

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1179 Session of 2011

INTRODUCED BY CLYMER, SANTARSIERO, AUMENT, BAKER, BOYD,
CREIGHTON, DAY, FLECK, GRELL, HARHAI, HARRIS, HESS, HORNAMAN,
JOSEPHS, KAUFFMAN, KNOWLES, MILLARD, MURT, MUSTIO, PETRARCA,
QUIGLEY, STERN AND VULAKOVICH, MARCH 23, 2011

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, MARCH 23, 2011

AN ACT

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

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

7 Section 1. Sections 1302(b), 1304(b) and 1305(b) of Title 4
8 of the Pennsylvania Consolidated Statutes are amended to read:
9 § 1302. Category 1 slot machine license.

10 * * *

11 (b) Location.--A Category 1 license may only be issued to an
12 eligible person authorizing slot machine operations at the
13 particular licensed racetrack facility identified in the
14 application. No Category 1 licensed facility shall be located
15 within 20 linear miles of another Category 1 licensed facility
16 or within ten linear miles of Gettysburg National Military Park.

17 § 1304. Category 2 slot machine license.

18 * * *

1 (b) Location.--

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

23 (2) Within five days of approving a license for an
24 applicant with a proposed licensed facility consisting of
25 land designated a subzone, an expansion subzone or an
26 improvement subzone under the Keystone Opportunity Zone,
27 Keystone Opportunity Expansion Zone and Keystone Opportunity
28 Improvement Zone Act for a slot machine license under this
29 section, the board shall notify the Department of Community
30 and Economic Development. The notice shall include a

1 description of the land of the proposed licensed facility
2 which is designated a subzone, an expansion subzone or an
3 improvement subzone. Within five days of receiving the notice
4 required by this paragraph, the Secretary of Community and
5 Economic Development shall decertify the land of the proposed
6 licensed facility as being a subzone, an expansion subzone or
7 an improvement subzone. Upon decertification in accordance
8 with this paragraph and notwithstanding Chapter 3 of the
9 Keystone Opportunity Zone, Keystone Opportunity Expansion
10 Zone and Keystone Opportunity Improvement Zone Act, a
11 political subdivision may amend the ordinance, resolution or
12 other required action which granted the exemptions,
13 deductions, abatements or credits required by the Keystone
14 Opportunity Zone, Keystone Opportunity Expansion Zone and
15 Keystone Opportunity Improvement Zone Act to repeal the
16 exemptions, deductions, abatements or credits for the land
17 decertified.

18 (3) Notwithstanding any other provision of law, the
19 governing body of a city of the first class shall not exempt
20 from real property taxation or provide any real property tax
21 abatement under the act of December 1, 1977 (P.L.237, No.76),
22 known as the Local Economic Revitalization Tax Assistance
23 Act, to a Category 2 licensed facility located within the
24 city, or any improvements to such facility, unless the owner
25 of the licensed facility enters into or has entered into a
26 tax settlement agreement or payment in lieu of taxes
27 agreement with the city, including any amendments,
28 supplements or modifications of such agreements.

29 § 1305. Category 3 slot machine license.

30 * * *

1 (b) Location.--The following shall apply:

2 (1) Except as provided in paragraph (1.1), no Category 3
3 license shall be located by the board within 15 linear miles
4 of another licensed facility.

5 (1.1) A Category 3 license established on or after July
6 20, 2017, shall not be located by the board within 30 linear
7 miles of another licensed facility or within ten linear miles
8 of Gettysburg National Military Park.

9 (2) Within five days of approving a license for an
10 applicant with a proposed licensed facility consisting of
11 land designated a subzone, an expansion subzone or an
12 improvement subzone under the Keystone Opportunity Zone,
13 Keystone Opportunity Expansion Zone and Keystone Opportunity
14 Improvement Zone Act for a slot machine license under this
15 section, the board shall notify the Department of Community
16 and Economic Development. The notice shall include a
17 description of the land of the proposed licensed facility
18 which is designated a subzone, an expansion subzone or an
19 improvement subzone. Within five days of receiving the notice
20 required by this paragraph, the Secretary of Community and
21 Economic Development shall decertify the land of the proposed
22 license facility as being a subzone, an expansion subzone or
23 an improvement subzone. Upon decertification in accordance
24 with this paragraph and notwithstanding Chapter 3 of the
25 Keystone Opportunity Zone, Keystone Opportunity Expansion
26 Zone and Keystone Opportunity Improvement Zone Act, a
27 political subdivision may amend the ordinance, resolution or
28 other required action which granted the exemptions,
29 deductions, abatements or credits required by the Keystone
30 Opportunity Zone, Keystone Opportunity Expansion Zone and

1 Keystone Opportunity Improvement Zone Act to repeal the
2 exemptions, deductions, abatements or credits for the land
3 decertified.

4 * * *

5 Section 2. This act shall take effect immediately.