

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 381 Session of  
1991

INTRODUCED BY SCHULER, FLEAGLE, NOYE, ALLEN, FARGO, GEIST,  
BARLEY, ARMSTRONG, CLYMER, FAIRCHILD, G. SNYDER, FOSTER, COY,  
BATTISTO, LEH, SCHEETZ, KRUSZEWSKI AND TELEK,  
FEBRUARY 12, 1991

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 12, 1991

AN ACT

1 Amending the act of December 17, 1981 (P.L.435, No.135),  
2 entitled "An act providing for the regulation of pari-mutuel  
3 thoroughbred horse racing and harness horse racing  
4 activities; imposing certain taxes and providing for the  
5 disposition of funds from pari-mutuel tickets," providing for  
6 local option concerning the establishment of off-track pari-  
7 mutuel wagering facilities within municipalities.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. The act of December 17, 1981 (P.L.435, No.135),  
11 known as the Race Horse Industry Reform Act, is amended by  
12 adding a section to read:

13 Section 238. Local option.

14 (a) In any municipality, an election may be held, not more  
15 than once, to determine the will of the electors with respect to  
16 the establishment of facilities for the conduct of off-track  
17 pari-mutuel wagering within the limits of such municipality.  
18 Whenever a number of electors equal to at least 25% of the  
19 highest vote cast for any office in the municipality at the last

1 preceding general election shall file a petition with the board  
2 of elections of the county, or the governing body of the  
3 municipality adopts, by a majority vote, a resolution to place  
4 such a question before the electors and a copy of the resolution  
5 is filed with the board of elections of the county, the county  
6 board of elections shall cause the question to be submitted to  
7 the electors at the next election, unless the question is filed  
8 within three calendar months preceding the month in which the  
9 next election will be held, in which case the referendum shall  
10 be conducted at the next succeeding election. The ballot  
11 question shall be in the following form:

12 Do you favor the establishment of a facility for the  
13 conduct of off-track pari-mutuel wagering in the (name of  
14 municipality)?

15 (b) If a majority of the electors voting on the question  
16 vote "no," then the commissions shall have no power to approve  
17 the establishment of a facility for the conduct of an off-track  
18 pari-mutuel facility within that municipality and no person or  
19 facility shall be permitted to conduct or to continue conducting  
20 off-track pari-mutuel wagering within the municipality even if  
21 such facility received any prior commission approval to do so.

22 (c) Proceedings under this section shall be in accordance  
23 with the act of June 3, 1937 (P.L.1333, No.320), known as the  
24 "Pennsylvania Election Code."

25 (d) As used in this section, the term "election" means a  
26 general or municipal election.

27 Section 2. This act shall take effect immediately.