

AMENDMENTS TO HOUSE BILL NO. 782

Sponsor: REPRESENTATIVE NESBIT

Printer's No. 1553

1 Amend Bill, page 2, lines 2 through 25, by striking out all
2 of said lines and inserting

3 "Gaming-related restricted area." Any room or area of a
4 licensed facility and which is specifically designated by the
5 Pennsylvania Gaming Control Board as restricted or by the slot
6 machine licensee as restricted in its board-approved internal
7 controls.

8 * * *

9 "Gaming service provider." A person that is not required to
10 be licensed as a manufacturer, supplier, management company or
11 gaming junket enterprise under this part or under regulations of
12 the Pennsylvania Gaming Control Board and:

13 (1) provides goods or services to a slot machine
14 licensee or an applicant for a slot machine license for use
15 in the operation of a licensed facility; [or] and

16 (2) provides goods or services [at] to a slot machine
17 licensee or an applicant for a slot machine license that
18 requires access to the gaming floor or a gaming-related
19 restricted area of a licensed facility as determined by the
20 Pennsylvania Gaming Control Board.

21 * * *

22 "Nongaming service provider." A person that is not a gaming
23 service provider or required to be licensed as a manufacturer,
24 supplier, management company or gaming junket enterprise under
25 this part or under regulations of the Pennsylvania Gaming
26 Control Board and that provides goods or services:

27 (1) to a slot machine licensee or applicant for a slot
28 machine license for use in the operation of a licensed
29 facility; and

30 (2) that does not require access to the gaming floor or
31 a gaming-related restricted area of a licensed facility.

32 * * *

33 Amend Bill, page 3, lines 27 through 30; pages 4 through 8,
34 lines 1 through 30; page 9, line 1; by striking out all of said
35 lines on said pages and inserting

1 § 1317.3. Nongaming service provider.

2 (a) Notification required.--

3 (1) A slot machine licensee or applicant for a slot
4 machine license that contracts with or otherwise engages in
5 business with a nongaming service provider shall provide
6 notification to the board prior to:

7 (i) the nongaming service provider's provision of
8 goods or services at the slot machine licensee's licensed
9 facility; or

10 (ii) the provision of goods or services for use in
11 the operation of the slot machine licensee's licensed
12 facility.

13 (2) Notification under this section shall be on a form
14 and in a manner as determined by the board. The board may
15 impose a fee, not to exceed \$100, which must accompany the
16 notification.

17 (b) Contents of notification.--Notification under this
18 section shall include:

19 (1) The name and business address of the nongaming
20 service provider.

21 (2) A description of the type or nature of the goods or
22 services to be provided.

23 (3) An affirmation from the slot machine licensee or
24 applicant for a slot machine license that the goods or
25 services to be provided by the nongaming service provider
26 will not require access to the gaming floor or a gaming-
27 related restricted area of a licensed facility.

28 (4) An affirmation from the slot machine licensee or
29 applicant for a slot machine license certifying that the
30 licensee or applicant has performed due diligence regarding
31 the nongaming service provider and believes that the
32 nongaming service provider and its employees will not
33 adversely affect the public interest or integrity of gaming.

34 (5) Any other information that the board may require.

35 (c) Duration of notification.--The nongaming service
36 provider notification required under subsection (a) may be valid
37 for three years unless modified by the board. In determining the
38 duration of a nongaming service provider notification, the board
39 shall consider the following:

40 (1) The type or nature of the goods or services.

41 (2) The frequency of business transactions related to
42 the provision of such goods or services.

43 (3) Any other information the board deems necessary and
44 appropriate.

45 (d) Conditions.--A slot machine licensee or applicant for a
46 slot machine license that contracts or otherwise engages in
47 business with a nongaming service provider shall be subject to
48 the following conditions:

49 (1) The nongaming service provider or its employees
50 shall only provide the goods and services described in the
51 notification under this section.

1 (2) The slot machine licensee or applicant for a slot
2 machine license shall notify the board of any material change
3 in the information provided in the notification under this
4 section. No fee shall be required for a subsequent change
5 during the time for which the notification remains valid
6 under subsection (c).

7 (3) The slot machine licensee or applicant for a slot
8 machine license shall ensure that employees of the nongaming
9 service provider do not enter the gaming floor or a gaming-
10 related restricted area of the licensed facility.

11 (4) The slot machine licensee or applicant for a slot
12 machine license shall report to the board an employee of a
13 nongaming service provider that does any of the following:

14 (i) Enters the gaming floor or a gaming-related
15 restricted area of the licensed facility.

16 (ii) Commits an act that adversely affects the
17 public interest or integrity of gaming.

18 (5) The board may prohibit a nongaming service provider
19 and any of the nongaming service provider's employees from
20 providing goods or services to a slot machine licensee or
21 applicant for a slot machine license at a licensed facility
22 if the board determines the prohibition is necessary to
23 protect the public interest or integrity of gaming.

24 (e) Authority to exempt.--The board may exempt a nongaming
25 service provider from the notification requirements of this
26 section if the board determines any of the following:

27 (1) The nongaming service provider or the type or nature
28 of the nongaming service provider's business is regulated by
29 an agency of the Federal Government, an agency of the
30 Commonwealth or the Pennsylvania Supreme Court.

31 (2) Notification is not necessary to protect the public
32 interest or integrity of gaming.

33 (f) (Reserved).

34 (g) Additional authority of board.--If, upon examination of
35 the provided notification, the bureau determines that the
36 registration or certification of a nongaming service provider is
37 necessary to protect the integrity of gaming, the bureau may
38 require the nongaming service provider to file an application
39 for registration or certification and be authorized by the board
40 prior to providing services at a licensed facility.

41 (h) Emergency notification.--

42 (1) A slot machine licensee may use a nongaming service
43 provider prior to the board receiving notification under this
44 section when a threat to public health, welfare or safety
45 exists or circumstances outside the control of the slot
46 machine licensee require immediate action to mitigate damage
47 or loss to the slot machine licensee's licensed facility or
48 to the Commonwealth.

49 (2) A slot machine licensee that uses a nongaming
50 service provider in accordance with paragraph (1) shall:

51 (i) Notify the board immediately upon engaging a

1 nongaming service provider for which the board has not
2 previously received notification in accordance with
3 subsection (a).

4 (ii) Provide the notification required under
5 subsection (a) within a reasonable time as established by
6 the board.

7 (i) Nongaming service provider list.--

8 (1) The board shall have the authority to prohibit a
9 nongaming service provider from engaging in business with a
10 slot machine licensee upon a finding by the board that the
11 prohibition is necessary to protect the public interest and
12 the integrity of gaming.

13 (2) The board shall develop and maintain a list of
14 prohibited nongaming service providers.

15 (3) A slot machine licensee or applicant for a slot
16 machine license may not enter into an agreement or engage in
17 business with a nongaming service provider appearing on the
18 list under this subsection.

19 (j) Duties of nongaming service provider.--A nongaming
20 service provider shall:

21 (1) Cooperate with the board and bureau regarding an
22 investigation, hearing, enforcement action or disciplinary
23 action.

24 (2) Comply with each condition, restriction,
25 requirement, order or ruling of the board in accordance with
26 this part.

27 (3) Report any change in circumstances to the slot
28 machine licensee or applicant for a slot machine license that
29 may render the nongaming service provider ineligible,
30 unqualified or unsuitable for the provision of goods or
31 services at a licensed facility or use in the operation of a
32 licensed facility. The slot machine licensee shall report any
33 such change in circumstances to the board in such form and
34 manner as the board may establish.

35 (k) Construction.--Nothing in this section shall be
36 construed to limit the powers and authority of the board under
37 section 1202 (relating to general and specific powers) or the
38 regulatory authority of the board under section 1207 (relating
39 to regulatory authority of board).