Title 4 is amended to
read:

§ 1201. Pennsylvania Gaming Control Board established.

* * *

(h) Qualifications and restrictions.--

* * *

(11) No member, employee or independent contractor of
the board shall accept a complimentary service, wager or be
paid any prize from any wager at any licensed facility within
this Commonwealth or at any other facility outside this
Commonwealth which is owned or operated by a licensed gaming
entity or any of its affiliates, intermediaries, subsidiaries
or holding companies thereof for the duration of their term
of office, employment or contract with the board and for a
period of one year from the termination of term of office,
employment or contract with the board. The provisions of this
paragraph shall not apply [to] when the employees [who]
utilize slot machines, table games or table game devices for
testing purposes or to verify the performance of a machine or
table game as part of an enforcement investigation.

1 * * *

2 Section 4. Section 1202(a)(1) and (b)(20), (23) and (27) of
3 Title 4 are amended and subsection (b) is amended by adding
4 paragraphs to read:

5 § 1202. General and specific powers.

6 (a) General powers.--

7 (1) The board shall have general and sole regulatory
8 authority over the conduct of gaming or related activities as
9 described in this part. The board shall ensure the integrity
10 of the acquisition and operation of slot machines, table game
11 devices and associated equipment and shall have sole
12 regulatory authority over every aspect of the authorization
13 and operation of slot machines and table games.

14 * * *

15 (b) Specific powers.--The board shall have the specific
16 power and duty:

17 * * *

18 (12.1) To issue, approve, renew, revoke, suspend,
19 condition or deny issuance or renewal of a table game
20 operation certificate to a slot machine licensee in
21 accordance with Chapter 13A (relating to table games).

22 * * *

23 (20) In addition to the power of the board regarding
24 license and permit applicants, to determine at its discretion
25 the suitability of any person who furnishes or seeks to
26 furnish to a slot machine licensee directly or indirectly any
27 services or property related to slot machines, table games or
28 associated equipment or through any arrangements under which
29 that person receives payment based directly or indirectly on
30 earnings, profits or receipts from the slot machines, table

1 games and associated equipment. The board may require any
2 such person to comply with the requirements of this part and
3 the regulations of the board and may prohibit the person from
4 furnishing the services or property.

5 * * *

6 (23) The board shall not issue or renew a license or
7 permit unless it is satisfied that the applicant is a person
8 of good character, honesty and integrity and is a person
9 whose prior activities, criminal record, if any, reputation,
10 habits and associations do not pose a threat to the public
11 interest or the effective regulation and control of slot
12 machine or table game operations or create or enhance the
13 danger of unsuitable, unfair or illegal practices, methods
14 and activities in the conduct of slot machine or table game
15 operations or the carrying on of the business and financial
16 arrangements incidental thereto.

17 * * *

18 (27) To publish each January in the Pennsylvania
19 Bulletin and on the board's Internet website a complete list
20 of all persons or entities who applied for or held a slot
21 machine license, table game operation certificate,
22 manufacturer license, supplier license or racetrack license
23 at any time during the preceding calendar year and all
24 affiliates, intermediaries, subsidiaries and holding
25 companies thereof and the status of the application or
26 license.

27 (27.1) To publish each January in the Pennsylvania
28 Bulletin and on the Pennsylvania Gaming Control Board's
29 Internet website a complete list of all slot machine
30 licensees who filed a petition seeking authorization to

1 conduct a table game operation or who held a table game
2 operation certificate at any time during the preceding
3 calendar year and the status of the petition or certificate
4 of operation.

5 * * *

6 Section 5. Sections 1204, 1207(7), (8) and (14), 1208(1),
7 1211(a), 1301, 1303(a), (c) and (d) and 1308(a) of Title 4 are
8 amended to read:

9 § 1204. Licensed gaming entity application appeals from board.

10 The Supreme Court of Pennsylvania shall be vested with
11 exclusive appellate jurisdiction to consider appeals of any
12 final order, determination or decision of the board involving
13 the approval, issuance, denial or conditioning of a slot machine
14 license or table game operation certificate. Notwithstanding the
15 provisions of 2 Pa.C.S. Ch. 7 Subch. A (relating to judicial
16 review of Commonwealth agency action) and 42 Pa.C.S. § 763
17 (relating to direct appeals from government agencies), the
18 Supreme Court shall affirm all final orders, determinations or
19 decisions of the board involving the approval, issuance, denial
20 or conditioning of a slot machine license or table game
21 operation certificate unless it shall find that the board
22 committed an error of law or that the order, determination or
23 decision of the board was arbitrary and there was a capricious
24 disregard of the evidence.

25 § 1207. Regulatory authority of board.

26 The board shall have the power and its duties shall be to:

27 * * *

28 (7) Enforce prescribed hours for the operation of slot
29 machines and table games so that slot machine licensees may
30 operate slot machines and table games on any day during the

1 year in order to meet the needs of patrons or to meet
2 competition.

3 (8) Require that each licensed gaming entity prohibit
4 persons under 21 years of age from operating or using slot
5 machines or playing table games.

6 * * *

7 (14) Consult with members of the Pennsylvania State
8 Police, the Office of Attorney General, the department and
9 such other persons it deems necessary for advice regarding
10 the various aspects of the powers and duties imposed on it
11 under this part and its jurisdiction over the authorization
12 and operation of slot machines, table games and licensed
13 facilities.

14 * * *

15 § 1208. Collection of fees and fines.

16 The board has the following powers and duties:

17 (1) To levy and collect fees from the various
18 applicants, licensees and permittees to fund the operations
19 of the board. The fees shall be deposited into the State
20 Gaming Fund as established in section 1403 (relating to
21 establishment of State Gaming Fund and net slot machine
22 revenue distribution) and distributed to the board upon
23 appropriation by the General Assembly. In addition to the
24 fees set forth in sections 1209 (relating to slot machine
25 license fee) and 1305 (relating to Category 3 slot machine
26 license), the board shall assess and collect fees as follows:

27 (i) Supplier licensees shall pay a fee of \$25,000
28 upon the issuance of a license [and \$10,000 for the
29 annual renewal of a supplier license]. Upon approval by
30 the board for authority to supply table games, table game

1 devices or other equipment associated with table games,
2 the supplier licensee shall pay an additional fee of
3 \$25,000. A fee of \$15,000 shall be paid for the annual
4 renewal of a supplier license.

5 (ii) Manufacturer licensees shall pay a fee of
6 \$50,000 upon the issuance of a license [and \$25,000 for
7 the annual renewal of a manufacturer license]. Upon
8 approval of the board for authority to manufacture table
9 games, table game devices or other equipment associated
10 with table games for use in this Commonwealth, the
11 manufacturer license shall pay an additional fee of
12 \$50,000. The manufacturer licensee shall pay an annual
13 fee of \$30,000 for the annual renewal of a manufacturer
14 license.

15 (iii) Each application for a slot machine license,
16 supplier license or manufacturer license must be
17 accompanied by a nonrefundable fee set by the board for
18 the cost of each individual requiring a background
19 investigation. The reasonable and necessary costs and
20 expenses incurred in any background investigation or
21 other investigation or proceeding concerning any
22 applicant, licensee, permittee or registrant shall be
23 reimbursed to the board by those persons.

24 * * *

25 § 1211. Reports of board.

26 (a) Report of board.--Eighteen months after the effective
27 date of this part and every year on that date thereafter, the
28 board shall issue a report to the Governor and each member of
29 the General Assembly on the general operation of the board and
30 each slot machine licensee's performance, including, but not

1 limited to, number and win per slot machine and total gross
2 table game revenue at each licensed [facilities] facility during
3 the previous year, all taxes, fees, fines and other revenues
4 collected and, where appropriate, disbursed, the costs of
5 operation of the board, all hearings conducted and the results
6 of the hearings and other information that the board deems
7 necessary and appropriate.

8 * * *

9 § 1301. Authorized slot machine licenses.

10 There shall be three distinct classifications of slot machine
11 licenses, designated by category, each permitting a licensed
12 racing entity or person to apply for a qualifying license
13 category and, upon issuance by the board in its discretion, to
14 place and operate slot machines and, if not prohibited under
15 Chapter 13A (relating to table games), table games at a licensed
16 facility. Except for conditional Category 1 license applications
17 pursuant to section 1315 (relating to conditional Category 1
18 licenses), it is mandatory that the board shall consider,
19 approve, condition or deny the approval of all initial
20 applications for each and every category of slot machine
21 licenses collectively and together, in a comprehensive Statewide
22 manner, within 12 months following the time set by the board at
23 which all applications are to be filed and deemed complete by
24 the board. The board shall approve, condition or deny the
25 issuance of a slot machine license of any category within the
26 time period provided for herein. Following approval of an
27 application for a slot machine license, the applicant shall
28 provide formal notification to the board as soon as:

29 (1) it fulfills all required conditions for issuance of
30 the license; and

1 (2) the board's decision approving the application is a
2 final, binding, nonappealable determination which is not
3 subject to a pending legal challenge.

4 Upon receipt of such formal notification and upon conducting any
5 necessary verification, the board shall issue a slot machine
6 license to the applicant.

7 § 1303. Additional Category 1 slot machine license
8 requirements.

9 (a) Eligibility.--In addition to the criteria prescribed in
10 section 1302 (relating to Category 1 slot machine license) and
11 the requirement to file a petition to seek authorization to
12 operate table games under Chapter 13A (relating to table games),
13 an applicant for a Category 1 slot machine license shall be
14 eligible for a slot machine license to place and operate slot
15 machines at a licensed facility only if the applicant meets one
16 of the following criteria:

17 (1) the licensed racing entity or its predecessor owner
18 of the licensed racetrack has conducted live horse races for
19 not less than two years immediately preceding the effective
20 date of this part; or

21 (2) the licensed racing entity has not previously
22 conducted live racing at a racetrack but will conduct live
23 racing for a minimum of 150 days to begin in the year which
24 begins two years following the issuance of its slot machine
25 license for the racetrack unless the appropriate commission
26 determines, upon application, that it is not practically
27 feasible for the licensed racing entity to conduct live
28 racing for a minimum of 150 days due to projected or actual
29 weather conditions. Failure to meet the required minimum
30 number of days will result in immediate suspension of the

1 slot machine license.

2 * * *

3 (c) Limitations.--The issuance of a Category 1 slot machine
4 license shall entitle the licensee to operate slot machines and,
5 if authorized, table games only within the grounds of a licensed
6 racetrack.

7 (d) Authorization.--Authorization for a Category 1 slot
8 machine licensee to continue the operation of slot machines and,
9 if authorized, table games shall be limited to those licensees
10 that:

11 (1) Have a written live racing agreement with a
12 horsemen's organization representing a majority of owners and
13 trainers at the racetrack where the licensed racing entity
14 conducts live racing.

15 (2) Have 95% of the total number of horse or harness
16 racing days that were scheduled in 1986 by it or its
17 predecessor at the racetrack where the Category 1 slot
18 machine licensee conducts live racing, and the aggregate
19 number of live racing days at the racetrack where the
20 Category 1 slot machine licensee conducts live racing shall
21 not be less than 95% of the total number of horse or harness
22 racing days that were scheduled in 1986 at that racetrack. A
23 new licensee which opens a new racetrack and which will
24 successfully conduct live racing for a minimum of 150 days to
25 begin no later than in the year which begins two years
26 following the issuance of its slot machine license for the
27 racetrack, unless the appropriate commission determines upon
28 application that it is not practically feasible for the
29 licensed racing entity to conduct live racing for a minimum
30 of 150 days due to projected or actual weather conditions,

1 shall be allowed to operate slot machines and, if authorized,
2 table games pursuant to a table game operation certificate,
3 from the date its slot machine license is issued and
4 intrastate and interstate simulcast in accordance with the
5 Race Horse Industry Reform Act, from the first day of the
6 calendar year in which it conducts live racing days.

7 (3) Unless the horsemen's organization representing a
8 majority of the owners and trainers consents to a lower
9 number of required racing days at the racetrack, subject to
10 actions or activities beyond the control of the licensee,
11 conduct not fewer than eight live races per race date during
12 each meet at the racetrack where the licensed racing entity
13 conducts live racing, except for thoroughbred tracks on the
14 day designated as a Breeder's Cup event day when the licensed
15 racing entity shall hold a minimum of five live races. The
16 Category 1 slot machine licensee shall not waive or modify
17 the provisions pertaining to the required number of racing
18 days under paragraph (2) and races per day scheduled in this
19 paragraph without the consent of the horsemen's organization
20 representing a majority of owners and trainers at the
21 racetrack.

22 (4) Notwithstanding the provisions of paragraph (1), in
23 the event that a written live racing agreement has not been
24 entered into, permission for any licensee to operate slot
25 machines and, if authorized, table games at racetracks shall
26 be granted provided that the Category 1 slot machine licensee
27 has continued to conduct live racing in accordance with
28 paragraphs (2) and (3) and keeps its racetrack open to the
29 general population of owners, trainers and horses stabled
30 there for training and stabling on a regular basis, when it

1 is normally open for live racing and during such periods, and
2 continues to comply with all provisions of the most recently
3 expired live racing agreement, including recognition of the
4 then existing horsemen's organization at each such racetrack
5 as the sole representative of the horsemen at that time, and
6 pays purses as defined in the most recently expired live
7 racing agreement plus the applicable purse revenue
8 distributed to licensed racing entities from the operation of
9 slot machines under this part. Nothing in this part shall
10 exempt an existing or future licensed racetrack from the
11 requirements of the Race Horse Industry Reform Act requiring
12 a licensed corporation to have a written and unexpired live
13 racing agreement with the horsemen's organization
14 representing a majority of owners and trainers at the
15 racetrack where the licensed corporation conducts or will
16 conduct live racing dates in order to continue or commence
17 any form of simulcasting.

18 (5) Notwithstanding any other provision of the law to
19 the contrary, account wagers authorized pursuant to section
20 218(b) of the Race Horse Industry Reform Act shall only be
21 accepted by a licensed corporation in accordance with the
22 provisions of the Race Horse Industry Reform Act, and no
23 entity that is not a licensed corporation under that act
24 shall accept an account wager from any person within this
25 Commonwealth.

26 § 1308. Applications for license or permit.

27 (a) Applications.--An application for a license or permit to
28 be issued by the board under this chapter shall be submitted on
29 a form and in a manner as shall be required by the board. In
30 reviewing applications, the board shall confirm that all the

1 applicable license or permit fees have been paid in accordance
2 with this part.

3 * * *

4 Section 6. Sections 1317(a) and 1317.1(a), (b)(5), (d.1) and
5 (e) of Title 4 are amended and the sections are amended by
6 adding subsections to read:

7 § 1317. Supplier licenses.

8 (a) Application.--A manufacturer that elects to contract
9 with a supplier under section 1317.1(d.1) (relating to
10 manufacturer licenses) shall ensure that the supplier is
11 licensed under this section. A person seeking to provide slot
12 machines, table game devices or associated equipment to a slot
13 machine licensee within this Commonwealth through a contract
14 with a licensed manufacturer shall apply to the board for a
15 supplier license.

16 * * *

17 (c.1) Waiver.--The board shall establish a procedure to
18 allow the board to waive the requirements of subsections (a) and
19 (b) for any person who has been approved for and who holds a
20 supplier license under this section and who seeks to supply
21 table game devices or associated equipment at a licensed
22 facility authorized to operate table games pursuant to a table
23 game operation certificate under Chapter 13A (relating to table
24 games). The board may only waive the application requirement
25 under this subsection if:

26 (1) the supplier license was issued by the board within
27 a 36-month period immediately preceding the date the supplier
28 licensee files an application to supply table games or
29 associated equipment; and

30 (2) there has been no material change in circumstances

1 relating to the licensee that necessitates, at the discretion
2 of the board, that the requirements of subsections (a) and
3 (b) not be waived.

4 * * *

5 § 1317.1. Manufacturer licenses.

6 (a) Application.--A person seeking to manufacture slot
7 machines, table game devices and associated equipment for use in
8 this Commonwealth shall apply to the board for a manufacturer
9 license.

10 (b) Requirements.--An application for a manufacturer license
11 shall be on the form required by the board, accompanied by the
12 application fee, and shall include all of the following:

13 * * *

14 (5) The type of slot machines, table game devices or
15 associated equipment to be manufactured or repaired.

16 * * *

17 (c.1) Waiver.--The board shall establish a procedure to
18 allow the board to waive the requirements of subsections (a) and
19 (b) for any person who has been approved for and who holds a
20 manufacturer license under this section and who seeks to
21 manufacture table game devices or associated equipment for use
22 at a licensed facility authorized to operate table games
23 pursuant to a table game operation certificate under Chapter 13A
24 (relating to table games). The board may only waive the
25 application requirement under this subsection if:

26 (1) the manufacturer license was issued by the board
27 within a 36-month period immediately preceding the date the
28 manufacturer licensee files an application to manufacture
29 table game devices or associated equipment; and

30 (2) there has been no material change in circumstances

1 of the licensee that necessitates, at the discretion of the
2 board, that the requirements of subsections (a) and (b) not
3 be waived.

4 * * *

5 (d.1) Authority.--The following shall apply to a licensed
6 manufacturer:

7 (1) A licensed manufacturer or its designee, as licensed
8 by the board, may supply or repair any slot machine, table
9 game devices or associated equipment manufactured by the
10 licensed manufacturer.

11 (2) A manufacturer may contract with a supplier under
12 section 1317 (relating to supplier licenses) to provide slot
13 machines, table games devices or associated equipment to a
14 slot machine licensee within this Commonwealth.

15 (e) Prohibitions.--

16 (1) No person may manufacture slot machines, table game
17 devices or associated equipment for use within this
18 Commonwealth by a slot machine licensee unless the person has
19 been issued a manufacturer license under this section.

20 (2) No slot machine licensee may use slot machines, table
21 game devices or associated equipment unless the slot
22 machines, table game devices or associated equipment were
23 manufactured by a person that has been issued a manufacturer
24 license under this section.

25 (3) No person issued a license under this section shall
26 apply for or be issued a license under section 1317.

27 (4) No limitation shall be placed on the number of
28 manufacturer licenses issued or the time period to submit
29 applications for licensure, except as required to comply with
30 section 1306 (relating to order of initial license issuance).

1 Section 7. Sections 1318(c), 1319 and 1321 of Title 4 are
2 amended to read:

3 § 1318. Occupation permit application.

4 * * *

5 (c) Prohibition.--No slot machine licensee may employ or
6 permit any person under 18 years of age to render any service
7 whatsoever in any area of its licensed facility at which slot
8 machines or table games are physically located.

9 § 1319. Alternative manufacturer licensing standards.

10 (a) General rule.--The board may determine whether the
11 licensing standards of another jurisdiction within the United
12 States in which an applicant for a manufacturer license is
13 similarly licensed are comprehensive and thorough and provide
14 similar adequate safeguards as those required by this part. If
15 the board makes that determination, it may issue a manufacturer
16 license to an applicant who holds a similar manufacturer license
17 in such other jurisdiction after conducting an evaluation of the
18 information relating to the applicant from such other
19 jurisdictions, as updated by the board, and evaluating other
20 information related to the applicant received from that
21 jurisdiction and other jurisdictions where the applicant may be
22 licensed, the board may incorporate such information in whole or
23 in part into its evaluation of the applicant.

24 (b) Abbreviated process.--In the event an applicant for a
25 [slot machine] manufacturer license is licensed in another
26 jurisdiction, the board may determine to use an alternate
27 process requiring only that information determined by the board
28 to be necessary to consider the issuance of a license, including
29 financial viability of the licensee, to such an applicant.
30 Nothing in this section shall be construed to waive any fees

1 associated with obtaining a license through the normal
2 application process.
3 § 1321. Additional licenses and permits and approval of
4 agreements.

5 (a) Requirements.--In addition to the requirements for a
6 license or permit specifically set forth in this part, the board
7 may require a license or permit, and set a fee for the same, for
8 any key or gaming employee or any person who satisfies any of
9 the following criteria:

10 (1) The person transacts business within this
11 Commonwealth with a slot machine licensee as a ticket
12 purveyor, tour operator, operator of a bus trip program or
13 operator of any other type of travel program or promotional
14 business related to slot machines or table games. The board
15 may also review, deny, order modification or approve, at its
16 discretion, proposed tours, bus routes and travel programs.

17 (2) The person is presently not otherwise required to be
18 licensed under this part and provides any goods, property or
19 services, including, but not limited to, management contracts
20 for compensation to a slot machine licensee at the licensed
21 facility.

22 (b) Agreement.--Any agreement to conduct business within
23 this Commonwealth between a person and a slot machine licensee
24 relating to slot machines, table games, table game devices or
25 associated equipment is subject to the approval of the board in
26 accordance with rules and regulations promulgated by the board.
27 Every agreement shall be in writing and shall include a
28 provision for its termination without liability on the part of
29 the slot machine licensee upon a finding by the board that the
30 agreement is not approved or that it is terminated. Failure to

expressly include this condition in the agreement is not a defense in any action brought under this section relating to the termination of the agreement.

Section 8. Title 4 is amended by adding a chapter to read:

CHAPTER 13A

TABLE GAMES

Subchapter

A. General Provisions

B. Table Games Authorized

C. Table Game Operations

D. (Reserved)

E. Table Game Testing and Certification

F. Gaming Schools

G. Table Game Taxes and Fees

SUBCHAPTER A

GENERAL PROVISIONS

Sec.

1301A. Scope of chapter.

1302A. Regulatory authority.

1303A. Temporary table game regulations.

1304A. (Reserved).

§ 1301A. Scope of chapter.

This chapter shall apply to all persons authorized, licensed, permitted or certified by the board to conduct table games or to otherwise participate in table gaming authorized under this part.

§ 1302A. Regulatory authority.

In addition to regulatory authority granted to the board under section 1207 (relating to regulatory authority of board), the board shall promulgate regulations:

1 (1) Establishing standards for table games, table game
2 devices, equipment, associated equipment, apparatuses and
3 supplies, including electronic or computerized table game
4 devices.

5 (2) Establishing standards to govern the operation of
6 table games and the system of wagering associated with table
7 games, including the maintenance of financial books, records
8 and audits.

9 (3) Setting patron notice requirements pertaining to
10 minimum and maximum wagers on table games that may be
11 adjusted from time to time by the slot machine licensee in
12 the normal course of table game operations, except that
13 changes in minimum wagers at any given table shall not apply
14 to persons already engaged in wagering at that table when the
15 minimum wager is changed, unless 30 minutes' notice is
16 provided to each patron at that table.

17 (4) Requiring each slot machine licensee to:

18 (i) Provide written information at each operational
19 gaming table about table game rules, payoffs or winning
20 wagers and other information to the player as the board
21 may require.

22 (ii) Provide specifications approved by the board
23 under section 1207(11) to integrate the licensed
24 facility's surveillance system to cover all areas where
25 table games are operated. The specifications shall
26 require on-site access to the system or its signal to the
27 board, the bureau and such agents or other persons
28 authorized by the board or bureau.

29 (iii) Designate one or more locations within or
30 about the licensed facility to operate table games.

1 (iv) Ensure that visibility in a licensed facility
2 is not obstructed in any way that could interfere with
3 the ability of the licensee, the board and such agents or
4 other persons authorized by the board to oversee the
5 table game operations.

6 (v) Integrate the licensed facility's count room for
7 the counting and storage of cash, coins, plaques, chips
8 and checks received in the conduct of table games and for
9 the inspection, counting and storage of dice, cards,
10 tiles, dominoes and chips and other such representations
11 of value as may be approved by the board and used in the
12 conduct and operation of table games.

13 (vi) Equip each gaming table with a sign indicating
14 the permissible minimum and maximum wagers at the gaming
15 table.

16 (vii) Adopt such policies or procedures to prohibit
17 any table game, table game device, equipment or supplies
18 from being possessed, maintained or exhibited by any
19 person on the premises of a licensed facility except in
20 the areas of a licensed facility where table games are
21 authorized or in a restricted area used for the
22 inspection, service, repair or storage of the table
23 games, table game devices, apparatuses, equipment,
24 associated equipment or supplies and specifically
25 designated for that purpose by the slot machine licensee
26 that holds a table game operation certificate approved by
27 the board.

28 (viii) Equip all drop boxes in which cash, coins,
29 fill slips, credit slips, inventory slips, chips or
30 plaques are deposited at the gaming tables, and all areas

1 where drop boxes are kept while in use, with two locking
2 devices or keys, of which one locking device or key shall
3 be under the exclusive control of the board or an agent
4 thereof, and the second locking device or key shall be
5 under the exclusive control of the slot machine licensee.
6 The drop boxes shall not be brought into or removed from
7 an area where table games are operated or locked or
8 unlocked, except at times, in places and according to
9 procedures that the board may require.

10 (5) Establishing the size and uniform color by
11 denomination of all chips and plaques, as well as policy for
12 the use of promotional or commemorative chips, used in the
13 play of table games.

14 (6) Establishing minimum standards relating to the
15 acceptance of tips or gratuities by dealers at a table game,
16 including the requirement that tips or gratuities be placed
17 in a common pool for complete distribution pro rata among all
18 dealers, with the distribution based upon the number of hours
19 each dealer has worked. Nothing in this paragraph shall
20 prohibit a licensed facility from adopting a formal policy
21 relating to acceptance of tips and gratuities, provided that
22 the policy meets the minimum standard established by the
23 board under this paragraph.

24 (7) Requiring each slot machine licensee to agree to
25 maintain the same number of slot machines in operation at the
26 time the slot machine licensee submits a petition to operate
27 table games and to agree as part of that petition not to
28 decrease the number of slot machines in its licensed facility
29 without formal board approval.

30 (8) Establishing the minimal proficiency requirements

1 for individuals to successfully complete a course of training
2 at an approved school under Subchapter F (relating to gaming
3 schools). Nothing in this paragraph or in Subchapter F shall
4 be construed to prohibit a licensee from establishing a
5 course of training for its table game employees or to
6 prohibit a licensee from offering employment to an individual
7 who has not attended or completed a course of instruction at
8 a gaming school. In the event that a licensee elects to train
9 its employees, a detailed summary of the training program
10 shall be filed with the board and the licensee must
11 demonstrate the adequacy of the training.

12 § 1303A. Temporary table game regulations.

13 (a) Promulgation.--In order to facilitate the prompt
14 implementation of this chapter, regulations promulgated by the
15 board shall be deemed temporary regulations which shall expire
16 not later than two years following the effective date of this
17 chapter. The board may promulgate temporary regulations not
18 subject to:

19 (1) Sections 201, 202 and 203 of the act of July 31,
20 1968 (P.L.769, No.240), referred to as the Commonwealth
21 Documents Law.

22 (2) The act of June 25, 1982 (P.L.633, No.181), known as
23 the Regulatory Review Act.

24 (b) Temporary regulations.--Temporary regulations proposed
25 under subsection (a) shall be submitted to the standing
26 committees in the Senate and the House of Representatives with
27 jurisdiction over this part. Each committee shall have 30 days
28 to provide comment on the proposed temporary regulation. The
29 board shall provide a written response to any comments received
30 from a standing committee prior to final publication of the

temporary regulation. The response shall inform the standing
committees whether the board will amend the regulation in
response to the comments.

(c) Expiration.--The board's authority to adopt temporary
regulations in subsection (a) shall expire two years after the
effective date of this section. Regulations adopted after this
period shall be promulgated as provided by law.

§ 1304A. (Reserved).

SUBCHAPTER B

TABLE GAMES AUTHORIZED

Sec.

1311A. Authorization to conduct table games.

1312A. Petition requirements.

1313A. (Reserved).

1314A. Table game authorization hearing process; public input
hearings.

1315A. Standard of review.

§ 1311A. Authorization to conduct table games.

(a) General rule.--Notwithstanding any other provision of
law to the contrary, the board may authorize only an eligible
Category 1 or Category 2 slot machine licensee to engage in the
operation of table games and the system of wagering associated
with table games at the slot machine licensee's licensed
facility. Authorization to conduct table games shall be
contingent upon the licensee's agreement to conduct table games
in accordance with this part.

(b) Authorized locations for operation.--The following shall
apply:

(1) An eligible slot machine licensee that is authorized
by the board to engage in the operation of table games under

1 this chapter shall only be permitted to operate table games
2 at the licensed facility.

3 (2) The board shall determine the suitability of a hotel
4 owned or operated by a slot machine licensee, attached to or
5 adjacent to the licensed facility, for the conduct and
6 operation of authorized table games. The board may authorize
7 the executive director to designate specific areas of the
8 hotel, including conference rooms, ballrooms or other rooms,
9 in which the licensee may operate table games or poker for
10 the purposes of tournaments or other contests. No area of a
11 hotel may be approved to operate table games or poker unless
12 the areas designated are equipped with adequate security or
13 surveillance equipment to ensure the integrity of the
14 operation of table games. The board shall be prohibited from:

15 (i) Imposing any criteria or requirements regarding
16 the contents or structure of the hotel which are
17 unrelated to the conduct and operation of table games.

18 (ii) Authorizing the placement of slot machines or
19 the conduct of slot machine operations in a hotel.

20 (3) Except as otherwise specifically provided, the
21 operation of table games shall be prohibited at any temporary
22 facility authorized by the board for the conduct of slot
23 machine gaming pursuant to section 1207(17) (relating to
24 regulatory authority of board).

25 (c) Definitions.--As used in this section, the term
26 "eligible slot machine licensee" shall mean any person that:

27 (1) Has been determined by the board to be suitable to
28 conduct slot machine gaming under this part and has been
29 approved and issued a Category 1 or Category 2 slot machine
30 license under Chapter 13 (relating to licensees).

1 (2) Currently holds a Category 1 or Category 2 slot
2 machine license in good standing.

3 § 1312A. Petition requirements.

4 (a) General rule.--An eligible slot machine licensee may
5 seek approval to operate table games by filing a petition with
6 the board.

7 (b) Petition contents.--A petition seeking authorization to
8 operate table games shall include the following:

9 (1) The name, business address and contact information
10 of the petitioner.

11 (2) The name and business address, job title and a
12 photograph of each principal and key employee of the
13 petitioner who will be involved in the operation of table
14 games and is not currently licensed by the board.

15 (3) An itemized list of the approximate number and types
16 of table games for which authorization is being sought.

17 (4) The estimated number of full-time and part-time
18 employment positions that will be created at the licensed
19 facility if table games are authorized and an updated hiring
20 plan pursuant to section 1510 (relating to labor hiring
21 preferences) which outlines the petitioner's plan to promote
22 the representation of diverse groups and Commonwealth
23 residents in the new employment positions.

24 (5) A brief description of the economic benefits
25 expected to be realized by the Commonwealth, its political
26 subdivisions and its residents, if table games are
27 authorized.

28 (6) The details of any financing that will be obtained
29 or has been obtained to fund an expansion of the licensed
30 facility to accommodate the operation of table games.

1 (7) Information and documentation concerning financial
2 background and resources as the board may require to
3 establish by clear and convincing evidence the financial
4 stability, integrity and responsibility of the petitioner.

5 (8) Information and documentation as the board may
6 require to establish by clear and convincing evidence that
7 the petitioner has sufficient business ability and experience
8 to create and maintain a successful table game operation. In
9 making this determination, the board may consider the results
10 of the petitioner's slot machine operation, including
11 financial figures, employment figures and capital investment.

12 (9) Information and documentation as the board may
13 require to establish by clear and convincing evidence that
14 the petitioner has the financial ability to pay the
15 authorization fee under section 1361A (relating to table game
16 authorization fee).

17 (10) Detailed site plans identifying the petitioner's
18 area for table game operation within the licensed facility.
19 The plans shall be reviewed by a designated employee of the
20 board, in consultation with the Pennsylvania State Police, to
21 determine the adequacy of the proposed internal and external
22 security and proposed surveillance measures and submit a
23 finding regarding adequacy to the board.

24 (11) Other information as the board may require.

25 (c) Confidentiality.--Information submitted to the board
26 under subsection (b) (6), (7), (9), (10) and (11) may be
27 considered confidential by the board if the information would be
28 confidential under section 1206(f) (relating to board minutes
29 and records).

30 § 1313A. (Reserved).

1 § 1314A. Table game authorization hearing process; public input
2 hearings.

3 (a) General rule.--The board's consideration and resolution
4 of all petitions to conduct table games shall be conducted in
5 accordance with 2 Pa.C.S. (relating to administrative law and
6 procedure) or with procedures adopted by order of the board.
7 Notwithstanding the requirements of 2 Pa.C.S. §§ 504 (relating
8 to hearing and record) and 505 (relating to evidence and cross-
9 examination) as they relate to the conduct of oral hearings, the
10 board may adopt procedures to provide parties before it with a
11 documentary hearing, and the board may resolve disputed material
12 facts without conducting an oral hearing where constitutionally
13 permissible.

14 (b) Public input hearing requirement.--

15 (1) Within 90 days after a petition is filed under
16 section 1312A (relating to petition requirements), and prior
17 to authorizing a slot machine licensee to conduct table games
18 under this chapter, the board shall hold at least one public
19 input hearing on the matter, in the municipality in which the
20 licensed facility is located.

21 (2) A list of all witnesses scheduled to testify at a
22 public input hearing shall be made public at least seven days
23 prior to the hearing. The list shall be updated at least
24 three days prior to the hearing. Additional witnesses shall
25 be posted on the board's Internet website as they are added
26 to the list.

27 § 1315A. Standard of review.

28 The board shall grant the petition to authorize the
29 petitioner to operate table games if the petitioner establishes,
30 by clear and convincing evidence, all of the following:

1 (1) The petitioner is an "eligible slot machine
2 licensee" as defined in section 1311A(c) (relating to
3 authorization to conduct table games).

4 (2) Authorizing the petitioner to conduct table games
5 will have a positive economic impact on the Commonwealth, its
6 political subdivisions and residents through increased
7 revenues and employment opportunities.

8 (3) If necessary, the petitioner has secured adequate
9 financing to fund an expansion of the petitioner's licensed
10 facility to accommodate the operation of table games.

11 (4) The petitioner has the financial stability,
12 integrity and responsibility to operate table games.

13 (5) The petitioner has sufficient business ability and
14 experience to create and maintain a successful table gaming
15 operation.

16 (6) The proposed internal and external security and
17 proposed surveillance measures within the area of the
18 licensed facility where the petitioner seeks to operate table
19 games are adequate.

20 (7) The petitioner is likely to maintain a table game
21 operation that will increase employment opportunities for
22 Commonwealth residents and generate a steady level of revenue
23 for the Commonwealth.

24 SUBCHAPTER C

25 TABLE GAME OPERATIONS

26 Sec.

27 1321A. Commencement of table game operations.

28 1322A. Term of table game authorization.

29 1323A. Table game operation certificate.

30 1324A. Condition of continued operation.

1 1325A. Table game accounting controls and audits.

2 1326A. Wagering policies.

3 1327A. Key employees and occupation permits.

4 1328A. Amendment of statement of conditions.

5 1329A. Application of Clean Indoor Air Act.

6 § 1321A. Commencement of table game operations.

7 A slot machine licensee may not operate or offer table games
8 for play at a licensed facility until:

9 (1) The board approves the petition filed under section
10 1312A (relating to petition requirements).

11 (2) The slot machine licensee pays the fee under section
12 1361A (relating to table game authorization fee).

13 (3) The board has issued a table game operation
14 certificate to the slot machine licensee under section 1323A
15 (relating to table game operation certificate).

16 (4) The decision of the board approving the slot machine
17 licensee's petition is final, binding and nonappealable.

18 § 1322A. Term of table game authorization.

19 The following shall apply:

20 (1) After payment of the fee under section 1321A
21 (relating to commencement of table game operations), and
22 issuance of a table game operation certificate under 1323A
23 (relating to table game operation certificate), authorization
24 to conduct table games shall be in effect unless suspended,
25 revoked or not renewed, limited or otherwise as amended by
26 the board upon good cause consistent with the license
27 requirements provided in this part.

28 (2) Slot machine licensees shall be required to update
29 the information in their initial table games petition at
30 times prescribed by the board.

1 (3) The authorization of a slot machine licensee in good
2 standing to conduct table games shall be updated and renewed
3 at intervals determined by the board.

4 (4) No additional license fee shall be imposed for
5 renewal of a table game operation certificate.

6 § 1323A. Table game operation certificate.

7 (a) Certificate required.--Notwithstanding the approval of a
8 petition to authorize the conduct of table games, no slot
9 machine licensee may offer table games for play at a licensed
10 facility until a valid table game operation certificate has been
11 issued to the slot machine licensee by the board. The board
12 shall issue the table game operation certificate upon a finding
13 that:

14 (1) The slot machine licensee complies in all respects
15 with the requirements of this part and will comply with
16 regulations promulgated by the board under this part.

17 (2) The slot machine licensee has implemented necessary
18 internal and management controls and security precautions for
19 the operation and play of table games.

20 (3) All table game-related employees, where applicable,
21 are licensed, permitted or otherwise authorized by the board
22 to perform their respective duties.

23 (4) The slot machine licensee's facility is prepared in
24 all respects to offer table game play to the public at the
25 licensed facility.

26 (b) Authorized table games.--The table game operation
27 certificate shall include an itemized list by type and number of
28 the table games approved by the board and permitted in the
29 particular licensed facility. The slot machine licensee shall
30 file any proposed changes in the number of table games

authorized for play in its licensed facility, and any
significant changes in the configuration of the table games area
of the licensed facility with the board. The board or its
designated employees shall review the changes in configuration
for compliance with this part. The licensee may increase the
number of table games permitted at the licensed facility or
change the type of table game played at a particular table upon
notice to the board and approval by a designated employee of the
board.

§ 1324A. Condition of continued operation.

As a condition of continued operation, a slot machine
licensee shall agree to maintain all books, records and
documents pertaining to the licensee's table game operation in a
manner and location within this Commonwealth as approved by the
board. All books, records and documents related to table game
operations shall:

(1) be maintained separate and apart from all books,
records and documents of the slot machine licensee's slot
machine operations;

(2) be immediately available for inspection upon request
of the board, the bureau, the Pennsylvania State Police or
agents of the Attorney General during all hours of operation
in accordance with regulations promulgated by the board; and

(3) be maintained for a period as the board, by
regulation, may require.

§ 1325A. Table game accounting controls and audits.

(a) Approval.--Prior to being approved for a table game
operation certificate, a slot machine licensee shall obtain
approval from the board of its proposed site plans and internal
control systems and audit protocols for its table games

1 operation.

2 (b) Minimum requirements.--The slot machine licensee's
3 proposed internal controls and audit protocols shall:

4 (1) Safeguard its assets and revenues, including the
5 recording of cash and evidences of indebtedness related to
6 the table games.

7 (2) Provide for reliable records, accounts and reports
8 of any financial event that occurs in the operation of a
9 table game, including reports to the board related to the
10 table games.

11 (3) Provide for accurate and reliable financial records
12 related to the table games operation.

13 (4) Establish procedures for all the following:

14 (i) The receipt, storage and disbursal of chips,
15 cash and other cash equivalents used in table gaming.

16 (ii) Check cashing.

17 (iii) The redemption of chips and other cash
18 equivalents used in table gaming and the payoff of
19 jackpots.

20 (iv) The recording of transactions pertaining to
21 table gaming.

22 (5) Establish procedures for the collection and security
23 of moneys at the gaming tables.

24 (6) Establish procedures for the transfer and recording
25 of chips between the gaming tables and the cashier's cage.

26 (7) Establish procedures for the transfer of drop boxes
27 for table games from the gaming tables to the count room.

28 (8) Establish procedures and security for the counting
29 and recording of table gaming revenue.

30 (9) Establish procedures for the security, storage and

1 recording of cash, chips and other cash equivalents utilized
2 in table gaming.

3 (10) Establish procedures and security standards for the
4 handling and storage of gaming apparatus, including cards,
5 dice, machines, wheels and all other gaming equipment.

6 (11) Establish procedures and rules governing the
7 conduct of particular games and the responsibility of casino
8 personnel.

9 (12) Establish procedures for the collection and
10 recording of revenue from poker when it is a nonlicensee bank
11 game, including the types of rake utilized, the methodology
12 for calculating the rake and the amount of maximum
13 permissible rake.

14 (13) Ensure that any wagering governing the operation of
15 a table game is implemented only in accordance with the
16 management's general or specific authorization, as approved
17 by the board.

18 (14) Ensure that there is proper and timely accounting
19 of gross table game revenue and the calculation of gross
20 table game revenue, fees and taxes and maintain
21 accountability for assets.

22 (15) Ensure that recorded accountability for assets is
23 compared with actual assets at reasonable intervals and that
24 appropriate action is taken with respect to any
25 discrepancies.

26 (16) Ensure that all functions, duties and
27 responsibilities are appropriately segregated and performed
28 in accordance with sound financial practices by competent,
29 qualified personnel.

30 (17) Permit use of its existing onsite facilities by the

1 board, the bureau and other persons authorized by the board
2 to facilitate their ability to perform regulatory and
3 oversight functions under this chapter.

4 (c) Submission to board.--Each slot machine licensee shall,
5 prior to being approved for a table game operation certificate,
6 submit to the board a detailed description of its administrative
7 and accounting procedures related to table games, including its
8 written system of internal control. Each written system of
9 internal control shall include:

10 (1) An organizational chart depicting appropriate
11 functions and responsibilities of employees involved in both
12 the slot machine licensee's slot machine operation and table
13 game operation.

14 (2) A description of the duties and responsibilities of
15 each position shown on the organizational chart.

16 (3) The record retention policy of the applicant.

17 (4) The procedure to be utilized to ensure that assets
18 are safeguarded, including mandatory count procedures.

19 (5) A statement signed by the chief financial officer,
20 or other competent person, of the slot machine licensee
21 attesting that the officer believes, in good faith, that the
22 system satisfies the requirements of this section.

23 (d) Review.--Prior to approving a petitioner for a table
24 game operation certificate, the board shall review the system of
25 internal controls submitted under subsection (c) to determine
26 whether it conforms to the requirements of this chapter and
27 provides adequate and effective controls for the operations of
28 the licensed facility.

29 § 1326A. Wagering policies.

30 (a) Internal controls.--Holders of table game operation

certificates shall maintain a detailed narrative description of the administrative and accounting procedures which meet the requirements of this section.

(b) Acceptance of checks.--A slot machine licensee may accept a check from a patron in exchange for cash or chips, provided that each check is deposited with the financial institution upon which the check is drawn within ten days of receipt by the slot machine licensee. No third party checks shall be permitted.

(c) Credit and other financial transactions permitted.-- Holders of table game operation certificates may make credit card advances and debit card withdrawals available to table game patrons at a licensed facility. All fees charged for cash advances, check cashing and debit card withdrawals shall be disclosed. Notwithstanding section 1504 (relating to wagering on credit), a holder of a table game operation certificate may provide credit to patrons for the purpose of playing table games in accordance with this section.

(d) Credit applications.--Each application for credit submitted by a patron shall be maintained in a credit file and shall include the patron's name, address, telephone number, comprehensive bank account information, the requested credit limit, the approximate amount of indebtedness, the amount and source of income disclosed by the patron in support of the application, and the patron's signature and certification of truthfulness. The patron shall be notified that as a condition of receiving credit the licensed facility will verify identity and indebtedness information through a credit bureau, casino credit bureau and, if appropriate, through direct contact with other licensed facilities.

1 (e) Application verification.--Prior to approving an
2 application, a holder of a table game operation certificate
3 shall verify the identity, credit worthiness and indebtedness
4 information on the application and shall verify:

5 (1) Comprehensive information regarding the patron's
6 credit activity at other licensed facilities through a casino
7 credit bureau and, if appropriate, through direct contact
8 with other licensed facilities.

9 (2) That the patron's name is not included on a self-
10 exclusion list or a voluntary suspension of credit list.

11 (3) The amount and source of income disclosed by the
12 patron in support of the application.

13 (f) Establishment of credit.--Each patron's credit limit
14 must be approved by any two or more individuals holding the job
15 positions of credit manager, assistant credit manager, credit
16 shift manager, credit executive or a key employee in a direct
17 reporting line above the manager or credit manager. The approval
18 shall be recorded in the patron's credit file and shall include
19 the reasons and information relied on for the approval of credit
20 and verification by the employee approving the patron's credit
21 limit. Increases to a patron's credit limit may be approved
22 following a written request from the patron and reverification
23 of a patron's credit information.

24 (g) Recordkeeping.--Detailed information pertaining to all
25 transactions affecting a patron's outstanding indebtedness to a
26 licensee shall be recorded in chronological order in the
27 patron's credit file.

28 (h) Suspension of credit.--A holder of a table game
29 operation certificate may reduce a patron's credit limit or
30 suspend credit to a patron upon consideration of information

1 affecting the patron's creditworthiness or the patron's credit
2 activities at the licensed facility or another licensed
3 facility. Any patron may request a licensee to voluntarily
4 suspend the patron's credit. Each holder of a table game
5 operation certificate shall inform the board of any patron who
6 requests a voluntary suspension of credit. The board shall
7 maintain a voluntary credit suspension list of all persons who
8 have requested voluntary suspension and shall provide the list
9 on a continuous basis to the credit department of each licensed
10 facility.

11 (i) List.--An individual may request placement on the
12 voluntary credit suspension list by submitting to the board the
13 individual's name, address and date of birth. The person does
14 not need to provide a reason for the request. Notwithstanding
15 any other provision to the contrary, the board's list of
16 individuals who have had credit privileges voluntarily suspended
17 shall not be open to public inspection, and neither the board
18 nor the credit department of a licensed facility shall divulge
19 the names on this list to any person or entity other than those
20 provided for in this subsection. To remove an individual's name
21 from the list, the individual shall submit a request to the
22 board, which shall remove the individual from the list and
23 inform the credit department of each licensed facility not later
24 than three days after the submission of the request.

25 (j) Liability.--A slot machine licensee or employee thereof
26 shall not be liable to any individual on the voluntary credit
27 suspension list or to any other party in any judicial proceeding
28 for any harm, monetary or otherwise, which may arise as a result
29 of:

30 (1) the failure of a slot machine licensee to withhold

1 credit privileges from or restore credit privileges to an
2 individual on the voluntary credit suspension list; or

3 (2) otherwise permitting an individual on the voluntary
4 credit suspension list to engage in gaming activity in the
5 facility while on the voluntary credit suspension list.

6 § 1327A. Key employees and occupation permits.

7 Nothing in this chapter shall be construed to require any
8 individual who holds a key employee or gaming employee license
9 under Chapter 13 (relating to licensees) to obtain a separate
10 license or permit to be employed in a slot machine licensee's
11 table game operation as authorized under this chapter.

12 § 1328A. Amendment of statement of conditions.

13 (a) Amendment.--Upon granting a petition authorizing a slot
14 machine licensee to conduct table games, the board shall amend
15 the slot machine licensee's statement of conditions governing
16 the slot machine license to include the requirements of this
17 chapter.

18 (b) Sanctions.--A slot machine licensee that fails to abide
19 by the statement of conditions and this part in the conduct of
20 table gaming at its licensed facility shall be subject to all
21 board-imposed administrative sanctions or other penalties
22 authorized under this part.

23 § 1329A. Application of Clean Indoor Air Act.

24 If the board authorizes the operation of table games in a
25 designated area other than the gaming floor, as defined in
26 section 2 of the act of June 13, 2008 (P.L.182, No.27), known as
27 the Clean Indoor Air Act, the provisions of section 3(b)(11) of
28 the Clean Indoor Air Act shall apply to that area.

29 SUBCHAPTER D

30 (RESERVED)

1 SUBCHAPTER E

2 TABLE GAME TESTING AND CERTIFICATION

3 Sec.

4 1341A. Table game testing and certification standards.

5 § 1341A. Table game testing and certification standards.

6 (a) Use of other state standards.--Until such time as the
7 board expands the independent testing and certification facility
8 established under section 1320(b) (relating to slot machine
9 testing and certification standards), the board may determine
10 whether the table game testing and certification standards of
11 another jurisdiction within the United States in which an
12 applicant for a manufacturer license is licensed are
13 comprehensive and thorough and provide similar adequate
14 safeguards as those required by this part. If the board makes
15 that determination, it may permit a manufacturer as provided in
16 section 1317.1 (relating to manufacturer licenses) to deploy
17 those table games which have met the table game testing and
18 certification standards in another jurisdiction without
19 undergoing the full testing and certification process by the
20 board's independent facility.

21 (b) Expansion of independent testing and certification
22 facility.--Within one year of the effective date of this
23 chapter, the board shall expand its independent testing and
24 certification facility created under section 1320(b) to include
25 the testing and certification of table games. Costs associated
26 with the expansion of the facility shall be paid by each
27 licensed manufacturer in accordance with a schedule adopted by
28 the board. The expanded facility shall be made available to each
29 table game device manufacturer and supplier as determined by the
30 board.

1 SUBCHAPTER F

2 GAMING SCHOOLS

3 Sec.

4 1351A. Curriculum.

5 1352A. Gaming school gaming equipment.

6 § 1351A. Curriculum.

7 The Department of Education, in consultation with the board,
8 shall develop curriculum guidelines, including minimum
9 proficiency requirements established by the board, for gaming
10 school instruction. The guidelines shall, at a minimum,
11 establish courses of instruction that will provide individuals
12 with adequate training necessary to obtain employment as a
13 gaming employee with a licensed gaming entity.

14 § 1352A. Gaming school gaming equipment.

15 (a) Use of gaming equipment.--All gaming equipment utilized
16 by a gaming school, including table game devices and all other
17 representations of value, shall be used for training,
18 instructional and practice purposes only. The use of any such
19 gaming equipment for actual gaming by any person is prohibited.

20 (b) Chips.--Unless the board otherwise determines, all
21 gaming chips and other representations of value utilized by a
22 gaming school shall be distinctly dissimilar to any gaming chips
23 and representations of value utilized by a slot machine
24 licensee.

25 (c) Possession, removal and transport of equipment.--No
26 gaming school shall possess, remove or transport any slot
27 machine, table game device or associated equipment except in
28 accordance with this part.

29 (d) Serial numbers.--Each slot machine, table game and
30 associated equipment on the premises of a gaming school shall

1 have permanently affixed on it a serial number which, together
2 with the location of the machine or table game, shall be filed
3 with the board.

4 (e) Security.--Each gaming school shall provide adequate
5 security for the slot machines, table games, table game devices
6 and associated equipment on the gaming school premises.

7 (f) Notice to board and bureau.--No gaming school shall sell
8 or transfer any slot machine, table game, table game device or
9 associated equipment except upon prior written notice to the
10 board and the bureau and the removal of all serial numbers
11 required by this section.

12 SUBCHAPTER G

13 TABLE GAME TAXES AND FEES

14 Sec.

15 1361A. Table game authorization fee.

16 1362A. Table game taxes and assessment.

17 § 1361A. Table game authorization fee.

18 (a) Imposition.--Upon approval of a petition filed under
19 section 1301A (relating to scope of chapter) and prior to the
20 issuance of a table game operation certificate the commencement
21 of the operation of table games at the licensed facility, the
22 board shall impose a one-time authorization fee on the slot
23 machine licensee in the amount of \$10,000,000.

24 (b) Deposit of fees.--All table game authorization fees
25 received by the board under subsection (a) shall be deposited in
26 the General Fund.

27 § 1362A. Table game taxes and assessment.

28 (a) Imposition.--The department shall determine and each
29 slot machine licensee shall pay from its daily gross table game
30 revenue from the table games in operation at its licensed

1 facility a tax of 12% to be deposited into the General Fund.

2 (b) Deposits and distributions.--

3 (1) The tax imposed under subsection (a) shall be due
4 and payable to the department on a quarterly basis and
5 submitted 30 days after the close of the quarter and shall be
6 based upon gross table game revenue derived during the
7 previous quarter.

8 (2) All funds owed to the Commonwealth under this
9 section shall be held in trust by the slot machine licensee
10 until the funds are paid or transferred and distributed by
11 the department. Unless otherwise agreed to by the board, a
12 slot machine licensee shall establish a separate bank account
13 to maintain table game funds until such time as the funds are
14 paid or transferred under this section.

15 Section 9. Sections 1401(b), 1408(a), 1501(b) and (c), 1504,
16 1505, 1509(c), 1513(c) and 1517(b) (1), (c) (12) and (e) (1) of
17 Title 4 are amended to read:

18 § 1401. Slot machine licensee deposits.

19 * * *

20 (b) Initial deposit of funds.--Not later than two business
21 days prior to the commencement of slot machine operations, which
22 may include table games, by a slot machine licensee, the slot
23 machine licensee shall deposit and maintain the sum of
24 \$5,000,000 in its account to guarantee the payment of funds to
25 the Commonwealth under this part and as security for its
26 obligations under section 1405 (relating to Pennsylvania Race
27 Horse Development Fund). No additional deposit shall be required
28 if a slot machine licensee is authorized to conduct table games
29 pursuant to Chapter 13A (relating to table games).

30 * * *

1 § 1408. Transfers from State Gaming Fund.

2 (a) Transfer for compulsive problem gambling treatment.--

3 Each year, the sum of [\$1,500,000] \$2,000,000 or an amount equal
4 to [.001] .002 multiplied by the total gross terminal revenue
5 and gross table game revenue of all active and operating
6 licensed gaming entities, whichever is greater, shall be
7 transferred into the Compulsive Problem Gambling Treatment Fund
8 established in section 1509 (relating to compulsive and problem
9 gambling program).

10 * * *

11 § 1501. Responsibility and authority of department.

12 * * *

13 (b) Application of rules and regulations.--The department

14 may prescribe the extent, if any, to which any rules and
15 regulations shall be applied without retroactive effect. The
16 department shall have authority to prescribe the forms and the
17 system of accounting and recordkeeping to be employed and
18 through its representative shall at all times have power of
19 access to and examination and audit of any equipment and records
20 relating to all aspects of the operation of slot machines and
21 table games under this part.

22 (c) Procedure.--For purposes of implementing this part, the
23 department may promulgate regulations in the same manner in
24 which the board is authorized as provided in section 1203
25 (relating to temporary regulations) and section 1303A (relating
26 to temporary table game regulations).

27 * * *

28 § 1504. Wagering on credit.

29 [Slot] Except as otherwise provided in section 1326A
30 (relating to wagering policies), slot machine licensees may not

1 extend credit. Slot machine licensees may not accept credit
2 cards, charge cards or debit cards from a player for the
3 exchange or purchase of slot machine credits or for an advance
4 of coins or currency to be utilized by a player to play slot
5 machine games or extend credit in any manner to a player so as
6 to enable the player to play slot machines.

7 § 1505. No eminent domain authority.

8 Neither the Commonwealth nor any political subdivision
9 thereof shall have the right to acquire, with or without
10 compensation, through the power of eminent domain any property,
11 easement or land use right for the siting or construction of a
12 facility for the operation of slot machines or table games by a
13 slot machine licensee.

14 § 1509. Compulsive and problem gambling program.

15 * * *

16 (c) Notice of availability of assistance.--

17 (1) Each slot machine licensee shall obtain a toll-free
18 telephone number to be used to provide persons with
19 information on assistance for compulsive or problem gambling.
20 Each licensee shall conspicuously post signs similar to the
21 following statement:

22 If you or someone you know has a gambling problem, help
23 is available. Call (Toll-free telephone number).

24 The signs must be posted within 50 feet of each entrance and
25 exit and within 50 feet of each automated teller machine
26 location within the licensed facility.

27 (2) Each racetrack where slot machines or table games
28 are operated shall print a statement on daily racing programs
29 provided to the general public that is similar to the
30 following:

1 If you or someone you know has a gambling problem, help
2 is available. Call (Toll-free telephone number).

3 (3) A licensed facility which fails to post or print the
4 warning sign in accordance with paragraph (1) or (2) shall be
5 assessed a fine of \$1,000 a day for each day the sign is not
6 posted or printed as provided in this subsection.

7 * * *

8 § 1513. Political influence.

9 * * *

10 (c) Penalties.--The first violation of this section by a
11 licensed gaming entity or any person that holds a controlling
12 interest in such gaming entity, or a subsidiary company thereof,
13 and any officer, director or management-level employee of such
14 licensee shall be punishable by a fine of not less than an
15 average single day's gross terminal revenue of the licensed
16 gaming entity derived from the operation of slot machines and
17 gross table revenue from the operation of table games in this
18 Commonwealth; a second violation of this section, within five
19 years of the first violation, shall be punishable by at least a
20 one-day suspension of the license held by the licensed gaming
21 entity and a fine not less than an average two days' gross
22 revenue of the licensed gaming entity; a third violation of this
23 section within five years of the second violation shall be
24 punishable by the immediate revocation of the license held by
25 the licensed gaming entity. The first violation of this section
26 by a manufacturer or supplier licensed pursuant to this part or
27 by any person that holds a controlling interest in such
28 manufacturer or supplier, or a subsidiary company thereof, and
29 any officer, director or management-level employee of such a
30 licensee shall be punishable by a fine of not less than one

1 day's average of the gross profit from sales made by the
2 manufacturer or supplier in Pennsylvania during the preceding
3 12-month period or portion thereof in the event the manufacturer
4 or supplier has not operated in Pennsylvania for 12 months; a
5 second violation of this section within five years of the first
6 violation shall be punishable by a one-month suspension of the
7 license held by the manufacturer or supplier and a fine of not
8 less than two times one day's average of the gross profit from
9 sales made by the manufacturer or supplier in Pennsylvania
10 during the preceding 12-month period or portion thereof in the
11 event the manufacturer or supplier has not operated in
12 Pennsylvania for 12 months. In no event shall the fine imposed
13 under this section be in an amount less than \$50,000 for each
14 violation. In addition to any fine or sanction that may be
15 imposed by the board, any person who makes a contribution in
16 violation of this section commits a misdemeanor of the third
17 degree.

18 * * *

19 § 1517. Investigations and enforcement.

20 * * *

21 (b) Powers and duties of department.--

22 (1) The department shall at all times have the power of
23 access to examination and audit of any equipment and records
24 relating to all aspects of the operation of slot machines or
25 table games under this part.

26 * * *

27 (c) Powers and duties of the Pennsylvania State Police.--The
28 Pennsylvania State Police shall have the following powers and
29 duties:

30 * * *

1 (12) Conduct audits or verification of information of
2 slot machine or table game operations at such times, under
3 such circumstances and to such extent as the bureau
4 determines. This paragraph includes reviews of accounting,
5 administrative and financial records and management control
6 systems, procedures and records utilized by a slot machine
7 licensee.

8 * * *

9 (e) Inspection, seizure and warrants.--

10 (1) The bureau, the department and the Pennsylvania
11 State Police shall have the authority without notice and
12 without warrant to do all of the following in the performance
13 of their duties:

14 (i) Inspect and examine all premises where slot
15 machine or table game operations are conducted, gaming
16 devices or equipment are manufactured, sold, distributed
17 or serviced or where records of these activities are
18 prepared or maintained.

19 (ii) Inspect all equipment and supplies in, about,
20 upon or around premises referred to in subparagraph (i).

21 (iii) Seize, summarily remove and impound equipment
22 and supplies from premises referred to in subparagraph
23 (i) for the purposes of examination and inspection.

24 (iv) Inspect, examine and audit all books, records
25 and documents pertaining to a slot machine licensee's
26 operation.

27 (v) Seize, impound or assume physical control of any
28 book, record, ledger, game, device, cash box and its
29 contents, counting room or its equipment or slot machine
30 or table game operations.

1 * * *

2 Section 10. Section 1518(a)(2), (3), (4), (5), (11) and (13)
3 and (c)(1)(v) and (3) of Title 4 are amended and subsection (a)
4 is amended by adding a paragraph to read:

5 § 1518. Prohibited acts; penalties.

6 (a) Criminal offenses.--

7 * * *

8 (2) It shall be unlawful for a person to willfully:

9 (i) fail to report, pay or truthfully account for
10 and pay over any license fee, authorization fee, tax or
11 assessment imposed under this part; or

12 (ii) attempt in any manner to evade or defeat any
13 license fee, authorization fee, tax or assessment imposed
14 under this part.

15 (3) It shall be unlawful for any licensed entity, gaming
16 employee, key employee or any other person to permit a slot
17 machine or table game to be operated, transported, repaired
18 or opened on the premises of a licensed facility by a person
19 other than a person licensed or permitted by the board
20 pursuant to this part.

21 (4) It shall be unlawful for any licensed entity or
22 other person to manufacture, supply or place slot machines or
23 table games into play or display slot machines or table games
24 on the premise of a licensed facility without the authority
25 of the board.

26 (5) Except as provided for in section 1326 (relating to
27 license renewals), it shall be unlawful for a licensed entity
28 or other person to manufacture, supply, operate, carry on or
29 expose for play any slot machine or table game after the
30 person's license has expired and prior to the actual renewal

of the license.

* * *

(7.1) It shall be unlawful for an individual to use or possess counterfeit or altered chips or plaques or other cheating devices in the conduct of table gaming, except that an authorized employee of a licensee or an authorized employee of the board may possess and use counterfeit chips or plaques or other cheating devices in performance of the duties of employment for training or testing purposes only.

* * *

(11) It shall be unlawful for a licensed gaming entity that is a licensed racing entity and that has lost the license issued to it by either the State Horse Racing Commission or the State Harness Racing Commission under the Race Horse Industry Reform Act or that has had that license suspended to operate slot machines or table games at the racetrack for which its slot machine license was issued unless the license issued to it by either the State Horse Racing Commission or the State Harness Racing Commission will be subsequently reissued or reinstated within 30 days after the loss or suspension.

* * *

(13) It shall be unlawful for any person under 18 years of age to be permitted in the area of a licensed facility where slot machines or table games are operated.

* * *

(c) Board-imposed administrative sanctions.--

(1) In addition to any other penalty authorized by law, the board may impose without limitation the following sanctions upon any licensee or permittee:

1 * * *

2 (v) Suspend the license of any licensed gaming
3 entity for violation of or attempting to violate any
4 provisions of this part or regulations promulgated under
5 this part relating to its slot machine or table games
6 operations.

7 * * *

8 (3) In addition to any other fines or penalties that the
9 board may impose under this part or regulation, if a person
10 violates subsection (a)(2), the board shall impose an
11 administrative penalty of three times the amount of the
12 license fee, authorization fee, tax or other assessment
13 evaded and not paid, collected or paid over. This subsection
14 is subject to 2 Pa.C.S. Chs. 5 Subch. A and 7 Subch. A.

15 Section 11. Section 1522 of Title 4 is amended to read:

16 § 1522. Interception of oral communications.

17 The interception and recording of oral communications made in
18 a [counting] count room of a licensed facility by a licensee
19 shall not be subject to the provisions of 18 Pa.C.S. Ch. 57
20 (relating to wiretapping and electronic surveillance). Notice
21 that oral communications are being intercepted and recorded
22 shall be posted conspicuously in the [counting] count room.

23 Section 12. This act shall take effect in 60 days.