

AMENDMENTS TO HOUSE BILL NO. 864

Sponsor: SENATOR ALLOWAY

Printer's No. 3433

1 Amend Bill, page 1, line 10, by inserting after "chance, "
2 repealing provisions relating to prohibition regarding pools,

3 Amend Bill, page 1, line 11, by inserting after "limits,"
4 , for distributor licenses

5 Amend Bill, page 1, line 12, by inserting after "for"
6 registration of manufacturers and for

7 Amend Bill, page 1, line 14, by striking out "and,"

8 Amend Bill, page 1, line 15, by striking out the period after
9 "enforcement" and inserting

10 , repealing provisions relating to advertising and further
11 providing for criminal penalties; and, in tavern gaming,
12 further providing for definitions, for licenses, for
13 application, for approval, for change in ownership, for prize
14 limits, for tavern raffle, for distribution of net revenue,
15 for tavern games tax and for reports, providing for e-tab
16 manufacturer requirements and further providing for
17 enforcement and for prohibitions.

18 Amend Bill, page 2, lines 24 through 28, by striking out all
19 of said lines and inserting

20 Section 2. The definitions of "affiliated nonprofit
21 organization," "eligible organization," "games of chance,"
22 "major league sports drawing," "major league sports team,"
23 "pool" and "tavern games" in section 103 of the act are amended
24 and the section is amended by adding definitions to read:

25 Amend Bill, page 4, by inserting between lines 5 and 6

26 "E-tab." A pull-tab that is played on an electronic pull-tab
27 device.

28 "Electronic pull-tab device." A hand held, portable
29 electronic device used to play pull-tab games that requires a
30 coded entry to activate play but does not allow the use of

1 coins, currency or tokens to activate play and requires a player
2 to activate or open an e-tab ticket on each individual line, row
3 or column or each ticket.

4 Amend Bill, page 4, by inserting between lines 14 and 15

5 "Games of chance."

6 (1) Any of the following:

7 (i) Punchboards, daily drawings, weekly drawings,
8 50/50 drawings, raffles, tavern games, pools, race night
9 games and pull-tabs, as defined in this act, provided
10 that no such game shall be played by or with the
11 assistance of any mechanical or electrical devices or
12 media other than a dispensing machine or passive
13 selection device and further provided that the particular
14 chance taken by any person in any such game shall not be
15 made contingent upon any other occurrence or the winning
16 of any other contest, but shall be determined solely at
17 the discretion of the purchaser.

18 (ii) E-tabs.

19 (2) This definition shall not be construed to authorize
20 any other form of gambling currently prohibited under any
21 provision of 18 Pa.C.S. (relating to crimes and offenses) or
22 authorized under 4 Pa.C.S. (relating to amusements).

23 (3) Nothing in this act shall be construed to authorize
24 games commonly known as "slot machines" or "video poker" or
25 other games regulated by the Pennsylvania Gaming Control
26 Board.

27 Amend Bill, page 5, lines 17 and 18, by striking out all of
28 said lines and inserting

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

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

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

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

40 (4) There is at least one guaranteed winner from among
41 the participants.

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

44 (6) No entry fees or portions thereof are retained by
45 the person or eligible organization operating the pool.]

46 * * *

47 "Tavern games." Pull-tabs, tavern daily drawings, 50/50

1 drawings, e-tabs, pools and tavern raffles.
2 * * *
3 Section 3. Section 301.1 of the act is repealed:
4 [Section 301.1. Prohibition regarding pools.
5 The operation of a pool must comply with the Professional and
6 Amateur Sports Protection Act (Public Law 102-559, 28 U.S.C. §
7 3701 et seq.) or other Federal law in the operation of or
8 participation in the pool.]
9 Section 4. Sections 302, 304(g)(1) and 304.1 of the act are
10 amended to read:
11 Amend Bill, page 6, line 18, by inserting a bracket before
12 "(4)"
13 Amend Bill, page 6, line 21, by striking out the bracket
14 before "(b)"
15 Amend Bill, page 6, line 21, by striking out the bracket
16 after "or"
17 Amend Bill, page 6, line 21, by inserting a bracket after
18 "(c)."
19 Amend Bill, page 6, line 23, by inserting a bracket before
20 the comma after "may"
21 Amend Bill, page 6, line 24, by inserting a bracket after
22 "(d)(4),"
23 Amend Bill, page 7, by inserting between lines 29 and 30
24 Section 304. Distributor licenses.
25 * * *
26 (g) Ineligibility.--The department shall not issue or renew
27 a distributor license for the sale of games of chance to a
28 person, including any corporation, firm or partnership which has
29 as an officer, director or other person in a supervisory or
30 management position, or employee eligible to make sales on
31 behalf of the distributor, who:
32 (1) has been convicted of a [felony] misdemeanor in a
33 state or Federal court within the past five years; or
34 * * *
35 Amend Bill, page 8, line 2, by inserting after "GAME"
36 or team event

Amend Bill, page 8, line 11, by inserting after "GAME"

or team event

Amend Bill, page 8, line 19, by inserting after "GAME"

, team event

Amend Bill, page 8, line 21, by inserting after "GAME"

, team event

Amend Bill, page 8, by inserting between lines 25 and 26

(b.3) Outside sales.--Notwithstanding subsection (b.2),
athletic event drawing tickets may be sold prior to a home game
or car race in an off-ally designated parking area adjacent to
the arena, stadium, grandstand or bleachers or similar facility
where the home game or car race is being conducted and which is
not separated by a highway or street, unless the highway or
street is adjacent to the arena, stadium, grandstand, bleachers
or similar facility.

Amend Bill, page 10, by inserting between lines 14 and 15

(i) Definition.--As used in this section, the term "team
event" means a practice, scrimmage, exhibition, or similar event
at the home stadium or training camp facility of an athletic
team under paragraph (1), (2), (3) or (4) of the definition of
"athletic team" in section 103.

Amend Bill, page 10, line 15, by striking out "4" and

inserting

5

Amend Bill, page 12, by inserting between lines 6 and 7

Section 6. Section 305 of the act is amended by adding
subsections to read:

Section 305. Registration of manufacturers.

* * *

(e) E-tab manufacturer reporting requirements.--

(1) Notwithstanding the provisions of section 501(a),
the manufacturer of e-tabs shall submit an annual report to
the department for the preceding 12-month period in a form
and manner as prescribed by the department.

(2) The report shall be filed under oath or affirmation
of the manufacturer and shall include the following
information:

(i) The proceeds received by each club licensee from
each e-tab game conducted, itemized by week.

(ii) The amount of prizes paid from all e-tab games,
itemized by week.

1 (iii) Any other costs incurred related to the
2 conduct of e-tab games.

3 (3) The report shall be distributed and published in the
4 manner as provided under section 501(b) and (c).

5 (f) Records.--A manufacturer of e-tabs shall maintain
6 records as required by the department for the enforcement of
7 this act. Such records necessary to conduct random audits shall
8 be made available to the Bureau of Liquor Control Enforcement,
9 the department and any other entity authorized to enforce or
10 conduct audits under this act.

11 Amend Bill, page 12, line 7, by striking out "5" and
12 inserting

13 7

14 Amend Bill, page 13, line 13, by inserting a bracket before
15 "three"

16 Amend Bill, page 13, line 13, by inserting after "three"

17] four

18 Amend Bill, page 13, by inserting between lines 21 and 22

19 Section 8. Section 704 of the act is repealed:

20 [Section 704. Advertising.

21 It shall be unlawful for any eligible organization or person
22 to advertise the prizes or their dollar value to be awarded in
23 games of chance, provided that prizes may be identified on
24 raffle tickets. Notwithstanding the prohibition of advertising
25 contained within this section, an eligible organization may
26 advertise prizes and values thereof in periodic publications
27 which are limited in their circulation to members of the
28 eligible organization.]

29 Section 9. Section 707(c) of the act is amended to read:
30 Section 707. Criminal penalties.

31 * * *

32 (c) Distributors and manufacturers.--Any person who
33 distributes games of chance without a license or in violation of
34 any provision of this act or applicable regulations, and any
35 manufacturer of games of chance who delivers games of chance for
36 sale or distribution in this Commonwealth who fails to register
37 and obtain a permit therefor is guilty of a [misdemeanor of the
38 first degree] felony of the third degree, provided that no
39 license or permit shall be required for the manufacture or
40 distribution of raffle tickets.

41 * * *

42 Section 10. Section 902 of the act is amended by adding a
43 definition to read:

44 Section 902. Definitions.

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 * * *

5 "Eating place licensee." An eating place or hotel as defined
6 in section 102 of the act of April 12, 1951 (P.L.90, No.21),
7 known as the Liquor Code, that is licensed to sell liquor under
8 the Liquor Code.

9 * * *

10 Section 11. Sections 903, 904, 905, 906, 907(b), 908.1, 909,
11 909.1(a), (b), (c) and (h) and 912 of the act are amended to
12 read:

13 Section 903. Licenses.

14 (a) Application.--A restaurant licensee or eating place
15 licensee may apply to the board for a license to conduct tavern
16 games at a licensed premises located in a municipality that has
17 adopted a referendum to allow small games of chance under
18 section 703.

19 (b) Information.--The application under subsection (a) shall
20 include the following information and must be less than three
21 pages in length:

22 (1) The name, address and photograph of the applicant.

23 (2) A current tax lien certificate issued by the
24 department and a certificate from the Department of Labor and
25 Industry of payment of all workers' compensation and
26 unemployment compensation owed.

27 (3) The details of any license issued under 4 Pa.C.S.
28 Pt. II (relating to gaming), the act of April 12, 1951
29 (P.L.90, No.21), known as the Liquor Code, or this act which
30 was applied for or in which the applicant or other owner has
31 an interest.

32 (4) Certified consent by the applicant, including each
33 owner and officer of the restaurant licensee or eating place
34 licensee, to a Pennsylvania State Police background
35 investigation by the bureau.

36 (5) Relating to criminal information, disclosure of all
37 arrests and citations of the applicant, including nontraffic
38 summary offenses. The information shall include all of the
39 following:

40 (i) A brief description of the circumstances
41 surrounding the arrest or issuance of the citation.

42 (ii) The specific offense charged.

43 (iii) The ultimate disposition of the charge,
44 including any dismissal, plea bargain, conviction,
45 sentence[, pardon, expungement] or order of Accelerated
46 Rehabilitative Disposition.

47 (6) Financial interests and transactions as required by
48 the bureau.

49 (7) Relating to citations of the applicant issued under
50 the Liquor Code.

51 (8) Relating to disclosure of conditional license

1 agreements entered into under the Liquor Code.

2 (9) Any other information required by the board.

3 (c) Duty of bureau.--The bureau shall conduct a background
4 investigation of each applicant, the scope of which shall be
5 determined by the bureau.

6 (d) Review.--Within [six months] 30 days of receipt of the
7 background investigation report from the bureau, the board shall
8 approve or disapprove the application.

9 (e) Background investigation.--Each applicant shall include
10 information and documentation as required to establish personal
11 and financial suitability, honesty and integrity. Information
12 shall include:

13 (1) [Criminal history record information.] A criminal
14 history record information check obtained from the
15 Pennsylvania State Police, as defined in 18 Pa.C.S. § 9102
16 (relating to definitions) and permitted by 18 Pa.C.S. §
17 9121(b) (relating to general regulations).

18 (2) Financial background information.

19 (3) Regulatory history before the board or other
20 Commonwealth agency.

21 (4) Other information required by the bureau.

22 (f) Personal interview.--If the bureau determines that the
23 results of the background report investigation warrant
24 additional review of the individual, the bureau shall conduct a
25 personal interview with the applicant and may request
26 information and interviews from other personal or professional
27 associates.

28 (g) Cooperation.--The applicant shall cooperate with the
29 bureau as requested during the conduct of the background
30 investigation. Any refusal to provide the information required
31 under this section or to consent to a background investigation
32 shall result in the immediate denial of a license by the board.

33 (h) [Costs.--The applicant shall reimburse the bureau for
34 the actual costs of conducting the background investigation. The
35 board shall not approve an applicant that has not fully
36 reimbursed the bureau for the investigation.] (Reserved).

37 (i) Approval.--[The bureau shall transmit the investigative
38 report and may make a recommendation to the board.] The board
39 shall review the information obtained under this section to
40 determine if the applicant possesses the following:

41 (1) Financial stability, integrity and responsibility.

42 (2) Sufficient business experience and ability to
43 effectively operate tavern games as part of the restaurant
44 licensee's operator or eating place licensee's operator.

45 (3) Character, honesty and integrity to be licensed to
46 operate tavern games in a responsible and lawful manner.

47 (j) Disapproval.--The board may disapprove the issuance of a
48 tavern gaming license for the following reasons:

49 (1) A license shall not be issued to a restaurant
50 licensee or eating place licensee whose liquor license is in
51 safekeeping pursuant to section 474.1 of the Liquor Code.

1 (2) A license shall not be issued to a location that is
2 subject to a pending objection under section 470(a.1) of the
3 Liquor Code.

4 (3) A license shall not be issued to a location that is
5 subject to:

6 (i) a pending license suspension under section 471
7 of the Liquor Code; or

8 (ii) a one-year prohibition on the issuance or
9 transfer of a license under section 471(b) of the Liquor
10 Code.

11 Section 904. Application.

12 (a) Application fee.--An applicant shall pay the board a
13 nonrefundable application fee of [\$1,000.] \$500. If possible,
14 the application should not exceed two pages in length.

15 [(b) Investigative fee.--An applicant shall pay an
16 investigative fee of \$1,000 to the bureau.

17 (c) Costs.--In addition to the fee under subsection (b), an
18 applicant and any owner and officer of the applicant shall pay
19 for the actual costs of a background investigation conducted by
20 the bureau that exceed the application fee. The bureau may:

21 (1) Charge an estimated amount to be provided prior to
22 the background investigation.

23 (2) Submit for reimbursement from the applicant for the
24 additional costs incurred in the background investigation.

25 (d) Funds.--Funds collected under subsections (b) and (c)
26 shall augment the funds appropriated to the Pennsylvania Gaming
27 Control Board under 4 Pa.C.S. (relating to amusements).]

28 Section 905. Approval.

29 (a) Issuance.--Upon being satisfied that the requirements of
30 section 903 have been met, the board may approve the application
31 and issue a tavern games license for a period of one year. [The
32 board may enter into an agreement with the licensee concerning
33 additional restrictions on the license, and this agreement shall
34 be binding on the licensee. Failure of the licensee to adhere to
35 the agreement will be cause for penalties under section 913(c)
36 and for the nonrenewal of the license under section 913(f).]

37 (b) Renewal.--A license shall be renewed annually. A license
38 renewal shall not require review of the bureau, unless requested
39 by the board. The board may refuse to renew a tavern gaming
40 license for the following reasons:

41 (1) A license shall not be issued to a restaurant
42 licensee or eating place licensee whose liquor license is in
43 safekeeping under section 474.1 of the act of April 12, 1951
44 (P.L.90, No.21), known as the Liquor Code.

45 (2) A license shall not be issued to a location that is
46 subject to a pending objection under section 470(a.1) of the
47 Liquor Code.

48 (3) A license shall not be issued to a location that is
49 subject to:

50 (i) a pending license suspension under section 471
51 of the Liquor Code; or

(ii) a one-year prohibition on the issuance or transfer of a license under section 471(b) of the Liquor Code.

(c) [Fee.--Upon approval, the] Renewal fee.--An approved applicant shall pay [a \$2,000 license fee to be deposited in the General Fund. The annual renewal fee shall be \$1,000.] an annual renewal fee of \$1,000.

(d) Entitlement.--Nothing under this chapter shall be construed to create an entitlement to a license by a person. The board shall have sole discretion to issue, renew, condition, suspend, revoke or deny a license based on the requirements of this chapter and whether the issuance and maintenance of the license are in the best interests of the Commonwealth.

(e) Nontransferability.--A license shall be a grant of privilege to conduct tavern games. A license may not be sold, transferred or assigned to any other person. A licensee may not pledge or otherwise grant a security interest in or lien on the license. The board shall have the sole discretion to issue, renew, condition or deny the issuance of a license.
Section 906. Change in ownership.

(a) Notice.--A licensee shall notify the board of a change of ownership of the premises or sale or transfer of the restaurant license.

(b) Qualification.--The purchaser or transferee of the assets or premises of a licensee must independently qualify for a license[,] and pay the license fee [and undergo and pay fees and costs for a background investigation] under section 903.
Section 907. Prize limits.

* * *

(b) Aggregate prize limit.--No more than [\$35,000] \$50,000 in prizes may be awarded from tavern games by a licensee in a seven-day period.

Section 908.1. Tavern raffle.

The following shall apply to a tavern raffle:

(1) No more than one tavern raffle may be held in a calendar month.

(2) A tavern raffle must be held for a designated charitable purpose.

(3) Each individual participating in the tavern raffle must be informed of the charitable purpose involved.

(4) At least 50% of the net revenues from the tavern raffle shall be transmitted to the designated charity within seven days of the tavern raffle.

(5) Any net revenues not transmitted under paragraph (4) shall be distributed as follows:

(i) [Sixty] Fifty percent shall be paid to the Commonwealth.

(ii) [Thirty-five] Forty-five percent may be retained by the licensee.

(iii) Five percent shall be paid to the Commonwealth and deposited into the restricted receipts account

1 established in section 909.3.

2 (6) A tavern raffle prize remaining unclaimed by a
3 winner 60 days after the tavern raffle was held shall be
4 donated by the licensee within 30 days to the designated
5 charitable organization for which the tavern raffle was
6 conducted.

7 Section 909. Distribution of net revenue.

8 Beginning January 1, 2014, the net revenue from tavern games
9 received by a licensee shall be distributed as follows:

10 (1) [~~Sixty~~] Fifty percent of the net revenue obtained in
11 any calendar year shall be paid to the Commonwealth.

12 (2) [~~Thirty-five~~] Forty-five percent of the net revenue
13 obtained in any calendar year may be retained by the
14 licensee.

15 (3) Five percent shall be paid to the Commonwealth and
16 deposited into the restricted receipts account established in
17 section 909.3.

18 Section 909.1. Tavern games tax.

19 (a) Imposition.--There is imposed a tax of [~~60%~~] 51% of the
20 net revenue from tavern games sold by a licensed distributor to
21 a licensee within this Commonwealth. Sales tax may only be
22 charged on the licensed distributor's fee on the cost of
23 tickets.

24 * * *

25 (b) Collection.--The tax imposed under subsection (a) must
26 be collected by the licensed distributor from the licensee in an
27 instance where the tavern game is required to be purchased from
28 a licensed distributor under this act and must be paid over to
29 the Commonwealth[.] with the Commonwealth distributing 5% of the
30 net revenue specified under subsection (a) to the State Lottery
31 Fund.

32 (c) Other games.--In an instance where the tavern game is
33 not required to be purchased from a licensed distributor under
34 this act, a tax of [~~60%~~] 55% is imposed upon the net revenue
35 from tavern daily drawings and tavern raffles under section
36 908.1 and must be paid to the Commonwealth by the licensee.

37 * * *

38 (h) Penalties and interest.--If a licensee or licensed
39 distributor fails to file the return required under subsection
40 (e) or fails to pay the tax imposed under subsection (a) or (c),
41 the department may do the following:

42 (1) assess the amount of tax due;

43 (2) impose and assess an administrative penalty equal to
44 10% of the tax due but unpaid for each quarter or fraction
45 thereof that the tax remains unpaid together with interest at
46 the rate established under section 806 of the act of April 9,
47 1929 (P.L.343, No.176), known as The Fiscal Code, on the tax
48 from the time the tax became due. The penalty provided in
49 this paragraph must be added to the tax and assessed and
50 collected at the same time and in the same manner as a part
51 of the tax. Unless otherwise specified, the tax must be

1 assessed, collected and enforced by the department under the
2 provisions of Article II of the act of March 4, 1971 (P.L.6,
3 No.2), known as the Tax Reform Code of 1971;

4 (3) [notify the board that a licensee has not filed
5 returns or has not paid tax. The board may] suspend or revoke
6 a licensee's license; or

7 (4) revoke a licensed distributor's license.

8 * * *

9 Section 912. Reports.

10 A licensee shall submit an annual report to the [board and
11 the] department for the preceding year on a form and in a manner
12 prescribed by the department. The department shall develop a
13 schedule for the submission of the annual report. The report
14 shall include:

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

18 [(2) Net revenue received from each tavern game
19 conducted, itemized by week.

20 (3) Amount of prizes paid from all tavern games,
21 itemized by week.]

22 (4) Amount of tax remitted to the department.

23 (5) Amount given to designated charities from tavern
24 raffles.

25 (6) Other information as required by the department.

26 Section 12. The act is amended by adding a section to read:
27 Section 912.1. E-tab manufacturer requirements.

28 (a) Manufacturer reporting requirements.--

29 (1) Notwithstanding the provisions of section 501(a),
30 the manufacturer of e-tabs shall submit an annual report to
31 the department for the preceding 12-month period in a form
32 and manner as prescribed by the department.

33 (2) The report shall be filed under oath or affirmation
34 of the manufacturer and shall include the following
35 information:

36 (i) The proceeds received by each licensee from each
37 e-tab game conducted, itemized by week.

38 (ii) The amount of prizes paid from all e-tab games,
39 itemized by week.

40 (iii) Any other costs incurred related to the
41 conduct of e-tab games.

42 (3) The report shall be distributed and published in the
43 manner as provided under section 501(b) and (c).

44 (b) Records.--A manufacturer of e-tabs shall maintain
45 records as required by the department for the enforcement of
46 this act. Such records necessary to conduct random audits shall
47 be made available to the Bureau of Liquor Control Enforcement,
48 the department and any other entity authorized to enforce or
49 conduct audits under this act.

50 Section 13. Sections 913 and 914 of the act are amended to
51 read:

1 Section 913. Enforcement.

2 (a) Board.--The board may, following notice and hearing,
3 impose penalties or suspend or revoke a license under this
4 chapter.

5 [(b) Authority of department.--Notwithstanding any law to
6 the contrary, the department may report violations of this
7 chapter to the board and to the Bureau of Liquor Control
8 Enforcement.]

9 (c) [Penalties] Civil penalties.--The board may impose a
10 civil penalty for a violation of this chapter in accordance with
11 the following:

12 (1) Up to [\$2,000] \$800 for an initial violation.

13 (2) Up to [\$3,000] \$1,000 for a second violation.

14 (3) Up to [\$5,000] \$2,000 for a third or subsequent
15 violation.

16 (d) Criminal penalty.--A violation of this chapter shall be
17 a misdemeanor of the third degree. A second or subsequent
18 offense shall be a misdemeanor of the second degree.

19 [(e) Administrative law judge.--An administrative law judge
20 under section 212 of the act of April 12, 1951 (P.L.90, No.21),
21 known as the Liquor Code, may impose the penalties under this
22 section following the issuance of a citation by the Bureau of
23 Liquor Control Enforcement.]

24 (f) Suspension, revocation or failure to renew.--

25 (1) In addition to any other sanctions the board may
26 impose under this chapter [or under the Liquor Code], the
27 board may, at its discretion, suspend, revoke or deny renewal
28 of any license issued under this chapter if it receives any
29 information from any source and determines that:

30 (i) The applicant or any of its officers, directors,
31 owners or employees:

32 (A) Is in violation of any provision of this
33 chapter.

34 (B) Furnished the board with false or misleading
35 information.

36 (ii) The information contained in the applicant's
37 initial application or any renewal application is no
38 longer true and correct.

39 (2) In the event of a revocation, suspension or failure
40 to renew, the applicant's authorization to conduct the
41 previously approved activity shall immediately cease, and all
42 fees paid in connection therewith shall be deemed to be
43 forfeited. In the event of a suspension, the applicant's
44 authorization to conduct the previously approved activity
45 shall immediately cease until the board has notified the
46 applicant that the suspension is no longer in effect.

47 (3) The board shall immediately and permanently revoke a
48 license issued under this chapter if the licensee has
49 committed four or more violations of this chapter in a two-
50 year period.

51 (g) Law enforcement officials.--Nothing in this chapter may

1 restrict or limit the power of a State, county or local law
2 enforcement official to conduct investigations and file criminal
3 charges under this chapter.

4 (h) Violations.--

5 (1) Except as provided in paragraph (2), a violation of
6 this chapter by a restaurant licensee or eating place
7 licensee shall not constitute a violation of the act of April
8 12, 1951 (P.L.90, No.21), known as the Liquor Code.

9 (2) If a restaurant licensee or eating place licensee
10 has committed four or more violations of this act, the bureau
11 may enforce a violation of this chapter as a violation of the
12 Liquor Code.

13 Section 914. Prohibitions.

14 The following shall apply to any license authorized or issued
15 under this chapter:

16 (1) No license may be issued to a restaurant licensee or
17 eating place licensee whose place of business is located in a
18 licensed facility as defined in 4 Pa.C.S. § 1103 (relating to
19 definitions).

20 (2) No license may be issued to a place of business on
21 the grounds of a facility where a major league sports team
22 conducts games or races.

23 (3) No license may be issued to a place of business that
24 has been decreed a nuisance pursuant to section 611 of the
25 act of April 12, 1951 (P.L.90, No.21), known as the Liquor
26 Code.

27 (4) The board shall be prohibited from issuing a license
28 to any person who has been convicted of a felony offense or
29 misdemeanor gambling offense in any jurisdiction unless 15
30 years have elapsed from the date of conviction of the
31 offense.

32 (5) It shall be unlawful for an individual under 21
33 years of age to play or attempt to play or otherwise
34 participate in a tavern game.

35 (6) It shall be unlawful for a licensee to permit an
36 employee under 18 years of age to operate tavern games.

37 (7) It shall be unlawful for an owner, officer or
38 employee of a licensee to sell, operate or otherwise
39 participate in the conduct of tavern games if the employee
40 has been convicted in any jurisdiction of a felony or a
41 misdemeanor gambling offense unless 15 years have elapsed
42 from the date of conviction of the offense.

43 (8) It shall be unlawful for an owner or officer of a
44 licensee or for an employee of the licensee who operates the
45 tavern game to participate in the game. This paragraph shall
46 not apply to a raffle.

47 Amend Bill, page 13, line 22, by striking out "6" and

48 inserting

49 14

1 Amend Bill, page 13, line 25, by striking out "7" and
2 inserting
3 15