
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 290 Session of
2013

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DEASY, GIBBONS, PASHINSKI AND HACKETT, JANUARY 30, 2013

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,
NOVEMBER 13, 2013

AN ACT

1 Amending the act of December 19, 1988 (P.L.1262, No.156),
2 entitled, as amended, "An act providing for the licensing of
3 eligible organizations to conduct games of chance, for the
4 licensing of persons to distribute games of chance, for the
5 registration of manufacturers of games of chance, and for
6 suspensions and revocations of licenses and permits;
7 requiring records; providing for local referendum by
8 electorate; and prescribing penalties," further providing for
9 definitions and for games of chance permitted; providing for
10 prohibition regarding pools; further providing for prize
11 limits and for limited sales; providing for raffle sales;
12 further providing for distributor licenses, for registration
13 of manufacturers, for regulations of department, for
14 licensing of eligible organizations to conduct games of
15 chance, for special permits, AND for revocation of licenses <--
16 ~~and~~; PROVIDING FOR AFFILIATED CLUBS; FURTHER PROVIDING for <--
17 enforcement; and providing for pool selling.

18 The General Assembly of the Commonwealth of Pennsylvania

19 hereby enacts as follows:

20 Section 1. The definitions of "daily drawing," "games of

1 chance," "raffle," "public interest ~~purpose~~" and PURPOSE," <--
2 "weekly drawing" AND "VETERANS ORGANIZATION" in section 103 of <--
3 the act of December 19, 1988 (P.L.1262, No.156), known as the
4 Local Option Small Games of Chance Act, amended or added
5 February 2, 2012 (P.L.7, No.2) and October 24, 2012 (P.L.1462,
6 No.184), are amended and the section is amended by adding
7 definitions to read:

8 Section 103. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 * * *

13 "Auxiliary group." The term shall not include a branch,
14 lodge or chapter of a Statewide organization.

15 * * *

16 "Conservation organization." A national or Statewide
17 nonprofit organization or local federation, club or chapter of a
18 national or Statewide nonprofit organization whose mission or
19 activities include any of the following:

20 (1) Environmental education to promote conservation,
21 maintenance, acquisition or improvement of a natural area for
22 public use.

23 (2) Protection, preservation or management of natural
24 resources.

25 (3) Restoration, conservation or maintenance of
26 wildlife. This paragraph includes the creation or
27 preservation of wildlife sanctuaries or preserves.

28 (4) Best hunting practices, hunter education and hunting
29 safety.

30 "Daily drawing." A game of chance in which a bona fide

1 member selects or is assigned a number for a chance at a prize
2 with the winner determined by random drawing to take place on
3 the licensed eligible organization's licensed premises during
4 the same operating day. The term includes games of chance
5 commonly known as "member sign-in lotteries" and "half-and-half
6 lotteries." Daily drawing winners may be determined with the aid
7 of a passive selection device or reference to drawings conducted
8 by the department pursuant to the act of August 26, 1971
9 (P.L.351, No.91), known as the State Lottery Law. Daily drawing
10 chances may not be sold for an amount in excess of \$1, and no
11 more than one chance per individual may be sold per drawing.
12 Nothing in this definition shall restrict an eligible
13 organization from conducting more than one drawing per day.
14 After a daily drawing is held, a bona fide member may
15 immediately select a number for a chance at a prize for the next
16 day's daily drawing.

17 * * *

18 "Games of chance." Punchboards, daily drawings, weekly
19 drawings, 50/50 drawings, raffles, pools, race night games and
20 pull-tabs, as defined in this act, provided that no such game
21 shall be played by or with the assistance of any mechanical or
22 electrical devices or media other than a dispensing machine or
23 passive selection device and further provided that the
24 particular chance taken by any person in any such game shall not
25 be made contingent upon any other occurrence or the winning of
26 any other contest, but shall be determined solely at the
27 discretion of the purchaser. This definition shall not be
28 construed to authorize any other form of gambling currently
29 prohibited under any provision of [Title 18 of the Pennsylvania
30 Consolidated Statutes] 18 Pa.C.S. (relating to crimes and

1 offenses) or authorized under 4 Pa.C.S. (relating to
2 amusements). Nothing in this act shall be construed to authorize
3 games commonly known as "slot machines" or "video [poker."
4 poker" or other games regulated by the Pennsylvania Gaming
5 Control Board.

6 * * *

7 "Pool." An activity in which a person pays an entry fee for
8 each chance to win cash or merchandise based on the outcome of
9 an event or series of events wherein the participants in the
10 event or series of events are natural persons or animals, and to
11 which all of the following apply:

12 (1) The maximum number of individuals that may
13 participate in a pool is 100 people.

14 (2) The maximum entry fee for each individual entry in a
15 pool is \$20.

16 (3) Other than the entry fee no other money or thing of
17 value is paid or given for participation in a pool.

18 (4) There is at least one guaranteed winner from among
19 the participants.

20 (5) All entry fees collected for entry into the pool are
21 paid as prizes to one or more participants in the pool.

22 (6) No entry fees or portions thereof are retained by
23 the person or eligible organization operating the pool.

24 * * *

25 "Public interest purpose." One or more of the following:

26 (1) The activities and operations of a nonprofit
27 ORGANIZATION THAT PROVIDES A benevolent, charitable, <--
28 religious, educational, philanthropic, humane, scientific,
29 patriotic, social welfare, social advocacy, public health,
30 public safety, emergency response, environmental, historic or

civic objective.

(2) Initiating, performing or fostering worthy public works or enabling or furthering the erection or maintenance of public structures.

(3) Lessening the burdens borne by government or voluntarily supporting, augmenting or supplementing services which government would normally render to the people.

(4) Improving, expanding, maintaining or repairing real property owned or leased by an eligible organization and relating operational expenses used for purposes specified in paragraphs (1), (2) and (3).

~~(5) Nonprofit youth sports activities, services to support or honor veterans and activities relating to the provision of volunteer fire and rescue activities.~~

<--

(5) NONPROFIT YOUTH SPORTS ACTIVITIES.

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(6) ACTIVITIES RELATING TO THE PROVISION OF VOLUNTEER FIRE, AMBULANCE OR RESCUE SERVICES.

(7) ACTIVITIES CONDUCTED BY A VETERANS ORGANIZATION, WHETHER OR NOT THE VETERANS ORGANIZATION HOLDS A CLUB LICENSE. ACTIVITIES UNDER THIS PARAGRAPH MAY INCLUDE:

(I) SCHOLARSHIPS.

(II) SERVICES TO ECONOMICALLY OR SOCIALLY SUPPORT VETERANS.

(III) ACTIVITIES TO HONOR VETERANS.

(IV) OTHER ACTIVITIES THAT QUALIFY UNDER PARAGRAPHS

(1), (2), (3), (4), (5) AND (6).

The term does not include the erection or acquisition of any real property, unless the property will be used exclusively for one or more of the purposes specified in this definition.

* * *

1 "Race night game." A game of chance in which multiple
2 participants place entry fees or wagers on a prerecorded horse
3 race displayed on a single screen to multiple participants
4 simultaneously during a gaming session that does not exceed
5 eight consecutive hours and is not conducted more frequently
6 than once a month. This definition does not include an instant
7 racing machine, historical racing machine or other similar pari-
8 mutuel device.

9 "Raffle." A game of chance in which a participant buys a
10 ticket for a chance at a prize with the winner determined by a
11 random drawing of corresponding ticket stubs [to take place at a
12 location and date or dates printed upon each ticket]. Such games
13 of chance shall include lotteries but not daily and weekly
14 drawings. Raffle winners may be determined by reference to
15 drawings conducted by the department pursuant to the act of
16 August 26, 1971 (P.L.351, No.91), known as the State Lottery
17 Law. The term shall include a raffle auction.

18 "Raffle auction." A game of chance in which a participant
19 buys a ticket for a chance to win a prize as follows:

20 (1) Tickets are placed in a location assigned to a
21 particular prize.

22 (2) The winner of each prize is determined by a random
23 drawing of a ticket that corresponds to the ticket held by
24 the participant.

25 * * *

26 "VETERANS ORGANIZATION." ANY CONGRESSIONALLY CHARTERED
27 ORGANIZATION WITHIN THIS COMMONWEALTH, OR ANY BRANCH OR LODGE OR
28 CHAPTER OF A NONPROFIT NATIONAL OR STATE ORGANIZATION WITHIN
29 THIS COMMONWEALTH, THE MEMBERSHIP OF WHICH CONSISTS OF
30 INDIVIDUALS WHO WERE MEMBERS OF THE ARMED SERVICES OR ARMED

<--

1 FORCES OF THE UNITED STATES. THE TERM SHALL ALSO INCLUDE [HOME
2 ASSOCIATIONS.] A HOME ASSOCIATION, AFFILIATE OR OTHER NONPROFIT
3 ORGANIZATION ESTABLISHED BY OR IN COOPERATION WITH THE VETERANS
4 ORGANIZATION TO PROVIDE SERVICES TO VETERANS OR TO THE
5 COMMUNITY. SUCH ORGANIZATIONS SHALL HAVE BEEN IN EXISTENCE IN
6 THIS COMMONWEALTH FULFILLING THEIR PURPOSES FOR ONE YEAR PRIOR
7 TO THE DATE OF APPLICATION FOR A LICENSE.

8 "Weekly drawing." A game of chance in which a bona fide
9 member selects or receives a number or numbers for a chance at a
10 prize with the winner determined by a random drawing to take
11 place on the licensed eligible organization's licensed premises
12 at the end of a seven-day period. Weekly drawing winners may be
13 determined with the aid of a passive selection device or
14 reference to drawings conducted by the Department of Revenue
15 pursuant to the act of August 26, 1971 (P.L.351, No.91), known
16 as the State Lottery Law. Weekly drawing chances may not be sold
17 for an amount in excess of \$1. After a weekly drawing is held, a
18 bona fide member may immediately select a number for a chance at
19 a prize for the next weekly drawing.

20 Section 2. Section 301 of the act, amended October 24, 2012
21 (P.L.1462, No.184), is amended to read:

22 Section 301. Games of chance permitted.

23 Every eligible organization to which a license has been
24 issued under the provisions of this chapter may conduct games of
25 chance for the purpose of raising funds for public interest
26 purposes. Except as provided in ~~[Chapter 5]~~ ~~Chapters 5 and 9,~~ <--
27 all proceeds of a licensed eligible organization shall be used
28 exclusively for public interest purposes, for the purchase of
29 games of chance[,]
30 or for the payment of the license fee [or for
the payment of the fee for background checks], as required by

1 this act. An eligible organization whose primary purpose is the
2 promotion of a public interest may utilize the proceeds from
3 small games of chance to fulfill that purpose.

4 Section 2.1. The act is amended by adding a section to read:
5 Section 301.1. Prohibition regarding pools.

6 The operation of a pool must comply with the Professional and
7 Amateur Sports Protection Act (Public Law 102-559, 28 U.S.C. §
8 3701 et seq.) or other Federal law in the operation of or
9 participation in the pool.

10 Section 3. Section 302(a), (b), (c), (d), (d.1), (f) and (h)
11 of the act, amended February 2, 2012 (P.L.7, No.2), are amended
12 and the section is amended by adding a subsection to read:
13 Section 302. Prize limits.

14 (a) Individual prize limit.--Except as provided under
15 subsections (d) and (d.1), the maximum prize which may be
16 awarded for any single chance shall be [\$1,000] \$2,000.

17 (b) Aggregate prize limit.--No more than [\$25,000] \$35,000
18 in prizes shall be awarded from games of chance by a licensed
19 eligible organization in any seven-day period.

20 (c) Raffle prize limit.--Up to [\$10,000] \$15,000 in prizes
21 may be awarded in raffles in any calendar month.

22 * * *

23 (d) Exception for raffles.--Notwithstanding subsection (b)
24 or (c), a licensed eligible organization may conduct a raffle
25 under section 308 and award a prize or prizes valued in excess
26 of [\$1,000] \$3,000 each only under the following conditions:

27 (1) The licensing authority has issued a special permit
28 for the raffle under section 308.

29 (2) A licensed eligible organization shall be eligible
30 to receive no more than [eight] ten special permits in any

1 licensed term except that a volunteer fire, ambulance or
2 rescue or conservation organization that is not a club
3 licensee shall be eligible to receive [ten] 12 special
4 permits in any licensed term.

5 (3) Only one raffle may be conducted under each special
6 permit issued under section 308.

7 (4) Except as provided under subsection (d.1), the total
8 of all prizes awarded under this subsection shall be no more
9 than [\$100,000] \$150,000 per calendar year, which shall NOT <--
10 be subject to the aggregate limit under subsection (b) or (c)
11 or this subsection in accordance with section 304.1 and this <--
12 act.

13 (d.1) Additional award.--A volunteer fire, ambulance [or],
14 rescue or conservation organization may, in addition to the
15 total under subsection (d)(4), award up to [\$50,000] \$100,000
16 from raffles which shall not be subject to the aggregate limit
17 under subsection (b), (c) or (d).

18 * * *

19 (f) Daily drawing carryover.--The prize limitation contained
20 in subsections (a) and (b) may be exceeded by a daily drawing
21 under the following circumstances: a daily drawing may award a
22 prize in excess of [\$1,000] \$2,000 if such prize is the result
23 of a carryover of a drawing which resulted from the winning
24 number in such drawing not being among the eligible entrants in
25 such drawings. Nothing contained herein shall authorize the
26 prize limitation as contained in subsections (a) and (b) to be
27 exceeded as a result of a failure to conduct a drawing on an
28 operating day during which chances were sold for a daily drawing
29 or for a daily drawing for which chances were sold in excess of
30 \$1 or for which more than one chance was sold to an eligible

1 participant.

2 * * *

3 (h) Weekly drawing carryover exception.--Weekly drawings
4 shall be governed by the prize limitation contained in
5 subsection (b). The prize limitation contained in subsection (b)
6 may be exceeded by a weekly drawing under the following
7 circumstances: a weekly drawing may award a prize where the cash
8 value is in excess of [\$25,000] \$35,000 if such prize is the
9 result of a carryover of a drawing or drawings which resulted
10 from the winning number or numbers in such drawing or drawings
11 not being among the eligible entrants in such drawings. Nothing
12 contained in this chapter shall authorize the prize limitation
13 under subsection (b) to be exceeded as a result of a failure to
14 conduct a drawing for a week during which chances were sold for
15 a weekly drawing or for a weekly drawing for which chances were
16 sold in excess of \$1.

17 (i) Concurrent operation.--Nothing under this act shall
18 prohibit the concurrent operation of daily or weekly drawings.

19 Section 3.1. Section 303(b) of the act, amended February 2,
20 2012 (P.L.7, No.2), is amended to read:

21 Section 303. Sales limited.

22 * * *

23 (b) Limitation.--No game of chance, other than a raffle
24 under section 302(d), sold, offered for sale or furnished to a
25 licensed eligible organization for use within this Commonwealth
26 shall contain, permit, depict or designate a prize having a
27 prize limit in excess of [\$1,000] \$2,000.

28 Section 3.2. The act is amended by adding a section to read:

29 Section 303.1. Raffle sales.

30 Nothing in this act shall prohibit the sale of a raffle

1 ticket available to an individual who lawfully may enter the
2 raffle. Tickets may be issued in accordance with the following:

3 (1) Issued at a discounted price.

4 (2) Issued as part of the sale of other tickets.

5 (3) Issued free of charge or as part of the sale of
6 other tickets.

7 (4) Issued as bonus tickets as part of the sale of other
8 tickets.

9 (5) Issued as prizes, including prizes at auctions.

10 Section 4. Section 304(g), (h) and (i) of the act, amended
11 February 2, 2012 (P.L.7, No.2), are amended and the section is
12 amended by adding a subsection to read:

13 Section 304. Distributor licenses.

14 * * *

15 (c.1) Background.--The department shall conduct and annually
16 update a criminal history record check on each individual listed
17 under subsection (b) (6).

18 * * *

19 (g) Ineligibility.--The department shall not issue or renew
20 a distributor license for the sale of games of chance to a
21 person, including any corporation, firm or partnership which has
22 as an officer, director or other person in a supervisory or
23 management position, or employee eligible to make sales on
24 behalf of the distributor, who:

25 (1) has been convicted of a felony in a state or Federal
26 court within the past five years; or

27 (2) has been convicted within ten years of the date of
28 application in a state or Federal court of a violation of
29 [the act of July 10, 1981 (P.L.214, No.67), known as the
30 Bingo Law, or of this act or of a gambling-related offense

1 under Title 18 of the Pennsylvania Consolidated Statutes
2 (relating to crimes and offenses) or other comparable State
3 or Federal law.] any of the following:

4 (i) This act.

5 (ii) The act of July 10, 1981 (P.L.214, No.67),
6 known as the Bingo Law.

7 (iii) A gambling-related offense under 4 Pa.C.S.
8 (relating to amusements).

9 (iv) A gambling-related offense under 18 Pa.C.S.
10 (relating to crimes and offenses).

11 (v) A Federal or State law comparable to the
12 statutes listed under subparagraphs (i), (ii), (iii) and
13 (iv).

14 (h) License and renewal fees.--The fee for a distributor
15 license shall be [\$1,000] \$2,000. Licenses shall be renewable on
16 an annual basis.

17 (i) Exception.--This section shall not apply to the
18 manufacture or distribution of raffle tickets, 50/50 drawings,
19 daily drawings, weekly drawings or pools.

20 Section 4.1. Section 305(d) of the act, amended October 24,
21 2012 (P.L.1462, No.184), is amended to read:

22 Section 305. Registration of manufacturers.

23 * * *

24 (d) Exception.--This section shall not apply to the
25 manufacture or distribution of raffle tickets, 50/50 drawings,
26 daily drawings [or], weekly drawings or pools.

27 Section 5. Section 306(b) and (c) of the act, amended
28 October 24, 2012 (P.L.1462, No.184), are amended and subsection
29 (a) is amended by adding a paragraph to read:

30 Section 306. Regulations of department.

1 (a) Authorization.--The department shall promulgate
2 regulations to:

3 * * *

4 (3.1) Establish procedures to ensure that race night
5 games are secure, random and totally dependent upon chance.

6 * * *

7 (b) Limitation on recordkeeping requirements.--This section
8 shall not be construed to authorize the department to promulgate
9 regulations providing for recordkeeping requirements for

10 licensed eligible organizations which require unreasonable or
11 unnecessary information or a repetitious listing of information.

12 The department shall strive to keep such recordkeeping

13 requirements from being an undue hardship or burden on licensed

14 eligible organizations. Except as provided under section 701(b),

15 the department may not require the retention of records for a

16 period in excess of two years. If an individual prize is in

17 excess of \$600, the record shall include the name and address of

18 the winner. An eligible organization shall provide each winner

19 with a receipt of the value of the prize when the prize exceeds

20 \$600.

21 (c) [Reporting requirements.--Each eligible organization
22 which has proceeds in excess of \$2,500 in a calendar year shall
23 submit an annual report to the department including:

24 (1) Prizes awarded as required under section 335 of the
25 act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform
26 Code of 1971.

27 (2) Amounts expended for public interest purposes.]

28 (Reserved).

29 Section 6. Section 307(a), (b), (b.1), (b.2), (b.3), (d)(3),
30 (d.1) and (h) of the act, amended February 2, 2012 (P.L.7, No.2)

1 and October 24, 2012 (P.L.1482, No.184), are amended to read:
2 Section 307. Licensing of eligible organizations [to conduct
3 games of chance].

4 [(a) License required.--No eligible organization shall
5 conduct or operate any games of chance unless such eligible
6 organization has obtained and maintains a valid license or
7 limited occasion license issued pursuant to this section. An
8 auxiliary group of a licensed eligible organization shall be
9 eligible to conduct games of chance using the license issued to
10 the eligible organization provided that the auxiliary group or
11 groups are listed on the application and license of the eligible
12 organization. An auxiliary group is not eligible to obtain a
13 license or a limited occasion license. No additional licensing
14 fee shall be charged for an auxiliary group's eligibility under
15 this chapter. Auxiliary groups shall not include branches,
16 lodges or chapters of a Statewide organization.

17 (b) Issuance and fees.--The licensing authority shall
18 license, upon application, within 30 days any eligible
19 organization meeting the requirements for licensure contained in
20 this chapter to conduct and operate games of chance at such
21 locations within the county or in such manner as stated on the
22 application as limited by subsection (b.1). The license fee to
23 be charged to each eligible organization shall be \$100, except
24 for limited occasion licenses which shall be \$10. Licenses shall
25 be renewable annually upon the anniversary of the date of issue.
26 The license fee shall be used by the licensing authority to
27 administer this act.

28 (b.1) Location of games of chance.--

29 (1) Except as otherwise provided in this section, a
30 licensed eligible organization, except a limited occasion

1 licensee, may conduct small games of chance at a licensed
2 premises. The licensed premises shall be indicated on the
3 eligible organization's license application. Only one license
4 shall be issued per licensed premises. Except as provided
5 under paragraph (4), a licensed eligible organization may not
6 share a licensed premises with another licensed eligible
7 organization; and no licensed eligible organization may
8 permit its premises to be used for small games of chance by
9 another licensed eligible organization.

10 (2) Where there exists a location or premises which is
11 the normal business or operating site of the eligible
12 organization and the location or premises is owned or leased
13 by that eligible organization to conduct its normal business,
14 that site shall be the eligible organization's licensed
15 premises. If that location consists of more than one
16 building, the eligible organization shall identify the
17 building that will be designated as the licensed premises.

18 (3) When an eligible organization does not own or lease
19 a specific location to conduct its normal business, the
20 eligible organization may make arrangements that are
21 consistent with this act to establish a licensed premises,
22 including leasing a premise under a written agreement for a
23 rental; however, the rental may not be determined by either
24 the amount of receipts realized from the conduct of games of
25 chance or the number of people attending. An eligible
26 organization may lease a facility for a banquet in connection
27 with the serving of a meal based on a per-head charge.

28 (3.1) Notwithstanding paragraphs (1), (2) and (3), if an
29 eligible organization is unable to conduct games of chance at
30 the location listed on its application and license due to

1 natural disaster, fire or other circumstance that renders the
2 location unusable, the eligible organization may submit a
3 written request to the district attorney to conduct games of
4 chance in a different location, including the licensed
5 premises of another eligible organization. The request must
6 include the change in the location and the dates and times
7 the games of chance will be operated at the alternative
8 location. The district attorney shall establish a limit on
9 the duration of the authorization to conduct games of chance
10 at the alternative location. Following the expiration of the
11 authorization period, the eligible organization must return
12 to the location specified in its application and license or
13 apply to the licensing authority for a new permanent location
14 for the conduct of games of chance. The district attorney may
15 approve or deny the request or stipulate additional
16 requirements as a condition of approval. If an eligible
17 organization permits another eligible organization to use its
18 licensed premises to conduct games of chance under this
19 paragraph, the eligible organization shall cease its
20 operation of games of chance during the time the eligible
21 organization utilizing its premises is conducting its games
22 of chance.

23 (3.2) Notwithstanding paragraphs (1), (2) and (3), the
24 following eligible organizations established to raise funds
25 shall not be required to conduct a 50/50 drawing or a raffle
26 at a licensed premises or to own, lease or establish a
27 licensed premises:

28 (i) A nonprofit sports team.

29 (ii) A primary or secondary school-sponsored club,
30 sports team or organization.

1 (4) An eligible organization that has obtained a limited
2 occasion license under subsection (b.3) may use another
3 eligible organization's licensed premises to conduct its
4 games of chance. When a licensed eligible organization is
5 permitting a limited occasion licensee to use its licensed
6 premises for purposes of games of chance, it shall cease the
7 operation of its own games of chance during the period that
8 the limited occasion licensee is conducting its games on the
9 premises.

10 (5) For purposes of major league sports drawings, the
11 facility at which a major league sports team conducts its
12 games shall constitute a premises for purposes of this act.

13 (b.2) Off-premises games of chance.--Notwithstanding any
14 other provisions of this section, all of the following apply:

15 (1) A licensed eligible organization may conduct games
16 of chance at a location off its premises when the games of
17 chance are part of an annual carnival, fair, picnic or
18 banquet held or participated in by that licensed eligible
19 organization on a historical basis. The licensed eligible
20 organization must notify, in writing, the district attorney
21 and licensing authority of the location, date and times of
22 the event where it will be conducting games of chance.

23 (2) Raffle tickets may be sold off the licensed premises
24 in a municipality which has adopted the provisions of this
25 act by an affirmative vote in a municipal referendum. A
26 licensed eligible organization which plans to sell raffle
27 tickets in a municipality located in a county other than the
28 county in which the eligible organization is licensed shall
29 notify that county's district attorney and licensing
30 authority as to the location and the dates that the licensed

1 eligible organization plans to sell raffle tickets.

2 (b.3) Limited occasion licenses.--Eligible organizations
3 which do not own their own premises or which do not lease a
4 specific location to conduct their normal business may apply for
5 a limited occasion license to conduct games of chance on not
6 more than three occasions covering a total of seven days during
7 a licensed year. A limited occasion license entitles an eligible
8 organization to conduct no more than two raffles during a
9 licensed year where prizes may not exceed the established limits
10 for regular monthly raffles. Holders of a limited occasion
11 license may not apply or be granted any other license or special
12 permit under this act. No holder of a regular license or special
13 permit under this act shall apply or be granted a limited
14 occasion license.] (a) License required.--The following shall
15 apply:

16 (1) An eligible organization shall not conduct or
17 operate games of chance unless the eligible organization has
18 obtained a valid license as follows:

19 (i) A regular license which must be renewed
20 annually.

21 (ii) A monthly license which permits the eligible
22 organization to conduct games of chance for a 30-
23 consecutive-day period.

24 (2) An auxiliary group of a licensed eligible
25 organization may conduct games of chance using the license
26 issued to the eligible organization if the auxiliary group is
27 listed on the application and license of the eligible
28 organization. An auxiliary group shall not be eligible to
29 obtain a license. No additional licensing fee shall be
30 charged for an auxiliary group. If the eligible organization

1 is a club licensee, the games of chance conducted by the
2 auxiliary group must be held on the club's licensed premises.

3 (b) Issuance.--The licensing authority shall issue a license
4 within 30 days of the submission of an application by an
5 eligible organization that meets the requirements under this
6 chapter.

7 (b.1) Fee.--The license fee to be charged to each eligible
8 organization for a regular license shall be \$125. The license
9 fee to be charged for a monthly license shall be \$25. A regular
10 license must be renewed annually. The fee shall be used by the
11 licensing authority to administer this act.

12 (b.2) Location.--An eligible organization that holds a
13 license under subsection (a) and that is not a club licensee may
14 conduct small games of chance in the county where the license is
15 issued at a premises which is ~~in the normal business or~~ THE <--
16 operating site of the eligible organization or at a premises or
17 other location not prohibited by local ordinance, and for which
18 the treasurer has been notified, ~~in accordance with the~~ <--
19 ~~following~~:. THE FOLLOWING SHALL APPLY: <--

20 (1) No more than three licensees, including the licensee
21 that owns or leases the premises, may conduct small games of
22 chance simultaneously at a premises or location.

23 (2) A licensee shall ensure that the conduct of small
24 games of chance by different organizations are separate and
25 clearly identified within a premises or location.

26 (3) A licensee that is not a club licensee may conduct
27 games of chance simultaneously with the conduct of games of
28 chance by a club licensee on not more than three occasions
29 covering a total of seven days during the year.

30 (4) The following shall apply:

1 (i) Notwithstanding paragraph (1), if a club
2 licensee is unable to conduct games of chance at the
3 location listed on its application and license due to
4 natural disaster, fire or other circumstance that renders
5 the location unusable, the club licensee may submit a
6 written request to the district attorney to conduct games
7 of chance in a different location, including the licensed
8 premises of another eligible organization.

9 (ii) A request under subparagraph (i) must include
10 the change in the location and the dates and times the
11 games of chance will be operated at the alternative
12 location.

13 (iii) The district attorney shall approve or deny
14 the request and shall establish a limit on the duration
15 of the authorization to conduct games of chance at the
16 alternative location. Following the expiration of the
17 authorization period, the club licensee must return to
18 the location specified in its application and license or
19 apply to the licensing authority for a new permanent
20 location. The district attorney may stipulate additional
21 requirements as a condition of approval.

22 (iv) If a club licensee permits another club
23 licensee to use its licensed premises under this
24 paragraph to conduct games of chance, the host club
25 licensee must cease its operation of games of chance
26 during the time the club licensee utilizing its premises
27 is conducting its games of chance.

28 (d) Operation.--Each licensed eligible organization shall be
29 prohibited from the following:

30 * * *

1 (3) Paying any compensation to any person for conducting
2 any games of chance. Games of chance may only be conducted by
3 managers, officers, directors, bar personnel and bona fide
4 members of the eligible organization. This paragraph shall
5 not apply to the sale of a raffle or raffle auction ticket.

6 * * *

7 (d.1) Bank account and records.--[The licensed] An eligible
8 organization [shall keep a bank account to hold the] with
9 proceeds of games of chance that exceed \$40,000 per year shall
10 maintain a bank account, which shall be separate from all other
11 funds belonging to the licensed eligible organization. Account
12 records shall show all expenditures and income and shall be
13 retained by the licensed eligible organization for at least two
14 years.

15 * * *

16 [(h) Background checks.--Each application for a license
17 submitted by an eligible organization which has proceeds in
18 excess of \$2,500 in a year shall include the results of a
19 criminal history record information check obtained from the
20 Pennsylvania State Police, as defined in 18 Pa.C.S. § 9102
21 (relating to definitions) and permitted by 18 Pa.C.S. § 9121(b)
22 (relating to general regulations), for the executive officer and
23 secretary of the eligible organization making the application
24 for a license or any other person required by the department.]

25 Section 7. ~~Sections 308(a) and 701(a)(5)~~ SECTION 308(A) of <--
26 the act, amended February 2, 2012 (P.L.7, No.2), ~~are~~ IS amended <--
27 to read:

28 Section 308. Special permits.

29 (a) Issuance and fee.--The licensing authority shall issue a
30 special permit for each raffle in which the licensed eligible

organization proposes to award individual prizes in excess of
[\$1,000] \$3,000. The licensing authority may establish and
collect a fee not to exceed \$25 for the issuance of special
permits under this section.

* * *

SECTION 7.1. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <--
SECTION 505.1. AFFILIATED CLUBS.

(A) APPLICABILITY.--THIS SECTION SHALL APPLY TO A CLUB
LICENSEE THAT MEETS ANY OF THE FOLLOWING:

(1) IS AFFILIATED WITH A VETERANS ORGANIZATION OR
VOLUNTEER FIRE COMPANY.

(2) USES THE NAME OF A VETERANS ORGANIZATION OR
VOLUNTEER FIRE COMPANY OR HOLDS ITSELF OUT AS BEING
AFFILIATED OR DIRECTLY ASSOCIATED WITH A VETERANS
ORGANIZATION OR VOLUNTEER FIRE COMPANY.

(3) HAS A LICENSED PREMISES THAT IS CONNECTED TO THE
PREMISES OF A VETERANS ORGANIZATION OR VOLUNTEER FIRE
COMPANY.

(B) PROCEEDS.--A CLUB LICENSEE UNDER SUBSECTION (A) MAY
PROVIDE FUNDS FROM PROCEEDS UNDER SECTION 502(A)(1) TO A
VETERANS ORGANIZATION OR VOLUNTEER FIRE COMPANY OR AN
ORGANIZATION AFFILIATED WITH A VETERANS ORGANIZATION OR
VOLUNTEER FIRE COMPANY THAT CONDUCTS ACTIVITIES THAT INCLUDE
PUBLIC INTEREST ACTIVITIES.

SECTION 7.2. SECTION 701(A)(5) OF THE ACT, AMENDED FEBRUARY
2, 2012 (P.L.7, NO.2), IS AMENDED TO READ:
Section 701. Revocation of licenses.

(a) Grounds.--The following shall be grounds for suspension,
revocation or nonrenewal of a license:

* * *

1 (5) Any person or persons other than a manager, officer,
2 director, bar personnel or a bona fide member of an eligible
3 organization have been involved in managing, setting up,
4 operating or running games of chance. This paragraph shall
5 not apply to the sale of a raffle or raffle auction ticket.

6 * * *

7 Section 8. Section 702(b) and (c) of the act, amended
8 February 2, 2012 (P.L.7, No.2) and October 24, 2012 (P.L.1462,
9 No.184), are amended to read:

10 Section 702. Enforcement.

11 * * *

12 (b) Bureau of Liquor Control Enforcement.--If the licensee
13 is a club licensee OR A LICENSEE UNDER CHAPTER 9, the Bureau of <--
14 Liquor Control Enforcement may enforce the provisions of this
15 act in accordance with subsection (g). An administrative law
16 judge under section 212 of the act of April 12, 1951 (P.L.90,
17 No.21), known as the Liquor Code, may impose the penalties under
18 subsection (d) following the issuance of a citation by the
19 bureau. The Bureau of Liquor Control Enforcement shall have no
20 jurisdiction to enforce the provisions of this act on any
21 special occasion permit holder under section 408.4 of the act of
22 April 12, 1951 (P.L.90, No.21), known as the Liquor Code. The
23 Bureau of Liquor Control Enforcement shall retain all powers and
24 duties to enforce the provisions of the Liquor Code on a special
25 occasion permit holder.

26 (c) Random audits.--The [Bureau of Liquor Control <--
27 Enforcement] DEPARTMENT shall conduct [annual] biennial random <--
28 audits of 5% of all club licensees.

29 * * *

30 Section 9. The act is amended by adding a section to read:

1 Section 708. Pool selling.

2 Notwithstanding 18 Pa.C.S. § 5514 (relating to pool selling
3 and bookmaking), the operation of or participation in a pool in
4 accordance with this act shall not constitute a criminal
5 activity.

6 Section 10. This act shall take effect in 60 days.