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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 458 Session of  
2013

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INTRODUCED BY O'BRIEN, YOUNGBLOOD, WATERS, DONATUCCI, SWANGER,  
COHEN, DELUCA, GOODMAN, C. HARRIS, HESS, MATZIE, MURT,  
READSHAW AND SCHLOSSBERG, JANUARY 30, 2013

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REFERRED TO COMMITTEE ON GAMING OVERSIGHT, JANUARY 30, 2013

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AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated  
2 Statutes, further providing for prohibited acts and  
3 penalties.

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

6 Section 1. Section 1518(b)(1) of Title 4 of the Pennsylvania  
7 Consolidated Statutes is amended, subsection (a) is amended by  
8 adding a paragraph and subsection (c)(1) is amended by adding a  
9 subparagraph to read:

10 § 1518. Prohibited acts; penalties.

11 (a) Criminal offenses.--

12 \* \* \*

13 (18) Notwithstanding any other provision of law, it  
14 shall be unlawful for an individual driving or in charge of a  
15 motor vehicle to permit a child under 14 years of age to  
16 remain unattended in the vehicle if the vehicle is located on  
17 property owned, leased or controlled by a licensed gaming  
18 entity or its affiliate, intermediary, subsidiary or holding

1 company. In addition to the penalties in subsection (b), the  
2 individual shall be subject to exclusion or ejection from  
3 licensed facilities under sections 1514 (relating to  
4 regulation requiring exclusion or ejection of certain  
5 persons) and 1515 (relating to repeat offenders excludable  
6 from licensed gaming facility). Notwithstanding any of the  
7 provisions of 18 Pa.C.S. Ch. 91 (relating to criminal history  
8 record information), the investigating officer in the  
9 jurisdiction in which the vehicle is located shall be  
10 responsible for providing written notice of the violation  
11 within 48 hours to the director of the county children and  
12 youth service agency of the county where the violation  
13 occurred. The notice shall contain:

14 (i) The name of the individual charged under this  
15 section.

16 (ii) The address or addresses at which the  
17 individual resides.

18 (iii) The name of the child.

19 (b) Criminal penalties and fines.--

20 (1) (i) A person that commits a first offense in  
21 violation of 18 Pa.C.S. § 4902, 4903 or 4904 in  
22 connection with providing information or making any  
23 statement, whether written or oral, to the board, the  
24 bureau, the department, the Pennsylvania State Police,  
25 the Office of Attorney General or a district attorney as  
26 required by this part commits an offense to be graded in  
27 accordance with the applicable section violated. A person  
28 that is convicted of a second or subsequent violation of  
29 18 Pa.C.S. § 4902, 4903 or 4904 in connection with  
30 providing information or making any statement, whether

1 written or oral, to the board, the bureau, the  
2 department, the Pennsylvania State Police, the Office of  
3 Attorney General or a district attorney as required by  
4 this part commits a felony of the second degree.

5 (ii) A person that violates subsection (a)(2)  
6 through (12) or (17) commits a misdemeanor of the first  
7 degree. A person that is convicted of a second or  
8 subsequent violation of subsection (a)(2) through (12) or  
9 (17) commits a felony of the second degree.

10 (iii) A person that violates subsection (a)(18)  
11 commits a misdemeanor of the third degree. A person that  
12 is convicted of a second or subsequent violation of  
13 subsection (a)(18) commits a misdemeanor of the second  
14 degree.

15 \* \* \*

16 (c) Board-imposed administrative sanctions.--

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

20 \* \* \*

21 (x) Assess a fine for failure to report a violation  
22 under subsection (a)(18), of which the licensed gaming  
23 entity knew or should have known, to the appropriate law  
24 enforcement authority. The amount of the fine shall be  
25 not less than \$75,000 nor more than \$150,000 for a first  
26 violation of this subparagraph, and not less than  
27 \$150,000 nor more than \$300,000 for a second or  
28 subsequent violation of this subparagraph.

29 \* \* \*

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