

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 271 Session of 2017

INTRODUCED BY ORTITAY, V. BROWN, D. COSTA, DUNBAR, ENGLISH, KORTZ, WARD, YOUNGBLOOD, NELSON AND JOZWIAK, JANUARY 31, 2017

SENATOR SCAVELLO, COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, IN SENATE, RE-REPORTED AS AMENDED, MAY 23, 2017

AN ACT

1 ~~Amending Title 4 (Amusements) of the Pennsylvania Consolidated~~ <--
2 ~~Statutes, in general provisions, further providing for~~
3 ~~definitions; in Pennsylvania Gaming Control Board, further~~
4 ~~providing for general and specific powers, for regulatory~~
5 ~~authority of board and for reports to board; in licensees,~~
6 ~~further providing for supplier licenses and for manufacturer~~
7 ~~licenses; providing for airport gaming; and, in~~
8 ~~administration and enforcement relating to gaming, further~~
9 ~~providing for compulsive and problem gambling program and for~~
10 ~~prohibited acts and penalties.~~

11 AMENDING TITLE 4 (AMUSEMENTS) OF THE PENNSYLVANIA CONSOLIDATED <--
12 STATUTES, PROVIDING FOR FANTASY CONTESTS AND FOR ILOTTERY; IN
13 GENERAL PROVISIONS, FURTHER PROVIDING FOR LEGISLATIVE INTENT
14 AND FOR DEFINITIONS; IN PENNSYLVANIA GAMING CONTROL BOARD,
15 FURTHER PROVIDING FOR GENERAL AND SPECIFIC POWERS, FOR
16 LICENSED GAMING ENTITY APPLICATION APPEALS FROM BOARD, FOR
17 BOARD MINUTES AND RECORDS, FOR REGULATORY AUTHORITY OF BOARD,
18 FOR REPORTS OF BOARD AND FOR DIVERSITY GOALS OF BOARD; IN
19 LICENSEES, FURTHER PROVIDING FOR CATEGORY 3 SLOT MACHINE
20 LICENSE, FOR SLOT MACHINE LICENSE APPLICATION, FOR SUPPLIER
21 LICENSES AND FOR MANUFACTURER LICENSES, PROVIDING FOR
22 NONGAMING SERVICE PROVIDER, FURTHER PROVIDING FOR LICENSE
23 RENEWALS AND PROVIDING FOR SLOT MACHINE LICENSE OPERATION
24 FEE; IN TABLE GAMES, FURTHER PROVIDING FOR OTHER FINANCIAL
25 TRANSACTIONS AND FOR LOCAL SHARE ASSESSMENT; PROVIDING FOR
26 INTERACTIVE GAMING; IMPOSING A MULTI-USE GAMING DEVICE TAX;
27 IN REVENUES, FURTHER PROVIDING FOR ESTABLISHMENT OF STATE
28 GAMING FUND AND NET SLOT MACHINE REVENUE DISTRIBUTION AND FOR
29 THE PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM
30 FUND, ESTABLISHING THE CASINO MARKETING AND CAPITAL
31 DEVELOPMENT ACCOUNT AND FURTHER PROVIDING FOR TRANSFERS FROM
32 STATE GAMING FUND; IN ADMINISTRATION AND ENFORCEMENT, FURTHER

1 PROVIDING FOR RESPONSIBILITY AND AUTHORITY OF DEPARTMENT, FOR
2 WAGERING ON CREDIT, FOR COMPULSIVE AND PROBLEM GAMBLING
3 PROGRAM, FOR FINANCIAL AND EMPLOYMENT INTERESTS, FOR
4 REGULATION REQUIRING EXCLUSION OR EJECTION OF CERTAIN
5 PERSONS, FOR REPEAT OFFENDERS EXCLUDABLE FROM LICENSED GAMING
6 FACILITY, FOR LIST OF PERSONS SELF EXCLUDED FROM GAMING
7 ACTIVITIES, FOR INVESTIGATIONS AND ENFORCEMENT AND FOR
8 PROHIBITED ACTS AND PENALTIES; IN MISCELLANEOUS PROVISIONS,
9 FURTHER PROVIDING FOR APPROPRIATIONS; AND MAKING A RELATED
10 REPEAL.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 ~~Section 1. The definitions of "cheat," "cheating or thieving <--~~
14 ~~device," "conduct of gaming," "counterfeit chip,"~~
15 ~~"manufacturer," "player," "supplier" and "supplier license" in~~
16 ~~Title 4 of the Pennsylvania Consolidated Statutes are amended~~
17 ~~and the section is amended by adding definitions to read:~~
18 ~~§ 1103. Definitions.~~

19 ~~The following words and phrases when used in this part shall~~
20 ~~have the meanings given to them in this section unless the~~
21 ~~context clearly indicates otherwise:~~

22 * * *

23 ~~"Airport authority." The governing body of a municipal~~
24 ~~authority organized and incorporated to oversee the operations~~
25 ~~of a qualified airport under 53 Pa.C.S. Ch. 56 (relating to~~
26 ~~municipal authorities) or the governing body of a city of the~~
27 ~~first class that regulates the use and control of a qualified~~
28 ~~airport.~~

29 ~~"Airport game." A gambling game and associated software or~~
30 ~~application offered through the use of a multi use computing~~
31 ~~device that allows a person, utilizing money, checks, electronic~~
32 ~~checks, electronic transfers of money, credit cards or any other~~
33 ~~instrumentality, to transmit electronic information to assist in~~
34 ~~the placement of a bet or wager and corresponding information~~
35 ~~related to the display of the game, game outcomes or other~~

1 ~~similar information. The term shall not include:~~

2 ~~(1) A lottery game or Internet instant game as defined~~
3 ~~in section 302 of the act of August 26, 1971 (P.L.351,~~
4 ~~No.91), known as the State Lottery Law.~~

5 ~~(2) Nongambling games that do not otherwise require a~~
6 ~~license under the laws of this Commonwealth.~~

7 ~~"Airport gaming." The placing of bets or wagers with a slot~~
8 ~~machine licensee through the use of a multi use computing device~~
9 ~~to play an authorized airport game.~~

10 ~~"Airport gaming area." A location or locations within a~~
11 ~~qualified airport approved for the conduct of authorized airport~~
12 ~~games through the use of multi use computing devices by eligible~~
13 ~~passengers as approved by the airport authority or, in the case~~
14 ~~of a qualified airport located in a city of the first class, as~~
15 ~~approved by the governing body of the city of the first class~~
16 ~~and the Pennsylvania Gaming Control Board.~~

17 ~~"Airport gaming certificate." The authorization issued to a~~
18 ~~slot machine licensee by the Pennsylvania Gaming Control Board~~
19 ~~authorizing the operation and conduct of airport gaming by a~~
20 ~~slot machine licensee in accordance with Chapter 13B (relating~~
21 ~~to airport gaming).~~

22 ~~"Airport gaming certificate holder." A slot machine licensee~~
23 ~~that has been granted authorization by the Pennsylvania Gaming~~
24 ~~Control Board to operate authorized airport games in accordance~~
25 ~~with Chapter 13B.~~

26 ~~"Authorized airport game." An airport game approved by~~
27 ~~regulation of the Pennsylvania Gaming Control Board to be~~
28 ~~suitable for use through a multi use computing device offered by~~
29 ~~an airport gaming certificate holder.~~

30 * * *

1 ~~"Cheat." To defraud or steal from any player, slot machine~~
2 ~~licensee or the Commonwealth while operating or playing a slot~~
3 ~~machine [or], table game[,] or authorized airport game,~~
4 ~~including causing, aiding, abetting or conspiring with another~~
5 ~~person to do so. The term shall also mean to alter or causing,~~
6 ~~aiding, abetting or conspiring with another person to alter the~~
7 ~~elements of chance, method of selection or criteria which~~
8 ~~determine:~~

9 ~~(1) The result of a slot machine game [or], table game~~
10 ~~or authorized airport game.~~

11 ~~(2) The amount or frequency of payment in a slot machine~~
12 ~~game [or], table game or authorized airport game.~~

13 ~~(3) The value of a wagering instrument.~~

14 ~~(4) The value of a wagering credit.~~

15 ~~The term does not include altering a slot machine, table game~~
16 ~~device or associated equipment or multiuse computing device for~~
17 ~~maintenance or repair with the approval of a slot machine~~
18 ~~licensee.~~

19 ~~"Cheating or thieving device." A device, software or~~
20 ~~hardware used or possessed with the intent to be used to cheat~~
21 ~~during the operation or play of any slot machine [or], table~~
22 ~~game or authorized airport game. The term shall also include any~~
23 ~~device used to alter a slot machine [or], a table game device an~~
24 ~~authorized airport game or a multi use computing device without~~
25 ~~the slot machine licensee's approval.~~

26 ~~* * *~~

27 ~~"Concession operator." A person engaged in the sale or~~
28 ~~offering for sale of consumer goods or services to the public at~~
29 ~~a qualified airport or authorized to conduct other commercial~~
30 ~~activities related to passenger services at a qualified airport~~

1 ~~in accordance with the terms and conditions of an agreement or~~
2 ~~contract with an airport authority, government entity or other~~
3 ~~person.~~

4 ~~"Conduct of gaming." The licensed placement, operation and~~
5 ~~play of slot machines [and], table games and authorized airport~~
6 ~~games under this part, as authorized and approved by the~~
7 ~~Pennsylvania Gaming Control Board.~~

8 * * *

9 ~~"Counterfeit chip." Any object or thing that is:~~

10 ~~(1) used or intended to be used to play a table game at~~
11 ~~a certificate holder's licensed facility and which was not~~
12 ~~issued by that certificate holder for such use; [or]~~

13 ~~(2) presented to a certificate holder for redemption if~~
14 ~~the object was not issued by the certificate holder[.];~~

15 ~~(3) used or intended to be used to play an authorized~~
16 ~~airport game that was not approved by the slot machine~~
17 ~~licensee for such use; or~~

18 ~~(4) presented during play of an authorized airport game~~
19 ~~for redemption, if the object or thing was not issued by the~~
20 ~~slot machine licensee.~~

21 * * *

22 ~~"Eligible passenger" or "passenger." An individual who is at~~
23 ~~least 21 years of age and has cleared security check points with~~
24 ~~a valid airline boarding pass for travel from one destination to~~
25 ~~another by airplane.~~

26 * * *

27 ~~"Gross airport gaming revenue." The total of all cash or~~
28 ~~cash equivalent wagers paid by players to an airport gaming~~
29 ~~certificate holder in consideration for the play of authorized~~
30 ~~airport games, minus:~~

1 ~~(1) the total of cash or cash equivalents paid out to~~
2 ~~players as winnings; and~~

3 ~~(2) the cash equivalent value of any personal property~~
4 ~~or other noncash items or things of value included in a~~
5 ~~drawing, contest or tournament and distributed to players as~~
6 ~~a result of playing authorized airport games.~~

7 ~~Amounts deposited with an airport gaming certificate holder for~~
8 ~~purposes of airport gaming and amounts taken in fraudulent acts~~
9 ~~perpetrated against an airport gaming certificate holder for~~
10 ~~which the airport gaming certificate holder is not reimbursed~~
11 ~~may not be considered to have been paid to the airport gaming~~
12 ~~certificate holder for purposes of calculating gross airport~~
13 ~~gaming revenue.~~

14 * * *

15 ~~"Manufacturer." A person who manufactures, builds, rebuilds,~~
16 ~~fabricates, assembles, produces, programs, designs or otherwise~~
17 ~~makes modifications to any slot machine, table game device or~~
18 ~~associated equipment for use or play of slot machines [or],~~
19 ~~table games or authorized airport games in this Commonwealth for~~
20 ~~gaming purposes. The term does not include a person who~~
21 ~~manufactures, builds, rebuilds, fabricates, assembles, produces,~~
22 ~~programs, designs or otherwise makes modifications to multi use~~
23 ~~computing devices used in connection with the conduct of airport~~
24 ~~gaming at a qualified airport.~~

25 * * *

26 ~~"Multi use computing device." A computing device, including,~~
27 ~~but not limited to, a tablet computer, that:~~

28 ~~(1) Allows a player to access an authorized airport~~
29 ~~game.~~

30 ~~(2) Is located and accessible to eligible passengers~~

1 ~~only in an airport gaming area.~~

2 ~~(3) Communicates with a server that is in a location~~
3 ~~approved by the Pennsylvania Gaming Control Board.~~

4 ~~(4) Is approved by the Pennsylvania Gaming Control~~
5 ~~Board.~~

6 ~~(5) Has the capability of being linked to and monitored~~
7 ~~by the department's central control computer system, as~~
8 ~~applicable for an authorized airport game in accordance with~~
9 ~~section 1323 (relating to central control computer system).~~

10 ~~(6) Offers a player additional functions that include~~
11 ~~Internet browsing, the capability of checking flight status~~
12 ~~and ordering food or beverages.~~

13 ~~The term does not include a tablet or computing device that~~
14 ~~restricts, prohibits or is incapable of providing access to~~
15 ~~authorized airport games.~~

16 * * *

17 ~~"Player." An individual wagering cash, a cash equivalent or~~
18 ~~other thing of value in the play or operation of a slot machine~~
19 ~~[or], an authorized airport game or a table game, including~~
20 ~~during a contest or tournament, the play or operation of which~~
21 ~~may deliver or entitle the individual playing or operating the~~
22 ~~slot machine [or], authorized airport game or table game to~~
23 ~~receive cash, a cash equivalent or other thing of value from~~
24 ~~another player or a slot machine licensee.~~

25 * * *

26 ~~"Qualified airport." Any of the following:~~

27 ~~(1) A publicly owned commercial service airport that is~~
28 ~~designated by the Federal Government as an international~~
29 ~~airport.~~

30 ~~(2) A publicly owned commercial service airport that has~~

1 ~~at least 50,000 passenger enplanements in any calendar year.~~

2 * * *

3 ~~"Supplier." A person that sells, leases, offers or otherwise~~
4 ~~provides, distributes or services any slot machine, table game~~
5 ~~device or associated equipment for use or play of slot machines~~
6 ~~or table games in this Commonwealth. The term shall include a~~
7 ~~person that sells, leases, offers or otherwise provides,~~
8 ~~distributes or services any multi-use computing device as~~
9 ~~approved by the Pennsylvania Gaming Control Board.~~

10 ~~"Supplier license." A license issued by the Pennsylvania~~
11 ~~Gaming Control Board authorizing a supplier to provide products~~
12 ~~or services related to slot machines, table game devices, multi~~
13 ~~use computing devices or associated equipment to slot machine~~
14 ~~licensees for use in this Commonwealth for gaming purposes.~~

15 * * *

16 ~~Section 2. Section 1202(a)(1) of Title 4 is amended and~~
17 ~~subsection (b) is amended by adding a paragraph to read:~~

18 ~~§ 1202. General and specific powers.~~

19 ~~(a) General powers.—~~

20 ~~(1) The board shall have general and sole regulatory~~
21 ~~authority over the conduct of gaming [or] and related~~
22 ~~activities as described in this part. The board shall ensure~~
23 ~~the integrity of the acquisition and operation of slot~~
24 ~~machines, table games, table game devices, authorized airport~~
25 ~~games and multi use computing devices and associated~~
26 ~~equipment and shall have sole regulatory authority over every~~
27 ~~aspect of the authorization, operation and play of slot~~
28 ~~machines [and], table games and the implementation and~~
29 ~~regulation of airport gaming.~~

30 * * *

1 ~~(b) Specific powers. The board shall have the specific~~
2 ~~power and duty:~~

3 * * *

4 ~~(12.2) At its discretion, to award, revoke, suspend,~~
5 ~~condition or deny an airport gaming certificate in accordance~~
6 ~~with Chapter 13B (relating to airport gaming).~~

7 * * *

8 Section 3. ~~Section 1207(1), (8), (9) and (10) of Title 4 are~~
9 ~~amended and the section is amended by adding a paragraph to~~
10 ~~read:~~

11 ~~§ 1207. Regulatory authority of board.~~

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

13 ~~(1) Deny, deny the renewal, revoke, condition or suspend~~
14 ~~any license [or], permit, airport gaming certificate or other~~
15 ~~authorization provided for in this part if the board finds in~~
16 ~~its sole discretion that a licensee [or], permittee,~~
17 ~~registrant or certificate holder, under this part, or its~~
18 ~~officers, employees or agents, have furnished false or~~
19 ~~misleading information to the board or failed to comply with~~
20 ~~the provisions of this part or the rules and regulations of~~
21 ~~the board and that it would be in the public interest to~~
22 ~~deny, deny the renewal, revoke, condition or suspend the~~
23 ~~license [or], permit, certificate, registration or other~~
24 ~~authorization.~~

25 * * *

26 ~~(8) Require that each licensed gaming entity prohibit~~
27 ~~persons under 21 years of age from operating or using slot~~
28 ~~machines [or], playing table games or using multi-use~~
29 ~~computing devices.~~

30 ~~(9) Establish procedures for the inspection and~~

1 ~~certification of compliance of each slot machine, table game,~~
2 ~~table game device, airport game and multiuse computing device~~
3 ~~and associated equipment prior to being placed into use by a~~
4 ~~slot machine licensee.~~

5 ~~(10) Require that no slot machine or authorized airport~~
6 ~~game that replicates the play of a slot machine may be set to~~
7 ~~pay out less than the theoretical payout percentage, which~~
8 ~~shall be no less than 85%, as specifically approved by the~~
9 ~~board. The board shall adopt regulations that define the~~
10 ~~theoretical payout percentage of a slot machine game based on~~
11 ~~the total value of the jackpots expected to be paid by a play~~
12 ~~or a slot machine game divided by the total value of slot~~
13 ~~machine wagers expected to be made on that play or slot~~
14 ~~machine game during the same portion of the game cycle. In so~~
15 ~~doing, the board shall decide whether the calculation shall~~
16 ~~include the entire cycle of a slot machine game or any~~
17 ~~portion thereof.~~

18 * * *

19 ~~(22) License, regulate, investigate and take any other~~
20 ~~action determined necessary regarding all aspects of airport~~
21 ~~gaming.~~

22 Section 4. Section 1211 of Title 4 is amended by adding a
23 subsection to read:

24 § 1211. Reports of board.

25 * * *

26 ~~(a.4) Airport gaming reporting requirements.~~

27 ~~(1) The annual report submitted by the board in~~
28 ~~accordance with subsection (a) shall include information on~~
29 ~~the conduct of airport games as follows:~~

30 ~~(i) Total gross airport gaming revenue.~~

1 ~~(ii) All taxes, fees, fines and other revenue~~
2 ~~collected and, where appropriate, revenue disbursed~~
3 ~~during the previous year.~~

4 ~~(2) The department shall collaborate with the board to~~
5 ~~carry out paragraph (1)(ii).~~

6 * * *

7 Section 5. ~~Sections 1317(a) and 1317.1(a) and (e)(1) and (2)~~
8 ~~of Title 4 are amended to read:~~

9 ~~§ 1317. Supplier licenses.~~

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

19 * * *

20 ~~§ 1317.1. Manufacturer licenses.~~

21 ~~(a) Application. A person seeking to manufacture slot~~
22 ~~machines, table game devices, airport games and associated~~
23 ~~equipment for use in this Commonwealth shall apply to the board~~
24 ~~for a manufacturer license.~~

25 * * *

26 ~~(e) Prohibitions.—~~

27 ~~(1) No person may manufacture slot machines, table game~~
28 ~~devices, airport games or associated equipment for use within~~
29 ~~this Commonwealth by a slot machine licensee unless the~~
30 ~~person has been issued the appropriate manufacturer license~~

1 ~~under this section.~~

2 ~~(2) Except as permitted in section 13A23.1 (relating to~~
3 ~~training equipment), no slot machine licensee may use slot~~
4 ~~machines, table game devices, authorized airport games or~~
5 ~~associated equipment unless the slot machines, table game~~
6 ~~devices, authorized airport games or associated equipment~~
7 ~~were manufactured by a person that has been issued the~~
8 ~~appropriate manufacturer license under this section.~~

9 * * *

10 Section 6. Title 4 is amended by adding a chapter to read:

11 CHAPTER 13B

12 AIRPORT GAMING

13 Sec.

14 13B01. Authorization.

15 13B02. Board authorization required.

16 13B03. Standard for review of petitions.

17 13B04. Fees.

18 13B05. Multi use gaming device tax.

19 13B06. Local share assessment.

20 13B07. Regulations.

21 13B08. Construction.

22 § 13B01. Authorization.

23 (a) Authority.

24 (1) Notwithstanding any provision of this part or
25 regulation of the board, an airport gaming certificate holder
26 may provide authorized airport games at a qualified airport
27 through the use of multi use computing devices.

28 (2) A slot machine licensee seeking to make authorized
29 games available for play through the use of multi use
30 computing devices at a qualified airport shall file a

~~petition for an airport gaming certificate with the board in a form and manner that the board, through regulations, shall require.~~

~~(b) Place of conduct. The board, at its discretion, may authorize an airport gaming certificate holder to place and make authorized airport games available for play at a qualified airport through the use of multi use computing devices in one or more airport gaming areas in accordance with the requirements of this chapter and regulations of the board.~~

~~(c) Satisfaction of contingencies. Authorization for a slot machine licensee to conduct airport gaming at a qualified airport in accordance with subsection (a) shall be contingent upon the following:~~

~~(1) The slot machine licensee has submitted a petition to the board seeking authorization to manage the conduct of airport gaming at the qualified airport and the board has approved the petition.~~

~~(2) The slot machine licensee has entered into an agreement with the concession operator at the qualified airport for the conduct of airport gaming through the use of multi use computing devices within the airport gaming area.~~

~~(3) The slot machine licensee has provided adequate assurances that the conduct of airport gaming at the qualified airport will be conducted and operated in accordance with this part and regulations promulgated by the board.~~

~~(4) The slot machine licensee has paid or will pay all applicable taxes and fees.~~

~~(5) In the case of a qualified airport that is governed by a municipal authority or joint municipal authority~~

1 ~~organized and incorporated to oversee the operations of an~~
2 ~~airport in accordance with 53 Pa.C.S. Ch. 56 (relating to~~
3 ~~municipal authorities), the slot machine licensee has entered~~
4 ~~into an agreement with the municipal authority or joint~~
5 ~~municipal authority for the conduct of airport gaming through~~
6 ~~the use of multi use computing devices within the gaming area~~
7 ~~of the qualified airport and the board has approved the~~
8 ~~agreement.~~

9 ~~(6) The slot machine licensee is issued an airport~~
10 ~~gaming certificate.~~

11 ~~§ 13B02. Board authorization required.~~

12 ~~(a) Contents of petition. A slot machine licensee seeking~~
13 ~~authorization to conduct airport gaming at a qualified airport~~
14 ~~through the use of a multi use computing device shall petition~~
15 ~~the board for an airport gaming certificate. The petition shall~~
16 ~~include:~~

17 ~~(1) The name, business address and contact information~~
18 ~~of the slot machine licensee.~~

19 ~~(2) The name and business address, job title and a~~
20 ~~photograph of each principal and key employee of the slot~~
21 ~~machine licensee who will be directly involved in the conduct~~
22 ~~of authorized airport games at the qualified airport and who~~
23 ~~is not currently licensed by the board, if known.~~

24 ~~(3) The name and business address of the airport~~
25 ~~authority, the location of the qualified airport and the~~
26 ~~names of the governing body of the airport authority, if the~~
27 ~~airport authority is incorporated in accordance with 53~~
28 ~~Pa.C.S. Ch. 56 (relating to municipal authorities).~~

29 ~~(4) If the use and control of a qualified airport is~~
30 ~~regulated by a city of the first class, an identification of~~

1 ~~the municipal agency and primary officials of a city of the~~
2 ~~first class that regulates the use and control of the~~
3 ~~qualified airport.~~

4 ~~(5) The name and job title of the person or persons who~~
5 ~~will be responsible for ensuring the operation and integrity~~
6 ~~of the conduct of airport gaming at the qualified airport and~~
7 ~~reviewing reports of suspicious transactions.~~

8 ~~(6) The brand name of the multi use computing devices~~
9 ~~that will be placed in operation at the qualified airport.~~
10 ~~The board, at its discretion, may require any additional~~
11 ~~information related to the conduct of airport gaming at the~~
12 ~~qualified airport through the use of multi use computing~~
13 ~~devices or persons that manufacture or supply multi use~~
14 ~~computing devices that the board determines necessary and~~
15 ~~appropriate to ensure the integrity of airport gaming at the~~
16 ~~qualified airport and to protect the public interest.~~

17 ~~(7) An itemized list of the airport games for which~~
18 ~~authorization is being sought.~~

19 ~~(8) Information, as the board may require, on computer~~
20 ~~applications or applications that may be accessed on the~~
21 ~~multi use computing devices.~~

22 ~~(9) Detailed site plans illustrating the location of the~~
23 ~~proposed airport gaming area at the qualified airport.~~

24 ~~(10) Information and documentation concerning financial~~
25 ~~background and resources, as the board may require, to~~
26 ~~establish by clear and convincing evidence the financial~~
27 ~~stability, integrity and responsibility of the petitioner.~~

28 ~~(11) Other information as the board may require.~~

29 ~~(b) Confidentiality. Information submitted to the board~~
30 ~~under subsection (a) may be considered confidential by the board~~

1 ~~if the information would be confidential under section 1206(f)~~
2 ~~(relating to board minutes and records).~~

3 ~~(c) Approval of petition. (1) Upon approval of a petition~~
4 ~~required under this section, the board shall issue the slot~~
5 ~~machine licensee an airport gaming certificate and authorize the~~
6 ~~airport gaming certificate holder to conduct airport gaming at a~~
7 ~~qualified airport through the use of multi use computing~~
8 ~~devices.~~

9 ~~(2) The issuance of an airport gaming certificate in~~
10 ~~accordance with this chapter prior to the full payment of the~~
11 ~~authorization fee under section 13B04 (relating to fees) shall~~
12 ~~not be construed to relieve the airport gaming certificate~~
13 ~~holder from the obligation to pay the fee in accordance with~~
14 ~~section 13B04.~~

15 ~~§ 13B03. Standard for review of petitions.~~

16 ~~The board shall approve a petition under section 13B02~~
17 ~~(relating to board authorization required) and issue an airport~~
18 ~~gaming certificate to a slot machine licensee if the petitioner~~
19 ~~establishes, by clear and convincing evidence, all of the~~
20 ~~following:~~

21 ~~(1) The slot machine licensee has entered into an~~
22 ~~agreement that has been approved by the board with a~~
23 ~~concession operator for the conduct of airport gaming through~~
24 ~~the use of multi use computing devices within the airport~~
25 ~~gaming area of the qualified airport.~~

26 ~~(2) The proposed internal and external security and~~
27 ~~surveillance measures within the airport gaming area of the~~
28 ~~qualified airport are adequate.~~

29 ~~(3) Multi use computing devices will only be accessible~~
30 ~~to eligible passengers.~~

~~(4) The slot machine licensee will comply with all regulations promulgated by the board under this chapter.~~

~~§ 13B04. Fees.~~

~~(a) Required fees. A slot machine licensee issued an airport gaming certificate shall pay a one time, nonrefundable fee of \$1,000,000 within 30 days of being issued an airport gaming certificate~~

~~(b) Deposit of fees. Notwithstanding section 1208 (relating to collection of fees and fines), all fees or penalties received by the board under this chapter shall be deposited in the General Fund.~~

~~§ 13B05. Multi use gaming device tax.~~

~~(a) Imposition.~~

~~(1) Each airport gaming certificate holder shall report to the department and pay from its daily gross airport gaming revenue, on a form and in the manner prescribed by the department, a tax of 14% of its daily gross airport gaming revenue generated from multi use computing devices at the qualified airport and a local share assessment.~~

~~(2) The tax imposed under paragraph (1) shall be payable to the department on a daily basis and shall be based upon the gross airport gaming revenue generated from multi use computing devices at the qualified airport derived during the previous week.~~

~~(3) All funds owed to the Commonwealth under this section shall be held in trust for the Commonwealth by the airport gaming certificate holder until the funds are paid to the department. An airport gaming certificate holder shall establish a separate bank account into which gross airport gaming revenue from multi use computing devices shall be~~

~~1 deposited and maintained until such time as the funds are~~
~~2 paid to the department under this section.~~

~~3 (4) The department shall transfer the tax revenues~~
~~4 collected under this section to the General Fund.~~

~~5 § 13B06. Local share assessment.~~

~~6 (a) Required payment. In addition to the tax imposed under~~
~~7 section 13B05 (relating to multi use gaming device tax), each~~
~~8 airport gaming certificate holder shall pay on a weekly basis~~
~~9 and on a form and in a manner prescribed by the department a~~
~~10 local share assessment into a restricted receipts account~~
~~11 established in the fund. All funds owed under this section shall~~
~~12 be held in trust by the airport gaming certificate holder until~~
~~13 the funds are paid into the account. Funds in the account are~~
~~14 hereby appropriated to the department on a continuing basis for~~
~~15 the purposes specified in this section.~~

~~16 (b) Distributions to qualified airports. The department~~
~~17 shall make quarterly distributions from the local share~~
~~18 assessments deposited into the fund under subsection (a) to each~~
~~19 qualified airport in proportion to the multi use computing~~
~~20 device local share assessment derived from each qualified~~
~~21 airport.~~

~~22 (c) Definition. As used in this section, the term "multi~~
~~23 use computing device local share assessment" means 20% of an~~
~~24 airport gaming certificate holder's gross airport gaming revenue~~
~~25 from multi use computing devices at qualified airports.~~

~~26 § 13B07. Regulations.~~

~~27 (a) Regulations. The board shall promulgate regulations~~
~~28 related to the operation of authorized airport games through the~~
~~29 use of multi use computing devices at qualified airports.~~

~~30 (b) Temporary regulations. In order to facilitate the~~

1 ~~prompt implementation of this chapter, regulations promulgated~~
2 ~~by the board in accordance with subsection (a) shall be deemed~~
3 ~~temporary regulations. The board and the commission may~~
4 ~~promulgate temporary regulations not subject to:~~

5 ~~(1) Sections 201, 202, 203, 204 and 205 of the act of~~
6 ~~July 31, 1968 (P.L.769, No.240), referred to as the~~
7 ~~Commonwealth Documents Law.~~

8 ~~(2) Sections 204(b) and 301(10) of the act of October~~
9 ~~15, 1980 (P.L.950, No.164), known as the Commonwealth~~
10 ~~Attorneys Act.~~

11 ~~(3) The act of June 25, 1982 (P.L.633, No.181), known as~~
12 ~~the Regulatory Review Act.~~

13 ~~§ 13B08. Construction.~~

14 ~~Nothing in this chapter shall be construed to limit the~~
15 ~~board's authority to determine the suitability of any person who~~
16 ~~may be directly or indirectly involved in or associated with the~~
17 ~~operation of airport gaming at a qualified airport to ensure the~~
18 ~~integrity of authorized airport games and multi use computing~~
19 ~~devices and to protect the public interest.~~

20 ~~Section 7. Section 1509 of Title 4 is amended to read:~~

21 ~~§ 1509. Compulsive and problem gambling program.~~

22 ~~(a) Establishment of program. The Department of [Health]~~
23 ~~Drug and Alcohol Programs, in consultation with organizations~~
24 ~~similar to the Mid Atlantic Addiction Training Institute, shall~~
25 ~~develop program guidelines for public education, awareness and~~
26 ~~training regarding compulsive and problem gambling and the~~
27 ~~treatment and prevention of compulsive and problem gambling. The~~
28 ~~guidelines shall include strategies for the prevention of~~
29 ~~compulsive and problem gambling. The Department of [Health] Drug~~
30 ~~and Alcohol Programs may consult with the board and licensed~~

1 ~~gaming entities to develop such strategies.~~

2 ~~(a.1) Duties of Department of [Health] Drug and Alcohol~~
3 ~~Programs. From funds available in the Compulsive and Problem~~
4 ~~Gambling Treatment Fund, the Department of [Health] Drug and~~
5 ~~Alcohol Programs shall:~~

6 ~~(1) Maintain [a] one compulsive gamblers assistance~~
7 ~~organization's toll free problem gambling telephone number, _____~~
8 ~~which shall be the number 1 800 GAMBLER, to provide crisis~~
9 ~~counseling and referral services to individuals and families~~
10 ~~experiencing difficulty as a result of problem or compulsive~~
11 ~~gambling. If the Department of Drug and Alcohol Programs~~
12 ~~determines that it is unable to adopt the number 1 800-~~
13 ~~GAMBLER, the Department of Drug and Alcohol Programs shall~~
14 ~~maintain another number.~~

15 ~~(2) Facilitate, through in service training and other~~
16 ~~means, the availability of effective assistance programs for~~
17 ~~problem and compulsive gamblers and family members affected~~
18 ~~by problem and compulsive gambling.~~

19 ~~(3) At its discretion, conduct studies to identify~~
20 ~~individuals in this Commonwealth who are or are at risk of~~
21 ~~becoming problem or compulsive gamblers.~~

22 ~~(4) Provide grants to and contract with single county~~
23 ~~authorities and other organizations which provide services as~~
24 ~~set forth in this section.~~

25 ~~(5) Reimburse organizations for reasonable expenses~~
26 ~~incurred assisting the Department of [Health] Drug and~~
27 ~~Alcohol Programs with implementing this section.~~

28 ~~(a.2) Duties of Department of [Health] Drug and Alcohol~~
29 ~~Programs and board. [Within 60 days following the effective~~
30 ~~date of this subsection, the] The Department of [Health's Bureau~~

1 of] ~~Drug and Alcohol Programs and the board's Office of~~
2 ~~Compulsive and Problem Gambling shall jointly collaborate with~~
3 ~~other appropriate offices and agencies of State or local~~
4 ~~government, including single county authorities, and providers~~
5 ~~and other persons, public or private, with expertise in~~
6 ~~compulsive and problem gambling treatment to do the following:~~

7 ~~(1) Implement a strategic plan for the prevention and~~
8 ~~treatment of compulsive and problem gambling.~~

9 ~~(2) Adopt compulsive and problem gambling treatment~~
10 ~~standards to be integrated with the [Bureau] Department of~~
11 ~~Drug and Alcohol Program's uniform Statewide guidelines that~~
12 ~~govern the provision of addiction treatment services.~~

13 ~~(3) Develop a method to coordinate compulsive and~~
14 ~~problem gambling data collection and referral information to~~
15 ~~crisis response hotlines, child welfare and domestic violence~~
16 ~~programs and providers and other appropriate programs and~~
17 ~~providers.~~

18 ~~(4) Develop and disseminate educational materials to~~
19 ~~provide public awareness related to the prevention,~~
20 ~~recognition and treatment of compulsive and problem gambling.~~

21 ~~(5) Develop demographic specific compulsive and problem~~
22 ~~gambling prevention, intervention and treatment programs.~~

23 ~~(6) Prepare an itemized budget outlining how funds will~~
24 ~~be allocated to fulfill the responsibilities under this~~
25 ~~section.~~

26 ~~(b) Compulsive and Problem Gambling Treatment Fund. There~~
27 ~~is hereby established in the State Treasury a special fund to be~~
28 ~~known as the Compulsive and Problem Gambling Treatment Fund. All~~
29 ~~moneys in the fund shall be administered by the Department of~~
30 ~~[Health] Drug and Alcohol Programs and expended solely for~~

1 ~~programs for the prevention and treatment of gambling addiction~~
2 ~~and other emotional and behavioral problems associated with or~~
3 ~~related to gambling addiction and for the administration of the~~
4 ~~compulsive and problem gambling program, provided that the~~
5 ~~Department of [Health] Drug and Alcohol Programs shall annually~~
6 ~~distribute at least 50% of the money in the fund to single~~
7 ~~county authorities under subsection (d). The fund shall consist~~
8 ~~of money annually allocated to it from the annual payment~~
9 ~~established under section 1408(a) (relating to transfers from~~
10 ~~State Gaming Fund), money which may be allocated by the board,~~
11 ~~interest earnings on moneys in the fund and any other~~
12 ~~contributions, payments or deposits which may be made to the~~
13 ~~fund.~~

14 ~~(c) Notice of availability of assistance.~~

15 ~~(1) [Each] Except as otherwise provided for in paragraph~~
16 ~~(4), each slot machine licensee shall [obtain a] use the~~
17 ~~toll free telephone number [to be used] established by the~~
18 ~~Department of Drug and Alcohol Programs in subsection (a.1)~~
19 ~~(1) to provide persons with information on assistance for~~
20 ~~compulsive or problem gambling. Each licensee shall~~
21 ~~conspicuously post at least 20 signs similar to the following~~
22 ~~statement:~~

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

25 ~~The signs must be posted within 50 feet of each entrance and~~
26 ~~exit, within 50 feet of each automated teller machine~~
27 ~~location within the licensed facility and in other~~
28 ~~appropriate public areas of the licensed facility as~~
29 ~~determined by the slot machine licensee.~~

30 ~~(2) Each racetrack where slot machines or table games~~

1 ~~are operated shall print a statement on daily racing programs~~
2 ~~provided to the general public that is similar to the~~
3 ~~following:~~

4 ~~If you or someone you know has a gambling problem, help~~
5 ~~is available. Call (Toll free telephone number).~~

6 ~~Except as otherwise provided for in paragraph (4), the toll~~
7 ~~free telephone number shall be the same telephone number~~
8 ~~established by the Department of Drug and Alcohol Programs~~
9 ~~under subsection (a.1)(1).~~

10 ~~(3) A licensed facility which fails to post or print the~~
11 ~~warning sign in accordance with paragraph (1) or (2) shall be~~
12 ~~assessed a fine of \$1,000 a day for each day the minimum~~
13 ~~number of signs are not posted or the required statement is~~
14 ~~not printed as provided in this subsection.~~

15 ~~(4) Slot machine licensees or racetracks utilizing a~~
16 ~~toll free telephone number other than the number established~~
17 ~~by the Department of Drug and Alcohol Programs under~~
18 ~~subsection (a.1)(1) prior to the effective date of this~~
19 ~~paragraph may continue to use that number for a period not to~~
20 ~~exceed three years from the effective date of this paragraph~~
21 ~~upon showing good cause to the Department of Drug and Alcohol~~
22 ~~Programs.~~

23 ~~(d) Single county authorities. The Department of [Health]~~
24 ~~Drug and Alcohol Programs shall make grants from the fund~~
25 ~~established under subsection (b) to single county authorities~~
26 ~~created pursuant to the act of April 14, 1972 (P.L.221, No.63),~~
27 ~~known as the Pennsylvania Drug and Alcohol Abuse Control Act,~~
28 ~~for the purpose of providing compulsive gambling and gambling~~
29 ~~addiction prevention, treatment and education programs.~~
30 ~~Treatment may include financial counseling, irrespective of~~

1 ~~whether the financial counseling is provided by the single~~
2 ~~county authority, the treatment service provider or~~
3 ~~subcontracted to a third party. It is the intention of the~~
4 ~~General Assembly that any grants made by the Department of~~
5 ~~{Health} Drug and Alcohol Programs to any single county~~
6 ~~authority in accordance with the provisions of this subsection~~
7 ~~be used exclusively for the development and implementation of~~
8 ~~compulsive and problem gambling programs authorized under this~~
9 ~~section.~~

10 ~~(d.1) Eligibility. Eligibility to receive treatment~~
11 ~~services for treatment of compulsive and problem gambling under~~
12 ~~this section shall be determined using financial eligibility and~~
13 ~~other requirements of the single county authorities as approved~~
14 ~~by the Department of {Health} Drug and Alcohol Programs.~~

15 ~~(d.2) Report. [No later than October 1, 2010, and each]~~
16 ~~Annually on October 1 [thereafter], the Department of {Health}~~
17 ~~Drug and Alcohol Programs, in consultation with the board, shall~~
18 ~~prepare and submit a report on the impact of the programs funded~~
19 ~~by the Compulsive and Problem Gambling Treatment Fund to the~~
20 ~~Governor and to the members of the General Assembly. The report~~
21 ~~shall include aggregate demographic specific data, including~~
22 ~~race, gender, geography and income of those individuals treated.~~

23 ~~(e) Definition. As used in subsection (d), the term "single~~
24 ~~county authority" means the agency designated by the Department~~
25 ~~of Health pursuant to the act of April 14, 1972 (P.L.221,~~
26 ~~No.63), known as the Pennsylvania Drug and Alcohol Abuse Control~~
27 ~~Act, to plan and coordinate drug and alcohol prevention,~~
28 ~~intervention and treatment services for a geographic area, which~~
29 ~~may consist of one or more counties.~~

30 ~~Section 8. Section 1518(b)(3) of Title 4 is amended and~~

1 subsection (a) is amended by adding paragraphs to read:

2 ~~§ 1518. Prohibited acts; penalties.~~

3 ~~(a) Criminal offenses.—~~

4 ~~* * *~~

5 ~~(13.2) It shall be unlawful for an individual who is~~
6 ~~under 21 years of age to enter and remain in an airport~~
7 ~~gaming area, except that an individual who is 18 years of age~~
8 ~~and employed by a slot machine licensee, a gaming service~~
9 ~~provider, the board or any other regulatory or emergency~~
10 ~~response agency may enter and remain in the area while~~
11 ~~engaged in the performance of the individual's employment~~
12 ~~duties.~~

13 ~~(13.3) It shall be unlawful for an individual who is~~
14 ~~under 21 years of age to wager, play or attempt to play an~~
15 ~~authorized airport game.~~

16 ~~* * *~~

17 ~~(b) Criminal penalties and fines.—~~

18 ~~* * *~~

19 ~~(3) An individual who commits an offense in violation of~~
20 ~~subsection (a) (13) [or], (13.1), (13.2) or (13.3) commits a~~
21 ~~nongambling summary offense and upon conviction of a first~~
22 ~~offense shall be sentenced to pay a fine of not less than~~
23 ~~\$200 nor more than \$1,000. An individual that is convicted of~~
24 ~~a second or subsequent offense under subsection (a) (13) [or], (13.1), (13.2) or (13.3) shall be sentenced to pay a fine of~~
25 ~~not less than \$500 nor more than \$1,500. In addition to the~~
26 ~~fine imposed, an individual convicted of an offense under~~
27 ~~subsection (a) (13) [or], (13.1), (13.2) or (13.3) may be~~
28 ~~sentenced to perform a period of community service not to~~
29 ~~exceed 40 hours.~~

1 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
2 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
3 CONTEXT CLEARLY INDICATES OTHERWISE:

4 "BOARD." THE PENNSYLVANIA GAMING CONTROL BOARD.

5 "CONDUCT OF GAMING." THE LICENSED PLACEMENT, OPERATION AND
6 PLAY OF SLOT MACHINES AND TABLE GAMES UNDER PART II (RELATING TO
7 GAMING) AS AUTHORIZED AND APPROVED BY THE BOARD.

8 "CONTROLLING INTEREST." EITHER OF THE FOLLOWING:

9 (1) FOR A PUBLICLY TRADED DOMESTIC OR FOREIGN
10 CORPORATION, A CONTROLLING INTEREST IS AN INTEREST IF A
11 PERSON'S SOLE VOTING RIGHTS UNDER STATE LAW OR CORPORATE
12 ARTICLES OR BYLAWS ENTITLE THE PERSON TO ELECT OR APPOINT ONE
13 OR MORE OF THE MEMBERS OF THE BOARD OF DIRECTORS OR OTHER
14 GOVERNING BOARD OR THE OWNERSHIP OR BENEFICIAL HOLDING OF 5%
15 OR MORE OF THE SECURITIES OF THE PUBLICLY TRADED CORPORATION,
16 PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER FORM OF
17 PUBLICLY TRADED LEGAL ENTITY, UNLESS THIS PRESUMPTION OF
18 CONTROL OR ABILITY TO ELECT IS REBUTTED BY CLEAR AND
19 CONVINCING EVIDENCE.

20 (2) FOR A PRIVATELY HELD DOMESTIC OR FOREIGN
21 CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER
22 FORM OF PRIVATELY HELD LEGAL ENTITY, A CONTROLLING INTEREST
23 IS THE HOLDING OF SECURITIES OF 15% OR MORE IN THE LEGAL
24 ENTITY, UNLESS THIS PRESUMPTION OF CONTROL IS REBUTTED BY
25 CLEAR AND CONVINCING EVIDENCE.

26 "DEPARTMENT." THE DEPARTMENT OF REVENUE OF THE COMMONWEALTH.

27 "ENTRY FEE." THE CASH OR CASH EQUIVALENT PAID BY A
28 PARTICIPANT TO A LICENSED OPERATOR IN ORDER TO PARTICIPATE IN A
29 FANTASY CONTEST.

30 "FANTASY CONTEST." AN ONLINE FANTASY OR SIMULATED GAME OR

1 CONTEST WITH AN ENTRY FEE AND A PRIZE OR AWARD ADMINISTERED BY A
2 LICENSED OPERATOR IN WHICH:

3 (1) THE VALUE OF ALL PRIZES OR AWARDS OFFERED TO WINNING
4 PARTICIPANTS IS ESTABLISHED AND MADE KNOWN TO PARTICIPANTS IN
5 ADVANCE OF THE CONTEST.

6 (2) ALL WINNING OUTCOMES REFLECT THE RELATIVE KNOWLEDGE
7 AND SKILL OF PARTICIPANTS AND ARE DETERMINED BY ACCUMULATED
8 STATISTICAL RESULTS OF THE PERFORMANCE OF INDIVIDUALS,
9 INCLUDING ATHLETES IN THE CASE OF SPORTS EVENTS.

10 (3) NO WINNING OUTCOME IS BASED ON THE SCORE, POINT
11 SPREAD OR PERFORMANCE OF A SINGLE ACTUAL TEAM OR COMBINATION
12 OF TEAMS OR SOLELY ON A SINGLE PERFORMANCE OF AN INDIVIDUAL
13 ATHLETE OR PLAYER IN A SINGLE ACTUAL EVENT.

14 "FANTASY CONTEST ACCOUNT." THE FORMAL ELECTRONIC SYSTEM
15 IMPLEMENTED BY A LICENSED OPERATOR TO RECORD A PARTICIPANT'S
16 ENTRY FEES, PRIZES OR AWARDS AND OTHER ACTIVITIES RELATED TO
17 PARTICIPATION IN THE LICENSED OPERATOR'S FANTASY CONTESTS.

18 "FANTASY CONTEST ADJUSTED REVENUES." FOR EACH FANTASY
19 CONTEST, THE AMOUNT EQUAL TO THE TOTAL AMOUNT OF ALL ENTRY FEES
20 COLLECTED FROM ALL PARTICIPANTS ENTERING THE FANTASY CONTEST
21 MINUS PRIZES OR AWARDS PAID TO PARTICIPANTS IN THE FANTASY
22 CONTEST, MULTIPLIED BY THE IN-STATE PERCENTAGE.

23 "FANTASY CONTEST LICENSE." A LICENSE ISSUED BY THE BOARD
24 AUTHORIZING A PERSON TO OFFER FANTASY CONTESTS IN THIS
25 COMMONWEALTH IN ACCORDANCE WITH THIS CHAPTER.

26 "GAMING SERVICE PROVIDER." AS DEFINED IN SECTION 1103
27 (RELATING TO DEFINITIONS).

28 "IN-STATE PARTICIPANT." AN INDIVIDUAL WHO PARTICIPATES IN A
29 FANTASY CONTEST CONDUCTED BY A LICENSED OPERATOR AND PAYS A FEE
30 TO A LICENSED OPERATOR FROM A LOCATION WITHIN THIS COMMONWEALTH.

1 "IN-STATE PERCENTAGE." FOR EACH FANTASY CONTEST, THE
2 PERCENTAGE, ROUNDED TO THE NEAREST TENTH OF A PERCENT, EQUAL TO
3 THE TOTAL ENTRY FEES COLLECTED FROM ALL IN-STATE PARTICIPANTS
4 DIVIDED BY THE TOTAL ENTRY FEES COLLECTED FROM ALL PARTICIPANTS
5 IN THE FANTASY CONTEST.

6 "KEY EMPLOYEE." AN INDIVIDUAL WHO IS EMPLOYED BY AN
7 APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR
8 IN A DIRECTOR OR DEPARTMENT HEAD CAPACITY AND WHO IS EMPOWERED
9 TO MAKE DISCRETIONARY DECISIONS THAT REGULATE FANTASY CONTEST
10 OPERATIONS AS DETERMINED BY THE BOARD.

11 "LICENSED ENTITY REPRESENTATIVE." A PERSON, INCLUDING AN
12 ATTORNEY, AGENT OR LOBBYIST, ACTING ON BEHALF OF OR AUTHORIZED
13 TO REPRESENT THE INTEREST OF AN APPLICANT, LICENSEE OR OTHER
14 PERSON AUTHORIZED BY THE BOARD TO ENGAGE IN AN ACT OR ACTIVITY
15 WHICH IS REGULATED UNDER THIS CHAPTER REGARDING A MATTER BEFORE,
16 OR WHICH MAY BE REASONABLY EXPECTED TO COME BEFORE, THE BOARD.

17 "LICENSED GAMING ENTITY." AS DEFINED IN SECTION 1103
18 (RELATING TO DEFINITIONS).

19 "LICENSED OPERATOR." A PERSON WHO HOLDS A FANTASY CONTEST
20 LICENSE.

21 "PARTICIPANT." AN INDIVIDUAL WHO PARTICIPATES IN A FANTASY
22 CONTEST, WHETHER THE INDIVIDUAL IS LOCATED IN THIS COMMONWEALTH
23 OR ANOTHER JURISDICTION.

24 "PERSON." A NATURAL PERSON, CORPORATION, PUBLICLY TRADED
25 CORPORATION, FOUNDATION, ORGANIZATION, BUSINESS TRUST, ESTATE,
26 LIMITED LIABILITY COMPANY, LICENSED CORPORATION, TRUST,
27 PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, ASSOCIATION OR OTHER
28 FORM OF LEGAL BUSINESS ENTITY.

29 "PRINCIPAL." AN OFFICER, A DIRECTOR, A PERSON WHO DIRECTLY
30 HOLDS A BENEFICIAL INTEREST IN OR OWNERSHIP OF THE SECURITIES OF

1 AN APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED
2 OPERATOR, A PERSON WHO HAS A CONTROLLING INTEREST IN AN
3 APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR
4 OR WHO HAS THE ABILITY TO ELECT A MAJORITY OF THE BOARD OF
5 DIRECTORS OF A LICENSED OPERATOR OR TO OTHERWISE CONTROL A
6 LICENSED OPERATOR, A LENDER OR OTHER LICENSED FINANCIAL
7 INSTITUTION OF AN APPLICANT FOR A FANTASY CONTEST LICENSE OR A
8 LICENSED OPERATOR, OTHER THAN A BANK OR LENDING INSTITUTION
9 WHICH MAKES A LOAN OR HOLDS A MORTGAGE OR OTHER LIEN ACQUIRED IN
10 THE ORDINARY COURSE OF BUSINESS, AN UNDERWRITER OF AN APPLICANT
11 FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR OR OTHER
12 PERSON OR EMPLOYEE OF AN APPLICANT FOR A FANTASY CONTEST LICENSE
13 OR A LICENSED OPERATOR DEEMED TO BE A PRINCIPAL BY THE BOARD.

14 "PRIZE OR AWARD." ANYTHING OF VALUE WORTH \$100 OR MORE OR
15 ANY AMOUNT OF CASH OR CASH EQUIVALENTS.

16 "PUBLICLY TRADED CORPORATION." A PERSON, OTHER THAN AN
17 INDIVIDUAL, THAT:

18 (1) HAS A CLASS OR SERIES OF SECURITIES REGISTERED UNDER
19 THE SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881, 15 U.S.C.
20 § 78A ET SEQ.);

21 (2) IS A REGISTERED MANAGEMENT COMPANY UNDER THE
22 INVESTMENT COMPANY ACT OF 1940 (54 STAT. 789, 15 U.S.C. §
23 80A-1 ET SEQ.); OR

24 (3) IS SUBJECT TO THE REPORTING OBLIGATIONS IMPOSED BY
25 SECTION 15(D) OF THE SECURITIES EXCHANGE ACT OF 1934 BY
26 REASON OF HAVING FILED A REGISTRATION STATEMENT THAT HAS
27 BECOME EFFECTIVE UNDER THE SECURITIES ACT OF 1933 (48 STAT.
28 74, 15 U.S.C. § 77A ET SEQ.).

29 "SCRIPT." A COMPUTER PROGRAM CREATED BY A PARTICIPANT OR
30 THIRD PARTY NOT APPROVED BY THE LICENSED OPERATOR TO AUTOMATE

1 PROCESSES ON A LICENSED OPERATOR'S FANTASY CONTEST PLATFORM.
2 "SEASON-LONG FANTASY CONTEST." A FANTASY CONTEST OFFERED BY
3 A LICENSED OPERATOR THAT IS CONDUCTED OVER AN ENTIRE SPORTS
4 SEASON.

5 SUBCHAPTER B

6 ADMINISTRATION

7 SEC.

8 311. GENERAL AND SPECIFIC POWERS OF BOARD.

9 312. TEMPORARY REGULATIONS.

10 313. FANTASY CONTEST LICENSE APPEALS.

11 314. BOARD MINUTES AND RECORDS.

12 315. REPORTS OF BOARD.

13 § 311. GENERAL AND SPECIFIC POWERS OF BOARD.

14 (A) GENERAL POWERS.--

15 (1) THE BOARD SHALL HAVE REGULATORY AUTHORITY OVER
16 LICENSED OPERATORS, PRINCIPALS AND KEY EMPLOYEES AND SHALL
17 ENSURE THE INTEGRITY OF FANTASY CONTESTS OFFERED IN THIS
18 COMMONWEALTH IN ACCORDANCE WITH THIS CHAPTER.

19 (2) THE BOARD MAY EMPLOY INDIVIDUALS AS NECESSARY TO
20 CARRY OUT THE REQUIREMENTS OF THIS CHAPTER WHO SHALL SERVE AT
21 THE BOARD'S PLEASURE. AN EMPLOYEE OF THE BOARD SHALL BE
22 CONSIDERED A STATE EMPLOYEE FOR PURPOSES OF 71 PA.C.S. PT.
23 XXV (RELATING TO RETIREMENT FOR STATE EMPLOYEES AND
24 OFFICERS).

25 (B) SPECIFIC POWERS.--THE BOARD SHALL HAVE THE FOLLOWING
26 POWERS:

27 (1) AT THE BOARD'S DISCRETION, TO ISSUE, APPROVE, RENEW,
28 REVOKE, SUSPEND, CONDITION OR DENY ISSUANCE OF LICENSES.

29 (2) AT THE BOARD'S DISCRETION, TO SUSPEND, CONDITION OR
30 DENY THE ISSUANCE OR RENEWAL OF A LICENSE OR LEVY FINES FOR

1 ANY VIOLATION OF THIS CHAPTER.

2 (3) TO PUBLISH EACH JANUARY ON THE BOARD'S PUBLICLY
3 ACCESSIBLE INTERNET WEBSITE A COMPLETE LIST OF ALL PERSONS
4 WHO APPLIED FOR OR HELD A FANTASY CONTEST LICENSE AT ANY TIME
5 DURING THE PRECEDING CALENDAR YEAR AND THE STATUS OF THE
6 APPLICATION OR FANTASY CONTEST LICENSE.

7 (4) TO PREPARE AND, THROUGH THE GOVERNOR, SUBMIT
8 ANNUALLY TO THE GENERAL ASSEMBLY AN ITEMIZED BUDGET
9 CONSISTENT WITH ARTICLE VI OF THE ACT OF APRIL 9, 1929
10 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929,
11 CONSISTING OF THE AMOUNTS NECESSARY TO BE APPROPRIATED BY THE
12 GENERAL ASSEMBLY OUT OF THE ACCOUNTS ESTABLISHED UNDER
13 SECTION 332 (RELATING TO LICENSED OPERATOR DEPOSITS) REQUIRED
14 TO MEET THE OBLIGATIONS UNDER THIS CHAPTER ACCRUING DURING
15 THE FISCAL PERIOD BEGINNING JULY 1 OF THE FOLLOWING YEAR.

16 (5) IN THE EVENT THAT, IN ANY YEAR, APPROPRIATIONS FOR
17 THE ADMINISTRATION OF THIS CHAPTER ARE NOT ENACTED BY JUNE
18 30, ANY FUNDS APPROPRIATED FOR THE ADMINISTRATION OF THIS
19 CHAPTER WHICH ARE UNEXPENDED, UNCOMMITTED AND UNENCUMBERED AT
20 THE END OF A FISCAL YEAR SHALL REMAIN AVAILABLE FOR
21 EXPENDITURE BY THE BOARD UNTIL THE ENACTMENT OF
22 APPROPRIATIONS FOR THE ENSUING FISCAL YEAR.

23 (6) TO PROMULGATE RULES AND REGULATIONS NECESSARY FOR
24 THE ADMINISTRATION AND ENFORCEMENT OF THIS CHAPTER. EXCEPT AS
25 PROVIDED IN SECTION 312 (RELATING TO TEMPORARY REGULATIONS),
26 REGULATIONS SHALL BE ADOPTED UNDER THE ACT OF JULY 31, 1968
27 (P.L.769, NO.240), REFERRED TO AS THE COMMONWEALTH DOCUMENTS
28 LAW, AND THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
29 THE REGULATORY REVIEW ACT.

30 (7) TO ADMINISTER OATHS, EXAMINE WITNESSES AND ISSUE

1 SUBPOENAS COMPELLING THE ATTENDANCE OF WITNESSES OR THE
2 PRODUCTION OF DOCUMENTS AND RECORDS OR OTHER EVIDENCE OR TO
3 DESIGNATE OFFICERS OR EMPLOYEES TO PERFORM DUTIES REQUIRED BY
4 THIS CHAPTER.

5 (7.1) TO REQUIRE PROSPECTIVE AND EXISTING EMPLOYEES,
6 INDEPENDENT CONTRACTORS, APPLICANTS, LICENSEES AND PERMITTEES
7 TO SUBMIT TO FINGERPRINTING BY THE PENNSYLVANIA STATE POLICE
8 OR AN AUTHORIZED AGENT OF THE PENNSYLVANIA STATE POLICE. THE
9 PENNSYLVANIA STATE POLICE SHALL SUBMIT THE FINGERPRINTS TO
10 THE FEDERAL BUREAU OF INVESTIGATION FOR PURPOSES OF VERIFYING
11 THE IDENTITY OF THE INDIVIDUAL AND OBTAINING RECORDS OF
12 CRIMINAL ARRESTS AND CONVICTIONS.

13 (7.2) TO REQUIRE PROSPECTIVE AND EXISTING EMPLOYEES,
14 INDEPENDENT CONTRACTORS, APPLICANTS, LICENSEES AND PERMITTEES
15 TO SUBMIT PHOTOGRAPHS CONSISTENT WITH THE STANDARDS
16 ESTABLISHED BY THE BOARD.

17 (8) AT THE BOARD'S DISCRETION, TO DELEGATE ANY OF THE
18 BOARD'S RESPONSIBILITIES UNDER THIS CHAPTER TO THE EXECUTIVE
19 DIRECTOR OF THE BOARD OR OTHER DESIGNATED STAFF.

20 (9) TO REQUIRE LICENSED OPERATORS AND APPLICANTS FOR A
21 FANTASY CONTEST LICENSE TO SUBMIT INFORMATION OR
22 DOCUMENTATION NECESSARY TO ENSURE THE PROPER REGULATION OF
23 FANTASY CONTESTS IN ACCORDANCE WITH THIS CHAPTER.

24 (10) TO REQUIRE LICENSED OPERATORS, EXCEPT FOR A
25 LICENSED OPERATOR OPERATING SEASON-LONG FANTASY CONTESTS THAT
26 GENERATE LESS THAN \$250,000 IN SEASON-LONG FANTASY CONTEST
27 ADJUSTED REVENUE, UNLESS THE BOARD DETERMINES OTHERWISE, TO:

28 (I) ANNUALLY CONTRACT WITH A CERTIFIED PUBLIC
29 ACCOUNTANT TO CONDUCT AN INDEPENDENT AUDIT IN ACCORDANCE
30 WITH STANDARDS ADOPTED BY THE AMERICAN INSTITUTE OF

1 CERTIFIED PUBLIC ACCOUNTANTS TO VERIFY COMPLIANCE WITH
2 THE PROVISIONS OF THIS CHAPTER AND BOARD REGULATIONS;

3 (II) ANNUALLY CONTRACT WITH A TESTING LABORATORY
4 APPROVED BY THE BOARD TO VERIFY COMPLIANCE WITH THE
5 PROVISIONS OF THIS CHAPTER AND BOARD REGULATIONS; AND

6 (III) ANNUALLY SUBMIT TO THE BOARD AND DEPARTMENT A
7 COPY OF THE AUDIT REPORT REQUIRED BY SUBPARAGRAPH (I) AND
8 SUBMIT TO THE BOARD A COPY OF THE REPORT OF THE TESTING
9 LABORATORY REQUIRED BY SUBPARAGRAPH (II).

10 (11) IN CONJUNCTION WITH THE DEPARTMENT OF DRUG AND
11 ALCOHOL PROGRAMS OR SUCCESSOR AGENCY, TO DEVELOP A PROCESS BY
12 WHICH LICENSED OPERATORS PROVIDE PARTICIPANTS WITH A TOLL-
13 FREE TELEPHONE NUMBER THAT PROVIDES INDIVIDUALS WITH
14 INFORMATION ON HOW TO ACCESS APPROPRIATE TREATMENT SERVICES
15 FOR COMPULSIVE AND PROBLEM PLAY.

16 (B.1) LICENSED ENTITY REPRESENTATIVE.--

17 (1) A LICENSED ENTITY REPRESENTATIVE SHALL REGISTER WITH
18 THE BOARD, IN A MANNER PRESCRIBED BY THE BOARD. THE
19 REGISTRATION SHALL INCLUDE THE NAME, EMPLOYER OR FIRM,
20 BUSINESS ADDRESS AND BUSINESS TELEPHONE NUMBER OF BOTH THE
21 LICENSED ENTITY REPRESENTATIVE AND ANY LICENSED OPERATOR,
22 APPLICANT FOR LICENSURE OR OTHER PERSON BEING REPRESENTED.

23 (2) A LICENSED ENTITY REPRESENTATIVE SHALL HAVE AN
24 AFFIRMATIVE DUTY TO UPDATE ITS REGISTRATION INFORMATION ON AN
25 ONGOING BASIS. FAILURE TO UPDATE SHALL BE PUNISHABLE BY THE
26 BOARD.

27 (3) THE BOARD SHALL MAINTAIN A LIST OF LICENSED ENTITY
28 REPRESENTATIVES WHICH SHALL CONTAIN THE INFORMATION REQUIRED
29 UNDER PARAGRAPH (1) AND SHALL BE AVAILABLE ON THE BOARD'S
30 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

1 (C) EXCEPTIONS.--EXCEPT AS PROVIDED UNDER SECTION 342
2 (RELATING TO LICENSED GAMING ENTITIES), NOTHING IN THIS SECTION
3 SHALL BE CONSTRUED TO AUTHORIZE THE BOARD:

4 (1) TO REQUIRE BACKGROUND INVESTIGATIONS FOR EMPLOYEES,
5 OTHER THAN KEY EMPLOYEES AND PRINCIPALS, OF AN APPLICANT FOR
6 A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR.

7 (2) TO REQUIRE ADDITIONAL PERMITS OR LICENSES NOT
8 SPECIFICALLY ENUMERATED IN THIS CHAPTER.

9 (3) TO IMPOSE ADDITIONAL CONDITIONS OF LICENSURE ON
10 LICENSED OPERATORS OR PROHIBITIONS ON THE OPERATION OF
11 FANTASY CONTESTS NOT SPECIFICALLY ENUMERATED IN THIS CHAPTER.

12 (D) ADDITIONAL POWERS.--THE BOARD MAY DEVELOP ADDITIONAL
13 CLASSIFICATIONS, INVESTIGATIONS AND CONDITIONS AS IT DEEMS
14 APPROPRIATE.

15 § 312. TEMPORARY REGULATIONS.

16 (A) PROMULGATION.--IN ORDER TO FACILITATE THE PROMPT
17 IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED BY THE
18 BOARD SHALL BE DEEMED TEMPORARY REGULATIONS AND SHALL EXPIRE NO
19 LATER THAN TWO YEARS FOLLOWING PUBLICATION. THE BOARD MAY
20 PROMULGATE TEMPORARY REGULATIONS NOT SUBJECT TO:

21 (1) SECTIONS 201, 202 AND 203 OF THE ACT OF JULY 31,
22 1968 (P.L.769, NO.240), REFERRED TO AS THE COMMONWEALTH
23 DOCUMENTS LAW.

24 (2) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
25 THE REGULATORY REVIEW ACT.

26 (B) EXPIRATION.--EXCEPT FOR TEMPORARY REGULATIONS CONCERNING
27 NEW FANTASY CONTESTS OR VARIATIONS OF APPROVED FANTASY CONTESTS,
28 NETWORK CONNECTIVITY, SECURITY AND TESTING AND COMPULSIVE AND
29 PROBLEM PLAY, THE AUTHORITY PROVIDED TO THE BOARD TO ADOPT
30 TEMPORARY REGULATIONS IN SUBSECTION (A) SHALL EXPIRE NO LATER

1 THAN TWO YEARS FOLLOWING THE EFFECTIVE DATE OF THIS SECTION.
2 REGULATIONS ADOPTED AFTER THIS PERIOD SHALL BE PROMULGATED AS
3 PROVIDED BY LAW.

4 § 313. FANTASY CONTEST LICENSE APPEALS.

5 AN APPLICANT MAY APPEAL ANY FINAL ORDER, DETERMINATION OR
6 DECISION OF THE BOARD INVOLVING THE APPROVAL, ISSUANCE, DENIAL,
7 REVOCATION OR CONDITIONING OF A FANTASY CONTEST LICENSE IN
8 ACCORDANCE WITH 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO PRACTICE
9 AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH. A (RELATING
10 TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY ACTION).

11 § 314. BOARD MINUTES AND RECORDS.

12 (A) RECORD OF PROCEEDINGS.--THE BOARD SHALL MAINTAIN A
13 RECORD OF ALL PROCEEDINGS HELD AT PUBLIC MEETINGS OF THE BOARD.
14 THE VERBATIM TRANSCRIPT OF THE PROCEEDINGS SHALL BE THE PROPERTY
15 OF THE BOARD AND SHALL BE PREPARED BY THE BOARD UPON THE REQUEST
16 OF ANY BOARD MEMBER OR UPON THE REQUEST OF ANOTHER PERSON AND
17 THE PAYMENT BY THAT PERSON OF THE COSTS OF PREPARATION.

18 (B) APPLICANT INFORMATION.--

19 (1) THE BOARD SHALL MAINTAIN A LIST OF ALL APPLICANTS
20 FOR A FANTASY CONTEST LICENSE. THE LIST SHALL INCLUDE A
21 RECORD OF ALL ACTIONS TAKEN WITH RESPECT TO EACH APPLICANT.
22 THE LIST SHALL BE POSTED ON THE BOARD'S PUBLICLY ACCESSIBLE
23 INTERNET WEBSITE.

24 (2) INFORMATION UNDER PARAGRAPH (1) REGARDING AN
25 APPLICANT WHOSE FANTASY CONTEST LICENSE HAS BEEN DENIED,
26 REVOKED OR NOT RENEWED SHALL BE REMOVED FROM THE LIST AFTER
27 SEVEN YEARS FROM THE DATE OF THE ACTION.

28 (C) OTHER FILES AND RECORDS.--THE BOARD SHALL MAINTAIN OTHER
29 FILES AND RECORDS AS IT MAY DEEM APPROPRIATE.

30 (D) CONFIDENTIALITY OF INFORMATION.--

1 (1) THE FOLLOWING INFORMATION SUBMITTED BY AN APPLICANT
2 FOR A FANTASY CONTEST LICENSE UNDER SECTION 322 (RELATING TO
3 APPLICATION) OR OTHERWISE OBTAINED BY THE BOARD AS PART OF A
4 BACKGROUND INVESTIGATION OR OTHER INVESTIGATION FROM ANY
5 SOURCE SHALL BE CONFIDENTIAL AND WITHHELD FROM PUBLIC
6 DISCLOSURE:

7 (I) ALL INFORMATION RELATING TO CHARACTER, HONESTY
8 AND INTEGRITY, INCLUDING FAMILY, HABITS, REPUTATION,
9 HISTORY OF CRIMINAL ACTIVITY, BUSINESS ACTIVITIES,
10 FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL AND PERSONAL
11 ASSOCIATIONS.

12 (II) NONPUBLIC PERSONAL INFORMATION, INCLUDING HOME
13 ADDRESSES, TELEPHONE NUMBERS AND OTHER PERSONAL CONTACT
14 INFORMATION, SOCIAL SECURITY NUMBERS, EDUCATIONAL
15 RECORDS, MEMBERSHIPS, MEDICAL RECORDS, TAX RETURNS AND
16 DECLARATIONS, ACTUAL OR PROPOSED COMPENSATION, FINANCIAL
17 ACCOUNT RECORDS, CREDITWORTHINESS OR FINANCIAL CONDITION
18 RELATING TO AN APPLICANT.

19 (III) INFORMATION RELATING TO PROPRIETARY
20 INFORMATION, TRADE SECRETS, PATENTS OR EXCLUSIVE
21 LICENSES, ARCHITECTURAL AND ENGINEERING PLANS AND
22 INFORMATION RELATING TO COMPETITIVE MARKETING MATERIALS
23 AND STRATEGIES THAT MAY INCLUDE CUSTOMER-IDENTIFYING
24 INFORMATION OR CUSTOMER PROSPECTS FOR SERVICES SUBJECT TO
25 COMPETITION.

26 (IV) INFORMATION WITH RESPECT TO WHICH THERE IS A
27 REASONABLE POSSIBILITY THAT PUBLIC RELEASE OR INSPECTION
28 OF THE INFORMATION WOULD CONSTITUTE AN UNWARRANTED
29 INVASION INTO PERSONAL PRIVACY OF AN INDIVIDUAL AS
30 DETERMINED BY THE BOARD.

1 (V) RECORDS OF AN APPLICANT FOR A FANTASY CONTEST
2 LICENSE OR A LICENSED OPERATOR NOT REQUIRED TO BE FILED
3 WITH THE SECURITIES AND EXCHANGE COMMISSION BY ISSUERS
4 THAT EITHER HAVE SECURITIES REGISTERED UNDER SECTION 12
5 OF THE SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881, 15
6 U.S.C. § 78L) OR ARE REQUIRED TO FILE REPORTS UNDER
7 SECTION 15(D) OF THE SECURITIES EXCHANGE ACT OF 1934 (48
8 STAT. 881, 15 U.S.C. § 780)

9 (VI) RECORDS CONSIDERED NONPUBLIC MATTERS OR
10 INFORMATION BY THE SECURITIES AND EXCHANGE COMMISSION AS
11 PROVIDED BY 17 CFR 200.80 (RELATING TO COMMISSION RECORDS
12 AND INFORMATION).

13 (VII) FINANCIAL OR SECURITY INFORMATION DEEMED
14 CONFIDENTIAL BY THE BOARD UPON A SHOWING OF GOOD CAUSE BY
15 THE APPLICANT FOR A FANTASY CONTEST LICENSE OR LICENSED
16 OPERATOR.

17 (2) NO CLAIM OF CONFIDENTIALITY MAY BE MADE REGARDING
18 ANY CRIMINAL HISTORY RECORD INFORMATION THAT IS AVAILABLE TO
19 THE PUBLIC UNDER 18 PA.C.S. § 9121(B) (RELATING TO GENERAL
20 REGULATIONS).

21 (3) NO CLAIM OF CONFIDENTIALITY SHALL BE MADE REGARDING
22 ANY RECORD IN POSSESSION OF THE BOARD THAT IS OTHERWISE
23 PUBLICLY AVAILABLE FROM A COMMONWEALTH AGENCY, LOCAL AGENCY
24 OR ANOTHER JURISDICTION.

25 (4) THE INFORMATION MADE CONFIDENTIAL UNDER THIS SECTION
26 SHALL BE WITHHELD FROM PUBLIC DISCLOSURE, IN WHOLE OR IN
27 PART, EXCEPT THAT ANY CONFIDENTIAL INFORMATION SHALL BE
28 RELEASED UPON THE ORDER OF A COURT OF COMPETENT JURISDICTION
29 OR, WITH THE APPROVAL OF THE ATTORNEY GENERAL, TO A DULY
30 AUTHORIZED LAW ENFORCEMENT AGENCY OR SHALL BE RELEASED TO THE

1 PUBLIC, IN WHOLE OR IN PART, TO THE EXTENT THAT THE RELEASE
2 IS REQUESTED BY AN APPLICANT FOR A FANTASY CONTEST LICENSE OR
3 LICENSED OPERATOR AND DOES NOT OTHERWISE CONTAIN CONFIDENTIAL
4 INFORMATION ABOUT ANOTHER PERSON.

5 (5) THE BOARD MAY SEEK A VOLUNTARY WAIVER OF
6 CONFIDENTIALITY FROM AN APPLICANT FOR A FANTASY CONTEST
7 LICENSE OR A LICENSED OPERATOR, BUT MAY NOT REQUIRE AN
8 APPLICANT OR LICENSED OPERATOR TO WAIVE ANY CONFIDENTIALITY
9 PROVIDED FOR IN THIS SUBSECTION AS A CONDITION FOR THE
10 APPROVAL OF AN APPLICATION, RENEWAL OF A FANTASY CONTEST
11 LICENSE OR OTHER ACTION OF THE BOARD.

12 (E) NOTICE.--NOTICE OF THE CONTENTS OF INFORMATION, EXCEPT
13 TO A DULY AUTHORIZED LAW ENFORCEMENT AGENCY UNDER THIS SECTION,
14 SHALL BE GIVEN TO AN APPLICANT OR LICENSEE IN A MANNER
15 PRESCRIBED BY THE RULES AND REGULATIONS ADOPTED BY THE BOARD.

16 (F) INFORMATION HELD BY DEPARTMENT.--FILES, RECORDS, REPORTS
17 AND OTHER INFORMATION IN THE POSSESSION OF THE DEPARTMENT
18 PERTAINING TO LICENSED OPERATORS SHALL BE MADE AVAILABLE TO THE
19 BOARD AS MAY BE NECESSARY FOR THE EFFECTIVE ADMINISTRATION OF
20 THIS CHAPTER.

21 § 315. REPORTS OF BOARD.

22 (A) GENERAL RULE.--THE ANNUAL REPORT SUBMITTED BY THE BOARD
23 UNDER SECTION 1211 (RELATING TO REPORTS OF BOARD) SHALL INCLUDE
24 THE FOLLOWING INFORMATION ON THE CONDUCT OF FANTASY CONTESTS:

25 (1) TOTAL FANTASY CONTEST ADJUSTED REVENUES.

26 (2) ALL TAXES, FEES, FINES AND OTHER REVENUE COLLECTED
27 FROM LICENSED OPERATORS DURING THE PREVIOUS YEAR. THE
28 DEPARTMENT SHALL COLLABORATE WITH THE BOARD TO CARRY OUT THE
29 REQUIREMENTS OF THIS SECTION.

30 (3) AT THE BOARD'S DISCRETION, ANY OTHER INFORMATION

1 RELATED TO THE CONDUCT OF FANTASY CONTESTS OR LICENSED
2 OPERATORS.

3 (B) LICENSED OPERATORS.--THE BOARD MAY REQUIRE LICENSED
4 OPERATORS TO PROVIDE INFORMATION TO THE BOARD TO ASSIST IN THE
5 PREPARATION OF THE REPORT.

6 SUBCHAPTER C

7 LICENSURE

8 SEC.

9 321. GENERAL PROHIBITION.

10 322. APPLICATION.

11 323. ISSUANCE AND DENIAL OF LICENSE.

12 324. LICENSE RENEWAL.

13 325. CONDITIONS OF LICENSURE.

14 326. PROHIBITIONS.

15 327. CHANGE IN OWNERSHIP OR CONTROL OF LICENSED OPERATORS.

16 328. PENALTIES.

17 § 321. GENERAL PROHIBITION.

18 (A) GENERAL RULE.--EXCEPT AS PROVIDED FOR IN SUBSECTION (B),
19 NO PERSON MAY OFFER OR OTHERWISE MAKE AVAILABLE FOR PLAY IN THIS
20 COMMONWEALTH A FANTASY CONTEST WITHOUT A FANTASY CONTEST LICENSE
21 ISSUED BY THE BOARD.

22 (B) EXISTING ACTIVITY.--A PERSON WHO APPLIES FOR OR RENEWS A
23 FANTASY CONTEST LICENSE IN ACCORDANCE WITH THIS CHAPTER MAY
24 OPERATE DURING THE APPLICATION OR RENEWAL PERIOD UNLESS:

25 (1) THE BOARD HAS REASONABLE CAUSE TO BELIEVE THE PERSON
26 IS OR MAY BE IN VIOLATION OF THE PROVISIONS OF THIS CHAPTER.

27 (2) THE BOARD REQUIRES THE PERSON TO SUSPEND THE
28 OPERATION OF ANY FANTASY CONTEST UNTIL THE LICENSE IS ISSUED
29 OR RENEWED.

30 § 322. APPLICATION.

1 (A) FORM AND INFORMATION.--AN APPLICATION FOR A LICENSE
2 SHALL BE SUBMITTED ON A FORM AND IN A MANNER AS SHALL BE
3 REQUIRED BY THE BOARD. AN APPLICATION FOR A FANTASY CONTEST
4 LICENSE SHALL CONTAIN THE FOLLOWING INFORMATION:

5 (1) THE NAME, FEDERAL EMPLOYER IDENTIFICATION NUMBER AND
6 PRINCIPAL ADDRESS OF THE APPLICANT; IF A CORPORATION, THE
7 STATE OF ITS INCORPORATION, THE FULL NAME AND ADDRESS OF EACH
8 OFFICER AND DIRECTOR OF THE CORPORATION, AND, IF A FOREIGN
9 CORPORATION, WHETHER IT IS QUALIFIED TO DO BUSINESS IN THIS
10 COMMONWEALTH; IF A PARTNERSHIP OR JOINT VENTURE, THE NAME AND
11 ADDRESS OF EACH OFFICER OF THE PARTNERSHIP OR JOINT VENTURE.

12 (2) THE NAME AND ADDRESS OF THE PERSON HAVING CUSTODY OF
13 THE APPLICANT'S FINANCIAL RECORDS.

14 (3) THE NAMES AND ADDRESSES OF KEY EMPLOYEES.

15 (4) THE NAMES AND ADDRESSES OF EACH OF THE APPLICANT'S
16 PRINCIPALS.

17 (5) INFORMATION, DOCUMENTATION AND ASSURANCES RELATED TO
18 FINANCIAL AND CRIMINAL HISTORY AS THE BOARD DEEMS NECESSARY
19 TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL
20 AND CHARACTER SUITABILITY, INTEGRITY AND RESPONSIBILITY OF
21 THE APPLICANT AND THE APPLICANT'S KEY EMPLOYEES AND
22 PRINCIPALS.

23 (6) INFORMATION AND DOCUMENTATION NECESSARY TO ESTABLISH
24 THE APPLICANT'S ABILITY TO COMPLY WITH SECTION 325 (RELATING
25 TO CONDITIONS OF LICENSURE).

26 (7) ANY OTHER INFORMATION REQUIRED BY THE BOARD.

27 (B) APPLICATION FEE.--EACH APPLICATION SUBMITTED UNDER THIS
28 CHAPTER SHALL BE ACCOMPANIED BY AN APPLICATION FEE WHICH SHALL
29 BE DETERMINED BY THE BOARD. THE FEES ESTABLISHED BY THE BOARD
30 SHALL BE UTILIZED TO PAY ALL COSTS INCURRED BY THE BOARD TO

1 FULFILL THE REQUIREMENTS OF THIS SECTION AND SECTION 323
2 (RELATING TO ISSUANCE AND DENIAL OF LICENSE). IF THE FEE IS
3 GREATER THAN THE COSTS INCURRED BY THE BOARD, THEN THE BOARD
4 SHALL REMIT THE DIFFERENCE TO THE APPLICANT.

5 (C) ADDITIONAL INFORMATION.--A PERSON APPLYING FOR A FANTASY
6 CONTEST LICENSE SHALL HAVE THE CONTINUING DUTY TO PROVIDE
7 INFORMATION REQUIRED BY THE BOARD AND TO COOPERATE IN ANY
8 INQUIRY OR INVESTIGATION.

9 (D) ABBREVIATED APPLICATION PROCESS.--THE BOARD, AT ITS
10 DISCRETION, MAY ESTABLISH AN ABBREVIATED APPLICATION PROCESS FOR
11 A FANTASY CONTEST LICENSE FOR PERSONS THAT ARE ALSO LICENSED
12 GAMING ENTITIES. THE ABBREVIATED APPLICATION MAY ONLY REQUIRE
13 INFORMATION NOT IN POSSESSION OF THE BOARD THAT IS NECESSARY TO
14 FULFILL THE REQUIREMENTS OF THIS CHAPTER.

15 § 323. ISSUANCE AND DENIAL OF LICENSE.

16 (A) DUTY TO REVIEW APPLICATIONS.--THE BOARD SHALL REVIEW ALL
17 APPLICATIONS FOR A LICENSE AND SHALL ISSUE A LICENSE TO ANY
18 APPLICANT THAT:

19 (1) HAS SUBMITTED A COMPLETED APPLICATION AND PAID THE
20 NONREFUNDABLE APPLICATION FEE AS REQUIRED BY THE BOARD UNDER
21 SECTION 322 (RELATING TO APPLICATION).

22 (2) HAS DEMONSTRATED THAT THE APPLICANT HAS THE
23 FINANCIAL STABILITY, INTEGRITY AND RESPONSIBILITY TO COMPLY
24 WITH THE PROVISIONS OF THIS CHAPTER AND REGULATIONS
25 ESTABLISHED BY THE BOARD.

26 (3) HAS NOT BEEN DENIED A LICENSE UNDER SUBSECTION (B).

27 (B) REASONS TO DENY APPLICATIONS.--THE BOARD MAY DENY AN
28 APPLICATION FOR A LICENSE IF THE APPLICANT:

29 (1) HAS KNOWINGLY MADE A FALSE STATEMENT OF MATERIAL
30 FACT OR HAS DELIBERATELY FAILED TO DISCLOSE ANY INFORMATION

1 REQUESTED;

2 (2) EMPLOYS A PRINCIPAL OR KEY EMPLOYEE WHO HAS BEEN
3 CONVICTED OF A FELONY, A CRIME OF MORAL TURPITUDE OR ANY
4 CRIMINAL OFFENSE INVOLVING DISHONESTY OR BREACH OF TRUST
5 WITHIN 10 YEARS PRIOR TO THE DATE OF THE APPLICATION FOR
6 LICENSE;

7 (3) HAS AT ANY TIME KNOWINGLY FAILED TO COMPLY WITH THE
8 PROVISIONS OF THIS CHAPTER OR REQUIREMENTS OF THE BOARD;

9 (4) HAS HAD A REGISTRATION, PERMIT OR LICENSE TO CONDUCT
10 FANTASY CONTESTS DENIED OR REVOKED IN ANOTHER JURISDICTION;

11 (5) HAS LEGALLY DEFAULTED IN THE PAYMENT OF AN
12 OBLIGATION OR DEBT DUE TO THE COMMONWEALTH OR IS NOT
13 COMPLIANT WITH TAXES DUE; OR

14 (6) IS NOT QUALIFIED TO DO BUSINESS IN THIS COMMONWEALTH
15 OR IS NOT SUBJECT TO THE JURISDICTION OF THE COURTS OF THE
16 COMMONWEALTH.

17 (C) TIME PERIOD FOR REVIEW.--THE BOARD SHALL CONCLUDE ITS
18 REVIEW OF AN APPLICATION FOR A FANTASY CONTEST LICENSE WITHIN
19 180 DAYS OF RECEIPT OF THE COMPLETED APPLICATION. IF THE LICENSE
20 IS NOT ISSUED, THE BOARD SHALL PROVIDE THE APPLICANT WITH THE
21 JUSTIFICATION FOR NOT ISSUING A LICENSE WITH SPECIFICITY.

22 (D) LICENSE FEE.--

23 (1) WITHIN 30 DAYS OF THE BOARD ISSUING A FANTASY
24 CONTEST LICENSE, AN APPLICANT SHALL PAY TO THE BOARD A
25 LICENSE FEE OF \$50,000 OR AN AMOUNT EQUIVALENT TO 7.5% OF THE
26 APPLICANT'S FANTASY CONTEST ADJUSTED REVENUES FOR THE
27 PREVIOUS CALENDAR YEAR, WHICHEVER IS LESS, EXCEPT THAT AN
28 APPLICANT WHO IS ALSO A LICENSED GAMING ENTITY SHALL PAY TO
29 THE BOARD A LICENSE FEE OF \$50,000. THE MINIMUM AMOUNT OF THE
30 LICENSE FEE SHALL BE \$5,000.

1 (2) THE LICENSE FEE COLLECTED UNDER THIS SUBSECTION
2 SHALL BE DEPOSITED INTO THE GENERAL FUND.

3 (3) IF AN APPLICANT FAILS TO PAY THE FEE REQUIRED BY
4 THIS SUBSECTION, THE BOARD SHALL SUSPEND OR REVOKE THE
5 APPLICANT'S FANTASY CONTEST LICENSE UNTIL PAYMENT OF THE
6 LICENSE FEE IS RECEIVED.

7 (E) ABBREVIATED APPROVAL PROCESS.--THE BOARD, AT ITS
8 DISCRETION, MAY ESTABLISH AN ABBREVIATED APPROVAL PROCESS FOR
9 THE ISSUANCE OF A FANTASY CONTEST LICENSE TO A LICENSED GAMING
10 ENTITY WHOSE SLOT MACHINE LICENSE AND TABLE GAME CERTIFICATE ARE
11 IN GOOD STANDING.

12 § 324. LICENSE RENEWAL.

13 (A) RENEWAL.--

14 (1) A LICENSE ISSUED UNDER THIS CHAPTER SHALL BE VALID
15 FOR A PERIOD OF FIVE YEARS.

16 (2) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO
17 RELIEVE A LICENSED OPERATOR OF THE AFFIRMATIVE DUTY TO NOTIFY
18 THE BOARD OF CHANGES RELATING TO THE STATUS OF ITS FANTASY
19 CONTEST LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN THE
20 APPLICATION MATERIALS ON FILE WITH THE BOARD.

21 (3) THE APPLICATION FOR RENEWAL OF A FANTASY CONTEST
22 LICENSE MUST BE SUBMITTED AT LEAST 90 DAYS PRIOR TO THE
23 EXPIRATION OF THE LICENSE AND INCLUDE AN UPDATE OF THE
24 INFORMATION CONTAINED IN THE INITIAL APPLICATION FOR A
25 FANTASY CONTEST LICENSE. A FANTASY CONTEST LICENSE FOR WHICH
26 A COMPLETED RENEWAL APPLICATION AND FEE AS REQUIRED UNDER
27 SUBSECTION (C) HAS BEEN RECEIVED BY THE BOARD SHALL CONTINUE
28 IN EFFECT UNLESS AND UNTIL THE BOARD SENDS WRITTEN
29 NOTIFICATION TO THE LICENSED OPERATOR THAT THE BOARD HAS
30 DENIED THE RENEWAL OF THE LICENSE.

1 (B) REVOCATION OR FAILURE TO RENEW.--

2 (1) IN ADDITION TO ANY OTHER SANCTION THE BOARD MAY
3 IMPOSE UNDER THIS CHAPTER, THE BOARD MAY AT ITS DISCRETION
4 SUSPEND, REVOKE OR DENY RENEWAL OF A FANTASY CONTEST LICENSE
5 ISSUED UNDER THIS CHAPTER IF IT RECEIVES INFORMATION THAT:

6 (I) THE APPLICANT OR ANY OF THE APPLICANT'S KEY
7 EMPLOYEES OR PRINCIPALS ARE IN VIOLATION OF A PROVISION
8 OF THIS CHAPTER;

9 (II) THE APPLICANT HAS FURNISHED THE BOARD WITH
10 FALSE OR MISLEADING INFORMATION;

11 (III) THE INFORMATION CONTAINED IN THE APPLICANT'S
12 INITIAL APPLICATION OR ANY RENEWAL APPLICATION IS NO
13 LONGER TRUE AND CORRECT;

14 (IV) THE APPLICANT HAS FAILED TO REMIT TAXES OR
15 ASSESSMENTS REQUIRED UNDER SECTION 331 (RELATING TO
16 FANTASY CONTEST TAX), 332 (RELATING TO LICENSED OPERATOR
17 DEPOSITS) OR 333 (RELATING TO RESPONSIBILITY AND
18 AUTHORITY OF DEPARTMENT); OR

19 (V) THE APPLICANT HAS LEGALLY DEFAULTED IN THE
20 PAYMENT OF ANY OBLIGATION OR DEBT DUE TO THE
21 COMMONWEALTH.

22 (2) IN THE EVENT OF A REVOCATION OR FAILURE TO RENEW,
23 THE APPLICANT'S AUTHORIZATION TO CONDUCT FANTASY CONTESTS
24 SHALL IMMEDIATELY CEASE AND ALL FEES PAID IN CONNECTION WITH
25 THE APPLICATION SHALL BE DEEMED TO BE FORFEITED.

26 (3) IN THE EVENT OF A SUSPENSION, THE APPLICANT'S
27 AUTHORIZATION TO CONDUCT FANTASY CONTESTS SHALL IMMEDIATELY
28 CEASE UNTIL THE BOARD HAS NOTIFIED THE APPLICANT THAT THE
29 SUSPENSION IS NO LONGER IN EFFECT.

30 (C) RENEWAL FEE.--

1 (1) WITHIN 30 DAYS OF THE BOARD RENEWING A FANTASY
2 CONTEST LICENSE, THE LICENSED OPERATOR SHALL PAY TO THE BOARD
3 A RENEWAL FEE OF \$5,000, OR AN AMOUNT EQUAL TO 7.5% OF THE
4 APPLICANT'S FANTASY CONTEST ADJUSTED REVENUE, WHICHEVER IS
5 LESS.

6 (2) THE RENEWAL FEE COLLECTED BY THE BOARD UNDER THIS
7 SUBSECTION SHALL BE DEPOSITED INTO THE GENERAL FUND.

8 (3) IF A LICENSED OPERATOR FAILS TO PAY THE RENEWAL FEE
9 REQUIRED UNDER THIS SUBSECTION, THE BOARD SHALL SUSPEND OR
10 REVOKE THE LICENSED OPERATOR'S FANTASY CONTEST LICENSE UNTIL
11 PAYMENT OF THE RENEWAL FEE IS RECEIVED.

12 § 325. CONDITIONS OF LICENSURE.

13 AS A CONDITION OF LICENSURE, A LICENSED OPERATOR SHALL
14 ESTABLISH AND IMPLEMENT THE FOLLOWING REASONABLE PROCEDURES
15 RELATED TO CONDUCT OF FANTASY CONTESTS IN THIS COMMONWEALTH:

16 (1) PERMIT ONLY PARTICIPANTS WHO HAVE ESTABLISHED A
17 FANTASY CONTEST ACCOUNT WITH THE LICENSED OPERATOR TO
18 PARTICIPATE IN A FANTASY CONTEST CONDUCTED BY THE LICENSED
19 OPERATOR.

20 (2) VERIFY THE AGE, LOCATION AND IDENTITY OF A
21 PARTICIPANT PRIOR TO MAKING A DEPOSIT INTO A FANTASY CONTEST
22 ACCOUNT FOR A PARTICIPANT LOCATED IN THIS COMMONWEALTH. NO
23 INDIVIDUAL UNDER 18 YEARS OF AGE MAY BE PERMITTED TO
24 ESTABLISH A FANTASY CONTEST ACCOUNT WITH A LICENSED OPERATOR.

25 (3) VERIFY THE IDENTITY OF A PARTICIPANT BY REQUIRING
26 THE PARTICIPANT TO PROVIDE THE LICENSED OPERATOR A UNIQUE
27 USERNAME AND PASSWORD PRIOR TO ACCESSING A FANTASY CONTEST
28 ACCOUNT.

29 (4) ENSURE RULES AND PRIZES AND AWARDS ESTABLISHED BY
30 THE LICENSED OPERATOR FOR A FANTASY CONTEST ARE MADE KNOWN TO

1 A PARTICIPANT PRIOR TO THE ACCEPTANCE OF AN ENTRY FEE.

2 (5) ENSURE THAT A PLAYER WHO IS THE SUBJECT OF A FANTASY
3 CONTEST IS RESTRICTED FROM ENTERING AS A PARTICIPANT IN A
4 FANTASY CONTEST THAT IS DETERMINED, IN WHOLE OR IN PART, ON
5 THE ACCUMULATED STATISTICAL RESULTS OF A TEAM OF INDIVIDUALS
6 IN THE LEAGUE IN WHICH THE PLAYER IS A MEMBER.

7 (6) ALLOW AN INDIVIDUAL TO SELF-EXCLUDE FROM ENTERING A
8 FANTASY CONTEST OR ACCESSING A FANTASY CONTEST ACCOUNT FOR A
9 SPECIFIC PERIOD OF TIME AS DETERMINED BY THE PARTICIPANT AND
10 IMPLEMENT REASONABLE PROCEDURES TO PREVENT THE INDIVIDUAL
11 FROM PARTICIPATING IN THE LICENSED OPERATOR'S FANTASY
12 CONTESTS.

13 (7) ALLOW A PARTICIPANT OR OTHER PERSON TO RESTRICT THE
14 TOTAL AMOUNT OF DEPOSITS THAT THE PARTICIPANT MAY PAY TO THE
15 LICENSED OPERATOR FOR A SPECIFIC TIME PERIOD ESTABLISHED BY
16 THE PARTICIPANT AND IMPLEMENT REASONABLE PROCEDURES TO
17 PREVENT THE PARTICIPANT FROM EXCEEDING THE LIMIT.

18 (8) CONSPICUOUSLY POST COMPULSIVE AND PROBLEM PLAY
19 NOTICES AT FANTASY CONTEST REGISTRATION POINTS AND PROVIDE A
20 TOLL-FREE TELEPHONE NUMBER TO PARTICIPANTS WHO HAVE EXPRESSED
21 TO THE LICENSED OPERATOR ISSUES WITH COMPULSIVE AND PROBLEM
22 PLAY OF FANTASY CONTESTS. THE TOLL-FREE TELEPHONE NUMBER AND
23 THE COMPULSIVE AND PROBLEM PLAY NOTICE SHALL BE APPROVED BY
24 THE BOARD, IN CONSULTATION WITH THE DEPARTMENT OF DRUG AND
25 ALCOHOL PROGRAMS OR SUCCESSOR AGENCY.

26 (9) DISCLOSE THE NUMBER OF ENTRIES A SINGLE PARTICIPANT
27 MAY SUBMIT TO EACH FANTASY CONTEST AND TAKE STEPS TO PREVENT
28 PARTICIPANTS FROM SUBMITTING MORE THAN THE ALLOWABLE NUMBER.

29 (10) PREVENT THE LICENSED OPERATOR'S PRINCIPALS,
30 EMPLOYEES AND RELATIVES LIVING IN THE SAME HOUSEHOLD OF AN

1 EMPLOYEE OR PRINCIPAL FROM COMPETING IN A FANTASY CONTEST
2 OFFERED BY ANY LICENSED OPERATOR TO THE GENERAL PUBLIC AND IN
3 WHICH FANTASY CONTEST THE LICENSED OPERATOR OFFERS A PRIZE OR
4 AWARD.

5 (11) PREVENT THE SHARING OF CONFIDENTIAL INFORMATION
6 THAT COULD AFFECT FANTASY CONTEST PLAY WITH THIRD PARTIES
7 UNTIL THE INFORMATION IS MADE PUBLICLY AVAILABLE.

8 (12) TAKE STEPS TO MAINTAIN THE CONFIDENTIALITY OF A
9 PARTICIPANT'S PERSONAL AND FINANCIAL INFORMATION.

10 (13) SEGREGATE PARTICIPANT FUNDS FROM OPERATIONAL FUNDS
11 IN SEPARATE ACCOUNTS AND MAINTAIN A RESERVE IN THE FORM OF
12 CASH, CASH EQUIVALENTS, SECURITY DEPOSITS HELD BY BANKS AND
13 PROCESSORS, AN IRREVOCABLE LETTER OF CREDIT, PAYMENT
14 PROCESSOR RESERVES AND RECEIVABLES, A BOND OR A COMBINATION
15 THEREOF IN AN AMOUNT SUFFICIENT TO PAY ALL PRIZES AND AWARDS
16 OFFERED TO WINNING PARTICIPANTS. TO SATISFY THIS PARAGRAPH, A
17 LICENSED OPERATOR THAT ONLY OFFERS SEASON-LONG FANTASY
18 CONTESTS THAT GENERATE LESS THAN \$250,000 IN SEASON-LONG
19 FANTASY CONTEST ADJUSTED REVENUE MAY CONTRACT WITH A THIRD
20 PARTY TO HOLD PRIZES AND AWARDS IN AN ESCROW ACCOUNT UNTIL
21 AFTER THE SEASON IS CONCLUDED AND PRIZES AND AWARDS ARE
22 DISTRIBUTED.

23 (14) PROVIDE WINNING IN-STATE PARTICIPANTS WITH
24 INFORMATION AND DOCUMENTATION NECESSARY TO ENSURE THE PROPER
25 REPORTING OF WINNINGS BY IN-STATE PARTICIPANTS TO THE
26 DEPARTMENT.

27 (15) REMIT TAXES OR ASSESSMENTS TO THE DEPARTMENT IN
28 ACCORDANCE WITH SECTIONS 331 (RELATING TO FANTASY CONTEST
29 TAX), 332 (RELATING TO LICENSED OPERATOR DEPOSITS) AND 333
30 (RELATING TO RESPONSIBILITY AND AUTHORITY OF DEPARTMENT).

1 (16) PROHIBIT THE USE OF SCRIPTS BY PARTICIPANTS AND
2 IMPLEMENT TECHNOLOGIES TO PREVENT THE USE OF SCRIPTS.

3 (17) MONITOR FANTASY CONTESTS FOR THE USE OF SCRIPTS AND
4 RESTRICT PLAYERS FOUND TO HAVE USED SCRIPTS FROM
5 PARTICIPATION IN FUTURE FANTASY CONTESTS.

6 (18) ESTABLISH CONDITIONS DEEMED APPROPRIATE BY THE
7 BOARD.

8 § 326. PROHIBITIONS.

9 (A) GENERAL RULE.--NO LICENSED OPERATOR MAY:

10 (1) ACCEPT AN ENTRY FEE FROM OR PERMIT A NATURAL PERSON
11 UNDER 18 YEARS OF AGE TO BECOME A PARTICIPANT IN A FANTASY
12 CONTEST;

13 (2) OFFER A FANTASY CONTEST BASED, IN WHOLE OR IN PART,
14 ON COLLEGIATE OR HIGH SCHOOL EVENTS OR PLAYERS;

15 (3) PERMIT A PARTICIPANT TO ENTER A FANTASY CONTEST
16 PRIOR TO ESTABLISHING A FANTASY CONTEST ACCOUNT;

17 (4) ESTABLISH A FANTASY CONTEST ACCOUNT FOR A PERSON WHO
18 IS NOT AN INDIVIDUAL;

19 (5) ALTER RULES ESTABLISHED FOR A FANTASY CONTEST AFTER
20 A PARTICIPANT HAS ENTERED THE FANTASY CONTEST;

21 (6) ISSUE CREDIT TO A PARTICIPANT TO ESTABLISH OR FUND A
22 FANTASY CONTEST ACCOUNT;

23 (7) KNOWINGLY DIRECTLY MARKET TO AN INDIVIDUAL DURING
24 THE TIME PERIOD IN WHICH THE INDIVIDUAL HAS SELF-EXCLUDED
25 FROM THE LICENSED OPERATORS' FANTASY CONTESTS;

26 (8) KNOWINGLY PERMIT AN INDIVIDUAL TO ENTER THE LICENSED
27 OPERATOR'S FANTASY CONTESTS DURING THE TIME PERIOD IN WHICH
28 THE INDIVIDUAL HAS SELF-EXCLUDED FROM THE LICENSED OPERATORS'
29 FANTASY CONTESTS;

30 (8.1) KNOWINGLY ALLOW A SELF-EXCLUDED INDIVIDUAL TO KEEP

1 A PRIZE OR AWARD;

2 (9) KNOWINGLY ACCEPT A DEPOSIT IN EXCESS OF A LIMIT
3 ESTABLISHED BY A PARTICIPANT FOR THE SPECIFIC TIME PERIOD
4 ESTABLISHED BY THE PARTICIPANT;

5 (10) SHARE CONFIDENTIAL INFORMATION THAT COULD AFFECT
6 FANTASY CONTEST PLAY WITH THIRD PARTIES UNTIL THE INFORMATION
7 IS MADE PUBLICLY AVAILABLE;

8 (11) KNOWINGLY PERMIT A PRINCIPAL, AN EMPLOYEE OR A
9 RELATIVE LIVING IN THE SAME HOUSEHOLD OF AN EMPLOYEE OR
10 PRINCIPAL TO BECOME A PARTICIPANT IN A FANTASY CONTEST
11 OFFERED BY A LICENSED OPERATOR IN WHICH A LICENSED OPERATOR
12 OFFERS A PRIZE OR AWARD;

13 (12) OFFER A FANTASY CONTEST WHERE:

14 (I) THE VALUE OF ALL PRIZES OR AWARDS OFFERED TO
15 WINNING PARTICIPANTS IS NOT ESTABLISHED AND MADE KNOWN TO
16 PARTICIPANTS IN ADVANCE OF THE FANTASY CONTEST;

17 (II) WINNING OUTCOMES DO NOT REFLECT THE RELATIVE
18 KNOWLEDGE AND SKILL OF PARTICIPANTS;

19 (III) THE WINNING OUTCOME IS BASED ON THE SCORE,
20 POINT SPREAD OR PERFORMANCE OF A SINGLE ACTUAL TEAM OR
21 COMBINATION OF TEAMS OR SOLELY ON A SINGLE PERFORMANCE OF
22 AN INDIVIDUAL ATHLETE OR PLAYER IN A SINGLE ACTUAL EVENT;

23 OR

24 (IV) THE WINNING OUTCOME IS NOT BASED ON STATISTICAL
25 RESULTS ACCUMULATED FROM FULLY COMPLETED ATHLETIC SPORTS
26 CONTESTS OR EVENTS, EXCEPT THAT PARTICIPANTS MAY BE
27 CREDITED FOR STATISTICAL RESULTS ACCUMULATED IN A
28 SUSPENDED OR SHORTENED SPORTS EVENT WHICH HAS BEEN
29 PARTIALLY COMPLETED ON ACCOUNT OF WEATHER OR OTHER
30 NATURAL OR UNFORESEEN EVENTS;

1 (13) FAIL TO REMIT TAXES OR ASSESSMENTS TO THE
2 DEPARTMENT IN ACCORDANCE WITH SECTIONS 331 (RELATING TO
3 FANTASY CONTEST TAX), 332 (RELATING TO LICENSED OPERATOR
4 DEPOSITS) AND 333 (RELATING TO RESPONSIBILITY AND AUTHORITY
5 OF DEPARTMENT);

6 (14) KNOWINGLY ALLOW A PARTICIPANT TO USE A SCRIPT
7 DURING A FANTASY CONTEST; AND

8 (15) PERFORM ANOTHER ACTION PROHIBITED BY THE BOARD.

9 (B) DEPOSIT.--THE LICENSED OPERATOR SHALL DEPOSIT THE AMOUNT
10 OF THE PRIZE OR AWARD UNDER SUBSECTION (A) (8.1) IN THE GENERAL
11 FUND.

12 § 327. CHANGE IN OWNERSHIP OR CONTROL OF LICENSED OPERATORS.

13 (A) NOTIFICATION AND APPROVAL.--

14 (1) A LICENSED OPERATOR SHALL NOTIFY THE BOARD UPON
15 BECOMING AWARE OF A PROPOSED CHANGE OF OWNERSHIP OF THE
16 LICENSED OPERATOR BY A PERSON OR GROUP OF PERSONS ACTING IN
17 CONCERT WHICH INVOLVES ANY OF THE FOLLOWING:

18 (I) MORE THAN 15% OF A LICENSED OPERATOR'S
19 SECURITIES OR OTHER OWNERSHIP INTERESTS.

20 (II) THE SALE OTHER THAN IN THE ORDINARY COURSE OF
21 BUSINESS OF A LICENSED OPERATOR'S ASSETS.

22 (III) ANOTHER TRANSACTION OR OCCURRENCE DEEMED BY
23 THE BOARD TO BE RELEVANT TO FANTASY CONTEST LICENSE
24 QUALIFICATIONS.

25 (2) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1), A
26 LICENSED OPERATOR SHALL NOT BE REQUIRED TO NOTIFY THE BOARD
27 OF ANY ACQUISITION BY AN INSTITUTIONAL INVESTOR UNDER
28 PARAGRAPH (1) (I) OR (II) IF THE INSTITUTIONAL INVESTOR HOLDS
29 LESS THAN 20% OF THE SECURITIES OR OTHER OWNERSHIP INTERESTS
30 REFERRED TO IN PARAGRAPH (1) (I) OR (II), THE SECURITIES OR

1 INTERESTS ARE PUBLICLY TRADED SECURITIES AND ITS HOLDINGS OF
2 THE SECURITIES WERE PURCHASED FOR INVESTMENT PURPOSES ONLY
3 AND THE INSTITUTIONAL INVESTOR FILES WITH THE BOARD A
4 CERTIFIED STATEMENT TO THE EFFECT THAT THE INSTITUTIONAL
5 INVESTOR HAS NO INTENTION OF INFLUENCING OR AFFECTING,
6 DIRECTLY OR INDIRECTLY, THE AFFAIRS OF THE LICENSED OPERATOR,
7 EXCEPT THAT THE INSTITUTIONAL INVESTOR MAY VOTE ON MATTERS
8 PUT TO THE VOTE OF THE OUTSTANDING SECURITY HOLDERS. NOTICE
9 TO THE BOARD SHALL BE REQUIRED PRIOR TO COMPLETION OF A
10 PROPOSED OR CONTEMPLATED CHANGE OF OWNERSHIP OF A LICENSED
11 OPERATOR THAT MEETS THE CRITERIA OF THIS SECTION.

12 (B) QUALIFICATION OF PURCHASER AND CHANGE OF CONTROL.--

13 (1) A PURCHASER OF THE ASSETS, OTHER THAN IN THE
14 ORDINARY COURSE OF BUSINESS, OF A LICENSED OPERATOR SHALL
15 INDEPENDENTLY QUALIFY FOR A FANTASY CONTEST LICENSE IN
16 ACCORDANCE WITH THIS CHAPTER AND SHALL PAY THE APPLICATION
17 FEE AND LICENSE FEE AS REQUIRED BY SECTIONS 322 (RELATING TO
18 APPLICATION) AND 323 (RELATING TO ISSUANCE AND DENIAL OF
19 LICENSE), EXCEPT THAT IF THE PURCHASER OF ASSETS IS ANOTHER
20 LICENSED OPERATOR, THE PURCHASER OF ASSETS SHALL NOT BE
21 REQUIRED TO REQUALIFY FOR A FANTASY CONTEST LICENSE OR PAY
22 ANOTHER APPLICATION FEE AND LICENSE FEE.

23 (2) A CHANGE IN CONTROL OF A LICENSED OPERATOR SHALL
24 REQUIRE THAT THE LICENSED OPERATOR INDEPENDENTLY QUALIFY FOR
25 A FANTASY CONTEST LICENSE IN ACCORDANCE WITH THIS CHAPTER,
26 AND THE LICENSED OPERATOR SHALL PAY A NEW INITIAL APPLICATION
27 AND LICENSE FEE AS REQUIRED BY SECTIONS 322 AND 323, EXCEPT
28 THAT IF THE NEW CONTROLLER IS ANOTHER LICENSED OPERATOR, THE
29 NEW CONTROLLER SHALL NOT BE REQUIRED TO REQUALIFY FOR A
30 FANTASY CONTEST LICENSE OR PAY ANOTHER APPLICATION FEE AND

1 LICENSE FEE.

2 (C) CHANGE IN CONTROL DEFINED.--FOR PURPOSES OF THIS
3 SECTION, A CHANGE IN CONTROL OF A LICENSED OPERATOR SHALL MEAN
4 THE ACQUISITION BY A PERSON OR GROUP OF PERSONS ACTING IN
5 CONCERT OF MORE THAN 20% OF A LICENSED OPERATOR'S SECURITIES OR
6 OTHER OWNERSHIP INTERESTS, WITH THE EXCEPTION OF AN OWNERSHIP
7 INTEREST OF THE PERSON THAT EXISTED AT THE TIME OF INITIAL
8 LICENSING AND PAYMENT OF THE INITIAL FANTASY CONTEST LICENSE
9 FEE, OR MORE THAN 20% OF THE SECURITIES OR OTHER OWNERSHIP
10 INTERESTS OF A CORPORATION OR OTHER FORM OF BUSINESS ENTITY THAT
11 OWNS DIRECTLY OR INDIRECTLY AT LEAST 20% OF THE VOTING OR OTHER
12 SECURITIES OR OTHER OWNERSHIP INTERESTS OF THE LICENSED
13 OPERATOR.

14 (D) LICENSE REVOCATION.--FAILURE TO COMPLY WITH THIS SECTION
15 MAY CAUSE THE FANTASY CONTEST LICENSE ISSUED UNDER THIS CHAPTER
16 TO BE REVOKED OR SUSPENDED BY THE BOARD UNLESS THE PURCHASE OF
17 THE ASSETS OR THE CHANGE IN CONTROL THAT MEETS THE CRITERIA OF
18 THIS SECTION HAS BEEN INDEPENDENTLY QUALIFIED IN ADVANCE BY THE
19 BOARD AND A REQUIRED APPLICATION OR LICENSE FEE HAS BEEN PAID.
20 § 328. PENALTIES.

21 (A) SUSPENSION OR REVOCATION OF LICENSE.--

22 (1) AFTER A PUBLIC HEARING WITH AT LEAST 15 DAYS'
23 NOTICE, THE BOARD MAY SUSPEND OR REVOKE A LICENSED OPERATOR'S
24 FANTASY CONTEST LICENSE IN A CASE WHERE A VIOLATION OF THIS
25 CHAPTER HAS BEEN SHOWN BY A PREPONDERANCE OF THE EVIDENCE.

26 (2) THE BOARD MAY REVOKE A FANTASY CONTEST LICENSE IF
27 THE BOARD FINDS THAT FACTS NOT KNOWN BY THE BOARD AT THE TIME
28 THE BOARD CONSIDERED THE APPLICATION INDICATE THAT THE
29 LICENSE SHOULD NOT HAVE BEEN ISSUED.

30 (B) ADMINISTRATIVE PENALTIES.--

1 (1) IN ADDITION TO SUSPENSION OR REVOCATION OF A FANTASY
2 CONTEST LICENSE, THE BOARD MAY IMPOSE ADMINISTRATIVE
3 PENALTIES ON A LICENSED OPERATOR FOR VIOLATIONS OF THIS
4 CHAPTER NOT TO EXCEED \$5,000 FOR EACH VIOLATION.

5 (2) A VIOLATION OF THIS CHAPTER THAT IS DETERMINED TO BE
6 AN OFFENSE OF A CONTINUING NATURE SHALL BE DEEMED TO BE A
7 SEPARATE OFFENSE ON EACH EVENT OR DAY DURING WHICH THE
8 VIOLATION OCCURS, EXCEPT THAT THE TOTAL ADMINISTRATIVE
9 PENALTY FOR AN OFFENSE OF A CONTINUING NATURE MAY NOT EXCEED
10 \$25,000.

11 (3) THE LICENSED OPERATOR SHALL HAVE THE RIGHT TO APPEAL
12 ADMINISTRATIVE PENALTIES IN ACCORDANCE WITH 2 PA.C.S. CHS. 5
13 SUBCH. A (RELATING TO PRACTICE AND PROCEDURE OF COMMONWEALTH
14 AGENCIES) AND 7 SUBCH. A (RELATING TO JUDICIAL REVIEW OF
15 COMMONWEALTH AGENCY ACTION).

16 (4) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE
17 DEPOSITED INTO THE GENERAL FUND.

18 (C) CIVIL PENALTIES.--

19 (1) IN ADDITION TO THE PROVISIONS OF THIS SECTION, A
20 PERSON WHO KNOWINGLY VIOLATES A PROVISION OF THIS CHAPTER
21 SHALL BE LIABLE FOR A CIVIL PENALTY OF NOT MORE THAN \$1,000
22 FOR EACH VIOLATION.

23 (2) THE CIVIL PENALTY SHALL BE RECOVERED IN A CIVIL
24 ACTION BROUGHT BY THE BOARD AND SHALL BE PAID INTO THE
25 GENERAL FUND.

26 SUBCHAPTER D

27 FISCAL PROVISIONS

28 SEC.

29 331. FANTASY CONTEST TAX.

30 332. LICENSED OPERATOR DEPOSITS.

1 333. RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

2 § 331. FANTASY CONTEST TAX.

3 (A) IMPOSITION.--EACH LICENSED OPERATOR SHALL REPORT TO THE
4 DEPARTMENT AND PAY FROM ITS QUARTERLY FANTASY CONTEST ADJUSTED
5 REVENUES, ON A FORM AND IN THE MANNER PRESCRIBED BY THE
6 DEPARTMENT, A TAX OF 12% OF ITS QUARTERLY FANTASY CONTEST
7 ADJUSTED REVENUES.

8 (B) DEPOSITS AND DISTRIBUTIONS.--

9 (1) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE
10 PAYABLE TO THE DEPARTMENT ON A QUARTERLY BASIS AND SHALL BE
11 BASED UPON QUARTERLY FANTASY CONTEST ADJUSTED REVENUE DERIVED
12 DURING THE PREVIOUS QUARTER.

13 (2) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS
14 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE
15 LICENSED OPERATOR UNTIL THE FUNDS ARE PAID TO THE DEPARTMENT.

16 (3) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE
17 DEPOSITED INTO THE GENERAL FUND.

18 (C) PENALTY.--

19 (1) A LICENSED OPERATOR WHO FAILS TO TIMELY REMIT TO THE
20 DEPARTMENT AMOUNTS REQUIRED UNDER THIS SECTION SHALL BE
21 LIABLE, IN ADDITION TO LIABILITY IMPOSED IN THIS CHAPTER, TO
22 A PENALTY OF 5% PER MONTH UP TO A MAXIMUM OF 25% OF THE
23 AMOUNTS ULTIMATELY FOUND TO BE DUE, TO BE RECOVERED BY THE
24 DEPARTMENT.

25 (2) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE
26 DEPOSITED INTO THE GENERAL FUND.

27 § 332. LICENSED OPERATOR DEPOSITS.

28 (A) ACCOUNTS ESTABLISHED.--THE STATE TREASURER SHALL
29 ESTABLISH WITHIN THE STATE TREASURY AN ACCOUNT FOR EACH LICENSED
30 OPERATOR FOR THE DEPOSIT OF SUMS REQUIRED UNDER SUBSECTION (B)

1 TO:

2 (1) RECOVER COSTS OR EXPENSES INCURRED BY THE BOARD AND
3 THE DEPARTMENT IN CARRYING OUT THEIR POWERS AND DUTIES UNDER
4 THIS CHAPTER BASED UPON A BUDGET SUBMITTED BY THE BOARD AND
5 THE DEPARTMENT UNDER SUBSECTION (C); AND

6 (2) REPAY ANY LOANS MADE BY THE GENERAL FUND TO THE
7 BOARD OR THE DEPARTMENT IN CONNECTION WITH CARRYING OUT THEIR
8 POWERS AND DUTIES UNDER THIS CHAPTER.

9 (B) DEPOSITS.--

10 (1) THE DEPARTMENT SHALL DETERMINE THE APPROPRIATE
11 ASSESSMENT AMOUNT FOR EACH LICENSED OPERATOR, WHICH SHALL BE
12 A PERCENTAGE ASSESSED ON THE LICENSED OPERATOR'S FANTASY
13 CONTEST ADJUSTED REVENUES. EACH LICENSED OPERATOR SHALL
14 DEPOSIT FUNDS INTO ITS ACCOUNT ON A QUARTERLY BASIS.

15 (2) THE PERCENTAGE ASSESSED SHALL NOT EXCEED AN AMOUNT
16 NECESSARY TO:

17 (I) RECOVER COSTS OR EXPENSES INCURRED BY THE BOARD
18 AND THE DEPARTMENT IN CARRYING OUT THEIR POWERS AND
19 DUTIES UNDER THIS CHAPTER BASED ON A BUDGET SUBMITTED BY
20 THE BOARD AND THE DEPARTMENT UNDER SUBSECTION (C); AND

21 (II) REPAY LOANS MADE FROM THE GENERAL FUND TO THE
22 BOARD IN CONNECTION WITH CARRYING OUT ITS POWERS AND
23 DUTIES UNDER THIS CHAPTER.

24 (C) ITEMIZED BUDGET REPORTING.--

25 (1) THE BOARD AND THE DEPARTMENT SHALL PREPARE AND
26 ANNUALLY SUBMIT TO THE CHAIRPERSON AND MINORITY CHAIRPERSON
27 OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE
28 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS
29 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AN ITEMIZED BUDGET
30 CONSISTING OF AMOUNTS TO BE APPROPRIATED OUT OF THE ACCOUNTS

1 ESTABLISHED UNDER THIS SECTION NECESSARY TO ADMINISTER THIS
2 CHAPTER.

3 (2) AS SOON AS PRACTICABLE AFTER SUBMITTING COPIES OF
4 THE ITEMIZED BUDGET, THE BOARD AND THE DEPARTMENT SHALL
5 PREPARE AND SUBMIT TO THE CHAIRPERSON AND MINORITY
6 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND
7 THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
8 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES
9 ANALYSES OF AND MAKE RECOMMENDATIONS REGARDING THE ITEMIZED
10 BUDGETS.

11 (D) APPROPRIATION.--COSTS AND EXPENSES FROM ACCOUNTS
12 ESTABLISHED UNDER SUBSECTION (A) SHALL ONLY BE DISBURSED UPON
13 APPROPRIATION BY THE GENERAL ASSEMBLY.

14 (E) PENALTY.--

15 (1) A LICENSED OPERATOR WHO FAILS TO TIMELY REMIT TO THE
16 DEPARTMENT AMOUNTS REQUIRED UNDER THIS SECTION SHALL BE
17 LIABLE, IN ADDITION TO LIABILITY IMPOSED IN THIS CHAPTER, TO
18 A PENALTY OF 5% PER MONTH UP TO A MAXIMUM OF 25% OF THE
19 AMOUNTS ULTIMATELY FOUND TO BE DUE, TO BE RECOVERED BY THE
20 DEPARTMENT.

21 (2) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE
22 DEPOSITED INTO THE GENERAL FUND.

23 § 333. RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

24 (A) GENERAL RULE.--THE DEPARTMENT MAY ADMINISTER AND COLLECT
25 TAXES IMPOSED UNDER SECTION 331 (RELATING TO FANTASY CONTEST
26 TAX) AND INTEREST IMPOSED UNDER SECTION 806 OF THE ACT OF APRIL
27 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, AND
28 PROMULGATE AND ENFORCE RULES AND REGULATIONS TO CARRY OUT ITS
29 PRESCRIBED DUTIES IN ACCORDANCE WITH SECTIONS 331 AND 332
30 (RELATING TO LICENSED OPERATOR DEPOSITS), INCLUDING THE

1 COLLECTION OF TAXES, PENALTIES, ASSESSMENTS AND INTEREST.

2 (B) PROCEDURE.--FOR PURPOSES OF IMPLEMENTING SECTIONS 331
3 AND 332, THE DEPARTMENT MAY PROMULGATE REGULATIONS IN THE SAME
4 MANNER IN WHICH THE BOARD IS AUTHORIZED AS PROVIDED IN SECTION
5 312 (RELATING TO TEMPORARY REGULATIONS).

6 SUBCHAPTER E

7 MISCELLANEOUS PROVISIONS

8 SEC.

9 341. APPLICABILITY OF OTHER STATUTES.

10 342. LICENSED GAMING ENTITIES.

11 343. FUNDING.

12 § 341. APPLICABILITY OF OTHER STATUTES.

13 (A) UNLAWFUL GAMBLING.--THE PROVISIONS OF 18 PA.C.S. § 5513
14 (RELATING TO GAMBLING DEVICES, GAMBLING, ETC.) SHALL NOT APPLY
15 TO A FANTASY CONTEST CONDUCTED IN ACCORDANCE WITH THIS CHAPTER.

16 (B) POOL SELLING AND BOOKMAKING.--THE PROVISIONS OF 18
17 PA.C.S. § 5514 (RELATING TO POOL SELLING AND BOOKMAKING) SHALL
18 NOT APPLY TO A FANTASY CONTEST CONDUCTED IN ACCORDANCE WITH THIS
19 CHAPTER.

20 (C) LOTTERIES.--THE PROVISIONS OF 18 PA.C.S. § 5512
21 (RELATING TO LOTTERIES, ETC.) SHALL NOT APPLY TO A FANTASY
22 CONTEST CONDUCTED IN ACCORDANCE WITH THIS CHAPTER.

23 (D) STATE LOTTERY LAW.--THIS CHAPTER SHALL NOT APPLY TO A
24 FANTASY CONTEST OR SIMILAR PRODUCT AUTHORIZED UNDER THE ACT OF
25 AUGUST 26, 1971 (P.L.351, NO.91), KNOWN AS THE STATE LOTTERY
26 LAW, AND AUTHORIZED SOLELY BY THE DEPARTMENT AND THE DIVISION OF
27 THE STATE LOTTERY OR ILOTTERY UNDER SECTION 703 (RELATING TO
28 ILOTTERY AUTHORIZATION).

29 § 342. LICENSED GAMING ENTITIES.

30 (A) SCOPE.--THIS SECTION SHALL APPLY TO A LICENSED GAMING

1 ENTITY THAT HOLDS A FANTASY CONTEST LICENSE.

2 (B) APPLICABILITY.--NOTHING IN THIS CHAPTER SHALL BE
3 CONSTRUED TO LIMIT THE BOARD'S GENERAL AND SOLE REGULATORY
4 AUTHORITY OVER THE CONDUCT OF GAMING OR RELATED ACTIVITIES UNDER
5 PART II (RELATING TO GAMING), INCLUDING, BUT NOT LIMITED TO, THE
6 CERTIFICATION, REGISTRATION AND REGULATION OF GAMING SERVICE
7 PROVIDERS AND INDIVIDUALS AND ENTITIES ASSOCIATED WITH THEM.

8 (C) RESTRICTED CONTESTS.--A LICENSED GAMING ENTITY MAY OFFER
9 FANTASY CONTESTS THAT ARE EXCLUSIVE TO PARTICIPANTS WHO ARE AT
10 LEAST 21 YEARS OF AGE.

11 (D) PROMOTIONAL PLAY.--FOR A RESTRICTED CONTEST UNDER
12 SUBSECTION (C), A LICENSED GAMING ENTITY MAY OFFER SLOT MACHINE
13 PROMOTIONAL PLAY OR TABLE GAME MATCH PLAY TO A PARTICIPANT WHO
14 IS AT LEAST 21 YEARS OF AGE AS A PRIZE OR AWARD OR FOR
15 PARTICIPATING IN A FANTASY CONTEST CONDUCTED BY THE LICENSED
16 GAMING ENTITY.

17 (E) GAMING SERVICE PROVIDERS.--A LICENSED OPERATOR WHO IS
18 NOT A LICENSED GAMING ENTITY MAY, AT THE DISCRETION OF THE
19 BOARD, BE CERTIFICATED OR REGISTERED AS A GAMING SERVICE
20 PROVIDER UNDER SECTION 1317.2 (RELATING TO GAMING SERVICE
21 PROVIDER) IN ORDER TO OPERATE FANTASY CONTESTS SUBJECT TO THE
22 RESTRICTIONS OF SUBSECTION (C) ON BEHALF OF A LICENSED GAMING
23 ENTITY.

24 § 343. FUNDING.

25 (A) APPROPRIATION.--THE FOLLOWING AMOUNTS ARE APPROPRIATED:

26 (1) THE SUM OF \$1,250,000 IS APPROPRIATED FROM THE
27 GENERAL FUND TO THE BOARD FOR THE FISCAL YEAR PERIOD JULY 1,
28 2017, TO JUNE 30, 2018, FOR THE PURPOSE OF IMPLEMENTING AND
29 ADMINISTERING THE PROVISIONS OF THIS CHAPTER.

30 (2) THE SUM OF \$500,000 IS APPROPRIATED FROM THE GENERAL

1 FUND TO THE DEPARTMENT FOR THE FISCAL PERIOD JULY 1, 2017, TO
2 JUNE 30, 2018, FOR THE PURPOSE OF IMPLEMENTING AND
3 ADMINISTERING THE PROVISIONS OF THIS CHAPTER.

4 (B) REPAYMENT.--THE APPROPRIATIONS IN THIS SECTION SHALL BE
5 CONSIDERED LOANS FROM THE GENERAL FUND AND SHALL BE REPAYED TO
6 THE GENERAL FUND QUARTERLY THROUGH ASSESSMENTS ON LICENSED
7 OPERATORS AUTHORIZED UNDER SECTION 332 (RELATING TO LICENSED
8 OPERATOR DEPOSITS) BY THE DEPARTMENT. THE TOTAL AMOUNTS
9 APPROPRIATED TO THE BOARD AND DEPARTMENT UNDER THIS SECTION
10 SHALL BE REPAYED TO THE GENERAL FUND NO LATER THAN 10 YEARS FROM
11 THE DATE THE BOARD ISSUES THE FIRST FANTASY CONTEST LICENSE.

12 (C) UNUSED AMOUNTS.--ON JULY 1, 2018, ANY PORTION OF AMOUNTS
13 APPROPRIATED UNDER SUBSECTION (A) THAT IS UNEXPENDED,
14 UNENCUMBERED OR UNCOMMITTED AS OF JUNE 30 OF THE PRIOR FISCAL
15 YEAR SHALL AUTOMATICALLY BE TRANSFERRED TO THE GENERAL FUND.

16 CHAPTER 5

17 (RESERVED)

18 CHAPTER 7

19 ILOTTERY

20 SEC.

21 701. SCOPE OF CHAPTER.

22 702. DEFINITIONS.

23 703. ILOTTERY AUTHORIZATION.

24 § 701. SCOPE OF CHAPTER.

25 THIS CHAPTER RELATES TO ILOTTERY.

26 § 702. DEFINITIONS.

27 AS USED IN THIS CHAPTER, THE FOLLOWING WORDS AND PHRASES
28 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
29 CONTEXT CLEARLY INDICATES OTHERWISE:

30 "DEPARTMENT." THE DEPARTMENT OF REVENUE OF THE COMMONWEALTH.

1 "ILOTTERY." A DIGITAL SYSTEM THAT PROVIDES FOR THE
2 DISTRIBUTION OF LOTTERY PRODUCTS THROUGH NUMEROUS CHANNELS THAT
3 INCLUDE, BUT ARE NOT LIMITED TO, WEB APPLICATIONS, MOBILE
4 APPLICATIONS, MOBILE WEB, TABLETS AND SOCIAL MEDIA PLATFORMS
5 THAT ALLOW PLAYERS TO INTERFACE THROUGH A PORTAL FOR THE PURPOSE
6 OF OBTAINING LOTTERY PRODUCTS AND ANCILLARY SERVICES, SUCH AS
7 ACCOUNT MANAGEMENT, GAME PURCHASE, GAME PLAY AND PRIZE
8 REDEMPTION. THE TERM DOES NOT INCLUDE GAMES THAT REPRESENT
9 PHYSICAL, INTERNET-BASED OR MONITOR-BASED INTERACTIVE LOTTERY
10 GAMES WHICH SIMULATE CASINO STYLE LOTTERY GAMES, SPECIFICALLY
11 INCLUDING POKER, ROULETTE, SLOT MACHINES OR BLACKJACK.

12 "INTERNET INSTANT GAME." A LOTTERY GAME OF CHANCE IN WHICH,
13 BY THE USE OF A COMPUTER, TABLET COMPUTER OR OTHER MOBILE
14 DEVICE, A PLAYER PURCHASES A LOTTERY PLAY, WITH THE RESULT OF
15 PLAY BEING A REVEAL ON THE DEVICE OF NUMBERS, LETTERS OR SYMBOLS
16 INDICATING WHETHER A LOTTERY PRIZE HAS BEEN WON ACCORDING TO AN
17 ESTABLISHED METHODOLOGY AS PROVIDED BY THE LOTTERY.

18 "LOTTERY PRODUCTS." PLAYS, SHARES OR CHANCES OFFERED BY THE
19 LOTTERY AS WELL AS LOTTERY PROPERTY THAT MAY BE EXCHANGED FOR
20 PLAYS, SHARES OR CHANCES. THE TERM SHALL INCLUDE INSTANT
21 TICKETS, TERMINAL-BASED TICKETS, RAFFLE GAMES, INTERNET INSTANT
22 TICKETS, ILOTTERY GAMES, PLAY-FOR-FUN GAMES, LOTTERY VOUCHERS,
23 SUBSCRIPTION SERVICES AND GIFT CARDS.

24 "SECRETARY." THE SECRETARY OF REVENUE OF THE COMMONWEALTH.

25 "SUBSCRIPTION SERVICES." A PAYMENT, ADVANCE PAYMENT OR
26 PROMISE OF PAYMENT FOR MULTIPLE LOTTERY PRODUCTS OVER A
27 SPECIFIED PERIOD OF TIME, WHICH SHALL INCLUDE PAYMENTS THROUGH
28 ILOTTERY.

29 § 703. ILOTTERY AUTHORIZATION.

30 (A) AUTHORITY.--NOTWITHSTANDING ANY PROVISION OF LAW TO THE

1 CONTRARY, THE DEPARTMENT SHALL HAVE THE AUTHORITY TO OPERATE
2 ILOTTERY AND INTERNET INSTANT GAMES.

3 (B) TEMPORARY REGULATORY AUTHORITY.--THE FOLLOWING APPLY:

4 (1) IN ORDER TO FACILITATE THE PROMPT IMPLEMENTATION OF
5 ILOTTERY PRODUCTS OR NEW SALES METHODS OF EXISTING LOTTERY
6 PRODUCTS OVER THE INTERNET, REGULATIONS PROMULGATED BY THE
7 SECRETARY SHALL BE DEEMED TEMPORARY REGULATIONS WHICH SHALL
8 EXPIRE NOT LATER THAN TWO YEARS FOLLOWING THE PUBLICATION OF
9 THE TEMPORARY REGULATION. THE SECRETARY MAY PROMULGATE
10 TEMPORARY REGULATIONS NOT SUBJECT TO:

11 (I) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT
12 OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
13 COMMONWEALTH DOCUMENTS LAW.

14 (II) SECTIONS 204(B) AND 301(10) OF THE ACT OF
15 OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS THE
16 COMMONWEALTH ATTORNEYS ACT.

17 (III) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181),
18 KNOWN AS THE REGULATORY REVIEW ACT.

19 (2) EXCEPT FOR TEMPORARY REGULATIONS AS PROSCRIBED
20 ABOVE, THE SECRETARY'S AUTHORITY TO ADOPT TEMPORARY
21 REGULATIONS UNDER SUBSECTION (A) SHALL EXPIRE TWO YEARS AFTER
22 THE EFFECTIVE DATE OF THIS SECTION. REGULATIONS ADOPTED AFTER
23 THIS PERIOD SHALL BE PROMULGATED AS PROVIDED BY LAW.

24 (C) PROMPT IMPLEMENTATION.--NOTWITHSTANDING ANY OTHER
25 PROVISION OF LAW TO THE CONTRARY AND IN ORDER TO FACILITATE THE
26 PROMPT IMPLEMENTATION OF ILOTTERY IN THIS COMMONWEALTH, INITIAL
27 CONTRACTS ENTERED INTO BY THE DEPARTMENT FOR ILOTTERY AND
28 RELATED GAMING SYSTEMS, INCLUDING ANY NECESSARY HARDWARE,
29 SOFTWARE, LICENSES OR RELATED SERVICES SHALL NOT BE SUBJECT TO
30 THE PROVISIONS OF 62 PA.C.S. (RELATING TO PROCUREMENT).

1 CONTRACTS ENTERED INTO UNDER THIS AUTHORITY SHALL NOT EXCEED
2 FIVE YEARS.

3 (D) PLAYER IDENTIFIABLE INFORMATION.--WITH THE EXCEPTION OF
4 CERTAIN INFORMATION RELEASED BY THE DEPARTMENT TO NOTIFY THE
5 PUBLIC OF THE IDENTITY OF A PRIZE RECIPIENT OR TO PERFORM ANY
6 OTHER OBLIGATION OF THE LOTTERY UNDER LAWS OR REGULATIONS
7 RELATED TO THE PAYMENT OF LOTTERY PRIZES, PERSONALLY IDENTIFYING
8 INFORMATION OBTAINED BY THE DEPARTMENT AS A RESULT OF A PLAYER'S
9 PURCHASE OF LOTTERY PRODUCTS OR THE CLAIM OF A LOTTERY PRIZE,
10 SUCH AS NAME, ADDRESS, TELEPHONE NUMBER OR PLAYER FINANCIAL
11 INFORMATION, SHALL BE CONSIDERED CONFIDENTIAL AND OTHERWISE
12 EXEMPT FROM DISCLOSURE WHETHER RETAINED BY THE DEPARTMENT, ANY
13 AGENT OF THE DEPARTMENT OR A LOTTERY RETAILER.

14 (E) LOTTERY PROPRIETARY INFORMATION.--ANY INFORMATION
15 OBTAINED BY THE DEPARTMENT AS A RESULT OF A PLAYER'S PURCHASE OF
16 LOTTERY PRODUCTS OR ENTERING A LOTTERY DRAWING, SUCH AS
17 AGGREGATE STATISTICAL DATA WHICH MAY INCLUDE PLAY HISTORY OR
18 PLAYER TENDENCIES SHALL BE CONSIDERED PROPRIETARY INFORMATION OF
19 THE DEPARTMENT AND OTHERWISE EXEMPT FROM DISCLOSURE WHETHER
20 RETAINED BY THE DEPARTMENT, ANY AGENT OF THE LOTTERY OR A
21 LOTTERY RETAILER. PROPRIETARY INFORMATION SHALL INCLUDE ANY
22 RESEARCH OR STUDIES CONDUCTED BY THE LOTTERY OR A LOTTERY VENDOR
23 THAT UTILIZES PROPRIETARY INFORMATION OBTAINED UNDER THIS
24 SECTION.

25 (F) REVENUES.--NOTWITHSTANDING ANY PROVISION OF LAW TO THE
26 CONTRARY, ALL REVENUES ACCRUING FROM THE SALE OF LOTTERY
27 PRODUCTS UNDER THIS CHAPTER SHALL BE DEDICATED TO AND DEPOSITED
28 IN THE STATE LOTTERY FUND AS PROVIDED FOR IN SECTION 311 OF THE
29 ACT OF AUGUST 26, 1971 (P.L.351, NO.91), KNOWN AS THE STATE
30 LOTTERY LAW. THE REVENUES SHALL BE APPORTIONED AS PROVIDED FOR

1 IN SECTION 303(A) (11) OF THE STATE LOTTERY LAW. FOR FISCAL YEARS
2 BEGINNING AFTER JUNE 30, 2017, REVENUES RAISED UNDER THIS
3 CHAPTER SHALL NOT BE SUBJECT TO THE PROFIT MARGIN LIMITATIONS
4 SET FORTH IN SECTION 303(A) (11) (IV) OF THE STATE LOTTERY LAW.

5 SECTION 2. SECTION 1102 OF TITLE 4 IS AMENDED BY ADDING
6 PARAGRAPHS TO READ:

7 § 1102. LEGISLATIVE INTENT.

8 THE GENERAL ASSEMBLY RECOGNIZES THE FOLLOWING PUBLIC POLICY
9 PURPOSES AND DECLARES THAT THE FOLLOWING OBJECTIVES OF THE
10 COMMONWEALTH ARE TO BE SERVED BY THIS PART:

11 * * *

12 (12.1) THE CONTINUED GROWTH AND SUCCESS OF THE
13 COMMERCIAL GAMING INDUSTRY IN THIS COMMONWEALTH IS DEPENDENT
14 UPON A REGULATORY ENVIRONMENT WHICH PROMOTES AND FOSTERS
15 TECHNOLOGICAL ADVANCES AND ENCOURAGES THE DEVELOPMENT AND
16 DELIVERY OF INNOVATIVE GAMING PRODUCTS.

17 (12.2) IT IS ALSO THE INTENT OF THE GENERAL ASSEMBLY TO
18 ENSURE THE SUSTAINABILITY AND COMPETITIVENESS OF THE
19 COMMERCIAL GAMING INDUSTRY IN THIS COMMONWEALTH BY
20 AUTHORIZING INTERACTIVE GAMING.

21 * * *

22 SECTION 3. THE DEFINITIONS OF "ASSOCIATED EQUIPMENT," "CASH
23 EQUIVALENT," "CHEAT," "CHEATING OR THIEVING DEVICE,"
24 "COMMISSION" OR "COMMISSIONS," "CONDUCT OF GAMING," "CONTEST,"
25 "COUNTERFEIT CHIP," "FULLY AUTOMATED ELECTRONIC GAMING TABLE,"
26 "GAMING EMPLOYEE," "GAMING SCHOOL," "GAMING SERVICE PROVIDER,"
27 "KEY EMPLOYEE," "LICENSED FACILITY," "LICENSED RACING ENTITY,"
28 "MANUFACTURER," "MANUFACTURER LICENSE," "PLAYER," "RACE HORSE
29 INDUSTRY REFORM ACT," "SLOT MACHINE," "SUPPLIER," "SUPPLIER
30 LICENSE" AND "TABLE GAME DEVICE" IN SECTION 1103 OF TITLE 4 ARE

1 AMENDED AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO
2 READ:

3 § 1103. DEFINITIONS.

4 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS PART SHALL
5 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
6 CONTEXT CLEARLY INDICATES OTHERWISE:

7 * * *

8 "AIRPORT AUTHORITY." ANY OF THE FOLLOWING:

9 (1) THE GOVERNING BODY OF A MUNICIPAL AUTHORITY
10 ORGANIZED AND INCORPORATED TO OVERSEE THE OPERATIONS OF A
11 QUALIFIED AIRPORT UNDER 53 PA.C.S. CH. 56 (RELATING TO
12 MUNICIPAL AUTHORITIES); OR

13 (2) A CITY OF THE FIRST CLASS THAT REGULATES THE USE AND
14 CONTROL OF A QUALIFIED AIRPORT THAT IS LOCATED PARTIALLY IN A
15 COUNTY OF THE FIRST CLASS AND PARTIALLY IN A COUNTY
16 CONTIGUOUS TO A COUNTY OF THE FIRST CLASS.

17 "AIRPORT GAMING AREA." A LOCATION OR LOCATIONS WITHIN A
18 QUALIFIED AIRPORT APPROVED FOR THE CONDUCT OF AUTHORIZED
19 INTERACTIVE GAMES THROUGH THE USE OF MULTI-USE COMPUTING DEVICES
20 BY ELIGIBLE PASSENGERS AS APPROVED BY THE AIRPORT AUTHORITY AND
21 THE PENNSYLVANIA GAMING CONTROL BOARD.

22 * * *

23 "ASSOCIATED EQUIPMENT." ANY EQUIPMENT OR MECHANICAL,
24 ELECTROMECHANICAL OR ELECTRONIC CONTRIVANCE, COMPONENT OR
25 MACHINE USED IN CONNECTION WITH SLOT MACHINES OR TABLE GAMES,
26 INCLUDING LINKING DEVICES WHICH CONNECT TO PROGRESSIVE SLOT
27 MACHINES OR SLOT MACHINES, REPLACEMENT PARTS, EQUIPMENT WHICH
28 AFFECTS THE PROPER REPORTING AND COUNTING OF GROSS TERMINAL
29 REVENUE [AND], GROSS TABLE GAME REVENUE AND GROSS INTERACTIVE
30 GAMING REVENUE, COMPUTERIZED SYSTEMS FOR CONTROLLING AND

1 MONITORING SLOT MACHINES [OR], TABLE GAMES OR INTERACTIVE GAMES,
2 INCLUDING, BUT NOT LIMITED TO, THE CENTRAL CONTROL COMPUTER TO
3 WHICH ALL SLOT MACHINES COMMUNICATE [AND], DEVICES FOR WEIGHING
4 OR COUNTING MONEY[.] AND INTERACTIVE GAMING DEVICES AND
5 ASSOCIATED EQUIPMENT NECESSARY FOR THE OPERATION OF INTERACTIVE
6 GAMES AS APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD. THE
7 TERM SHALL NOT INCLUDE COUNT ROOM EQUIPMENT.

8 * * *

9 "AUTHORIZED INTERACTIVE GAME." AN INTERACTIVE GAME APPROVED
10 BY REGULATION OF THE PENNSYLVANIA GAMING CONTROL BOARD TO BE
11 SUITABLE FOR INTERACTIVE GAMING OFFERED BY AN INTERACTIVE GAMING
12 CERTIFICATE HOLDER OR OTHER PERSONS ON BEHALF OF A SLOT MACHINE
13 LICENSEE OR OTHER ENTITY IN ACCORDANCE WITH CHAPTER 13C
14 (RELATING TO INTERACTIVE GAMING). THE TERM SHALL INCLUDE ANY
15 INTERACTIVE GAME APPROVED BY REGULATION OF THE PENNSYLVANIA
16 GAMING CONTROL BOARD TO BE SUITABLE FOR INTERACTIVE GAMING
17 THROUGH THE USE OF A MULTI-USE COMPUTING DEVICE.

18 * * *

19 "CASH EQUIVALENT." AN ASSET THAT IS READILY CONVERTIBLE TO
20 CASH, INCLUDING, BUT NOT LIMITED TO, ANY OF THE FOLLOWING:

- 21 (1) CHIPS OR TOKENS.
- 22 (2) TRAVELERS CHECKS.
- 23 (3) FOREIGN CURRENCY AND COIN.
- 24 (4) CERTIFIED CHECKS, CASHIER'S CHECKS AND MONEY ORDERS.
- 25 (5) PERSONAL CHECKS OR DRAFTS.
- 26 (6) A NEGOTIABLE INSTRUMENT APPLIED AGAINST CREDIT
27 EXTENDED BY A CERTIFICATE HOLDER, AN INTERACTIVE GAMING
28 CERTIFICATE HOLDER, A HOLDER OF AN INTERACTIVE GAMING LICENSE
29 OR A FINANCIAL INSTITUTION.
- 30 (7) A PREPAID ACCESS INSTRUMENT AS DEFINED IN THIS

1 SECTION.

2 (8) ANY OTHER INSTRUMENT OR REPRESENTATION OF VALUE THAT
3 THE PENNSYLVANIA GAMING CONTROL BOARD DEEMS A CASH
4 EQUIVALENT.

5 * * *

6 "CHEAT." TO DEFRAUD OR STEAL FROM ANY PLAYER, SLOT MACHINE
7 LICENSEE OR THE COMMONWEALTH WHILE OPERATING OR PLAYING A SLOT
8 MACHINE [OR] TABLE GAME OR AUTHORIZED INTERACTIVE GAME,
9 INCLUDING CAUSING, AIDING, ABETTING OR CONSPIRING WITH ANOTHER
10 PERSON TO DO SO. THE TERM SHALL ALSO MEAN TO ALTER OR CAUSING,
11 AIDING, ABETTING OR CONSPIRING WITH ANOTHER PERSON TO ALTER THE
12 ELEMENTS OF CHANCE, METHOD OF SELECTION OR CRITERIA WHICH
13 DETERMINE:

14 (1) THE RESULT OF A SLOT MACHINE GAME [OR] TABLE GAME
15 OR AUTHORIZED INTERACTIVE GAME.

16 (2) THE AMOUNT OR FREQUENCY OF PAYMENT IN A SLOT MACHINE
17 GAME [OR] TABLE GAME OR AUTHORIZED INTERACTIVE GAME.

18 (3) THE VALUE OF A WAGERING INSTRUMENT.

19 (4) THE VALUE OF A WAGERING CREDIT.

20 THE TERM DOES NOT INCLUDE ALTERING A SLOT MACHINE, TABLE GAME
21 DEVICE OR ASSOCIATED EQUIPMENT, INTERACTIVE GAMING DEVICE OR
22 ASSOCIATED EQUIPMENT OR A MULTI-USE COMPUTING DEVICE FOR
23 MAINTENANCE OR REPAIR WITH THE APPROVAL OF A SLOT MACHINE
24 LICENSEE.

25 "CHEATING OR THIEVING DEVICE." A DEVICE, SOFTWARE OR
26 HARDWARE USED OR POSSESSED WITH THE INTENT TO BE USED TO CHEAT
27 DURING THE OPERATION OR PLAY OF ANY SLOT MACHINE [OR] TABLE
28 GAME OR AUTHORIZED INTERACTIVE GAME. THE TERM SHALL ALSO INCLUDE
29 ANY DEVICE USED TO ALTER A SLOT MACHINE [OR] A TABLE GAME
30 DEVICE OR ASSOCIATED EQUIPMENT, AN AUTHORIZED INTERACTIVE GAME,

1 INTERACTIVE GAMING DEVICE OR ASSOCIATED EQUIPMENT OR A MULTI-USE
2 COMPUTING DEVICE WITHOUT THE SLOT MACHINE LICENSEE'S APPROVAL.

3 * * *

4 ["COMMISSION" OR "COMMISSIONS."] "COMMISSION." THE STATE
5 HORSE RACING COMMISSION [OR THE STATE HARNESS RACING COMMISSION,
6 OR BOTH AS THE CONTEXT MAY REQUIRE].

7 * * *

8 "CONCESSION OPERATOR." A PERSON ENGAGED IN THE SALE OR
9 OFFERING FOR SALE OF CONSUMER GOODS OR SERVICES TO THE PUBLIC AT
10 A QUALIFIED AIRPORT OR AUTHORIZED TO CONDUCT OTHER COMMERCIAL
11 ACTIVITIES RELATED TO PASSENGER SERVICES AT A QUALIFIED AIRPORT
12 IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF AN AGREEMENT OR
13 CONTRACT WITH AN AIRPORT AUTHORITY, GOVERNMENT ENTITY OR OTHER
14 PERSON.

15 "CONDUCT OF GAMING." THE LICENSED PLACEMENT, OPERATION AND
16 PLAY OF SLOT MACHINES [AND], TABLE GAMES AND INTERACTIVE GAMES
17 UNDER THIS PART, AS AUTHORIZED AND APPROVED BY THE PENNSYLVANIA
18 GAMING CONTROL BOARD. THE TERM SHALL INCLUDE THE LICENSED
19 PLACEMENT, OPERATION AND PLAY OF AUTHORIZED INTERACTIVE GAMES
20 THROUGH THE USE OF MULTI-USE COMPUTING DEVICES AT A QUALIFIED
21 AIRPORT, AS AUTHORIZED AND APPROVED BY THE PENNSYLVANIA GAMING
22 CONTROL BOARD.

23 "CONTEST." A SLOT MACHINE, TABLE GAME OR AUTHORIZED
24 INTERACTIVE GAME COMPETITION AMONG PLAYERS FOR CASH, CASH
25 EQUIVALENTS OR PRIZES.

26 * * *

27 "COUNTERFEIT CHIP." ANY OBJECT OR THING THAT IS:

28 (1) USED OR INTENDED TO BE USED TO PLAY A TABLE GAME AT
29 A CERTIFICATE HOLDER'S LICENSED FACILITY AND WHICH WAS NOT
30 ISSUED BY THAT CERTIFICATE HOLDER FOR SUCH USE; [OR]

1 (2) PRESENTED TO A CERTIFICATE HOLDER FOR REDEMPTION IF
2 THE OBJECT WAS NOT ISSUED BY THE CERTIFICATE HOLDER[.];

3 (3) USED OR INTENDED TO BE USED TO PLAY AN AUTHORIZED
4 INTERACTIVE GAME WHICH WAS NOT APPROVED BY THE INTERACTIVE
5 GAMING CERTIFICATE HOLDER FOR SUCH USE; OR

6 (4) PRESENTED DURING PLAY OF AN AUTHORIZED INTERACTIVE
7 GAME FOR REDEMPTION, IF THE OBJECT OR THING WAS NOT ISSUED BY
8 THE INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER PERSON ON
9 BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER.

10 * * *

11 "ELIGIBLE PASSENGER" OR "PASSENGER." AN INDIVIDUAL WHO IS AT
12 LEAST 21 YEARS OF AGE AND HAS CLEARED SECURITY CHECK POINTS WITH
13 A VALID AIRLINE BOARDING PASS FOR TRAVEL FROM ONE DESTINATION TO
14 ANOTHER BY AIRPLANE.

15 * * *

16 "FULLY AUTOMATED ELECTRONIC GAMING TABLE." AN ELECTRONIC
17 GAMING TABLE DETERMINED BY THE PENNSYLVANIA GAMING CONTROL BOARD
18 TO BE PLAYABLE OR OPERABLE AS A TABLE GAME WITHOUT THE
19 ASSISTANCE OR PARTICIPATION OF A PERSON ACTING ON BEHALF OF A
20 CERTIFICATE HOLDER. THE TERM SHALL INCLUDE A MULTI-USE COMPUTING
21 DEVICE, WHICH THROUGH THE USE OF DIGITAL, ELECTRONIC OR OTHER
22 COMMUNICATIONS TECHNOLOGY IS CAPABLE OF SIMULATING A TABLE GAME.

23 * * *

24 "GAMING EMPLOYEE." ANY EMPLOYEE OF A SLOT MACHINE LICENSEE,
25 INCLUDING, BUT NOT LIMITED TO:

26 (1) CASHIERS.

27 (2) CHANGE PERSONNEL.

28 (3) COUNT ROOM PERSONNEL.

29 (4) SLOT ATTENDANTS.

30 (5) HOSTS OR OTHER INDIVIDUALS AUTHORIZED TO EXTEND

1 COMPLIMENTARY SERVICES, INCLUDING EMPLOYEES PERFORMING
2 FUNCTIONS SIMILAR TO THOSE PERFORMED BY A GAMING JUNKET
3 REPRESENTATIVE.

4 (6) MACHINE MECHANICS, COMPUTER MACHINE TECHNICIANS OR
5 TABLE GAME DEVICE TECHNICIANS.

6 (7) SECURITY PERSONNEL.

7 (8) SURVEILLANCE PERSONNEL.

8 (9) PROMOTIONAL PLAY SUPERVISORS, CREDIT SUPERVISORS,
9 PIT SUPERVISORS, CASHIER SUPERVISORS, SHIFT SUPERVISORS,
10 TABLE GAME MANAGERS AND ASSISTANT MANAGERS AND OTHER
11 SUPERVISORS AND MANAGERS, EXCEPT FOR THOSE SPECIFICALLY
12 IDENTIFIED IN THIS PART AS KEY EMPLOYEES.

13 (10) BOXMEN.

14 (11) DEALERS OR CROUPIERS.

15 (12) FLOORMEN.

16 (13) PERSONNEL AUTHORIZED TO ISSUE PROMOTIONAL PLAY.

17 (14) PERSONNEL AUTHORIZED TO ISSUE CREDIT.

18 THE TERM SHALL INCLUDE EMPLOYEES OF A PERSON HOLDING A
19 SUPPLIER'S LICENSE WHOSE DUTIES ARE DIRECTLY INVOLVED WITH THE
20 REPAIR OR DISTRIBUTION OF SLOT MACHINES, TABLE GAME DEVICES OR
21 ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES OR ASSOCIATED
22 EQUIPMENT SOLD OR PROVIDED TO A LICENSED FACILITY WITHIN THIS
23 COMMONWEALTH AS DETERMINED BY THE PENNSYLVANIA GAMING CONTROL
24 BOARD. THE TERM SHALL FURTHER INCLUDE EMPLOYEES OF A PERSON
25 AUTHORIZED BY THE BOARD TO SUPPLY GOODS AND SERVICES RELATED TO
26 INTERACTIVE GAMING OR ANY SUBCONTRACTOR OR AN EMPLOYEE OF A
27 SUBCONTRACTOR THAT SUPPLIES INTERACTIVE GAMING DEVICES,
28 INCLUDING MULTI-USE COMPUTING DEVICES OR ASSOCIATED EQUIPMENT TO
29 A HOLDER OF AN INTERACTIVE GAMING CERTIFICATE OR INTERACTIVE
30 GAMING LICENSE. THE TERM DOES NOT INCLUDE BARTENDERS, COCKTAIL

1 SERVERS OR OTHER PERSONS ENGAGED SOLELY IN PREPARING OR SERVING
2 FOOD OR BEVERAGES, CLERICAL OR SECRETARIAL PERSONNEL, PARKING
3 ATTENDANTS, JANITORIAL, STAGE, SOUND AND LIGHT TECHNICIANS AND
4 OTHER NONGAMING PERSONNEL AS DETERMINED BY THE BOARD.

5 "GAMING FLOOR." A PORTION OF A LICENSED FACILITY WHERE SLOT
6 MACHINES OR TABLE GAMES HAVE BEEN INSTALLED FOR USE OR PLAY.

7 * * *

8 "GAMING-RELATED RESTRICTED AREA." A ROOM OR AREA OF A
9 LICENSED FACILITY WHICH IS SPECIFICALLY DESIGNATED BY THE
10 PENNSYLVANIA GAMING CONTROL BOARD AS RESTRICTED OR BY THE SLOT
11 MACHINE LICENSEE OR OTHER ENTITY AS RESTRICTED IN ITS BOARD-
12 APPROVED INTERNAL CONTROLS.

13 "GAMING SCHOOL." ANY EDUCATIONAL INSTITUTION APPROVED BY THE
14 DEPARTMENT OF EDUCATION AS AN ACCREDITED COLLEGE OR UNIVERSITY,
15 COMMUNITY COLLEGE, PENNSYLVANIA PRIVATE LICENSED SCHOOL OR ITS
16 EQUIVALENT AND WHOSE CURRICULUM GUIDELINES ARE APPROVED BY THE
17 DEPARTMENT OF LABOR AND INDUSTRY TO PROVIDE EDUCATION AND JOB
18 TRAINING RELATED TO EMPLOYMENT OPPORTUNITIES ASSOCIATED WITH
19 SLOT MACHINES [OR], TABLE GAMES OR INTERACTIVE GAMES, INCLUDING
20 SLOT MACHINE, TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT
21 MAINTENANCE AND REPAIR AND INTERACTIVE GAMING DEVICES AND
22 ASSOCIATED EQUIPMENT MAINTENANCE AND REPAIR.

23 "GAMING SERVICE PROVIDER." A PERSON THAT IS NOT REQUIRED TO
24 BE LICENSED AS A MANUFACTURER, SUPPLIER, MANAGEMENT COMPANY OR
25 GAMING JUNKET ENTERPRISE UNDER THIS PART OR REGULATIONS OF THE
26 PENNSYLVANIA GAMING CONTROL BOARD AND:

27 (1) PROVIDES GOODS OR SERVICES, INCLUDING, BUT NOT
28 LIMITED TO, COUNT ROOM EQUIPMENT, TO A SLOT MACHINE LICENSEE
29 OR AN APPLICANT FOR A SLOT MACHINE LICENSE FOR USE IN THE
30 OPERATION OF A LICENSED FACILITY; [OR] AND

1 (2) [PROVIDES GOODS OR SERVICES AT] REQUIRES ACCESS TO
2 THE GAMING FLOOR OR A GAMING-RELATED RESTRICTED AREA OF A
3 LICENSED FACILITY AS DETERMINED BY THE PENNSYLVANIA GAMING
4 CONTROL BOARD.

5 "GROSS INTERACTIVE GAMING REVENUE." THE TOTAL OF ALL CASH OR
6 CASH EQUIVALENT WAGERS PAID BY REGISTERED PLAYERS TO AN
7 INTERACTIVE GAMING CERTIFICATE HOLDER IN CONSIDERATION FOR THE
8 PLAY OF AUTHORIZED INTERACTIVE GAMES, MINUS:

9 (1) THE TOTAL OF CASH OR CASH EQUIVALENTS PAID OUT TO
10 REGISTERED PLAYERS AS WINNINGS.

11 (2) THE CASH EQUIVALENT VALUE OF ANY PERSONAL PROPERTY
12 OR OTHER NONCASH ITEMS OR THINGS OF VALUE INCLUDED IN A
13 DRAWING, CONTEST OR TOURNAMENT AND DISTRIBUTED TO REGISTERED
14 PLAYERS AS A RESULT OF PLAYING AUTHORIZED INTERACTIVE GAMES.

15 (3) ANY ADMINISTRATIVE FEE, OPERATIONS FEE OR TAX PAID
16 TO ANOTHER STATE OR JURISDICTION PURSUANT TO AN INTERACTIVE
17 GAMING RECIPROCAL AGREEMENT.

18 AMOUNTS DEPOSITED WITH AN INTERACTIVE GAMING CERTIFICATE HOLDER
19 FOR PURPOSES OF INTERACTIVE GAMING AND AMOUNTS TAKEN IN
20 FRAUDULENT ACTS PERPETRATED AGAINST AN INTERACTIVE GAMING
21 CERTIFICATE HOLDER FOR WHICH THE INTERACTIVE GAMING CERTIFICATE
22 HOLDER IS NOT REIMBURSED MAY NOT BE CONSIDERED TO HAVE BEEN PAID
23 TO THE INTERACTIVE GAMING CERTIFICATE HOLDER FOR PURPOSES OF
24 CALCULATING GROSS INTERACTIVE GAMING REVENUE.

25 * * *

26 "INTERACTIVE GAME." ANY GAMBLING GAME OFFERED THROUGH THE
27 USE OF COMMUNICATIONS TECHNOLOGY THAT ALLOWS A PERSON, UTILIZING
28 MONEY, CHECKS, ELECTRONIC CHECKS, ELECTRONIC TRANSFERS OF MONEY,
29 CREDIT CARDS, DEBIT CARDS OR OTHER INSTRUMENTALITY TO TRANSMIT
30 ELECTRONIC INFORMATION, TO ASSIST IN THE PLACEMENT OF A BET OR

1 WAGER AND CORRESPONDING INFORMATION RELATED TO THE DISPLAY OF
2 THE GAME, GAME OUTCOMES OR OTHER SIMILAR INFORMATION. THE TERM
3 SHALL NOT INCLUDE:

4 (1) A LOTTERY GAME OR INTERNET INSTANT GAME AS DEFINED
5 IN THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91), KNOWN AS THE
6 STATE LOTTERY LAW OR ILOTTERY UNDER SECTION 702 (RELATING TO
7 DEFINITIONS).

8 (2) NONGAMBLING GAMES THAT DO NOT OTHERWISE REQUIRE A
9 LICENSE UNDER THE LAWS OF THIS COMMONWEALTH.

10 (3) FANTASY CONTESTS AS DEFINED UNDER CHAPTER 3
11 (RELATING TO FANTASY CONTESTS).

12 FOR THE PURPOSES OF THIS DEFINITION, THE TERM "COMMUNICATIONS
13 TECHNOLOGY" SHALL MEAN ANY METHOD USED AND THE COMPONENTS
14 EMPLOYED TO FACILITATE THE TRANSMISSION AND RECEIPT OF
15 INFORMATION, INCLUDING TRANSMISSION AND RECEPTION BY SYSTEMS
16 USING WIRE, WIRELESS, CABLE, RADIO, MICROWAVE, LIGHT, FIBER
17 OPTICS, SATELLITE OR COMPUTER DATA NETWORKS, INCLUDING THE
18 INTERNET AND INTRANETS, AS APPROVED BY THE BOARD.

19 "INTERACTIVE GAMING." THE PLACING OF BETS OR WAGERS WITH AN
20 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
21 LICENSEE LOCATED IN THIS COMMONWEALTH USING A COMPUTER NETWORK
22 OF BOTH FEDERAL AND NON-FEDERAL INTEROPERABLE PACKET SWITCHED
23 DATA NETWORKS THROUGH WHICH AN INTERACTIVE GAMING CERTIFICATE
24 HOLDER MAY OFFER AUTHORIZED INTERACTIVE GAMES TO REGISTERED
25 PLAYERS. THE TERM SHALL INCLUDE THE PLACING OF BETS OR WAGERS
26 THROUGH THE USE OF A MULTI-USE COMPUTING DEVICE.

27 "INTERACTIVE GAMING ACCOUNT." THE FORMAL, ELECTRONIC SYSTEM
28 IMPLEMENTED BY AN INTERACTIVE GAMING CERTIFICATE HOLDER TO
29 RECORD THE BALANCE OF A REGISTERED PLAYER'S DEBITS, CREDITS AND
30 OTHER ACTIVITY RELATED TO INTERACTIVE GAMING.

1 "INTERACTIVE GAMING ACCOUNT AGREEMENT." AN AGREEMENT ENTERED
2 INTO BETWEEN AN INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER
3 PERSON ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER AND
4 AN INDIVIDUAL WHICH GOVERNS THE TERMS AND CONDITIONS OF THE
5 INDIVIDUAL'S INTERACTIVE GAMING ACCOUNT AND THE USE OF THE
6 INTERNET FOR PURPOSES OF PLACING BETS OR WAGERS ON AUTHORIZED
7 INTERACTIVE GAMES OPERATED BY AN INTERACTIVE GAMING CERTIFICATE
8 HOLDER OR OTHER PERSON ON BEHALF OF AN INTERACTIVE GAMING
9 CERTIFICATE HOLDER.

10 "INTERACTIVE GAMING AGREEMENT." AN AGREEMENT ENTERED INTO BY
11 OR BETWEEN AN INTERACTIVE GAMING CERTIFICATE HOLDER AND AN
12 INTERACTIVE GAMING OPERATOR RELATED TO THE OFFERING OR OPERATION
13 OF INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF
14 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER. THE TERM SHALL
15 INCLUDE AN INTERACTIVE GAMING AGREEMENT ENTERED INTO BY OR
16 BETWEEN AN INTERACTIVE GAMING CERTIFICATE HOLDER AND AN
17 INTERACTIVE GAMING OPERATOR FOR THE CONDUCT OF INTERACTIVE
18 GAMING THROUGH THE USE OF MULTI-USE COMPUTING DEVICES AT A
19 QUALIFIED AIRPORT IN ACCORDANCE WITH THIS PART.

20 "INTERACTIVE GAMING CERTIFICATE." THE AUTHORIZATION ISSUED
21 TO A SLOT MACHINE LICENSEE OR OTHER ENTITY BY THE PENNSYLVANIA
22 GAMING CONTROL BOARD AUTHORIZING THE OPERATION AND CONDUCT OF
23 INTERACTIVE GAMING BY A SLOT MACHINE LICENSEE OR OTHER ENTITY OR
24 OTHER PERSON ON BEHALF OF A SLOT MACHINE LICENSEE OR OTHER
25 ENTITY IN ACCORDANCE WITH CHAPTER 13C (RELATING TO INTERACTIVE
26 GAMING).

27 "INTERACTIVE GAMING CERTIFICATE HOLDER." A SLOT MACHINE
28 LICENSEE OR OTHER ENTITY THAT HAS BEEN GRANTED AUTHORIZATION BY
29 THE PENNSYLVANIA GAMING CONTROL BOARD TO OPERATE AUTHORIZED
30 INTERACTIVE GAMES IN ACCORDANCE WITH CHAPTER 13C (RELATING TO

1 INTERACTIVE GAMING).

2 "INTERACTIVE GAMING DEVICE." ALL HARDWARE AND SOFTWARE AND
3 OTHER TECHNOLOGY, EQUIPMENT OR DEVICE OF ANY KIND AS DETERMINED
4 BY THE PENNSYLVANIA GAMING CONTROL BOARD TO BE NECESSARY FOR THE
5 CONDUCT OF AUTHORIZED INTERACTIVE GAMES.

6 "INTERACTIVE GAMING LICENSE." A LICENSE ISSUED TO A PERSON
7 BY THE PENNSYLVANIA GAMING CONTROL BOARD UNDER CHAPTER 13C
8 (RELATING TO INTERACTIVE GAMING).

9 "INTERACTIVE GAMING LICENSEE." A PERSON WHO HAS BEEN ISSUED
10 A LICENSE TO ACT AS AN INTERACTIVE GAMING OPERATOR UNDER CHAPTER
11 13C (RELATING TO INTERACTIVE GAMING).

12 "INTERACTIVE GAMING OPERATOR." A PERSON, INCLUDING AN
13 AFFILIATE OF A SLOT MACHINE LICENSEE, LICENSED BY THE
14 PENNSYLVANIA GAMING CONTROL BOARD TO OPERATE INTERACTIVE GAMING
15 OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF AN INTERACTIVE
16 GAMING CERTIFICATE HOLDER.

17 "INTERACTIVE GAMING PLATFORM." THE COMBINATION OF HARDWARE
18 AND SOFTWARE OR OTHER TECHNOLOGY DESIGNED AND USED TO MANAGE,
19 CONDUCT AND RECORD INTERACTIVE GAMES AND THE BETS OR WAGERS
20 ASSOCIATED WITH INTERACTIVE GAMES, AS APPROVED BY THE
21 PENNSYLVANIA GAMING CONTROL BOARD. THE TERM SHALL INCLUDE ANY
22 EMERGING OR NEW TECHNOLOGY DEPLOYED TO ADVANCE THE CONDUCT AND
23 OPERATION OF INTERACTIVE GAMING, AS APPROVED THROUGH REGULATION
24 BY THE PENNSYLVANIA GAMING CONTROL BOARD.

25 "INTERACTIVE GAMING RECIPROCAL AGREEMENT." AN AGREEMENT
26 NEGOTIATED BY THE PENNSYLVANIA GAMING CONTROL BOARD ON BEHALF OF
27 THE COMMONWEALTH WITH THE AUTHORIZED AGENCY OF ONE OR MORE
28 STATES OR JURISDICTIONS WHERE INTERACTIVE GAMING IS LEGALLY
29 AUTHORIZED WHICH WILL PERMIT THE CONDUCT OF INTERACTIVE GAMING
30 BETWEEN INTERACTIVE GAMING CERTIFICATE HOLDERS IN THIS

1 COMMONWEALTH AND GAMING ENTITIES IN THE STATES OR JURISDICTIONS
2 THAT ARE PARTIES TO THE AGREEMENT.

3 "INTERACTIVE GAMING RESTRICTED AREA." A ROOM OR AREA, AS
4 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD, USED BY AN
5 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
6 LICENSE HOLDER TO MANAGE, CONTROL AND OPERATE INTERACTIVE
7 GAMING, INCLUDING, WHERE APPROVED BY THE BOARD, REDUNDANCY
8 FACILITIES.

9 "INTERACTIVE GAMING SKIN OR SKINS." THE PORTAL OR PORTALS TO
10 AN INTERACTIVE GAMING PLATFORM OR INTERNET WEBSITE THROUGH WHICH
11 AUTHORIZED INTERACTIVE GAMES ARE MADE AVAILABLE TO REGISTERED
12 PLAYERS BY AN INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER
13 PERSON ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER IN
14 THIS COMMONWEALTH OR PLAYERS IN ANOTHER STATE OR JURISDICTION IN
15 WHICH AN INTERACTIVE GAMING RECIPROCAL AGREEMENT HAS BEEN
16 ENTERED.

17 "INTERACTIVE GAMING SYSTEM." ALL HARDWARE, SOFTWARE AND
18 COMMUNICATIONS THAT COMPRISE A TYPE OF SERVER-BASED GAMING
19 SYSTEM FOR THE PURPOSE OF OFFERING AUTHORIZED INTERACTIVE GAMES.

20 * * *

21 "INTERNET WEBSITE." THE INTERACTIVE GAMING SKIN OR SKINS OR
22 INTERNET PORTAL OR PORTALS THROUGH WHICH AN INTERACTIVE GAMING
23 CERTIFICATE HOLDER OR OTHER PERSON MAKES AUTHORIZED INTERACTIVE
24 GAMES AVAILABLE FOR PLAY.

25 * * *

26 "KEY EMPLOYEE." ANY INDIVIDUAL WHO IS EMPLOYED IN A DIRECTOR
27 OR DEPARTMENT HEAD CAPACITY AND WHO IS EMPOWERED TO MAKE
28 DISCRETIONARY DECISIONS THAT REGULATE SLOT MACHINE OR TABLE GAME
29 OPERATIONS OR INTERACTIVE GAMING OPERATIONS, INCLUDING THE
30 GENERAL MANAGER AND ASSISTANT MANAGER OF THE LICENSED FACILITY,

1 DIRECTOR OF SLOT OPERATIONS, DIRECTOR OF TABLE GAME OPERATIONS,
2 DIRECTOR OF INTERACTIVE GAMING, DIRECTOR OF CAGE AND/OR CREDIT
3 OPERATIONS, DIRECTOR OF SURVEILLANCE, DIRECTOR OF MARKETING,
4 DIRECTOR OF MANAGEMENT INFORMATION SYSTEMS, DIRECTOR OF
5 INTERACTIVE GAMING SYSTEM PROGRAMS OR OTHER SIMILAR JOB
6 CLASSIFICATIONS ASSOCIATED WITH INTERACTIVE GAMING, PERSONS WHO
7 MANAGE, CONTROL OR ADMINISTER INTERACTIVE GAMING OR THE BETS AND
8 WAGERS ASSOCIATED WITH AUTHORIZED INTERACTIVE GAMES, DIRECTOR OF
9 SECURITY, COMPTROLLER AND ANY EMPLOYEE WHO IS NOT OTHERWISE
10 DESIGNATED AS A GAMING EMPLOYEE AND WHO SUPERVISES THE
11 OPERATIONS OF THESE DEPARTMENTS OR TO WHOM THESE DEPARTMENT
12 DIRECTORS OR DEPARTMENT HEADS REPORT AND SUCH OTHER POSITIONS
13 NOT OTHERWISE DESIGNATED OR DEFINED UNDER THIS PART WHICH THE
14 PENNSYLVANIA GAMING CONTROL BOARD SHALL DETERMINE BASED ON
15 DETAILED ANALYSES OF JOB DESCRIPTIONS AS PROVIDED IN THE
16 INTERNAL CONTROLS OF THE LICENSEE AS APPROVED BY THE
17 PENNSYLVANIA GAMING CONTROL BOARD. ALL OTHER GAMING EMPLOYEES
18 UNLESS OTHERWISE DESIGNATED BY THE PENNSYLVANIA GAMING CONTROL
19 BOARD SHALL BE CLASSIFIED AS NON-KEY EMPLOYEES.

20 * * *

21 "LICENSED FACILITY." THE PHYSICAL LAND-BASED LOCATION AT
22 WHICH A LICENSED GAMING ENTITY IS AUTHORIZED TO PLACE AND
23 OPERATE SLOT MACHINES AND, IF AUTHORIZED BY THE PENNSYLVANIA
24 GAMING CONTROL BOARD UNDER CHAPTER 13A (RELATING TO TABLE
25 GAMES), TO CONDUCT TABLE GAMES AND IF AUTHORIZED UNDER CHAPTER
26 13C (RELATING TO INTERACTIVE GAMING), TO CONDUCT INTERACTIVE
27 GAMING. THE TERM INCLUDES ANY:

28 (1) AREA OF A LICENSED RACETRACK AT WHICH A SLOT MACHINE
29 LICENSEE WAS PREVIOUSLY AUTHORIZED PURSUANT TO SECTION
30 1207(17) (RELATING TO REGULATORY AUTHORITY OF BOARD) TO

1 OPERATE SLOT MACHINES PRIOR TO THE EFFECTIVE DATE OF THIS
2 PARAGRAPH;

3 (2) BOARD-APPROVED INTERIM FACILITY OR TEMPORARY
4 FACILITY; AND

5 (3) AREA OF A HOTEL WHICH THE PENNSYLVANIA GAMING
6 CONTROL BOARD DETERMINES IS SUITABLE TO CONDUCT TABLE GAMES.
7 THE TERM SHALL NOT INCLUDE A REDUNDANCY FACILITY OR AN
8 INTERACTIVE GAMING RESTRICTED AREA WHICH IS NOT LOCATED ON THE
9 PREMISES OF A LICENSED FACILITY AS APPROVED BY THE PENNSYLVANIA
10 GAMING CONTROL BOARD AND WHICH IS MAINTAINED AND OPERATED BY AN
11 INTERACTIVE GAMING CERTIFICATE HOLDER IN CONNECTION WITH
12 INTERACTIVE GAMING.

13 * * *

14 "LICENSED RACING ENTITY." ANY LEGAL ENTITY THAT HAS OBTAINED
15 A LICENSE TO CONDUCT LIVE THOROUGHBRED OR HARNESS HORSE RACE
16 MEETINGS RESPECTIVELY WITH PARI-MUTUEL WAGERING FROM [EITHER]
17 THE STATE HORSE RACING COMMISSION [OR THE STATE HARNESS RACING
18 COMMISSION] PURSUANT TO [THE ACT OF DECEMBER 17, 1981 (P.L.435,
19 NO.135), KNOWN AS] THE RACE HORSE INDUSTRY REFORM ACT.

20 "MANUFACTURER." A PERSON WHO MANUFACTURES, BUILDS, REBUILDS,
21 FABRICATES, ASSEMBLES, PRODUCES, PROGRAMS, DESIGNS OR OTHERWISE
22 MAKES MODIFICATIONS TO ANY SLOT MACHINE, TABLE GAME DEVICE OR
23 ASSOCIATED EQUIPMENT OR AUTHORIZED INTERACTIVE GAMES OR
24 ASSOCIATED EQUIPMENT FOR USE OR PLAY OF SLOT MACHINES [OR],
25 TABLE GAMES OR AUTHORIZED INTERACTIVE GAMES IN THIS COMMONWEALTH
26 FOR GAMING PURPOSES. THE TERM DOES NOT INCLUDE A PERSON WHO
27 MANUFACTURES, BUILDS, REBUILDS, FABRICATES, ASSEMBLES, PRODUCES,
28 PROGRAMS, DESIGNS OR OTHERWISE MAKES MODIFICATIONS TO MULTI-USE
29 COMPUTING DEVICES USED IN CONNECTION WITH THE CONDUCT OF
30 INTERACTIVE GAMING AT A QUALIFIED AIRPORT.

1 "MANUFACTURER LICENSE." A LICENSE ISSUED BY THE PENNSYLVANIA
2 GAMING CONTROL BOARD AUTHORIZING A MANUFACTURER TO MANUFACTURE
3 OR PRODUCE SLOT MACHINES, TABLE GAME DEVICES OR ASSOCIATED
4 EQUIPMENT INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT FOR
5 USE IN THIS COMMONWEALTH FOR GAMING PURPOSES.

6 * * *

7 "MULTI-USE COMPUTING DEVICE." AS FOLLOWS:

8 (1) A COMPUTING DEVICE, INCLUDING, BUT NOT LIMITED TO, A
9 TABLET COMPUTER, THAT:

10 (I) ALLOWS A PLAYER TO ACCESS AN AUTHORIZED
11 INTERACTIVE GAME.

12 (II) IS LOCATED AND ACCESSIBLE TO ELIGIBLE
13 PASSENGERS ONLY IN AN AIRPORT GAMING AREA.

14 (III) COMMUNICATES WITH A SERVER THAT IS IN A
15 LOCATION APPROVED BY THE PENNSYLVANIA GAMING CONTROL
16 BOARD.

17 (IV) IS APPROVED BY THE PENNSYLVANIA GAMING CONTROL
18 BOARD.

19 (V) HAS THE CAPABILITY OF BEING LINKED TO AND
20 MONITORED BY THE DEPARTMENT'S CENTRAL CONTROL COMPUTER
21 SYSTEM, AS APPLICABLE FOR AN AUTHORIZED INTERACTIVE GAME
22 IN ACCORDANCE WITH SECTION 1323 (RELATING TO CENTRAL
23 CONTROL COMPUTER SYSTEM).

24 (VI) OFFERS A PLAYER ADDITIONAL FUNCTIONS THAT
25 INCLUDE INTERNET BROWSING, THE CAPABILITY OF CHECKING
26 FLIGHT STATUS AND ORDERING FOOD OR BEVERAGES.

27 (2) THE TERM DOES NOT INCLUDE A TABLET OR COMPUTING
28 DEVICE THAT RESTRICTS, PROHIBITS OR IS INCAPABLE OF PROVIDING
29 ACCESS TO INTERACTIVE GAMING, INTERACTIVE GAMING SKINS OR
30 INTERACTIVE GAMING PLATFORMS.

1 * * *

2 "NONGAMING SERVICE PROVIDER." A PERSON THAT IS NOT A GAMING
3 SERVICE PROVIDER OR REQUIRED TO BE LICENSED AS A MANUFACTURER,
4 SUPPLIER, MANAGEMENT COMPANY OR GAMING JUNKET ENTERPRISE UNDER
5 THIS PART OR REGULATIONS OF THE BOARD AND THAT PROVIDES GOODS OR
6 SERVICES:

7 (1) TO A SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
8 MACHINE LICENSE FOR USE IN THE OPERATION OF A LICENSED
9 FACILITY; AND

10 (2) THAT DOES NOT REQUIRE ACCESS TO THE GAMING FLOOR OR
11 A GAMING-RELATED RESTRICTED AREA OF A LICENSED FACILITY.

12 "NON-PEER-TO-PEER INTERACTIVE GAME." AN INTERACTIVE GAME IN
13 WHICH THE PLAYER DOES NOT COMPETE AGAINST OTHER PLAYERS AND
14 WHICH IS NOT A PEER-TO-PEER INTERACTIVE GAME.

15 * * *

16 "PEER-TO-PEER INTERACTIVE GAME." AN INTERACTIVE GAME WHICH
17 IS NONBANKING, SUCH AS ONLINE POKER, IN WHICH A PLAYER COMPETES
18 AGAINST ONE OR MORE OTHER PLAYERS AND IN WHICH THE INTERACTIVE
19 GAMING CERTIFICATE HOLDER COLLECTS A RAKE.

20 * * *

21 "PLAYER." AN INDIVIDUAL WAGERING CASH, A CASH EQUIVALENT OR
22 OTHER THING OF VALUE IN THE PLAY OR OPERATION OF A SLOT MACHINE
23 [OR], AN AUTHORIZED INTERACTIVE GAME OR A TABLE GAME, INCLUDING
24 DURING A CONTEST OR TOURNAMENT, THE PLAY OR OPERATION OF WHICH
25 MAY DELIVER OR ENTITLE THE INDIVIDUAL PLAYING OR OPERATING THE
26 SLOT MACHINE [OR], AUTHORIZED INTERACTIVE GAME OR TABLE GAME TO
27 RECEIVE CASH, A CASH EQUIVALENT OR OTHER THING OF VALUE FROM
28 ANOTHER PLAYER OR A SLOT MACHINE LICENSEE.

29 "PREPAID ACCESS INSTRUMENT." A CARD, CODE, ELECTRONIC SERIAL
30 NUMBER, MOBILE IDENTIFICATION NUMBER, PERSONAL IDENTIFICATION

1 NUMBER OR SIMILAR DEVICE THAT ALLOWS PATRON ACCESS TO FUNDS THAT
2 HAVE BEEN PAID IN ADVANCE AND CAN BE RETRIEVED OR TRANSFERRED AT
3 SOME POINT IN THE FUTURE THROUGH SUCH A DEVICE WHICH:

4 (1) QUALIFIES AS AN ACCESS DEVICE FOR PURPOSES OF
5 REGULATION E ISSUED BY THE BOARD OF GOVERNORS OF THE FEDERAL
6 RESERVE SYSTEM UNDER 12 CFR PT. 205 (RELATING TO ELECTRONIC
7 FUND TRANSFERS (REGULATION E));

8 (2) MUST BE DISTRIBUTED BY A SLOT MACHINE LICENSEE OR
9 ITS AFFILIATES IN ORDER TO BE CONSIDERED A CASH EQUIVALENT AT
10 THAT LICENSEE'S LOCATION OR THE LOCATION OF ITS AFFILIATES;
11 AND

12 (3) MUST BE USED IN CONJUNCTION WITH AN APPROVED
13 CASHLESS WAGERING SYSTEM OR ELECTRONIC CREDIT SYSTEM IN ORDER
14 TO TRANSFER FUNDS FOR GAMING PURPOSES.

15 * * *

16 "QUALIFIED AIRPORT." ANY OF THE FOLLOWING:

17 (1) A PUBLICLY OWNED COMMERCIAL SERVICE AIRPORT THAT IS
18 DESIGNATED BY THE FEDERAL GOVERNMENT AS AN INTERNATIONAL
19 AIRPORT.

20 (2) A PUBLICLY OWNED COMMERCIAL SERVICE AIRPORT THAT HAS
21 AT LEAST 50,000 PASSENGER ENPLANEMENTS IN ANY CALENDAR YEAR.

22 "RACE HORSE INDUSTRY REFORM ACT." [THE ACT OF DECEMBER 17,
23 1981 (P.L.435, NO.135), KNOWN AS THE RACE HORSE INDUSTRY REFORM
24 ACT.] 3 PA.C.S. CH. 93 (RELATING TO RACE HORSE INDUSTRY REFORM).

25 * * *

26 "REDUNDANCY FACILITIES." ANY AND ALL ROOMS OR AREAS USED BY
27 A SLOT MACHINE LICENSEE FOR EMERGENCY BACKUP, REDUNDANCY OR
28 SECONDARY OPERATIONS ATTENDANT TO INTERACTIVE GAMING AS APPROVED
29 BY THE PENNSYLVANIA GAMING CONTROL BOARD.

30 "REGISTERED PLAYER." AN INDIVIDUAL WHO HAS ENTERED INTO AN

1 INTERACTIVE GAMING ACCOUNT AGREEMENT WITH AN INTERACTIVE GAMING
2 CERTIFICATE HOLDER.

3 * * *

4 "SLOT MACHINE." INCLUDES:

5 (1) ANY MECHANICAL, ELECTRICAL OR COMPUTERIZED
6 CONTRIVANCE, TERMINAL, MACHINE OR OTHER DEVICE APPROVED BY
7 THE PENNSYLVANIA GAMING CONTROL BOARD WHICH, UPON INSERTION
8 OF A COIN, BILL, TICKET, TOKEN OR SIMILAR OBJECT THEREIN OR
9 UPON PAYMENT OF ANY CONSIDERATION WHATSOEVER, INCLUDING THE
10 USE OF ANY ELECTRONIC PAYMENT SYSTEM EXCEPT A CREDIT CARD OR
11 DEBIT CARD, IS AVAILABLE TO PLAY OR OPERATE, THE PLAY OR
12 OPERATION OF WHICH, WHETHER BY REASON OF SKILL OR APPLICATION
13 OF THE ELEMENT OF CHANCE OR BOTH, MAY DELIVER OR ENTITLE THE
14 PERSON OR PERSONS PLAYING OR OPERATING THE CONTRIVANCE,
15 TERMINAL, MACHINE OR OTHER DEVICE TO RECEIVE CASH, BILLETS,
16 TICKETS, TOKENS OR ELECTRONIC CREDITS TO BE EXCHANGED FOR
17 CASH OR TO RECEIVE MERCHANDISE OR ANYTHING OF VALUE
18 WHATSOEVER, WHETHER THE PAYOFF IS MADE AUTOMATICALLY FROM THE
19 MACHINE OR MANUALLY. A SLOT MACHINE:

20 [(1)] (I) MAY UTILIZE SPINNING REELS OR VIDEO
21 DISPLAYS OR BOTH.

22 [(2)] (II) MAY OR MAY NOT DISPENSE COINS, TICKETS OR
23 TOKENS TO WINNING PATRONS.

24 [(3)] (III) MAY USE AN ELECTRONIC CREDIT SYSTEM FOR
25 RECEIVING WAGERS AND MAKING PAYOUTS.

26 (2) THE TERM SHALL INCLUDE [ASSOCIATED EQUIPMENT] ALL OF
27 THE FOLLOWING:

28 (I) ASSOCIATED EQUIPMENT NECESSARY TO CONDUCT THE
29 OPERATION OF THE CONTRIVANCE, TERMINAL, MACHINE OR OTHER
30 DEVICE.

1 (II) A MULTI-USE COMPUTING DEVICE WHICH IS CAPABLE
2 OF SIMULATING, EITHER DIGITALLY OR ELECTRONICALLY, A SLOT
3 MACHINE.

4 * * *

5 "SUPPLIER." A PERSON THAT SELLS, LEASES, OFFERS OR OTHERWISE
6 PROVIDES, DISTRIBUTES OR SERVICES ANY SLOT MACHINE, TABLE GAME
7 DEVICE OR ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICE OR
8 ASSOCIATED EQUIPMENT FOR USE OR PLAY OF SLOT MACHINES [OR],
9 TABLE GAMES OR INTERACTIVE GAMES IN THIS COMMONWEALTH. THE TERM
10 SHALL INCLUDE A PERSON THAT SELLS, LEASES, OFFERS OR OTHERWISE
11 PROVIDES, DISTRIBUTES OR SERVICES ANY MULTI-USE COMPUTING DEVICE
12 AS APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD.

13 "SUPPLIER LICENSE." A LICENSE ISSUED BY THE PENNSYLVANIA
14 GAMING CONTROL BOARD AUTHORIZING A SUPPLIER TO PROVIDE PRODUCTS
15 OR SERVICES RELATED TO SLOT MACHINES, TABLE GAME DEVICES OR
16 ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES, INCLUDING
17 ANY MULTI-USE COMPUTING DEVICES OR ASSOCIATED EQUIPMENT, TO SLOT
18 MACHINE LICENSEES FOR USE IN THIS COMMONWEALTH FOR GAMING
19 PURPOSES.

20 * * *

21 "TABLE GAME DEVICE." INCLUDES GAMING TABLES, CARDS, DICE,
22 CHIPS, SHUFFLERS, TILES, DOMINOES, WHEELS, DROP BOXES OR ANY
23 MECHANICAL, ELECTRICAL OR COMPUTERIZED CONTRIVANCE, TERMINAL,
24 MACHINE OR OTHER DEVICE, APPARATUS, EQUIPMENT OR SUPPLIES
25 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AND USED TO
26 CONDUCT A TABLE GAME OR THAT IS CAPABLE, THROUGH THE USE OF
27 DIGITAL, ELECTRONIC OR OTHER COMMUNICATIONS TECHNOLOGY, OF
28 SIMULATING PLAY OF A TABLE GAME.

29 * * *

30 SECTION 4. SECTION 1202(A)(1) AND (B)(20) AND (23) OF TITLE

1 4 ARE AMENDED AND SUBSECTION (B) IS AMENDED BY ADDING PARAGRAPHS
2 TO READ:

3 § 1202. GENERAL AND SPECIFIC POWERS.

4 (A) GENERAL POWERS.--

5 (1) THE BOARD SHALL HAVE GENERAL AND SOLE REGULATORY
6 AUTHORITY OVER THE CONDUCT OF GAMING [OR] AND RELATED
7 ACTIVITIES AS DESCRIBED IN THIS PART. THE BOARD SHALL ENSURE
8 THE INTEGRITY OF THE ACQUISITION AND OPERATION OF SLOT
9 MACHINES, TABLE GAMES, TABLE GAME DEVICES AND ASSOCIATED
10 EQUIPMENT AND AUTHORIZED INTERACTIVE GAMES AND INTERACTIVE
11 GAMING DEVICES AND ASSOCIATED EQUIPMENT AND MULTI-USE
12 COMPUTING DEVICES AND ASSOCIATED EQUIPMENT AND SHALL HAVE
13 SOLE REGULATORY AUTHORITY OVER EVERY ASPECT OF THE
14 AUTHORIZATION, OPERATION AND PLAY OF SLOT MACHINES [AND],
15 TABLE GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED
16 EQUIPMENT AND THE IMPLEMENTATION AND REGULATION OF AIRPORT
17 GAMING.

18 * * *

19 (B) SPECIFIC POWERS.--THE BOARD SHALL HAVE THE SPECIFIC
20 POWER AND DUTY:

21 * * *

22 (12.2) AT ITS DISCRETION, TO AWARD, REVOKE, SUSPEND,
23 CONDITION OR DENY AN INTERACTIVE GAMING CERTIFICATE OR AN
24 INTERACTIVE GAMING LICENSE IN ACCORDANCE WITH CHAPTER 13C
25 (RELATING TO INTERACTIVE GAMING).

26 * * *

27 (20) IN ADDITION TO THE POWER OF THE BOARD REGARDING
28 LICENSE AND PERMIT APPLICANTS, TO DETERMINE AT ITS DISCRETION
29 THE SUITABILITY OF ANY PERSON WHO FURNISHES OR SEEKS TO
30 FURNISH TO A SLOT MACHINE LICENSEE DIRECTLY OR INDIRECTLY ANY

1 GOODS, SERVICES OR PROPERTY RELATED TO SLOT MACHINES, TABLE
2 GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,
3 INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES AND
4 ASSOCIATED EQUIPMENT OR THROUGH ANY ARRANGEMENTS UNDER WHICH
5 THAT PERSON RECEIVES PAYMENT BASED DIRECTLY OR INDIRECTLY ON
6 EARNINGS, PROFITS OR RECEIPTS FROM THE SLOT MACHINES, TABLE
7 GAMES, TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT,
8 INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED
9 EQUIPMENT. THE BOARD MAY REQUIRE ANY SUCH PERSON TO COMPLY
10 WITH THE REQUIREMENTS OF THIS PART AND THE REGULATIONS OF THE
11 BOARD AND MAY PROHIBIT THE PERSON FROM FURNISHING THE GOODS,
12 SERVICES OR PROPERTY.

13 * * *

14 (23) THE BOARD SHALL NOT APPROVE AN APPLICATION FOR OR
15 ISSUE OR RENEW A LICENSE, CERTIFICATE, REGISTRATION OR PERMIT
16 UNLESS IT IS SATISFIED THAT THE APPLICANT HAS DEMONSTRATED BY
17 CLEAR AND CONVINCING EVIDENCE THAT THE APPLICANT IS A PERSON
18 OF GOOD CHARACTER, HONESTY AND INTEGRITY AND IS A PERSON
19 WHOSE PRIOR ACTIVITIES, CRIMINAL RECORD, IF ANY, REPUTATION,
20 HABITS AND ASSOCIATIONS DO NOT POSE A THREAT TO THE PUBLIC
21 INTEREST OR THE EFFECTIVE REGULATION AND CONTROL OF SLOT
22 MACHINE [OR] OPERATIONS, TABLE GAME OPERATIONS OR INTERACTIVE
23 GAMING OPERATIONS, OR CREATE OR ENHANCE THE DANGER OF
24 UNSUITABLE, UNFAIR OR ILLEGAL PRACTICES, METHODS AND
25 ACTIVITIES IN THE CONDUCT OF SLOT MACHINE OR TABLE GAME
26 OPERATIONS, INTERACTIVE GAMING OPERATIONS OR THE CARRYING ON
27 OF THE BUSINESS AND FINANCIAL ARRANGEMENTS INCIDENTAL
28 THERETO.

29 * * *

30 (27.2) WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS

1 SECTION, TO PUBLISH ON THE BOARD'S INTERNET WEBSITE A
2 COMPLETE LIST OF ALL SLOT MACHINE LICENSEES AND OTHER
3 ENTITIES THAT FILED A PETITION SEEKING AUTHORIZATION TO
4 CONDUCT INTERACTIVE GAMING AND THE STATUS OF EACH PETITION OR
5 INTERACTIVE GAMING CERTIFICATE.

6 * * *

7 (35) TO REVIEW DETAILED SITE PLANS IDENTIFYING THE
8 INTERACTIVE GAMING RESTRICTED AREA OR ROOM WHERE A SLOT
9 MACHINE LICENSEE OR OTHER ENTITY PROPOSES TO MANAGE,
10 ADMINISTER OR CONTROL INTERACTIVE GAMING OPERATIONS TO
11 DETERMINE THE ADEQUACY OF THE PROPOSED INTERNAL AND EXTERNAL
12 SECURITY AND PROPOSED SURVEILLANCE MEASURES.

13 (36) TO REQUIRE EACH SLOT MACHINE LICENSEE OR OTHER
14 ENTITY THAT HOLDS AN INTERACTIVE GAMING CERTIFICATE TO
15 PROVIDE ON A QUARTERLY BASIS THE FOLLOWING INFORMATION WITH
16 RESPECT TO INTERACTIVE GAMING:

17 (I) THE NAME OF A PERSON, ENTITY OR FIRM TO WHOM
18 PAYMENT, REMUNERATION OR OTHER BENEFIT OR THING OF VALUE
19 HAS BEEN MADE OR CONFERRED FOR PROFESSIONAL SERVICES,
20 INCLUDING, BUT NOT LIMITED TO, INTERACTIVE GAMING SYSTEM
21 OPERATIONS OR MANAGEMENT, LEGAL, CONSULTING AND LOBBYING
22 SERVICES;

23 (II) THE AMOUNT OR VALUE OF THE PAYMENTS,
24 REMUNERATION, BENEFIT OR THING OF VALUE;

25 (III) THE DATE ON WHICH THE PAYMENTS, REMUNERATION,
26 BENEFIT OR THING OF VALUE WAS SUBMITTED; AND

27 (IV) THE REASON OR PURPOSE FOR THE PROCUREMENT OF
28 THE SERVICES.

29 SECTION 5. SECTIONS 1204 AND 1206(F)(1) OF TITLE 4 ARE
30 AMENDED TO READ:

1 § 1204. LICENSED GAMING ENTITY APPLICATION APPEALS FROM BOARD.
2 THE SUPREME COURT OF PENNSYLVANIA SHALL BE VESTED WITH
3 EXCLUSIVE APPELLATE JURISDICTION TO CONSIDER APPEALS OF ANY
4 FINAL ORDER, DETERMINATION OR DECISION OF THE BOARD INVOLVING
5 THE APPROVAL, ISSUANCE, DENIAL OR CONDITIONING OF A SLOT MACHINE
6 LICENSE [OR] THE AWARD, DENIAL OR CONDITIONING OF A TABLE GAME
7 OPERATION CERTIFICATE[.] OR THE AWARD, DENIAL OR CONDITIONING OF
8 AN INTERACTIVE GAMING CERTIFICATE OR AN INTERACTIVE GAMING
9 LICENSE. NOTWITHSTANDING THE PROVISIONS OF 2 PA.C.S. CH. 7
10 SUBCH. A (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY
11 ACTION) AND 42 PA.C.S. § 763 (RELATING TO DIRECT APPEALS FROM
12 GOVERNMENT AGENCIES), THE SUPREME COURT SHALL AFFIRM ALL FINAL
13 ORDERS, DETERMINATIONS OR DECISIONS OF THE BOARD INVOLVING THE
14 APPROVAL, ISSUANCE, DENIAL OR CONDITIONING OF A SLOT MACHINE
15 LICENSE [OR] THE AWARD, DENIAL OR CONDITIONING OF A TABLE GAME
16 OPERATION CERTIFICATE OR THE AWARD, DENIAL OR CONDITIONING OF AN
17 INTERACTIVE GAMING CERTIFICATE OR AN INTERACTIVE GAMING LICENSE,
18 UNLESS IT SHALL FIND THAT THE BOARD COMMITTED AN ERROR OF LAW OR
19 THAT THE ORDER, DETERMINATION OR DECISION OF THE BOARD WAS
20 ARBITRARY AND THERE WAS A CAPRICIOUS DISREGARD OF THE EVIDENCE.
21 § 1206. BOARD MINUTES AND RECORDS.

22 * * *

23 (F) CONFIDENTIALITY OF INFORMATION.--

24 (1) THE FOLLOWING INFORMATION SUBMITTED BY AN APPLICANT,
25 PERMITTEE, CERTIFICATE HOLDER OR LICENSEE PURSUANT TO SECTION
26 1310(A) (RELATING TO SLOT MACHINE LICENSE APPLICATION
27 CHARACTER REQUIREMENTS) [OR] 1308(A.1) (RELATING TO
28 APPLICATIONS FOR LICENSE OR PERMIT), 13C12 (RELATING TO
29 INTERACTIVE GAMING CERTIFICATE REQUIRED AND CONTENT OF
30 PETITION) OR 13C14 (RELATING TO INTERACTIVE GAMING OPERATORS)

1 OR OBTAINED BY THE BOARD OR THE BUREAU AS PART OF A
2 BACKGROUND OR OTHER INVESTIGATION FROM ANY SOURCE SHALL BE
3 CONFIDENTIAL AND WITHHELD FROM PUBLIC DISCLOSURE:

4 (I) ALL INFORMATION RELATING TO CHARACTER, HONESTY
5 AND INTEGRITY, INCLUDING FAMILY, HABITS, REPUTATION,
6 HISTORY OF CRIMINAL ACTIVITY, BUSINESS ACTIVITIES,
7 FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL AND PERSONAL
8 ASSOCIATIONS SUBMITTED UNDER SECTION 1310(A) OR 1308(A.1)
9 OR OTHERWISE OBTAINED BY THE BOARD OR THE BUREAU.

10 (II) NONPUBLIC PERSONAL INFORMATION, INCLUDING HOME
11 ADDRESSES, TELEPHONE NUMBERS AND OTHER PERSONAL CONTACT
12 INFORMATION, SOCIAL SECURITY NUMBERS, EDUCATIONAL
13 RECORDS, MEMBERSHIPS, MEDICAL RECORDS, TAX RETURNS AND
14 DECLARATIONS, ACTUAL OR PROPOSED COMPENSATION, FINANCIAL
15 ACCOUNT RECORDS, CREDITWORTHINESS OR FINANCIAL CONDITION
16 RELATING TO AN APPLICANT, LICENSEE [OR], PERMITTEE,
17 INCLUDING THE HOLDER OF AN INTERACTIVE GAMING CERTIFICATE
18 OR INTERACTIVE GAMING LICENSE, OR THE IMMEDIATE FAMILY
19 THEREOF.

20 (III) INFORMATION RELATING TO PROPRIETARY
21 INFORMATION, TRADE SECRETS, PATENTS OR EXCLUSIVE
22 LICENSES, ARCHITECTURAL AND ENGINEERING PLANS AND
23 INFORMATION RELATING TO COMPETITIVE MARKETING MATERIALS
24 AND STRATEGIES, WHICH MAY INCLUDE CUSTOMER-IDENTIFYING
25 INFORMATION OR CUSTOMER PROSPECTS FOR SERVICES SUBJECT TO
26 COMPETITION.

27 (IV) SECURITY INFORMATION, INCLUDING RISK PREVENTION
28 PLANS, DETECTION AND COUNTERMEASURES, LOCATION OF COUNT
29 ROOMS, LOCATION OF INTERACTIVE GAMING RESTRICTED AREAS
30 AND REDUNDANCY FACILITIES, EMERGENCY MANAGEMENT PLANS,

1 SECURITY AND SURVEILLANCE PLANS, EQUIPMENT AND USAGE
2 PROTOCOLS AND THEFT AND FRAUD PREVENTION PLANS AND
3 COUNTERMEASURES.

4 (V) INFORMATION WITH RESPECT TO WHICH THERE IS A
5 REASONABLE POSSIBILITY THAT PUBLIC RELEASE OR INSPECTION
6 OF THE INFORMATION WOULD CONSTITUTE AN UNWARRANTED
7 INVASION INTO PERSONAL PRIVACY OF ANY INDIVIDUAL AS
8 DETERMINED BY THE BOARD.

9 (VI) RECORDS OF AN APPLICANT OR LICENSEE NOT
10 REQUIRED TO BE FILED WITH THE SECURITIES AND EXCHANGE
11 COMMISSION BY ISSUERS THAT EITHER HAVE SECURITIES
12 REGISTERED UNDER SECTION 12 OF THE SECURITIES EXCHANGE
13 ACT OF 1934 (48 STAT. 881, 15 U.S.C. § 78L) OR ARE
14 REQUIRED TO FILE REPORTS UNDER SECTION 15(D) OF THE
15 SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881, 15 U.S.C.
16 § 78O).

17 (VII) RECORDS CONSIDERED NONPUBLIC MATTERS OR
18 INFORMATION BY THE SECURITIES AND EXCHANGE COMMISSION AS
19 PROVIDED BY 17 CFR 200.80 (RELATING TO COMMISSION RECORDS
20 AND INFORMATION).

21 (VIII) ANY FINANCIAL INFORMATION DEEMED CONFIDENTIAL
22 BY THE BOARD UPON A SHOWING OF GOOD CAUSE BY THE
23 APPLICANT OR LICENSEE.

24 * * *

25 SECTION 6. SECTION 1207(1), (3), (4), (5), (8), (9), (10)
26 AND (21) OF TITLE 4 ARE AMENDED AND THE SECTION IS AMENDED BY
27 ADDING PARAGRAPHS TO READ:

28 § 1207. REGULATORY AUTHORITY OF BOARD.

29 THE BOARD SHALL HAVE THE POWER AND ITS DUTIES SHALL BE TO:

30 (1) DENY, DENY THE RENEWAL, REVOKE, CONDITION OR SUSPEND

1 ANY LICENSE [OR], PERMIT, CERTIFICATE, REGISTRATION OR OTHER
2 AUTHORIZATIONS PROVIDED FOR IN THIS PART IF THE BOARD FINDS
3 IN ITS SOLE DISCRETION THAT A LICENSEE [OR], PERMITTEE,
4 REGISTRANT OR CERTIFICATE HOLDER, INCLUDING AN INTERACTIVE
5 GAMING OPERATOR, UNDER THIS PART, OR ITS OFFICERS, EMPLOYEES
6 OR AGENTS, HAVE FURNISHED FALSE OR MISLEADING INFORMATION TO
7 THE BOARD OR FAILED TO COMPLY WITH THE PROVISIONS OF THIS
8 PART OR THE RULES AND REGULATIONS OF THE BOARD AND THAT IT
9 WOULD BE IN THE PUBLIC INTEREST TO DENY, DENY THE RENEWAL,
10 REVOKE, CONDITION OR SUSPEND THE LICENSE [OR], PERMIT,
11 CERTIFICATE, REGISTRATION OR OTHER AUTHORIZATIONS.

12 * * *

13 (3) PRESCRIBE AND REQUIRE PERIODIC FINANCIAL REPORTING
14 AND INTERNAL CONTROL REQUIREMENTS FOR ALL LICENSED ENTITIES,
15 INCLUDING, IN THE CASE OF INTERACTIVE GAMING, ALL INTERACTIVE
16 GAMING CERTIFICATE HOLDERS AND INTERACTIVE GAMING OPERATORS.

17 (4) REQUIRE THAT EACH LICENSED ENTITY, INCLUDING, IN THE
18 CASE OF INTERACTIVE GAMING, EACH INTERACTIVE GAMING
19 CERTIFICATE HOLDER AND INTERACTIVE GAMING OPERATOR, PROVIDE
20 TO THE BOARD ITS AUDITED ANNUAL FINANCIAL STATEMENTS, WITH
21 SUCH ADDITIONAL DETAIL AS THE BOARD FROM TIME TO TIME SHALL
22 REQUIRE, WHICH INFORMATION SHALL BE SUBMITTED NOT LATER THAN
23 90 DAYS AFTER THE END OF THE LICENSEE'S FISCAL YEAR.

24 (5) PRESCRIBE THE PROCEDURES TO BE FOLLOWED BY SLOT
25 MACHINE LICENSEES FOR ANY FINANCIAL EVENT THAT OCCURS IN THE
26 OPERATION AND PLAY OF SLOT MACHINES [OR], TABLE GAMES,
27 AUTHORIZED INTERACTIVE GAMES OR MULTI-USE COMPUTING DEVICES.

28 * * *

29 (7.2) ENFORCE PRESCRIBED HOURS FOR THE OPERATION OF
30 AUTHORIZED INTERACTIVE GAMES SO THAT AN INTERACTIVE GAMING

1 CERTIFICATE HOLDER OR INTERACTIVE GAMING LICENSEE MAY CONDUCT
2 AUTHORIZED INTERACTIVE GAMES ON ANY DAY DURING THE YEAR IN
3 ORDER TO MEET THE NEEDS OF REGISTERED PLAYERS OR TO MEET
4 COMPETITION.

5 (8) REQUIRE THAT EACH LICENSED GAMING ENTITY PROHIBIT
6 PERSONS UNDER 21 YEARS OF AGE FROM OPERATING OR USING SLOT
7 MACHINES [OR], PLAYING TABLE GAMES, PARTICIPATING IN
8 INTERACTIVE GAMING OR USING MULTI-USE COMPUTING DEVICES.

9 (9) ESTABLISH PROCEDURES FOR THE INSPECTION AND
10 CERTIFICATION OF COMPLIANCE OF EACH SLOT MACHINE, TABLE GAME,
11 TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT, INTERACTIVE GAME
12 AND INTERACTIVE GAMING DEVICE AND ASSOCIATED EQUIPMENT AND
13 MULTI-USE COMPUTING DEVICE AND ASSOCIATED EQUIPMENT PRIOR TO
14 BEING PLACED INTO USE BY A SLOT MACHINE LICENSEE.

15 (10) REQUIRE THAT NO SLOT MACHINE OR AUTHORIZED
16 INTERACTIVE GAME THAT REPLICATES THE PLAY OF A SLOT MACHINE
17 MAY BE SET TO PAY OUT LESS THAN THE THEORETICAL PAYOUT
18 PERCENTAGE, WHICH SHALL BE NO LESS THAN 85%, AS SPECIFICALLY
19 APPROVED BY THE BOARD. THE BOARD SHALL ADOPT REGULATIONS THAT
20 DEFINE THE THEORETICAL PAYOUT PERCENTAGE OF A SLOT MACHINE
21 GAME BASED ON THE TOTAL VALUE OF THE JACKPOTS EXPECTED TO BE
22 PAID BY A PLAY OR A SLOT MACHINE GAME DIVIDED BY THE TOTAL
23 VALUE OF SLOT MACHINE WAGERS EXPECTED TO BE MADE ON THAT PLAY
24 OR SLOT MACHINE GAME DURING THE SAME PORTION OF THE GAME
25 CYCLE. IN SO DOING, THE BOARD SHALL DECIDE WHETHER THE
26 CALCULATION SHALL INCLUDE THE ENTIRE CYCLE OF A SLOT MACHINE
27 GAME OR ANY PORTION THEREOF.

28 * * *

29 (21) AUTHORIZE, IN ITS DISCRETION, A SLOT MACHINE
30 LICENSEE TO CONDUCT SLOT MACHINE CONTESTS OR TOURNAMENTS,

1 TABLE GAME TOURNAMENTS OR CONTESTS IN ACCORDANCE WITH SECTION
2 13A22.1 (RELATING TO TABLE GAME TOURNAMENTS) OR INTERACTIVE
3 GAMING CONTESTS OR TOURNAMENTS AND ADOPT REGULATIONS
4 GOVERNING THE CONDUCT OF SUCH TOURNAMENTS AND CONTESTS.

5 (22) LICENSE, REGULATE, INVESTIGATE AND TAKE ANY OTHER
6 ACTION DETERMINED NECESSARY REGARDING ALL ASPECTS OF
7 INTERACTIVE GAMING.

8 (23) DEFINE AND LIMIT THE AREAS OF OPERATION AND THE
9 RULES OF AUTHORIZED INTERACTIVE GAMES, INCLUDING ODDS,
10 DEVICES AND ASSOCIATED EQUIPMENT PERMITTED AND THE METHOD OF
11 OPERATION OF AUTHORIZED INTERACTIVE GAMES AND INTERACTIVE
12 GAMING DEVICES AND ASSOCIATED EQUIPMENT.

13 (24) REQUIRE, AS APPLICABLE, THAT ALL WAGERING OFFERED
14 THROUGH INTERACTIVE GAMING DISPLAY ONLINE THE PERMISSIBLE
15 MINIMUM AND MAXIMUM WAGERS ASSOCIATED WITH EACH AUTHORIZED
16 INTERACTIVE GAME.

17 (25) (RESERVED).

18 (26) NEGOTIATE AND ENTER INTO INTERACTIVE GAMING
19 RECIPROCAL AGREEMENTS ON BEHALF OF THE COMMONWEALTH TO GOVERN
20 THE CONDUCT OF INTERACTIVE GAMING BETWEEN INTERACTIVE GAMING
21 CERTIFICATE HOLDERS IN THIS COMMONWEALTH AND GAMING ENTITIES
22 OF OTHER STATES OR JURISDICTIONS. NOTWITHSTANDING ANY
23 PROVISION OF THIS PART, WAGERS MAY BE ACCEPTED IN ACCORDANCE
24 WITH THIS PART AND REGULATIONS OF THE BOARD FROM PERSONS IN
25 OTHER STATES OR JURISDICTIONS IF THE BOARD DETERMINES THAT
26 THE WAGERING IS NOT INCONSISTENT WITH FEDERAL LAW OR THE LAW
27 OF THE STATE OR JURISDICTION, INCLUDING A FOREIGN
28 JURISDICTION, IN WHICH THE PERSON IS LOCATED, OR SUCH
29 WAGERING IS CONDUCTED PURSUANT TO AN INTERACTIVE GAMING
30 RECIPROCAL AGREEMENT TO WHICH THIS COMMONWEALTH IS A PARTY

1 THAT IS NOT INCONSISTENT WITH FEDERAL LAW. THE BOARD, WITH
2 THE APPROVAL OF THE GOVERNOR, IS HEREBY DESIGNATED AS THE
3 AGENCY OF THE COMMONWEALTH WITH THE SOLE POWER AND AUTHORITY
4 TO ENTER INTO INTERACTIVE GAMING RECIPROCAL AGREEMENTS WITH
5 OTHER STATES OR JURISDICTIONS.

6 SECTION 7. (RESERVED).

7 SECTION 8. SECTION 1211 OF TITLE 4 IS AMENDED BY ADDING
8 SUBSECTIONS TO READ:

9 § 1211. REPORTS OF BOARD.

10 * * *

11 (A.4) INTERACTIVE GAMING REPORTING REQUIREMENTS.--

12 (1) THE ANNUAL REPORT SUBMITTED BY THE BOARD IN
13 ACCORDANCE WITH SUBSECTION (A) SHALL INCLUDE INFORMATION ON
14 THE CONDUCT OF INTERACTIVE GAMES AS FOLLOWS:

15 (I) TOTAL GROSS INTERACTIVE GAMING REVENUE.

16 (II) THE NUMBER AND WIN BY TYPE OF AUTHORIZED
17 INTERACTIVE GAME AT EACH LICENSED FACILITY CONDUCTING
18 INTERACTIVE GAMING DURING THE PREVIOUS YEAR.

19 (III) ALL TAXES, FEES, FINES AND OTHER REVENUE
20 COLLECTED AND, WHERE APPROPRIATE, REVENUE DISBURSED
21 DURING THE PREVIOUS YEAR. THE DEPARTMENT SHALL
22 COLLABORATE WITH THE BOARD TO CARRY OUT THE REQUIREMENTS
23 OF THIS SUBPARAGRAPH.

24 (2) THE BOARD MAY REQUIRE INTERACTIVE GAMING CERTIFICATE
25 HOLDERS AND OTHER PERSONS INVOLVED IN THE OPERATION OF
26 INTERACTIVE GAMING ON BEHALF OF A SLOT MACHINE LICENSEE OR
27 OTHER ENTITY TO PROVIDE INFORMATION TO THE BOARD TO ASSIST IN
28 THE PREPARATION OF THE REPORT.

29 * * *

30 (D.1) IMPACT OF INTERACTIVE GAMING, ANNUAL REPORT.--ONE YEAR

1 AFTER THE ISSUANCE OF THE FIRST INTERACTIVE GAMING CERTIFICATE,
2 AN ANNUAL REPORT SHALL BE PREPARED AND DISTRIBUTED BY THE BOARD
3 TO THE GOVERNOR AND THE STANDING COMMITTEES OF THE GENERAL
4 ASSEMBLY WITH JURISDICTION OVER THIS PART ON THE IMPACT OF
5 INTERACTIVE GAMING ON COMPULSIVE AND PROBLEM GAMBLING AND
6 GAMBLING ADDICTION IN THIS COMMONWEALTH. THE BOARD MAY CONTRACT
7 WITH A PRIVATE ORGANIZATION OR ENTITY WITH EXPERTISE IN SERVING
8 AND TREATING THE NEEDS OF PERSONS WITH COMPULSIVE GAMBLING
9 ADDICTIONS, IN CONSULTATION WITH THE DEPARTMENT OF DRUG AND
10 ALCOHOL PROGRAMS OR A SUCCESSOR AGENCY. THE REPORT MAY BE
11 PREPARED AND DISTRIBUTED IN COORDINATION WITH THE BOARD. COSTS
12 ASSOCIATED WITH THE PREPARATION AND DISTRIBUTION OF THE REPORT
13 SHALL BE BORNE BY SLOT MACHINE LICENSEES AND OTHER ENTITIES WHO
14 HAVE BEEN AUTHORIZED BY THE BOARD TO CONDUCT INTERACTIVE GAMING.
15 THE BOARD SHALL BE AUTHORIZED TO ASSESS A FEE AGAINST EACH SLOT
16 MACHINE LICENSEE OR OTHER ENTITY FOR THESE PURPOSES.

17 (D.2) TIME OF SUBMISSION AND REPORTS.--NOTWITHSTANDING ANY
18 PROVISION OF THIS PART, ALL REPORTS AND STUDIES REQUIRED TO BE
19 SUBMITTED UNDER SUBSECTION (D.1) AFTER THE EFFECTIVE DATE OF
20 THIS SUBSECTION SHALL BE SUBMITTED INITIALLY BY OCTOBER 1, 2018,
21 AND BY OCTOBER 1 OF EACH YEAR THEREAFTER.

22 * * *

23 SECTION 9. SECTION 1212(E) OF TITLE 4 IS AMENDED BY ADDING A
24 PARAGRAPH TO READ:

25 § 1212. DIVERSITY GOALS OF BOARD.

26 * * *

27 (E) DEFINITION.--AS USED IN THIS SECTION, THE TERM
28 "PROFESSIONAL SERVICES" MEANS THOSE SERVICES RENDERED TO A SLOT
29 MACHINE LICENSEE WHICH RELATE TO A LICENSED FACILITY IN THIS
30 COMMONWEALTH, INCLUDING, BUT NOT LIMITED TO:

1 * * *

2 (9) TECHNOLOGY RELATED TO INTERACTIVE GAMING AND
3 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT.

4 SECTION 10. SECTION 1305(A) OF TITLE 4 IS AMENDED BY ADDING
5 A PARAGRAPH TO READ:

6 § 1305. CATEGORY 3 SLOT MACHINE LICENSE.

7 (A) ELIGIBILITY.--

8 * * *

9 (1.2) THE REQUIREMENTS UNDER PARAGRAPH (1) (I), (II) AND
10 (III) AND THE MEMBERSHIP FEE REQUIRED UNDER PARAGRAPHS (1)
11 (IV) AND (1.1) SHALL NOT APPLY TO THE LICENSED FACILITY IF
12 THE CATEGORY 3 SLOT MACHINE LICENSEE MAKES NOTIFICATION TO
13 THE BOARD AND A PAYMENT OF \$1,000,000 TO THE DEPARTMENT FOR
14 DEPOSIT INTO THE GENERAL FUND. THE BOARD SHALL SUBMIT NOTICE
15 TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE
16 PENNSYLVANIA BULLETIN UPON RECEIPT OF THE NOTIFICATION AND
17 CONFIRMATION OF THE PAYMENT BY ANY CATEGORY 3 SLOT MACHINE
18 LICENSEE.

19 * * *

20 SECTION 11. SECTION 1309(A.1) HEADING OF TITLE 4 IS AMENDED
21 AND THE SUBSECTION IS AMENDED BY ADDING A PARAGRAPH TO READ:

22 § 1309. SLOT MACHINE LICENSE APPLICATION.

23 * * *

24 (A.1) TABLE GAMES AND INTERACTIVE GAMING INFORMATION.--

25 * * *

26 (3) NOTWITHSTANDING PARAGRAPH (2), THE BOARD MAY PERMIT
27 AN APPLICANT FOR A SLOT MACHINE LICENSE THAT HAS AN
28 APPLICATION PENDING BEFORE THE BOARD TO SUPPLEMENT ITS
29 APPLICATION WITH ALL INFORMATION REQUIRED UNDER CHAPTER 13C
30 (RELATING TO INTERACTIVE GAMING) AND TO REQUEST THAT THE

1 BOARD CONSIDER ITS APPLICATION FOR A SLOT MACHINE LICENSE, A
2 TABLE GAME OPERATION CERTIFICATE AND AN INTERACTIVE GAMING
3 CERTIFICATE CONCURRENTLY. ALL FEES FOR AN INTERACTIVE GAMING
4 CERTIFICATE SHALL BE PAID BY THE APPLICANT IN ACCORDANCE WITH
5 THE REQUIREMENTS OF THIS PART.

6 * * *

7 SECTION 12. SECTIONS 1317(A) AND 1317.1(A), (B), (D.1) AND
8 (E) OF TITLE 4 ARE AMENDED TO READ:

9 § 1317. SUPPLIER LICENSES.

10 (A) APPLICATION.--A MANUFACTURER THAT ELECTS TO CONTRACT
11 WITH A SUPPLIER UNDER SECTION 1317.1(D.1) (RELATING TO
12 MANUFACTURER LICENSES) SHALL ENSURE THAT THE SUPPLIER IS
13 APPROPRIATELY LICENSED UNDER THIS SECTION. A PERSON SEEKING TO
14 PROVIDE SLOT MACHINES, TABLE GAME DEVICES OR ASSOCIATED
15 EQUIPMENT, INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT OR
16 MULTI-USE COMPUTING DEVICES OR ASSOCIATED EQUIPMENT TO A SLOT
17 MACHINE LICENSEE OR AN INTERACTIVE GAMING CERTIFICATE HOLDER OR
18 INTERACTIVE GAMING OPERATOR WITHIN THIS COMMONWEALTH THROUGH A
19 CONTRACT WITH A LICENSED MANUFACTURER SHALL APPLY TO THE BOARD
20 FOR THE APPROPRIATE SUPPLIER LICENSE.

21 * * *

22 § 1317.1. MANUFACTURER LICENSES.

23 (A) APPLICATION.--A PERSON SEEKING TO MANUFACTURE SLOT
24 MACHINES, TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT OR
25 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT FOR USE IN
26 THIS COMMONWEALTH SHALL APPLY TO THE BOARD FOR A MANUFACTURER
27 LICENSE.

28 (B) REQUIREMENTS.--AN APPLICATION FOR A MANUFACTURER LICENSE
29 SHALL BE ON THE FORM REQUIRED BY THE BOARD, ACCOMPANIED BY THE
30 APPLICATION FEE, AND SHALL INCLUDE ALL OF THE FOLLOWING:

1 (1) THE NAME AND BUSINESS ADDRESS OF THE APPLICANT AND
2 THE APPLICANT'S AFFILIATES, INTERMEDIARIES, SUBSIDIARIES AND
3 HOLDING COMPANIES; THE PRINCIPALS AND KEY EMPLOYEES OF EACH
4 BUSINESS; AND A LIST OF EMPLOYEES AND THEIR POSITIONS WITHIN
5 EACH BUSINESS, AS WELL AS ANY FINANCIAL INFORMATION REQUIRED
6 BY THE BOARD.

7 (2) A STATEMENT THAT THE APPLICANT AND EACH AFFILIATE,
8 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF THE APPLICANT
9 ARE NOT SLOT MACHINE LICENSEES.

10 (3) THE CONSENT TO A BACKGROUND INVESTIGATION OF THE
11 APPLICANT, ITS PRINCIPALS AND KEY EMPLOYEES OR OTHER PERSONS
12 REQUIRED BY THE BOARD AND A RELEASE TO OBTAIN ANY AND ALL
13 INFORMATION NECESSARY FOR THE COMPLETION OF THE BACKGROUND
14 INVESTIGATION.

15 (4) THE DETAILS OF ANY EQUIVALENT LICENSE GRANTED OR
16 DENIED BY OTHER JURISDICTIONS WHERE GAMING ACTIVITIES AS
17 AUTHORIZED BY THIS PART ARE PERMITTED AND CONSENT FOR THE
18 BOARD TO ACQUIRE COPIES OF APPLICATIONS SUBMITTED OR LICENSES
19 ISSUED IN CONNECTION THEREWITH.

20 (5) THE TYPE OF SLOT MACHINES, TABLE GAME DEVICES OR
21 ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES OR
22 ASSOCIATED EQUIPMENT TO BE MANUFACTURED OR REPAIRED.

23 (6) ANY OTHER INFORMATION DETERMINED BY THE BOARD TO BE
24 APPROPRIATE.

25 * * *

26 (D.1) AUTHORITY.--THE FOLLOWING SHALL APPLY TO A LICENSED
27 MANUFACTURER:

28 (1) A MANUFACTURER OR ITS DESIGNEE, AS LICENSED BY THE
29 BOARD, MAY SUPPLY OR REPAIR ANY SLOT MACHINE, TABLE GAME
30 DEVICE OR ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICE

1 OR ASSOCIATED EQUIPMENT MANUFACTURED BY THE MANUFACTURER,
2 PROVIDED THE MANUFACTURER HOLDS THE APPROPRIATE MANUFACTURER
3 LICENSE.

4 (2) A MANUFACTURER OF SLOT MACHINES MAY CONTRACT WITH A
5 SUPPLIER UNDER SECTION 1317 (RELATING TO SUPPLIER LICENSES)
6 TO PROVIDE SLOT MACHINES OR ASSOCIATED EQUIPMENT TO A SLOT
7 MACHINE LICENSEE WITHIN THIS COMMONWEALTH, PROVIDED THE
8 SUPPLIER IS LICENSED TO SUPPLY SLOT MACHINES OR ASSOCIATED
9 EQUIPMENT USED IN CONNECTION WITH SLOT MACHINES.

10 (3) A MANUFACTURER MAY CONTRACT WITH A SUPPLIER UNDER
11 SECTION 1317 TO PROVIDE TABLE GAME DEVICES OR ASSOCIATED
12 EQUIPMENT TO A CERTIFICATE HOLDER, PROVIDED THE SUPPLIER IS
13 LICENSED TO SUPPLY TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT
14 USED IN CONNECTION WITH TABLE GAMES.

15 (E) PROHIBITIONS.--

16 (1) NO PERSON MAY MANUFACTURE SLOT MACHINES, TABLE GAME
17 DEVICES OR ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES
18 OR ASSOCIATED EQUIPMENT FOR USE WITHIN THIS COMMONWEALTH BY A
19 SLOT MACHINE LICENSEE UNLESS THE PERSON HAS BEEN ISSUED THE
20 APPROPRIATE MANUFACTURER LICENSE UNDER THIS SECTION.

21 (2) EXCEPT AS PERMITTED IN SECTION 13A23.1 (RELATING TO
22 TRAINING EQUIPMENT), NO SLOT MACHINE LICENSEE MAY USE SLOT
23 MACHINES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT, _____
24 AUTHORIZED INTERACTIVE GAMES OR INTERACTIVE GAMING DEVICES OR
25 ASSOCIATED EQUIPMENT UNLESS THE SLOT MACHINES, TABLE GAME
26 DEVICES OR ASSOCIATED EQUIPMENT, INTERACTIVE GAMES OR
27 INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT WERE
28 MANUFACTURED BY A PERSON THAT HAS BEEN ISSUED THE APPROPRIATE
29 MANUFACTURER LICENSE UNDER THIS SECTION.

30 * * *

1 SECTION 12.1. TITLE 4 IS AMENDED BY ADDING A SECTION TO
2 READ:

3 § 1317.3. NONGAMING SERVICE PROVIDER.

4 (A) NOTIFICATION REQUIRED.--

5 (1) A SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
6 MACHINE LICENSE THAT CONTRACTS WITH OR OTHERWISE ENGAGES IN
7 BUSINESS WITH A NONGAMING SERVICE PROVIDER SHALL PROVIDE
8 NOTIFICATION TO THE BOARD PRIOR TO THE NONGAMING SERVICE
9 PROVIDER'S PROVISION OF GOODS OR SERVICES AT THE SLOT MACHINE
10 LICENSEE'S LICENSED FACILITY.

11 (2) NOTIFICATION UNDER THIS SECTION SHALL BE ON A FORM
12 AND IN A MANNER AS DETERMINED BY THE BOARD. THE BOARD MAY
13 IMPOSE A FEE, NOT TO EXCEED \$100, WHICH MUST ACCOMPANY THE
14 NOTIFICATION.

15 (B) CONTENTS OF NOTIFICATION.--NOTIFICATION UNDER THIS
16 SECTION SHALL INCLUDE:

17 (1) THE NAME AND BUSINESS ADDRESS OF THE NONGAMING
18 SERVICE PROVIDER.

19 (2) A DESCRIPTION OF THE TYPE OR NATURE OF THE GOODS OR
20 SERVICES TO BE PROVIDED.

21 (3) AN AFFIRMATION FROM THE SLOT MACHINE LICENSEE OR
22 APPLICANT FOR A SLOT MACHINE LICENSE THAT THE GOODS OR
23 SERVICES TO BE PROVIDED BY THE NONGAMING SERVICE PROVIDER
24 WILL NOT REQUIRE ACCESS TO THE GAMING FLOOR OR A GAMING-
25 RELATED RESTRICTED AREA OF A LICENSED FACILITY.

26 (4) AN AFFIRMATION FROM THE SLOT MACHINE LICENSEE OR
27 APPLICANT FOR A SLOT MACHINE LICENSE CERTIFYING THAT THE
28 LICENSEE OR APPLICANT HAS PERFORMED DUE DILIGENCE REGARDING
29 THE NONGAMING SERVICE PROVIDER AND BELIEVES THAT THE
30 NONGAMING SERVICE PROVIDER AND ITS EMPLOYEES WILL NOT

1 ADVERSELY AFFECT THE PUBLIC INTEREST OR INTEGRITY OF GAMING.

2 (5) OTHER INFORMATION THAT THE BOARD MAY REQUIRE.

3 (C) DURATION OF NOTIFICATION.--THE NONGAMING SERVICE

4 PROVIDER NOTIFICATION REQUIRED UNDER SUBSECTION (A) MAY BE VALID

5 FOR FIVE YEARS UNLESS MODIFIED BY THE BOARD. IN DETERMINING THE

6 DURATION OF A NONGAMING SERVICE PROVIDER NOTIFICATION, THE BOARD

7 SHALL CONSIDER THE FOLLOWING:

8 (1) THE TYPE OR NATURE OF THE GOODS OR SERVICES.

9 (2) THE FREQUENCY OF BUSINESS TRANSACTIONS RELATED TO
10 THE PROVISION OF THE GOODS OR SERVICES.

11 (3) ANY OTHER INFORMATION THE BOARD DEEMS NECESSARY AND
12 APPROPRIATE.

13 (D) CONDITIONS.--A SLOT MACHINE LICENSEE OR APPLICANT FOR A

14 SLOT MACHINE LICENSE THAT CONTRACTS OR OTHERWISE ENGAGES IN

15 BUSINESS WITH A NONGAMING SERVICE PROVIDER SHALL BE SUBJECT TO

16 THE FOLLOWING CONDITIONS:

17 (1) THE NONGAMING SERVICE PROVIDER OR ITS EMPLOYEES
18 SHALL ONLY PROVIDE THE GOODS AND SERVICES DESCRIBED IN THE
19 NOTIFICATION UNDER THIS SECTION.

20 (2) THE SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
21 MACHINE LICENSE SHALL NOTIFY THE BOARD OF ANY MATERIAL CHANGE
22 IN THE INFORMATION PROVIDED IN THE NOTIFICATION UNDER THIS
23 SECTION. NO FEE SHALL BE REQUIRED FOR A SUBSEQUENT CHANGE
24 DURING THE TIME FOR WHICH THE NOTIFICATION REMAINS VALID
25 UNDER SUBSECTION (C).

26 (3) THE SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
27 MACHINE LICENSE SHALL ENSURE THAT EMPLOYEES OF THE NONGAMING
28 SERVICE PROVIDER DO NOT ENTER THE GAMING FLOOR OR A GAMING-
29 RELATED RESTRICTED AREA OF THE LICENSED FACILITY.

30 (4) THE SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT

1 MACHINE LICENSE SHALL REPORT TO THE BOARD AN EMPLOYEE OF A
2 NONGAMING SERVICE PROVIDER THAT DOES ANY OF THE FOLLOWING:

3 (I) ENTERS THE GAMING FLOOR OR A GAMING-RELATED
4 RESTRICTED AREA OF THE LICENSED FACILITY.

5 (II) COMMITS AN ACT THAT ADVERSELY AFFECTS THE
6 PUBLIC INTEREST OR INTEGRITY OF GAMING.

7 (5) THE BOARD MAY PROHIBIT A NONGAMING SERVICE PROVIDER
8 AND EMPLOYEES FROM PROVIDING GOODS OR SERVICES TO A SLOT
9 MACHINE LICENSEE OR APPLICANT FOR A SLOT MACHINE LICENSE AT A
10 LICENSED FACILITY IF THE BOARD DETERMINES THE PROHIBITION IS
11 NECESSARY TO PROTECT THE PUBLIC INTEREST OR INTEGRITY OF
12 GAMING.

13 (E) AUTHORITY TO EXEMPT.--THE BOARD MAY EXEMPT A NONGAMING
14 SERVICE PROVIDER FROM THE NOTIFICATION REQUIREMENTS OF THIS
15 SECTION IF THE BOARD DETERMINES ANY OF THE FOLLOWING:

16 (1) THE NONGAMING SERVICE PROVIDER OR THE TYPE OR NATURE
17 OF THE NONGAMING SERVICE PROVIDER'S BUSINESS IS REGULATED BY
18 AN AGENCY OF THE FEDERAL GOVERNMENT, AN AGENCY OF THE
19 COMMONWEALTH OR THE PENNSYLVANIA SUPREME COURT.

20 (2) NOTIFICATION IS NOT NECESSARY TO PROTECT THE PUBLIC
21 INTEREST OR INTEGRITY OF GAMING.

22 (F) (RESERVED).

23 (G) ADDITIONAL AUTHORITY.--IF, UPON EXAMINATION OF THE
24 PROVIDED NOTIFICATION, THE BUREAU DETERMINES THAT THE
25 REGISTRATION OR CERTIFICATION OF A NONGAMING SERVICE PROVIDER IS
26 NECESSARY TO PROTECT THE INTEGRITY OF GAMING, THE BUREAU MAY
27 REQUIRE THE NONGAMING SERVICE PROVIDER TO FILE AN APPLICATION
28 FOR REGISTRATION OR CERTIFICATION AND BE AUTHORIZED BY THE BOARD
29 PRIOR TO PROVIDING SERVICES AT A LICENSED FACILITY.

30 (H) EMERGENCY NOTIFICATION.--

1 (1) A SLOT MACHINE LICENSEE MAY USE A NONGAMING SERVICE
2 PROVIDER PRIOR TO THE BOARD RECEIVING NOTIFICATION UNDER THIS
3 SECTION WHEN A THREAT TO PUBLIC HEALTH, WELFARE OR SAFETY
4 EXISTS OR CIRCUMSTANCES OUTSIDE THE CONTROL OF THE SLOT
5 MACHINE LICENSEE REQUIRE IMMEDIATE ACTION TO MITIGATE DAMAGE
6 OR LOSS TO THE SLOT MACHINE LICENSEE'S LICENSED FACILITY OR
7 TO THE COMMONWEALTH.

8 (2) A SLOT MACHINE LICENSEE THAT USES A NONGAMING
9 SERVICE PROVIDER IN ACCORDANCE WITH PARAGRAPH (1) SHALL:

10 (I) NOTIFY THE BOARD IMMEDIATELY UPON ENGAGING A
11 NONGAMING SERVICE PROVIDER FOR WHICH THE BOARD HAS NOT
12 PREVIOUSLY RECEIVED NOTIFICATION IN ACCORDANCE WITH
13 SUBSECTION (A).

14 (II) PROVIDE THE NOTIFICATION REQUIRED UNDER
15 SUBSECTION (A) WITHIN A REASONABLE TIME AS ESTABLISHED BY
16 THE BOARD.

17 (I) NONGAMING SERVICE PROVIDER LIST.--

18 (1) THE BOARD SHALL HAVE THE AUTHORITY TO PROHIBIT A
19 NONGAMING SERVICE PROVIDER FROM ENGAGING IN BUSINESS WITH A
20 SLOT MACHINE LICENSEE UPON A FINDING BY THE BOARD THAT THE
21 PROHIBITION IS NECESSARY TO PROTECT THE PUBLIC INTEREST AND
22 THE INTEGRITY OF GAMING.

23 (2) THE BOARD SHALL DEVELOP AND MAINTAIN A LIST OF
24 PROHIBITED NONGAMING SERVICE PROVIDERS.

25 (3) A SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
26 MACHINE LICENSE MAY NOT ENTER INTO AN AGREEMENT OR ENGAGE IN
27 BUSINESS WITH A NONGAMING SERVICE PROVIDER APPEARING ON THE
28 LIST UNDER THIS SUBSECTION.

29 (J) DUTIES OF NONGAMING SERVICE PROVIDER.--A NONGAMING
30 SERVICE PROVIDER SHALL:

1 (1) COOPERATE WITH THE BOARD AND BUREAU REGARDING AN
2 INVESTIGATION, HEARING, ENFORCEMENT ACTION OR DISCIPLINARY
3 ACTION.

4 (2) COMPLY WITH EACH CONDITION, RESTRICTION,
5 REQUIREMENT, ORDER OR RULING OF THE BOARD IN ACCORDANCE WITH
6 THIS PART.

7 (3) REPORT ANY CHANGE IN CIRCUMSTANCES TO THE SLOT
8 MACHINE LICENSEE OR APPLICANT FOR A SLOT MACHINE LICENSE THAT
9 MAY RENDER THE NONGAMING SERVICE PROVIDER INELIGIBLE,
10 UNQUALIFIED OR UNSUITABLE FOR THE PROVISION OF GOODS OR
11 SERVICES AT A LICENSED FACILITY OR USE IN THE OPERATION OF A
12 LICENSED FACILITY. THE SLOT MACHINE LICENSEE SHALL REPORT A
13 CHANGE IN CIRCUMSTANCES TO THE BOARD IN SUCH FORM AND MANNER
14 AS THE BOARD MAY ESTABLISH.

15 (K) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE
16 CONSTRUED TO LIMIT THE POWERS AND AUTHORITY OF THE BOARD UNDER
17 SECTION 1202 (RELATING TO GENERAL AND SPECIFIC POWERS OF THE
18 BOARD) OR THE REGULATORY AUTHORITY OF THE BOARD UNDER SECTION
19 1207 (RELATING TO REGULATORY AUTHORITY OF THE BOARD).

20 SECTION 13. (RESERVED).

21 SECTION 14. SECTION 1326 OF TITLE 4 IS AMENDED TO READ:

22 § 1326. [LICENSE RENEWALS] RENEWALS.

23 (A) RENEWAL.--ALL PERMITS [AND], LICENSES, REGISTRATIONS OR
24 CERTIFICATES ISSUED UNDER THIS PART UNLESS OTHERWISE PROVIDED
25 SHALL BE SUBJECT TO RENEWAL EVERY THREE YEARS. NOTHING IN THIS
26 SUBSECTION SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE DUTY TO
27 NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS
28 LICENSE, PERMIT, REGISTRATION OR CERTIFICATE OR TO ANY OTHER
29 INFORMATION CONTAINED IN THE APPLICATION MATERIALS ON FILE WITH
30 THE BOARD. THE APPLICATION FOR RENEWAL SHALL BE SUBMITTED AT

1 LEAST 60 DAYS PRIOR TO THE EXPIRATION OF THE PERMIT [OR],
2 LICENSE, REGISTRATION OR CERTIFICATE AND SHALL INCLUDE AN UPDATE
3 OF THE INFORMATION CONTAINED IN THE INITIAL AND ANY PRIOR
4 RENEWAL APPLICATIONS AND THE PAYMENT OF ANY RENEWAL FEE REQUIRED
5 BY THIS PART. UNLESS OTHERWISE SPECIFICALLY PROVIDED IN THIS
6 PART, THE AMOUNT OF ANY RENEWAL FEE SHALL BE CALCULATED BY THE
7 BOARD TO REFLECT THE LONGER RENEWAL PERIOD. A PERMIT [OR],
8 LICENSE, REGISTRATION OR CERTIFICATE FOR WHICH A COMPLETED
9 RENEWAL APPLICATION AND FEE, IF REQUIRED, HAS BEEN RECEIVED BY
10 THE BOARD WILL CONTINUE IN EFFECT UNLESS AND UNTIL THE BOARD
11 SENDS WRITTEN NOTIFICATION TO THE HOLDER OF THE PERMIT [OR],
12 LICENSE, REGISTRATION OR CERTIFICATE THAT THE BOARD HAS DENIED
13 THE RENEWAL OF SUCH PERMIT [OR], LICENSE, REGISTRATION OR
14 CERTIFICATE.

15 (B) REVOCATION OR FAILURE TO RENEW.--IN ADDITION TO ANY
16 OTHER SANCTIONS THE BOARD MAY IMPOSE UNDER THIS PART, THE BOARD
17 MAY AT ITS DISCRETION SUSPEND, REVOKE OR DENY RENEWAL OF ANY
18 PERMIT [OR], LICENSE, REGISTRATION OR CERTIFICATE ISSUED UNDER
19 THIS PART IF IT RECEIVES ANY INFORMATION FROM ANY SOURCE THAT
20 THE APPLICANT OR ANY OF ITS OFFICERS, DIRECTORS, OWNERS OR KEY
21 EMPLOYEES IS IN VIOLATION OF ANY PROVISION OF THIS PART, THAT
22 THE APPLICANT HAS FURNISHED THE BOARD WITH FALSE OR MISLEADING
23 INFORMATION OR THAT THE INFORMATION CONTAINED IN THE APPLICANT'S
24 INITIAL APPLICATION OR ANY RENEWAL APPLICATION IS NO LONGER TRUE
25 AND CORRECT. IN THE EVENT OF A REVOCATION OR FAILURE TO RENEW,
26 THE APPLICANT'S AUTHORIZATION TO CONDUCT THE PREVIOUSLY APPROVED
27 ACTIVITY SHALL IMMEDIATELY CEASE, AND ALL FEES PAID IN
28 CONNECTION THEREWITH SHALL BE DEEMED TO BE FORFEITED. IN THE
29 EVENT OF A SUSPENSION, THE APPLICANT'S AUTHORIZATION TO CONDUCT
30 THE PREVIOUSLY APPROVED ACTIVITY SHALL IMMEDIATELY CEASE UNTIL

1 THE BOARD HAS NOTIFIED THE APPLICANT THAT THE SUSPENSION IS NO
2 LONGER IN EFFECT.

3 SECTION 15. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:
4 § 1326.1. SLOT MACHINE LICENSE OPERATION FEE.

5 (A) IMPOSITION.--BEGINNING JANUARY 1, 2017, THE BOARD SHALL
6 IMPOSE AN ANNUAL SLOT MACHINE LICENSE OPERATION FEE ON EACH
7 CATEGORY 1 AND CATEGORY 2 LICENSED GAMING ENTITY IN AN AMOUNT
8 EQUAL TO 20% OF THE SLOT MACHINE LICENSE FEE PAID AT THE TIME OF
9 ISSUANCE UNDER SECTION 1209(A) (RELATING TO SLOT MACHINE LICENSE
10 FEE). THE SLOT MACHINE LICENSE OPERATION FEE SHALL BE PAID BY
11 EACH CATEGORY 1 AND CATEGORY 2 LICENSED GAMING ENTITY IN EQUAL
12 INSTALLMENTS ON A MONTHLY BASIS.

13 (B) PAYMENT OF FEE.--THE DEPARTMENT SHALL DEVELOP A PAYMENT
14 SCHEDULE FOR THE SLOT MACHINE OPERATION FEE IMPOSED UNDER
15 SUBSECTION (A).

16 (C) CREDIT FOR PAYMENT.--THE DEPARTMENT SHALL CREDIT AGAINST
17 THE SLOT MACHINE OPERATION FEE IMPOSED UNDER SUBSECTION (A) ANY
18 AMOUNT PAID BY A CATEGORY 1 OR CATEGORY 2 LICENSED GAMING ENTITY
19 UNDER 1403(C) (3) (RELATING TO ESTABLISHMENT OF STATE GAMING FUND
20 AND NET SLOT MACHINE REVENUE DISTRIBUTION) PRIOR TO THE
21 EFFECTIVE DATE OF THIS SECTION. FOR A CATEGORY 2 LICENSED GAMING
22 ENTITY LOCATED IN A COUNTY OF THE FIRST CLASS, THE DEPARTMENT
23 SHALL CREDIT AGAINST THE SLOT MACHINE OPERATION FEE ANY AMOUNT
24 PAID BY THAT LICENSED GAMING ENTITY UNDER 1403(C) (2).

25 (D) FAILURE TO PAY.--THE BOARD MAY AT THE BOARD'S DISCRETION
26 SUSPEND, REVOKE OR DENY A PERMIT OR LICENSE ISSUED UNDER THIS
27 PART IF A CATEGORY 1 OR CATEGORY 2 LICENSED GAMING ENTITY FAILS
28 TO PAY THE SLOT MACHINE LICENSE OPERATION FEE IMPOSED UNDER
29 SUBSECTION (A).

30 (E) DEPOSIT OF SLOT MACHINE LICENSE OPERATION FEE.--THE

1 TOTAL AMOUNT OF ALL LICENSE OPERATION FEES IMPOSED AND COLLECTED
2 BY THE BOARD UNDER THIS SECTION SHALL BE DEPOSITED IN THE FUND
3 AND SHALL BE APPROPRIATED TO THE DEPARTMENT ON A CONTINUING
4 BASIS FOR THE PURPOSES UNDER SECTION 1403(C) (3).

5 SECTION 16. SECTION 13A27(A) AND (C) OF TITLE 4 ARE AMENDED
6 TO READ:

7 § 13A27. OTHER FINANCIAL TRANSACTIONS.

8 (A) CREDIT.--NOTWITHSTANDING SECTION 1504 (RELATING TO
9 WAGERING ON CREDIT), A CERTIFICATE HOLDER MAY EXTEND INTEREST-
10 FREE, UNSECURED CREDIT TO PATRONS FOR THE PURPOSE OF PLAYING
11 SLOT MACHINES OR TABLE GAMES IN ACCORDANCE WITH THIS SECTION;
12 HOWEVER, A CERTIFICATE HOLDER SHALL NOT ACCEPT CREDIT CARDS,
13 CHARGE CARDS OR DEBIT CARDS FROM A PATRON OR PLAYER FOR THE
14 EXCHANGE OR PURCHASE OR CHIPS, SLOT MACHINE OR TABLE GAME
15 CREDITS OR FOR AN ADVANCE OF COINS OR CURRENCY TO BE UTILIZED BY
16 A PLAYER TO PLAY SLOT MACHINE OR TABLE GAMES. NO CREDIT CARD
17 ADVANCE MACHINE MAY BE PLACED ON THE GAMING FLOOR. PREPAID
18 ACCESS INSTRUMENTS ARE NOT DEEMED TO BE A CREDIT CARD, CHARGE
19 CARD, DEBIT CARD OR ANY OTHER INSTRUMENT OF CREDIT AND ARE NOT
20 PROHIBITED UNDER THIS SECTION. A DEVICE OR OTHER MECHANISM WHICH
21 ALLOWS OR FACILITATES THE FUNDING OF A PREPAID ACCESS INSTRUMENT
22 AS DEFINED IN SECTION 1103 (RELATING TO DEFINITIONS) SHALL NOT
23 BE DEEMED A CREDIT CARD ADVANCE MACHINE UNDER THIS SECTION.

24 * * *

25 (C) CREDIT APPLICATION VERIFICATION.---PRIOR TO APPROVING AN
26 APPLICATION FOR CREDIT, A CERTIFICATE HOLDER SHALL VERIFY:

27 (1) THE IDENTITY, CREDITWORTHINESS AND INDEBTEDNESS
28 INFORMATION OF THE APPLICANT BY CONDUCTING A COMPREHENSIVE
29 REVIEW OF THE INFORMATION SUBMITTED WITH THE APPLICATION AND
30 ANY INFORMATION REGARDING THE APPLICANT'S CREDIT ACTIVITY AT

1 OTHER LICENSED FACILITIES WHICH THE CERTIFICATE HOLDER MAY
2 OBTAIN THROUGH A CASINO CREDIT BUREAU AND, IF APPROPRIATE,
3 THROUGH DIRECT CONTACT WITH OTHER SLOT MACHINE LICENSEES.

4 (2) THAT THE APPLICANT'S NAME IS NOT INCLUDED ON AN
5 EXCLUSION LIST UNDER SECTION 1514 (RELATING TO REGULATION
6 REQUIRING EXCLUSION [OR] EJECTION OR DENIAL OF ACCESS OF
7 CERTAIN PERSONS) OR 1516 (RELATING TO LIST OF PERSONS SELF
8 EXCLUDED FROM GAMING ACTIVITIES) OR THE VOLUNTARY CREDIT
9 SUSPENSION LIST UNDER SUBSECTION (H).

10 * * *

11 SECTION 17. (RESERVED).

12 SECTION 18. SECTION 13A63(B) (3) (III) (C) AND (4) OF TITLE 4
13 ARE AMENDED TO READ:

14 § 13A63. LOCAL SHARE ASSESSMENT.

15 * * *

16 (B) DISTRIBUTIONS TO COUNTIES.--THE DEPARTMENT SHALL MAKE
17 QUARTERLY DISTRIBUTIONS FROM THE LOCAL SHARE ASSESSMENTS
18 DEPOSITED INTO THE FUND UNDER SUBSECTION (A) TO COUNTIES,
19 INCLUDING HOME RULE COUNTIES, HOSTING A LICENSED FACILITY
20 AUTHORIZED TO CONDUCT TABLE GAMES UNDER THIS CHAPTER IN
21 ACCORDANCE WITH THE FOLLOWING:

22 * * *

23 (3) IF THE FACILITY IS A CATEGORY 2 LICENSED FACILITY
24 AND IF THE COUNTY IN WHICH THE LICENSED FACILITY IS LOCATED
25 IS:

26 * * *

27 (III) A COUNTY OF THE THIRD CLASS WHERE A CITY OF
28 THE THIRD CLASS HOSTING THE LICENSED FACILITY IS LOCATED
29 IN TWO COUNTIES OF THE THIRD CLASS: 50% OF THE LICENSED
30 FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE DISTRIBUTED AS

1 FOLLOWS :

2 * * *

3 (C) TWENTY PERCENT TO THE NONHOST COUNTY IN
4 WHICH THE HOST CITY IS LOCATED, OF WHICH 50% SHALL BE
5 DEPOSITED INTO A RESTRICTED RECEIPTS ACCOUNT TO BE
6 ESTABLISHED IN THE COMMONWEALTH FINANCING AUTHORITY
7 TO BE USED [SOLELY FOR GRANTS TO MUNICIPALITIES THAT
8 ARE CONTIGUOUS TO THE HOST CITY] EXCLUSIVELY FOR
9 ECONOMIC DEVELOPMENT PROJECTS, COMMUNITY IMPROVEMENT
10 PROJECTS AND OTHER PROJECTS IN THE PUBLIC INTEREST
11 WITHIN THE COUNTY, WITH PRIORITY GIVEN TO
12 MUNICIPALITIES CONTIGUOUS TO THE HOST CITY.

13 * * *

14 (4) THE FOLLOWING APPLY:

15 (I) IF THE FACILITY IS A CATEGORY 3 LICENSED
16 FACILITY LOCATED IN A COUNTY OF THE SECOND CLASS A: 50%
17 OF THE LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL
18 BE [DEPOSITED INTO A RESTRICTED RECEIPTS ACCOUNT TO BE
19 ESTABLISHED IN THE COMMONWEALTH FINANCING AUTHORITY TO BE
20 USED EXCLUSIVELY FOR GRANTS OR GUARANTEES FOR PROJECTS IN
21 THE COUNTY THAT QUALIFY UNDER 64 PA.C.S. §§ 1551
22 (RELATING TO BUSINESS IN OUR SITES PROGRAM), 1556
23 (RELATING TO TAX INCREMENT FINANCING GUARANTEE PROGRAM)
24 AND 1558 (RELATING TO WATER SUPPLY AND WASTE WATER
25 INFRASTRUCTURE PROGRAM) .] DISTRIBUTED AS FOLLOWS:

26 (A) SEVENTY-FIVE PERCENT SHALL BE DISTRIBUTED TO
27 THE COUNTY HOSTING THE LICENSED FACILITY FROM EACH
28 LICENSED FACILITY FOR THE PURPOSE OF SUPPORTING THE
29 MAINTENANCE AND REFURBISHMENT OF THE PARKS AND
30 HERITAGE SITES THROUGHOUT THE COUNTY IN WHICH THE

1 LICENSEE IS LOCATED.

2 (B) TWELVE AND ONE-HALF PERCENT SHALL BE
3 DISTRIBUTED TO THE COUNTY HOSTING THE LICENSED
4 FACILITY FROM EACH LICENSED FACILITY FOR THE PURPOSE
5 OF SUPPORTING A CHILD ADVOCACY CENTER LOCATED WITHIN
6 THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

7 (C) TWELVE AND ONE-HALF PERCENT SHALL BE
8 DISTRIBUTED TO THE COUNTY HOSTING THE LICENSED
9 FACILITY FROM EACH LICENSED FACILITY FOR THE PURPOSE
10 OF SUPPORTING AN ORGANIZATION PROVIDING COMPREHENSIVE
11 SUPPORT SERVICES TO VICTIMS OF DOMESTIC VIOLENCE,
12 INCLUDING LEGAL AND MEDICAL AID, SHELTERS,
13 TRANSITIONAL HOUSING AND COUNSELING LOCATED WITHIN
14 THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

15 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (I), IF THE
16 FACILITY IS A CATEGORY 3 LICENSED FACILITY IN A COUNTY OF
17 ANY CLASS: 50% OF THE LICENSED FACILITY'S LOCAL SHARE
18 ASSESSMENT SHALL BE ADDED TO THE FUNDS IN THE RESTRICTED
19 RECEIPTS ACCOUNT ESTABLISHED UNDER SECTION 1403(C)(2)(IV)
20 FOR DISTRIBUTION WITH THOSE FUNDS.

21 * * *

22 SECTION 19. TITLE 4 IS AMENDED BY ADDING CHAPTERS TO READ:

23 CHAPTER 13B

24 (RESERVED)

25 CHAPTER 13C

26 INTERACTIVE GAMING

27 SUBCHAPTER

28 A. GENERAL PROVISIONS

29 B. INTERACTIVE GAMING AUTHORIZED

30 B.1. MULTI-USE COMPUTING DEVICES

1 C. CONDUCT OF INTERACTIVE GAMING

2 D. FACILITIES AND EQUIPMENT

3 E. TESTING AND CERTIFICATION

4 F. TAXES AND FEES

5 G. MISCELLANEOUS PROVISIONS

6 SUBCHAPTER A

7 GENERAL PROVISIONS

8 SEC.

9 13C01. LEGISLATIVE FINDINGS.

10 13C02. REGULATORY AUTHORITY.

11 13C03. TEMPORARY INTERACTIVE GAMING REGULATIONS.

12 § 13C01. LEGISLATIVE FINDINGS.

13 THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

14 (1) THE PRIMARY OBJECTIVE OF THE PENNSYLVANIA RACE HORSE
15 DEVELOPMENT AND GAMING ACT, TO WHICH ALL OTHER OBJECTIVES ARE
16 SECONDARY, IS TO PROTECT THE PUBLIC THROUGH THE REGULATION
17 AND POLICING OF ALL ACTIVITIES INVOLVING GAMING AND PRACTICES
18 THAT CONTINUE TO BE UNLAWFUL.

19 (2) LEGISLATIVE AUTHORIZATION OF SLOT MACHINE GAMING AND
20 THE CONDUCT OF TABLE GAMES IS INTENDED TO ENHANCE LIVE HORSE
21 RACING, BREEDING PROGRAMS, ENTERTAINMENT AND EMPLOYMENT IN
22 THIS COMMONWEALTH.

23 (3) LEGALIZED GAMING WAS SEEN AS A MEANS TO PROVIDE A
24 SOURCE OF REVENUE FOR PROPERTY AND WAGE TAX RELIEF, PROMOTE
25 ECONOMIC DEVELOPMENT AND ENHANCE DEVELOPMENT OF TOURISM
26 MARKETS THROUGHOUT THIS COMMONWEALTH.

27 (4) LEGALIZED GAMING IN THE CATEGORY 1, CATEGORY 2 AND
28 CATEGORY 3 LICENSED FACILITIES GEOGRAPHICALLY DISPERSED IN
29 THIS COMMONWEALTH HAS BECOME A CRITICAL COMPONENT OF ECONOMIC
30 DEVELOPMENT AND, IF GAMING ACTIVITIES CONTINUE TO BE PROPERLY

1 REGULATED AND FOSTERED, IT WILL PROVIDE A SUBSTANTIAL
2 CONTRIBUTION TO THE GENERAL HEALTH, WELFARE AND PROSPERITY OF
3 THIS COMMONWEALTH AND THE RESIDENTS OF THIS COMMONWEALTH.

4 (5) THE GENERAL ASSEMBLY REMAINS COMMITTED TO ENSURING A
5 ROBUST GAMING INDUSTRY IN THIS COMMONWEALTH THAT IS CAPABLE
6 OF COMPETING INTERNATIONALLY, NATIONALLY AND REGIONALLY AT
7 THE HIGHEST LEVELS OF QUALITY WHILE MAINTAINING STRICT
8 REGULATORY OVERSIGHT TO ENSURE THE INTEGRITY OF ALL GAMING
9 OPERATIONS AS SUPERVISED BY THE BOARD.

10 (6) SINCE ITS DEVELOPMENT, THE INTERNET HAS PROVIDED THE
11 OPPORTUNITY FOR MILLIONS OF PEOPLE WORLDWIDE TO ENGAGE IN
12 ONLINE GAMBLING, MOSTLY THROUGH ILLEGAL, UNREGULATED OFFSHORE
13 GAMBLING OPERATIONS.

14 (7) IN 2006, THE CONGRESS OF THE UNITED STATES PASSED
15 AND THE PRESIDENT OF THE UNITED STATES SIGNED THE UNLAWFUL
16 INTERNET GAMBLING ENFORCEMENT ACT OF 2006 (TITLE VIII OF
17 PUBLIC LAW 109-347, 31 U.S.C. § 5361 ET SEQ.), WHICH
18 GENERALLY PROHIBITS THE USE OF BANKING INSTRUMENTS, INCLUDING
19 CREDIT CARDS, CHECKS AND MONEY TRANSFERS FOR INTERSTATE
20 INTERNET GAMBLING.

21 (8) ALTHOUGH THE UNLAWFUL INTERNET GAMBLING ENFORCEMENT
22 ACT OF 2006 PROHIBITS INTERSTATE INTERNET GAMBLING BY UNITED
23 STATES CITIZENS, IT PERMITS INDIVIDUAL STATES TO CREATE A
24 REGULATORY FRAMEWORK TO GOVERN INTRASTATE INTERNET OR
25 INTERACTIVE GAMBLING.

26 (9) WITHOUT LEGISLATIVE AUTHORIZATION AND STRICT
27 REGULATION OF INTERACTIVE GAMING IN THIS COMMONWEALTH, THE
28 PUBLIC'S TRUST AND CONFIDENCE IN LEGALIZED COMMERCIAL GAMING
29 MAY BE IMPACTED.

30 (10) AN EFFECTIVE REGULATORY, LICENSING AND ENFORCEMENT

1 SYSTEM FOR INTERACTIVE GAMING IN THIS COMMONWEALTH WOULD
2 INHIBIT UNDERAGE WAGERING AND OTHERWISE PROTECT VULNERABLE
3 INDIVIDUALS, ENSURE THAT THE GAMES OFFERED THROUGH THE
4 INTERNET ARE FAIR AND SAFE, STOP SENDING JOBS, TAX AND OTHER
5 REVENUE TO ILLEGAL OPERATORS, PROVIDE A SIGNIFICANT SOURCE OF
6 TAXABLE REVENUE, CREATE JOBS AND ECONOMIC DEVELOPMENT AND
7 ADDRESS THE CONCERNS OF LAW ENFORCEMENT.

8 (11) (RESERVED).

9 (12) BY LEGALIZING INTERACTIVE GAMING AND SUBJECTING IT
10 TO THE REGULATORY OVERSIGHT OF THE BOARD, THE GENERAL
11 ASSEMBLY IS ASSURING THE RESIDENTS OF THIS COMMONWEALTH THAT
12 ONLY THOSE PERSONS WHO HAVE BEEN DETERMINED TO BE SUITABLE
13 ARE LICENSED TO FACILITATE AND CONDUCT INTERACTIVE GAMING
14 ACTIVITIES IN THIS COMMONWEALTH.

15 (13) AN EFFECTIVE REGULATORY, LICENSING AND ENFORCEMENT
16 SYSTEM TO GOVERN INTERACTIVE GAMING IN THIS COMMONWEALTH IS
17 CONSISTENT WITH THE ORIGINAL OBJECTIVES AND INTENT OF THE
18 PENNSYLVANIA RACE HORSE DEVELOPMENT AND GAMING ACT, THEREBY
19 ENSURING THE PUBLIC TRUST AND CONFIDENCE IN THE COMMERCIAL
20 GAMING INDUSTRY IN THIS COMMONWEALTH.

21 (14) THE COMMONWEALTH HAS A LEGITIMATE STATE INTEREST IN
22 PROTECTING THE INTEGRITY OF STATE-AUTHORIZED INTERACTIVE
23 GAMING BY LICENSING THOSE ENTITIES ALREADY ENGAGED IN THE
24 CONDUCT OF GAMING IN THIS COMMONWEALTH, WHICH ARE SUBJECT TO
25 THE SCRUTINY AND DISCIPLINE OF THE BOARD AND OTHER REGULATORY
26 AGENCIES AND WHICH ARE IN GOOD STANDING WITH THOSE AGENCIES.

27 § 13C02. REGULATORY AUTHORITY.

28 (A) AUTHORITY.--THE BOARD SHALL PROMULGATE AND ADOPT RULES
29 AND REGULATIONS TO GOVERN THE CONDUCT OF INTERACTIVE GAMING IN
30 ORDER TO ENSURE THAT IT WILL BE IMPLEMENTED IN A MANNER THAT

1 PROVIDES FOR THE SECURITY AND EFFECTIVE MANAGEMENT,
2 ADMINISTRATION AND CONTROL OF INTERACTIVE GAMING, INCLUDING, BUT
3 NOT LIMITED TO, REGULATIONS:

4 (1) ENSURING THAT INTERACTIVE GAMING IS OFFERED FOR PLAY
5 IN THIS COMMONWEALTH IN A MANNER THAT IS CONSISTENT WITH
6 FEDERAL LAW AND THE PROVISIONS OF THIS CHAPTER.

7 (2) ESTABLISHING STANDARDS AND PROCEDURES FOR TESTING
8 AND APPROVING INTERACTIVE GAMES AND INTERACTIVE GAMING
9 DEVICES AND ASSOCIATED EQUIPMENT, AND VARIATIONS OR
10 COMPOSITES OF AUTHORIZED INTERACTIVE GAMES, IF THE BOARD
11 DETERMINES THAT THE INTERACTIVE GAMES AND NEW INTERACTIVE
12 GAMES OR VARIATIONS OR COMPOSITES ARE SUITABLE FOR USE AFTER
13 A TEST OR EXPERIMENTAL PERIOD UNDER TERMS AND CONDITIONS AS
14 THE BOARD MAY DEEM APPROPRIATE. THE BOARD MAY GIVE PRIORITY
15 TO THE TESTING OF INTERACTIVE GAMES, INTERACTIVE GAMING
16 DEVICES AND ASSOCIATED EQUIPMENT OR OTHER GAMING EQUIPMENT
17 WHICH A SLOT MACHINE LICENSEE OR OTHER ENTITY HAS CERTIFIED
18 THAT IT WILL USE TO CONDUCT INTERACTIVE GAMING IN THIS
19 COMMONWEALTH. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO
20 PROHIBIT THE BOARD FROM USING THE TESTING AND CERTIFICATION
21 STANDARDS OF ANOTHER STATE OR JURISDICTION IN WHICH
22 INTERACTIVE GAMING IS CONDUCTED, IF IT DETERMINES THAT THE
23 STANDARDS OF THE JURISDICTION ARE COMPREHENSIVE, THOROUGH AND
24 PROVIDE SIMILAR AND ADEQUATE SAFEGUARDS AS THOSE REQUIRED
25 UNDER THIS PART. IF THE BOARD MAKES A DETERMINATION AND THE
26 APPLICANT FOR AN INTERACTIVE GAMING CERTIFICATE OR AN
27 INTERACTIVE GAMING LICENSE IS LICENSED IN ANOTHER STATE OR
28 JURISDICTION TO OPERATE INTERACTIVE GAMING, IT MAY USE AN
29 ABBREVIATED PROCESS REQUIRING ONLY THE INFORMATION DETERMINED
30 BY IT TO BE NECESSARY TO CONSIDER THE ISSUANCE OF A

1 CERTIFICATION UNDER THIS CHAPTER. THE BOARD, IN ITS
2 DISCRETION, MAY ALSO RELY UPON THE CERTIFICATION OF
3 INTERACTIVE GAMES THAT HAVE MET THE TESTING AND CERTIFICATION
4 STANDARDS OF A BOARD-APPROVED PRIVATE TESTING AND
5 CERTIFICATION FACILITY.

6 (3) ESTABLISHING STANDARDS AND RULES TO GOVERN THE
7 CONDUCT OF INTERACTIVE GAMING AND THE SYSTEM OF AND WAGERING
8 ASSOCIATED WITH INTERACTIVE GAMING, INCLUDING INTERNAL
9 CONTROLS AND ACCOUNTING CONTROLS, AND THE TYPE, NUMBER,
10 PAYOUT, WAGERING LIMITS AND RULES FOR INTERACTIVE GAMES.

11 (4) ESTABLISHING THE METHOD FOR CALCULATING GROSS
12 INTERACTIVE GAMING REVENUE AND STANDARDS FOR THE DAILY
13 COUNTING AND RECORDING OF CASH AND CASH EQUIVALENTS RECEIVED
14 IN THE CONDUCT OF AUTHORIZED INTERACTIVE GAMES AND ENSURE
15 THAT INTERNAL CONTROLS AND ACCOUNTING CONTROLS ARE FOLLOWED,
16 INCLUDING THE MAINTENANCE OF FINANCIAL BOOKS AND RECORDS AND
17 THE CONDUCT OF AUDITS. THE BOARD SHALL CONSULT WITH THE
18 DEPARTMENT IN ESTABLISHING THESE REGULATIONS.

19 (5) ESTABLISHING NOTICE REQUIREMENTS PERTAINING TO
20 MINIMUM AND MAXIMUM WAGERS ON AUTHORIZED INTERACTIVE GAMES.

21 (6) ENSURING THAT ALL FACILITIES AND INTERACTIVE GAMING
22 DEVICES AND ASSOCIATED EQUIPMENT ARE ARRANGED IN A MANNER TO
23 PROMOTE APPROPRIATE SECURITY FOR INTERACTIVE GAMING.

24 (7) ESTABLISHING TECHNICAL STANDARDS FOR THE APPROVAL OF
25 INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED
26 EQUIPMENT, INCLUDING MECHANICAL, ELECTRICAL OR PROGRAM
27 RELIABILITY, SECURITY AGAINST TAMPERING AND OTHER STANDARDS
28 AS IT MAY DEEM NECESSARY TO PROTECT REGISTERED PLAYERS FROM
29 FRAUD OR DECEPTION.

30 (8) GOVERNING THE CREATION AND UTILIZATION OF

1 INTERACTIVE GAMING ACCOUNTS BY REGISTERED PLAYERS, INCLUDING
2 REQUIRING THAT:

3 (I) INTERACTIVE GAMING ACCOUNTS BE POSSESSED BY A
4 NATURAL PERSON AND NOT IN THE NAME OF A BENEFICIARY,
5 CUSTODIAN, JOINT TRUST, CORPORATION, PARTNERSHIP OR OTHER
6 ORGANIZATION OR ENTITY.

7 (II) INTERACTIVE GAMING ACCOUNTS SHALL NOT BE
8 ASSIGNABLE OR OTHERWISE TRANSFERABLE.

9 (III) NO ACCOUNT BE ESTABLISHED FOR AN INDIVIDUAL
10 UNDER 21 YEARS OF AGE.

11 (9) ESTABLISHING PROCEDURES FOR REGISTERED PLAYERS TO
12 LOG INTO THEIR INTERACTIVE GAMING ACCOUNTS, AUTHENTICATE
13 IDENTITIES, AGREE TO TERMS, CONDITIONS AND RULES APPLICABLE
14 TO AUTHORIZED INTERACTIVE GAMES AND LOG OUT OF INTERACTIVE
15 GAMING ACCOUNTS, INCLUDING PROCEDURES FOR AUTOMATICALLY
16 LOGGING OFF REGISTERED PLAYERS FROM AN INTERACTIVE GAME AFTER
17 A SPECIFIED PERIOD OF INACTIVITY.

18 (10) ESTABLISHING PROCEDURES FOR:

19 (I) DEPOSITING FUNDS IN AN INTERACTIVE GAMING
20 ACCOUNT BY CASH, TRANSFER OR OTHER MEANS, AS APPROVED BY
21 THE BOARD.

22 (II) THE WITHDRAWAL OF FUNDS FROM INTERACTIVE GAMING
23 ACCOUNTS.

24 (III) THE SUSPENSION OF INTERACTIVE GAMING ACCOUNT
25 ACTIVITY FOR SECURITY REASONS.

26 (IV) THE TERMINATION OF INTERACTIVE GAMING ACCOUNTS
27 AND DISPOSITION OF PROCEEDS IN ACCOUNTS.

28 (V) THE DISPOSITION OF UNCLAIMED AMOUNTS IN DORMANT
29 INTERACTIVE GAMING ACCOUNTS.

30 (11) ESTABLISHING MECHANISMS BY WHICH REGISTERED PLAYERS

1 MAY PLACE LIMITS ON THE AMOUNT OF MONEY BEING WAGERED PER
2 AUTHORIZED INTERACTIVE GAME OR DURING A SPECIFIED TIME PERIOD
3 OR THE AMOUNT OF LOSSES INCURRED DURING THE SPECIFIED TIME
4 PERIOD.

5 (12) ESTABLISHING MECHANISMS TO EXCLUDE FROM INTERACTIVE
6 GAMING PERSONS NOT ELIGIBLE TO PLAY BY REASON OF AGE,
7 IDENTITY OR LOCATION OR INCLUSION ON A LIST OF PERSONS DENIED
8 ACCESS TO INTERACTIVE GAMING ACTIVITIES IN ACCORDANCE WITH
9 SECTIONS 1514 (RELATING TO REGULATION REQUIRING EXCLUSION,
10 EJECTION OR DENIAL OF ACCESS OF CERTAIN PERSONS), 1515
11 (RELATING TO REPEAT OFFENDERS EXCLUDABLE FROM LICENSED GAMING
12 FACILITY) AND 1516 (RELATING TO LIST OF PERSONS SELF EXCLUDED
13 FROM GAMING ACTIVITIES).

14 (13) ESTABLISHING PROCEDURES FOR THE PROTECTION,
15 SECURITY AND RELIABILITY OF INTERACTIVE GAMING ACCOUNTS,
16 AUTHORIZED INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND
17 ASSOCIATED EQUIPMENT AND MECHANISMS TO PREVENT TAMPERING OR
18 UTILIZATION BY UNAUTHORIZED PERSONS.

19 (14) ESTABLISHING DATA SECURITY STANDARDS TO GOVERN AGE,
20 IDENTITY AND LOCATION VERIFICATION OF PERSONS ENGAGED IN
21 INTERACTIVE GAMING ACTIVITY.

22 (15) REQUIRING EACH INTERACTIVE GAMING CERTIFICATE
23 HOLDER TO:

24 (I) PROVIDE WRITTEN INFORMATION ON ITS INTERACTIVE
25 GAMING SKIN OR INTERNET WEBSITE, WHICH EXPLAINS THE RULES
26 FOR EACH AUTHORIZED INTERACTIVE GAME, PAYOFFS OR WINNING
27 WAGERS AND OTHER INFORMATION AS THE BOARD MAY REQUIRE.

28 (II) DESIGNATE ONE OR MORE INTERACTIVE GAMING
29 RESTRICTED AREAS WHERE INTERACTIVE GAMING WILL BE
30 MANAGED, ADMINISTERED OR CONTROLLED.

1 (III) PROVIDE THE BOARD WITH ACCESS TO THE
2 INTERACTIVE GAMING SKIN OR WEBSITE, INTERACTIVE GAMING
3 PLATFORM, SIGNAL OR TRANSMISSION USED IN CONNECTION WITH
4 INTERACTIVE GAMING AND INTERACTIVE GAMING RESTRICTED
5 AREAS.

6 (IV) ADOPT PROCEDURES FOR THE RECORDATION,
7 REPLICATION AND STORAGE OF ALL PLAY AND TRANSACTIONS FOR
8 A PERIOD TO BE DETERMINED BY THE BOARD.

9 (V) PROVIDE STATEMENTS ON ITS INTERACTIVE GAMING
10 SKIN OR WEBSITE ABOUT THE PERMISSIBLE MINIMUM AND MAXIMUM
11 WAGERS FOR EACH AUTHORIZED INTERACTIVE GAME, AS
12 APPLICABLE.

13 (VI) ADOPT POLICIES OR PROCEDURES TO PROHIBIT AN
14 UNAUTHORIZED PERSON FROM HAVING ACCESS TO INTERACTIVE
15 GAMING DEVICES AND ASSOCIATED EQUIPMENT, INCLUDING
16 SOFTWARE, SYSTEM PROGRAMS, HARDWARE AND ANY OTHER GAMING
17 EQUIPMENT OR DEVICES WHICH ARE USED TO MANAGE, ADMINISTER
18 OR CONTROL INTERACTIVE GAMING.

19 (VII) ADOPT DATA SECURITY STANDARDS TO VERIFY THE
20 AGE, IDENTITY AND LOCATION OF PERSONS ENGAGED IN
21 INTERACTIVE GAMING ACTIVITY AND PREVENT UNAUTHORIZED
22 ACCESS BY A PERSON WHOSE AGE AND LOCATION HAVE NOT BEEN
23 VERIFIED OR WHOSE AGE AND LOCATION CANNOT BE VERIFIED IN
24 ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.

25 (VIII) ADOPT STANDARDS TO PROTECT THE PRIVACY AND
26 SECURITY OF REGISTERED PLAYERS ENGAGED IN INTERACTIVE
27 GAMING.

28 (IX) COLLECT, REPORT AND PAY ANY AND ALL APPLICABLE
29 TAXES AND FEES AND MAINTAIN ALL BOOKS, DATA, RECORDS AND
30 DOCUMENTS RELATED TO THE INTERACTIVE GAMING CERTIFICATE

1 HOLDER'S INTERACTIVE GAMING ACTIVITIES IN A MANNER AND IN
2 A LOCATION WITHIN THIS COMMONWEALTH AS APPROVED BY THE
3 BOARD OR THE DEPARTMENT. ALL BOOKS, DATA, RECORDS AND
4 DOCUMENTS SHALL BE IMMEDIATELY AVAILABLE FOR INSPECTION
5 DURING ALL HOURS OF OPERATION IN ACCORDANCE WITH THE
6 REGULATIONS OF THE BOARD AND SHALL BE MAINTAINED IN A
7 MANNER AND DURING PERIODS OF TIME AS THE BOARD SHALL
8 REQUIRE BY REGULATION.

9 (16) TO REQUIRE PROSPECTIVE AND EXISTING EMPLOYEES,
10 INDEPENDENT CONTRACTORS, APPLICANTS, LICENSEES AND PERMITTEES
11 TO SUBMIT TO FINGERPRINTING BY THE PENNSYLVANIA STATE POLICE
12 OR AN AUTHORIZED AGENT OF THE PENNSYLVANIA STATE POLICE. THE
13 PENNSYLVANIA STATE POLICE SHALL SUBMIT THE FINGERPRINTS TO
14 THE FEDERAL BUREAU OF INVESTIGATION FOR PURPOSES OF VERIFYING
15 THE IDENTITY OF THE INDIVIDUAL AND OBTAINING RECORDS OF
16 CRIMINAL ARRESTS AND CONVICTIONS.

17 (17) TO REQUIRE PROSPECTIVE AND EXISTING EMPLOYEES,
18 INDEPENDENT CONTRACTORS, APPLICANTS, LICENSEES AND PERMITTEES
19 TO SUBMIT PHOTOGRAPHS CONSISTENT WITH THE STANDARDS
20 ESTABLISHED BY THE BOARD.

21 (B) ADDITIONAL AUTHORITY.--

22 (1) AT ITS DISCRETION, THE BOARD MAY DETERMINE WHETHER
23 PERSONS THAT PROVIDE THE FOLLOWING GOODS OR SERVICES AND ANY
24 OTHER GOODS OR SERVICES RELATED TO INTERACTIVE GAMING AS THE
25 BOARD MAY DETERMINE SHALL BE REQUIRED TO OBTAIN A LICENSE,
26 PERMIT OR OTHER AUTHORIZATION:

27 (I) PAYMENT PROCESSING AND RELATED MONEY
28 TRANSMITTING AND SERVICES.

29 (II) CUSTOMER IDENTITY OR AGE VERIFICATION AND
30 GEOSPATIAL TECHNOLOGY SERVICES.

1 (III) GENERAL TELECOMMUNICATIONS SERVICES, WHICH ARE
2 NOT SPECIFICALLY DESIGNED FOR OR RELATED TO INTERACTIVE
3 GAMING.

4 (IV) OTHER GOODS OR SERVICES THAT ARE NOT
5 SPECIFICALLY DESIGNED FOR USE WITH INTERACTIVE GAMING.

6 (2) THE BOARD SHALL DEVELOP A CLASSIFICATION SYSTEM FOR
7 THE LICENSURE, PERMITTING OR OTHER AUTHORIZATION OF PERSONS
8 THAT PROVIDE THE FOLLOWING GOODS OR SERVICES RELATED TO
9 INTERACTIVE GAMING:

10 (I) PERSONS THAT PROVIDE INTERACTIVE GAMES AND
11 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT.

12 (II) PERSONS THAT MANAGE, CONTROL OR ADMINISTER THE
13 INTERACTIVE GAMES OR THE WAGERS ASSOCIATED WITH
14 INTERACTIVE GAMES.

15 (III) PROVIDERS OF CUSTOMER LISTS COMPRISED OF
16 PERSONS IDENTIFIED OR SELECTED, IN WHOLE OR IN PART,
17 BECAUSE THEY PLACED OR MAY PLACE WAGERS ON INTERACTIVE
18 GAMING.

19 (IV) ANY OTHER PERSON AS DETERMINED BY THE BOARD.

20 (C) DEFINITION.--FOR THE PURPOSES OF SUBSECTION (A) (12),
21 (14) AND (15) (VI) AND (VII), THE TERM "PERSON" SHALL MEAN A
22 NATURAL PERSON.

23 § 13C03. TEMPORARY INTERACTIVE GAMING REGULATIONS.

24 (A) PROMULGATION.--

25 (1) IN ORDER TO FACILITATE THE PROMPT IMPLEMENTATION OF
26 THIS CHAPTER, REGULATIONS PROMULGATED BY THE BOARD SHALL BE
27 DEEMED TEMPORARY REGULATIONS WHICH SHALL EXPIRE NOT LATER
28 THAN TWO YEARS FOLLOWING THE PUBLICATION OF THE TEMPORARY
29 REGULATION IN THE PENNSYLVANIA BULLETIN AND ON THE BOARD'S
30 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

1 (2) THE BOARD MAY PROMULGATE TEMPORARY REGULATIONS NOT
2 SUBJECT TO:

3 (I) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT
4 OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
5 COMMONWEALTH DOCUMENTS LAW.

6 (II) SECTIONS 204(B) AND 301(10) OF THE ACT OF
7 OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS THE
8 COMMONWEALTH ATTORNEYS ACT.

9 (III) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181),
10 KNOWN AS THE REGULATORY REVIEW ACT.

11 (B) TEMPORARY REGULATIONS.--THE BOARD SHALL BEGIN PUBLISHING
12 TEMPORARY REGULATIONS GOVERNING THE RULES FOR INTERACTIVE
13 GAMING, THE ISSUANCE OF INTERACTIVE GAMING CERTIFICATES AND
14 INTERACTIVE GAMING LICENSES, STANDARDS FOR APPROVING
15 MANUFACTURERS, SUPPLIERS AND OTHER PERSONS SEEKING TO PROVIDE
16 INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED
17 EQUIPMENT, INCLUDING AGE AND LOCATION VERIFICATION SOFTWARE OR
18 SYSTEM PROGRAMS AND SECURITY AND SURVEILLANCE STANDARDS IN THE
19 PENNSYLVANIA BULLETIN WITHIN 30 DAYS OF THE EFFECTIVE DATE OF
20 THIS SUBSECTION.

21 (C) EXPIRATION OF TEMPORARY REGULATIONS.--EXCEPT FOR
22 TEMPORARY REGULATIONS GOVERNING THE RULES FOR ISSUING
23 CERTIFICATES AND LICENSES UNDER THIS CHAPTER, FOR NEW
24 INTERACTIVE GAMES, FOR APPROVING INTERACTIVE GAMES OR VARIATIONS
25 OF INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED
26 EQUIPMENT AND FOR APPROVING MANUFACTURERS, SUPPLIERS AND OTHER
27 PERSONS SEEKING TO PROVIDE INTERACTIVE GAMES, INTERACTIVE GAMING
28 DEVICES AND ASSOCIATED EQUIPMENT, THE BOARD'S AUTHORITY TO ADOPT
29 TEMPORARY REGULATIONS UNDER SUBSECTION (A) SHALL EXPIRE TWO
30 YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION. REGULATIONS

1 ADOPTED AFTER THIS PERIOD SHALL BE PROMULGATED AS PROVIDED BY
2 LAW.

3 SUBCHAPTER B

4 INTERACTIVE GAMING AUTHORIZED

5 SEC.

6 13C11. AUTHORIZATION TO CONDUCT INTERACTIVE GAMING.

7 13C12. INTERACTIVE GAMING CERTIFICATE REQUIRED AND CONTENT OF
8 PETITION.

9 13C13. ISSUANCE OF INTERACTIVE GAMING CERTIFICATE.

10 13C14. INTERACTIVE GAMING OPERATORS.

11 13C15. INTERACTIVE GAMING CERTIFICATE AND LICENSE.

12 13C16. TIMING OF INITIAL INTERACTIVE GAMING AUTHORIZATIONS.

13 § 13C11. AUTHORIZATION TO CONDUCT INTERACTIVE GAMING.

14 (A) AUTHORITY OF BOARD.--

15 (1) THE BOARD MAY AUTHORIZE A SLOT MACHINE LICENSEE OR
16 ANY OTHER ENTITY WHICH PETITIONS THE BOARD FOR AN INTERACTIVE
17 GAMING CERTIFICATE UNDER SECTION 13C13 (RELATING TO ISSUANCE
18 OF INTERACTIVE GAMING CERTIFICATE):

19 (I) TO CONDUCT INTERACTIVE GAMING, INCLUDING
20 CONTESTS AND TOURNAMENTS AND ANY OTHER GAME WHICH IS
21 DETERMINED BY THE BOARD TO BE SUITABLE FOR INTERACTIVE
22 GAMING.

23 (II) TO DEPLOY INTERACTIVE GAMING SKINS OR INTERNET
24 WEBSITES TO FACILITATE THE CONDUCT OF INTERACTIVE GAMING
25 ACTIVITIES.

26 (2) EXCEPT AS PROVIDED IN THIS PART, ALL INDIVIDUALS
27 PLAYING AUTHORIZED INTERACTIVE GAMES MUST BE PHYSICALLY
28 LOCATED WITHIN THIS COMMONWEALTH OR WITHIN A STATE OR
29 JURISDICTION IN WHICH THE BOARD HAS ENTERED INTO AN
30 INTERACTIVE GAMING RECIPROCAL AGREEMENT. NO INDIVIDUAL UNDER

1 21 YEARS OF AGE SHALL OPEN, MAINTAIN, USE OR HAVE ACCESS TO
2 AN INTERACTIVE GAMING ACCOUNT.

3 (B) AUTHORITY TO PLAY INTERACTIVE GAMES.--NOTWITHSTANDING
4 ANY OTHER PROVISION OF LAW, AN INDIVIDUAL WHO IS 21 YEARS OF AGE
5 OR OLDER IS PERMITTED TO PARTICIPATE AS A REGISTERED PLAYER IN
6 INTERACTIVE GAMING AND WAGERING ASSOCIATED WITH PLAYING AN
7 AUTHORIZED INTERACTIVE GAME OFFERED BY AN INTERACTIVE GAMING
8 CERTIFICATE HOLDER IN ACCORDANCE WITH REGULATIONS OF THE BOARD.

9 § 13C12. INTERACTIVE GAMING CERTIFICATE REQUIRED AND CONTENT OF
10 PETITION.

11 (A) CERTIFICATE REQUIRED.--NO SLOT MACHINE LICENSEE OR OTHER
12 ENTITY OR OTHER PERSON ASSOCIATED WITH OR REPRESENTING A SLOT
13 MACHINE LICENSEE OR OTHER ENTITY SHALL OPERATE OR CONDUCT OR
14 ATTEMPT TO OPERATE OR CONDUCT INTERACTIVE GAMING, EXCEPT FOR
15 TEST PURPOSES OR OPEN INTERACTIVE GAMING TO THE PUBLIC IN THIS
16 COMMONWEALTH WITHOUT FIRST OBTAINING AN INTERACTIVE GAMING
17 CERTIFICATE OR AN INTERACTIVE GAMING LICENSE FROM THE BOARD. A
18 SLOT MACHINE LICENSEE OR OTHER ENTITY MAY SEEK APPROVAL TO
19 CONDUCT INTERACTIVE GAMING BY FILING A PETITION FOR AN
20 INTERACTIVE GAMING CERTIFICATE WITH THE BOARD. THE BOARD SHALL
21 PRESCRIBE THE FORM AND MANNER TO GOVERN THE SUBMISSION OF A
22 PETITION FOR AN INTERACTIVE GAMING CERTIFICATE.

23 (B) CLASSIFICATIONS.--THERE SHALL BE TWO CLASSIFICATIONS OF
24 INTERACTIVE GAMING CERTIFICATES:

25 (1) ONE CLASSIFICATION SHALL PERMIT THE INTERACTIVE
26 GAMING CERTIFICATE HOLDER TO CONDUCT INTERACTIVE GAMING WITH
27 PEER-TO-PEER INTERACTIVE GAMES.

28 (2) ONE CLASSIFICATION SHALL PERMIT THE INTERACTIVE
29 GAMING CERTIFICATE HOLDER TO CONDUCT INTERACTIVE GAMING WITH
30 NON-PEER-TO-PEER INTERACTIVE GAMES.

1 (C) PETITION.--THE PETITION FOR AN INTERACTIVE GAMING
2 CERTIFICATE SHALL SPECIFY WHETHER THE PETITIONER IS SEEKING
3 APPROVAL TO OFFER PEER-TO-PEER INTERACTIVE GAMES, NON-PEER-TO-
4 PEER INTERACTIVE GAMES, OR BOTH.

5 (D) CONTENT OF PETITION.--IN ADDITION TO INFORMATION AND
6 DOCUMENTATION DEMONSTRATING THAT THE SLOT MACHINE LICENSEE OR
7 OTHER ENTITY IS QUALIFIED FOR AN INTERACTIVE GAMING CERTIFICATE
8 UNDER THIS CHAPTER, A PETITION SEEKING BOARD APPROVAL TO CONDUCT
9 INTERACTIVE GAMING WITHIN THIS COMMONWEALTH SHALL INCLUDE THE
10 FOLLOWING:

11 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION
12 OF THE SLOT MACHINE LICENSEE OR OTHER ENTITY.

13 (2) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION
14 OF AN AFFILIATE, INTERACTIVE GAMING OPERATOR OR OTHER PERSON
15 THAT WILL BE A PARTY TO AN AGREEMENT RELATED TO THE OPERATION
16 OF INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON
17 BEHALF OF A SLOT MACHINE LICENSEE OR OTHER ENTITY.

18 (3) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A
19 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE SLOT
20 MACHINE LICENSEE OR OTHER ENTITY WHO WILL BE INVOLVED IN THE
21 CONDUCT OF INTERACTIVE GAMING AND WHO IS NOT CURRENTLY
22 LICENSED BY THE BOARD, IF KNOWN.

23 (4) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A
24 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE
25 INTERACTIVE GAMING CERTIFICATE HOLDER AND INTERACTIVE GAMING
26 LICENSEE, IF ANY, WHO WILL BE INVOLVED IN THE CONDUCT OF
27 INTERACTIVE GAMING AND WHO IS CURRENTLY LICENSED BY THE
28 BOARD.

29 (5) AN ITEMIZED LIST OF THE INTERACTIVE GAMES AND OTHER
30 GAME OR GAMES THE SLOT MACHINE LICENSEE OR OTHER ENTITY PLANS

1 TO OFFER OVER THE INTERNET FOR WHICH AUTHORIZATION IS BEING
2 SOUGHT. THE SLOT MACHINE LICENSEE OR OTHER ENTITY SHALL, IN
3 ACCORDANCE WITH REGULATIONS PROMULGATED BY THE BOARD, FILE
4 ANY CHANGES IN THE NUMBER OF AUTHORIZED INTERACTIVE GAMES
5 OFFERED THROUGH INTERACTIVE GAMING WITH THE BOARD.

6 (6) THE ESTIMATED NUMBER OF FULL-TIME AND PART-TIME
7 EMPLOYMENT POSITIONS THAT WILL BE CREATED AT THE LICENSED
8 FACILITY IF INTERACTIVE GAMING IS AUTHORIZED AND AN UPDATED
9 HIRING PLAN UNDER SECTION 1510(A) (RELATING TO LABOR HIRING
10 PREFERENCES) WHICH OUTLINES THE SLOT MACHINE LICENSEE'S OR
11 OTHER ENTITY'S PLAN TO PROMOTE THE REPRESENTATION OF DIVERSE
12 GROUPS AND COMMONWEALTH RESIDENTS IN THE EMPLOYMENT
13 POSITIONS.

14 (7) A BRIEF DESCRIPTION OF THE ECONOMIC BENEFITS
15 EXPECTED TO BE REALIZED BY THE COMMONWEALTH, THE HOST
16 MUNICIPALITIES AND RESIDENTS IF INTERACTIVE GAMING IS
17 AUTHORIZED.

18 (8) THE DETAILS OF FINANCING OBTAINED OR THAT WILL BE
19 OBTAINED TO FUND AN EXPANSION OR MODIFICATION OF THE LICENSED
20 FACILITY TO ACCOMMODATE INTERACTIVE GAMING AND TO OTHERWISE
21 FUND THE COST OF COMMENCING INTERACTIVE GAMING.

22 (9) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL
23 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO
24 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL
25 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE SLOT MACHINE
26 LICENSEE OR OTHER ENTITY, AND INFORMATION OR DOCUMENTATION
27 CONCERNING AN INTERACTIVE GAMING OPERATOR THAT WILL OPERATE
28 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF
29 OF THE SLOT MACHINE LICENSEE OR OTHER ENTITY, AS THE BOARD
30 MAY REQUIRE.

1 (10) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY
2 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT
3 THE SLOT MACHINE LICENSEE OR OTHER ENTITY HAS SUFFICIENT
4 BUSINESS ABILITY AND EXPERIENCE TO CONDUCT A SUCCESSFUL
5 INTERACTIVE GAMING OPERATION. IN MAKING THIS DETERMINATION,
6 THE BOARD MAY CONSIDER THE RESULTS OF THE SLOT MACHINE
7 LICENSEE'S SLOT MACHINE AND TABLE GAME OPERATIONS, INCLUDING
8 FINANCIAL INFORMATION, EMPLOYMENT DATA AND CAPITAL
9 INVESTMENT.

10 (11) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY
11 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT
12 THE SLOT MACHINE LICENSEE OR OTHER ENTITY HAS OR WILL HAVE
13 THE FINANCIAL ABILITY TO PAY THE INTERACTIVE GAMING
14 AUTHORIZATION FEE.

15 (12) DETAILED SITE PLANS IDENTIFYING THE PROPOSED
16 INTERACTIVE GAMING RESTRICTED AREA WHERE INTERACTIVE GAMING
17 OPERATIONS WILL BE MANAGED, ADMINISTERED OR CONTROLLED AS
18 APPROVED BY THE BOARD.

19 (13) A DETAILED DESCRIPTION OF ALL OF THE FOLLOWING:

20 (I) THE SLOT MACHINE LICENSEE'S OR OTHER ENTITY'S
21 INITIAL SYSTEM OF INTERNAL AND ACCOUNTING CONTROLS
22 APPLICABLE TO INTERACTIVE GAMING.

23 (II) THE SLOT MACHINE LICENSEE'S OR OTHER ENTITY'S
24 PROPOSED STANDARDS TO PROTECT, WITH A REASONABLE DEGREE
25 OF CERTAINTY, THE PRIVACY AND SECURITY OF ITS REGISTERED
26 PLAYERS.

27 (III) HOW THE SLOT MACHINE LICENSEE OR OTHER ENTITY
28 WILL FACILITATE COMPLIANCE WITH ALL OF THE REQUIREMENTS
29 SET FORTH IN THIS CHAPTER AND IN SECTION 802 (A) OF THE
30 UNLAWFUL INTERNET GAMBLING ENFORCEMENT ACT OF 2006 (TITLE

1 VIII OF PUBLIC LAW 109-347, 31 U.S.C. § 5362(10)(B)),
2 INCLUDING, BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

3 (A) AGE, IDENTITY AND LOCATION VERIFICATION
4 REQUIREMENTS DESIGNED TO BLOCK ACCESS TO INDIVIDUALS
5 UNDER 21 YEARS OF AGE.

6 (B) APPROPRIATE DATA SECURITY STANDARDS TO
7 PREVENT UNAUTHORIZED ACCESS BY A PERSON WHOSE AGE,
8 IDENTITY AND LOCATION HAVE NOT BEEN VERIFIED OR WHOSE
9 AGE, IDENTITY AND LOCATION CANNOT BE VERIFIED IN
10 ACCORDANCE WITH THIS CHAPTER AND APPLICABLE
11 REGULATIONS OF THE BOARD.

12 (C) EXCEPT AS PROVIDED IN THIS CHAPTER, THE
13 REQUIREMENT THAT ALL WAGERS MADE IN THE CONDUCT OF
14 INTERACTIVE GAMING BE INITIATED AND RECEIVED OR
15 OTHERWISE MADE EXCLUSIVELY WITHIN THIS COMMONWEALTH.

16 (IV) THE SLOT MACHINE LICENSEE'S OR OTHER ENTITY'S
17 PROPOSED AGE, IDENTITY AND LOCATION VERIFICATION
18 STANDARDS DESIGNED TO BLOCK ACCESS TO PERSONS UNDER 21
19 YEARS OF AGE AND PERSONS EXCLUDED OR PROHIBITED FROM
20 PARTICIPATING IN INTERACTIVE GAMING UNDER THIS CHAPTER.

21 (V) THE PROCEDURES THE SLOT MACHINE LICENSEE OR
22 OTHER ENTITY WILL USE TO REGISTER INDIVIDUALS WHO WISH TO
23 PARTICIPATE IN INTERACTIVE GAMING.

24 (VI) THE PROCEDURES THE SLOT MACHINE LICENSEE OR
25 OTHER ENTITY WILL USE TO ESTABLISH INTERACTIVE GAMING
26 ACCOUNTS FOR REGISTERED PLAYERS.

27 (VII) THE INTERACTIVE GAMES AND SERVICES THE SLOT
28 MACHINE LICENSEE OR OTHER ENTITY PROPOSES TO OFFER TO
29 REGISTERED PLAYERS.

30 (VIII) DOCUMENTATION AND INFORMATION RELATING TO ALL

1 PROPOSED SUBCONTRACTORS OF THE SLOT MACHINE LICENSEE OR
2 OTHER ENTITY, INCLUDING, BUT NOT LIMITED TO, ALL OF THE
3 FOLLOWING:

4 (A) A DESCRIPTION OF THE SERVICES TO BE PROVIDED
5 BY EACH SUBCONTRACTOR.

6 (B) INFORMATION ON THE EXPERIENCE AND
7 QUALIFICATIONS OF EACH SUBCONTRACTOR TO PROVIDE THE
8 SERVICES ANTICIPATED.

9 (C) THE NAMES OF ALL PROPOSED SUBCONTRACTORS,
10 OWNERS, EXECUTIVES AND EMPLOYEES THAT WILL BE
11 DIRECTLY OR INDIRECTLY INVOLVED IN THE SLOT MACHINE
12 LICENSEE'S OR OTHER ENTITY'S INTERACTIVE GAMING
13 OPERATIONS, AS WELL AS SUFFICIENT PERSONAL
14 IDENTIFYING INFORMATION ON EACH PERSON TO CONDUCT
15 BACKGROUND CHECKS AS MAY BE REQUIRED BY THE BOARD.

16 (14) THE INTERACTIVE GAMING DEVICES AND ASSOCIATED
17 EQUIPMENT, INCLUDING THE INTERACTIVE GAMING NETWORK,
18 INTERACTIVE GAMING SYSTEM OR SYSTEMS, THAT THE SLOT MACHINE
19 LICENSEE OR OTHER ENTITY PLANS TO OR WILL UTILIZE TO MANAGE,
20 ADMINISTER OR CONTROL ITS INTERACTIVE GAMING OPERATIONS.

21 (15) COMPLIANCE CERTIFICATION OF ITS INTERACTIVE GAMING
22 DEVICES AND ASSOCIATED EQUIPMENT, INCLUDING INTERACTIVE
23 GAMING SOFTWARE AND HARDWARE, BY A BOARD-APPROVED GAMING
24 LABORATORY TO ENSURE THAT THE GAMING SOFTWARE AND HARDWARE
25 COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER AND REGULATIONS
26 OF THE BOARD.

27 (16) A DETAILED DESCRIPTION OF ACCOUNTING SYSTEMS,
28 INCLUDING, BUT NOT LIMITED TO, ACCOUNTING SYSTEMS FOR ALL OF
29 THE FOLLOWING:

30 (I) INTERACTIVE GAMING ACCOUNTS.

1 (II) PER-HAND CHARGES, IF APPLICABLE.

2 (III) TRANSPARENCY AND REPORTING TO THE BOARD AND
3 THE DEPARTMENT.

4 (IV) DISTRIBUTION OF REVENUE TO THE COMMONWEALTH AND
5 WINNINGS TO REGISTERED PLAYERS.

6 (V) ONGOING AUDITING AND INTERNAL CONTROL COMPLIANCE
7 REVIEWS.

8 (17) DETAILED INFORMATION ON SECURITY SYSTEMS AT THE
9 LICENSED FACILITY TO PROTECT THE INTERACTIVE GAMING SKINS OR
10 INTERNET WEBSITE FROM INTERNAL AND EXTERNAL BREACHES AND
11 THREATS.

12 (18) OTHER INFORMATION THE BOARD MAY REQUIRE.

13 (E) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD
14 UNDER SUBSECTION (D) MAY BE CONSIDERED CONFIDENTIAL BY THE BOARD
15 IF THE INFORMATION WOULD BE CONFIDENTIAL UNDER SECTION 1206(F)
16 (RELATING TO BOARD MINUTES AND RECORDS).

17 § 13C13. ISSUANCE OF INTERACTIVE GAMING CERTIFICATE.

18 (A) REQUIREMENTS FOR APPROVAL OF PETITION.--

19 (1) THE BOARD MAY APPROVE A PETITION UNDER SECTION 13C12
20 (RELATING TO INTERACTIVE GAMING CERTIFICATE REQUIRED AND
21 CONTENT OF PETITION) UPON FINDING CLEAR AND CONVINCING
22 EVIDENCE OF ALL OF THE FOLLOWING:

23 (I) THE SLOT MACHINE LICENSEE'S OR OTHER ENTITY'S
24 CONDUCT OF INTERACTIVE GAMING COMPLIES IN ALL RESPECTS
25 WITH THE REQUIREMENTS OF THIS CHAPTER AND REGULATIONS
26 PROMULGATED BY THE BOARD.

27 (II) AGE, IDENTITY AND LOCATION VERIFICATION
28 REQUIREMENTS DESIGNED TO BLOCK ACCESS TO INDIVIDUALS
29 UNDER 21 YEARS OF AGE AND PERSONS OTHERWISE PROHIBITED
30 FROM ENGAGING IN INTERACTIVE GAMING IN ACCORDANCE WITH

1 THIS CHAPTER, AS APPROVED BY THE BOARD, HAVE BEEN
2 IMPLEMENTED BY THE SLOT MACHINE LICENSEE OR OTHER ENTITY.

3 (III) THE SLOT MACHINE LICENSEE OR OTHER ENTITY HAS
4 IMPLEMENTED OR WILL IMPLEMENT APPROPRIATE DATA SECURITY
5 STANDARDS TO PREVENT UNAUTHORIZED ACCESS BY A PERSON
6 WHOSE AGE, IDENTITY AND LOCATION HAS NOT BEEN VERIFIED OR
7 CANNOT BE VERIFIED IN ACCORDANCE WITH THE REGULATIONS
8 PROMULGATED AND ADOPTED BY THE BOARD.

9 (IV) THE SLOT MACHINE LICENSEE OR OTHER ENTITY HAS
10 IMPLEMENTED OR WILL IMPLEMENT APPROPRIATE STANDARDS TO
11 PROTECT THE PRIVACY AND SECURITY OF REGISTERED PLAYERS.

12 (V) THE SLOT MACHINE LICENSEE'S OR OTHER ENTITY'S
13 INITIAL SYSTEM OF INTERNAL AND ACCOUNTING CONTROLS
14 APPLICABLE TO INTERACTIVE GAMING, AND THE SECURITY AND
15 INTEGRITY OF ALL FINANCIAL TRANSACTIONS IN CONNECTION
16 WITH THE SYSTEM, COMPLIES WITH THIS CHAPTER AND
17 REGULATIONS PROMULGATED AND ADOPTED BY THE BOARD.

18 (VI) THE SLOT MACHINE LICENSEE OR OTHER ENTITY IS IN
19 GOOD STANDING WITH THE BOARD.

20 (VII) THE SLOT MACHINE LICENSEE AGREES THAT THE
21 NUMBER OF SLOT MACHINES AND TABLE GAMES IN OPERATION AT
22 ITS LICENSED FACILITY, AS OF THE EFFECTIVE DATE OF THIS
23 SECTION, WILL NOT BE REDUCED AS A RESULT OF THE
24 AUTHORIZATION AND COMMENCEMENT OF INTERACTIVE GAMING.

25 (2) IT SHALL BE AN EXPRESS CONDITION OF AN INTERACTIVE
26 GAMING CERTIFICATE THAT A SLOT MACHINE LICENSEE OR OTHER
27 ENTITY SHALL COLLECT, REPORT AND PAY ALL APPLICABLE TAXES AND
28 FEES AND SHALL MAINTAIN ALL BOOKS, DATA, RECORDS AND
29 DOCUMENTS PERTAINING TO THE SLOT MACHINE LICENSEE'S OR OTHER
30 ENTITY'S INTERACTIVE GAMING OPERATIONS IN A MANNER AND

1 LOCATION WITHIN THIS COMMONWEALTH AS APPROVED BY THE BOARD.
2 ALL BOOKS, DATA, RECORDS AND DOCUMENTS SHALL BE IMMEDIATELY
3 AVAILABLE FOR INSPECTION BY THE BOARD AND THE DEPARTMENT
4 DURING ALL HOURS OF OPERATION IN ACCORDANCE WITH THE
5 REGULATIONS OF THE BOARD AND SHALL BE MAINTAINED IN A MANNER
6 AND DURING PERIODS OF TIME AS THE BOARD SHALL REQUIRE.

7 (B) ISSUANCE OF INTERACTIVE GAMING CERTIFICATE.--

8 (1) UPON APPROVAL OF A PETITION FOR AN INTERACTIVE
9 GAMING CERTIFICATE, THE BOARD SHALL ISSUE AN INTERACTIVE
10 GAMING CERTIFICATE TO THE SLOT MACHINE LICENSEE OR OTHER
11 ENTITY. THE ISSUANCE OF AN INTERACTIVE GAMING CERTIFICATE
12 PRIOR TO THE FULL PAYMENT OF THE AUTHORIZATION FEE REQUIRED
13 UNDER SECTION 13C51 (RELATING TO INTERACTIVE GAMING
14 AUTHORIZATION FEE) SHALL NOT RELIEVE THE SLOT MACHINE
15 LICENSEE OR OTHER ENTITY FROM THE OBLIGATION TO PAY THE
16 AUTHORIZATION FEE IN ACCORDANCE WITH THE REQUIREMENTS OF
17 SECTION 13C51.

18 (2) UPON ISSUING AN INTERACTIVE GAMING CERTIFICATE, THE
19 BOARD SHALL AMEND THE SLOT MACHINE LICENSEE'S OR OTHER
20 ENTITY'S STATEMENT OF CONDITIONS TO INCLUDE CONDITIONS
21 PERTAINING TO THE REQUIREMENTS OF THIS CHAPTER.

22 (C) TERM OF INTERACTIVE GAMING CERTIFICATE.--SUBJECT TO THE
23 POWER OF THE BOARD TO DENY, REVOKE OR SUSPEND AN INTERACTIVE
24 GAMING CERTIFICATE ISSUED IN ACCORDANCE WITH THE REQUIREMENTS OF
25 THIS SECTION, AN INTERACTIVE GAMING CERTIFICATE SHALL BE RENEWED
26 EVERY FIVE YEARS AND SHALL BE SUBJECT TO THE REQUIREMENTS OF
27 SECTION 1326 (RELATING TO RENEWALS).

28 (D) SANCTIONS.--A SLOT MACHINE LICENSEE OR OTHER ENTITY THAT
29 FAILS TO ABIDE BY THE REQUIREMENTS OF THIS CHAPTER OR ANY
30 CONDITION CONTAINED IN THE SLOT MACHINE LICENSEE'S OR OTHER

1 ENTITY'S STATEMENT OF CONDITIONS GOVERNING THE OPERATION OF
2 INTERACTIVE GAMING SHALL BE SUBJECT TO BOARD-IMPOSED
3 ADMINISTRATIVE SANCTIONS OR OTHER PENALTIES AUTHORIZED UNDER
4 THIS PART. THE IMPOSITION OF ADMINISTRATIVE SANCTIONS IN
5 ACCORDANCE WITH THIS SUBSECTION SHALL APPLY TO AN INTERACTIVE
6 GAMING OPERATOR THAT FAILS TO ABIDE BY THE REQUIREMENTS OF THIS
7 CHAPTER AND REGULATIONS OF THE BOARD.

8 (E) BACKGROUND INVESTIGATIONS.--EACH PETITION FOR AN
9 INTERACTIVE GAMING CERTIFICATE SHALL BE ACCOMPANIED BY A
10 NONREFUNDABLE FEE ESTABLISHED BY THE BOARD TO COVER THE COST OF
11 BACKGROUND INVESTIGATIONS. THE BOARD SHALL DETERMINE BY
12 REGULATION THE PERSONS INVOLVED, DIRECTLY OR INDIRECTLY, IN A
13 SLOT MACHINE LICENSEE'S OR OTHER ENTITY'S INTERACTIVE GAMING
14 OPERATIONS AND PERSONS INVOLVED IN THE OPERATIONS OF AN
15 INTERACTIVE GAMING OPERATOR WHO SHALL BE SUBJECT TO BACKGROUND
16 INVESTIGATION. ADDITIONAL COSTS AND EXPENSES INCURRED IN A
17 BACKGROUND INVESTIGATION OR OTHER INVESTIGATION OR PROCEEDING
18 UNDER THIS CHAPTER SHALL BE REIMBURSED TO THE BOARD BY THE
19 PETITIONER.

20 (F) PETITIONS FOR INTERACTIVE GAMING CERTIFICATES.--

21 (1) THE BOARD SHALL ESTABLISH A 90-DAY PERIOD FOR THE
22 HOLDER OF A SLOT MACHINE LICENSE TO FILE A PETITION WITH THE
23 BOARD FOR AN INTERACTIVE GAMING CERTIFICATE. THE PETITION BY
24 THE HOLDER OF A SLOT MACHINE LICENSE MAY BE FOR AN
25 INTERACTIVE GAMING CERTIFICATE TO CONDUCT PEER-TO-PEER
26 INTERACTIVE GAMES, NON-PEER-TO-PEER INTERACTIVE GAMES OR
27 BOTH.

28 (2) FOR A SLOT MACHINE LICENSE ISSUED AFTER THE PERIOD
29 ESTABLISHED BY THE BOARD IN PARAGRAPH (1), THE SLOT MACHINE
30 LICENSEE SHALL HAVE 90 DAYS FROM THE DATE OF ISSUANCE OF THE

1 SLOT MACHINE LICENSE TO FILE A PETITION WITH THE BOARD FOR AN
2 INTERACTIVE GAMING CERTIFICATE. THE PETITION BY THE HOLDER OF
3 A SLOT MACHINE LICENSE MAY BE FOR AN INTERACTIVE GAMING
4 CERTIFICATE TO CONDUCT PEER-TO-PEER INTERACTIVE GAMES, NON-
5 PEER-TO-PEER INTERACTIVE GAMES, OR BOTH.

6 (3) SUBJECT TO THE LIMITATION IN PARAGRAPH (4), AFTER
7 THE EXPIRATION OF THE 90-DAY PERIOD ESTABLISHED BY THE BOARD
8 IN PARAGRAPH (1) OR (2), ANY INTERACTIVE GAMING CERTIFICATE
9 FOR WHICH THE HOLDER OF A SLOT MACHINE LICENSE HAS NOT FILED
10 A PETITION, THE BOARD MAY ACCEPT PETITIONS FROM OTHER
11 ENTITIES FOR INTERACTIVE GAMING CERTIFICATES TO CONDUCT PEER-
12 TO-PEER INTERACTIVE GAMES, NON-PEER-TO-PEER INTERACTIVE
13 GAMES, OR BOTH.

14 (4) THE BOARD SHALL NOT ISSUE MORE INTERACTIVE GAMING
15 CERTIFICATES FOR PEER-TO-PEER INTERACTIVE GAMES THAN THE
16 NUMBER OF SLOT MACHINE LICENSES ISSUED BY THE BOARD. THE
17 BOARD SHALL NOT ISSUE MORE INTERACTIVE GAMING CERTIFICATES
18 FOR NON-PEER-TO-PEER INTERACTIVE GAMES THAN THE NUMBER OF
19 SLOT MACHINE LICENSES ISSUED BY THE BOARD.

20 (5) IF A SLOT MACHINE LICENSEE DOES NOT APPLY FOR AN
21 INTERACTIVE GAMING CERTIFICATE DURING THE 90-DAY PERIOD
22 ESTABLISHED BY THE BOARD IN PARAGRAPH (1) OR (2), THE SLOT
23 MACHINE LICENSEE AND ANY AFFILIATE OF THE SLOT MACHINE
24 LICENSEE SHALL NOT BE ELIGIBLE TO APPLY FOR AN INTERACTIVE
25 GAMING CERTIFICATE FOR TWO YEARS AFTER THE EXPIRATION OF THE
26 TIME PERIOD UNDER PARAGRAPH (1) OR (2).

27 (G) ADDITIONAL REQUIREMENTS.--ANY ENTITY, OTHER THAN A SLOT
28 MACHINE LICENSEE, WHICH SEEKS APPROVAL TO CONDUCT INTERACTIVE
29 GAMING MUST SATISFY ALL THE REQUIREMENTS FOR APPROVAL UNDER THIS
30 CHAPTER AS WELL AS ANY REQUIREMENTS FOR LICENSURE UNDER THIS

1 PART THAT THE BOARD DEEMS APPROPRIATE TO ENSURE THAT THE ENTITY
2 HAS THE QUALIFICATIONS TO CONDUCT GAMING IN THIS COMMONWEALTH,
3 INCLUDING, BUT NOT LIMITED TO, CHARACTER SUITABILITY AND
4 FINANCIAL CAPABILITY REQUIREMENTS.

5 § 13C14. INTERACTIVE GAMING OPERATORS.

6 (A) LICENSE REQUIRED.--NO PERSON SHALL SERVE OR ATTEMPT TO
7 SERVE AS AN INTERACTIVE GAMING OPERATOR WITHOUT FIRST OBTAINING
8 AN INTERACTIVE GAMING LICENSE FROM THE BOARD. A PERSON MAY SEEK
9 APPROVAL TO SERVE AS AN INTERACTIVE GAMING OPERATOR BY FILING AN
10 APPLICATION WITH THE BOARD. THE BOARD SHALL PRESCRIBE THE FORM
11 AND MANNER TO GOVERN THE SUBMISSION OF AN APPLICATION FOR AN
12 INTERACTIVE GAMING LICENSE. THE BOARD SHALL PROVIDE FOR THE
13 LICENSURE OF INTERACTIVE GAMING OPERATORS THAT OPERATE
14 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF
15 AN INTERACTIVE GAMING CERTIFICATE HOLDER. THE BOARD SHALL:

16 (1) DETERMINE SUITABILITY AND PROVIDE FOR THE LICENSURE,
17 PERMITTING, REGISTRATION OR CERTIFICATION, AS IT DEEMS
18 APPROPRIATE, OF INTERACTIVE GAMING OPERATORS OR OTHER PERSONS
19 DIRECTLY INVOLVED IN THE OPERATION OF INTERACTIVE GAMING OR
20 AN INTERACTIVE GAMING SYSTEM ON BEHALF OF A SLOT MACHINE
21 LICENSEE OR OTHER ENTITY. THE BOARD SHALL DETERMINE
22 SUITABILITY IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS OF
23 THIS PART AND MAY EXTEND SUITABILITY TO A HOLDER OF A VALID
24 LICENSE, PERMIT, REGISTRATION, CERTIFICATE OR OTHER
25 AUTHORIZATIONS APPROVED AND ISSUED UNDER THIS PART, WHICH IS
26 IN GOOD STANDING, WITHOUT ADDITIONAL INVESTIGATION. THE
27 EXTENSION OF SUITABILITY IN ACCORDANCE WITH THIS PARAGRAPH
28 SHALL NOT RELIEVE THE HOLDER OF A VALID LICENSE, PERMIT,
29 REGISTRATION OR CERTIFICATE ISSUED UNDER THIS CHAPTER FROM
30 PAYMENT OF ALL FEES IMPOSED UNDER THIS CHAPTER.

1 (2) PROVIDE FOR THE APPROVAL OF THE TERMS AND CONDITIONS
2 OF ALL AGREEMENTS ENTERED INTO BY OR BETWEEN AN INTERACTIVE
3 GAMING CERTIFICATE HOLDER AND AN INTERACTIVE GAMING OPERATOR
4 OR OTHER PERSON RELATED TO THE OPERATION OF INTERACTIVE GAMES
5 OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF THE INTERACTIVE
6 GAMING CERTIFICATE HOLDER.

7 (B) CLASSIFICATION AND APPROVAL OF EMPLOYEES.--

8 (1) THE BOARD SHALL ESTABLISH A CLASSIFICATION SYSTEM
9 FOR EMPLOYEES OF INTERACTIVE GAMING OPERATORS OR OTHER
10 PERSONS WHO PROVIDE PRODUCTS OR SERVICES ASSOCIATED WITH OR
11 RELATED TO INTERACTIVE GAMING, INTERACTIVE GAMING PLATFORMS
12 AND INTERACTIVE GAMING SYSTEMS.

13 (2) THE BOARD SHALL PROVIDE FOR THE LICENSURE,
14 PERMITTING, REGISTRATION OR CERTIFICATION, AS IT DEEMS
15 APPROPRIATE, OF EMPLOYEES IN EACH EMPLOYEE CLASSIFICATION
16 ESTABLISHED BY IT IN ACCORDANCE WITH PARAGRAPH (1).

17 (C) APPLICABILITY OF CERTAIN PROVISIONS.--INTERACTIVE GAMING
18 OPERATORS SHALL BE SUBJECT TO THE APPLICABLE PROVISIONS OF THIS
19 PART THAT APPLY TO INTERACTIVE GAMING CERTIFICATE HOLDERS, AS
20 DETERMINED BY THE BOARD.

21 (D) OPERATORS OWNED, CONTROLLED BY SLOT MACHINE LICENSEE.--
22 THIS SECTION SHALL NOT APPLY TO AN INTERACTIVE GAMING OPERATOR
23 THAT IS OWNED BY, AFFILIATED WITH OR OTHERWISE CONTROLLED BY A
24 SLOT MACHINE LICENSEE THAT HAS BEEN APPROVED FOR AND ISSUED AN
25 INTERACTIVE GAMING CERTIFICATE UNDER THIS CHAPTER. THE BOARD
26 SHALL DETERMINE BY REGULATION THE CRITERIA OR CONDITIONS
27 NECESSARY TO DETERMINE WHETHER AN INTERACTIVE GAMING OPERATOR IS
28 OWNED BY, AFFILIATED WITH OR OTHERWISE CONTROLLED BY A SLOT
29 MACHINE LICENSEE TO EFFECTUATE THE PURPOSE OF THIS SUBSECTION.

30 (E) INTERACTIVE GAMING LICENSE AND CONDITIONAL

1 AUTHORIZATION.--

2 (1) THE FOLLOWING SHALL APPLY:

3 (I) DURING THE FIRST 18 MONTHS AFTER THE EFFECTIVE
4 DATE OF THIS SECTION, THE BOARD MAY ISSUE CONDITIONAL
5 AUTHORIZATIONS TO PERSONS SEEKING LICENSURE AS
6 INTERACTIVE GAMING OPERATORS.

7 (II) CONDITIONAL AUTHORIZATION AWARDED TO AN
8 INTERACTIVE GAMING OPERATOR MAY REMAIN IN EFFECT UNTIL
9 THE SHORTER OF 12 MONTHS AFTER THE DATE OF ISSUE OR THE
10 DATE BY WHICH THE BOARD CONSIDERS THE SUBJECT
11 APPLICATION.

12 (III) CONDITIONAL AUTHORIZATION MAY BE RENEWED BY
13 THE BOARD NOT MORE THAN ONCE, UPON A SHOWING OF GOOD
14 CAUSE.

15 (IV) CONDITIONAL AUTHORIZATION SHALL ALLOW AN
16 APPLICANT FOR AN INTERACTIVE GAMING LICENSE TO ENGAGE IN
17 ALL OF THE FUNCTIONS OF A LICENSED INTERACTIVE GAMING
18 OPERATOR FOR THE DURATION OF THE CONDITIONAL
19 AUTHORIZATION.

20 (2) NO CONDITIONAL AUTHORIZATION MAY BE ISSUED UNLESS:

21 (I) THE APPLICANT HAS SUBMITTED A COMPLETE
22 APPLICATION FOR AN INTERACTIVE GAMING LICENSE TO THE
23 BOARD.

24 (II) THE BUREAU HAS NO OBJECTION TO THE ISSUANCE OF
25 A CONDITIONAL AUTHORIZATION TO THE APPLICANT.

26 (3) WITHIN 90 DAYS OF THE DATE THAT THE BUREAU RECEIVES
27 THE COMPLETED APPLICATION FOR AN INTERACTIVE GAMING LICENSE
28 FROM AN APPLICANT FOR INVESTIGATION, THE BUREAU SHALL CONDUCT
29 A PRELIMINARY INVESTIGATION OF THE APPLICANT AND ANY KEY
30 INTERACTIVE GAMING EMPLOYEE OF THE APPLICANT, AS DETERMINED

1 BY THE BOARD, WHICH SHALL INCLUDE A CRIMINAL BACKGROUND
2 INVESTIGATION OF THE APPLICANT AND ANY INTERACTIVE GAMING
3 EMPLOYEES OF THE APPLICANT, AS DETERMINED BY THE BOARD IN
4 ACCORDANCE WITH SECTION 1202(B) (RELATING TO GENERAL AND
5 SPECIFIC POWERS).

6 (4) IF THE BUREAU'S PRELIMINARY INVESTIGATION DISCLOSES
7 NO ADVERSE INFORMATION THAT WOULD IMPACT SUITABILITY FOR
8 LICENSURE, THE BUREAU SHALL PROVIDE THE BOARD WITH A
9 STATEMENT OF NO OBJECTION TO ISSUANCE OF CONDITIONAL
10 AUTHORIZATION TO THE APPLICANT.

11 (5) IF THE BUREAU'S PRELIMINARY INVESTIGATION DISCLOSES
12 ADVERSE INFORMATION THAT WOULD IMPACT SUITABILITY FOR
13 LICENSURE, IT SHALL REGISTER AN OBJECTION AND NO CONDITIONAL
14 AUTHORIZATION MAY BE ISSUED UNTIL THE BUREAU'S CONCERNS ARE
15 RESOLVED.

16 (6) ANY CONDITIONAL AUTHORIZATION APPROVED AND ISSUED TO
17 AN APPLICANT FOR AN INTERACTIVE GAMING LICENSE UNDER THIS
18 SUBSECTION MAY BE SUSPENDED OR WITHDRAWN BY THE BOARD UPON A
19 SHOWING OF GOOD CAUSE BY THE BUREAU.

20 § 13C15. INTERACTIVE GAMING CERTIFICATE AND LICENSE.

21 THE FOLLOWING SHALL APPLY:

22 (1) AN INTERACTIVE GAMING CERTIFICATE AND INTERACTIVE
23 GAMING LICENSE SHALL BE IN EFFECT UNLESS:

24 (I) THE CERTIFICATE OR LICENSE IS SUSPENDED OR
25 REVOKED BY THE BOARD CONSISTENT WITH THE REQUIREMENTS OF
26 THIS PART.

27 (II) THE SLOT MACHINE LICENSE IS SUSPENDED, REVOKED
28 OR NOT RENEWED BY THE BOARD CONSISTENT WITH THE
29 REQUIREMENTS OF THIS PART.

30 (III) THE SLOT MACHINE LICENSEE RELINQUISHES OR DOES

1 NOT SEEK RENEWAL OF ITS SLOT MACHINE LICENSE.

2 (IV) THE SLOT MACHINE LICENSEE OR OTHER ENTITY DOES
3 NOT SEEK RENEWAL OF ITS INTERACTIVE GAMING CERTIFICATE.

4 (2) THE INTERACTIVE GAMING CERTIFICATE SHALL INCLUDE AN
5 INITIAL ITEMIZED LIST BY NUMBER AND TYPE OF AUTHORIZED
6 INTERACTIVE GAMES FOR INTERACTIVE GAMING TO BE CONDUCTED BY
7 THE INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE
8 GAMING OPERATOR OR OTHER PERSON ON BEHALF OF AN INTERACTIVE
9 GAMING CERTIFICATE HOLDER. THE INTERACTIVE GAMING CERTIFICATE
10 HOLDER MAY INCREASE OR DECREASE THE NUMBER OF INTERACTIVE
11 GAMES AUTHORIZED FOR PLAY ON ITS INTERACTIVE GAMING SKIN OR
12 INTERNET WEBSITE OR CHANGE THE TYPE OF AUTHORIZED INTERACTIVE
13 GAMES PLAYED ON ITS INTERACTIVE GAMING SKIN OR INTERNET
14 WEBSITE UPON NOTICE, IF REQUIRED BY THE BOARD, TO THE BOARD
15 AND APPROVAL BY THE BOARD OR A DESIGNATED EMPLOYEE OF THE
16 BOARD. UNLESS APPROVED BY THE BOARD OR A DESIGNATED EMPLOYEE
17 OF THE BOARD, THE TOTAL NUMBER AND TYPE OF AUTHORIZED
18 INTERACTIVE GAMES OFFERED FOR PLAY BY AN INTERACTIVE GAMING
19 CERTIFICATE HOLDER MAY NOT DIFFER FROM THE NUMBER AND TYPE
20 APPROVED BY THE BOARD AND AUTHORIZED IN THE INTERACTIVE
21 GAMING CERTIFICATE.

22 (3) A SLOT MACHINE LICENSEE OR OTHER ENTITY SHALL BE
23 REQUIRED TO UPDATE THE INFORMATION IN ITS INITIAL INTERACTIVE
24 GAMING PETITION AT TIMES AND IN THE FORM AND MANNER AS
25 PRESCRIBED BY THE BOARD.

26 § 13C16. TIMING OF INITIAL INTERACTIVE GAMING AUTHORIZATIONS.

27 EXCEPT AS PROVIDED UNDER SECTION 13C13(F) (RELATING TO
28 ISSUANCE OF INTERACTIVE GAMING CERTIFICATE), THE BOARD SHALL
29 PRESCRIBE THE DATE ON WHICH PETITIONS FOR AN INTERACTIVE GAMING
30 CERTIFICATE AND APPLICATIONS FOR AN INTERACTIVE GAMING LICENSE

1 MUST BE FILED WITH THE BOARD AND SHALL APPROVE OR DENY A
2 PETITION OR APPLICATION WITHIN 120 DAYS FOLLOWING RECEIPT OF A
3 COMPLETED APPLICATION.

4 SUBCHAPTER B.1

5 MULTI-USE COMPUTING DEVICES

6 SEC.

7 13C20. AUTHORIZATION.

8 13C20.1. BOARD AUTHORIZATION REQUIRED.

9 13C20.2. STANDARD FOR REVIEW OF PETITIONS.

10 13C20.3. FEES.

11 13C20.4. MULTI-USE GAMING DEVICE TAX.

12 13C20.5. (RESERVED).

13 13C20.6. REGULATIONS.

14 13C20.7. CONSTRUCTION.

15 § 13C20. AUTHORIZATION.

16 (A) AUTHORITY.--

17 (1) NOTWITHSTANDING ANY PROVISION OF LAW OR REGULATION
18 OF THE BOARD, AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY
19 PROVIDE FOR THE CONDUCT OF INTERACTIVE GAMING AT A QUALIFIED
20 AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING DEVICES OR
21 ENTER INTO A WRITTEN AGREEMENT WITH AN INTERACTIVE GAMING
22 OPERATOR THAT PROVIDES FOR THE CONDUCT OF SUCH INTERACTIVE
23 GAMING BY THE INTERACTIVE GAMING OPERATOR ON BEHALF OF THE
24 INTERACTIVE GAMING CERTIFICATE HOLDER.

25 (2) AN INTERACTIVE GAMING CERTIFICATE HOLDER SEEKING TO
26 MAKE AUTHORIZED INTERACTIVE GAMES AVAILABLE FOR PLAY THROUGH
27 THE USE OF MULTI-USE COMPUTING DEVICES AT A QUALIFIED AIRPORT
28 SHALL FILE A PETITION WITH THE BOARD IN SUCH FORM AND MANNER
29 AS THE BOARD, THROUGH REGULATIONS, SHALL REQUIRE.

30 (B) PLACE OF CONDUCT.--THE BOARD, AT ITS DISCRETION, MAY

1 AUTHORIZE AN INTERACTIVE GAMING CERTIFICATE HOLDER OR AN
2 INTERACTIVE GAMING OPERATOR TO PLACE AND MAKE AUTHORIZED
3 INTERACTIVE GAMES AVAILABLE FOR PLAY AT A QUALIFIED AIRPORT
4 THROUGH THE USE OF MULTI-USE COMPUTING DEVICES IN ACCORDANCE
5 WITH THE REQUIREMENTS OF THIS SUBCHAPTER AND REGULATIONS OF THE
6 BOARD.

7 (C) SATISFACTION OF CONTINGENCIES.--AUTHORIZATION FOR AN
8 INTERACTIVE GAMING CERTIFICATE HOLDER TO CONDUCT INTERACTIVE
9 GAMING AT A QUALIFIED AIRPORT IN ACCORDANCE WITH SUBSECTION (A)
10 SHALL BE CONTINGENT UPON THE FOLLOWING:

11 (1) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS
12 SUBMITTED A PETITION TO THE BOARD SEEKING AUTHORIZATION TO
13 MANAGE THE CONDUCT OF INTERACTIVE GAMING AT THE QUALIFIED
14 AIRPORT AND THE BOARD HAS APPROVED THE PETITION.

15 (2) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS
16 DISCLOSED THAT IT HAS OR WILL ENTER INTO AN AGREEMENT WITH AN
17 INTERACTIVE GAMING OPERATOR WHO WILL MANAGE, OPERATE AND
18 CONTROL THE CONDUCT OF INTERACTIVE GAMING AT A QUALIFIED
19 AIRPORT ON BEHALF OF THE INTERACTIVE GAMING CERTIFICATE
20 HOLDER AND THE INTERACTIVE GAMING OPERATOR HAS PETITIONED THE
21 BOARD FOR APPROVAL AND THE BOARD HAS APPROVED THE AGREEMENT
22 AND THE PETITION.

23 (3) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
24 INTERACTIVE GAMING OPERATOR, AS THE CASE MAY BE, HAS ENTERED
25 INTO AN AGREEMENT WITH THE CONCESSION OPERATOR AT THE
26 QUALIFIED AIRPORT FOR THE CONDUCT OF INTERACTIVE GAMING
27 THROUGH THE USE OF MULTI-USE COMPUTING DEVICES WITHIN THE
28 AIRPORT GAMING AREA, OR FOR OPERATION AT A QUALIFIED AIRPORT
29 WHICH IS NOT LOCATED PARTIALLY IN A COUNTY OF THE FIRST CLASS
30 AND PARTIALLY IN A COUNTY CONTIGUOUS TO A COUNTY OF THE FIRST

1 CLASS, THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
2 INTERACTIVE GAMING OPERATOR HAS ENTERED INTO AN AGREEMENT
3 WITH THE QUALIFIED AIRPORT OPERATOR FOR THE CONDUCT OF
4 INTERACTIVE GAMING THROUGH THE USE OF MULTI-USE COMPUTING
5 DEVICES WITHIN THE AIRPORT GAMING AREA.

6 (4) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
7 INTERACTIVE GAMING OPERATOR, AS APPLICABLE, HAS PROVIDED
8 ADEQUATE ASSURANCES THAT THE CONDUCT OF INTERACTIVE GAMING AT
9 THE QUALIFIED AIRPORT WILL BE CONDUCTED AND OPERATED IN
10 ACCORDANCE WITH LAW AND REGULATIONS PROMULGATED BY THE BOARD.

11 (5) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS PAID
12 OR WILL PAY ALL APPLICABLE TAXES AND FEES.

13 (6) IN THE CASE OF A QUALIFIED AIRPORT THAT IS GOVERNED
14 BY A MUNICIPAL AUTHORITY OR JOINT MUNICIPAL AUTHORITY
15 ORGANIZED AND INCORPORATED TO OVERSEE THE OPERATIONS OF AN
16 AIRPORT IN ACCORDANCE WITH 53 PA.C.S. CH. 56 (RELATING TO
17 MUNICIPAL AUTHORITIES), THE INTERACTIVE GAMING CERTIFICATE
18 HOLDER OR INTERACTIVE GAMING OPERATOR, AS THE CASE MAY BE,
19 HAS ENTERED INTO AN AGREEMENT WITH THE MUNICIPAL AUTHORITY OR
20 JOINT MUNICIPAL AUTHORITY FOR THE CONDUCT OF INTERACTIVE
21 GAMING THROUGH THE USE OF MULTI-USE COMPUTING DEVICES WITHIN
22 THE GAMING AREA OF THE QUALIFIED AIRPORT AND THE BOARD HAS
23 APPROVED THE AGREEMENT.

24 (D) AGREEMENT REQUIRED.--THE FOLLOWING SHALL APPLY:

25 (1) AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY SEEK
26 AUTHORIZATION FOR THE OPERATION AND PLACEMENT OF AUTHORIZED
27 INTERACTIVE GAMES AT A QUALIFIED AIRPORT OR MAY ENTER INTO AN
28 AGREEMENT WITH AN INTERACTIVE GAMING OPERATOR TO PROVIDE FOR
29 THE CONDUCT OF INTERACTIVE GAMING AT THE QUALIFIED AIRPORT.

30 (2) AN AGREEMENT ENTERED INTO IN ACCORDANCE WITH THIS

1 SUBSECTION SHALL BE IN WRITING AND SHALL BE SUBMITTED TO THE
2 BOARD FOR REVIEW AND APPROVAL.

3 § 13C20.1. BOARD AUTHORIZATION REQUIRED.

4 (A) CONTENTS OF PETITION.--AN INTERACTIVE GAMING CERTIFICATE
5 HOLDER SEEKING AUTHORIZATION TO CONDUCT INTERACTIVE GAMING AT A
6 QUALIFIED AIRPORT THROUGH THE USE OF A MULTI-USE COMPUTING
7 DEVICE SHALL PETITION THE BOARD FOR APPROVAL. THE PETITION SHALL
8 INCLUDE:

9 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION
10 OF THE INTERACTIVE GAMING CERTIFICATE HOLDER OR THE NAME,
11 BUSINESS ADDRESS AND CONTACT INFORMATION OF THE INTERACTIVE
12 GAMING OPERATOR, IF AN INTERACTIVE GAMING OPERATOR WILL
13 MANAGE THE OPERATION OF INTERACTIVE GAMING AT A QUALIFIED
14 AIRPORT ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER
15 PURSUANT TO AN INTERACTIVE GAMING AGREEMENT.

16 (2) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A
17 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE
18 INTERACTIVE GAMING CERTIFICATE HOLDER AND, IF RELEVANT, THE
19 INTERACTIVE GAMING OPERATOR WHO WILL BE DIRECTLY INVOLVED IN
20 THE CONDUCT OF AUTHORIZED INTERACTIVE GAMES AT THE QUALIFIED
21 AIRPORT AND WHO IS NOT CURRENTLY LICENSED BY THE BOARD, IF
22 KNOWN.

23 (3) THE NAME AND BUSINESS ADDRESS OF THE AIRPORT
24 AUTHORITY, THE LOCATION OF THE QUALIFIED AIRPORT AND THE
25 NAMES OF THE GOVERNING BODY OF THE AIRPORT AUTHORITY, IF THE
26 AIRPORT AUTHORITY IS INCORPORATED IN ACCORDANCE WITH 53
27 PA.C.S. CH. 56 (RELATING TO MUNICIPAL AUTHORITIES).

28 (4) IF THE USE AND CONTROL OF A QUALIFIED AIRPORT IS
29 REGULATED BY A CITY OF THE FIRST CLASS, AN IDENTIFICATION OF
30 THE MUNICIPAL AGENCY OF A CITY OF THE FIRST CLASS, WHICH

1 REGULATES THE USE AND CONTROL OF THE QUALIFIED AIRPORT.

2 (5) THE NAME AND JOB TITLE OF THE PERSON OR PERSONS WHO
3 WILL BE RESPONSIBLE FOR ENSURING THE OPERATION AND INTEGRITY
4 OF THE CONDUCT OF INTERACTIVE GAMING AT A QUALIFIED AIRPORT
5 AND REVIEWING REPORTS OF SUSPICIOUS TRANSACTIONS.

6 (6) THE BRAND NAME OF THE MULTI-USE COMPUTING DEVICES
7 THAT WILL BE PLACED IN OPERATION AT THE QUALIFIED AIRPORT.
8 THE BOARD, AT ITS DISCRETION, MAY REQUIRE ANY ADDITIONAL
9 INFORMATION RELATED TO THE CONDUCT OF INTERACTIVE GAMING AT A
10 QUALIFIED AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING
11 DEVICES OR PERSONS THAT MANUFACTURE OR SUPPLY MULTI-USE
12 COMPUTING DEVICES THAT IT MAY DETERMINE NECESSARY AND
13 APPROPRIATE TO ENSURE THE INTEGRITY OF INTERACTIVE GAMING AT
14 A QUALIFIED AIRPORT AND PROTECT THE PUBLIC INTEREST.

15 (7) AN ITEMIZED LIST OF THE INTERACTIVE GAMES FOR WHICH
16 AUTHORIZATION IS BEING SOUGHT.

17 (8) INFORMATION, AS THE BOARD MAY REQUIRE, ON ANY
18 COMPUTER APPLICATIONS OR APPS, INCLUDING GAMING APPS, WHICH
19 CAN BE ACCESSED ON THE MULTI-USE COMPUTING DEVICES.

20 (9) INFORMATION ON THE TERMS AND CONDITIONS OF ANY
21 INTERACTIVE GAMING AGREEMENT ENTERED INTO BY OR BETWEEN AN
22 INTERACTIVE GAMING CERTIFICATE HOLDER AND INTERACTIVE GAMING
23 OPERATOR OR OTHER PERSON RELATED TO THE CONDUCT OF
24 INTERACTIVE GAMING THROUGH THE USE OF MULTI-USE COMPUTING
25 DEVICES AT A QUALIFIED AIRPORT, IF THE BOARD DEEMS NECESSARY
26 AND APPROPRIATE.

27 (10) DETAILED SITE PLANS ILLUSTRATING THE LOCATION OF
28 THE PROPOSED AIRPORT GAMING AREA AT THE QUALIFIED AIRPORT.

29 (11) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL
30 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO

1 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL
2 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE PETITIONER.

3 (12) ANY OTHER INFORMATION AS THE BOARD MAY REQUIRE.

4 (B) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD
5 UNDER SUBSECTION (A) (8), (9), (11) AND (12) MAY BE CONSIDERED
6 CONFIDENTIAL BY THE BOARD IF THE INFORMATION WOULD BE
7 CONFIDENTIAL UNDER SECTION 1206(F) (RELATING TO BOARD MINUTES
8 AND RECORDS).

9 (C) APPROVAL OF PETITION.--UPON APPROVAL OF A PETITION AS
10 REQUIRED UNDER THIS SECTION, THE BOARD SHALL AUTHORIZE AN
11 INTERACTIVE GAMING CERTIFICATE HOLDER OR AN INTERACTIVE GAMING
12 OPERATOR, AS APPLICABLE, TO CONDUCT INTERACTIVE GAMING AT A
13 QUALIFIED AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING
14 DEVICES. THE AUTHORIZATION OF AN INTERACTIVE GAMING CERTIFICATE
15 HOLDER OR AN INTERACTIVE GAMING OPERATOR, AS APPLICABLE, TO
16 CONDUCT INTERACTIVE GAMING AT A QUALIFIED AIRPORT IN ACCORDANCE
17 WITH THIS SUBCHAPTER PRIOR TO THE FULL PAYMENT OF THE
18 AUTHORIZATION FEE UNDER SECTION 13C20.3 (RELATING TO FEES) SHALL
19 NOT RELIEVE THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
20 INTERACTIVE GAMING OPERATOR, AS APPLICABLE, FROM THE OBLIGATION
21 TO PAY THE AUTHORIZATION FEE IN ACCORDANCE WITH SECTION 13C20.3.
22 § 13C20.2. STANDARD FOR REVIEW OF PETITIONS.

23 THE BOARD SHALL APPROVE A PETITION UNDER SECTION 13C20.1
24 (RELATING TO BOARD AUTHORIZATION REQUIRED) IF THE INTERACTIVE
25 GAMING OPERATOR HAS BEEN OR WILL BE ISSUED AN INTERACTIVE GAMING
26 LICENSE UNDER LAW, AND IF IT ESTABLISHES, BY CLEAR AND
27 CONVINCING EVIDENCE, ALL OF THE FOLLOWING:

28 (1) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
29 INTERACTIVE GAMING OPERATOR, AS THE CASE MAY BE, HAS ENTERED
30 INTO AN AGREEMENT WITH A CONCESSION OPERATOR FOR THE CONDUCT

1 OF INTERACTIVE GAMING THROUGH THE USE OF MULTI-USE COMPUTING
2 DEVICES WITHIN THE AIRPORT GAMING AREA OF A QUALIFIED AIRPORT
3 OR FOR OPERATION AT A QUALIFIED AIRPORT WHICH IS NOT LOCATED
4 PARTIALLY IN A COUNTY OF THE FIRST CLASS AND PARTIALLY IN A
5 COUNTY CONTIGUOUS TO A COUNTY OF THE FIRST CLASS, THE
6 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
7 OPERATOR HAS ENTERED INTO AN AGREEMENT WITH THE QUALIFIED
8 AIRPORT OPERATOR FOR THE CONDUCT OF INTERACTIVE GAMING
9 THROUGH THE USE OF MULTI-USE COMPUTING DEVICES WITHIN THE
10 AIRPORT GAMING AREA.

11 (2) THE INTERACTIVE GAMING OPERATOR HAS AN AGREEMENT
12 WITH AN INTERACTIVE GAMING CERTIFICATE HOLDER RELATING TO THE
13 CONDUCT OF AUTHORIZED INTERACTIVE GAMES BY THE INTERACTIVE
14 GAMING OPERATOR ON BEHALF OF THE INTERACTIVE GAMING
15 CERTIFICATE HOLDER.

16 (3) THE BOARD HAS APPROVED THE AGREEMENTS UNDER
17 PARAGRAPHS (1) AND (2), AS APPLICABLE.

18 (4) THE INTERACTIVE GAMING OPERATOR HAS PAID THE
19 AUTHORIZATION FEE UNDER LAW.

20 (5) THE INTERACTIVE GAMING OPERATOR POSSESSES THE
21 NECESSARY FUNDS OR HAS SECURED ADEQUATE FINANCING TO COMMENCE
22 THE CONDUCT OF INTERACTIVE GAMING AT THE QUALIFIED AIRPORT.

23 (6) THE PROPOSED INTERNAL AND EXTERNAL SECURITY AND
24 SURVEILLANCE MEASURES WITHIN THE AIRPORT GAMING AREA OF THE
25 QUALIFIED AIRPORT ARE ADEQUATE.

26 § 13C20.3. FEES.

27 (A) REQUIRED FEES.--AN INTERACTIVE GAMING CERTIFICATE HOLDER
28 SHALL PAY A ONE-TIME, NONREFUNDABLE FEE UPON THE AUTHORIZATION
29 TO CONDUCT INTERACTIVE GAMING AT A QUALIFIED AIRPORT THROUGH THE
30 USE OF MULTI-USE COMPUTING DEVICES IN ACCORDANCE WITH THIS

1 SUBCHAPTER. THE AMOUNT OF THE FEE SHALL BE AS FOLLOWS:

2 (1) IF THE AIRPORT IS AN INTERNATIONAL AIRPORT LOCATED
3 PARTIALLY IN A COUNTY OF THE FIRST CLASS AND PARTIALLY IN A
4 COUNTY CONTIGUOUS TO A COUNTY OF THE FIRST CLASS, THE AMOUNT
5 OF THE FEE SHALL BE \$5,000,000.

6 (2) IF THE AIRPORT IS AN INTERNATIONAL AIRPORT LOCATED
7 IN A COUNTY OF THE SECOND CLASS, THE AMOUNT OF THE FEE SHALL
8 BE \$2,500,000.

9 (3) IF THE AIRPORT IS AN INTERNATIONAL AIRPORT LOCATED
10 IN A COUNTY OTHER THAN A COUNTY OF THE FIRST OR SECOND CLASS,
11 THE AMOUNT OF THE FEE SHALL BE \$1,000,000.

12 (4) IF THE AIRPORT IS A QUALIFIED AIRPORT WHICH HAS NOT
13 BEEN DESIGNATED AN INTERNATIONAL AIRPORT, THE AMOUNT OF THE
14 FEE SHALL BE \$250,000.

15 (B) DEPOSIT OF FEES.--NOTWITHSTANDING SECTION 1208 (RELATING
16 TO COLLECTION OF FEES AND FINES), ALL FEES OR PENALTIES RECEIVED
17 BY THE BOARD UNDER THIS SUBCHAPTER SHALL BE DEPOSITED IN THE
18 GENERAL FUND.

19 § 13C20.4. MULTI-USE GAMING DEVICE TAX.

20 (A) IMPOSITION.--

21 (1) EACH INTERACTIVE GAMING CERTIFICATE HOLDER
22 AUTHORIZED TO CONDUCT INTERACTIVE GAMING AT A QUALIFIED
23 AIRPORT IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBCHAPTER
24 SHALL REPORT TO THE DEPARTMENT AND PAY FROM ITS DAILY GROSS
25 INTERACTIVE GAMING REVENUE GENERATED FROM THE CONDUCT OF
26 INTERACTIVE GAMING THROUGH MULTI-USE COMPUTING DEVICES AT THE
27 QUALIFIED AIRPORT, ON A FORM AND IN THE MANNER PRESCRIBED BY
28 THE DEPARTMENT, A TAX OF 34% OF ITS DAILY GROSS INTERACTIVE
29 GAMING REVENUE GENERATED FROM MULTI-USE COMPUTING DEVICES AT
30 THE QUALIFIED AIRPORT.

1 (2) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE
2 PAYABLE TO THE DEPARTMENT ON A WEEKLY BASIS AND SHALL BE
3 BASED UPON THE GROSS INTERACTIVE GAMING REVENUE GENERATED
4 FROM MULTI-USE COMPUTING DEVICES AT A QUALIFIED AIRPORT
5 DERIVED DURING THE PREVIOUS WEEK.

6 (3) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS
7 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE
8 INTERACTIVE GAMING CERTIFICATE HOLDER UNTIL THE FUNDS ARE
9 PAID TO THE DEPARTMENT. AN INTERACTIVE GAMING CERTIFICATE
10 HOLDER SHALL ESTABLISH A SEPARATE BANK ACCOUNT INTO WHICH
11 GROSS INTERACTIVE GAMING REVENUE FROM MULTI-USE COMPUTING
12 DEVICES SHALL BE DEPOSITED AND MAINTAINED UNTIL SUCH TIME AS
13 THE FUNDS ARE PAID TO THE DEPARTMENT UNDER THIS SECTION.

14 (4) THE DEPARTMENT SHALL TRANSFER THE TAX REVENUES
15 COLLECTED UNDER THIS SECTION TO THE GENERAL FUND.

16 (B) (RESERVED).

17 § 13C20.5. (RESERVED).

18 § 13C20.6. REGULATIONS.

19 (A) REGULATIONS.--THE BOARD SHALL PROMULGATE REGULATIONS
20 RELATED TO THE OPERATION OF AUTHORIZED INTERACTIVE GAMES THROUGH
21 THE USE OF MULTI-USE COMPUTING DEVICES AT QUALIFIED AIRPORTS,
22 INCLUDING, BUT NOT LIMITED TO:

23 (1) PROCEDURES FOR THE CREATION OF TEMPORARY OR
24 PROVISIONAL INTERACTIVE GAMING ACCOUNTS THAT TAKE INTO
25 CONSIDERATION THE NATURE OF INTERACTIVE GAMING THROUGH MULTI-
26 USE COMPUTING DEVICES AT QUALIFIED AIRPORTS.

27 (2) PROCEDURES TO GOVERN CREDITS, DEBITS, DEPOSITS AND
28 PAYMENTS TO INTERACTIVE GAMING ACCOUNTS ESTABLISHED THROUGH
29 MULTI-USE COMPUTING DEVICES AT QUALIFIED AIRPORTS.

30 (3) PROCEDURES, IN CONSULTATION WITH THE DEPARTMENT, TO

1 GOVERN FINANCIAL TRANSACTIONS BETWEEN AN INTERACTIVE GAMING
2 CERTIFICATE HOLDER, AN INTERACTIVE GAMING OPERATOR OR OTHER
3 PERSONS THAT RELATES TO THE REPORTING OF GROSS INTERACTIVE
4 GAMING REVENUE GENERATED THROUGH THE USE OF MULTI-USE
5 COMPUTING DEVICES AT QUALIFIED AIRPORTS.

6 (B) TEMPORARY REGULATIONS.--IN ORDER TO FACILITATE THE
7 PROMPT IMPLEMENTATION OF THIS SUBCHAPTER, REGULATIONS
8 PROMULGATED BY THE BOARD IN ACCORDANCE WITH SUBSECTION (A) SHALL
9 BE DEEMED TEMPORARY REGULATIONS. THE BOARD AND THE COMMISSION
10 MAY PROMULGATE TEMPORARY REGULATIONS NOT SUBJECT TO:

11 (1) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT OF
12 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
13 COMMONWEALTH DOCUMENTS LAW.

14 (2) SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER
15 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH
16 ATTORNEYS ACT.

17 (3) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
18 THE REGULATORY REVIEW ACT.

19 § 13C20.7. CONSTRUCTION.

20 NOTHING IN THIS SUBCHAPTER SHALL BE CONSTRUED TO:

21 (1) CREATE A SEPARATE LICENSE GOVERNING THE USE OF
22 MULTI-USE COMPUTING DEVICES FOR THE CONDUCT OF INTERACTIVE
23 GAMES AT ELIGIBLE AIRPORTS BY INTERACTIVE GAMING CERTIFICATE
24 HOLDERS WITHIN THIS COMMONWEALTH.

25 (2) LIMIT THE BOARD'S AUTHORITY TO DETERMINE THE
26 SUITABILITY OF ANY PERSON WHO MAY BE DIRECTLY OR INDIRECTLY
27 INVOLVED IN OR ASSOCIATED WITH THE OPERATION OF INTERACTIVE
28 GAMING AT A QUALIFIED AIRPORT TO ENSURE THE INTEGRITY OF
29 INTERACTIVE GAMING AND PROTECT THE PUBLIC INTEREST.

30 SUBCHAPTER C

1 CONDUCT OF INTERACTIVE GAMING

2 SEC.

3 13C21. SITUS OF INTERACTIVE GAMING OPERATIONS.

4 13C22. ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS.

5 13C23. INTERACTIVE GAMING ACCOUNT CREDITS, DEBITS, DEPOSITS AND
6 PAYMENTS.

7 13C24. ACCEPTANCE OF ACCOUNT WAGERS.

8 13C25. DORMANT INTERACTIVE GAMING ACCOUNTS.

9 13C26. LOG-IN PROCEDURE REQUIRED.

10 13C27. INFORMATION PROVIDED AT LOGIN.

11 13C28. PROHIBITIONS.

12 13C29. COMMENCEMENT OF INTERACTIVE GAMING OPERATIONS.

13 § 13C21. SITUS OF INTERACTIVE GAMING OPERATIONS.

14 EXCEPT AS PROVIDED IN THIS CHAPTER, ALL WAGERS MADE THROUGH
15 INTERACTIVE GAMING SHALL BE DEEMED TO BE INITIATED, RECEIVED OR
16 OTHERWISE MADE WITHIN THE GEOGRAPHIC BOUNDARIES OF THIS
17 COMMONWEALTH. THE INTERMEDIATE ROUTING OF ELECTRONIC DATA
18 ASSOCIATED OR IN CONNECTION WITH INTERACTIVE GAMING SHALL NOT
19 DETERMINE THE LOCATION OR LOCATIONS IN WHICH A BET OR WAGER IS
20 INITIATED, RECEIVED OR OTHERWISE MADE.

21 § 13C22. ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS.

22 (A) REGISTRATION RESTRICTIONS.--ONLY A NATURAL PERSON WHO
23 HAS FIRST ESTABLISHED AN INTERACTIVE GAMING ACCOUNT SHALL BE
24 PERMITTED TO PLAY AN AUTHORIZED INTERACTIVE GAME OR PLACE A BET
25 OR WAGER ASSOCIATED WITH AN AUTHORIZED INTERACTIVE GAME. AN
26 INTERACTIVE GAMING ACCOUNT SHALL BE IN THE NAME OF A NATURAL
27 PERSON AND MAY NOT BE IN THE NAME OF A BENEFICIARY, CUSTODIAN,
28 JOINT TRUST, CORPORATION, PARTNERSHIP OR OTHER ORGANIZATION OR
29 ENTITY. AN INTERACTIVE GAMING CERTIFICATE HOLDER SHALL NOT
30 PERMIT AN INDIVIDUAL TO ESTABLISH AN INTERACTIVE GAMING ACCOUNT

1 UNLESS THE PERSON IS 21 YEARS OF AGE OR OLDER.

2 (B) ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS.--

3 (1) AN INTERACTIVE GAMING ACCOUNT MAY BE EXECUTED IN
4 PERSON, PROVIDED THAT THE BOARD SHALL, THROUGH REGULATIONS,
5 PROVIDE PROCEDURES FOR THE ESTABLISHMENT OF INTERACTIVE
6 GAMING ACCOUNTS OVER THE INTERNET THROUGH THE INTERACTIVE
7 GAMING CERTIFICATE HOLDER'S INTERACTIVE GAMING SKIN OR PORTAL
8 OR INTERNET WEBSITE. EACH INTERACTIVE GAMING ACCOUNT SHALL
9 COMPLY WITH THE INTERNAL CONTROLS OF THE INTERACTIVE GAMING
10 CERTIFICATE HOLDER THAT, AT A MINIMUM, REQUIRE THE FOLLOWING:

11 (I) THE FILING AND EXECUTION OF AN INTERACTIVE
12 GAMING ACCOUNT APPLICATION, THE FORM OF WHICH HAS BEEN
13 PREAPPROVED BY THE BOARD.

14 (II) PROOF OF AGE, IDENTITY AND RESIDENCY AS
15 DEMONSTRATED BY AT LEAST TWO FORMS OF IDENTIFICATION
16 APPROVED BY THE BOARD THROUGH REGULATION.

17 (III) PHYSICAL ADDRESS OR THE PRINCIPAL RESIDENCE OF
18 THE PROSPECTIVE ACCOUNT HOLDER, E-MAIL ADDRESS OF THE
19 PROSPECTIVE ACCOUNT HOLDER AND OTHER CONTACT INFORMATION,
20 AS THE BOARD OR INTERACTIVE GAMING CERTIFICATE HOLDER MAY
21 REQUIRE.

22 (IV) PASSWORD OR OTHER SECURED IDENTIFICATION
23 PROVIDED BY THE INTERACTIVE GAMING CERTIFICATE HOLDER TO
24 ACCESS THE INTERACTIVE GAMING ACCOUNT OR SOME OTHER
25 MECHANISM APPROVED BY THE BOARD TO AUTHENTICATE THE
26 PLAYER AS THE HOLDER TO THE INTERACTIVE GAMING ACCOUNT.

27 (V) AN ACKNOWLEDGMENT UNDER PENALTY OF PERJURY THAT
28 FALSE OR MISLEADING STATEMENTS MADE IN REGARD TO AN
29 APPLICATION FOR AN INTERACTIVE GAMING ACCOUNT MAY SUBJECT
30 THE APPLICANT TO CIVIL AND CRIMINAL PENALTIES.

1 (2) THE INTERACTIVE GAMING CERTIFICATE HOLDER MAY ACCEPT
2 OR REJECT AN APPLICATION AFTER RECEIPT AND REVIEW OF THE
3 APPLICATION AND VERIFICATION OF AGE AND IDENTITY FOR
4 COMPLIANCE WITH THE PROVISIONS OF THIS CHAPTER. THE
5 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL HAVE THE RIGHT,
6 AT ANY TIME WITH OR WITHOUT CAUSE, TO SUSPEND OR CLOSE AN
7 INTERACTIVE GAMING ACCOUNT AT ITS SOLE DISCRETION.

8 (3) THE ADDRESS PROVIDED BY THE APPLICANT IN THE
9 APPLICATION FOR AN INTERACTIVE GAMING ACCOUNT SHALL BE DEEMED
10 THE ADDRESS OF RECORD FOR THE PURPOSES OF MAILING CHECKS,
11 ACCOUNT WITHDRAWALS, NOTICES AND OTHER MATERIALS TO THE
12 INTERACTIVE GAMING ACCOUNT HOLDER.

13 (4) AN INTERACTIVE GAMING ACCOUNT SHALL NOT BE
14 ASSIGNABLE OR OTHERWISE TRANSFERABLE AND AN INTERACTIVE
15 GAMING CERTIFICATE HOLDER MAY, AT ANY TIME, DECLARE ALL OR
16 ANY PART OF AN INTERACTIVE GAMING ACCOUNT TO BE CLOSED FOR
17 WAGERING.

18 (C) PASSWORD REQUIRED.--AS PART OF THE APPLICATION PROCESS,
19 THE INTERACTIVE GAMING CERTIFICATE HOLDER SHALL PROVIDE THE
20 PROSPECTIVE INTERACTIVE GAMING ACCOUNT HOLDER WITH A PASSWORD TO
21 ACCESS THE INTERACTIVE GAMING ACCOUNT OR SHALL ESTABLISH SOME
22 OTHER METHOD APPROVED BY THE BOARD TO AUTHENTICATE THE
23 INDIVIDUAL AS THE HOLDER OF THE INTERACTIVE GAMING ACCOUNT AND
24 ALLOW THE REGISTERED PLAYER ACCESS TO THE INTERACTIVE GAMING
25 ACCOUNT.

26 (D) GROUNDS FOR REJECTION.--AN INDIVIDUAL WHO PROVIDES FALSE
27 OR MISLEADING INFORMATION IN THE APPLICATION FOR AN INTERACTIVE
28 GAMING ACCOUNT MAY BE SUBJECT TO REJECTION OF THE APPLICATION OR
29 CANCELLATION OF THE ACCOUNT BY THE INTERACTIVE GAMING
30 CERTIFICATE HOLDER.

1 (E) SUSPENSION OF INTERACTIVE GAMING ACCOUNT.--THE
2 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL HAVE THE RIGHT TO
3 SUSPEND OR CLOSE ANY INTERACTIVE GAMING ACCOUNT AT ITS
4 DISCRETION.

5 (F) PERSONS PROHIBITED FROM ESTABLISHING OR MAINTAINING AN
6 INTERACTIVE GAMING ACCOUNT.--THE FOLLOWING PERSONS SHALL NOT BE
7 ENTITLED TO ESTABLISH OR MAINTAIN AN INTERACTIVE GAMING ACCOUNT:

8 (1) A PERSON UNDER 21 YEARS OF AGE.

9 (2) A PERSON ON THE LIST OF PERSONS WHO ARE OR WILL BE
10 EXCLUDED OR EJECTED FROM OR DENIED ACCESS TO ANY LICENSED
11 FACILITY UNDER SECTION 1514 (RELATING TO REGULATION REQUIRING
12 EXCLUSION, EJECTION OR DENIAL OF ACCESS OF CERTAIN PERSONS),
13 1515 (RELATING TO REPEAT OFFENDERS EXCLUDABLE FROM LICENSED
14 GAMING FACILITY) OR 1516 (RELATING TO LIST OF PERSONS SELF
15 EXCLUDED FROM GAMING ACTIVITIES).

16 (3) A GAMING EMPLOYEE, KEY EMPLOYEE OR PRINCIPAL
17 EMPLOYEE OF A SLOT MACHINE LICENSEE AND AN EMPLOYEE OR KEY
18 EMPLOYEE OF AN INTERACTIVE GAMING CERTIFICATE HOLDER OR
19 INTERACTIVE GAMING OPERATOR OR OTHER PERSON DIRECTLY INVOLVED
20 IN THE OPERATION OF INTERACTIVE GAMING OR AN INTERACTIVE
21 GAMING SYSTEM ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE
22 HOLDER.

23 § 13C23. INTERACTIVE GAMING ACCOUNT CREDITS, DEBITS, DEPOSITS
24 AND PAYMENTS.

25 (A) DUTY OF BOARD.--THE BOARD SHALL, BY REGULATION, DEVELOP
26 PROCEDURES TO GOVERN CREDITS, DEBITS AND DEPOSITS TO INTERACTIVE
27 GAMING ACCOUNTS. NOTWITHSTANDING ANY PROVISION OF THIS PART TO
28 THE CONTRARY, ALL CREDITS, DEBITS AND DEPOSITS TO INTERACTIVE
29 GAMING ACCOUNTS SHALL BE MADE IN ACCORDANCE WITH REGULATIONS
30 PROMULGATED BY THE BOARD, IN CONSULTATION WITH THE DEPARTMENT,

1 AND ALL PAYMENTS OF WINNINGS SHALL BE MADE IN ACCORDANCE WITH
2 THE RULES OF EACH PARTICULAR AUTHORIZED INTERACTIVE GAME.

3 (B) RIGHTS OF INTERACTIVE GAMING CERTIFICATE HOLDER.--AN
4 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL HAVE THE RIGHT TO:

5 (1) CREDIT AN INTERACTIVE GAMING ACCOUNT AS PART OF A
6 PROMOTION.

7 (2) REFUSE ALL OR PART OF A WAGER OR DEPOSIT TO THE
8 INTERACTIVE GAMING ACCOUNT OF A REGISTERED PLAYER.

9 (C) INTEREST PROHIBITED.--FUNDS DEPOSITED IN A REGISTERED
10 PLAYER'S INTERACTIVE GAMING ACCOUNT SHALL NOT BEAR INTEREST TO
11 THE ACCOUNT HOLDER.

12 § 13C24. ACCEPTANCE OF ACCOUNT WAGERS.

13 (A) ACCEPTANCE.--AN INTERACTIVE GAMING CERTIFICATE HOLDER
14 MAY ACCEPT INTERACTIVE GAMING WAGERS OR BETS ONLY AS FOLLOWS:

15 (1) THE WAGER SHALL BE PLACED DIRECTLY WITH THE
16 INTERACTIVE GAMING CERTIFICATE HOLDER BY THE REGISTERED
17 PLAYER, AFTER THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS
18 VERIFIED THAT THE INDIVIDUAL SEEKING TO PLACE A WAGER OR BET
19 IS THE REGISTERED PLAYER.

20 (2) THE REGISTERED PLAYER PROVIDES THE SLOT MACHINE
21 LICENSEE WITH THE CORRECT PASSWORD OR OTHER AUTHENTICATION
22 INFORMATION FOR ACCESS TO THE INTERACTIVE GAMING ACCOUNT.

23 (B) NONACCEPTANCE.--AN INTERACTIVE GAMING CERTIFICATE HOLDER
24 MAY NOT ACCEPT AN ACCOUNT WAGER IN AN AMOUNT IN EXCESS OF FUNDS
25 ON DEPOSIT IN AN INTERACTIVE GAMING ACCOUNT OF THE REGISTERED
26 PLAYER PLACING THE BET OR WAGER. FUNDS ON DEPOSIT INCLUDE
27 AMOUNTS CREDITED TO A REGISTERED PLAYER'S INTERACTIVE GAMING
28 ACCOUNT IN ACCORDANCE WITH REGULATIONS OF THE BOARD AND FUNDS IN
29 THE ACCOUNT AT THE TIME THE WAGER IS PLACED.

30 § 13C25. DORMANT INTERACTIVE GAMING ACCOUNTS.

1 BEFORE CLOSING A DORMANT INTERACTIVE GAMING ACCOUNT, THE
2 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL ATTEMPT TO CONTACT
3 THE INTERACTIVE GAMING ACCOUNT HOLDER BY MAIL AND PHONE OR E-
4 MAIL TO INFORM THE ACCOUNT HOLDER THAT THE INTERACTIVE GAMING
5 ACCOUNT IS INACTIVE AND MAY BE SUBJECT TO TERMINATION AT THE
6 TIME AND MANNER AS DETERMINED BY REGULATION OF THE BOARD.
7 § 13C26. LOG-IN PROCEDURE REQUIRED.

8 EACH INTERACTIVE GAMING CERTIFICATE HOLDER SHALL ESTABLISH A
9 LOG-IN PROCEDURE FOR REGISTERED PLAYERS TO ACCESS INTERACTIVE
10 GAMING. THE LOG-IN PROCEDURE SHALL INCLUDE THE PROVISION OF THE
11 APPROPRIATE AUTHENTICATION INFORMATION BY THE REGISTERED PLAYER
12 FOR ACCESS TO THE INTERACTIVE GAMING ACCOUNT. THE INTERACTIVE
13 GAMING CERTIFICATE HOLDER SHALL NOT ALLOW A REGISTERED PLAYER TO
14 LOG IN AND ACCESS THE INTERACTIVE GAMING ACCOUNT UNLESS THE
15 CORRECT PASSWORD OR OTHER AUTHENTICATION INFORMATION IS
16 PROVIDED.
17 § 13C27. INFORMATION PROVIDED AT LOGIN.

18 THE INTERACTIVE GAMING CERTIFICATE HOLDER SHALL CONFIGURE ITS
19 INTERACTIVE GAMING SKIN TO INCLUDE A LINK THAT, UPON LOGIN, WILL
20 ALLOW A REGISTERED PLAYER TO ACCESS ALL OF THE FOLLOWING
21 INFORMATION:

22 (1) THE CURRENT AMOUNT OF FUNDS IN THE INTERACTIVE
23 GAMING ACCOUNT.

24 (2) THE WINS AND LOSSES SINCE THE INTERACTIVE GAMING
25 ACCOUNT WAS ESTABLISHED.

26 (3) THE WINS AND LOSSES AT THE BEGINNING OF THE CURRENT
27 GAMING SESSION AND THE WINS AND LOSSES AT THE END OF THE
28 CURRENT GAMING SESSION.

29 (4) THE COMPLETE TEXT IN SEARCHABLE FORMAT OF THE RULES
30 OF EACH AUTHORIZED INTERACTIVE GAME OFFERED BY THE

1 INTERACTIVE GAMING CERTIFICATE HOLDER AND OTHER INFORMATION
2 AS THE BOARD MAY REQUIRE.

3 § 13C28. PROHIBITIONS.

4 EXCEPT AS PROVIDED IN THIS PART, NO INTERACTIVE GAMING
5 CERTIFICATE HOLDER OR PERSON LICENSED UNDER THIS PART TO OPERATE
6 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM AND NO PERSON
7 ACTING ON BEHALF OF, OR UNDER AN ARRANGEMENT WITH, AN
8 INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER PERSON LICENSED
9 UNDER THIS PART SHALL:

10 (1) MAKE ANY LOAN TO A PERSON FOR THE PURPOSE OF
11 CREDITING AN INTERACTIVE GAMING ACCOUNT.

12 (2) RELEASE OR DISCHARGE A DEBT, EITHER IN WHOLE OR IN
13 PART, OR MAKE A LOAN WHICH REPRESENTS LOSSES INCURRED BY A
14 REGISTERED PLAYER WHILE PLAYING AUTHORIZED INTERACTIVE GAMES
15 WITHOUT MAINTAINING A WRITTEN RECORD THEREOF IN ACCORDANCE
16 WITH REGULATIONS OF THE BOARD.

17 § 13C29. COMMENCEMENT OF INTERACTIVE GAMING OPERATIONS.

18 AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY NOT OPERATE OR
19 OFFER INTERACTIVE GAMES FOR PLAY ON ITS INTERACTIVE GAMING SKIN
20 UNTIL THE BOARD DETERMINES THAT:

21 (1) THE INTERACTIVE GAMING CERTIFICATE HOLDER IS IN
22 COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER.

23 (2) THE INTERACTIVE GAMING CERTIFICATE HOLDER'S
24 INTERNAL, ADMINISTRATIVE AND ACCOUNTING CONTROLS ARE
25 SUFFICIENT TO MEET THE REQUIREMENTS OF SECTION 13C32
26 (RELATING TO INTERNAL, ADMINISTRATIVE AND ACCOUNTING
27 CONTROLS).

28 (3) THE INTERACTIVE GAMING CERTIFICATE HOLDER'S
29 INTERACTIVE GAMING EMPLOYEES, WHERE APPLICABLE, ARE LICENSED,
30 PERMITTED, REGISTERED, CERTIFIED OR OTHERWISE AUTHORIZED BY

1 THE BOARD TO PERFORM THEIR RESPECTIVE DUTIES.

2 (4) THE EMPLOYEES OF THE INTERACTIVE GAMING OPERATOR
3 ARE, WHERE APPLICABLE, LICENSED, PERMITTED, REGISTERED,
4 CERTIFIED OR OTHERWISE AUTHORIZED BY THE BOARD TO PERFORM
5 THEIR DUTIES.

6 (5) THE INTERACTIVE GAMING CERTIFICATE HOLDER IS
7 PREPARED IN ALL RESPECTS TO OFFER INTERACTIVE GAMING TO THE
8 PUBLIC OVER ITS INTERACTIVE GAMING SKIN.

9 (6) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS
10 IMPLEMENTED NECESSARY INTERNAL, ADMINISTRATIVE AND ACCOUNTING
11 CONTROLS, SECURITY ARRANGEMENTS AND SURVEILLANCE SYSTEMS FOR
12 THE OPERATION OF INTERACTIVE GAMING.

13 (7) THE INTERACTIVE GAMING CERTIFICATE HOLDER IS IN
14 COMPLIANCE WITH OR WILL COMPLY WITH SECTION 13C31 (RELATING
15 TO RESPONSIBILITIES OF INTERACTIVE GAMING CERTIFICATE
16 HOLDER).

17 (8) THE BOARD HAS APPROVED AN AGREEMENT ENTERED BETWEEN
18 THE INTERACTIVE GAMING CERTIFICATE HOLDER AND AN INTERACTIVE
19 GAMING OPERATOR OR OTHER PERSON RELATED TO THE OPERATION OF
20 INTERACTIVE GAMING OR THE OPERATION OF AN INTERACTIVE GAMING
21 SYSTEM ON BEHALF OF THE INTERACTIVE GAMING CERTIFICATE
22 HOLDER.

23 SUBCHAPTER D

24 FACILITIES AND EQUIPMENT

25 SEC.

26 13C31. RESPONSIBILITIES OF INTERACTIVE GAMING CERTIFICATE
27 HOLDER.

28 13C32. INTERNAL, ADMINISTRATIVE AND ACCOUNTING CONTROLS.

29 § 13C31. RESPONSIBILITIES OF INTERACTIVE GAMING CERTIFICATE
30 HOLDER.

1 (A) FACILITIES AND EQUIPMENT.--ALL FACILITIES AND
2 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT SHALL:

3 (1) BE ARRANGED IN A MANNER PROMOTING APPROPRIATE
4 SECURITY FOR INTERACTIVE GAMING.

5 (2) INCLUDE A CLOSED-CIRCUIT VIDEO MONITORING SYSTEM
6 ACCORDING TO RULES OR SPECIFICATIONS APPROVED BY THE BOARD,
7 WITH BOARD ABSOLUTE ACCESS TO THE INTERACTIVE GAMING
8 CERTIFICATE HOLDER'S INTERACTIVE GAMING SKIN, INTERNET
9 WEBSITE AND PLATFORM, SIGNAL OR TRANSMISSION USED IN
10 CONNECTION WITH INTERACTIVE GAMING.

11 (3) NOT BE DESIGNED IN ANY WAY THAT MIGHT INTERFERE WITH
12 OR IMPEDE THE BOARD IN ITS REGULATION OF INTERACTIVE GAMING.

13 (4) COMPLY IN ALL RESPECTS WITH REGULATIONS OF THE
14 BOARD.

15 (B) LOCATION OF EQUIPMENT AND INTERACTIVE GAMING RESTRICTED
16 AREAS.--

17 (1) ALL INTERACTIVE GAMING DEVICES AND ASSOCIATED
18 EQUIPMENT USED BY AN INTERACTIVE GAMING CERTIFICATE HOLDER OR
19 AN INTERACTIVE GAMING LICENSEE TO CONDUCT INTERACTIVE GAMING
20 MAY BE LOCATED, WITH THE PRIOR APPROVAL OF THE BOARD, IN AN
21 INTERACTIVE GAMING RESTRICTED AREA ON THE PREMISES OF THE
22 LICENSED FACILITY, IN AN INTERACTIVE GAMING RESTRICTED AREA
23 WITHIN THE GEOGRAPHIC LIMITS OF THE COUNTY IN THIS
24 COMMONWEALTH WHERE THE LICENSED FACILITY IS SITUATED OR IN
25 ANOTHER AREA APPROVED BY THE BOARD.

26 (2) ALL WAGERS ASSOCIATED WITH INTERACTIVE GAMING SHALL
27 BE DEEMED TO BE PLACED WHEN RECEIVED BY THE INTERACTIVE
28 GAMING CERTIFICATE HOLDER.

29 § 13C32. INTERNAL, ADMINISTRATIVE AND ACCOUNTING CONTROLS.

30 (A) APPROVAL.--NOTWITHSTANDING ANY PROVISION OF THIS PART,

1 EACH SLOT MACHINE LICENSEE OR OTHER ENTITY WHO HOLDS OR HAS
2 APPLIED FOR AN INTERACTIVE GAMING CERTIFICATE IN ACCORDANCE WITH
3 THIS CHAPTER SHALL SUBMIT A DESCRIPTION OF ITS SYSTEM OF
4 INTERNAL PROCEDURES AND ADMINISTRATIVE AND ACCOUNTING CONTROLS
5 FOR INTERACTIVE GAMING TO THE BOARD, INCLUDING PROVISIONS THAT
6 PROVIDE FOR REAL-TIME MONITORING, RECORDATION OR STORAGE OF ALL
7 INTERACTIVE GAMES AND A DESCRIPTION OF ANY CHANGES TO ITS
8 PROCEDURES AND CONTROLS. THE SUBMISSION SHALL BE MADE AT LEAST
9 90 DAYS BEFORE AUTHORIZED INTERACTIVE GAMING IS TO COMMENCE OR
10 AT LEAST 90 DAYS BEFORE ANY CHANGE IN THOSE PROCEDURES OR
11 CONTROLS IS TO TAKE EFFECT, UNLESS OTHERWISE DIRECTED BY THE
12 BOARD.

13 (B) FILING.--EACH PROCEDURE OR CONTROL SUBMISSION SHALL
14 CONTAIN BOTH NARRATIVE AND DIAGRAMMATIC REPRESENTATIONS OF THE
15 SYSTEM TO BE UTILIZED WITH REGARD TO INTERACTIVE GAMING,
16 INCLUDING, BUT NOT LIMITED TO:

17 (1) ACCOUNTING CONTROLS, INCLUDING THE STANDARDIZATION
18 OF FORMS AND DEFINITION OF TERMS TO BE UTILIZED IN THE
19 INTERACTIVE GAMING OPERATIONS.

20 (2) PROCEDURES, FORMS AND, WHERE APPROPRIATE, FORMULAS
21 TO GOVERN THE FOLLOWING:

22 (I) CALCULATION OF HOLD PERCENTAGES;

23 (II) REVENUE DROPS;

24 (III) EXPENSE AND OVERHEAD SCHEDULES;

25 (IV) COMPLIMENTARY SERVICES; AND

26 (V) CASH-EQUIVALENT TRANSACTIONS.

27 (3) JOB DESCRIPTIONS, ORGANIZATIONAL CHARTS AND THE
28 SYSTEM OF PERSONNEL AND CHAIN OF COMMAND, ESTABLISHING A
29 DIVERSITY OF RESPONSIBILITY AMONG EMPLOYEES ENGAGED IN
30 INTERACTIVE GAMING OPERATIONS, INCLUDING EMPLOYEES OF AN

1 INTERACTIVE GAMING OPERATOR, AND IDENTIFYING PRIMARY AND
2 SECONDARY MANAGEMENT AND SUPERVISORY POSITIONS FOR AREAS OF
3 RESPONSIBILITY AND PERSONNEL PRACTICES.

4 (4) PROCEDURES FOR THE REGISTRATION OF PLAYERS AND
5 ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS, INCLUDING A
6 PROCEDURE FOR AUTHENTICATING THE AGE, IDENTITY AND LOCATION
7 OF APPLICANTS FOR INTERACTIVE GAMING ACCOUNTS.

8 (5) PROCEDURES FOR TERMINATING A REGISTERED PLAYER'S
9 INTERACTIVE GAMING ACCOUNT AND THE RETURN OF FUNDS REMAINING
10 IN THE INTERACTIVE GAMING ACCOUNT TO THE REGISTERED PLAYER.

11 (6) PROCEDURES FOR SUSPENDING OR TERMINATING A DORMANT
12 INTERACTIVE GAMING ACCOUNT.

13 (7) PROCEDURES FOR THE LOGGING IN AND AUTHENTICATION OF
14 A REGISTERED PLAYER IN ORDER TO ENABLE THE PLAYER TO COMMENCE
15 INTERACTIVE GAMING AND THE LOGGING OFF OF THE REGISTERED
16 PLAYER WHEN THE PLAYER HAS COMPLETED PLAY, INCLUDING A
17 PROCEDURE TO AUTOMATICALLY LOG A REGISTERED PLAYER OUT OF THE
18 PLAYER'S INTERACTIVE GAMING ACCOUNT AFTER A SPECIFIED PERIOD
19 OF INACTIVITY.

20 (8) PROCEDURES FOR THE CREDITING AND DEBITING OF
21 REGISTERED PLAYERS' INTERACTIVE GAMING ACCOUNTS.

22 (9) PROCEDURES FOR CASHING CHECKS, RECEIVING ELECTRONIC
23 NEGOTIABLE INSTRUMENTS AND FOR REDEEMING CHIPS, TOKENS OR
24 OTHER CASH EQUIVALENTS.

25 (10) PROCEDURES FOR WITHDRAWING FUNDS FROM AN
26 INTERACTIVE GAMING ACCOUNT BY THE REGISTERED PLAYER.

27 (11) PROCEDURES FOR THE PROTECTION OF PLAYER FUNDS,
28 INCLUDING THE SEGREGATION OF PLAYER FUNDS FROM OPERATING
29 FUNDS.

30 (12) PROCEDURES FOR RECORDING TRANSACTIONS PERTAINING TO

1 INTERACTIVE GAMING.

2 (13) PROCEDURES FOR THE SECURITY AND SHARING OF
3 PERSONALLY IDENTIFIABLE INFORMATION OF REGISTERED PLAYERS AND
4 OTHER INFORMATION AS REQUIRED BY THE BOARD AND FUNDS IN
5 INTERACTIVE GAMING ACCOUNTS. THE PROCEDURES SHALL INCLUDE THE
6 MEANS BY WHICH AN INTERACTIVE GAMING CERTIFICATE HOLDER OR
7 INTERACTIVE GAMING OPERATOR WILL PROVIDE NOTICE TO REGISTERED
8 PLAYERS RELATED TO ITS SHARING OF PERSONALLY IDENTIFIABLE
9 INFORMATION. FOR THE PURPOSE OF THIS PARAGRAPH, "PERSONALLY
10 IDENTIFIABLE INFORMATION" SHALL MEAN DATA OR INFORMATION THAT
11 CAN BE USED, ON ITS OWN OR WITH OTHER DATA OR INFORMATION, TO
12 IDENTIFY, CONTACT OR OTHERWISE LOCATE A REGISTERED PLAYER,
13 INCLUDING A REGISTERED PLAYER'S NAME, ADDRESS, DATE OF BIRTH
14 AND SOCIAL SECURITY NUMBER.

15 (14) PROCEDURES AND SECURITY FOR THE CALCULATION AND
16 RECORDATION OF REVENUE.

17 (15) PROCEDURES FOR THE SECURITY OF INTERACTIVE GAMING
18 DEVICES AND ASSOCIATED EQUIPMENT WITHIN AN INTERACTIVE GAMING
19 RESTRICTED AREA ON THE PREMISES OF THE LICENSED FACILITY OR
20 IN A SECURE FACILITY INACCESSIBLE TO THE PUBLIC AND
21 SPECIFICALLY DESIGNED FOR THAT PURPOSE OFF THE PREMISES OF A
22 LICENSED FACILITY AS APPROVED BY THE BOARD.

23 (16) PROCEDURES AND SECURITY STANDARDS AS TO RECEIPT OF
24 AND THE HANDLING AND STORAGE OF INTERACTIVE GAMING DEVICES
25 AND ASSOCIATED EQUIPMENT.

26 (17) PROCEDURES AND SECURITY STANDARDS TO PROTECT THE
27 INTERACTIVE GAMING CERTIFICATE HOLDER'S INTERACTIVE GAMING
28 SKIN OR INTERNET WEBSITE AND INTERACTIVE GAMING DEVICES AND
29 ASSOCIATED EQUIPMENT FROM HACKING OR TAMPERING BY A PERSON.

30 (18) PROCEDURES FOR RESPONDING TO SUSPECTED OR ACTUAL

1 HACKING OR TAMPERING WITH AN INTERACTIVE GAMING CERTIFICATE
2 HOLDER'S INTERACTIVE GAMING SKIN OR INTERNET WEBSITE AND
3 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT,
4 INCLUDING PARTIAL OR COMPLETE SUSPENSION OF INTERACTIVE
5 GAMING OR THE SUSPENSION OF ANY OR ALL INTERACTIVE GAMING
6 ACCOUNTS WHEN WARRANTED.

7 (19) PROCEDURES TO VERIFY EACH REGISTERED PLAYER'S
8 PHYSICAL LOCATION EACH TIME A WAGER IS PLACED ON AN
9 INTERACTIVE GAME.

10 (20) PROCEDURES TO ENSURE, TO A REASONABLE DEGREE OF
11 CERTAINTY, THAT THE INTERACTIVE GAMES ARE FAIR AND HONEST AND
12 THAT APPROPRIATE MEASURES ARE IN PLACE TO DETER, DETECT AND,
13 TO THE EXTENT REASONABLY POSSIBLE, TO PREVENT CHEATING,
14 INCLUDING COLLUSION, AND USE OF CHEATING DEVICES, INCLUDING
15 THE USE OF SOFTWARE PROGRAMS THAT MAKE BETS OR WAGERS
16 ACCORDING TO ALGORITHMS.

17 (21) PROCEDURES TO ASSIST PROBLEM AND COMPULSIVE
18 GAMBLERS, INCLUDING PROCEDURES REASONABLY INTENDED TO PREVENT
19 A PERSON FROM PARTICIPATING IN INTERACTIVE GAMING ACTIVITIES
20 IN ACCORDANCE WITH SECTIONS 1514 (RELATING TO REGULATION
21 REQUIRING EXCLUSION, EJECTION OR DENIAL OF ACCESS OF CERTAIN
22 PERSONS), 1515 (RELATING TO REPEAT OFFENDERS EXCLUDABLE FROM
23 LICENSED GAMING FACILITY) AND 1516 (RELATING TO LIST OF
24 PERSONS SELF EXCLUDED FROM GAMING ACTIVITIES).

25 (22) PROCEDURES TO GOVERN EMERGENCIES, INCLUDING
26 SUSPECTED OR ACTUAL CYBER ATTACKS, HACKING OR TAMPERING WITH
27 THE INTERACTIVE GAMING CERTIFICATE HOLDER'S INTERACTIVE
28 GAMING PORTAL, PLATFORM OR INTERNET WEBSITE.

29 (23) ANY OTHER ITEM OR PROCEDURE AS DETERMINED BY THE
30 BOARD.

1 (C) REVIEW OF SUBMISSIONS.--

2 (1) THE BOARD SHALL REVIEW EACH SUBMISSION REQUIRED BY
3 SUBSECTIONS (A) AND (B) AND SHALL DETERMINE WHETHER THE
4 SUBMISSION CONFORMS TO THE REQUIREMENTS OF THIS CHAPTER AND
5 REGULATIONS PROMULGATED BY THE BOARD AND WHETHER THE SYSTEM
6 SUBMITTED PROVIDES ADEQUATE AND EFFECTIVE CONTROLS FOR
7 INTERACTIVE GAMING OF THE PARTICULAR INTERACTIVE GAMING
8 CERTIFICATE HOLDER.

9 (2) IF THE BOARD DETERMINES THAT INSUFFICIENCIES EXIST,
10 IT SHALL SPECIFY THE INSUFFICIENCIES IN WRITING TO THE
11 INTERACTIVE GAMING CERTIFICATE HOLDER, WHO SHALL MAKE
12 APPROPRIATE ALTERATIONS TO ENSURE COMPLIANCE WITH THE
13 REQUIREMENTS OF THIS CHAPTER AND REGULATIONS OF THE BOARD.
14 WHEN THE BOARD DETERMINES A SUBMISSION TO BE ADEQUATE IN ALL
15 RESPECTS, IT SHALL NOTIFY THE INTERACTIVE GAMING CERTIFICATE
16 HOLDER.

17 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (A), NO
18 INTERACTIVE GAMING CERTIFICATE HOLDER, INTERACTIVE GAMING
19 OPERATOR OR OTHER PERSON SHALL COMMENCE OR ALTER INTERACTIVE
20 GAMING OPERATIONS UNLESS AND UNTIL THE SYSTEM OF PROCEDURES,
21 CONTROLS AND ALTERATIONS IS APPROVED BY THE BOARD.

22 SUBCHAPTER E

23 TESTING AND CERTIFICATION

24 SEC.

25 13C41. INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES AND
26 ASSOCIATED EQUIPMENT TESTING AND CERTIFICATION
27 STANDARDS.

28 § 13C41. INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES AND
29 ASSOCIATED EQUIPMENT TESTING AND CERTIFICATION
30 STANDARDS.

1 (A) TESTING REQUIRED.--

2 (1) NO INTERACTIVE GAME OR INTERACTIVE GAMING DEVICE OR
3 ASSOCIATED EQUIPMENT SHALL BE USED TO CONDUCT INTERACTIVE
4 GAMING UNLESS IT HAS BEEN TESTED AND APPROVED BY THE BOARD.
5 THE BOARD MAY, IN ITS DISCRETION AND FOR THE PURPOSE OF
6 EXPEDITING THE APPROVAL PROCESS, REFER TESTING TO A TESTING
7 LABORATORY AS APPROVED BY THE BOARD.

8 (2) THE BOARD SHALL ESTABLISH, BY REGULATION, TECHNICAL
9 STANDARDS FOR APPROVAL OF INTERACTIVE GAMES AND INTERACTIVE
10 GAMING DEVICES AND ASSOCIATED EQUIPMENT, INCLUDING STANDARDS
11 TO GOVERN MECHANICAL, ELECTRICAL OR PROGRAM RELIABILITY AND
12 SECURITY AGAINST TAMPERING AND THREATS, AS IT MAY DEEM
13 NECESSARY TO PROTECT THE REGISTERED PLAYER FROM FRAUD OR
14 DECEPTION AND TO ENSURE THE INTEGRITY OF INTERACTIVE GAMING.

15 (B) INDEPENDENT TESTING AND CERTIFICATION FACILITY.--COSTS
16 ASSOCIATED WITH THE BOARD'S TESTING AND CERTIFICATION FACILITY
17 SHALL BE ASSESSED ON PERSONS AUTHORIZED BY THE BOARD TO
18 MANUFACTURE, SUPPLY, DISTRIBUTE OR OTHERWISE PROVIDE INTERACTIVE
19 GAMES AND INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT TO
20 INTERACTIVE GAMING CERTIFICATE HOLDERS OR TO INTERACTIVE GAMING
21 OPERATORS IN THIS COMMONWEALTH. THE COSTS SHALL BE ASSESSED IN
22 ACCORDANCE WITH A SCHEDULE ADOPTED BY THE BOARD.

23 (C) USE OF OTHER STATE STANDARDS.--THE BOARD MAY DETERMINE
24 WHETHER THE TESTING AND CERTIFICATION STANDARDS FOR INTERACTIVE
25 GAMES AND INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT AS
26 ADOPTED BY ANOTHER JURISDICTION WITHIN THE UNITED STATES OR OF
27 THE TESTING AND CERTIFICATION STANDARDS USED BY AN INTERACTIVE
28 GAMING CERTIFICATE HOLDER ARE COMPREHENSIVE AND THOROUGH AND
29 PROVIDE SIMILAR AND ADEQUATE SAFEGUARDS AS THOSE REQUIRED BY
30 THIS CHAPTER AND REGULATIONS OF THE BOARD. IF THE BOARD MAKES

1 THAT DETERMINATION, IT MAY PERMIT THE PERSON AUTHORIZED TO
2 MANUFACTURE, SUPPLY, DISTRIBUTE OR OTHERWISE PROVIDE INTERACTIVE
3 GAMES AND INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT TO
4 FURNISH INTERACTIVE GAMES OR INTERACTIVE GAMING DEVICES AND
5 ASSOCIATED EQUIPMENT TO INTERACTIVE GAMING CERTIFICATE HOLDERS
6 IN THIS COMMONWEALTH WITHOUT UNDERGOING THE FULL TESTING AND
7 CERTIFICATION PROCESS BY THE BOARD'S INDEPENDENT TESTING AND
8 CERTIFICATION FACILITY.

9 SUBCHAPTER F

10 TAXES AND FEES

11 SEC.

12 13C51. INTERACTIVE GAMING AUTHORIZATION FEE.

13 13C52. INTERACTIVE GAMING TAX.

14 13C53. (RESERVED).

15 13C54. COMPULSIVE AND PROBLEM GAMBLING.

16 13C55. CERTIFICATE HOLDER DEPOSITS.

17 § 13C51. INTERACTIVE GAMING AUTHORIZATION FEE.

18 (A) AMOUNT OF AUTHORIZATION FEE.--EACH SLOT MACHINE LICENSEE
19 OR OTHER ENTITY THAT IS ISSUED AN INTERACTIVE GAMING CERTIFICATE
20 OR CERTIFICATES TO CONDUCT INTERACTIVE GAMING IN ACCORDANCE WITH
21 SECTION 13C11 (RELATING TO AUTHORIZATION TO CONDUCT INTERACTIVE
22 GAMING) SHALL PAY A ONE-TIME NONREFUNDABLE AUTHORIZATION FEE AS
23 FOLLOWS:

24 (1) \$5,000,000 FOR AN INTERACTIVE GAMING CERTIFICATE
25 AUTHORIZING NON-PEER-TO-PEER INTERACTIVE GAMES

26 (2) \$5,000,000 FOR AN INTERACTIVE GAMING CERTIFICATE
27 AUTHORIZING NON-PEER-TO-PEER INTERACTIVE GAMES.

28 (3) \$10,000,000 FOR INTERACTIVE GAMING CERTIFICATES
29 AUTHORIZING BOTH CLASSIFICATIONS OF INTERACTIVE GAMES.

30 (B) PAYMENT OF FEE.--PERSONS REQUIRED TO PAY THE

1 AUTHORIZATION FEE UNDER SUBSECTION (A) SHALL REMIT THE FEE TO
2 THE BOARD WITHIN 60 DAYS OF THE BOARD'S APPROVAL OF ITS PETITION
3 TO CONDUCT INTERACTIVE GAMING. THE BOARD MAY ALLOW THE FEE TO BE
4 PAID IN INSTALLMENTS, IF ALL INSTALLMENTS ARE PAID WITHIN THE
5 60-DAY PERIOD AND THAT THE INSTALLMENT PAYMENTS ARE MADE IN
6 ACCORDANCE WITH THE TERMS OF AN AGREEMENT BETWEEN THE BOARD AND
7 THE INTERACTIVE GAMING CERTIFICATE HOLDER THAT SETS FORTH THE
8 TERMS OF THE INSTALLMENT PAYMENT.

9 (C) RENEWAL FEE.--NOTWITHSTANDING ANY OTHER PROVISION OF
10 THIS CHAPTER, AN INTERACTIVE GAMING CERTIFICATE HOLDER SHALL PAY
11 A RENEWAL FEE IN THE AMOUNT OF \$250,000 UPON THE RENEWAL OF ITS
12 INTERACTIVE GAMING CERTIFICATE IN ACCORDANCE WITH SECTIONS 1326
13 (RELATING TO RENEWALS) AND 13C13(C) (RELATING TO ISSUANCE OF
14 INTERACTIVE GAMING CERTIFICATE).

15 (D) DEPOSIT OF FEES.--THE FEES IMPOSED AND COLLECTED UNDER
16 THIS SECTION SHALL BE DEPOSITED IN THE GENERAL FUND.
17 § 13C52. INTERACTIVE GAMING TAX.

18 (A) IMPOSITION OF TAX.--EACH INTERACTIVE GAMING CERTIFICATE
19 HOLDER THAT CONDUCTS INTERACTIVE GAMING SHALL REPORT TO THE
20 DEPARTMENT AND PAY FROM ITS DAILY GROSS INTERACTIVE GAMING
21 REVENUE, ON A FORM AND IN THE MANNER PRESCRIBED BY THE
22 DEPARTMENT, A TAX OF 16% ON ITS DAILY GROSS INTERACTIVE GAMING
23 REVENUE FROM PEER-TO-PEER INTERACTIVE GAMES AND 54% ON ITS DAILY
24 GROSS INTERACTIVE GAMING REVENUE FROM NON-PEER-TO-PEER
25 INTERACTIVE GAMES. THIS SECTION SHALL NOT APPLY TO INTERACTIVE
26 GAMING REVENUE GENERATED FROM MULTI-USE COMPUTING DEVICES AT
27 QUALIFIED AIRPORTS, WHICH IS SUBJECT TO SECTION 13C20.4
28 (RELATING TO MULTI-USE GAMING DEVICE TAX).

29 (B) DEPOSITS AND DISTRIBUTIONS.--

30 (1) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE

1 PAYABLE TO THE DEPARTMENT ON A WEEKLY BASIS AND SHALL BE
2 BASED UPON GROSS INTERACTIVE GAMING REVENUE DERIVED DURING
3 THE PREVIOUS WEEK.

4 (2) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS
5 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE
6 INTERACTIVE GAMING CERTIFICATE HOLDER UNTIL THE FUNDS ARE
7 PAID TO THE DEPARTMENT FOR DEPOSIT IN THE GENERAL FUND. AN
8 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL ESTABLISH A
9 SEPARATE BANK ACCOUNT INTO WHICH GROSS INTERACTIVE GAMING
10 REVENUE SHALL BE DEPOSITED AND MAINTAINED UNTIL THE FUNDS ARE
11 PAID TO THE DEPARTMENT UNDER THIS SECTION.

12 (C) TAXES ON OUT-OF-STATE WAGERING.--THE TAX RATE WHICH
13 SHALL BE ASSESSED AND COLLECTED BY THE DEPARTMENT WITH RESPECT
14 TO WAGERS PLACED BY REGISTERED PLAYERS LOCATED IN THIS
15 COMMONWEALTH WITH AN INTERACTIVE GAMING OPERATOR OUTSIDE OF THIS
16 COMMONWEALTH BUT AUTHORIZED UNDER AN INTERACTIVE GAMING
17 RECIPROCAL AGREEMENT SHALL BE GOVERNED BY THE AGREEMENT BUT MAY
18 NOT EXCEED 16% OF GROSS INTERACTIVE GAMING REVENUE DERIVED FROM
19 REGISTERED PLAYERS LOCATED IN THIS COMMONWEALTH.

20 (D) DEPOSIT OF FUNDS.--THE TAX IMPOSED UNDER SUBSECTION (A)
21 SHALL BE COLLECTED BY THE DEPARTMENT FOR DEPOSIT IN THE GENERAL
22 FUND.

23 § 13C53. (RESERVED).

24 § 13C54. COMPULSIVE AND PROBLEM GAMBLING.

25 THE FOLLOWING SHALL APPLY:

26 (1) EACH YEAR, FROM THE TAX IMPOSED IN SECTION 13C52
27 (RELATING TO INTERACTIVE GAMING TAX), \$2,000,000 OR AN AMOUNT
28 EQUAL TO .002 MULTIPLIED BY THE TOTAL GROSS INTERACTIVE
29 GAMING REVENUE OF ALL ACTIVE AND OPERATING INTERACTIVE GAMING
30 CERTIFICATE HOLDERS, WHICHEVER IS GREATER, SHALL BE

1 TRANSFERRED INTO THE COMPULSIVE AND PROBLEM GAMBLING
2 TREATMENT FUND ESTABLISHED IN SECTION 1509 (RELATING TO
3 COMPULSIVE AND PROBLEM GAMBLING PROGRAM).

4 (2) EACH YEAR, FROM THE TAX IMPOSED IN SECTION 13C52,
5 \$2,000,000 OR AN AMOUNT EQUAL TO .002 MULTIPLIED BY THE TOTAL
6 GROSS INTERACTIVE GAMING REVENUE OF ALL ACTIVE AND OPERATING
7 INTERACTIVE GAMING CERTIFICATE HOLDERS, WHICHEVER IS GREATER,
8 SHALL BE TRANSFERRED TO THE DEPARTMENT OF DRUG AND ALCOHOL
9 PROGRAMS OR SUCCESSOR AGENCY TO BE USED FOR DRUG AND ALCOHOL
10 ADDICTION TREATMENT SERVICES, INCLUDING TREATMENT FOR DRUG
11 AND ALCOHOL ADDICTION RELATED TO COMPULSIVE AND PROBLEM
12 GAMBLING, AS SET FORTH IN SECTION 1509.1 (RELATING TO DRUG
13 AND ALCOHOL TREATMENT).

14 § 13C55. CERTIFICATE HOLDER DEPOSITS.

15 (A) ACCOUNTS ESTABLISHED.--EXCEPT FOR AN INTERACTIVE GAMING
16 CERTIFICATE HOLDER THAT ALREADY HAS AN ACCOUNT ESTABLISHED UNDER
17 SECTION 1401 (RELATING TO SLOT MACHINE LICENSEE DEPOSITS), THE
18 STATE TREASURER SHALL ESTABLISH WITHIN THE STATE TREASURY AN
19 ACCOUNT FOR EACH INTERACTIVE GAMING CERTIFICATE HOLDER FOR THE
20 DEPOSIT OF SUMS REQUIRED UNDER SUBSECTION (B) TO RECOVER COSTS
21 OR EXPENSES INCURRED BY THE BOARD AND THE DEPARTMENT IN CARRYING
22 OUT THEIR POWERS AND DUTIES UNDER THIS CHAPTER BASED UPON A
23 BUDGET SUBMITTED BY THE BOARD AND THE DEPARTMENT UNDER
24 SUBSECTION (C).

25 (B) DEPOSITS.--THE FOLLOWING SHALL APPLY:

26 (1) THE DEPARTMENT SHALL DETERMINE THE APPROPRIATE
27 ASSESSMENT AMOUNT FOR EACH INTERACTIVE GAMING CERTIFICATE
28 HOLDER, WHICH SHALL BE A PERCENTAGE ASSESSED ON THE
29 INTERACTIVE GAMING CERTIFICATE HOLDER'S GROSS INTERACTIVE
30 GAMING REVENUES. EACH INTERACTIVE GAMING CERTIFICATE HOLDER

1 SHALL DEPOSIT FUNDS INTO ITS ACCOUNT ESTABLISHED UNDER THIS
2 SECTION OR UNDER SECTION 1401 ON A QUARTERLY BASIS.

3 (2) THE PERCENTAGE ASSESSED SHALL NOT EXCEED AN AMOUNT
4 NECESSARY TO RECOVER COSTS OR EXPENSES INCURRED BY THE BOARD
5 AND THE DEPARTMENT IN CARRYING OUT POWERS AND DUTIES UNDER
6 THIS CHAPTER BASED ON A BUDGET SUBMITTED BY THE BOARD AND THE
7 DEPARTMENT UNDER SUBSECTION (C).

8 (C) ITEMIZED BUDGET REPORTING.--THE FOLLOWING SHALL APPLY:

9 (1) THE BOARD AND THE DEPARTMENT SHALL PREPARE AND
10 ANNUALLY SUBMIT TO THE CHAIRPERSON AND MINORITY CHAIRPERSON
11 OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE
12 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS
13 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AN ITEMIZED BUDGET
14 CONSISTING OF AMOUNTS TO BE APPROPRIATED OUT OF THE ACCOUNTS
15 ESTABLISHED UNDER THIS SECTION NECESSARY TO ADMINISTER THIS
16 CHAPTER.

17 (2) AS SOON AS PRACTICABLE AFTER SUBMITTING COPIES OF
18 THE ITEMIZED BUDGET, THE BOARD AND THE DEPARTMENT SHALL
19 JOINTLY PREPARE AND SUBMIT TO THE CHAIRPERSON OF THE
20 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRPERSON OF
21 THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES
22 ANALYSES OF AND MAKE RECOMMENDATIONS REGARDING THE ITEMIZED
23 BUDGET.

24 (D) APPROPRIATION.--COSTS AND EXPENSES FROM ACCOUNTS
25 ESTABLISHED UNDER SUBSECTION (A) OR UNDER SECTION 1401 SHALL
26 ONLY BE DISBURSED UPON APPROPRIATION BY THE GENERAL ASSEMBLY.

27 (E) PENALTY.--THE FOLLOWING SHALL APPLY:

28 (1) AN INTERACTIVE GAMING CERTIFICATE HOLDER WHO FAILS
29 TO TIMELY REMIT TO THE DEPARTMENT AMOUNTS REQUIRED UNDER THIS
30 SECTION SHALL BE LIABLE, IN ADDITION TO LIABILITY IMPOSED IN

1 THIS CHAPTER, TO A PENALTY OF 5% PER MONTH UP TO A MAXIMUM OF
2 25% OF THE AMOUNTS ULTIMATELY FOUND TO BE DUE, TO BE
3 RECOVERED BY THE DEPARTMENT.

4 (2) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE
5 DEPOSITED INTO THE GENERAL FUND.

6 SUBCHAPTER G

7 MISCELLANEOUS PROVISIONS

8 SEC.

9 13C61. PARTICIPATION IN INTERACTIVE GAMING BY PERSONS OUTSIDE
10 COMMONWEALTH.

11 13C62. INSTITUTIONAL INVESTORS.

12 13C63. INTERNET CAFES AND PROHIBITION.

13 § 13C61. PARTICIPATION IN INTERACTIVE GAMING BY PERSONS OUTSIDE
14 COMMONWEALTH.

15 NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER TO THE
16 CONTRARY, AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY ACCEPT
17 INTERACTIVE GAMING WAGERS FROM A PERSON WHO IS NOT PHYSICALLY
18 PRESENT IN THIS COMMONWEALTH, IF THE BOARD DETERMINES THE
19 FOLLOWING:

20 (1) PARTICIPATION IN INTERACTIVE GAMING AND ACCEPTANCE
21 OF WAGERS ASSOCIATED WITH INTERACTIVE GAMING FROM A PERSON
22 NOT PHYSICALLY PRESENT IN THIS COMMONWEALTH IS NOT
23 INCONSISTENT WITH FEDERAL LAW OR REGULATION OR THE LAW OR
24 REGULATION OF THE JURISDICTION, INCLUDING A FOREIGN
25 JURISDICTION, IN WHICH THE PERSON IS LOCATED.

26 (2) PARTICIPATION IN INTERACTIVE GAMING IS CONDUCTED
27 PURSUANT TO AN INTERACTIVE GAMING RECIPROCAL AGREEMENT
28 BETWEEN THE COMMONWEALTH AND ANOTHER STATE OR JURISDICTION,
29 INCLUDING A FOREIGN JURISDICTION, TO WHICH THE COMMONWEALTH
30 IS A PARTY AND THE INTERACTIVE GAMING RECIPROCAL AGREEMENT IS

1 NOT INCONSISTENT WITH FEDERAL LAW OR REGULATION.

2 § 13C62. INSTITUTIONAL INVESTORS.

3 (A) DECLARATION OF INVESTMENT INTENT.--NOTWITHSTANDING ANY
4 OTHER PROVISION OF THIS PART, THE FOLLOWING SHALL APPLY:

5 (1) AN INSTITUTIONAL INVESTOR HOLDING 20% OR LESS OF THE
6 EQUITY SECURITIES OF AN INTERACTIVE GAMING CERTIFICATE
7 HOLDER'S, INTERACTIVE GAMING OPERATOR'S OR APPLICANT'S
8 HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANIES SHALL BE
9 GRANTED A WAIVER OF AN INVESTIGATION OF SUITABILITY OR OTHER
10 REQUIREMENT IF THE SECURITIES ARE THOSE OF A CORPORATION,
11 WHETHER PUBLICLY TRADED OR PRIVATELY HELD, AND THE HOLDINGS
12 OF THE SECURITIES WERE PURCHASED FOR INVESTMENT PURPOSES
13 ONLY. THE INSTITUTIONAL INVESTOR SHALL FILE A CERTIFIED
14 STATEMENT THAT IT HAS NO INTENTION OF INFLUENCING OR
15 AFFECTING THE AFFAIRS OF THE INTERACTIVE GAMING CERTIFICATE
16 HOLDER, INTERACTIVE GAMING OPERATOR, APPLICANT OR HOLDING,
17 SUBSIDIARY OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING
18 CERTIFICATE HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT.
19 HOWEVER, AN INSTITUTIONAL INVESTOR SHALL BE PERMITTED TO VOTE
20 ON MATTERS PUT TO THE VOTE OF THE OUTSTANDING SECURITY
21 HOLDERS.

22 (2) THE BOARD MAY GRANT A WAIVER TO AN INSTITUTIONAL
23 INVESTOR HOLDING A HIGHER PERCENTAGE OF SECURITIES UPON A
24 SHOWING OF GOOD CAUSE AND IF THE CONDITIONS SPECIFIED IN
25 PARAGRAPH (1) ARE MET.

26 (3) AN INSTITUTIONAL INVESTOR GRANTED A WAIVER UNDER
27 THIS SUBSECTION WHO SUBSEQUENTLY DECIDES TO INFLUENCE OR
28 AFFECT THE AFFAIRS OF AN INTERACTIVE GAMING CERTIFICATE
29 HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT'S HOLDING,
30 SUBSIDIARY OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING

1 CERTIFICATE HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT
2 SHALL PROVIDE NOT LESS THAN 30 DAYS' NOTICE OF INTENT AND
3 SHALL FILE WITH THE BOARD A REQUEST FOR DETERMINATION OF
4 SUITABILITY BEFORE TAKING AN ACTION THAT MAY INFLUENCE OR
5 AFFECT THE AFFAIRS OF THE ISSUER. AN INSTITUTIONAL INVESTOR
6 SHALL BE PERMITTED TO VOTE ON MATTERS PUT TO THE VOTE OF THE
7 OUTSTANDING SECURITY HOLDERS.

8 (4) IF AN INSTITUTIONAL INVESTOR CHANGES ITS INVESTMENT
9 INTENT OR IF THE BOARD FINDS REASONABLE CAUSE TO BELIEVE THAT
10 THE INSTITUTIONAL INVESTOR MAY BE FOUND UNSUITABLE, NO ACTION
11 OTHER THAN DIVESTITURE SHALL BE TAKEN BY THE INSTITUTIONAL
12 INVESTOR WITH RESPECT TO ITS SECURITY HOLDINGS UNTIL THERE
13 HAS BEEN COMPLIANCE WITH REQUIREMENTS ESTABLISHED BY THE
14 BOARD, WHICH MAY INCLUDE THE EXECUTION OF A TRUST AGREEMENT
15 IN ACCORDANCE WITH SECTION 1332 (RELATING TO APPOINTMENT OF
16 TRUSTEE).

17 (5) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
18 INTERACTIVE GAMING OPERATOR OR APPLICANT OR A HOLDING,
19 INTERMEDIARY OR SUBSIDIARY COMPANY OF AN INTERACTIVE GAMING
20 CERTIFICATE HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT
21 SHALL NOTIFY THE BOARD IMMEDIATELY OF INFORMATION ABOUT, OR
22 ACTIONS OF, AN INSTITUTIONAL INVESTOR HOLDING ITS EQUITY
23 SECURITIES WHERE THE INFORMATION OR ACTION MAY IMPACT THE
24 ELIGIBILITY OF THE INSTITUTIONAL INVESTOR FOR A WAIVER UNDER
25 THIS SUBSECTION.

26 (B) FAILURE TO DECLARE.--IF THE BOARD FINDS:

27 (1) THAT AN INSTITUTIONAL INVESTOR HOLDING A SECURITY OF
28 A HOLDING OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING
29 CERTIFICATE HOLDER OR INTERACTIVE GAMING OPERATOR OR
30 APPLICANT OR, WHERE RELEVANT, OF ANOTHER SUBSIDIARY COMPANY

1 OF A HOLDING OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING
2 CERTIFICATE HOLDER OR INTERACTIVE GAMING OPERATOR OR
3 APPLICANT WHICH IS RELATED IN ANY WAY TO THE FINANCING OF THE
4 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
5 OPERATOR OR APPLICANT, FAILS TO COMPLY WITH THE PROVISIONS OF
6 SUBSECTION (A); OR

7 (2) BY REASON OF THE EXTENT OR NATURE OF ITS HOLDINGS,
8 AN INSTITUTIONAL INVESTOR IS IN A POSITION TO EXERCISE SUCH A
9 SUBSTANTIAL IMPACT UPON THE CONTROLLING INTERESTS OF AN
10 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
11 OPERATOR OR APPLICANT THAT INVESTIGATION AND DETERMINATION OF
12 SUITABILITY OF THE INSTITUTIONAL INVESTOR IS NECESSARY TO
13 PROTECT THE PUBLIC INTEREST;

14 THEN THE BOARD MAY TAKE NECESSARY ACTION OTHERWISE AUTHORIZED
15 UNDER THIS CHAPTER TO PROTECT THE PUBLIC INTEREST.

16 § 13C63. INTERNET CAFES AND PROHIBITION.

17 (A) GENERAL RULE.--NO ORGANIZATION OR COMMERCIAL ENTERPRISE
18 SHALL OPERATE A PLACE OF PUBLIC ACCOMMODATION, CLUB, INCLUDING A
19 CLUB OR ASSOCIATION LIMITED TO DUES-PAYING MEMBERS OR SIMILAR
20 RESTRICTED GROUPS, OR SIMILAR ESTABLISHMENT IN WHICH COMPUTER
21 TERMINALS OR SIMILAR ACCESS DEVICES ARE ADVERTISED OR MADE
22 AVAILABLE TO BE USED PRINCIPALLY FOR THE PURPOSE OF ACCESSING
23 AUTHORIZED INTERACTIVE GAMES. NO INTERACTIVE GAMING CERTIFICATE
24 HOLDER OR INTERACTIVE GAMING OPERATOR SHALL OFFER OR MAKE
25 AVAILABLE COMPUTER TERMINALS OR SIMILAR ACCESS DEVICES TO BE
26 USED PRINCIPALLY FOR THE PURPOSE OF ACCESSING INTERACTIVE GAMES
27 WITHIN A LICENSED FACILITY.

28 (B) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE
29 CONSTRUED TO:

30 (1) REQUIRE THE OWNER OR OPERATOR OF A HOTEL OR MOTEL OR

1 OTHER PUBLIC PLACE OF GENERAL USE IN THIS COMMONWEALTH TO
2 PROHIBIT OR BLOCK GUESTS FROM PLAYING INTERACTIVE GAMES; OR
3 (2) REQUIRE AN INTERACTIVE GAMING CERTIFICATE HOLDER OR
4 AN INTERACTIVE GAMING OPERATOR TO PROHIBIT REGISTERED PLAYERS
5 WITHIN A LICENSED FACILITY FROM PLAYING INTERACTIVE GAMES.

6 CHAPTER 13D

7 (RESERVED)

8 CHAPTER 13E

9 (RESERVED)

10 CHAPTER 13F

11 (RESERVED)

12 SECTION 20. SECTION 1403 OF TITLE 4 IS AMENDED TO READ:

13 § 1403. ESTABLISHMENT OF STATE GAMING FUND AND NET SLOT MACHINE
14 REVENUE DISTRIBUTION.

15 (A) FUND ESTABLISHED.--THERE IS HEREBY ESTABLISHED THE STATE
16 GAMING FUND WITHIN THE STATE TREASURY.

17 (B) SLOT MACHINE TAX.--THE DEPARTMENT SHALL DETERMINE AND
18 EACH SLOT MACHINE LICENSEE SHALL PAY A DAILY TAX OF 34% FROM ITS
19 DAILY GROSS TERMINAL REVENUE FROM THE SLOT MACHINES IN OPERATION
20 AT ITS FACILITY AND A LOCAL SHARE ASSESSMENT AS PROVIDED IN
21 SUBSECTION (C). ALL FUNDS OWED TO THE COMMONWEALTH, A COUNTY OR
22 A MUNICIPALITY UNDER THIS SECTION SHALL BE HELD IN TRUST BY THE
23 LICENSED GAMING ENTITY FOR THE COMMONWEALTH, THE COUNTY AND THE
24 MUNICIPALITY UNTIL THE FUNDS ARE PAID OR TRANSFERRED TO THE
25 FUND. UNLESS OTHERWISE AGREED TO BY THE BOARD, A LICENSED GAMING
26 ENTITY SHALL ESTABLISH A SEPARATE BANK ACCOUNT TO MAINTAIN
27 GROSS TERMINAL REVENUE UNTIL SUCH TIME AS THE FUNDS ARE PAID OR
28 TRANSFERRED UNDER THIS SECTION. MONEYS IN THE FUND ARE HEREBY
29 APPROPRIATED TO THE DEPARTMENT ON A CONTINUING BASIS FOR THE
30 PURPOSES SET FORTH IN SUBSECTION (C).

1 (C) TRANSFERS AND DISTRIBUTIONS.--THE DEPARTMENT SHALL:

2 (1) TRANSFER THE SLOT MACHINE TAX AND ASSESSMENT IMPOSED
3 IN SUBSECTION (B) TO THE FUND.

4 (2) FROM THE LOCAL SHARE ASSESSMENT ESTABLISHED IN
5 SUBSECTION (B), MAKE QUARTERLY DISTRIBUTIONS AMONG THE
6 COUNTIES HOSTING A LICENSED FACILITY IN ACCORDANCE WITH THE
7 FOLLOWING SCHEDULE:

8 (I) IF THE LICENSED FACILITY IS A CATEGORY 1
9 LICENSED FACILITY THAT IS LOCATED AT A HARNESS RACETRACK
10 AND THE COUNTY, INCLUDING A HOME RULE COUNTY, IN WHICH
11 THE LICENSED FACILITY IS LOCATED IS:

12 [(A) A COUNTY OF THE FIRST CLASS: 4% OF THE
13 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
14 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.
15 NOTWITHSTANDING ANY OTHER PROVISION TO THE CONTRARY,
16 FUNDS FROM LICENSED GAMING ENTITIES LOCATED WITHIN A
17 COUNTY OF THE FIRST CLASS SHALL NOT BE DISTRIBUTED
18 OUTSIDE OF A COUNTY OF THE FIRST CLASS.]

19 (B) A COUNTY OF THE SECOND CLASS: 2% OF THE
20 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
21 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.

22 (C) A COUNTY OF THE SECOND CLASS A: 1% OF THE
23 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
24 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.
25 AN ADDITIONAL 1% OF THE GROSS TERMINAL REVENUE TO THE
26 COUNTY HOSTING THE LICENSED FACILITY FROM EACH SUCH
27 LICENSED FACILITY FOR THE PURPOSE OF MUNICIPAL GRANTS
28 WITHIN THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

29 (D) (I) A COUNTY OF THE THIRD CLASS: EXCEPT AS
30 PROVIDED IN SUBCLAUSE (II), 2% OF THE GROSS

1 TERMINAL REVENUE FROM EACH SUCH LICENSED FACILITY
2 SHALL BE DEPOSITED INTO A RESTRICTED RECEIPTS
3 ACCOUNT TO BE ESTABLISHED IN THE COMMONWEALTH
4 FINANCING AUTHORITY TO BE USED EXCLUSIVELY FOR
5 GRANTS FOR PROJECTS IN THE PUBLIC INTEREST TO
6 MUNICIPALITIES WITHIN THE COUNTY WHERE THE
7 LICENSED FACILITY IS LOCATED.

8 (I.1) PRIORITY SHALL BE GIVEN TO MULTIYEAR
9 PROJECTS APPROVED OR AWARDED BY THE DEPARTMENT OF
10 COMMUNITY AND ECONOMIC DEVELOPMENT UNDER
11 SUBCLAUSE (I) ON OR BEFORE THE EFFECTIVE DATE OF
12 THIS SUBCLAUSE.

13 (I.2) IN ADDITION TO MUNICIPALITIES THAT ARE
14 ELIGIBLE TO RECEIVE GRANT FUNDING UNDER SUBCLAUSE
15 (I), A COUNTY REDEVELOPMENT AUTHORITY WITHIN THE
16 COUNTY SHALL ALSO BE ELIGIBLE TO RECEIVE GRANT
17 FUNDING TO BE USED EXCLUSIVELY FOR ECONOMIC
18 DEVELOPMENT PROJECTS OR INFRASTRUCTURE. A COUNTY
19 REDEVELOPMENT AUTHORITY SHALL NOT BE ELIGIBLE TO
20 RECEIVE MORE THAN 10% OF THE TOTAL GRANT FUNDS
21 AWARDED.

22 (I.3) NOTWITHSTANDING THE ACT OF FEBRUARY 9,
23 1999 (P.L.1, NO.1), KNOWN AS THE CAPITAL
24 FACILITIES DEBT ENABLING ACT, GRANTS MADE UNDER
25 SUBCLAUSE (I) MAY BE UTILIZED AS LOCAL MATCHING
26 FUNDS FOR OTHER GRANTS OR LOANS FROM THE
27 COMMONWEALTH.

28 (II) IF A LICENSED FACILITY IS LOCATED IN
29 ONE OF TWO COUNTIES OF THE THIRD CLASS WHERE A
30 CITY OF THE THIRD CLASS IS LOCATED IN BOTH

1 COUNTIES OF THE THIRD CLASS, THE COUNTY IN WHICH
2 THE LICENSED FACILITY IS LOCATED SHALL RECEIVE
3 1.2% OF THE GROSS TERMINAL REVENUE TO BE
4 DISTRIBUTED AS FOLLOWS: 20% TO THE HOST CITY,
5 30% TO THE HOST COUNTY AND 50% TO THE HOST COUNTY
6 FOR THE PURPOSE OF MAKING MUNICIPAL GRANTS WITHIN
7 THE COUNTY, WITH PRIORITY GIVEN TO MUNICIPALITIES
8 CONTIGUOUS TO THE HOST CITY. THE COUNTY OF THE
9 THIRD CLASS, WHICH INCLUDES A CITY OF THE THIRD
10 CLASS THAT IS LOCATED IN TWO COUNTIES OF THE
11 THIRD CLASS AND IS NOT THE HOST COUNTY FOR THE
12 LICENSED FACILITY, SHALL RECEIVE .8% OF THE GROSS
13 TERMINAL REVENUE TO BE DISTRIBUTED AS FOLLOWS:
14 60% TO A NONHOST CITY OF THE THIRD CLASS LOCATED
15 SOLELY IN THE NONHOST COUNTY IN WHICH THE HOST
16 CITY OF THE THIRD CLASS IS ALSO LOCATED OR 60% TO
17 THE NONHOST CITY OF THE THIRD CLASS LOCATED BOTH
18 IN THE HOST AND NONHOST COUNTIES OF THE THIRD
19 CLASS, 35% TO THE NONHOST COUNTY AND 5% TO THE
20 NONHOST COUNTY FOR THE PURPOSE OF MAKING
21 MUNICIPAL GRANTS WITHIN THE COUNTY.

22 (E) A COUNTY OF THE FOURTH CLASS: 2% OF THE
23 GROSS TERMINAL REVENUE FROM EACH SUCH LICENSED
24 FACILITY SHALL BE DISTRIBUTED AS FOLLOWS:

25 (I) THE DEPARTMENT SHALL MAKE DISTRIBUTIONS
26 DIRECTLY TO EACH MUNICIPALITY WITHIN THE COUNTY,
27 EXCEPT THE HOST MUNICIPALITY, BY USING A FORMULA
28 EQUAL TO THE SUM OF \$25,000 PLUS \$10 PER RESIDENT
29 OF THE MUNICIPALITY USING THE MOST RECENT
30 POPULATION FIGURES PROVIDED BY THE DEPARTMENT OF

1 COMMUNITY AND ECONOMIC DEVELOPMENT, PROVIDED,
2 HOWEVER, THAT THE AMOUNT SO DISTRIBUTED TO ANY
3 MUNICIPALITY SHALL NOT EXCEED 50% OF ITS TOTAL
4 BUDGET FOR FISCAL YEAR 2009 OR 2013, WHICHEVER IS
5 GREATER, ADJUSTED FOR INFLATION IN SUBSEQUENT
6 FISCAL YEARS BY AN AMOUNT NOT TO EXCEED AN ANNUAL
7 COST-OF-LIVING ADJUSTMENT CALCULATED BY APPLYING
8 ANY UPWARD PERCENTAGE CHANGE IN THE CONSUMER
9 PRICE INDEX IMMEDIATELY PRIOR TO THE DATE THE
10 ADJUSTMENT IS DUE TO TAKE EFFECT. DISTRIBUTIONS
11 TO A MUNICIPALITY IN ACCORDANCE WITH THIS
12 SUBCLAUSE SHALL BE DEPOSITED INTO A SPECIAL FUND
13 WHICH SHALL BE ESTABLISHED BY THE MUNICIPALITY.
14 THE GOVERNING BODY OF THE MUNICIPALITY SHALL HAVE
15 THE RIGHT TO DRAW UPON THE SPECIAL FUND FOR ANY
16 LAWFUL PURPOSE PROVIDED THAT THE MUNICIPALITY
17 IDENTIFIES THE FUND AS THE SOURCE OF THE
18 EXPENDITURE. EACH MUNICIPALITY SHALL ANNUALLY
19 SUBMIT A REPORT TO THE DEPARTMENT OF COMMUNITY
20 AND ECONOMIC DEVELOPMENT DETAILING THE AMOUNT AND
21 PURPOSE OF EACH EXPENDITURE MADE FROM THE SPECIAL
22 FUND DURING THE PRIOR FISCAL YEAR.

23 (II) ANY FUNDS NOT DISTRIBUTED UNDER
24 SUBCLAUSE (I) SHALL BE DEPOSITED INTO A
25 RESTRICTED RECEIPTS ACCOUNT ESTABLISHED IN THE
26 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
27 TO BE USED EXCLUSIVELY FOR GRANTS TO THE COUNTY,
28 TO ECONOMIC DEVELOPMENT AUTHORITIES OR
29 REDEVELOPMENT AUTHORITIES WITHIN THE COUNTY FOR
30 GRANTS FOR ECONOMIC DEVELOPMENT PROJECTS,

1 INFRASTRUCTURE PROJECTS, JOB TRAINING, COMMUNITY
2 IMPROVEMENT PROJECTS, OTHER PROJECTS IN THE
3 PUBLIC INTEREST, AND NECESSARY AND REASONABLE
4 ADMINISTRATIVE COSTS. NOTWITHSTANDING THE
5 PROVISIONS OF [THE ACT OF FEBRUARY 9, 1999
6 (P.L.1, NO.1), KNOWN AS] THE CAPITAL FACILITIES
7 DEBT ENABLING ACT, GRANTS MADE UNDER THIS CLAUSE
8 MAY BE UTILIZED AS LOCAL MATCHING FUNDS FOR OTHER
9 GRANTS OR LOANS FROM THE COMMONWEALTH.

10 (F) COUNTIES OF THE FIFTH THROUGH EIGHTH
11 CLASSES:

12 (I) EXCEPT AS SET FORTH IN SUBCLAUSE (II),
13 2% OF THE GROSS TERMINAL REVENUE FROM EACH SUCH
14 LICENSED FACILITY SHALL BE DEPOSITED INTO A
15 RESTRICTED ACCOUNT ESTABLISHED IN THE DEPARTMENT
16 OF COMMUNITY AND ECONOMIC DEVELOPMENT TO BE USED
17 EXCLUSIVELY FOR GRANTS TO THE COUNTY.

18 (II) IF THE LICENSED FACILITY IS LOCATED IN
19 A SECOND CLASS TOWNSHIP IN A COUNTY OF THE FIFTH
20 CLASS, 2% OF THE GROSS TERMINAL REVENUE FROM THE
21 LICENSED FACILITY SHALL BE DISTRIBUTED AS
22 FOLLOWS:

23 (A) 1% SHALL BE DEPOSITED INTO A
24 RESTRICTED RECEIPTS ACCOUNT TO BE ESTABLISHED
25 IN THE COMMONWEALTH FINANCING AUTHORITY TO BE
26 USED EXCLUSIVELY FOR GRANTS FOR PROJECTS IN
27 THE PUBLIC INTEREST TO MUNICIPALITIES WITHIN
28 THE COUNTY WHERE THE LICENSED FACILITY IS
29 LOCATED.

30 (B) 1% SHALL BE DISTRIBUTED TO THE COUNTY

1 FOR PROJECTS IN THE PUBLIC INTEREST IN THE
2 COUNTY.

3 (G) ANY COUNTY NOT SPECIFICALLY ENUMERATED IN
4 CLAUSES [(A)] (B) THROUGH (F), 2% OF THE GROSS
5 TERMINAL REVENUE TO THE COUNTY HOSTING THE LICENSED
6 FACILITY FROM EACH SUCH LICENSED FACILITY.

7 (II) IF THE LICENSED FACILITY IS A CATEGORY 1
8 LICENSED FACILITY AND IS LOCATED AT A THOROUGHBRED
9 RACETRACK AND THE COUNTY IN WHICH THE LICENSED FACILITY
10 IS LOCATED IS:

11 [(A) A COUNTY OF THE FIRST CLASS: 4% OF THE
12 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
13 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.
14 NOTWITHSTANDING ANY OTHER PROVISION TO THE CONTRARY,
15 FUNDS FROM LICENSED GAMING ENTITIES LOCATED WITHIN
16 THE COUNTY OF THE FIRST CLASS SHALL NOT BE
17 DISTRIBUTED OUTSIDE OF A COUNTY OF THE FIRST CLASS.]

18 (B) A COUNTY OF THE SECOND CLASS: 2% OF THE
19 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
20 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.

21 (C) A COUNTY OF THE SECOND CLASS A: 1% OF THE
22 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
23 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.
24 AN ADDITIONAL 1% OF THE GROSS TERMINAL REVENUE TO THE
25 COUNTY HOSTING THE LICENSED FACILITY FROM EACH SUCH
26 LICENSED FACILITY FOR THE PURPOSE OF MUNICIPAL GRANTS
27 WITHIN THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

28 (D) A COUNTY OF THE THIRD CLASS: 1% OF THE
29 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
30 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.

1 AN ADDITIONAL 1% OF THE GROSS TERMINAL REVENUE TO THE
2 COUNTY HOSTING THE LICENSED FACILITY FROM EACH SUCH
3 LICENSED FACILITY FOR THE PURPOSE OF MUNICIPAL GRANTS
4 WITHIN THE COUNTY IN WHICH THE LICENSEE IS LOCATED.
5 NOTWITHSTANDING THE PROVISIONS OF THE CAPITAL
6 FACILITIES DEBT ENABLING ACT, GRANTS MADE UNDER THIS
7 CLAUSE MAY BE UTILIZED AS LOCAL MATCHING FUNDS FOR
8 OTHER GRANTS OR LOANS FROM THE COMMONWEALTH.

9 (E) A COUNTY OF THE FOURTH CLASS: 2% OF THE
10 GROSS TERMINAL REVENUE FROM EACH SUCH LICENSED
11 FACILITY SHALL BE DEPOSITED INTO A RESTRICTED ACCOUNT
12 ESTABLISHED IN THE DEPARTMENT OF COMMUNITY AND
13 ECONOMIC DEVELOPMENT TO BE USED EXCLUSIVELY FOR
14 GRANTS TO THE COUNTY, TO ECONOMIC DEVELOPMENT
15 AUTHORITIES OR REDEVELOPMENT AUTHORITIES WITHIN THE
16 COUNTY FOR GRANTS FOR ECONOMIC DEVELOPMENT PROJECTS,
17 COMMUNITY IMPROVEMENT PROJECTS, JOB TRAINING, OTHER
18 PROJECTS IN THE PUBLIC INTEREST AND REASONABLE
19 ADMINISTRATIVE COSTS. NOTWITHSTANDING THE CAPITAL
20 FACILITIES DEBT ENABLING ACT, GRANTS MADE UNDER THIS
21 CLAUSE MAY BE UTILIZED AS LOCAL MATCHING FUNDS FOR
22 OTHER GRANTS OR LOANS FROM THE COMMONWEALTH.

23 (F) COUNTIES OF THE FIFTH THROUGH EIGHTH
24 CLASSES: 2% OF THE GROSS TERMINAL REVENUE FROM EACH
25 SUCH LICENSED FACILITY SHALL BE DEPOSITED INTO A
26 RESTRICTED ACCOUNT ESTABLISHED IN THE DEPARTMENT OF
27 COMMUNITY AND ECONOMIC DEVELOPMENT TO BE USED
28 EXCLUSIVELY FOR GRANTS TO THE COUNTY.

29 (G) ANY COUNTY NOT SPECIFICALLY ENUMERATED IN
30 CLAUSES [(A)] (B) THROUGH (F), 2% OF THE GROSS

1 TERMINAL REVENUE TO THE COUNTY HOSTING THE LICENSED
2 FACILITY FROM EACH SUCH LICENSED FACILITY.

3 (III) IF THE FACILITY IS A CATEGORY 2 LICENSED
4 FACILITY AND IF THE COUNTY IN WHICH THE LICENSED FACILITY
5 IS LOCATED IS:

6 [(A) A COUNTY OF THE FIRST CLASS: 4% OF THE
7 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
8 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.
9 NOTWITHSTANDING ANY OTHER PROVISION TO THE CONTRARY,
10 FUNDS FROM LICENSED GAMING ENTITIES LOCATED WITHIN A
11 COUNTY OF THE FIRST CLASS SHALL NOT BE DISTRIBUTED
12 OUTSIDE OF A COUNTY OF THE FIRST CLASS. THE FIRST
13 \$5,000,000 OF THE TOTAL AMOUNT DISTRIBUTED ANNUALLY
14 TO THE COUNTY OF THE FIRST CLASS SHALL BE DISTRIBUTED
15 TO THE PHILADELPHIA SCHOOL DISTRICT.]

16 (B) A COUNTY OF THE SECOND CLASS: 2% OF THE
17 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
18 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.

19 (C) A COUNTY OF THE SECOND CLASS A: 1% OF THE
20 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
21 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.
22 AN ADDITIONAL 1% OF THE GROSS TERMINAL REVENUE TO THE
23 COUNTY HOSTING THE LICENSED FACILITY FROM EACH SUCH
24 LICENSED FACILITY FOR THE PURPOSE OF MUNICIPAL GRANTS
25 WITHIN THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

26 (D) A COUNTY OF THE THIRD CLASS: 1% OF THE
27 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
28 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.
29 AN ADDITIONAL 1% OF THE GROSS TERMINAL REVENUE TO THE
30 COUNTY HOSTING THE LICENSED FACILITY FROM EACH SUCH

1 LICENSED FACILITY FOR THE PURPOSE OF MUNICIPAL GRANTS
2 WITHIN THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

3 (D.1) IF A LICENSED FACILITY IS LOCATED IN ONE
4 OF TWO COUNTIES OF THE THIRD CLASS WHERE A CITY OF
5 THE THIRD CLASS IS LOCATED IN BOTH COUNTIES OF THE
6 THIRD CLASS, THE FOLLOWING SHALL APPLY:

7 (I) THE COUNTY IN WHICH THE LICENSED
8 FACILITY IS LOCATED SHALL RECEIVE 1.2% OF THE
9 GROSS TERMINAL REVENUE TO BE DISTRIBUTED AS
10 FOLLOWS: [20% TO THE HOST CITY, 30% TO THE HOST
11 COUNTY AND 50% TO THE HOST COUNTY FOR THE PURPOSE
12 OF MAKING MUNICIPAL GRANTS WITHIN THE COUNTY,
13 WITH PRIORITY GIVEN TO MUNICIPALITIES CONTIGUOUS
14 TO THE HOST CITY.]

15 (A) TWENTY PERCENT SHALL BE DISTRIBUTED
16 TO THE HOST CITY.

17 (B) THIRTY PERCENT SHALL BE DISTRIBUTED
18 TO THE HOST COUNTY.

19 (C) FIFTY PERCENT SHALL BE DISTRIBUTED
20 AS FOLLOWS:

21 (1) BEGINNING JANUARY 1, 2018, THE
22 SUM OF \$250,000 SHALL BE DISTRIBUTED
23 ANNUALLY FOR A PERIOD OF 20 YEARS TO A
24 CITY OF THE THIRD CLASS LOCATED IN TWO
25 COUNTIES OF THE THIRD CLASS FOR
26 PURPOSES OF FUNDING THE REDEVELOPMENT
27 OF AN EXISTING ARTS AND EDUCATION
28 CENTER WHICH HAS PROFESSIONAL ARTIST
29 SPACE AND STUDIOS AND IS LOCATED WITHIN
30 THE CITY OF THE THIRD CLASS THAT IS

1 LOCATED IN TWO COUNTIES OF THE THIRD
2 CLASS.

3 (2) AFTER THE DISTRIBUTION UNDER
4 SUBUNIT (1), THE REMAINING FUNDS SHALL
5 BE DEPOSITED INTO A RESTRICTED RECEIPTS
6 ACCOUNT TO BE ESTABLISHED IN THE
7 COMMONWEALTH FINANCING AUTHORITY FOR
8 DISTRIBUTION TO THE HOST COUNTY TO BE
9 USED EXCLUSIVELY FOR ECONOMIC
10 DEVELOPMENT PROJECTS, COMMUNITY
11 IMPROVEMENT PROJECTS AND OTHER PROJECTS
12 IN THE PUBLIC INTEREST WITHIN THE
13 COUNTY, WITH PRIORITY GIVEN TO
14 MUNICIPALITIES CONTIGUOUS TO THE HOST
15 CITY.

16 (II) THE COUNTY OF THE THIRD CLASS, WHICH
17 INCLUDES A CITY OF THE THIRD CLASS THAT IS
18 LOCATED IN TWO COUNTIES OF THE THIRD CLASS AND IS
19 NOT THE HOST COUNTY FOR THE LICENSED FACILITY,
20 SHALL RECEIVE .8% OF THE GROSS TERMINAL REVENUE
21 TO BE DISTRIBUTED AS FOLLOWS: [60% TO A NONHOST
22 CITY OF THE THIRD CLASS LOCATED SOLELY IN THE
23 NONHOST COUNTY IN WHICH THE HOST CITY OF THE
24 THIRD CLASS IS ALSO LOCATED OR 60% TO THE NONHOST
25 CITY OF THE THIRD CLASS LOCATED BOTH IN THE HOST
26 AND NONHOST COUNTIES OF THE THIRD CLASS, 35% TO
27 THE NONHOST COUNTY AND 5% TO THE NONHOST COUNTY
28 FOR THE PURPOSE OF MAKING MUNICIPAL GRANTS WITHIN
29 THE COUNTY.]

30 (A) SIXTY PERCENT SHALL BE DISTRIBUTED

1 TO A NONHOST CITY OF THE THIRD CLASS LOCATED
2 SOLELY IN THE NONHOST COUNTY IN WHICH THE
3 HOST CITY OF THE THIRD CLASS IS ALSO LOCATED
4 OR 60% TO THE NONHOST CITY OF THE THIRD CLASS
5 LOCATED BOTH IN THE HOST AND NONHOST COUNTIES
6 OF THE THIRD CLASS.

7 (B) THIRTY-FIVE PERCENT SHALL BE
8 DISTRIBUTED TO THE NONHOST COUNTY.

9 (C) FIVE PERCENT SHALL BE DEPOSITED INTO
10 A RESTRICTED RECEIPTS ACCOUNT TO BE
11 ESTABLISHED IN THE COMMONWEALTH FINANCING
12 AUTHORITY FOR DISTRIBUTION TO THE HOST COUNTY
13 TO BE USED EXCLUSIVELY FOR ECONOMIC
14 DEVELOPMENT PROJECTS, COMMUNITY IMPROVEMENT
15 PROJECTS AND OTHER PROJECTS IN THE PUBLIC
16 INTEREST WITHIN THE COUNTY, WITH PRIORITY
17 GIVEN TO MUNICIPALITIES CONTIGUOUS TO THE
18 HOST CITY.

19 (E) A COUNTY OF THE FOURTH CLASS: 2% OF THE
20 GROSS TERMINAL REVENUE FROM EACH SUCH LICENSED
21 FACILITY SHALL BE DEPOSITED INTO A RESTRICTED ACCOUNT
22 ESTABLISHED IN THE DEPARTMENT OF COMMUNITY AND
23 ECONOMIC DEVELOPMENT TO BE USED EXCLUSIVELY FOR
24 GRANTS TO THE COUNTY, TO ECONOMIC DEVELOPMENT
25 AUTHORITIES OR REDEVELOPMENT AUTHORITIES WITHIN THE
26 COUNTY FOR GRANTS FOR ECONOMIC DEVELOPMENT PROJECTS,
27 COMMUNITY IMPROVEMENT PROJECTS, JOB TRAINING, OTHER
28 PROJECTS IN THE PUBLIC INTEREST AND REASONABLE
29 ADMINISTRATIVE COSTS. NOTWITHSTANDING THE CAPITAL
30 FACILITIES DEBT ENABLING ACT, GRANTS MADE UNDER THIS

1 CLAUSE MAY BE UTILIZED AS LOCAL MATCHING FUNDS FOR
2 OTHER GRANTS OR LOANS FROM THE COMMONWEALTH.

3 (F) COUNTIES OF THE FIFTH CLASS: 2% OF THE
4 GROSS TERMINAL REVENUE FROM EACH SUCH LICENSED
5 FACILITY SHALL BE DEPOSITED AND DISTRIBUTED AS
6 FOLLOWS:

7 (I) ONE PERCENT TO BE DISTRIBUTED AS
8 FOLLOWS:

9 (A) BEGINNING IN 2010, THE SUM OF
10 \$2,400,000 ANNUALLY FOR A PERIOD OF 20 YEARS
11 TO THE COUNTY FOR PURPOSES OF FUNDING DEBT
12 SERVICE RELATED TO THE CONSTRUCTION OF A
13 COMMUNITY COLLEGE CAMPUS LOCATED WITHIN THE
14 COUNTY.

15 (B) ANY FUNDS NOT DISTRIBUTED UNDER
16 SUBCLAUSE (A) SHALL BE DEPOSITED INTO A
17 RESTRICTED RECEIPTS ACCOUNT TO BE ESTABLISHED
18 IN THE COMMONWEALTH FINANCING AUTHORITY TO BE
19 USED EXCLUSIVELY FOR GRANTS WITHIN THE COUNTY
20 FOR ECONOMIC DEVELOPMENT PROJECTS, ROAD
21 PROJECTS LOCATED WITHIN A 20-MILE RADIUS OF
22 THE LICENSED FACILITY AND LOCATED WITHIN THE
23 COUNTY, COMMUNITY IMPROVEMENT PROJECTS AND
24 OTHER PROJECTS IN THE PUBLIC INTEREST WITHIN
25 THE COUNTY. THE AMOUNT UNDER THIS SUBCLAUSE
26 INCLUDES REASONABLE ADMINISTRATIVE COSTS.

27 (II) ONE PERCENT SHALL BE DEPOSITED INTO A
28 RESTRICTED RECEIPTS ACCOUNT TO BE ESTABLISHED IN
29 THE COMMONWEALTH FINANCING AUTHORITY TO BE USED
30 EXCLUSIVELY FOR GRANTS WITHIN CONTIGUOUS COUNTIES

1 FOR ECONOMIC DEVELOPMENT PROJECTS, COMMUNITY
2 IMPROVEMENT PROJECTS AND OTHER PROJECTS IN THE
3 PUBLIC INTEREST WITHIN CONTIGUOUS COUNTIES. THE
4 AMOUNT UNDER THIS SUBCLAUSE INCLUDES REASONABLE
5 ADMINISTRATIVE COSTS. A CONTIGUOUS COUNTY THAT
6 HOSTS A CATEGORY 1 LICENSED FACILITY SHALL BE
7 INELIGIBLE TO RECEIVE GRANTS UNDER THIS
8 SUBCLAUSE.

9 (II.1) PRIORITY SHALL BE GIVEN TO MULTIYEAR
10 PROJECTS APPROVED OR AWARDED BY THE DEPARTMENT OF
11 COMMUNITY AND ECONOMIC DEVELOPMENT UNDER
12 SUBCLAUSE (I) (B) OR (II) ON OR BEFORE THE
13 EFFECTIVE DATE OF THIS SUBCLAUSE.

14 (III) FIFTY PERCENT OF ANY REVENUE REQUIRED
15 TO BE TRANSFERRED UNDER PARAGRAPH (3) (V) SHALL BE
16 DEPOSITED INTO THE RESTRICTED RECEIPTS ACCOUNT
17 ESTABLISHED UNDER SUBCLAUSE (I) (B), AND 50% SHALL
18 BE DEPOSITED INTO THE RESTRICTED RECEIPTS ACCOUNT
19 ESTABLISHED UNDER SUBCLAUSE (II). NOTWITHSTANDING
20 THE CAPITAL FACILITIES DEBT ENABLING ACT, GRANTS
21 MADE UNDER THIS CLAUSE MAY BE UTILIZED AS LOCAL
22 MATCHING FUNDS FOR OTHER GRANTS OR LOANS FROM THE
23 COMMONWEALTH.

24 (G) ANY COUNTY NOT SPECIFICALLY ENUMERATED IN
25 CLAUSES [(A)] (B) THROUGH (F), 2% OF THE GROSS
26 TERMINAL REVENUE TO THE COUNTY HOSTING THE LICENSED
27 FACILITY FROM EACH SUCH LICENSED FACILITY.

28 (IV) (A) EXCEPT AS PROVIDED IN CLAUSE (B) OR (C),
29 IF THE FACILITY IS A CATEGORY 3 LICENSED FACILITY, 2%
30 OF THE GROSS TERMINAL REVENUE FROM THE LICENSED

1 FACILITY SHALL BE DEPOSITED INTO A RESTRICTED
2 RECEIPTS ACCOUNT ESTABLISHED IN THE DEPARTMENT OF
3 COMMUNITY AND ECONOMIC DEVELOPMENT TO BE USED
4 EXCLUSIVELY FOR GRANTS TO THE COUNTY, TO ECONOMIC
5 DEVELOPMENT AUTHORITIES OR REDEVELOPMENT AUTHORITIES
6 WITHIN THE COUNTY FOR GRANTS FOR ECONOMIC DEVELOPMENT
7 PROJECTS, COMMUNITY IMPROVEMENT PROJECTS AND OTHER
8 PROJECTS IN THE PUBLIC INTEREST.

9 (B) IF THE FACILITY IS A CATEGORY 3 LICENSED
10 FACILITY LOCATED IN A COUNTY OF THE SECOND CLASS A,
11 2% OF THE GROSS TERMINAL REVENUE [FROM THE LICENSED
12 FACILITY SHALL BE DEPOSITED INTO A RESTRICTED
13 RECEIPTS ACCOUNT TO BE ESTABLISHED IN THE
14 COMMONWEALTH FINANCING AUTHORITY TO BE USED
15 EXCLUSIVELY FOR GRANTS OR GUARANTEES FOR PROJECTS IN
16 THE HOST COUNTY THAT QUALIFY UNDER 64 PA.C.S. §§ 1551
17 (RELATING TO BUSINESS IN OUR SITES PROGRAM), 1556
18 (RELATING TO TAX INCREMENT FINANCING GUARANTEE
19 PROGRAM) AND 1558 (RELATING TO WATER SUPPLY AND
20 WASTEWATER INFRASTRUCTURE PROGRAM).] TO THE COUNTY
21 HOSTING THE LICENSED FACILITY FROM EACH LICENSED
22 FACILITY SHALL BE DEPOSITED AS FOLLOWS:

23 (I) SEVENTY-FIVE PERCENT SHALL BE DEPOSITED
24 FOR THE PURPOSE OF SUPPORTING THE MAINTENANCE AND
25 REFURBISHMENT OF THE PARKS AND HERITAGE SITES
26 THROUGHOUT THE COUNTY IN WHICH THE LICENSED
27 FACILITY IS LOCATED.

28 (II) TWELVE AND ONE-HALF PERCENT SHALL BE
29 DEPOSITED FOR THE PURPOSE OF SUPPORTING A CHILD
30 ADVOCACY CENTER LOCATED WITHIN THE COUNTY IN

1 WHICH THE LICENSED FACILITY IS LOCATED.

2 (III) TWELVE AND ONE-HALF PERCENT SHALL BE
3 DEPOSITED FOR THE PURPOSE OF SUPPORTING AN
4 ORGANIZATION PROVIDING COMPREHENSIVE SUPPORT
5 SERVICES TO VICTIMS OF DOMESTIC VIOLENCE,
6 INCLUDING LEGAL AND MEDICAL AID, SHELTERS,
7 TRANSITIONAL HOUSING AND COUNSELING LOCATED
8 WITHIN THE COUNTY IN WHICH THE LICENSED FACILITY
9 IS LOCATED.

10 (C) IF THE FACILITY IS A CATEGORY 3 LICENSED
11 FACILITY LOCATED IN A COUNTY OF THE FIFTH CLASS THAT
12 IS CONTIGUOUS TO A COUNTY OF THE SEVENTH CLASS, 2% OF
13 THE GROSS TERMINAL REVENUE FROM THE LICENSED FACILITY
14 SHALL BE DEPOSITED INTO A RESTRICTED RECEIPTS ACCOUNT
15 TO BE ESTABLISHED IN THE COMMONWEALTH FINANCING
16 AUTHORITY TO BE USED EXCLUSIVELY FOR GRANTS WITHIN
17 THE COUNTY FOR ECONOMIC DEVELOPMENT PROJECTS,
18 INFRASTRUCTURE PROJECTS, COMMUNITY IMPROVEMENT
19 PROJECTS AND OTHER PROJECTS IN THE PUBLIC INTEREST
20 WITHIN THE COUNTY AND FOR INFRASTRUCTURE PROJECTS
21 WITHIN A 20-MILE RADIUS OF THE LICENSED FACILITY IN A
22 CONTIGUOUS COUNTY OF THE SEVENTH CLASS.

23 (V) UNLESS OTHERWISE SPECIFIED, FOR THE PURPOSES OF
24 THIS PARAGRAPH MONEY DESIGNATED FOR MUNICIPAL GRANTS
25 WITHIN A COUNTY, OTHER THAN A COUNTY OF THE FIRST CLASS,
26 IN WHICH A LICENSED FACILITY IS LOCATED SHALL BE USED TO
27 FUND GRANTS TO THE MUNICIPALITY IN WHICH THE LICENSED
28 FACILITY IS LOCATED, TO THE COUNTY IN WHICH THE LICENSED
29 FACILITY IS LOCATED AND TO THE MUNICIPALITIES WHICH ARE
30 CONTIGUOUS TO THE MUNICIPALITY IN WHICH THE LICENSED

1 FACILITY IS LOCATED AND WHICH ARE LOCATED WITHIN THE
2 COUNTY IN WHICH THE LICENSED FACILITY IS LOCATED. GRANTS
3 SHALL BE ADMINISTERED BY THE COUNTY THROUGH ITS ECONOMIC
4 DEVELOPMENT OR REDEVELOPMENT AUTHORITY IN WHICH THE
5 LICENSED FACILITY IS LOCATED. GRANTS SHALL BE USED TO
6 FUND THE COSTS OF HUMAN SERVICES, INFRASTRUCTURE
7 IMPROVEMENTS, FACILITIES, EMERGENCY SERVICES, HEALTH AND
8 PUBLIC SAFETY EXPENSES ASSOCIATED WITH LICENSED FACILITY
9 OPERATIONS. IF AT THE END OF A FISCAL YEAR UNCOMMITTED
10 FUNDS EXIST, THE COUNTY SHALL PAY TO THE ECONOMIC
11 DEVELOPMENT OR REDEVELOPMENT AUTHORITY OF THE COUNTY IN
12 WHICH THE LICENSED FACILITY IS LOCATED THE UNCOMMITTED
13 FUNDS.

14 (VI) IF THE LICENSED FACILITY IS LOCATED IN MORE
15 THAN ONE COUNTY, THE AMOUNT AVAILABLE SHALL BE
16 DISTRIBUTED ON A PRO RATA BASIS DETERMINED BY THE
17 PERCENTAGE OF ACREAGE LOCATED IN EACH COUNTY TO THE TOTAL
18 ACREAGE OF ALL COUNTIES OCCUPIED BY THE LICENSED
19 FACILITY.

20 (VII) THE DISTRIBUTIONS PROVIDED IN THIS PARAGRAPH
21 SHALL BE BASED UPON COUNTY CLASSIFICATIONS IN EFFECT ON
22 THE EFFECTIVE DATE OF THIS SECTION. ANY RECLASSIFICATION
23 OF COUNTIES AS A RESULT OF A FEDERAL DECENNIAL CENSUS OR
24 OF A STATE STATUTE SHALL NOT APPLY TO THIS SUBPARAGRAPH.

25 (VIII) IF ANY PROVISION OF THIS PARAGRAPH IS FOUND
26 TO BE UNENFORCEABLE FOR ANY REASON, THE DISTRIBUTION
27 PROVIDED FOR IN THE UNENFORCEABLE PROVISION SHALL BE MADE
28 TO THE COUNTY IN WHICH THE LICENSED FACILITY IS LOCATED
29 FOR THE PURPOSES OF GRANTS TO MUNICIPALITIES IN THAT
30 COUNTY, INCLUDING MUNICIPAL GRANTS AS SPECIFIED IN

1 SUBPARAGRAPH (V) .

2 (IX) NOTHING IN THIS PARAGRAPH SHALL PREVENT ANY OF
3 THE ABOVE COUNTIES WHICH DIRECTLY RECEIVE A DISTRIBUTION
4 UNDER THIS SECTION FROM ENTERING INTO INTERGOVERNMENTAL
5 COOPERATIVE AGREEMENTS WITH OTHER JURISDICTIONS FOR
6 SHARING THIS MONEY.

7 (3) FROM THE LOCAL SHARE ASSESSMENT ESTABLISHED IN
8 SUBSECTION (B) AND THE SLOT MACHINE OPERATION FEES IMPOSED
9 UNDER SECTION 1326.1 (RELATING TO SLOT MACHINE LICENSE
10 OPERATION FEE) AND DEPOSITED UNDER SECTION 1326.1(D), MAKE
11 QUARTERLY DISTRIBUTIONS AMONG THE MUNICIPALITIES, INCLUDING
12 HOME RULE MUNICIPALITIES, HOSTING A LICENSED FACILITY IN
13 ACCORDANCE WITH THE FOLLOWING SCHEDULE:

14 (I) TO A CITY OF THE SECOND CLASS HOSTING A LICENSED
15 FACILITY, OTHER THAN A CATEGORY 3 LICENSED FACILITY, [2%
16 OF THE GROSS TERMINAL REVENUE OR] \$10,000,000 ANNUALLY[,
17 WHICHEVER IS GREATER, SHALL BE PAID BY EACH LICENSED
18 GAMING ENTITY OPERATING A FACILITY LOCATED IN THAT CITY.
19 IN THE EVENT THAT THE REVENUES GENERATED BY THE 2% DO NOT
20 MEET THE \$10,000,000 MINIMUM SPECIFIED IN THIS
21 SUBPARAGRAPH, THE DEPARTMENT SHALL COLLECT THE REMAINDER
22 OF THE MINIMUM AMOUNT OF \$10,000,000 FROM EACH LICENSED
23 GAMING ENTITY OPERATING A FACILITY IN THE CITY AND
24 DEPOSIT THAT AMOUNT IN THE CITY TREASURY] SHALL BE
25 DISTRIBUTED TO THE CITY TREASURY.

26 (I.1) TO A CITY OF THE FIRST CLASS HOSTING ONE OR
27 MORE LICENSED FACILITIES, OTHER THAN A CATEGORY 3
28 LICENSED FACILITY, \$10,000,000 FROM EACH LICENSED
29 FACILITY LOCATED IN A CITY OF THE FIRST CLASS SHALL BE
30 DISTRIBUTED ANNUALLY AS FOLLOWS:

1 (A) FROM A LICENSED FACILITY OPERATING IN THE
2 CITY OF THE FIRST CLASS ON THE EFFECTIVE DATE OF THIS
3 SUBPARAGRAPH, THE FIRST \$5,000,000 SHALL BE
4 DISTRIBUTED ANNUALLY TO THE PHILADELPHIA SCHOOL
5 DISTRICT. OF THE REMAINING FUNDS, 60% SHALL BE
6 DISTRIBUTED TO THE CITY OF THE FIRST CLASS AND 40%
7 SHALL BE DEPOSITED INTO A RESTRICTED RECEIPTS ACCOUNT
8 ESTABLISHED IN THE DEPARTMENT OF COMMUNITY AND
9 ECONOMIC DEVELOPMENT TO BE USED EXCLUSIVELY FOR
10 GRANTS FOR ECONOMIC DEVELOPMENT PROJECTS,
11 NEIGHBORHOOD REVITALIZATION PROJECTS, COMMUNITY
12 IMPROVEMENT PROJECTS AND OTHER PROJECTS IN THE PUBLIC
13 INTEREST WITHIN THE CITY OF THE FIRST CLASS.

14 (B) FROM A LICENSED FACILITY THAT BEGINS
15 OPERATING IN THE CITY OF THE FIRST CLASS AFTER THE
16 EFFECTIVE DATE OF THIS SUBPARAGRAPH, 70% OF THE SLOT
17 MACHINE LICENSE OPERATION FEE SHALL BE DISTRIBUTED TO
18 THE CITY OF THE FIRST CLASS AND 30% OF THE SLOT
19 MACHINE LICENSE OPERATION FEE SHALL BE DEPOSITED INTO
20 A RESTRICTED RECEIPTS ACCOUNT ESTABLISHED IN THE
21 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO
22 BE USED EXCLUSIVELY FOR GRANTS FOR ECONOMIC
23 DEVELOPMENT PROJECTS, NEIGHBORHOOD REVITALIZATION
24 PROJECTS, COMMUNITY IMPROVEMENT PROJECTS AND OTHER
25 PROJECTS IN THE PUBLIC INTEREST WITHIN THE CITY OF
26 THE FIRST CLASS.

27 (C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
28 PART TO THE CONTRARY, SLOT MACHINE LICENSE OPERATION
29 FEEES FROM LICENSED GAMING ENTITIES LOCATED WITHIN A
30 CITY OF THE FIRST CLASS SHALL NOT BE DISTRIBUTED

1 OUTSIDE OF A CITY OF THE FIRST CLASS.

2 (II) TO A CITY OF THE SECOND CLASS A HOSTING A
3 LICENSED FACILITY, OTHER THAN A CATEGORY 3 LICENSED
4 FACILITY, [2% OF THE GROSS TERMINAL REVENUE OR
5 \$10,000,000 ANNUALLY, WHICHEVER IS GREATER, SHALL BE PAID
6 BY EACH LICENSED ENTITY OPERATING A LICENSED FACILITY
7 LOCATED IN THAT CITY] \$10,000,000 ANNUALLY SHALL BE
8 DISTRIBUTED TO THE CITY, SUBJECT, HOWEVER, TO THE
9 BUDGETARY LIMITATION IN THIS SUBPARAGRAPH. THE AMOUNT
10 ALLOCATED TO THE DESIGNATED MUNICIPALITIES SHALL NOT
11 EXCEED 50% OF THEIR TOTAL BUDGET FOR FISCAL YEAR 2003-
12 2004, ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS BY AN
13 AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING ADJUSTMENT
14 CALCULATED BY APPLYING THE PERCENTAGE CHANGE IN THE
15 CONSUMER PRICE INDEX IMMEDIATELY PRIOR TO THE DATE THE
16 ADJUSTMENT IS DUE TO TAKE EFFECT. ANY REMAINING MONEYS
17 SHALL BE [COLLECTED BY THE DEPARTMENT FROM EACH LICENSED
18 GAMING ENTITY AND] DISTRIBUTED IN ACCORDANCE WITH
19 PARAGRAPH (2) BASED UPON THE CLASSIFICATION OF COUNTY
20 WHERE THE LICENSED FACILITY IS LOCATED. [IN THE EVENT
21 THAT THE REVENUES GENERATED BY THE 2% DO NOT MEET THE
22 \$10,000,000 MINIMUM SPECIFIED IN THIS SUBPARAGRAPH, THE
23 DEPARTMENT SHALL COLLECT THE REMAINDER OF THE MINIMUM
24 AMOUNT OF \$10,000,000 FROM EACH LICENSED GAMING ENTITY
25 OPERATING A FACILITY IN THE CITY, PAY ANY BALANCE DUE TO
26 THE CITY AND TRANSFER ANY REMAINDER IN ACCORDANCE WITH
27 PARAGRAPH (2).]

28 (III) TO A CITY OF THE THIRD CLASS HOSTING A
29 LICENSED FACILITY, OTHER THAN A CATEGORY 3 LICENSED
30 FACILITY, [2% OF THE GROSS TERMINAL REVENUE OR

1 \$10,000,000 ANNUALLY, WHICHEVER IS GREATER, SHALL BE PAID
2 BY EACH LICENSED GAMING ENTITY OPERATING A LICENSED
3 FACILITY LOCATED IN THAT CITY] \$10,000,000 ANNUALLY SHALL
4 BE DISTRIBUTED TO THE CITY, SUBJECT, HOWEVER, TO THE
5 BUDGETARY LIMITATION IN THIS SUBPARAGRAPH. IN THE EVENT
6 THAT THE CITY HAS A WRITTEN AGREEMENT WITH A LICENSED
7 GAMING ENTITY EXECUTED PRIOR TO THE EFFECTIVE DATE OF
8 THIS PART, A PORTION OF THE \$10,000,000 LOCAL SHARE
9 ASSESSMENT EQUAL TO THE AMOUNT PAID UNDER THE AGREEMENT
10 TO THE CITY SHALL BE [APPLIED AND CREDITED TO THE
11 DIFFERENCE BETWEEN 2% OF THE GROSS TERMINAL REVENUE AND
12 THE \$10,000,000 OWED UNDER THIS SUBPARAGRAPH IF THE 2% OF
13 THE GROSS TERMINAL REVENUE IS LESS THAN \$10,000,000. IF
14 2% OF THE GROSS TERMINAL REVENUE IS GREATER THAN THE
15 \$10,000,000 REQUIRED TO BE PAID UNDER THIS SUBPARAGRAPH,
16 THE CREDIT SHALL NOT APPLY. THE AMOUNT OF GROSS TERMINAL
17 REVENUE REQUIRED TO BE PAID PURSUANT TO THE AGREEMENT
18 SHALL BE DEEMED TO BE GROSS TERMINAL REVENUE FOR PURPOSES
19 OF THIS SUBPARAGRAPH.] DISTRIBUTED IN ACCORDANCE WITH
20 PARAGRAPH (2) BASED UPON THE CLASSIFICATION OF THE COUNTY
21 IN WHICH THE LICENSED FACILITY IS LOCATED. THE AMOUNT
22 ALLOCATED TO THE DESIGNATED MUNICIPALITIES SHALL NOT
23 EXCEED 50% OF THEIR TOTAL BUDGET FOR FISCAL YEAR 2003-
24 2004, ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS BY AN
25 AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING ADJUSTMENT
26 CALCULATED BY APPLYING THE PERCENTAGE CHANGE IN THE
27 CONSUMER PRICE INDEX IMMEDIATELY PRIOR TO THE DATE THE
28 ADJUSTMENT IS DUE TO TAKE EFFECT. ANY REMAINING MONEYS
29 SHALL BE [COLLECTED BY THE DEPARTMENT FROM EACH LICENSED
30 GAMING ENTITY AND] DISTRIBUTED IN ACCORDANCE WITH

1 PARAGRAPH (2) BASED UPON THE CLASSIFICATION OF COUNTY
2 WHERE THE LICENSED FACILITY IS LOCATED. [IN THE EVENT
3 THAT THE REVENUES GENERATED BY THE 2% DO NOT MEET THE
4 \$10,000,000 MINIMUM SPECIFIED IN THIS SUBPARAGRAPH, THE
5 DEPARTMENT SHALL COLLECT THE REMAINDER OF THE MINIMUM
6 AMOUNT OF \$10,000,000 FROM EACH LICENSED GAMING ENTITY
7 OPERATING A FACILITY, PAY ANY BALANCE DUE TO THE CITY OF
8 THE THIRD CLASS AND TRANSFER ANY REMAINDER IN ACCORDANCE
9 WITH PARAGRAPH (2).]

10 (III.1) IF A LICENSED FACILITY IS LOCATED IN A CITY
11 OF THE THIRD CLASS AND THE CITY IS LOCATED IN MORE THAN
12 ONE COUNTY OF THE THIRD CLASS, [2% OF THE GROSS TERMINAL
13 REVENUE OR \$10,000,000 ANNUALLY, WHICHEVER IS GREATER,]
14 \$10,000,000 ANNUALLY SHALL BE DISTRIBUTED AS FOLLOWS:
15 80% TO THE HOST CITY AND 20% TO THE CITY OF THE THIRD
16 CLASS LOCATED SOLELY IN A NONHOST COUNTY IN WHICH THE
17 HOST CITY OF THE THIRD CLASS IS ALSO LOCATED. IF A
18 LICENSED FACILITY IS LOCATED IN A CITY OF THE THIRD CLASS
19 AND THAT CITY IS LOCATED SOLELY IN A HOST COUNTY OF THE
20 THIRD CLASS IN WHICH A NONHOST CITY OF THE THIRD CLASS IS
21 ALSO LOCATED[, 2% OF GROSS TERMINAL REVENUE OR
22 \$10,000,000 ANNUALLY, WHICHEVER IS GREATER], \$10,000,000
23 ANNUALLY SHALL BE DISTRIBUTED AS FOLLOWS: 80% TO THE
24 HOST CITY AND 20% TO A CITY OF THE THIRD CLASS LOCATED
25 BOTH IN A NONHOST COUNTY OF THE THIRD CLASS AND IN A HOST
26 COUNTY OF THE THIRD CLASS IN WHICH THE HOST CITY OF THE
27 THIRD CLASS IS LOCATED.

28 (IV) TO A TOWNSHIP OF THE FIRST CLASS HOSTING A
29 LICENSED FACILITY, OTHER THAN A CATEGORY 3 LICENSED
30 FACILITY, [2% OF THE GROSS TERMINAL REVENUE OR

1 \$10,000,000 ANNUALLY, WHICHEVER IS GREATER, SHALL BE PAID
2 BY EACH LICENSED GAMING ENTITY OPERATING A LICENSED
3 FACILITY LOCATED IN THE TOWNSHIP] \$10,000,000 ANNUALLY
4 SHALL BE DISTRIBUTED TO THE TOWNSHIP, SUBJECT, HOWEVER,
5 TO THE BUDGETARY LIMITATION IN THIS SUBPARAGRAPH. THE
6 AMOUNT ALLOCATED TO THE DESIGNATED MUNICIPALITIES SHALL
7 NOT EXCEED 50% OF THEIR TOTAL BUDGET FOR FISCAL YEAR
8 2003-2004, ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS BY
9 AN AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING
10 ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE CHANGE
11 IN THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR TO THE DATE
12 THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY REMAINING MONEY
13 SHALL BE [COLLECTED BY THE DEPARTMENT FROM EACH LICENSED
14 GAMING ENTITY AND] DISTRIBUTED IN ACCORDANCE WITH
15 PARAGRAPH (2) BASED UPON THE CLASSIFICATION OF COUNTY
16 WHERE THE LICENSED FACILITY IS LOCATED. [IN THE EVENT
17 THAT THE REVENUES GENERATED BY THE 2% DO NOT MEET THE
18 \$10,000,000 MINIMUM SPECIFIED IN THIS SUBPARAGRAPH, THE
19 DEPARTMENT SHALL COLLECT THE REMAINDER OF THE MINIMUM
20 AMOUNT OF \$10,000,000 FROM EACH LICENSED GAMING ENTITY
21 OPERATING A LICENSED FACILITY IN THE TOWNSHIP, PAY ANY
22 BALANCE DUE TO THE TOWNSHIP AND TRANSFER ANY REMAINDER IN
23 ACCORDANCE WITH PARAGRAPH (2).]

24 (V) TO A TOWNSHIP OF THE SECOND CLASS HOSTING A
25 LICENSED FACILITY:

26 (A) [2% OF THE GROSS TERMINAL REVENUE OR
27 \$10,000,000 ANNUALLY, WHICHEVER IS GREATER, SHALL BE
28 PAID BY EACH LICENSED GAMING ENTITY OPERATING A
29 LICENSED FACILITY, OTHER THAN A CATEGORY 3 LICENSED
30 FACILITY OR A LICENSED FACILITY OWNING LAND ADJACENT

1 TO THE LICENSED FACILITY LOCATED IN MORE THAN ONE
2 TOWNSHIP OF THE SECOND CLASS,] \$10,000,000 ANNUALLY
3 SHALL BE DISTRIBUTED TO THE TOWNSHIP OF THE SECOND
4 CLASS HOSTING [THE] A LICENSED FACILITY, OTHER THAN A
5 CATEGORY 3 LICENSED FACILITY OR A LICENSED FACILITY
6 LOCATED IN MORE THAN ONE TOWNSHIP OF THE SECOND
7 CLASS, SUBJECT, HOWEVER, TO THE BUDGETARY LIMITATION
8 IN THIS SUBPARAGRAPH. THE AMOUNT ALLOCATED TO THE
9 DESIGNATED MUNICIPALITIES SHALL NOT EXCEED 50% OF
10 THEIR TOTAL BUDGET FOR FISCAL YEAR 2003-2004,
11 ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS BY AN
12 AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING
13 ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE
14 CHANGE IN THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR
15 TO THE DATE THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY
16 REMAINING MONEY SHALL BE [COLLECTED BY THE DEPARTMENT
17 FROM EACH LICENSED GAMING ENTITY AND] DISTRIBUTED IN
18 ACCORDANCE WITH PARAGRAPH (2) BASED UPON THE
19 CLASSIFICATION OF COUNTY WHERE THE LICENSED FACILITY
20 IS LOCATED. [IF REVENUES GENERATED BY THE 2% DO NOT
21 MEET THE \$10,000,000 MINIMUM SPECIFIED IN THIS
22 SUBPARAGRAPH, THE DEPARTMENT SHALL COLLECT THE
23 REMAINDER OF THE MINIMUM AMOUNT OF \$10,000,000 FROM
24 EACH LICENSED GAMING ENTITY OPERATING A LICENSED
25 FACILITY IN THE TOWNSHIP, PAY ANY BALANCE DUE TO THE
26 TOWNSHIP AND TRANSFER ANY REMAINDER IN ACCORDANCE
27 WITH PARAGRAPH (2).]

28 (B) [2% OF THE GROSS TERMINAL REVENUE OR
29 \$10,000,000 ANNUALLY, WHICHEVER IS GREATER,]
30 \$10,000,000 ANNUALLY, LESS THE AMOUNT PAID UNDER

1 CLAUSE (C), SHALL BE [PAID BY EACH LICENSED GAMING
2 ENTITY OPERATING A LICENSED FACILITY AND OWNING LAND
3 ADJACENT TO THE LICENSED FACILITY LOCATED IN MORE
4 THAN ONE TOWNSHIP OF THE SECOND CLASS, OTHER THAN A
5 CATEGORY 3 LICENSED FACILITY,] DISTRIBUTED TO THE
6 TOWNSHIP OF THE SECOND CLASS HOSTING [THE] A LICENSED
7 FACILITY WHICH OWNS LAND ADJACENT TO THE LICENSED
8 FACILITY LOCATED IN MORE THAN ONE TOWNSHIP OF THE
9 SECOND CLASS, OTHER THAN A CATEGORY 3 LICENSED
10 FACILITY, SUBJECT, HOWEVER, TO THE BUDGETARY
11 LIMITATION IN THIS SUBPARAGRAPH. THE AMOUNT ALLOCATED
12 TO THE DESIGNATED MUNICIPALITIES MAY NOT EXCEED 50%
13 OF THEIR TOTAL BUDGET FOR THE FISCAL YEAR 2003-2004,
14 ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS BY AN
15 AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING
16 ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE
17 CHANGE IN THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR
18 TO THE DATE THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY
19 REMAINING MONEY SHALL BE [COLLECTED BY THE DEPARTMENT
20 FROM EACH LICENSED GAMING ENTITY AND] DISTRIBUTED IN
21 ACCORDANCE WITH PARAGRAPH (2) BASED UPON THE
22 CLASSIFICATION OF THE COUNTY WHERE THE LICENSED
23 FACILITY IS LOCATED. THE COUNTY COMMISSIONERS OF A
24 COUNTY OF THE THIRD CLASS IN WHICH THE LICENSED
25 FACILITY IS LOCATED SHALL APPOINT AN ADVISORY
26 COMMITTEE FOR THE PURPOSE OF ADVISING THE COUNTY AS
27 TO THE NEED FOR MUNICIPAL GRANTS FOR HEALTH, SAFETY,
28 TRANSPORTATION AND OTHER PROJECTS IN THE PUBLIC
29 INTEREST TO BE COMPRISED OF TWO INDIVIDUALS FROM THE
30 HOST MUNICIPALITY, TWO FROM CONTIGUOUS MUNICIPALITIES

1 WITHIN THE COUNTY OF THE THIRD CLASS AND ONE FROM THE
2 HOST COUNTY. [IN THE EVENT THAT THE REVENUES
3 GENERATED BY THE 2% DO NOT MEET THE \$10,000,000
4 MINIMUM SPECIFIED IN THIS SUBPARAGRAPH, THE
5 DEPARTMENT SHALL COLLECT THE REMAINDER OF THE MINIMUM
6 AMOUNT OF \$10,000,000 FROM EACH LICENSED GAMING
7 ENTITY OPERATING A LICENSED FACILITY IN THE TOWNSHIP,
8 PAY ANY BALANCE DUE TO THE TOWNSHIP AND TRANSFER ANY
9 REMAINDER IN ACCORDANCE WITH PARAGRAPH (2).]

10 (C) [\$160,000 ANNUALLY SHALL BE PAID BY EACH
11 LICENSED GAMING ENTITY OPERATING A LICENSED FACILITY
12 AND OWNING LAND ADJACENT TO THE LICENSED FACILITY
13 LOCATED IN MORE THAN ONE TOWNSHIP OF THE SECOND
14 CLASS, OTHER THAN A CATEGORY 3 LICENSED FACILITY, TO
15 THE TOWNSHIP OF THE SECOND CLASS THAT IS LOCATED IN A
16 COUNTY OF THE FIFTH CLASS IN WHICH THE ADJACENT LAND
17 IS LOCATED, INCLUDING RACETRACKS, GRAZING FIELDS OR
18 ANY OTHER ADJOINING REAL PROPERTY.] FOR LAND OWNED BY
19 A LICENSED GAMING ENTITY, OTHER THAN A CATEGORY 3
20 LICENSED FACILITY AND LOCATED IN MORE THAN ONE
21 TOWNSHIP OF THE SECOND CLASS, \$160,000 SHALL BE
22 DISTRIBUTED ANNUALLY TO THE TOWNSHIP OF THE SECOND
23 CLASS WHICH IS LOCATED IN A COUNTY OF THE FIFTH CLASS
24 IF THE LAND OWNED, INCLUDING RACETRACKS, GRAZING
25 FIELDS AND OTHER ADJOINING REAL PROPERTY, IS ADJACENT
26 TO THE LICENSED FACILITY.

27 (VI) TO A BOROUGH HOSTING A LICENSED FACILITY, OTHER
28 THAN A CATEGORY 3 LICENSED FACILITY, [2% OF THE GROSS
29 TERMINAL REVENUE OR \$10,000,000 ANNUALLY, WHICHEVER IS
30 GREATER, SHALL BE PAID BY EACH LICENSED GAMING ENTITY

1 OPERATING A LICENSED FACILITY LOCATED IN THAT BOROUGH,]
2 \$10,000,000 ANNUALLY SHALL BE DISTRIBUTED TO THE BOROUGH,
3 SUBJECT, HOWEVER, TO THE BUDGETARY LIMITATION IN THIS
4 SUBPARAGRAPH. THE AMOUNT ALLOCATED TO THE DESIGNATED
5 MUNICIPALITIES SHALL NOT EXCEED 50% OF THEIR TOTAL BUDGET
6 FOR FISCAL YEAR 2003-2004, ADJUSTED FOR INFLATION IN
7 SUBSEQUENT YEARS BY AN AMOUNT NOT TO EXCEED AN ANNUAL
8 COST-OF-LIVING ADJUSTMENT CALCULATED BY APPLYING THE
9 PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX IMMEDIATELY
10 PRIOR TO THE DATE THE ADJUSTMENT IS DUE TO TAKE EFFECT.
11 ANY REMAINING MONEY SHALL BE [COLLECTED BY THE DEPARTMENT
12 FROM EACH LICENSED GAMING ENTITY AND] DISTRIBUTED IN
13 ACCORDANCE WITH PARAGRAPH (2) BASED UPON THE
14 CLASSIFICATION OF COUNTY WHERE THE LICENSED FACILITY IS
15 LOCATED. [IN THE EVENT THAT THE REVENUES GENERATED BY THE
16 2% DO NOT MEET THE \$10,000,000 MINIMUM SPECIFIED IN THIS
17 SUBPARAGRAPH, THE DEPARTMENT SHALL COLLECT THE REMAINDER
18 OF THE MINIMUM AMOUNT OF \$10,000,000 FROM EACH LICENSED
19 GAMING ENTITY OPERATING A LICENSED FACILITY IN THE
20 BOROUGH, PAY ANY BALANCE DUE TO THE BOROUGH AND TRANSFER
21 ANY REMAINDER IN ACCORDANCE WITH PARAGRAPH (2).]

22 (VII) TO AN INCORPORATED TOWN HOSTING A LICENSED
23 FACILITY, OTHER THAN A CATEGORY 3 LICENSED FACILITY, [2%
24 OF THE GROSS TERMINAL REVENUE OR \$10,000,000 ANNUALLY,
25 WHICHEVER IS GREATER, SHALL BE PAID BY EACH LICENSED
26 ENTITY OPERATING A LICENSED FACILITY LOCATED IN THE
27 TOWN,] \$10,000,000 ANNUALLY SHALL BE DISTRIBUTED TO THE
28 INCORPORATED TOWN, SUBJECT, HOWEVER, TO THE BUDGETARY
29 LIMITATION IN THIS SUBPARAGRAPH. THE AMOUNT ALLOCATED TO
30 THE DESIGNATED MUNICIPALITIES SHALL NOT EXCEED 50% OF

1 THEIR TOTAL BUDGET FOR FISCAL YEAR 2003-2004, ADJUSTED
2 FOR INFLATION IN SUBSEQUENT YEARS BY AN AMOUNT NOT TO
3 EXCEED AN ANNUAL COST-OF-LIVING ADJUSTMENT CALCULATED BY
4 APPLYING THE PERCENTAGE CHANGE IN THE CONSUMER PRICE
5 INDEX IMMEDIATELY PRIOR TO THE DATE THE ADJUSTMENT IS DUE
6 TO TAKE EFFECT. ANY REMAINING MONEY SHALL BE [COLLECTED
7 BY THE DEPARTMENT FROM EACH LICENSED GAMING ENTITY AND]
8 DISTRIBUTED IN ACCORDANCE WITH PARAGRAPH (2) BASED UPON
9 THE CLASSIFICATION OF COUNTY WHERE THE LICENSED FACILITY
10 IS LOCATED. [IN THE EVENT THAT THE REVENUES GENERATED BY
11 THE 2% DO NOT MEET THE \$10,000,000 MINIMUM SPECIFIED IN
12 THIS SUBPARAGRAPH, THE DEPARTMENT SHALL COLLECT THE
13 REMAINDER OF THE MINIMUM AMOUNT OF \$10,000,000 FROM EACH
14 LICENSED GAMING ENTITY OPERATING A LICENSED FACILITY IN
15 THE INCORPORATED TOWN, PAY ANY BALANCE DUE TO THE TOWN
16 AND TRANSFER ANY REMAINDER IN ACCORDANCE WITH PARAGRAPH
17 (2).]

18 (VIII) (A) EXCEPT AS PROVIDED IN CLAUSE (B) OR (C),
19 TO A MUNICIPALITY OF ANY CLASS HOSTING A CATEGORY 3
20 FACILITY, 2% OF THE GROSS TERMINAL REVENUE FROM THE
21 CATEGORY 3 LICENSED FACILITY LOCATED IN THE
22 MUNICIPALITY, SUBJECT, HOWEVER, TO THE BUDGETARY
23 LIMITATION IN THIS CLAUSE. THE AMOUNT ALLOCATED TO
24 THE DESIGNATED MUNICIPALITIES SHALL NOT EXCEED 50% OF
25 THEIR TOTAL BUDGET FOR FISCAL YEAR 2009, ADJUSTED FOR
26 INFLATION IN SUBSEQUENT YEARS BY AN AMOUNT NOT TO
27 EXCEED AN ANNUAL COST-OF-LIVING ADJUSTMENT CALCULATED
28 BY APPLYING THE PERCENTAGE CHANGE IN THE CONSUMER
29 PRICE INDEX IMMEDIATELY PRIOR TO THE DATE THE
30 ADJUSTMENT IS DUE TO TAKE EFFECT. ANY REMAINING MONEY

1 SHALL BE COLLECTED BY THE DEPARTMENT FROM EACH
2 LICENSED GAMING ENTITY AND DISTRIBUTED IN ACCORDANCE
3 WITH PARAGRAPH (2) BASED UPON THE CLASSIFICATION OF
4 COUNTY WHERE THE LICENSED FACILITY IS LOCATED.

5 (B) IF THE MUNICIPALITY HOSTING A CATEGORY 3
6 LICENSED FACILITY IS A BOROUGH LOCATED IN A COUNTY OF
7 THE THIRD CLASS AND THE BOROUGH IS CONTIGUOUS TO A
8 CITY OF THE THIRD CLASS, 1% OF GROSS TERMINAL REVENUE
9 SHALL BE DISTRIBUTED TO THE HOST BOROUGH AND 1% OF
10 GROSS TERMINAL REVENUE SHALL BE DISTRIBUTED TO THE
11 CITY OF THE THIRD CLASS THAT IS CONTIGUOUS TO THE
12 HOST BOROUGH, SUBJECT, HOWEVER, TO THE BUDGETARY
13 LIMITATION IN THIS CLAUSE. THE AMOUNT ALLOCATED TO
14 EACH DESIGNATED MUNICIPALITY SHALL NOT EXCEED 50% OF
15 ITS TOTAL BUDGET FOR FISCAL YEAR 2009, ADJUSTED FOR
16 INFLATION IN SUBSEQUENT YEARS BY AN AMOUNT NOT TO
17 EXCEED AN ANNUAL COST-OF-LIVING ADJUSTMENT CALCULATED
18 BY APPLYING THE PERCENTAGE INCREASE, IF ANY, IN THE
19 CONSUMER PRICE INDEX IMMEDIATELY PRIOR TO THE DATE
20 THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY REMAINING
21 MONEY SHALL BE COLLECTED BY THE DEPARTMENT FROM EACH
22 LICENSED GAMING ENTITY AND DISTRIBUTED IN ACCORDANCE
23 WITH PARAGRAPH (2) BASED UPON THE CLASSIFICATION OF
24 COUNTY WHERE THE LICENSED FACILITY IS LOCATED.

25 (C) IF THE MUNICIPALITY HOSTING A CATEGORY 3
26 LICENSED FACILITY IS A TOWNSHIP OF THE SECOND CLASS
27 IN A COUNTY OF THE FIFTH CLASS WHICH IS CONTIGUOUS TO
28 A COUNTY OF THE SEVENTH CLASS, 2% OF THE GROSS
29 TERMINAL REVENUE FROM THE CATEGORY 3 LICENSED
30 FACILITY LOCATED IN THE MUNICIPALITY SHALL BE

1 DISTRIBUTED TO THE MUNICIPALITY, SUBJECT, HOWEVER, TO
2 THE BUDGETARY LIMITATION IN THIS CLAUSE. THE AMOUNT
3 ALLOCATED TO THE DESIGNATED MUNICIPALITIES SHALL NOT
4 EXCEED THE LESSER OF \$1,000,000 OR 50% OF THEIR TOTAL
5 BUDGET FOR FISCAL YEAR 2009, ADJUSTED FOR INFLATION
6 IN SUBSEQUENT YEARS BY AN AMOUNT NOT TO EXCEED AN
7 ANNUAL COST-OF-LIVING ADJUSTMENT CALCULATED BY
8 APPLYING THE PERCENTAGE CHANGE IN THE CONSUMER PRICE
9 INDEX IMMEDIATELY PRIOR TO THE DATE THE ADJUSTMENT IS
10 DUE TO TAKE EFFECT. ANY REMAINING MONEY SHALL BE
11 COLLECTED BY THE DEPARTMENT FROM EACH LICENSED GAMING
12 ENTITY AND DISTRIBUTED IN EQUAL AMOUNTS TO EACH
13 MUNICIPALITY CONTIGUOUS TO THE HOST MUNICIPALITY.
14 HOWEVER, THE AMOUNT TO BE ALLOCATED TO ANY CONTIGUOUS
15 MUNICIPALITY SHALL NOT EXCEED THE LESSER OF
16 \$1,000,000 OR 50% OF THE MUNICIPALITY'S TOTAL BUDGET
17 FOR FISCAL YEAR 2009, ADJUSTED FOR INFLATION IN
18 SUBSEQUENT YEARS BY AN AMOUNT NOT TO EXCEED AN ANNUAL
19 COST-OF-LIVING ADJUSTMENT CALCULATED BY APPLYING THE
20 PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX
21 IMMEDIATELY PRIOR TO THE DATE THE ADJUSTMENT IS DUE
22 TO TAKE EFFECT. ANY MONEY REMAINING FOLLOWING
23 DISTRIBUTION TO CONTIGUOUS MUNICIPALITIES SHALL BE
24 COLLECTED BY THE DEPARTMENT AND DISTRIBUTED IN
25 ACCORDANCE WITH PARAGRAPH (2) BASED UPON THE
26 CLASSIFICATION OF COUNTY WHERE THE LICENSED FACILITY
27 IS LOCATED.

28 (IX) [ANY MUNICIPALITY NOT SPECIFICALLY ENUMERATED
29 IN SUBPARAGRAPHS (I) THROUGH (VIII),] TO A MUNICIPALITY,
30 EXCEPT FOR A CITY OF THE FIRST CLASS, NOT SPECIFICALLY

1 ENUMERATED IN SUBPARAGRAPHS (I), (I.1), (II), (III),
2 (III.1), (IV), (V), (VI), (VII) AND (VIII) HOSTING A
3 LICENSED FACILITY, OTHER THAN A CATEGORY 3 LICENSED
4 FACILITY, \$10,000,000 ANNUALLY SHALL BE DISTRIBUTED TO
5 THE HOST MUNICIPALITY. TO A MUNICIPALITY NOT ENUMERATED
6 IN SUBPARAGRAPHS (I), (I.1), (II), (III), (III.1), (IV),
7 (V), (VI), (VII) AND (VIII) HOSTING A CATEGORY 3 LICENSED
8 FACILITY, 2% OF THE GROSS TERMINAL REVENUE TO THE
9 MUNICIPALITY HOSTING THE CATEGORY 3 LICENSED FACILITY
10 FROM EACH SUCH CATEGORY 3 LICENSED FACILITY.

11 (X) IF THE LICENSED FACILITY IS LOCATED IN MORE THAN
12 ONE MUNICIPALITY, THE AMOUNT AVAILABLE SHALL BE
13 DISTRIBUTED ON A PRO RATA BASIS DETERMINED BY THE
14 PERCENTAGE OF ACREAGE LOCATED IN EACH MUNICIPALITY TO THE
15 TOTAL ACREAGE OF ALL MUNICIPALITIES OCCUPIED BY THE
16 LICENSED FACILITY.

17 (XI) IF THE LICENSED FACILITY IS LOCATED AT A RESORT
18 WHICH IS ALSO AN INCORPORATED MUNICIPALITY, SUCH
19 MUNICIPALITY SHALL NOT BE ELIGIBLE TO RECEIVE ANY
20 DISTRIBUTION UNDER THIS PARAGRAPH. THE DISTRIBUTION IT
21 WOULD HAVE OTHERWISE BEEN ENTITLED TO UNDER THIS
22 PARAGRAPH SHALL INSTEAD BE DISTRIBUTED IN ACCORDANCE WITH
23 PARAGRAPH (2) BASED UPON THE COUNTY WHERE THE LICENSED
24 FACILITY IS LOCATED.

25 (XII) THE DISTRIBUTIONS PROVIDED IN THIS PARAGRAPH
26 SHALL BE BASED UPON MUNICIPAL CLASSIFICATIONS IN EFFECT
27 ON THE EFFECTIVE DATE OF THIS SECTION. FOR THE PURPOSES
28 OF THIS PARAGRAPH, ANY RECLASSIFICATION OF MUNICIPALITIES
29 AS A RESULT OF A FEDERAL DECENNIAL CENSUS OR OF A STATE
30 STATUTE SHALL NOT APPLY TO THIS PARAGRAPH.

1 (XIII) IF ANY PROVISION OF THIS PARAGRAPH IS FOUND
2 TO BE UNENFORCEABLE FOR ANY REASON, THE DISTRIBUTION
3 PROVIDED FOR IN SUCH UNENFORCEABLE PROVISION SHALL BE
4 MADE TO THE MUNICIPALITY IN WHICH THE LICENSED FACILITY
5 IS LOCATED.

6 (XIV) NOTHING IN THIS PARAGRAPH SHALL PREVENT ANY OF
7 THE ABOVE MUNICIPALITIES FROM ENTERING INTO
8 INTERGOVERNMENTAL COOPERATIVE AGREEMENTS WITH OTHER
9 JURISDICTIONS FOR SHARING THIS MONEY.

10 (XV) NOTWITHSTANDING ANY OTHER LAW, AGREEMENT OR
11 PROVISION IN THIS PART TO THE CONTRARY, ALL REVENUES
12 PROVIDED, DIRECTED OR EARMARKED UNDER THIS SECTION TO OR
13 FOR THE BENEFIT OF A CITY OF THE SECOND CLASS IN WHICH AN
14 INTERGOVERNMENTAL COOPERATION AUTHORITY HAS BEEN
15 ESTABLISHED AND IS IN EXISTENCE PURSUANT TO THE ACT OF
16 FEBRUARY 12, 2004 (P.L.73, NO.11), KNOWN AS THE
17 INTERGOVERNMENTAL COOPERATION AUTHORITY ACT FOR CITIES OF
18 THE SECOND CLASS, SHALL BE DIRECTED TO AND UNDER THE
19 EXCLUSIVE CONTROL OF SUCH INTERGOVERNMENTAL COOPERATION
20 AUTHORITY TO BE USED:

21 (A) TO REDUCE THE DEBT OF THE SECOND CLASS CITY;

22 (B) TO INCREASE THE LEVEL OF FUNDING OF THE
23 MUNICIPAL PENSION FUNDS OF THE SECOND CLASS CITY; OR

24 (C) FOR ANY OTHER PURPOSES AS DETERMINED TO BE
25 IN THE BEST INTEREST OF THE SECOND CLASS CITY BY SUCH
26 INTERGOVERNMENTAL COOPERATION AUTHORITY. SUCH
27 REVENUES SHALL NOT BE DIRECTED TO OR UNDER THE
28 CONTROL OF SUCH CITY OF THE SECOND CLASS OR ANY
29 COORDINATOR APPOINTED PURSUANT TO THE ACT OF JULY 10,
30 1987 (P.L.246, NO.47), KNOWN AS THE MUNICIPALITIES

1 FINANCIAL RECOVERY ACT, FOR SUCH CITY OF THE SECOND
2 CLASS.

3 (D) CONSUMER PRICE INDEX.--FOR PURPOSES OF SUBSECTION (C),
4 REFERENCES TO THE CONSUMER PRICE INDEX SHALL MEAN THE CONSUMER
5 PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE PENNSYLVANIA, NEW
6 JERSEY, DELAWARE AND MARYLAND AREA FOR THE MOST RECENT 12-MONTH
7 PERIOD FOR WHICH FIGURES HAVE BEEN OFFICIALLY REPORTED BY THE
8 UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.

9 (E) REPORTING.--

10 (1) IN COOPERATION WITH THE DEPARTMENT AND THE
11 COMMONWEALTH FINANCING AUTHORITY, THE DEPARTMENT OF COMMUNITY
12 AND ECONOMIC DEVELOPMENT SHALL SUBMIT AN ANNUAL REPORT ON ALL
13 DISTRIBUTIONS OF LOCAL SHARE ASSESSMENTS AND SLOT MACHINE
14 LICENSE OPERATION FEES TO COUNTIES AND MUNICIPALITIES UNDER
15 THIS SECTION TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
16 APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIRMAN AND
17 MINORITY CHAIRMAN OF THE COMMUNITY, ECONOMIC AND RECREATIONAL
18 DEVELOPMENT COMMITTEE OF THE SENATE, THE CHAIRMAN AND
19 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE
20 HOUSE OF REPRESENTATIVES AND THE CHAIRMAN AND MINORITY
21 CHAIRMAN OF THE GAMING OVERSIGHT COMMITTEE OF THE HOUSE OF
22 REPRESENTATIVES. THE REPORT SHALL BE SUBMITTED BY [AUGUST 31,
23 2010] MARCH 31, 2018, AND BY [AUGUST] MARCH 31 OF EACH YEAR
24 THEREAFTER.

25 (2) ALL COUNTIES AND MUNICIPALITIES RECEIVING
26 DISTRIBUTIONS OF LOCAL SHARE ASSESSMENTS OR SLOT MACHINE
27 LICENSE OPERATION FEES UNDER THIS SECTION SHALL SUBMIT
28 INFORMATION TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC
29 DEVELOPMENT ON A FORM PREPARED BY THE DEPARTMENT OF COMMUNITY
30 AND ECONOMIC DEVELOPMENT THAT SETS FORTH THE AMOUNT AND USE

1 OF THE FUNDS RECEIVED IN THE PRIOR CALENDAR YEAR. THE FORM
2 SHALL SET FORTH WHETHER THE FUNDS RECEIVED WERE DEPOSITED IN
3 THE COUNTY'S OR MUNICIPALITY'S GENERAL FUND OR COMMITTED TO A
4 SPECIFIC PROJECT OR USE.

5 (F) PROHIBITED ACTIVITIES.--

6 (1) A PERSON OR ITS AFFILIATED ENTITY OR A POLITICAL
7 SUBDIVISION SHALL NOT COMPENSATE OR INCUR AN OBLIGATION TO
8 COMPENSATE A PERSON TO ENGAGE IN LOBBYING FOR COMPENSATION
9 CONTINGENT IN WHOLE OR IN PART UPON THE APPROVAL, AWARD,
10 RECEIPT OR DENIAL OF FUNDS UNDER THIS SECTION. A PERSON OR
11 ITS AFFILIATED ENTITY SHALL NOT ENGAGE IN OR AGREE TO ENGAGE
12 IN LOBBYING FOR COMPENSATION CONTINGENT IN WHOLE OR IN PART
13 UPON THE APPROVAL, AWARD, RECEIPT OR DENIAL OF FUNDS UNDER
14 THIS SECTION. THIS SUBSECTION SHALL NOT APPLY TO A COUNTY OR
15 MUNICIPALITY THAT COMPENSATES A PERSON TO PREPARE A GRANT
16 APPLICATION FOR FUNDS UNDER THIS SECTION IF THE FOLLOWING
17 REQUIREMENTS ARE MET:

18 (I) THE PERSON IS NOT IDENTIFIED IN THE APPLICATION.

19 (II) THE PERSON HAS NO DIRECT CONTACT WITH THE
20 AGENCY, COUNTY OR MUNICIPALITY PROVIDING THE FUNDING.

21 (III) THE PERSON IS PAID A FIXED FEE OR PERCENTAGE
22 OF THE AMOUNT OF ANY FUNDS APPROVED, AWARDED OR RECEIVED
23 UP TO .5%.

24 (2) A VIOLATION OF THIS SECTION SHALL BE CONSIDERED AN
25 INTENTIONAL VIOLATION OF 65 PA.C.S. § 13A09(E) (RELATING TO
26 PENALTIES).

27 SECTION 20.1. SECTION 1407(B) OF TITLE 4 IS AMENDED AND THE
28 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

29 § 1407. PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM
30 FUND.

1 * * *

2 (B) FUND ADMINISTRATION AND DISTRIBUTION.--THE PENNSYLVANIA
3 GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND SHALL BE
4 ADMINISTERED BY THE DEPARTMENT OF COMMUNITY AND ECONOMIC
5 DEVELOPMENT. [ALL] EXCEPT AS PROVIDED UNDER SUBSECTION (C.1),
6 ALL MONEYS IN THE PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND
7 TOURISM FUND SHALL BE DISTRIBUTED PURSUANT TO A SUBSEQUENTLY
8 ENACTED ECONOMIC DEVELOPMENT CAPITAL BUDGET THAT APPROPRIATES
9 MONEY FROM THE FUND PURSUANT TO THIS SECTION. THE PROCEDURES FOR
10 ENACTMENT, AUTHORIZATION AND RELEASE OF ECONOMIC DEVELOPMENT AND
11 TOURISM FUNDS AUTHORIZED UNDER THIS SECTION FOR BOTH CAPITAL
12 PROJECTS AND OPERATIONAL EXPENDITURES SHALL BE THE SAME AS THOSE
13 PROVIDED FOR IN SECTIONS 303(A), (B) AND (C) AND 318(A) OF THE
14 ACT OF FEBRUARY 9, 1999 (P.L.1, NO.1), KNOWN AS THE CAPITAL
15 FACILITIES DEBT ENABLING ACT, WITHOUT REFERENCE TO THE NATURE OR
16 PURPOSE OF THE PROJECT, AND ANY OTHER STATUTORY PROVISION, IF
17 ANY, NECESSARY TO EFFECTUATE THE RELEASE OF FUNDS APPROPRIATED
18 IN SUCH ECONOMIC DEVELOPMENT CAPITAL BUDGET.

19 * * *

20 (C.1) SUPPLEMENTAL PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT
21 AND TOURISM FUND ASSESSMENT.--BEGINNING JULY 1, 2017, EACH
22 LICENSED GAMING ENTITY SHALL PAY A DAILY ASSESSMENT OF 0.5% OF
23 ITS GROSS TERMINAL REVENUE TO THE CASINO MARKETING AND CAPITAL
24 DEVELOPMENT ACCOUNT. THE FOLLOWING SHALL APPLY:

25 (1) THE BOARD SHALL SUBMIT NOTICE TO THE LEGISLATIVE
26 REFERENCE BUREAU FOR PUBLICATION IN THE PENNSYLVANIA BULLETIN
27 WHEN THE GROSS TERMINAL REVENUE FOR EACH CATEGORY 1 AND
28 CATEGORY 2 SLOT MACHINE LICENSEE FOR THE PREVIOUS FISCAL YEAR
29 EXCEEDS \$200,000,000.

30 (2) THIS SUBSECTION SHALL EXPIRE ON THE EARLIER OF:

1 (I) TEN YEARS AFTER THE EFFECTIVE DATE OF THIS
2 SUBSECTION; OR

3 (II) THE DATE OF PUBLICATION OF THE NOTICE UNDER
4 PARAGRAPH (1).

5 * * *

6 SECTION 20.2. TITLE 4 IS AMENDED BY ADDING A SECTION TO
7 READ:

8 § 1407.1. CASINO MARKETING AND CAPITAL DEVELOPMENT ACCOUNT.

9 (A) ESTABLISHMENT.--THERE IS ESTABLISHED IN THE PENNSYLVANIA
10 GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND A RESTRICTED
11 ACCOUNT TO BE KNOWN AS THE CASINO MARKETING AND CAPITAL
12 DEVELOPMENT ACCOUNT.

13 (B) ADMINISTRATION AND DISTRIBUTION.--THE CASINO MARKETING
14 AND CAPITAL DEVELOPMENT ACCOUNT SHALL BE ADMINISTERED BY THE
15 BOARD. ALL MONEY IN THE CASINO MARKETING AND CAPITAL DEVELOPMENT
16 ACCOUNT SHALL BE DISTRIBUTED AS GRANTS IN ACCORDANCE WITH THIS
17 SECTION. THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
18 SHALL MAKE PAYMENTS TO GRANT RECIPIENTS AS DIRECTED BY THE
19 BOARD.

20 (C) GRANT PROCEDURES.--THE BOARD SHALL ESTABLISH PROCEDURES
21 FOR A SLOT MACHINE LICENSEE TO APPLY FOR GRANTS FROM THE CASINO
22 MARKETING AND CAPITAL DEVELOPMENT ACCOUNT. THE BOARD SHALL
23 DETERMINE THE FORM AND MANNER IN WHICH AN APPLICATION FOR A
24 GRANT MAY BE FILED WITH THE BOARD.

25 (D) PROGRAM GUIDELINES.--THE BOARD SHALL ESTABLISH PROGRAM
26 GUIDELINES. EACH SLOT MACHINE LICENSEE MAY APPLY TO THE BOARD
27 FOR A GRANT UNDER THIS SECTION. EACH GRANT AWARDED UNDER THIS
28 SECTION SHALL BE USED BY THE SLOT MACHINE LICENSEE FOR MARKETING
29 OR CAPITAL DEVELOPMENT.

30 (E) DISTRIBUTION OF GRANTS.--

1 (1) EACH YEAR, BEFORE THE BOARD AWARDS A GRANT UNDER
2 THIS SECTION, THE FOLLOWING DISTRIBUTIONS SHALL BE MADE:

3 (I) EACH CATEGORY 1 OR CATEGORY 2 SLOT MACHINE
4 LICENSEE WITH GROSS TERMINAL REVENUES OF \$150,000,000 OR
5 LESS FOR THE FISCAL YEAR ENDING JUNE 30, 2016, SHALL
6 RECEIVE \$5,000,000.

7 (II) EACH CATEGORY 1 OR CATEGORY 2 SLOT MACHINE
8 LICENSEE WITH GROSS TERMINAL REVENUES OF MORE THAN
9 \$150,000,000 BUT LESS THAN \$200,000,000 FOR THE FISCAL
10 YEAR ENDING JUNE 30, 2016, SHALL RECEIVE \$3,000,000.

11 (III) IF THERE IS INSUFFICIENT MONEY IN THE CASINO
12 MARKETING AND CAPITAL DEVELOPMENT ACCOUNT TO MAKE THE
13 REQUIRED DISTRIBUTIONS UNDER SUBPARAGRAPHS (I) AND (II),
14 DISTRIBUTIONS SHALL BE MADE IN THE PROPORTION OF:

15 (A) THE ELIGIBLE LICENSEES UNDER EACH
16 SUBPARAGRAPH; TO

17 (B) THE TOTAL AMOUNT OF MONEY IN THE CASINO
18 MARKETING AND CAPITAL DEVELOPMENT ACCOUNT.

19 (2) AFTER DISTRIBUTION UNDER PARAGRAPH (1), REMAINING
20 MONEY IN THE CASINO MARKETING AND CAPITAL DEVELOPMENT ACCOUNT
21 SHALL BE DISTRIBUTED BY THE BOARD TO OTHER SLOT MACHINE
22 LICENSEES THAT HAVE APPLIED FOR GRANTS.

23 (3) NO SLOT MACHINE LICENSEE MAY RECEIVE MORE THAN
24 \$5,000,000 FROM THE CASINO MARKETING AND CAPITAL DEVELOPMENT
25 ACCOUNT IN ONE YEAR.

26 (F) EXPIRATION.--

27 (1) THE BOARD SHALL SUBMIT NOTICE TO THE LEGISLATIVE
28 REFERENCE BUREAU FOR PUBLICATION IN THE PENNSYLVANIA BULLETIN
29 WHEN THE GROSS TERMINAL REVENUE FOR EACH CATEGORY 1 AND
30 CATEGORY 2 SLOT MACHINE LICENSEE FOR THE PREVIOUS FISCAL YEAR

1 EXCEEDS \$200,000,000.

2 (2) THIS SECTION SHALL EXPIRE ON THE EARLIER OF:

3 (I) TEN YEARS AFTER THE EFFECTIVE DATE OF THIS
4 SUBSECTION; OR

5 (II) THE DATE OF PUBLICATION OF THE NOTICE UNDER
6 PARAGRAPH (1).

7 (G) DEFINITION.--AS USED IN THIS SECTION, THE TERM "CAPITAL
8 DEVELOPMENT" SHALL INCLUDE, BUT IS NOT LIMITED TO, EXPANSION OR
9 RENOVATION OF AN EXISTING LICENSED FACILITY OR CONSTRUCTING OR
10 EXPANDING AMENITIES AT A LICENSED FACILITY.

11 SECTION 20.3. SECTION 1408(C) OF TITLE 4 IS AMENDED AND THE
12 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

13 § 1408. TRANSFERS FROM STATE GAMING FUND.

14 * * *

15 (C) LOCAL LAW ENFORCEMENT GRANTS.--[ANNUALLY] EXCEPT AS
16 PROVIDED IN SUBSECTION (C.1), ANNUALLY, THE SUM OF \$2,000,000
17 SHALL BE TRANSFERRED TO THE BOARD FOR THE PURPOSE OF ISSUING
18 GRANTS TO LOCAL LAW ENFORCEMENT AGENCIES TO INVESTIGATE
19 VIOLATIONS OF AND ENFORCE LAWS RELATING TO UNLAWFUL GAMBLING IN
20 THIS COMMONWEALTH. FOR PURPOSES OF THIS SUBSECTION, THE TERM
21 "LOCAL LAW ENFORCEMENT AGENCY" SHALL INCLUDE THE PENNSYLVANIA
22 STATE POLICE WHEN CONDUCTING UNLAWFUL GAMBLING ENFORCEMENT AND
23 PREVENTION ACTIVITIES IN A MUNICIPALITY WHICH DOES NOT HAVE A
24 MUNICIPAL POLICE DEPARTMENT AND IN WHICH THE PENNSYLVANIA STATE
25 POLICE PROVIDE THE MUNICIPALITY WITH PRIMARY POLICE COVERAGE.

26 (C.1) TRANSFER TO THE CASINO MARKETING AND CAPITAL
27 DEVELOPMENT ACCOUNT.--BEGINNING JULY 1, 2017, AND EACH YEAR
28 THEREAFTER, \$2,000,000 SHALL BE TRANSFERRED TO THE CASINO
29 MARKETING AND CAPITAL DEVELOPMENT ACCOUNT ESTABLISHED IN SECTION
30 1407.1 (RELATING TO CASINO MARKETING AND CAPITAL DEVELOPMENT

1 ACCOUNT). ANY MONEY NOT COMMITTED FOR LOCAL LAW ENFORCEMENT
2 GRANTS UNDER SUBSECTION (C) ON THE EFFECTIVE DATE OF THIS
3 SUBSECTION SHALL BE TRANSFERRED TO THE CASINO MARKETING AND
4 CAPITAL DEVELOPMENT ACCOUNT. THE FOLLOWING SHALL APPLY:

5 (1) THE BOARD SHALL SUBMIT NOTICE TO THE LEGISLATIVE
6 REFERENCE BUREAU FOR PUBLICATION IN THE PENNSYLVANIA BULLETIN
7 WHEN THE GROSS TERMINAL REVENUE FOR EACH CATEGORY 1 AND
8 CATEGORY 2 SLOT MACHINE LICENSEE FOR THE PREVIOUS FISCAL YEAR
9 EXCEEDS \$200,000,000.

10 (2) THIS SUBSECTION SHALL EXPIRE ON THE EARLIER OF:

11 (I) TEN YEARS AFTER THE EFFECTIVE DATE OF THIS
12 SUBSECTION; OR

13 (II) THE DATE OF PUBLICATION OF THE NOTICE UNDER
14 PARAGRAPH (1).

15 * * *

16 SECTION 20.4. SECTIONS 1501(B), 1504 AND 1509 OF TITLE 4 ARE
17 AMENDED TO READ:

18 § 1501. RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

19 * * *

20 (B) APPLICATION OF RULES AND REGULATIONS.--THE DEPARTMENT
21 MAY PRESCRIBE THE EXTENT, IF ANY, TO WHICH ANY RULES AND
22 REGULATIONS SHALL BE APPLIED WITHOUT RETROACTIVE EFFECT. THE
23 DEPARTMENT SHALL HAVE AUTHORITY TO PRESCRIBE THE FORMS AND THE
24 SYSTEM OF ACCOUNTING AND RECORDKEEPING TO BE EMPLOYED AND
25 THROUGH ITS REPRESENTATIVE SHALL AT ALL TIMES HAVE POWER OF
26 ACCESS TO AND EXAMINATION AND AUDIT OF ANY EQUIPMENT AND RECORDS
27 RELATING TO ALL ASPECTS OF THE OPERATION OF SLOT MACHINES [AND],
28 TABLE GAMES AND INTERACTIVE GAMING UNDER THIS PART.

29 * * *

30 § 1504. WAGERING ON CREDIT.

1 EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, SLOT MACHINE
2 LICENSEES SHALL NOT EXTEND CREDIT. SLOT MACHINE LICENSEES SHALL
3 NOT ACCEPT CREDIT CARDS, CHARGE CARDS OR DEBIT CARDS FROM A
4 PATRON OR A PLAYER FOR THE EXCHANGE OR PURCHASE OF SLOT MACHINE
5 CREDITS OR FOR AN ADVANCE OF COINS OR CURRENCY TO BE UTILIZED BY
6 A PLAYER TO PLAY SLOT MACHINE GAMES OR EXTEND CREDIT IN ANY
7 MANNER TO A PLAYER SO AS TO ENABLE THE PLAYER TO PLAY SLOT
8 MACHINES. PREPAID ACCESS INSTRUMENTS ARE NOT DEEMED TO BE A
9 CREDIT CARD, CHARGE CARD, DEBIT CARD OR ANY OTHER INSTRUMENT OF
10 CREDIT AND ARE NOT PROHIBITED UNDER THIS SECTION. SLOT MACHINE
11 LICENSEES WHO HOLD A TABLE GAME OPERATION CERTIFICATE MAY EXTEND
12 CREDIT FOR SLOT MACHINE GAMING IN ACCORDANCE WITH SECTION 13A26
13 (RELATING TO CASH EQUIVALENTS).

14 § 1509. COMPULSIVE AND PROBLEM GAMBLING PROGRAM.

15 (A) ESTABLISHMENT OF PROGRAM.--THE DEPARTMENT OF [HEALTH]
16 DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR AGENCY, IN CONSULTATION
17 WITH ORGANIZATIONS SIMILAR TO THE MID-ATLANTIC ADDICTION
18 TRAINING INSTITUTE, SHALL DEVELOP PROGRAM GUIDELINES FOR PUBLIC
19 EDUCATION, AWARENESS AND TRAINING REGARDING COMPULSIVE AND
20 PROBLEM GAMBLING AND THE TREATMENT AND PREVENTION OF COMPULSIVE
21 AND PROBLEM GAMBLING. THE GUIDELINES SHALL INCLUDE STRATEGIES
22 FOR THE PREVENTION OF COMPULSIVE AND PROBLEM GAMBLING. THE
23 DEPARTMENT OF [HEALTH] DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR
24 AGENCY MAY CONSULT WITH THE BOARD AND LICENSED GAMING ENTITIES
25 TO DEVELOP SUCH STRATEGIES.

26 (A.1) DUTIES OF DEPARTMENT OF [HEALTH] DRUG AND ALCOHOL
27 PROGRAMS.--FROM FUNDS AVAILABLE IN THE COMPULSIVE AND PROBLEM
28 GAMBLING TREATMENT FUND, THE DEPARTMENT OF [HEALTH] DRUG AND
29 ALCOHOL PROGRAMS OR SUCCESSOR AGENCY SHALL:

30 (1) MAINTAIN [A] ONE COMPULSIVE GAMBLERS ASSISTANCE

1 ORGANIZATION'S TOLL-FREE PROBLEM GAMBLING TELEPHONE NUMBER,
2 WHICH SHALL BE THE NUMBER 1-800-GAMBLER, TO PROVIDE CRISIS
3 COUNSELING AND REFERRAL SERVICES TO INDIVIDUALS AND FAMILIES
4 EXPERIENCING DIFFICULTY AS A RESULT OF PROBLEM OR COMPULSIVE
5 GAMBLING. IF THE DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS OR
6 SUCCESSOR AGENCY DETERMINES THAT IT IS UNABLE TO ADOPT THE
7 NUMBER 1-800-GAMBLER, THE DEPARTMENT OF DRUG AND ALCOHOL
8 PROGRAMS OR SUCCESSOR AGENCY SHALL MAINTAIN ANOTHER NUMBER.

9 (2) FACILITATE, THROUGH IN-SERVICE TRAINING AND OTHER
10 MEANS, THE AVAILABILITY OF EFFECTIVE ASSISTANCE PROGRAMS FOR
11 PROBLEM AND COMPULSIVE GAMBLERS AND FAMILY MEMBERS AFFECTED
12 BY PROBLEM AND COMPULSIVE GAMBLING.

13 (3) AT ITS DISCRETION, CONDUCT STUDIES TO IDENTIFY
14 INDIVIDUALS IN THIS COMMONWEALTH WHO ARE OR ARE AT RISK OF
15 BECOMING PROBLEM OR COMPULSIVE GAMBLERS.

16 (4) PROVIDE GRANTS TO AND CONTRACT WITH SINGLE COUNTY
17 AUTHORITIES AND OTHER ORGANIZATIONS WHICH PROVIDE SERVICES AS
18 SET FORTH IN THIS SECTION.

19 (5) REIMBURSE ORGANIZATIONS FOR REASONABLE EXPENSES
20 INCURRED ASSISTING THE DEPARTMENT OF [HEALTH] DRUG AND
21 ALCOHOL PROGRAMS OR SUCCESSOR AGENCY WITH IMPLEMENTING THIS
22 SECTION.

23 (A.2) DUTIES OF DEPARTMENT OF [HEALTH] DRUG AND ALCOHOL
24 PROGRAMS AND BOARD.--[WITHIN 60 DAYS FOLLOWING THE EFFECTIVE
25 DATE OF THIS SUBSECTION, THE] THE DEPARTMENT OF [HEALTH'S BUREAU
26 OF] DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR AGENCY AND THE
27 BOARD'S OFFICE OF COMPULSIVE AND PROBLEM GAMBLING SHALL JOINTLY
28 COLLABORATE WITH OTHER APPROPRIATE OFFICES AND AGENCIES OF STATE
29 OR LOCAL GOVERNMENT, INCLUDING SINGLE COUNTY AUTHORITIES, AND
30 PROVIDERS AND OTHER PERSONS, PUBLIC OR PRIVATE, WITH EXPERTISE

1 IN COMPULSIVE AND PROBLEM GAMBLING TREATMENT TO DO THE
2 FOLLOWING:

3 (1) IMPLEMENT A STRATEGIC PLAN FOR THE PREVENTION AND
4 TREATMENT OF COMPULSIVE AND PROBLEM GAMBLING.

5 (2) ADOPT COMPULSIVE AND PROBLEM GAMBLING TREATMENT
6 STANDARDS TO BE INTEGRATED WITH THE [BUREAU] DEPARTMENT OF
7 DRUG AND ALCOHOL PROGRAM'S OR SUCCESSOR AGENCY'S UNIFORM
8 STATEWIDE GUIDELINES THAT GOVERN THE PROVISION OF ADDICTION
9 TREATMENT SERVICES.

10 (3) DEVELOP A METHOD TO COORDINATE COMPULSIVE AND
11 PROBLEM GAMBLING DATA COLLECTION AND REFERRAL INFORMATION TO
12 CRISIS RESPONSE HOTLINES, CHILD WELFARE AND DOMESTIC VIOLENCE
13 PROGRAMS AND PROVIDERS AND OTHER APPROPRIATE PROGRAMS AND
14 PROVIDERS.

15 (4) DEVELOP AND DISSEMINATE EDUCATIONAL MATERIALS TO
16 PROVIDE PUBLIC AWARENESS RELATED TO THE PREVENTION,
17 RECOGNITION AND TREATMENT OF COMPULSIVE AND PROBLEM GAMBLING.

18 (5) DEVELOP DEMOGRAPHIC-SPECIFIC COMPULSIVE AND PROBLEM
19 GAMBLING PREVENTION, INTERVENTION AND TREATMENT PROGRAMS.

20 (6) PREPARE AN ITEMIZED BUDGET OUTLINING HOW FUNDS WILL
21 BE ALLOCATED TO FULFILL THE RESPONSIBILITIES UNDER THIS
22 SECTION.

23 (B) COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND.--THERE
24 IS HEREBY ESTABLISHED IN THE STATE TREASURY A SPECIAL FUND TO BE
25 KNOWN AS THE COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND. ALL
26 MONEYS IN THE FUND SHALL BE ADMINISTERED BY THE DEPARTMENT OF
27 [HEALTH] DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR AGENCY AND
28 EXPENDED SOLELY FOR PROGRAMS FOR THE PREVENTION AND TREATMENT OF
29 GAMBLING ADDICTION AND OTHER EMOTIONAL AND BEHAVIORAL PROBLEMS
30 ASSOCIATED WITH OR RELATED TO GAMBLING ADDICTION AND FOR THE

1 ADMINISTRATION OF THE COMPULSIVE AND PROBLEM GAMBLING PROGRAM,
2 PROVIDED THAT THE DEPARTMENT OF [HEALTH] DRUG AND ALCOHOL
3 PROGRAMS OR SUCCESSOR AGENCY SHALL ANNUALLY DISTRIBUTE AT LEAST
4 50% OF THE MONEY IN THE FUND TO SINGLE COUNTY AUTHORITIES UNDER
5 SUBSECTION (D). THE FUND SHALL CONSIST OF MONEY ANNUALLY
6 ALLOCATED TO IT FROM THE ANNUAL PAYMENT ESTABLISHED UNDER
7 SECTION 1408(A) (RELATING TO TRANSFERS FROM STATE GAMING FUND),
8 MONEY WHICH MAY BE ALLOCATED BY THE BOARD, INTEREST EARNINGS ON
9 MONEYS IN THE FUND AND ANY OTHER CONTRIBUTIONS, PAYMENTS OR
10 DEPOSITS WHICH MAY BE MADE TO THE FUND.

11 (C) NOTICE OF AVAILABILITY OF ASSISTANCE.--

12 (1) [EACH] EXCEPT AS OTHERWISE PROVIDED FOR IN PARAGRAPH
13 (4), EACH SLOT MACHINE LICENSEE SHALL [OBTAIN A] USE THE
14 TOLL-FREE TELEPHONE NUMBER [TO BE USED] ESTABLISHED BY THE
15 DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR AGENCY
16 IN SUBSECTION (A.1)(1) TO PROVIDE PERSONS WITH INFORMATION ON
17 ASSISTANCE FOR COMPULSIVE OR PROBLEM GAMBLING. EACH LICENSEE
18 SHALL CONSPICUOUSLY POST AT LEAST 20 SIGNS SIMILAR TO THE
19 FOLLOWING STATEMENT:

20 IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP
21 IS AVAILABLE. CALL (TOLL-FREE TELEPHONE NUMBER).

22 THE SIGNS MUST BE POSTED WITHIN 50 FEET OF EACH ENTRANCE AND
23 EXIT, WITHIN 50 FEET OF EACH AUTOMATED TELLER MACHINE
24 LOCATION WITHIN THE LICENSED FACILITY AND IN OTHER
25 APPROPRIATE PUBLIC AREAS OF THE LICENSED FACILITY AS
26 DETERMINED BY THE SLOT MACHINE LICENSEE.

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 EXCEPT AS OTHERWISE PROVIDED FOR IN PARAGRAPH (4), THE TOLL-
4 FREE TELEPHONE NUMBER SHALL BE THE SAME TELEPHONE NUMBER
5 ESTABLISHED BY THE DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS OR
6 SUCCESSOR AGENCY UNDER SUBSECTION (A.1)(1).

7 (2.1) EACH INTERACTIVE GAMING CERTIFICATE HOLDER,
8 INTERACTIVE GAMING OPERATOR OR OTHER PERSON THAT OPERATES
9 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF
10 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER:

11 (I) SHALL CAUSE THE WORDS:

12 IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM,
13 HELP IS AVAILABLE. CALL (TOLL-FREE TELEPHONE NUMBER).
14 OR SOME COMPARABLE LANGUAGE APPROVED BY THE BOARD, WHICH
15 LANGUAGE SHALL INCLUDE THE WORDS "GAMBLING PROBLEM" AND
16 "CALL 1-800-XXXX," TO BE PROMINENTLY AND CONTINUOUSLY
17 DISPLAYED TO A PERSON VISITING OR LOGGED ONTO THE
18 INTERACTIVE GAMING CERTIFICATE HOLDER'S INTERACTIVE
19 GAMING SKIN OR INTERNET WEBSITE.

20 (II) SHALL PROVIDE A MECHANISM BY WHICH AN
21 INTERACTIVE GAMING ACCOUNT HOLDER MAY ESTABLISH THE
22 FOLLOWING CONTROLS ON WAGERING ACTIVITY THROUGH THE
23 INTERACTIVE GAMING ACCOUNT:

24 (A) A LIMIT ON THE AMOUNT OF MONEY LOST WITHIN A
25 SPECIFIED PERIOD OF TIME AND THE LENGTH OF TIME THE
26 ACCOUNT HOLDER WILL BE UNABLE TO PARTICIPATE IN
27 GAMING IF THE HOLDER REACHES THE ESTABLISHED LOSS
28 LIMIT.

29 (B) A LIMIT ON THE MAXIMUM AMOUNT OF A SINGLE
30 WAGER ON AN INTERACTIVE GAME.

1 (C) A TEMPORARY SUSPENSION OF INTERACTIVE GAMING
2 THROUGH THE ACCOUNT FOR ANY NUMBER OF HOURS OR DAYS.

3 (III) SHALL NOT MAIL OR OTHERWISE FORWARD A GAMING-
4 RELATED PROMOTIONAL MATERIAL OR E-MAIL TO A REGISTERED
5 PLAYER DURING A PERIOD IN WHICH INTERACTIVE GAMING
6 THROUGH THE REGISTERED PLAYERS' INTERACTIVE GAMING
7 ACCOUNT HAS BEEN SUSPENDED OR TERMINATED. THE INTERACTIVE
8 GAMING CERTIFICATE HOLDER SHALL PROVIDE A MECHANISM BY
9 WHICH A REGISTERED PLAYER MAY CHANGE THE CONTROLS, EXCEPT
10 THAT, WHILE INTERACTIVE GAMING THROUGH THE INTERACTIVE
11 GAMING ACCOUNT IS SUSPENDED, THE REGISTERED PLAYER MAY
12 NOT CHANGE GAMING CONTROLS UNTIL THE SUSPENSION EXPIRES,
13 BUT THE REGISTERED PLAYER SHALL CONTINUE TO HAVE ACCESS
14 TO THE ACCOUNT AND SHALL BE PERMITTED TO WITHDRAW FUNDS
15 FROM THE ACCOUNT UPON PROPER APPLICATION FOR THE FUNDS TO
16 THE INTERACTIVE GAMING CERTIFICATE HOLDER.

17 (3) A LICENSED [FACILITY] GAMING ENTITY WHICH FAILS TO
18 POST OR PRINT THE WARNING SIGN IN ACCORDANCE WITH PARAGRAPH
19 (1) [OR], (2) OR (2.1) (I) SHALL BE ASSESSED A FINE OF \$1,000
20 A DAY FOR EACH DAY THE MINIMUM NUMBER OF SIGNS ARE NOT POSTED
21 OR THE REQUIRED STATEMENT IS NOT PRINTED AS PROVIDED IN THIS
22 SUBSECTION.

23 (3.1) AN INTERACTIVE GAMING CERTIFICATE HOLDER OR
24 INTERACTIVE GAMING LICENSE HOLDER, AS THE CASE MAY BE, THAT
25 FAILS TO ESTABLISH THE MECHANISMS, CONTROLS AND SYSTEMS IN
26 ACCORDANCE WITH PARAGRAPH (2.1) (II) AND (III) SHALL BE
27 ASSESSED A FINE OF NOT LESS THAN \$5,000 PER DAY FOR EACH DAY
28 THE MECHANISMS, CONTROLS AND SYSTEMS ARE NOT AVAILABLE TO
29 INTERACTIVE GAMING ACCOUNT HOLDERS.

30 (4) SLOT MACHINE LICENSEES OR RACETRACKS UTILIZING A

1 TOLL-FREE TELEPHONE NUMBER OTHER THAN THE NUMBER ESTABLISHED
2 BY THE DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR
3 AGENCY UNDER SUBSECTION (A.1) (1) PRIOR TO THE EFFECTIVE DATE
4 OF THIS PARAGRAPH MAY CONTINUE TO USE THAT NUMBER FOR A
5 PERIOD NOT TO EXCEED THREE YEARS FROM THE EFFECTIVE DATE OF
6 THIS PARAGRAPH UPON SHOWING GOOD CAUSE TO THE DEPARTMENT OF
7 DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR AGENCY.

8 (D) SINGLE COUNTY AUTHORITIES.--THE DEPARTMENT OF [HEALTH]
9 DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR AGENCY SHALL MAKE GRANTS
10 FROM THE FUND ESTABLISHED UNDER SUBSECTION (B) TO SINGLE COUNTY
11 AUTHORITIES CREATED PURSUANT TO THE ACT OF APRIL 14, 1972
12 (P.L.221, NO.63), KNOWN AS THE PENNSYLVANIA DRUG AND ALCOHOL
13 ABUSE CONTROL ACT, FOR THE PURPOSE OF PROVIDING COMPULSIVE
14 GAMBLING AND GAMBLING ADDICTION PREVENTION, TREATMENT AND
15 EDUCATION PROGRAMS. TREATMENT MAY INCLUDE FINANCIAL COUNSELING,
16 IRRESPECTIVE OF WHETHER THE FINANCIAL COUNSELING IS PROVIDED BY
17 THE SINGLE COUNTY AUTHORITY, THE TREATMENT SERVICE PROVIDER OR
18 SUBCONTRACTED TO A THIRD PARTY. IT IS THE INTENTION OF THE
19 GENERAL ASSEMBLY THAT ANY GRANTS MADE BY THE DEPARTMENT OF
20 [HEALTH] DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR AGENCY TO ANY
21 SINGLE COUNTY AUTHORITY IN ACCORDANCE WITH THE PROVISIONS OF
22 THIS SUBSECTION BE USED EXCLUSIVELY FOR THE DEVELOPMENT AND
23 IMPLEMENTATION OF COMPULSIVE AND PROBLEM GAMBLING PROGRAMS
24 AUTHORIZED UNDER THIS SECTION.

25 (D.1) ELIGIBILITY.--ELIGIBILITY TO RECEIVE TREATMENT
26 SERVICES FOR TREATMENT OF COMPULSIVE AND PROBLEM GAMBLING UNDER
27 THIS SECTION SHALL BE DETERMINED USING FINANCIAL ELIGIBILITY AND
28 OTHER REQUIREMENTS OF THE SINGLE COUNTY AUTHORITIES AS APPROVED
29 BY THE DEPARTMENT OF [HEALTH] DRUG AND ALCOHOL PROGRAMS OR
30 SUCCESSOR AGENCY.

1 (D.2) REPORT.--[NO LATER THAN OCTOBER 1, 2010, AND EACH]
2 ANNUALLY ON OCTOBER 1 [THEREAFTER], THE DEPARTMENT OF [HEALTH]
3 DRUG AND ALCOHOL PROGRAMS OR SUCCESSOR AGENCY, IN CONSULTATION
4 WITH THE BOARD, SHALL PREPARE AND SUBMIT A REPORT ON THE IMPACT
5 OF THE PROGRAMS FUNDED BY THE COMPULSIVE AND PROBLEM GAMBLING
6 TREATMENT FUND TO THE GOVERNOR AND TO THE MEMBERS OF THE GENERAL
7 ASSEMBLY. THE REPORT SHALL INCLUDE AGGREGATE DEMOGRAPHIC-
8 SPECIFIC DATA, INCLUDING RACE, GENDER, GEOGRAPHY AND INCOME OF
9 THOSE INDIVIDUALS TREATED.

10 (E) DEFINITION.--AS USED IN SUBSECTION (D), THE TERM "SINGLE
11 COUNTY AUTHORITY" MEANS THE AGENCY DESIGNATED BY THE DEPARTMENT
12 OF HEALTH PURSUANT TO THE ACT OF APRIL 14, 1972 (P.L.221,
13 NO.63), KNOWN AS THE PENNSYLVANIA DRUG AND ALCOHOL ABUSE CONTROL
14 ACT, TO PLAN AND COORDINATE DRUG AND ALCOHOL PREVENTION,
15 INTERVENTION AND TREATMENT SERVICES FOR A GEOGRAPHIC AREA, WHICH
16 MAY CONSIST OF ONE OR MORE COUNTIES.

17 SECTION 21. SECTION 1512 OF TITLE 4 IS AMENDED BY ADDING A
18 SUBSECTION TO READ:

19 § 1512. FINANCIAL AND EMPLOYMENT INTERESTS.

20 * * *

21 (A.6) PROHIBITION RELATED TO INTERACTIVE GAMING.--

22 (1) EXCEPT AS MAY BE PROVIDED BY RULE OR ORDER OF THE
23 PENNSYLVANIA SUPREME COURT AND EXCEPT AS PROVIDED IN SECTION
24 1202.1 (RELATING TO CODE OF CONDUCT) OR 1512.1 (RELATING TO
25 ADDITIONAL RESTRICTIONS), NO EXECUTIVE-LEVEL PUBLIC EMPLOYEE,
26 PUBLIC OFFICIAL OR PARTY OFFICER OR IMMEDIATE FAMILY MEMBER
27 THEREOF SHALL HOLD, DIRECTLY OR INDIRECTLY, A FINANCIAL
28 INTEREST IN, BE EMPLOYED BY OR REPRESENT, APPEAR FOR, OR
29 NEGOTIATE ON BEHALF OF, OR DERIVE ANY REMUNERATION, PAYMENT,
30 BENEFIT OR ANY OTHER THING OF VALUE FOR ANY SERVICES,

1 INCLUDING, BUT NOT LIMITED TO, CONSULTING OR SIMILAR SERVICES
2 FROM ANY HOLDER OF OR APPLICANT FOR AN INTERACTIVE GAMING
3 CERTIFICATE, HOLDER OR APPLICANT FOR AN INTERACTIVE GAMING
4 LICENSE OR OTHER AUTHORIZATION TO CONDUCT INTERACTIVE GAMING
5 OR ANY HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANY WITH
6 RESPECT THERETO, OR ANY BUSINESS, ASSOCIATION, ENTERPRISE OR
7 OTHER ENTITY THAT IS ORGANIZED IN WHOLE OR IN PART FOR THE
8 PURPOSE OF PROMOTING, ADVOCATING FOR OR ADVANCING THE
9 INTERESTS OF THE INTERACTIVE GAMING INDUSTRY GENERALLY OR ANY
10 INTERACTIVE GAMING-RELATED BUSINESS OR BUSINESSES IN
11 CONNECTION WITH ANY CAUSE, APPLICATION OR MATTER. THE
12 FINANCIAL INTEREST AND EMPLOYMENT PROHIBITIONS UNDER THIS
13 PARAGRAPH SHALL REMAIN IN EFFECT FOR ONE YEAR FOLLOWING
14 TERMINATION OF THE INDIVIDUAL'S STATUS AS AN EXECUTIVE-LEVEL
15 PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER.

16 (2) NOTWITHSTANDING PARAGRAPH (1), A MEMBER OF THE
17 IMMEDIATE FAMILY OF AN EXECUTIVE-LEVEL PUBLIC EMPLOYEE,
18 PUBLIC OFFICIAL OR PARTY OFFICER MAY HOLD EMPLOYMENT WITH THE
19 HOLDER OF OR APPLICANT FOR AN INTERACTIVE GAMING CERTIFICATE,
20 HOLDER OR APPLICANT FOR AN INTERACTIVE GAMING LICENSE OR
21 OTHER AUTHORIZATION TO CONDUCT INTERACTIVE GAMING OR ANY
22 HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANY WITH RESPECT
23 THERETO, IF IN THE JUDGMENT OF THE STATE ETHICS COMMISSION OR
24 THE SUPREME COURT, AS APPROPRIATE, EMPLOYMENT WILL NOT
25 INTERFERE WITH THE RESPONSIBILITIES OF THE EXECUTIVE-LEVEL
26 PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER AND WILL
27 NOT CREATE A CONFLICT OF INTEREST OR REASONABLE RISK OF THE
28 PUBLIC PERCEPTION OF A CONFLICT OF INTEREST ON THE PART OF
29 THE EXECUTIVE-LEVEL PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY
30 OFFICER.

1 * * *

2 SECTION 22. SECTIONS 1514 HEADING, (A), (D), (E) AND (F),
3 1515 AND 1516 OF TITLE 4 ARE AMENDED TO READ:

4 § 1514. REGULATION REQUIRING EXCLUSION [OR], EJECTION OR DENIAL
5 OF ACCESS OF CERTAIN PERSONS.

6 (A) GENERAL RULE.--THE BOARD SHALL BY REGULATION PROVIDE FOR
7 THE ESTABLISHMENT OF A LIST OF PERSONS WHO ARE TO BE EXCLUDED OR
8 EJECTED FROM ANY LICENSED FACILITY OR WHO MAY BE DENIED ACCESS
9 TO INTERACTIVE GAMING. THE PROVISIONS SHALL DEFINE THE STANDARDS
10 FOR EXCLUSION AND SHALL INCLUDE STANDARDS RELATING TO PERSONS
11 WHO ARE CAREER OR PROFESSIONAL OFFENDERS AS DEFINED BY
12 REGULATIONS OF THE BOARD OR WHOSE PRESENCE IN A LICENSED
13 FACILITY OR WHOSE ACCESS TO INTERACTIVE GAMING WOULD, IN THE
14 OPINION OF THE BOARD, BE INIMICAL TO THE INTEREST OF THE
15 COMMONWEALTH OR OF LICENSED GAMING THEREIN, OR BOTH.

16 * * *

17 (D) SANCTIONS.--THE BOARD MAY IMPOSE SANCTIONS UPON A
18 LICENSED GAMING ENTITY, INTERACTIVE GAMING CERTIFICATE HOLDER OR
19 INTERACTIVE GAMING LICENSEE IN ACCORDANCE WITH THIS PART IF THE
20 LICENSED GAMING ENTITY, INTERACTIVE GAMING CERTIFICATE HOLDER OR
21 INTERACTIVE GAMING LICENSEE KNOWINGLY FAILS TO EXCLUDE OR EJECT
22 FROM THE PREMISES OF ANY LICENSED FACILITY OR DENY ACCESS TO
23 INTERACTIVE GAMING ANY PERSON PLACED BY THE BOARD ON THE LIST OF
24 PERSONS TO BE EXCLUDED [OR], EJECTED OR DENIED ACCESS.

25 (E) LIST NOT ALL-INCLUSIVE.--ANY LIST COMPILED BY THE BOARD
26 OF PERSONS TO BE EXCLUDED [OR], EJECTED OR DENIED ACCESS SHALL
27 NOT BE DEEMED AN ALL-INCLUSIVE LIST, AND A LICENSED GAMING
28 ENTITY SHALL HAVE A DUTY TO KEEP FROM THE LICENSED FACILITY AND
29 FROM INTERACTIVE GAMING PERSONS KNOWN TO IT TO BE WITHIN THE
30 CLASSIFICATIONS DECLARED IN THIS SECTION AND THE REGULATIONS

1 PROMULGATED UNDER THIS SECTION WHOSE PRESENCE IN A LICENSED
2 FACILITY OR WHOSE PARTICIPATION IN INTERACTIVE GAMING WOULD BE
3 INIMICAL TO THE INTEREST OF THE COMMONWEALTH OR OF LICENSED
4 GAMING THEREIN, OR BOTH, AS DEFINED IN STANDARDS ESTABLISHED BY
5 THE BOARD.

6 (F) NOTICE.--WHENEVER THE BUREAU SEEKS TO PLACE THE NAME OF
7 ANY PERSON ON A LIST PURSUANT TO THIS SECTION, THE BUREAU SHALL
8 SERVE NOTICE OF THIS FACT TO SUCH PERSON BY PERSONAL SERVICE OR
9 CERTIFIED MAIL AT THE LAST KNOWN ADDRESS OF THE PERSON. THE
10 NOTICE SHALL INFORM THE PERSON OF THE RIGHT TO REQUEST A HEARING
11 UNDER SUBSECTION (G). THE BUREAU MAY ALSO PROVIDE NOTICE BY E-
12 MAIL, IF THE E-MAIL ADDRESS OF THE PERSON IS KNOWN TO THE
13 BUREAU.

14 * * *

15 § 1515. REPEAT OFFENDERS EXCLUDABLE FROM LICENSED GAMING
16 FACILITY.

17 A LICENSED GAMING ENTITY MAY EXCLUDE OR EJECT FROM ITS
18 LICENSED FACILITY OR DENY ACCESS TO INTERACTIVE GAMING ANY
19 PERSON WHO IS KNOWN TO IT TO HAVE BEEN CONVICTED OF A
20 MISDEMEANOR OR FELONY COMMITTED IN OR ON THE PREMISES OF ANY
21 LICENSED FACILITY. NOTHING IN THIS SECTION OR IN ANY OTHER LAW
22 OF THIS COMMONWEALTH SHALL LIMIT THE RIGHT OF A LICENSED GAMING
23 ENTITY TO EXERCISE ITS COMMON LAW RIGHT TO EXCLUDE OR EJECT
24 PERMANENTLY FROM ITS LICENSED FACILITY OR PERMANENTLY DENY
25 ACCESS TO ITS INTERACTIVE GAMING ANY PERSON WHO DISRUPTS THE
26 OPERATIONS OF ITS PREMISES OR ITS INTERACTIVE GAMING, THREATENS
27 THE SECURITY OF ITS PREMISES OR ITS OCCUPANTS OR IS DISORDERLY
28 OR INTOXICATED[.] OR WHO THREATENS THE SECURITY OF ITS LICENSED
29 FACILITY OR THE AREA OF A LICENSED FACILITY WHERE INTERACTIVE
30 GAMING OPERATIONS ARE MANAGED, ADMINISTERED OR CONTROLLED.

1 § 1516. LIST OF PERSONS SELF EXCLUDED FROM GAMING ACTIVITIES.

2 (A) GENERAL RULE.--THE BOARD SHALL PROVIDE BY REGULATION FOR
3 THE ESTABLISHMENT OF A LIST OF PERSONS SELF EXCLUDED FROM GAMING
4 ACTIVITIES AT ALL LICENSED FACILITIES. ANY PERSON MAY REQUEST
5 PLACEMENT ON THE LIST OF SELF-EXCLUDED PERSONS BY ACKNOWLEDGING
6 IN A MANNER TO BE ESTABLISHED BY THE BOARD THAT THE PERSON IS A
7 PROBLEM GAMBLER AND BY AGREEING THAT, DURING ANY PERIOD OF
8 VOLUNTARY EXCLUSION, THE PERSON MAY NOT COLLECT ANY WINNINGS OR
9 RECOVER ANY LOSSES RESULTING FROM ANY GAMING ACTIVITY AT
10 LICENSED FACILITIES.

11 (A.1) INTERACTIVE GAMING SELF-EXCLUSION.--THE BOARD SHALL
12 PROVIDE BY REGULATION FOR THE ESTABLISHMENT OF A LIST OF PERSONS
13 SELF-EXCLUDED FROM INTERACTIVE GAMING ACTIVITIES AT ALL LICENSED
14 FACILITIES. ANY PERSON MAY REQUEST PLACEMENT ON THE LIST OF
15 SELF-EXCLUDED PERSONS BY ACKNOWLEDGING IN A MANNER TO BE
16 ESTABLISHED BY THE BOARD THAT THE PERSON IS A PROBLEM GAMBLER
17 AND BY AGREEING THAT, DURING ANY PERIOD OF VOLUNTARY EXCLUSION,
18 THE PERSON MAY NOT COLLECT ANY WINNINGS OR RECOVER ANY LOSSES
19 RESULTING FROM ANY GAMING ACTIVITY RELATED TO INTERACTIVE
20 GAMING.

21 (B) REGULATIONS.--THE REGULATIONS OF THE BOARD SHALL
22 ESTABLISH PROCEDURES FOR PLACEMENTS ON AND REMOVALS FROM THE
23 LIST OF SELF-EXCLUDED PERSONS. THE REGULATIONS SHALL ESTABLISH
24 PROCEDURES FOR THE TRANSMITTAL TO LICENSED GAMING ENTITIES OF
25 IDENTIFYING INFORMATION CONCERNING SELF-EXCLUDED PERSONS AND
26 SHALL REQUIRE LICENSED GAMING ENTITIES TO ESTABLISH PROCEDURES
27 DESIGNED AT A MINIMUM TO DENY SELF-EXCLUDED PERSONS ACCESS TO
28 INTERACTIVE GAMING AND TO REMOVE SELF-EXCLUDED PERSONS FROM
29 TARGETED MAILINGS OR OTHER FORMS OF ADVERTISING OR PROMOTIONS
30 AND DENY SELF-EXCLUDED PERSONS ACCESS TO COMPLIMENTARIES, CHECK

1 CASHING PRIVILEGES, CLUB PROGRAMS AND OTHER SIMILAR BENEFITS.

2 (C) LIABILITY.--A LICENSED GAMING ENTITY, INTERACTIVE GAMING
3 CERTIFICATE HOLDER OR INTERACTIVE GAMING LICENSEE OR EMPLOYEE
4 THEREOF SHALL NOT BE LIABLE TO ANY SELF-EXCLUDED PERSON OR TO
5 ANY OTHER PARTY IN ANY JUDICIAL PROCEEDING FOR ANY HARM,
6 MONETARY OR OTHERWISE, WHICH MAY ARISE AS A RESULT OF:

7 (1) THE FAILURE OF A LICENSED GAMING ENTITY TO WITHHOLD
8 GAMING PRIVILEGES FROM OR RESTORE GAMING PRIVILEGES TO A
9 SELF-EXCLUDED PERSON; [OR]

10 (1.1) THE FAILURE OF AN INTERACTIVE GAMING CERTIFICATE
11 HOLDER OR INTERACTIVE GAMING LICENSEE TO WITHHOLD INTERACTIVE
12 GAMING PRIVILEGES FROM OR RESTORE INTERACTIVE GAMING
13 PRIVILEGES TO A SELF-EXCLUDED PERSON; OR

14 (2) OTHERWISE PERMITTING OR NOT PERMITTING A SELF-
15 EXCLUDED PERSON TO ENGAGE IN GAMING ACTIVITY IN THE FACILITY
16 OR PARTICIPATE IN INTERACTIVE GAMING WHILE ON THE LIST OF
17 SELF-EXCLUDED PERSONS.

18 (D) DISCLOSURE.--NOTWITHSTANDING ANY OTHER LAW TO THE
19 CONTRARY, THE BOARD'S LIST OF SELF-EXCLUDED PERSONS SHALL NOT BE
20 OPEN TO PUBLIC INSPECTION. NOTHING IN THIS SECTION, HOWEVER,
21 SHALL BE CONSTRUED TO PROHIBIT A LICENSED GAMING ENTITY FROM
22 DISCLOSING THE IDENTITY OF PERSONS SELF EXCLUDED PURSUANT TO
23 THIS SECTION TO AFFILIATED GAMING ENTITIES IN THIS COMMONWEALTH
24 OR OTHER JURISDICTIONS FOR THE LIMITED PURPOSE OF ASSISTING IN
25 THE PROPER ADMINISTRATION OF RESPONSIBLE GAMING PROGRAMS
26 OPERATED BY AFFILIATED LICENSED GAMING ENTITIES.

27 SECTION 22.1. SECTION 1517(B) (1), (C) (12) AND (E) (1) OF
28 TITLE 4 ARE AMENDED TO READ:

29 § 1517. INVESTIGATIONS AND ENFORCEMENT.

30 * * *

1 (B) POWERS AND DUTIES OF DEPARTMENT.--

2 (1) THE DEPARTMENT SHALL AT ALL TIMES HAVE THE POWER OF
3 ACCESS TO EXAMINE AND AUDIT EQUIPMENT AND RECORDS RELATING TO
4 ALL ASPECTS OF THE OPERATION OF SLOT MACHINES [OR], TABLE
5 GAMES OR INTERACTIVE GAMES UNDER THIS PART.

6 * * *

7 (C) POWERS AND DUTIES OF THE PENNSYLVANIA STATE POLICE.--THE
8 PENNSYLVANIA STATE POLICE SHALL HAVE THE FOLLOWING POWERS AND
9 DUTIES:

10 * * *

11 (12) CONDUCT AUDITS OR VERIFICATION OF INFORMATION OF
12 SLOT MACHINE [OR], TABLE GAME OPERATIONS AND INTERACTIVE
13 GAMING OPERATIONS AT SUCH TIMES, UNDER SUCH CIRCUMSTANCES AND
14 TO SUCH EXTENT AS THE BUREAU DETERMINES. THIS PARAGRAPH
15 INCLUDES REVIEWS OF ACCOUNTING, ADMINISTRATIVE AND FINANCIAL
16 RECORDS AND MANAGEMENT CONTROL SYSTEMS, PROCEDURES AND
17 RECORDS UTILIZED BY A SLOT MACHINE LICENSEE.

18 * * *

19 (E) INSPECTION, SEIZURE AND WARRANTS.--

20 (1) THE BUREAU, THE DEPARTMENT AND THE PENNSYLVANIA
21 STATE POLICE SHALL HAVE THE AUTHORITY WITHOUT NOTICE AND
22 WITHOUT WARRANT TO DO ALL OF THE FOLLOWING IN THE PERFORMANCE
23 OF THEIR DUTIES:

24 (I) INSPECT AND EXAMINE ALL PREMISES WHERE SLOT
25 MACHINE [OR], TABLE GAME OPERATIONS AND INTERACTIVE
26 GAMING OPERATIONS ARE CONDUCTED, SLOT MACHINES, TABLE
27 GAME DEVICES AND ASSOCIATED EQUIPMENT, INTERACTIVE GAMING
28 DEVICES AND ASSOCIATED EQUIPMENT ARE MANUFACTURED, SOLD,
29 DISTRIBUTED OR SERVICED OR WHERE RECORDS OF THESE
30 ACTIVITIES ARE PREPARED OR MAINTAINED.

1 (II) INSPECT ALL EQUIPMENT AND SUPPLIES IN, ABOUT,
2 UPON OR AROUND PREMISES REFERRED TO IN SUBPARAGRAPH (I).

3 (III) SEIZE, SUMMARILY REMOVE AND IMPOUND EQUIPMENT
4 AND SUPPLIES FROM PREMISES REFERRED TO IN SUBPARAGRAPH
5 (I) FOR THE PURPOSES OF EXAMINATION AND INSPECTION.

6 (IV) INSPECT, EXAMINE AND AUDIT ALL BOOKS, RECORDS
7 AND DOCUMENTS PERTAINING TO A SLOT MACHINE LICENSEE'S
8 OPERATION.

9 (V) SEIZE, IMPOUND OR ASSUME PHYSICAL CONTROL OF ANY
10 BOOK, RECORD, LEDGER, GAME, DEVICE, CASH BOX AND ITS
11 CONTENTS, COUNT ROOM OR ITS EQUIPMENT, INTERACTIVE GAMING
12 DEVICES AND ASSOCIATED EQUIPMENT OR SLOT MACHINE [OR],
13 TABLE GAME OPERATIONS OR INTERACTIVE GAMING OPERATIONS.

14 * * *

15 SECTION 23. SECTION 1518(A) (1), (2), (3), (4), (5), (7.1),
16 (11), (13.1), (15) AND (17) AND (B) (1), (2) AND (3) OF TITLE 4
17 ARE AMENDED AND SUBSECTIONS (A) AND (B) ARE AMENDED BY ADDING
18 PARAGRAPHS TO READ:

19 § 1518. PROHIBITED ACTS; PENALTIES.

20 (A) CRIMINAL OFFENSES.--

21 (1) THE PROVISIONS OF 18 PA.C.S. § 4902 (RELATING TO
22 PERJURY), 4903 (RELATING TO FALSE SWEARING) OR 4904 (RELATING
23 TO UNSWORN FALSIFICATION TO AUTHORITIES) SHALL APPLY TO ANY
24 PERSON PROVIDING INFORMATION OR MAKING ANY STATEMENT, WHETHER
25 WRITTEN OR ORAL, TO THE BOARD, THE COMMISSION, THE BUREAU,
26 THE DEPARTMENT, THE PENNSYLVANIA STATE POLICE OR THE OFFICE
27 OF ATTORNEY GENERAL, AS REQUIRED BY THIS PART.

28 (2) IT SHALL BE UNLAWFUL FOR A PERSON TO WILLFULLY:

29 (I) FAIL TO REPORT, PAY OR TRUTHFULLY ACCOUNT FOR
30 AND PAY OVER ANY LICENSE FEE, AUTHORIZATION FEE, PERMIT

1 FEE, TAX OR ASSESSMENT IMPOSED UNDER THIS PART; OR

2 (II) ATTEMPT IN ANY MANNER TO EVADE OR DEFEAT ANY
3 LICENSE FEE, AUTHORIZATION FEE, PERMIT FEE, REGISTRATION
4 FEE, TAX OR ASSESSMENT OR ANY OTHER FEE IMPOSED UNDER
5 THIS PART.

6 (3) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY, GAMING
7 EMPLOYEE, KEY EMPLOYEE OR ANY OTHER PERSON TO PERMIT A SLOT
8 MACHINE, TABLE GAME OR TABLE GAME DEVICE, INTERACTIVE GAME OR
9 INTERACTIVE GAMING DEVICE OR ASSOCIATED EQUIPMENT TO BE
10 OPERATED, TRANSPORTED, REPAIRED OR OPENED ON THE PREMISES OF
11 A LICENSED FACILITY BY A PERSON OTHER THAN A PERSON LICENSED
12 OR PERMITTED BY THE BOARD PURSUANT TO THIS PART.

13 (3.1) IT SHALL BE UNLAWFUL FOR ANY PERSON WHO DOES NOT
14 POSSESS A VALID AND THEN EFFECTIVE INTERACTIVE GAMING
15 CERTIFICATE OR INTERACTIVE GAMING LICENSE ISSUED BY THE BOARD
16 IN ACCORDANCE WITH CHAPTER 13C (RELATING TO INTERACTIVE
17 GAMING) TO ACCEPT ANY WAGER ASSOCIATED WITH ANY AUTHORIZED
18 INTERACTIVE GAME FROM ANY INDIVIDUAL WITHOUT VERIFYING THE
19 AGE, IDENTITY AND PHYSICAL LOCATION OF THE PLAYER AT THE TIME
20 OF PLAY OR WAGER.

21 (4) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY OR
22 OTHER PERSON TO MANUFACTURE, SUPPLY OR PLACE SLOT MACHINES,
23 TABLE GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,
24 AUTHORIZED INTERACTIVE GAME OR INTERACTIVE GAMING DEVICES OR
25 ASSOCIATED EQUIPMENT INTO PLAY OR DISPLAY SLOT MACHINES,
26 TABLE GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT ON
27 THE PREMISES OF A LICENSED FACILITY WITHOUT THE AUTHORITY OF
28 THE BOARD.

29 (4.1) IT SHALL BE UNLAWFUL FOR ANY INTERACTIVE GAMING
30 CERTIFICATE HOLDER OR INTERACTIVE GAMING LICENSEE TO OFFER

1 INTERACTIVE GAMES INTO PLAY OR DISPLAY SUCH GAMES ON ITS
2 INTERACTIVE GAMING SKIN OR INTERNET WEBSITE WITHOUT THE
3 APPROVAL OF THE BOARD.

4 (4.2) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY OR
5 OTHER PERSON TO MANUFACTURE, SUPPLY OR PLACE INTERACTIVE
6 GAMING DEVICES OR ASSOCIATED EQUIPMENT INTO OPERATION AT A
7 LICENSED FACILITY WITHOUT THE APPROVAL OF THE BOARD.

8 (5) EXCEPT AS PROVIDED FOR IN SECTION 1326 (RELATING TO
9 [LICENSE] RENEWALS), IT SHALL BE UNLAWFUL FOR A LICENSED
10 ENTITY OR OTHER PERSON TO MANUFACTURE, SUPPLY, OPERATE, CARRY
11 ON OR EXPOSE FOR PLAY ANY SLOT MACHINE, TABLE GAME, TABLE
12 GAME DEVICE OR ASSOCIATED EQUIPMENT, INTERACTIVE GAME OR
13 INTERACTIVE GAMING DEVICE OR ASSOCIATED EQUIPMENT AFTER THE
14 PERSON'S LICENSE HAS EXPIRED AND PRIOR TO THE ACTUAL RENEWAL
15 OF THE LICENSE.

16 * * *

17 (7.1) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO DO ANY
18 OF THE FOLLOWING:

19 (I) USE OR POSSESS COUNTERFEIT, MARKED, LOADED OR
20 TAMPERED WITH TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,
21 CHIPS OR OTHER CHEATING DEVICES IN THE CONDUCT OF GAMING
22 UNDER THIS PART, EXCEPT THAT AN AUTHORIZED EMPLOYEE OF A
23 LICENSEE OR AN AUTHORIZED EMPLOYEE OF THE BOARD MAY
24 POSSESS AND USE COUNTERFEIT CHIPS OR TABLE GAME DEVICES
25 OR ASSOCIATED EQUIPMENT THAT HAVE BEEN MARKED, LOADED OR
26 TAMPERED WITH, OR OTHER CHEATING DEVICES OR ANY
27 UNAUTHORIZED INTERACTIVE GAMING DEVICE OR ASSOCIATED
28 EQUIPMENT IN PERFORMANCE OF THE DUTIES OF EMPLOYMENT FOR
29 TRAINING, INVESTIGATIVE OR TESTING PURPOSES ONLY.

30 (II) KNOWINGLY, BY A TRICK OR SLEIGHT OF HAND

1 PERFORMANCE OR BY FRAUD OR FRAUDULENT SCHEME, OR
2 MANIPULATION, TABLE GAME DEVICE OR OTHER DEVICE, OR
3 INTERACTIVE GAMING DEVICE FOR HIMSELF OR FOR ANOTHER, WIN
4 OR ATTEMPT TO WIN ANY CASH, PROPERTY OR PRIZE AT A
5 LICENSED FACILITY OR TO REDUCE OR ATTEMPT TO REDUCE A
6 LOSING WAGER.

7 (7.2) IT SHALL BE UNLAWFUL FOR A PERSON TO KNOWINGLY
8 ALTER, TAMPER OR MANIPULATE INTERACTIVE GAMING DEVICES OR
9 ASSOCIATED EQUIPMENT, INCLUDING SOFTWARE, SYSTEM PROGRAMS,
10 HARDWARE AND ANY OTHER DEVICE OR ASSOCIATED EQUIPMENT USED IN
11 INTERACTIVE GAMING OPERATIONS, IN ORDER TO ALTER THE ODDS OR
12 THE PAYOUT OF AN INTERACTIVE GAME OR TO DISABLE THE
13 INTERACTIVE GAME FROM OPERATING ACCORDING TO THE RULES OF THE
14 GAME AS AUTHORIZED BY THE BOARD.

15 (7.3) IT SHALL BE UNLAWFUL FOR A PERSON TO KNOWINGLY
16 OFFER OR ALLOW TO BE OFFERED ANY AUTHORIZED INTERACTIVE GAME
17 THAT HAS BEEN ALTERED, TAMPERED WITH OR MANIPULATED IN A WAY
18 THAT AFFECTS THE ODDS OR THE PAYOUT OF AN AUTHORIZED
19 INTERACTIVE GAME OR DISABLES THE INTERACTIVE GAME FROM
20 OPERATING ACCORDING TO THE AUTHORIZED RULES OF THE GAME AS
21 AUTHORIZED BY THE BOARD.

22 * * *

23 (11) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY
24 THAT IS A LICENSED RACING ENTITY AND THAT HAS LOST THE
25 LICENSE ISSUED TO IT BY [EITHER] THE STATE HORSE RACING
26 COMMISSION OR THE STATE HARNESS RACING COMMISSION UNDER THE
27 RACE HORSE INDUSTRY REFORM ACT OR THAT HAS HAD THAT LICENSE
28 SUSPENDED TO OPERATE SLOT MACHINES [OR], TABLE GAMES OR
29 AUTHORIZED INTERACTIVE GAMES AT THE RACETRACK FOR WHICH ITS
30 SLOT MACHINE LICENSE WAS ISSUED UNLESS THE LICENSE ISSUED TO

1 IT BY EITHER THE STATE HORSE RACING COMMISSION OR THE STATE
2 HARNESS RACING COMMISSION WILL BE SUBSEQUENTLY REISSUED OR
3 REINSTATED WITHIN 30 DAYS AFTER THE LOSS OR SUSPENSION.

4 * * *

5 (13.1) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL UNDER 21
6 YEARS OF AGE TO WAGER, PLAY OR ATTEMPT TO PLAY A SLOT MACHINE
7 OR TABLE GAME AT A LICENSED FACILITY OR TO WAGER, PLAY OR
8 ATTEMPT TO PLAY AN INTERACTIVE GAME.

9 (13.2) IT SHALL BE UNLAWFUL TO ALLOW A PERSON UNDER 21
10 YEARS OF AGE TO OPEN, MAINTAIN OR USE IN ANY WAY AN
11 INTERACTIVE GAMING ACCOUNT. ANY INTERACTIVE GAMING
12 CERTIFICATE HOLDER, INTERACTIVE GAMING LICENSEE OR EMPLOYEE
13 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE
14 GAMING LICENSEE OR OTHER SUCH PERSON WHO KNOWINGLY ALLOWS A
15 PERSON UNDER 21 YEARS OF AGE TO OPEN, MAINTAIN OR USE AN
16 INTERACTIVE GAMING ACCOUNT SHALL BE SUBJECT TO THE PENALTY
17 SET FORTH IN THIS SECTION, EXCEPT THAT THE ESTABLISHMENT OF
18 ALL OF THE FOLLOWING FACTS BY AN INTERACTIVE GAMING
19 CERTIFICATE HOLDER, INTERACTIVE GAMING LICENSEE OR EMPLOYEE
20 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER, INTERACTIVE
21 GAMING LICENSEE OR OTHER SUCH PERSON SHALL CONSTITUTE A
22 DEFENSE TO ANY REGULATORY ACTION BY THE BOARD OR THE PENALTY
23 AUTHORIZED UNDER THIS SECTION:

24 (I) THE UNDERAGE PERSON FALSELY REPRESENTED THAT HE
25 WAS OF THE PERMITTED 21 YEARS OF AGE IN THE APPLICATION
26 FOR AN INTERACTIVE GAMING ACCOUNT; AND

27 (II) THE ESTABLISHMENT OF THE INTERACTIVE GAMING
28 ACCOUNT WAS MADE IN GOOD FAITH RELIANCE UPON SUCH
29 REPRESENTATION AND IN THE REASONABLE BELIEF THAT THE
30 UNDERAGE PERSON WAS 21 YEARS OF AGE.

1 (13.3) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL WHO IS
2 UNDER 21 YEARS OF AGE TO ENTER AND REMAIN IN AN AIRPORT
3 GAMING AREA, EXCEPT THAT AN INDIVIDUAL WHO IS 18 YEARS OF AGE
4 AND EMPLOYED BY A SLOT MACHINE LICENSEE, A GAMING SERVICE
5 PROVIDER, THE BOARD OR ANY OTHER REGULATORY OR EMERGENCY
6 RESPONSE AGENCY MAY ENTER AND REMAIN IN THE AREA WHILE
7 ENGAGED IN THE PERFORMANCE OF THE INDIVIDUAL'S EMPLOYMENT
8 DUTIES.

9 * * *

10 (15) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY
11 TO REQUIRE A WAGER TO BE GREATER THAN THE STATED MINIMUM
12 WAGER OR LESS THAN THE STATED MAXIMUM WAGER. HOWEVER, A WAGER
13 MADE BY A PLAYER AND NOT REJECTED BY A LICENSED GAMING ENTITY
14 PRIOR TO COMMENCEMENT OF PLAY SHALL BE TREATED AS A VALID
15 WAGER. A WAGER ACCEPTED BY A DEALER OR THROUGH AN AUTHORIZED
16 INTERACTIVE GAME SHALL BE PAID OR LOST IN ITS ENTIRETY IN
17 ACCORDANCE WITH THE RULES OF THE GAME, NOTWITHSTANDING THAT
18 THE WAGER EXCEEDED THE CURRENT TABLE MAXIMUM WAGER OR
19 AUTHORIZED INTERACTIVE GAME WAGER OR WAS LOWER THAN THE
20 CURRENT TABLE MINIMUM WAGER OR MINIMUM INTERACTIVE GAME
21 WAGER.

22 * * *

23 (17) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO CLAIM,
24 COLLECT OR TAKE, OR ATTEMPT TO CLAIM, COLLECT OR TAKE, MONEY
25 OR ANYTHING OF VALUE IN OR FROM A SLOT MACHINE, GAMING TABLE
26 OR OTHER TABLE GAME DEVICE, INTERACTIVE GAME OR INTERACTIVE
27 GAMING DEVICE WITH THE INTENT TO DEFRAUD, OR TO CLAIM,
28 COLLECT OR TAKE AN AMOUNT GREATER THAN THE AMOUNT WON, OR TO
29 MANIPULATE WITH THE INTENT TO CHEAT, ANY COMPONENT OF ANY
30 SLOT MACHINE, TABLE GAME OR TABLE GAME DEVICE, INTERACTIVE

1 GAME OR INTERACTIVE GAMING DEVICE IN A MANNER CONTRARY TO THE
2 DESIGNED AND NORMAL OPERATIONAL PURPOSE.

3 (B) CRIMINAL PENALTIES AND FINES.--

4 (1) (I) A PERSON THAT COMMITS A FIRST OFFENSE IN
5 VIOLATION OF 18 PA.C.S. § 4902, 4903 OR 4904 IN
6 CONNECTION WITH PROVIDING INFORMATION OR MAKING ANY
7 STATEMENT, WHETHER WRITTEN OR ORAL, TO THE BOARD, THE
8 BUREAU, THE DEPARTMENT, THE PENNSYLVANIA STATE POLICE,
9 THE OFFICE OF ATTORNEY GENERAL OR A DISTRICT ATTORNEY AS
10 REQUIRED BY THIS PART COMMITS AN OFFENSE TO BE GRADED IN
11 ACCORDANCE WITH THE APPLICABLE SECTION VIOLATED. A PERSON
12 THAT IS CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF
13 18 PA.C.S. § 4902, 4903 OR 4904 IN CONNECTION WITH
14 PROVIDING INFORMATION OR MAKING ANY STATEMENT, WHETHER
15 WRITTEN OR ORAL, TO THE BOARD, THE BUREAU, THE
16 DEPARTMENT, THE PENNSYLVANIA STATE POLICE, THE OFFICE OF
17 ATTORNEY GENERAL OR A DISTRICT ATTORNEY AS REQUIRED BY
18 THIS PART COMMITS A FELONY OF THE SECOND DEGREE.

19 (II) A PERSON THAT VIOLATES SUBSECTION (A) (2), (3)
20 AND (4) THROUGH (12) OR (17) COMMITS A MISDEMEANOR OF THE
21 FIRST DEGREE. A PERSON THAT IS CONVICTED OF A SECOND OR
22 SUBSEQUENT VIOLATION OF SUBSECTION (A) (2), (3) AND (4)
23 THROUGH (12) OR (17) COMMITS A FELONY OF THE SECOND
24 DEGREE.

25 (2) (I) FOR A FIRST VIOLATION OF SUBSECTION (A) (1)
26 THROUGH (12) OR (17), A PERSON SHALL BE SENTENCED TO PAY
27 A FINE OF:

28 (A) NOT LESS THAN \$75,000 NOR MORE THAN \$150,000

29 IF THE PERSON IS AN INDIVIDUAL;

30 (B) NOT LESS THAN \$300,000 NOR MORE THAN

1 \$600,000 IF THE PERSON IS A LICENSED GAMING ENTITY OR
2 AN INTERACTIVE GAMING CERTIFICATE HOLDER OR AN
3 INTERACTIVE GAMING LICENSEE; OR

4 (C) NOT LESS THAN \$150,000 NOR MORE THAN
5 \$300,000 IF THE PERSON IS A LICENSED MANUFACTURER OR
6 SUPPLIER.

7 (II) FOR A SECOND OR SUBSEQUENT VIOLATION OF
8 SUBSECTION (A) (1), (2), (3) AND (4) THROUGH (12) OR (17),
9 A PERSON SHALL BE SENTENCED TO PAY A FINE OF:

10 (A) NOT LESS THAN \$150,000 NOR MORE THAN
11 \$300,000 IF THE PERSON IS AN INDIVIDUAL;

12 (B) NOT LESS THAN \$600,000 NOR MORE THAN
13 \$1,200,000 IF THE PERSON IS A LICENSED GAMING ENTITY;
14 OR

15 (C) NOT LESS THAN \$300,000 NOR MORE THAN
16 \$600,000 IF THE PERSON IS A LICENSED MANUFACTURER OR
17 SUPPLIER.

18 (2.1) A PERSON THAT COMMITS AN OFFENSE IN VIOLATION OF
19 SUBSECTION (A) (3.1) COMMITS A FELONY AND, UPON CONVICTION,
20 SHALL BE SENTENCED TO PAY A FINE OF NOT MORE THAN \$1,000,000.

21 A PERSON THAT IS CONVICTED OF A SECOND OR SUBSEQUENT
22 VIOLATION OF SUBSECTION (A) (3.1) COMMITS A FELONY OF THE
23 FIRST DEGREE AND SHALL BE SENTENCED TO PAY A FINE OF NOT MORE
24 THAN \$2,500,000.

25 (3) AN INDIVIDUAL WHO COMMITS AN OFFENSE IN VIOLATION OF
26 SUBSECTION (A) (13) [OR], (13.1), (13.2) OR (13.3) COMMITS A
27 NONGAMBLING SUMMARY OFFENSE AND UPON CONVICTION OF A FIRST
28 OFFENSE SHALL BE SENTENCED TO PAY A FINE OF NOT [LESS THAN
29 \$200 NOR] MORE THAN \$1,000. AN INDIVIDUAL THAT IS CONVICTED
30 OF A SECOND OR SUBSEQUENT OFFENSE UNDER SUBSECTION (A) (13)

1 [OR], (13.1), (13.2) OR (13.3) SHALL BE SENTENCED TO PAY A
2 FINE OF NOT [LESS THAN \$500 NOR] MORE THAN \$1,500. IN
3 ADDITION TO THE FINE IMPOSED, AN INDIVIDUAL CONVICTED OF AN
4 OFFENSE UNDER SUBSECTION (A) (13) [OR], (13.1), (13.2) OR
5 (13.3) MAY BE SENTENCED TO PERFORM A PERIOD OF COMMUNITY
6 SERVICE NOT TO EXCEED 40 HOURS.

7 * * *

8 SECTION 24. SECTION 1901(A) OF TITLE 4 IS AMENDED BY ADDING
9 A PARAGRAPH TO READ:

10 § 1901. APPROPRIATIONS.

11 (A) APPROPRIATION TO BOARD.--

12 * * *

13 (3) THE SUM OF \$5,000,000 IS HEREBY APPROPRIATED FROM
14 THE STATE GAMING FUND TO THE PENNSYLVANIA GAMING CONTROL
15 BOARD FOR SALARIES, WAGES AND ALL NECESSARY EXPENSES FOR THE
16 PROPER OPERATION AND ADMINISTRATION OF THE BOARD FOR THE
17 ACTIVITIES AUTHORIZED UNDER THIS ACT. THIS APPROPRIATION
18 SHALL BE A SUPPLEMENTAL APPROPRIATION FOR FISCAL YEAR 2016-
19 2017 AND SHALL BE IN ADDITION TO THE APPROPRIATION CONTAINED
20 IN THE ACT OF JULY 8, 2016 (P.L.1570, NO.10A), KNOWN AS THE
21 GAMING CONTROL APPROPRIATION ACT OF 2016.

22 * * *

23 SECTION 25. REPEALS ARE AS FOLLOWS:

24 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
25 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE ADDITION OF 4
26 PA.C.S. § 1403(C) (2) (I) (D) (I.2) AND (I.3).

27 (2) SECTION 1753-E OF THE ACT OF APRIL 9, 1929 (P.L.343,
28 NO.176), KNOWN AS THE FISCAL CODE, IS REPEALED.

29 SECTION 26. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

30 (1) THE FOLLOWING SHALL TAKE EFFECT IN 60 DAYS:

- 1 (I) THE ADDITION OF 4 PA.C.S. CH. 13C.
2 (II) THE AMENDMENT OF 4 PA.C.S. § 1509.
3 (2) EXCEPT AS SET FORTH IN PARAGRAPH (3)(II), THE
4 ADDITION OF 4 PA.C.S. CH. 3 SHALL TAKE EFFECT IN 180 DAYS.
5 (3) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT
6 IMMEDIATELY:
7 (I) THIS SECTION.
8 (II) THE ADDITION OF 4 PA.C.S. § 343.
9 (III) THE REMAINDER OF THIS ACT.