

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 711 Session of  
2009

INTRODUCED BY EARLL, MELLOW, FONTANA, WOZNIAK, M. WHITE, WARD,  
TOMLINSON, TARTAGLIONE, ERICKSON, MUSTO, WASHINGTON, PIPPY,  
YAW, DINNIMAN, KASUNIC, LEACH, FARNESE, PILEGGI, ARGALL,  
ORIE, RAFFERTY, STACK AND COSTA, JUNE 22, 2009

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
DECEMBER 14, 2009

AN ACT

1 ~~Amending Title 4 (Amusements) of the Pennsylvania Consolidated~~ ←  
2 ~~Statutes, further providing for legislative intent and for~~  
3 ~~the definitions of "conviction," "licensed entity" and "slot~~  
4 ~~machine licensee"; providing for the definitions of~~  
5 ~~"executive level public employee," "licensed entity~~  
6 ~~representative" and "trustee"; further providing for the~~  
7 ~~Pennsylvania Gaming Control Board, for powers of the board~~  
8 ~~and for code of conduct; providing for expenses of~~  
9 ~~Pennsylvania Gaming Control Board; further providing for~~  
10 ~~license or permit application hearing process and public~~  
11 ~~hearings, for board minutes and records, for regulatory~~  
12 ~~authority of board, for collection of fees and fines, for~~  
13 ~~slot machine license fee, for reports of board, for license~~  
14 ~~or permit prohibition, for slot machine license application~~  
15 ~~character requirements, for applications for license or~~  
16 ~~permit, for supplier licenses, for manufacturer licenses, for~~  
17 ~~additional licenses and permits and approval of agreements,~~  
18 ~~for license renewals, for change in ownership or control of~~  
19 ~~slot machine licensees and for nonportability of slot machine~~  
20 ~~license; providing for appointment of trustee; further~~  
21 ~~providing for Pennsylvania Gaming Economic Development and~~  
22 ~~Tourism Fund, for transfers from State Gaming Fund and for~~  
23 ~~financial and employment interests; providing for~~  
24 ~~prosecutorial and adjudicative functions; and further~~  
25 ~~providing for investigations and enforcement and for conduct~~  
26 ~~of public officials and employees.~~  
27 ~~AMENDING TITLE 4 (AMUSEMENTS) OF THE PENNSYLVANIA CONSOLIDATED~~ ←  
28 ~~STATUTES, FURTHER PROVIDING FOR LEGISLATIVE INTENT, FOR~~  
29 ~~DEFINITIONS, FOR THE PENNSYLVANIA GAMING CONTROL BOARD~~

1 ESTABLISHED, FOR APPLICABILITY OF OTHER STATUTES, FOR POWERS-  
2 OF THE BOARD AND FOR CODE OF CONDUCT; PROVIDING FOR EXPENSES-  
3 OF REGULATORY AGENCIES; FURTHER PROVIDING FOR LICENSED GAMING-  
4 ENTITY APPLICATION APPEALS FROM BOARD, FOR LICENSE OR PERMIT-  
5 APPLICATION HEARING PROCESS AND PUBLIC HEARINGS, FOR BOARD-  
6 MINUTES AND RECORDS, FOR REGULATORY AUTHORITY OF BOARD, FOR-  
7 COLLECTION OF FEES AND FINES, FOR SLOT MACHINE LICENSE FEE,-  
8 FOR NUMBER OF SLOT MACHINES AND FOR REPORTS OF BOARD;-  
9 PROVIDING FOR REPORT BY SLOT MACHINE LICENSEE; FURTHER-  
10 PROVIDING FOR DIVERSITY GOALS OF BOARD AND FOR LICENSE OR-  
11 PERMIT PROHIBITION; PROVIDING FOR SPECIFIC AUTHORITY TO-  
12 SUSPEND SLOT MACHINE LICENSE AND FOR AUDITOR GENERAL'S- ←  
13 REPORTS; FURTHER PROVIDING FOR CATEGORY 3 SLOT MACHINE-  
14 LICENSE, FOR APPLICATIONS FOR LICENSE OR PERMIT, FOR SLOT-  
15 MACHINE LICENSE APPLICATION CHARACTER REQUIREMENTS, FOR SLOT-  
16 MACHINE LICENSE APPLICATION FINANCIAL FITNESS REQUIREMENTS,-  
17 FOR SUPPLIER LICENSES AND FOR MANUFACTURER LICENSES;-  
18 PROVIDING FOR GAMING SERVICE PROVIDER AND FOR ALTERNATIVE-  
19 SUPPLIER LICENSING STANDARDS; FURTHER PROVIDING FOR-  
20 OCCUPATION PERMIT APPLICATION, FOR ADDITIONAL LICENSES AND-  
21 PERMITS AND APPROVAL OF AGREEMENTS, FOR LICENSE RENEWALS, FOR-  
22 CHANGE IN OWNERSHIP OR CONTROL OF SLOT MACHINE LICENSEE AND-  
23 FOR NONPORTABILITY OF SLOT MACHINE LICENSE; PROVIDING FOR-  
24 APPOINTMENT OF TRUSTEE AND FOR ADDITIONAL TABLE GAME- ←  
25 ASSESSMENT; AUTHORIZING TABLE GAMES; FURTHER PROVIDING FOR-  
26 SLOT MACHINE LICENSE DEPOSITS; PROVIDING FOR LIMITATION ON-  
27 RECOVERY OF COSTS; FURTHER PROVIDING FOR GROSS TERMINAL-  
28 REVENUE DEDUCTIONS, FOR ITEMIZED BUDGET REPORTING, FOR-  
29 ESTABLISHMENT OF STATE GAMING FUND AND NET SLOT MACHINE-  
30 REVENUE DISTRIBUTION, FOR DISTRIBUTIONS FROM PENNSYLVANIA-  
31 RACE HORSE DEVELOPMENT FUND, FOR PENNSYLVANIA GAMING ECONOMIC-  
32 DEVELOPMENT AND TOURISM FUND, FOR TRANSFERS FROM STATE GAMING-  
33 FUND, FOR RESPONSIBILITY AND AUTHORITY OF DEPARTMENT OF-  
34 REVENUE, FOR WAGERING ON CREDIT, AND FOR NO EMINENT DOMAIN- ←  
35 AUTHORITY,; PROVIDING FOR DETERIORATED DESIGNATIONS; FURTHER- ←  
36 PROVIDING FOR COMPULSIVE AND PROBLEM GAMBLING PROGRAM, FOR-  
37 LABOR HIRING PREFERENCES, FOR DECLARATION OF EXEMPTION FROM-  
38 FEDERAL LAWS PROHIBITING SLOT MACHINES AND FOR FINANCIAL AND-  
39 EMPLOYMENT INTERESTS; PROVIDING FOR ADDITIONAL RESTRICTIONS;-  
40 FURTHER PROVIDING FOR POLITICAL INFLUENCE, FOR REGULATION-  
41 REQUIRING EXCLUSION OF CERTAIN PERSONS; PROVIDING FOR-  
42 PROSECUTORIAL AND ADJUDICATIVE FUNCTIONS; FURTHER PROVIDING-  
43 FOR INVESTIGATIONS AND ENFORCEMENT, FOR CONDUCT OF PUBLIC-  
44 OFFICIALS AND EMPLOYEES AND FOR PROHIBITED ACTS AND-  
45 PENALTIES; PROVIDING FOR ADDITIONAL AUTHORITY AND FOR REPORT-  
46 OF SUSPICIOUS TRANSACTIONS; FURTHER PROVIDING FOR-  
47 INTERCEPTION OF ORAL COMMUNICATIONS; PROVIDING FOR ELECTRONIC-  
48 FUNDS TRANSFER TERMINALS; REGULATING JUNKETS; AND PROVIDING-  
49 FOR GAMING SCHOOLS.

50 AMENDING TITLES 4 (AMUSEMENTS) AND 64 (PUBLIC AUTHORITIES AND ←  
51 QUASI-PUBLIC CORPORATIONS) OF THE PENNSYLVANIA CONSOLIDATED

1 STATUTES, MAKING EXTENSIVE REVISIONS TO PROVISIONS ON GAMING,  
2 IN THE AREAS OF LEGISLATIVE INTENT, DEFINITIONS, THE  
3 PENNSYLVANIA GAMING CONTROL BOARD, APPLICABILITY OF OTHER  
4 STATUTES, POWERS OF THE BOARD, CODE OF CONDUCT, EXPENSES OF  
5 REGULATORY AGENCIES, LICENSED GAMING ENTITY APPLICATION  
6 APPEALS FROM BOARD, LICENSE OR PERMIT APPLICATION HEARING  
7 PROCESS AND PUBLIC HEARINGS, BOARD MINUTES AND RECORDS,  
8 REGULATORY AUTHORITY, COLLECTION OF FEES AND FINES, SLOT  
9 MACHINE LICENSE FEE, NUMBER OF SLOT MACHINES, REPORTS OF  
10 BOARD, DIVERSITY GOALS OF BOARD, LICENSE OR PERMIT  
11 PROHIBITION, SPECIFIC AUTHORITY TO SUSPEND SLOT MACHINE  
12 LICENSE, CATEGORY 2 SLOT MACHINE LICENSE, CATEGORY 3 SLOT  
13 MACHINE LICENSE, NUMBER OF SLOT MACHINE LICENSES,  
14 APPLICATIONS FOR LICENSE OR PERMIT, SLOT MACHINE LICENSE  
15 APPLICATION, SLOT MACHINE LICENSE APPLICATION CHARACTER  
16 REQUIREMENTS, SUPPLIER LICENSES, MANUFACTURER LICENSES,  
17 GAMING SERVICE PROVIDER, OCCUPATION PERMIT APPLICATION,  
18 ALTERNATIVE MANUFACTURER LICENSING STANDARDS, ALTERNATIVE  
19 SUPPLIER LICENSING STANDARDS, ADDITIONAL LICENSES AND PERMITS  
20 AND APPROVAL OF AGREEMENTS, LICENSE RENEWALS, CHANGE IN  
21 OWNERSHIP OR CONTROL OF SLOT MACHINE LICENSEE, NONPORTABILITY  
22 OF SLOT MACHINE LICENSE, APPOINTMENT OF TRUSTEE, TABLE GAMES,  
23 SLOT MACHINE LICENSEE DEPOSITS, GROSS TERMINAL REVENUE  
24 DEDUCTIONS, ITEMIZED BUDGET REPORTING, ESTABLISHMENT OF STATE  
25 GAMING FUND AND NET SLOT MACHINE REVENUE DISTRIBUTION,  
26 DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE DEVELOPMENT FUND,  
27 PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND,  
28 TRANSFERS FROM STATE GAMING FUND, RESPONSIBILITY AND  
29 AUTHORITY OF DEPARTMENT OF REVENUE, WAGERING ON CREDIT,  
30 EMINENT DOMAIN AUTHORITY, COMPULSIVE AND PROBLEM GAMBLING  
31 PROGRAM, DRUG AND ALCOHOL TREATMENT, LABOR HIRING  
32 PREFERENCES, DECLARATION OF EXEMPTION FROM FEDERAL LAWS  
33 PROHIBITING SLOT MACHINES, FINANCIAL AND EMPLOYMENT  
34 INTERESTS, ADDITIONAL RESTRICTIONS, POLITICAL INFLUENCE,  
35 REGULATION REQUIRING EXCLUSION OF CERTAIN PERSONS,  
36 PROSECUTORIAL AND ADJUDICATIVE FUNCTIONS, INVESTIGATIONS AND  
37 ENFORCEMENT, CONDUCT OF PUBLIC OFFICIALS AND EMPLOYEES,  
38 PROHIBITED ACTS AND PENALTIES, REPORT OF SUSPICIOUS  
39 TRANSACTIONS, ADDITIONAL AUTHORITY, APPLICABILITY OF CLEAN  
40 INDOOR AIR ACT, LIQUOR LICENSES AT LICENSED FACILITIES,  
41 INTERCEPTION OF ORAL COMMUNICATIONS, ELECTRONIC FUNDS  
42 TRANSFER TERMINALS, JUNKETS, GAMING SCHOOLS AND  
43 APPROPRIATIONS; FURTHER PROVIDING FOR POWERS AND DUTIES OF  
44 THE COMMONWEALTH FINANCING AUTHORITY; AND MAKING RELATED  
45 REPEALS.

46 The General Assembly of the Commonwealth of Pennsylvania  
47 hereby enacts as follows:

48 ~~Section 1. Section 1102(11) of Title 4 of the Pennsylvania~~

1 ~~Consolidated Statutes is amended and the section is amended by~~  
2 ~~adding paragraphs to read:~~

3 ~~§ 1102. Legislative intent.~~

4 ~~The General Assembly recognizes the following public policy~~  
5 ~~purposes and declares that the following objectives of the~~  
6 ~~Commonwealth are to be served by this part:~~

7 ~~\* \* \*~~

8 ~~(10.1) The General Assembly has a compelling interest in~~  
9 ~~protecting the integrity of both the electoral process and~~  
10 ~~the legislative process by preventing corruption and the~~  
11 ~~appearance of corruption which may arise through permitting~~  
12 ~~campaign contributions by the gaming industry.~~

13 ~~(11) It is necessary to maintain the integrity of the~~  
14 ~~regulatory control and legislative oversight over the~~  
15 ~~operation of slot machines in this Commonwealth; to prevent~~  
16 ~~the actual or appearance of corruption that may result from~~  
17 ~~[large] campaign contributions; ensure the bipartisan~~  
18 ~~administration of this part; and avoid actions that may erode~~  
19 ~~public confidence in the system of representative government.~~

20 ~~(11.1) Completely banning political CAMPAIGN~~  
21 ~~contributions by certain individuals and entities subject to~~  
22 ~~this act is necessary to prevent corruption, or the~~  
23 ~~appearance of corruption, that may arise when politics and~~  
24 ~~gaming are intermingled.~~

25 ~~Section 2. The definitions of "conviction," "licensed entity"~~  
26 ~~and "slot machine licensee" in section 1103 of Title 4 are~~  
27 ~~amended and the section is amended by adding definitions to~~  
28 ~~read:~~

29 ~~§ 1103. Definitions.~~

30 ~~The following words and phrases when used in this part shall~~

1 ~~have the meanings given to them in this section unless the~~  
2 ~~context clearly indicates otherwise:~~

3 ~~\* \* \*~~

4 ~~"Conviction." A finding of guilt or a plea of guilty or nolo~~  
5 ~~contendere, whether or not a judgment of sentence has been~~  
6 ~~imposed as determined by the law of the jurisdiction in which~~  
7 ~~the prosecution was held. The term does not include a conviction~~  
8 ~~that has been expunged or overturned or for which an individual~~  
9 ~~has been pardoned or an order of Accelerated Rehabilitative~~  
10 ~~Disposition which has been issued.~~

11 ~~\* \* \*~~

12 ~~"Executive level public employee." The term shall include~~  
13 ~~the following:~~

14 ~~(1) Deputy Secretaries of the Commonwealth and the~~  
15 ~~Governor's Office executive staff.~~

16 ~~(2) An employee of the executive branch with~~  
17 ~~discretionary power which may affect or influence the outcome~~  
18 ~~of a State agency's action or decision and who is involved in~~  
19 ~~the development of regulations or policies relating to a~~  
20 ~~licensed entity or who is involved in other matters under~~  
21 ~~this part. The term shall include an employee with law~~  
22 ~~enforcement authority.~~

23 ~~(3) An employee of a county or municipality with~~  
24 ~~discretionary powers which may affect or influence the~~  
25 ~~outcome of the county's or municipality's action or decision~~  
26 ~~and who is involved in the development of law, regulation or~~  
27 ~~policy relating to a licensed entity or who is involved in~~  
28 ~~other matters under this part. The term shall include an~~  
29 ~~employee with law enforcement authority.~~

30 ~~(4) An employee of a department, agency, board,~~

~~commission, authority or other governmental body not included  
in paragraph (1), (2) or (3) with discretionary power which  
may affect or influence the outcome of the governmental  
body's action or decision and who is involved in the  
development of regulation or policy relating to a licensed  
entity or who is involved in other matters under this part.  
The term shall include an employee with law enforcement  
authority.~~

~~\* \* \*~~

~~"Licensed entity[.]" or "licensee." Any slot machine  
licensee, manufacturer licensee, supplier licensee or other  
person licensed by the Pennsylvania Gaming Control Board under  
this part.~~

~~"Licensed entity representative." A person acting on behalf  
of or representing the interest of any applicant, licensee,  
permittee or registrant, including an attorney, agent or  
lobbyist, regarding any matter which may reasonably be expected  
to come before the board.~~

~~\* \* \*~~

~~["Slot machine licensee." A person that holds a slot machine  
license.]~~

~~\* \* \*~~

~~"Trustee." A fiduciary appointed by the Pennsylvania Gaming  
Control Board to preserve the viability of a licensed facility  
and the integrity of gaming in this Commonwealth.~~

~~\* \* \*~~

~~Section 3. Section 1201(b), (b.1), (f) (3), (h) (5), (7.1),  
(10), (11), (13), (14) and (15) and (k) of Title 4 are amended,  
subsection (h) is amended by adding paragraphs and the section  
is amended by adding a subsection to read:~~

1 ~~§ 1201. Pennsylvania Gaming Control Board established.~~

2 ~~\* \* \*~~

3 ~~(b) Membership.~~

4 ~~(1) The board shall consist of the following members:~~

5 ~~[(1)] (i) Three members appointed by the Governor.~~

6 ~~[(2)] (ii) One member appointed by each of the~~  
7 ~~following:~~

8 ~~[(i)] (A) The President pro tempore of the~~  
9 ~~Senate.~~

10 ~~[(ii)] (B) The Minority Leader of the Senate.~~

11 ~~[(iii)] (C) The Speaker of the House of~~  
12 ~~Representatives.~~

13 ~~[(iv)] (D) The Minority Leader of the House of~~  
14 ~~Representatives.~~

15 ~~(2) The chairman of the Community, Economic and~~  
16 ~~Recreational Development Committee of the Senate may hold a~~  
17 ~~public hearing on an appointee under paragraph (1).~~

18 ~~(b.1) Removal. A member of the board shall serve at the~~  
19 ~~pleasure of the appointing authority and shall be removed from~~  
20 ~~office by the appointing authority:~~

21 ~~(1) for misconduct in office, willful neglect of duty or~~  
22 ~~conduct evidencing unfitness for office or incompetence; or~~

23 ~~(2) upon conviction of an offense graded as a felony, an~~  
24 ~~infamous crime, an offense under this part or an equivalent~~  
25 ~~offense under Federal law or the law of another jurisdiction.~~

26 ~~\* \* \*~~

27 ~~(f) Qualified majority vote.~~

28 ~~\* \* \*~~

29 ~~(3) Notwithstanding any other provision of this part or~~  
30 ~~65 Pa.C.S. § 1103(j) (relating to restricted activities), a~~

1 ~~member shall disclose the nature of his disqualifying~~  
2 ~~interest, disqualify himself and abstain from voting in a~~  
3 ~~proceeding under this part in which his objectivity,~~  
4 ~~impartiality, integrity or independence of judgment may be~~  
5 ~~reasonably questioned, as provided in subsection (h) (6) or~~  
6 ~~section 1202.1(c) (3) (relating to code of conduct). If a~~  
7 ~~legislative appointee has disqualified himself, the qualified~~  
8 ~~majority shall consist of all of the remaining legislative~~  
9 ~~appointees and at least two gubernatorial appointees.~~

10 \* \* \*

11 ~~(h) Qualifications and restrictions.~~

12 \* \* \*

13 ~~(4.1) No member appointed after the effective date of~~  
14 ~~this paragraph shall engage in any business, employment or~~  
15 ~~vocation for which the member shall receive any COMPENSATION~~  
16 ~~OR remuneration except for an individual who is reappointed~~  
17 ~~and who is a member of the board on the effective date of~~  
18 ~~this paragraph.~~

19 ~~(5) No member shall be paid or receive any fee or other~~  
20 ~~compensation other than salary and expenses provided by law~~  
21 ~~for any activity related to the duties or authority of the~~  
22 ~~board. [Nothing in this part shall prohibit a member from~~  
23 ~~engaging in any employment or receiving any compensation for~~  
24 ~~such employment that is not connected to or incompatible with~~  
25 ~~his service as a member of the board.]~~

26 \* \* \*

27 ~~(7.1) Prior to being sworn as a member, an appointee and~~  
28 ~~his immediate family shall divest any financial interest in~~  
29 ~~any applicant, licensed facility or licensed entity and in an~~  
30 ~~affiliate, intermediary, subsidiary or holding company~~

1 ~~thereof owned or held by the appointee or known to be held by~~  
2 ~~the appointee's immediate family. For the duration of the~~  
3 ~~member's term and for [one year] two years thereafter, the~~  
4 ~~member and the member's immediate family may not acquire a~~  
5 ~~financial interest in any applicant, licensed facility or~~  
6 ~~licensed entity or in an affiliate, intermediary, subsidiary~~  
7 ~~or holding company thereof. For purposes of this paragraph,~~  
8 ~~the term "immediate family" shall mean spouse and any minor~~  
9 ~~or unemancipated child.~~

10 \* \* \*

11 ~~(10) No former member may appear before the board in any~~  
12 ~~hearing or proceeding or participate in any other activity on~~  
13 ~~behalf of any applicant, licensed entity, or an affiliate,~~  
14 ~~intermediary, subsidiary or holding company thereof, or any~~  
15 ~~other licensee or permittee for a period of two years from~~  
16 ~~the termination of term of office.~~

17 ~~(11) No member, employee or independent contractor of~~  
18 ~~the board shall accept a complimentary service, wager or be~~  
19 ~~paid any prize from any wager at any licensed facility within~~  
20 ~~this Commonwealth or at any other facility outside this~~  
21 ~~Commonwealth which is owned or operated by a licensed gaming~~  
22 ~~entity or any of its affiliates, intermediaries, subsidiaries~~  
23 ~~or holding companies thereof for the duration of their term~~  
24 ~~of office, employment or contract with the board and for a~~  
25 ~~period of [one year] two years from the termination of term~~  
26 ~~of office, employment or contract with the board. The~~  
27 ~~provisions of this paragraph prohibiting wagering during the~~  
28 ~~term of employment shall not apply to employees [who] when~~  
29 ~~the employees utilize slot machines for testing purposes or~~  
30 ~~to verify the performance of a machine as part of an~~

1 ~~enforcement investigation.~~

2 \* \* \*

3 ~~(13) No employee of the board [or individual employed by~~  
4 ~~an independent contractor of the board] whose duties~~  
5 ~~substantially involve licensing[, ] or enforcement [or], the~~  
6 ~~development or adoption of laws, regulations or policy or who~~  
7 ~~has other discretionary authority which may affect the~~  
8 ~~outcome of an action or decision under this part, including~~  
9 ~~the executive director, bureau directors and attorneys, shall~~  
10 ~~do any of the following:~~

11 ~~(i) [accept] Accept employment with or be retained~~  
12 ~~by an applicant or licensed entity, or an affiliate,~~  
13 ~~intermediary, subsidiary or holding company thereof, for~~  
14 ~~a period of [one year] two years after the termination of~~  
15 ~~the employment relating to the conduct of gaming [or~~  
16 ~~contract with the board; or].~~

17 ~~(ii) [appear] Appear before the board in any hearing~~  
18 ~~or proceeding or participate in any other activity on~~  
19 ~~behalf of any applicant, licensee, permittee or licensed~~  
20 ~~entity, or an affiliate, intermediary, subsidiary or~~  
21 ~~holding company thereof, for a period of two years after~~  
22 ~~termination of the employment [or contract with the~~  
23 ~~board].~~

24 ~~(iii) As a condition of employment, an employee~~  
25 ~~under this paragraph shall sign an affidavit that the~~  
26 ~~employee will not accept employment with or be retained~~  
27 ~~by any applicant, licensed entity or an affiliate,~~  
28 ~~intermediary, subsidiary or holding company thereof for a~~  
29 ~~period of two years from the termination of employment.~~  
30 ~~An applicant or licensed entity or an affiliate,~~

1 ~~intermediary, subsidiary or holding company thereof shall~~  
2 ~~not employ or retain an individual who signed an~~  
3 ~~affidavit signed under this subparagraph. An applicant or~~  
4 ~~licensed entity or an affiliate, intermediary, subsidiary~~  
5 ~~or holding company that knowingly employs or retains an~~  
6 ~~individual in violation of this subparagraph shall be~~  
7 ~~subject to a penalty under section 1518(c) (relating to~~  
8 ~~prohibited acts; penalties).~~

9 ~~(13.1) No independent contractor or individual employed~~  
10 ~~by an independent contractor of the board whose duties~~  
11 ~~substantially involve consultation relating to licensing,~~  
12 ~~enforcement or the development or adoption of regulations or~~  
13 ~~policy under this part shall:~~

14 ~~(i) Accept employment with or be retained by an~~  
15 ~~applicant or a licensed entity or an affiliate,~~  
16 ~~intermediary, subsidiary or holding company thereof for a~~  
17 ~~period of one year after the termination of the contract~~  
18 ~~with the board.~~

19 ~~(ii) Appear before the board in any hearing or~~  
20 ~~proceeding or participate in any other activity on behalf~~  
21 ~~of an applicant, licensee, permittee or licensed entity~~  
22 ~~or an affiliate, intermediary, subsidiary or holding~~  
23 ~~company of an applicant, licensee, permittee or licensed~~  
24 ~~entity for a period of two years after termination of the~~  
25 ~~contract with the board.~~

26 ~~(iii) As a condition of a contract, an independent~~  
27 ~~contractor or individual employed by an independent~~  
28 ~~contractor of the board under this paragraph shall sign~~  
29 ~~an affidavit to not accept employment with or be retained~~  
30 ~~by any applicant, licensed entity or an affiliate,~~

~~intermediary, subsidiary or holding company of an applicant, licensed entity or affiliate for a period of one year from the termination of employment. A licensed entity or an affiliate, intermediary, subsidiary or holding company of an applicant, licensed entity or affiliate shall not employ or retain an individual who signed an affidavit signed under this subparagraph. A licensed entity or an affiliate, intermediary, subsidiary or holding company thereof that knowingly employs or retains an individual in violation of this subparagraph shall be subject to a penalty under section 1518(c).~~

~~(14) Upon the written request of an employee of the board, the executive branch of the Commonwealth or a political subdivision or of the agency or political subdivision employing an employee, the State Ethics Commission shall determine whether the individual's duties substantially involve the development or adoption of laws, regulations or policy, licensing or enforcement under this part or other discretionary authority which may affect the outcome of an action or decision under this part and shall provide a written determination to the employee to include any prohibition under this paragraph. An individual who relies in good faith on a determination under this paragraph shall not be subject to any penalty for an action taken, provided that all material facts set forth in the request for a determination are correct.~~

~~(15) If a member[, employee or independent contractor] of the board violates any provision of this section, the appointing authority [or the board may, upon notice and hearing,] may remove the person from the board[, withdraw the~~

~~1 appointment or]. A member removed under this paragraph shall  
2 be prohibited from future appointment to the board and shall  
3 be prohibited from applying for a license or permit, from  
4 becoming an independent contractor of the board, or  
5 registering as a licensed entity representative for a period  
6 of five years from the date of removal from the board. If an  
7 employee or independent contractor of the board violates any  
8 provision of this section, the board may, upon notice and  
9 hearing, terminate the employment or contract, and the person  
10 shall be ineligible for future [appointment,] employment or  
11 contract with the board and [for approval of a license or  
12 permit under this part for a period of two years thereafter]  
13 shall be prohibited from applying for a license or permit,  
14 becoming an independent contractor or registering as a  
15 licensed entity representative for a period of five years  
16 from the date of termination of the employment or contract.~~

~~17 \* \* \*~~

~~18 (k) Appointments. [The appointing authorities] Following  
19 the initial appointment of members under subsection (b), the  
20 appointing authority shall make [their initial] appointments  
21 within 60 days of [the effective date of this part] a vacancy in  
22 an office. No appointment shall be final until receipt by the  
23 appointing authority of the required background investigation of  
24 the appointee by the Pennsylvania State Police which shall be  
25 completed within 30 days. No person who has been convicted in  
26 any domestic or foreign jurisdiction of a felony, infamous crime  
27 or gaming offense shall be appointed to the board.~~

~~28 \* \* \*~~

~~29 (m.1) Budgetary impasse. If, in the event of a budgetary or  
30 other fiscal crisis, the Governor implements a system in order~~

1 ~~to ORDERS THE furlough OF employees or close THE CLOSING OF any~~  
2 ~~Commonwealth agency, the board and its employees and all~~  
3 ~~employees of the Department of Revenue, the Pennsylvania State~~  
4 ~~Police and the Office of Attorney General whose duties involve~~  
5 ~~the regulation and oversight of gaming under this part shall not~~  
6 ~~be subject to furlough but shall continue to perform their~~  
7 ~~duties.~~

8 \* \* \*

9 Section 4. ~~Section 1202(a) (4) and (b) (7), (23) and (30) of~~  
10 ~~Title 4 are amended and subsections (a) and (b) are amended by~~  
11 ~~adding paragraphs to read:~~

12 ~~§ 1202. General and specific powers.~~

13 ~~(a) General powers.—~~

14 \* \* \*

15 ~~{(4) The board shall establish a system of~~  
16 ~~classification and compensation of its employees and shall~~  
17 ~~not be subject to the provisions of the act of April 9, 1929~~  
18 ~~(P.L.177, No.175), known as The Administrative Code of 1929,~~  
19 ~~as to classification and compensation for its employees and~~  
20 ~~conduct its activities consistent with the practices and~~  
21 ~~procedures of Commonwealth agencies.}]~~

22 ~~(4.1) Within 90 days of the effective date of this~~  
23 ~~paragraph, the board shall establish a system of~~  
24 ~~classification and compensation of its employees and shall be~~  
25 ~~subject to the provisions of the act of April 9, 1929~~  
26 ~~(P.L.177, No.175), known as The Administrative Code of 1929,~~  
27 ~~as to classification and compensation for its employees and~~  
28 ~~conduct its activities consistent with the practices and~~  
29 ~~procedures of Commonwealth agencies. The provisions of this~~  
30 ~~paragraph shall apply to employees hired after the effective~~

~~date of this paragraph. Nothing in this paragraph shall prevent the board from altering a system, or establishing a new system, of classification or compensation for employees hired prior to the effective date of this section.~~

~~\* \* \*~~

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

~~\* \* \*~~

~~(7) To administer oaths, examine witnesses and issue subpoenas compelling the attendance of witnesses or the production of documents and records or other evidence[. The provisions of this paragraph shall apply to designated officers and employees.], or to designate officers or employees to perform these duties.~~

~~(7.1) To order a person to answer a question or produce evidence of any kind. If, in the course of an investigation or hearing conducted under this part, a person refuses to answer a question or to produce evidence on the grounds that the answer or evidence will expose the person to criminal prosecution, the board may adopt a resolution recommending a grant of immunity that includes the specific question to be posed or information or evidence being sought from the person as follows:~~

~~(i) The resolution shall be submitted to the Attorney General for approval or disapproval within 20 days of receipt of the resolution. Upon the written approval of the Attorney General, the board may issue an order to compel the person to answer or produce evidence with immunity.~~

~~(ii) If the person who is the subject of the~~

1 ~~immunity order provides the answer or evidence, the~~  
2 ~~person shall be immune from criminal prosecution based on~~  
3 ~~the answer or evidence that was the subject of the~~  
4 ~~immunity order.~~

5 ~~(iii) The person may be prosecuted for perjury~~  
6 ~~committed in the answer or production of evidence or held~~  
7 ~~in contempt for failing to give an answer or produce~~  
8 ~~evidence in accordance with the order. The answer or~~  
9 ~~evidence shall be admissible only against the person in a~~  
10 ~~criminal investigation, or a trial or other proceeding~~  
11 ~~for perjury or contempt.~~

12 ~~(iv) Immunity under this paragraph shall not~~  
13 ~~preclude the use of any other remedy or sanction~~  
14 ~~authorized by law.~~

15 \* \* \*

16 ~~(23) The board shall not issue or renew a license or~~  
17 ~~permit unless it is satisfied that the applicant has~~  
18 ~~demonstrated by clear and convincing evidence that the~~  
19 ~~applicant is a person of good character, honesty and~~  
20 ~~integrity and is a person whose prior activities, criminal~~  
21 ~~record, if any, reputation, habits and associations do not~~  
22 ~~pose a threat to the public interest or the effective~~  
23 ~~regulation and control of slot machine operations or create~~  
24 ~~or enhance the danger of unsuitable, unfair or illegal~~  
25 ~~practices, methods and activities in the conduct of slot~~  
26 ~~machine operations or the carrying on of the business and~~  
27 ~~financial arrangements incidental thereto.~~

28 \* \* \*

29 ~~(30) To promulgate rules and regulations necessary for~~  
30 ~~the administration and enforcement of this part, including~~

1 ~~regulations in cooperation with the Pennsylvania Liquor~~  
2 ~~Control Board and regulations relating to the sale and~~  
3 ~~service of liquor and malt and brewed beverages by licensees.~~  
4 ~~[Except as provided in section 1203 (relating to temporary~~  
5 ~~regulations), regulations] Regulations shall be adopted~~  
6 ~~pursuant to the act of July 31, 1968 (P.L.769, No.240),~~  
7 ~~referred to as the Commonwealth Documents Law, and the act of~~  
8 ~~June 25, 1982 (P.L.633, No.181), known as the Regulatory~~  
9 ~~Review Act.~~

10 ~~(31) To collect and post information on its Internet~~  
11 ~~website with sufficient detail to inform the public of the~~  
12 ~~controlling interest or ownership interest of an applicant~~  
13 ~~for a slot machine license or a licensed gaming entity or~~  
14 ~~affiliate, intermediary, subsidiary or holding company~~  
15 ~~thereof. The posting shall include:~~

16 ~~(i) The names of all persons with a controlling~~  
17 ~~interest in a publicly traded domestic or foreign~~  
18 ~~corporation, partnership, limited liability company or~~  
19 ~~other legal entity.~~

20 ~~(ii) The names of all persons who own a financial~~  
21 ~~equity share or interest with an ownership interest equal~~  
22 ~~to or greater than 1% of a privately held domestic or~~  
23 ~~foreign corporation, partnership, limited liability~~  
24 ~~company or other legal entity.~~

25 ~~(iii) The name of a trustee entitled to cast the~~  
26 ~~vote of a person under subparagraph (i) or (ii).~~

27 ~~(iv) The names of all officers, directors,~~  
28 ~~principals and key employees of a licensed gaming entity.~~

29 ~~(32) To appoint a trustee as prescribed in section 1332~~  
30 ~~(relating to appointment of trustee) to act on behalf of the~~

1 ~~Commonwealth and the board to operate a licensed facility and~~  
2 ~~ensure compliance with this part.~~

3 Section 5. ~~Section 1202.1 of Title 4 is amended to read:~~

4 ~~§ 1202.1. Code of conduct.~~

5 ~~(a) Scope. The board shall adopt a comprehensive code of~~  
6 ~~conduct prior to the consideration of any license, permit or~~  
7 ~~registration application. The code of conduct shall supplement~~  
8 ~~all other requirements under this part and 65 Pa.C.S. Pt. II~~  
9 ~~(relating to accountability) and shall provide guidelines~~  
10 ~~applicable to members, employees, independent contractors of the~~  
11 ~~board and the immediate families of the members, as defined in~~  
12 ~~subsection (e), employees and independent contractors to enable~~  
13 ~~them to avoid any perceived or actual conflict of interest and~~  
14 ~~to promote public confidence in the integrity and impartiality~~  
15 ~~of the board. At a minimum, the code of conduct adopted under~~  
16 ~~this section shall include registration of licensed entity~~  
17 ~~representatives under subsection (b) and the restrictions under~~  
18 ~~[subsection (c)] subsections (c) and (c.1).~~

19 ~~(b) Registration.—~~

20 ~~(1) A licensed entity representative shall register with~~  
21 ~~the board in a manner prescribed by the board, which shall~~  
22 ~~include the name, employer or firm, address, telephone number~~  
23 ~~of both the licensed entity representative and the [licensed~~  
24 ~~entity] applicant, licensee, permittee or registrant or~~  
25 ~~individual being represented.~~

26 ~~(2) A licensed entity representative shall have an~~  
27 ~~[ongoing] affirmative duty to update its registration~~  
28 ~~information on an ongoing basis.~~

29 ~~(3) The [registration list] board shall maintain a~~  
30 ~~registration list which shall contain the information~~

1 ~~required under paragraph (1) and which shall be available for~~  
2 ~~public inspection at the offices of the board and on the~~  
3 ~~board's Internet website.~~

4 ~~(c) Restrictions. A member of the board shall:~~

5 ~~(1) Not engage in any ex parte communication with any~~  
6 ~~person.~~

7 ~~(2) Not accept any discount, gift, gratuity,~~  
8 ~~compensation, travel, lodging or other thing of value,~~  
9 ~~directly or indirectly, from any applicant, [licensee,]~~  
10 ~~licensed entity, including any affiliate, subsidiary,~~  
11 ~~intermediary or holding company thereof, permittee,~~  
12 ~~registrant or licensed entity representative thereof.~~

13 ~~(3) Disclose and [disqualify] recuse himself from any~~  
14 ~~hearing or other proceeding in which the member's~~  
15 ~~objectivity, impartiality, integrity or independence of~~  
16 ~~judgment may be reasonably questioned due to the member's~~  
17 ~~relationship or association with a party connected to any~~  
18 ~~hearing or proceeding or a person appearing before the board.~~

19 ~~(4) Refrain from any financial or business dealing which~~  
20 ~~would tend to reflect adversely on the member's objectivity,~~  
21 ~~impartiality or independence of judgment.~~

22 ~~(5) Not hold or campaign for public office, hold an~~  
23 ~~office in any political party or political committee as~~  
24 ~~defined in section 1513(d) (relating to political influence),~~  
25 ~~contribute to or solicit contributions to a political~~  
26 ~~campaign, [party,] political party, political committee or~~  
27 ~~candidate, publicly endorse a candidate or actively~~  
28 ~~participate in a political campaign.~~

29 ~~(6) Not solicit funds for any charitable, educational,~~  
30 ~~religious, health, fraternal, civic or other nonprofit entity~~

1 ~~from an applicant, licensed entity or affiliate, subsidiary,~~  
2 ~~intermediary or holding company of a licensed entity,~~  
3 ~~interested party, permittee or licensed entity~~  
4 ~~representative. [A] Unless prohibited under § 1201(h)(4.1)~~  
5 ~~(relating to Pennsylvania Gaming Control Board established),~~  
6 ~~a board member may serve as an officer, employee or member of~~  
7 ~~the governing body of a nonprofit entity and may attend, make~~  
8 ~~personal contributions to and plan or preside over the~~  
9 ~~entity's fundraising events. A board member may permit his~~  
10 ~~name to appear on the letterhead used for fundraising events~~  
11 ~~if the letterhead contains only the board member's name and~~  
12 ~~position with the nonprofit entity.~~

13 ~~(7) Not meet or engage in discussions with any~~  
14 ~~applicant, [person licensed under this part] licensed entity,~~  
15 ~~permittee, [or a] licensed entity representative or person~~  
16 ~~who provides goods, property or services to a slot machine~~  
17 ~~licensee unless the meeting or discussion occurs on the~~  
18 ~~business premises of the board and is recorded in a log~~  
19 ~~maintained for this purpose. The log shall be available for~~  
20 ~~public inspection during the regular business hours of the~~  
21 ~~board and shall be posted on the board's Internet website.~~  
22 ~~The log shall include the date and time of the meeting or~~  
23 ~~discussion, the names of the participants and the subject~~  
24 ~~matter discussed.~~ The provisions of this paragraph shall not  
25 ~~apply to meetings [of the board] to consider matters~~  
26 ~~requiring the physical inspection of the equipment or~~  
27 ~~premises of an applicant or a licensed entity at [their] the~~  
28 ~~location of the licensed facility.~~

29 ~~(8) Avoid impropriety and the appearance of impropriety~~  
30 ~~at all times and observe standards and conduct that promote~~

1 ~~public confidence in the oversight of gaming.~~

2 ~~(9) Comply with any other laws, rules or regulations~~  
3 ~~relating to the conduct of a member.~~

4 ~~(c.1) Prohibitions.~~

5 ~~(1) No member or attorney of the Office of Chief Counsel~~  
6 ~~advising the board on a particular licensing issue or~~  
7 ~~proceeding or employee whose duties relate to licensing and~~  
8 ~~who is advising the board on a particular licensing issue or~~  
9 ~~proceeding shall engage in any ex parte communication with~~  
10 ~~any person.~~

11 ~~(2) No attorney representing the bureau or the Office of~~  
12 ~~Enforcement Counsel or an applicant, licensee or permittee in~~  
13 ~~any proceeding shall engage in an ex parte communication with~~  
14 ~~a member, an attorney of the Office of Chief Counsel advising~~  
15 ~~the board on a proceeding or a hearing officer of the board.~~

16 ~~(3) No employee of the bureau or the Office of~~  
17 ~~Enforcement Counsel who is involved in a proceeding shall~~  
18 ~~engage in an ex parte communication with a member, an~~  
19 ~~attorney of the Office of Chief Counsel who is advising the~~  
20 ~~board on the proceeding or a hearing officer of the board.~~

21 ~~(c.2) Procedures relating to ex parte communications.~~

22 ~~(1) An ex parte communication received or engaged in by~~  
23 ~~a board member, employee or hearing officer shall be recorded~~  
24 ~~in a log maintained for this purpose. The log shall be~~  
25 ~~available for public inspection during the regular business~~  
26 ~~hours of the board and shall be posted on the board's~~  
27 ~~Internet website. The LOG SHALL INCLUDE:~~

28 ~~(I) The individual recording the ex parte~~  
29 ~~communication. shall include:~~

30 ~~(i) (ii) The date and time of the ex parte~~

1 ~~communication.~~

2 ~~(ii) The name of any other individual (iii) The~~  
3 ~~names of all individuals involved in the ex parte~~  
4 ~~communication.~~

5 ~~(iii) (iv) The subject matter and substance of the~~  
6 ~~ex parte communication.~~

7 ~~(2) In addition to documenting an ex parte communication~~  
8 ~~under paragraph (1), notification and an opportunity to~~  
9 ~~respond shall be provided to the following as follows:~~

10 ~~(i) A board member or employee shall promptly notify~~  
11 ~~the board and all persons directly affected by the~~  
12 ~~anticipated vote or action of the board of the substance~~  
13 ~~of the communication.~~

14 ~~(ii) A hearing officer shall promptly notify the~~  
15 ~~board and all parties to the proceeding before the~~  
16 ~~hearing officer of the substance of the communication.~~

17 ~~(3) (i) A board member, employee or hearing officer who~~  
18 ~~received or engaged in an ex parte communication shall~~  
19 ~~recuse himself from any hearing or other proceeding~~  
20 ~~related to the ex parte communication if the context and~~  
21 ~~substance of the ex parte communication creates~~  
22 ~~substantial reasonable doubt as to the individual's~~  
23 ~~ability to act objectively, independently or impartially.~~

24 ~~(ii) A board member, employee or hearing officer who~~  
25 ~~elects not to recuse himself based on an ex parte~~  
26 ~~communication shall state his reasons for doing so on the~~  
27 ~~record prior to the commencement of the hearing or~~  
28 ~~proceeding.~~

29 ~~(iii) If a legislative appointee recuses himself~~  
30 ~~from any hearing or other proceeding under this section,~~

1 ~~any qualified majority vote required under this part~~  
2 ~~shall consist of all of the remaining legislative~~  
3 ~~appointees and at least two gubernatorial appointees.~~

4 ~~(iv) Failure of a hearing officer or employee to~~  
5 ~~recuse himself from a hearing or other proceeding due to~~  
6 ~~receipt of an ex parte communication under this section~~  
7 ~~shall be grounds for appeal to the board of the failure~~  
8 ~~to recuse.~~

9 ~~(v) Failure of a board member to recuse himself from~~  
10 ~~a hearing or other proceeding due to receipt of an ex~~  
11 ~~parte communication under this section shall be grounds~~  
12 ~~for appeal of a decision to a court of competent~~  
13 ~~jurisdiction if the board action being appealed would not~~  
14 ~~have occurred without the participation of the board~~  
15 ~~member who received the ex parte communication.~~

16 ~~(d) Ex officio members. The restrictions under subsection~~  
17 ~~(c) (5) shall not apply to ex officio members.~~

18 ~~(e) Definitions. As used in this section, the following~~  
19 ~~words and phrases shall have the meanings given to them in this~~  
20 ~~subsection:~~

21 ~~"Ex parte communication." An off the record communication~~  
22 ~~engaged in or received by a member [or], employee or hearing~~  
23 ~~officer of the board regarding the merits of or any fact in~~  
24 ~~issue relating to a pending matter before the board or which may~~  
25 ~~reasonably be expected to come before the board in a contested~~  
26 ~~on the record proceeding. The term shall not include off the~~  
27 ~~record communications by or between a member [or], employee or~~  
28 ~~hearing officer of the board, Department of Revenue,~~  
29 ~~Pennsylvania State Police, Attorney General or other law~~  
30 ~~enforcement official prior to the beginning of the proceeding~~

1 solely for the purpose of seeking clarification or correction to  
2 evidentiary materials intended for use in the proceedings.

3 ~~"Immediate family." The spouse, parents, children and~~  
4 ~~siblings and the spouses of any of those individuals.~~

5 ~~["Licensed entity representative." A person acting on behalf~~  
6 ~~of or representing the interest of any applicant, licensee,~~  
7 ~~permittee or registrant, including an attorney, agent or~~  
8 ~~lobbyist, regarding any matter which may reasonably be expected~~  
9 ~~to come before the board.]~~

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

11 ~~§ 1202.2. Expenses of the Pennsylvania Gaming Control Board.~~

12 ~~Members and employees of the board shall only be reimbursed~~  
13 ~~for actual and reasonable expenses incurred during the~~  
14 ~~performance of their duties. In order to receive reimbursement~~  
15 ~~for an expense in excess of \$10, the member or employee shall~~  
16 ~~submit a receipt validating the expense incurred.~~

17 ~~Reimbursements, allowances or other payments in an amount~~  
18 ~~greater than the expenses for which receipts are submitted are~~  
19 ~~prohibited. Receipts and requests for reimbursement shall be~~  
20 ~~financial records for purposes of the act of February 14, 2008~~  
21 ~~(P.L.6, No.3), known as the Right to Know Law.~~

22 Section 7. Section 1205(b)(1) and (2) of Title 4 are amended  
23 and the subsection is amended by adding paragraphs to read:

24 ~~§ 1205. License or permit application hearing process; public~~  
25 ~~input hearings.~~

26 ~~\* \* \*~~

27 ~~(b) Public input hearing requirement.~~

28 ~~(1) [Prior to licensing a facility under this part, the~~  
29 ~~board shall hold at least one public input hearing on the~~  
30 ~~matter.] The board shall hold at least one public input~~

1 ~~hearing prior to:~~

2 ~~(i) Licensing a facility.~~

3 ~~(ii) Approving the structural redesign of a licensed~~  
4 ~~facility located in a city of the first class.~~

5 ~~(2) All public input hearings [relating to an~~  
6 ~~application for a slot machine license] under paragraph (1)~~  
7 ~~shall be held in the municipality where the licensed facility~~  
8 ~~will be, or is, located and shall be organized in cooperation~~  
9 ~~with the municipality.~~

10 \* \* \*

11 ~~(4) In addition to any witnesses scheduled to testify~~  
12 ~~under paragraph (3), the board shall establish a public~~  
13 ~~comment period during which time members of the public may~~  
14 ~~address the board regarding the proposed license or~~  
15 ~~structural redesign under paragraph (1). The board, in its~~  
16 ~~discretion, may place reasonable time limits on an~~  
17 ~~individual's comments.~~

18 Section 8. Sections 1206(f), 1207(4), 1208(1)(i) and (ii)  
19 and 1209(b) of Title 4 are amended to read:

20 § 1206. Board minutes and records.

21 \* \* \*

22 (f) Confidentiality of information. [All]

23 ~~(1) The following information submitted by an applicant~~  
24 ~~or licensee pursuant to section 1310(a) (relating to slot~~  
25 ~~machine license application character requirements) or~~  
26 ~~1308(a.1) (relating to applications for license or permit) or~~  
27 ~~obtained by the board or the bureau as part of a background~~  
28 ~~or other investigation from any source shall be [considered]~~  
29 ~~confidential[.] and withheld from public disclosure:~~

30 ~~(i) All information relating to good character,~~

1 ~~honesty and integrity, including family, habits,~~  
2 ~~reputation, history of criminal activity, business~~  
3 ~~activities, financial affairs and business, professional~~  
4 ~~and personal associations submitted under section 1310(a)~~  
5 ~~or 1308(a.1) or otherwise obtained by the board or the~~  
6 ~~bureau.~~

7 ~~(ii) Nonpublic personal information, including~~  
8 ~~telephone numbers, Social Security numbers, educational~~  
9 ~~records, memberships, medical records, tax returns and~~  
10 ~~declarations, actual or proposed compensation, financial~~  
11 ~~account records, creditworthiness or a financial~~  
12 ~~condition relating to an applicant, licensee or permittee~~  
13 ~~or the immediate family thereof.~~

14 ~~(iii) Documents and information relating to~~  
15 ~~proprietary information, trade secrets, patents or~~  
16 ~~exclusive licenses, architectural and engineering plans~~  
17 ~~and information relating to competitive marketing~~  
18 ~~materials and strategies, which may include customer~~  
19 ~~identifying information or customer prospects for~~  
20 ~~services subject to competition.~~

21 ~~(iv) Security information, including risk prevention~~  
22 ~~plans, detection and countermeasures, location of count~~  
23 ~~rooms, emergency management plans, security and~~  
24 ~~surveillance plans, equipment and usage protocols and~~  
25 ~~theft and fraud prevention plans and countermeasures.~~

26 ~~(v) 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 any individual as~~  
30 ~~determined by the board.~~

1           ~~(vi) Records of an applicant or licensee not~~  
2           ~~required to be filed with the Securities and Exchange~~  
3           ~~Commission by issuers that either have securities~~  
4           ~~registered under section 12 of the Securities Exchange~~  
5           ~~Act of 1934 (48 Stat. 881, 15 U.S.C. § 78a et seq.) or~~  
6           ~~are required to file reports under section 15(d) of the~~  
7           ~~Securities Exchange Act of 1934.~~

8           ~~(vii) Records considered nonpublic matters or~~  
9           ~~information by the Securities and Exchange Commission as~~  
10          ~~provided by 17 CFR 200.80 (relating to commission records~~  
11          ~~and information).~~

12          ~~(viii) Any financial information deemed confidential~~  
13          ~~by the board upon a showing of good cause by the~~  
14          ~~applicant or licensee.~~

15          ~~(2) No claim of confidentiality shall be made regarding~~  
16          ~~any information from a criminal history record check that is~~  
17          ~~available to the public under 18 Pa.C.S. Ch. 91 (relating to~~  
18          ~~criminal history record information) or § 9121(b) (relating~~  
19          ~~to noncriminal justice agencies and individuals).~~

20          ~~(3) This subsection shall not apply to any information~~  
21          ~~that is otherwise publicly available in this Commonwealth or~~  
22          ~~another jurisdiction.~~

23          ~~(2) (4) Except as provided in section 1517(f) (relating~~  
24          ~~to [investigation] investigations and enforcement), the~~  
25          ~~confidential information shall be withheld from public~~  
26          ~~disclosure in whole or in part, except that any confidential~~  
27          ~~information shall be released upon the lawful order of a~~  
28          ~~court of competent jurisdiction or, with the approval of the~~  
29          ~~Attorney General, to a duly authorized law enforcement agency~~  
30          ~~or shall be released to the public, in whole or in part, to~~

1 ~~the extent that such release is requested by an applicant and~~  
2 ~~does not otherwise contain confidential information about~~  
3 ~~another person.~~

4 ~~(3) (5) The board may seek a voluntary waiver of~~  
5 ~~confidentiality from an applicant or licensed entity but may~~  
6 ~~not require any applicant or licensed entity to waive any~~  
7 ~~confidentiality provided for in this subsection as a~~  
8 ~~condition for the approval of a license or any other action~~  
9 ~~of the board. Any [person who violates this subsection]~~  
10 ~~current or former board member employee or contractor who~~  
11 ~~publicly discloses confidential information in violation of~~  
12 ~~this subsection commits a misdemeanor and shall be~~  
13 ~~administratively disciplined by discharge, suspension,~~  
14 ~~termination of contract or other formal disciplinary action~~  
15 ~~as the board deems appropriate.~~

16 \* \* \*

17 ~~§ 1207. Regulatory authority of board.~~

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

19 \* \* \*

20 ~~(4) Require that each licensed entity provide to the~~  
21 ~~board its audited annual financial statements, with such~~  
22 ~~additional detail as the board from time to time shall~~  
23 ~~require, which information shall be submitted not later than~~  
24 ~~[60] 90 days after the end of the licensee's fiscal year.~~

25 \* \* \*

26 ~~§ 1208. Collection of fees and fines.~~

27 ~~The board has the following powers and duties:~~

28 ~~(1) To levy and collect fees from the various~~  
29 ~~applicants, licensees and permittees to fund the operations~~  
30 ~~of the board. The fees shall be deposited into the State~~

1 ~~Gaming Fund as established in section 1403 (relating to~~  
2 ~~establishment of State Gaming Fund and net slot machine~~  
3 ~~revenue distribution) and distributed to the board upon~~  
4 ~~appropriation by the General Assembly. In addition to the~~  
5 ~~fees set forth in sections 1209 (relating to slot machine~~  
6 ~~license fee) and 1305 (relating to Category 3 slot machine~~  
7 ~~license), the board shall assess and collect fees as follows:~~

8 ~~(i) Supplier licensees shall pay a fee of \$25,000~~  
9 ~~upon the issuance of a license and \$10,000 for the annual~~  
10 ~~renewal of a supplier license. When the renewal period~~  
11 ~~under section 1317(c)(1) (relating to supplier licenses)~~  
12 ~~is three years, the fee shall be \$30,000 for the renewal.~~

13 ~~(ii) Manufacturer licensees shall pay a fee of~~  
14 ~~\$50,000 upon the issuance of a license and \$25,000 for~~  
15 ~~the annual renewal of a manufacturer license. When the~~  
16 ~~renewal period under section 1317.1(c)(1) (relating to~~  
17 ~~manufacturer licenses) is three years, the fee shall be~~  
18 ~~\$75,000 for the renewal.~~

19 ~~\* \* \*~~

20 ~~§ 1209. Slot machine license fee.~~

21 ~~\* \* \*~~

22 ~~(b) Term. A slot machine license, after payment of the fee,~~  
23 ~~shall be in effect unless suspended, revoked or not renewed by~~  
24 ~~the board upon good cause consistent with the license~~  
25 ~~requirements as provided for in this part. Slot machine~~  
26 ~~licensees shall be required to update the information in their~~  
27 ~~initial applications annually, and the license of a licensee in~~  
28 ~~good standing shall be updated and renewed annually for two~~  
29 ~~subsequent years following the initial license issuance.~~  
30 ~~Thereafter, license renewals shall be every three years. As to~~

1 ~~the renewal of a license, no additional license fee pursuant to~~  
2 ~~subsection (a) shall be required.~~

3 \* \* \*

4 ~~Section 9. Section 1211 of Title 4 is amended by adding a~~  
5 ~~subsection to read:~~

6 ~~§ 1211. Reports of board.~~

7 \* \* \*

8 ~~(a.1) Expenses. Beginning 30 days after the effective date~~  
9 ~~of this subsection, the board shall post by the fifteenth of~~  
10 ~~each month on its Internet website a list of all its itemized~~  
11 ~~expenses of employees and members for the preceding month. The~~  
12 ~~list shall identify the nature of the expense and the employee~~  
13 ~~or board member to which an expense is attributable. The list~~  
14 ~~shall include each expense for which a receipt is submitted to~~  
15 ~~obtain reimbursement. If the expense is directly attributable to~~  
16 ~~or paid by a licensed facility, the list shall identify the~~  
17 ~~facility. By October 1 of each year, a final report of all~~  
18 ~~expenses for the preceding fiscal year shall be posted on the~~  
19 ~~board's Internet website and shall be transmitted to the~~  
20 ~~Appropriations Committee of the Senate, the Community, Economic~~  
21 ~~and Recreational Development Committee of the Senate, the~~  
22 ~~Appropriations Committee of the House of Representatives and the~~  
23 ~~Gaming Oversight Committee of the House of Representatives.~~

24 \* \* \*

25 ~~Section 10. Section 1213 of Title 4 is amended to read:~~

26 ~~§ 1213. License or permit prohibition.~~

27 ~~(1) [No applicant for a license or permit under this~~  
28 ~~part, including principals and key employees,] The board~~  
29 ~~shall be prohibited from granting a principal license or key~~  
30 ~~employee license to a person who has been convicted of a~~

1 ~~felony [or gambling offense] in any jurisdiction [shall be~~  
2 ~~issued a license or permit unless 15 years has elapsed from~~  
3 ~~the date of expiration of the sentence for the offense].~~

4 ~~(2) [When determining whether to issue a license or~~  
5 ~~permit to an applicant who has been convicted in any~~  
6 ~~jurisdiction of a felony or gambling offense,] In addition to~~  
7 ~~the prohibition under paragraph (1), the board shall be~~  
8 ~~prohibited from granting the following:~~

9 ~~(i) A principal license or key employee license to a~~  
10 ~~person who has been convicted of a gambling offense in~~  
11 ~~any jurisdiction that is not classified as a felony~~  
12 ~~unless 15 years has elapsed from the date of the~~  
13 ~~expiration of the sentence for the offense.~~

14 ~~(ii) A gaming employee permit or license other than~~  
15 ~~a principal license or key employee license to a person~~  
16 ~~who has been convicted of a felony or gambling offense in~~  
17 ~~any jurisdiction unless 15 years has elapsed from the~~  
18 ~~date of the expiration of the sentence for the offense.~~

19 ~~(3) In determining whether to issue a license or permit~~  
20 ~~under paragraph (2), the board shall consider the following~~  
21 ~~factors:~~

22 ~~[(1)] (i) The nature and duties of the applicant's~~  
23 ~~position with the licensed entity.~~

24 ~~[(2)] (ii) The nature and seriousness of the offense~~  
25 ~~or conduct.~~

26 ~~[(3)] (iii) The circumstances under which the~~  
27 ~~offense or conduct occurred.~~

28 ~~[(4)] (iv) The age of the applicant when the offense~~  
29 ~~or conduct was committed.~~

30 ~~[(5)] (v) Whether the offense or conduct was an~~

1           ~~isolated or a repeated incident.~~

2           ~~[(6)] (vi) Any evidence of rehabilitation, including~~  
3           ~~good conduct in the community, counseling or psychiatric~~  
4           ~~treatment received and the recommendation of persons who~~  
5           ~~have substantial contact with the applicant.~~

6           ~~Section 10.1. Section 1308 of Title 4 is amended by adding a~~  
7           ~~subsection to read:~~

8           ~~§ 1308. Applications for license or permit.~~

9           ~~\* \* \*~~

10          ~~(a.1) Submission of information. Notwithstanding the~~  
11          ~~provisions of 18 Pa.C.S. § 9124(b) (relating to use of records~~  
12          ~~by licensing agencies), an application for a license or permit~~  
13          ~~under this part shall include all arrests and convictions of the~~  
14          ~~applicant, including summary offenses. The information shall~~  
15          ~~include:~~

16                 ~~(1) A brief description of the circumstances surrounding~~  
17                 ~~the arrest.~~

18                 ~~(2) The specific offense charged.~~

19                 ~~(3) The ultimate disposition of the charges, including~~  
20                 ~~the details of any dismissal, plea bargain, conviction or~~  
21                 ~~sentence, including any pardon, expungement or order of~~  
22                 ~~Accelerated Rehabilitative Disposition.~~

23          ~~\* \* \*~~

24          ~~Section 10.2. Sections 1310, 1317(c)(1), 1317.1(c)(1),~~  
25          ~~1321(a)(2), 1326(a), 1328(b) 1328(A)(1) and (B) and 1329 of~~  
26          ~~Title 4 are amended to read:~~

27          ~~§ 1310. Slot machine license application character~~  
28                         ~~requirements.~~

29                 ~~(a) Application.~~

30                         ~~(1) Every application for a slot machine license shall~~

1 ~~include such information, documentation and assurances as may~~  
2 ~~be required to establish by clear and convincing evidence the~~  
3 ~~applicant's suitability, including good character, honesty~~  
4 ~~and integrity. Information shall include, without limitation,~~  
5 ~~information pertaining to family, habits, character,~~  
6 ~~reputation, criminal history background, business activities,~~  
7 ~~financial affairs and business, professional and personal~~  
8 ~~associates, covering at least the ten year period immediately~~  
9 ~~preceding the filing date of the application.~~

10 ~~(2) Notwithstanding 18 Pa.C.S. § 9124(b) (relating to~~  
11 ~~use of records by licensing agencies), a conviction that has~~  
12 ~~been expunged or overturned, or for which a person has been~~  
13 ~~pardoned or an order of Accelerated Rehabilitative~~  
14 ~~Disposition has been issued, shall be included with an~~  
15 ~~application and shall be considered by the board as part of~~  
16 ~~the review of the applicant's suitability under paragraph~~  
17 ~~(1).~~

18 ~~(b) Civil judgments and law enforcement agency~~  
19 ~~information. Each applicant shall notify the board of any civil~~  
20 ~~judgments obtained against the applicant pertaining to antitrust~~  
21 ~~or security regulation laws of the Federal Government, this~~  
22 ~~Commonwealth or any other state, jurisdiction, province or~~  
23 ~~country. In addition, each applicant shall produce a letter of~~  
24 ~~reference from law enforcement agencies having jurisdiction in~~  
25 ~~the applicant's place of residence and principal place of~~  
26 ~~business, which letter of reference shall indicate that the law~~  
27 ~~enforcement agencies do not have any pertinent information~~  
28 ~~concerning the applicant or, if the law enforcement agency does~~  
29 ~~have information pertaining to the applicant, shall specify the~~  
30 ~~nature and content of that information. If no letters are~~

1 ~~received within 30 days of the request, the applicant may submit~~  
2 ~~a statement under oath which is subject to the penalty for false~~  
3 ~~swearing under 18 Pa.C.S. § 4903 (relating to false swearing)~~  
4 ~~that the applicant is or was during the period the activities~~  
5 ~~were conducted in good standing with the gaming or casino~~  
6 ~~enforcement or control agency.~~

7 ~~(c) Gaming or casino enforcement agency information. If the~~  
8 ~~applicant has held a gaming license in a jurisdiction where~~  
9 ~~gaming activities are permitted, the applicant shall produce a~~  
10 ~~letter of reference from the gaming or casino enforcement or~~  
11 ~~control agency which shall specify the experiences of that~~  
12 ~~agency with the applicant, the applicant's associates and the~~  
13 ~~applicant's gaming operation. If no letters are received within~~  
14 ~~30 days of the request, the applicant may submit a statement~~  
15 ~~under oath which is subject to the penalty for false swearing~~  
16 ~~under 18 Pa.C.S. § 4903 that the applicant is or was during the~~  
17 ~~period the activities were conducted in good standing with the~~  
18 ~~gaming or casino enforcement or control agency.~~

19 ~~(d) Agency records. Each applicant for a slot machine~~  
20 ~~license, principal license or key employee license shall be~~  
21 ~~required to apply to the Federal Government regarding agency~~  
22 ~~records under the Freedom of Information Act (Public Law 89 554,~~  
23 ~~5 U.S.C. § 522) pertaining to the applicant and provide the~~  
24 ~~board with the complete record received from the Federal~~  
25 ~~Government. The board may issue a conditional license to the~~  
26 ~~applicant prior to the receipt of information under this~~  
27 ~~subsection.~~

28 ~~§ 1317. Supplier licenses.~~

29 ~~\* \* \*~~

30 ~~(e) Review and approval. Upon being satisfied that the~~

1 ~~requirements of subsection (b) have been met, the board may~~  
2 ~~approve the application and issue the applicant a supplier~~  
3 ~~license consistent with all of the following:~~

4 ~~(1) [The license shall be for a period of one year. Upon~~  
5 ~~expiration, the license may be renewed in accordance with~~  
6 ~~subsection (d)] The initial license shall be for a period of~~  
7 ~~one year and shall be subject to renewal annually under~~  
8 ~~subsection (d) for two consecutive one year periods following~~  
9 ~~the initial issuance. Thereafter, a license shall be subject~~  
10 ~~to renewal every three years. Nothing in this paragraph shall~~  
11 ~~relieve the licensee of the affirmative duty to notify the~~  
12 ~~board of changes to any information contained in the original~~  
13 ~~application.~~

14 \* \* \*

15 ~~§ 1317.1. Manufacturer licenses.~~

16 \* \* \*

17 ~~(c) Review and approval. Upon being satisfied that the~~  
18 ~~requirements of subsection (b) have been met, the board may~~  
19 ~~approve the application and grant the applicant a manufacturer~~  
20 ~~license consistent with all of the following:~~

21 ~~(1) [The license shall be for a period of one year. Upon~~  
22 ~~expiration, a license may be renewed in accordance with~~  
23 ~~subsection (d)] The initial license shall be for a period of~~  
24 ~~one year and shall be subject to renewal annually under~~  
25 ~~subsection (d) for two consecutive one year periods following~~  
26 ~~the initial issuance. Thereafter, a license shall be subject~~  
27 ~~to renewal every three years. Nothing in this paragraph shall~~  
28 ~~relieve the licensee of the affirmative duty to notify the~~  
29 ~~board of any changes relating to the status of its license or~~  
30 ~~relieve the licensee of its responsibility to notify the~~

1 ~~board of changes to any information contained in the original~~  
2 ~~application.~~

3 \* \* \*

4 ~~§ 1321. Additional licenses and permits and approval of~~  
5 ~~agreements.~~

6 ~~(a) Requirements. In addition to the requirements for a~~  
7 ~~license or permit specifically set forth in this part, the board~~  
8 ~~may require a license [or], permit or other authorization, and~~  
9 ~~set a fee for the same, for any key or gaming employee or any~~  
10 ~~person who satisfies any of the following criteria:~~

11 \* \* \*

12 ~~(2) The person is presently not [otherwise] required to~~  
13 ~~be licensed or permitted under this part and provides any~~  
14 ~~goods, property or services, including, but not limited to,~~  
15 ~~management contracts for compensation to a slot machine~~  
16 ~~licensee at the licensed facility. The board may by~~  
17 ~~regulation establish a classification system for a person who~~  
18 ~~provides goods, property or services to a slot machine~~  
19 ~~licensee. If the classification system requires the person~~  
20 ~~providing goods, property or services to submit to a criminal~~  
21 ~~history record check under 18 Pa.C.S. Ch. 91 (relating to~~  
22 ~~criminal history record information), the board shall notify~~  
23 ~~the slot machine licensee if the person providing goods,~~  
24 ~~property or services has been convicted of a felony or~~  
25 ~~gambling offense.~~

26 \* \* \*

27 ~~§ 1326. License renewals.~~

28 ~~(a) Renewal. All permits and licenses issued under this~~  
29 ~~part unless otherwise provided shall be subject to renewal on an~~  
30 ~~annual basis [upon the application of the holder of the permit~~

1 ~~or license submitted to the board at least 60 days prior to the~~  
2 ~~expiration of the permit or license] for the first two years~~  
3 ~~following the initial issuance. Thereafter, all permits and~~  
4 ~~licenses shall be subject to renewal every three years. The~~  
5 ~~application for renewal shall be submitted at least 60 days~~  
6 ~~prior to the expiration of the permit or license and shall~~  
7 ~~include an update of the information contained in the initial~~  
8 ~~and any prior renewal applications and the payment of any~~  
9 ~~renewal fee required by this part. A permit or license for which~~  
10 ~~a completed renewal application and fee, if required, has been~~  
11 ~~received by the board will continue in effect unless and until~~  
12 ~~the board sends written notification to the holder of the permit~~  
13 ~~or license that the board has denied the renewal of such permit~~  
14 ~~or license.~~

15       ~~\* \* \*~~

16 ~~§ 1328. Change in ownership or control of slot machine~~  
17               ~~licensee.~~

18       ~~\* \* \*~~

19       ~~(a) Notification and approval.~~

20               ~~(1) A slot machine licensee shall notify the board~~  
21 ~~[prior to or] immediately upon becoming aware of any proposed~~  
22 ~~or contemplated change of ownership of the slot machine~~  
23 ~~licensee by a person or group of persons acting in concert~~  
24 ~~which involves any of the following:~~

25                       ~~(i) More than 5% of a slot machine licensee's~~  
26                       ~~securities or other ownership interests.~~

27                       ~~(ii) More than 5% of the securities or other~~  
28                       ~~ownership interests of a corporation or other form of~~  
29                       ~~business entity that owns directly or indirectly at least~~  
30                       ~~20% of the voting or other securities or other ownership~~

1 ~~interests of the licensee.~~

2 ~~(iii) The sale other than in the ordinary course of~~  
3 ~~business of a licensee's assets.~~

4 ~~(iv) Any other transaction or occurrence deemed by~~  
5 ~~the board to be relevant to license qualifications.~~

6 \* \* \*

7 ~~(b) Qualification of purchaser of slot machine licensee;~~  
8 ~~change of control. The purchaser of the slot machine license or~~  
9 ~~assets, other than in the ordinary course of business, of any~~  
10 ~~slot machine licensee shall independently qualify for a license~~  
11 ~~in accordance with this part and shall pay the license fee as~~  
12 ~~required by section 1209 (relating to slot machine license fee).~~  
13 ~~A change in control of any slot machine licensee shall require~~  
14 ~~that the slot machine licensee independently qualify for a~~  
15 ~~license in accordance with this part, and the slot machine~~  
16 ~~licensee shall pay a new license fee as required by section~~  
17 ~~1209, except as otherwise required by the board pursuant to this~~  
18 ~~section. The new license fee under this section shall be paid~~  
19 ~~upon the assignment and actual change of control or ownership of~~  
20 ~~the slot machine license.~~

21 \* \* \*

22 ~~§ 1329. [Nonportability] Portability and relocation of slot~~  
23 ~~machine license.~~

24 ~~(a) General rule. Each slot machine license shall only be~~  
25 ~~valid for the specific physical location within the municipality~~  
26 ~~and county for which it was originally granted.~~

27 ~~(b) Petition. In evaluating a petition to relocate, the~~  
28 ~~board shall consider the following factors:~~

29 ~~(1) The reason for the relocation.~~

30 ~~(2) A comparative analysis, submitted by the petitioner,~~

~~1 detailing estimated gross terminal revenues at the new  
2 location with estimated gross terminal revenues at the  
3 original location.~~

~~4 (3) A comparative analysis, submitted by the petitioner,  
5 detailing the economic impact of the licensed facility at the  
6 new location with the estimated economic impact at the  
7 original location. The comparative analysis shall include the  
8 total cost of the project and projected direct and indirect  
9 employment figures.~~

~~10 (4) A comprehensive traffic study commissioned by the  
11 board.~~

~~12 (5) Community support or opposition.~~

~~13 (6) Any other information requested by the board.~~

~~14 (c) Relocation. A [No] slot machine licensee [shall] may be  
15 permitted to move or relocate the physical location of the  
16 licensed facility [without] with board approval [for] upon good  
17 cause shown if:~~

~~18 (1) the relocated licensed facility remains within the  
19 same county as originally licensed;~~

~~20 (2) the relocation will facilitate the timely operation  
21 of slot machines;~~

~~22 (3) the relocated licensed facility complies with all  
23 other provisions of this part related to the siting and  
24 location of a licensed facility; and~~

~~25 (4) relocation of the licensed facility is in the best  
26 interests of the Commonwealth.~~

~~27 (d) Public input hearing. The board shall hold at least one  
28 public input hearing in the municipality where the licensed  
29 facility will be located prior to approval of the relocation.~~

~~30 (e) No grant or loan from the Commonwealth may be awarded~~

1 ~~for the purpose of relocating or developing the relocated~~  
2 ~~licensed facility to comply with any conditions of approval of~~  
3 ~~the relocation.~~

4 Section 11. Title 4 is amended by adding a section to read:  
5 ~~§ 1332. Appointment of trustee.~~

6 ~~(a) Appointment. Upon petition of the Office of Enforcement~~  
7 ~~Counsel, the board may order the appointment of a trustee from~~  
8 ~~the list required under subsection (j) to act on behalf of the~~  
9 ~~interests of the Commonwealth and the board to assure compliance~~  
10 ~~with this part and any conditions imposed upon the slot machine~~  
11 ~~license in the following circumstances:~~

12 ~~(1) Upon the revocation, suspension or nonrenewal of a~~  
13 ~~slot machine license or a principal license of an individual~~  
14 ~~who the board has determined controls a slot machine license~~  
15 ~~if the principal licensee is the only principal who exercises~~  
16 ~~operational control of the licensed facility.~~

17 ~~(2) Upon the failure to renew a slot machine license or~~  
18 ~~a principal license of an individual who the board has~~  
19 ~~determined controls a slot machine licensee if the principal~~  
20 ~~licensee is the only principal who exercises operational~~  
21 ~~control of the licensed facility until the slot machine or~~  
22 ~~principal license is renewed or until the discontinuation of~~  
23 ~~the trusteeship pursuant to subsection (i).~~

24 ~~(3) If necessary to protect the best interests of the~~  
25 ~~Commonwealth.~~

26 ~~(b) Qualifications. The following shall apply:~~

27 ~~(1) A trustee shall be required to obtain a principal~~  
28 ~~license. The board may appoint a trustee and award the~~  
29 ~~trustee a temporary principal license as prescribed in board~~  
30 ~~regulations.~~

1       ~~(2) Before assuming duties, a trustee shall execute and~~  
2       ~~file a bond for the faithful performance of the trustee's~~  
3       ~~duties. The bond shall be payable to the board with sureties~~  
4       ~~and in the amount and form as required by board order. The~~  
5       ~~cost of the bond shall be paid by the former or suspended~~  
6       ~~licensee.~~

7       ~~(c) Powers. A trustee appointed under this section shall~~  
8       ~~have all of the power and duties granted to exercise only those~~  
9       ~~powers and perform those duties expressly conferred upon the~~  
10       ~~trustee by the board. The board's order appointing the trustee~~  
11       ~~shall set forth the powers, duties and responsibilities of the~~  
12       ~~trustees which may include:~~

13       ~~(1) Maintaining and operating the licensed facility in a~~  
14       ~~manner that complies with this part and any conditions~~  
15       ~~imposed by the board.~~

16       ~~(2) Maintaining and operating the licensed facility~~  
17       ~~consistent with the measures generally taken in the ordinary~~  
18       ~~course of business including:~~

19               ~~(i) Entering into contracts.~~

20               ~~(ii) Borrowing money.~~

21               ~~(iii) Pledging, mortgaging or otherwise encumbering~~  
22       ~~the licensed facility or property thereof as security for~~  
23       ~~the repayment of the trustee's loans subject to any~~  
24       ~~provisions and restrictions in any existing credit~~  
25       ~~documents.~~

26               ~~(iv) Hiring, firing and disciplining employees.~~

27       ~~(3) Exercising the rights and obligations of the former~~  
28       ~~or suspended licensee.~~

29       ~~(4) Taking possession of all of the property of the slot~~  
30       ~~machine licensee, including its books, records and papers.~~

1       ~~(5) Establishing accounts with financial institutions.~~  
2       ~~An account may not be established with a financial~~  
3       ~~institution in which an affiliate of the former or suspended~~  
4       ~~licensee, or in which the trustee, has a financial~~  
5       ~~controlling interest.~~

6       ~~(6) Meeting with the former or suspended licensee.~~

7       ~~(7) Meeting with principals and key employees at the~~  
8       ~~licensed facility.~~

9       ~~(8) Meeting with the independent audit committee.~~

10       ~~(9) Meeting with the board's executive director and~~  
11       ~~keeping the board's executive director apprised of actions~~  
12       ~~taken and the trustee's plans and goals for the future.~~

13       ~~(10) Hiring legal counsel, accountants or other~~  
14       ~~consultants or assistants, with prior approval of the board,~~  
15       ~~as necessary to carry out the trustee's duties and~~  
16       ~~responsibilities.~~

17       ~~(11) Settling or compromising with any debtor or~~  
18       ~~creditor of the former or suspended licensee, including any~~  
19       ~~taxing authority.~~

20       ~~(12) Reviewing outstanding agreements to which the~~  
21       ~~former or suspended licensee is a party and advising the~~  
22       ~~board as to which, if any, of the agreements should be the~~  
23       ~~subject of scrutiny, examination or investigation by the~~  
24       ~~board.~~

25       ~~(13) Obtaining board approval prior to any sale, change~~  
26       ~~of ownership, change of control, change of financial status,~~  
27       ~~restructuring, transfer of assets or execution of a contract~~  
28       ~~or any other action taken outside of the ordinary course of~~  
29       ~~business.~~

30       ~~(14) Obtaining board approval for any payments outside~~

1 ~~of those made in the ordinary course of business.~~  
2 ~~Notwithstanding any provision contained in this subsection to~~  
3 ~~the contrary, the trustee shall have the duty to conserve and~~  
4 ~~preserve the assets of the licensed entity.~~

5 ~~(d) Compensation. The board shall establish the~~  
6 ~~compensation of the trustee and shall review and approve actual~~  
7 ~~and reasonable costs and expenses of the trustee, legal counsel,~~  
8 ~~accountants or other consultants or assistants hired by the~~  
9 ~~trustee and other persons the board may appoint in connection~~  
10 ~~with the trusteeship action. The compensation, costs and~~  
11 ~~expenses shall be paid by the former or suspended licensee.~~  
12 ~~Total compensation for the trustee and all individuals hired or~~  
13 ~~retained by the trustee under subsection (c) (10) shall not~~  
14 ~~exceed \$600 per hour in the aggregate.~~

15 ~~(e) Reports. A trustee shall file reports with regard to~~  
16 ~~the administration of the trusteeship with the board in the form~~  
17 ~~and at intervals as the board orders. The board may direct that~~  
18 ~~copies or portions of the trustee's reports be mailed to~~  
19 ~~creditors or other parties in interest and make summaries of the~~  
20 ~~reports available to the public and shall post them on the~~  
21 ~~board's Internet website.~~

22 ~~(f) Review of actions. A creditor or party in interest~~  
23 ~~aggrieved by any alleged breach of a delegated power or duty of~~  
24 ~~a trustee in the discharge of the trustee's duties may request a~~  
25 ~~review of the trustee's action or inaction by filing a petition~~  
26 ~~in accordance with board regulations. The petition must set~~  
27 ~~forth in detail the pertinent facts and the reasons why the~~  
28 ~~facts constitute the alleged breach. The board will review any~~  
29 ~~petition filed under this section and take whatever action, if~~  
30 ~~any, it deems appropriate.~~

1 ~~(g) Effect of the trusteeship. After issuance of an order~~  
2 ~~to appoint a trustee, the former or suspended principal or slot~~  
3 ~~machine licensee may not exercise any of its privileges, collect~~  
4 ~~or receive any debts and pay out, sell, assign or transfer any~~  
5 ~~of its property to anyone without prior approval of the~~  
6 ~~appointed trustee and the board.~~

7 ~~(h) Disposition of net earnings income. During the period~~  
8 ~~of trusteeship, net earnings income shall be deposited in an~~  
9 ~~escrow account maintained for that purpose. Payment of net~~  
10 ~~earnings income during the period of trusteeship may not be made~~  
11 ~~by the trustee without the prior approval of the board. A~~  
12 ~~suspended or former principal or slot machine licensee may~~  
13 ~~request payment distribution of all or a portion of the net~~  
14 ~~earnings income during the period of trusteeship by filing a~~  
15 ~~petition in accordance with board regulation. The suspended or~~  
16 ~~former principal or slot machine licensee shall have the burden~~  
17 ~~of demonstrating good cause for the payment distribution of the~~  
18 ~~net earnings income requested.~~

19 ~~(i) Discontinuation. The board may issue an order to~~  
20 ~~discontinue a trusteeship when:~~

21 ~~(1) The board determines that the cause for which the~~  
22 ~~trustee was appointed no longer exists.~~

23 ~~(2) The trustee has, with the prior approval of the~~  
24 ~~board, consummated the sale, assignment, conveyance or other~~  
25 ~~disposition of all the property or interest of the former~~  
26 ~~principal or slot machine licensee relating to the slot~~  
27 ~~machine license.~~

28 ~~Upon board approval of the discontinuation of the trusteeship,~~  
29 ~~the trustee shall, in an orderly manner, transfer the property~~  
30 ~~of the former or suspended principal or slot machine licensee.~~

1 ~~(j) List of approved trustees. The board shall promulgate~~  
2 ~~regulations to establish a list of persons approved by the board~~  
3 ~~qualified to serve as a trustee. At a minimum, the regulations~~  
4 ~~shall provide for the following:~~

5 ~~(1) The minimum qualifications an individual must~~  
6 ~~possess to be approved as a trustee, which shall include~~  
7 ~~possession of a principal license.~~

8 ~~(2) The procedure for placement on or removal from the~~  
9 ~~list.~~

10 ~~(3) Any other information the board deems necessary to~~  
11 ~~carry out the intent of this section.~~

12 Section 12. Section 1407 of Title 4 is amended by adding  
13 subsections to read:

14 § 1407. Pennsylvania Gaming Economic Development and Tourism  
15 Fund.

16 \* \* \*

17 ~~(e) Annual report. The Office of the Budget in cooperation~~  
18 ~~with the Department of Community and Economic Development shall~~  
19 ~~submit an annual report of all distribution of funds under this~~  
20 ~~section to the chairman and minority chairman of the~~  
21 ~~Appropriations Committee of the Senate, the chairman and~~  
22 ~~minority chairman of the Community, Economic and Recreational~~  
23 ~~Development Committee of the Senate, the chairman and minority~~  
24 ~~chairman of the Appropriations Committee of the House of~~  
25 ~~Representatives and the chairman and minority chairman of the~~  
26 ~~Gaming Oversight Committee of the House of Representatives. The~~  
27 ~~report shall include detailed information relating to transfers~~  
28 ~~made from the Pennsylvania Gaming Economic Development and~~  
29 ~~Tourism Fund and all reimbursements, distributions and payments~~  
30 ~~made under subsection (b) or the act of July 25, 2007 (P.L.342,~~

1 ~~No.53), known as Pennsylvania Gaming Economic Development and~~  
2 ~~Tourism Fund Capital Budget Itemization Act of 2007. The report~~  
3 ~~shall be submitted by January 31, 2010, and by January 31 of~~  
4 ~~each year thereafter.~~

5 ~~(f) Local report. A city of the first class, city of the~~  
6 ~~second class, county of the second class, convention center or~~  
7 ~~convention center authority, professional hockey franchise~~  
8 ~~sports and exhibition authority of a county of the second class,~~  
9 ~~urban redevelopment authority, airport authority or other entity~~  
10 ~~that receives money from the fund pursuant to an Economic~~  
11 ~~Development Capital Budget under this section subsection (b) or~~  
12 ~~the act of July 25, 2007 (P.L.342, No.53), known as Pennsylvania~~  
13 ~~Gaming Economic Development and Tourism Fund Capital Budget~~  
14 ~~Itemization Act of 2007, shall submit an annual report to the~~  
15 ~~Office of the Budget, 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 minority~~  
19 ~~chairman of the Appropriations Committee of the House of~~  
20 ~~Representatives and the chairman and the minority chairman of~~  
21 ~~the Gaming Oversight Committee of the House of Representatives.~~  
22 ~~The report shall include detailed information, including records~~  
23 ~~of expenditures, payments and other distributions made from~~  
24 ~~money received under subsection (b). The initial report shall~~  
25 ~~include information on all funds received prior to January 31,~~  
26 ~~2010. The report shall be submitted by January 31, 2010, and by~~  
27 ~~January 31 of each year thereafter until all funds under this~~  
28 ~~section are distributed or received. An entity that receives~~  
29 ~~funds after the effective date of this section shall submit an~~  
30 ~~initial report by January 31 of the year following receipt of~~

1 ~~the funds.~~

2 ~~(g) Distribution to international airport. Notwithstanding~~  
3 ~~the provisions of section 7(d) of the act of July 25, 2007~~  
4 ~~(P.L.342, No.53), known as the Pennsylvania Gaming Economic~~  
5 ~~Development and Tourism Fund Capital Budget Itemization Act of~~  
6 ~~2007, following the distribution of \$42.5 million of funds~~  
7 ~~allocated to the county for debt service and economic~~  
8 ~~development projects for an international airport in a county of~~  
9 ~~the second class under section 3(2)(i)(E) of said act, all~~  
10 ~~remaining funds shall be distributed directly to an authority~~  
11 ~~that operates an international airport in a county of the second~~  
12 ~~class.~~

13 Section 13. Sections 1408(c) and 1512(a.5) and (b) of Title  
14 4 are amended to read:

15 § 1408. Transfers from State Gaming Fund.

16 \* \* \*

17 (c) Local law enforcement grants. Annually, the sum of  
18 ~~[\$5,000,000]~~ \$3,000,000 shall be transferred to the board for  
19 the purpose of issuing grants to local law enforcement agencies  
20 to enforce and prevent ~~[the unlawful operation of slot machines]~~  
21 all forms of unlawful gambling in this Commonwealth. For  
22 purposes of this subsection, the term "local law enforcement  
23 agency" shall include Pennsylvania State Police activities in a  
24 municipality which does not have a municipal police department  
25 for activities in that municipality.

26 \* \* \*

27 § 1512. Financial and employment interests.

28 \* \* \*

29 (a.5) State Ethics Commission. The State Ethics Commission  
30 shall publish a list of all State, county, municipal and other

1 ~~government positions that meet the definitions of "public-~~  
2 ~~official" as defined under subsection (b) or "executive level-~~  
3 ~~public employee" [under subsection (b)]. The Office of-~~  
4 ~~Administration shall assist the [Ethics Commission] commission-~~  
5 ~~in the development of the list, which shall be published in the~~  
6 ~~Pennsylvania Bulletin biennially and on the board's website.-~~  
7 ~~Upon request, each public official shall have a duty to provide-~~  
8 ~~the [Ethics Commission] commission with adequate information to-~~  
9 ~~accurately develop and maintain the list. The [Ethics-~~  
10 ~~Commission] commission may impose a civil penalty under 65-~~  
11 ~~Pa.C.S. § 1109(f) (relating to penalties) upon any public-~~  
12 ~~official or executive level public employee who fails to-~~  
13 ~~cooperate with the [Ethics Commission] commission under this-~~  
14 ~~subsection. An individual who relies in good faith on the list~~  
15 ~~published by the commission shall not be subject to any penalty~~  
16 ~~for a violation of this section.~~

17 ~~(b) Definitions. As used in this section, the following-~~  
18 ~~words and phrases shall have the meanings given to them in this-~~  
19 ~~subsection:~~

20 ~~["Executive level public employee." The term shall include-~~  
21 ~~the following:~~

22 ~~(1) Deputy Secretaries of the Commonwealth and the~~  
23 ~~Governor's Office executive staff.~~

24 ~~(2) An employee of the Executive Branch with-~~  
25 ~~discretionary power which may affect or influence the outcome-~~  
26 ~~of a State agency's action or decision and who is involved in-~~  
27 ~~the development of regulations or policies relating to a~~  
28 ~~licensed entity or who is involved in other matters under~~  
29 ~~this part. The term shall include an employee with law-~~  
30 ~~enforcement authority.~~

1           ~~(3) An employee of a county or municipality with~~  
2           ~~discretionary powers which may affect or influence the~~  
3           ~~outcome of the county's or municipality's action or decision~~  
4           ~~and who is involved in the development of law, regulation or~~  
5           ~~policy relating to a licensed entity or who is involved in~~  
6           ~~other matters under this part. The term shall include an~~  
7           ~~employee with law enforcement authority.~~

8           ~~(4) An employee of a department, agency, board,~~  
9           ~~commission, authority or other governmental body not included~~  
10           ~~in paragraph (1), (2) or (3) with discretionary power which~~  
11           ~~may affect or influence the outcome of the governmental~~  
12           ~~body's action or decision and who is involved in the~~  
13           ~~development of regulation or policy relating to a licensed~~  
14           ~~entity or who is involved in other matters under this part.~~  
15           ~~The term shall include an employee with law enforcement~~  
16           ~~authority.]~~

17           ~~"Financial interest." Owning or holding, or being deemed to~~  
18           ~~hold, debt or equity securities or other ownership interest or~~  
19           ~~profits interest. A financial interest shall not include any~~  
20           ~~debt or equity security, or other ownership interest or profits~~  
21           ~~interest, which is held or deemed to be held in any of the~~  
22           ~~following:~~

23           ~~(1) A blind trust over which the executive level public~~  
24           ~~employee, public official, party officer or immediate family~~  
25           ~~member thereof may not exercise any managerial control or~~  
26           ~~receive income during the tenure of office and the period~~  
27           ~~under subsection (a). The provisions of this paragraph shall~~  
28           ~~apply only to blind trusts established prior to the effective~~  
29           ~~date of this paragraph.~~

30           ~~(2) Securities that are held in a pension plan, profit~~

1 ~~sharing plan, individual retirement account, tax sheltered~~  
2 ~~annuity, a plan established pursuant to section 457 of the~~  
3 ~~Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §~~  
4 ~~1 et seq.) or any successor provision deferred compensation~~  
5 ~~plan whether qualified or not qualified under the Internal~~  
6 ~~Revenue Code of 1986 or any successor provision or other~~  
7 ~~retirement plan that:~~

8 ~~(i) is not self directed by the individual; and~~

9 ~~(ii) is advised by an independent investment adviser~~  
10 ~~who has sole authority to make investment decisions with~~  
11 ~~respect to contributions made by the individual to these~~  
12 ~~plans.~~

13 ~~(3) A tuition account plan organized and operated~~  
14 ~~pursuant to section 529 of the Internal Revenue Code of 1986~~  
15 ~~(Public Law 99-514, 26 U.S.C. § 529) that is not self~~  
16 ~~directed by the individual.~~

17 ~~(4) A mutual fund where the interest owned by the mutual~~  
18 ~~fund in a licensed entity does not constitute a controlling~~  
19 ~~interest as defined in this part.~~

20 ~~"Immediate family." A spouse, minor child or unemancipated~~  
21 ~~child.~~

22 ~~"Law enforcement authority." The power to conduct~~  
23 ~~investigations of or to make arrests for criminal offenses.~~

24 ~~"Party officer." A member of a national committee; a~~  
25 ~~chairman, vice chairman, secretary, treasurer or counsel of a~~  
26 ~~State committee or member of the executive committee of a State~~  
27 ~~committee; a county chairman, vice chairman, counsel, secretary~~  
28 ~~or treasurer of a county committee in which a licensed facility~~  
29 ~~is located; or a city chairman, vice chairman, counsel,~~  
30 ~~secretary or treasurer of a city committee of a city in which a~~

1 ~~licensed facility is located.~~

2 ~~"Public official." The term shall include the following:~~

3 ~~(1) The Governor, Lieutenant Governor, a member of the~~  
4 ~~Governor's cabinet, Treasurer, Auditor General and Attorney~~  
5 ~~General of the Commonwealth.~~

6 ~~(2) A member of the Senate or House of Representatives~~  
7 ~~of the Commonwealth.~~

8 ~~(3) An individual elected or appointed to any office of~~  
9 ~~a county or municipality that directly receives a~~  
10 ~~distribution of revenue under this part.~~

11 ~~(4) An individual elected or appointed to a department,~~  
12 ~~agency, board, commission, authority or other governmental~~  
13 ~~body not included in paragraph (1), (2) or (3) that directly~~  
14 ~~receives a distribution of revenue under this part.~~

15 ~~(5) An individual elected or appointed to a department,~~  
16 ~~agency, board, commission, authority, county, municipality or~~  
17 ~~other governmental body not included in paragraph (1), (2) or~~  
18 ~~(3) with discretionary power which may influence or affect~~  
19 ~~the outcome of an action or decision and who is involved in~~  
20 ~~the development of regulation or policy relating to a~~  
21 ~~licensed entity or who is involved in other matters under~~  
22 ~~this part.~~

23 ~~The term does not include a member of a school board or an~~  
24 ~~individual who held an uncompensated office with a governmental~~  
25 ~~body prior to January 1, 2006, and who no longer holds the~~  
26 ~~office as of January 1, 2006. The term includes a member of an~~  
27 ~~advisory board or commission which makes recommendations~~  
28 ~~relating to a licensed facility.~~

29 ~~Section 14. Title 4 is amended by adding a section to read:~~  
30 ~~§ 1516.1. Prosecutorial and adjudicatory functions.~~

1 ~~The board shall adopt regulations and procedures necessary to~~  
2 ~~ensure that the Bureau of Investigations and Enforcement is a~~  
3 ~~distinct administrative entity and to prevent commingling of the~~  
4 ~~investigatory and prosecutorial functions of the Bureau of~~  
5 ~~Investigations and Enforcement under section 1517 (relating to~~  
6 ~~investigations and enforcement) and the adjudicatory functions~~  
7 ~~of the board.~~

8 Section 15. Section 1517(a.1)(6) of Title 4 is amended,  
9 subsection (a.2)(1) is amended by adding a subparagraph  
10 subparagraphs and subsection (c) is amended by adding a  
11 paragraph to read:

12 § 1517. Investigations and enforcement.

13 \* \* \*

14 (a.1) Powers and duties of bureau. The Bureau of  
15 Investigations and Enforcement shall have the following powers  
16 and duties:

17 \* \* \*

18 (6) Conduct [audits] reviews of a licensed entity as  
19 necessary to ensure compliance with this part. [An audit] A  
20 review may include the review of accounting, administrative  
21 and financial records, management control systems, procedures  
22 and other records utilized by a licensed entity.

23 \* \* \*

24 (a.2) Office of Enforcement Counsel.

25 (1) There is established within the bureau an Office of  
26 Enforcement Counsel which shall act as the prosecutor in all  
27 noncriminal enforcement actions initiated by the bureau under  
28 this part and shall have the following powers and duties:

29 \* \* \*

30 (iv) Petition the board for the appointment of a

1 ~~trustee under section 1332 (relating to appointment of~~  
2 ~~trustee).~~

3 ~~(v) Notwithstanding 42 Pa.C.S. § 5947 (relating to~~  
4 ~~immunity of witnesses), the Commonwealth Court may grant~~  
5 ~~an immunity order, in the course of an investigation or~~  
6 ~~hearing conducted under this part, a person refuses to~~  
7 ~~answer a question or to produce evidence on the grounds~~  
8 ~~that the answer or evidence will expose the person to~~  
9 ~~criminal prosecution. The chief enforcement counsel of~~  
10 ~~the bureau may petition the Commonwealth Court for a~~  
11 ~~grant of immunity that includes the specific question to~~  
12 ~~be posed or information or evidence being sought from the~~  
13 ~~person as follows:~~

14 ~~(A) A copy of the petition shall be provided to~~  
15 ~~the Attorney General and the district attorney of the~~  
16 ~~person's county of residence who may object to the~~  
17 ~~petition.~~

18 ~~(B) The court shall hold an in camera proceeding~~  
19 ~~with the person to hear the evidence that will be~~  
20 ~~offered if the order to produce evidence is granted.~~

21 ~~(C) The court may issue an order to compel the~~  
22 ~~person to answer or produce evidence with immunity~~  
23 ~~if:~~

24 ~~(I) the testimony or other information from~~  
25 ~~a witness may be necessary to the public~~  
26 ~~interest; and~~

27 ~~(II) a witness has refused or is likely to~~  
28 ~~refuse to testify or provide other information on~~  
29 ~~the basis of his privilege against self~~  
30 ~~incrimination.~~

1           ~~(D) The court shall grant or deny the request~~  
2           ~~for immunity within 45 days of the filing of the~~  
3           ~~request.~~

4           ~~(E) If the person who is the subject of the~~  
5           ~~immunity order provides the answer or evidence, the~~  
6           ~~person shall be immune from criminal prosecution~~  
7           ~~based on the answer or evidence that was the subject~~  
8           ~~of the immunity order.~~

9           ~~(F) The person may be prosecuted for perjury~~  
10           ~~committed in the answer or production of evidence or~~  
11           ~~held in contempt for failing to give an answer or~~  
12           ~~produce evidence in accordance with the order. The~~  
13           ~~answer or evidence shall be admissible against the~~  
14           ~~person only in a criminal investigation, or a trial~~  
15           ~~or other proceeding for perjury or contempt.~~

16           ~~(G) Immunity under this paragraph shall not~~  
17           ~~preclude the use of any other remedy or sanction~~  
18           ~~authorized by law.~~

19           \* \* \*

20           ~~(c) Powers and duties of the Pennsylvania State Police. The~~  
21           ~~Pennsylvania State Police shall have the following powers and~~  
22           ~~duties:~~

23           \* \* \*

24           ~~(14) By March 1 of each year, the Commissioner of the~~  
25           ~~Pennsylvania State Police shall submit a report to the~~  
26           ~~Appropriations Committee of the Senate, the Community,~~  
27           ~~Economic and Recreational Development Committee of the~~  
28           ~~Senate, the Appropriations Committee of the House of~~  
29           ~~Representatives and the Gaming Oversight Committee of the~~  
30           ~~House of Representatives. The report shall summarize law~~

~~enforcement activities at each licensed facility during the  
previous calendar year and shall include all of the  
following:~~

~~(i) The number of arrests at each licensed facility.~~

~~(ii) A list of specific offenses charged for each  
offense.~~

~~(iii) The number of criminal prosecutions resulting  
from arrests.~~

~~(iv) The number of convictions resulting from  
prosecutions.~~

~~(v) The number of Pennsylvania State Police troopers  
assigned to each licensed facility and to the gaming unit  
at the Pennsylvania State Police headquarters.~~

~~(vi) The number and nature of disciplinary actions  
taken and complaints made against Pennsylvania State  
Police troopers in a licensed facility.~~

~~(vii) The closest local police station, Pennsylvania  
State Police station and regional Pennsylvania State  
Police headquarters to each licensed facility.~~

~~\*\*\*~~

~~Section 16. Section 1517.2 of Title 4 is amended to read:~~

~~§ 1517.2. Conduct of [public officials and] board employees.~~

~~(a) [Ex parte discussion prohibited. An attorney  
representing the bureau or the Office of Enforcement Counsel, or  
an employee of the bureau or office involved in the hearing  
process, shall not discuss the case ex parte with a hearing  
officer, chief counsel or member] (Reserved).~~

~~(b) [Other prohibitions. A hearing officer, the chief  
counsel or a member shall not discuss or exercise any  
supervisory responsibility over any employee with respect to an~~

1 ~~enforcement hearing with which the employee is involved]~~

2 ~~(Reserved).~~

3 ~~(c) Disqualification. If it becomes necessary for the chief~~  
4 ~~counsel or member to become involved on behalf of the board in~~  
5 ~~any enforcement proceeding, the chief counsel or member shall be~~  
6 ~~prohibited from participating in the adjudication of that matter~~  
7 ~~and shall designate appropriate individuals to exercise~~  
8 ~~adjudicatory functions.~~

9 ~~Section 17. The amendment of 4 Pa.C.S. § 1213 shall not~~  
10 ~~apply to any of the following:~~

11 ~~(1) An application submitted before the effective date~~  
12 ~~of this section.~~

13 ~~(2) Any license or permit issued prior to the effective~~  
14 ~~date of this section.~~

15 ~~(3) The renewal of any license or permit issued prior to~~  
16 ~~the effective date of this section.~~

17 ~~Section 18. This act shall take effect in 60 days.~~

18 ~~SECTION 1. SECTION 1102(11) OF TITLE 4 OF THE PENNSYLVANIA~~  
19 ~~CONSOLIDATED STATUTES IS AMENDED AND THE SECTION IS AMENDED BY~~  
20 ~~ADDING PARAGRAPHS TO READ:~~

21 ~~§ 1102. LEGISLATIVE INTENT.~~

22 ~~THE GENERAL ASSEMBLY RECOGNIZES THE FOLLOWING PUBLIC POLICY~~  
23 ~~PURPOSES AND DECLARES THAT THE FOLLOWING OBJECTIVES OF THE~~  
24 ~~COMMONWEALTH ARE TO BE SERVED BY THIS PART:~~

25 ~~\* \* \*~~

26 ~~(2.1) THE LEGALIZATION OF TABLE GAMES AS AUTHORIZED IN~~  
27 ~~THIS PART IS INTENDED TO SUPPLEMENT SLOT MACHINE GAMING BY~~  
28 ~~INCREASING REVENUES TO THE COMMONWEALTH AND PROVIDING NEW~~  
29 ~~EMPLOYMENT OPPORTUNITIES BY CREATING SKILLED JOBS FOR~~  
30 ~~INDIVIDUALS RELATED TO THE CONDUCT OF TABLE GAMES AT LICENSED~~

1 ~~FACILITIES IN THIS COMMONWEALTH.~~

2 \* \* \*

3 ~~(10.1) THE GENERAL ASSEMBLY HAS A COMPELLING INTEREST IN~~  
4 ~~PROTECTING THE INTEGRITY OF BOTH THE ELECTORAL PROCESS AND~~  
5 ~~THE LEGISLATIVE PROCESS BY PREVENTING CORRUPTION AND THE~~  
6 ~~APPEARANCE OF CORRUPTION WHICH MAY ARISE THROUGH PERMITTING~~  
7 ~~CAMPAIGN CONTRIBUTIONS BY THE GAMING INDUSTRY.~~

8 ~~(11) IT IS NECESSARY TO MAINTAIN THE INTEGRITY OF THE~~  
9 ~~REGULATORY CONTROL AND LEGISLATIVE OVERSIGHT OVER THE~~  
10 ~~OPERATION OF SLOT MACHINES AND TABLE GAMES IN THIS~~  
11 ~~COMMONWEALTH; TO PREVENT THE ACTUAL OR APPEARANCE OF~~  
12 ~~CORRUPTION THAT MAY RESULT FROM [LARGE] CAMPAIGN~~  
13 ~~CONTRIBUTIONS; ENSURE THE BIPARTISAN ADMINISTRATION OF THIS~~  
14 ~~PART; AND AVOID ACTIONS THAT MAY ERODE PUBLIC CONFIDENCE IN~~  
15 ~~THE SYSTEM OF REPRESENTATIVE GOVERNMENT.~~

16 ~~(11.1) COMPLETELY BANNING CAMPAIGN CONTRIBUTIONS BY~~  
17 ~~CERTAIN INDIVIDUALS AND ENTITIES SUBJECT TO THIS ACT IS~~  
18 ~~NECESSARY TO PREVENT CORRUPTION, OR THE APPEARANCE OF~~  
19 ~~CORRUPTION, THAT MAY ARISE WHEN POLITICS AND GAMING ARE~~  
20 ~~INTERMINGLED.~~

21 ~~(12) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO~~  
22 ~~AUTHORIZE THE OPERATION OF SLOT MACHINES AND TABLE GAMES~~  
23 ~~UNDER A SINGLE SLOT MACHINE LICENSE ISSUED TO A SLOT MACHINE~~  
24 ~~LICENSEE UNDER THIS PART.~~

25 SECTION 2. ~~THE DEFINITIONS OF "ASSOCIATED EQUIPMENT,"~~  
26 ~~"CHEAT," "CONDUCT OF GAMING," "CONVICTION," "GAMING EMPLOYEE,"~~  
27 ~~"KEY EMPLOYEE," "LICENSED FACILITY," "MANUFACTURER,"~~  
28 ~~"MANUFACTURER LICENSE," "SLOT MACHINE," "SUPPLIER" AND "SUPPLIER~~  
29 ~~LICENSE" IN SECTION 1103 OF TITLE 4 ARE AMENDED AND THE SECTION~~  
30 ~~IS AMENDED BY ADDING DEFINITIONS TO READ:~~

1 ~~§ 1103. DEFINITIONS.~~

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

5 ~~\* \* \*~~

6 ~~"ASSOCIATED EQUIPMENT." ANY EQUIPMENT OR MECHANICAL,~~  
7 ~~ELECTROMECHANICAL OR ELECTRONIC CONTRIVANCE, COMPONENT OR~~  
8 ~~MACHINE USED IN CONNECTION WITH [GAMING] SLOT MACHINES OR TABLE~~  
9 ~~GAMES, INCLUDING LINKING DEVICES WHICH CONNECT TO PROGRESSIVE~~  
10 ~~SLOT MACHINES OR SLOT MACHINES, REPLACEMENT PARTS, EQUIPMENT~~  
11 ~~WHICH AFFECTS THE PROPER REPORTING AND COUNTING OF GROSS~~  
12 ~~TERMINAL REVENUE AND GROSS TABLE GAME REVENUE, COMPUTERIZED~~  
13 ~~SYSTEMS FOR CONTROLLING AND MONITORING SLOT MACHINES OR TABLE~~  
14 ~~GAMES, INCLUDING, BUT NOT LIMITED TO, THE CENTRAL CONTROL~~  
15 ~~COMPUTER TO WHICH ALL SLOT MACHINES COMMUNICATE AND DEVICES FOR~~  
16 ~~WEIGHING OR COUNTING MONEY.~~

17 ~~\* \* \*~~

18 ~~"BANKING GAME." ANY TABLE GAME IN WHICH PLAYERS COMPETE~~  
19 ~~AGAINST A CERTIFICATE HOLDER RATHER THAN AGAINST ONE ANOTHER.~~

20 ~~\* \* \*~~

21 ~~"CASH." UNITED STATES CURRENCY AND COIN.~~

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

24 ~~(1) CHIPS, TOKENS OR OTHER REPRESENTATIONS OF VALUE.~~

25 ~~(2) TRAVELERS CHECKS.~~

26 ~~(3) FOREIGN CURRENCY AND COIN.~~

27 ~~(4) CERTIFIED CHECKS, CASHIER'S CHECKS AND MONEY ORDERS.~~

28 ~~(5) PERSONAL CHECKS OR DRAFTS.~~

29 ~~(6) A NEGOTIABLE INSTRUMENT APPLIED AGAINST CREDIT~~  
30 ~~EXTENDED BY A CERTIFICATE HOLDER, A RECOGNIZED CREDIT CARD~~

1 ~~COMPANY OR A FINANCIAL INSTITUTION.~~

2 ~~(7) ANY OTHER INSTRUMENT THAT THE PENNSYLVANIA GAMING~~  
3 ~~CONTROL BOARD DEEMS A CASH EQUIVALENT. OTHER THAN RECOGNIZED~~  
4 ~~CREDIT CARDS OR CREDIT EXTENDED BY A CERTIFICATE HOLDER, ALL~~  
5 ~~INSTRUMENTS THAT CONSTITUTE A CASH EQUIVALENT SHALL BE MADE~~  
6 ~~PAYABLE TO THE SLOT MACHINE LICENSEE, TO THE BEARER OR TO~~  
7 ~~CASH. AN INSTRUMENT MADE PAYABLE TO A THIRD PARTY SHALL NOT~~  
8 ~~BE CONSIDERED A CASH EQUIVALENT AND SHALL BE PROHIBITED.~~

9 \* \* \*

10 ~~"CERTIFICATE HOLDER." A SLOT MACHINE LICENSEE THAT HOLDS A~~  
11 ~~TABLE GAMES OPERATION CERTIFICATE FROM THE PENNSYLVANIA GAMING~~  
12 ~~CONTROL BOARD IN ACCORDANCE WITH CHAPTER 13A (RELATING TO TABLE~~  
13 ~~GAMES).~~

14 ~~"CHEAT." TO [ALTER WITHOUT AUTHORIZATION] DEFRAUD OR STEAL~~  
15 ~~FROM ANY PATRON, SLOT MACHINE LICENSEE OR THE COMMONWEALTH,~~  
16 ~~INCLUDING CAUSING, AIDING, ABETTING OR CONSPIRING WITH ANOTHER~~  
17 ~~PERSON TO DO SO. THE TERM SHALL ALSO MEAN TO UNLAWFULLY ALTER~~  
18 ~~THE ELEMENTS OF CHANCE, SKILL, METHOD OF SELECTION OR CRITERIA~~  
19 ~~WHICH DETERMINE:~~

20 ~~(1) THE RESULT OF A SLOT MACHINE GAME OR TABLE GAME.~~

21 ~~(2) THE AMOUNT OR FREQUENCY OF PAYMENT IN A SLOT MACHINE~~  
22 ~~GAME OR TABLE GAME.~~

23 ~~(3) THE VALUE OF A WAGERING INSTRUMENT.~~

24 ~~(4) THE VALUE OF A WAGERING CREDIT.~~

25 ~~THE TERM DOES NOT INCLUDE ALTERING A SLOT MACHINE, TABLE GAME~~  
26 ~~DEVICE OR ASSOCIATED EQUIPMENT FOR [REQUIRED] MAINTENANCE [AND]~~  
27 ~~OR REPAIR WITH THE APPROVAL OF A SLOT MACHINE LICENSEE.~~

28 ~~"CHEATING OR THIEVING DEVICE." A DEVICE USED OR POSSESSED~~  
29 ~~WITH THE INTENT TO USE, ON OR DURING THE PLAY OF ANY SLOT~~  
30 ~~MACHINE OR TABLE GAME TO CHEAT OR STEAL. THE TERM SHALL ALSO~~

1 ~~INCLUDE ANY DEVICE USED TO ALTER SLOT MACHINES OR TABLE GAME~~  
2 ~~DEVICES WITHOUT THE APPROVAL OF A SLOT MACHINE LICENSEE.~~

3 ~~"CHIP." A REPRESENTATION OF VALUE, INCLUDING PLAQUES, ISSUED~~  
4 ~~BY AND REDEEMABLE WITH THE ISSUING CERTIFICATE HOLDER FOR USE IN~~  
5 ~~PLAYING A TABLE GAME AT THE CERTIFICATE HOLDER'S LICENSED~~  
6 ~~FACILITY.~~

7 \* \* \*

8 ~~"CONDUCT OF GAMING." THE LICENSED PLACEMENT AND OPERATION OF~~  
9 ~~GAMES OF SKILL OR CHANCE UNDER THIS PART, AS AUTHORIZED AND~~  
10 ~~APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A LICENSED~~  
11 ~~FACILITY.~~

12 ~~"CONTEST." A TABLE GAME COMPETITION AMONG PLAYERS FOR A~~  
13 ~~PRIZE, WHETHER OR NOT THE PRIZE IS A SPECIFIED AMOUNT OF MONEY~~  
14 ~~OR PLAYERS ARE REQUIRED TO PAY CONSIDERATION TO PARTICIPATE IN~~  
15 ~~THE COMPETITION.~~

16 \* \* \*

17 ~~"CONVICTION." A FINDING OF GUILT OR A PLEA OF GUILTY OR NOLO~~  
18 ~~CONTENDERE, WHETHER OR NOT A JUDGMENT OF SENTENCE HAS BEEN~~  
19 ~~IMPOSED AS DETERMINED BY THE LAW OF THE JURISDICTION IN WHICH~~  
20 ~~THE PROSECUTION WAS HELD. THE TERM DOES NOT INCLUDE A CONVICTION~~  
21 ~~THAT HAS BEEN EXPUNGED OR OVERTURNED OR FOR WHICH AN INDIVIDUAL~~  
22 ~~HAS BEEN PARDONED OR HAD AN ORDER OF ACCELERATED REHABILITATIVE~~  
23 ~~DISPOSITION ENTERED.~~

24 \* \* \*

25 ~~"COUNT ROOM." THE SECURED ROOM AT A LICENSED FACILITY~~  
26 ~~DESIGNATED FOR COUNTING, WRAPPING AND RECORDING A SLOT MACHINE~~  
27 ~~LICENSEE'S SLOT MACHINE OR TABLE GAME RECEIPTS, OR BOTH.~~

28 ~~"COUNTERFEIT CHIPS." ANY CHIP OR SIMILAR OBJECT NOT ISSUED~~  
29 ~~BY A CERTIFICATE HOLDER FOR USE IN PLAYING A TABLE GAME AT THE~~  
30 ~~CERTIFICATE HOLDER'S LICENSED FACILITY.~~

1       \* \* \*

2       ~~"ELECTRONIC TABLE GAME." A TABLE GAME WHICH, AS DETERMINED~~  
3 ~~BY THE PENNSYLVANIA GAMING CONTROL BOARD, IS A MECHANICAL,~~  
4 ~~ELECTRICAL OR COMPUTERIZED CONTRIVANCE, TERMINAL, MACHINE OR~~  
5 ~~OTHER DEVICE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD~~  
6 ~~WHICH, UPON INSERTION OF A COIN, BILL, TICKET, TOKEN OR SIMILAR~~  
7 ~~OBJECT THEREIN OR UPON PAYMENT OF ANY CONSIDERATION WHATSOEVER,~~  
8 ~~INCLUDING THE USE OF ANY ELECTRONIC PAYMENT SYSTEM, IS PLAYABLE~~  
9 ~~OR OPERABLE WITHOUT EITHER THE REQUIRED ASSISTANCE OF OR~~  
10 ~~REQUIRED INTERACTION WITH A GAMING EMPLOYEE. THE TERM DOES NOT~~  
11 ~~INCLUDE A SLOT MACHINE.~~

12       ~~"EXECUTIVE LEVEL PUBLIC EMPLOYEE." THE TERM SHALL INCLUDE~~  
13 ~~THE FOLLOWING:~~

14           ~~(1) DEPUTY SECRETARIES OF THE COMMONWEALTH AND THE~~  
15 ~~GOVERNOR'S OFFICE EXECUTIVE STAFF.~~

16           ~~(2) AN EMPLOYEE OF THE EXECUTIVE BRANCH WITH~~  
17 ~~DISCRETIONARY POWER WHICH MAY AFFECT OR INFLUENCE THE OUTCOME~~  
18 ~~OF A STATE AGENCY'S ACTION OR DECISION AND WHO IS INVOLVED IN~~  
19 ~~THE DEVELOPMENT OF REGULATIONS OR POLICIES RELATING TO A~~  
20 ~~LICENSED ENTITY OR WHO IS INVOLVED IN OTHER MATTERS UNDER~~  
21 ~~THIS PART. THE TERM SHALL INCLUDE AN EMPLOYEE WITH LAW~~  
22 ~~ENFORCEMENT AUTHORITY.~~

23           ~~(3) AN EMPLOYEE OF A COUNTY OR MUNICIPALITY WITH~~  
24 ~~DISCRETIONARY POWERS WHICH MAY AFFECT OR INFLUENCE THE~~  
25 ~~OUTCOME OF THE COUNTY'S OR MUNICIPALITY'S ACTION OR DECISION~~  
26 ~~AND WHO IS INVOLVED IN THE DEVELOPMENT OF LAW, REGULATION OR~~  
27 ~~POLICY RELATING TO A LICENSED ENTITY OR WHO IS INVOLVED IN~~  
28 ~~OTHER MATTERS UNDER THIS PART. THE TERM SHALL INCLUDE AN~~  
29 ~~EMPLOYEE WITH LAW ENFORCEMENT AUTHORITY.~~

30           ~~(4) AN EMPLOYEE OF A DEPARTMENT, AGENCY, BOARD,~~

~~COMMISSION, AUTHORITY OR OTHER GOVERNMENTAL BODY NOT INCLUDED  
IN PARAGRAPH (1), (2) OR (3) WITH DISCRETIONARY POWER WHICH  
MAY AFFECT OR INFLUENCE THE OUTCOME OF THE GOVERNMENTAL  
BODY'S ACTION OR DECISION AND WHO IS INVOLVED IN THE  
DEVELOPMENT OF REGULATION OR POLICY RELATING TO A LICENSED  
ENTITY OR WHO IS INVOLVED IN OTHER MATTERS UNDER THIS PART.  
THE TERM SHALL INCLUDE AN EMPLOYEE WITH LAW ENFORCEMENT  
AUTHORITY.~~

~~\* \* \*~~

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

~~(1) CASHIERS.~~

~~(2) CHANGE PERSONNEL.~~

~~(3) [COUNTING] COUNT ROOM PERSONNEL.~~

~~(4) SLOT ATTENDANTS.~~

~~(5) HOSTS OR OTHER PERSONS AUTHORIZED TO EXTEND  
COMPLIMENTARY SERVICES.~~

~~(6) MACHINE MECHANICS [OR] COMPUTER MACHINE TECHNICIANS  
OR TABLE GAME DEVICE TECHNICIANS.~~

~~(7) SECURITY PERSONNEL.~~

~~(8) SURVEILLANCE PERSONNEL.~~

~~(9) SUPERVISORS AND MANAGERS.~~

~~(10) BOXMEN.~~

~~(11) DEALERS OR CROUPIERS.~~

~~(12) FLOORMEN.~~

~~THE TERM INCLUDES EMPLOYEES OF A PERSON HOLDING A SUPPLIER'S  
LICENSE WHOSE DUTIES ARE DIRECTLY INVOLVED WITH THE REPAIR OR  
DISTRIBUTION OF SLOT MACHINES, TABLE GAME DEVICES AND ASSOCIATED  
EQUIPMENT SOLD OR PROVIDED TO [THE] A LICENSED FACILITY WITHIN  
THIS COMMONWEALTH AS DETERMINED BY THE PENNSYLVANIA GAMING~~

1 ~~CONTROL BOARD. THE TERM DOES NOT INCLUDE BARTENDERS, COCKTAIL~~  
2 ~~SERVERS OR OTHER PERSONS ENGAGED SOLELY IN PREPARING OR SERVING~~  
3 ~~FOOD OR BEVERAGES, CLERICAL OR SECRETARIAL PERSONNEL, PARKING~~  
4 ~~ATTENDANTS, JANITORIAL, STAGE, SOUND AND LIGHT TECHNICIANS AND~~  
5 ~~OTHER NONGAMING PERSONNEL AS DETERMINED BY THE BOARD.~~

6 ~~"GAMING JUNKET." AN ARRANGEMENT MADE BY A GAMING JUNKET~~  
7 ~~REPRESENTATIVE FOR AN INDIVIDUAL WHO IS ALL OF THE FOLLOWING:~~

8 ~~(1) SELECTED OR APPROVED FOR PARTICIPATION IN THE~~  
9 ~~ARRANGEMENT BASED ON THE INDIVIDUAL'S ABILITY TO SATISFY~~  
10 ~~SPECIFIC FINANCIAL QUALIFICATIONS.~~

11 ~~(2) LIKELY TO PARTICIPATE IN GAMING AND TO PATRONIZE A~~  
12 ~~LICENSED FACILITY FOR THE PURPOSE OF GAMING.~~

13 ~~(3) RECEIVES AS CONSIDERATION FOR PARTICIPATION IN THE~~  
14 ~~ARRANGEMENT PART OR ALL OF THE COSTS OF TRANSPORTATION, FOOD,~~  
15 ~~LODGING OR ENTERTAINMENT WHICH ARE DIRECTLY OR INDIRECTLY~~  
16 ~~PAID BY A SLOT MACHINE LICENSEE OR AN AGENT OR AN EMPLOYEE OF~~  
17 ~~A SLOT MACHINE LICENSEE.~~

18 ~~"GAMING JUNKET ENTERPRISE." A PERSON, OTHER THAN A SLOT~~  
19 ~~MACHINE LICENSEE, WHO EMPLOYS OR OTHERWISE ENGAGES THE SERVICES~~  
20 ~~OF A GAMING JUNKET REPRESENTATIVE TO ARRANGE GAMING JUNKETS TO A~~  
21 ~~LICENSE FACILITY, REGARDLESS OF WHETHER THE ACTIVITIES OF THE~~  
22 ~~GAMING JUNKET ENTERPRISE OCCUR WITHIN THIS COMMONWEALTH.~~

23 ~~"GAMING JUNKET REPRESENTATIVE." AN INDIVIDUAL WHO IS NOT AN~~  
24 ~~EMPLOYEE OF A SLOT MACHINE LICENSEE WHO ARRANGES AND NEGOTIATES~~  
25 ~~THE TERMS OF A GAMING JUNKET OR SELECTS INDIVIDUALS TO~~  
26 ~~PARTICIPATE IN A GAMING JUNKET TO A LICENSED FACILITY,~~  
27 ~~REGARDLESS OF WHETHER THE ACTIVITIES OF THE GAMING JUNKET~~  
28 ~~ENTERPRISE OCCUR WITHIN THIS COMMONWEALTH.~~

29 ~~"GAMING SCHOOL." ANY EDUCATIONAL INSTITUTION WHICH IS~~  
30 ~~APPROVED BY THE THE DEPARTMENT OF EDUCATION AS AN ACCREDITED~~

1 ~~COLLEGE OR UNIVERSITY, COMMUNITY COLLEGE, PENNSYLVANIA PRIVATE~~  
2 ~~LICENSED SCHOOL OR ITS EQUIVALENT AND WHICH IS APPROVED BY THE~~  
3 ~~PENNSYLVANIA GAMING CONTROL BOARD IN CONSULTATION WITH THE~~  
4 ~~DEPARTMENT OF EDUCATION TO PROVIDE EDUCATION AND TRAINING~~  
5 ~~RELATED TO EMPLOYMENT OPPORTUNITIES ASSOCIATED WITH SLOT~~  
6 ~~MACHINES OR TABLE GAMES, INCLUDING SLOT MACHINE, TABLE GAME~~  
7 ~~DEVICE AND ASSOCIATED EQUIPMENT MAINTENANCE AND REPAIR.~~

8 "GAMING SERVICE PROVIDER." A PERSON THAT:



9 ~~(1) PROVIDES GOODS OR SERVICES TO A SLOT MACHINE~~  
10 ~~LICENSEE OR AN APPLICANT FOR A SLOT MACHINE LICENSE;~~

11 ~~(2) PROVIDES GOODS OR SERVICES AT A LICENSED FACILITY;~~  
12 AND

13 ~~(3) IS NOT REQUIRED TO BE LICENSED AS A MANUFACTURER,~~  
14 ~~MANUFACTURER DESIGNEE, SUPPLIER, MANAGEMENT COMPANY OR GAMING~~  
15 ~~JUNKET ENTERPRISE.~~

16 "GROSS TABLE GAME REVENUE." THE TOTAL OF:

17 ~~(1) CASH OR CASH EQUIVALENTS RECEIVED IN THE PLAYING OF~~  
18 ~~A TABLE GAME MINUS THE TOTAL OF:~~

19 ~~(I) CASH OR CASH EQUIVALENTS PAID OUT TO PATRONS AS~~  
20 ~~A RESULT OF PLAYING A TABLE GAME.~~

21 ~~(II) CASH PAID TO PURCHASE ANNUITIES TO FUND PRIZES~~  
22 ~~PAYABLE TO PATRONS OVER A PERIOD OF TIME AS A RESULT OF~~  
23 ~~PLAYING A TABLE GAME.~~

24 ~~(III) THE ACTUAL COST PAID BY THE CERTIFICATE HOLDER~~  
25 ~~FOR ANY PERSONAL PROPERTY DISTRIBUTED TO A PATRON AS A~~  
26 ~~RESULT OF PLAYING A TABLE GAME. THIS DOES NOT INCLUDE~~  
27 ~~TRAVEL EXPENSES, FOOD, REFRESHMENTS, LODGING OR SERVICES.~~

28 ~~(2) ALL TABLE GAME CONTEST OR TOURNAMENT FEES. TABLE~~  
29 ~~GAME CONTEST OR TOURNAMENT FEES SHALL BE CALCULATED AS ALL~~  
30 ~~FEES OR PAYMENTS, INCLUDING ENTRY FEES, BUY INS, RE BUYS AND~~

~~ADMINISTRATIVE FEES, IMPOSED BY A CERTIFICATE HOLDER TO PARTICIPATE IN A TABLE GAME CONTEST OR TOURNAMENT LESS CASH OR ACTUAL COST PAID BY A CERTIFICATE HOLDER FOR PRIZES AWARDED TO TOURNAMENT OR CONTEST WINNERS.~~

~~(3) THE TOTAL AMOUNT OF THE RAKE COLLECTED BY A CERTIFICATE HOLDER EACH DAY.~~

~~THE TERM DOES NOT INCLUDE COUNTERFEIT MONEY OR CHIPS; COINS OR CURRENCY OF OTHER COUNTRIES RECEIVED IN THE PLAYING OF A TABLE GAME, EXCEPT TO THE EXTENT THAT THEY ARE READILY CONVERTIBLE TO UNITED STATES CURRENCY; CASH TAKEN IN A FRAUDULENT ACT PERPETRATED AGAINST A CERTIFICATE HOLDER FOR WHICH THE CERTIFICATE HOLDER IS NOT REIMBURSED.~~

~~\* \* \*~~

~~"HOTEL." ONE OR MORE BUILDINGS OWNED OR OPERATED BY A CERTIFICATE HOLDER WHICH IS ATTACHED TO, PHYSICALLY CONNECTED TO OR ADJACENT TO THE CERTIFICATE HOLDER'S LICENSED FACILITY AT WHICH THE PUBLIC MAY OBTAIN SLEEPING ROOMS AND IS LOCATED ON THE SAME PARCEL OF LAND AS THE LICENSED FACILITY.~~

~~\* \* \*~~

~~"KEY EMPLOYEE." ANY INDIVIDUAL WHO IS EMPLOYED IN A DIRECTOR OR DEPARTMENT HEAD CAPACITY AND WHO IS EMPOWERED TO MAKE DISCRETIONARY DECISIONS THAT REGULATE SLOT MACHINE OR TABLE GAME OPERATIONS, INCLUDING THE GENERAL MANAGER AND ASSISTANT MANAGER OF THE LICENSED FACILITY, DIRECTOR OF SLOT OPERATIONS, DIRECTOR OF TABLE GAMES, PIT SUPERVISORS, SHIFT SUPERVISORS, CREDIT SUPERVISORS, CASHIER SUPERVISORS, TABLE GAME MANAGERS AND ASSISTANT MANAGERS, DIRECTOR OF CAGE AND/OR CREDIT OPERATIONS, DIRECTOR OF SURVEILLANCE, DIRECTOR OF MARKETING, DIRECTOR OF MANAGEMENT INFORMATION SYSTEMS, DIRECTOR OF SECURITY, COMPTROLLER AND ANY EMPLOYEE WHO SUPERVISES THE OPERATIONS OF~~

1 ~~THESE DEPARTMENTS OR TO WHOM THESE DEPARTMENT DIRECTORS OR~~  
2 ~~DEPARTMENT HEADS REPORT AND SUCH OTHER POSITIONS WHICH THE~~  
3 ~~PENNSYLVANIA GAMING CONTROL BOARD SHALL DETERMINE BASED ON~~  
4 ~~DETAILED ANALYSES OF JOB DESCRIPTIONS AS PROVIDED IN THE~~  
5 ~~INTERNAL CONTROLS OF THE LICENSEE AS APPROVED BY THE~~  
6 ~~PENNSYLVANIA GAMING CONTROL BOARD. ALL OTHER GAMING EMPLOYEES~~  
7 ~~UNLESS OTHERWISE DESIGNATED BY THE PENNSYLVANIA GAMING CONTROL~~  
8 ~~BOARD SHALL BE CLASSIFIED AS NON KEY EMPLOYEES.~~

9 \* \* \*

10 ~~"LICENSED ENTITY REPRESENTATIVE." A PERSON ACTING ON BEHALF~~  
11 ~~OF OR AUTHORIZED TO REPRESENT THE INTEREST OF ANY APPLICANT,~~  
12 ~~LICENSEE OR PERMITTEE, INCLUDING AN ATTORNEY, AGENT OR LOBBYIST,~~  
13 ~~REGARDING ANY MATTER WHICH MAY REASONABLY BE EXPECTED TO COME~~  
14 ~~BEFORE THE BOARD.~~

15 ~~"LICENSED FACILITY." THE PHYSICAL LAND BASED LOCATION AT~~  
16 ~~WHICH A LICENSED GAMING ENTITY IS AUTHORIZED TO PLACE AND~~  
17 ~~OPERATE SLOT MACHINES AND, IF AUTHORIZED BY THE PENNSYLVANIA~~  
18 ~~GAMING CONTROL BOARD UNDER CHAPTER 13A (RELATING TO TABLE~~  
19 ~~GAMES), TO CONDUCT TABLE GAMES. THE TERM INCLUDES ANY AREA OF A~~  
20 ~~LICENSED RACETRACK PREVIOUSLY AUTHORIZED PURSUANT TO SECTION~~  
21 ~~1207(17) (RELATING TO REGULATORY AUTHORITY OF BOARD) TO OPERATE~~  
22 ~~SLOT MACHINES AND ANY AREA OF A HOTEL WHICH THE PENNSYLVANIA~~  
23 ~~GAMING CONTROL BOARD DETERMINES IS SUITABLE TO CONDUCT TABLE~~  
24 ~~GAMES.~~

25 \* \* \*

26 ~~"MANUFACTURER." A PERSON WHO MANUFACTURES, BUILDS, REBUILDS,~~  
27 ~~FABRICATES, ASSEMBLES, PRODUCES, PROGRAMS, DESIGNS OR OTHERWISE~~  
28 ~~MAKES MODIFICATIONS TO ANY SLOT MACHINE, TABLE GAME DEVICE OR~~  
29 ~~ASSOCIATED EQUIPMENT FOR USE OR PLAY OF SLOT MACHINES OR TABLE~~  
30 ~~GAMES IN THIS COMMONWEALTH FOR GAMING PURPOSES.~~

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 FOR USE IN THIS COMMONWEALTH FOR GAMING PURPOSES.~~

5       \* \* \*

6       ~~"MUNICIPAL AUTHORITY." A BODY POLITIC AND CORPORATE CREATED~~  
7 ~~UNDER THE FORMER ACT OF JUNE 28, 1935 (P.L.463, NO.191), KNOWN~~  
8 ~~AS THE MUNICIPALITY AUTHORITIES ACT OF 1935, THE FORMER ACT OF~~  
9 ~~MAY 2, 1995 (P.L.382, NO.164), KNOWN AS THE MUNICIPALITY~~  
10 ~~AUTHORITIES ACT OF 1945 OR THE ACT OF JULY 29, 1953 (P.L.1034,~~  
11 ~~NO.270), KNOWN AS THE PUBLIC AUDITORIUM AUTHORITIES LAW.~~

12       \* \* \*

13       ~~"NONBANKING GAME." ANY TABLE GAME IN WHICH PLAYERS COMPETE~~  
14 ~~AGAINST ONE ANOTHER AND IN WHICH THE CERTIFICATE HOLDER COLLECTS~~  
15 ~~A RAKE.~~

16       ~~"NONELECTRONIC TABLE GAME." ANY TABLE GAME THAT, AS~~  
17 ~~DETERMINED BY THE PENNSYLVANIA GAMING CONTROL BOARD, IS NOT AN~~  
18 ~~ELECTRONIC TABLE GAME.~~

19       \* \* \*

20       ~~"PARTY." THE PENNSYLVANIA GAMING CONTROL BOARD, THE BUREAU~~  
21 ~~OF INVESTIGATIONS AND ENFORCEMENT OF THE PENNSYLVANIA GAMING~~  
22 ~~CONTROL BOARD OR ANY APPLICANT, LICENSEE, PERMITTEE, REGISTRANT~~  
23 ~~OR OTHER PERSON APPEARING OF RECORD IN ANY PROCEEDING BEFORE THE~~  
24 ~~BOARD OR IN ANY PROCEEDING FOR JUDICIAL REVIEW OF ANY ACTION,~~  
25 ~~DECISION OR ORDER OF THE BOARD.~~

26       \* \* \*

27       ~~"RAKE." A SET FEE OR PERCENTAGE ASSESSED BY A CERTIFICATE~~  
28 ~~HOLDER FOR PROVIDING THE SERVICES OF A DEALER, TABLE OR LOCATION~~  
29 ~~FOR PLAYING ANY NONBANKING GAME.~~

30       \* \* \*

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

16           ~~(1) MAY UTILIZE SPINNING REELS OR VIDEO DISPLAYS OR~~  
17 ~~BOTH.~~

18           ~~(2) MAY OR MAY NOT DISPENSE COINS, TICKETS OR TOKENS TO~~  
19 ~~WINNING PATRONS.~~

20           ~~(3) MAY USE AN ELECTRONIC CREDIT SYSTEM FOR RECEIVING~~  
21 ~~WAGERS AND MAKING PAYOUTS.~~

22 ~~THE TERM SHALL INCLUDE ASSOCIATED EQUIPMENT NECESSARY TO CONDUCT~~  
23 ~~THE OPERATION OF THE CONTRIVANCE, TERMINAL, MACHINE OR OTHER~~  
24 ~~DEVICE. THE TERM DOES NOT INCLUDE AN ELECTRONIC TABLE GAME.~~

25       ~~\* \* \*~~

26       ~~"SUPPLIER." A PERSON THAT SELLS, LEASES, OFFERS OR OTHERWISE~~  
27 ~~PROVIDES, DISTRIBUTES OR SERVICES ANY SLOT MACHINE, TABLE GAME~~  
28 ~~DEVICE OR ASSOCIATED EQUIPMENT FOR USE OR PLAY OF SLOT MACHINES~~  
29 ~~OR TABLE GAMES IN THIS COMMONWEALTH.~~

30       ~~"SUPPLIER LICENSE." A LICENSE ISSUED BY THE PENNSYLVANIA~~

1 ~~GAMING CONTROL BOARD AUTHORIZING A SUPPLIER TO PROVIDE PRODUCTS~~  
2 ~~OR SERVICES RELATED TO SLOT MACHINES, TABLE GAMES DEVICES OR~~  
3 ~~ASSOCIATED EQUIPMENT TO SLOT MACHINE LICENSEES.~~

4 \* \* \*

5 ~~"SUSPICIOUS TRANSACTION." THE ACCEPTANCE OR REDEEMING OF~~  
6 ~~CASH OR A CASH EQUIVALENT INVOLVING OR AGGREGATING \$5,000 IF THE~~  
7 ~~SLOT MACHINE LICENSEE OR PERSON KNOWS OR HAS REASON TO BELIEVE~~  
8 ~~THE TRANSACTION:~~

9 ~~(1) INVOLVES FUNDS DERIVED FROM ILLEGAL ACTIVITIES OR IS~~  
10 ~~INTENDED OR CONDUCTED IN ORDER TO CONCEAL OR DISGUISE FUNDS~~  
11 ~~OR ASSETS DERIVED FROM ILLEGAL ACTIVITIES;~~

12 ~~(2) IS PART OF A PLAN TO VIOLATE OR EVADE ANY LAW OR~~  
13 ~~REGULATION OR TO AVOID ANY TRANSACTION REPORTING REQUIREMENT~~  
14 ~~UNDER THE LAW OR REGULATIONS OF THIS COMMONWEALTH OR THE~~  
15 ~~UNITED STATES, INCLUDING A PLAN TO STRUCTURE A SERIES OF~~  
16 ~~TRANSACTIONS TO AVOID ANY TRANSACTION REPORTING REQUIREMENT~~  
17 ~~UNDER THE LAWS OR REGULATIONS OF THIS COMMONWEALTH OR THE~~  
18 ~~UNITED STATES; OR~~

19 ~~(3) HAS NO LAWFUL BUSINESS OR OTHER APPARENT LAWFUL~~  
20 ~~PURPOSE OR IS NOT THE SORT OF TRANSACTION IN WHICH A PERSON~~  
21 ~~WOULD NORMALLY BE EXPECTED TO ENGAGE AND THE SLOT MACHINE~~  
22 ~~LICENSEE OR PERSON KNOWS OF NO REASONABLE EXPLANATION FOR THE~~  
23 ~~TRANSACTION AFTER EXAMINING THE AVAILABLE FACTS, INCLUDING~~  
24 ~~THE BACKGROUND AND POSSIBLE PURPOSE OF THE TRANSACTION.~~

25 ~~"TABLE GAME." ANY BANKING, NONBANKING OR PERCENTAGE GAME~~  
26 ~~PLAYED WHICH UTILIZES A TABLE GAME DEVICE FOR CASH, A CASH~~  
27 ~~EQUIVALENT OR ANY REPRESENTATION OF VALUE. THE TERM INCLUDES~~  
28 ~~ROULETTE, BACCARAT, BLACKJACK, POKER, CRAPS, BIG SIX WHEEL, RED~~  
29 ~~DOG, PAI GOW, CASINO WAR AND SIC BO AND ANY OTHER BANKING,~~  
30 ~~NONBANKING OR PERCENTAGE GAME APPROVED BY THE PENNSYLVANIA~~

1 ~~GAMING CONTROL BOARD. THE TERM SHALL ALSO INCLUDE ANY GAME~~  
2 ~~AUTHORIZED FOR USE IN A LICENSED FACILITY THAT IS USED FOR~~  
3 ~~GAMING CONTESTS OR TOURNAMENTS IN WHICH PLAYERS COMPETE AGAINST~~  
4 ~~ONE ANOTHER. THE TERM SHALL NOT INCLUDE:~~

5 ~~(1) LOTTERY GAMES OF THE PENNSYLVANIA STATE LOTTERY AS~~  
6 ~~AUTHORIZED UNDER THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91),~~  
7 ~~KNOWN AS THE STATE LOTTERY LAW.~~

8 ~~(2) BINGO AS AUTHORIZED UNDER THE ACT OF JULY 10, 1981~~  
9 ~~(P.L.214, NO.67), KNOWN AS THE BINGO LAW.~~

10 ~~(3) PARI MUTUEL BETTING ON THE OUTCOME OF THOROUGHBRED~~  
11 ~~OR HARNESS HORSE RACING AS AUTHORIZED UNDER THE ACT OF~~  
12 ~~DECEMBER 17, 1981 (P.L.435, NO.135), KNOWN AS THE RACE HORSE~~  
13 ~~INDUSTRY REFORM ACT.~~

14 ~~(4) SMALL GAMES OF CHANCE AS AUTHORIZED UNDER THE ACT OF~~  
15 ~~DECEMBER 19, 1988 (P.L.1262, NO.156), KNOWN AS THE LOCAL~~  
16 ~~OPTION SMALL GAMES OF CHANCE ACT.~~

17 ~~(5) SLOT MACHINE GAMING AND PROGRESSIVE SLOT MACHINE~~  
18 ~~GAMING AS DEFINED AND AUTHORIZED UNDER THIS PART.~~

19 ~~(6) KENO.~~

20 ~~"TABLE GAME DEVICE." INCLUDES GAMING TABLES, CARDS, DICE,~~  
21 ~~CHIPS, SHUFFLERS, TILES, DOMINOES, WHEELS, DROP BOXES OR ANY~~  
22 ~~MECHANICAL, ELECTRICAL OR COMPUTERIZED CONTRIVANCE, TERMINAL,~~  
23 ~~MACHINE OR OTHER DEVICE, APPARATUS, EQUIPMENT OR SUPPLIES~~  
24 ~~APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AND USED TO~~  
25 ~~CONDUCT A TABLE GAME.~~

26 ~~"TABLE GAME OPERATION CERTIFICATE." A CERTIFICATE FROM THE~~  
27 ~~PENNSYLVANIA GAMING CONTROL BOARD THAT AUTHORIZES A SLOT MACHINE~~  
28 ~~LICENSEE TO CONDUCT TABLE GAMES IN ACCORDANCE WITH THIS PART.~~

29 ~~"TOURNAMENT." AN ORGANIZED SERIES OF TABLE GAME CONTESTS~~  
30 ~~APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD.~~

1 ~~"TRUSTEE." A PERSON APPOINTED BY THE PENNSYLVANIA GAMING~~  
2 ~~CONTROL BOARD TO MANAGE AND CONTROL THE OPERATIONS OF A LICENSED~~  
3 ~~FACILITY TO ENSURE COMPLIANCE WITH THIS PART AND WHO HAS THE~~  
4 ~~FIDUCIARY RESPONSIBILITY TO MAKE DECISIONS FOR THE BENEFIT OF~~  
5 ~~THE LICENSED GAMING ENTITY AND THE COMMONWEALTH.~~

6 \* \* \*

7 SECTION 3. SECTION 1201(F)(3), (H)(7.1), (10), (11), (13),  
8 (14) AND (15), (I)(1) AND (K) OF TITLE 4 ARE AMENDED, SUBSECTION ←  
9 (H) IS AMENDED BY ADDING PARAGRAPHS AND THE SECTION IS AMENDED ←  
10 BY ADDING A SUBSECTION SUBSECTIONS TO READ:

11 § 1201. PENNSYLVANIA GAMING CONTROL BOARD ESTABLISHED.

12 \* \* \*

13 (F) QUALIFIED MAJORITY VOTE.

14 \* \* \*

15 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART OR  
16 65 PA.C.S. § 1103(J) (RELATING TO RESTRICTED ACTIVITIES), A  
17 MEMBER SHALL DISCLOSE THE NATURE OF HIS DISQUALIFYING  
18 INTEREST, DISQUALIFY HIMSELF AND ABSTAIN FROM VOTING IN A  
19 PROCEEDING UNDER THIS PART IN WHICH HIS OBJECTIVITY,  
20 IMPARTIALITY, INTEGRITY OR INDEPENDENCE OF JUDGMENT MAY BE  
21 REASONABLY QUESTIONED, AS PROVIDED IN SUBSECTION (H)(6) OR  
22 SECTION 1202.1(C)(3) (RELATING TO CODE OF CONDUCT). IF A  
23 LEGISLATIVE APPOINTEE HAS DISQUALIFIED HIMSELF, THE QUALIFIED  
24 MAJORITY SHALL CONSIST OF ALL OF THE REMAINING LEGISLATIVE  
25 APPOINTEES AND AT LEAST TWO GUBERNATORIAL APPOINTEES.

26 \* \* \*

27 (H) QUALIFICATIONS AND RESTRICTIONS.

28 \* \* \*

29 (7.1) PRIOR TO BEING SWORN AS A MEMBER, AN APPOINTEE AND  
30 HIS IMMEDIATE FAMILY SHALL DIVEST ANY FINANCIAL INTEREST IN

1 ~~ANY APPLICANT, LICENSED FACILITY OR LICENSED ENTITY AND IN AN~~  
2 ~~AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY~~  
3 ~~THEREOF OWNED OR HELD BY THE APPOINTEE OR KNOWN TO BE HELD BY~~  
4 ~~THE APPOINTEE'S IMMEDIATE FAMILY. FOR THE DURATION OF THE~~  
5 ~~MEMBER'S TERM AND FOR [ONE YEAR] TWO YEARS THEREAFTER, THE~~  
6 ~~MEMBER AND THE MEMBER'S IMMEDIATE FAMILY MAY NOT ACQUIRE A~~  
7 ~~FINANCIAL INTEREST IN ANY APPLICANT, LICENSED FACILITY OR~~  
8 ~~LICENSED ENTITY OR IN AN AFFILIATE, INTERMEDIARY, SUBSIDIARY~~  
9 ~~OR HOLDING COMPANY THEREOF. FOR PURPOSES OF THIS PARAGRAPH,~~  
10 ~~THE TERM "IMMEDIATE FAMILY" SHALL MEAN SPOUSE AND ANY MINOR~~  
11 ~~OR UNEMANCIPATED CHILD.~~

12 \* \* \*

13 ~~(10) NO FORMER MEMBER MAY APPEAR BEFORE THE BOARD IN ANY~~  
14 ~~HEARING OR PROCEEDING OR PARTICIPATE IN ANY OTHER ACTIVITY ON~~  
15 ~~BEHALF OF ANY APPLICANT, LICENSED ENTITY, OR AN AFFILIATE,~~  
16 ~~INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY THEREOF, OR ANY~~  
17 ~~OTHER LICENSEE OR PERMITTEE FOR A PERIOD OF TWO YEARS FROM~~  
18 ~~THE TERMINATION OF TERM OF OFFICE.~~

19 ~~(11) NO MEMBER, EMPLOYEE OR INDEPENDENT CONTRACTOR OF~~  
20 ~~THE BOARD SHALL ACCEPT A COMPLIMENTARY SERVICE, WAGER OR BE~~  
21 ~~PAID ANY PRIZE FROM ANY WAGER AT ANY LICENSED FACILITY WITHIN~~  
22 ~~THIS COMMONWEALTH OR AT ANY OTHER FACILITY OUTSIDE THIS~~  
23 ~~COMMONWEALTH WHICH IS OWNED OR OPERATED BY A LICENSED GAMING~~  
24 ~~ENTITY OR ANY OF ITS AFFILIATES, INTERMEDIARIES, SUBSIDIARIES~~  
25 ~~OR HOLDING COMPANIES THEREOF FOR THE DURATION OF THEIR TERM~~  
26 ~~OF OFFICE, EMPLOYMENT OR CONTRACT WITH THE BOARD AND FOR A~~  
27 ~~PERIOD OF [ONE YEAR] TWO YEARS FROM THE TERMINATION OF TERM~~  
28 ~~OF OFFICE, EMPLOYMENT OR CONTRACT WITH THE BOARD. THE~~  
29 ~~PROVISIONS OF THIS PARAGRAPH PROHIBITING WAGERING DURING THE~~  
30 ~~TERM OF EMPLOYMENT SHALL NOT APPLY TO EMPLOYEES OR~~

1 ~~INDEPENDENT CONTRACTORS OF THE BOARD WHO UTILIZE SLOT-~~  
2 ~~MACHINES OR TABLE GAME DEVICES FOR TESTING PURPOSES OR TO-~~  
3 ~~VERIFY THE PERFORMANCE OF A MACHINE OR TABLE GAME AS PART OF-~~  
4 ~~AN ENFORCEMENT INVESTIGATION.~~

5 \* \* \*

6 ~~(13) NO EMPLOYEE OF THE BOARD [OR INDIVIDUAL EMPLOYED BY-~~  
7 ~~AN INDEPENDENT CONTRACTOR OF THE BOARD] WHOSE DUTIES-~~  
8 ~~SUBSTANTIALLY INVOLVE LICENSING[, ] OR ENFORCEMENT [OR], THE-~~  
9 ~~DEVELOPMENT [OR ADOPTION] OF LAWS, OR THE DEVELOPMENT OR-~~  
10 ~~ADOPTION OF REGULATIONS OR POLICY OR WHO HAS OTHER-~~  
11 ~~DISCRETIONARY AUTHORITY WHICH MAY AFFECT THE OUTCOME OF AN-~~  
12 ~~ACTION OR DECISION UNDER THIS PART, INCLUDING THE EXECUTIVE-~~  
13 ~~DIRECTOR, BUREAU DIRECTORS AND ATTORNEYS, SHALL DO ANY OF THE~~  
14 ~~FOLLOWING:~~

15 ~~(I) [ACCEPT] ACCEPT EMPLOYMENT WITH AN APPLICANT OR-~~  
16 ~~LICENSED ENTITY, OR AN AFFILIATE, INTERMEDIARY,-~~  
17 ~~SUBSIDIARY OR HOLDING COMPANY THEREOF, FOR A PERIOD OF-~~  
18 ~~[ONE YEAR] TWO YEARS AFTER THE TERMINATION OF THE-~~  
19 ~~EMPLOYMENT RELATING TO THE CONDUCT OF GAMING [OR CONTRACT-~~  
20 ~~WITH THE BOARD; OR].~~

21 ~~(II) [APPEAR] APPEAR BEFORE THE BOARD IN ANY HEARING-~~  
22 ~~OR PROCEEDING OR PARTICIPATE IN ANY OTHER ACTIVITY ON-~~  
23 ~~BEHALF OF ANY APPLICANT, LICENSEE, PERMITTEE OR LICENSED-~~  
24 ~~ENTITY, OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR-~~  
25 ~~HOLDING COMPANY THEREOF, FOR A PERIOD OF TWO YEARS AFTER-~~  
26 ~~TERMINATION OF THE EMPLOYMENT [OR CONTRACT WITH THE-~~  
27 ~~BOARD].~~

28 ~~(III) AS A CONDITION OF EMPLOYMENT, AN EMPLOYEE-~~  
29 ~~SUBJECT TO THIS PARAGRAPH SHALL SIGN AN AFFIDAVIT THAT-~~  
30 ~~THE EMPLOYEE WILL NOT ACCEPT EMPLOYMENT WITH OR BE-~~

~~RETAINED BY ANY APPLICANT, LICENSED ENTITY OR AN  
AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY  
THEREOF FOR A PERIOD OF TWO YEARS FROM THE TERMINATION OF  
EMPLOYMENT. AN APPLICANT OR LICENSED ENTITY OR AN  
AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY  
THEREOF SHALL NOT EMPLOY OR RETAIN AN INDIVIDUAL WHO  
SIGNED AN AFFIDAVIT REQUIRED BY THIS SUBPARAGRAPH. AN  
APPLICANT OR LICENSED ENTITY OR AN AFFILIATE,  
INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY THAT  
KNOWINGLY EMPLOYS OR RETAINS AN INDIVIDUAL IN VIOLATION  
OF THIS SUBPARAGRAPH SHALL BE SUBJECT TO A PENALTY UNDER  
SECTION 1518(C) (RELATING TO PROHIBITED ACTS; PENALTIES).~~

~~(13.1) NOTHING SHALL PREVENT A CURRENT OR FORMER  
EMPLOYEE OF THE BOARD FROM APPEARING IN ANY PROCEEDING AS A  
WITNESS WHERE THE EMPLOYEE IS CALLED TO TESTIFY CONCERNING  
ANY FACT OR INFORMATION OBTAINED WHILE EMPLOYED WITH THE  
BOARD OR RELATED TO THE PERFORMANCE OF DUTIES WHILE SO  
EMPLOYED.~~

~~(13.2) NO INDEPENDENT CONTRACTOR OR INDIVIDUAL EMPLOYED  
BY AN INDEPENDENT CONTRACTOR OF THE BOARD WHOSE DUTIES  
SUBSTANTIALLY INVOLVE CONSULTATION RELATING TO LICENSING,  
ENFORCEMENT OR THE DEVELOPMENT OR ADOPTION OF REGULATIONS OR  
POLICY UNDER THIS PART SHALL:~~

~~(I) ACCEPT EMPLOYMENT WITH OR BE RETAINED BY AN  
APPLICANT OR A LICENSED ENTITY OR AN AFFILIATE,  
INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY THEREOF FOR A  
PERIOD OF ONE YEAR AFTER THE TERMINATION OF THE CONTRACT  
WITH THE BOARD.~~

~~(II) APPEAR BEFORE THE BOARD IN ANY HEARING OR  
PROCEEDING OR PARTICIPATE IN ANY OTHER ACTIVITY ON BEHALF~~

1 ~~OF AN APPLICANT, LICENSEE, PERMITEE OR LICENSED ENTITY~~  
2 ~~OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING~~  
3 ~~COMPANY OF AN APPLICANT, LICENSEE, PERMITEE OR LICENSED~~  
4 ~~ENTITY FOR A PERIOD OF TWO YEARS AFTER TERMINATION OF THE~~  
5 ~~CONTRACT WITH THE BOARD. NOTHING SHALL PREVENT A CURRENT~~  
6 ~~OR FORMER INDEPENDENT CONTRACTOR OR EMPLOYEE OF AN~~  
7 ~~INDEPENDENT CONTRACTOR OF THE BOARD FROM APPEARING IN ANY~~  
8 ~~PROCEEDING AS A WITNESS WHERE THE INDEPENDENT CONTRACTOR~~  
9 ~~OR EMPLOYEE OF THE INDEPENDENT CONTRACTOR IS BEING CALLED~~  
10 ~~TO TESTIFY CONCERNING ANY FACT OR INFORMATION OBTAINED~~  
11 ~~WHILE CONTRACTING WITH THE BOARD OR RELATED TO THE~~  
12 ~~PERFORMANCE OF THE CONTRACT.~~

13 ~~(III) AS A CONDITION OF A CONTRACT, AN INDEPENDENT~~  
14 ~~CONTRACTOR OR INDIVIDUAL EMPLOYED BY AN INDEPENDENT~~  
15 ~~CONTRACTOR OF THE BOARD UNDER THIS PARAGRAPH SHALL SIGN~~  
16 ~~AN AFFIDAVIT TO NOT ACCEPT EMPLOYMENT WITH OR BE RETAINED~~  
17 ~~BY ANY APPLICANT, LICENSED ENTITY OR AN AFFILIATE,~~  
18 ~~INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF AN~~  
19 ~~APPLICANT, LICENSED ENTITY OR AFFILIATE FOR A PERIOD OF~~  
20 ~~ONE YEAR FROM THE TERMINATION OF EMPLOYMENT. A LICENSED~~  
21 ~~ENTITY OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR~~  
22 ~~HOLDING COMPANY OF AN APPLICANT, LICENSED ENTITY OR~~  
23 ~~AFFILIATE SHALL NOT EMPLOY OR RETAIN AN INDIVIDUAL WHO~~  
24 ~~SIGNED AN AFFIDAVIT REQUIRED BY THIS SUBPARAGRAPH. A~~  
25 ~~LICENSED ENTITY OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY~~  
26 ~~OR HOLDING COMPANY THEREOF THAT KNOWINGLY EMPLOYS OR~~  
27 ~~RETAINS AN INDIVIDUAL IN VIOLATION OF THIS SUBPARAGRAPH~~  
28 ~~SHALL BE SUBJECT TO A PENALTY UNDER SECTION 1518(C).~~

29 ~~(14) UPON THE WRITTEN REQUEST OF AN EMPLOYEE OF THE~~  
30 ~~BOARD, THE EXECUTIVE BRANCH OF THE COMMONWEALTH OR A~~

1 ~~POLITICAL SUBDIVISION OR OF THE AGENCY OR POLITICAL~~  
2 ~~SUBDIVISION EMPLOYING AN EMPLOYEE, THE STATE ETHICS~~  
3 ~~COMMISSION SHALL DETERMINE WHETHER THE INDIVIDUAL'S DUTIES~~  
4 ~~SUBSTANTIALLY INVOLVE THE DEVELOPMENT [OR ADOPTION] OF LAWS,~~  
5 ~~OR THE DEVELOPMENT OR ADOPTION OF REGULATIONS OR POLICY,~~  
6 ~~LICENSING OR ENFORCEMENT UNDER THIS PART OR OTHER~~  
7 ~~DISCRETIONARY AUTHORITY WHICH MAY AFFECT THE OUTCOME OF AN~~  
8 ~~ACTION, PROCEEDING OR DECISION UNDER THIS PART AND SHALL~~  
9 ~~PROVIDE A WRITTEN DETERMINATION TO THE EMPLOYEE OR THE AGENCY~~  
10 ~~OR POLITICAL SUBDIVISION EMPLOYING THE EMPLOYEE TO INCLUDE~~  
11 ~~ANY PROHIBITION UNDER THIS PARAGRAPH. AN INDIVIDUAL WHO~~  
12 ~~RELIES IN GOOD FAITH ON A DETERMINATION UNDER THIS PARAGRAPH~~  
13 ~~SHALL NOT BE SUBJECT TO ANY PENALTY FOR AN ACTION TAKEN,~~  
14 ~~PROVIDED THAT ALL MATERIAL FACTS SET FORTH IN THE REQUEST FOR~~  
15 ~~A DETERMINATION ARE CORRECT.~~

16 ~~(15) IF A MEMBER[, EMPLOYEE OR INDEPENDENT CONTRACTOR]~~  
17 ~~OF THE BOARD VIOLATES ANY PROVISION OF THIS SECTION, THE~~  
18 ~~APPOINTING AUTHORITY [OR THE BOARD MAY, UPON NOTICE AND~~  
19 ~~HEARING,] MAY REMOVE THE PERSON FROM THE BOARD[, WITHDRAW THE~~  
20 ~~APPOINTMENT OR]. A MEMBER REMOVED UNDER THIS PARAGRAPH SHALL~~  
21 ~~BE PROHIBITED FROM FUTURE APPOINTMENT TO THE BOARD AND SHALL~~  
22 ~~BE PROHIBITED FROM APPLYING FOR A LICENSE, PERMIT OR OTHER~~  
23 ~~AUTHORIZATION AND FROM BECOMING AN INDEPENDENT CONTRACTOR OF~~  
24 ~~THE BOARD, OR REGISTERING AS A LICENSED ENTITY REPRESENTATIVE~~  
25 ~~FOR A PERIOD OF FIVE YEARS FROM THE DATE OF REMOVAL FROM THE~~  
26 ~~BOARD. IF AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF THE BOARD~~  
27 ~~VIOLATES ANY PROVISION OF THIS SECTION, THE BOARD MAY, UPON~~  
28 ~~NOTICE AND HEARING, TERMINATE THE EMPLOYMENT OR CONTRACT, AND~~  
29 ~~THE PERSON SHALL BE INELIGIBLE FOR FUTURE [APPOINTMENT,]~~  
30 ~~EMPLOYMENT OR [CONTRACT] CONTRACTING WITH THE BOARD AND [FOR~~

1 ~~APPROVAL OF A LICENSE OR PERMIT UNDER THIS PART FOR A PERIOD~~  
2 ~~OF TWO YEARS THEREAFTER] SHALL BE PROHIBITED FROM APPLYING~~  
3 ~~FOR A LICENSE, PERMIT OR OTHER AUTHORIZATION AND FROM~~  
4 ~~BECOMING AN INDEPENDENT CONTRACTOR OR REGISTERING AS A~~  
5 ~~LICENSED ENTITY REPRESENTATIVE FOR A PERIOD OF FIVE YEARS~~  
6 ~~FROM THE DATE OF TERMINATION OF THE EMPLOYMENT OR CONTRACT.~~

7 \* \* \*

8 ~~(H.4) RESTRICTIONS ON APPOINTMENT OF LEGISLATORS. NO MEMBER~~  
9 ~~OF THE SENATE OR HOUSE OF REPRESENTATIVES SHALL BE ELIGIBLE FOR~~  
10 ~~APPOINTMENT AS A MEMBER OF THE BOARD DURING THE TERM OF OFFICE~~  
11 ~~FOR WHICH THE PERSON WAS ELECTED AND FOR A PERIOD OF 12 MONTHS~~  
12 ~~THEREAFTER.~~

13 ~~(I) COMPENSATION.~~

14 ~~(1) [THE EXECUTIVE BOARD AS ESTABLISHED IN THE ACT OF~~  
15 ~~APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE~~  
16 ~~CODE OF 1929, SHALL ESTABLISH THE COMPENSATION OF THE~~  
17 ~~MEMBERS.]~~

18 ~~(I) MEMBERS, INCLUDING MEMBERS SERVING ON THE~~  
19 ~~EFFECTIVE DATE OF THIS SUBPARAGRAPH, SHALL RECEIVE AN~~  
20 ~~ANNUAL SALARY OF \$68,284, EXCEPT THE CHAIRMAN, WHO SHALL~~  
21 ~~RECEIVE AN ANNUAL SALARY OF \$71,084.~~

22 ~~(II) MEMBERS SHALL BE ELIGIBLE TO RECEIVE A COST OF~~  
23 ~~LIVING ADJUSTMENT CONSISTENT WITH THE PROVISIONS OF~~  
24 ~~SECTION 3(E) OF THE ACT OF SEPTEMBER 30, 1983 (P.L.160,~~  
25 ~~NO.39), KNOWN AS THE PUBLIC OFFICIAL COMPENSATION LAW.~~

26 \* \* \*

27 ~~(K) APPOINTMENTS. [THE APPOINTING AUTHORITIES] FOLLOWING~~  
28 ~~THE INITIAL APPOINTMENT OF MEMBERS UNDER SUBSECTION (B), THE~~  
29 ~~APPOINTING AUTHORITY SHALL MAKE [THEIR INITIAL] APPOINTMENTS~~  
30 ~~WITHIN 60 DAYS OF [THE EFFECTIVE DATE OF THIS PART] A VACANCY IN~~

1 ~~AN OFFICE. NO APPOINTMENT SHALL BE FINAL UNTIL RECEIPT BY THE~~  
2 ~~APPOINTING AUTHORITY OF THE REQUIRED BACKGROUND INVESTIGATION OF~~  
3 ~~THE APPOINTEE BY THE PENNSYLVANIA STATE POLICE WHICH SHALL BE~~  
4 ~~COMPLETED WITHIN 30 DAYS. NO PERSON WHO HAS BEEN CONVICTED IN~~  
5 ~~ANY DOMESTIC OR FOREIGN JURISDICTION OF A FELONY, INFAMOUS CRIME~~  
6 ~~OR GAMING OFFENSE SHALL BE APPOINTED TO THE BOARD.~~

7 \* \* \*

8 ~~(M.1) BUDGETARY IMPASSE. IF, IN THE EVENT OF A BUDGETARY OR~~  
9 ~~OTHER FISCAL CRISIS, THE GOVERNOR ORDERS THE FURLOUGH OF~~  
10 ~~COMMONWEALTH EMPLOYEES OR THE CLOSING OF ANY COMMONWEALTH~~  
11 ~~AGENCY, THE BOARD AND ITS EMPLOYEES AND ALL EMPLOYEES OF THE~~  
12 ~~DEPARTMENT OF REVENUE, THE PENNSYLVANIA STATE POLICE AND THE~~  
13 ~~OFFICE OF ATTORNEY GENERAL WHOSE DUTIES INVOLVE THE REGULATION~~  
14 ~~AND OVERSIGHT OF GAMING UNDER THIS PART SHALL NOT BE SUBJECT TO~~  
15 ~~FURLOUGH BUT SHALL CONTINUE TO PERFORM THEIR DUTIES OF~~  
16 ~~EMPLOYMENT.~~

17 \* \* \*

18 ~~SECTION 3.1. SECTION 1201.1(A) (1) OF TITLE 4 IS AMENDED TO~~  
19 ~~READ:~~

20 ~~§ 1201.1. APPLICABILITY OF OTHER STATUTES.~~

21 ~~(A) GENERAL RULE. THE FOLLOWING ACTS SHALL APPLY TO THE~~  
22 ~~BOARD:~~

23 ~~(1) THE ACT OF [JUNE 21, 1957 (P.L.390, NO.212),~~  
24 ~~REFERRED TO] FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE~~  
25 ~~RIGHT TO KNOW LAW.~~

26 \* \* \*

27 ~~SECTION 4. SECTION 1202(A) (1) AND (2) AND (B) (7), (20), (23)~~ ←  
28 ~~AND (30) OF TITLE 4 ARE AMENDED AND SUBSECTION (B) IS AMENDED BY~~  
29 ~~ADDING PARAGRAPHS TO READ:~~

30 ~~§ 1202. GENERAL AND SPECIFIC POWERS.~~

1 ~~(A) GENERAL POWERS.~~

2 ~~(1) THE BOARD SHALL HAVE GENERAL AND SOLE REGULATORY~~  
3 ~~AUTHORITY OVER THE CONDUCT OF GAMING OR RELATED ACTIVITIES AS~~  
4 ~~DESCRIBED IN THIS PART. THE BOARD SHALL ENSURE THE INTEGRITY~~  
5 ~~OF THE ACQUISITION AND OPERATION OF SLOT MACHINES, TABLE~~  
6 ~~GAMES, TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT AND SHALL~~  
7 ~~HAVE SOLE REGULATORY AUTHORITY OVER EVERY ASPECT OF THE~~  
8 ~~AUTHORIZATION AND OPERATION OF SLOT MACHINES AND TABLE GAMES.~~

9 ~~(2) THE BOARD SHALL EMPLOY INDIVIDUALS AS NECESSARY TO~~ ←  
10 ~~CARRY OUT THE POWERS AND DUTIES OF THE BOARD, WHO SHALL SERVE~~  
11 ~~AT THE BOARD'S PLEASURE. AN EMPLOYEE OF THE BOARD SHALL BE~~  
12 ~~CONSIDERED A STATE EMPLOYEE FOR PURPOSES OF 71 PA.C.S. PT.~~  
13 ~~XXV (RELATING TO RETIREMENT FOR STATE EMPLOYEES AND~~  
14 ~~OFFICERS). FOR THE PURPOSES OF THIS PARAGRAPH, THE BOARD~~  
15 ~~SHALL NOT BE CONSIDERED AN EXECUTIVE OR INDEPENDENT AGENCY~~  
16 ~~UNDER THE ACT OF OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS~~  
17 ~~THE COMMONWEALTH ATTORNEYS ACT. THE BOARD SHALL NOT TAKE~~  
18 ~~FINAL ACTION IN FILLING THE POSITIONS OF EXECUTIVE DIRECTOR~~  
19 ~~OF THE BOARD, DIRECTOR OF THE BUREAU, CHIEF COUNSEL OF THE~~  
20 ~~BOARD OR DIRECTOR OF THE OFFICE OF ENFORCEMENT COUNSEL UNTIL~~  
21 ~~RECEIPT AND REVIEW OF THE RESULTS OF THE BACKGROUND~~  
22 ~~INVESTIGATION UNDER SECTION 1517(C) (1.1) (RELATING TO~~  
23 ~~INVESTIGATIONS AND ENFORCEMENT).~~

24 \* \* \*

25 ~~(B) SPECIFIC POWERS. THE BOARD SHALL HAVE THE SPECIFIC~~  
26 ~~POWER AND DUTY:~~

27 \* \* \*

28 ~~(7) TO ADMINISTER OATHS, EXAMINE WITNESSES AND ISSUE~~  
29 ~~SUBPOENAS COMPELLING THE ATTENDANCE OF WITNESSES OR THE~~  
30 ~~PRODUCTION OF DOCUMENTS AND RECORDS OR OTHER EVIDENCE[. THE~~

1 ~~PROVISIONS OF THIS PARAGRAPH SHALL APPLY TO DESIGNATED~~  
2 ~~OFFICERS AND EMPLOYEES.] , OR TO DESIGNATE OFFICERS OR~~  
3 ~~EMPLOYEES TO PERFORM THESE DUTIES.~~

4 \* \* \*

5 ~~(12.1) TO ISSUE, APPROVE, AUTHORIZE, RENEW, REVOKE,~~  
6 ~~SUSPEND, CONDITION OR DENY ISSUANCE OR RENEWAL OF A TABLE~~  
7 ~~GAME OPERATION CERTIFICATE TO A SLOT MACHINE LICENSEE IN~~  
8 ~~ACCORDANCE WITH CHAPTER 13A (RELATING TO TABLE GAMES).~~

9 \* \* \*

10 ~~(20) IN ADDITION TO THE POWER OF THE BOARD REGARDING~~  
11 ~~LICENSE AND PERMIT APPLICANTS, TO DETERMINE AT ITS DISCRETION~~  
12 ~~THE SUITABILITY OF ANY PERSON WHO FURNISHES OR SEEKS TO~~  
13 ~~FURNISH TO A SLOT MACHINE LICENSEE DIRECTLY OR INDIRECTLY ANY~~  
14 ~~GOODS, SERVICES OR PROPERTY RELATED TO SLOT MACHINES, TABLE~~  
15 ~~GAMES OR ASSOCIATED EQUIPMENT OR THROUGH ANY ARRANGEMENTS~~  
16 ~~UNDER WHICH THAT PERSON RECEIVES PAYMENT BASED DIRECTLY OR~~  
17 ~~INDIRECTLY ON EARNINGS, PROFITS OR RECEIPTS FROM THE SLOT~~  
18 ~~MACHINES, TABLE GAMES AND ASSOCIATED EQUIPMENT. THE BOARD MAY~~  
19 ~~REQUIRE ANY SUCH PERSON TO COMPLY WITH THE REQUIREMENTS OF~~  
20 ~~THIS PART AND THE REGULATIONS OF THE BOARD AND MAY PROHIBIT~~  
21 ~~THE PERSON FROM FURNISHING THE SERVICES OR PROPERTY.~~

22 \* \* \*

23 ~~(23) THE BOARD SHALL NOT APPROVE, ISSUE OR RENEW A~~  
24 ~~LICENSE, CERTIFICATE OR PERMIT UNLESS IT IS SATISFIED THAT~~  
25 ~~THE APPLICANT HAS DEMONSTRATED BY CLEAR AND CONVINCING~~  
26 ~~EVIDENCE THAT THE APPLICANT IS A PERSON OF GOOD CHARACTER,~~  
27 ~~HONESTY AND INTEGRITY AND IS A PERSON WHOSE PRIOR ACTIVITIES,~~  
28 ~~CRIMINAL RECORD, IF ANY, REPUTATION, HABITS AND ASSOCIATIONS~~  
29 ~~DO NOT POSE A THREAT TO THE PUBLIC INTEREST OR THE EFFECTIVE~~  
30 ~~REGULATION AND CONTROL OF SLOT MACHINE OR TABLE GAME~~

1       ~~OPERATIONS OR CREATE OR ENHANCE THE DANGER OF UNSUITABLE,~~  
2       ~~UNFAIR OR ILLEGAL PRACTICES, METHODS AND ACTIVITIES IN THE~~  
3       ~~CONDUCT OF SLOT MACHINE OR TABLE GAME OPERATIONS OR THE~~  
4       ~~CARRYING ON OF THE BUSINESS AND FINANCIAL ARRANGEMENTS~~  
5       ~~INCIDENTAL THERETO.~~

6           \* \* \*

7       ~~(27.1) TO PUBLISH EACH JANUARY IN THE PENNSYLVANIA~~  
8       ~~BULLETIN AND ON THE PENNSYLVANIA GAMING CONTROL BOARD'S~~  
9       ~~INTERNET WEBSITE A COMPLETE LIST OF ALL SLOT MACHINE~~  
10       ~~LICENSEES WHO FILED A PETITION SEEKING AUTHORIZATION TO~~  
11       ~~CONDUCT TABLE GAMES AND THE STATUS OF EACH PETITION OR TABLE~~  
12       ~~GAME OPERATION CERTIFICATE.~~

13           \* \* \*

14       ~~(30) TO PROMULGATE RULES AND REGULATIONS NECESSARY FOR~~  
15       ~~THE ADMINISTRATION AND ENFORCEMENT OF THIS PART, INCLUDING~~  
16       ~~REGULATIONS IN COOPERATION WITH THE PENNSYLVANIA LIQUOR~~  
17       ~~CONTROL BOARD AND REGULATIONS RELATING TO THE SALE AND~~  
18       ~~SERVICE OF LIQUOR AND MALT AND BREWED BEVERAGES BY LICENSEES.~~  
19       ~~{EXCEPT AS PROVIDED IN SECTION 1203 (RELATING TO TEMPORARY~~  
20       ~~REGULATIONS), REGULATIONS} REGULATIONS SHALL BE ADOPTED~~  
21       ~~PURSUANT TO THE ACT OF JULY 31, 1968 (P.L.769, NO.240),~~  
22       ~~REFERRED TO AS THE COMMONWEALTH DOCUMENTS LAW, AND THE ACT OF~~  
23       ~~JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS THE REGULATORY~~  
24       ~~REVIEW ACT.~~

25       ~~(31) TO COLLECT AND POST INFORMATION ON ITS INTERNET~~  
26       ~~WEBSITE WITH SUFFICIENT DETAIL TO INFORM THE PUBLIC OF THE~~  
27       ~~CONTROLLING INTEREST OR OWNERSHIP INTEREST OF AN APPLICANT~~  
28       ~~FOR A SLOT MACHINE LICENSE OR A LICENSED GAMING ENTITY OR~~  
29       ~~AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY~~  
30       ~~THEREOF. THE POSTING SHALL INCLUDE:~~

1 ~~(I) THE NAMES OF ALL PERSONS WITH A CONTROLLING~~  
2 ~~INTEREST IN A PUBLICLY TRADED DOMESTIC OR FOREIGN~~  
3 ~~CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR~~  
4 ~~OTHER LEGAL ENTITY.~~

5 ~~(II) THE NAMES OF ALL PERSONS WITH AN OWNERSHIP~~  
6 ~~INTEREST EQUAL TO OR GREATER THAN 1% OF A PRIVATELY HELD~~  
7 ~~DOMESTIC OR FOREIGN CORPORATION, PARTNERSHIP, LIMITED~~  
8 ~~LIABILITY COMPANY OR OTHER LEGAL ENTITY.~~

9 ~~(III) THE NAME OF A TRUSTEE ENTITLED TO CAST THE~~  
10 ~~VOTE OF A PERSON UNDER SUBPARAGRAPH (I) OR (II).~~

11 ~~(IV) THE NAMES OF ALL OFFICERS, DIRECTORS,~~  
12 ~~PRINCIPALS AND KEY EMPLOYEES OF A LICENSED GAMING ENTITY.~~

13 ~~(32) TO APPOINT A TRUSTEE AS PRESCRIBED IN SECTION 1332~~  
14 ~~(RELATING TO APPOINTMENT OF TRUSTEE) TO ACT ON BEHALF OF THE~~  
15 ~~COMMONWEALTH AND THE BOARD TO OPERATE A LICENSED FACILITY AND~~  
16 ~~ENSURE COMPLIANCE WITH THIS PART.~~

17 ~~(33) TO DEVELOP REGULATIONS, IN CONSULTATION AND~~  
18 ~~COLLABORATION WITH THE STATE ETHICS COMMISSION AND THE~~  
19 ~~ADMINISTRATIVE OFFICE OF THE PENNSYLVANIA COURTS, TO GOVERN~~  
20 ~~THE POSTEMPLOYMENT LIMITATIONS AND RESTRICTIONS OF EMPLOYEES~~  
21 ~~OF THE BOARD WHO ARE MEMBERS OF THE PENNSYLVANIA BAR AND~~  
22 ~~WHOSE DUTIES WITH THE BOARD SUBSTANTIALLY INVOLVE THE~~  
23 ~~PRACTICE OF LAW.~~

24 ~~(34) TO REVIEW DETAILED SITE PLANS IDENTIFYING A~~  
25 ~~PETITIONER'S PROPOSED TABLE GAME AREA WITHIN A LICENSED~~  
26 ~~FACILITY OR ANY PROPOSED TEMPORARY FACILITY TO DETERMINE THE~~  
27 ~~ADEQUACY OF THE PROPOSED INTERNAL AND EXTERNAL SECURITY AND~~  
28 ~~PROPOSED SURVEILLANCE MEASURES.~~

29 SECTION 5. SECTION 1202.1 OF TITLE 4 IS AMENDED TO READ:

30 ~~§ 1202.1. CODE OF CONDUCT.~~

1       ~~(A) SCOPE. THE BOARD SHALL ADOPT A COMPREHENSIVE CODE OF~~  
2 ~~CONDUCT PRIOR TO THE CONSIDERATION OF ANY LICENSE, PERMIT OR~~  
3 ~~REGISTRATION APPLICATION. THE CODE OF CONDUCT SHALL SUPPLEMENT~~  
4 ~~ALL OTHER REQUIREMENTS UNDER THIS PART AND 65 PA.C.S. PT. II~~  
5 ~~(RELATING TO ACCOUNTABILITY) AND SHALL PROVIDE GUIDELINES~~  
6 ~~APPLICABLE TO MEMBERS, EMPLOYEES, INDEPENDENT CONTRACTORS OF THE~~  
7 ~~BOARD AND THE IMMEDIATE [FAMILIES] FAMILY MEMBERS OF THE~~  
8 ~~MEMBERS, EMPLOYEES AND INDEPENDENT CONTRACTORS OF THE BOARD TO~~  
9 ~~ENABLE THEM TO AVOID ANY PERCEIVED OR ACTUAL CONFLICT OF~~  
10 ~~INTEREST AND TO PROMOTE PUBLIC CONFIDENCE IN THE INTEGRITY AND~~  
11 ~~IMPARTIALITY OF THE BOARD. AT A MINIMUM, THE CODE OF CONDUCT~~  
12 ~~ADOPTED UNDER THIS SECTION SHALL INCLUDE REGISTRATION OF~~  
13 ~~LICENSED ENTITY REPRESENTATIVES UNDER SUBSECTION (B) AND THE~~  
14 ~~RESTRICTIONS UNDER [SUBSECTION (C)] SUBSECTIONS (C) AND (C.1).~~  
15       ~~(B) REGISTRATION.~~

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

22             ~~(2) A LICENSED ENTITY REPRESENTATIVE SHALL HAVE AN~~  
23 ~~[ONGOING] AFFIRMATIVE DUTY TO UPDATE ITS REGISTRATION~~  
24 ~~INFORMATION ON AN ONGOING BASIS AND FAILURE TO DO SO SHALL BE~~  
25 ~~PUNISHABLE BY THE BOARD.~~

26             ~~(3) THE [REGISTRATION LIST] BOARD SHALL MAINTAIN A~~  
27 ~~REGISTRATION LIST WHICH SHALL CONTAIN THE INFORMATION~~  
28 ~~REQUIRED UNDER PARAGRAPH (1) AND WHICH SHALL BE AVAILABLE FOR~~  
29 ~~PUBLIC INSPECTION AT THE OFFICES OF THE BOARD AND ON THE~~  
30 ~~BOARD'S INTERNET WEBSITE.~~

1 ~~(C) RESTRICTIONS. A MEMBER OF THE BOARD SHALL:~~

2 ~~(1) NOT ENGAGE IN ANY EX PARTE COMMUNICATION WITH ANY~~  
3 ~~PERSON.~~

4 ~~(2) NOT ACCEPT ANY DISCOUNT, GIFT, GRATUITY,~~  
5 ~~COMPENSATION, TRAVEL, LODGING OR OTHER THING OF VALUE,~~  
6 ~~DIRECTLY OR INDIRECTLY, FROM ANY APPLICANT, [LICENSEE,]~~  
7 ~~LICENSED ENTITY, INCLUDING ANY AFFILIATE, SUBSIDIARY,~~  
8 ~~INTERMEDIARY OR HOLDING COMPANY THEREOF, PERMITTEE[,]~~  
9 ~~REGISTRANT] OR LICENSED ENTITY REPRESENTATIVE THEREOF.~~

10 ~~(3) DISCLOSE AND [DISQUALIFY] RECUSE HIMSELF FROM ANY~~  
11 ~~HEARING OR OTHER PROCEEDING IN WHICH THE MEMBER'S~~  
12 ~~OBJECTIVITY, IMPARTIALITY, INTEGRITY OR INDEPENDENCE OF~~  
13 ~~JUDGMENT MAY BE REASONABLY QUESTIONED DUE TO THE MEMBER'S~~  
14 ~~RELATIONSHIP OR ASSOCIATION WITH A PARTY CONNECTED TO ANY~~  
15 ~~HEARING OR PROCEEDING OR A PERSON APPEARING BEFORE THE BOARD.~~

16 ~~(4) REFRAIN FROM ANY FINANCIAL OR BUSINESS DEALING WHICH~~  
17 ~~WOULD TEND TO REFLECT ADVERSELY ON THE MEMBER'S OBJECTIVITY,~~  
18 ~~IMPARTIALITY OR INDEPENDENCE OF JUDGMENT.~~

19 ~~(5) NOT HOLD OR CAMPAIGN FOR PUBLIC OFFICE, HOLD AN~~  
20 ~~OFFICE IN ANY POLITICAL PARTY OR POLITICAL COMMITTEE AS~~  
21 ~~DEFINED IN SECTION 1513(D) (RELATING TO POLITICAL INFLUENCE),~~  
22 ~~CONTRIBUTE TO OR SOLICIT CONTRIBUTIONS TO A POLITICAL~~  
23 ~~CAMPAIGN, [PARTY,] POLITICAL PARTY, POLITICAL COMMITTEE OR~~  
24 ~~CANDIDATE, PUBLICLY ENDORSE A CANDIDATE OR ACTIVELY~~  
25 ~~PARTICIPATE IN A POLITICAL CAMPAIGN.~~

26 ~~(6) NOT SOLICIT FUNDS FOR ANY CHARITABLE, EDUCATIONAL,~~  
27 ~~RELIGIOUS, HEALTH, FRATERNAL, CIVIC OR OTHER NONPROFIT ENTITY~~  
28 ~~FROM AN APPLICANT, LICENSED ENTITY OR AFFILIATE, SUBSIDIARY,~~  
29 ~~INTERMEDIARY OR HOLDING COMPANY OF A LICENSED ENTITY,~~  
30 ~~INTERESTED PARTY, PERMITTEE OR LICENSED ENTITY~~

1 ~~REPRESENTATIVE. A BOARD MEMBER MAY SERVE AS AN OFFICER,~~  
2 ~~EMPLOYEE OR MEMBER OF THE GOVERNING BODY OF A NONPROFIT~~  
3 ~~ENTITY AND MAY ATTEND, MAKE PERSONAL CONTRIBUTIONS TO AND~~  
4 ~~PLAN OR PRESIDE OVER THE ENTITY'S FUNDRAISING EVENTS. A BOARD~~  
5 ~~MEMBER MAY PERMIT HIS NAME TO APPEAR ON THE LETTERHEAD USED~~  
6 ~~FOR FUNDRAISING EVENTS IF THE LETTERHEAD CONTAINS ONLY THE~~  
7 ~~BOARD MEMBER'S NAME AND POSITION WITH THE NONPROFIT ENTITY.~~

8 ~~(7) NOT MEET OR ENGAGE IN DISCUSSIONS WITH ANY~~  
9 ~~APPLICANT, [PERSON LICENSED UNDER THIS PART] LICENSED ENTITY,~~  
10 ~~PERMITTEE, [OR A] LICENSED ENTITY REPRESENTATIVE, PERSON WHO~~  
11 ~~PROVIDES GOODS, PROPERTY OR SERVICES TO A SLOT MACHINE~~  
12 ~~LICENSEE OR ANY OTHER PERSON OR ENTITY UNDER THE JURISDICTION~~  
13 ~~OF THE BOARD UNLESS THE MEETING OR DISCUSSION OCCURS ON THE~~  
14 ~~BUSINESS PREMISES OF THE BOARD AND IS RECORDED IN A LOG~~  
15 ~~MAINTAINED FOR THIS PURPOSE. THE LOG SHALL BE AVAILABLE FOR~~  
16 ~~PUBLIC INSPECTION DURING THE REGULAR BUSINESS HOURS OF THE~~  
17 ~~BOARD AND SHALL BE POSTED ON THE BOARD'S INTERNET WEBSITE.~~  
18 ~~THE LOG SHALL INCLUDE THE DATE AND TIME OF THE MEETING OR~~  
19 ~~DISCUSSION, THE NAMES OF THE PARTICIPANTS AND A DESCRIPTION~~  
20 ~~OF THE SUBJECT MATTER DISCUSSED. THE PROVISIONS OF THIS~~  
21 ~~PARAGRAPH SHALL NOT APPLY TO MEETINGS [OF THE BOARD] TO~~  
22 ~~CONSIDER MATTERS REQUIRING THE PHYSICAL INSPECTION OF THE~~  
23 ~~EQUIPMENT OR PREMISES OF AN APPLICANT OR A LICENSED ENTITY AT~~  
24 ~~[THEIR] THE LOCATION OF THE LICENSED FACILITY.~~

25 ~~(8) AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY~~  
26 ~~AT ALL TIMES AND OBSERVE STANDARDS AND CONDUCT THAT PROMOTE~~  
27 ~~PUBLIC CONFIDENCE IN THE OVERSIGHT OF GAMING.~~

28 ~~(9) COMPLY WITH ANY OTHER LAWS, RULES OR REGULATIONS~~  
29 ~~RELATING TO THE CONDUCT OF A MEMBER.~~

30 ~~(C.1) PROHIBITIONS.~~

1           ~~(1) NO MEMBER OR ATTORNEY OF THE OFFICE OF CHIEF COUNSEL~~  
2 ~~ADVISING THE BOARD ON A PARTICULAR LICENSING ISSUE OR~~  
3 ~~PROCEEDING OR EMPLOYEE WHOSE DUTIES RELATE TO LICENSING AND~~  
4 ~~WHO IS ADVISING THE BOARD ON A PARTICULAR LICENSING ISSUE OR~~  
5 ~~PROCEEDING SHALL ENGAGE IN ANY EX PARTE COMMUNICATION WITH~~  
6 ~~ANY PERSON.~~

7           ~~(2) NO ATTORNEY REPRESENTING THE BUREAU OR THE OFFICE OF~~  
8 ~~ENFORCEMENT COUNSEL OR AN APPLICANT, LICENSEE OR PERMITTEE IN~~  
9 ~~ANY PROCEEDING SHALL ENGAGE IN AN EX PARTE COMMUNICATION WITH~~  
10 ~~A MEMBER, AN ATTORNEY OF THE OFFICE OF CHIEF COUNSEL ADVISING~~  
11 ~~THE BOARD ON A PROCEEDING OR A HEARING OFFICER OF THE BOARD.~~

12           ~~(3) NO EMPLOYEE OF THE BUREAU OR THE OFFICE OF~~  
13 ~~ENFORCEMENT COUNSEL WHO IS INVOLVED IN A PROCEEDING SHALL~~  
14 ~~ENGAGE IN AN EX PARTE COMMUNICATION WITH A MEMBER, AN~~  
15 ~~ATTORNEY OF THE OFFICE OF CHIEF COUNSEL WHO IS ADVISING THE~~  
16 ~~BOARD ON THE PROCEEDING OR A HEARING OFFICER OF THE BOARD.~~

17 ~~(C.2) PROCEDURES RELATING TO EX PARTE COMMUNICATIONS.~~

18           ~~(1) AN EX PARTE COMMUNICATION RECEIVED OR ENGAGED IN BY~~  
19 ~~A BOARD MEMBER, EMPLOYEE OR HEARING OFFICER SHALL BE RECORDED~~  
20 ~~IN A LOG MAINTAINED FOR THIS PURPOSE. THE LOG SHALL BE~~  
21 ~~AVAILABLE FOR PUBLIC INSPECTION DURING THE REGULAR BUSINESS~~  
22 ~~HOURS OF THE BOARD AND SHALL BE POSTED ON THE BOARD'S~~  
23 ~~INTERNET WEBSITE. THE LOG SHALL INCLUDE:~~

24           ~~(I) THE NAME OF THE INDIVIDUAL DOCUMENTING THE EX~~  
25 ~~PARTE COMMUNICATION.~~

26           ~~(II) THE DATE AND TIME OF THE EX PARTE~~  
27 ~~COMMUNICATION.~~

28           ~~(III) THE NAMES OF ALL INDIVIDUALS INVOLVED IN THE~~  
29 ~~EX PARTE COMMUNICATION.~~

30           ~~(IV) A DESCRIPTION OF THE SUBJECT MATTER DISCUSSED~~

1 ~~AND A SUMMARY OF THE SUBSTANCE OF THE EX PARTE~~  
2 ~~COMMUNICATION.~~

3 ~~(2) IN ADDITION TO DOCUMENTING AN EX PARTE COMMUNICATION~~  
4 ~~UNDER PARAGRAPH (1), NOTIFICATION OF THE SUBSTANCE OF THE~~  
5 ~~COMMUNICATION AND AN OPPORTUNITY TO RESPOND SHALL BE PROVIDED~~  
6 ~~TO ALL PERSONS DIRECTLY AFFECTED BY THE ANTICIPATED VOTE OR~~  
7 ~~ACTION OF THE BOARD RELATED TO THE EX PARTE COMMUNICATION.~~

8 ~~(3) (I) A BOARD MEMBER, EMPLOYEE OR HEARING OFFICER WHO~~  
9 ~~ENGAGED IN OR RECEIVED AN EX PARTE COMMUNICATION SHALL~~  
10 ~~RECUSE HIMSELF FROM ANY HEARING OR OTHER PROCEEDING~~  
11 ~~RELATED TO THE EX PARTE COMMUNICATION IF THE CONTEXT AND~~  
12 ~~SUBSTANCE OF THE EX PARTE COMMUNICATION CREATES~~  
13 ~~SUBSTANTIAL REASONABLE DOUBT AS TO THE INDIVIDUAL'S~~  
14 ~~ABILITY TO ACT OBJECTIVELY, INDEPENDENTLY OR IMPARTIALLY.~~

15 ~~(II) A BOARD MEMBER, EMPLOYEE OR HEARING OFFICER WHO~~  
16 ~~ENGAGED IN OR RECEIVED AN EX PARTE COMMUNICATION WHO~~  
17 ~~ELECTS NOT TO RECUSE HIMSELF FROM A HEARING OR OTHER~~  
18 ~~PROCEEDING SHALL STATE HIS REASONS FOR NOT RECUSING~~  
19 ~~HIMSELF ON THE RECORD PRIOR TO THE COMMENCEMENT OF THE~~  
20 ~~HEARING OR PROCEEDING.~~

21 ~~(III) IF A LEGISLATIVE APPOINTEE RECUSES HIMSELF~~  
22 ~~FROM ANY HEARING OR OTHER PROCEEDING UNDER THIS SECTION,~~  
23 ~~ANY QUALIFIED MAJORITY VOTE REQUIRED UNDER THIS PART~~  
24 ~~SHALL CONSIST OF ALL OF THE REMAINING LEGISLATIVE~~  
25 ~~APPOINTEES AND AT LEAST TWO GUBERNATORIAL APPOINTEES.~~

26 ~~(IV) FAILURE OF A HEARING OFFICER OR EMPLOYEE WHO~~  
27 ~~ENGAGED IN OR RECEIVED AN EX PARTE COMMUNICATION TO~~  
28 ~~RECUSE HIMSELF WHEN REQUIRED UNDER SUBPARAGRAPH (I) FROM~~  
29 ~~A HEARING OR OTHER PROCEEDING SHALL BE GROUNDS FOR APPEAL~~  
30 ~~TO THE BOARD.~~

~~(V) FAILURE OF A BOARD MEMBER WHO ENGAGED IN OR RECEIVED AN EX PARTE COMMUNICATION TO RECUSE HIMSELF FROM A HEARING OR OTHER PROCEEDING WHEN REQUIRED UNDER SUBPARAGRAPH (I) SHALL BE GROUNDS FOR APPEAL TO A COURT OF COMPETENT JURISDICTION IF THE BOARD ACTION BEING APPEALED COULD NOT HAVE OCCURRED WITHOUT THE PARTICIPATION OF THE BOARD MEMBER.~~

~~(D) EX OFFICIO MEMBERS. THE RESTRICTIONS UNDER SUBSECTION (C) (5) SHALL NOT APPLY TO EX OFFICIO MEMBERS.~~

~~(E) DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:~~

~~"EX PARTE COMMUNICATION." AN OFF THE RECORD COMMUNICATION ENGAGED IN OR RECEIVED BY A MEMBER [OR], EMPLOYEE OR HEARING OFFICER OF THE BOARD REGARDING THE MERITS OF OR ANY FACT IN ISSUE RELATING TO A PENDING MATTER BEFORE THE BOARD OR WHICH MAY REASONABLY BE EXPECTED TO COME BEFORE THE BOARD IN A CONTESTED ON THE RECORD PROCEEDING. THE TERM SHALL NOT INCLUDE OFF THE RECORD COMMUNICATIONS BY OR BETWEEN A MEMBER [OR], EMPLOYEE OR HEARING OFFICER OF THE BOARD, DEPARTMENT OF REVENUE, PENNSYLVANIA STATE POLICE, ATTORNEY GENERAL OR OTHER LAW ENFORCEMENT OFFICIAL PRIOR TO THE BEGINNING OF THE PROCEEDING SOLELY FOR THE PURPOSE OF SEEKING CLARIFICATION OR CORRECTION TO EVIDENTIARY MATERIALS INTENDED FOR USE IN THE PROCEEDINGS.~~

~~"IMMEDIATE FAMILY." THE SPOUSE, PARENTS, CHILDREN AND SIBLINGS.~~

~~["LICENSED ENTITY REPRESENTATIVE." A PERSON ACTING ON BEHALF OF OR REPRESENTING THE INTEREST OF ANY APPLICANT, LICENSEE, PERMITTEE OR REGISTRANT, INCLUDING AN ATTORNEY, AGENT OR LOBBYIST, REGARDING ANY MATTER WHICH MAY REASONABLY BE EXPECTED~~

1 ~~TO COME BEFORE THE BOARD.}~~

2 ~~SECTION 6. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:~~

3 ~~§ 1202.2. EXPENSES OF REGULATORY AGENCIES.~~

4 ~~MEMBERS AND EMPLOYEES OF THE BOARD AND EMPLOYEES OF THE~~  
5 ~~DEPARTMENT, THE ATTORNEY GENERAL AND THE PENNSYLVANIA STATE~~  
6 ~~POLICE WHOSE DUTIES SUBSTANTIALLY INVOLVE THE REGULATION OF~~  
7 ~~GAMING OR ENFORCEMENT UNDER THIS PART AND EMPLOYEES OF THE~~  
8 ~~AUDITOR GENERAL WHOSE DUTIES INVOLVE FINANCIAL AUDIT ACTIVITIES~~  
9 ~~OF THE BOARD SHALL ONLY BE REIMBURSED FOR ACTUAL AND REASONABLE~~  
10 ~~EXPENSES INCURRED DURING THE PERFORMANCE OF THEIR DUTIES UNDER~~  
11 ~~THIS PART. IN ORDER TO RECEIVE REIMBURSEMENT FOR AN EXPENSE IN~~  
12 ~~EXCESS OF \$10, THE MEMBER OR EMPLOYEE OF THE BOARD, THE~~  
13 ~~DEPARTMENT, ATTORNEY GENERAL, AUDITOR GENERAL OR PENNSYLVANIA~~  
14 ~~STATE POLICE SHALL SUBMIT A RECEIPT VALIDATING THE EXPENSE~~  
15 ~~INCURRED. REIMBURSEMENTS, ALLOWANCES OR OTHER PAYMENTS IN AN~~  
16 ~~AMOUNT GREATER THAN THE EXPENSES FOR WHICH RECEIPTS ARE~~  
17 ~~SUBMITTED ARE PROHIBITED. RECEIPTS AND REQUESTS FOR~~ ←  
18 ~~REIMBURSEMENT SHALL BE FINANCIAL RECORDS FOR PURPOSES OF THE ACT~~  
19 ~~OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT TO KNOW~~  
20 ~~LAW. INFORMATION PROVIDED TO THE BOARD UNDER THIS SUBSECTION MAY~~ ←  
21 ~~BE REDACTED BY THE PROVIDER OF THE INFORMATION.~~

22 ~~SECTION 7. SECTION 1204 OF TITLE 4 IS AMENDED TO READ:~~

23 ~~§ 1204. LICENSED GAMING ENTITY APPLICATION APPEALS FROM BOARD.~~

24 ~~THE SUPREME COURT OF PENNSYLVANIA SHALL BE VESTED WITH~~  
25 ~~EXCLUSIVE APPELLATE JURISDICTION TO CONSIDER APPEALS OF ANY~~  
26 ~~FINAL ORDER, DETERMINATION OR DECISION OF THE BOARD INVOLVING~~  
27 ~~THE APPROVAL, ISSUANCE, DENIAL OR CONDITIONING OF A SLOT MACHINE~~  
28 ~~LICENSE OR TABLE GAME OPERATION CERTIFICATE. NOTWITHSTANDING THE~~  
29 ~~PROVISIONS OF 2 PA.C.S. CH. 7 SUBCH. A (RELATING TO JUDICIAL~~  
30 ~~REVIEW OF COMMONWEALTH AGENCY ACTION) AND 42 PA.C.S. § 763~~

1 ~~(RELATING TO DIRECT APPEALS FROM GOVERNMENT AGENCIES), THE~~  
2 ~~SUPREME COURT SHALL AFFIRM ALL FINAL ORDERS, DETERMINATIONS OR~~  
3 ~~DECISIONS OF THE BOARD INVOLVING THE APPROVAL, ISSUANCE, DENIAL~~  
4 ~~OR CONDITIONING OF A SLOT MACHINE LICENSE OR TABLE GAME~~  
5 ~~OPERATION CERTIFICATE UNLESS IT SHALL FIND THAT THE BOARD~~  
6 ~~COMMITTED AN ERROR OF LAW OR THAT THE ORDER, DETERMINATION OR~~  
7 ~~DECISION OF THE BOARD WAS ARBITRARY AND THERE WAS A CAPRICIOUS~~  
8 ~~DISREGARD OF THE EVIDENCE.~~

9 SECTION 7.1. SECTION 1205 (B) (1) AND (2) OF TITLE 4 ARE  
10 AMENDED AND THE SUBSECTION IS AMENDED BY ADDING A PARAGRAPH TO  
11 READ:

12 § 1205. LICENSE OR PERMIT APPLICATION HEARING PROCESS; PUBLIC  
13 INPUT HEARINGS.

14 \* \* \*

15 ~~(B) PUBLIC INPUT HEARING REQUIREMENT.~~

16 ~~(1) [PRIOR TO LICENSING A FACILITY UNDER THIS PART, THE~~  
17 ~~BOARD SHALL HOLD AT LEAST ONE PUBLIC INPUT HEARING ON THE~~  
18 ~~MATTER.] THE BOARD SHALL HOLD AT LEAST ONE PUBLIC INPUT~~  
19 ~~HEARING PRIOR TO:~~

20 ~~(I) ISSUING OR RENEWING A SLOT MACHINE LICENSE.~~

21 ~~(II) APPROVING THE STRUCTURAL REDESIGN OF ANY~~

22 ~~LICENSED FACILITY, INCLUDING A LICENSED FACILITY LOCATED~~  
23 ~~IN A CITY OF THE FIRST CLASS.~~

24 ~~(2) ALL PUBLIC INPUT HEARINGS [RELATING TO AN~~  
25 ~~APPLICATION FOR A SLOT MACHINE LICENSE] UNDER PARAGRAPH (1)~~  
26 ~~SHALL BE HELD IN THE MUNICIPALITY WHERE THE LICENSED FACILITY~~  
27 ~~WILL BE, OR IS, LOCATED AND SHALL BE ORGANIZED IN COOPERATION~~  
28 ~~WITH THE MUNICIPALITY.~~

29 \* \* \*

30 ~~(4) IN ADDITION TO ANY WITNESSES SCHEDULED TO TESTIFY~~

1 ~~UNDER PARAGRAPH (3), THE BOARD SHALL ESTABLISH A PUBLIC~~  
2 ~~COMMENT PERIOD DURING WHICH TIME MEMBERS OF THE PUBLIC MAY~~  
3 ~~ADDRESS THE BOARD REGARDING THE PROPOSED LICENSE OR~~  
4 ~~STRUCTURAL REDESIGN OF A LICENSED FACILITY UNDER PARAGRAPH~~  
5 ~~(1). THE BOARD, IN ITS DISCRETION, MAY PLACE REASONABLE TIME~~  
6 ~~LIMITS ON AN INDIVIDUAL'S COMMENTS.~~

7 SECTION 8. ~~SECTION 1206(F) OF TITLE 4 IS AMENDED TO READ:~~

8 ~~§ 1206. BOARD MINUTES AND RECORDS.~~

9 ~~\* \* \*~~

10 ~~(F) CONFIDENTIALITY OF INFORMATION. [ALL]~~

11 ~~(1) THE FOLLOWING INFORMATION SUBMITTED BY AN APPLICANT~~  
12 ~~OR LICENSEE PURSUANT TO SECTION 1310(A) (RELATING TO SLOT~~  
13 ~~MACHINE LICENSE APPLICATION CHARACTER REQUIREMENTS) OR~~  
14 ~~1308(A.1) (RELATING TO APPLICATIONS FOR LICENSE OR PERMIT) OR~~  
15 ~~OBTAINED BY THE BOARD OR THE BUREAU AS PART OF A BACKGROUND~~  
16 ~~OR OTHER INVESTIGATION FROM ANY SOURCE SHALL BE [CONSIDERED]~~  
17 ~~CONFIDENTIAL[.] AND WITHHELD FROM PUBLIC DISCLOSURE:~~

18 ~~(I) ALL INFORMATION RELATING TO GOOD CHARACTER,~~  
19 ~~HONESTY AND INTEGRITY, INCLUDING FAMILY, HABITS,~~  
20 ~~REPUTATION, HISTORY OF CRIMINAL ACTIVITY, BUSINESS~~  
21 ~~ACTIVITIES, FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL~~  
22 ~~AND PERSONAL ASSOCIATIONS SUBMITTED UNDER SECTION 1310(A)~~  
23 ~~OR 1308(A.1) OR OTHERWISE OBTAINED BY THE BOARD OR THE~~  
24 ~~BUREAU.~~

25 ~~(II) NONPUBLIC PERSONAL INFORMATION, INCLUDING~~  
26 ~~TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, EDUCATIONAL~~  
27 ~~RECORDS, MEMBERSHIPS, MEDICAL RECORDS, TAX RETURNS AND~~  
28 ~~DECLARATIONS, ACTUAL OR PROPOSED COMPENSATION, FINANCIAL~~  
29 ~~ACCOUNT RECORDS, CREDITWORTHINESS OR A FINANCIAL~~  
30 ~~CONDITION RELATING TO AN APPLICANT, LICENSEE OR PERMITTEE~~

1 ~~OR THE IMMEDIATE FAMILY THEREOF.~~

2 ~~(III) DOCUMENTS AND INFORMATION RELATING TO~~  
3 ~~PROPRIETARY INFORMATION, TRADE SECRETS, PATENTS OR~~  
4 ~~EXCLUSIVE LICENSES, ARCHITECTURAL AND ENGINEERING PLANS~~  
5 ~~AND INFORMATION RELATING TO COMPETITIVE MARKETING~~  
6 ~~MATERIALS AND STRATEGIES, WHICH MAY INCLUDE CUSTOMER~~  
7 ~~IDENTIFYING INFORMATION OR CUSTOMER PROSPECTS FOR~~  
8 ~~SERVICES SUBJECT TO COMPETITION.~~

9 ~~(IV) SECURITY INFORMATION, INCLUDING RISK PREVENTION~~  
10 ~~PLANS, DETECTION AND COUNTERMEASURES, LOCATION OF COUNT~~  
11 ~~ROOMS, EMERGENCY MANAGEMENT PLANS, SECURITY AND~~  
12 ~~SURVEILLANCE PLANS, EQUIPMENT AND USAGE PROTOCOLS AND~~  
13 ~~THEFT AND FRAUD PREVENTION PLANS AND COUNTERMEASURES.~~

14 ~~(V) INFORMATION WITH RESPECT TO WHICH THERE IS A~~  
15 ~~REASONABLE POSSIBILITY THAT PUBLIC RELEASE OR INSPECTION~~  
16 ~~OF THE INFORMATION WOULD CONSTITUTE AN UNWARRANTED~~  
17 ~~INVASION INTO PERSONAL PRIVACY OF ANY INDIVIDUAL AS~~  
18 ~~DETERMINED BY THE BOARD.~~

19 ~~(VI) RECORDS OF AN APPLICANT OR LICENSEE NOT~~  
20 ~~REQUIRED TO BE FILED WITH THE SECURITIES AND EXCHANGE~~  
21 ~~COMMISSION BY ISSUERS THAT EITHER HAVE SECURITIES~~  
22 ~~REGISTERED UNDER SECTION 12 OF THE SECURITIES EXCHANGE~~  
23 ~~ACT OF 1934 (48 STAT. 881, 15 U.S.C. § 78A ET SEQ.) OR~~  
24 ~~ARE REQUIRED TO FILE REPORTS UNDER SECTION 15(D) OF THE~~  
25 ~~SECURITIES EXCHANGE ACT OF 1934.~~

26 ~~(VII) RECORDS CONSIDERED NONPUBLIC MATTERS OR~~  
27 ~~INFORMATION BY THE SECURITIES AND EXCHANGE COMMISSION AS~~  
28 ~~PROVIDED BY 17 CFR 200.80 (RELATING TO COMMISSION RECORDS~~  
29 ~~AND INFORMATION).~~

30 ~~(VIII) ANY FINANCIAL INFORMATION DEEMED CONFIDENTIAL~~

~~BY THE BOARD UPON A SHOWING OF GOOD CAUSE BY THE  
APPLICANT OR LICENSEE.~~

~~(2) NO CLAIM OF CONFIDENTIALITY SHALL BE MADE REGARDING  
ANY INFORMATION FROM A CRIMINAL HISTORY RECORD CHECK THAT IS  
AVAILABLE TO THE PUBLIC UNDER 18 PA.C.S. § 9121(B) (RELATING  
TO NONCRIMINAL JUSTICE AGENCIES AND INDIVIDUALS).~~

~~(3) THIS SUBSECTION SHALL NOT APPLY TO ANY INFORMATION  
IN POSSESSION OF THE BOARD THAT IS OTHERWISE PUBLICLY  
AVAILABLE FROM ANOTHER PUBLIC AGENCY IN THIS COMMONWEALTH OR  
ANOTHER JURISDICTION.~~

~~(4) EXCEPT AS PROVIDED IN SECTION 1517(F) (RELATING TO  
[INVESTIGATION] INVESTIGATIONS AND ENFORCEMENT), THE  
INFORMATION MADE CONFIDENTIAL PURSUANT TO THIS SECTION SHALL  
BE WITHHELD FROM PUBLIC DISCLOSURE IN WHOLE OR IN PART,  
EXCEPT THAT ANY CONFIDENTIAL INFORMATION SHALL BE RELEASED  
UPON THE LAWFUL ORDER OF A COURT OF COMPETENT JURISDICTION  
OR, WITH THE APPROVAL OF THE ATTORNEY GENERAL, TO A DULY  
AUTHORIZED LAW ENFORCEMENT AGENCY OR SHALL BE RELEASED TO THE  
PUBLIC, IN WHOLE OR IN PART, TO THE EXTENT THAT SUCH RELEASE  
IS REQUESTED BY AN APPLICANT AND DOES NOT OTHERWISE CONTAIN  
CONFIDENTIAL INFORMATION ABOUT ANOTHER PERSON.~~

~~(5) THE BOARD MAY SEEK A VOLUNTARY WAIVER OF  
CONFIDENTIALITY FROM AN APPLICANT OR LICENSED ENTITY BUT MAY  
NOT REQUIRE ANY APPLICANT OR LICENSED ENTITY TO WAIVE ANY  
CONFIDENTIALITY PROVIDED FOR IN THIS SUBSECTION AS A  
CONDITION FOR THE APPROVAL OF A LICENSE OR ANY OTHER ACTION  
OF THE BOARD. ANY [PERSON WHO VIOLATES THIS SUBSECTION]  
CURRENT OR FORMER BOARD MEMBER, EMPLOYEE OR INDEPENDENT  
CONTRACTOR OF THE BOARD AND ANY CURRENT OR FORMER MEMBER OR  
EMPLOYEE OF THE PENNSYLVANIA STATE POLICE, OFFICE OF ATTORNEY~~

~~GENERAL, OFFICE OF THE AUDITOR GENERAL OR DEPARTMENT WHO  
PUBLICLY DISCLOSES CONFIDENTIAL INFORMATION IN VIOLATION OF  
THIS SUBSECTION SHALL BE ADMINISTRATIVELY DISCIPLINED BY  
DISCHARGE, SUSPENSION, TERMINATION OF CONTRACT OR OTHER  
FORMAL DISCIPLINARY ACTION AS [THE BOARD DEEMS] APPROPRIATE.~~

~~\* \* \*~~

~~SECTION 8.1. SECTION 1207(4), (8) AND (14) OF TITLE 4 ARE  
AMENDED AND THE SECTION IS AMENDED BY ADDING A PARAGRAPH TO  
READ:~~

~~§ 1207. REGULATORY AUTHORITY OF BOARD.~~

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

~~\* \* \*~~

~~(4) REQUIRE THAT EACH LICENSED ENTITY PROVIDE TO THE  
BOARD ITS AUDITED ANNUAL FINANCIAL STATEMENTS, WITH SUCH  
ADDITIONAL DETAIL AS THE BOARD FROM TIME TO TIME SHALL  
REQUIRE, WHICH INFORMATION SHALL BE SUBMITTED NOT LATER THAN  
[60] 90 DAYS AFTER THE END OF THE LICENSEE'S FISCAL YEAR.~~

~~\* \* \*~~

~~(7.1) ENFORCE PRESCRIBED HOURS FOR THE OPERATION OF  
TABLE GAMES SO THAT A CERTIFICATE HOLDER MAY CONDUCT TABLE  
GAMES ON ANY DAY DURING THE YEAR IN ORDER TO MEET THE NEEDS  
OF PATRONS OR TO MEET COMPETITION.~~

~~(8) REQUIRE THAT EACH LICENSED GAMING ENTITY PROHIBIT  
PERSONS UNDER 21 YEARS OF AGE FROM OPERATING OR USING SLOT  
MACHINES OR PLAYING TABLE GAMES.~~

~~\* \* \*~~

~~(14) CONSULT WITH MEMBERS OF THE PENNSYLVANIA STATE  
POLICE, THE OFFICE OF ATTORNEY GENERAL, THE DEPARTMENT AND  
SUCH OTHER PERSONS IT DEEMS NECESSARY FOR ADVICE REGARDING  
THE VARIOUS ASPECTS OF THE POWERS AND DUTIES IMPOSED ON IT~~

1 UNDER THIS PART AND ITS JURISDICTION OVER THE AUTHORIZATION  
2 AND OPERATION OF SLOT MACHINES, TABLE GAMES AND LICENSED  
3 FACILITIES.

4 \* \* \*

5 SECTION 8.2. SECTIONS 1208(1), 1209(B) AND (F) AND 1210 OF  
6 TITLE 4 ARE AMENDED TO READ:

7 § 1208. COLLECTION OF FEES AND FINES.

8 THE BOARD HAS THE FOLLOWING POWERS AND DUTIES:

9 (1) TO LEVY AND COLLECT FEES FROM THE VARIOUS  
10 APPLICANTS, LICENSEES AND PERMITTEES TO FUND THE OPERATIONS  
11 OF THE BOARD. [THE] EXCEPT AS PROVIDED FOR TABLE GAMES, THE  
12 FEES SHALL BE DEPOSITED INTO THE STATE GAMING FUND AS  
13 ESTABLISHED IN SECTION 1403 (RELATING TO ESTABLISHMENT OF  
14 STATE GAMING FUND AND NET SLOT MACHINE REVENUE DISTRIBUTION)  
15 AND DISTRIBUTED TO THE BOARD UPON APPROPRIATION BY THE  
16 GENERAL ASSEMBLY. IN ADDITION TO THE FEES SET FORTH IN  
17 SECTIONS 1209 (RELATING TO SLOT MACHINE LICENSE FEE) AND 1305  
18 (RELATING TO CATEGORY 3 SLOT MACHINE LICENSE), THE BOARD  
19 SHALL ASSESS AND COLLECT FEES AS FOLLOWS:

20 (I) SUPPLIER LICENSEES SHALL PAY [A]:

21 (A) A FEE OF \$25,000 UPON THE ISSUANCE OF A  
22 LICENSE [AND \$10,000 FOR THE ANNUAL RENEWAL OF A  
23 SUPPLIER LICENSE.] TO SUPPLY SLOT MACHINES OR  
24 ASSOCIATED EQUIPMENT USED IN CONNECTION WITH SLOT  
25 MACHINES.

26 (B) A FEE OF \$25,000 UPON THE ISSUANCE OF A  
27 LICENSE TO SUPPLY TABLE GAME DEVICES OR ASSOCIATED  
28 EQUIPMENT USED IN CONNECTION WITH TABLE GAMES OR  
29 TABLE GAME DEVICES.

30 (C) A FEE OF \$15,000 FOR THE ANNUAL RENEWAL OF

1 ~~THE APPROPRIATE SUPPLIER LICENSE. UPON THE EXTENSION~~  
2 ~~OF THE RENEWAL PERIOD UNDER SECTION 1317(C) (1)~~  
3 ~~(RELATING TO SUPPLIER LICENSES), THE FEE SHALL BE~~  
4 ~~\$30,000 FOR THE RENEWAL.~~

5 ~~(II) MANUFACTURER LICENSEES SHALL PAY [A]:~~

6 ~~(A) A FEE OF \$50,000 UPON THE ISSUANCE OF A~~  
7 ~~LICENSE [AND \$25,000 FOR THE ANNUAL RENEWAL OF A~~  
8 ~~MANUFACTURER LICENSE.] TO MANUFACTURE SLOT MACHINES~~  
9 ~~AND ASSOCIATED EQUIPMENT USED IN CONNECTION WITH SLOT~~  
10 ~~MACHINES.~~

11 ~~(B) A FEE OF \$50,000 UPON THE ISSUANCE OF A~~  
12 ~~LICENSE TO MANUFACTURE TABLE GAME DEVICES OR~~  
13 ~~ASSOCIATED EQUIPMENT USED IN CONNECTION WITH TABLE~~  
14 ~~GAMES OR TABLE GAME DEVICES.~~

15 ~~(C) A MANUFACTURER LICENSEE SHALL PAY AN ANNUAL~~  
16 ~~FEE OF \$30,000 FOR THE ANNUAL RENEWAL OF THE~~  
17 ~~APPROPRIATE MANUFACTURER LICENSE. UPON THE EXTENSION~~  
18 ~~OF THE RENEWAL PERIOD UNDER SECTION 1317.1(C) (1)~~  
19 ~~(RELATING TO MANUFACTURER LICENSES), THE FEE SHALL BE~~  
20 ~~\$75,000 FOR THE RENEWAL.~~

21 ~~(III) EACH APPLICATION FOR A SLOT MACHINE LICENSE,~~  
22 ~~SUPPLIER LICENSE OR MANUFACTURER LICENSE MUST BE~~  
23 ~~ACCOMPANIED BY A NONREFUNDABLE FEE SET BY THE BOARD FOR~~  
24 ~~THE COST OF EACH INDIVIDUAL REQUIRING A BACKGROUND~~  
25 ~~INVESTIGATION. THE REASONABLE AND NECESSARY COSTS AND~~  
26 ~~EXPENSES INCURRED IN ANY BACKGROUND INVESTIGATION OR~~  
27 ~~OTHER INVESTIGATION OR PROCEEDING CONCERNING ANY~~  
28 ~~APPLICANT, LICENSEE, PERMITTEE OR REGISTRANT SHALL BE~~  
29 ~~REIMBURSED TO THE BOARD BY THOSE PERSONS.~~

30 ~~\* \* \*~~

1 ~~§ 1209. SLOT MACHINE LICENSE FEE.~~

2 \* \* \*

3 ~~(B) TERM. A SLOT MACHINE LICENSE, AFTER PAYMENT OF THE FEE,~~  
4 ~~SHALL BE IN EFFECT UNLESS SUSPENDED, REVOKED OR NOT RENEWED BY~~  
5 ~~THE BOARD UPON GOOD CAUSE CONSISTENT WITH THE LICENSE~~  
6 ~~REQUIREMENTS AS PROVIDED FOR IN THIS PART. SLOT MACHINE~~  
7 ~~LICENSEES SHALL BE REQUIRED TO UPDATE THE INFORMATION IN THEIR~~  
8 ~~INITIAL APPLICATIONS ANNUALLY, AND THE LICENSE OF A LICENSEE IN~~  
9 ~~GOOD STANDING SHALL BE UPDATED AND RENEWED ANNUALLY FOR TWO~~  
10 ~~SUBSEQUENT YEARS FOLLOWING THE INITIAL LICENSE ISSUANCE.~~  
11 ~~THEREAFTER, LICENSE RENEWALS SHALL BE EVERY THREE YEARS. NOTHING~~  
12 ~~IN THIS SUBSECTION SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE~~  
13 ~~DUTY TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS~~  
14 ~~OF ITS LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN~~  
15 ~~APPLICATION MATERIALS ON FILE WITH THE BOARD. AS TO THE RENEWAL~~  
16 ~~OF A LICENSE, NO ADDITIONAL LICENSE FEE PURSUANT TO SUBSECTION~~  
17 ~~(A) SHALL BE REQUIRED.~~

18 \* \* \*

19 ~~{(F) RETURN OF SLOT MACHINE LICENSE FEE.}~~

20 ~~(1) THE ENTIRE ONE TIME SLOT MACHINE LICENSE FEE OF~~  
21 ~~\$50,000,000 FOR EACH CATEGORY 1 AND CATEGORY 2 SLOT MACHINE~~  
22 ~~LICENSE SHALL BE RETURNED TO EACH LICENSEE IN THE EVENT~~  
23 ~~SECTION 1201 (RELATING TO PENNSYLVANIA GAMING CONTROL BOARD~~  
24 ~~ESTABLISHED), 1202 (RELATING TO GENERAL AND SPECIFIC POWERS)~~  
25 ~~OR 1307 (RELATING TO NUMBER OF SLOT MACHINE LICENSES) IS~~  
26 ~~AMENDED OR OTHERWISE ALTERED BY AN ACT OF THE GENERAL~~  
27 ~~ASSEMBLY WITHIN FIVE YEARS FOLLOWING THE INITIAL ISSUANCE OF~~  
28 ~~ANY SLOT MACHINE LICENSES PURSUANT TO SECTION 1301 (RELATING~~  
29 ~~TO AUTHORIZED SLOT MACHINE LICENSES) TO CHANGE:~~

30 ~~(I) THE COMPOSITION OF THE BOARD;~~

1           ~~(II) THE NUMBER OR VOTING POWERS OF MEMBERS OF THE~~  
2     ~~BOARD;~~

3           ~~(III) THE MANNER IN WHICH MEMBERS ARE NOMINATED OR~~  
4     ~~APPOINTED TO THE BOARD;~~

5           ~~(IV) THE LENGTH OF TERM FOR WHICH EACH MEMBER~~  
6     ~~SERVES;~~

7           ~~(V) THE GENERAL JURISDICTION OF THE BOARD IN A~~  
8     ~~MANNER THAT IMPAIRS OR OTHERWISE REDUCES THE BOARD'S~~  
9     ~~LICENSING AUTHORITY; OR~~

10          ~~(VI) SECTION 1307 TO INCREASE THE STATUTORY MAXIMUM~~  
11     ~~NUMBER OF PERMISSIBLE LICENSED FACILITIES.~~

12          ~~(2) IN THE EVENT THAT THIS PART IS AMENDED OR OTHERWISE~~  
13     ~~ALTERED BY AN ACT OF THE GENERAL ASSEMBLY AS DESCRIBED~~  
14     ~~PURSUANT TO PARAGRAPH (1):~~

15           ~~(I) IN THE SIXTH YEAR FOLLOWING THE INITIAL ISSUANCE~~  
16     ~~OF ANY SLOT MACHINE LICENSES PURSUANT TO SECTION 1301, A~~  
17     ~~CATEGORY 1 AND 2 SLOT MACHINE LICENSEE SHALL BE ENTITLED~~  
18     ~~TO A PARTIAL RETURN OF THE ONE TIME SLOT MACHINE LICENSE~~  
19     ~~FEE IN THE AMOUNT OF \$41,666,667.~~

20           ~~(II) IN THE SEVENTH YEAR, THE LICENSEE SHALL BE~~  
21     ~~ENTITLED TO A PARTIAL RETURN OF THE ONE TIME SLOT MACHINE~~  
22     ~~LICENSE FEE IN THE AMOUNT OF \$33,333,334.~~

23           ~~(III) IN THE EIGHTH YEAR, THE LICENSEE SHALL BE~~  
24     ~~ENTITLED TO A PARTIAL RETURN OF THE ONE TIME SLOT MACHINE~~  
25     ~~LICENSE FEE IN THE AMOUNT OF \$25,000,000.~~

26           ~~(IV) IN THE NINTH YEAR, THE LICENSEE SHALL BE~~  
27     ~~ENTITLED TO A PARTIAL RETURN OF THE ONE TIME SLOT MACHINE~~  
28     ~~LICENSE FEE IN THE AMOUNT OF \$16,666,668.~~

29           ~~(V) IN THE TENTH YEAR, THE LICENSEE SHALL BE~~  
30     ~~ENTITLED TO A PARTIAL RETURN OF THE ONE TIME MACHINE~~

1           ~~LICENSE FEE IN THE AMOUNT OF \$8,333,334.~~  
2 ~~IN THE EVENT THAT THE ACTION DESCRIBED IN PARAGRAPH (1) OCCURS~~  
3 ~~AFTER THE EXPIRATION OF TEN YEARS, THE LICENSEE SHALL NOT BE~~  
4 ~~ENTITLED TO A RETURN OF ANY PORTION OF THE ONE TIME SLOT MACHINE~~  
5 ~~LICENSE FEE. NOTWITHSTANDING THE FOREGOING, NO SLOT MACHINE~~  
6 ~~LICENSEE SHALL BE ENTITLED TO THE RETURN OF ANY PORTION OF THE~~  
7 ~~FEE AS A RESULT OF ANY ACT OF THE GENERAL ASSEMBLY INSOFAR AS IT~~  
8 ~~IMPLEMENTS A RECOMMENDATION MADE BY THE BOARD PURSUANT TO A~~  
9 ~~QUALIFIED MAJORITY VOTE. IN THE EVENT A FULL OR PARTIAL RETURN~~  
10 ~~OF THE SLOT MACHINE LICENSE FEE IMPOSED PURSUANT TO SUBSECTION~~  
11 ~~(A) BECOMES DUE PURSUANT TO THIS SUBSECTION, THE AMOUNT TO BE~~  
12 ~~RETURNED TO ANY SLOT MACHINE LICENSEE SHALL BE REDUCED ON A~~  
13 ~~DOLLAR FOR DOLLAR BASIS BY THE TOTAL ACCUMULATED TAX CREDITS~~  
14 ~~GRANTED TO SUCH LICENSEE PURSUANT TO SUBSECTION (C). IN NO EVENT~~  
15 ~~SHALL THE TOTAL AMOUNT OF THE SLOT MACHINE LICENSE FEE RETURNED,~~  
16 ~~COMBINED WITH THE TOTAL TAX CREDITS GRANTED, EXCEED THE AMOUNTS~~  
17 ~~SET FORTH IN THIS SUBSECTION FOR ANY LICENSEE. THE TOTAL OR~~  
18 ~~PARTIAL RETURN OF THE SLOT MACHINE LICENSE FEE SHALL EXTINGUISH~~  
19 ~~A LICENSEE'S RIGHT TO CLAIM ANY FURTHER TAX CREDITS PURSUANT TO~~  
20 ~~SUBSECTION (C).]~~

21 ~~§ 1210. NUMBER OF SLOT MACHINES.~~

22       ~~(A) INITIAL COMPLEMENT. EXCEPT AS PROVIDED FOR CATEGORY 3~~  
23 ~~SLOT MACHINE LICENSEES UNDER SECTION 1305 (RELATING TO CATEGORY~~  
24 ~~3 SLOT MACHINE LICENSE), ALL SLOT MACHINE LICENSEES SHALL BE~~  
25 ~~PERMITTED TO OPERATE UP TO 3,000 SLOT MACHINES AT ANY ONE~~  
26 ~~LICENSED FACILITY AND SHALL BE REQUIRED TO OPERATE AND MAKE~~  
27 ~~AVAILABLE TO PLAY A MINIMUM OF 1,500 MACHINES AT ANY ONE~~  
28 ~~LICENSED FACILITY WITHIN ONE YEAR OF THE ISSUANCE BY THE BOARD~~  
29 ~~OF A SLOT MACHINE LICENSE UNLESS OTHERWISE EXTENDED BY THE~~  
30 ~~BOARD, UPON APPLICATION AND FOR GOOD CAUSE SHOWN, FOR AN~~

1 ~~ADDITIONAL PERIOD NOT TO EXCEED 24 MONTHS.~~

2 ~~(A.1) MINIMUM NUMBER OF SLOT MACHINES. EXCEPT AS PROVIDED~~  
3 ~~FOR CATEGORY 3 SLOT MACHINE LICENSEES UNDER SECTION 1305 AND~~  
4 ~~DURING THE CONVERSION FROM A TEMPORARY TO A PERMANENT FACILITY,~~  
5 ~~APPROVED RENOVATIONS FOR A LIMITED TIME OR AN EMERGENCY, ALL~~  
6 ~~SLOT MACHINE LICENSEES SHALL BE REQUIRED TO OPERATE AND MAKE~~  
7 ~~AVAILABLE FOR PLAY A MINIMUM OF 1,850 MACHINES AT ANY ONE~~  
8 ~~LICENSED FACILITY AT ALL TIMES.~~

9 ~~(B) ADDITIONAL SLOT MACHINES. EXCEPT AS PROVIDED FOR~~  
10 ~~CATEGORY 3 SLOT MACHINE LICENSEES UNDER SECTION 1305, SIX MONTHS~~  
11 ~~FOLLOWING THE DATE OF COMMENCEMENT OF SLOT MACHINE OPERATIONS,~~  
12 ~~THE BOARD MAY PERMIT A SLOT MACHINE LICENSEE TO INSTALL AND~~  
13 ~~OPERATE UP TO 2,000 ADDITIONAL SLOT MACHINES AT ITS LICENSED~~  
14 ~~FACILITY, BEYOND THOSE MACHINES AUTHORIZED UNDER SUBSECTION (A),~~  
15 ~~UPON APPLICATION BY THE SLOT MACHINE LICENSEE. THE BOARD, IN~~  
16 ~~CONSIDERING SUCH AN APPLICATION, SHALL TAKE INTO ACCOUNT THE~~  
17 ~~APPROPRIATENESS OF THE PHYSICAL SPACE WHERE THE ADDITIONAL SLOT~~  
18 ~~MACHINES WILL BE LOCATED AND THE CONVENIENCE OF THE PUBLIC~~  
19 ~~ATTENDING THE FACILITY. THE BOARD MAY ALSO TAKE INTO ACCOUNT THE~~  
20 ~~POTENTIAL BENEFIT TO ECONOMIC DEVELOPMENT, EMPLOYMENT AND~~  
21 ~~TOURISM, ENHANCED REVENUES TO THE COMMONWEALTH AND OTHER~~  
22 ~~ECONOMIC INDICATORS IT DEEMS APPLICABLE IN MAKING ITS DECISION.~~

23 ~~(C) LIMITATION. FOR THE TWO AND ONE HALF YEARS FOLLOWING~~  
24 ~~THE BEGINNING OF SLOT MACHINE OPERATIONS AT THE LICENSED~~  
25 ~~FACILITY, NO LICENSED GAMING ENTITY MAY MAKE AVAILABLE FOR PLAY~~  
26 ~~BY ITS PATRONS AT ITS LICENSED FACILITY MORE THAN 50% OF SLOT~~  
27 ~~MACHINES FROM THE SAME MANUFACTURER OR ITS AFFILIATE,~~  
28 ~~INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY. THE PROVISIONS OF~~  
29 ~~THIS SUBSECTION SHALL NOT APPLY TO MACHINES PURCHASED PURSUANT~~  
30 ~~TO A CONTRACT OR ORDER EXECUTED BY A CONDITIONAL CATEGORY 1 OR~~

1 ~~CATEGORY 1 SLOT MACHINE LICENSEE PRIOR TO OCTOBER 20, 2006.~~

2 ~~SECTION 9. SECTION 1211(A) OF TITLE 4 IS AMENDED AND THE~~  
3 ~~SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:~~

4 ~~§ 1211. REPORTS OF BOARD.~~

5 ~~(A) REPORT OF BOARD. EIGHTEEN MONTHS AFTER THE EFFECTIVE~~  
6 ~~DATE OF THIS PART AND EVERY YEAR ON THAT DATE THEREAFTER, THE~~  
7 ~~BOARD SHALL ISSUE A REPORT TO THE GOVERNOR AND EACH MEMBER OF~~  
8 ~~THE GENERAL ASSEMBLY ON THE GENERAL OPERATION OF THE BOARD AND~~  
9 ~~EACH SLOT MACHINE LICENSEE'S PERFORMANCE, INCLUDING, BUT NOT~~  
10 ~~LIMITED TO, NUMBER AND WIN PER SLOT MACHINE AND TOTAL GROSS~~  
11 ~~TABLE GAME REVENUE AT EACH LICENSED [FACILITIES] FACILITY DURING~~  
12 ~~THE PREVIOUS YEAR, ALL TAXES, FEES, FINES AND OTHER REVENUES~~  
13 ~~COLLECTED AND, WHERE APPROPRIATE, DISBURSED, THE COSTS OF~~  
14 ~~OPERATION OF THE BOARD, ALL HEARINGS CONDUCTED AND THE RESULTS~~  
15 ~~OF THE HEARINGS AND OTHER INFORMATION THAT THE BOARD DEEMS~~  
16 ~~NECESSARY AND APPROPRIATE.~~

17 ~~(A.1) EXPENSES. BEGINNING 30 DAYS AFTER THE EFFECTIVE DATE~~  
18 ~~OF THIS SUBSECTION, THE BOARD SHALL POST BY THE 15TH WITHIN 45~~ ←  
19 ~~DAYS OF THE END OF EACH MONTH ON ITS INTERNET WEBSITE A LIST OF~~  
20 ~~ALL ITS ITEMIZED EXPENSES FOR THE PRECEDING MONTH OF EMPLOYEES~~  
21 ~~AND MEMBERS OF THE BOARD AND ALL ITEMIZED EXPENSES OF OFFICERS~~  
22 ~~AND EMPLOYEES OF THE DEPARTMENT, THE ATTORNEY GENERAL AND THE~~  
23 ~~PENNSYLVANIA STATE POLICE WHOSE DUTIES INVOLVE THE REGULATION OF~~  
24 ~~GAMING UNDER THIS PART AND ALL ITEMIZED EXPENSES OF OFFICERS AND~~  
25 ~~EMPLOYEES OF THE AUDITOR GENERAL WHOSE DUTIES INVOLVE AUDIT~~  
26 ~~ACTIVITIES OF THE BOARD. THE LIST LISTS SHALL IDENTIFY THE~~ ←  
27 ~~NATURE OF THE EXPENSE, THE EMPLOYEE OR BOARD MEMBER AND THE~~  
28 ~~AGENCY AND EMPLOYEE OF THE AGENCY TO WHICH AN EXPENSE IS~~  
29 ~~ATTRIBUTABLE. THE LIST SHALL INCLUDE EACH EXPENSE FOR WHICH A~~  
30 ~~RECEIPT IS SUBMITTED TO OBTAIN REIMBURSEMENT. IF IF THE EXPENSE~~ ←

1 ~~IS DIRECTLY ATTRIBUTABLE TO OR PAID BY A LICENSED GAMING ENTITY,~~ ←  
2 ~~THE LIST SHALL IDENTIFY THE LICENSED GAMING ENTITY AND WHETHER~~  
3 ~~THE EXPENSE WAS PAID BY THE LICENSED GAMING ENTITY. BY OCTOBER 1~~  
4 ~~OF EACH YEAR, A FINAL REPORT OF ALL EXPENSES FOR THE PRECEDING~~  
5 ~~FISCAL YEAR SHALL BE POSTED ON THE BOARD'S INTERNET WEBSITE. THE~~  
6 ~~BOARD, THE DEPARTMENT, THE ATTORNEY GENERAL, THE AUDITOR GENERAL~~  
7 ~~AND THE PENNSYLVANIA STATE POLICE SHALL COLLABORATE TO DEVELOP A~~  
8 ~~UNIFORM SYSTEM TO CARRY OUT THE REQUIREMENTS OF THIS SUBSECTION.~~  
9 ~~INFORMATION PROVIDED TO THE BOARD FOR POSTING UNDER THIS~~ ←  
10 ~~SUBSECTION MAY BE REDACTED BY THE PROVIDER OF THE INFORMATION.~~

11 \* \* \*

12 ~~(E) SUBMISSION OF REPORTS. NOTWITHSTANDING ANY OTHER~~  
13 ~~PROVISION OF THIS PART TO THE CONTRARY, ALL REPORTS AND STUDIES~~  
14 ~~OF THE BOARD REQUIRED TO BE SUBMITTED TO THE GENERAL ASSEMBLY~~  
15 ~~UNDER THIS PART AFTER THE EFFECTIVE DATE OF THIS SUBSECTION~~  
16 ~~SHALL BE SUBMITTED BY OCTOBER 1, 2010, AND ANNUALLY THEREAFTER.~~

17 SECTION 9.1. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:  
18 ~~§ 1211.1. REPORT BY SLOT MACHINE LICENSEE.~~

19 ~~(A) REPORT. EACH SLOT MACHINE LICENSEE SHALL ANNUALLY~~  
20 ~~COMPILE, OR CAUSE TO BE COMPILED, AND SUBMIT TO THE BOARD AND~~  
21 ~~THE GENERAL ASSEMBLY A REPORT ON MINORS AND UNAUTHORIZED GAMING.~~  
22 ~~THE REPORT SHALL INCLUDE THE FOLLOWING INFORMATION FOR THE~~  
23 ~~LICENSED FACILITY THAT THE LICENSEE IS LICENSED TO OPERATE:~~

24 ~~(1) THE NUMBER OF MINORS WHO WERE DENIED ENTRY INTO THE~~  
25 ~~LICENSED FACILITY.~~

26 ~~(2) THE NUMBER OF MINORS WHO WERE PHYSICALLY ESCORTED~~  
27 ~~FROM THE PREMISES OF THE LICENSED FACILITY.~~

28 ~~(3) THE NUMBER OF MINORS WHO WERE DETECTED PARTICIPATING~~  
29 ~~OR ATTEMPTING TO PARTICIPATE IN SLOT MACHINE AND TABLE~~ ←  
30 ~~GAMING.~~

~~(4) THE NUMBER OF MINORS WHO WERE TAKEN INTO CUSTODY BY A LAW ENFORCEMENT AGENCY ON THE PREMISES OF THE LICENSED FACILITY.~~

~~(5) THE NUMBER OF MINORS WHO WERE DETECTED ILLEGALLY CONSUMING ALCOHOL ON THE PREMISES OF THE LICENSED FACILITY IN THE AREA WHERE SLOT MACHINES OR TABLE GAMES ARE LOCATED.~~

~~(6) THE NUMBER OF SELF EXCLUDED AND EXCLUDED PERSONS WHO WERE DENIED ENTRY INTO THE TABLE GAME FACILITY AREA WHERE TABLE GAMES, INCLUDING TOURNAMENTS AND CONTESTS ARE LOCATED.~~

~~(7) A SUMMARY OF THE ACTION TAKEN BY THE SLOT MACHINE LICENSEE IN RESOLUTION OF INCIDENTS UNDER PARAGRAPHS (1), (2), (3), (4), (5) AND (6), INCLUDING ANY ACTION, RESOLUTION OR DISPOSITION OF ANY VIOLATIONS OF THIS PART.~~

~~(8) A SUMMARY OF ACTIONS TAKEN AND CONTROLS IMPLEMENTED BY THE SLOT MACHINE LICENSEE TO PREVENT FACILITY ACCESS BY MINORS AND TO PREVENT UNDERAGE GAMING AND UNDERAGE DRINKING IN THE LICENSED FACILITY.~~

~~(B) DEFINITION. AS USED IN THIS SUBSECTION THE TERM "MINOR" SHALL MEAN AN INDIVIDUAL WHO IS UNDER 21 YEARS OF AGE.~~

~~SECTION 10. SECTIONS 1212 AND 1213 OF TITLE 4 ARE AMENDED TO READ:~~

~~§ 1212. DIVERSITY GOALS OF BOARD.~~

~~(A) INTENT. IT IS THE INTENT AND GOAL OF THE GENERAL ASSEMBLY THAT THE BOARD PROMOTE AND ENSURE DIVERSITY IN ALL ASPECTS OF THE GAMING ACTIVITIES AUTHORIZED UNDER THIS PART. THE BOARD SHALL WORK TO ENHANCE THE REPRESENTATION OF DIVERSE GROUPS IN [THE]:~~

~~(1) THE OWNERSHIP[, PARTICIPATION AND OPERATION] OF LICENSED ENTITIES AND LICENSED FACILITIES IN THIS COMMONWEALTH [AND THROUGH THE].~~

1           ~~(2) THE OWNERSHIP[, PARTICIPATION AND OPERATION] OF~~  
2           ~~BUSINESS ENTERPRISES ASSOCIATED WITH OR UTILIZED BY LICENSED~~  
3           ~~ENTITIES AND LICENSED FACILITIES AND THROUGH THE PROVISION OF~~  
4           ~~GOODS AND SERVICES UTILIZED BY SLOT MACHINE LICENSEES UNDER~~  
5           ~~THIS PART.~~

6           ~~(3) THE OPERATION OF LICENSED ENTITIES AND LICENSED~~  
7           ~~FACILITIES AND THE CONDUCT OF SLOT MACHINE AND TABLE GAMING~~ ←  
8           ~~IN THIS COMMONWEALTH BY ENSURING LICENSED ENTITIES AND~~ ←  
9           ~~LICENSED FACILITIES PROMOTE THE PARTICIPATION OF DIVERSE~~  
10           ~~GROUPS BY AFFORDING EQUAL ACCESS TO EMPLOYMENT OPPORTUNITIES,~~  
11           ~~INCLUDING KEY EMPLOYEE, GAMING EMPLOYEE, AND NONGAMING~~  
12           ~~EMPLOYEE POSITIONS.~~

13           ~~(4) THE OPERATION OF BUSINESS ENTERPRISES ASSOCIATED~~  
14           ~~WITH OR UTILIZED BY LICENSED ENTITIES AND LICENSED~~ ←  
15           ~~FACILITIES, INCLUDING BUSINESS ENTERPRISES THAT PROVIDE~~  
16           ~~GOODS, PROPERTY AND SERVICES UTILIZED BY SLOT MACHINE~~  
17           ~~LICENSEES IN THIS COMMONWEALTH BY ENSURING THESE BUSINESS~~  
18           ~~ENTERPRISES PROMOTE THE PARTICIPATION OF DIVERSE GROUPS BY~~  
19           ~~AFFORDING EQUAL ACCESS TO EMPLOYMENT OPPORTUNITIES.~~

20           ~~(5) THE CONSTRUCTION, RENOVATION OR RECONSTRUCTION OF A~~  
21           ~~LICENSED FACILITY BY ENSURING THAT ALL CONTRACTS AND~~  
22           ~~SUBCONTRACTS TO BE AWARDED RELATING TO THE CONSTRUCTION,~~  
23           ~~RENOVATION OR RECONSTRUCTION OF A LICENSED FACILITY CONTAIN~~  
24           ~~ADEQUATE PROVISIONS ENSURING ALL CONTRACTORS OR~~  
25           ~~SUBCONTRACTORS, INCLUDING ANY ASSIGNEES, WILL PROMOTE THE~~  
26           ~~PARTICIPATION OF DIVERSE GROUPS IN ANY PROPOSED CONSTRUCTION,~~  
27           ~~RENOVATION OR RECONSTRUCTION PROJECT BY AFFORDING EQUAL~~  
28           ~~ACCESS TO EMPLOYMENT OPPORTUNITIES.~~

29           ~~(6) THE RENDERING OF PROFESSIONAL SERVICES TO LICENSED~~  
30           ~~ENTITIES AND LICENSED FACILITIES BY ENSURING LICENSED~~ ←

~~ENTITIES AND LICENSED FACILITIES PROMOTE THE PARTICIPATION OF  
DIVERSE GROUPS BY AFFORDING EQUAL ACCESS TO PROFESSIONAL  
SERVICE CONTRACTUAL OPPORTUNITIES.~~

~~(B) INVESTIGATIONS. THE BOARD [IS AUTHORIZED TO] SHALL  
INVESTIGATE AND CONDUCT [AN ANNUAL STUDY] QUARTERLY REVIEWS TO  
EVALUATE THE EFFECTIVENESS OF ALL DIVERSITY PLANS SUBMITTED BY  
APPLICANTS FOR A SLOT MACHINE LICENSE IN ACCORDANCE WITH SECTION  
1325 (RELATING TO LICENSE OR PERMIT ISSUANCE) OF THIS PART, MAKE  
RECOMMENDATIONS FOR IMPROVEMENTS TO SUCH DIVERSITY PLANS AND  
ASCERTAIN WHETHER EFFECTIVE AND MEANINGFUL ACTION HAS BEEN TAKEN  
OR WILL BE TAKEN TO [ENHANCE] ACHIEVE THE REPRESENTATION OF  
DIVERSE GROUPS IN THE OWNERSHIP, PARTICIPATION AND OPERATION OF  
LICENSED FACILITIES IN THIS COMMONWEALTH, THROUGH THE OWNERSHIP  
AND OPERATION OF BUSINESS ENTERPRISES ASSOCIATED WITH OR  
UTILIZED BY SLOT MACHINE AND TABLE GAME LICENSEES, THROUGH THE  
PROVISION OF GOODS, PROPERTY AND SERVICES UTILIZED BY SLOT  
MACHINE AND TABLE GAME LICENSEES AND THROUGH EMPLOYMENT  
OPPORTUNITIES.~~

~~(C) COMPLETION OF INVESTIGATION. THE FIRST [STUDY] REVIEW  
SHALL BE COMPLETED SIX MONTHS FOLLOWING THE EFFECTIVE DATE OF  
THIS [PART] SECTION, IF PRACTICALLY POSSIBLE, AND [ANNUALLY]  
QUARTERLY THEREAFTER AND SHALL CONTAIN RECOMMENDATIONS WHICH THE  
BOARD DETERMINES APPROPRIATE. EACH STUDY REVIEW SHALL CONTAIN,  
AT A MINIMUM:~~

~~(1) A DESCRIPTIVE SUMMARY OF THE BOARD'S EFFORTS TO  
PROMOTE AND ENSURE DIVERSITY IN ALL ASPECTS OF ITS OPERATION.~~

~~(2) A DESCRIPTIVE SUMMARY OF THE FOLLOWING RELATING TO  
EACH SLOT MACHINE LICENSEE'S LICENSED FACILITY:~~

~~(I) EMPLOYMENT AND SALARY RANGE INFORMATION.~~

~~(II) EMPLOYEE RECRUITMENT AND RETENTION PROGRAMS~~

~~DESIGNED TO ENSURE THE PARTICIPATION OF DIVERSE GROUPS IN  
EMPLOYMENT POSITIONS AT THE LICENSED FACILITY BY THE SLOT  
MACHINE LICENSEE.~~

~~(III) MINORITY OWNED BUSINESS ENTERPRISE AND WOMEN-  
OWNED BUSINESS ENTERPRISE CONTRACTING AND SUBCONTRACTING  
DATA.~~

~~(D) FACILITY RESPONSIBILITY RESPONSIBILITY OF SLOT MACHINE  
LICENSEE. EACH LICENSED FACILITY SLOT MACHINE LICENSEE SHALL  
PROVIDE INFORMATION AS REQUESTED BY THE BOARD TO ENABLE THE  
BOARD TO COMPLETE THE STUDY QUARTERLY REVIEWS REQUIRED UNDER  
SUBSECTION (C).~~

~~(E) DEFINITION. AS USED IN THIS SECTION THE TERM  
"PROFESSIONAL SERVICES" MEANS THOSE SERVICES RENDERED TO A  
LICENSED ENTITY OR LICENSED FACILITY SLOT MACHINE LICENSEE IN  
THIS COMMONWEALTH, INCLUDING, BUT NOT LIMITED TO:~~

~~(1) LEGAL SERVICES.~~

~~(2) ADVERTISING OR PUBLIC RELATIONS SERVICES.~~

~~(3) ENGINEERING SERVICES.~~

~~(4) ARCHITECTURAL, LANDSCAPING OR SURVEYING SERVICES.~~

~~(5) ACCOUNTING, AUDITING OR ACTUARIAL SERVICES.~~

~~(6) SECURITY CONSULTANT SERVICES.~~

~~(7) COMPUTER AND INFORMATION TECHNOLOGY SERVICES, EXCEPT  
TELEPHONE SERVICE.~~

~~§ 1213. LICENSE OR PERMIT PROHIBITION.~~

~~[NO APPLICANT FOR A LICENSE OR PERMIT UNDER THIS PART,  
INCLUDING PRINCIPALS AND KEY EMPLOYEES,] THE FOLLOWING APPLY:~~

~~(1) THE BOARD SHALL BE PROHIBITED FROM GRANTING A  
PRINCIPAL LICENSE TO A PERSON WHO HAS BEEN CONVICTED OF A  
FELONY [OR GAMBLING] OFFENSE IN ANY JURISDICTION [SHALL BE  
ISSUED A LICENSE OR PERMIT UNLESS 15 YEARS HAS ELAPSED FROM~~

1 ~~THE DATE OF EXPIRATION OF THE SENTENCE FOR THE OFFENSE].~~

2 ~~(2) [WHEN DETERMINING WHETHER TO ISSUE A LICENSE OR~~  
3 ~~PERMIT TO AN APPLICANT WHO HAS BEEN CONVICTED IN ANY~~  
4 ~~JURISDICTION OF A FELONY OR GAMBLING OFFENSE,] IN ADDITION TO~~  
5 ~~THE PROHIBITION UNDER PARAGRAPH (1), THE BOARD SHALL BE~~  
6 ~~PROHIBITED FROM GRANTING THE FOLLOWING:~~

7 ~~(I) A PRINCIPAL LICENSE TO A PERSON WHO HAS BEEN~~  
8 ~~CONVICTED OF A GAMBLING OFFENSE IN ANY JURISDICTION THAT~~  
9 ~~IS CLASSIFIED AS A MISDEMEANOR PUNISHABLE BY IMPRISONMENT~~  
10 ~~OF MORE THAN ONE YEAR UNLESS 15 YEARS HAVE ELAPSED FROM~~  
11 ~~THE DATE OF CONVICTION FOR THE OFFENSE.~~

12 ~~(II) A KEY EMPLOYEE, GAMING EMPLOYEE PERMIT OR~~  
13 ~~LICENSE OTHER THAN A PRINCIPAL LICENSE TO A PERSON WHO~~  
14 ~~HAS BEEN CONVICTED OF A FELONY OFFENSE OR A GAMBLING~~  
15 ~~OFFENSE CLASSIFIED AS A MISDEMEANOR PUNISHABLE BY~~  
16 ~~IMPRISONMENT OF MORE THAN ONE YEAR IN ANY JURISDICTION~~  
17 ~~UNLESS 15 YEARS HAVE ELAPSED FROM THE DATE OF CONVICTION~~  
18 ~~FOR THE OFFENSE.~~

19 ~~(3) FOLLOWING THE EXPIRATION OF THE PROHIBITION PERIOD~~  
20 ~~UNDER PARAGRAPH (2), IN DETERMINING WHETHER TO ISSUE A~~  
21 ~~LICENSE OR PERMIT UNDER PARAGRAPH (2), THE BOARD SHALL~~  
22 ~~CONSIDER THE FOLLOWING FACTORS:~~

23 ~~[(1)] (I) THE NATURE AND DUTIES OF THE APPLICANT'S~~  
24 ~~POSITION WITH THE LICENSED ENTITY.~~

25 ~~[(2)] (II) THE NATURE AND SERIOUSNESS OF THE OFFENSE~~  
26 ~~OR CONDUCT.~~

27 ~~[(3)] (III) THE CIRCUMSTANCES UNDER WHICH THE~~  
28 ~~OFFENSE OR CONDUCT OCCURRED.~~

29 ~~[(4)] (IV) THE AGE OF THE APPLICANT WHEN THE OFFENSE~~  
30 ~~OR CONDUCT WAS COMMITTED.~~

1           ~~[(5)] (V) WHETHER THE OFFENSE OR CONDUCT WAS AN~~  
2           ~~ISOLATED OR A REPEATED INCIDENT.~~

3           ~~[(6)] (VI) ANY EVIDENCE OF REHABILITATION, INCLUDING~~  
4           ~~GOOD CONDUCT IN THE COMMUNITY, COUNSELING OR PSYCHIATRIC~~  
5           ~~TREATMENT RECEIVED AND THE RECOMMENDATION OF PERSONS WHO~~  
6           ~~HAVE SUBSTANTIAL CONTACT WITH THE APPLICANT.~~

7           ~~(4) FOR PURPOSES OF THIS SECTION, A FELONY OFFENSE IS AN~~  
8           ~~OFFENSE PUNISHABLE BY IMPRISONMENT FOR MORE THAN FIVE YEARS.~~

9           ~~SECTION 10.1. TITLE 4 IS AMENDED BY ADDING A SECTION~~  
10          ~~SECTIONS TO READ:~~

11          ~~§ 1214. SPECIFIC AUTHORITY TO SUSPEND SLOT MACHINE LICENSE.~~

12           ~~(A) CONDITIONS. ANY SLOT MACHINE LICENSEE THAT IS REQUIRED~~  
13          ~~AS A CONDITION OF SLOT MACHINE LICENSURE TO MAKE ANNUAL PAYMENTS~~  
14          ~~TO A MUNICIPALITY OR MUNICIPAL AUTHORITY FOR AN ECONOMIC~~  
15          ~~DEVELOPMENT PROJECT, INCLUDING ANY PROJECT ENUMERATED IN THE ACT~~  
16          ~~OF JULY 25, 2007 (P.L.342, NO.53), KNOWN AS PENNSYLVANIA GAMING~~  
17          ~~ECONOMIC DEVELOPMENT AND TOURISM FUND CAPITAL BUDGET ITEMIZATION~~  
18          ~~ACT OF 2007, SHALL ENTER INTO A WRITTEN AGREEMENT WITH THE~~  
19          ~~MUNICIPALITY OR MUNICIPAL AUTHORITY AND MAKE THE FIRST ANNUAL~~  
20          ~~PAYMENT REQUIRED UNDER THE AGREEMENT BY OCTOBER 15 DECEMBER 31,~~  
21          ~~2009.~~

22           ~~(B) FAILURE TO MEET CONDITIONS. IF THE SLOT MACHINE~~  
23          ~~LICENSEE AND THE MUNICIPALITY OR MUNICIPAL AUTHORITY FAIL TO~~  
24          ~~ENTER INTO A WRITTEN AGREEMENT, AND THE SLOT MACHINE LICENSEE~~  
25          ~~FAILS TO MAKE THE FIRST REQUIRED ANNUAL PAYMENT UNDER THE~~  
26          ~~WRITTEN AGREEMENT, BY OCTOBER 15, 2009, THE BOARD SHALL~~  
27          ~~IMMEDIATELY SUSPEND THE SLOT MACHINE LICENSE AND APPOINT A~~  
28          ~~TRUSTEE TO OVERSEE THE OPERATIONS OF THE LICENSED GAMING~~  
29          ~~FACILITY. THE TRUSTEE SHALL IMMEDIATELY REMIT THE FIRST REQUIRED~~  
30          ~~ANNUAL PAYMENT TO THE MUNICIPALITY OR MUNICIPAL AUTHORITY ON~~

1 ~~BEHALF OF THE SLOT MACHINE LICENSEE.~~

2 ~~(C) TERMS OF LICENSE SUSPENSION. THE SLOT MACHINE LICENSE~~  
3 ~~SUSPENSION SHALL REMAIN IN EFFECT UNTIL THE SLOT MACHINE~~  
4 ~~LICENSEE AND THE MUNICIPALITY OR MUNICIPAL AUTHORITY EXECUTE A~~  
5 ~~WRITTEN AGREEMENT GOVERNING THE TERMS OF THE REQUIRED ANNUAL~~  
6 ~~PAYMENTS, INCLUDING THE DATE ON WHICH THE PAYMENTS SHALL BE~~  
7 ~~MADE, THE AMOUNT OF EACH ANNUAL PAYMENT AND THE DURATION OF THE~~  
8 ~~ANNUAL PAYMENTS. THE TRUSTEE SHALL ESTABLISH AN ACCOUNT OR~~  
9 ~~ACCOUNTS TO PLACE ALL PROFITS OF THE SLOT MACHINE LICENSEE FROM~~  
10 ~~GAMING OR OTHER REVENUES OF THE SLOT MACHINE LICENSEE'S LICENSED~~  
11 ~~FACILITY UNTIL A WRITTEN AGREEMENT IS EXECUTED BETWEEN THE SLOT~~  
12 ~~MACHINE LICENSEE AND THE MUNICIPALITY OR MUNICIPAL AUTHORITY.~~

13 ~~(D) VIOLATION OF WRITTEN AGREEMENT. IF ANY SLOT MACHINE~~  
14 ~~LICENSEE THAT IS REQUIRED AS A CONDITION OF SLOT MACHINE~~  
15 ~~LICENSURE TO MAKE ANNUAL PAYMENTS TO A MUNICIPALITY OR MUNICIPAL~~  
16 ~~AUTHORITY FOR AN ECONOMIC DEVELOPMENT PROJECT, INCLUDING ANY~~  
17 ~~PROJECT ENUMERATED IN THE PENNSYLVANIA GAMING ECONOMIC~~  
18 ~~DEVELOPMENT AND TOURISM FUND CAPITAL BUDGET ITEMIZATION ACT OF~~  
19 ~~2007, FAILS TO MAKE ANY REQUIRED PAYMENT IN ACCORDANCE WITH THE~~  
20 ~~TERMS OF ANY WRITTEN AGREEMENT BETWEEN THE SLOT MACHINE LICENSEE~~  
21 ~~AND THE MUNICIPALITY OR MUNICIPAL AUTHORITY GOVERNING THE~~  
22 ~~ECONOMIC DEVELOPMENT PROJECT, THE BOARD SHALL IMMEDIATELY~~  
23 ~~SUSPEND THE SLOT MACHINE LICENSE AND APPOINT A TRUSTEE TO~~  
24 ~~OVERSEE THE OPERATIONS OF THE LICENSED GAMING FACILITY. THE~~  
25 ~~TRUSTEE SHALL CONTINUE TO MAKE PAYMENTS TO THE MUNICIPALITY OR~~  
26 ~~MUNICIPAL AUTHORITY ACCORDING TO THE TERMS OF THE WRITTEN~~  
27 ~~AGREEMENT AND ESTABLISH AN ACCOUNT OR ACCOUNTS TO PLACE THE~~  
28 ~~PROFITS OF THE SLOT MACHINE LICENSEE FROM GAMING OR OTHER~~  
29 ~~REVENUES OF THE SLOT MACHINE LICENSEE'S LICENSED FACILITY~~  
30 ~~PENDING RESOLUTION OF THE PAYMENT ISSUE BETWEEN THE SLOT MACHINE~~



1 ~~LICENSEE AND THE MUNICIPALITY OR MUNICIPAL AUTHORITY.~~

2 ~~§ 1215. AUDITOR GENERAL'S REPORTS.~~

3 ~~(A) ANNUAL AUDIT. IN COOPERATION WITH THE DEPARTMENT AND~~  
4 ~~THE STATE TREASURER, THE AUDITOR GENERAL SHALL ANNUALLY AUDIT~~  
5 ~~AND REPORT ON THE AMOUNTS AND USES OF THE DISTRIBUTIONS MADE~~  
6 ~~UNDER CHAPTER 14 (RELATING TO REVENUES) FROM THE STATE GAMING~~  
7 ~~FUND, THE LOCAL SHARE ASSESSMENT TO COUNTIES AND MUNICIPALITIES,~~  
8 ~~THE PENNSYLVANIA RACE HORSE DEVELOPMENT FUND AND THE~~  
9 ~~PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND.~~

10 ~~(B) INTERNAL AUDIT. EVERY FOUR YEARS, THE AUDITOR GENERAL~~  
11 ~~SHALL PERFORM AN INTERNAL AUDIT OF THE EXPENSES AND REVENUES OF~~  
12 ~~THE BOARD. IN ADDITION TO EXAMINING THE AGENCY'S FINANCIAL~~  
13 ~~STATEMENTS, THE AUDITOR GENERAL SHALL BE ENTITLED TO EXAMINE~~  
14 ~~ORIGINAL SOURCE DOCUMENTS AT SUCH TIMES AS IS BELIEVED NECESSARY~~  
15 ~~OR MAY OTHERWISE EXAMINE ORIGINAL DOCUMENTS ON A RANDOM BASIS~~  
16 ~~DESIGNED TO ENSURE THE INTEGRITY OF THE AUDIT. THE AUDIT SHALL~~  
17 ~~INCLUDE THE EXPENSES INCURRED BY INDIVIDUAL MEMBERS OF THE BOARD~~  
18 ~~AND REIMBURSED OR OTHERWISE PAID FOR BY THE BOARD. THE AUDITOR~~  
19 ~~GENERAL SHALL PREPARE A WRITTEN REPORT OF ITS AUDITS UNDER THIS~~  
20 ~~SECTION AND SUBMIT A COPY OF THE REPORT TO THE COMMUNITY,~~  
21 ~~ECONOMIC AND RECREATIONAL DEVELOPMENT COMMITTEE OF THE SENATE~~  
22 ~~AND THE GAMING OVERSIGHT COMMITTEE OF THE HOUSE OF~~  
23 ~~REPRESENTATIVES NO LATER THAN APRIL 1 OF EACH YEAR.~~

24 SECTION 10.2. SECTION 1305 (A) (1), (C), (D) AND (E) OF TITLE  
25 4 ARE AMENDED TO READ:

26 ~~§ 1305. CATEGORY 3 SLOT MACHINE LICENSE.~~

27 ~~(A) ELIGIBILITY.~~

28 ~~(1) A PERSON MAY BE ELIGIBLE TO APPLY FOR A CATEGORY 3~~  
29 ~~LICENSE IF THE APPLICANT, ITS AFFILIATE, INTERMEDIARY,~~  
30 ~~SUBSIDIARY OR HOLDING COMPANY HAS NOT APPLIED FOR OR BEEN~~

1 ~~APPROVED OR ISSUED A CATEGORY 1 OR 2 LICENSE AND THE PERSON~~  
2 ~~IS SEEKING TO LOCATE A CATEGORY 3 LICENSED FACILITY IN A~~  
3 ~~WELL ESTABLISHED RESORT HOTEL HAVING NO FEWER THAN 275 GUEST~~  
4 ~~ROOMS UNDER COMMON OWNERSHIP AND HAVING SUBSTANTIAL YEAR~~  
5 ~~ROUND RECREATIONAL GUEST AMENITIES. THE APPLICANT FOR A~~  
6 ~~CATEGORY 3 LICENSE SHALL BE THE OWNER OR BE A WHOLLY OWNED~~  
7 ~~SUBSIDIARY OF THE OWNER OF THE ESTABLISHED RESORT HOTEL. [A~~  
8 ~~CATEGORY 3 LICENSE MAY ONLY BE GRANTED UPON THE EXPRESS~~  
9 ~~CONDITION THAT AN INDIVIDUAL MAY NOT ENTER A GAMING AREA OF~~  
10 ~~THE LICENSEE IF THE INDIVIDUAL IS NOT A REGISTERED OVERNIGHT~~  
11 ~~GUEST OF THE ESTABLISHED RESORT HOTEL OR IF THE INDIVIDUAL IS~~  
12 ~~NOT A PATRON OF ONE OR MORE OF THE AMENITIES PROVIDED BY THE~~  
13 ~~ESTABLISHED RESORT HOTEL.]~~

14 \* \* \*

15 ~~(C) NUMBER OF SLOT MACHINES. NOTWITHSTANDING THE NUMBER OF~~  
16 ~~PERMISSIBLE SLOT MACHINES AS SET FORTH IN SECTION 1210 (RELATING~~  
17 ~~TO NUMBER OF SLOT MACHINES), A CATEGORY 3 LICENSE GRANTED UNDER~~  
18 ~~THE PROVISIONS OF THIS SECTION SHALL ENTITLE THE LICENSED ENTITY~~  
19 ~~TO OPERATE NO MORE THAN 500 SLOT MACHINES AT THE LICENSED~~  
20 ~~FACILITY, PROVIDED, HOWEVER, THE BOARD MAY INCREASE THE NUMBER~~  
21 ~~OF SLOT MACHINES BY A NUMBER NOT TO EXCEED 1,000 SLOT MACHINES~~  
22 ~~IN THE AGGREGATE UPON GOOD CAUSE SHOWN BY THE SLOT MACHINE~~  
23 ~~LICENSEE AND PAYMENT OF THE ADDITIONAL FEE PURSUANT TO~~  
24 ~~SUBSECTION (D).~~

25 ~~(D) CATEGORY 3 LICENSE FEE. NOTWITHSTANDING THE ONE TIME~~  
26 ~~SLOT MACHINE LICENSE FEE AS SET FORTH IN SECTION 1209 (RELATING~~  
27 ~~TO SLOT MACHINE LICENSE FEE), THE BOARD SHALL IMPOSE A ONE TIME~~  
28 ~~CATEGORY 3 LICENSE FEE TO BE PAID BY EACH SUCCESSFUL APPLICANT~~  
29 ~~IN THE AMOUNT OF \$5,000,000 TO BE DEPOSITED IN THE STATE GAMING~~  
30 ~~FUND. IF THE BOARD AUTHORIZES THE OPERATION OF MORE THAN 500~~

1 ~~SLOT MACHINES AT A CATEGORY 3 FACILITY PURSUANT TO SUBSECTION~~  
2 ~~(C), THE BOARD SHALL IMPOSE A ONE TIME FEE IN THE AMOUNT OF~~  
3 ~~\$5,000,000 FOR EACH ADDITIONAL 250 SLOT MACHINES. THE FEE FOR~~  
4 ~~THE ADDITIONAL SLOT MACHINES SHALL BE IN ADDITION TO THE~~  
5 ~~\$5,000,000 FEE REQUIRED TO OPERATE 500 SLOT MACHINES PURSUANT TO~~  
6 ~~SUBSECTION (C) AND SHALL BE DEPOSITED INTO THE GENERAL FUND. THE~~  
7 ~~PROVISIONS OF SECTION 1209 RELATING TO TERM, CREDIT AGAINST TAX~~  
8 ~~FOR SLOT MACHINE LICENSEES, DEPOSIT OF LICENSE FEE AND CHANGE OF~~  
9 ~~OWNERSHIP OR CONTROL OF A LICENSE SHALL BE APPLICABLE TO A~~  
10 ~~CATEGORY 3 LICENSE FEE.~~

11 ~~(E) DEFINITIONS. FOR THE PURPOSE OF SUBSECTION (A), THE~~  
12 ~~FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANING GIVEN TO THEM~~  
13 ~~IN THIS SUBSECTION:~~

14 ~~"AMENITIES." ANY ANCILLARY ACTIVITIES, SERVICES OR~~  
15 ~~FACILITIES IN WHICH A REGISTERED GUEST OR THE TRANSIENT PUBLIC[,~~  
16 ~~IN RETURN FOR NON DE MINIMIS CONSIDERATION AS DEFINED BY BOARD~~  
17 ~~REGULATION,] MAY PARTICIPATE AT A RESORT HOTEL, INCLUDING, BUT~~  
18 ~~NOT LIMITED TO, SPORTS AND RECREATIONAL ACTIVITIES AND~~  
19 ~~FACILITIES SUCH AS A GOLF COURSE OR GOLF DRIVING RANGE, TENNIS~~  
20 ~~COURTS OR SWIMMING POOL; HEALTH SPA; CONVENTION, MEETING AND~~  
21 ~~BANQUET FACILITIES; ENTERTAINMENT FACILITIES; AND RESTAURANT~~  
22 ~~FACILITIES.~~

23 ~~["PATRON OF THE AMENITIES." ANY INDIVIDUAL WHO IS A~~  
24 ~~REGISTERED ATTENDEE OF A CONVENTION, MEETING OR BANQUET EVENT OR~~  
25 ~~A PARTICIPANT IN A SPORT OR RECREATIONAL EVENT OR ANY OTHER~~  
26 ~~SOCIAL, CULTURAL OR BUSINESS EVENT HELD AT A RESORT HOTEL OR WHO~~  
27 ~~PARTICIPATES IN ONE OR MORE OF THE AMENITIES PROVIDED TO~~  
28 ~~REGISTERED GUESTS OF THE RESORT HOTEL.]~~

29 ~~SECTION 10.3. SECTION 1308 OF TITLE 4 IS AMENDED BY ADDING A~~  
30 ~~SUBSECTION TO READ:~~

1 ~~§ 1308. APPLICATIONS FOR LICENSE OR PERMIT.~~

2 \* \* \*

3 ~~(A.1) SUBMISSION OF INFORMATION. NOTWITHSTANDING THE~~  
4 ~~PROVISIONS OF 18 PA.C.S. § 9124(B) (RELATING TO USE OF RECORDS~~  
5 ~~BY LICENSING AGENCIES), AN APPLICATION FOR A LICENSE OR PERMIT~~  
6 ~~UNDER THIS PART SHALL INCLUDE ALL ARRESTS AND CONVICTIONS OF THE~~  
7 ~~APPLICANT. THE INFORMATION SHALL INCLUDE:~~

8 ~~(1) A BRIEF DESCRIPTION OF THE CIRCUMSTANCES SURROUNDING~~  
9 ~~THE ARREST.~~

10 ~~(2) THE SPECIFIC OFFENSE CHARGED.~~

11 ~~(3) THE ULTIMATE DISPOSITION OF THE CHARGES, INCLUDING~~  
12 ~~THE DETAILS OF ANY DISMISSAL, PLEA BARGAIN, CONVICTION OR~~  
13 ~~SENTENCE, INCLUDING ANY PARDON, EXPUNGEMENT OR ORDER OF~~  
14 ~~ACCELERATED REHABILITATIVE DISPOSITION.~~

15 \* \* \*

16 SECTION 10.4. SECTIONS 1310 AND 1313(C) OF TITLE 4 ARE  
17 AMENDED TO READ:

18 ~~§ 1310. SLOT MACHINE LICENSE APPLICATION CHARACTER~~  
19 ~~REQUIREMENTS.~~

20 ~~(A) APPLICATION.~~

21 ~~(1) EVERY APPLICATION FOR A SLOT MACHINE LICENSE SHALL~~  
22 ~~INCLUDE SUCH INFORMATION, DOCUMENTATION AND ASSURANCES AS MAY~~  
23 ~~BE REQUIRED TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE~~  
24 ~~APPLICANT'S SUITABILITY, INCLUDING GOOD CHARACTER, HONESTY~~  
25 ~~AND INTEGRITY. INFORMATION SHALL INCLUDE, WITHOUT LIMITATION,~~  
26 ~~INFORMATION PERTAINING TO FAMILY, HABITS, CHARACTER,~~  
27 ~~REPUTATION, CRIMINAL HISTORY BACKGROUND, BUSINESS ACTIVITIES,~~  
28 ~~FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL AND PERSONAL~~  
29 ~~ASSOCIATES, COVERING AT LEAST THE TEN YEAR PERIOD IMMEDIATELY~~  
30 ~~PRECEDING THE FILING DATE OF THE APPLICATION.~~

~~(2) NOTWITHSTANDING 18 PA.C.S. § 9124(B) (RELATING TO USE OF RECORDS BY LICENSING AGENCIES), A CONVICTION THAT HAS BEEN EXPUNGED OR OVERTURNED, OR FOR WHICH A PERSON HAS BEEN PARDONED OR AN ORDER OF ACCELERATED REHABILITATIVE DISPOSITION HAS BEEN ISSUED, SHALL BE INCLUDED WITH AN APPLICATION AND SHALL BE CONSIDERED BY THE BOARD AS PART OF THE REVIEW OF THE APPLICANT'S SUITABILITY UNDER PARAGRAPH (1).~~

~~(B) CIVIL JUDGMENTS AND LAW ENFORCEMENT AGENCY INFORMATION. EACH APPLICANT SHALL NOTIFY THE BOARD OF ANY CIVIL JUDGMENTS OBTAINED AGAINST THE APPLICANT PERTAINING TO ANTITRUST OR SECURITY REGULATION LAWS OF THE FEDERAL GOVERNMENT, THIS COMMONWEALTH OR ANY OTHER STATE, JURISDICTION, PROVINCE OR COUNTRY. IN ADDITION, EACH APPLICANT SHALL PRODUCE A LETTER OF REFERENCE FROM LAW ENFORCEMENT AGENCIES HAVING JURISDICTION IN THE APPLICANT'S PLACE OF RESIDENCE AND PRINCIPAL PLACE OF BUSINESS, WHICH LETTER OF REFERENCE SHALL INDICATE THAT THE LAW ENFORCEMENT AGENCIES DO NOT HAVE ANY PERTINENT INFORMATION CONCERNING THE APPLICANT OR, IF THE LAW ENFORCEMENT AGENCY DOES HAVE INFORMATION PERTAINING TO THE APPLICANT, SHALL SPECIFY THE NATURE AND CONTENT OF THAT INFORMATION. IF NO LETTERS ARE RECEIVED WITHIN 30 DAYS OF THE REQUEST, THE APPLICANT MAY SUBMIT A STATEMENT UNDER OATH WHICH IS SUBJECT TO THE PENALTY FOR FALSE SWEARING UNDER 18 PA.C.S. § 4903 (RELATING TO FALSE SWEARING) THAT THE APPLICANT IS OR WAS DURING THE PERIOD THE ACTIVITIES WERE CONDUCTED IN GOOD STANDING WITH THE GAMING OR CASINO ENFORCEMENT OR CONTROL AGENCY.~~

~~(C) GAMING OR CASINO ENFORCEMENT AGENCY INFORMATION. IF THE APPLICANT HAS HELD A GAMING LICENSE IN A JURISDICTION WHERE GAMING ACTIVITIES ARE PERMITTED, THE APPLICANT SHALL PRODUCE A~~

1 ~~LETTER OF REFERENCE FROM THE GAMING OR CASINO ENFORCEMENT OR~~  
2 ~~CONTROL AGENCY WHICH SHALL SPECIFY THE EXPERIENCES OF THAT~~  
3 ~~AGENCY WITH THE APPLICANT, THE APPLICANT'S ASSOCIATES AND THE~~  
4 ~~APPLICANT'S GAMING OPERATION. IF NO LETTERS ARE RECEIVED WITHIN~~  
5 ~~30 DAYS OF THE REQUEST, THE APPLICANT MAY SUBMIT A STATEMENT~~  
6 ~~UNDER OATH WHICH IS SUBJECT TO THE PENALTY FOR FALSE SWEARING~~  
7 ~~UNDER 18 PA.C.S. § 4903 THAT THE APPLICANT IS OR WAS DURING THE~~  
8 ~~PERIOD THE ACTIVITIES WERE CONDUCTED IN GOOD STANDING WITH THE~~  
9 ~~GAMING OR CASINO ENFORCEMENT OR CONTROL AGENCY.~~

10 ~~(D) AGENCY RECORDS. EACH APPLICANT FOR A SLOT MACHINE~~  
11 ~~LICENSE, PRINCIPAL LICENSE OR KEY EMPLOYEE LICENSE SHALL BE~~  
12 ~~REQUIRED TO APPLY TO THE FEDERAL AGENCY DEEMED APPROPRIATE BY~~  
13 ~~THE BOARD FOR AGENCY RECORDS UNDER THE FREEDOM OF INFORMATION~~  
14 ~~ACT (PUBLIC LAW 89 554, 5 U.S.C. § 522) PERTAINING TO THE~~  
15 ~~APPLICANT AND PROVIDE THE BOARD WITH THE COMPLETE RECORD~~  
16 ~~RECEIVED FROM THE FEDERAL AGENCY. THE BOARD MAY ISSUE A LICENSE~~  
17 ~~TO THE APPLICANT PRIOR TO THE RECEIPT OF INFORMATION UNDER THIS~~  
18 ~~SUBSECTION.~~

19 ~~§ 1313. SLOT MACHINE LICENSE APPLICATION FINANCIAL FITNESS~~  
20 ~~REQUIREMENTS.~~

21 ~~\* \* \*~~

22 ~~(C) APPLICANT'S ABILITY TO PAY LICENSE FEE. THE BOARD SHALL~~  
23 ~~REQUIRE EACH APPLICANT FOR A CATEGORY 1 OR 2 SLOT MACHINE~~  
24 ~~LICENSE AT THE TIME OF APPLICATION TO POST A LETTER OF CREDIT OR~~  
25 ~~BOND IN THE AMOUNT OF \$50,000,000 TO DEMONSTRATE THE FINANCIAL~~  
26 ~~ABILITY TO PAY THE SLOT MACHINE LICENSE FEE AS REQUIRED IN~~  
27 ~~SECTION 1209 (RELATING TO SLOT MACHINE LICENSE FEE) IF ISSUED A~~  
28 ~~SLOT MACHINE LICENSE BY THE BOARD. EACH APPLICANT FOR A CATEGORY~~  
29 ~~3 SLOT MACHINE LICENSE AT THE TIME OF APPLICATION SHALL BE~~  
30 ~~REQUIRED TO POST A LETTER OF CREDIT OR BOND IN THE AMOUNT OF~~

1 ~~\$5,000,000 TO DEMONSTRATE THE FINANCIAL ABILITY TO PAY THE~~  
2 ~~CATEGORY 3 SLOT MACHINE LICENSE FEE AS REQUIRED IN SECTION 1305~~  
3 ~~(RELATING TO CATEGORY 3 SLOT MACHINE LICENSE) IF ISSUED A SLOT~~  
4 ~~MACHINE LICENSE BY THE BOARD. EACH CATEGORY 3 SLOT MACHINE~~  
5 ~~LICENSEE THAT SEEKS TO INCREASE THE NUMBER OF SLOT MACHINES IN~~  
6 ~~OPERATION AT THE LICENSED FACILITY PURSUANT TO SECTION 1305(C)~~  
7 ~~(RELATING TO CATEGORY 3 SLOT MACHINE LICENSE) SHALL BE REQUIRED~~  
8 ~~TO POST A LETTER OF CREDIT OR BOND IN THE AMOUNT OF \$5,000,000~~  
9 ~~TO DEMONSTRATE THE FINANCIAL ABILITY TO PAY THE ADDITIONAL~~  
10 ~~CATEGORY 3 SLOT MACHINE LICENSE FEE AS REQUIRED IN SECTION~~  
11 ~~1305(D).~~

12 \* \* \*

13 SECTION 10.5. SECTIONS 1317(A) AND (C) AND 1317.1(A), (B)  
14 (5), (C), (D.1) AND (E) OF TITLE 4 ARE AMENDED AND THE SECTIONS  
15 ARE AMENDED BY ADDING SUBSECTIONS TO READ:

16 § 1317. SUPPLIER LICENSES.

17 (A) APPLICATION. A MANUFACTURER THAT ELECTS TO CONTRACT  
18 WITH A SUPPLIER UNDER SECTION 1317.1(D.1) (RELATING TO  
19 MANUFACTURER LICENSES) SHALL ENSURE THAT THE SUPPLIER IS  
20 LICENSED UNDER THIS SECTION. A PERSON SEEKING TO PROVIDE SLOT  
21 MACHINES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT TO A SLOT  
22 MACHINE LICENSEE WITHIN THIS COMMONWEALTH THROUGH A CONTRACT  
23 WITH A LICENSED MANUFACTURER SHALL APPLY TO THE BOARD FOR A  
24 SUPPLIER LICENSE.

25 \* \* \*

26 (C) REVIEW AND APPROVAL. UPON BEING SATISFIED THAT THE  
27 REQUIREMENTS OF SUBSECTION (B) HAVE BEEN MET OR WAIVED UNDER  
28 SUBSECTION (C.1), THE BOARD MAY APPROVE THE APPLICATION AND  
29 ISSUE THE APPLICANT A SUPPLIER LICENSE CONSISTENT WITH ALL OF  
30 THE FOLLOWING:

1           ~~(1) [THE LICENSE SHALL BE FOR A PERIOD OF ONE YEAR. UPON~~  
2           ~~EXPIRATION, THE LICENSE MAY BE RENEWED IN ACCORDANCE WITH~~  
3           ~~SUBSECTION (D)] THE INITIAL LICENSE SHALL BE FOR A PERIOD OF~~  
4           ~~ONE YEAR AND SHALL BE SUBJECT TO RENEWAL ANNUALLY UNDER~~  
5           ~~SUBSECTION (D) FOR TWO CONSECUTIVE ONE YEAR PERIODS FOLLOWING~~  
6           ~~THE INITIAL ISSUANCE. THEREAFTER, A LICENSE SHALL BE SUBJECT~~  
7           ~~TO RENEWAL EVERY THREE YEARS. NOTHING IN THIS PARAGRAPH SHALL~~  
8           ~~RELIEVE THE A LICENSEE OF THE AFFIRMATIVE DUTY TO NOTIFY THE~~ ←  
9           ~~BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS LICENSE OR~~  
10           ~~TO ANY INFORMATION CONTAINED IN APPLICATION MATERIALS ON FILE~~  
11           ~~WITH THE BOARD.~~

12           \* \* \*

13           ~~(C.1) WAIVER. THE BOARD SHALL ESTABLISH STANDARDS AND A~~  
14           ~~PROCEDURE TO ALLOW THE BOARD TO WAIVE THE REQUIREMENTS OF THIS~~  
15           ~~SECTION FOR ANY PERSON WHO HOLDS A SUPPLIER LICENSE UNDER THIS~~  
16           ~~SECTION AND WHO SEEKS TO SUPPLY TABLE GAME DEVICES OR ASSOCIATED~~  
17           ~~EQUIPMENT. THE BOARD MAY ONLY WAIVE THE REQUIREMENTS OF THIS~~  
18           ~~SECTION IF:~~

19           ~~(1) THE SUPPLIER LICENSE WAS ISSUED BY THE BOARD WITHIN~~  
20           ~~A 36 MONTH PERIOD IMMEDIATELY PRECEDING THE DATE THE SUPPLIER~~  
21           ~~LICENSEE FILES AN INITIAL APPLICATION TO SUPPLY TABLE GAME~~  
22           ~~DEVICES OR ASSOCIATED EQUIPMENT.~~

23           ~~(2) THE PERSON TO WHOM THE SUPPLIER LICENSE WAS ISSUED~~  
24           ~~AFFIRMS THERE HAS BEEN NO MATERIAL CHANGE IN CIRCUMSTANCES~~  
25           ~~RELATING TO THE LICENSE.~~

26           ~~(3) THE BOARD DETERMINES THERE HAS BEEN NO MATERIAL~~  
27           ~~CHANGE IN CIRCUMSTANCES RELATING TO THE LICENSE THAT~~  
28           ~~NECESSITATES, AT THE DISCRETION OF THE BOARD, THAT THE~~  
29           ~~REQUIREMENTS OF THIS SECTION NOT BE WAIVED.~~

30           \* \* \*

1 ~~§ 1317.1. MANUFACTURER LICENSES.~~

2 ~~(A) APPLICATION. A PERSON SEEKING TO MANUFACTURE SLOT~~  
3 ~~MACHINES, TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT FOR USE IN~~  
4 ~~THIS COMMONWEALTH SHALL APPLY TO THE BOARD FOR A MANUFACTURER~~  
5 ~~LICENSE.~~

6 ~~(B) REQUIREMENTS. AN APPLICATION FOR A MANUFACTURER LICENSE~~  
7 ~~SHALL BE ON THE FORM REQUIRED BY THE BOARD, ACCOMPANIED BY THE~~  
8 ~~APPLICATION FEE, AND SHALL INCLUDE ALL OF THE FOLLOWING:~~

9 ~~\* \* \*~~

10 ~~(5) THE TYPE OF SLOT MACHINES, TABLE GAME DEVICES OR~~  
11 ~~ASSOCIATED EQUIPMENT TO BE MANUFACTURED OR REPAIRED.~~

12 ~~(C) REVIEW AND APPROVAL. UPON BEING SATISFIED THAT THE~~  
13 ~~REQUIREMENTS OF SUBSECTION (B) HAVE BEEN MET OR WAIVED UNDER~~  
14 ~~SUBSECTION (C.1), THE BOARD MAY APPROVE THE APPLICATION AND~~  
15 ~~GRANT THE APPLICANT A MANUFACTURER LICENSE CONSISTENT WITH ALL~~  
16 ~~OF THE FOLLOWING:~~

17 ~~(1) [THE LICENSE SHALL BE FOR A PERIOD OF ONE YEAR. UPON~~  
18 ~~EXPIRATION, A LICENSE MAY BE RENEWED IN ACCORDANCE WITH~~  
19 ~~SUBSECTION (D)] THE INITIAL LICENSE SHALL BE FOR A PERIOD OF~~  
20 ~~ONE YEAR AND SHALL BE SUBJECT TO RENEWAL ANNUALLY UNDER~~  
21 ~~SUBSECTION (D) FOR TWO CONSECUTIVE ONE YEAR PERIODS FOLLOWING~~  
22 ~~THE INITIAL ISSUANCE. THEREAFTER, A LICENSE SHALL BE SUBJECT~~  
23 ~~TO RENEWAL EVERY THREE YEARS. NOTHING IN THIS PARAGRAPH SHALL~~  
24 ~~RELIEVE THE LICENSEE OF THE AFFIRMATIVE DUTY TO NOTIFY THE~~  
25 ~~BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS LICENSE OR~~  
26 ~~TO ANY OTHER INFORMATION CONTAINED IN APPLICATION MATERIALS~~  
27 ~~ON FILE WITH THE BOARD.~~

28 ~~(2) THE LICENSE SHALL BE NONTRANSFERABLE.~~

29 ~~(3) ANY OTHER CONDITION ESTABLISHED BY THE BOARD.~~

30 ~~(C.1) WAIVER. THE BOARD SHALL ESTABLISH STANDARDS AND A~~

1 ~~PROCEDURE TO ALLOW THE BOARD TO WAIVE THE REQUIREMENTS OF THIS~~  
2 ~~SECTION FOR ANY PERSON WHO HOLDS A MANUFACTURER LICENSE UNDER~~  
3 ~~THIS SECTION AND WHO SEEKS TO MANUFACTURE TABLE GAME DEVICES OR~~  
4 ~~ASSOCIATED EQUIPMENT. THE BOARD MAY ONLY WAIVE THE APPLICATION~~  
5 ~~REQUIREMENT UNDER THIS SECTION IF:~~

6 ~~(1) THE MANUFACTURER LICENSE WAS ISSUED BY THE BOARD~~  
7 ~~WITHIN A 36 MONTH PERIOD IMMEDIATELY PRECEDING THE DATE THE~~  
8 ~~MANUFACTURER LICENSEE FILES AN APPLICATION TO MANUFACTURE~~  
9 ~~TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT.~~

10 ~~(2) THE PERSON TO WHOM THE MANUFACTURER LICENSE WAS~~  
11 ~~ISSUED AFFIRMS THERE HAS BEEN NO MATERIAL CHANGE IN~~  
12 ~~CIRCUMSTANCES RELATING TO THE LICENSE.~~

13 ~~(3) THE BOARD DETERMINES THERE HAS BEEN NO MATERIAL~~  
14 ~~CHANGE IN CIRCUMSTANCES OF THE LICENSEE THAT NECESSITATES, AT~~  
15 ~~THE DISCRETION OF THE BOARD, THAT THE REQUIREMENTS OF THIS~~  
16 ~~SECTION NOT BE WAIVED.~~

17 ~~\* \* \*~~

18 ~~(D.1) AUTHORITY. THE FOLLOWING SHALL APPLY TO A LICENSED~~  
19 ~~MANUFACTURER:~~

20 ~~(1) A LICENSED MANUFACTURER OR ITS DESIGNEE, AS LICENSED~~  
21 ~~BY THE BOARD, MAY SUPPLY OR REPAIR ANY SLOT MACHINE, TABLE~~  
22 ~~GAME DEVICE OR ASSOCIATED EQUIPMENT MANUFACTURED BY THE~~  
23 ~~LICENSED MANUFACTURER.~~

24 ~~(2) A MANUFACTURER MAY CONTRACT WITH A SUPPLIER UNDER~~  
25 ~~SECTION 1317 (RELATING TO SUPPLIER LICENSES) TO PROVIDE SLOT~~  
26 ~~MACHINES OR ASSOCIATED EQUIPMENT TO A SLOT MACHINE LICENSEE~~  
27 ~~WITHIN THIS COMMONWEALTH.~~

28 ~~(3) A MANUFACTURER MAY CONTRACT WITH A SUPPLIER UNDER~~  
29 ~~SECTION 1317 TO PROVIDE TABLE GAMES GAME DEVICES OR~~  
30 ~~ASSOCIATED EQUIPMENT TO A CERTIFICATE HOLDER.~~



1 ~~(E) PROHIBITIONS.~~

2 ~~(1) NO PERSON MAY MANUFACTURE SLOT MACHINES, TABLE GAME~~  
3 ~~DEVICES OR ASSOCIATED EQUIPMENT FOR USE WITHIN THIS~~  
4 ~~COMMONWEALTH BY A SLOT MACHINE LICENSEE UNLESS THE PERSON HAS~~  
5 ~~BEEN ISSUED A MANUFACTURER LICENSE AS REQUIRED UNDER THIS~~  
6 ~~SECTION.~~

7 ~~(2) NO SLOT MACHINE LICENSEE MAY USE SLOT MACHINES,~~  
8 ~~TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT UNLESS THE SLOT~~  
9 ~~MACHINES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT WERE~~  
10 ~~MANUFACTURED BY A PERSON THAT HAS BEEN ISSUED A MANUFACTURER~~  
11 ~~LICENSE UNDER THIS SECTION.~~

12 ~~(3) NO PERSON ISSUED A LICENSE UNDER THIS SECTION SHALL~~  
13 ~~APPLY FOR OR BE ISSUED A LICENSE UNDER SECTION 1317.~~

14 ~~(4) NO LIMITATION SHALL BE PLACED ON THE NUMBER OF~~  
15 ~~MANUFACTURER LICENSES ISSUED OR THE TIME PERIOD TO SUBMIT~~  
16 ~~APPLICATIONS FOR LICENSURE, EXCEPT AS REQUIRED TO COMPLY WITH~~  
17 ~~SECTION 1306 (RELATING TO ORDER OF INITIAL LICENSE ISSUANCE).~~  
18 ~~SECTION 10.6. TITLE 4 IS AMENDED BY ADDING A SECTION TO~~

19 READ:

20 ~~§ 1317.2. GAMING SERVICE PROVIDER.~~

21 ~~(A) DEVELOPMENT OF CLASSIFICATION SYSTEM. THE BOARD SHALL~~  
22 ~~DEVELOP UNIFORM STANDARDS AND PROCEDURES GOVERNING THE~~  
23 ~~REGISTRATION REGULATION OF GAMING SERVICE PROVIDERS. EACH~~ ←  
24 ~~APPLICANT AND ALL INDIVIDUALS AND ENTITIES ASSOCIATED WITH THE~~ ←  
25 ~~APPLICANT FOR AUTHORIZATION TO ACT AS A GAMING SERVICE PROVIDER~~ ←  
26 ~~SHALL SUBMIT TO A BACKGROUND INVESTIGATION. THE CLASSIFICATION~~  
27 ~~SYSTEM DEVELOPED BY THE BOARD SHALL BE BASED UPON THE FOLLOWING:~~ ←

28 ~~(1) THE MONETARY VALUE OR AMOUNT OF BUSINESS CONDUCTED~~  
29 ~~OR EXPECTED TO BE CONDUCTED BY THE GAMING SERVICE PROVIDER~~  
30 ~~WITH AN APPLICANT FOR A SLOT MACHINE LICENSEE OR A SLOT~~

1 ~~MACHINE LICENSEE IN ANY CONSECUTIVE 12 MONTH PERIOD.~~

2 ~~(2) WHETHER THE EMPLOYEES OF THE GAMING SERVICE PROVIDER~~  
3 ~~WILL HAVE ACCESS TO THE GAMING FLOOR OR THE RESTRICTED AREA~~  
4 ~~OF A LICENSED FACILITY.~~

5 ~~(3) THE BOARD'S ANALYSIS OF THE GOODS, PROPERTY OR~~  
6 ~~SERVICE PROVIDED OR TO BE PROVIDED BY THE GAMING SERVICE~~  
7 ~~PROVIDER IN ORDER TO ENSURE THE INTEGRITY OF GAMING.~~

8 ~~(B) AUTHORITY TO EXEMPT. THE BOARD MAY EXEMPT ANY PERSON OR~~  
9 ~~FIELD OF COMMERCE FROM THE REQUIREMENTS OF THIS SECTION IF THE~~  
10 ~~BOARD DETERMINES THE FOLLOWING:~~ ←

11 ~~(1) THE THE PERSON OR FIELD OF COMMERCE IS REGULATED BY~~ ←  
12 ~~AN AGENCY OF THE FEDERAL GOVERNMENT OR AN AGENCY OF THE~~  
13 ~~COMMONWEALTH.; OR~~ ←

14 ~~(2) REGULATION THE REGULATION OF THE PERSON OR FIELD OF~~ ←  
15 ~~COMMERCE IS DETERMINED NOT TO BE NECESSARY IN ORDER TO~~  
16 ~~PROTECT THE PUBLIC INTEREST OR THE INTEGRITY OF GAMING.~~

17 ~~(C) DUTIES OF GAMING SERVICE PROVIDERS. EACH GAMING SERVICE~~  
18 ~~PROVIDER SHALL HAVE A CONTINUING DUTY TO:~~

19 ~~(1) PROVIDE ALL INFORMATION, DOCUMENTATION AND~~  
20 ~~ASSURANCES AS THE BOARD MAY REQUIRE.~~

21 ~~(2) COOPERATE WITH THE BOARD IN INVESTIGATIONS, HEARINGS~~  
22 ~~AND ENFORCEMENT AND DISCIPLINARY ACTIONS.~~

23 ~~(3) COMPLY WITH ALL CONDITIONS, RESTRICTIONS,~~  
24 ~~REQUIREMENTS, ORDERS AND RULINGS OF THE BOARD IN ACCORDANCE~~  
25 ~~WITH THIS PART.~~

26 ~~(4) REPORT ANY CHANGE IN CIRCUMSTANCES THAT MAY RENDER~~  
27 ~~THE GAMING SERVICE PROVIDER INELIGIBLE, UNQUALIFIED OR~~  
28 ~~UNSUITABLE FOR CONTINUED LICENSURE.~~

29 ~~(D) REQUIREMENT FOR PERMIT. THE BOARD MAY REQUIRE EMPLOYEES~~  
30 ~~OF A GAMING SERVICE PROVIDER TO OBTAIN A PERMIT OR OTHER~~

1 ~~AUTHORIZATION IF, AFTER AN ANALYSIS OF DUTIES, RESPONSIBILITIES~~  
2 ~~AND FUNCTIONS, THE BOARD DETERMINES THAT A PERMIT OR OTHER~~  
3 ~~AUTHORIZATION IS NECESSARY TO PROTECT THE INTEGRITY OF GAMING.~~

4 ~~(E) INTERIM AUTHORIZATION. THE BOARD OR A DESIGNATED~~  
5 ~~EMPLOYEE OF THE BOARD MAY PERMIT A GAMING SERVICE PROVIDER~~  
6 ~~APPLICANT TO ENGAGE IN BUSINESS WITH AN APPLICANT FOR A SLOT~~  
7 ~~MACHINE LICENSE OR A SLOT MACHINE LICENSEE PRIOR TO APPROVAL OF~~  
8 ~~THE GAMING SERVICE PROVIDER APPLICATION IF THE FOLLOWING~~  
9 ~~CRITERIA HAVE BEEN SATISFIED:~~

10 ~~(1) A COMPLETED APPLICATION HAS BEEN FILED WITH THE~~  
11 ~~BOARD BY THE GAMING SERVICE PROVIDER.~~

12 ~~(2) THE SLOT MACHINE APPLICANT OR SLOT MACHINE LICENSEE~~  
13 ~~CONTRACTING OR DOING BUSINESS WITH THE GAMING SERVICE~~  
14 ~~PROVIDER CERTIFIES THAT IT HAS PERFORMED DUE DILIGENCE ON THE~~  
15 ~~GAMING SERVICE PROVIDER AND BELIEVES THAT THE APPLICANT MEETS~~  
16 ~~THE QUALIFICATION TO BE A GAMING SERVICE PROVIDER PURSUANT TO~~  
17 ~~THIS SECTION.~~

18 ~~(3) THE GAMING SERVICE PROVIDER APPLICANT AGREES IN~~  
19 ~~WRITING THAT THE GRANT OF INTERIM AUTHORIZATION TO CONDUCT~~  
20 ~~BUSINESS PRIOR TO BOARD APPROVAL OF ITS APPLICATION DOES NOT~~  
21 ~~CREATE A RIGHT TO CONTINUE TO ENGAGE IN BUSINESS IF THE BOARD~~  
22 ~~DETERMINES THAT THE APPLICANT IS NOT SUITABLE AND INTERIM~~  
23 ~~AUTHORIZATION IS NOT IN THE PUBLIC INTEREST.~~

24 ~~(F) CONSTRUCTION. NOTHING IN THIS SECTION SHALL BE~~  
25 ~~CONSTRUED TO PROHIBIT THE BOARD FROM RESCINDING A GRANT OF~~  
26 ~~INTERIM AUTHORIZATION IF, AT ANY TIME, THE SUITABILITY OF THE~~  
27 ~~PERSON SUBJECT TO INTERIM AUTHORIZATION IS AT ISSUE OR IF THE~~  
28 ~~PERSON FAILS TO COOPERATE WITH THE BOARD, THE BUREAU OR AN AGENT~~  
29 ~~OF THE BOARD OR BUREAU.~~

30 ~~(G) PROVIDER GAMING SERVICE PROVIDER LISTS. THE BOARD~~



1 SHALL:

2 ~~(1) DEVELOP AND MAINTAIN A LIST OF APPROVED GAMING~~  
3 ~~SERVICE PROVIDERS AND A LIST OF GAMING SERVICE PROVIDERS WHO~~ ←  
4 ~~ARE AUTHORIZED TO PROVIDE GOODS, PROPERTY OR SERVICES UNDER A~~  
5 ~~GRANT OF INTERIM AUTHORIZATION PURSUANT TO SUBSECTION (E) (3).~~

6 ~~(2) DEVELOP AND MAINTAIN A LIST OF PROHIBITED GAMING~~  
7 ~~SERVICE PROVIDERS. AN APPLICANT FOR A SLOT MACHINE LICENSE OR~~  
8 ~~A SLOT MACHINE LICENSEE MAY NOT ENTER INTO AN AGREEMENT OR~~  
9 ~~CONTINUE TO ENGAGE IN BUSINESS WITH A GAMING SERVICE PROVIDER~~ ←  
10 ~~LISTED ON THE PROHIBITED GAMING SERVICE PROVIDER LIST.~~

11 ~~(H) EMERGENCY AUTHORIZATION. A SLOT MACHINE LICENSEE MAY~~  
12 ~~UTILIZE A GAMING SERVICE PROVIDER THAT HAS NOT BEEN APPROVED BY~~  
13 ~~THE BOARD WHEN A THREAT TO PUBLIC HEALTH, WELFARE OR SAFETY~~  
14 ~~EXISTS OR CIRCUMSTANCES OUTSIDE THE CONTROL OF THE SLOT MACHINE~~  
15 ~~LICENSEE REQUIRE IMMEDIATE ACTION TO PROTECT THE PUBLIC~~  
16 ~~INTEREST. THE BOARD SHALL PROMULGATE REGULATIONS TO GOVERN THE~~  
17 ~~USE OF GAMING SERVICE PROVIDERS UNDER EMERGENCY CIRCUMSTANCES.~~

18 ~~(I) CRIMINAL HISTORY RECORD INFORMATION. IF THE~~  
19 ~~CLASSIFICATION SYSTEM DEVELOPED BY THE BOARD IN ACCORDANCE WITH~~  
20 ~~SUBSECTION (A) REQUIRES A GAMING SERVICE PROVIDER OR AN EMPLOYEE~~  
21 ~~OF A GAMING SERVICE PROVIDER TO SUBMIT TO OR PROVIDE THE BUREAU~~  
22 ~~WITH A CRIMINAL HISTORY RECORD CHECK UNDER 18 PA.C.S. CH. 91~~  
23 ~~(RELATING TO CRIMINAL HISTORY RECORD INFORMATION), THE BUREAU~~  
24 ~~SHALL NOTIFY THE SLOT MACHINE LICENSEE THAT SUBMITTED AND~~  
25 ~~VERIFIED THE APPLICATION OF A PERSON IF THE PERSON'S APPLICATION~~ ←  
26 ~~HAS BEEN DENIED OR THE PERSON'S APPROVAL OR AUTHORIZATION TO~~ ←  
27 ~~PROVIDE GOODS, PROPERTY OR SERVICES HAS BEEN REVOKED OR~~  
28 ~~SUSPENDED, INCLUDING THE REASON FOR THE ACTION TAKEN.~~

29 SECTION 10.7. SECTIONS 1318(C) AND 1319 OF TITLE 4 ARE  
30 AMENDED TO READ:

1 ~~§ 1318. OCCUPATION PERMIT APPLICATION.~~

2 ~~\* \* \*~~

3 ~~(C) PROHIBITION. NO SLOT MACHINE LICENSEE MAY EMPLOY OR~~  
4 ~~PERMIT ANY PERSON UNDER 18 YEARS OF AGE TO RENDER ANY SERVICE~~  
5 ~~WHATSOEVER IN ANY AREA OF ITS LICENSED FACILITY [AT WHICH] WHERE~~  
6 ~~SLOT MACHINES OR TABLE GAMES ARE PHYSICALLY LOCATED.~~

7 ~~§ 1319. ALTERNATIVE MANUFACTURER LICENSING STANDARDS.~~

8 ~~(A) GENERAL RULE. THE BOARD MAY DETERMINE WHETHER THE~~  
9 ~~LICENSING STANDARDS OF ANOTHER JURISDICTION WITHIN THE UNITED~~  
10 ~~STATES IN WHICH AN APPLICANT FOR A MANUFACTURER LICENSE IS~~  
11 ~~SIMILARLY LICENSED ARE COMPREHENSIVE AND THOROUGH AND PROVIDE~~  
12 ~~SIMILAR ADEQUATE SAFEGUARDS AS THOSE REQUIRED BY THIS PART. IF~~  
13 ~~THE BOARD MAKES THAT DETERMINATION, IT MAY ISSUE A MANUFACTURER~~  
14 ~~LICENSE TO AN APPLICANT WHO HOLDS A SIMILAR MANUFACTURER LICENSE~~  
15 ~~IN SUCH OTHER JURISDICTION AFTER CONDUCTING AN EVALUATION OF THE~~  
16 ~~INFORMATION RELATING TO THE APPLICANT FROM SUCH OTHER~~  
17 ~~JURISDICTIONS, AS UPDATED BY THE BOARD, AND EVALUATING OTHER~~  
18 ~~INFORMATION RELATED TO THE APPLICANT RECEIVED FROM THAT~~  
19 ~~JURISDICTION AND OTHER JURISDICTIONS WHERE THE APPLICANT MAY BE~~  
20 ~~LICENSED, THE BOARD MAY INCORPORATE SUCH INFORMATION IN WHOLE OR~~  
21 ~~IN PART INTO ITS EVALUATION OF THE APPLICANT.~~

22 ~~(B) ABBREVIATED PROCESS. IN THE EVENT AN APPLICANT FOR A~~  
23 ~~{SLOT MACHINE} MANUFACTURER LICENSE IS LICENSED IN ANOTHER~~  
24 ~~JURISDICTION, THE BOARD MAY DETERMINE TO USE AN ALTERNATE~~  
25 ~~PROCESS REQUIRING ONLY THAT INFORMATION DETERMINED BY THE BOARD~~  
26 ~~TO BE NECESSARY TO CONSIDER THE ISSUANCE OF A LICENSE, INCLUDING~~  
27 ~~FINANCIAL VIABILITY OF THE LICENSEE, TO SUCH AN APPLICANT.~~  
28 ~~NOTHING IN THIS SECTION SHALL BE CONSTRUED TO WAIVE ANY FEES~~  
29 ~~ASSOCIATED WITH OBTAINING A LICENSE THROUGH THE NORMAL~~  
30 ~~APPLICATION PROCESS.~~

1 SECTION 10.8. TITLE 4 IS AMENDED BY ADDING A SECTION TO  
2 READ:

3 ~~§ 1319.1. ALTERNATIVE SUPPLIER LICENSING STANDARDS.~~

4 ~~(A) GENERAL RULE. THE BOARD MAY DETERMINE WHETHER THE~~  
5 ~~LICENSING STANDARDS OF ANOTHER JURISDICTION WITHIN THE UNITED~~  
6 ~~STATES IN WHICH AN APPLICANT FOR A SUPPLIER'S LICENSE IS~~  
7 ~~SIMILARLY LICENSED ARE COMPREHENSIVE AND THOROUGH AND PROVIDE~~  
8 ~~SIMILAR ADEQUATE SAFEGUARDS AS REQUIRED BY THIS PART. IF THE~~  
9 ~~BOARD MAKES THAT DETERMINATION, IT MAY ISSUE A SUPPLIER LICENSE~~  
10 ~~TO AN APPLICANT WHO HOLDS A SIMILAR SUPPLIER LICENSE IN ANOTHER~~  
11 ~~JURISDICTION AFTER CONDUCTING AN EVALUATION OF THE INFORMATION~~  
12 ~~RELATING TO THE APPLICANT FROM THE OTHER JURISDICTIONS, AS~~  
13 ~~UPDATED BY THE BOARD AND EVALUATING OTHER INFORMATION RELATED TO~~  
14 ~~THE APPLICANT RECEIVED FROM THAT JURISDICTION AND OTHER~~  
15 ~~JURISDICTIONS WHERE THE APPLICANT MAY BE LICENSED, THE BOARD MAY~~  
16 ~~INCORPORATE THE INFORMATION IN WHOLE OR IN PART INTO ITS~~  
17 ~~EVALUATION OF THE APPLICANT.~~

18 ~~(B) ABBREVIATED PROCESS. IN THE EVENT AN APPLICANT FOR A~~  
19 ~~SUPPLIER LICENSE IS LICENSED IN ANOTHER JURISDICTION, THE BOARD~~  
20 ~~MAY DETERMINE TO USE AN ALTERNATE PROCESS REQUIRING ONLY THE~~  
21 ~~INFORMATION DETERMINED BY THE BOARD TO BE NECESSARY TO CONSIDER~~  
22 ~~THE ISSUANCE OF A LICENSE, INCLUDING FINANCIAL VIABILITY OF THE~~  
23 ~~LICENSEE TO THE APPLICANT. NOTHING IN THIS SECTION SHALL BE~~  
24 ~~CONSTRUED TO WAIVE ANY FEES ASSOCIATED WITH OBTAINING A LICENSE~~  
25 ~~THROUGH THE NORMAL APPLICATION PROCESS.~~

26 SECTION 10.9. SECTIONS 1321, 1326(A), 1328(A)(1) AND (D) AND   
27 1329 OF TITLE 4 ARE AMENDED TO READ:

28 ~~§ 1321. ADDITIONAL LICENSES AND PERMITS AND APPROVAL OF~~  
29 ~~AGREEMENTS.~~

30 ~~(A) REQUIREMENTS. IN ADDITION TO THE REQUIREMENTS FOR A~~

1 ~~LICENSE OR PERMIT SPECIFICALLY SET FORTH IN THIS PART, THE BOARD~~  
2 ~~MAY REQUIRE A LICENSE [OR], PERMIT OR OTHER AUTHORIZATION, AND~~  
3 ~~SET A FEE FOR THE SAME, FOR ANY KEY OR GAMING EMPLOYEE OR ANY~~  
4 ~~PERSON WHO SATISFIES ANY OF THE FOLLOWING CRITERIA:~~

5 ~~(1) THE PERSON TRANSACTS BUSINESS WITHIN THIS~~  
6 ~~COMMONWEALTH WITH A SLOT MACHINE LICENSEE AS A TICKET~~  
7 ~~PURVEYOR, TOUR OPERATOR, OPERATOR OF A BUS TRIP PROGRAM OR~~  
8 ~~OPERATOR OF ANY OTHER TYPE OF TRAVEL PROGRAM OR PROMOTIONAL~~  
9 ~~BUSINESS RELATED TO SLOT MACHINES OR TABLE GAMES. THE BOARD~~  
10 ~~MAY ALSO REVIEW, DENY, ORDER MODIFICATION OR APPROVE, AT ITS~~  
11 ~~DISCRETION, PROPOSED TOURS, BUS ROUTES AND TRAVEL PROGRAMS.~~

12 ~~(2) THE PERSON IS PRESENTLY NOT [OTHERWISE] REQUIRED TO~~  
13 ~~BE LICENSED OR PERMITTED UNDER THIS PART AND PROVIDES ANY~~  
14 ~~GOODS, PROPERTY OR SERVICES, INCLUDING, BUT NOT LIMITED TO,~~  
15 ~~MANAGEMENT CONTRACTS FOR COMPENSATION TO A SLOT MACHINE~~  
16 ~~LICENSEE AT THE LICENSED FACILITY.~~

17 ~~(B) AGREEMENT. ANY AGREEMENT TO CONDUCT BUSINESS WITHIN~~  
18 ~~THIS COMMONWEALTH BETWEEN A PERSON AND A SLOT MACHINE LICENSEE~~  
19 ~~RELATING TO SLOT MACHINES, TABLE GAMES, TABLE GAME DEVICES OR~~ ←  
20 ~~ASSOCIATED EQUIPMENT IS SUBJECT TO THE APPROVAL OF THE BOARD IN~~  
21 ~~ACCORDANCE WITH RULES AND REGULATIONS PROMULGATED BY THE BOARD.~~  
22 ~~EVERY AGREEMENT SHALL BE IN WRITING AND SHALL INCLUDE A~~  
23 ~~PROVISION FOR ITS TERMINATION WITHOUT LIABILITY ON THE PART OF~~  
24 ~~THE SLOT MACHINE LICENSEE UPON A FINDING BY THE BOARD THAT THE~~  
25 ~~AGREEMENT IS NOT APPROVED OR THAT IT IS TERMINATED. FAILURE TO~~  
26 ~~EXPRESSLY INCLUDE THIS CONDITION IN THE AGREEMENT IS NOT A~~  
27 ~~DEFENSE IN ANY ACTION BROUGHT UNDER THIS SECTION RELATING TO THE~~  
28 ~~TERMINATION OF THE AGREEMENT.~~

29 ~~§ 1326. LICENSE RENEWALS.~~

30 ~~(A) RENEWAL. ALL PERMITS AND LICENSES ISSUED UNDER THIS~~

1 ~~PART UNLESS OTHERWISE PROVIDED SHALL BE SUBJECT TO RENEWAL ON AN~~  
2 ~~ANNUAL BASIS [UPON THE APPLICATION OF THE HOLDER OF THE PERMIT~~  
3 ~~OR LICENSE SUBMITTED TO THE BOARD AT LEAST 60 DAYS PRIOR TO THE~~  
4 ~~EXPIRATION OF THE PERMIT OR LICENSE] FOR THE FIRST TWO YEARS~~  
5 ~~FOLLOWING THE INITIAL ISSUANCE. THEREAFTER, ALL PERMITS AND~~  
6 ~~LICENSES SHALL BE SUBJECT TO RENEWAL EVERY THREE YEARS. NOTHING~~  
7 ~~IN THIS SUBSECTION SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE~~  
8 ~~DUTY TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS~~  
9 ~~OF ITS LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN~~  
10 ~~APPLICATION MATERIALS ON FILE WITH THE BOARD. THE APPLICATION~~  
11 ~~FOR RENEWAL SHALL BE SUBMITTED AT LEAST 60 DAYS PRIOR TO THE~~  
12 ~~EXPIRATION OF THE PERMIT OR LICENSE AND SHALL INCLUDE AN UPDATE~~  
13 ~~OF THE INFORMATION CONTAINED IN THE INITIAL AND ANY PRIOR~~  
14 ~~RENEWAL APPLICATIONS AND THE PAYMENT OF ANY RENEWAL FEE REQUIRED~~  
15 ~~BY THIS PART. THE AMOUNT OF ANY RENEWAL FEE SHALL BE CALCULATED~~  
16 ~~BY THE BOARD TO REFLECT THE LONGER RENEWAL PERIOD. A PERMIT OR~~  
17 ~~LICENSE FOR WHICH A COMPLETED RENEWAL APPLICATION AND FEE, IF~~  
18 ~~REQUIRED, HAS BEEN RECEIVED BY THE BOARD WILL CONTINUE IN EFFECT~~  
19 ~~UNLESS AND UNTIL THE BOARD SENDS WRITTEN NOTIFICATION TO THE~~  
20 ~~HOLDER OF THE PERMIT OR LICENSE THAT THE BOARD HAS DENIED THE~~  
21 ~~RENEWAL OF SUCH PERMIT OR LICENSE.~~

22 \* \* \*

23 ~~§ 1328. CHANGE IN OWNERSHIP OR CONTROL OF SLOT MACHINE~~  
24 ~~LICENSEE.~~

25 ~~(A) NOTIFICATION AND APPROVAL.~~

26 ~~(1) A SLOT MACHINE LICENSEE SHALL NOTIFY THE BOARD~~  
27 ~~[PRIOR TO OR] IMMEDIATELY UPON BECOMING AWARE OF ANY PROPOSED~~  
28 ~~OR CONTEMPLATED CHANGE OF OWNERSHIP OF THE SLOT MACHINE~~  
29 ~~LICENSEE BY A PERSON OR GROUP OF PERSONS ACTING IN CONCERT~~  
30 ~~WHICH INVOLVES ANY OF THE FOLLOWING:~~

1           ~~(I) MORE THAN 5% OF A SLOT MACHINE LICENSEE'S~~  
2           ~~SECURITIES OR OTHER OWNERSHIP INTERESTS.~~

3           ~~(II) MORE THAN 5% OF THE SECURITIES OR OTHER~~  
4           ~~OWNERSHIP INTERESTS OF A CORPORATION OR OTHER FORM OF~~  
5           ~~BUSINESS ENTITY THAT OWNS DIRECTLY OR INDIRECTLY AT LEAST~~  
6           ~~20% OF THE VOTING OR OTHER SECURITIES OR OTHER OWNERSHIP~~  
7           ~~INTERESTS OF THE LICENSEE.~~

8           ~~(III) THE SALE OTHER THAN IN THE ORDINARY COURSE OF~~  
9           ~~BUSINESS OF A LICENSEE'S ASSETS.~~

10          ~~(IV) ANY OTHER TRANSACTION OR OCCURRENCE DEEMED BY~~  
11          ~~THE BOARD TO BE RELEVANT TO LICENSE QUALIFICATIONS.~~

12          \* \* \*

13          ~~(D) FEE REDUCTION. THE BOARD MAY IN ITS DISCRETION~~ ←  
14          ~~ELIMINATE THE NEED FOR QUALIFICATION AND/OR PROPORTIONATELY~~  
15          ~~REDUCE, BUT NOT ELIMINATE, THE NEW LICENSE FEE OTHERWISE~~  
16          ~~REQUIRED PURSUANT TO THIS SECTION IN CONNECTION WITH A CHANGE OF~~  
17          ~~CONTROL OF A LICENSEE, DEPENDING UPON THE TYPE OF TRANSACTION,~~  
18          ~~THE RELEVANT OWNERSHIP INTERESTS AND CHANGES THERETO RESULTING~~  
19          ~~FROM THE TRANSACTION AND OTHER CONSIDERATIONS DEEMED RELEVANT BY~~  
20          ~~THE BOARD. IN NO CASE SHALL THE FEE BE REDUCED BELOW \$10,000,000~~  
21          ~~FOR A CATEGORY 1 OR CATEGORY 2 LICENSE OR \$1,000,000 FOR A~~  
22          ~~CATEGORY 3 LICENSE.~~

23          \* \* \*

24          ~~§ 1329. [NONPORTABILITY] PORTABILITY AND RELOCATION OF SLOT~~  
25          ~~MACHINE LICENSE.~~

26          ~~(A) GENERAL RULE. EACH SLOT MACHINE LICENSE SHALL ONLY BE~~  
27          ~~VALID FOR THE SPECIFIC PHYSICAL LOCATION WITHIN THE MUNICIPALITY~~  
28          ~~AND COUNTY FOR WHICH IT WAS ORIGINALLY GRANTED. [NO]~~

29          ~~(B) PETITION. AN APPLICANT FOR A SLOT MACHINE LICENSE OR A~~  
30          ~~SLOT MACHINE LICENSEE MAY PETITION THE BOARD TO RELOCATE THE~~

1 ~~APPROVED PHYSICAL LOCATION OF A LICENSED FACILITY. IN EVALUATING~~  
2 ~~A PETITION TO RELOCATE, THE BOARD SHALL CONSIDER THE FOLLOWING~~  
3 ~~FACTORS:~~ ←

4 ~~(1) THE ADDRESS OF THE PROPOSED NEW LOCATION AND THE~~  
5 ~~REASON FOR THE RELOCATION.~~

6 ~~(2) A COMPARATIVE ANALYSIS, SUBMITTED BY THE PETITIONER,~~  
7 ~~DETAILING ESTIMATED GROSS TERMINAL REVENUES AT THE NEW~~ ←  
8 ~~PROPOSED LOCATION WITH ESTIMATED GROSS TERMINAL REVENUES AT~~ ←  
9 ~~THE ORIGINAL APPROVED PHYSICAL LOCATION.~~ ←

10 ~~(3) A COMPARATIVE ANALYSIS, SUBMITTED BY THE PETITIONER,~~  
11 ~~DETAILING THE ECONOMIC IMPACT OF THE LICENSED FACILITY AT THE~~  
12 ~~NEW PROPOSED LOCATION WITH THE ESTIMATED ECONOMIC IMPACT AT~~ ←  
13 ~~THE ORIGINAL APPROVED PHYSICAL LOCATION. THE COMPARATIVE~~ ←  
14 ~~ANALYSIS SHALL INCLUDE THE TOTAL COST OF THE PROJECT AND~~  
15 ~~PROJECTED DIRECT AND INDIRECT EMPLOYMENT FIGURES.~~

16 ~~(4) A COMPREHENSIVE TRAFFIC STUDY COMMISSIONED BY THE~~  
17 ~~BOARD.~~

18 ~~(5) COMMUNITY SUPPORT OR OPPOSITION.~~

19 ~~(6) ANY OTHER INFORMATION REQUESTED BY THE BOARD.~~

20 ~~(C) RELOCATION. A SLOT MACHINE LICENSEE [SHALL] MAY BE~~  
21 ~~PERMITTED TO MOVE OR RELOCATE THE PHYSICAL LOCATION OF THE~~  
22 ~~LICENSED FACILITY [WITHOUT] WITH BOARD APPROVAL [FOR] UPON GOOD~~  
23 ~~CAUSE SHOWN IF THE RELOCATION OF THE LICENSED FACILITY:~~ ←

24 ~~(1) THE RELOCATED LICENSED FACILITY REMAINS WITHIN THE~~ ←  
25 ~~SAME MUNICIPALITY AS ORIGINALLY LICENSED;~~

26 ~~(2) THE RELOCATION WILL FACILITATE THE TIMELY OPERATION~~ ←  
27 ~~OF SLOT MACHINES;~~

28 ~~(3) THE RELOCATED LICENSED FACILITY COMPLIES WITH ALL~~ ←  
29 ~~OTHER PROVISIONS OF THIS PART RELATED TO THE SITING AND~~  
30 ~~LOCATION OF A LICENSED FACILITY; AND~~



1           ~~(4) RELOCATION OF THE LICENSED FACILITY IS IN THE BEST~~  
2           ~~INTERESTS OF THE COMMONWEALTH.~~

3           ~~(D) PUBLIC INPUT HEARING. THE BOARD SHALL HOLD AT LEAST ONE~~  
4           ~~PUBLIC INPUT HEARING IN THE MUNICIPALITY WHERE THE LICENSED~~  
5           ~~FACILITY WILL BE LOCATED PRIOR TO APPROVAL OF THE RELOCATION.~~

6           ~~(E) RESTRICTION. NO GRANT OR LOAN FROM THE COMMONWEALTH MAY~~  
7           ~~BE AWARDED FOR THE PURPOSE OF RELOCATING OR DEVELOPING THE~~  
8           ~~RELOCATED LICENSED FACILITY TO COMPLY WITH ANY CONDITIONS OF~~  
9           ~~APPROVAL OF THE RELOCATION.~~

10          SECTION 11. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:  
11          ~~§ 1332. APPOINTMENT OF TRUSTEE.~~

12          ~~(A) APPOINTMENT. UPON PETITION OF THE OFFICE OF ENFORCEMENT~~  
13          ~~COUNSEL, THE BOARD MAY ORDER THE APPOINTMENT OF A TRUSTEE FROM~~  
14          ~~THE LIST REQUIRED UNDER SUBSECTION (J) TO ACT ON BEHALF OF THE~~  
15          ~~INTERESTS OF THE COMMONWEALTH AND THE BOARD TO ASSURE COMPLIANCE~~  
16          ~~WITH THIS PART AND ANY CONDITIONS IMPOSED UPON THE SLOT MACHINE~~  
17          ~~LICENSE IN THE FOLLOWING CIRCUMSTANCES:~~

18                 ~~(1) UPON THE REVOCATION, SUSPENSION OR NONRENEWAL OF A~~  
19                 ~~SLOT MACHINE LICENSE OR A PRINCIPAL LICENSE IF THE PRINCIPAL~~  
20                 ~~LICENSEE IS THE ONLY PRINCIPAL WHO EXERCISES OPERATIONAL~~  
21                 ~~CONTROL OF THE LICENSED FACILITY.~~

22                 ~~(2) UPON THE FAILURE TO RENEW A SLOT MACHINE LICENSE OR~~  
23                 ~~A PRINCIPAL LICENSE IF THE PRINCIPAL LICENSEE IS THE ONLY~~  
24                 ~~PRINCIPAL WHO EXERCISES OPERATIONAL CONTROL OF THE LICENSED~~  
25                 ~~FACILITY UNTIL THE SLOT MACHINE OR PRINCIPAL LICENSE IS~~  
26                 ~~RENEWED OR UNTIL THE DISCONTINUATION OF THE TRUSTEESHIP~~  
27                 ~~PURSUANT TO SUBSECTION (I).~~

28                 ~~(3) IF NECESSARY TO PROTECT THE BEST INTERESTS OF THE~~  
29                 ~~COMMONWEALTH.~~

30          ~~(B) QUALIFICATIONS. THE FOLLOWING SHALL APPLY:~~

1           ~~(1) A TRUSTEE SHALL BE REQUIRED TO QUALIFY AS A~~  
2           ~~PRINCIPAL AND OBTAIN A PRINCIPAL LICENSE PURSUANT TO THIS~~  
3           ~~PART. THE BOARD MAY APPOINT A TRUSTEE AND AWARD THE TRUSTEE A~~  
4           ~~TEMPORARY PRINCIPAL LICENSE AS PRESCRIBED IN BOARD~~  
5           ~~REGULATIONS.~~

6           ~~(2) BEFORE ASSUMING DUTIES, A TRUSTEE SHALL EXECUTE AND~~  
7           ~~FILE A BOND FOR THE FAITHFUL PERFORMANCE OF THE TRUSTEE'S~~  
8           ~~DUTIES. THE BOND SHALL BE PAYABLE TO THE BOARD WITH SURETIES~~  
9           ~~AND IN THE AMOUNT AND FORM AS REQUIRED BY BOARD ORDER. THE~~  
10           ~~COST OF THE BOND SHALL BE PAID BY THE FORMER OR SUSPENDED~~  
11           ~~LICENSEE.~~

12           ~~(3) A TRUSTEE SHALL BE A RESIDENT OF THIS COMMONWEALTH.~~

13           ~~(C) POWERS. A TRUSTEE APPOINTED UNDER THIS SECTION SHALL~~  
14           ~~EXERCISE ONLY THOSE POWERS AND PERFORM THOSE DUTIES EXPRESSLY~~  
15           ~~CONFERRED UPON THE TRUSTEE BY THE BOARD. THE BOARD'S ORDER~~  
16           ~~APPOINTING THE TRUSTEE SHALL SET FORTH THE POWERS, DUTIES AND~~  
17           ~~RESPONSIBILITIES OF THE TRUSTEES WHICH MAY INCLUDE:~~

18           ~~(1) MAINTAINING AND OPERATING THE LICENSED FACILITY IN A~~  
19           ~~MANNER THAT COMPLIES WITH THIS PART AND ANY CONDITIONS~~  
20           ~~IMPOSED BY THE BOARD.~~

21           ~~(2) MAINTAINING AND OPERATING THE LICENSED FACILITY~~  
22           ~~CONSISTENT WITH THE MEASURES GENERALLY TAKEN IN THE ORDINARY~~  
23           ~~COURSE OF BUSINESS INCLUDING:~~

24                   ~~(I) ENTERING INTO CONTRACTS.~~

25                   ~~(II) BORROWING MONEY.~~

26                   ~~(III) PLEDGING, MORTGAGING OR OTHERWISE ENCUMBERING~~  
27                   ~~THE LICENSED FACILITY OR PROPERTY THEREOF AS SECURITY FOR~~  
28                   ~~THE REPAYMENT OF LOANS SUBJECT TO ANY PROVISIONS AND~~  
29                   ~~RESTRICTIONS IN ANY EXISTING CREDIT DOCUMENTS.~~

30                   ~~(IV) HIRING, FIRING AND DISCIPLINING EMPLOYEES.~~

1           ~~(3) EXERCISING THE RIGHTS AND OBLIGATIONS OF THE FORMER~~  
2           ~~OR SUSPENDED LICENSEE.~~

3           ~~(4) TAKING POSSESSION OF ALL OF THE PROPERTY OF THE SLOT~~  
4           ~~MACHINE LICENSEE, INCLUDING ITS BOOKS, RECORDS AND PAPERS.~~

5           ~~(5) ESTABLISHING ACCOUNTS WITH FINANCIAL INSTITUTIONS.~~  
6           ~~AN ACCOUNT MAY NOT BE ESTABLISHED WITH A FINANCIAL~~  
7           ~~INSTITUTION IN WHICH AN AFFILIATE OF THE FORMER OR SUSPENDED~~  
8           ~~LICENSEE, OR IN WHICH THE TRUSTEE, OR AN IMMEDIATE FAMILY~~  
9           ~~MEMBER OF THE TRUSTEE, HAS A CONTROLLING INTEREST.~~

10          ~~(6) MEETING WITH THE FORMER OR SUSPENDED LICENSEE.~~

11          ~~(7) MEETING WITH PRINCIPALS AND KEY EMPLOYEES AT THE~~  
12          ~~LICENSED FACILITY.~~

13          ~~(8) MEETING WITH THE INDEPENDENT AUDIT COMMITTEE.~~

14          ~~(9) MEETING WITH THE BOARD'S EXECUTIVE DIRECTOR AND~~  
15          ~~KEEPING THE BOARD'S EXECUTIVE DIRECTOR APPRISED OF ACTIONS~~  
16          ~~TAKEN AND THE TRUSTEE'S PLANS AND GOALS FOR THE FUTURE.~~

17          ~~(10) HIRING LEGAL COUNSEL, ACCOUNTANTS OR OTHER~~  
18          ~~CONSULTANTS OR ASSISTANTS, WITH PRIOR APPROVAL OF THE BOARD,~~  
19          ~~AS NECESSARY TO CARRY OUT THE TRUSTEE'S DUTIES AND~~  
20          ~~RESPONSIBILITIES.~~

21          ~~(11) SETTLING OR COMPROMISING WITH ANY DEBTOR OR~~  
22          ~~CREDITOR OF THE FORMER OR SUSPENDED LICENSEE, INCLUDING ANY~~  
23          ~~TAXING AUTHORITY.~~

24          ~~(12) REVIEWING OUTSTANDING AGREEMENTS TO WHICH THE~~  
25          ~~FORMER OR SUSPENDED LICENSEE IS A PARTY AND ADVISING THE~~  
26          ~~BOARD AS TO WHICH, IF ANY, OF THE AGREEMENTS SHOULD BE THE~~  
27          ~~SUBJECT OF SCRUTINY, EXAMINATION OR INVESTIGATION BY THE~~  
28          ~~BOARD.~~

29          ~~(13) OBTAINING BOARD APPROVAL PRIOR TO ANY SALE, CHANGE~~  
30          ~~OF OWNERSHIP, CHANGE OF CONTROL, CHANGE OF FINANCIAL STATUS,~~

~~1 RESTRUCTURING, TRANSFER OF ASSETS OR EXECUTION OF A CONTRACT  
2 OR ANY OTHER ACTION TAKEN OUTSIDE OF THE ORDINARY COURSE OF  
3 BUSINESS.~~

~~4 (14) OBTAINING BOARD APPROVAL FOR ANY PAYMENTS OUTSIDE  
5 OF THOSE MADE IN THE ORDINARY COURSE OF BUSINESS.~~

~~6 NOTWITHSTANDING ANY PROVISION CONTAINED IN THIS SUBSECTION TO  
7 THE CONTRARY, THE TRUSTEE SHALL HAVE THE DUTY TO CONSERVE AND  
8 PRESERVE THE ASSETS OF THE LICENSED GAMING ENTITY.~~

~~9 (D) COMPENSATION. THE BOARD SHALL ESTABLISH THE  
10 COMPENSATION OF A TRUSTEE AND SHALL REVIEW AND APPROVE ACTUAL  
11 AND REASONABLE COSTS AND EXPENSES OF THE TRUSTEE, LEGAL COUNSEL,  
12 ACCOUNTANTS OR OTHER CONSULTANTS OR ASSISTANTS HIRED BY THE  
13 TRUSTEE AND OTHER PERSONS THE BOARD MAY APPOINT IN CONNECTION  
14 WITH THE TRUSTEESHIP ACTION. THE COMPENSATION, COSTS AND  
15 EXPENSES SHALL BE PAID BY THE FORMER OR SUSPENDED LICENSEE.  
16 TOTAL COMPENSATION FOR THE TRUSTEE AND ALL INDIVIDUALS HIRED OR  
17 RETAINED BY THE TRUSTEE UNDER SUBSECTION (C) (10) SHALL NOT  
18 EXCEED \$600 PER HOUR IN THE AGGREGATE, EXCEPT THAT THE BOARD,  
19 UPON A FINDING THAT UNANTICIPATED CIRCUMSTANCES EXIST, MAY  
20 ADJUST THE AGGREGATE HOURLY RATE OF COMPENSATION.~~

~~21 (E) REPORTS. A TRUSTEE SHALL FILE REPORTS WITH REGARD TO  
22 THE ADMINISTRATION OF THE TRUSTEESHIP WITH THE BOARD IN THE FORM  
23 AND AT INTERVALS AS THE BOARD ORDERS. THE BOARD MAY DIRECT THAT  
24 COPIES OR PORTIONS OF THE TRUSTEE'S REPORTS BE MAILED TO  
25 CREDITORS OR OTHER PARTIES IN INTEREST AND MAKE SUMMARIES OF THE  
26 REPORTS AVAILABLE TO THE PUBLIC AND SHALL POST THEM ON THE  
27 BOARD'S INTERNET WEBSITE.~~

~~28 (F) REVIEW OF ACTIONS. A CREDITOR OR PARTY IN INTEREST  
29 AGGRIEVED BY ANY ALLEGED BREACH OF A DELEGATED POWER OR DUTY OF  
30 A TRUSTEE IN THE DISCHARGE OF THE TRUSTEE'S DUTIES MAY REQUEST A~~

1 ~~REVIEW OF THE TRUSTEE'S ACTION OR INACTION BY FILING A PETITION~~  
2 ~~IN ACCORDANCE WITH BOARD REGULATIONS. THE PETITION MUST SET~~  
3 ~~FORTH IN DETAIL THE PERTINENT FACTS AND THE REASONS WHY THE~~  
4 ~~FACTS CONSTITUTE THE ALLEGED BREACH. THE BOARD WILL REVIEW ANY~~  
5 ~~PETITION FILED UNDER THIS SECTION AND TAKE WHATEVER ACTION, IF~~  
6 ~~ANY, IT DEEMS APPROPRIATE.~~

7 ~~(G) EFFECT OF THE TRUSTEESHIP. AFTER ISSUANCE OF AN ORDER~~  
8 ~~TO APPOINT A TRUSTEE, THE FORMER OR SUSPENDED PRINCIPAL OR SLOT~~  
9 ~~MACHINE LICENSEE MAY NOT EXERCISE ANY OF ITS PRIVILEGES, COLLECT~~  
10 ~~OR RECEIVE ANY DEBTS AND PAY OUT, SELL, ASSIGN OR TRANSFER ANY~~  
11 ~~OF ITS PROPERTY TO ANYONE WITHOUT PRIOR APPROVAL OF THE~~  
12 ~~APPOINTED TRUSTEE AND THE BOARD.~~

13 ~~(H) DISPOSITION OF NET INCOME. DURING THE PERIOD OF~~  
14 ~~TRUSTEESHIP, NET INCOME SHALL BE DEPOSITED IN AN ESCROW ACCOUNT~~  
15 ~~MAINTAINED FOR THAT PURPOSE. PAYMENT OF NET INCOME DURING THE~~  
16 ~~PERIOD OF TRUSTEESHIP MAY NOT BE MADE BY THE TRUSTEE WITHOUT THE~~  
17 ~~PRIOR APPROVAL OF THE BOARD. A SUSPENDED OR FORMER PRINCIPAL OR~~  
18 ~~SLOT MACHINE LICENSEE MAY REQUEST DISTRIBUTION OF ALL OR A~~  
19 ~~PORTION OF THE NET INCOME DURING THE PERIOD OF TRUSTEESHIP BY~~  
20 ~~FILING A PETITION IN ACCORDANCE WITH BOARD REGULATION. THE~~  
21 ~~SUSPENDED OR FORMER PRINCIPAL OR SLOT MACHINE LICENSEE SHALL~~  
22 ~~HAVE THE BURDEN OF DEMONSTRATING GOOD CAUSE FOR THE DISTRIBUTION~~  
23 ~~OF THE NET INCOME REQUESTED.~~

24 ~~(I) DISCONTINUATION. THE BOARD MAY ISSUE AN ORDER TO~~  
25 ~~DISCONTINUE A TRUSTEESHIP WHEN:~~

26 ~~(1) THE BOARD DETERMINES THAT THE CAUSE FOR WHICH THE~~  
27 ~~TRUSTEE WAS APPOINTED NO LONGER EXISTS.~~

28 ~~(2) THE TRUSTEE HAS, WITH THE PRIOR APPROVAL OF THE~~  
29 ~~BOARD, CONSUMMATED THE SALE, ASSIGNMENT, CONVEYANCE OR OTHER~~  
30 ~~DISPOSITION OF ALL THE PROPERTY OR INTEREST OF THE FORMER~~

1 ~~PRINCIPAL OR SLOT MACHINE LICENSEE RELATING TO THE SLOT~~  
2 ~~MACHINE LICENSE.~~

3 ~~(J) LIST OF APPROVED TRUSTEES. THE BOARD SHALL PROMULGATE~~  
4 ~~REGULATIONS TO ESTABLISH A LIST OF PERSONS APPROVED BY THE BOARD~~  
5 ~~AND QUALIFIED TO SERVE AS A TRUSTEE. AT A MINIMUM, THE~~  
6 ~~REGULATIONS SHALL PROVIDE FOR THE FOLLOWING:~~

7 ~~(1) THE MINIMUM QUALIFICATIONS A PERSON MUST POSSESS TO~~  
8 ~~BE APPROVED AS A TRUSTEE, WHICH SHALL INCLUDE QUALIFICATION~~  
9 ~~AS A PRINCIPAL PURSUANT TO THIS PART AND POSSESSION OF A~~  
10 ~~PRINCIPAL LICENSE.~~

11 ~~(2) THE PROCEDURE FOR PLACEMENT ON OR REMOVAL FROM THE~~  
12 ~~APPROVED TRUSTEE LIST.~~

13 ~~(3) ANY OTHER INFORMATION THE BOARD DEEMS NECESSARY TO~~  
14 ~~CARRY OUT THE INTENT OF THIS SECTION.~~

15 SECTION 11.1. TITLE 4 IS AMENDED BY ADDING A CHAPTER TO  
16 READ:

17 ~~CHAPTER 13A~~

18 ~~TABLE GAMES~~

19 ~~SUBCHAPTER~~

20 ~~A. GENERAL PROVISIONS~~

21 ~~B. TABLE GAMES AUTHORIZED~~

22 ~~C. TABLE GAME OPERATIONS~~

23 ~~D. (RESERVED)~~

24 ~~E. TABLE GAME TESTING AND CERTIFICATION~~

25 ~~F. (RESERVED)~~

26 ~~G. TABLE GAME TAXES AND FEES~~

27 ~~SUBCHAPTER A~~

28 ~~GENERAL PROVISIONS~~

29 ~~SEC.~~

30 ~~1301A. (RESERVED).~~

1 ~~1302A. REGULATORY AUTHORITY.~~  
2 ~~1303A. TEMPORARY TABLE GAME REGULATIONS.~~  
3 ~~1304A. COMMONWEALTH RESIDENT EMPLOYMENT GOALS.~~  
4 ~~§ 1301A. (RESERVED).~~  
5 ~~§ 1302A. REGULATORY AUTHORITY.~~

6 ~~THE BOARD SHALL PROMULGATE REGULATIONS:~~

7 ~~(1) ESTABLISHING STANDARDS AND RULES FOR TABLE GAMES,~~  
8 ~~TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT, INCLUDING~~  
9 ~~STANDARDS DISTINGUISHING ELECTRONIC AND NONELECTRONIC TABLE~~  
10 ~~GAMES. THE STANDARDS SHALL PROVIDE FOR ANY NEW TABLE GAMES~~ ←  
11 ~~AND VARIATIONS OR COMPOSITES OF APPROVED TABLE GAMES,~~ ←  
12 ~~PROVIDED THE PENNSYLVANIA GAMING CONTROL BOARD DETERMINES THE~~  
13 ~~NEW TABLE GAME, OR ANY VARIATIONS OR COMPOSITES OR OTHER~~ ←  
14 ~~APPROVED TABLE GAMES ARE SUITABLE FOR USE AFTER A TEST OR~~ ←  
15 ~~EXPERIMENTAL PERIOD UNDER THE TERMS AND CONDITIONS AS THE~~  
16 ~~PENNSYLVANIA GAMING CONTROL BOARD MAY DEEM APPROPRIATE.~~

17 ~~(2) ESTABLISHING STANDARDS TO GOVERN THE CONDUCT OF~~  
18 ~~TABLE GAMES AND THE SYSTEM OF WAGERING ASSOCIATED WITH TABLE~~  
19 ~~GAMES, INCLUDING THE MAINTENANCE OF FINANCIAL BOOKS, RECORDS~~  
20 ~~AND AUDITS.~~

21 ~~(2.1) ESTABLISHING STANDARDS FOR THE DAILY OBSERVATION~~  
22 ~~OF CERTIFICATE HOLDER COUNTING AND RECORDATION PROCESSES FOR~~  
23 ~~CASH, CASH EQUIVALENTS AND OTHER REPRESENTATIONS OF VALUE~~  
24 ~~RECEIVED IN THE CONDUCT OF TABLE GAMES.~~

25 ~~(3) ESTABLISHING PATRON NOTICE REQUIREMENTS PERTAINING~~  
26 ~~TO MINIMUM AND MAXIMUM WAGERS ON TABLE GAMES. MINIMUM AND~~  
27 ~~MAXIMUM WAGERS MAY BE ADJUSTED FROM TIME TO TIME BY THE~~ ←  
28 ~~CERTIFICATE HOLDER IN THE NORMAL COURSE OF CONDUCTING TABLE~~  
29 ~~GAMES, EXCEPT THAT CHANGES IN MINIMUM WAGERS AT ANY GIVEN~~  
30 ~~TABLE SHALL NOT APPLY TO PERSONS ALREADY ENGAGED IN WAGERING~~

~~AT THAT TABLE GAME WHEN THE MINIMUM WAGER IS CHANGED, UNLESS  
30 MINUTES' NOTICE IS PROVIDED TO EACH PLAYER AT THAT TABLE  
GAME.~~

~~(4) REQUIRING EACH CERTIFICATE HOLDER TO:~~

~~(I) PROVIDE WRITTEN INFORMATION AT EACH OPERATIONAL  
GAMING TABLE ABOUT TABLE GAME RULES, PAYOFFS OR WINNING  
WAGERS AND OTHER INFORMATION TO EACH PLAYER AS THE BOARD  
MAY REQUIRE.~~

~~(II) PROVIDE SPECIFICATIONS APPROVED BY THE BOARD  
UNDER SECTION 1207(11) (RELATING TO REGULATORY AUTHORITY  
OF BOARD) TO INTEGRATE AND UPDATE THE LICENSED FACILITY'S  
SURVEILLANCE SYSTEM TO COVER ALL AREAS WHERE TABLE GAMES  
ARE CONDUCTED. THE SPECIFICATIONS SHALL INCLUDE  
PROVISIONS PROVIDING THE BOARD AND OTHER PERSONS  
AUTHORIZED BY THE BOARD WITH ONSITE ACCESS TO THE SYSTEM  
OR ITS SIGNAL.~~

~~(III) DESIGNATE ONE OR MORE LOCATIONS WITHIN THE  
LICENSED FACILITY TO CONDUCT TABLE GAMES.~~

~~(IV) ENSURE THAT VISIBILITY IN A LICENSED FACILITY  
IS NOT OBSTRUCTED IN ANY WAY THAT COULD INTERFERE WITH  
THE ABILITY OF THE CERTIFICATE HOLDER, THE BOARD AND  
OTHER PERSONS AUTHORIZED BY THE BOARD TO OVERSEE THE  
CONDUCT OF TABLE GAMES.~~

~~(V) INTEGRATE THE LICENSED FACILITY'S COUNT ROOM FOR  
SLOT MACHINE AND TABLE GAME OPERATIONS TO ENSURE MAXIMUM  
SECURITY OF THE COUNTING AND STORAGE OF CASH, CASH  
EQUIVALENTS AND OTHER REPRESENTATIONS OF VALUE USED IN  
THE CONDUCT AND OPERATION OF TABLE GAMES AS APPROVED BY  
THE BOARD.~~

~~(VI) EQUIP EACH GAMING TABLE WITH A SIGN INDICATING~~

1 ~~THE PERMISSIBLE MINIMUM AND MAXIMUM WAGERS AT THE GAMING~~  
2 ~~TABLE.~~

3 ~~(VII) ADOPT POLICIES OR PROCEDURES TO PROHIBIT ANY~~  
4 ~~TABLE GAME DEVICE, EQUIPMENT OR SUPPLIES FROM BEING~~  
5 ~~POSSESSED, MAINTAINED OR EXHIBITED BY ANY PERSON ON THE~~  
6 ~~PREMISES OF A LICENSED FACILITY EXCEPT IN THE AREAS OF A~~  
7 ~~LICENSED FACILITY WHERE THE CONDUCT OF TABLE GAMES IS~~  
8 ~~AUTHORIZED OR IN A RESTRICTED AREA DESIGNATED TO BE USED~~  
9 ~~FOR THE INSPECTION, SERVICE, REPAIR OR STORAGE OF THE~~  
10 ~~TABLE GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT~~  
11 ~~OR SUPPLIES BY THE CERTIFICATE HOLDER.~~

12 ~~(VIII) EQUIP ALL DROP BOXES IN WHICH CASH, CASH~~  
13 ~~EQUIVALENTS, FILL SLIPS, CREDIT SLIPS, INVENTORY SLIPS OR~~  
14 ~~OTHER REPRESENTATIONS OF VALUE ARE DEPOSITED AT THE~~  
15 ~~GAMING TABLES, AND ALL AREAS WHERE DROP BOXES ARE KEPT~~  
16 ~~WHILE IN USE, WITH TWO LOCKING DEVICES OR KEYS, OF WHICH~~  
17 ~~ONE LOCKING DEVICE OR KEY SHALL BE UNDER THE EXCLUSIVE~~  
18 ~~CONTROL OF THE BOARD, AND THE SECOND LOCKING DEVICE OR~~  
19 ~~KEY SHALL BE UNDER THE EXCLUSIVE CONTROL OF THE~~  
20 ~~CERTIFICATE HOLDER. THE DROP BOXES SHALL BE BROUGHT INTO~~  
21 ~~OR REMOVED FROM AN AREA WHERE TABLE GAMES ARE CONDUCTED~~  
22 ~~OR LOCKED OR UNLOCKED IN ACCORDANCE WITH PROCEDURES~~  
23 ~~ESTABLISHED BY THE BOARD.~~

24 ~~(IX) DESIGNATE SECURE LOCATIONS FOR THE INSPECTION~~  
25 ~~AND STORAGE OF DICE, CARDS, TILES, DOMINOES, CHIPS AND~~  
26 ~~OTHER REPRESENTATIONS OF VALUE USED IN THE CONDUCT OF~~  
27 ~~TABLE GAMES AS MAY BE APPROVED BY THE BOARD.~~

28 ~~(5) ESTABLISHING THE SIZE AND UNIFORM COLOR BY~~  
29 ~~DENOMINATION OF ALL CHIPS USED IN THE CONDUCT OF TABLE GAMES~~  
30 ~~AND A POLICY FOR THE USE OF PROMOTIONAL OR COMMEMORATIVE~~

1 ~~CHIPS. ALL TYPES OF CHIPS SHALL BE APPROVED BY THE BOARD~~  
2 ~~PRIOR TO BEING USED FOR PLAY AT A TABLE GAME AT A LICENSED~~  
3 ~~FACILITY.~~

4 ~~(5.1) ESTABLISHING THE PROCEDURE TO BE USED BY A~~  
5 ~~CERTIFICATE HOLDER TO DETERMINE AND EXTRACT A RAKE FOR THE~~  
6 ~~PURPOSES OF DERIVING GROSS TABLE GAME REVENUE. THE RAKE MAY~~  
7 ~~BE CALCULATED AS A PERCENTAGE OR A FLAT FEE FROM NONBANKING~~  
8 ~~TABLE GAMES.~~

9 ~~(6) ESTABLISHING MINIMUM STANDARDS RELATING TO THE~~  
10 ~~ACCEPTANCE OF TIPS OR GRATUITIES BY DEALERS AND CROUPIERS AT~~  
11 ~~A TABLE GAME, INCLUDING THE REQUIREMENT THAT TIPS OR~~  
12 ~~GRATUITIES BE PLACED IN A COMMON POOL FOR COMPLETE~~  
13 ~~DISTRIBUTION PRO RATA AMONG ALL DEALERS AND CROUPIERS.~~  
14 ~~NOTHING IN THIS PARAGRAPH SHALL PROHIBIT A CERTIFICATE HOLDER~~  
15 ~~FROM ADOPTING A FORMAL POLICY RELATING TO ACCEPTANCE OF TIPS~~  
16 ~~AND GRATUITIES, PROVIDED THAT THE POLICY MEETS THE MINIMUM~~  
17 ~~STANDARD ESTABLISHED BY THE BOARD UNDER THIS PARAGRAPH.~~

18 ~~(7) ESTABLISHING THE MINIMAL PROFICIENCY REQUIREMENTS~~  
19 ~~FOR INDIVIDUALS TO SUCCESSFULLY COMPLETE A COURSE OF TRAINING~~  
20 ~~AT AN APPROVED SCHOOL UNDER CHAPTER 17 (RELATING TO GAMING~~  
21 ~~SCHOOLS). THE REGULATIONS SHALL NOT PROHIBIT A CERTIFICATE~~  
22 ~~HOLDER FROM ESTABLISHING A COURSE OF TRAINING FOR ITS TABLE~~  
23 ~~GAME EMPLOYEES OR PROHIBIT A CERTIFICATE HOLDER FROM OFFERING~~  
24 ~~EMPLOYMENT TO AN INDIVIDUAL WHO HAS NOT ATTENDED OR COMPLETED~~  
25 ~~A COURSE OF INSTRUCTION AT A GAMING SCHOOL AND SHALL REQUIRE~~  
26 ~~A CERTIFICATE HOLDER THAT ELECTS TO TRAIN ITS EMPLOYEES TO~~  
27 ~~SUBMIT A DETAILED SUMMARY OF THE TRAINING PROGRAM TO THE~~  
28 ~~BOARD AND TO DEMONSTRATE THE ADEQUACY OF THE TRAINING.~~

29 ~~(8) PERMITTING CERTIFICATE HOLDERS TO REQUEST~~  
30 ~~AUTHORIZATION TO CONDUCT, AND TO CONDUCT, TEMPORARY TABLE~~

~~GAME TOURNAMENTS OR OTHER TEMPORARY TABLE GAME CONTESTS IN WHICH PLAYERS COMPETE AGAINST ONE ANOTHER FOR CASH OR PRIZES AND ESTABLISHING THE PRACTICES AND PROCEDURES GOVERNING THE CONDUCT OF THE TOURNAMENTS OR CONTESTS. THE NUMBER OF APPROVED TEMPORARY TOURNAMENT OR CONTEST TABLE GAMES SHALL NOT BE COUNTED TOWARD THE MAXIMUM NUMBER OF TABLE GAMES AUTHORIZED BY THE CERTIFICATE HOLDER'S TABLE GAME OPERATION CERTIFICATE.~~

~~(9) DESIGNATING AN EMPLOYEE TO APPROVE OR DENY A CERTIFICATE HOLDER'S REQUEST TO DECREASE THE NUMBER OF SLOT MACHINES IN ITS LICENSED FACILITY IF THE SLOT MACHINE LICENSEE SEEKS TO REDUCE THE NUMBER OF SLOT MACHINES BY LESS THAN 2%. DESIGNATED APPROVAL FOR REDUCTION OF SLOT MACHINES SHALL NOT EXCEED 2% IN TOTAL REGARDLESS OF THE NUMBER OF REQUESTS A SLOT MACHINE LICENSEE SUBMITS FOR APPROVAL.~~

~~§ 1303A. TEMPORARY TABLE GAME REGULATIONS.~~

~~(A) PROMULGATION. IN ORDER TO FACILITATE THE PROMPT IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED BY THE BOARD SHALL BE DEEMED TEMPORARY REGULATIONS WHICH SHALL EXPIRE NOT LATER THAN TWO YEARS FOLLOWING THE PUBLICATION OF THE TEMPORARY REGULATION. THE BOARD MAY PROMULGATE TEMPORARY REGULATIONS NOT SUBJECT TO:~~

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

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

~~(3) SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT.~~

1 ~~(B) EXPIRATION. THE BOARD'S AUTHORITY TO ADOPT TEMPORARY~~  
2 ~~REGULATIONS IN SUBSECTION (A) SHALL EXPIRE TWO YEARS AFTER THE~~  
3 ~~EFFECTIVE DATE OF THIS SECTION. REGULATIONS ADOPTED AFTER THIS~~  
4 ~~PERIOD SHALL BE PROMULGATED AS PROVIDED BY LAW.~~

5 ~~(C) TEMPORARY REGULATIONS. THE BOARD SHALL BEGIN PUBLISHING~~  
6 ~~TEMPORARY REGULATIONS GOVERNING TABLE GAME RULES, LICENSING OF~~  
7 ~~MANUFACTURERS AND SUPPLIERS AND SURVEILLANCE STANDARDS IN THE~~  
8 ~~PENNSYLVANIA BULLETIN NO LATER THAN FEBRUARY 1, 2010.~~

9 ~~§ 1304A. COMMONWEALTH RESIDENT EMPLOYMENT GOALS.~~

10 ~~(A) EMPLOYMENT OPPORTUNITIES. IT IS THE GOAL OF THE GENERAL~~  
11 ~~ASSEMBLY THAT THE BOARD PROMOTE AND ENSURE THE AVAILABILITY OF~~  
12 ~~EMPLOYMENT OPPORTUNITIES FOR COMMONWEALTH RESIDENTS IN~~  
13 ~~OPERATIONS RELATED TO OR ASSOCIATED WITH TABLE GAME OPERATIONS~~  
14 ~~AS AUTHORIZED IN THIS CHAPTER. THE BOARD SHALL WORK WITH EACH~~  
15 ~~CERTIFICATE HOLDER TO ENSURE THE REPRESENTATION OF COMMONWEALTH~~  
16 ~~RESIDENTS EMPLOYED BY A CERTIFICATE HOLDER'S TABLE GAMES~~  
17 ~~OPERATION. IT IS THE GOAL OF THE COMMONWEALTH THAT COMMONWEALTH~~  
18 ~~RESIDENTS COMPRISE AT LEAST 85% OF EACH CERTIFICATE HOLDER'S~~  
19 ~~EMPLOYEES RELATED TO OR ASSOCIATED WITH TABLE GAMES BY THE END~~  
20 ~~OF THE THIRD YEAR FOLLOWING COMMENCEMENT OF THE CONDUCT OF TABLE~~  
21 ~~GAMES AT EACH CERTIFICATE HOLDER'S LICENSED FACILITY.~~

22 ~~(B) STUDY. THE BOARD SHALL CONDUCT AN ANNUAL STUDY TO~~  
23 ~~ASCERTAIN WHETHER EACH CERTIFICATE HOLDER HAS TAKEN EFFECTIVE~~  
24 ~~AND MEANINGFUL ACTION TO ENHANCE THE NUMBER OF COMMONWEALTH~~  
25 ~~RESIDENTS EMPLOYED IN POSITIONS RELATED TO OR ASSOCIATED WITH~~  
26 ~~TABLE GAMES AT LICENSED FACILITIES. THE FIRST STUDY SHALL BE~~  
27 ~~COMPLETED ONE YEAR FOLLOWING THE ISSUANCE OF THE FIRST TABLE~~  
28 ~~GAME OPERATION CERTIFICATE. EACH ANNUAL STUDY SHALL CONTAIN~~  
29 ~~RECOMMENDATIONS WHICH THE BOARD DETERMINES APPROPRIATE. THE~~  
30 ~~STUDY SHALL BE SUBMITTED TO THE CHAIRMAN AND MINORITY CHAIRMAN~~

~~1 OF THE STANDING COMMITTEES OF THE SENATE AND OF THE HOUSE OF  
2 REPRESENTATIVES WITH JURISDICTION OVER THIS PART.~~

~~3 SUBCHAPTER B~~

~~4 TABLE GAMES AUTHORIZED~~

~~5 SEC.~~

~~6 1311A. AUTHORIZATION TO CONDUCT TABLE GAMES.~~

~~7 1312A. PETITION REQUIREMENTS.~~

~~8 1313A. PROHIBITIONS.~~

~~9 1314A. TABLE GAME AUTHORIZATION HEARING PROCESS; PUBLIC INPUT  
10 HEARINGS.~~

~~11 1315A. STANDARD FOR REVIEW OF PETITIONS.~~

~~12 1316A. TIMING INITIAL TABLE GAME AUTHORIZATIONS.~~

~~13 § 1311A. AUTHORIZATION TO CONDUCT TABLE GAMES.~~

~~14 (A) AUTHORIZATION TO CONDUCT. NOTWITHSTANDING ANY OTHER  
15 PROVISION OF LAW TO THE CONTRARY, THE BOARD MAY AUTHORIZE A SLOT  
16 MACHINE LICENSEE TO CONDUCT TABLE GAMES, THE CONDUCT OF CONTESTS  
17 OR TOURNAMENTS INVOLVING TABLE GAMES AND THE SYSTEM OF WAGERING  
18 ASSOCIATED WITH THE CONDUCT OF TABLE GAMES AT THE SLOT MACHINE  
19 LICENSEE'S LICENSED FACILITY. AUTHORIZATION TO CONDUCT TABLE  
20 GAMES SHALL BE CONTINGENT UPON THE SLOT MACHINE LICENSEE'S  
21 AGREEMENT TO ENSURE THE CONDUCT OF GAMING IN ACCORDANCE WITH  
22 THIS PART AND ANY OTHER CONDITIONS ESTABLISHED BY THE BOARD.  
23 NOTHING IN THIS PART SHALL BE CONSTRUED TO CREATE A SEPARATE  
24 LICENSE GOVERNING THE CONDUCT OF TABLE GAMES BY LICENSED  
25 ENTITIES WITHIN THIS COMMONWEALTH.~~

~~26 (B) NUMBER OF AUTHORIZED TABLE GAMES.~~

~~27 (1) EACH CATEGORY 1 AND CATEGORY 2 SLOT MACHINE LICENSEE  
28 AWARDED A TABLE GAME OPERATION CERTIFICATE MAY BE AUTHORIZED  
29 BY THE BOARD TO OPERATE UP TO 200 TABLE GAMES AT ANY ONE TIME  
30 AT THE CATEGORY 1 OR CATEGORY 2 LICENSED FACILITY.~~

~~(2) EACH CATEGORY 3 SLOT MACHINE LICENSEE AWARDED A TABLE GAME OPERATION CERTIFICATE MAY BE AUTHORIZED BY THE BOARD TO OPERATE UP TO 75 TABLE GAMES AT ANY ONE TIME AT THE CATEGORY 3 LICENSED FACILITY.~~

~~(C) ADDITIONAL AUTHORIZATION. NOTWITHSTANDING SUBSECTION (B), A SLOT MACHINE LICENSEE AWARDED A TABLE GAME OPERATION CERTIFICATE MAY, WITH BOARD APPROVAL, EXCEED THE TOTAL NUMBER OF TABLE GAMES AUTHORIZED IN THE TABLE GAME OPERATION CERTIFICATE TO CONDUCT CONTESTS OR TOURNAMENTS AT LOCATIONS AT THE LICENSED FACILITY AS DETERMINED PURSUANT TO SECTION 1321A (RELATING TO AUTHORIZED LOCATIONS FOR OPERATION).~~

~~§ 1312A. PETITION REQUIREMENTS.~~

~~(A) GENERAL RULE. A SLOT MACHINE LICENSEE MAY SEEK APPROVAL TO CONDUCT TABLE GAMES BY FILING A PETITION WITH THE BOARD.~~

~~(B) PETITION CONTENTS. A PETITION SEEKING AUTHORIZATION TO CONDUCT TABLE GAMES SHALL INCLUDE THE FOLLOWING:~~

~~(1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION OF THE PETITIONER.~~

~~(2) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE PETITIONER WHO WILL BE INVOLVED IN THE CONDUCT OF TABLE GAMES AND WHO IS NOT CURRENTLY LICENSED BY THE BOARD.~~

~~(3) AN ITEMIZED LIST OF THE NUMBER AND TYPES OF TABLE GAMES FOR WHICH AUTHORIZATION IS BEING SOUGHT.~~

~~(4) THE ESTIMATED NUMBER OF FULL TIME AND PART TIME EMPLOYMENT POSITIONS THAT WILL BE CREATED AT THE LICENSED FACILITY IF TABLE GAMES ARE AUTHORIZED AND AN UPDATED HIRING PLAN PURSUANT TO SECTION 1510 (RELATING TO LABOR HIRING PREFERENCES) WHICH OUTLINES THE PETITIONER'S PLAN TO PROMOTE THE REPRESENTATION OF DIVERSE GROUPS AND COMMONWEALTH.~~

1 ~~RESIDENTS IN THE NEW EMPLOYMENT POSITIONS.~~

2 ~~(5) A BRIEF DESCRIPTION OF THE ECONOMIC BENEFITS~~  
3 ~~EXPECTED TO BE REALIZED BY THE COMMONWEALTH, ITS~~  
4 ~~MUNICIPALITIES AND ITS RESIDENTS IF TABLE GAMES ARE~~  
5 ~~AUTHORIZED.~~

6 ~~(6) THE DETAILS OF ANY FINANCING OBTAINED OR THAT WILL~~  
7 ~~BE OBTAINED TO FUND AN EXPANSION OR MODIFICATION OF THE~~  
8 ~~LICENSED FACILITY TO ACCOMMODATE TABLE GAMES.~~

9 ~~(7) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL~~  
10 ~~BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO~~  
11 ~~ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL~~  
12 ~~STABILITY, INTEGRITY AND RESPONSIBILITY OF THE PETITIONER.~~

13 ~~(8) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY~~  
14 ~~REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT~~  
15 ~~THE PETITIONER HAS SUFFICIENT BUSINESS ABILITY AND EXPERIENCE~~  
16 ~~TO CREATE AND MAINTAIN A SUCCESSFUL TABLE GAME OPERATION. IN~~  
17 ~~MAKING THIS DETERMINATION, THE BOARD MAY CONSIDER THE RESULTS~~  
18 ~~OF THE PETITIONER'S SLOT MACHINE OPERATION, INCLUDING~~  
19 ~~FINANCIAL INFORMATION, EMPLOYMENT FIGURES AND CAPITAL~~  
20 ~~INVESTMENT.~~

21 ~~(9) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY~~  
22 ~~REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT~~  
23 ~~THE PETITIONER HAS THE FINANCIAL ABILITY TO PAY THE~~  
24 ~~AUTHORIZATION FEE UNDER SECTION 1361A (RELATING TO TABLE GAME~~  
25 ~~AUTHORIZATION FEE).~~

26 ~~(10) DETAILED SITE PLANS IDENTIFYING THE PETITIONER'S~~  
27 ~~PROPOSED TABLE GAME AREA WITHIN THE LICENSED FACILITY OR ANY~~  
28 ~~PROPOSED TEMPORARY FACILITY.~~

29 ~~(11) OTHER INFORMATION AS THE BOARD MAY REQUIRE.~~

30 ~~(C) CONFIDENTIALITY. INFORMATION SUBMITTED TO THE BOARD~~

1 ~~UNDER SUBSECTION (B) (6), (7), (9), (10) AND (11) MAY BE~~  
2 ~~CONSIDERED CONFIDENTIAL BY THE BOARD IF THE INFORMATION WOULD BE~~  
3 ~~CONFIDENTIAL UNDER SECTION 1206(F) (RELATING TO BOARD MINUTES~~  
4 ~~AND RECORDS).~~

5 ~~§ 1313A. PROHIBITIONS.~~

6 ~~(A) SLOT MACHINE LICENSEE. NO SLOT MACHINE LICENSEE THAT IS~~  
7 ~~REQUIRED AS A CONDITION OF SLOT MACHINE LICENSURE TO MAKE ANNUAL~~  
8 ~~PAYMENTS TO A MUNICIPALITY OR MUNICIPAL AUTHORITY FOR AN~~  
9 ~~ECONOMIC DEVELOPMENT PROJECT, INCLUDING ANY PROJECT ENUMERATED~~  
10 ~~IN THE ACT OF JULY 25, 2007 (P.L.342, NO.53), KNOWN AS~~  
11 ~~PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND~~  
12 ~~CAPITAL BUDGET ITEMIZATION ACT OF 2007, MAY SUBMIT A PETITION~~  
13 ~~UNDER SECTION 1312A (RELATING TO PETITION REQUIREMENTS) UNTIL A~~  
14 ~~WRITTEN AGREEMENT GOVERNING THE TERMS OF THE PAYMENTS, INCLUDING~~  
15 ~~THE DATE ON WHICH THE PAYMENTS SHALL BE MADE, THE AMOUNT OF EACH~~  
16 ~~ANNUAL PAYMENT AND THE DURATION OF THE ANNUAL PAYMENTS, IS~~  
17 ~~EXECUTED BETWEEN THE SLOT MACHINE LICENSEE AND THE MUNICIPALITY~~  
18 ~~OR MUNICIPAL AUTHORITY.~~

19 ~~(B) DUTIES OF BOARD. THE BOARD SHALL NOT ACCEPT OR APPROVE~~  
20 ~~A PETITION SUBMITTED BY ANY SLOT MACHINE LICENSEE SUBJECT TO~~  
21 ~~THIS SECTION AND PROHIBITED BY SUBSECTION (A) UNTIL SUCH WRITTEN~~  
22 ~~AGREEMENT IS SUBMITTED BY THE SLOT MACHINE LICENSEE TO THE~~  
23 ~~BOARD, WHICH SHALL ENSURE THE WRITTEN AGREEMENT MEETS THE~~  
24 ~~REQUIREMENTS OF THIS SECTION AND ALL CONDITIONS RELATING TO THE~~  
25 ~~ECONOMIC DEVELOPMENT PROJECT IMPOSED BY THE BOARD WHEN AWARDING~~  
26 ~~THE SLOT MACHINE LICENSE TO THE LICENSEE ARE SATISFIED AND UNTIL~~  
27 ~~THE MUNICIPALITY OR MUNICIPAL AUTHORITY CONFIRMS TO THE BOARD IN~~  
28 ~~WRITING THAT THE SLOT MACHINE LICENSEE HAS MADE THE FIRST~~  
29 ~~REQUIRED PAYMENT UNDER THE WRITTEN AGREEMENT.~~

30 ~~(C) CONSTRUCTION. NOTHING IN THIS SECTION SHALL BE~~

1 ~~CONSTRUED TO RELIEVE A SLOT MACHINE LICENSEE OF ITS LEGAL~~  
2 ~~OBLIGATION TO MAKE ANY REQUIRED ANNUAL PAYMENTS REFERENCED UNDER~~  
3 ~~THIS SECTION IF THE SLOT MACHINE LICENSEE ELECTS NOT TO PETITION~~  
4 ~~THE BOARD FOR AUTHORIZATION TO CONDUCT TABLE GAMES.~~

5 ~~§ 1314A. TABLE GAME AUTHORIZATION HEARING PROCESS; PUBLIC INPUT~~  
6 ~~HEARINGS.~~

7 ~~(A) GENERAL RULE. THE BOARD'S CONSIDERATION AND RESOLUTION~~  
8 ~~OF ALL PETITIONS TO CONDUCT TABLE GAMES SHALL BE CONDUCTED IN~~  
9 ~~ACCORDANCE WITH 2 PA.C.S. (RELATING TO ADMINISTRATIVE LAW AND~~  
10 ~~PROCEDURE) OR WITH PROCEDURES ADOPTED BY ORDER OF THE BOARD.~~  
11 ~~NOTWITHSTANDING THE REQUIREMENTS OF 2 PA.C.S. §§ 504 (RELATING~~  
12 ~~TO HEARING AND RECORD) AND 505 (RELATING TO EVIDENCE AND CROSS~~  
13 ~~EXAMINATION) AS THEY RELATE TO THE CONDUCT OF ORAL HEARINGS, THE~~  
14 ~~BOARD MAY ADOPT PROCEDURES TO PROVIDE PARTIES BEFORE IT WITH A~~  
15 ~~DOCUMENTARY HEARING, AND THE BOARD MAY RESOLVE DISPUTED MATERIAL~~  
16 ~~FACTS WITHOUT CONDUCTING AN ORAL HEARING WHERE CONSTITUTIONALLY~~  
17 ~~PERMISSIBLE.~~

18 ~~(B) PUBLIC INPUT HEARING REQUIREMENT.~~

19 ~~(1) PRIOR TO GRANTING A PETITION FOR A SLOT MACHINE~~  
20 ~~LICENSEE TO CONDUCT TABLE GAMES UNDER THIS CHAPTER, THE BOARD~~  
21 ~~SHALL HOLD AT LEAST ONE PUBLIC INPUT HEARING ON THE MATTER,~~  
22 ~~IN THE MUNICIPALITY WHERE THE PETITIONER'S LICENSED FACILITY~~  
23 ~~IS LOCATED.~~

24 ~~(2) A LIST OF ALL WITNESSES SCHEDULED TO TESTIFY AT A~~  
25 ~~PUBLIC INPUT HEARING SHALL BE POSTED ON THE BOARD'S INTERNET~~  
26 ~~WEBSITE AT LEAST SEVEN DAYS PRIOR TO THE HEARING. THE LIST~~  
27 ~~SHALL BE UPDATED AT LEAST THREE DAYS PRIOR TO THE HEARING.~~  
28 ~~ADDITIONAL WITNESSES SHALL BE POSTED ON THE BOARD'S INTERNET~~  
29 ~~WEBSITE AS THEY ARE ADDED TO THE LIST.~~

30 ~~§ 1315A. STANDARD FOR REVIEW OF PETITIONS.~~

~~1 THE BOARD SHALL GRANT A PETITION AND AUTHORIZE THE PETITIONER  
2 TO OPERATE TABLE GAMES IF THE PETITIONER ESTABLISHES, BY CLEAR  
3 AND CONVINCING EVIDENCE, ALL OF THE FOLLOWING:~~

~~4 (1) THE PETITIONER'S SLOT MACHINE LICENSE IS IN GOOD  
5 STANDING WITH THE BOARD.~~

~~6 (2) THE PETITIONER CONDUCTING TABLE GAMES WILL HAVE A  
7 POSITIVE ECONOMIC IMPACT ON THE COMMONWEALTH, ITS  
8 MUNICIPALITIES AND RESIDENTS THROUGH INCREASED REVENUES AND  
9 EMPLOYMENT OPPORTUNITIES.~~

~~10 (3) THE PETITIONER POSSESSES OR HAS SECURED ADEQUATE  
11 FINANCING, IF NECESSARY, TO:~~

~~12 (I) FUND AN EXPANSION OR MODIFICATION OF THE  
13 PETITIONER'S LICENSED FACILITY TO ACCOMMODATE TABLE  
14 GAMES.~~

~~15 (II) PAY THE AUTHORIZATION FEE UNDER SECTION 1361A  
16 (RELATING TO TABLE GAME AUTHORIZATION FEE).~~

~~17 (4) THE PETITIONER HAS THE FINANCIAL STABILITY,  
18 INTEGRITY AND RESPONSIBILITY TO CONDUCT TABLE GAMES.~~

~~19 (5) THE PETITIONER HAS SUFFICIENT BUSINESS ABILITY AND  
20 EXPERIENCE TO CREATE AND MAINTAIN A SUCCESSFUL TABLE GAME  
21 OPERATION.~~

~~22 (6) THE PETITIONER'S PROPOSED INTERNAL AND EXTERNAL  
23 SECURITY AND PROPOSED SURVEILLANCE MEASURES WITHIN THE AREA  
24 OF THE LICENSED FACILITY WHERE THE PETITIONER SEEKS TO  
25 CONDUCT TABLE GAMES ARE ADEQUATE.~~

~~26 (7) THE PETITIONER AGREES TO MAINTAIN THE SAME NUMBER OF  
27 SLOT MACHINES IN OPERATION AUTHORIZED BY THE BOARD ON OCTOBER  
28 1, 2009, AND AGREES NOT TO DECREASE THE NUMBER OF SLOT  
29 MACHINES IN ITS LICENSED FACILITY BY MORE THAN 2% WITHOUT  
30 FORMAL BOARD APPROVAL.~~



~~(8) IF THE PETITIONER IS A CATEGORY 3 SLOT MACHINE LICENSEE, THE PETITIONER AGREES TO INVEST AT LEAST \$30,000,000 IN CAPITAL IMPROVEMENTS OVER A FIVE YEAR PERIOD AT THE LICENSED FACILITY.~~

~~§ 1316A. TIMING INITIAL TABLE GAME AUTHORIZATIONS.~~

~~THE BOARD SHALL APPROVE OR DENY A PETITION FILED UNDER SECTION 1312A (RELATING TO PETITION REQUIREMENTS) WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS CHAPTER AND NO LATER THAN 60 DAYS AFTER RECEIPT OF THE FILING.~~

~~SUBCHAPTER C~~

~~CONDUCT OF TABLE GAMES~~

~~SEC.~~

~~1321A. AUTHORIZED LOCATIONS FOR OPERATION.~~

~~1322A. COMMENCEMENT OF TABLE GAME OPERATIONS.~~

~~1323A. TABLE GAME OPERATION CERTIFICATE.~~

~~1324A. CONDITION OF CONTINUED OPERATION.~~

~~1325A. TABLE GAME ACCOUNTING CONTROLS AND AUDITS.~~

~~1326A. WAGERING POLICIES.~~

~~1327A. KEY EMPLOYEES AND OCCUPATION PERMITS.~~

~~1328A. AMENDMENT OF STATEMENT OF CONDITIONS.~~

~~1329A. APPLICATION OF CLEAN INDOOR AIR ACT.~~

~~1329.1A. APPLICATION OF LIQUOR CODE.~~

~~§ 1321A. AUTHORIZED LOCATIONS FOR OPERATION.~~

~~(A) RESTRICTION. EXCEPT AS PROVIDED UNDER SUBSECTION (B), A CERTIFICATE HOLDER SHALL ONLY BE PERMITTED TO OPERATE TABLE GAMES AT THE LICENSED FACILITY.~~

~~(A.1) TEMPORARY FACILITIES. THE BOARD MAY PERMIT A CERTIFICATE HOLDER TO CONDUCT TABLE GAMES AT A TEMPORARY FACILITY WHICH IS PHYSICALLY CONNECTED TO, ATTACHED TO OR ADJACENT TO AND ON THE SAME PARCEL OF LAND AS A PERMANENT~~

1 ~~FACILITY FOR A PERIOD NOT TO EXCEED 24 MONTHS.~~

2 ~~(B) POWERS AND DUTIES OF BOARD. UPON PETITION MADE BY A~~  
3 ~~TABLE GAME OPERATION CERTIFICATE HOLDER, THE BOARD MAY DETERMINE~~  
4 ~~THE SUITABILITY OF A HOTEL FOR THE CONDUCT OF TABLE GAMES. THE~~  
5 ~~BOARD MAY AUTHORIZE THE EXECUTIVE DIRECTOR TO DESIGNATE SPECIFIC~~  
6 ~~AREAS OF THE HOTEL, INCLUDING CONFERENCE ROOMS, BALLROOMS OR~~  
7 ~~OTHER ROOMS, IN WHICH THE CERTIFICATE HOLDER MAY CONDUCT TABLE~~  
8 ~~GAMES FOR THE PURPOSES OF TEMPORARY CONTESTS OR TOURNAMENTS. NO~~  
9 ~~CERTIFICATE HOLDER MAY BE APPROVED TO CONDUCT TABLE GAMES IN A~~  
10 ~~HOTEL UNLESS THE AREAS TO BE DESIGNATED ARE EQUIPPED WITH~~  
11 ~~ADEQUATE SECURITY AND SURVEILLANCE EQUIPMENT TO ENSURE THE~~  
12 ~~INTEGRITY OF THE CONDUCT OF A TABLE GAME, CONTEST OR TOURNAMENT.~~  
13 ~~THE PETITION SHALL INCLUDE THE NUMBER OF TABLE GAMES THE~~ ←  
14 ~~CERTIFICATE HOLDER INTENDS TO OPERATE DURING THE TEMPORARY~~  
15 ~~CONTEST OR TOURNAMENT. THE CERTIFICATE HOLDER SHALL NOTIFY THE~~ ←  
16 ~~BOARD OF THE NUMBER OF TABLE GAMES THAT THE CERTIFICATE HOLDER~~  
17 ~~INTENDS TO OPERATE DURING A TEMPORARY CONTEST OR TOURNAMENT, AND~~  
18 ~~THE BOARD SHALL DESIGNATE AN EMPLOYEE TO APPROVE OR DENY THE~~  
19 ~~REQUEST. IN GRANTING AUTHORIZATION UNDER THIS SECTION, THE BOARD~~  
20 ~~SHALL BE PROHIBITED FROM:~~

21 ~~(1) IMPOSING ANY CRITERIA OR REQUIREMENTS REGARDING THE~~  
22 ~~CONTENTS OR STRUCTURE OF A HOTEL WHICH ARE UNRELATED TO THE~~  
23 ~~CONDUCT OF TABLE GAMES.~~

24 ~~(2) AUTHORIZING THE PLACEMENT OR OPERATION OF SLOT~~  
25 ~~MACHINES IN A HOTEL.~~

26 ~~(3) COUNTING THE NUMBER OF TEMPORARY CONTEST OR~~  
27 ~~TOURNAMENT TABLE GAMES TOWARD THE NUMBER OF APPROVED TABLES~~  
28 ~~IN THE TABLE GAME OPERATION CERTIFICATE.~~

29 ~~§ 1322A. COMMENCEMENT OF TABLE GAME OPERATIONS.~~

30 ~~A CERTIFICATE HOLDER MAY NOT OPERATE OR OFFER TABLE GAMES FOR~~

1 ~~PLAY AT A LICENSED FACILITY UNTIL:~~

2 ~~(1) THE CERTIFICATE HOLDER IS IN COMPLIANCE IN ALL~~  
3 ~~RESPECTS WITH THE REQUIREMENTS OF THIS PART.~~

4 ~~(2) THE BOARD HAS APPROVED THE CERTIFICATE HOLDER'S~~  
5 ~~INTERNAL CONTROLS AND AUDITS PROTOCOLS UNDER SECTION 1325A~~  
6 ~~(RELATING TO TABLE GAME ACCOUNTING CONTROLS AND AUDITS).~~

7 ~~(3) THE CERTIFICATE HOLDER'S TABLE GAME EMPLOYEES, WHERE~~  
8 ~~APPLICABLE, ARE LICENSED, PERMITTED OR OTHERWISE AUTHORIZED~~  
9 ~~BY THE BOARD TO PERFORM THEIR RESPECTIVE DUTIES.~~

10 ~~(4) THE CERTIFICATE HOLDER IS PREPARED IN ALL RESPECTS~~  
11 ~~TO OFFER TABLE GAME PLAY TO THE PUBLIC AT THE LICENSED~~  
12 ~~FACILITY.~~

13 ~~(5) THE CERTIFICATE HOLDER HAS IMPLEMENTED NECESSARY~~  
14 ~~INTERNAL AND MANAGEMENT CONTROLS AND SECURITY ARRANGEMENTS~~  
15 ~~AND SURVEILLANCE SYSTEMS FOR THE CONDUCT OF TABLE GAMES.~~

16 ~~(6) THE CERTIFICATE HOLDER HAS PAID THE AUTHORIZATION~~  
17 ~~FEE IN ACCORDANCE WITH SECTION 1361A (RELATING TO TABLE GAME~~  
18 ~~AUTHORIZATION FEE).~~

19 ~~(7) THE CERTIFICATE HOLDER HAS OBTAINED AUTHORIZATION~~ ←  
20 ~~PURSUANT TO AN ACT OF THE GENERAL ASSEMBLY, FOLLOWING THE~~  
21 ~~EFFECTIVE DATE OF THIS SECTION, AND HAS COMPENSATED THE~~  
22 ~~COMMONWEALTH FOR NO LESS THAN THE \$5,000,000 FOR THE STATE~~  
23 ~~LANDS OCCUPIED BY THE LICENSED FACILITY.~~

24 ~~§ 1323A. TABLE GAME OPERATION CERTIFICATE.~~

25 ~~THE FOLLOWING SHALL APPLY:~~

26 ~~(1) A TABLE GAME OPERATION CERTIFICATE SHALL BE IN~~  
27 ~~EFFECT UNLESS SUSPENDED OR REVOKED BY THE BOARD OR NOT~~  
28 ~~RENEWED BY THE CERTIFICATE HOLDER OR BY THE BOARD UPON GOOD~~  
29 ~~CAUSE BY THE BOARD CONSISTENT WITH THE REQUIREMENTS OF THIS~~  
30 ~~PART.~~

~~(2) THE TABLE GAME OPERATION CERTIFICATE SHALL INCLUDE AN ITEMIZED LIST BY TYPE AND NUMBER OF THE TABLE GAMES APPROVED BY THE BOARD AND PERMITTED IN THE PARTICULAR LICENSED FACILITY. THE CERTIFICATE HOLDER MAY INCREASE OR DECREASE THE NUMBER OF TABLE GAMES PERMITTED AT THE LICENSED FACILITY, CHANGE THE TYPE OF TABLE GAMES PLAYED AT A PARTICULAR TABLE OR CHANGE THE CONFIGURATION OF TABLE GAMES UPON NOTICE TO THE BOARD AND APPROVAL BY A DESIGNATED EMPLOYEE OF THE BOARD. UNLESS APPROVED BY THE BOARD, THE TOTAL NUMBER OF TABLE GAMES IN OPERATION AT THE LICENSED FACILITY MAY NOT EXCEED THE NUMBER AUTHORIZED IN THE TABLE GAMES OPERATION CERTIFICATE.~~

~~(3) CERTIFICATE HOLDERS SHALL BE REQUIRED TO UPDATE THE INFORMATION IN THEIR INITIAL TABLE GAMES PETITION AT TIMES PRESCRIBED BY THE BOARD.~~

~~(4) NO ADDITIONAL AUTHORIZATION FEE SHALL BE IMPOSED FOR RENEWAL OF A TABLE GAME OPERATION CERTIFICATE.~~

~~§ 1324A. CONDITION OF CONTINUED OPERATION.~~

~~AS A CONDITION OF CONTINUED OPERATION, A CERTIFICATE HOLDER SHALL AGREE TO MAINTAIN ALL BOOKS, RECORDS AND DOCUMENTS PERTAINING TO TABLE GAMES IN A MANNER AND LOCATION WITHIN THIS COMMONWEALTH AS APPROVED BY THE BOARD. ALL BOOKS, RECORDS AND DOCUMENTS RELATED TO TABLE GAMES SHALL:~~

~~(1) BE SEGREGATED BY SEPARATE ACCOUNTS WITHIN THE SLOT MACHINE LICENSEE'S OPERATIONS BOOKS, RECORDS AND DOCUMENTS, EXCEPT FOR ANY BOOKS, RECORDS OR DOCUMENTS THAT ARE COMMON TO BOTH OPERATIONS;~~

~~(2) BE IMMEDIATELY AVAILABLE FOR INSPECTION UPON REQUEST OF THE BOARD, THE BUREAU, THE PENNSYLVANIA STATE POLICE, THE ATTORNEY GENERAL OR AGENTS THEREOF DURING ALL HOURS OF~~

~~OPERATION OF THE LICENSED FACILITY IN ACCORDANCE WITH  
REGULATIONS PROMULGATED BY THE BOARD; AND~~

~~(3) BE MAINTAINED FOR A PERIOD AS THE BOARD, BY  
REGULATION, MAY REQUIRE.~~

~~§ 1325A. TABLE GAME ACCOUNTING CONTROLS AND AUDITS.~~

~~(A) APPROVAL. PRIOR TO THE COMMENCEMENT OF TABLE GAME  
OPERATIONS, A CERTIFICATE HOLDER SHALL SUBMIT TO THE BOARD FOR  
APPROVAL ALL PROPOSED SITE PLANS, INTERNAL CONTROL SYSTEMS AND  
AUDIT PROTOCOLS FOR THE CERTIFICATE HOLDER'S TABLE GAME  
OPERATIONS.~~

~~(B) MINIMUM REQUIREMENTS. A CERTIFICATE HOLDER'S INTERNAL  
CONTROLS AND AUDIT PROTOCOLS SHALL:~~

~~(1) SAFEGUARD ITS ASSETS AND REVENUES, INCLUDING THE  
RECORDING OF CASH AND EVIDENCES OF INDEBTEDNESS RELATED TO  
TABLE GAMES.~~

~~(2) PROVIDE FOR RELIABLE RECORDS, ACCOUNTS AND REPORTS  
OF ANY FINANCIAL EVENT THAT OCCURS IN THE CONDUCT OF TABLE  
GAMES, INCLUDING REPORTS TO THE BOARD RELATED TO THE TABLE  
GAMES.~~

~~(3) PROVIDE FOR ACCURATE AND RELIABLE FINANCIAL RECORDS  
RELATED TO TABLE GAMES.~~

~~(4) ESTABLISH PROCEDURES FOR ALL THE FOLLOWING:~~

~~(I) THE RECEIPT, STORAGE AND DISBURSAL OF CHIPS,  
CASH AND CASH EQUIVALENTS USED IN TABLE GAMES.~~

~~(II) CHECK CASHING.~~

~~(III) THE REDEMPTION OF CHIPS, CASH EQUIVALENTS AND  
OTHER REPRESENTATIONS OF VALUE USED IN TABLE GAMES AND  
THE PAYOFF OF JACKPOTS.~~

~~(IV) THE RECORDING OF TRANSACTIONS PERTAINING TO  
TABLE GAMES.~~

1       ~~(5) ESTABLISH PROCEDURES FOR THE COLLECTION AND SECURITY~~  
2 ~~OF MONEYS AT THE GAMING TABLES.~~

3       ~~(6) ESTABLISH PROCEDURES FOR THE TRANSFER AND RECORDING~~  
4 ~~OF CHIPS BETWEEN THE GAMING TABLES AND THE CASHIER'S CAGE.~~

5       ~~(7) ESTABLISH PROCEDURES FOR THE TRANSFER OF DROP BOXES~~  
6 ~~FOR TABLE GAMES FROM THE GAMING TABLES TO THE COUNT ROOM.~~

7       ~~(8) ESTABLISH PROCEDURES AND SECURITY FOR THE COUNTING~~  
8 ~~AND RECORDING OF TABLE GAME REVENUE.~~

9       ~~(9) ESTABLISH PROCEDURES FOR THE SECURITY, STORAGE AND~~  
10 ~~RECORDING OF CASH, CHIPS AND CASH EQUIVALENTS UTILIZED IN~~  
11 ~~TABLE GAMES.~~

12       ~~(10) ESTABLISH PROCEDURES AND SECURITY STANDARDS FOR THE~~  
13 ~~HANDLING AND STORAGE OF TABLE GAME DEVICES.~~

14       ~~(11) ESTABLISH PROCEDURES AND RULES GOVERNING THE~~  
15 ~~CONDUCT OF EACH TABLE GAME AND THE RESPONSIBILITY OF~~  
16 ~~EMPLOYEES RELATED TO TABLE GAMES.~~

17       ~~(12) ESTABLISH PROCEDURES FOR THE COLLECTION AND~~  
18 ~~RECORDING OF REVENUE FROM POKER WHEN IT IS A NONBANKING GAME,~~  
19 ~~INCLUDING THE TYPES OF RAKE UTILIZED AND THE METHODOLOGY FOR~~  
20 ~~CALCULATING THE AMOUNT OF PERMISSIBLE RAKE.~~

21       ~~(13) ENSURE THAT ANY WAGERING PERMITTED IN A TABLE GAME~~  
22 ~~IS IMPLEMENTED ONLY IN ACCORDANCE WITH THE MANAGEMENT'S~~  
23 ~~GENERAL OR SPECIFIC AUTHORIZATION, AS APPROVED BY THE BOARD.~~

24       ~~(14) ENSURE THE PROPER AND TIMELY ACCOUNTING OF GROSS~~  
25 ~~TABLE GAME REVENUE AND THE CALCULATION OF GROSS TABLE GAME~~  
26 ~~REVENUE, FEES AND TAXES BASED ON THE GROSS TABLE GAME REVENUE~~  
27 ~~AND MAINTAIN ACCOUNTABILITY FOR ASSETS.~~

28       ~~(15) ENSURE THAT RECORDED ACCOUNTABILITY FOR ASSETS IS~~  
29 ~~COMPARED WITH ACTUAL ASSETS AT REASONABLE INTERVALS AND THAT~~  
30 ~~APPROPRIATE ACTION IS TAKEN WITH RESPECT TO ANY~~

1 ~~DISCREPANCIES.~~

2 ~~(16) ENSURE THAT ALL FUNCTIONS, DUTIES AND~~  
3 ~~RESPONSIBILITIES ARE APPROPRIATELY SEGREGATED AND PERFORMED~~  
4 ~~IN ACCORDANCE WITH SOUND FINANCIAL PRACTICES BY COMPETENT,~~  
5 ~~QUALIFIED EMPLOYEES.~~

6 ~~(17) PERMIT USE OF ITS LICENSED FACILITY BY THE BOARD,~~  
7 ~~THE BUREAU AND OTHER PERSONS AUTHORIZED BY THE BOARD TO~~  
8 ~~FACILITATE THEIR ABILITY TO PERFORM REGULATORY AND OVERSIGHT~~  
9 ~~FUNCTIONS UNDER THIS CHAPTER.~~

10 ~~(C) SUBMISSION TO BOARD. THE SUBMISSION REQUIRED UNDER~~  
11 ~~SUBSECTION (A) SHALL INCLUDE A DETAILED DESCRIPTION OF THE~~  
12 ~~CERTIFICATE HOLDER'S ADMINISTRATIVE AND ACCOUNTING PROCEDURES~~  
13 ~~RELATED TO TABLE GAMES, INCLUDING ITS WRITTEN SYSTEM OF INTERNAL~~  
14 ~~CONTROLS. EACH WRITTEN SYSTEM OF INTERNAL CONTROLS SHALL~~  
15 ~~INCLUDE:~~

16 ~~(1) AN ORGANIZATIONAL CHART DEPICTING APPROPRIATE~~  
17 ~~FUNCTIONS AND RESPONSIBILITIES OF EMPLOYEES INVOLVED IN BOTH~~  
18 ~~THE SLOT MACHINE OPERATIONS AND TABLE GAME OPERATIONS.~~

19 ~~(2) A DESCRIPTION OF THE DUTIES AND RESPONSIBILITIES OF~~  
20 ~~EACH POSITION SHOWN ON THE ORGANIZATIONAL CHART.~~

21 ~~(3) THE RECORD RETENTION POLICY OF THE CERTIFICATE~~  
22 ~~HOLDER.~~

23 ~~(4) THE PROCEDURE TO BE UTILIZED TO ENSURE THAT ASSETS~~  
24 ~~ARE SAFEGUARDED, INCLUDING MANDATORY COUNT PROCEDURES.~~

25 ~~(5) A DETAILED NARRATIVE DESCRIPTION OF THE~~  
26 ~~ADMINISTRATIVE AND ACCOUNTING PROCEDURES IN PLACE TO ENSURE~~  
27 ~~COMPLIANCE WITH THE REQUIREMENTS OF SECTION 1326A (RELATING~~  
28 ~~TO WAGERING POLICIES).~~

29 ~~(6) A STATEMENT SIGNED BY THE CERTIFICATE HOLDER'S CHIEF~~  
30 ~~FINANCIAL OFFICER OR OTHER COMPETENT PERSON ATTESTING THAT~~

1 ~~THE OFFICER BELIEVES, IN GOOD FAITH, THAT THE SYSTEM~~  
2 ~~SATISFIES THE REQUIREMENTS OF THIS SECTION.~~

3 ~~(D) REVIEW. PRIOR TO AUTHORIZING A CERTIFICATE HOLDER TO~~  
4 ~~CONDUCT TABLE GAMES, THE BOARD SHALL REVIEW THE SYSTEM OF~~  
5 ~~INTERNAL CONTROLS SUBMITTED UNDER SUBSECTION (C) TO DETERMINE~~  
6 ~~WHETHER IT CONFORMS TO THE REQUIREMENTS OF THIS PART AND WHETHER~~  
7 ~~IT PROVIDES ADEQUATE AND EFFECTIVE CONTROLS FOR THE CONDUCT OF~~  
8 ~~TABLE GAMES.~~

9 ~~§ 1326A. WAGERING POLICIES.~~

10 ~~(A) ACCEPTANCE OF CHECKS. A CERTIFICATE HOLDER MAY ACCEPT A~~  
11 ~~CHECK FROM A PATRON IN EXCHANGE FOR CASH OR CHIPS. THE~~  
12 ~~CERTIFICATE HOLDER SHALL PRESENT EACH CHECK FOR PAYMENT TO THE~~  
13 ~~FINANCIAL INSTITUTION UPON WHICH THE CHECK IS DRAWN WITHIN TEN~~  
14 ~~DAYS OF RECEIPT BY THE CERTIFICATE HOLDER. NO THIRD PARTY CHECKS~~  
15 ~~SHALL BE PERMITTED.~~

16 ~~(B) CREDIT AND OTHER FINANCIAL TRANSACTIONS PERMITTED. A~~  
17 ~~CERTIFICATE HOLDER MAY MAKE CREDIT CARD ADVANCES AND WITHDRAWALS~~  
18 ~~AVAILABLE TO PATRONS AT ITS LICENSED FACILITY. ALL FEES CHARGED~~  
19 ~~FOR CASH ADVANCES, CHECK CASHING, CREDIT CARD WITHDRAWALS AND~~  
20 ~~THE CONVERSION OF CASH EQUIVALENTS SHALL BE DISCLOSED.~~  
21 ~~NOTWITHSTANDING SECTION 1504 (RELATING TO WAGERING ON CREDIT), A~~  
22 ~~CERTIFICATE HOLDER MAY EXTEND CREDIT TO PATRONS FOR THE PURPOSE~~  
23 ~~OF PLAYING SLOT MACHINES OR TABLE GAMES IN ACCORDANCE WITH THIS~~  
24 ~~SECTION.~~

25 ~~(C) CREDIT APPLICATIONS. EACH APPLICATION FOR CREDIT~~  
26 ~~SUBMITTED BY A PATRON TO A CERTIFICATE HOLDER SHALL BE~~  
27 ~~MAINTAINED IN A CREDIT FILE. THE APPLICATION SHALL INCLUDE THE~~  
28 ~~PATRON'S NAME, ADDRESS, TELEPHONE NUMBER, COMPREHENSIVE BANK~~  
29 ~~ACCOUNT INFORMATION, THE REQUESTED CREDIT LIMIT, THE PATRON'S~~  
30 ~~APPROXIMATE AMOUNT OF CURRENT INDEBTEDNESS, THE AMOUNT AND~~

1 ~~SOURCE OF INCOME IN SUPPORT OF THE APPLICATION, THE PATRON'S~~  
2 ~~SIGNATURE ON THE APPLICATION AND A CERTIFICATION OF TRUTHFULNESS~~  
3 ~~WHICH SHALL BE SUBJECT TO 18 PA.C.S. § 4903 (RELATING TO FALSE~~  
4 ~~SWEARING). THE CERTIFICATION HOLDER SHALL NOTIFY EACH APPLICANT~~  
5 ~~THAT, AS A CONDITION OF RECEIVING CREDIT, THE CERTIFICATE HOLDER~~  
6 ~~WILL VERIFY IDENTITY AND INDEBTEDNESS INFORMATION THROUGH A~~  
7 ~~CREDIT BUREAU, CASINO CREDIT BUREAU AND, IF APPROPRIATE, THROUGH~~  
8 ~~DIRECT CONTACT WITH OTHER CERTIFICATE HOLDERS.~~

9 ~~(D) CREDIT APPLICATION VERIFICATION. PRIOR TO APPROVING AN~~  
10 ~~APPLICATION FOR CREDIT, A CERTIFICATE HOLDER SHALL VERIFY:~~

11 ~~(1) THE IDENTITY, CREDITWORTHINESS AND INDEBTEDNESS~~  
12 ~~INFORMATION ON THE APPLICATION BY CONDUCTING A COMPREHENSIVE~~  
13 ~~REVIEW OF THE INFORMATION SUBMITTED WITH THE APPLICATION AND~~  
14 ~~ANY INFORMATION REGARDING THE PATRON'S CREDIT ACTIVITY AT~~  
15 ~~OTHER LICENSED FACILITIES WHICH THE CERTIFICATE HOLDER MAY~~  
16 ~~OBTAIN THROUGH A CASINO CREDIT BUREAU AND, IF APPROPRIATE,~~  
17 ~~THROUGH DIRECT CONTACT WITH OTHER LICENSED FACILITIES.~~

18 ~~(2) THAT THE APPLICANT'S NAME IS NOT INCLUDED ON AN~~  
19 ~~EXCLUSION LIST UNDER SECTION 1514 (RELATING TO REGULATION~~  
20 ~~REQUIRING EXCLUSION OF CERTAIN PERSONS) OR 1516 (RELATING TO~~  
21 ~~LIST OF PERSONS SELF EXCLUDED FROM GAMING ACTIVITIES) OR A~~  
22 ~~VOLUNTARY CREDIT SUSPENSION LIST UNDER SUBSECTION (H).~~

23 ~~(3) THE APPLICANT'S AVERAGE BANK BALANCE THROUGH DIRECT~~  
24 ~~CONTACT WITH A CASINO CREDIT BUREAU, CREDIT AGENCY OR WITH~~  
25 ~~THE APPLICANT'S BANK.~~

26 ~~(E) ESTABLISHMENT OF CREDIT. EACH APPLICANT'S CREDIT LIMIT~~  
27 ~~SHALL BE APPROVED BY ANY TWO OR MORE EMPLOYEES OF THE~~  
28 ~~CERTIFICATE HOLDER HOLDING THE JOB POSITIONS OF CREDIT MANAGER,~~  
29 ~~ASSISTANT CREDIT MANAGER, CREDIT SHIFT MANAGER, CREDIT EXECUTIVE~~  
30 ~~OR A KEY EMPLOYEE IN A DIRECT REPORTING LINE ABOVE THE MANAGER~~

1 ~~OR CREDIT MANAGER. THE APPROVAL SHALL BE RECORDED IN THE~~  
2 ~~APPLICANT'S CREDIT FILE AND SHALL INCLUDE THE REASONS AND~~  
3 ~~INFORMATION RELIED ON FOR THE APPROVAL OF CREDIT AND~~  
4 ~~VERIFICATION BY THE EMPLOYEES APPROVING THE APPLICANT'S CREDIT~~  
5 ~~LIMIT. INCREASES TO AN INDIVIDUAL'S CREDIT LIMIT MAY BE APPROVED~~  
6 ~~FOLLOWING A WRITTEN REQUEST FROM THE INDIVIDUAL AND~~  
7 ~~REVERIFICATION OF AN INDIVIDUAL'S CREDIT INFORMATION.~~

8 ~~(F) RECORDKEEPING. DETAILED INFORMATION PERTAINING TO ALL~~  
9 ~~TRANSACTIONS AFFECTING AN INDIVIDUAL'S OUTSTANDING INDEBTEDNESS~~  
10 ~~TO A CERTIFICATE HOLDER SHALL BE RECORDED IN CHRONOLOGICAL ORDER~~  
11 ~~IN THE INDIVIDUAL'S CREDIT FILE.~~

12 ~~(G) SUSPENSION OF CREDIT. A CERTIFICATE HOLDER MAY REDUCE~~  
13 ~~AN INDIVIDUAL'S CREDIT LIMIT OR SUSPEND CREDIT TO AN INDIVIDUAL~~  
14 ~~UPON CONSIDERATION OF INFORMATION AFFECTING THE INDIVIDUAL'S~~  
15 ~~CREDITWORTHINESS OR THE INDIVIDUAL'S CREDIT ACTIVITIES AT THE~~  
16 ~~LICENSED FACILITY OR ANOTHER LICENSED FACILITY. ANY INDIVIDUAL~~  
17 ~~MAY REQUEST A CERTIFICATE HOLDER TO VOLUNTARILY SUSPEND THE~~  
18 ~~INDIVIDUAL'S CREDIT. EACH CERTIFICATE HOLDER SHALL INFORM THE~~  
19 ~~BOARD WHEN AN INDIVIDUAL REQUESTS A VOLUNTARY SUSPENSION OF~~  
20 ~~CREDIT AND SHALL PROVIDE THE BOARD WITH ALL INFORMATION~~  
21 ~~NECESSARY TO MAINTAIN THE VOLUNTARY CREDIT SUSPENSION LIST UNDER~~  
22 ~~SUBSECTION (H).~~

23 ~~(H) VOLUNTARY CREDIT SUSPENSION LIST. THE BOARD SHALL~~  
24 ~~MAINTAIN A VOLUNTARY CREDIT SUSPENSION LIST OF ALL PERSONS WHO~~  
25 ~~HAVE REQUESTED VOLUNTARY SUSPENSION OF CREDIT PRIVILEGES AND~~  
26 ~~SHALL PROVIDE THE LIST ON A CONTINUOUS BASIS TO THE CREDIT~~  
27 ~~DEPARTMENT OF EACH CERTIFICATE HOLDER. AN INDIVIDUAL MAY REQUEST~~  
28 ~~PLACEMENT ON THE VOLUNTARY CREDIT SUSPENSION LIST BY SUBMITTING~~  
29 ~~TO THE BOARD THE INDIVIDUAL'S NAME, ADDRESS AND DATE OF BIRTH.~~  
30 ~~THE INDIVIDUAL DOES NOT NEED TO PROVIDE A REASON FOR THE~~

1 ~~REQUEST. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE~~  
2 ~~CONTRARY, THE BOARD'S LIST OF INDIVIDUALS WHO HAVE HAD CREDIT~~  
3 ~~PRIVILEGES VOLUNTARILY SUSPENDED SHALL NOT BE OPEN TO PUBLIC~~  
4 ~~INSPECTION, AND NEITHER THE BOARD NOR THE CREDIT DEPARTMENT OF A~~  
5 ~~CERTIFICATE HOLDER SHALL DIVULGE THE NAMES ON THIS LIST TO ANY~~  
6 ~~PERSON OR ENTITY OTHER THAN THOSE PROVIDED FOR IN THIS~~  
7 ~~SUBSECTION. TO REMOVE AN INDIVIDUAL'S NAME FROM THE LIST, THE~~  
8 ~~INDIVIDUAL SHALL SUBMIT A REQUEST TO THE BOARD, WHICH SHALL~~  
9 ~~REMOVE THE INDIVIDUAL FROM THE LIST AND INFORM THE CREDIT~~  
10 ~~DEPARTMENT OF EACH CERTIFICATE HOLDER NOT LATER THAN THREE~~  
11 ~~BUSINESS DAYS AFTER THE SUBMISSION BOARD'S RECEIPT OF THE~~  
12 ~~REQUEST.~~

13 ~~(I) LIABILITY. A CERTIFICATE HOLDER OR EMPLOYEE THEREOF~~  
14 ~~SHALL NOT BE LIABLE TO ANY INDIVIDUAL ON THE VOLUNTARY CREDIT~~  
15 ~~SUSPENSION LIST OR TO ANY OTHER PARTY IN ANY JUDICIAL PROCEEDING~~  
16 ~~FOR ANY HARM, MONETARY OR OTHERWISE, WHICH MAY ARISE AS A RESULT~~  
17 ~~OF:~~

18 ~~(1) THE FAILURE OF A CERTIFICATE HOLDER TO RESTORE~~  
19 ~~CREDIT PRIVILEGES TO AN INDIVIDUAL ON THE VOLUNTARY CREDIT~~  
20 ~~SUSPENSION LIST; OR~~

21 ~~(2) OTHERWISE PERMITTING AN INDIVIDUAL ON THE VOLUNTARY~~  
22 ~~CREDIT SUSPENSION LIST TO ENGAGE IN GAMING ACTIVITY IN THE~~  
23 ~~LICENSED FACILITY WHILE ON THE VOLUNTARY CREDIT SUSPENSION~~  
24 ~~LIST.~~

25 ~~(J) CHECKS. NOTWITHSTANDING THE PROVISIONS OF ANY LAW TO~~  
26 ~~THE CONTRARY, CHECKS CASHED IN CONFORMITY WITH THE REQUIREMENTS~~  
27 ~~OF THIS SECTION OR 13 PA.C.S. DIV. 3 (RELATING TO NEGOTIABLE~~  
28 ~~INSTRUMENTS) SHALL BE VALID INSTRUMENTS, ENFORCEABLE AT LAW IN~~  
29 ~~THE COURTS OF THIS COMMONWEALTH. ANY CHECK CASHED, TRANSFERRED,~~  
30 ~~CONVEYED, GIVEN OR ACCEPTED IN VIOLATION OF THIS SECTION SHALL~~

1 ~~BE INVALID AND UNENFORCEABLE FOR THE PURPOSES OF COLLECTION BY A~~  
2 ~~CERTIFICATE HOLDER BUT SHALL BE INCLUDED IN THE CALCULATION OF~~  
3 ~~GROSS TABLE GAME REVENUE.~~

4 ~~(K) TAX LIABILITY. CREDIT EXTENDED PURSUANT TO THIS SECTION~~  
5 ~~MAY NOT BE CLAIMED AS A DEDUCTION, CREDIT OR ANY OTHER TYPE OF~~  
6 ~~REDUCTION OR OFFSET AGAINST ANY TAX IMPOSED BY THIS PART OR THE~~  
7 ~~ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE~~  
8 ~~OF 1971.~~

9 ~~§ 1327A. KEY EMPLOYEES AND OCCUPATION PERMITS.~~

10 ~~NOTHING IN THIS PART SHALL BE CONSTRUED TO REQUIRE ANY~~  
11 ~~INDIVIDUAL WHO HOLDS A KEY EMPLOYEE OR GAMING EMPLOYEE LICENSE~~  
12 ~~UNDER CHAPTER 13 (RELATING TO LICENSEES) TO OBTAIN A SEPARATE~~  
13 ~~LICENSE OR PERMIT TO BE EMPLOYED IN A CERTIFICATE HOLDER'S TABLE~~  
14 ~~GAME OPERATION AUTHORIZED UNDER THIS CHAPTER.~~

15 ~~§ 1328A. AMENDMENT OF STATEMENT OF CONDITIONS.~~

16 ~~(A) AMENDMENT. UPON GRANTING A PETITION FOR A TABLE GAME~~  
17 ~~OPERATION CERTIFICATE, THE BOARD SHALL AMEND THE SLOT MACHINE~~  
18 ~~LICENSEE'S STATEMENT OF CONDITIONS GOVERNING THE SLOT MACHINE~~  
19 ~~LICENSE TO INCLUDE CONDITIONS PERTAINING TO THE REQUIREMENTS OF~~  
20 ~~THIS PART.~~

21 ~~(B) SANCTIONS. A CERTIFICATE HOLDER THAT FAILS TO ABIDE BY~~  
22 ~~THIS PART AS WELL AS ANY CONDITION CONTAINED IN THE LICENSEE'S~~  
23 ~~STATEMENT OF CONDITIONS IN THE CONDUCT OF TABLE GAMES SHALL BE~~  
24 ~~SUBJECT TO BOARD IMPOSED ADMINISTRATIVE SANCTIONS OR OTHER~~  
25 ~~PENALTIES AUTHORIZED UNDER THIS PART.~~

26 ~~§ 1329A. APPLICATION OF CLEAN INDOOR AIR ACT.~~

27 ~~IF THE BOARD AUTHORIZES THE CONDUCT OF TABLE GAMES IN A~~  
28 ~~DESIGNATED AREA OTHER THAN THE GAMING FLOOR, AS DEFINED IN~~  
29 ~~SECTION 2 OF THE ACT OF JUNE 13, 2008 (P.L.182, NO.27), KNOWN AS~~  
30 ~~THE CLEAN INDOOR AIR ACT, THE PROVISIONS OF SECTION 3(B)(11) OF~~



1 ~~THE CLEAN INDOOR AIR ACT SHALL APPLY TO THAT AREA AND MAY~~  
2 ~~INCLUDE TABLE GAMES.~~

3 ~~§ 1329.1A. APPLICATION OF LIQUOR CODE.~~

4 ~~THE PROVISIONS OF SECTION 493(24)(II) OF THE ACT OF APRIL 12,~~  
5 ~~1951 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, SHALL ALSO APPLY~~  
6 ~~TO TABLE GAMES.~~

7 ~~SUBCHAPTER D~~

8 ~~(RESERVED)~~

9 ~~SUBCHAPTER E~~

10 ~~TABLE GAME TESTING AND CERTIFICATION~~

11 ~~SEC.~~

12 ~~1341A. TABLE GAME DEVICE TESTING AND CERTIFICATION STANDARDS.~~

13 ~~§ 1341A. TABLE GAME DEVICE TESTING AND CERTIFICATION STANDARDS.~~

14 ~~(A) USE OF OTHER STATE STANDARDS. UNTIL SUCH TIME AS THE~~  
15 ~~BOARD EXPANDS THE INDEPENDENT TESTING AND CERTIFICATION FACILITY~~  
16 ~~ESTABLISHED UNDER SECTION 1320(B) (RELATING TO SLOT MACHINE~~  
17 ~~TESTING AND CERTIFICATION STANDARDS), THE BOARD MAY DETERMINE~~  
18 ~~WHETHER THE TABLE GAME DEVICE TESTING AND CERTIFICATION~~  
19 ~~STANDARDS OF ANOTHER JURISDICTION WITHIN THE UNITED STATES IN~~  
20 ~~WHICH AN APPLICANT FOR A MANUFACTURER LICENSE IS LICENSED ARE~~  
21 ~~COMPREHENSIVE AND THOROUGH AND PROVIDE SIMILAR ADEQUATE~~  
22 ~~SAFEGUARDS AS THOSE REQUIRED BY THIS PART. IF THE BOARD MAKES~~  
23 ~~THAT DETERMINATION, IT MAY PERMIT A MANUFACTURER LICENSED~~  
24 ~~PURSUANT TO SECTION 1317.1 (RELATING TO MANUFACTURER LICENSES)~~  
25 ~~TO DEPLOY TABLE GAME DEVICES IT MANUFACTURES WHICH HAVE MET THE~~  
26 ~~TABLE GAME DEVICE TESTING AND CERTIFICATION STANDARDS IN ANOTHER~~  
27 ~~JURISDICTION WITHOUT UNDERGOING THE FULL TESTING AND~~  
28 ~~CERTIFICATION PROCESS BY THE BOARD'S INDEPENDENT TESTING AND~~  
29 ~~CERTIFICATION FACILITY.~~

30 ~~(B) EXPANSION OF INDEPENDENT TESTING AND CERTIFICATION~~

1 ~~FACILITY. WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS~~  
2 ~~CHAPTER, THE BOARD SHALL EXPAND THE INDEPENDENT TESTING AND~~  
3 ~~CERTIFICATION FACILITY CREATED UNDER SECTION 1320(B) TO INCLUDE~~  
4 ~~THE TESTING AND CERTIFICATION OF TABLE GAME DEVICES. COSTS~~  
5 ~~ASSOCIATED WITH THE EXPANSION OF THE FACILITY SHALL BE ASSESSED~~  
6 ~~ON THE APPROPRIATE MANUFACTURER LICENSED TO MANUFACTURE TABLE~~  
7 ~~GAME DEVICES UNDER THIS PART IN ACCORDANCE WITH A SCHEDULE~~  
8 ~~ADOPTED BY THE BOARD. THE EXPANDED FACILITY SHALL BE MADE~~  
9 ~~AVAILABLE TO EACH TABLE GAME DEVICE MANUFACTURER AND SUPPLIER AS~~  
10 ~~DETERMINED BY THE BOARD.~~

11 ~~SUBCHAPTER F~~

12 ~~(RESERVED)~~

13 ~~SUBCHAPTER G~~

14 ~~TABLE GAME TAXES AND FEES~~

15 ~~SEC.~~

16 ~~1361A. TABLE GAME AUTHORIZATION FEE.~~

17 ~~1362A. TABLE GAME TAXES AND ASSESSMENT.~~

18 ~~§ 1363A. ADDITIONAL TABLE GAME ASSESSMENT.~~

19 ~~§ 1361A. TABLE GAME AUTHORIZATION FEE.~~

20 ~~(A) IMPOSITION. THE BOARD SHALL IMPOSE ON EACH CERTIFICATE~~  
21 ~~HOLDER THAT IS A CATEGORY 1 OR CATEGORY 2 SLOT MACHINE LICENSEE~~  
22 ~~A ONE TIME NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF~~  
23 ~~\$20,000,000 AND ON EACH CERTIFICATE HOLDER THAT IS A CATEGORY 3~~  
24 ~~LICENSEE A ONE TIME NONREFUNDABLE AUTHORIZATION FEE IN THE~~  
25 ~~AMOUNT OF \$7,500,000 FOR THE PRIVILEGE OF CONDUCTING TABLE~~  
26 ~~GAMES.~~

27 ~~(B) PETITION DEADLINES. ALL ELIGIBLE SLOT MACHINE~~  
28 ~~LICENSEES, WHETHER OPERATIONAL OR NOT, MUST SUBMIT A PETITION~~  
29 ~~AND PAY THE AUTHORIZATION FEE IN FULL BY JUNE 1, 2010. THIS~~  
30 ~~SUBSECTION SHALL NOT APPLY TO A CATEGORY 1 OR CATEGORY 3 LICENSE~~

1 ~~ISSUED UNDER SECTION 1307 (RELATING TO NUMBER OF SLOT MACHINE~~  
2 ~~LICENSES) AFTER JUNE 1, 2010.~~

3 ~~(C) PAYMENT OF FEE. THE FEE IMPOSED UNDER SUBSECTION (A)~~  
4 ~~MAY BE PAID THROUGH AN INSTALLMENT PERIOD ESTABLISHED BY THE~~  
5 ~~BOARD IF THE AUTHORIZATION FEE IS PAID IN FULL ON OR BEFORE JUNE~~  
6 ~~1, 2010.~~

7 ~~(D) FAILURE TO PAY BY DEADLINE. IF A PETITIONER OR~~  
8 ~~CERTIFICATE HOLDER FAILS TO PAY THE AUTHORIZATION FEE IN FULL BY~~  
9 ~~JUNE 1, 2010, THE BOARD SHALL IMPOSE A \$5,000,000 PENALTY AND~~  
10 ~~MAY GRANT THE PETITIONER OR CERTIFICATE HOLDER UP TO A SIX MONTH~~  
11 ~~EXTENSION TO PAY ANY REMAINING AUTHORIZATION FEE AND THE~~  
12 ~~PENALTY. THE BOARD MAY REQUIRE THE CERTIFICATE HOLDER TO REMIT A~~  
13 ~~CERTAIN AMOUNT FROM THE DAILY GROSS TABLE GAME REVENUE TO THE~~  
14 ~~DEPARTMENT UNTIL THE FEE AND PENALTY ARE FULLY PAID.~~

15 ~~(E) REVOCATION OF CERTIFICATE. THE BOARD SHALL REVOKE THE~~  
16 ~~TABLE GAME OPERATION CERTIFICATE IF THE CERTIFICATE HOLDER FAILS~~  
17 ~~TO PAY THE TOTAL AUTHORIZATION FEE AND THE PENALTY PRIOR TO THE~~  
18 ~~EXPIRATION OF AN EXTENSION PERIOD GRANTED UNDER SUBSECTION (D).~~

19 ~~(F) PETITIONS FILED AFTER DEADLINE. A PETITIONER FILING A~~  
20 ~~PETITION AFTER JUNE 1, 2010, SHALL BE REQUIRED TO PAY AN~~  
21 ~~ADDITIONAL AUTHORIZATION FEE OF \$7,500,000. THIS SUBSECTION~~  
22 ~~SHALL NOT APPLY TO A CATEGORY 1 OR CATEGORY 3 SLOT MACHINE~~  
23 ~~LICENSE ISSUED AFTER JUNE 1, 2010.~~

24 ~~(G) DEPOSIT OF FEES. NOTWITHSTANDING SECTION 1208 (RELATING~~  
25 ~~TO COLLECTION OF FEES AND FINES), ALL TABLE GAME AUTHORIZATION~~  
26 ~~FEES RECEIVED BY THE BOARD UNDER SUBSECTION (A), (C) OR (F) OR~~  
27 ~~PENALTIES RECEIVED UNDER SUBSECTION (D) AND ALL TABLE GAME~~  
28 ~~MANUFACTURER AND SUPPLIER LICENSE FEES OR MANUFACTURER AND~~  
29 ~~SUPPLIER RENEWAL FEES OR FEES FOR LICENSEES ISSUED UNDER CHAPTER~~  
30 ~~16 (RELATING TO JUNKETS) SHALL BE DEPOSITED IN THE GENERAL FUND.~~

1 ~~UPON RECEIPT OF THE LICENSE FEE BY THE GENERAL FUND, 10% OF THE~~ ←  
2 ~~FEE MUST BE TRANSFERRED WITHIN 30 DAYS TO THE DEPARTMENT OF~~  
3 ~~MILITARY AND VETERAN AFFAIRS. SUCH FUNDS SHALL BE USED 50% FOR~~  
4 ~~OPERATION OF SCOTLAND SCHOOL FOR VETERANS CHILDREN, AND 50% FOR~~  
5 ~~OPERATION OF, MAINTENANCE OF AND IMPROVEMENTS TO VETERANS HOMES,~~  
6 ~~CENTERS AND SCHOOLS.~~

7 ~~§ 1362A. TABLE GAME TAXES AND ASSESSMENT.~~

8 ~~(A) IMPOSITION. EACH CERTIFICATE HOLDER SHALL PAY FROM ITS~~  
9 ~~DAILY GROSS TABLE GAME REVENUE FROM THE TABLE GAMES IN OPERATION~~  
10 ~~AT ITS LICENSED FACILITY ON A FORM PRESCRIBED BY THE DEPARTMENT~~  
11 ~~A TAX OF 34% 37% TO BE DEPOSITED INTO THE GENERAL FUND AND~~ ←  
12 ~~DISTRIBUTED AS FOLLOWS:~~

13 ~~(1) THIRTY FOUR PERCENT SHALL REMAIN IN THE GENERAL~~  
14 ~~FUND.~~

15 ~~(2) ONE AND ONE HALF PERCENT SHALL BE DISTRIBUTED BY THE~~  
16 ~~DEPARTMENT TO THE COUNTY HOSTING THE LICENSED FACILITY.~~

17 ~~(3) One and one half percent shall be distributed by the~~  
18 ~~department to the municipality hosting the licensed facility.~~

19 ~~(B) DEPOSITS AND DISTRIBUTIONS.~~

20 ~~(1) THE TAX IMPOSED UNDER SUBSECTION (A) AND ANY~~  
21 ~~INTEREST ACCRUED THEREON SHALL BE PAYABLE TO THE DEPARTMENT~~  
22 ~~ON A WEEKLY BASIS AND SHALL BE BASED UPON GROSS TABLE GAME~~  
23 ~~REVENUE DERIVED DURING THE PREVIOUS WEEK. THE DEPARTMENT~~ ←  
24 ~~SHALL DISTRIBUTE MONEYS TO THE COUNTIES AND MUNICIPALITIES~~  
25 ~~WITHIN A WEEK OF THEIR RECEIPT.~~

26 ~~(2) ALL FUNDS OWED TO THE COMMONWEALTH, COUNTY AND~~ ←  
27 ~~MUNICIPALITY UNDER THIS SECTION SHALL BE HELD IN TRUST FOR~~  
28 ~~THE COMMONWEALTH, COUNTY AND MUNICIPALITY BY THE CERTIFICATE~~ ←  
29 ~~HOLDER UNTIL THE FUNDS ARE PAID OR TRANSFERRED AND~~  
30 ~~DISTRIBUTED BY THE DEPARTMENT. UNLESS OTHERWISE AGREED TO BY~~

~~THE BOARD, A CERTIFICATE HOLDER SHALL ESTABLISH A SEPARATE BANK ACCOUNT TO MAINTAIN TABLE GAME REVENUE UNTIL SUCH TIME AS THE FUNDS ARE PAID OR TRANSFERRED UNDER THIS SECTION.~~

~~(B.1) DISPOSITION IN CERTAIN THIRD CLASS COUNTIES.~~

~~(1) THE TAX IMPOSED BY SUBSECTION (A) (2) IN A COUNTY OF THE THIRD CLASS WITH A THOROUGHBRED RACETRACK SHALL BE DEPOSITED INTO A RESTRICTED ACCOUNT ESTABLISHED IN THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY TO BE USED EXCLUSIVELY BY THE COUNTY COMMISSIONERS OF THE THIRD CLASS COUNTY WHERE THE FACILITY IS LOCATED FOR A VIOLENT CRIME TASK FORCE COMPOSED OF MEMBERS OF COUNTY AND MUNICIPAL LAW ENFORCEMENT AGENCIES TO REDUCE GANG VIOLENCE, GUN TRAFFICKING AND VIOLENCE AND DRUG RELATED CRIMES. THE COMMISSIONERS SHALL APPOINT AN ADVISORY COMMITTEE TO BE CHAIRED BY THE DISTRICT ATTORNEY AND COMPOSED OF CHIEFS AND DIRECTORS OF COUNTY AND MUNICIPAL LAW ENFORCEMENT AGENCIES. THE ADVISORY COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE COUNTY COMMISSIONERS FOR THE PRIORITIES AND EXPENDITURES OF THE TASK FORCE. THE DISTRICT ATTORNEY SHALL DIRECT AND COORDINATE THE OPERATIONS AND PERSONNEL OF THE TASK FORCE.~~

~~(2) THE TAX IMPOSED BY SUBSECTION (A) (3) IN A COUNTY OF THE THIRD CLASS WITH A THOROUGHBRED RACETRACK SHALL BE DISTRIBUTED TO THE HOST MUNICIPALITY, SUBJECT, HOWEVER, TO THE BUDGETARY LIMITATIONS IN THIS PARAGRAPH. IF THE LICENSED FACILITY AND ASSOCIATED LAND ARE LOCATED IN MORE THAN ONE SECOND CLASS TOWNSHIP, \$120,000 ANNUALLY SHALL BE PAID TO EACH TOWNSHIP BY THE LICENSED GAMING ENTITY OPERATING A LICENSED FACILITY AND ASSOCIATED LAND LOCATED IN THOSE TOWNSHIPS, SUBJECT, HOWEVER, TO THE BUDGETARY LIMITATION IN THIS PARAGRAPH. THE AMOUNT ALLOCATED TO THE DESIGNATED~~

~~TOWNSHIPS IN THIS PARAGRAPH SHALL NOT EXCEED 50% OF THEIR  
TOTAL BUDGET FOR FISCAL YEAR 2009-2010, ADJUSTED FOR  
INFLATION IN SUBSEQUENT YEARS BY AN AMOUNT NOT TO EXCEED AN  
ANNUAL COST OF LIVING ADJUSTMENT CALCULATED BY APPLYING THE  
PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX IMMEDIATELY  
PRIOR TO THE DATE THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY  
REMAINING FUNDS SHALL BE DEPOSITED IN THE RESTRICTED ACCOUNT  
ESTABLISHED BY THE PENNSYLVANIA COMMISSION ON CRIME AND  
DELINQUENCY IN THIS SUBSECTION AND SHALL BE USED FOR THE  
PURPOSES OF IMPLEMENTING THIS SUBSECTION.~~

~~(3) THIS SUBSECTION SHALL ONLY APPLY TO THOSE COUNTIES  
IN WHICH A LICENSED FACILITY AND ASSOCIATED LANDS ARE LOCATED  
IN TWO COUNTIES.~~

~~(4) FOR THE PURPOSES OF THIS SUBSECTION, THE TERM  
"ASSOCIATED LAND" SHALL MEAN LAND THAT IS OWNED BY AND  
ADJACENT TO A LICENSED FACILITY AND OTHER AREAS OWNED BY THE  
LICENSED FACILITY, INCLUDING RACETRACKS, GRAZING FIELDS OR  
ANY OTHER ADJOINING REAL PROPERTY.~~

~~(C) DEPOSITS FOR PROPERTY TAX RELIEF. IF, ON THE LAST DAY  
OF A FISCAL YEAR THE BALANCE OF THE BUDGET STABILIZATION RESERVE  
FUND ESTABLISHED PURSUANT TO SECTION 1701 A OF THE ACT OF APRIL  
9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, EXCEEDS  
\$750,000,000, THE SECRETARY OF THE BUDGET SHALL CERTIFY THE  
AMOUNT IN THE FUND AND THE DEPOSITS MADE INTO THE GENERAL FUND  
PURSUANT TO SUBSECTION (A) (A) (1) SHALL CEASE AND THEREAFTER BE  
DEPOSITED INTO THE PROPERTY TAX RELIEF FUND ESTABLISHED PURSUANT  
TO 4 PA.C.S. § 1409 (RELATING TO PROPERTY TAX RELIEF FUND).~~

~~§ 1363A. ADDITIONAL TABLE GAME ASSESSMENT.~~

~~(A) ADDITIONAL ASSESSMENT. AN ASSESSMENT IN AN AMOUNT EQUAL  
TO 1% OF THE DAILY GROSS TABLE GAME REVENUE FROM EACH~~

1 ~~CERTIFICATE HOLDER SHALL BE PAID BY EACH CERTIFICATE HOLDER,~~  
2 ~~DEPOSITED IN THE STATE GAMING FUND AND QUARTERLY DISTRIBUTED TO~~  
3 ~~THE COUNTY HOSTING THE CERTIFICATE HOLDER IN ACCORDANCE WITH~~  
4 ~~SECTION 1403(C) (2), EXCEPT WHEN THE CERTIFICATE HOLDER IS~~  
5 ~~LOCATED IN A COUNTY OF THE FIRST CLASS IN WHICH CASE THE AMOUNT~~  
6 ~~SHALL BE DEPOSITED IN AN ESCROW ACCOUNT ESTABLISHED BY AN~~  
7 ~~ADVISORY COMMITTEE ORGANIZED AND OVERSEEN BY THE BOARD AND~~  
8 ~~DISTRIBUTED PURSUANT TO SUBSECTION (B).~~

9 ~~(B) DISTRIBUTIONS FROM FIRST CLASS COUNTY ESCROW ACCOUNT.~~  
10 ~~THE ADVISORY COMMITTEE SHALL ADOPT AND FILE WITH THE BOARD~~  
11 ~~PROCEDURES FOR DISTRIBUTIONS FROM AN ESCROW ACCOUNT ESTABLISHED~~  
12 ~~FOR A FIRST CLASS COUNTY UNDER SUBSECTION (A). ALL FUNDS IN AN~~  
13 ~~ESCROW ACCOUNT SHALL BE DISTRIBUTED ONLY TO NONPROFIT~~  
14 ~~ORGANIZATIONS, AND NO FUNDS MAY BE DISTRIBUTED OUT OF THE COUNTY~~  
15 ~~OF THE FIRST CLASS. NO LESS THAN 70% OF FUNDS IN THE ESCROW~~  
16 ~~ACCOUNT SHALL BE DISTRIBUTED TO NONPROFIT ORGANIZATIONS FOR THE~~  
17 ~~BENEFIT OF THE IMMEDIATE VICINITY OF THE LICENSED FACILITY. THE~~  
18 ~~ADVISORY COMMITTEE SHALL SUBMIT A BIENNIAL REPORT TO THE BOARD~~  
19 ~~ON THE DISTRIBUTION OF FUNDS FROM THE ESCROW ACCOUNT.~~

20 ~~(C) ADVISORY COMMITTEE. AN ADVISORY COMMITTEE FOR AN ESCROW~~  
21 ~~ACCOUNT ESTABLISHED FOR A FIRST CLASS COUNTY UNDER SUBSECTION~~  
22 ~~(A) SHALL BE COMPRISED OF THE FOLLOWING MEMBERS:~~

23 ~~(1) TWO DESIGNEES OF THE STATE SENATOR IN WHOSE DISTRICT~~  
24 ~~THE LICENSED FACILITY IS LOCATED.~~

25 ~~(2) TWO DESIGNEES OF THE STATE REPRESENTATIVE IN WHOSE~~  
26 ~~DISTRICT THE LICENSED FACILITY IS LOCATED.~~

27 ~~(3) ONE DESIGNEE OF THE MUNICIPAL GOVERNMENT.~~

28 ~~(4) ONE DESIGNEE OF THE MUNICIPAL COUNCIL.~~

29 ~~(5) ONE DESIGNEE OF THE LICENSED FACILITY.~~

30 SECTION 11.2. SECTIONS 1401(B), 1402(A), 1402.1, 1403(B),

1 ~~(C) (2) (I) (D) AND (E) AND (II) (D), (IV) AND (3) (V), 1405 AND~~ ←  
2 ~~1406(A) AND (E) OF TITLE 4 ARE AMENDED TO READ:~~ ←

3 ~~§ 1401. SLOT MACHINE LICENSEE DEPOSITS.~~

4 \* \* \*

5 ~~(B) INITIAL DEPOSIT OF FUNDS. NOT LATER THAN TWO BUSINESS~~  
6 ~~DAYS PRIOR TO THE COMMENCEMENT OF SLOT MACHINE OPERATIONS BY A~~  
7 ~~SLOT MACHINE LICENSEE, THE SLOT MACHINE LICENSEE SHALL DEPOSIT~~  
8 ~~AND MAINTAIN THE [SUM OF \$5,000,000] FOLLOWING SUMS IN ITS~~  
9 ~~ACCOUNT TO GUARANTEE THE PAYMENT OF FUNDS TO THE COMMONWEALTH~~  
10 ~~UNDER THIS PART AND AS SECURITY FOR ITS OBLIGATIONS UNDER~~  
11 ~~SECTION 1405 (RELATING TO PENNSYLVANIA RACE HORSE DEVELOPMENT~~  
12 ~~FUND) [.] :~~

13 ~~(1) FOR A CATEGORY 1 OR CATEGORY 2 SLOT MACHINE~~  
14 ~~LICENSEE, \$5,000,000.~~

15 ~~(2) FOR A CATEGORY 3 SLOT MACHINE LICENSEE, \$1,000,000.~~  
16 ~~NO ADDITIONAL DEPOSIT SHALL BE REQUIRED FROM A SLOT MACHINE~~  
17 ~~LICENSEE IF A SLOT MACHINE LICENSEE IS GRANTED A CERTIFICATE~~  
18 ~~UNDER CHAPTER 13A (RELATING TO TABLE GAMES).~~

19 \* \* \*

20 ~~§ 1402. GROSS TERMINAL REVENUE DEDUCTIONS.~~

21 ~~(A) DEDUCTIONS. AFTER DETERMINING THE APPROPRIATE~~  
22 ~~ASSESSMENTS FOR EACH SLOT MACHINE LICENSEE, THE DEPARTMENT SHALL~~  
23 ~~DETERMINE COSTS, EXPENSES OR PAYMENTS FROM EACH ACCOUNT~~  
24 ~~ESTABLISHED UNDER SECTION 1401 (RELATING TO SLOT MACHINE~~  
25 ~~LICENSEE DEPOSITS). THE FOLLOWING COSTS AND EXPENSES SHALL BE~~  
26 ~~TRANSFERRED TO THE APPROPRIATE AGENCY UPON APPROPRIATION BY THE~~  
27 ~~GENERAL ASSEMBLY:~~

28 ~~(1) THE COSTS AND EXPENSES TO BE INCURRED BY THE~~  
29 ~~DEPARTMENT IN ADMINISTERING THIS PART AT EACH SLOT MACHINE~~  
30 ~~LICENSEE'S LICENSED FACILITY BASED UPON A BUDGET SUBMITTED BY~~

1 ~~THE DEPARTMENT [TO AND APPROVED BY THE BOARD].~~

2 ~~(2) THE OTHER COSTS AND EXPENSES TO BE INCURRED BY THE~~  
3 ~~DEPARTMENT IN ADMINISTERING THIS PART BASED UPON A BUDGET~~  
4 ~~SUBMITTED BY THE DEPARTMENT [TO AND APPROVED BY THE BOARD].~~

5 ~~(3) SUMS NECESSARY TO REPAY ANY LOANS MADE BY THE~~  
6 ~~GENERAL FUND TO THE DEPARTMENT IN CONNECTION WITH CARRYING~~  
7 ~~OUT ITS RESPONSIBILITIES UNDER THIS PART, INCLUDING THE COSTS~~  
8 ~~OF THE INITIAL ACQUISITION OF THE CENTRAL CONTROL COMPUTER~~  
9 ~~AND ANY ACCESSORIES OR ASSOCIATED EQUIPMENT.~~

10 ~~(4) THE COSTS AND EXPENSES TO BE INCURRED BY THE~~  
11 ~~PENNSYLVANIA STATE POLICE AND THE OFFICE OF ATTORNEY GENERAL~~  
12 ~~AND NOT OTHERWISE REIMBURSED UNDER THIS PART IN CARRYING OUT~~  
13 ~~THEIR RESPECTIVE RESPONSIBILITIES UNDER THIS PART BASED UPON~~  
14 ~~A BUDGET SUBMITTED BY THE PENNSYLVANIA STATE POLICE AND THE~~  
15 ~~ATTORNEY GENERAL [TO AND APPROVED BY THE BOARD].~~

16 ~~(5) SUMS NECESSARY TO REPAY ANY LOANS MADE BY THE~~  
17 ~~GENERAL FUND TO THE PENNSYLVANIA STATE POLICE IN CONNECTION~~  
18 ~~WITH CARRYING OUT ITS RESPONSIBILITIES UNDER THIS PART.~~

19 ~~(6) THE COSTS AND EXPENSES TO BE INCURRED BY THE BOARD~~  
20 ~~IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS PART BASED~~  
21 ~~UPON A BUDGET APPROVED BY THE BOARD.~~

22 ~~(7) SUMS NECESSARY TO REPAY ANY LOANS MADE BY THE~~  
23 ~~GENERAL FUND TO THE BOARD IN CONNECTION WITH CARRYING OUT ITS~~  
24 ~~RESPONSIBILITIES UNDER THIS PART.~~

25 ~~(8) THE SALARIES, WAGES AND ALL NECESSARY EXPENSES~~  
26 ~~INCURRED BY THE DEPARTMENT OF THE AUDITOR GENERAL AND NOT~~  
27 ~~OTHERWISE REIMBURSED UNDER THIS PART IN CONDUCTING AUDITS AS~~  
28 ~~PROVIDED BY LAW OF THE BOARD OR ANY FUND CREATED BY THIS PART~~  
29 ~~BASED UPON THE BUDGET SUBMITTED BY THE DEPARTMENT OF THE~~  
30 ~~AUDITOR GENERAL PURSUANT TO SECTION 1402.1 (RELATING TO~~

1 ~~ITEMIZED BUDGET REPORTING).~~

2 ~~\* \* \*~~

3 ~~§ 1402.1. ITEMIZED BUDGET REPORTING.~~

4 ~~THE BOARD, DEPARTMENT, PENNSYLVANIA STATE POLICE [AND], THE~~  
5 ~~ATTORNEY GENERAL AND THE DEPARTMENT OF THE AUDITOR GENERAL SHALL~~  
6 ~~PREPARE AND ANNUALLY SUBMIT TO THE CHAIRMAN OF THE~~  
7 ~~APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRMAN OF THE~~  
8 ~~APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AN~~  
9 ~~ITEMIZED BUDGET CONSISTING OF AMOUNTS TO BE APPROPRIATED OUT OF~~  
10 ~~THE ACCOUNTS ESTABLISHED UNDER SECTION 1401 (RELATING TO SLOT~~  
11 ~~MACHINE LICENSEE DEPOSITS) NECESSARY TO ADMINISTER THIS PART OR~~  
12 ~~REQUIRED UNDER SECTION 1402 (A) (8) (RELATING TO GROSS TERMINAL~~  
13 ~~REVENUE DEDUCTIONS).~~

14 ~~§ 1403. ESTABLISHMENT OF STATE GAMING FUND AND NET SLOT MACHINE~~  
15 ~~REVENUE DISTRIBUTION.~~

16 ~~\* \* \*~~

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) INTO THE FUND. ALL FUNDS OWED TO THE COMMONWEALTH~~  
22 ~~OR A MUNICIPALITY UNDER THIS SECTION SHALL BE HELD IN TRUST BY~~  
23 ~~THE LICENSED GAMING ENTITY FOR THE COMMONWEALTH AND THE~~  
24 ~~MUNICIPALITY UNTIL THE FUNDS ARE PAID OR TRANSFERRED AND~~  
25 ~~DISTRIBUTED. UNLESS OTHERWISE AGREED TO BY THE [GAMING BOARD]~~  
26 ~~BOARD, A LICENSED GAMING ENTITY SHALL ESTABLISH A SEPARATE BANK~~  
27 ~~ACCOUNT TO MAINTAIN [GAMING PROCEEDS] SLOT MACHINE REVENUE UNTIL~~  
28 ~~SUCH TIME AS [THEY] THE FUNDS ARE PAID OR TRANSFERRED UNDER THIS~~  
29 ~~SECTION.~~

30 ~~(C) TRANSFERS AND DISTRIBUTIONS. THE DEPARTMENT SHALL:~~

1           \* \* \*

2           ~~(2) FROM THE LOCAL SHARE ASSESSMENT ESTABLISHED IN~~  
3           ~~SUBSECTION (B), MAKE QUARTERLY DISTRIBUTIONS AMONG THE~~  
4           ~~COUNTIES HOSTING A LICENSED FACILITY IN ACCORDANCE WITH THE~~  
5           ~~FOLLOWING SCHEDULE:~~

6           ~~(I) IF THE LICENSED FACILITY IS A CATEGORY 1~~  
7           ~~LICENSED FACILITY THAT IS LOCATED AT A HARNESS RACETRACK~~  
8           ~~AND THE COUNTY, INCLUDING A HOME RULE COUNTY, IN WHICH~~  
9           ~~THE LICENSED FACILITY IS LOCATED IS:~~

10           \* \* \*

11           ~~(D) (I) A COUNTY OF THE THIRD CLASS: EXCEPT AS~~  
12           ~~PROVIDED IN SUBCLAUSE (II), 2% OF THE GROSS TERMINAL~~  
13           ~~REVENUE FROM EACH SUCH LICENSED FACILITY SHALL BE~~  
14           ~~DEPOSITED INTO A RESTRICTED ACCOUNT ESTABLISHED IN~~  
15           ~~THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT~~  
16           ~~TO BE USED EXCLUSIVELY FOR GRANTS FOR HEALTH, SAFETY~~  
17           ~~AND ECONOMIC DEVELOPMENT PROJECTS TO MUNICIPALITIES~~  
18           ~~WITHIN THE COUNTY WHERE THE LICENSED FACILITY IS~~  
19           ~~LOCATED. [MUNICIPALITIES THAT ARE CONTIGUOUS TO THE~~  
20           ~~MUNICIPALITY HOSTING SUCH LICENSED FACILITY SHALL BE~~  
21           ~~GIVEN PRIORITY BY THE DEPARTMENT OF COMMUNITY AND~~  
22           ~~ECONOMIC DEVELOPMENT IN THE AWARD OF SUCH GRANTS.] IF~~  
23           ~~THE LICENSED FACILITY IS LOCATED IN A FIRST CLASS~~  
24           ~~TOWNSHIP LOCATED IN A COUNTY WHERE A THIRD CLASS CITY~~  
25           ~~IS OPERATING UNDER AN OPTIONAL PLAN B FORM OF~~  
26           ~~GOVERNMENT PURSUANT TO THE FORMER ACT OF APRIL 13,~~  
27           ~~1972 (P.L.184, NO.62), KNOWN AS THE HOME RULE CHARTER~~  
28           ~~AND OPTIONAL PLANS LAW, THE DEPARTMENT SHALL ALLOCATE~~  
29           ~~FUNDS AVAILABLE FOR GRANTS TO MUNICIPALITIES AS~~  
30           ~~FOLLOWS: 40% SHALL BE AWARDED TO CITIES LOCATED IN~~

1 ~~THE COUNTY ON A PRO RATA BASIS UTILIZING THE MOST~~  
2 ~~RECENT UNITED STATES CENSUS BUREAU POPULATION FIGURES~~  
3 ~~AVAILABLE; 35% SHALL BE AWARDED TO MUNICIPALITIES~~  
4 ~~CONTIGUOUS TO THE HOST MUNICIPALITY; AND 25% SHALL BE~~  
5 ~~AVAILABLE FOR AWARDS TO NONCONTIGUOUS MUNICIPALITIES~~  
6 ~~IN THE COUNTY, ON A COMPETITIVE BASIS. GRANTS TO~~  
7 ~~MUNICIPALITIES WITHIN THE COUNTY WHERE THE LICENSED~~  
8 ~~FACILITY IS LOCATED MAY BE AWARDED TO GROUPS OF~~  
9 ~~MUNICIPALITIES WITHIN THE COUNTY TO FUND REGIONAL~~  
10 ~~PROJECTS.~~

11 ~~(II) IF A LICENSED FACILITY IS LOCATED IN~~  
12 ~~ONE OF TWO COUNTIES OF THE THIRD CLASS WHERE A~~  
13 ~~CITY OF THE THIRD CLASS IS LOCATED IN BOTH~~  
14 ~~COUNTIES OF THE THIRD CLASS, THE COUNTY IN WHICH~~  
15 ~~THE LICENSED FACILITY IS LOCATED SHALL RECEIVE~~  
16 ~~1.2% OF THE GROSS TERMINAL REVENUE TO BE~~  
17 ~~DISTRIBUTED AS FOLLOWS: 20% TO THE HOST CITY,~~  
18 ~~30% TO THE HOST COUNTY AND 50% TO THE HOST COUNTY~~  
19 ~~FOR THE PURPOSE OF MAKING MUNICIPAL GRANTS WITHIN~~  
20 ~~THE COUNTY, WITH PRIORITY GIVEN TO MUNICIPALITIES~~  
21 ~~CONTIGUOUS TO THE HOST CITY. THE COUNTY OF THE~~  
22 ~~THIRD CLASS, WHICH INCLUDES A CITY OF THE THIRD~~  
23 ~~CLASS THAT IS LOCATED IN TWO COUNTIES OF THE~~  
24 ~~THIRD CLASS AND IS NOT THE HOST COUNTY FOR THE~~  
25 ~~LICENSED FACILITY, SHALL RECEIVE .8% OF THE GROSS~~  
26 ~~TERMINAL REVENUE TO BE DISTRIBUTED AS FOLLOWS:~~  
27 ~~60% TO A NONHOST CITY OF THE THIRD CLASS LOCATED~~  
28 ~~SOLELY IN THE NONHOST COUNTY IN WHICH THE HOST~~  
29 ~~CITY OF THE THIRD CLASS IS ALSO LOCATED OR 60% TO~~  
30 ~~THE NONHOST CITY OF THE THIRD CLASS LOCATED BOTH~~

1                   ~~IN THE HOST AND NONHOST COUNTIES OF THE THIRD~~  
2                   ~~CLASS, 35% TO THE NONHOST COUNTY AND 5% TO THE~~  
3                   ~~NONHOST COUNTY FOR THE PURPOSE OF MAKING~~  
4                   ~~MUNICIPAL GRANTS WITHIN THE COUNTY.~~

5                   ~~(E) A COUNTY OF THE FOURTH CLASS: 2% OF THE~~  
6                   ~~GROSS TERMINAL REVENUE FROM EACH SUCH LICENSED~~  
7                   ~~FACILITY SHALL BE DISTRIBUTED AS FOLLOWS:~~

8                   ~~(I) THE DEPARTMENT SHALL MAKE QUARTERLY~~  
9                   ~~DISTRIBUTIONS DIRECTLY TO EACH MUNICIPALITY~~  
10                  ~~WITHIN THE COUNTY, EXCEPT THE HOST MUNICIPALITY,~~  
11                  ~~BY USING A FORMULA EQUALING THE SUM OF \$25,000~~  
12                  ~~PLUS \$10 PER RESIDENT OF THE MUNICIPALITY USING~~  
13                  ~~THE MOST RECENT POPULATION FIGURES PROVIDED BY~~  
14                  ~~THE DEPARTMENT OF COMMUNITY AND ECONOMIC~~  
15                  ~~DEVELOPMENT, PROVIDED, HOWEVER, THAT THE AMOUNT~~  
16                  ~~SO DISTRIBUTED TO ANY MUNICIPALITY SHALL NOT~~  
17                  ~~EXCEED 50% OF ITS TOTAL BUDGET FOR FISCAL YEAR~~  
18                  ~~2009, ADJUSTED FOR INFLATION IN SUBSEQUENT FISCAL~~  
19                  ~~YEARS BY AN AMOUNT NOT TO EXCEED AN ANNUAL COST~~  
20                  ~~OF LIVING ADJUSTMENT CALCULATED BY APPLYING ANY~~  
21                  ~~UPWARD PERCENTAGE CHANGE IN THE CONSUMER PRICE~~  
22                  ~~INDEX IMMEDIATELY PRIOR TO THE DATE THE~~  
23                  ~~ADJUSTMENT IS DUE TO TAKE EFFECT. DISTRIBUTIONS~~  
24                  ~~TO A MUNICIPALITY IN ACCORDANCE WITH THIS~~  
25                  ~~SUBCLAUSE SHALL BE DEPOSITED INTO A SPECIAL FUND~~  
26                  ~~WHICH SHALL BE ESTABLISHED BY THE MUNICIPALITY.~~  
27                  ~~THE GOVERNING BODY OF THE MUNICIPALITY SHALL HAVE~~  
28                  ~~THE RIGHT TO DRAW UPON THE SPECIAL FUND PROVIDED~~  
29                  ~~THAT THE MUNICIPALITY IDENTIFIES THE FUND AS THE~~  
30                  ~~SOURCE OF THE EXPENDITURE. EACH MUNICIPALITY~~

1 ~~SHALL ANNUALLY SUBMIT A REPORT TO THE DEPARTMENT~~  
2 ~~OF COMMUNITY AND ECONOMIC DEVELOPMENT DETAILING~~  
3 ~~THE AMOUNT AND PURPOSE OF EACH EXPENDITURE MADE~~  
4 ~~FROM THE SPECIAL ACCOUNT DURING THE PRIOR FISCAL~~  
5 ~~YEAR.~~

6 ~~(II) ANY FUNDS NOT DISTRIBUTED UNDER~~  
7 ~~SUBCLAUSE (I) SHALL BE DEPOSITED INTO A~~  
8 ~~RESTRICTED ACCOUNT ESTABLISHED IN THE DEPARTMENT~~  
9 ~~OF COMMUNITY AND ECONOMIC DEVELOPMENT TO BE USED~~  
10 ~~EXCLUSIVELY FOR GRANTS TO THE COUNTY, TO ECONOMIC~~  
11 ~~DEVELOPMENT AUTHORITIES OR REDEVELOPMENT~~  
12 ~~AUTHORITIES WITHIN THE COUNTY FOR GRANTS FOR~~  
13 ~~ECONOMIC DEVELOPMENT PROJECTS, INFRASTRUCTURE~~  
14 ~~PROJECTS, JOB TRAINING, COMMUNITY IMPROVEMENT~~  
15 ~~PROJECTS, OTHER PROJECTS IN THE PUBLIC INTEREST~~  
16 ~~AND REASONABLE ADMINISTRATIVE COSTS. HOWEVER, THE~~  
17 ~~ADMINISTRATIVE COSTS SHALL NOT EXCEED 4% OF THE~~  
18 ~~GROSS TERMINAL REVENUE RECEIVED BY THE COUNTY OF~~  
19 ~~THE FOURTH CLASS ANNUALLY FROM THE LICENSED~~  
20 ~~FACILITY. NOTWITHSTANDING THE PROVISIONS OF THE~~  
21 ~~ACT OF FEBRUARY 9, 1999 (P.L.1, NO.1), KNOWN AS~~  
22 ~~THE CAPITAL FACILITIES DEBT ENABLING ACT, GRANTS~~  
23 ~~MADE UNDER THIS CLAUSE MAY BE UTILIZED AS LOCAL~~  
24 ~~MATCHING FUNDS FOR OTHER GRANTS OR LOANS FROM THE~~  
25 ~~COMMONWEALTH.~~

26 \* \* \*

27 ~~(II) IF THE LICENSED FACILITY IS A CATEGORY 1~~  
28 ~~LICENSED FACILITY AND IS LOCATED AT A THOROUGHBRED~~  
29 ~~RACETRACK AND THE COUNTY IN WHICH THE LICENSED FACILITY~~  
30 ~~IS LOCATED IS:~~

~~\* \* \*~~

~~(D) A COUNTY OF THE THIRD CLASS: 1% OF THE GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY. AN ADDITIONAL 1% OF THE GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY FOR THE PURPOSE OF MUNICIPAL GRANTS WITHIN THE COUNTY IN WHICH THE LICENSEE IS LOCATED. WHERE A LICENSED FACILITY IS LOCATED IN A COUNTY OF THE THIRD CLASS AND OWNS LAND WHICH IS LOCATED IN A COUNTY OF THE FIFTH CLASS THAT IS OWNED BY AND ADJACENT TO THE LICENSED FACILITY AND OTHER AREAS OWNED BY THE LICENSED FACILITY, INCLUDING RACETRACKS, GRAZING FIELDS OR ANY OTHER ADJOINING REAL PROPERTY, THE COUNTY OF THE FIFTH CLASS SHALL RECEIVE A PORTION OF THE GROSS TERMINAL REVENUE DISTRIBUTED UNDER THIS CLAUSE IN ACCORDANCE WITH SUBPARAGRAPH (VI) AS IF SUCH LAND WERE PART OF THE LICENSED FACILITY.~~

~~\* \* \*~~

~~(IV) IF THE FACILITY IS A CATEGORY 3 LICENSED FACILITY, 2% OF THE GROSS TERMINAL REVENUE FROM EACH SUCH LICENSED FACILITY SHALL BE DEPOSITED INTO A RESTRICTED ACCOUNT ESTABLISHED IN [THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT] THE COMMONWEALTH FINANCING AUTHORITY TO BE USED EXCLUSIVELY FOR GRANTS [TO THE COUNTY, TO ECONOMIC DEVELOPMENT AUTHORITIES OR REDEVELOPMENT AUTHORITIES WITHIN THE COUNTY FOR GRANTS FOR ECONOMIC DEVELOPMENT PROJECTS AND COMMUNITY IMPROVEMENT PROJECTS] OR GUARANTEES FOR PROJECTS IN THE HOST COUNTY THAT QUALIFY UNDER 64 PA.C.S. §§ 1551~~



~~(RELATING TO BUSINESS AND OUR SITES PROGRAM), 1556  
(RELATING TO TAX INCREMENT FINANCING GUARANTEE PROGRAM)  
AND 1558 (RELATING TO WATER SUPPLY AND WASTE WATER  
INFRASTRUCTURE PROGRAM).~~

~~\* \* \*~~

~~(3) FROM THE LOCAL SHARE ASSESSMENT ESTABLISHED IN  
SUBSECTION (B), MAKE QUARTERLY DISTRIBUTIONS AMONG THE  
MUNICIPALITIES, INCLUDING HOME RULE MUNICIPALITIES, HOSTING A  
LICENSED FACILITY IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:~~

~~\* \* \*~~

~~(V) TO A TOWNSHIP OF THE SECOND CLASS HOSTING A  
LICENSED FACILITY, OTHER THAN A CATEGORY 3 LICENSED  
FACILITY, 2% OF THE GROSS TERMINAL REVENUE OR \$10,000,000  
ANNUALLY, WHICHEVER IS GREATER, SHALL BE PAID BY EACH  
LICENSED GAMING ENTITY OPERATING A LICENSED FACILITY  
LOCATED IN THE TOWNSHIP, SUBJECT, HOWEVER, TO THE  
BUDGETARY LIMITATION IN THIS SUBPARAGRAPH. THE AMOUNT  
ALLOCATED TO THE DESIGNATED MUNICIPALITIES SHALL NOT  
EXCEED 50% OF THEIR TOTAL BUDGET FOR FISCAL YEAR  
2003-2004, ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS BY  
AN AMOUNT NOT TO EXCEED AN ANNUAL COST OF LIVING  
ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE CHANGE  
IN THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR TO THE DATE  
THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY REMAINING MONEY  
SHALL BE COLLECTED BY THE DEPARTMENT FROM EACH LICENSED  
GAMING ENTITY AND DISTRIBUTED IN ACCORDANCE WITH  
PARAGRAPH (2) BASED UPON THE CLASSIFICATION OF COUNTY  
WHERE THE LICENSED FACILITY IS LOCATED. WHERE THE  
LICENSED FACILITY IS OTHER THAN A CATEGORY 3 AND IS  
LOCATED IN MORE THAN ONE SECOND CLASS TOWNSHIP, THE~~

1 COUNTY COMMISSIONERS OF THE COUNTY OF THE THIRD CLASS IN  
2 WHICH THE FACILITY IS LOCATED SHALL APPOINT AN ADVISORY  
3 COMMITTEE FOR THE PURPOSE OF ADVISING THE COUNTY AS TO  
4 THE NEED FOR MUNICIPAL GRANTS FOR HEALTH, SAFETY,  
5 TRANSPORTATION AND OTHER PROJECTS IN THE PUBLIC INTEREST  
6 TO BE COMPRISED OF TWO INDIVIDUALS FROM THE HOST  
7 MUNICIPALITY, TWO FROM CONTIGUOUS MUNICIPALITIES WITHIN  
8 THE COUNTY OF THE THIRD CLASS AND ONE FROM THE HOST  
9 COUNTY. WHERE THE LICENSED FACILITY IS OTHER THAN A  
10 CATEGORY 3 AND IS LOCATED IN A COUNTY OF THE THIRD CLASS  
11 AND OWNS LAND WHICH IS LOCATED IN A TOWNSHIP OF THE  
12 SECOND CLASS THAT IS LOCATED IN A COUNTY OF THE FIFTH  
13 CLASS THAT IS OWNED BY AND ADJACENT TO THE LICENSED  
14 FACILITY AND OTHER AREAS OWNED BY THE LICENSED FACILITY,  
15 INCLUDING RACETRACKS, GRAZING FIELDS OR ANY OTHER  
16 ADJOINING REAL PROPERTY, THE TOWNSHIP OF THE SECOND CLASS  
17 IN THE COUNTY OF THE FIFTH CLASS SHALL RECEIVE A PORTION  
18 OF THE GROSS TERMINAL REVENUE DISTRIBUTED UNDER THIS  
19 SUBPARAGRAPH IN ACCORDANCE WITH SUBPARAGRAPH (X) AS IF  
20 SUCH LAND WERE PART OF THE LICENSED FACILITY. A COUNTY  
21 OTHER THAN A COUNTY OF THE THIRD CLASS IN WHICH THE  
22 LICENSED FACILITY IS LOCATED IS NOT REQUIRED TO APPOINT  
23 AN ADVISORY COMMITTEE AND MAY USE FUNDS RECEIVED UNDER  
24 THIS SUBPARAGRAPH FOR PURPOSES OTHER THAN MUNICIPAL  
25 GRANTS. IN THE EVENT THAT THE REVENUES GENERATED BY THE  
26 2% DO NOT MEET THE \$10,000,000 MINIMUM SPECIFIED IN THIS  
27 SUBPARAGRAPH, THE DEPARTMENT SHALL COLLECT THE REMAINDER  
28 OF THE MINIMUM AMOUNT OF \$10,000,000 FROM EACH LICENSED  
29 GAMING ENTITY OPERATING A LICENSED FACILITY IN THE  
30 TOWNSHIP, PAY ANY BALANCE DUE TO THE TOWNSHIP AND

1           ~~TRANSFER ANY REMAINDER IN ACCORDANCE WITH PARAGRAPH (2).~~

2                   ~~\* \* \*~~

3   ~~§ 1405. PENNSYLVANIA RACE HORSE DEVELOPMENT FUND.~~

4       ~~(A) FUND ESTABLISHED. THERE IS HEREBY ESTABLISHED A~~  
5 ~~PENNSYLVANIA RACE HORSE DEVELOPMENT FUND WITHIN THE STATE~~  
6 ~~TREASURY.~~

7       ~~(B) PENNSYLVANIA RACE HORSE IMPROVEMENT ASSESSMENT. [EACH]~~ ←  
8 ~~EXCEPT AS PROVIDED IN SUBSECTION (B.1), EACH ACTIVE AND~~ ←  
9 ~~OPERATING LICENSED GAMING ENTITY SHALL PAY A DAILY ASSESSMENT TO~~  
10 ~~THE PENNSYLVANIA RACE HORSE DEVELOPMENT FUND [AS DETERMINED BY~~  
11 ~~THE DEPARTMENT. SUBJECT TO THE DAILY ASSESSMENT CAP ESTABLISHED~~  
12 ~~UNDER SUBSECTION (C), THE LICENSED GAMING ENTITY'S ASSESSMENT~~  
13 ~~SHALL BE A PERCENTAGE OF EACH LICENSED GAMING ENTITY'S GROSS~~  
14 ~~TERMINAL REVENUE, EQUAL TO AN AMOUNT CALCULATED AS "A"~~  
15 ~~MULTIPLIED BY "B", WITH "A" BEING] EQUAL TO 10% OF EACH LICENSED~~  
16 ~~GAMING ENTITY'S GROSS TERMINAL REVENUE FOR THAT DAY [DIVIDED BY~~  
17 ~~THE TOTAL GROSS TERMINAL REVENUE FOR THAT DAY FROM ALL LICENSED~~  
18 ~~GAMING ENTITIES, AND "B" BEING EQUAL TO 18% OF THAT DAY'S GROSS~~  
19 ~~TERMINAL REVENUE FOR ALL ACTIVE AND OPERATING CATEGORY 1~~  
20 ~~LICENSEES CONDUCTING LIVE RACING].~~

21       ~~(B.1) DAILY ASSESSMENT. FOR FISCAL YEARS 2009 2010 THROUGH~~ ←  
22 ~~2012 2013, EACH ACTIVE AND OPERATING LICENSED GAMING ENTITY~~  
23 ~~SHALL PAY A DAILY ASSESSMENT TO THE PENNSYLVANIA RACE HORSE~~  
24 ~~DEVELOPMENT FUND EQUAL TO 12% OF EACH LICENSED GAMING ENTITY'S~~  
25 ~~GROSS TERMINAL REVENUE FOR THAT DAY.~~

26       ~~{(C) DAILY ASSESSMENT CAP. IF THE RESULTING DAILY~~  
27 ~~ASSESSMENT FOR A LICENSED GAMING ENTITY EXCEEDS 12% OF THAT~~  
28 ~~LICENSED GAMING ENTITY'S GROSS TERMINAL REVENUE FOR THE DAY, THE~~  
29 ~~LICENSED GAMING ENTITY SHALL PAY A DAILY ASSESSMENT OF 12% OF~~  
30 ~~ITS GROSS TERMINAL REVENUE FOR THAT DAY.}~~

1       ~~(D) DISTRIBUTIONS. IN ACCORDANCE WITH SECTION 1406~~  
2 ~~(RELATING TO DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE~~  
3 ~~DEVELOPMENT FUND), THE DEPARTMENT SHALL MAKE DISTRIBUTIONS FROM~~  
4 ~~THE PENNSYLVANIA RACE HORSE DEVELOPMENT FUND TO EACH OF THE~~  
5 ~~ACTIVE AND OPERATING CATEGORY 1 LICENSEES CONDUCTING LIVE~~  
6 ~~RACING.~~

7       ~~(E) REPORT. CATEGORY 1 LICENSEES SHALL REPORT ANNUALLY TO~~ ←  
8 ~~THE BOARD AND TO THE RESPECTIVE RACING COMMISSION AS TO HOW THE~~  
9 ~~INTRODUCTION AND EXPANSION OF ENHANCED GAMING AND DISTRIBUTIONS~~  
10 ~~FROM THE FUND HAVE FULFILLED THE INTENT OF THIS PART TO ENHANCE~~  
11 ~~LIVE RACING AND BREEDING IN THIS COMMONWEALTH. ADDITIONALLY, THE~~  
12 ~~LICENSEES SHALL BE REQUIRED TO DOCUMENT PLANS TO PROMOTE LIVE~~  
13 ~~HANDLE AND DAILY ATTENDANCE AT THE RACETRACK IN THE SUBSEQUENT~~  
14 ~~YEAR.~~

15       ~~§ 1406. DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE DEVELOPMENT~~  
16               ~~FUND.~~

17       ~~(A) DISTRIBUTIONS. FUNDS FROM THE PENNSYLVANIA RACE HORSE~~  
18 ~~DEVELOPMENT FUND SHALL BE DISTRIBUTED TO EACH ACTIVE AND~~  
19 ~~OPERATING CATEGORY 1 LICENSEE CONDUCTING LIVE RACING [IN THE~~  
20 ~~FOLLOWING MANNER] AS FOLLOWS:~~

21               ~~(1) [AN AMOUNT EQUAL TO 18% OF THE DAILY GROSS TERMINAL~~  
22               ~~REVENUE OF EACH CATEGORY 1 LICENSEE SHALL BE DISTRIBUTED TO~~  
23               ~~EACH ACTIVE AND OPERATING CATEGORY 1 LICENSEE CONDUCTING LIVE~~  
24               ~~RACING UNLESS THE DAILY ASSESSMENTS ARE AFFECTED BY THE DAILY~~  
25               ~~ASSESSMENT CAP PROVIDED FOR IN SECTION 1405 (C) (RELATING TO~~  
26               ~~PENNSYLVANIA RACE HORSE DEVELOPMENT FUND). IN CASES IN WHICH~~  
27               ~~THE DAILY ASSESSMENT CAP AFFECTS DAILY ASSESSMENTS, THE] THE~~ ←  
28               ~~DISTRIBUTION TO EACH ACTIVE AND OPERATING CATEGORY 1 LICENSEE~~  
29               ~~CONDUCTING LIVE RACING FOR THAT DAY SHALL BE A PERCENTAGE OF~~  
30               ~~THE TOTAL DAILY ASSESSMENTS PAID INTO THE PENNSYLVANIA RACE~~

1 HORSE DEVELOPMENT FUND FOR THAT DAY EQUAL TO THE GROSS  
2 TERMINAL REVENUE OF EACH ACTIVE AND OPERATING CATEGORY 1  
3 LICENSEE CONDUCTING LIVE RACING FOR THAT DAY DIVIDED BY THE  
4 TOTAL GROSS TERMINAL REVENUE OF ALL ACTIVE AND OPERATING  
5 CATEGORY 1 LICENSEES CONDUCTING LIVE RACING FOR THAT DAY.  
6 ~~[THE] EXCEPT AS PROVIDED IN PARAGRAPH (2), THE DISTRIBUTIONS~~ ←  
7 TO LICENSED RACING ENTITIES FROM THE PENNSYLVANIA RACE HORSE  
8 DEVELOPMENT FUND SHALL BE ALLOCATED AS FOLLOWS:

9 ~~[(I) EIGHTY PERCENT] (I) (A) FROM LICENSEES THAT~~ ←  
10 ~~OPERATE AT THOROUGHBRED TRACKS, 80% SHALL BE DEPOSITED~~  
11 ~~WEEKLY INTO A SEPARATE, INTEREST BEARING PURSE ACCOUNT TO~~  
12 ~~BE ESTABLISHED BY AND FOR THE BENEFIT OF THE HORSEMEN.~~  
13 ~~THE EARNED INTEREST ON THE ACCOUNT SHALL BE CREDITED TO~~  
14 ~~THE PURSE ACCOUNT. LICENSEES SHALL COMBINE THESE FUNDS~~  
15 ~~WITH REVENUES FROM EXISTING PURSE AGREEMENTS TO FUND~~  
16 ~~PURSES FOR LIVE RACES CONSISTENT WITH THOSE AGREEMENTS~~  
17 ~~WITH THE ADVICE AND CONSENT OF THE HORSEMEN.~~

18 ~~(B) FROM LICENSEES THAT OPERATE AT STANDARD BRED~~ ←  
19 ~~TRACKS, 64% SHALL BE DEPOSITED WEEKLY INTO A~~  
20 ~~SEPARATE, INTEREST BEARING PURSE ACCOUNT TO BE~~  
21 ~~ESTABLISHED BY AND FOR THE BENEFIT OF THE HORSEMEN.~~  
22 ~~THE EARNED INTEREST ON THE ACCOUNT SHALL BE CREDITED~~  
23 ~~TO THE PURSE ACCOUNT. LICENSEES SHALL COMBINE THESE~~  
24 ~~FUNDS WITH REVENUES FROM EXISTING PURSE AGREEMENTS TO~~  
25 ~~FUND PURSES FOR LIVE RACES CONSISTENT WITH THOSE~~  
26 ~~AGREEMENTS WITH THE ADVICE AND CONSENT OF THE~~  
27 ~~HORSEMEN. A MINIMUM OF ONE SIXTH OF THE AMOUNT OF~~  
28 ~~THOSE PURSES SHALL BE USED FOR LIVE RACES LIMITED TO~~  
29 ~~HARNESS HORSES THAT ARE REGULARLY STABLED IN THIS~~  
30 ~~COMMONWEALTH, ARE GREATER THAN THREE YEARS OF AGE AND~~

1           ~~WERE SIRE~~ BY A STANDARD BRED STALLION REGULARLY  
2           ~~STANDING IN THIS COMMONWEALTH.~~

3           ~~(C) FROM LICENSEES THAT OPERATE AT STANDARD BRED~~  
4           ~~TRACKS, 16% SHALL BE DEPOSITED ON A MONTHLY BASIS~~  
5           ~~INTO THE PENNSYLVANIA SIRE STAKES FUND AS DEFINED IN~~  
6           ~~SECTION 224 OF THE RACE HORSE INDUSTRY REFORM ACT.~~

7           ~~(II) FOR THOROUGHBRED TRACKS, 16% SHALL BE DEPOSITED~~  
8           ~~ON A MONTHLY BASIS INTO THE PENNSYLVANIA BREEDING FUND AS~~  
9           ~~DEFINED IN SECTION 223 OF THE RACE HORSE INDUSTRY REFORM~~  
10           ~~ACT. FOR STANDARD BRED TRACKS, 8% SHALL BE DEPOSITED ON A~~  
11           ~~MONTHLY BASIS IN THE PENNSYLVANIA SIRE STAKES FUND AS~~  
12           ~~DEFINED IN SECTION 224 OF THE RACE HORSE INDUSTRY REFORM~~  
13           ~~ACT, AND 8% SHALL BE DEPOSITED ON A MONTHLY BASIS INTO A~~  
14           ~~RESTRICTED ACCOUNT IN THE STATE RACING FUND TO BE KNOWN~~  
15           ~~AS THE PENNSYLVANIA STANDARD BRED BREEDERS DEVELOPMENT~~  
16           ~~FUND. THE STATE HARNESS RACING COMMISSION SHALL, IN~~  
17           ~~CONSULTATION WITH THE SECRETARY OF AGRICULTURE BY RULE OR~~  
18           ~~BY REGULATION, ADOPT A STANDARD BRED BREEDERS PROGRAM THAT~~  
19           ~~WILL INCLUDE THE ADMINISTRATION OF PENNSYLVANIA STALLION~~  
20           ~~AWARD, PENNSYLVANIA BRED AWARD AND A PENNSYLVANIA SIRE~~  
21           ~~AND BRED AWARD.~~

22           ~~(III) FOUR PERCENT SHALL BE USED TO FUND HEALTH AND~~  
23           ~~PENSION BENEFITS FOR THE MEMBERS OF THE HORSEMEN'S~~  
24           ~~ORGANIZATIONS REPRESENTING THE OWNERS AND TRAINERS AT THE~~  
25           ~~RACETRACK AT WHICH THE LICENSED RACING ENTITY OPERATES~~  
26           ~~FOR THE BENEFIT OF THE ORGANIZATION'S MEMBERS, THEIR~~  
27           ~~FAMILIES, EMPLOYEES AND OTHERS IN ACCORDANCE WITH THE~~  
28           ~~RULES AND ELIGIBILITY REQUIREMENTS OF THE ORGANIZATION,~~  
29           ~~AS APPROVED BY THE STATE HORSE RACING COMMISSION OR THE~~  
30           ~~STATE HARNESS RACING COMMISSION. THIS AMOUNT SHALL BE~~

1 DEPOSITED WITHIN FIVE BUSINESS DAYS OF THE END OF EACH  
2 MONTH INTO A SEPARATE ACCOUNT TO BE ESTABLISHED BY EACH  
3 RESPECTIVE HORSEMEN'S ORGANIZATION AT A BANKING  
4 INSTITUTION OF ITS CHOICE. OF THIS AMOUNT, \$250,000 SHALL  
5 BE PAID ANNUALLY BY THE HORSEMEN'S ORGANIZATION TO THE  
6 THOROUGHBRED JOCKEYS OR STANDARD BRED DRIVERS ORGANIZATION  
7 AT THE RACETRACK AT WHICH THE LICENSED RACING ENTITY  
8 OPERATES FOR HEALTH INSURANCE, LIFE INSURANCE OR OTHER  
9 BENEFITS TO ACTIVE AND DISABLED THOROUGHBRED JOCKEYS OR  
10 STANDARD BRED DRIVERS IN ACCORDANCE WITH THE RULES AND  
11 ELIGIBILITY REQUIREMENTS OF THAT ORGANIZATION.

12 ~~(2) [(RESERVED).] FOR FISCAL YEARS 2009 2010 THROUGH~~  
13 ~~2012 2013, DISTRIBUTIONS TO LICENSED RACING ENTITIES FROM THE~~ ←  
14 ~~PENNSYLVANIA RACE HORSE DEVELOPMENT FUND SHALL BE ALLOCATED~~  
15 ~~AS FOLLOWS:~~

16 ~~(I) SEVENTEEN PERCENT OF THE ANNUAL REVENUE~~ ←  
17 ~~DEPOSITED INTO THE PENNSYLVANIA RACE HORSE DEVELOPMENT~~  
18 ~~FUND SHALL BE TRANSFERRED TO THE GENERAL FUND. THE~~  
19 ~~REMAINING AMOUNT WILL BE DISTRIBUTED AS FOLLOWS:~~

20 ~~(A) EITHER 4%, OR \$11,000,000, WHICHEVER IS~~  
21 ~~GREATER, SHALL BE USED TO FUND HEALTH AND PENSION~~  
22 ~~BENEFITS FOR THE MEMBERS OF THE HORSEMEN'S~~  
23 ~~ORGANIZATIONS REPRESENTING THE OWNERS AND TRAINERS AT~~  
24 ~~THE RACETRACK AT WHICH THE LICENSED RACING ENTITY~~  
25 ~~OPERATES FOR THE BENEFIT OF THE ORGANIZATION'S~~  
26 ~~MEMBERS, THEIR FAMILIES, EMPLOYEES AND OTHERS IN~~  
27 ~~ACCORDANCE WITH THE RULES AND ELIGIBILITY~~  
28 ~~REQUIREMENTS OF THE ORGANIZATION, AS APPROVED BY THE~~  
29 ~~STATE HORSE RACING COMMISSION OR THE STATE HARNESS~~  
30 ~~RACING COMMISSION. THIS AMOUNT SHALL BE DEPOSITED~~

1 ~~WITHIN FIVE BUSINESS DAYS OF THE END OF EACH MONTH~~  
2 ~~INTO A SEPARATE ACCOUNT TO BE ESTABLISHED BY EACH~~  
3 ~~RESPECTIVE HORSEMEN'S ORGANIZATION AT A BANKING~~  
4 ~~INSTITUTION OF ITS CHOICE. OF THIS AMOUNT, A MINIMUM~~  
5 ~~OF \$250,000 SHALL BE PAID ANNUALLY BY THE HORSEMEN'S~~  
6 ~~ORGANIZATION TO THE THOROUGHBRED JOCKEYS OR~~  
7 ~~STANDARD BRED DRIVERS ORGANIZATION AT THE RACETRACK AT~~  
8 ~~WHICH THE LICENSED RACING ENTITY OPERATES FOR HEALTH~~  
9 ~~INSURANCE, LIFE INSURANCE OR OTHER BENEFITS TO ACTIVE~~  
10 ~~AND DISABLED THOROUGHBRED JOCKEYS OR STANDARD BRED~~  
11 ~~DRIVERS IN ACCORDANCE WITH THE RULES AND ELIGIBILITY~~  
12 ~~REQUIREMENTS OF THAT ORGANIZATION.~~

13 ~~(B) THE AMOUNT REMAINING AFTER APPLICATION OF~~  
14 ~~CLAUSE (A) SHALL BE DISTRIBUTED ON A PRO RATA BASIS~~  
15 ~~AS FOLLOWS:~~

16 ~~(I) SEVENTY EIGHT PERCENT OF THE REMAINING~~  
17 ~~AMOUNT SHALL BE DEPOSITED WEEKLY INTO A SEPARATE,~~  
18 ~~INTEREST BEARING PURSE ACCOUNT TO BE ESTABLISHED~~  
19 ~~BY AND FOR THE BENEFIT OF THE HORSEMEN. THE~~  
20 ~~EARNED INTEREST ON THE ACCOUNT SHALL BE CREDITED~~  
21 ~~TO THE PURSE ACCOUNT. LICENSEES SHALL COMBINE~~  
22 ~~THESE FUNDS WITH REVENUES FROM EXISTING PURSE~~  
23 ~~AGREEMENTS TO FUND PURSES FOR LIVE RACES~~  
24 ~~CONSISTENT WITH THOSE AGREEMENTS WITH THE ADVICE~~  
25 ~~AND CONSENT OF THE HORSEMEN. THE STATE HORSE~~  
26 ~~RACING COMMISSION AND THE STATE HARNESS RACING~~  
27 ~~COMMISSION, IN CONSULTATION WITH THE SECRETARY OF~~  
28 ~~AGRICULTURE, SHALL ADOPT RULES AND REGULATIONS~~  
29 ~~RELATING TO THE CONDITIONS OF LIVE RACES, TO~~  
30 ~~INCLUDE RACES RESTRICTING ENTRY TO THE~~

1 ~~PENNSYLVANIA SIRE~~ OR ~~PENNSYLVANIA BRED HORSE.~~

2 ~~(II) FOR THOROUGHBRED TRACKS, THE REMAINING~~  
3 ~~17% SHALL BE DEPOSITED ON A MONTHLY BASIS INTO~~  
4 ~~THE PENNSYLVANIA BREEDING FUND AS DEFINED IN~~  
5 ~~SECTION 223 OF THE ACT OF DECEMBER 17, 1981~~  
6 ~~(P.L.435, NO.135), KNOWN AS THE RACE HORSE~~  
7 ~~INDUSTRY REFORM ACT. FOR STANDARDBRED TRACKS,~~  
8 ~~ONE HALF OF THAT AMOUNT SHALL BE DEPOSITED ON A~~  
9 ~~MONTHLY BASIS IN THE PENNSYLVANIA SIRE STAKES~~  
10 ~~FUND AS DEFINED IN SECTION 224 OF THE RACE HORSE~~  
11 ~~INDUSTRY REFORM ACT, AND THE OTHER HALF SHALL BE~~  
12 ~~DEPOSITED ON A MONTHLY BASIS INTO A RESTRICTED~~  
13 ~~ACCOUNT IN THE STATE RACING FUND TO BE KNOWN AS~~  
14 ~~THE PENNSYLVANIA STANDARDBRED BREEDERS~~  
15 ~~DEVELOPMENT FUND. THE STATE HARNESS RACING~~  
16 ~~COMMISSION SHALL, IN CONSULTATION WITH THE~~  
17 ~~SECRETARY OF AGRICULTURE BY RULE OR BY~~  
18 ~~REGULATION, ADOPT A STANDARDBRED BREEDERS PROGRAM~~  
19 ~~THAT WILL INCLUDE THE ADMINISTRATION OF~~  
20 ~~PENNSYLVANIA STALLION AWARD, PENNSYLVANIA BRED~~  
21 ~~AWARD AND A PENNSYLVANIA SIRE~~ AND ~~BRED AWARD.~~

22 ~~(III) FIVE PERCENT SHALL BE DEPOSITED WEEKLY~~  
23 ~~INTO THE STATE RACING FUND AS DEFINED IN SECTION~~  
24 ~~222 OF THE RACE HORSE INDUSTRY REFORM ACT.~~

25 ~~(II) CATEGORY 1 LICENSEES SHALL REPORT ANNUALLY TO~~  
26 ~~THE BOARD AND TO THE RESPECTIVE RACING COMMISSION AS TO~~  
27 ~~HOW THE INTRODUCTION AND EXPANSION OF ENHANCED GAMING HAS~~  
28 ~~FULFILLED THE INTENT OF THIS TITLE TO ENHANCE LIVE RACING~~  
29 ~~AND BREEDING IN THIS COMMONWEALTH. ADDITIONALLY, THE~~  
30 ~~LICENSEES SHALL BE REQUIRED TO DOCUMENT PLANS TO PROMOTE~~

1 ~~LIVE HANDLE AND DAILY ATTENDANCE AT THE RACETRACK IN THE~~  
2 ~~SUBSEQUENT YEAR.~~

3 ~~(I) EACH WEEK, 17% OF THE MONEY IN THE PENNSYLVANIA~~ ←  
4 ~~RACE HORSE DEVELOPMENT FUND SHALL BE TRANSFERRED TO THE~~  
5 ~~GENERAL FUND.~~

6 ~~(II) EACH WEEK, 83% OF THE MONEY IN THE PENNSYLVANIA~~  
7 ~~RACE HORSE DEVELOPMENT FUND SHALL BE DISTRIBUTED TO EACH~~  
8 ~~ACTIVE AND OPERATING CATEGORY 1 LICENSEE CONDUCTING LIVE~~  
9 ~~RACING IN ACCORDANCE WITH THE FOLLOWING FORMULA:~~

10 ~~(A) DIVIDE:~~

11 ~~(I) THE TOTAL DAILY ASSESSMENTS PAID, BY~~  
12 ~~EACH ACTIVE AND OPERATING CATEGORY 1 LICENSEE~~  
13 ~~CONDUCTING LIVE RACING, INTO THE PENNSYLVANIA~~  
14 ~~RACE HORSE DEVELOPMENT FUND FOR THAT WEEK; BY~~

15 ~~(II) THE TOTAL DAILY ASSESSMENTS PAID, BY~~  
16 ~~ALL ACTIVE AND OPERATING CATEGORY 1 LICENSEES~~  
17 ~~CONDUCTING LIVE RACING, INTO THE PENNSYLVANIA~~  
18 ~~RACE HORSE DEVELOPMENT FUND FOR THAT WEEK.~~

19 ~~(B) MULTIPLY THE QUOTIENT UNDER CLAUSE (A) BY~~  
20 ~~THE AMOUNT TO BE DISTRIBUTED UNDER THIS SUBPARAGRAPH.~~

21 ~~(III) THE DISTRIBUTION UNDER SUBPARAGRAPH (II) SHALL~~  
22 ~~BE ALLOCATED AS FOLLOWS:~~

23 ~~(A) THE GREATER OF 4% OF THE AMOUNT TO BE~~  
24 ~~DISTRIBUTED UNDER SUBPARAGRAPH (II) OR \$220,000 SHALL~~  
25 ~~BE USED TO FUND HEALTH AND PENSION BENEFITS FOR THE~~  
26 ~~MEMBERS OF THE HORSEMEN'S ORGANIZATIONS REPRESENTING~~  
27 ~~THE OWNERS AND TRAINERS AT THE RACETRACK AT WHICH THE~~  
28 ~~LICENSED RACING ENTITY OPERATES FOR THE BENEFIT OF~~  
29 ~~THE ORGANIZATION'S MEMBERS, THEIR FAMILIES, EMPLOYEES~~  
30 ~~AND OTHERS IN ACCORDANCE WITH THE RULES AND~~

1 ~~ELIGIBILITY REQUIREMENTS OF THE ORGANIZATION, AS~~  
2 ~~APPROVED BY THE STATE HORSE RACING COMMISSION OR THE~~  
3 ~~STATE HARNESS RACING COMMISSION. THIS AMOUNT SHALL BE~~  
4 ~~DEPOSITED WITHIN FIVE BUSINESS DAYS OF THE END OF~~  
5 ~~EACH WEEK INTO A SEPARATE ACCOUNT TO BE ESTABLISHED~~  
6 ~~BY EACH RESPECTIVE HORSEMEN'S ORGANIZATION AT A~~  
7 ~~BANKING INSTITUTION OF ITS CHOICE. OF THIS AMOUNT, A~~  
8 ~~MINIMUM OF \$250,000 SHALL BE PAID ANNUALLY BY THE~~  
9 ~~HORSEMEN'S ORGANIZATION TO THE THOROUGHBRED JOCKEYS~~  
10 ~~OR STANDARDBRED DRIVERS ORGANIZATION AT THE RACETRACK~~  
11 ~~AT WHICH THE LICENSED RACING ENTITY OPERATES FOR~~  
12 ~~HEALTH INSURANCE, LIFE INSURANCE OR OTHER BENEFITS TO~~  
13 ~~ACTIVE AND DISABLED THOROUGHBRED JOCKEYS OR~~  
14 ~~STANDARDBRED DRIVERS IN ACCORDANCE WITH THE RULES AND~~  
15 ~~ELIGIBILITY REQUIREMENTS OF THAT ORGANIZATION.~~

16 ~~(B) OF THE MONEY REMAINING TO BE DISTRIBUTED~~  
17 ~~UNDER SUBPARAGRAPH (II) AFTER APPLICATION OF CLAUSE~~  
18 ~~(A), THE FOLLOWING DISBURSEMENTS SHALL BE MADE:~~

19 ~~(I) FOR LICENSEES THAT OPERATE AT~~  
20 ~~THOROUGHBRED TRACKS, EIGHTY THREE AND ONE THIRD~~  
21 ~~PERCENT OF THE MONEY TO BE DISTRIBUTED UNDER THIS~~  
22 ~~CLAUSE SHALL BE DEPOSITED ON A WEEKLY BASIS INTO~~  
23 ~~A SEPARATE, INTEREST BEARING PURSE ACCOUNT TO BE~~  
24 ~~ESTABLISHED BY AND FOR THE BENEFIT OF THE~~  
25 ~~HORSEMEN. THE EARNED INTEREST ON THE ACCOUNT~~  
26 ~~SHALL BE CREDITED TO THE PURSE ACCOUNT. LICENSEES~~  
27 ~~SHALL COMBINE THESE FUNDS WITH REVENUES FROM~~  
28 ~~EXISTING PURSE AGREEMENTS TO FUND PURSES FOR LIVE~~  
29 ~~RACES CONSISTENT WITH THOSE AGREEMENTS WITH THE~~  
30 ~~ADVICE AND CONSENT OF THE HORSEMEN. FOR LICENSEES~~

1 ~~THAT OPERATE AT STANDARD BRED TRACKS, 67 1/3%~~  
2 ~~SHALL BE DEPOSITED WEEKLY INTO A SEPARATE,~~  
3 ~~INTEREST BEARING PURSE ACCOUNT TO BE ESTABLISHED~~  
4 ~~BY AND FOR THE BENEFIT OF THE HORSEMEN. THE~~  
5 ~~EARNED INTEREST ON THE ACCOUNT SHALL BE CREDITED~~  
6 ~~TO THE PURSE ACCOUNT. LICENSEES SHALL COMBINE~~  
7 ~~THESE FUNDS WITH REVENUES FROM EXISTING PURSE~~  
8 ~~AGREEMENTS TO FUND PURSES FOR LIVE RACES~~  
9 ~~CONSISTENT WITH THOSE AGREEMENTS WITH THE ADVICE~~  
10 ~~AND CONSENT OF THE HORSEMEN. A MINIMUM OF ONE~~  
11 ~~SIXTH OF THE AMOUNT OF THOSE PURSES SHALL BE USED~~  
12 ~~FOR LIVE RACES LIMITED TO HARNESS HORSES THAT ARE~~  
13 ~~REGULARLY STABLED IN THIS COMMONWEALTH, ARE~~  
14 ~~GREATER THAN THREE YEARS OF AGE AND WERE Sired BY~~  
15 ~~A STANDARD BRED STALLION REGULARLY STANDING IN~~  
16 ~~THIS COMMONWEALTH. FROM LICENSEES THAT OPERATE AT~~  
17 ~~STANDARD BRED TRACKS, 16% SHALL BE DEPOSITED ON A~~  
18 ~~MONTHLY BASIS INTO THE PENNSYLVANIA SIRE STAKES~~  
19 ~~FUND AS DEFINED IN SECTION 224 OF THE RACE HORSE~~  
20 ~~INDUSTRY REFORM ACT.~~

21 ~~(II) FOR THOROUGHBRED TRACKS, 16 AND 2/3% OF~~  
22 ~~THE MONEY TO BE DISTRIBUTED UNDER THIS CLAUSE~~  
23 ~~SHALL BE DEPOSITED ON A WEEKLY BASIS INTO THE~~  
24 ~~PENNSYLVANIA BREEDING FUND ESTABLISHED IN SECTION~~  
25 ~~223 OF THE ACT OF DECEMBER 17, 1981 (P.L. 435,~~  
26 ~~NO. 135), KNOWN AS THE RACE HORSE INDUSTRY REFORM~~  
27 ~~ACT. FOR STANDARD BRED TRACKS, 8 AND 1/3% OF THE~~  
28 ~~MONEY TO BE DISTRIBUTED UNDER THIS CLAUSE SHALL~~  
29 ~~BE DEPOSITED ON A WEEKLY BASIS INTO THE~~  
30 ~~PENNSYLVANIA SIRE STAKES FUND AS DEFINED IN~~

1 ~~SECTION 224 OF THE RACE HORSE INDUSTRY REFORM~~  
2 ~~ACT; AND 8 AND 1/3% OF THE MONEY TO BE~~  
3 ~~DISTRIBUTED UNDER THIS CLAUSE SHALL BE DEPOSITED~~  
4 ~~ON A WEEKLY BASIS INTO A RESTRICTED ACCOUNT IN~~  
5 ~~THE STATE RACING FUND TO BE KNOWN AS THE~~  
6 ~~PENNSYLVANIA STANDARDBRED BREEDERS DEVELOPMENT~~  
7 ~~FUND. THE STATE HARNESS RACING COMMISSION SHALL,~~  
8 ~~IN CONSULTATION WITH THE SECRETARY OF~~  
9 ~~AGRICULTURE, PROMULGATE REGULATIONS ADOPTING A~~  
10 ~~STANDARDBRED BREEDERS PROGRAM THAT WILL INCLUDE~~  
11 ~~THE ADMINISTRATION OF THE PENNSYLVANIA STALLION~~  
12 ~~AWARD, THE PENNSYLVANIA BRED AWARD AND THE~~  
13 ~~PENNSYLVANIA SIRE AND BRED AWARD.~~

14 \* \* \*

15 ~~(E) FILING OF AUDIT. ALL HORSEMEN'S ORGANIZATIONS THAT~~ ←  
16 ~~RECEIVE FUNDS UNDER THIS SECTION SHALL FILE ANNUALLY WITH THE~~  
17 ~~APPROPRIATE COMMISSION AND THE BOARD AN AUDIT PREPARED BY A~~  
18 ~~CERTIFIED PUBLIC ACCOUNTANT OF ALL FUNDS RECEIVED. SUCH FILINGS~~  
19 ~~SHALL BE OPEN TO PUBLIC REVIEW. THE HORSEMEN'S ORGANIZATIONS~~  
20 ~~SHALL MAINTAIN ADEQUATE RECORDS CONCERNING RECEIPT AND~~  
21 ~~DISTRIBUTION OF FUNDS ALLOCATED TO THEM. ALL DISTRIBUTIONS UNDER~~  
22 ~~THIS SECTION, EXCEPT FOR THOSE FOR HEALTH AND PENSION BENEFITS~~  
23 ~~FOR THE MEMBERS OF HORSEMEN'S ORGANIZATIONS, SHALL BE SUSPENDED~~  
24 ~~FOR ANY HORSEMEN'S ORGANIZATION THAT HAS NOT FILED AN AUDIT AS~~  
25 ~~REQUIRED UNDER THIS SUBSECTION WITHIN SIX MONTHS OF THE END OF~~  
26 ~~THE HORSEMEN'S ORGANIZATION'S FISCAL YEAR. ANY SUCH~~  
27 ~~DISTRIBUTIONS SUSPENDED ARE APPROPRIATED TO THE DEPARTMENT OF~~  
28 ~~AGRICULTURE.~~

29 \* \* \*

30 SECTION 12. SECTION 1407 OF TITLE 4 IS AMENDED BY ADDING

1 ~~SUBSECTIONS TO READ:~~

2 ~~§ 1407. PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM~~  
3 ~~FUND.~~

4 \* \* \*

5 ~~(E) ANNUAL REPORT. THE OFFICE OF THE BUDGET IN COOPERATION~~  
6 ~~WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT SHALL~~  
7 ~~SUBMIT AN ANNUAL REPORT OF ALL DISTRIBUTION OF FUNDS UNDER THIS~~  
8 ~~SECTION TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE~~  
9 ~~APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIRMAN AND~~  
10 ~~MINORITY CHAIRMAN OF THE COMMUNITY, ECONOMIC AND RECREATIONAL~~  
11 ~~DEVELOPMENT COMMITTEE OF THE SENATE, THE CHAIRMAN AND MINORITY~~  
12 ~~CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF~~  
13 ~~REPRESENTATIVES AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE~~  
14 ~~GAMING OVERSIGHT COMMITTEE OF THE HOUSE OF REPRESENTATIVES. THE~~  
15 ~~REPORT SHALL INCLUDE DETAILED INFORMATION RELATING TO TRANSFERS~~  
16 ~~MADE FROM THE PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND~~  
17 ~~TOURISM FUND AND ALL REIMBURSEMENTS, DISTRIBUTIONS AND PAYMENTS~~  
18 ~~MADE UNDER SUBSECTION (B) OR THE ACT OF JULY 25, 2007 (P.L.342,~~  
19 ~~NO.53), KNOWN AS PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND~~  
20 ~~TOURISM FUND CAPITAL BUDGET ITEMIZATION ACT OF 2007. THE REPORT~~  
21 ~~SHALL BE SUBMITTED BY JANUARY 31, 2010, AND BY JANUARY 31 OF~~  
22 ~~EACH YEAR THEREAFTER.~~

23 ~~(F) LOCAL REPORT. A CITY OF THE FIRST CLASS, CITY OF THE~~  
24 ~~SECOND CLASS, COUNTY OF THE SECOND CLASS, CONVENTION CENTER OR~~  
25 ~~CONVENTION CENTER AUTHORITY, SPORTS AND EXHIBITION AUTHORITY OF~~  
26 ~~A COUNTY OF THE SECOND CLASS, URBAN REDEVELOPMENT AUTHORITY,~~  
27 ~~AIRPORT AUTHORITY OR OTHER ENTITY THAT RECEIVES MONEY FROM THE~~  
28 ~~FUND PURSUANT TO AN ECONOMIC DEVELOPMENT CAPITAL BUDGET UNDER~~  
29 ~~SUBSECTION (B) OR THE ACT OF JULY 25, 2007 (P.L.342, NO.53),~~  
30 ~~KNOWN AS PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM~~

1 ~~FUND CAPITAL BUDGET ITEMIZATION ACT OF 2007, SHALL SUBMIT AN~~  
2 ~~ANNUAL REPORT TO THE OFFICE OF THE BUDGET, THE CHAIRMAN AND~~  
3 ~~MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE SENATE,~~  
4 ~~THE CHAIRMAN AND MINORITY CHAIRMAN OF THE COMMUNITY, ECONOMIC~~  
5 ~~AND RECREATIONAL DEVELOPMENT COMMITTEE OF THE SENATE, THE~~  
6 ~~CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE~~  
7 ~~OF THE HOUSE OF REPRESENTATIVES AND THE CHAIRMAN AND THE~~  
8 ~~MINORITY CHAIRMAN OF THE GAMING OVERSIGHT COMMITTEE OF THE HOUSE~~  
9 ~~OF REPRESENTATIVES. THE REPORT SHALL INCLUDE DETAILED~~  
10 ~~INFORMATION, INCLUDING RECORDS OF EXPENDITURES, PAYMENTS AND~~  
11 ~~OTHER DISTRIBUTIONS MADE FROM MONEY RECEIVED UNDER SUBSECTION~~  
12 ~~(B). THE INITIAL REPORT SHALL INCLUDE INFORMATION ON ALL FUNDS~~  
13 ~~RECEIVED PRIOR TO JANUARY 31, 2010. THE REPORT SHALL BE~~  
14 ~~SUBMITTED BY JANUARY 31, 2010, AND BY JANUARY 31 OF EACH YEAR~~  
15 ~~THEREAFTER UNTIL ALL FUNDS UNDER THIS SECTION ARE DISTRIBUTED OR~~  
16 ~~RECEIVED. AN ENTITY THAT RECEIVES FUNDS AFTER THE EFFECTIVE DATE~~  
17 ~~OF THIS SECTION SHALL SUBMIT AN INITIAL REPORT BY JANUARY 31 OF~~  
18 ~~THE YEAR FOLLOWING RECEIPT OF THE FUNDS.~~

19 ~~(C) DISTRIBUTION TO INTERNATIONAL AIRPORT. NOTWITHSTANDING~~  
20 ~~THE PROVISIONS OF SECTION 7 (D) OF THE ACT OF JULY 25, 2007~~  
21 ~~(P.L.342, NO.53), KNOWN AS THE PENNSYLVANIA GAMING ECONOMIC~~  
22 ~~DEVELOPMENT AND TOURISM FUND CAPITAL BUDGET ITEMIZATION ACT OF~~  
23 ~~2007, FOLLOWING THE DISTRIBUTION OF \$42.5 MILLION OF FUNDS~~  
24 ~~ALLOCATED TO THE COUNTY FOR DEBT SERVICE AND ECONOMIC~~  
25 ~~DEVELOPMENT PROJECTS FOR AN INTERNATIONAL AIRPORT IN A COUNTY OF~~  
26 ~~THE SECOND CLASS UNDER SECTION 3(2)(I)(E) OF SAID ACT, ALL~~  
27 ~~REMAINING FUNDS SHALL BE DISTRIBUTED DIRECTLY TO AN AUTHORITY~~  
28 ~~THAT OPERATES AN INTERNATIONAL AIRPORT IN A COUNTY OF THE SECOND~~  
29 ~~CLASS.~~

30 SECTION 13. SECTION 1408(A) AND (C) OF TITLE 4 ARE AMENDED

1 ~~AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:~~

2 ~~§ 1408. TRANSFERS FROM STATE GAMING FUND.~~

3 ~~(A) TRANSFER FOR COMPULSIVE AND PROBLEM GAMBLING~~

4 ~~TREATMENT. EACH YEAR, THE SUM OF [ \$1,500,000 ] \$2,000,000~~ ←

5 ~~\$4,000,000 OR AN AMOUNT EQUAL TO [.001] .002 .004 MULTIPLIED BY~~ ←

6 ~~THE TOTAL GROSS TERMINAL REVENUE OF ALL ACTIVE AND OPERATING~~

7 ~~LICENSED GAMING ENTITIES, WHICHEVER IS GREATER, SHALL BE~~

8 ~~TRANSFERRED INTO THE COMPULSIVE AND PROBLEM GAMBLING TREATMENT~~

9 ~~FUND ESTABLISHED IN SECTION 1509 (RELATING TO COMPULSIVE AND~~

10 ~~PROBLEM GAMBLING PROGRAM).~~

11 ~~(A.1) TRANSFER FROM GRANT PROGRAM. NO LATER THAN 60 DAYS~~

12 ~~AFTER THE EFFECTIVE DATE OF THIS SECTION AND ANNUALLY~~

13 ~~THEREAFTER, THE BOARD SHALL TRANSFER OR CAUSE TO BE TRANSFERRED~~

14 ~~\$3,000,000 FROM THE GRANT PROGRAM ESTABLISHED IN SUBSECTION (C)~~

15 ~~TO THE COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND~~

16 ~~ESTABLISHED UNDER SECTION 1509 (RELATING TO COMPULSIVE AND~~

17 ~~PROBLEM GAMBLING PROGRAM) SOLELY FOR THE PURPOSES OF COMPULSIVE~~

18 ~~AND PROBLEM GAMBLING AND DRUG AND ALCOHOL ASSESSMENT AND~~

19 ~~TREATMENT.~~

20 ~~\* \* \*~~

21 ~~(C) LOCAL LAW ENFORCEMENT GRANTS. ANNUALLY, THE SUM OF~~

22 ~~\$5,000,000 SHALL BE TRANSFERRED TO THE BOARD FOR THE [PURPOSE~~

23 ~~OF] PURPOSES AUTHORIZED IN SUBSECTION (A.1) AND FOR ISSUING~~

24 ~~GRANTS TO LOCAL LAW ENFORCEMENT AGENCIES TO ENFORCE AND PREVENT~~

25 ~~[THE UNLAWFUL OPERATION OF SLOT MACHINES] ALL FORMS OF UNLAWFUL~~

26 ~~GAMBLING IN THIS COMMONWEALTH. ALL SUMS TRANSFERRED TO THE BOARD~~ ←

27 ~~FOR THE PURPOSE OF ISSUING GRANTS FOR LAW ENFORCEMENT PURPOSES~~

28 ~~WHICH HAVE NOT BEEN DISTRIBUTED IN GRANTS TO LOCAL LAW~~

29 ~~ENFORCEMENT AGENCIES WITHIN 12 MONTHS OF TRANSFER TO THE BOARD~~

30 ~~AND WHICH HAVE NOT BEEN TRANSFERRED UNDER SUBSECTION (A.1) SHALL~~

~~1 BE TRANSFERRED TO THE DEPARTMENT OF AGRICULTURE FOR DISTRIBUTION  
2 UNDER SECTION 5(1) OF THE ACT OF JULY 8, 1986 (P.L.437, NO.92),  
3 KNOWN AS THE PENNSYLVANIA AGRICULTURAL FAIR ACT, TO ELIGIBLE  
4 COUNTY AGRICULTURAL SOCIETIES AND OTHER ORGANIZATIONS WHICH  
5 CONDUCT AN ANNUAL AGRICULTURAL FAIR. FOR PURPOSES OF THIS  
6 SUBSECTION, THE TERM "LOCAL LAW ENFORCEMENT AGENCY" SHALL  
7 INCLUDE PENNSYLVANIA STATE POLICE ACTIVITIES IN A MUNICIPALITY  
8 WHICH DOES NOT HAVE A MUNICIPAL POLICE DEPARTMENT FOR ACTIVITIES  
9 IN THAT MUNICIPALITY.~~

10 \* \* \*

11 SECTION 13.1. SECTIONS 1501(B) AND (C), 1504 AND 1505 OF  
12 TITLE 4 ARE AMENDED TO READ:

13 § 1501. RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

14 \* \* \*

15 (B) APPLICATION OF RULES AND REGULATIONS. THE DEPARTMENT  
16 MAY PRESCRIBE THE EXTENT, IF ANY, TO WHICH ANY RULES AND  
17 REGULATIONS SHALL BE APPLIED WITHOUT RETROACTIVE EFFECT. THE  
18 DEPARTMENT SHALL HAVE AUTHORITY TO PRESCRIBE THE FORMS AND THE  
19 SYSTEM OF ACCOUNTING AND RECORDKEEPING TO BE EMPLOYED AND  
20 THROUGH ITS REPRESENTATIVE SHALL AT ALL TIMES HAVE POWER OF  
21 ACCESS TO AND EXAMINATION AND AUDIT OF ANY EQUIPMENT AND RECORDS  
22 RELATING TO ALL ASPECTS OF THE OPERATION OF SLOT MACHINES AND  
23 TABLE GAMES UNDER THIS PART.

24 (C) PROCEDURE. FOR PURPOSES OF IMPLEMENTING THIS PART, THE  
25 DEPARTMENT MAY PROMULGATE REGULATIONS IN THE SAME MANNER IN  
26 WHICH THE BOARD IS AUTHORIZED AS PROVIDED IN SECTION 1203  
27 (RELATING TO TEMPORARY REGULATIONS) AND SECTION 1303A (RELATING  
28 TO TEMPORARY TABLE GAME REGULATIONS).

29 \* \* \*

30 § 1504. WAGERING ON CREDIT.

1 ~~{SLOT} EXCEPT AS OTHERWISE PROVIDED IN SECTION 1326A~~  
2 ~~(RELATING TO WAGERING POLICIES), SLOT MACHINE LICENSEES MAY NOT~~  
3 ~~EXTEND CREDIT. SLOT MACHINE LICENSEES WHO DO NOT HOLD A TABLE~~  
4 ~~GAME OPERATION CERTIFICATE MAY NOT ACCEPT CREDIT CARDS, CHARGE~~  
5 ~~CARDS OR DEBIT CARDS FROM A PLAYER FOR THE EXCHANGE OR PURCHASE~~  
6 ~~OF SLOT MACHINE CREDITS OR FOR AN ADVANCE OF COINS OR CURRENCY~~  
7 ~~TO BE UTILIZED BY A PLAYER TO PLAY SLOT MACHINE GAMES OR EXTEND~~  
8 ~~CREDIT IN ANY MANNER TO A PLAYER SO AS TO ENABLE THE PLAYER TO~~  
9 ~~PLAY SLOT MACHINES. SLOT MACHINE LICENSEES WHO HOLD A TABLE GAME~~  
10 ~~OPERATION CERTIFICATE MAY EXTEND CREDIT FOR SLOT MACHINE GAMING~~  
11 ~~IN ACCORDANCE WITH SECTION 1326A (RELATING TO WAGERING~~  
12 ~~POLICIES).~~

13 ~~§ 1505. NO EMINENT DOMAIN AUTHORITY.~~

14 ~~NEITHER THE COMMONWEALTH NOR ANY POLITICAL SUBDIVISION~~  
15 ~~THEREOF SHALL HAVE THE RIGHT TO ACQUIRE, WITH OR WITHOUT~~  
16 ~~COMPENSATION, THROUGH THE POWER OF EMINENT DOMAIN ANY PROPERTY,~~  
17 ~~EASEMENT OR LAND USE RIGHT FOR THE SITING OR CONSTRUCTION OF A~~  
18 ~~LICENSED FACILITY [FOR THE OPERATION OF SLOT MACHINES BY A SLOT~~  
19 ~~MACHINE LICENSEE].~~

20 ~~SECTION 13.2. TITLE 4 IS AMENDED BY ADDING A SECTION TO~~ ←  
21 ~~READ:~~

22 ~~1507.1. DETERIORATED PROPERTY DESIGNATIONS.~~

23 ~~REAL PROPERTY WHEREIN A LICENSED GAMING FACILITY IS LOCATED~~  
24 ~~MAY NOT BE DESIGNATED AS, INCLUDED IN OR CONSIDERED A~~  
25 ~~DETERIORATED PROPERTY AS DEFINED IN THE ACT OF DECEMBER 1, 1977~~  
26 ~~(P.L.237, NO.76), KNOWN AS THE LOCAL ECONOMIC REVITALIZATION TAX~~  
27 ~~ASSISTANCE ACT.~~

28 ~~SECTION 13.2 13.3. SECTION 1509(B) AND (C) OF TITLE 4 ARE~~ ←  
29 ~~AMENDED AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO~~  
30 ~~READ:~~

1 ~~§ 1509. COMPULSIVE AND PROBLEM GAMBLING PROGRAM.~~

2 ~~\* \* \*~~

3 ~~(B) COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND. THERE~~  
4 ~~IS HEREBY ESTABLISHED IN THE STATE TREASURY A SPECIAL FUND TO BE~~  
5 ~~KNOWN AS THE COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND. ALL~~  
6 ~~MONEYS IN THE FUND SHALL BE EXPENDED FOR PROGRAMS FOR THE~~  
7 ~~PREVENTION AND TREATMENT OF GAMBLING ADDICTION AND OTHER~~  
8 ~~EMOTIONAL AND BEHAVIORAL PROBLEMS ASSOCIATED WITH OR RELATED TO~~  
9 ~~GAMBLING ADDICTION AND FOR THE ADMINISTRATION OF THE COMPULSIVE~~  
10 ~~AND PROBLEM GAMBLING PROGRAM. MONEYS IN THE FUND SHALL BE~~  
11 ~~EXPENDED FOR THE PROGRAMS SET FORTH IN SUBSECTION (D.1) (4) (I),~~  
12 ~~(II), (III) AND (IV). THE FUND SHALL CONSIST OF MONEY ANNUALLY~~  
13 ~~ALLOCATED TO IT FROM THE ANNUAL PAYMENT ESTABLISHED UNDER~~  
14 ~~SECTION 1408 (RELATING TO TRANSFERS FROM STATE GAMING FUND),~~  
15 ~~MONEY WHICH MAY BE ALLOCATED BY THE BOARD, INTEREST EARNINGS ON~~  
16 ~~MONEYS IN THE FUND AND ANY OTHER CONTRIBUTIONS, PAYMENTS OR~~  
17 ~~DEPOSITS WHICH MAY BE MADE TO THE FUND.~~

18 ~~(C) NOTICE OF AVAILABILITY OF ASSISTANCE.~~ ←

19 ~~(1) EACH SLOT MACHINE LICENSEE SHALL OBTAIN A TOLL FREE~~  
20 ~~TELEPHONE NUMBER TO BE USED TO PROVIDE PERSONS WITH~~  
21 ~~INFORMATION ON ASSISTANCE FOR COMPULSIVE OR PROBLEM GAMBLING.~~  
22 ~~EACH LICENSEE SHALL CONSPICUOUSLY POST SIGNS SIMILAR TO THE~~  
23 ~~FOLLOWING STATEMENT:~~

24 ~~IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP~~  
25 ~~IS AVAILABLE. CALL (TOLL FREE TELEPHONE NUMBER).~~

26 ~~THE SIGNS MUST BE POSTED WITHIN 50 FEET OF EACH ENTRANCE AND~~  
27 ~~EXIT AND WITHIN 50 FEET OF EACH AUTOMATED TELLER MACHINE~~  
28 ~~LOCATION WITHIN THE LICENSED FACILITY.~~

29 ~~(2) EACH RACETRACK WHERE SLOT MACHINES OR TABLE GAMES~~  
30 ~~ARE OPERATED SHALL PRINT A STATEMENT ON DAILY RACING PROGRAMS~~

1 ~~PROVIDED TO THE GENERAL PUBLIC THAT IS SIMILAR TO THE~~  
2 ~~FOLLOWING:~~

3 ~~IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP~~  
4 ~~IS AVAILABLE. CALL (TOLL FREE TELEPHONE NUMBER).~~

5 ~~(3) A LICENSED FACILITY WHICH FAILS TO POST OR PRINT THE~~  
6 ~~WARNING SIGN IN ACCORDANCE WITH PARAGRAPH (1) OR (2) SHALL BE~~  
7 ~~ASSESSED A FINE OF \$1,000 A DAY FOR EACH DAY THE SIGN IS NOT~~  
8 ~~POSTED OR PRINTED AS PROVIDED IN THIS SUBSECTION.~~

9 ~~(C) NOTICE OF AVAILABILITY OF ASSISTANCE.~~ ←

10 ~~(1) EACH SLOT MACHINE LICENSEE SHALL OBTAIN A TOLL FREE~~  
11 ~~TELEPHONE NUMBER TO BE USED TO PROVIDE PERSONS WITH~~  
12 ~~INFORMATION ON ASSISTANCE FOR COMPULSIVE OR PROBLEM GAMBLING.~~  
13 ~~EACH LICENSEE SHALL CONSPICUOUSLY POST SIGNS SIMILAR TO THE~~  
14 ~~FOLLOWING STATEMENT:~~

15 ~~IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP~~  
16 ~~IS AVAILABLE. CALL (TOLL FREE TELEPHONE NUMBER).~~

17 ~~THE SIGNS MUST BE POSTED WITHIN 50 FEET OF EACH ENTRANCE~~  
18 ~~AND EXIT [AND], WITHIN 50 FEET OF EACH AUTOMATED TELLER~~  
19 ~~MACHINE LOCATION AND A MINIMUM OF 20 SIGNS MUST BE POSTED~~  
20 ~~WITHIN THE LICENSED FACILITY.~~

21 ~~(2) EACH RACETRACK WHERE SLOT MACHINES ARE OPERATED~~  
22 ~~SHALL PRINT A STATEMENT ON DAILY RACING PROGRAMS PROVIDED TO~~  
23 ~~THE GENERAL PUBLIC THAT IS SIMILAR TO THE FOLLOWING:~~

24 ~~IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP~~  
25 ~~IS AVAILABLE. CALL (TOLL FREE TELEPHONE NUMBER).~~

26 ~~(3) A LICENSED FACILITY WHICH FAILS TO POST OR PRINT THE~~  
27 ~~WARNING SIGN IN ACCORDANCE WITH PARAGRAPH (1) OR (2) SHALL BE~~  
28 ~~ASSESSED A FINE OF \$1,000 A DAY FOR EACH DAY THE SIGN IS NOT~~  
29 ~~POSTED OR PRINTED AS PROVIDED IN THIS SUBSECTION.~~

30 ~~\* \* \*~~

1 ~~(D.1) ADDICTION TREATMENT AND ASSESSMENT.~~

2 ~~(1) THE GENERAL ASSEMBLY RECOGNIZES THAT THE EXPANSION~~  
3 ~~OF CASINO STYLING GAMING IN THIS COMMONWEALTH REQUIRES AN~~  
4 ~~ENHANCED AWARENESS OF COMPULSIVE AND PROBLEM GAMBLING AND THE~~  
5 ~~NEED TO DEVELOP AND IMPLEMENT EFFECTIVE STRATEGIES FOR~~  
6 ~~PREVENTION, ASSESSMENT AND TREATMENT OF THIS BEHAVIORAL~~  
7 ~~DISORDER. THE GENERAL ASSEMBLY FURTHER RECOGNIZES THAT,~~  
8 ~~ACCORDING TO RESEARCH, COMPULSIVE AND PROBLEM GAMBLING MAY~~  
9 ~~OVERLAP WITH DRUG AND/OR ALCOHOL ADDICTION. THEREFORE, IT IS~~  
10 ~~THE INTENT OF THE GENERAL ASSEMBLY TO ESTABLISH AN APPROACH~~  
11 ~~TO COMPULSIVE AND PROBLEM GAMBLING PREVENTION, ASSESSMENT AND~~  
12 ~~TREATMENT THAT WILL ENSURE THE PROVISION OF ADEQUATE~~  
13 ~~RESOURCES TO IDENTIFY, ASSESS AND TREAT COMPULSIVE AND~~  
14 ~~PROBLEM GAMBLING AND DRUG AND/OR ALCOHOL ADDICTION.~~

15 ~~(2) THE SUM OF \$3,000,000 SHALL BE ANNUALLY TRANSFERRED~~  
16 ~~FROM THE COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND TO~~  
17 ~~THE DEPARTMENT OF HEALTH FOR ALLOCATION TO THE SINGLE COUNTY~~  
18 ~~AUTHORITIES. THE MONEYS SO TRANSFERRED AND ALLOCATED SHALL BE~~  
19 ~~USED BY THE SINGLE COUNTY AUTHORITIES FOR COMPULSIVE AND~~  
20 ~~PROBLEM GAMBLING AND ASSOCIATED DRUG AND/OR ALCOHOL ADDICTION~~  
21 ~~ASSESSMENTS AND FOR THE RELATED ADDICTION TREATMENT IN~~  
22 ~~NONHOSPITAL RESIDENTIAL DETOXIFICATION FACILITIES,~~  
23 ~~NONHOSPITAL RESIDENTIAL REHABILITATION FACILITIES AND HALFWAY~~  
24 ~~HOUSES LICENSED BY THE DEPARTMENT OF HEALTH TO PROVIDE~~  
25 ~~ADDICTION TREATMENT SERVICES. FINANCIAL COUNSELING MAY BE A~~  
26 ~~REQUIRED COMPONENT OF TREATMENT, WHETHER IT IS PROVIDED~~  
27 ~~DIRECTLY BY THE TREATMENT SERVICE PROVIDER OR SUBCONTRACTED~~  
28 ~~TO A THIRD PARTY. NO MONEYS AUTHORIZED TO BE TRANSFERRED~~  
29 ~~UNDER THIS SUBSECTION SHALL BE UTILIZED TO SUPPLANT OTHER~~  
30 ~~FUNDING FOR THE TREATMENT OF DRUG AND/OR ALCOHOL ADDICTION.~~



1 ~~AFTER ONE YEAR, THE BOARD SHALL COMMISSION A STUDY OF THE~~  
2 ~~IMPACT OF THE COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND~~  
3 ~~IN AREAS WHERE GAMBLING WAS EXPANDED. THE COMMISSION SHALL~~  
4 ~~PRODUCE A REPORT THAT INCLUDES DATA ON RACE, GENDER,~~  
5 ~~GEOGRAPHY AND INCOME AND A RECOMMENDATION OF WHETHER THE~~  
6 ~~FUND'S APPROPRIATION SHOULD BE INCREASED TO A SUM UP TO~~  
7 ~~\$5,000,000.~~

8 ~~(3) ELIGIBILITY TO RECEIVE TREATMENT SERVICES FOR~~  
9 ~~TREATMENT OF COMPULSIVE AND PROBLEM GAMBLING, AND DRUG AND/OR~~  
10 ~~ALCOHOL ADDICTION ASSOCIATED OR RELATED TO COMPULSIVE AND~~  
11 ~~PROBLEM GAMBLING UNDER PARAGRAPH (1), SHALL BE DETERMINED~~  
12 ~~USING FINANCIAL ELIGIBILITY AND OTHER REQUIREMENTS OF THE~~  
13 ~~SINGLE COUNTY AUTHORITIES AS APPROVED BY THE DEPARTMENT OF~~  
14 ~~HEALTH.~~

15 ~~(4) WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS~~  
16 ~~SUBSECTION, THE DEPARTMENT OF HEALTH'S BUREAU OF DRUG AND~~  
17 ~~ALCOHOL PROGRAMS AND THE BOARD'S OFFICE OF COMPULSIVE AND~~  
18 ~~PROBLEM GAMBLING SHALL COLLABORATE WITH PROVIDERS AND OTHER~~  
19 ~~PERSONS OR ENTITIES WITH EXPERTISE IN THE FIELD OF COMPULSIVE~~  
20 ~~AND PROBLEM GAMBLING TO:~~

21 ~~(I) DEVELOP AND IMPLEMENT A STRATEGIC PLAN FOR THE~~  
22 ~~PREVENTION AND TREATMENT OF COMPULSIVE AND PROBLEM~~  
23 ~~GAMBLING AND ASSOCIATED BEHAVIOR DISORDERS, INCLUDING~~  
24 ~~DRUG AND/OR ALCOHOL ADDICTIONS.~~

25 ~~(II) ADOPT COMPULSIVE AND PROBLEM GAMBLING TREATMENT~~  
26 ~~STANDARDS TO BE INTEGRATED WITH THE BUREAU OF DRUG AND~~  
27 ~~ALCOHOL PROGRAM'S UNIFORM STATEWIDE GUIDELINES THAT~~  
28 ~~GOVERN THE PROVISION OF ADDICTION TREATMENT SERVICES. THE~~  
29 ~~STANDARDS MAY PROVIDE CRITERIA FOR THE CERTIFICATION OF~~  
30 ~~COMPULSIVE AND PROBLEM GAMBLING COUNSELORS.~~

1 ~~(III) DEVELOP, IN COLLABORATION WITH THE APPROPRIATE~~  
2 ~~STATE AGENCIES, A METHOD TO LINK COMPULSIVE AND PROBLEM-~~  
3 ~~GAMBLING DATA COLLECTION AND REFERRAL INFORMATION TO~~  
4 ~~CRISIS RESPONSE HOTLINES AND YOUTH AND DOMESTIC VIOLENCE~~  
5 ~~PROGRAMS OR PROVIDERS.~~

6 ~~(IV) COLLABORATE WITH THE DEPARTMENT OF HEALTH, THE~~  
7 ~~DEPARTMENT OF AGING AND OTHER APPROPRIATE OFFICES AND~~  
8 ~~AGENCIES OF STATE OR LOCAL GOVERNMENT AND PERSONS AND~~  
9 ~~ENTITIES, PUBLIC OR PRIVATE, WITH EXPERTISE IN COMPULSIVE~~  
10 ~~AND PROBLEM GAMBLING TREATMENT TO EDUCATE YOUTH AND OLDER~~  
11 ~~PENNSYLVANIANS THROUGH PREVENTION TRAINING AND MATERIALS~~  
12 ~~REGARDING THE PREVENTION, RECOGNITION AND TREATMENT OF~~  
13 ~~COMPULSIVE AND PROBLEM GAMBLING PROBLEMS. THE BUREAU OF~~  
14 ~~DRUG AND ALCOHOL PROGRAMS AND THE BOARD'S OFFICE OF~~  
15 ~~COMPULSIVE AND PROBLEM GAMBLING SHALL WORK WITH THE~~  
16 ~~IDENTIFIED AGENCIES AND OTHER AGENCIES AND ENTITIES TO~~  
17 ~~DEVELOP DEMOGRAPHIC SPECIFIC COMPULSIVE AND PROBLEM~~  
18 ~~GAMBLING PREVENTION, INTERVENTION AND TREATMENT PROGRAMS.~~

19 ~~(D.2) REPORT. BEGINNING OCTOBER 1, 2010, AND EVERY OCTOBER~~  
20 ~~1 THEREAFTER, THE BUREAU OF DRUG AND ALCOHOL PROGRAMS AND THE~~  
21 ~~BOARD'S OFFICE OF COMPULSIVE AND PROBLEM GAMBLING SHALL JOINTLY~~  
22 ~~SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY~~  
23 ~~REPORTING DATA AND PROGRESS ON AND ACTIVITIES INITIATED TO~~  
24 ~~FACILITATE THE DEVELOPMENT AND IMPLEMENTATION OF THE STRATEGIC~~  
25 ~~PLAN FOR THE PREVENTION AND TREATMENT OF COMPULSIVE AND PROBLEM~~  
26 ~~GAMBLING AND ASSOCIATED BEHAVIOR DISORDERS AND ADDICTIONS AND~~  
27 ~~THE OTHER REQUIREMENTS OF THIS SECTION.~~

28 \* \* \*

29 ~~SECTION 13.3 13.4. SECTIONS 1510(A), 1511(B) AND 1512(A.1),~~  
30 ~~(A.5) AND (B) OF TITLE 4 ARE AMENDED TO READ:~~



1 ~~§ 1510. LABOR HIRING PREFERENCES.~~

2 ~~(A) CATEGORY 1, 2, AND 3 LICENSED FACILITIES, GENERALLY.~~  
3 ~~EACH LICENSED GAMING ENTITY SHALL PREPARE A HIRING PLAN FOR~~  
4 ~~EMPLOYEES OF ITS RESPECTIVE LICENSED FACILITY WHICH PROMOTES A~~  
5 ~~DIVERSE WORK FORCE, MINORITY PARTICIPATION AND PERSONNEL FROM~~  
6 ~~WITHIN THE SURROUNDING GEOGRAPHICAL AREA. THE HIRING PLAN SHALL~~  
7 ~~BE APPROVED BY THE BOARD AND SHALL BE CONSISTENT WITH THE GOALS~~  
8 ~~OUTLINED IN SECTIONS 1212 (RELATING TO DIVERSITY GOALS OF BOARD)~~  
9 ~~AND 1304A (RELATING TO COMMONWEALTH RESIDENT EMPLOYMENT GOALS).~~

10 \* \* \*

11 ~~§ 1511. DECLARATION OF EXEMPTION FROM FEDERAL LAWS PROHIBITING~~  
12 ~~SLOT MACHINES.~~

13 \* \* \*

14 ~~(D) LEGAL SHIPMENTS. ALL SHIPMENTS OF [SLOT MACHINES]~~  
15 ~~GAMBLING DEVICES, AS DEFINED IN SECTION 1 OF THE GAMBLING~~  
16 ~~DEVICES TRANSPORTATION ACT (64 STAT. 1134, 15 U.S.C. § 1171),~~  
17 ~~INTO THIS COMMONWEALTH, THE REGISTERING, RECORDING AND LABELING~~  
18 ~~OF WHICH HAS BEEN EFFECTED BY THE MANUFACTURER AND SUPPLIER OF~~  
19 ~~THOSE DEVICES, IN ACCORDANCE WITH SECTIONS [5 AND 7] 3 AND 4 OF~~  
20 ~~THE GAMBLING DEVICES TRANSPORTATION ACT (64 STAT. 1134, 15~~  
21 ~~U.S.C. §§ [1175 AND 1177] 1173 AND 1174), SHALL BE DEEMED LEGAL~~  
22 ~~SHIPMENTS OF [SLOT MACHINES] GAMBLING DEVICES INTO THIS~~  
23 ~~COMMONWEALTH.~~

24 ~~§ 1512. FINANCIAL AND EMPLOYMENT INTERESTS.~~

25 \* \* \*

26 ~~(A.1) EMPLOYMENT. EXCEPT AS MAY BE PROVIDED BY RULE OR~~  
27 ~~ORDER OF THE PENNSYLVANIA SUPREME COURT AND EXCEPT AS PROVIDED~~  
28 ~~IN SECTION 1512.1 (RELATING TO ADDITIONAL RESTRICTIONS), NO~~  
29 ~~EXECUTIVE LEVEL PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY~~  
30 ~~OFFICER, OR AN IMMEDIATE FAMILY MEMBER THEREOF, SHALL BE~~

1 EMPLOYED BY AN APPLICANT OR A SLOT MACHINE LICENSEE,  
2 MANUFACTURER LICENSEE, SUPPLIER LICENSEE OR LICENSED RACING  
3 ENTITY, OR BY ANY HOLDING COMPANY, AFFILIATE, INTERMEDIARY OR  
4 SUBSIDIARY THEREOF, WHILE THE INDIVIDUAL IS AN EXECUTIVE LEVEL  
5 PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER AND FOR ONE  
6 YEAR FOLLOWING TERMINATION OF THE INDIVIDUAL'S STATUS AS AN  
7 EXECUTIVE LEVEL PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY  
8 OFFICER.

9 \* \* \*

10 (A.5) ~~STATE ETHICS COMMISSION. THE STATE ETHICS COMMISSION~~  
11 ~~SHALL PUBLISH A LIST OF ALL STATE, COUNTY, MUNICIPAL AND OTHER~~  
12 ~~GOVERNMENT POSITIONS THAT MEET THE DEFINITIONS OF "PUBLIC~~  
13 ~~OFFICIAL" AS DEFINED UNDER SUBSECTION (B) OR "EXECUTIVE LEVEL~~  
14 ~~PUBLIC EMPLOYEE" [UNDER SUBSECTION (B)] AND A LIST OF~~  
15 ~~INDIVIDUALS SUBJECT TO SECTION 1512.1. THE OFFICE OF~~  
16 ~~ADMINISTRATION SHALL ASSIST THE [ETHICS COMMISSION] COMMISSION~~  
17 ~~IN THE DEVELOPMENT OF THE LIST, WHICH SHALL BE PUBLISHED IN THE~~  
18 ~~PENNSYLVANIA BULLETIN BIENNIALY AND ON THE BOARD'S WEBSITE.~~  
19 ~~UPON REQUEST, EACH PUBLIC OFFICIAL SHALL HAVE A DUTY TO PROVIDE~~  
20 ~~THE [ETHICS COMMISSION] COMMISSION WITH ADEQUATE INFORMATION TO~~  
21 ~~ACCURATELY DEVELOP AND MAINTAIN THE LIST. THE [ETHICS~~  
22 ~~COMMISSION] COMMISSION MAY IMPOSE A CIVIL PENALTY UNDER 65~~  
23 ~~PA.C.S. § 1109(F) (RELATING TO PENALTIES) UPON ANY INDIVIDUAL,~~  
24 ~~INCLUDING ANY PUBLIC OFFICIAL OR EXECUTIVE LEVEL PUBLIC EMPLOYEE~~  
25 ~~WHO FAILS TO COOPERATE WITH THE [ETHICS COMMISSION] COMMISSION~~  
26 ~~UNDER THIS SUBSECTION. AN INDIVIDUAL WHO RELIES IN GOOD FAITH ON~~  
27 ~~THE LIST PUBLISHED BY THE COMMISSION SHALL NOT BE SUBJECT TO ANY~~  
28 ~~PENALTY FOR A VIOLATION OF THIS SECTION.~~

29 (B) ~~DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING~~  
30 ~~WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS~~

1 SUBSECTION:

2 ~~{ "EXECUTIVE LEVEL PUBLIC EMPLOYEE." THE TERM SHALL INCLUDE~~  
3 ~~THE FOLLOWING:~~

4 ~~(1) DEPUTY SECRETARIES OF THE COMMONWEALTH AND THE~~  
5 ~~GOVERNOR'S OFFICE EXECUTIVE STAFF.~~

6 ~~(2) AN EMPLOYEE OF THE EXECUTIVE BRANCH WITH~~  
7 ~~DISCRETIONARY POWER WHICH MAY AFFECT OR INFLUENCE THE OUTCOME~~  
8 ~~OF A STATE AGENCY'S ACTION OR DECISION AND WHO IS INVOLVED IN~~  
9 ~~THE DEVELOPMENT OF REGULATIONS OR POLICIES RELATING TO A~~  
10 ~~LICENSED ENTITY OR WHO IS INVOLVED IN OTHER MATTERS UNDER~~  
11 ~~THIS PART. THE TERM SHALL INCLUDE AN EMPLOYEE WITH LAW~~  
12 ~~ENFORCEMENT AUTHORITY.~~

13 ~~(3) AN EMPLOYEE OF A COUNTY OR MUNICIPALITY WITH~~  
14 ~~DISCRETIONARY POWERS WHICH MAY AFFECT OR INFLUENCE THE~~  
15 ~~OUTCOME OF THE COUNTY'S OR MUNICIPALITY'S ACTION OR DECISION~~  
16 ~~AND WHO IS INVOLVED IN THE DEVELOPMENT OF LAW, REGULATION OR~~  
17 ~~POLICY RELATING TO A LICENSED ENTITY OR WHO IS INVOLVED IN~~  
18 ~~OTHER MATTERS UNDER THIS PART. THE TERM SHALL INCLUDE AN~~  
19 ~~EMPLOYEE WITH LAW ENFORCEMENT AUTHORITY.~~

20 ~~(4) AN EMPLOYEE OF A DEPARTMENT, AGENCY, BOARD,~~  
21 ~~COMMISSION, AUTHORITY OR OTHER GOVERNMENTAL BODY NOT INCLUDED~~  
22 ~~IN PARAGRAPH (1), (2) OR (3) WITH DISCRETIONARY POWER WHICH~~  
23 ~~MAY AFFECT OR INFLUENCE THE OUTCOME OF THE GOVERNMENTAL~~  
24 ~~BODY'S ACTION OR DECISION AND WHO IS INVOLVED IN THE~~  
25 ~~DEVELOPMENT OF REGULATION OR POLICY RELATING TO A LICENSED~~  
26 ~~ENTITY OR WHO IS INVOLVED IN OTHER MATTERS UNDER THIS PART.~~  
27 ~~THE TERM SHALL INCLUDE AN EMPLOYEE WITH LAW ENFORCEMENT~~  
28 ~~AUTHORITY.}]~~

29 ~~"FINANCIAL INTEREST." OWNING OR HOLDING, OR BEING DEEMED TO~~  
30 ~~HOLD, DEBT OR EQUITY SECURITIES OR OTHER OWNERSHIP INTEREST OR~~

1 ~~PROFITS INTEREST. A FINANCIAL INTEREST SHALL NOT INCLUDE ANY~~  
2 ~~DEBT OR EQUITY SECURITY, OR OTHER OWNERSHIP INTEREST OR PROFITS~~  
3 ~~INTEREST, WHICH IS HELD OR DEEMED TO BE HELD IN ANY OF THE~~  
4 ~~FOLLOWING:~~

5 ~~(1) A BLIND TRUST OVER WHICH THE EXECUTIVE LEVEL PUBLIC~~  
6 ~~EMPLOYEE, PUBLIC OFFICIAL, PARTY OFFICER OR IMMEDIATE FAMILY~~  
7 ~~MEMBER THEREOF MAY NOT EXERCISE ANY MANAGERIAL CONTROL OR~~  
8 ~~RECEIVE INCOME DURING THE TENURE OF OFFICE AND THE PERIOD~~  
9 ~~UNDER SUBSECTION (A). THE PROVISIONS OF THIS PARAGRAPH SHALL~~  
10 ~~APPLY ONLY TO BLIND TRUSTS ESTABLISHED PRIOR TO THE EFFECTIVE~~  
11 ~~DATE OF THIS PARAGRAPH.~~

12 ~~(2) SECURITIES THAT ARE HELD IN A PENSION PLAN, PROFIT~~  
13 ~~SHARING PLAN, INDIVIDUAL RETIREMENT ACCOUNT, TAX SHELTERED~~  
14 ~~ANNUITY, A PLAN ESTABLISHED PURSUANT TO SECTION 457 OF THE~~  
15 ~~INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99 514, 26 U.S.C. §~~  
16 ~~1 ET SEQ.) OR ANY SUCCESSOR PROVISION DEFERRED COMPENSATION~~  
17 ~~PLAN WHETHER QUALIFIED OR NOT QUALIFIED UNDER THE INTERNAL~~  
18 ~~REVENUE CODE OF 1986 OR ANY SUCCESSOR PROVISION OR OTHER~~  
19 ~~RETIREMENT PLAN THAT:~~

20 ~~(I) IS NOT SELF DIRECTED BY THE INDIVIDUAL; AND~~

21 ~~(II) IS ADVISED BY AN INDEPENDENT INVESTMENT ADVISER~~  
22 ~~WHO HAS SOLE AUTHORITY TO MAKE INVESTMENT DECISIONS WITH~~  
23 ~~RESPECT TO CONTRIBUTIONS MADE BY THE INDIVIDUAL TO THESE~~  
24 ~~PLANS.~~

25 ~~(3) A TUITION ACCOUNT PLAN ORGANIZED AND OPERATED~~  
26 ~~PURSUANT TO SECTION 529 OF THE INTERNAL REVENUE CODE OF 1986~~  
27 ~~(PUBLIC LAW 99 514, 26 U.S.C. § 529) THAT IS NOT SELF~~  
28 ~~DIRECTED BY THE INDIVIDUAL.~~

29 ~~(4) A MUTUAL FUND WHERE THE INTEREST OWNED BY THE MUTUAL~~  
30 ~~FUND IN A LICENSED ENTITY DOES NOT CONSTITUTE A CONTROLLING~~

1 ~~INTEREST AS DEFINED IN THIS PART.~~

2 ~~"IMMEDIATE FAMILY." A SPOUSE, MINOR CHILD OR UNEMANCIPATED~~  
3 ~~CHILD.~~

4 ~~"LAW ENFORCEMENT AUTHORITY." THE POWER TO CONDUCT~~  
5 ~~INVESTIGATIONS OF OR TO MAKE ARRESTS FOR CRIMINAL OFFENSES.~~

6 ~~"PARTY OFFICER." A MEMBER OF A NATIONAL COMMITTEE; A~~  
7 ~~CHAIRMAN, VICE CHAIRMAN, SECRETARY, TREASURER OR COUNSEL OF A~~  
8 ~~STATE COMMITTEE OR MEMBER OF THE EXECUTIVE COMMITTEE OF A STATE~~  
9 ~~COMMITTEE; A COUNTY CHAIRMAN, VICE CHAIRMAN, COUNSEL, SECRETARY~~  
10 ~~OR TREASURER OF A COUNTY COMMITTEE IN WHICH A LICENSED FACILITY~~  
11 ~~IS LOCATED; OR A CITY CHAIRMAN, VICE CHAIRMAN, COUNSEL,~~  
12 ~~SECRETARY OR TREASURER OF A CITY COMMITTEE OF A CITY IN WHICH A~~  
13 ~~LICENSED FACILITY IS LOCATED.~~

14 ~~"PUBLIC OFFICIAL." THE TERM SHALL INCLUDE THE FOLLOWING:~~

15 ~~(1) THE GOVERNOR, LIEUTENANT GOVERNOR, A MEMBER OF THE~~  
16 ~~GOVERNOR'S CABINET, TREASURER, AUDITOR GENERAL AND ATTORNEY~~  
17 ~~GENERAL OF THE COMMONWEALTH.~~

18 ~~(2) A MEMBER OF THE SENATE OR HOUSE OF REPRESENTATIVES~~  
19 ~~OF THE COMMONWEALTH.~~

20 ~~(3) AN INDIVIDUAL ELECTED OR APPOINTED TO ANY OFFICE OF~~  
21 ~~A COUNTY OR MUNICIPALITY THAT DIRECTLY RECEIVES A~~  
22 ~~DISTRIBUTION OF REVENUE UNDER THIS PART.~~

23 ~~(4) AN INDIVIDUAL ELECTED OR APPOINTED TO A DEPARTMENT,~~  
24 ~~AGENCY, BOARD, COMMISSION, AUTHORITY OR OTHER GOVERNMENTAL~~  
25 ~~BODY NOT INCLUDED IN PARAGRAPH (1), (2) OR (3) THAT DIRECTLY~~  
26 ~~RECEIVES A DISTRIBUTION OF REVENUE UNDER THIS PART.~~

27 ~~(5) AN INDIVIDUAL ELECTED OR APPOINTED TO A DEPARTMENT,~~  
28 ~~AGENCY, BOARD, COMMISSION, AUTHORITY, COUNTY, MUNICIPALITY OR~~  
29 ~~OTHER GOVERNMENTAL BODY NOT INCLUDED IN PARAGRAPH (1), (2) OR~~  
30 ~~(3) WITH DISCRETIONARY POWER WHICH MAY INFLUENCE OR AFFECT~~

1 THE OUTCOME OF AN ACTION OR DECISION AND WHO IS INVOLVED IN  
2 THE DEVELOPMENT OF REGULATION OR POLICY RELATING TO A  
3 LICENSED ENTITY OR WHO IS INVOLVED IN OTHER MATTERS UNDER  
4 THIS PART.

5 THE TERM DOES NOT INCLUDE A MEMBER OF A SCHOOL BOARD OR AN  
6 INDIVIDUAL WHO HELD AN UNCOMPENSATED OFFICE WITH A GOVERNMENTAL  
7 BODY PRIOR TO JANUARY 1, 2006, AND WHO NO LONGER HOLDS THE  
8 OFFICE AS OF JANUARY 1, 2006. THE TERM INCLUDES A MEMBER OF AN  
9 ADVISORY BOARD OR COMMISSION WHICH MAKES RECOMMENDATIONS  
10 RELATING TO A LICENSED FACILITY.

11 SECTION 14. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:  
12 ~~§ 1512.1. ADDITIONAL RESTRICTIONS.~~

13 ~~(A) RESTRICTIONS. AN INDIVIDUAL MEMBER OF THE PENNSYLVANIA~~  
14 ~~STATE POLICE OR EMPLOYEE OF THE OFFICE OF ATTORNEY GENERAL,~~  
15 ~~OFFICE OF THE AUDITOR GENERAL OR DEPARTMENT WHOSE DUTIES~~  
16 ~~SUBSTANTIALLY INVOLVE LICENSING OR ENFORCEMENT, THE DEVELOPMENT~~  
17 ~~OF LAWS, REGULATIONS OR POLICY OR WHO HAS OTHER DISCRETIONARY~~  
18 ~~AUTHORITY WHICH MAY AFFECT THE GAMING INDUSTRY IN THIS~~  
19 ~~COMMONWEALTH UNDER THIS PART SHALL NOT DO ANY OF THE FOLLOWING:~~

20 ~~(1) ACCEPT EMPLOYMENT WITH AN APPLICANT OR LICENSED~~  
21 ~~ENTITY, OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING~~  
22 ~~COMPANY THEREOF, FOR A PERIOD OF TWO YEARS AFTER THE~~  
23 ~~TERMINATION OF THE EMPLOYMENT RELATING TO THE CONDUCT OF~~  
24 ~~GAMING.~~

25 ~~(2) APPEAR BEFORE THE BOARD IN ANY HEARING OR PROCEEDING~~  
26 ~~OR PARTICIPATE IN ANY OTHER ACTIVITY ON BEHALF OF ANY~~  
27 ~~APPLICANT, LICENSEE, PERMITTEE OR LICENSED ENTITY, OR AN~~  
28 ~~AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY~~  
29 ~~THEREOF, FOR A PERIOD OF TWO YEARS AFTER TERMINATION OF THE~~  
30 ~~EMPLOYMENT. NOTHING SHALL PREVENT A CURRENT OR FORMER TROOPER~~

~~OR EMPLOYEE SUBJECT TO THIS SECTION FROM APPEARING IN ANY PROCEEDING AS A WITNESS WHERE THE EMPLOYEE IS BEING CALLED TO TESTIFY CONCERNING ANY FACT OR INFORMATION OBTAINED DURING THE COURSE OF EMPLOYMENT OR RELATED TO THE PERFORMANCE OF DUTIES WHILE SO EMPLOYED.~~

~~(3) AS A CONDITION OF EMPLOYMENT, AN INDIVIDUAL SUBJECT TO THIS PARAGRAPH SHALL SIGN AN AFFIDAVIT THAT THE INDIVIDUAL WILL NOT ACCEPT EMPLOYMENT WITH OR BE RETAINED BY ANY APPLICANT, LICENSED ENTITY OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY THEREOF FOR A PERIOD OF TWO YEARS FROM THE TERMINATION OF EMPLOYMENT.~~

~~(B) EMPLOYMENT OR RETENTION. AN APPLICANT OR LICENSED ENTITY OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY THEREOF SHALL NOT EMPLOY OR RETAIN AN INDIVIDUAL WHO SIGNED AN AFFIDAVIT REQUIRED BY THIS SUBSECTION. AN APPLICANT OR LICENSED ENTITY OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY THAT KNOWINGLY EMPLOYS OR RETAINS AN INDIVIDUAL IN VIOLATION OF THIS SUBSECTION SHALL BE SUBJECT TO A PENALTY UNDER SECTION 1518(C) (RELATING TO PROHIBITED ACTS; PENALTIES).~~

~~(C) VIOLATION. IF AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF THE BOARD VIOLATES ANY PROVISION OF THIS SECTION, THE EMPLOYING AGENCY OR DEPARTMENT MAY, UPON NOTICE AND HEARING, TERMINATE THE EMPLOYMENT, AND THE PERSON SHALL BE INELIGIBLE FOR FUTURE EMPLOYMENT WITH THE AGENCY OR DEPARTMENT AND SHALL BE PROHIBITED FROM APPLYING FOR A LICENSE OR PERMIT, BECOMING AN INDEPENDENT CONTRACTOR OR REGISTERING AS A LICENSED ENTITY REPRESENTATIVE FOR A PERIOD OF FIVE YEARS FROM THE DATE OF TERMINATION OF THE EMPLOYMENT OR CONTRACT.~~

~~(D) CODE OF CONDUCT. THE PENNSYLVANIA STATE POLICE, ATTORNEY GENERAL, AUDITOR GENERAL AND DEPARTMENT SHALL ADOPT A~~

1 ~~COMPREHENSIVE CODE OF CONDUCT WHICH SHALL SUPPLEMENT ALL OTHER~~  
2 ~~REQUIREMENTS UNDER THIS PART AND 65 PA.C.S. PT. II (RELATING TO~~  
3 ~~ACCOUNTABILITY), AS APPLICABLE, AND SHALL PROVIDE GUIDELINES~~  
4 ~~APPLICABLE TO MEMBERS, EMPLOYEES AND ANY INDEPENDENT CONTRACTORS~~  
5 ~~OF THE AGENCY, DEPARTMENT OR OFFICE WHOSE DUTIES INVOLVE THE~~  
6 ~~ENFORCEMENT OR REGULATION OF GAMING UNDER THIS PART AND THE~~  
7 ~~IMMEDIATE FAMILIES OF THESE MEMBERS, AS DEFINED IN SECTION~~  
8 ~~1202.1(E) (RELATING TO CODE OF CONDUCT), EMPLOYEES AND~~  
9 ~~INDEPENDENT CONTRACTORS TO ENABLE THEM TO AVOID ANY PERCEIVED OR~~  
10 ~~ACTUAL CONFLICT OF INTEREST AND TO PROMOTE PUBLIC CONFIDENCE IN~~  
11 ~~THE INTEGRITY AND IMPARTIALITY OF GAMING ENFORCEMENT AND~~  
12 ~~REGULATION. AT A MINIMUM, THE CODE OF CONDUCT ADOPTED UNDER THIS~~  
13 ~~SECTION SHALL INCLUDE THE RESTRICTIONS APPLICABLE TO THE BOARD~~  
14 ~~UNDER SECTION 1202.1(C), EXCEPT THAT THE RESTRICTIONS UNDER~~  
15 ~~SECTION 1202.1(C) (5) SHALL NOT APPLY TO AN ELECTED ATTORNEY~~  
16 ~~GENERAL OR AUDITOR GENERAL.~~

17 SECTION 14.1. ~~SECTIONS 1513(C) AND 1514(B), (F), (G) AND (H)~~ ←  
18 ~~OF TITLE 4 ARE AMENDED TO READ:~~

19 § 1513. ~~POLITICAL INFLUENCE.~~

20 \* \* \*

21 ~~(C) PENALTIES. THE FIRST VIOLATION OF THIS SECTION BY A~~  
22 ~~LICENSED GAMING ENTITY OR ANY PERSON THAT HOLDS A CONTROLLING~~  
23 ~~INTEREST IN SUCH GAMING ENTITY, OR A SUBSIDIARY COMPANY THEREOF,~~  
24 ~~AND ANY OFFICER, DIRECTOR OR MANAGEMENT LEVEL EMPLOYEE OF SUCH~~  
25 ~~LICENSEE SHALL BE PUNISHABLE BY A FINE OF NOT LESS THAN AN~~  
26 ~~AVERAGE SINGLE DAY'S GROSS TERMINAL REVENUE OF THE LICENSED~~  
27 ~~GAMING ENTITY DERIVED FROM THE OPERATION OF SLOT MACHINES AND~~  
28 ~~GROSS TABLE GAME REVENUE FROM THE OPERATION OF TABLE GAMES IN~~  
29 ~~THIS COMMONWEALTH; A SECOND VIOLATION OF THIS SECTION, WITHIN~~  
30 ~~FIVE YEARS OF THE FIRST VIOLATION, SHALL BE PUNISHABLE BY AT~~

~~1 LEAST A ONE DAY SUSPENSION OF THE LICENSE HELD BY THE LICENSED  
2 GAMING ENTITY AND A FINE NOT LESS THAN AN AVERAGE TWO DAYS'  
3 GROSS REVENUE OF THE LICENSED GAMING ENTITY; A THIRD VIOLATION  
4 OF THIS SECTION WITHIN FIVE YEARS OF THE SECOND VIOLATION SHALL  
5 BE PUNISHABLE BY THE IMMEDIATE REVOCATION OF THE LICENSE HELD BY  
6 THE LICENSED GAMING ENTITY. THE FIRST VIOLATION OF THIS SECTION  
7 BY A MANUFACTURER OR SUPPLIER LICENSED PURSUANT TO THIS PART OR  
8 BY ANY PERSON THAT HOLDS A CONTROLLING INTEREST IN SUCH  
9 MANUFACTURER OR SUPPLIER, OR A SUBSIDIARY COMPANY THEREOF, AND  
10 ANY OFFICER, DIRECTOR OR MANAGEMENT LEVEL EMPLOYEE OF SUCH A  
11 LICENSEE SHALL BE PUNISHABLE BY A FINE OF NOT LESS THAN ONE  
12 DAY'S AVERAGE OF THE GROSS PROFIT FROM SALES MADE BY THE  
13 MANUFACTURER OR SUPPLIER IN PENNSYLVANIA DURING THE PRECEDING  
14 12 MONTH PERIOD OR PORTION THEREOF IN THE EVENT THE MANUFACTURER  
15 OR SUPPLIER HAS NOT OPERATED IN PENNSYLVANIA FOR 12 MONTHS; A  
16 SECOND VIOLATION OF THIS SECTION WITHIN FIVE YEARS OF THE FIRST  
17 VIOLATION SHALL BE PUNISHABLE BY A ONE MONTH SUSPENSION OF THE  
18 LICENSE HELD BY THE MANUFACTURER OR SUPPLIER AND A FINE OF NOT  
19 LESS THAN TWO TIMES ONE DAY'S AVERAGE OF THE GROSS PROFIT FROM  
20 SALES MADE BY THE MANUFACTURER OR SUPPLIER IN PENNSYLVANIA  
21 DURING THE PRECEDING 12 MONTH PERIOD OR PORTION THEREOF IN THE  
22 EVENT THE MANUFACTURER OR SUPPLIER HAS NOT OPERATED IN  
23 PENNSYLVANIA FOR 12 MONTHS. IN NO EVENT SHALL THE FINE IMPOSED  
24 UNDER THIS SECTION BE IN AN AMOUNT LESS THAN \$50,000 FOR EACH  
25 VIOLATION. IN ADDITION TO ANY FINE OR SANCTION THAT MAY BE  
26 IMPOSED BY THE BOARD, ANY PERSON WHO MAKES A CONTRIBUTION IN  
27 VIOLATION OF THIS SECTION COMMITS A MISDEMEANOR OF THE THIRD  
28 DEGREE.~~

~~29 \* \* \*~~

~~30 SECTION 14.1. SECTION 1513 OF TITLE 4 IS REENACTED AND~~



1 ~~AMENDED TO READ:~~

2 ~~§ 1513. POLITICAL INFLUENCE.~~

3 ~~(A) CONTRIBUTION RESTRICTION. THE FOLLOWING PERSONS SHALL~~  
4 ~~BE PROHIBITED FROM CONTRIBUTING ANY MONEY OR IN KIND~~  
5 ~~CONTRIBUTION TO A CANDIDATE FOR NOMINATION OR ELECTION TO ANY~~  
6 ~~PUBLIC OFFICE IN THIS COMMONWEALTH, OR TO ANY POLITICAL PARTY~~  
7 ~~COMMITTEE OR OTHER POLITICAL COMMITTEE IN THIS COMMONWEALTH OR~~  
8 ~~TO ANY GROUP, COMMITTEE OR ASSOCIATION ORGANIZED IN SUPPORT OF A~~  
9 ~~CANDIDATE, POLITICAL PARTY COMMITTEE OR OTHER POLITICAL~~  
10 ~~COMMITTEE IN THIS COMMONWEALTH:~~

11 ~~(1) AN APPLICANT FOR A SLOT MACHINE LICENSE,~~  
12 ~~MANUFACTURER LICENSE, SUPPLIER LICENSE, PRINCIPAL LICENSE,~~  
13 ~~KEY EMPLOYEE LICENSE OR HORSE OR HARNESS RACING LICENSE.~~

14 ~~(2) A SLOT MACHINE LICENSEE, LICENSED MANUFACTURER,~~  
15 ~~LICENSED SUPPLIER OR LICENSED RACING ENTITY.~~

16 ~~(3) A LICENSED PRINCIPAL OR LICENSED KEY EMPLOYEE OF A~~  
17 ~~SLOT MACHINE LICENSEE, LICENSED MANUFACTURER, LICENSED~~  
18 ~~SUPPLIER OR LICENSED RACING ENTITY.~~

19 ~~(4) AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING~~  
20 ~~COMPANY OF A SLOT MACHINE LICENSEE, LICENSED MANUFACTURER,~~  
21 ~~LICENSED SUPPLIER OR LICENSED RACING ENTITY.~~

22 ~~(5) A LICENSED PRINCIPAL OR LICENSED KEY EMPLOYEE OF AN~~  
23 ~~AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF A~~  
24 ~~SLOT MACHINE LICENSEE, LICENSED MANUFACTURER, LICENSED~~  
25 ~~SUPPLIER OR LICENSED RACING ENTITY.~~

26 ~~(6) A PERSON WHO HOLDS A SIMILAR GAMING LICENSE IN~~  
27 ~~ANOTHER JURISDICTION AND THE AFFILIATES, INTERMEDIARIES,~~  
28 ~~SUBSIDIARIES, HOLDING COMPANIES, PRINCIPALS OR KEY EMPLOYEES~~  
29 ~~THEREOF.~~

30 ~~(A.1) CONTRIBUTIONS TO CERTAIN ASSOCIATIONS AND~~

1 ~~ORGANIZATIONS BARRED. THE INDIVIDUALS PROHIBITED FROM MAKING~~  
2 ~~POLITICAL CONTRIBUTIONS UNDER SUBSECTION (A) SHALL NOT MAKE A~~  
3 ~~POLITICAL CONTRIBUTION OF MONEY OR AN IN KIND CONTRIBUTION TO~~  
4 ~~ANY ASSOCIATION OR ORGANIZATION, INCLUDING A NONPROFIT~~  
5 ~~ORGANIZATION, THAT HAS BEEN SOLICITED BY, OR KNOWING THAT THE~~  
6 ~~CONTRIBUTION OR A PORTION THEREOF WILL BE CONTRIBUTED TO, THE~~  
7 ~~ELECTED OFFICIAL, EXECUTIVE LEVEL PUBLIC EMPLOYEE OR CANDIDATE~~  
8 ~~FOR NOMINATION OR ELECTION TO A PUBLIC OFFICE IN THIS~~  
9 ~~COMMONWEALTH.~~

10 ~~(A.2) INTERNET WEBSITE.~~

11 ~~(1) THE BOARD SHALL ESTABLISH AN INTERNET WEBSITE THAT~~  
12 ~~INCLUDES A LIST OF ALL APPLICANTS FOR AND HOLDERS OF A SLOT~~  
13 ~~MACHINE LICENSE, MANUFACTURER LICENSE, SUPPLIER LICENSE OR~~  
14 ~~RACING ENTITY LICENSE, AND THE AFFILIATES, INTERMEDIARIES,~~  
15 ~~SUBSIDIARIES, HOLDING COMPANIES, PRINCIPALS AND KEY EMPLOYEES~~  
16 ~~THEREOF, ALL PERSONS HOLDING A SIMILAR GAMING LICENSE IN~~  
17 ~~ANOTHER JURISDICTION, AND THE AFFILIATES, INTERMEDIARIES,~~  
18 ~~SUBSIDIARIES, HOLDING COMPANIES, PRINCIPALS AND KEY EMPLOYEES~~  
19 ~~THEREOF, AND ANY OTHER ENTITY IN WHICH THE APPLICANT OR~~  
20 ~~LICENSEE HAS ANY DEBT OR EQUITY SECURITY OR OTHER OWNERSHIP~~  
21 ~~OR PROFITS INTEREST. AN APPLICANT OR LICENSEE SHALL NOTIFY~~  
22 ~~THE BOARD WITHIN SEVEN DAYS OF THE DISCOVERY OF ANY CHANGE IN~~  
23 ~~OR ADDITION TO THE INFORMATION. THE LIST SHALL BE PUBLISHED~~  
24 ~~SEMIANNUALLY IN THE PENNSYLVANIA BULLETIN.~~

25 ~~(2) AN INDIVIDUAL WHO ACTS IN GOOD FAITH AND IN RELIANCE~~  
26 ~~ON THE INFORMATION ON THE INTERNET WEBSITE SHALL NOT BE~~  
27 ~~SUBJECT TO ANY PENALTIES OR LIABILITY IMPOSED FOR A VIOLATION~~  
28 ~~OF THIS SECTION.~~

29 ~~(3) THE BOARD SHALL REQUEST THE INFORMATION REQUIRED~~  
30 ~~UNDER PARAGRAPH (1) FROM PERSONS LICENSED IN ANOTHER~~

1       ~~JURISDICTION WHO DO NOT HOLD A LICENSE IN THIS COMMONWEALTH-~~  
2       ~~AND FROM REGULATORY AGENCIES IN THE OTHER JURISDICTION. IF A~~  
3       ~~LICENSEE IN ANOTHER JURISDICTION REFUSES TO PROVIDE THE-~~  
4       ~~INFORMATION REQUIRED UNDER PARAGRAPH (1), THE PERSON AND ITS-~~  
5       ~~OFFICERS, DIRECTORS OR PERSONS WITH A CONTROLLING INTEREST-~~  
6       ~~SHALL BE INELIGIBLE TO RECEIVE ANY LICENSE UNDER THIS PART.~~

7       ~~(B) ANNUAL CERTIFICATION. THE CHIEF EXECUTIVE OFFICER, OR~~  
8       ~~OTHER APPROPRIATE INDIVIDUAL, OF EACH APPLICANT FOR A SLOT-~~  
9       ~~MACHINE LICENSE, MANUFACTURER LICENSE OR SUPPLIER LICENSE,~~  
10       ~~LICENSED RACING ENTITY, LICENSED SUPPLIER, LICENSED MANUFACTURER-~~  
11       ~~OR LICENSED GAMING ENTITY SHALL ANNUALLY CERTIFY UNDER OATH TO~~  
12       ~~THE BOARD AND THE DEPARTMENT OF STATE THAT SUCH APPLICANT OR~~  
13       ~~LICENSED RACING ENTITY, LICENSED SUPPLIER, LICENSED MANUFACTURER-~~  
14       ~~OR LICENSED GAMING ENTITY HAS DEVELOPED AND IMPLEMENTED INTERNAL-~~  
15       ~~SAFEGUARDS AND POLICIES INTENDED TO PREVENT A VIOLATION OF THIS~~  
16       ~~PROVISION AND THAT SUCH APPLICANT OR LICENSED RACING ENTITY OR~~  
17       ~~LICENSED GAMING ENTITY HAS CONDUCTED A GOOD FAITH INVESTIGATION-~~  
18       ~~THAT HAS NOT REVEALED ANY VIOLATION OF THIS PROVISION DURING THE~~  
19       ~~PAST YEAR.~~

20       ~~(C) PENALTIES. THE FIRST VIOLATION OF THIS SECTION BY A~~  
21       ~~LICENSED GAMING ENTITY OR ANY PERSON THAT HOLDS A CONTROLLING-~~  
22       ~~INTEREST IN SUCH GAMING ENTITY, OR A SUBSIDIARY COMPANY THEREOF,~~  
23       ~~AND ANY OFFICER, DIRECTOR OR MANAGEMENT LEVEL EMPLOYEE OF SUCH~~  
24       ~~LICENSEE SHALL BE PUNISHABLE BY A FINE OF NOT LESS THAN AN~~  
25       ~~AVERAGE SINGLE DAY'S GROSS TERMINAL REVENUE OF THE LICENSED~~  
26       ~~GAMING ENTITY DERIVED FROM THE OPERATION OF SLOT MACHINES AND~~  
27       ~~GROSS TABLE GAME REVENUE FROM THE OPERATION OF TABLE GAMES IN~~  
28       ~~THIS COMMONWEALTH; A SECOND VIOLATION OF THIS SECTION, WITHIN~~  
29       ~~FIVE YEARS OF THE FIRST VIOLATION, SHALL BE PUNISHABLE BY AT~~  
30       ~~LEAST A ONE DAY SUSPENSION OF THE LICENSE HELD BY THE LICENSED-~~

~~1 GAMING ENTITY AND A FINE NOT LESS THAN AN AVERAGE TWO DAYS'  
2 GROSS REVENUE OF THE LICENSED GAMING ENTITY; A THIRD VIOLATION  
3 OF THIS SECTION WITHIN FIVE YEARS OF THE SECOND VIOLATION SHALL  
4 BE PUNISHABLE BY THE IMMEDIATE REVOCATION OF THE LICENSE HELD BY  
5 THE LICENSED GAMING ENTITY. THE FIRST VIOLATION OF THIS SECTION  
6 BY A MANUFACTURER OR SUPPLIER LICENSED PURSUANT TO THIS PART OR  
7 BY ANY PERSON THAT HOLDS A CONTROLLING INTEREST IN SUCH  
8 MANUFACTURER OR SUPPLIER, OR A SUBSIDIARY COMPANY THEREOF, AND  
9 ANY OFFICER, DIRECTOR OR MANAGEMENT LEVEL EMPLOYEE OF SUCH A  
10 LICENSEE SHALL BE PUNISHABLE BY A FINE OF NOT LESS THAN ONE  
11 DAY'S AVERAGE OF THE GROSS PROFIT FROM SALES MADE BY THE  
12 MANUFACTURER OR SUPPLIER IN PENNSYLVANIA DURING THE PRECEDING  
13 12 MONTH PERIOD OR PORTION THEREOF IN THE EVENT THE MANUFACTURER  
14 OR SUPPLIER HAS NOT OPERATED IN PENNSYLVANIA FOR 12 MONTHS; A  
15 SECOND VIOLATION OF THIS SECTION WITHIN FIVE YEARS OF THE FIRST  
16 VIOLATION SHALL BE PUNISHABLE BY A ONE MONTH SUSPENSION OF THE  
17 LICENSE HELD BY THE MANUFACTURER OR SUPPLIER AND A FINE OF NOT  
18 LESS THAN TWO TIMES ONE DAY'S AVERAGE OF THE GROSS PROFIT FROM  
19 SALES MADE BY THE MANUFACTURER OR SUPPLIER IN PENNSYLVANIA  
20 DURING THE PRECEDING 12 MONTH PERIOD OR PORTION THEREOF IN THE  
21 EVENT THE MANUFACTURER OR SUPPLIER HAS NOT OPERATED IN  
22 PENNSYLVANIA FOR 12 MONTHS. IN NO EVENT SHALL THE FINE IMPOSED  
23 UNDER THIS SECTION BE IN AN AMOUNT LESS THAN \$50,000 FOR EACH  
24 VIOLATION. IN ADDITION TO ANY FINE OR SANCTION THAT MAY BE  
25 IMPOSED BY THE BOARD, ANY PERSON WHO MAKES A CONTRIBUTION IN  
26 VIOLATION OF THIS SECTION COMMITS A MISDEMEANOR OF THE THIRD  
27 DEGREE.~~

~~28 (D) DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING  
29 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
30 SUBSECTION:~~

1       ~~"CONTRIBUTION." ANY PAYMENT, GIFT, SUBSCRIPTION, ASSESSMENT,~~  
2 ~~CONTRACT, PAYMENT FOR SERVICES, DUES, LOAN, FORBEARANCE, ADVANCE~~  
3 ~~OR DEPOSIT OF MONEY OR ANY VALUABLE THING MADE TO A CANDIDATE OR~~  
4 ~~POLITICAL COMMITTEE FOR THE PURPOSE OF INFLUENCING ANY ELECTION~~  
5 ~~IN THIS COMMONWEALTH OR FOR PAYING DEBTS INCURRED BY OR FOR A~~  
6 ~~CANDIDATE OR COMMITTEE BEFORE OR AFTER ANY ELECTION. THE TERM~~  
7 ~~SHALL INCLUDE THE PURCHASE OF TICKETS FOR EVENTS INCLUDING~~  
8 ~~DINNERS, LUNCHEONS, RALLIES AND OTHER FUNDRAISING EVENTS; THE~~  
9 ~~GRANTING OF DISCOUNTS OR REBATES NOT AVAILABLE TO THE GENERAL~~  
10 ~~PUBLIC; OR THE GRANTING OF DISCOUNTS OR REBATES BY TELEVISION~~  
11 ~~AND RADIO STATIONS AND NEWSPAPERS NOT EXTENDED ON AN EQUAL BASIS~~  
12 ~~TO ALL CANDIDATES FOR THE SAME OFFICE; AND ANY PAYMENTS PROVIDED~~  
13 ~~FOR THE BENEFIT OF ANY CANDIDATE, INCLUDING PAYMENTS FOR THE~~  
14 ~~SERVICES OF A PERSON SERVING AS AN AGENT OF A CANDIDATE OR~~  
15 ~~COMMITTEE BY A PERSON OTHER THAN THE CANDIDATE OR COMMITTEE OR~~  
16 ~~PERSON WHOSE EXPENDITURES THE CANDIDATE OR COMMITTEE MUST~~  
17 ~~REPORT. THE TERM ALSO INCLUDES ANY RECEIPT OR USE OF ANYTHING OF~~  
18 ~~VALUE RECEIVED BY A POLITICAL COMMITTEE FROM ANOTHER POLITICAL~~  
19 ~~COMMITTEE AND ALSO INCLUDES ANY RETURN ON INVESTMENTS BY A~~  
20 ~~POLITICAL COMMITTEE.~~

21       ~~"POLITICAL COMMITTEE." ANY COMMITTEE, CLUB, ASSOCIATION OR~~  
22 ~~OTHER GROUP OF PERSONS WHICH RECEIVES CONTRIBUTIONS OR MAKES~~  
23 ~~EXPENDITURES.~~

24       ~~SECTION 14.2. SECTION 1514(B), (F), (G) AND (H) OF TITLE 4~~  
25 ~~ARE AMENDED TO READ:~~

26       ~~§ 1514. REGULATION REQUIRING EXCLUSION OF CERTAIN PERSONS.~~

27       ~~\* \* \*~~

28       ~~(B) CATEGORIES TO BE DEFINED. THE BOARD SHALL PROMULGATE~~  
29 ~~DEFINITIONS ESTABLISHING THOSE CATEGORIES OF PERSONS WHO SHALL~~  
30 ~~BE EXCLUDED PURSUANT TO THIS SECTION, INCLUDING CHEATS AND~~

1 ~~PERSONS WHOSE PRIVILEGES FOR LICENSURE, CERTIFICATION, PERMIT OR~~  
2 ~~REGISTRATION HAVE BEEN REVOKED.~~

3 ~~\* \* \*~~

4 ~~(F) NOTICE. WHENEVER THE [BOARD PLACES] BUREAU SEEKS TO~~  
5 ~~PLACE THE NAME OF ANY PERSON ON A LIST PURSUANT TO THIS SECTION,~~  
6 ~~THE [BOARD] BUREAU SHALL SERVE NOTICE OF THIS FACT TO SUCH~~  
7 ~~PERSON BY PERSONAL SERVICE OR CERTIFIED MAIL AT THE LAST KNOWN~~  
8 ~~ADDRESS OF THE PERSON. THE NOTICE SHALL INFORM THE INDIVIDUAL OF~~  
9 ~~THE RIGHT TO REQUEST A HEARING UNDER SUBSECTION (G).~~

10 ~~(G) HEARING. WITHIN 30 DAYS AFTER RECEIPT OF NOTICE IN~~  
11 ~~ACCORDANCE WITH SUBSECTION (F), THE PERSON NAMED FOR EXCLUSION~~  
12 ~~OR EJECTION MAY DEMAND A HEARING BEFORE THE BOARD, AT WHICH~~  
13 ~~HEARING THE [BOARD] BUREAU SHALL HAVE THE AFFIRMATIVE OBLIGATION~~  
14 ~~TO DEMONSTRATE THAT THE PERSON NAMED FOR EXCLUSION OR EJECTION~~  
15 ~~SATISFIES THE CRITERIA FOR EXCLUSION ESTABLISHED BY THIS SECTION~~  
16 ~~AND THE BOARD'S REGULATIONS. FAILURE OF THE PERSON TO DEMAND A~~  
17 ~~HEARING WITHIN 30 DAYS AFTER SERVICE SHALL BE DEEMED AN~~  
18 ~~ADMISSION OF ALL MATTERS AND FACTS ALLEGED IN THE [BOARD'S]~~  
19 ~~BUREAU'S NOTICE AND SHALL PRECLUDE [A] THE PERSON FROM HAVING AN~~  
20 ~~ADMINISTRATIVE HEARING, BUT SHALL IN NO WAY AFFECT THE RIGHT TO~~  
21 ~~JUDICIAL REVIEW AS PROVIDED IN THIS SECTION.~~

22 ~~(H) REVIEW. IF, UPON COMPLETION OF A HEARING ON THE NOTICE~~  
23 ~~OF EXCLUSION OR EJECTION, THE BOARD DETERMINES THAT PLACEMENT OF~~  
24 ~~THE NAME OF THE PERSON ON THE EXCLUSION LIST IS APPROPRIATE, THE~~  
25 ~~BOARD SHALL MAKE AND ENTER AN ORDER TO THAT EFFECT, WHICH ORDER~~  
26 ~~SHALL BE SERVED ON ALL [SLOT MACHINE LICENSEES] LICENSED GAMING~~  
27 ~~ENTITIES. THE ORDER SHALL BE SUBJECT TO REVIEW BY THE~~  
28 ~~COMMONWEALTH COURT IN ACCORDANCE WITH THE RULES OF COURT.~~

29 ~~SECTION 14.2. TITLE 4 IS AMENDED BY ADDING A SECTION TO~~  
30 ~~READ:~~

1 ~~§ 1516.1. PROSECUTORIAL AND ADJUDICATORY FUNCTIONS.~~

2 ~~THE BOARD SHALL ADOPT REGULATIONS AND PROCEDURES NECESSARY TO~~  
3 ~~ENSURE THAT THE BUREAU OF INVESTIGATIONS AND ENFORCEMENT IS A~~  
4 ~~DISTINCT ENTITY AND TO PREVENT COMMINGLING OF THE INVESTIGATORY~~  
5 ~~AND PROSECUTORIAL FUNCTIONS OF THE BUREAU OF INVESTIGATIONS AND~~  
6 ~~ENFORCEMENT UNDER SECTION 1517 (RELATING TO INVESTIGATIONS AND~~  
7 ~~ENFORCEMENT) AND THE ADJUDICATORY FUNCTIONS OF THE BOARD.~~  
8 ~~REGULATIONS AND PROCEDURES UNDER THIS SECTION SHALL DO ALL OF~~ ←  
9 ~~THE FOLLOWING:~~

10 ~~(1) PROVIDE THAT THE EXECUTIVE DIRECTOR AND THE CHIEF~~  
11 ~~COUNSEL OF THE BOARD SHALL NOT DIRECT OR LIMIT THE SCOPE OF A~~  
12 ~~BACKGROUND INVESTIGATION CONDUCTED BY THE BUREAU.~~

13 ~~(2) INCORPORATE SUBSECTION (C.1), ON PROHIBITIONS, OF~~  
14 ~~SECTION 1202.1(C.1) (RELATING TO CODE OF CONDUCT) AND ANY~~  
15 ~~OTHER APPLICABLE PROVISIONS OF SECTION 1202.1.~~

16 SECTION 15. SECTION 1517(A.1)(6), (B)(1), (C)(12) AND (E)(1)  
17 OF TITLE 4 ARE AMENDED, SUBSECTION (A.2)(1) IS AMENDED BY ADDING  
18 A SUBPARAGRAPH AND SUBSECTION (C) IS AMENDED BY ADDING A ←  
19 PARAGRAPH PARAGRAPHS TO READ: ←

20 ~~§ 1517. INVESTIGATIONS AND ENFORCEMENT.~~

21 ~~\* \* \*~~

22 ~~(A.1) POWERS AND DUTIES OF BUREAU. THE BUREAU OF~~  
23 ~~INVESTIGATIONS AND ENFORCEMENT SHALL HAVE THE FOLLOWING POWERS~~  
24 ~~AND DUTIES:~~

25 ~~\* \* \*~~

26 ~~(6) CONDUCT [AUDITS] REVIEWS OF A LICENSED ENTITY AS~~  
27 ~~NECESSARY TO ENSURE COMPLIANCE WITH THIS PART. [AN AUDIT] A~~  
28 ~~REVIEW MAY INCLUDE THE REVIEW OF ACCOUNTING, ADMINISTRATIVE~~  
29 ~~AND FINANCIAL RECORDS, MANAGEMENT CONTROL SYSTEMS, PROCEDURES~~  
30 ~~AND OTHER RECORDS UTILIZED BY A LICENSED ENTITY.~~

1           \* \* \*

2       ~~(A.2) OFFICE OF ENFORCEMENT COUNSEL.~~

3           ~~(1) THERE IS ESTABLISHED WITHIN THE BUREAU AN OFFICE OF~~  
4       ~~ENFORCEMENT COUNSEL WHICH SHALL ACT AS THE PROSECUTOR IN ALL~~  
5       ~~NONCRIMINAL ENFORCEMENT ACTIONS INITIATED BY THE BUREAU UNDER~~  
6       ~~THIS PART AND SHALL HAVE THE FOLLOWING POWERS AND DUTIES:~~

7           \* \* \*

8           ~~(IV) PETITION THE BOARD FOR THE APPOINTMENT OF A~~  
9       ~~TRUSTEE UNDER SECTION 1332 (RELATING TO APPOINTMENT OF~~  
10       ~~TRUSTEE).~~

11          \* \* \*

12       ~~(B) POWERS AND DUTIES OF DEPARTMENT.~~

13           ~~(1) THE DEPARTMENT SHALL AT ALL TIMES HAVE THE POWER OF~~  
14       ~~ACCESS TO EXAMINATION AND AUDIT OF ANY EQUIPMENT AND RECORDS~~  
15       ~~RELATING TO ALL ASPECTS OF THE OPERATION OF SLOT MACHINES OR~~  
16       ~~TABLE GAMES UNDER THIS PART.~~

17          \* \* \*

18       ~~(C) POWERS AND DUTIES OF THE PENNSYLVANIA STATE POLICE. THE~~  
19       ~~PENNSYLVANIA STATE POLICE SHALL HAVE THE FOLLOWING POWERS AND~~  
20       ~~DUTIES:~~

21          \* \* \*

22           ~~(1.1) PROMPTLY CONDUCT A BACKGROUND INVESTIGATION ON AN~~ ←  
23       ~~INDIVIDUAL SELECTED BY THE BOARD TO FILL THE POSITION OF~~  
24       ~~EXECUTIVE DIRECTOR OF THE BOARD, DIRECTOR OF THE BUREAU,~~  
25       ~~CHIEF COUNSEL OF THE BOARD OR THE DIRECTOR OF THE OFFICE OF~~  
26       ~~ENFORCEMENT COUNSEL AND SUBMIT THE RESULTS TO THE BOARD.~~

27          \* \* \*

28           ~~(12) CONDUCT AUDITS OR VERIFICATION OF INFORMATION OF~~  
29       ~~SLOT MACHINE OR TABLE GAME OPERATIONS AT SUCH TIMES, UNDER~~  
30       ~~SUCH CIRCUMSTANCES AND TO SUCH EXTENT AS THE BUREAU~~

1 ~~DETERMINES. THIS PARAGRAPH INCLUDES REVIEWS OF ACCOUNTING,~~  
2 ~~ADMINISTRATIVE AND FINANCIAL RECORDS AND MANAGEMENT CONTROL~~  
3 ~~SYSTEMS, PROCEDURES AND RECORDS UTILIZED BY A SLOT MACHINE~~  
4 ~~LICENSEE.~~

5 \* \* \*

6 ~~(14) BY MARCH 1 OF EACH YEAR, THE COMMISSIONER OF THE~~  
7 ~~PENNSYLVANIA STATE POLICE SHALL SUBMIT A REPORT TO THE~~  
8 ~~APPROPRIATIONS COMMITTEE OF THE SENATE, THE COMMUNITY,~~  
9 ~~ECONOMIC AND RECREATIONAL DEVELOPMENT COMMITTEE OF THE~~  
10 ~~SENATE, THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF~~  
11 ~~REPRESENTATIVES AND THE GAMING OVERSIGHT COMMITTEE OF THE~~  
12 ~~HOUSE OF REPRESENTATIVES. THE REPORT SHALL SUMMARIZE LAW~~  
13 ~~ENFORCEMENT ACTIVITIES AT EACH LICENSED FACILITY DURING THE~~  
14 ~~PREVIOUS CALENDAR YEAR AND SHALL INCLUDE ALL OF THE~~  
15 ~~FOLLOWING:~~

16 ~~(I) THE NUMBER OF ARRESTS AT EACH LICENSED FACILITY.~~

17 ~~(II) A LIST OF SPECIFIC OFFENSES CHARGED FOR EACH~~  
18 ~~OFFENSE.~~

19 ~~(III) THE NUMBER OF CRIMINAL PROSECUTIONS RESULTING~~  
20 ~~FROM ARRESTS.~~

21 ~~(IV) THE NUMBER OF CONVICTIONS RESULTING FROM~~  
22 ~~PROSECUTIONS.~~

23 ~~(V) THE NUMBER OF PENNSYLVANIA STATE POLICE TROOPERS~~  
24 ~~ASSIGNED TO EACH LICENSED FACILITY AND TO THE GAMING UNIT~~  
25 ~~AT THE PENNSYLVANIA STATE POLICE HEADQUARTERS.~~

26 ~~(VI) THE NUMBER AND NATURE OF DISCIPLINARY ACTIONS~~ ←  
27 ~~TAKEN AND COMPLAINTS MADE AGAINST PENNSYLVANIA STATE~~  
28 ~~POLICE TROOPERS IN A LICENSED FACILITY.~~

29 ~~(VII) THE CLOSEST LOCAL POLICE STATION, PENNSYLVANIA~~  
30 ~~STATE POLICE STATION AND REGIONAL PENNSYLVANIA STATE~~

~~POLICE HEADQUARTERS TO EACH LICENSED FACILITY.~~

~~\* \* \*~~

~~(E) INSPECTION, SEIZURE AND WARRANTS.~~

~~(1) THE BUREAU, THE DEPARTMENT AND THE PENNSYLVANIA STATE POLICE SHALL HAVE THE AUTHORITY WITHOUT NOTICE AND WITHOUT WARRANT TO DO ALL OF THE FOLLOWING IN THE PERFORMANCE OF THEIR DUTIES:~~

~~(I) INSPECT AND EXAMINE ALL PREMISES WHERE SLOT MACHINE OR TABLE GAME OPERATIONS ARE CONDUCTED, GAMING DEVICES OR EQUIPMENT ARE MANUFACTURED, SOLD, DISTRIBUTED OR SERVICED OR WHERE RECORDS OF THESE ACTIVITIES ARE PREPARED OR MAINTAINED.~~

~~(II) INSPECT ALL EQUIPMENT AND SUPPLIES IN, ABOUT, UPON OR AROUND PREMISES REFERRED TO IN SUBPARAGRAPH (I).~~

~~(III) SEIZE, SUMMARILY REMOVE AND IMPOUND EQUIPMENT AND SUPPLIES FROM PREMISES REFERRED TO IN SUBPARAGRAPH (I) FOR THE PURPOSES OF EXAMINATION AND INSPECTION.~~

~~(IV) INSPECT, EXAMINE AND AUDIT ALL BOOKS, RECORDS AND DOCUMENTS PERTAINING TO A SLOT MACHINE LICENSEE'S OPERATION.~~

~~(V) SEIZE, IMPOUND OR ASSUME PHYSICAL CONTROL OF ANY BOOK, RECORD, LEDGER, GAME, DEVICE, CASH BOX AND ITS CONTENTS, COUNTING ROOM OR ITS EQUIPMENT OR SLOT MACHINE OR TABLE GAME OPERATIONS.~~

~~\* \* \*~~

~~SECTION 16. SECTION 1517.2 OF TITLE 4 IS AMENDED TO READ:  
§ 1517.2. CONDUCT OF [PUBLIC OFFICIALS AND] BOARD EMPLOYEES.~~

~~(A) [EX PARTE DISCUSSION PROHIBITED. AN ATTORNEY REPRESENTING THE BUREAU OR THE OFFICE OF ENFORCEMENT COUNSEL, OR AN EMPLOYEE OF THE BUREAU OR OFFICE INVOLVED IN THE HEARING~~

1 ~~PROCESS, SHALL NOT DISCUSS THE CASE EX PARTE WITH A HEARING~~  
2 ~~OFFICER, CHIEF COUNSEL OR MEMBER] (RESERVED).~~

3 ~~(B) [OTHER PROHIBITIONS. A HEARING OFFICER, THE CHIEF~~  
4 ~~COUNSEL OR A MEMBER SHALL NOT DISCUSS OR EXERCISE ANY~~  
5 ~~SUPERVISORY RESPONSIBILITY OVER ANY EMPLOYEE WITH RESPECT TO AN~~  
6 ~~ENFORCEMENT HEARING WITH WHICH THE EMPLOYEE IS INVOLVED]~~  
7 ~~(RESERVED).~~

8 ~~(C) DISQUALIFICATION. IF IT BECOMES NECESSARY FOR THE CHIEF~~  
9 ~~COUNSEL OR MEMBER TO BECOME INVOLVED ON BEHALF OF THE BOARD IN~~  
10 ~~ANY ENFORCEMENT PROCEEDING, THE CHIEF COUNSEL OR MEMBER SHALL BE~~  
11 ~~PROHIBITED FROM PARTICIPATING IN THE ADJUDICATION OF THAT MATTER~~  
12 ~~AND SHALL DESIGNATE APPROPRIATE INDIVIDUALS TO EXERCISE~~  
13 ~~ADJUDICATORY FUNCTIONS.~~

14 ~~SECTION 16.1. SECTION 1518 (A) (2), (3), (4), (5), (7), (8),~~  
15 ~~(11) AND (13) AND (C) (1) (V) AND (3) OF TITLE 4 ARE AMENDED,~~  
16 ~~SUBSECTIONS (A) AND (B) ARE AMENDED BY ADDING PARAGRAPHS AND THE~~  
17 ~~SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:~~

18 ~~§ 1518. PROHIBITED ACTS; PENALTIES.~~

19 ~~(A) CRIMINAL OFFENSES.~~

20 ~~\* \* \*~~

21 ~~(2) IT SHALL BE UNLAWFUL FOR A PERSON TO WILLFULLY:~~

22 ~~(I) FAIL TO REPORT, PAY OR TRUTHFULLY ACCOUNT FOR~~  
23 ~~AND PAY OVER ANY LICENSE FEE, AUTHORIZATION FEE, TAX OR~~  
24 ~~ASSESSMENT IMPOSED UNDER THIS PART; OR~~

25 ~~(II) ATTEMPT IN ANY MANNER TO EVADE OR DEFEAT ANY~~  
26 ~~LICENSE FEE, AUTHORIZATION FEE, TAX OR ASSESSMENT IMPOSED~~  
27 ~~UNDER THIS PART.~~

28 ~~(3) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY, GAMING~~  
29 ~~EMPLOYEE, KEY EMPLOYEE OR ANY OTHER PERSON TO PERMIT A SLOT~~  
30 ~~MACHINE, TABLE GAME OR TABLE GAME DEVICE TO BE OPERATED,~~

1 ~~TRANSPORTED, REPAIRED OR OPENED ON THE PREMISES OF A LICENSED~~  
2 ~~FACILITY BY A PERSON OTHER THAN A PERSON LICENSED OR~~  
3 ~~PERMITTED BY THE BOARD PURSUANT TO THIS PART.~~

4 ~~(4) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY OR~~  
5 ~~OTHER PERSON TO MANUFACTURE, SUPPLY OR PLACE SLOT MACHINES,~~  
6 ~~TABLE GAMES OR TABLE GAME DEVICES INTO PLAY OR DISPLAY SLOT~~  
7 ~~MACHINES, TABLE GAMES OR TABLE GAME DEVICES ON THE PREMISE OF~~  
8 ~~A LICENSED FACILITY WITHOUT THE AUTHORITY OF THE BOARD.~~

9 ~~(5) EXCEPT AS PROVIDED FOR IN SECTION 1326 (RELATING TO~~  
10 ~~LICENSE RENEWALS), IT SHALL BE UNLAWFUL FOR A LICENSED ENTITY~~  
11 ~~OR OTHER PERSON TO MANUFACTURE, SUPPLY, OPERATE, CARRY ON OR~~  
12 ~~EXPOSE FOR PLAY ANY SLOT MACHINE, TABLE GAME OR TABLE GAME~~  
13 ~~DEVICE AFTER THE PERSON'S LICENSE HAS EXPIRED AND PRIOR TO~~  
14 ~~THE ACTUAL RENEWAL OF THE LICENSE.~~

15 ~~\* \* \*~~

16 ~~(7) (I) EXCEPT AS SET FORTH IN SUBPARAGRAPH (II), IT~~  
17 ~~SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO USE OR POSSESS A~~  
18 ~~CHEATING OR THIEVING DEVICE, COUNTERFEIT OR ALTERED~~  
19 ~~BILLET, TICKET, TOKEN OR SIMILAR OBJECTS ACCEPTED BY A~~  
20 ~~SLOT MACHINE OR COUNTERFEIT OR ALTERED SLOT MACHINE~~  
21 ~~ISSUED TICKETS OR VOUCHERS AT A LICENSED FACILITY.~~

22 ~~(II) AN AUTHORIZED EMPLOYEE OF A LICENSEE OR AN~~  
23 ~~EMPLOYEE OF THE BOARD MAY POSSESS AND USE A CHEATING OR~~  
24 ~~THIEVING DEVICE, COUNTERFEIT OR ALTERED BILLET, TICKET,~~  
25 ~~TOKEN OR SIMILAR OBJECTS ACCEPTED BY A SLOT MACHINE OR~~  
26 ~~COUNTERFEIT OR ALTERED SLOT MACHINE ISSUED TICKETS OR~~  
27 ~~VOUCHERS IN PERFORMANCE OF THE DUTIES OF EMPLOYMENT.~~

28 ~~[(III) AS USED IN THIS PARAGRAPH, THE TERM "CHEATING~~  
29 ~~OR THIEVING DEVICE" INCLUDES, BUT IS NOT LIMITED TO, A~~  
30 ~~DEVICE TO FACILITATE THE ALIGNMENT OF ANY WINNING~~

1 ~~COMBINATION OR TO REMOVE FROM ANY SLOT MACHINE MONEY OR~~  
2 ~~OTHER CONTENTS. THE TERM INCLUDES, BUT IS NOT LIMITED TO,~~  
3 ~~A TOOL, DRILL, WIRE, COIN OR TOKEN ATTACHED TO A STRING~~  
4 ~~OR WIRE AND ANY ELECTRONIC OR MAGNETIC DEVICE.]~~

5 ~~(7.1) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO DO ANY~~  
6 ~~OF THE FOLLOWING:~~

7 ~~(I) USE OR POSSESS COUNTERFEIT, MARKED, LOADED,~~  
8 ~~TAMPERED WITH OR ALTERED CHIPS OR OTHER CHEATING DEVICES~~  
9 ~~IN THE CONDUCT OF GAMING UNDER THIS PART, EXCEPT THAT AN~~  
10 ~~AUTHORIZED EMPLOYEE OF A LICENSEE OR AN AUTHORIZED~~  
11 ~~EMPLOYEE OF THE BOARD MAY POSSESS AND USE COUNTERFEIT~~  
12 ~~CHIPS, CARDS OR DICE THAT HAVE BEEN MARKED, LOADED OR~~  
13 ~~TAMPERED WITH, OR OTHER CHEATING DEVICES IN PERFORMANCE~~  
14 ~~OF THE DUTIES OF EMPLOYMENT FOR TRAINING OR TESTING~~  
15 ~~PURPOSES ONLY.~~

16 ~~(II) KNOWINGLY, BY A TRICK OR SLEIGHT OF HAND~~  
17 ~~PERFORMANCE OR BY FRAUD OR FRAUDULENT SCHEME, CARDS, DICE~~  
18 ~~OR DEVICE, FOR THEMSELVES OR FOR ANOTHER, WIN OR ATTEMPT~~  
19 ~~TO WIN MONEY OR PROPERTY AT A LICENSED FACILITY OR A~~  
20 ~~REPRESENTATION OF EITHER OR REDUCE OR ATTEMPT TO REDUCE A~~  
21 ~~LOSING WAGER.~~

22 ~~(8) (I) EXCEPT AS SET FORTH IN SUBPARAGRAPH (II), IT~~  
23 ~~SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO KNOWINGLY POSSESS~~  
24 ~~OR USE WHILE ON THE PREMISES OF A LICENSED FACILITY A KEY~~  
25 ~~OR DEVICE DESIGNED FOR THE PURPOSE OF AND SUITABLE FOR~~  
26 ~~OPENING OR ENTERING ANY SLOT MACHINE, DROP BOX OR COIN~~  
27 ~~BOX WHICH IS LOCATED ON THE PREMISES OF THE LICENSED~~  
28 ~~FACILITY.~~

29 ~~(II) AN AUTHORIZED EMPLOYEE OF A LICENSEE OR A~~  
30 ~~MEMBER OF THE BOARD MAY POSSESS AND USE A DEVICE REFERRED~~

1           ~~TO IN SUBPARAGRAPH (I) IN THE PERFORMANCE OF THE DUTIES~~  
2           ~~OF EMPLOYMENT.~~

3           ~~\* \* \*~~

4           ~~(11) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY~~  
5           ~~THAT IS A LICENSED RACING ENTITY AND THAT HAS LOST THE~~  
6           ~~LICENSE ISSUED TO IT BY EITHER THE STATE HORSE RACING~~  
7           ~~COMMISSION OR THE STATE HARNESS RACING COMMISSION UNDER THE~~  
8           ~~RACE HORSE INDUSTRY REFORM ACT OR THAT HAS HAD THAT LICENSE~~  
9           ~~SUSPENDED TO OPERATE SLOT MACHINES OR TABLE GAMES AT THE~~  
10           ~~RACETRACK FOR WHICH ITS SLOT MACHINE LICENSE WAS ISSUED~~  
11           ~~UNLESS THE LICENSE ISSUED TO IT BY EITHER THE STATE HORSE~~  
12           ~~RACING COMMISSION OR THE STATE HARNESS RACING COMMISSION WILL~~  
13           ~~BE SUBSEQUENTLY REISSUED OR REINSTATED WITHIN 30 DAYS AFTER~~  
14           ~~THE LOSS OR SUSPENSION.~~

15           ~~\* \* \*~~

16           ~~(13) IT SHALL BE UNLAWFUL FOR ANY PERSON UNDER 18 YEARS~~  
17           ~~OF AGE TO BE PERMITTED IN THE AREA OF A LICENSED FACILITY~~  
18           ~~WHERE SLOT MACHINES OR TABLE GAMES ARE OPERATED.~~

19           ~~(14) IT SHALL BE UNLAWFUL FOR ANY KEY EMPLOYEE, BOXMAN,~~  
20           ~~FLOORMAN OR ANY OTHER CASINO EMPLOYEE WHO SERVES IN A~~  
21           ~~SUPERVISORY POSITION TO SOLICIT OR ACCEPT AND FOR ANY OTHER~~  
22           ~~GAMING EMPLOYEE TO SOLICIT ANY TIP OR GRATUITY FROM ANY~~  
23           ~~PLAYER OR PATRON AT THE LICENSED FACILITY WHERE THE PERSON IS~~  
24           ~~EMPLOYED.~~

25           ~~(15) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY~~  
26           ~~TO REQUIRE A WAGER TO BE GREATER THAN THE STATED MINIMUM OR~~  
27           ~~LESS THAN THE STATED MAXIMUM. HOWEVER, A WAGER MADE BY A~~  
28           ~~PATRON AND NOT REJECTED BY A LICENSED GAMING ENTITY PRIOR TO~~  
29           ~~COMMENCEMENT OF PLAY SHALL BE TREATED AS A VALID WAGER. A~~  
30           ~~WAGER ACCEPTED BY A DEALER SHALL BE PAID OR LOST IN ITS~~

~~ENTIRETY IN ACCORDANCE WITH THE RULES OF THE GAME,  
NOTWITHSTANDING THAT THE WAGER EXCEEDED THE CURRENT TABLE  
MAXIMUM WAGER OR WAS LOWER THAN THE CURRENT TABLE MINIMUM  
WAGER.~~

~~(16) A PERSON THAT ENGAGES IN CONDUCT PROHIBITED BY 18  
PA.C.S. § 6308 IN A LICENSED FACILITY COMMITS AN OFFENSE.~~

~~(17) IT SHALL BE UNLAWFUL FOR ANY PERSON TO CLAIM,  
COLLECT OR TAKE, OR ATTEMPT TO CLAIM, COLLECT OR TAKE, MONEY  
OR ANYTHING OF VALUE IN OR FROM A SLOT MACHINE, TABLE GAME OR  
TABLE GAME DEVICE, WITH INTENT TO DEFRAUD, OR TO CLAIM,  
COLLECT OR TAKE AN AMOUNT GREATER THAN THE AMOUNT WON, OR TO  
MANIPULATE WITH THE INTENT TO CHEAT, ANY COMPONENT OF ANY  
SLOT MACHINE, TABLE GAME OR TABLE GAME DEVICE IN A MANNER  
CONTRARY TO THE DESIGNED AND NORMAL OPERATIONAL PURPOSE.~~

~~(B) CRIMINAL PENALTIES AND FINES.~~

~~\* \* \*~~

~~(3) A PERSON THAT VIOLATES SUBSECTION (A) (2), (3), (4),  
(5), (6), (7), (7.1), (8), (9), (10), (11), (12), (14), (15)  
OR (17) COMMITS A MISDEMEANOR OF THE FIRST DEGREE. A PERSON  
THAT IS CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF  
SUBSECTION (A) (2), (3), (4), (5), (6), (7), (7.1), (8), (9),  
(10), (11), (12) OR (17) COMMITS A FELONY OF THE SECOND  
DEGREE.~~

~~(4) A PERSON THAT COMMITS AN OFFENSE IN VIOLATION OF  
SUBSECTION (A) (13) COMMITS A SUMMARY OFFENSE AND UPON  
CONVICTION OF A FIRST OFFENSE SHALL BE SENTENCED TO PAY A  
FINE OF NOT LESS THAN \$200 NOR MORE THAN \$1,000. A PERSON  
THAT IS CONVICTED OF A SECOND OR SUBSEQUENT OFFENSE SHALL BE  
SENTENCED TO PAY A FINE OF NOT LESS THAN \$500 NOR MORE THAN  
\$1,500. IN ADDITION TO THE FINE IMPOSED, ANY PERSON CONVICTED~~

~~OF AN OFFENSE UNDER SUBSECTION (A) (13) MAY BE SENTENCED TO  
PERFORM A PERIOD OF COMMUNITY SERVICE NOT TO EXCEED 40 HOURS.~~

~~(5) A PERSON THAT COMMITS AN OFFENSE IN VIOLATION OF  
SUBSECTION (A) (16) COMMITS AN OFFENSE TO BE GRADED IN  
ACCORDANCE WITH 18 PA.C.S. § 6308 (RELATING TO PURCHASE,  
CONSUMPTION, POSSESSION OR TRANSPORTATION OF LIQUOR OR MALT  
OR BREWED BEVERAGES) AND SHALL BE SUBJECT TO THE SAME  
PENALTIES IMPOSED PURSUANT TO 18 PA.C.S. §§ 6308 AND 6310.4  
(RELATING TO RESTRICTION OF OPERATING PRIVILEGES) EXCEPT THAT  
THE FINE IMPOSED FOR A VIOLATION OF SUBSECTION (A) (16) SHALL  
BE NOT LESS THAN \$350 NOR MORE THAN \$1,000. THE POLICE  
DEPARTMENT MAKING AN ARREST FOR A SUSPECTED VIOLATION OF  
SUBSECTION (A) (16) SHALL NOTIFY THE PARENTS OR GUARDIAN OF  
THE MINOR CHARGED.~~

~~(C) BOARD IMPOSED ADMINISTRATIVE SANCTIONS.~~

~~(1) IN ADDITION TO ANY OTHER PENALTY AUTHORIZED BY LAW,  
THE BOARD MAY IMPOSE WITHOUT LIMITATION THE FOLLOWING  
SANCTIONS UPON ANY LICENSEE OR PERMITTEE:~~

~~\* \* \*~~

~~(V) SUSPEND THE LICENSE OF ANY LICENSED GAMING  
ENTITY FOR VIOLATION OF OR ATTEMPTING TO VIOLATE ANY  
PROVISIONS OF THIS PART OR REGULATIONS PROMULGATED UNDER  
THIS PART RELATING TO ITS SLOT MACHINE OR TABLE GAME  
OPERATIONS.~~

~~\* \* \*~~

~~(3) IN ADDITION TO ANY OTHER FINES OR PENALTIES THAT THE  
BOARD MAY IMPOSE UNDER THIS PART OR REGULATION, IF A PERSON  
VIOLATES SUBSECTION (A) (2), THE BOARD SHALL IMPOSE AN  
ADMINISTRATIVE PENALTY OF THREE TIMES THE AMOUNT OF THE  
LICENSE FEE, AUTHORIZATION FEE, TAX OR OTHER ASSESSMENT~~

1 ~~EVADED AND NOT PAID, COLLECTED OR PAID OVER. THIS SUBSECTION~~  
2 ~~IS SUBJECT TO 2 PA.C.S. CHS. 5 SUBCH. A AND 7 SUBCH. A.~~  
3 ~~(D) AIDING AND ABETTING. A PERSON WHO AIDS, ABETS,~~  
4 ~~COUNSELS, COMMANDS, INDUCES, PROCURES OR CAUSES ANOTHER PERSON~~  
5 ~~TO VIOLATE A PROVISION OF THIS PART SHALL BE SUBJECT TO ALL~~  
6 ~~SANCTIONS AND PENALTIES, BOTH CIVIL AND CRIMINAL, PROVIDED UNDER~~  
7 ~~THIS PART.~~

8 ~~(E) CONTINUING OFFENSES. A VIOLATION OF THIS PART THAT IS~~  
9 ~~DETERMINED TO BE AN OFFENSE OF A CONTINUING NATURE SHALL BE~~  
10 ~~DEEMED TO BE A SEPARATE OFFENSE ON EACH EVENT OR DAY DURING~~  
11 ~~WHICH THE VIOLATION OCCURS. NOTHING IN THIS SECTION SHALL BE~~  
12 ~~CONSTRUED TO PRECLUDE THE COMMISSION OF MULTIPLE VIOLATIONS OF~~  
13 ~~THE PROVISIONS OF THIS PART IN ANY ONE DAY THAT ESTABLISH~~  
14 ~~OFFENSES CONSISTING OF SEPARATE AND DISTINCT ACTS OR VIOLATIONS~~  
15 ~~OF THE PROVISIONS OF THIS PART OR REGULATIONS PROMULGATED UNDER~~  
16 ~~THIS PART.~~

17 ~~(F) PROPERTY SUBJECT TO SEIZURE, CONFISCATION, DESTRUCTION~~  
18 ~~OR FORFEITURE. ANY EQUIPMENT, DEVICE OR APPARATUS, MONEY,~~  
19 ~~MATERIAL, GAMING PROCEEDS OR SUBSTITUTED PROCEEDS OR REAL OR~~  
20 ~~PERSONAL PROPERTY USED, OBTAINED OR RECEIVED OR ANY ATTEMPT TO~~  
21 ~~USE, OBTAIN OR RECEIVE THE DEVICE, APPARATUS, MONEY, MATERIAL,~~  
22 ~~PROCEEDS OR REAL OR PERSONAL PROPERTY IN VIOLATION OF THIS PART~~  
23 ~~SHALL BE SUBJECT TO SEIZURE, CONFISCATION, DESTRUCTION OR~~  
24 ~~FORFEITURE.~~

25 SECTION 17. TITLE 4 IS AMENDED BY ADDING SECTIONS TO READ:  
26 ~~§ 1518.1. ADDITIONAL AUTHORITY.~~

27 ~~(A) GENERAL RULE. THE CHIEF ENFORCEMENT COUNSEL MAY~~  
28 ~~PETITION THE COMMONWEALTH COURT FOR AUTHORIZATION TO REVIEW OR~~  
29 ~~OBTAIN INFORMATION IN THE POSSESSION OF AN AGENCY IN THIS~~  
30 ~~COMMONWEALTH BY AVERRING THAT THE BUREAU BELIEVES SPECIFIC AND~~



1 ~~ARTICULABLE FACTS DEMONSTRATING THAT THE AGENCY HAS IN ITS~~  
2 ~~POSSESSION INFORMATION MATERIAL TO AN A PENDING INVESTIGATION OR~~ ←  
3 ~~INQUIRY BEING CONDUCTED BY THE BUREAU PURSUANT TO THIS PART AND~~  
4 ~~THAT DISCLOSURE OR RELEASE IS IN THE BEST INTEREST OF THE~~  
5 ~~COMMONWEALTH. THE PETITION SHALL REQUEST THAT THE COURT ENTER A~~  
6 ~~RULE UPON THE AGENCY TO SHOW CAUSE WHY THE AGENCY SHOULD NOT BE~~  
7 ~~DIRECTED TO DISCLOSE TO THE BUREAU OR IDENTIFIED AGENTS THEREOF,~~  
8 ~~INFORMATION IN ITS POSSESSION ABOUT ANY PENDING MATTER UNDER THE~~ ←  
9 ~~JURISDICTION OF THE BUREAU OR THE BOARD PURSUANT TO THIS PART.~~ ←  
10 ~~IF A RESPONDENT IS A LOCAL AGENCY, A COPY OF ANY RULE ISSUED~~  
11 ~~PURSUANT TO THIS SECTION SHALL BE PROVIDED TO THE DISTRICT~~  
12 ~~ATTORNEY OF THE COUNTY IN WHICH THE LOCAL AGENCY IS LOCATED AND~~ ←  
13 ~~TO THE OFFICE OF ATTORNEY GENERAL. UPON REQUEST OF A LOCAL~~  
14 ~~AGENCY, THE DISTRICT ATTORNEY OR THE ATTORNEY GENERAL MAY ELECT~~ ←  
15 ~~TO ENTER AN APPEARANCE TO REPRESENT THE LOCAL AGENCY IN THE~~  
16 ~~PROCEEDINGS.~~

17 ~~(B) PROCEDURE. THE FILING OF A PETITION PURSUANT TO THIS~~  
18 ~~SECTION AND RELATED PROCEEDINGS SHALL BE IN ACCORDANCE WITH~~  
19 ~~COURT RULE, INCLUDING ISSUANCE AS OF COURSE. A PARTY SHALL NOT~~  
20 ~~DISCLOSE THE FILING OF A PETITION OR ANSWER OR RECEIPT, CONTENT~~ ←  
21 ~~OR DISPOSITION OF A RULE OR ORDER ISSUED PURSUANT TO THIS~~  
22 ~~SECTION WITHOUT LEAVE OF COURT. ANY PARTY TO THE PROCEEDINGS MAY~~  
23 ~~REQUEST THAT THE RECORD BE SEALED AND PROCEEDINGS BE CLOSED. THE~~  
24 ~~COURT SHALL GRANT THE REQUEST IF IT IS IN THE BEST INTEREST OF~~  
25 ~~ANY PERSON OR THE COMMONWEALTH TO DO SO.~~

26 ~~(C) COURT DETERMINATION. FOLLOWING REVIEW OF THE RECORD,~~  
27 ~~THE COURT SHALL GRANT THE RELIEF SOUGHT BY THE CHIEF ENFORCEMENT~~  
28 ~~COUNSEL, IF THE COURT DETERMINES THAT THE AGENCY HAS IN ITS~~  
29 ~~POSSESSION INFORMATION MATERIAL TO THE INVESTIGATION OR INQUIRY~~  
30 ~~AND THAT DISCLOSURE OR RELEASE OF THE INFORMATION IS IN THE BEST~~

1 ~~INTEREST OF THE COMMONWEALTH, THAT THE DISCLOSURE OR RELEASE OF~~ ←  
2 ~~THE INFORMATION IS NOT OTHERWISE PROHIBITED BY STATUTE OR~~  
3 ~~REGULATION AND THAT THE DISCLOSURE OR RELEASE OF THE INFORMATION~~  
4 ~~WOULD NOT INHIBIT AN AGENCY IN THE PERFORMANCE OF THE AGENCY'S~~  
5 ~~DUTIES. IF THE COURT SO DETERMINES, THE COURT SHALL ENTER AN~~  
6 ~~ORDER AUTHORIZING AND DIRECTING THE INFORMATION BE MADE~~  
7 ~~AVAILABLE FOR REVIEW IN CAMERA.~~

8 ~~(D) RELEASE OF MATERIALS OR INFORMATION. IF, AFTER AN IN-~~  
9 ~~CAMERA REVIEW, THE CHIEF ENFORCEMENT COUNSEL SEEKS TO OBTAIN~~  
10 ~~COPIES OF MATERIALS IN THE AGENCY'S POSSESSION, THE COURT MAY,~~  
11 ~~NOTWITHSTANDING ANY OTHER PROVISION OF LAW IF NOT OTHERWISE~~ ←  
12 ~~PROHIBITED BY STATUTE OR REGULATION, ENTER AN ORDER THAT THE~~  
13 ~~REQUESTED MATERIALS BE PROVIDED. ANY ORDER AUTHORIZING THE~~  
14 ~~RELEASE OF MATERIALS OR OTHER INFORMATION SHALL CONTAIN~~  
15 ~~DIRECTION REGARDING THE SAFEKEEPING AND USE OF THE MATERIALS OR~~  
16 ~~OTHER INFORMATION SUFFICIENT TO SATISFY THE COURT THAT THE~~  
17 ~~MATERIALS OR INFORMATION WILL BE SUFFICIENTLY SAFEGUARDED. IN~~  
18 ~~MAKING THIS DETERMINATION THE COURT SHALL CONSIDER THE INPUT OF~~  
19 ~~THE AGENCY CONCERNING ANY PENDING INVESTIGATION OR ONGOING~~ ←  
20 ~~MATTER AND THE SAFETY OF PERSONS AND PROPERTY.~~

21 ~~(E) MODIFICATION OF ORDER. IF SUBSEQUENT INVESTIGATION OR~~  
22 ~~INQUIRY BY THE BOARD BUREAU WARRANTS MODIFICATION OF ANY ORDER~~ ←  
23 ~~ENTERED PURSUANT TO THIS SECTION, THE CHIEF ENFORCEMENT COUNSEL~~  
24 ~~MAY PETITION TO REQUEST THE MODIFICATION. UPON SUCH REQUEST, THE~~  
25 ~~COURT MAY MODIFY ITS ORDERS AT ANY TIME AND IN ANY MANNER IT~~  
26 ~~DEEMS NECESSARY AND APPROPRIATE. THE AGENCY NAMED IN THE~~  
27 ~~ORIGINAL PETITION SHALL BE GIVEN NOTICE AND AN OPPORTUNITY TO BE~~  
28 ~~HEARD.~~

29 ~~(F) USE OF INFORMATION OR MATERIALS. ANY PERSON WHO, BY ANY~~  
30 ~~MEANS AUTHORIZED BY THIS SECTION, HAS OBTAINED KNOWLEDGE OF~~

~~1 INFORMATION OR MATERIALS SOLELY PURSUANT TO THIS SECTION MAY USE  
2 SUCH INFORMATION OR MATERIALS IN A MANNER CONSISTENT WITH ANY  
3 DIRECTIONS IMPOSED BY THE COURT AND APPROPRIATE TO THE PROPER  
4 PERFORMANCE OF THE PERSON'S OFFICIAL DUTIES UNDER THIS PART.~~

~~5 (G) VIOLATION. IN ADDITION TO ANY REMEDIES AND PENALTIES  
6 PROVIDED IN THIS PART, ANY VIOLATION OF THE PROVISIONS OF THIS  
7 SECTION MAY BE PUNISHED AS CONTEMPT OF THE COURT.~~

~~8 (H) DEFINITION. AS USED IN THIS SECTION THE TERM "AGENCY"  
9 SHALL MEAN A "COMMONWEALTH AGENCY" OR A "LOCAL AGENCY" AS THOSE  
10 TERMS ARE DEFINED IN SECTION 102 OF THE ACT OF FEBRUARY 14,  
11 2008, (P.L.6, NO.3) KNOWN AS THE RIGHT TO KNOW LAW.~~

~~12 § 1518.2. REPORT OF SUSPICIOUS TRANSACTIONS.~~

~~13 (A) DUTY. THE HOLDER OF ANY SLOT MACHINE LICENSE OR A  
14 PERSON ACTING ON BEHALF OF THE LICENSEE SHALL FILE A REPORT OF  
15 ANY SUSPICIOUS TRANSACTION WITH THE BUREAU. THE FILING OF A  
16 REPORT UNDER 31 CFR 103.21 (RELATING TO REPORTS BY CASINOS OF  
17 SUSPICIOUS TRANSACTIONS) SHALL SATISFY THIS REQUIREMENT.~~

~~18 (B) FAILURE TO REPORT. A PERSON REQUIRED UNDER THIS SECTION  
19 TO FILE A REPORT OF A SUSPICIOUS TRANSACTION WHO KNOWINGLY FAILS  
20 TO FILE A REPORT OF A SUSPICIOUS TRANSACTION OR WHO KNOWINGLY  
21 CAUSES ANOTHER PERSON HAVING THAT RESPONSIBILITY TO FAIL TO FILE  
22 A REPORT COMMITS A MISDEMEANOR OF THE THIRD DEGREE AND SHALL BE  
23 SUBJECT TO THE SANCTIONS UNDER SECTION 1518(C) (RELATING TO  
24 PROHIBITED ACTS; PENALTIES).~~

~~25 (C) BUREAU. THE BUREAU SHALL MAINTAIN A RECORD OF ALL  
26 REPORTS MADE UNDER THIS SECTION FOR A PERIOD OF FIVE YEARS. THE  
27 BUREAU SHALL MAKE THE REPORTS AVAILABLE TO ANY FEDERAL OR STATE  
28 LAW ENFORCEMENT AGENCY UPON WRITTEN REQUEST AND WITHOUT  
29 NECESSITY OF SUBPOENA.~~

~~30 (D) NOTICE PROHIBITED. A PERSON WHO IS REQUIRED TO FILE A~~

1 ~~REPORT OF A SUSPICIOUS TRANSACTION UNDER THIS SECTION MAY NOT~~  
2 ~~NOTIFY ANY PERSON INVOLVED IN THE TRANSACTION THAT THE~~  
3 ~~TRANSACTION HAS BEEN REPORTED. ANY PERSON THAT VIOLATES THIS~~  
4 ~~SUBSECTION COMMITS A MISDEMEANOR OF THE THIRD DEGREE.~~

5 ~~(E) IMMUNITY. A PERSON WHO IS REQUIRED TO FILE A REPORT OF~~  
6 ~~A SUSPICIOUS TRANSACTION UNDER THIS SECTION WHO IN GOOD FAITH~~  
7 ~~MAKES THE REPORT SHALL NOT BE LIABLE IN ANY CIVIL ACTION BROUGHT~~  
8 ~~BY ANY PERSON FOR MAKING THE REPORT, REGARDLESS OF WHETHER THE~~  
9 ~~TRANSACTION IS LATER DETERMINED TO BE SUSPICIOUS.~~

10 ~~(F) SANCTIONS.~~

11 ~~(1) IN CONSIDERING APPROPRIATE ADMINISTRATIVE SANCTIONS~~  
12 ~~AGAINST ANY PERSON UNDER SECTION 1518(C) FOR A VIOLATION OF~~  
13 ~~THIS SECTION, THE BOARD SHALL CONSIDER ALL OF THE FOLLOWING:~~

14 ~~(I) THE RISK TO THE PUBLIC AND TO THE INTEGRITY OF~~  
15 ~~GAMING OPERATIONS CREATED BY THE CONDUCT OF THE PERSON.~~

16 ~~(II) THE SERIOUSNESS OF THE CONDUCT OF THE PERSON~~  
17 ~~AND WHETHER THE CONDUCT WAS PURPOSEFUL AND WITH KNOWLEDGE~~  
18 ~~THAT IT WAS IN CONTRAVENTION OF THE PROVISIONS OF THIS~~  
19 ~~PART OR REGULATIONS PROMULGATED UNDER THIS PART.~~

20 ~~(III) ANY JUSTIFICATION OR EXCUSE FOR THE CONDUCT BY~~  
21 ~~THE PERSON.~~

22 ~~(IV) THE PRIOR HISTORY OF THE PARTICULAR LICENSEE OR~~  
23 ~~PERSON INVOLVED WITH RESPECT TO GAMING ACTIVITY.~~

24 ~~(V) THE CORRECTIVE ACTION TAKEN BY THE SLOT MACHINE~~  
25 ~~LICENSEE TO PREVENT FUTURE MISCONDUCT OF A LIKE NATURE~~  
26 ~~FROM OCCURRING.~~

27 ~~(VI) IN THE CASE OF A MONETARY PENALTY, THE AMOUNT~~  
28 ~~OF THE PENALTY IN RELATION TO THE SEVERITY OF THE~~  
29 ~~MISCONDUCT AND THE FINANCIAL MEANS OF THE LICENSEE OR~~  
30 ~~PERSON. THE BOARD MAY IMPOSE ANY SCHEDULE OR TERMS OF~~

1 ~~PAYMENT OF SUCH PENALTY AS IT MAY DEEM APPROPRIATE.~~

2 ~~(2) IT SHALL BE NO DEFENSE TO DISCIPLINARY ACTION BEFORE~~  
3 ~~THE BOARD THAT A PERSON INADVERTENTLY, UNINTENTIONALLY OR~~  
4 ~~UNKNOWINGLY VIOLATED A PROVISION OF THIS SECTION. THE FACTORS~~  
5 ~~UNDER PARAGRAPH (1) SHALL ONLY GO TO THE DEGREE OF THE~~  
6 ~~PENALTY TO BE IMPOSED BY THE BOARD AND NOT TO A FINDING OF A~~  
7 ~~VIOLATION ITSELF.~~

8 ~~(C) REGULATIONS. THE BOARD SHALL PROMULGATE REGULATIONS TO~~  
9 ~~EFFECTUATE THE PURPOSES OF THIS SECTION.~~

10 ~~§ 1518.3. INAPPLICABILITY OF LIQUOR CODE.~~

11 ~~THE PROVISION OF SECTION 471(C) OF THE ACT OF APRIL 12, 1951~~  
12 ~~(P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, SHALL NOT APPLY TO A~~  
13 ~~PERSON WHO HOLDS A SLOT MACHINE LICENSE AND WHO HOLDS A LICENSE~~  
14 ~~ISSUED UNDER SECTION 404 OR 432 OF THE LIQUOR CODE.~~

15 SECTION 18. SECTION 1522 OF TITLE 4 IS AMENDED TO READ:

16 ~~§ 1522. INTERCEPTION OF ORAL COMMUNICATIONS.~~

17 ~~THE INTERCEPTION AND RECORDING OF ORAL COMMUNICATIONS MADE IN~~  
18 ~~A [COUNTING] COUNT ROOM OF A LICENSED FACILITY BY A LICENSEE~~  
19 ~~SHALL NOT BE SUBJECT TO THE PROVISIONS OF 18 PA.C.S. CH. 57~~  
20 ~~(RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE). NOTICE~~  
21 ~~THAT ORAL COMMUNICATIONS ARE BEING INTERCEPTED AND RECORDED~~  
22 ~~SHALL BE POSTED CONSPICUOUSLY IN THE [COUNTING] COUNT ROOM.~~

23 SECTION 18.1. TITLE 4 IS AMENDED BY ADDING A SECTION TO  
24 READ:

25 ~~§ 1523. ELECTRONIC FUNDS TRANSFER TERMINALS.~~

26 ~~(A) PROHIBITION. A SLOT MACHINE LICENSEE MAY NOT INSTALL,~~  
27 ~~OWN OR OPERATE OR ALLOW ANOTHER PERSON TO INSTALL, OWN OR~~  
28 ~~OPERATE ON THE PREMISES OF THE LICENSED FACILITY A SLOT MACHINE~~  
29 ~~OR TABLE GAME THAT IS PLAYED WITH A DEVICE THAT ALLOWS A PLAYER~~  
30 ~~TO OPERATE THE SLOT MACHINE OR TABLE GAME BY TRANSFERRING FUNDS~~



1 ~~ELECTRONICALLY FROM A DEBIT CARD, CREDIT CARD OR BY MEANS OF AN~~  
 2 ~~ELECTRONIC FUNDS TRANSFER TERMINAL.~~

3 ~~(B) DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING~~  
 4 ~~WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS~~  
 5 ~~SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:~~

6 ~~"ELECTRONIC FUNDS TRANSFER TERMINAL." AN INFORMATION~~  
 7 ~~PROCESSING DEVICE OR AN AUTOMATIC TELLER MACHINE USED FOR~~  
 8 ~~EXECUTING DEPOSIT ACCOUNT TRANSACTIONS BETWEEN FINANCIAL~~  
 9 ~~INSTITUTIONS AND THEIR ACCOUNT HOLDERS BY EITHER THE DIRECT~~  
 10 ~~TRANSMISSION OF ELECTRONIC IMPULSES OR THE RECORDING OF~~  
 11 ~~ELECTRONIC IMPULSES FOR DELAYED PROCESSING. THE FACT THAT A~~  
 12 ~~DEVICE IS USED FOR OTHER PURPOSES SHALL NOT PREVENT IT FROM~~  
 13 ~~BEING CONSIDERED AN ELECTRONIC FUNDS TRANSFER TERMINAL UNDER~~  
 14 ~~THIS DEFINITION.~~

15 SECTION 18.2. TITLE 4 IS AMENDED BY ADDING CHAPTERS TO READ:

16 CHAPTER 16

17 JUNKETS

18 SEC.

19 1601. GAMING JUNKETS AUTHORIZED.

20 1602. GAMING JUNKET ENTERPRISE LICENSE.

21 1603. OTHER LICENSES CLASSIFICATION SYSTEM.



22 1604. GAMING JUNKET REPRESENTATIVES.

23 1605. JUNKET AGREEMENTS.

24 1606. CONDUCT OF JUNKET.

25 1607. VIOLATION OF TERMS.

26 1608. RECORDS.

27 1609. REPORT.

28 1610. GAMING JUNKET ARRANGEMENT.

29 1611. PROHIBITIONS.

30 § 1601. GAMING JUNKETS AUTHORIZED.

1 ~~THE BOARD MAY AUTHORIZE THE ORGANIZATION AND CONDUCT OF~~  
2 ~~GAMING JUNKETS SUBJECT TO THE PROVISIONS OF THIS CHAPTER. NO~~  
3 ~~GAMING JUNKET SHALL BE ORGANIZED OR PERMITTED TO OPERATE IN THIS~~  
4 ~~COMMONWEALTH AND NO PERSON SHALL ACT AS A JUNKET REPRESENTATIVE~~  
5 ~~OR JUNKET ENTERPRISE EXCEPT IN ACCORDANCE WITH THIS CHAPTER.~~  
6 ~~§ 1602. GAMING JUNKET ENTERPRISE LICENSE.~~

7 ~~(A) GAMING JUNKET ENTERPRISE LICENSE REQUIRED. ALL GAMING~~  
8 ~~JUNKET ENTERPRISES SHALL OBTAIN A LICENSE FROM THE BOARD PRIOR~~  
9 ~~TO ACTING AS A GAMING JUNKET ENTERPRISE IN THIS COMMONWEALTH.~~

10 ~~(B) APPLICATION. A GAMING JUNKET ENTERPRISE LICENSE~~  
11 ~~APPLICATION SHALL BE IN A FORM PRESCRIBED BY THE BOARD AND SHALL~~  
12 ~~INCLUDE THE FOLLOWING:~~

13 ~~(1) THE NAME, ADDRESS AND PHOTOGRAPH OF THE APPLICANT~~  
14 ~~ALL OWNERS, DIRECTORS, MANAGERS AND SUPERVISORY EMPLOYEES OF~~  
15 ~~A GAMING JUNKET ENTERPRISE.~~

16 ~~(2) THE DETAILS OF A GAMING JUNKET ENTERPRISE LICENSE OR~~  
17 ~~SIMILAR LICENSE APPLIED FOR OR GRANTED OR DENIED TO THE~~  
18 ~~APPLICANT BY ANOTHER JURISDICTION.~~

19 ~~(3) CONSENT FOR THE BOARD TO CONDUCT A BACKGROUND~~  
20 ~~INVESTIGATION, THE SCOPE OF WHICH SHALL BE DETERMINED BY THE~~  
21 ~~BOARD.~~

22 ~~(4) ALL RELEASES NECESSARY FOR THE BOARD TO ACQUIRE~~  
23 ~~LICENSING DOCUMENTS AND OTHER INFORMATION NECESSARY TO~~  
24 ~~CONDUCT A BACKGROUND INVESTIGATION OR OTHERWISE EVALUATE THE~~  
25 ~~APPLICATION.~~

26 ~~(5) A LIST OF ALL CIVIL JUDGMENTS OBTAINED AGAINST THE~~  
27 ~~APPLICANT PERTAINING TO A GAMING JUNKET ENTERPRISE WITH WHICH~~  
28 ~~THE APPLICANT HAS BEEN ASSOCIATED.~~

29 ~~(6) A DESCRIPTION OF THE OPERATION AND ORGANIZATION OF~~  
30 ~~THE GAMING JUNKET ENTERPRISE.~~

1           ~~(7) ANY ADDITIONAL INFORMATION REQUIRED BY THE BOARD.~~

2           ~~(C) ENFORCEMENT INFORMATION. IF THE APPLICANT HAS HELD A~~  
3 ~~GAMING JUNKET LICENSE OR GAMING JUNKET LICENSE OR OTHER GAMING~~  
4 ~~LICENSE IN ANOTHER JURISDICTION, THE APPLICANT MAY SUBMIT A~~  
5 ~~LETTER OF REFERENCE FROM THE GAMING ENFORCEMENT AGENCY IN THE~~  
6 ~~OTHER JURISDICTION. THE LETTER SHALL SPECIFY THE EXPERIENCES OF~~  
7 ~~THE AGENCY WITH THE APPLICANT, THE APPLICANT'S ASSOCIATES AND~~  
8 ~~THE APPLICANT'S GAMING JUNKET ENTERPRISE OR GAMING ACTIVITY. IF~~  
9 ~~NO LETTER IS RECEIVED WITHIN 30 DAYS OF THE APPLICANT'S REQUEST,~~  
10 ~~THE APPLICANT MAY SUBMIT A STATEMENT UNDER OATH, SUBJECT TO THE~~  
11 ~~PENALTY FOR FALSE SWEARING UNDER 18 PA.C.S. § 4903 (RELATING TO~~  
12 ~~FALSE SWEARING), THAT THE APPLICANT IS IN GOOD STANDING WITH THE~~  
13 ~~GAMING ENFORCEMENT AGENCY IN THE OTHER JURISDICTION.~~

14           ~~(D) ISSUANCE. FOLLOWING REVIEW OF THE APPLICATION AND~~  
15 ~~COMPLETION OF THE BACKGROUND INVESTIGATION, THE BOARD MAY ISSUE~~  
16 ~~A GAMING JUNKET ENTERPRISE LICENSE TO THE APPLICANT IF THE~~  
17 ~~APPLICANT HAS PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE~~  
18 ~~APPLICANT IS A PERSON OF GOOD CHARACTER, HONESTY AND INTEGRITY~~  
19 ~~AND THAT THE APPLICANT'S ACTIVITIES, CRIMINAL RECORD,~~  
20 ~~REPUTATION, HABITS AND ASSOCIATIONS DO NOT POSE A THREAT TO THE~~  
21 ~~PUBLIC INTEREST OR SUITABLE OR LEGITIMATE OPERATION OF GAMING.~~

22           ~~(E) FAILURE TO COOPERATE. FAILURE TO PROVIDE REQUIRED~~  
23 ~~INFORMATION OR RELEASES UNDER THIS SECTION SHALL RESULT IN THE~~  
24 ~~IMMEDIATE DENIAL OF A LICENSE OR PERMIT.~~

25           ~~(F) NONTRANSFERABILITY. A LICENSE ISSUED UNDER THIS SECTION~~  
26 ~~SHALL BE NONTRANSFERABLE.~~

27           ~~§ 1603. OTHER LICENSES.~~

28           ~~AN OWNER, DIRECTOR, MANAGER OR SUPERVISORY EMPLOYEE OF A~~  
29 ~~GAMING JUNKET ENTERPRISE SHALL QUALIFY FOR AND OBTAIN A KEY~~  
30 ~~EMPLOYEE LICENSE IN ACCORDANCE WITH SECTION 1311.2 (RELATING TO~~



1 ~~LICENSING OF KEY EMPLOYEES) OR A PRINCIPAL EMPLOYEE LICENSE~~  
2 ~~UNDER SECTION 1311.1 (RELATING TO LICENSING OF PRINCIPALS) AS~~  
3 ~~DEEMED APPROPRIATE BY THE BOARD.~~

4 ~~§ 1603. CLASSIFICATION SYSTEM.~~

5 ~~THE BOARD SHALL DEVELOP A CLASSIFICATION SYSTEM FOR THE~~  
6 ~~REGULATION OF GAMING JUNKET ENTERPRISES AND THE INDIVIDUALS AND~~  
7 ~~ENTITIES ASSOCIATED WITH GAMING JUNKET ENTERPRISES.~~

8 ~~§ 1604. GAMING JUNKET REPRESENTATIVES.~~

9 ~~(A) OCCUPATION PERMIT. EXCEPT AS OTHERWISE PROVIDED IN~~  
10 ~~SUBSECTION (E), A GAMING JUNKET REPRESENTATIVE SHALL OBTAIN AN~~  
11 ~~OCCUPATION PERMIT FROM THE BOARD IN ACCORDANCE WITH SECTION 1318~~  
12 ~~(RELATING TO OCCUPATION PERMIT APPLICATION).~~

13 ~~(B) APPLICATION. IN ADDITION TO THE REQUIREMENTS OF SECTION~~  
14 ~~1308 (RELATING TO APPLICATIONS FOR LICENSE OR PERMIT), THE~~  
15 ~~APPLICATION FOR A GAMING JUNKET REPRESENTATIVE OCCUPATION PERMIT~~  
16 ~~SHALL BE IN A FORM PRESCRIBED BY THE BOARD AND SHALL INCLUDE THE~~  
17 ~~FOLLOWING:~~

18 ~~(1) VERIFICATION OF EMPLOYMENT STATUS AS A GAMING JUNKET~~  
19 ~~REPRESENTATIVE WITH A LICENSED GAMING JUNKET ENTERPRISE.~~

20 ~~(2) A DESCRIPTION OF EMPLOYMENT RESPONSIBILITIES.~~

21 ~~(3) A CONSENT FORM TO ALLOW THE BOARD TO CONDUCT A~~  
22 ~~BACKGROUND INVESTIGATION, THE SCOPE OF WHICH SHALL BE~~  
23 ~~DETERMINED BY THE BOARD.~~

24 ~~(4) A RELEASE FOR THE BOARD TO ACQUIRE COPIES OF~~  
25 ~~INFORMATION FROM GOVERNMENT AGENCIES, EMPLOYERS AND OTHERS AS~~  
26 ~~NECESSARY TO COMPLETE THE INVESTIGATION.~~

27 ~~(5) FINGERPRINTS WHICH SHALL BE SUBMITTED TO THE~~  
28 ~~PENNSYLVANIA STATE POLICE.~~

29 ~~(6) A PHOTOGRAPH THAT MEETS THE STANDARDS OF THE~~  
30 ~~COMMONWEALTH PHOTO IMAGING NETWORK.~~

~~(7) DETAILS RELATING TO A SIMILAR LICENSE, PERMIT OR  
OTHER AUTHORIZATION OBTAINED IN ANOTHER JURISDICTION, IF ANY.~~

~~(8) ANY ADDITIONAL INFORMATION REQUIRED BY THE BOARD.~~

~~(C) ISSUANCE. FOLLOWING REVIEW OF THE APPLICATION AND  
BACKGROUND INVESTIGATION, THE BOARD MAY ISSUE AN OCCUPATION  
PERMIT IF THE APPLICANT HAS PROVEN BY CLEAR AND CONVINCING  
EVIDENCE THAT THE APPLICANT IS A PERSON OF GOOD CHARACTER,  
HONESTY AND INTEGRITY AND IS ELIGIBLE AND SUITABLE TO RECEIVE AN  
OCCUPATION PERMIT.~~

~~(D) NONTRANSFERABILITY. AN OCCUPATION PERMIT ISSUED UNDER  
THIS SECTION SHALL BE NONTRANSFERABLE.~~

~~(E) HOLDER OF OCCUPATION PERMIT. NOTHING IN THIS SECTION  
SHALL BE CONSTRUED TO PROHIBIT A GAMING JUNKET REPRESENTATIVE AN  
INDIVIDUAL WHO HOLDS A VALID OCCUPATION PERMIT AND WHO IS  
EMPLOYED BY A SLOT MACHINE LICENSEE OR AN APPLICANT FOR A SLOT  
MACHINE LICENSE FROM ACTING AS A GAMING JUNKET REPRESENTATIVE. A  
GAMING JUNKET REPRESENTATIVE NEED NOT BE A RESIDENT OF THIS  
COMMONWEALTH.~~

~~§ 1605. JUNKET AGREEMENTS.~~

~~AGREEMENTS ENTERED INTO BETWEEN A SLOT MACHINE LICENSEE AND A  
GAMING JUNKET ENTERPRISE OR A GAMING JUNKET REPRESENTATIVE SHALL  
INCLUDE A PROVISION FOR THE TERMINATION OF THE AGREEMENT WITHOUT  
LIABILITY ON THE PART OF THE SLOT MACHINE LICENSEE IF:~~

~~(1) THE BOARD ORDERS THE SUSPENSION, LIMITATION,  
CONDITIONING, DENIAL OR REVOCATION OF THE LICENSE OF A GAMING  
JUNKET REPRESENTATIVE LICENSE OR OCCUPATION PERMIT OF A  
GAMING JUNKET REPRESENTATIVE.~~

~~(2) THE BOARD FINDS THAT THE AGREEMENT IS NOT APPROVED  
OR THAT IT IS TERMINATED. FAILURE TO EXPRESSLY INCLUDE THE  
TERMINATION REQUIREMENT UNDER THIS SECTION IN THE AGREEMENT~~

1 ~~SHALL NOT CONSTITUTE A DEFENSE IN AN ACTION BROUGHT RELATING~~  
2 ~~TO THE TERMINATION OF THE AGREEMENT.~~

3 ~~§ 1606. CONDUCT OF JUNKET.~~

4 ~~A SLOT MACHINE LICENSEE SHALL BE RESPONSIBLE FOR THE CONDUCT~~  
5 ~~OF A GAMING JUNKET REPRESENTATIVE OR GAMING JUNKET ENTERPRISE~~  
6 ~~WITH WHICH THE SLOT MACHINE LICENSEE HAS AN AGREEMENT AND FOR~~  
7 ~~THE TERMS AND CONDITIONS OF A GAMING JUNKET ON ITS PREMISES.~~

8 ~~§ 1607. VIOLATION OF TERMS.~~

9 ~~NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART, IF THE~~  
10 ~~BOARD DETERMINES THAT THE TERMS OF AN AGREEMENT TO CONDUCT A~~  
11 ~~GAMING JUNKET WERE VIOLATED BY A SLOT MACHINE LICENSEE, GAMING~~  
12 ~~JUNKET ENTERPRISE OR GAMING JUNKET REPRESENTATIVE, THE BOARD MAY~~  
13 ~~DO THE FOLLOWING:~~

14 ~~(1) ORDER RESTITUTION TO GAMING JUNKET PATRONS.~~

15 ~~(2) ASSESS CIVIL PENALTIES FOR A VIOLATION OR DEVIATION~~  
16 ~~FROM THE TERMS OF THE JUNKET AGREEMENT.~~

17 ~~§ 1608. RECORDS.~~

18 ~~THE BOARD SHALL PRESCRIBE PROCEDURES AND FORMS TO RETAIN~~  
19 ~~RECORDS RELATING TO THE CONDUCT OF A GAMING JUNKET BY A SLOT~~  
20 ~~MACHINE LICENSEE. A SLOT MACHINE LICENSEE SHALL:~~

21 ~~(1) MAINTAIN A REPORT DESCRIBING THE OPERATION OF A~~  
22 ~~GAMING JUNKET CONDUCTED AT ITS LICENSED FACILITY.~~

23 ~~(2) SUBMIT TO THE BOARD AND THE BUREAU A LIST OF ALL ITS~~  
24 ~~EMPLOYEES WHO ACT AS CONDUCT BUSINESS ON BEHALF OF THE SLOT~~ ←  
25 ~~MACHINE LICENSEE WITH GAMING JUNKET REPRESENTATIVES ON A~~  
26 ~~FULL TIME, PART TIME OR TEMPORARY BASIS.~~

27 ~~(3) MAINTAIN RECORDS OF ALL AGREEMENTS ENTERED INTO WITH~~  
28 ~~A GAMING JUNKET ENTERPRISE OR GAMING JUNKET REPRESENTATIVE~~  
29 ~~FOR A MINIMUM OF FIVE YEARS.~~

30 ~~(4) PROVIDE ANY OTHER INFORMATION RELATING TO A GAMING~~

1 ~~JUNKET REQUIRED BY THE BOARD OR BUREAU.~~

2 ~~§ 1609. REPORT.~~

3 ~~A SLOT MACHINE LICENSEE, GAMING JUNKET REPRESENTATIVE OR~~  
4 ~~GAMING JUNKET ENTERPRISE SHALL FILE A REPORT WITH THE BUREAU TO~~  
5 ~~INCLUDE A LIST OF GAMING JUNKET PATRONS OR POTENTIAL GAMING~~  
6 ~~JUNKET PATRONS PURCHASED BY THE SLOT MACHINE LICENSEE, GAMING~~  
7 ~~JUNKET REPRESENTATIVE OR GAMING JUNKET ENTERPRISE. THE REPORT~~  
8 ~~SHALL INCLUDE THE SOURCE OF THE LIST AND ZIP CODES OF PATRONS OR~~  
9 ~~POTENTIAL PATRONS ON A LIST PURCHASED DIRECTLY OR INDIRECTLY BY~~  
10 ~~A SLOT MACHINE LICENSEE, GAMING JUNKET REPRESENTATIVE OR GAMING~~  
11 ~~JUNKET ENTERPRISE. NOTHING IN THIS SECTION SHALL REQUIRE THE~~  
12 ~~REPORTING OR MAINTENANCE OF PERSONAL IDENTIFYING INFORMATION~~  
13 ~~PERTAINING TO PATRON OR POTENTIAL PATRONS.~~

14 ~~§ 1610. GAMING JUNKET ARRANGEMENT.~~

15 ~~UPON PETITION BY A SLOT MACHINE LICENSEE, THE BOARD MAY GRANT~~  
16 ~~AN EXEMPTION FROM THE REQUIREMENTS OF THIS PART TO A GAMING~~  
17 ~~JUNKET REPRESENTATIVE. THE BOARD SHALL CONSULT WITH THE BUREAU~~  
18 ~~PRIOR TO GRANTING AN EXEMPTION UNDER THIS SECTION AND SHALL~~  
19 ~~CONSIDER THE FOLLOWING:~~

20 ~~(1) THE TERMS OF THE GAMING JUNKET ARRANGEMENT.~~

21 ~~(2) THE NUMBER AND SCOPE OF GAMING JUNKETS.~~

22 ~~(3) WHETHER THE EXEMPTION IS CONSISTENT WITH THE~~  
23 ~~POLICIES AND PURPOSES OF THIS PART.~~

24 ~~(4) ANY OTHER FACTOR DEEMED NECESSARY BY THE BUREAU OR~~  
25 ~~BOARD.~~

26 ~~THE BOARD MAY CONDITION, LIMIT OR RESTRICT THE EXEMPTION.~~

27 ~~§ 1611. PROHIBITIONS.~~

28 ~~A GAMING JUNKET ENTERPRISE OR GAMING JUNKET REPRESENTATIVE~~  
29 ~~SHALL NOT DO ANY OF THE FOLLOWING:~~

30 ~~(1) ENGAGE IN EFFORTS TO COLLECT ON CHECKS THAT HAVE~~

~~1 BEEN RETURNED BY A BANK OR OTHER FINANCIAL INSTITUTION~~  
~~2 WITHOUT PAYMENT.~~

~~3 (2) EXERCISE APPROVAL AUTHORITY OVER THE AUTHORIZATION~~  
~~4 OR ISSUANCE OF CREDIT UNDER SECTION 1326A (RELATING TO~~  
~~5 WAGERING POLICIES).~~

~~6 (3) RECEIVE OR RETAIN A FEE FROM A PATRON FOR THE~~  
~~7 PRIVILEGE OF PARTICIPATING IN A GAMING JUNKET.~~

~~8 (4) PAY FOR ANY SERVICE, INCLUDING TRANSPORTATION, OR~~  
~~9 OTHER THING OF VALUE PROVIDED TO A PATRON PARTICIPATING IN A~~  
~~10 GAMING JUNKET EXCEPT AS AUTHORIZED BY THIS PART.~~

~~11 CHAPTER 17~~

~~12 GAMING SCHOOLS~~

~~13 SEC.~~

~~14 1701. CURRICULUM.~~

~~15 1702. GAMING SCHOOL GAMING EQUIPMENT.~~

~~16 § 1701. CURRICULUM.~~

~~17 THE DEPARTMENT OF EDUCATION, IN CONSULTATION WITH THE BOARD,~~  
~~18 SHALL DEVELOP CURRICULUM GUIDELINES, INCLUDING MINIMUM~~  
~~19 PROFICIENCY REQUIREMENTS ESTABLISHED BY THE BOARD, FOR GAMING~~  
~~20 SCHOOL INSTRUCTION. THE GUIDELINES SHALL, AT A MINIMUM,~~  
~~21 ESTABLISH COURSES OF INSTRUCTION THAT WILL PROVIDE INDIVIDUALS~~  
~~22 WITH ADEQUATE TRAINING NECESSARY TO OBTAIN EMPLOYMENT AS A~~  
~~23 GAMING EMPLOYEE WITH A LICENSED GAMING ENTITY.~~

~~24 § 1702. GAMING SCHOOL GAMING EQUIPMENT.~~

~~25 (A) USE OF GAMING EQUIPMENT. ALL GAMING EQUIPMENT UTILIZED~~  
~~26 BY A GAMING SCHOOL, INCLUDING TABLE GAME DEVICES AND ALL~~  
~~27 REPRESENTATIONS OF VALUE, SHALL BE USED FOR TRAINING,~~  
~~28 INSTRUCTIONAL AND PRACTICE PURPOSES ONLY. THE USE OF ANY SUCH~~  
~~29 GAMING EQUIPMENT FOR ACTUAL GAMING BY ANY PERSON IS PROHIBITED.~~

~~30 (B) CHIPS. UNLESS THE BOARD OTHERWISE DETERMINES, ALL~~

1 ~~GAMING CHIPS AND OTHER REPRESENTATIONS OF VALUE UTILIZED BY A~~  
2 ~~GAMING SCHOOL SHALL BE DISTINCTLY DISSIMILAR TO ANY GAMING CHIPS~~  
3 ~~AND REPRESENTATIONS OF VALUE UTILIZED BY A SLOT MACHINE~~  
4 ~~LICENSEE.~~

5 ~~(C) POSSESSION, REMOVAL AND TRANSPORT OF EQUIPMENT. NO~~  
6 ~~GAMING SCHOOL SHALL POSSESS, REMOVE OR TRANSPORT, OR CAUSE TO BE~~  
7 ~~REMOVED OR TRANSPORTED, ANY SLOT MACHINE, TABLE GAME DEVICE OR~~  
8 ~~ASSOCIATED EQUIPMENT EXCEPT IN ACCORDANCE WITH THIS PART.~~

9 ~~(D) SERIAL NUMBERS. EACH SLOT MACHINE, TABLE GAME DEVICE~~  
10 ~~AND ASSOCIATED EQUIPMENT ON THE PREMISES OF A GAMING SCHOOL~~  
11 ~~SHALL HAVE PERMANENTLY AFFIXED ON IT A SERIAL NUMBER WHICH,~~  
12 ~~TOGETHER WITH THE LOCATION OF THE MACHINE OR TABLE GAME DEVICE,~~  
13 ~~SHALL BE FILED WITH THE BOARD.~~

14 ~~(E) SECURITY. EACH GAMING SCHOOL SHALL PROVIDE ADEQUATE~~  
15 ~~SECURITY FOR THE SLOT MACHINES, TABLE GAMES, TABLE GAME DEVICES~~  
16 ~~AND ASSOCIATED EQUIPMENT ON THE GAMING SCHOOL PREMISES.~~

17 ~~(F) NOTICE TO BOARD AND BUREAU. NO GAMING SCHOOL SHALL SELL~~  
18 ~~OR TRANSFER ANY SLOT MACHINE, TABLE GAME, TABLE GAME DEVICE OR~~  
19 ~~ASSOCIATED EQUIPMENT EXCEPT UPON PRIOR WRITTEN NOTICE TO THE~~  
20 ~~BOARD AND THE BUREAU AND THE REMOVAL OF ALL SERIAL NUMBERS~~  
21 ~~REQUIRED BY THIS SECTION.~~

22 ~~(G) ADDITIONAL TRAINING. EACH GAMING EMPLOYEE ATTENDING~~ ←  
23 ~~GAMING SCHOOL SHALL BE TRAINED IN CARDIOPULMONARY RESUSCITATION.~~

24 ~~SECTION 19. NO LATER THAN 90 DAYS AFTER THE EFFECTIVE DATE~~  
25 ~~OF THIS ACT, THE PENNSYLVANIA GAMING CONTROL BOARD SHALL~~  
26 ~~TRANSFER THE SUM OF \$12,500,000 FROM THE AMOUNTS PREVIOUSLY~~  
27 ~~APPROPRIATED TO THE PENNSYLVANIA GAMING CONTROL BOARD PURSUANT~~  
28 ~~TO 4 PA.C.S. § 1408 TO THE GENERAL FUND.~~

29 ~~SECTION 20. THE AMENDMENT OF 4 PA.C.S. § 1213 SHALL NOT~~  
30 ~~APPLY TO ANY OF THE FOLLOWING:~~

1           ~~(1) AN APPLICATION SUBMITTED BEFORE THE EFFECTIVE DATE~~  
2           ~~OF THIS SECTION.~~

3           ~~(2) ANY LICENSE OR PERMIT ISSUED PRIOR TO THE EFFECTIVE~~  
4           ~~DATE OF THIS SECTION.~~

5           ~~(3) THE RENEWAL OF ANY LICENSE OR PERMIT ISSUED PRIOR TO~~  
6           ~~THE EFFECTIVE DATE OF THIS SECTION.~~

7           ~~SECTION 20.1. THE AMENDMENT OF 4 PA.C.S. § 1202(A)(2) AND~~ ←  
8           ~~THE ADDITION OF 4 PA.C.S. § 1517(C)(1.1) SHALL NOT APPLY TO AN~~  
9           ~~INDIVIDUAL:~~

10           ~~(1) WHO, ON JULY 1, 2009, WAS SERVING OFFICIALLY OR~~  
11           ~~ACTING AS EXECUTIVE DIRECTOR OF THE PENNSYLVANIA GAMING~~  
12           ~~CONTROL BOARD, CHIEF COUNSEL OF THE BOARD, OR THE DIRECTOR OF~~  
13           ~~THE OFFICE OF ENFORCEMENT COUNSEL WITHIN THE BUREAU OF~~  
14           ~~INVESTIGATIONS AND ENFORCEMENT AND;~~

15           ~~(2) ON WHOM THE BUREAU OR THE PENNSYLVANIA STATE POLICE~~  
16           ~~COMPLETED A BACKGROUND INVESTIGATION AS A CONDITION OF~~  
17           ~~EMPLOYMENT WITH THE BOARD.~~

18           ~~SECTION 21. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.~~

19           SECTION 1. SECTION 1102(11) OF TITLE 4 OF THE PENNSYLVANIA ←  
20           CONSOLIDATED STATUTES IS AMENDED AND THE SECTION IS AMENDED BY  
21           ADDING PARAGRAPHS TO READ:

22           § 1102. LEGISLATIVE INTENT.

23           THE GENERAL ASSEMBLY RECOGNIZES THE FOLLOWING PUBLIC POLICY  
24           PURPOSES AND DECLARES THAT THE FOLLOWING OBJECTIVES OF THE  
25           COMMONWEALTH ARE TO BE SERVED BY THIS PART:

26           \* \* \*

27           (2.1) THE AUTHORIZATION OF TABLE GAMES IN THIS PART IS  
28           INTENDED TO SUPPLEMENT SLOT MACHINE GAMING BY INCREASING  
29           REVENUES TO THE COMMONWEALTH AND PROVIDING NEW EMPLOYMENT  
30           OPPORTUNITIES BY CREATING SKILLED JOBS FOR INDIVIDUALS

1 RELATED TO THE CONDUCT OF TABLE GAMES AT LICENSED FACILITIES  
2 IN THIS COMMONWEALTH.

3 \* \* \*

4 (10.1) THE GENERAL ASSEMBLY HAS A COMPELLING INTEREST IN  
5 PROTECTING THE INTEGRITY OF BOTH THE ELECTORAL PROCESS AND  
6 THE LEGISLATIVE PROCESS BY PREVENTING CORRUPTION AND THE  
7 APPEARANCE OF CORRUPTION WHICH MAY ARISE THROUGH PERMITTING  
8 ANY TYPE OF POLITICAL CAMPAIGN CONTRIBUTIONS BY CERTAIN  
9 PERSONS INVOLVED IN THE GAMING INDUSTRY AND REGULATED UNDER  
10 THIS PART.

11 (10.2) BANNING ALL TYPES OF POLITICAL CAMPAIGN  
12 CONTRIBUTIONS BY CERTAIN PERSONS SUBJECT TO THIS PART IS  
13 NECESSARY TO PREVENT CORRUPTION AND THE APPEARANCE OF  
14 CORRUPTION, THAT MAY ARISE WHEN POLITICAL CAMPAIGN  
15 CONTRIBUTIONS AND GAMING REGULATED UNDER THIS PART ARE  
16 INTERMINGLED.

17 (11) IT IS NECESSARY TO MAINTAIN THE INTEGRITY OF THE  
18 REGULATORY CONTROL AND LEGISLATIVE OVERSIGHT OVER THE  
19 OPERATION AND PLAY OF SLOT MACHINES AND TABLE GAMES IN THIS  
20 COMMONWEALTH; TO [PREVENT THE ACTUAL OR APPEARANCE OF  
21 CORRUPTION THAT MAY RESULT FROM LARGE CAMPAIGN  
22 CONTRIBUTIONS;] ENSURE THE BIPARTISAN ADMINISTRATION OF THIS  
23 PART; AND AVOID ACTIONS THAT MAY ERODE PUBLIC CONFIDENCE IN  
24 THE SYSTEM OF REPRESENTATIVE GOVERNMENT.

25 (12) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO  
26 AUTHORIZE THE OPERATION AND PLAY OF SLOT MACHINES AND TABLE  
27 GAMES UNDER A SINGLE SLOT MACHINE LICENSE ISSUED TO A SLOT  
28 MACHINE LICENSEE UNDER THIS PART.

29 (13) THE AUTHORIZATION OF LIMITED GAMING IN THIS  
30 COMMONWEALTH REQUIRES THE COMMONWEALTH TO TAKE STEPS TO

1 INCREASE AWARENESS OF COMPULSIVE AND PROBLEM GAMBLING AND TO  
2 DEVELOP AND IMPLEMENT EFFECTIVE STRATEGIES FOR PREVENTION,  
3 ASSESSMENT AND TREATMENT OF THIS BEHAVIORAL DISORDER.

4 (14) RESEARCH INDICATES THAT FOR SOME INDIVIDUALS  
5 COMPULSIVE AND PROBLEM GAMBLING AND DRUG AND ALCOHOL  
6 ADDICTION ARE RELATED. THEREFORE, THE GENERAL ASSEMBLY  
7 INTENDS TO ESTABLISH AN APPROACH TO COMPULSIVE AND PROBLEM  
8 GAMBLING PREVENTION, ASSESSMENT AND TREATMENT THAT WILL  
9 ENSURE THE PROVISION OF ADEQUATE RESOURCES TO IDENTIFY,  
10 ASSESS AND TREAT BOTH COMPULSIVE AND PROBLEM GAMBLING AND  
11 DRUG AND ALCOHOL ADDICTION.

12 SECTION 2. THE DEFINITIONS OF "ASSOCIATED EQUIPMENT,"  
13 "CHEAT," "CONDUCT OF GAMING," "CONVICTION," "GAMING EMPLOYEE,"  
14 "GROSS TERMINAL REVENUE," "KEY EMPLOYEE," "LICENSED FACILITY,"  
15 "MANUFACTURER," "MANUFACTURER LICENSE," "SLOT MACHINE,"  
16 "SUPPLIER" AND "SUPPLIER LICENSE" IN SECTION 1103 OF TITLE 4 ARE  
17 AMENDED AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO  
18 READ:

19 § 1103. DEFINITIONS.

20 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS PART SHALL  
21 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
22 CONTEXT CLEARLY INDICATES OTHERWISE:

23 \* \* \*

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

1 SYSTEMS FOR CONTROLLING AND MONITORING SLOT MACHINES OR TABLE  
2 GAMES, INCLUDING, BUT NOT LIMITED TO, THE CENTRAL CONTROL  
3 COMPUTER TO WHICH ALL SLOT MACHINES COMMUNICATE AND DEVICES FOR  
4 WEIGHING OR COUNTING MONEY.

5 \* \* \*

6 "BANKING GAME." ANY TABLE GAME IN WHICH A PLAYER COMPETES  
7 AGAINST A CERTIFICATE HOLDER RATHER THAN AGAINST ANOTHER PLAYER.

8 \* \* \*

9 "CASH." UNITED STATES CURRENCY AND COIN.

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

12 (1) CHIPS OR TOKENS.

13 (2) TRAVELERS CHECKS.

14 (3) FOREIGN CURRENCY AND COIN.

15 (4) CERTIFIED CHECKS, CASHIER'S CHECKS AND MONEY ORDERS.

16 (5) PERSONAL CHECKS OR DRAFTS.

17 (6) A NEGOTIABLE INSTRUMENT APPLIED AGAINST CREDIT  
18 EXTENDED BY A CERTIFICATE HOLDER OR A FINANCIAL INSTITUTION.

19 (7) ANY OTHER INSTRUMENT OR REPRESENTATION OF VALUE THAT  
20 THE PENNSYLVANIA GAMING CONTROL BOARD DEEMS A CASH  
21 EQUIVALENT.

22 \* \* \*

23 "CERTIFICATE HOLDER." A SLOT MACHINE LICENSEE THAT HOLDS A  
24 TABLE GAME OPERATION CERTIFICATE AWARDED BY THE PENNSYLVANIA  
25 GAMING CONTROL BOARD IN ACCORDANCE WITH CHAPTER 13A (RELATING TO  
26 TABLE GAMES).

27 "CHEAT." TO [ALTER WITHOUT AUTHORIZATION] DEFRAUD OR STEAL  
28 FROM ANY PLAYER, SLOT MACHINE LICENSEE OR THE COMMONWEALTH WHILE  
29 OPERATING OR PLAYING A SLOT MACHINE OR TABLE GAME, INCLUDING  
30 CAUSING, AIDING, ABETTING OR CONSPIRING WITH ANOTHER PERSON TO

1 DO SO. THE TERM SHALL ALSO MEAN TO ALTER OR CAUSING, AIDING,  
2 ABETTING OR CONSPIRING WITH ANOTHER PERSON TO ALTER THE ELEMENTS  
3 OF CHANCE, METHOD OF SELECTION OR CRITERIA WHICH DETERMINE:

4 (1) THE RESULT OF A SLOT MACHINE GAME OR TABLE GAME.

5 (2) THE AMOUNT OR FREQUENCY OF PAYMENT IN A SLOT MACHINE  
6 GAME OR TABLE GAME.

7 (3) THE VALUE OF A WAGERING INSTRUMENT.

8 (4) THE VALUE OF A WAGERING CREDIT.

9 THE TERM DOES NOT INCLUDE ALTERING A SLOT MACHINE, TABLE GAME  
10 DEVICE OR ASSOCIATED EQUIPMENT FOR [REQUIRED] MAINTENANCE [AND]  
11 OR REPAIR WITH THE APPROVAL OF A SLOT MACHINE LICENSEE.

12 "CHEATING OR THIEVING DEVICE." A DEVICE USED OR POSSESSED  
13 WITH THE INTENT TO BE USED TO CHEAT DURING THE OPERATION OR PLAY  
14 OF ANY SLOT MACHINE OR TABLE GAME. THE TERM SHALL ALSO INCLUDE  
15 ANY DEVICE USED TO ALTER A SLOT MACHINE OR A TABLE GAME DEVICE  
16 WITHOUT THE SLOT MACHINE LICENSEE'S APPROVAL.

17 "CHIP." A REPRESENTATION OF VALUE, INCLUDING A PLAQUE,  
18 ISSUED BY A CERTIFICATE HOLDER FOR USE IN PLAYING A TABLE GAME  
19 AT THE CERTIFICATE HOLDER'S LICENSED FACILITY AND REDEEMABLE  
20 WITH THE ISSUING CERTIFICATE HOLDER FOR CASH OR CASH EQUIVALENT.

21 \* \* \*

22 "CONDUCT OF GAMING." THE LICENSED PLACEMENT [AND], OPERATION  
23 AND PLAY OF [GAMES OF CHANCE] SLOT MACHINES AND TABLE GAMES  
24 UNDER THIS PART, AS AUTHORIZED AND APPROVED BY THE PENNSYLVANIA  
25 GAMING CONTROL BOARD [AT A LICENSED FACILITY].

26 "CONTEST." A TABLE GAME COMPETITION AMONG PLAYERS FOR CASH,  
27 CASH EQUIVALENTS OR PRIZES.

28 \* \* \*

29 "CONVICTION." A FINDING OF GUILT OR A PLEA OF GUILTY OR NOLO  
30 CONTENDERE, WHETHER OR NOT A JUDGMENT OF SENTENCE HAS BEEN

1 IMPOSED AS DETERMINED BY THE LAW OF THE JURISDICTION IN WHICH  
2 THE PROSECUTION WAS HELD. THE TERM DOES NOT INCLUDE A CONVICTION  
3 THAT HAS BEEN EXPUNGED OR OVERTURNED OR FOR WHICH AN INDIVIDUAL  
4 HAS BEEN PARDONED OR HAD AN ORDER OF ACCELERATED REHABILITATIVE  
5 DISPOSITION ENTERED.

6 \* \* \*

7 "COUNT ROOM." A SECURED ROOM AT A LICENSED FACILITY  
8 DESIGNATED FOR THE COUNTING, WRAPPING AND RECORDING OF SLOT  
9 MACHINE AND TABLE GAME RECEIPTS.

10 "COUNTERFEIT CHIP." ANY OBJECT THAT IS:

11 (1) USED OR INTENDED TO BE USED TO PLAY A TABLE GAME AT  
12 A CERTIFICATE HOLDER'S LICENSED FACILITY AND WHICH WAS NOT  
13 ISSUED BY THAT CERTIFICATE HOLDER FOR SUCH USE; OR

14 (2) PRESENTED TO A CERTIFICATE HOLDER FOR REDEMPTION IF  
15 THE OBJECT WAS NOT ISSUED BY THE CERTIFICATE HOLDER.

16 \* \* \*

17 "ELECTRONIC GAMING TABLE." A GAMING TABLE APPROVED BY THE  
18 PENNSYLVANIA GAMING CONTROL BOARD THAT IS A MECHANICAL,  
19 ELECTRICAL OR COMPUTERIZED CONTRIVANCE, TERMINAL, MACHINE OR  
20 OTHER DEVICE WHICH, UPON INSERTION OR PLACEMENT OF CASH OR CASH  
21 EQUIVALENTS THEREIN OR THEREON, OR UPON A WAGER OR PAYMENT OF  
22 ANY CONSIDERATION WHATSOEVER, IS AVAILABLE FOR PLAY OR OPERATION  
23 BY ONE OR MORE PLAYERS AS A TABLE GAME. THE TERM SHALL INCLUDE  
24 ANY GAMING TABLE WHERE A WAGER OR PAYMENT IS MADE USING AN  
25 ELECTRONIC OR COMPUTERIZED WAGERING OR PAYMENT SYSTEM. THE TERM  
26 SHALL NOT INCLUDE A SLOT MACHINE.

27 "EXECUTIVE-LEVEL PUBLIC EMPLOYEE." THE TERM SHALL INCLUDE  
28 THE FOLLOWING:

29 (1) DEPUTY SECRETARIES OF THE COMMONWEALTH AND THE  
30 GOVERNOR'S OFFICE EXECUTIVE STAFF.

1           (2) AN EMPLOYEE OF THE EXECUTIVE BRANCH WHOSE DUTIES  
2           SUBSTANTIALLY INVOLVE LICENSING OR ENFORCEMENT UNDER THIS  
3           PART, WHO HAS DISCRETIONARY POWER WHICH MAY AFFECT OR  
4           INFLUENCE THE OUTCOME OF A COMMONWEALTH AGENCY'S ACTION OR  
5           DECISION OR WHO IS INVOLVED IN THE DEVELOPMENT OF REGULATIONS  
6           OR POLICIES RELATING TO A LICENSED ENTITY. THE TERM SHALL  
7           INCLUDE AN EMPLOYEE WITH LAW ENFORCEMENT AUTHORITY.

8           (3) AN EMPLOYEE OF A COUNTY OR MUNICIPALITY WITH  
9           DISCRETIONARY POWERS WHICH MAY AFFECT OR INFLUENCE THE  
10           OUTCOME OF THE COUNTY'S OR MUNICIPALITY'S ACTION OR DECISION  
11           RELATED TO THIS PART OR WHO IS INVOLVED IN THE DEVELOPMENT OF  
12           LAW, REGULATION OR POLICY RELATING TO MATTERS REGULATED UNDER  
13           THIS PART. THE TERM SHALL INCLUDE AN EMPLOYEE WITH LAW  
14           ENFORCEMENT AUTHORITY.

15           (4) AN EMPLOYEE OF A DEPARTMENT, AGENCY, BOARD,  
16           COMMISSION, AUTHORITY OR OTHER GOVERNMENTAL BODY NOT INCLUDED  
17           IN PARAGRAPH (1), (2) OR (3) WITH DISCRETIONARY POWER WHICH  
18           MAY AFFECT OR INFLUENCE THE OUTCOME OF THE GOVERNMENTAL  
19           BODY'S ACTION OR DECISION RELATED TO THIS PART OR WHO IS  
20           INVOLVED IN THE DEVELOPMENT OF REGULATION OR POLICY RELATING  
21           TO MATTERS REGULATED UNDER THIS PART. THE TERM SHALL INCLUDE  
22           AN EMPLOYEE WITH LAW ENFORCEMENT AUTHORITY.

23           \* \* \*

24           "FULLY AUTOMATED ELECTRONIC GAMING TABLE." AN ELECTRONIC  
25           GAMING TABLE DETERMINED BY THE PENNSYLVANIA GAMING CONTROL BOARD  
26           TO BE PLAYABLE OR OPERABLE AS A TABLE GAME WITHOUT THE  
27           ASSISTANCE OR PARTICIPATION OF A PERSON ACTING ON BEHALF OF A  
28           CERTIFICATE HOLDER.

29           \* \* \*

30           "GAMING EMPLOYEE." ANY EMPLOYEE OF A SLOT MACHINE LICENSEE,

1 INCLUDING, BUT NOT LIMITED TO:

2 (1) CASHIERS.

3 (2) CHANGE PERSONNEL.

4 (3) [COUNTING] COUNT ROOM PERSONNEL.

5 (4) SLOT ATTENDANTS.

6 (5) HOSTS OR OTHER [PERSONS] INDIVIDUALS AUTHORIZED TO  
7 EXTEND COMPLIMENTARY SERVICES, INCLUDING EMPLOYEES PERFORMING  
8 FUNCTIONS SIMILAR TO THOSE PERFORMED BY A GAMING JUNKET  
9 REPRESENTATIVE.

10 (6) MACHINE MECHANICS [OR], COMPUTER MACHINE TECHNICIANS  
11 OR TABLE GAME DEVICE TECHNICIANS.

12 (7) SECURITY PERSONNEL.

13 (8) SURVEILLANCE PERSONNEL.

14 (9) [SUPERVISORS] PROMOTIONAL PLAY SUPERVISORS, CREDIT  
15 SUPERVISORS, PIT SUPERVISORS, CASHIER SUPERVISORS, SHIFT  
16 SUPERVISORS, TABLE GAME MANAGERS AND ASSISTANT MANAGERS AND  
17 OTHER SUPERVISORS AND MANAGERS, EXCEPT FOR THOSE SPECIFICALLY  
18 IDENTIFIED IN THIS PART AS KEY EMPLOYEES.

19 (10) BOXMEN.

20 (11) DEALERS OR CROUPIERS.

21 (12) FLOORMEN.

22 (13) PERSONNEL AUTHORIZED TO ISSUE PROMOTIONAL PLAY.

23 (14) PERSONNEL AUTHORIZED TO ISSUE CREDIT.

24 THE TERM [INCLUDES] SHALL INCLUDE EMPLOYEES OF A PERSON HOLDING  
25 A SUPPLIER'S LICENSE WHOSE DUTIES ARE DIRECTLY INVOLVED WITH THE  
26 REPAIR OR DISTRIBUTION OF SLOT MACHINES [AND], TABLE GAME  
27 DEVICES OR ASSOCIATED EQUIPMENT SOLD OR PROVIDED TO [THE] A  
28 LICENSED FACILITY WITHIN THIS COMMONWEALTH AS DETERMINED BY THE  
29 PENNSYLVANIA GAMING CONTROL BOARD. THE TERM DOES NOT INCLUDE  
30 BARTENDERS, COCKTAIL SERVERS OR OTHER PERSONS ENGAGED SOLELY IN

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

5 "GAMING JUNKET." A GAMING ARRANGEMENT MADE BY A GAMING  
6 JUNKET ENTERPRISE OR A GAMING JUNKET REPRESENTATIVE FOR AN  
7 INDIVIDUAL WHO:

8 (1) IS SELECTED OR APPROVED FOR PARTICIPATION IN THE  
9 ARRANGEMENT BASED ON THE INDIVIDUAL'S ABILITY TO SATISFY  
10 SPECIFIC FINANCIAL QUALIFICATIONS AND THE LIKELIHOOD THAT THE  
11 INDIVIDUAL WILL PARTICIPATE IN PLAYING SLOT MACHINES OR TABLE  
12 GAMES AND PATRONIZE A LICENSED FACILITY FOR THE PURPOSE OF  
13 GAMING.

14 (2) RECEIVES COMPLIMENTARY SERVICES OR GIFTS FROM A SLOT  
15 MACHINE LICENSEE FOR PARTICIPATION IN THE ARRANGEMENT  
16 INCLUDING THE COSTS OF TRANSPORTATION, FOOD, LODGING OR  
17 ENTERTAINMENT.

18 "GAMING JUNKET ENTERPRISE." A PERSON, OTHER THAN A SLOT  
19 MACHINE LICENSEE, WHO EMPLOYS OR OTHERWISE ENGAGES THE SERVICES  
20 OF A GAMING JUNKET REPRESENTATIVE TO ARRANGE GAMING JUNKETS TO A  
21 LICENSED FACILITY, REGARDLESS OF WHETHER THE ACTIVITIES OF THE  
22 PERSON OR THE GAMING JUNKET REPRESENTATIVE OCCUR WITHIN THIS  
23 COMMONWEALTH.

24 "GAMING JUNKET REPRESENTATIVE." AN INDIVIDUAL, OTHER THAN AN  
25 EMPLOYEE OF A SLOT MACHINE LICENSEE, WHO ARRANGES AND NEGOTIATES  
26 THE TERMS OF A GAMING JUNKET OR SELECTS INDIVIDUALS TO  
27 PARTICIPATE IN A GAMING JUNKET TO A LICENSED FACILITY,  
28 REGARDLESS OF WHETHER THE ACTIVITIES OF THE INDIVIDUAL OCCUR  
29 WITHIN THIS COMMONWEALTH.

30 "GAMING SCHOOL." ANY EDUCATIONAL INSTITUTION APPROVED BY THE

1 DEPARTMENT OF EDUCATION AS AN ACCREDITED COLLEGE OR UNIVERSITY,  
2 COMMUNITY COLLEGE, PENNSYLVANIA PRIVATE LICENSED SCHOOL OR ITS  
3 EQUIVALENT AND WHOSE CURRICULUM GUIDELINES ARE APPROVED BY THE  
4 DEPARTMENT OF LABOR AND INDUSTRY TO PROVIDE EDUCATION AND JOB  
5 TRAINING RELATED TO EMPLOYMENT OPPORTUNITIES ASSOCIATED WITH  
6 SLOT MACHINES OR TABLE GAMES, INCLUDING SLOT MACHINE, TABLE GAME  
7 DEVICE AND ASSOCIATED EQUIPMENT MAINTENANCE AND REPAIR.

8 "GAMING SERVICE PROVIDER." A PERSON THAT IS NOT REQUIRED TO  
9 BE LICENSED AS A MANUFACTURER, SUPPLIER, MANAGEMENT COMPANY OR  
10 GAMING JUNKET ENTERPRISE AND:

11 (1) PROVIDES GOODS OR SERVICES TO A SLOT MACHINE  
12 LICENSEE OR AN APPLICANT FOR A SLOT MACHINE LICENSE FOR USE  
13 IN THE OPERATION OF A LICENSED FACILITY; OR

14 (2) PROVIDES GOODS OR SERVICES AT A LICENSED FACILITY.

15 "GROSS TABLE GAME REVENUE." THE TOTAL OF:

16 (1) CASH OR CASH EQUIVALENTS RECEIVED IN THE PLAYING OF  
17 A TABLE GAME MINUS THE TOTAL OF:

18 (I) CASH OR CASH EQUIVALENTS PAID TO PLAYERS AS A  
19 RESULT OF PLAYING A TABLE GAME.

20 (II) CASH OR CASH EQUIVALENTS PAID TO PURCHASE  
21 ANNUITIES TO FUND PRIZES PAYABLE TO PLAYERS OVER A PERIOD  
22 OF TIME AS A RESULT OF PLAYING A TABLE GAME.

23 (III) THE ACTUAL COST PAID BY THE CERTIFICATE HOLDER  
24 FOR ANY PERSONAL PROPERTY DISTRIBUTED TO A PLAYER AS A  
25 RESULT OF PLAYING A TABLE GAME. THIS DOES NOT INCLUDE  
26 TRAVEL EXPENSES, FOOD, REFRESHMENTS, LODGING OR SERVICES.

27 (2) CONTEST OR TOURNAMENT FEES OR PAYMENTS, INCLUDING  
28 ENTRY FEES, BUY-INS, RE-BUYS AND ADMINISTRATIVE FEES, IMPOSED  
29 BY A CERTIFICATE HOLDER TO PARTICIPATE IN A TABLE GAME  
30 CONTEST OR TOURNAMENT, LESS CASH PAID OR ACTUAL COST PAID BY

1 A CERTIFICATE HOLDER FOR PRIZES AWARDED TO THE CONTEST OR  
2 TOURNAMENT WINNERS.

3 (3) THE TOTAL AMOUNT OF THE RAKE COLLECTED BY A  
4 CERTIFICATE HOLDER.

5 THE TERM DOES NOT INCLUDE COUNTERFEIT CASH OR CHIPS; COINS OR  
6 CURRENCY OF OTHER COUNTRIES RECEIVED IN THE PLAYING OF A TABLE  
7 GAME, EXCEPT TO THE EXTENT THAT THE COINS OR CURRENCY ARE  
8 READILY CONVERTIBLE TO CASH; OR CASH TAKEN IN A FRAUDULENT ACT  
9 PERPETRATED AGAINST A CERTIFICATE HOLDER FOR WHICH THE  
10 CERTIFICATE HOLDER IS NOT REIMBURSED.

11 "GROSS TERMINAL REVENUE." THE TOTAL OF CASH OR CASH  
12 EQUIVALENT WAGERS RECEIVED BY A SLOT MACHINE MINUS THE TOTAL OF:

13 (1) CASH OR CASH EQUIVALENTS PAID OUT TO [PATRONS]  
14 PLAYERS AS A RESULT OF PLAYING A SLOT MACHINE [WHICH ARE PAID  
15 TO PATRONS EITHER MANUALLY], WHETHER PAID MANUALLY OR OR PAID  
16 OUT BY THE SLOT MACHINE.

17 (2) CASH OR CASH EQUIVALENTS PAID TO PURCHASE ANNUITIES  
18 TO FUND PRIZES PAYABLE TO [PATRONS] PLAYERS OVER A PERIOD OF  
19 TIME AS A RESULT OF PLAYING A SLOT MACHINE.

20 (3) ANY PERSONAL PROPERTY DISTRIBUTED TO A [PATRON AS  
21 THE] PLAYER AS A RESULT OF PLAYING A SLOT MACHINE. THIS DOES  
22 NOT INCLUDE TRAVEL EXPENSES, FOOD, REFRESHMENTS, LODGING OR  
23 SERVICES.

24 (4) CASH RECEIVED AS ENTRY FEES FOR SLOT MACHINE  
25 CONTESTS OR TOURNAMENTS IN WHICH PLAYERS COMPETE FOR PRIZES.

26 THE TERM DOES NOT INCLUDE COUNTERFEIT [MONEY] CASH OR TOKENS[, ];  
27 COINS OR CURRENCY OF OTHER COUNTRIES [WHICH ARE] RECEIVED IN  
28 SLOT MACHINES, EXCEPT TO THE EXTENT THAT [THEY] THE COINS OR  
29 CURRENCY ARE READILY CONVERTIBLE TO [UNITED STATES CURRENCY, ]  
30 CASH; OR CASH TAKEN IN A FRAUDULENT [ACTS] ACT PERPETRATED

1 AGAINST A SLOT MACHINE LICENSEE FOR WHICH THE LICENSEE IS NOT  
2 REIMBURSED [OR CASH RECEIVED AS ENTRY FEES FOR CONTESTS OR  
3 TOURNAMENTS IN WHICH THE PATRONS COMPETE FOR PRIZES].

4 \* \* \*

5 "HOTEL." AS FOLLOWS:

6 (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), ONE OR MORE  
7 BUILDINGS OWNED OR OPERATED BY A CERTIFICATE HOLDER WHICH IS  
8 ATTACHED TO, PHYSICALLY CONNECTED TO OR ADJACENT TO THE  
9 CERTIFICATE HOLDER'S LICENSED FACILITY IN WHICH MEMBERS OF  
10 THE PUBLIC MAY, FOR A CONSIDERATION, OBTAIN SLEEPING  
11 ACCOMMODATIONS.

12 (2) WHEN THE TERM IS USED IN SECTION 1305 (RELATING TO  
13 CATEGORY 3 SLOT MACHINE LICENSE), A BUILDING OR BUILDINGS IN  
14 WHICH MEMBERS OF THE PUBLIC MAY, FOR A CONSIDERATION, OBTAIN  
15 SLEEPING ACCOMMODATIONS.

16 \* \* \*

17 "KEY EMPLOYEE." ANY INDIVIDUAL WHO IS EMPLOYED IN A DIRECTOR  
18 OR DEPARTMENT HEAD CAPACITY AND WHO IS EMPOWERED TO MAKE  
19 DISCRETIONARY DECISIONS THAT REGULATE SLOT MACHINE OR TABLE GAME  
20 OPERATIONS, INCLUDING THE GENERAL MANAGER AND ASSISTANT MANAGER  
21 OF THE LICENSED FACILITY, DIRECTOR OF SLOT OPERATIONS, DIRECTOR  
22 OF TABLE GAME OPERATIONS, DIRECTOR OF CAGE AND/OR CREDIT  
23 OPERATIONS, DIRECTOR OF SURVEILLANCE, DIRECTOR OF MARKETING,  
24 DIRECTOR OF MANAGEMENT INFORMATION SYSTEMS, DIRECTOR OF  
25 SECURITY, COMPTROLLER AND ANY EMPLOYEE WHO IS NOT OTHERWISE  
26 DESIGNATED AS A GAMING EMPLOYEE AND WHO SUPERVISES THE  
27 OPERATIONS OF THESE DEPARTMENTS OR TO WHOM THESE DEPARTMENT  
28 DIRECTORS OR DEPARTMENT HEADS REPORT AND SUCH OTHER POSITIONS  
29 NOT OTHERWISE DESIGNATED OR DEFINED UNDER THIS PART WHICH THE  
30 PENNSYLVANIA GAMING CONTROL BOARD SHALL DETERMINE BASED ON

1 DETAILED ANALYSES OF JOB DESCRIPTIONS AS PROVIDED IN THE  
2 INTERNAL CONTROLS OF THE LICENSEE AS APPROVED BY THE  
3 PENNSYLVANIA GAMING CONTROL BOARD. ALL OTHER GAMING EMPLOYEES  
4 UNLESS OTHERWISE DESIGNATED BY THE PENNSYLVANIA GAMING CONTROL  
5 BOARD SHALL BE CLASSIFIED AS NON-KEY EMPLOYEES.

6 "LAW ENFORCEMENT AUTHORITY." THE POWER TO CONDUCT  
7 INVESTIGATIONS OF OR TO MAKE ARRESTS FOR CRIMINAL OFFENSES.

8 \* \* \*

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

17 "LICENSED FACILITY." THE PHYSICAL LAND-BASED LOCATION AT  
18 WHICH A LICENSED GAMING ENTITY IS AUTHORIZED TO PLACE AND  
19 OPERATE SLOT MACHINES AND, IF AUTHORIZED BY THE PENNSYLVANIA  
20 GAMING CONTROL BOARD UNDER CHAPTER 13A (RELATING TO TABLE  
21 GAMES), TO CONDUCT TABLE GAMES. THE TERM INCLUDES ANY:

22 (1) AREA OF A LICENSED RACETRACK AUTHORIZED PURSUANT TO  
23 SECTION 1207(17) (RELATING TO REGULATORY AUTHORITY OF BOARD)  
24 TO OPERATE SLOT MACHINES;

25 (2) BOARD-APPROVED INTERIM FACILITY OR TEMPORARY  
26 FACILITY; AND

27 (3) AREA OF A HOTEL WHICH THE PENNSYLVANIA GAMING  
28 CONTROL BOARD DETERMINES IS SUITABLE TO CONDUCT TABLE GAMES.

29 \* \* \*

30 "MANUFACTURER." A PERSON WHO MANUFACTURES, BUILDS, REBUILDS,

1 FABRICATES, ASSEMBLES, PRODUCES, PROGRAMS, DESIGNS OR OTHERWISE  
2 MAKES MODIFICATIONS TO ANY SLOT MACHINE, TABLE GAME DEVICE OR  
3 ASSOCIATED EQUIPMENT FOR USE OR PLAY OF SLOT MACHINES OR TABLE  
4 GAMES IN THIS COMMONWEALTH FOR GAMING PURPOSES.

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

9 \* \* \*

10 "MUNICIPAL AUTHORITY." A BODY POLITIC AND CORPORATE CREATED  
11 UNDER THE FORMER ACT OF JUNE 28, 1935 (P.L.463, NO.191), KNOWN  
12 AS THE MUNICIPALITY AUTHORITIES ACT OF ONE THOUSAND NINE HUNDRED  
13 AND THIRTY-FIVE, THE FORMER ACT OF MAY 2, 1945 (P.L.382,  
14 NO.164), KNOWN AS THE MUNICIPALITY AUTHORITIES ACT OF 1945, THE  
15 ACT OF JULY 29, 1953 (P.L.1034, NO.270), KNOWN AS THE PUBLIC  
16 AUDITORIUM AUTHORITIES LAW OR 53 PA.C.S. CH. 56 (RELATING TO  
17 MUNICIPAL AUTHORITIES).

18 \* \* \*

19 "NONBANKING GAME." ANY TABLE GAME IN WHICH A PLAYER COMPETES  
20 AGAINST ANOTHER PLAYER AND IN WHICH THE CERTIFICATE HOLDER  
21 COLLECTS A RAKE.

22 \* \* \*

23 "PARTY." THE BUREAU OF INVESTIGATIONS AND ENFORCEMENT OF THE  
24 PENNSYLVANIA GAMING CONTROL BOARD OR ANY APPLICANT, LICENSEE,  
25 PERMITTEE, REGISTRANT OR OTHER PERSON APPEARING OF RECORD IN ANY  
26 PROCEEDING BEFORE THE PENNSYLVANIA GAMING CONTROL BOARD.

27 \* \* \*

28 "PLAYER." AN INDIVIDUAL WAGERING CASH, CASH EQUIVALENT OR  
29 OTHER THING OF VALUE IN THE PLAY OR OPERATION OF A SLOT MACHINE  
30 OR TABLE GAME, INCLUDING DURING A CONTEST OR TOURNAMENT, THE

1 PLAY OR OPERATION OF WHICH MAY DELIVER OR ENTITLE THE INDIVIDUAL  
2 PLAYING OR OPERATING THE SLOT MACHINE OR TABLE GAME TO RECEIVE  
3 CASH, CASH EQUIVALENT OR OTHER THING OF VALUE FROM ANOTHER  
4 PLAYER OR A SLOT MACHINE LICENSEE.

5 \* \* \*

6 "RAKE." A SET FEE OR PERCENTAGE ASSESSED BY A CERTIFICATE  
7 HOLDER FOR PROVIDING THE SERVICES OF A DEALER, GAMING TABLE OR  
8 LOCATION, FOR PLAYING ANY NONBANKING GAME.

9 \* \* \*

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

25 (1) MAY UTILIZE SPINNING REELS OR VIDEO DISPLAYS OR  
26 BOTH.

27 (2) MAY OR MAY NOT DISPENSE COINS, TICKETS OR TOKENS TO  
28 WINNING PATRONS.

29 (3) MAY USE AN ELECTRONIC CREDIT SYSTEM FOR RECEIVING  
30 WAGERS AND MAKING PAYOUTS.

1 THE TERM SHALL INCLUDE ASSOCIATED EQUIPMENT NECESSARY TO CONDUCT  
2 THE OPERATION OF THE CONTRIVANCE, TERMINAL, MACHINE OR OTHER  
3 DEVICE.

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 FOR USE OR PLAY OF SLOT MACHINES  
8 OR TABLE GAMES IN THIS COMMONWEALTH.

9 "SUPPLIER LICENSE." A LICENSE ISSUED BY THE PENNSYLVANIA  
10 GAMING CONTROL BOARD AUTHORIZING A SUPPLIER TO PROVIDE PRODUCTS  
11 OR SERVICES RELATED TO SLOT MACHINES, TABLE GAME DEVICES OR  
12 ASSOCIATED EQUIPMENT TO SLOT MACHINE LICENSEES FOR USE IN THIS  
13 COMMONWEALTH FOR GAMING PURPOSES.

14 \* \* \*

15 "SUSPICIOUS TRANSACTION." THE ACCEPTANCE OR REDEMPTION BY A  
16 PERSON OF CASH OR A CASH EQUIVALENT INVOLVING OR AGGREGATING  
17 \$5,000 OR MORE WHICH A SLOT MACHINE LICENSEE OR EMPLOYEE OF A  
18 SLOT MACHINE LICENSEE KNOWS, SUSPECTS OR HAS REASON TO BELIEVE:

19 (1) INVOLVES FUNDS DERIVED FROM ILLEGAL ACTIVITIES OR IS  
20 INTENDED OR CONDUCTED IN ORDER TO CONCEAL OR DISGUISE FUNDS  
21 OR ASSETS DERIVED FROM ILLEGAL ACTIVITIES;

22 (2) IS PART OF A PLAN TO VIOLATE OR EVADE ANY LAW OR  
23 REGULATION OR TO AVOID ANY TRANSACTION REPORTING REQUIREMENT  
24 UNDER THE LAWS OR REGULATIONS OF THIS COMMONWEALTH OR THE  
25 UNITED STATES, INCLUDING A PLAN TO STRUCTURE A SERIES OF  
26 TRANSACTIONS TO AVOID ANY TRANSACTION REPORTING REQUIREMENT  
27 UNDER THE LAWS OR REGULATIONS OF THIS COMMONWEALTH OR THE  
28 UNITED STATES; OR

29 (3) HAS NO LAWFUL BUSINESS OR OTHER APPARENT LAWFUL  
30 PURPOSE OR IS NOT THE TYPE OF TRANSACTION IN WHICH A PERSON

1 WOULD NORMALLY BE EXPECTED TO ENGAGE AND THE SLOT MACHINE  
2 LICENSEE OR EMPLOYEE KNOWS OF NO REASONABLE EXPLANATION FOR  
3 THE TRANSACTION AFTER EXAMINING THE AVAILABLE FACTS,  
4 INCLUDING THE BACKGROUND AND POSSIBLE PURPOSE OF THE  
5 TRANSACTION.

6 "TABLE GAME." ANY BANKING OR NONBANKING GAME APPROVED BY THE  
7 PENNSYLVANIA GAMING CONTROL BOARD. THE TERM INCLUDES ROULETTE,  
8 BACCARAT, BLACKJACK, POKER, CRAPS, BIG SIX WHEEL, MINI-BACCARAT,  
9 RED DOG, PAI GOW, TWENTY-ONE, CASINO WAR, ACEY-DUCEY, SIC BO,  
10 CHUCK-A-LUCK, FAN-TAIL, PANGUINGUI, CHEMIN DE FER, ASIA POKER,  
11 BOSTON 5 STUD POKER, CARIBBEAN STUD POKER, COLORADO HOLD 'EM  
12 POKER, DOUBLE ATTACK BLACKJACK, DOUBLE CROSS POKER, DOUBLE DOWN  
13 STUD POKER, FAST ACTION HOLD 'EM, FLOP POKER, FOUR CARD POKER,  
14 LET IT RIDE POKER, MINI-CRAPS, MINI-DICE, PAI GOW POKER,  
15 POKETTE, SPANISH 21, TEXAS HOLD 'EM BONUS POKER, THREE CARD  
16 POKER, TWO CARD JOKER POKER, ULTIMATE TEXAS HOLD 'EM, WINNER'S  
17 POT POKER AND ANY OTHER BANKING OR NONBANKING GAME. THE TERM  
18 SHALL NOT INCLUDE:

19 (1) LOTTERY GAMES OF THE PENNSYLVANIA STATE LOTTERY AS  
20 AUTHORIZED UNDER THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91),  
21 KNOWN AS THE STATE LOTTERY LAW.

22 (2) BINGO AS AUTHORIZED UNDER THE ACT OF JULY 10, 1981  
23 (P.L.214, NO.67), KNOWN AS THE BINGO LAW.

24 (3) PARI-MUTUEL BETTING ON THE OUTCOME OF THOROUGHBRED  
25 OR HARNESS HORSE RACING AS AUTHORIZED UNDER THE ACT OF  
26 DECEMBER 17, 1981 (P.L.435, NO.135), KNOWN AS THE RACE HORSE  
27 INDUSTRY REFORM ACT.

28 (4) SMALL GAMES OF CHANCE AS AUTHORIZED UNDER THE ACT OF  
29 DECEMBER 19, 1988 (P.L.1262, NO.156), KNOWN AS THE LOCAL  
30 OPTION SMALL GAMES OF CHANCE ACT.

1           (5) SLOT MACHINE GAMING AND PROGRESSIVE SLOT MACHINE  
2           GAMING AS DEFINED AND AUTHORIZED UNDER THIS PART.

3           (6) KENO.

4           "TABLE GAME DEVICE." INCLUDES GAMING TABLES, CARDS, DICE,  
5           CHIPS, SHUFFLERS, TILES, DOMINOES, WHEELS, DROP BOXES OR ANY  
6           MECHANICAL, ELECTRICAL OR COMPUTERIZED CONTRIVANCE, TERMINAL,  
7           MACHINE OR OTHER DEVICE, APPARATUS, EQUIPMENT OR SUPPLIES  
8           APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AND USED TO  
9           CONDUCT A TABLE GAME.

10          "TABLE GAME OPERATION CERTIFICATE." A CERTIFICATE AWARDED BY  
11          THE PENNSYLVANIA GAMING CONTROL BOARD UNDER CHAPTER 13A  
12          (RELATING TO TABLE GAMES) THAT AUTHORIZES A SLOT MACHINE  
13          LICENSEE TO CONDUCT TABLE GAMES IN ACCORDANCE WITH THIS PART.

14          "TOURNAMENT." AN ORGANIZED SERIES OF CONTESTS APPROVED BY  
15          THE PENNSYLVANIA GAMING CONTROL BOARD IN WHICH AN OVERALL WINNER  
16          IS ULTIMATELY DETERMINED.

17          "TRUSTEE." A PERSON APPOINTED BY THE PENNSYLVANIA GAMING  
18          CONTROL BOARD UNDER SECTION 1332 (RELATING TO APPOINTMENT OF  
19          TRUSTEE) TO MANAGE AND CONTROL THE OPERATIONS OF A LICENSED  
20          FACILITY AND WHO HAS THE FIDUCIARY RESPONSIBILITY TO MAKE  
21          DECISIONS TO PRESERVE THE VIABILITY OF A LICENSED FACILITY AND  
22          THE INTEGRITY OF GAMING IN THIS COMMONWEALTH.

23          \* \* \*

24          SECTION 3. SECTION 1201(F)(3), (H)(5), (7.1), (10), (11),  
25          (13), (14) AND (15) AND (K) OF TITLE 4 ARE AMENDED, SUBSECTION  
26          (H) IS AMENDED BY ADDING PARAGRAPHS AND THE SECTION IS AMENDED  
27          BY ADDING A SUBSECTION TO READ:

28          § 1201. PENNSYLVANIA GAMING CONTROL BOARD ESTABLISHED.

29          \* \* \*

30          (F) QUALIFIED MAJORITY VOTE.--

1 \* \* \*

2 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART OR  
3 65 PA.C.S. § 1103(J) (RELATING TO RESTRICTED ACTIVITIES), A  
4 MEMBER SHALL DISCLOSE THE NATURE OF HIS DISQUALIFYING  
5 INTEREST, DISQUALIFY HIMSELF AND ABSTAIN FROM VOTING IN A  
6 HEARING OR PROCEEDING UNDER THIS PART IN WHICH HIS  
7 OBJECTIVITY, IMPARTIALITY, INTEGRITY OR INDEPENDENCE OF  
8 JUDGMENT MAY BE REASONABLY QUESTIONED, AS PROVIDED IN  
9 SUBSECTION (H) (6) OR SECTION 1202.1(C) (3) (RELATING TO CODE  
10 OF CONDUCT). IF A LEGISLATIVE APPOINTEE HAS DISQUALIFIED  
11 HIMSELF, THE QUALIFIED MAJORITY SHALL CONSIST OF ALL OF THE  
12 REMAINING LEGISLATIVE APPOINTEES AND AT LEAST TWO  
13 GUBERNATORIAL APPOINTEES.

14 \* \* \*

15 (H) QUALIFICATIONS AND RESTRICTIONS.--

16 \* \* \*

17 (4.1) NO MEMBER SHALL ENGAGE IN ANY BUSINESS, EMPLOYMENT  
18 OR VOCATION FOR WHICH THE MEMBER RECEIVES A SALARY,  
19 COMPENSATION OR FEE FOR SERVICES RENDERED WHICH IS IN EXCESS  
20 OF 15% OF THE MEMBER'S GROSS ANNUAL SALARY AS A MEMBER OF THE  
21 BOARD. FOR PURPOSES OF THIS PARAGRAPH, THE TERMS "SALARY,"  
22 "COMPENSATION" AND "FEE" DO NOT INCLUDE ANY OF THE FOLLOWING:

23 (I) PASSIVE OR UNEARNED INCOME, INCLUDING INTEREST,  
24 DIVIDENDS OR CAPITAL GAINS FROM THE SALE OF ASSETS OR  
25 SECURITIES HELD FOR INVESTMENT PURPOSES.

26 (II) HEALTH CARE BENEFITS OR RETIREMENT, PENSION OR  
27 ANNUITY PAYMENTS.

28 (III) AMOUNTS RECEIVED FROM A FAMILY-CONTROLLED  
29 TRADE OR BUSINESS IN WHICH BOTH PERSONAL SERVICES AND  
30 CAPITAL ARE INCOME-PRODUCING FACTORS, PROVIDED THAT THE

1           PERSONAL SERVICES ACTUALLY RENDERED BY THE MEMBER DO NOT  
2           GENERATE A SIGNIFICANT AMOUNT OF INCOME.

3           (IV) DIRECTOR'S FEES ATTRIBUTABLE TO BOARD  
4           MEMBERSHIP OF A CORPORATE OR NONPROFIT BODY OR BOARD OR  
5           REIMBURSEMENT FOR EXPENSES INCURRED IN CONNECTION WITH  
6           BOARD MEMBERSHIP.

7           (5) NO MEMBER SHALL BE PAID OR RECEIVE ANY FEE OR OTHER  
8           COMPENSATION FOR ANY ACTIVITY RELATED TO THE DUTIES OR  
9           AUTHORITY OF THE BOARD OTHER THAN SALARY AND EXPENSES  
10          PROVIDED BY LAW [FOR ANY ACTIVITY RELATED TO THE DUTIES OR  
11          AUTHORITY OF THE BOARD. NOTHING IN THIS PART SHALL PROHIBIT A  
12          MEMBER FROM ENGAGING IN ANY EMPLOYMENT OR RECEIVING ANY  
13          COMPENSATION FOR SUCH EMPLOYMENT THAT IS NOT CONNECTED TO OR  
14          INCOMPATIBLE WITH HIS SERVICE AS A MEMBER OF THE BOARD].

15           \* \* \*

16          (7.1) PRIOR TO BEING SWORN AS A MEMBER, AN APPOINTEE AND  
17          HIS IMMEDIATE FAMILY SHALL DIVEST ANY FINANCIAL INTEREST IN  
18          ANY APPLICANT, LICENSED FACILITY OR LICENSED ENTITY AND IN AN  
19          AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY  
20          THEREOF OWNED OR HELD BY THE APPOINTEE OR KNOWN TO BE HELD BY  
21          THE APPOINTEE'S IMMEDIATE FAMILY. FOR THE DURATION OF THE  
22          MEMBER'S TERM AND FOR [ONE YEAR] TWO YEARS THEREAFTER, THE  
23          MEMBER AND THE MEMBER'S IMMEDIATE FAMILY MAY NOT ACQUIRE A  
24          FINANCIAL INTEREST IN ANY APPLICANT, LICENSED FACILITY OR  
25          LICENSED ENTITY OR IN AN AFFILIATE, INTERMEDIARY, SUBSIDIARY  
26          OR HOLDING COMPANY [THEREOF] OF AN APPLICANT, LICENSED  
27          FACILITY OR LICENSED ENTITY. FOR PURPOSES OF THIS PARAGRAPH,  
28          THE TERM "IMMEDIATE FAMILY" SHALL MEAN SPOUSE AND ANY MINOR  
29          OR UNEMANCIPATED CHILD.

30           \* \* \*

1 (10) NO FORMER MEMBER MAY APPEAR BEFORE THE BOARD IN ANY  
2 HEARING OR PROCEEDING OR PARTICIPATE IN ANY OTHER ACTIVITY ON  
3 BEHALF OF ANY APPLICANT, LICENSED ENTITY, OR AN AFFILIATE,  
4 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY [THEREOF] OF AN  
5 APPLICANT OR LICENSED ENTITY, OR ANY OTHER LICENSEE OR  
6 PERMITTEE, FOR A PERIOD OF TWO YEARS FROM THE TERMINATION OF  
7 TERM OF OFFICE.

8 (11) NO MEMBER, EMPLOYEE OF THE BOARD OR INDEPENDENT  
9 CONTRACTOR [OF THE BOARD] SHALL ACCEPT A COMPLIMENTARY  
10 SERVICE, WAGER OR BE PAID ANY PRIZE FROM ANY WAGER AT ANY  
11 LICENSED FACILITY WITHIN THIS COMMONWEALTH OR AT ANY OTHER  
12 FACILITY OUTSIDE THIS COMMONWEALTH WHICH IS OWNED OR OPERATED  
13 BY A LICENSED GAMING ENTITY OR ANY OF ITS AFFILIATES,  
14 INTERMEDIARIES, SUBSIDIARIES OR HOLDING COMPANIES [THEREOF]  
15 FOR THE DURATION OF THEIR TERM OF OFFICE, EMPLOYMENT OR  
16 CONTRACT WITH THE BOARD AND FOR A PERIOD OF ONE YEAR FROM THE  
17 TERMINATION OF TERM OF OFFICE, EMPLOYMENT OR CONTRACT WITH  
18 THE BOARD. THE PROVISIONS OF THIS PARAGRAPH PROHIBITING  
19 WAGERING DURING THE TERM OF EMPLOYMENT SHALL NOT APPLY TO  
20 EMPLOYEES [WHO UTILIZE] OR INDEPENDENT CONTRACTORS WHILE  
21 UTILIZING SLOT MACHINES OR TABLE GAME DEVICES FOR TESTING  
22 PURPOSES OR [TO VERIFY] WHILE VERIFYING THE PERFORMANCE OF A  
23 SLOT MACHINE OR TABLE GAME AS PART OF AN ENFORCEMENT  
24 INVESTIGATION.

25 \* \* \*

26 (13) NO EMPLOYEE OF THE BOARD [OR INDIVIDUAL EMPLOYED BY  
27 AN INDEPENDENT CONTRACTOR OF THE BOARD] WHOSE DUTIES  
28 SUBSTANTIALLY INVOLVE LICENSING[, ] OR ENFORCEMENT [OR], THE  
29 DEVELOPMENT [OR ADOPTION] OF LAWS, OR THE DEVELOPMENT OR  
30 ADOPTION OF REGULATIONS OR POLICY RELATED TO GAMING UNDER

1 THIS PART OR WHO HAS OTHER DISCRETIONARY AUTHORITY WHICH MAY  
2 AFFECT THE OUTCOME OF AN ACTION, PROCEEDING OR DECISION UNDER  
3 THIS PART, INCLUDING THE EXECUTIVE DIRECTOR, BUREAU DIRECTORS  
4 AND ATTORNEYS, SHALL DO ANY OF THE FOLLOWING:

5 (I) [ACCEPT] ACCEPT EMPLOYMENT WITH OR BE RETAINED  
6 BY AN APPLICANT OR LICENSED ENTITY, OR AN AFFILIATE,  
7 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY [THEREOF] OF  
8 AN APPLICANT OR LICENSED ENTITY, FOR A PERIOD OF [ONE  
9 YEAR AFTER] TWO YEARS FOLLOWING THE TERMINATION OF [THE]  
10 EMPLOYMENT [RELATING TO THE CONDUCT OF GAMING OR CONTRACT  
11 WITH THE BOARD; OR].

12 (II) [APPEAR] APPEAR BEFORE THE BOARD IN ANY HEARING  
13 OR PROCEEDING OR PARTICIPATE IN ANY OTHER ACTIVITY ON  
14 BEHALF OF ANY APPLICANT, LICENSEE, PERMITTEE OR LICENSED  
15 ENTITY, OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR  
16 HOLDING COMPANY [THEREOF] OF AN APPLICANT, LICENSEE OR  
17 LICENSED ENTITY, FOR A PERIOD OF TWO YEARS AFTER  
18 TERMINATION OF [THE] EMPLOYMENT [OR CONTRACT WITH THE  
19 BOARD].

20 AS A CONDITION OF EMPLOYMENT, AN INDIVIDUAL SUBJECT TO THIS  
21 PARAGRAPH SHALL SIGN AN AFFIDAVIT THAT THE INDIVIDUAL WILL  
22 NOT ACCEPT EMPLOYMENT WITH OR BE RETAINED BY ANY APPLICANT OR  
23 LICENSED ENTITY, OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR  
24 HOLDING COMPANY OF AN APPLICANT OR LICENSED ENTITY, FOR A  
25 PERIOD OF TWO YEARS FOLLOWING THE TERMINATION OF EMPLOYMENT.  
26 IF AN EMPLOYEE OF THE BOARD REFUSES OR OTHERWISE FAILS TO  
27 SIGN THE AFFIDAVIT, THE BOARD SHALL TERMINATE THE EMPLOYMENT.  
28 AN APPLICANT OR LICENSED ENTITY, OR AN AFFILIATE,  
29 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF AN APPLICANT  
30 OR LICENSED ENTITY, SHALL NOT EMPLOY OR RETAIN AN INDIVIDUAL

1 WHO SIGNED AN AFFIDAVIT REQUIRED BY THIS PARAGRAPH UNTIL THE  
2 EXPIRATION OF THE TWO-YEAR PERIOD REQUIRED BY THIS PARAGRAPH  
3 FOR THE ACCEPTANCE OF EMPLOYMENT. AN APPLICANT OR LICENSED  
4 ENTITY, OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING  
5 COMPANY OF AN APPLICANT OR LICENSED ENTITY, THAT KNOWINGLY  
6 EMPLOYS OR RETAINS AN INDIVIDUAL IN VIOLATION OF THIS  
7 PARAGRAPH SHALL TERMINATE THE EMPLOYMENT OF THE INDIVIDUAL  
8 AND BE SUBJECT TO A PENALTY UNDER SECTION 1518(C) (RELATING  
9 TO PROHIBITED ACTS; PENALTIES).

10 (13.1) NO INDEPENDENT CONTRACTOR OR EMPLOYEE OF AN  
11 INDEPENDENT CONTRACTOR WHOSE DUTIES SUBSTANTIALLY INVOLVE  
12 CONSULTATION RELATING TO LICENSING, ENFORCEMENT OR THE  
13 DEVELOPMENT OR ADOPTION OF REGULATIONS OR POLICY RELATED TO  
14 GAMING UNDER THIS PART SHALL:

15 (I) ACCEPT EMPLOYMENT WITH OR BE RETAINED BY AN  
16 APPLICANT OR LICENSED ENTITY, OR AN AFFILIATE,  
17 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF AN  
18 APPLICANT OR LICENSED ENTITY, FOR A PERIOD OF ONE YEAR  
19 AFTER THE TERMINATION OF THE CONTRACT WITH THE BOARD.

20 (II) APPEAR BEFORE THE BOARD IN ANY HEARING OR  
21 PROCEEDING OR PARTICIPATE IN ANY OTHER ACTIVITY ON BEHALF  
22 OF AN APPLICANT, LICENSEE, PERMITTEE OR LICENSED ENTITY,  
23 OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING  
24 COMPANY OF AN APPLICANT, LICENSEE OR LICENSED ENTITY, FOR  
25 A PERIOD OF TWO YEARS AFTER TERMINATION OF EMPLOYMENT  
26 WITH THE INDEPENDENT CONTRACTOR OR TERMINATION OF THE  
27 CONTRACT WITH THE BOARD.

28 EACH CONTRACT BETWEEN THE BOARD AND AN INDEPENDENT CONTRACTOR  
29 SHALL CONTAIN A PROVISION REQUIRING THE INDEPENDENT  
30 CONTRACTOR AND EACH EMPLOYEE OF THE INDEPENDENT CONTRACTOR

1 SUBJECT TO THIS PARAGRAPH TO SIGN AN AFFIDAVIT TO NOT ACCEPT  
2 EMPLOYMENT WITH OR BE RETAINED BY ANY APPLICANT OR LICENSED  
3 ENTITY, OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING  
4 COMPANY OF AN APPLICANT OR LICENSED ENTITY, FOR A PERIOD OF  
5 ONE YEAR FOLLOWING THE TERMINATION OF THE CONTRACT WITH THE  
6 BOARD OR ONE YEAR FOLLOWING TERMINATION OF EMPLOYMENT WITH  
7 THE INDEPENDENT CONTRACTOR, AS THE CASE MAY BE. IF AN  
8 INDEPENDENT CONTRACTOR OR AN EMPLOYEE OF AN INDEPENDENT  
9 CONTRACTOR REFUSES OR OTHERWISE FAILS TO SIGN THE AFFIDAVIT,  
10 THE BOARD SHALL TERMINATE THE CONTRACT. AN APPLICANT OR  
11 LICENSED ENTITY, OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR  
12 HOLDING COMPANY OF AN APPLICANT OR LICENSED ENTITY, SHALL NOT  
13 EMPLOY OR RETAIN AN INDIVIDUAL WHO SIGNED AN AFFIDAVIT  
14 REQUIRED BY THIS PARAGRAPH UNTIL THE EXPIRATION OF THE ONE-  
15 YEAR PERIOD REQUIRED BY THIS PARAGRAPH FOR THE ACCEPTANCE OF  
16 EMPLOYMENT. AN APPLICANT OR LICENSED ENTITY, OR AN AFFILIATE,  
17 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF AN APPLICANT  
18 OR LICENSED ENTITY, THAT KNOWINGLY EMPLOYS OR RETAINS AN  
19 INDIVIDUAL IN VIOLATION OF THIS PARAGRAPH SHALL TERMINATE THE  
20 EMPLOYMENT OF THE INDIVIDUAL AND BE SUBJECT TO A PENALTY  
21 UNDER SECTION 1518(C).

22 (13.2) NOTHING UNDER PARAGRAPH (13) OR (13.1) SHALL  
23 PREVENT A CURRENT OR FORMER EMPLOYEE OF THE BOARD, A CURRENT  
24 OR FORMER INDEPENDENT CONTRACTOR OR A CURRENT OR FORMER  
25 EMPLOYEE OF AN INDEPENDENT CONTRACTOR FROM APPEARING BEFORE  
26 THE BOARD IN ANY HEARING OR PROCEEDING AS A WITNESS OR  
27 TESTIFYING AS TO ANY FACT OR INFORMATION.

28 (14) [UPON THE WRITTEN REQUEST OF AN EMPLOYEE OF THE  
29 BOARD, THE EXECUTIVE BRANCH OF THE COMMONWEALTH OR A  
30 POLITICAL SUBDIVISION OR OF THE AGENCY OR POLITICAL

1 SUBDIVISION EMPLOYING AN EMPLOYEE, THE STATE ETHICS  
2 COMMISSION SHALL DETERMINE WHETHER THE INDIVIDUAL'S DUTIES  
3 SUBSTANTIALLY INVOLVE THE DEVELOPMENT OR ADOPTION OF  
4 REGULATIONS OR POLICY, LICENSING OR ENFORCEMENT UNDER THIS  
5 PART AND SHALL PROVIDE A WRITTEN DETERMINATION TO THE  
6 EMPLOYEE TO INCLUDE ANY PROHIBITION UNDER THIS PARAGRAPH. AN  
7 INDIVIDUAL WHO] THE STATE ETHICS COMMISSION SHALL ISSUE A  
8 WRITTEN DETERMINATION OF WHETHER A PERSON IS SUBJECT TO  
9 PARAGRAPH (13) OR (13.1) UPON THE WRITTEN REQUEST OF THE  
10 PERSON OR THE PERSON'S EMPLOYER OR POTENTIAL EMPLOYER. A  
11 PERSON THAT RELIES IN GOOD FAITH ON A DETERMINATION ISSUED  
12 UNDER THIS PARAGRAPH SHALL NOT BE SUBJECT TO ANY PENALTY FOR  
13 AN ACTION TAKEN, PROVIDED THAT ALL MATERIAL FACTS SET FORTH  
14 IN THE REQUEST FOR [A] THE DETERMINATION ARE CORRECT.

15 (14.1) THE STATE ETHICS COMMISSION SHALL PUBLISH A LIST  
16 OF ALL EMPLOYMENT POSITIONS WITHIN THE BOARD AND EMPLOYMENT  
17 POSITIONS WITHIN INDEPENDENT CONTRACTORS WHOSE DUTIES WOULD  
18 SUBJECT THE INDIVIDUALS IN THOSE POSITIONS TO THE PROVISIONS  
19 OF PARAGRAPHS (13) AND (13.1). THE BOARD AND EACH INDEPENDENT  
20 CONTRACTOR SHALL ASSIST THE STATE ETHICS COMMISSION IN THE  
21 DEVELOPMENT OF THE LIST, WHICH SHALL BE PUBLISHED BY THE  
22 STATE ETHICS COMMISSION IN THE PENNSYLVANIA BULLETIN  
23 BIENNIALY AND POSTED BY THE BOARD ON THE BOARD'S INTERNET  
24 WEBSITE. UPON REQUEST, EMPLOYEES OF THE BOARD AND EACH  
25 INDEPENDENT CONTRACTOR SHALL HAVE A DUTY TO PROVIDE THE STATE  
26 ETHICS COMMISSION WITH ADEQUATE INFORMATION TO ACCURATELY  
27 DEVELOP AND MAINTAIN THE LIST. THE STATE ETHICS COMMISSION  
28 MAY IMPOSE A CIVIL PENALTY UNDER 65 PA.C.S. § 1109(F)  
29 (RELATING TO PENALTIES) UPON AN INDIVIDUAL WHO FAILS TO  
30 COOPERATE WITH THE STATE ETHICS COMMISSION UNDER THIS

1 PARAGRAPH. AN INDIVIDUAL WHO RELIES IN GOOD FAITH ON THE LIST  
2 PUBLISHED BY THE STATE ETHICS COMMISSION SHALL NOT BE SUBJECT  
3 TO ANY PENALTY FOR A VIOLATION OF PARAGRAPH (13) OR (13.1).

4 (15) IF A MEMBER[, EMPLOYEE OR INDEPENDENT CONTRACTOR]  
5 OF THE BOARD VIOLATES ANY PROVISION OF THIS SECTION, THE  
6 APPOINTING AUTHORITY [OR THE BOARD MAY, UPON NOTICE AND  
7 HEARING,] MAY REMOVE THE PERSON FROM THE BOARD[, WITHDRAW THE  
8 APPOINTMENT OR TERMINATE THE EMPLOYMENT OR CONTRACT, AND THE  
9 PERSON SHALL BE INELIGIBLE FOR FUTURE APPOINTMENT, EMPLOYMENT  
10 OR CONTRACT WITH THE BOARD AND FOR APPROVAL OF A LICENSE OR  
11 PERMIT UNDER THIS PART FOR A PERIOD OF TWO YEARS THEREAFTER].

12 A MEMBER REMOVED UNDER THIS PARAGRAPH SHALL, FOR A PERIOD OF  
13 FIVE YEARS FOLLOWING REMOVAL, BE PROHIBITED FROM FUTURE  
14 APPOINTMENT TO THE BOARD AND SHALL BE PROHIBITED FROM  
15 APPLYING FOR A LICENSE, PERMIT OR OTHER AUTHORIZATION UNDER  
16 THIS PART AND FROM BECOMING AN INDEPENDENT CONTRACTOR OR  
17 REGISTERING AS A LICENSED ENTITY REPRESENTATIVE.

18 \* \* \*

19 (K) APPOINTMENTS.--THE APPOINTING AUTHORITIES SHALL MAKE  
20 THEIR INITIAL APPOINTMENTS WITHIN 60 DAYS OF THE EFFECTIVE DATE  
21 OF THIS PART. APPOINTMENTS TO FILL A VACANCY SHALL BE MADE  
22 WITHIN 60 DAYS OF THE CREATION OF THE VACANCY. NO APPOINTMENT  
23 SHALL BE FINAL UNTIL RECEIPT BY THE APPOINTING AUTHORITY OF THE  
24 REQUIRED BACKGROUND INVESTIGATION OF THE APPOINTEE BY THE  
25 PENNSYLVANIA STATE POLICE WHICH SHALL BE COMPLETED WITHIN 30  
26 DAYS. NO PERSON WHO HAS BEEN CONVICTED IN ANY DOMESTIC OR  
27 FOREIGN JURISDICTION OF A FELONY, INFAMOUS CRIME OR GAMING  
28 OFFENSE SHALL BE APPOINTED TO THE BOARD.

29 \* \* \*

30 (M.1) BUDGETARY IMPASSE.--IF, IN THE EVENT OF A BUDGETARY OR

1 OTHER FISCAL CRISIS, THE GOVERNOR ORDERS THE FURLOUGH OF  
2 COMMONWEALTH EMPLOYEES, THE BOARD AND ITS EMPLOYEES AND ALL  
3 EMPLOYEES OF THE DEPARTMENT AND THE PENNSYLVANIA STATE POLICE  
4 WHOSE DUTIES INVOLVE THE REGULATION AND OVERSIGHT OF GAMING  
5 UNDER THIS PART SHALL NOT BE SUBJECT TO FURLOUGH AND SHALL  
6 CONTINUE TO PERFORM THEIR DUTIES OF EMPLOYMENT.

7 \* \* \*

8 SECTION 3.1. SECTION 1201.1(A) (1) OF TITLE 4 IS AMENDED TO  
9 READ:

10 § 1201.1. APPLICABILITY OF OTHER STATUTES.

11 (A) GENERAL RULE.--THE FOLLOWING ACTS SHALL APPLY TO THE  
12 BOARD:

13 (1) THE ACT OF [JUNE 21, 1957 (P.L.390, NO.212),  
14 REFERRED TO] FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE  
15 RIGHT-TO-KNOW LAW.

16 \* \* \*

17 SECTION 4. SECTION 1202(A) (1) AND (2) AND (B) (7), (20) AND  
18 (23) OF TITLE 4 ARE AMENDED AND SUBSECTION (B) IS AMENDED BY  
19 ADDING PARAGRAPHS TO READ:

20 § 1202. GENERAL AND SPECIFIC POWERS.

21 (A) GENERAL POWERS.--

22 (1) THE BOARD SHALL HAVE GENERAL AND SOLE REGULATORY  
23 AUTHORITY OVER THE CONDUCT OF GAMING OR RELATED ACTIVITIES AS  
24 DESCRIBED IN THIS PART. THE BOARD SHALL ENSURE THE INTEGRITY  
25 OF THE ACQUISITION AND OPERATION OF SLOT MACHINES, TABLE  
26 GAMES, TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT AND SHALL  
27 HAVE SOLE REGULATORY AUTHORITY OVER EVERY ASPECT OF THE  
28 AUTHORIZATION [AND] OPERATION AND PLAY OF SLOT MACHINES AND  
29 TABLE GAMES.

30 (2) THE BOARD SHALL EMPLOY INDIVIDUALS AS NECESSARY TO

1 CARRY OUT THE POWERS AND DUTIES OF THE BOARD, WHO SHALL SERVE  
2 AT THE BOARD'S PLEASURE. AN EMPLOYEE OF THE BOARD SHALL BE  
3 CONSIDERED A STATE EMPLOYEE FOR PURPOSES OF 71 PA.C.S. PT.  
4 XXV (RELATING TO RETIREMENT FOR STATE EMPLOYEES AND  
5 OFFICERS). FOR THE PURPOSES OF THIS PARAGRAPH, THE BOARD  
6 SHALL NOT BE CONSIDERED AN EXECUTIVE OR INDEPENDENT AGENCY  
7 UNDER THE ACT OF OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS  
8 THE COMMONWEALTH ATTORNEYS ACT. THE BOARD SHALL NOT TAKE  
9 FINAL ACTION TO FILL ANY VACANCY IN THE POSITION OF EXECUTIVE  
10 DIRECTOR OF THE BOARD, DIRECTOR OF THE BUREAU, CHIEF COUNSEL  
11 OF THE BOARD OR DIRECTOR OF THE OFFICE OF ENFORCEMENT COUNSEL  
12 UNTIL RECEIPT AND REVIEW OF THE RESULTS OF THE INDIVIDUAL'S  
13 BACKGROUND INVESTIGATION UNDER SECTION 1517(C) (1.1) (RELATING  
14 TO INVESTIGATIONS AND ENFORCEMENT).

15 \* \* \*

16 (B) SPECIFIC POWERS.--THE BOARD SHALL HAVE THE SPECIFIC  
17 POWER AND DUTY:

18 \* \* \*

19 (7) TO ADMINISTER OATHS, EXAMINE WITNESSES AND ISSUE  
20 SUBPOENAS COMPELLING THE ATTENDANCE OF WITNESSES OR THE  
21 PRODUCTION OF DOCUMENTS AND RECORDS OR OTHER EVIDENCE[. THE  
22 PROVISIONS OF THIS PARAGRAPH SHALL APPLY TO DESIGNATED  
23 OFFICERS AND EMPLOYEES.], OR TO DESIGNATE OFFICERS OR  
24 EMPLOYEES TO PERFORM THESE DUTIES.

25 \* \* \*

26 (12.1) AT ITS DISCRETION, TO AWARD, REVOKE, SUSPEND,  
27 CONDITION OR DENY A TABLE GAME OPERATION CERTIFICATE TO A  
28 SLOT MACHINE LICENSEE IN ACCORDANCE WITH CHAPTER 13A  
29 (RELATING TO TABLE GAMES).

30 \* \* \*

1           (20) IN ADDITION TO THE POWER OF THE BOARD REGARDING  
2 LICENSE AND PERMIT APPLICANTS, TO DETERMINE AT ITS DISCRETION  
3 THE SUITABILITY OF ANY PERSON WHO FURNISHES OR SEEKS TO  
4 FURNISH TO A SLOT MACHINE LICENSEE DIRECTLY OR INDIRECTLY ANY  
5 GOODS, SERVICES OR PROPERTY RELATED TO SLOT MACHINES, TABLE  
6 GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT OR THROUGH  
7 ANY ARRANGEMENTS UNDER WHICH THAT PERSON RECEIVES PAYMENT  
8 BASED DIRECTLY OR INDIRECTLY ON EARNINGS, PROFITS OR RECEIPTS  
9 FROM THE SLOT MACHINES, TABLE GAMES, TABLE GAME DEVICES AND  
10 ASSOCIATED EQUIPMENT. THE BOARD MAY REQUIRE ANY SUCH PERSON  
11 TO COMPLY WITH THE REQUIREMENTS OF THIS PART AND THE  
12 REGULATIONS OF THE BOARD AND MAY PROHIBIT THE PERSON FROM  
13 FURNISHING THE SERVICES OR PROPERTY.

14           \* \* \*

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

28           \* \* \*

29           (27.1) TO PUBLISH EACH JANUARY IN THE PENNSYLVANIA  
30 BULLETIN AND ON THE PENNSYLVANIA GAMING CONTROL BOARD'S

1 INTERNET WEBSITE A COMPLETE LIST OF ALL SLOT MACHINE  
2 LICENSEES WHO FILED A PETITION SEEKING AUTHORIZATION TO  
3 CONDUCT TABLE GAMES AND THE STATUS OF EACH PETITION OR TABLE  
4 GAME OPERATION CERTIFICATE.

5 \* \* \*

6 (31) TO COLLECT AND POST INFORMATION ON ITS INTERNET  
7 WEBSITE WITH SUFFICIENT DETAIL TO INFORM THE PUBLIC OF EACH  
8 PERSON WITH A CONTROLLING INTEREST OR OWNERSHIP INTEREST IN  
9 AN APPLICANT FOR A SLOT MACHINE LICENSE OR A LICENSED GAMING  
10 ENTITY, OR AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING  
11 COMPANY OF AN APPLICANT OR LICENSED GAMING ENTITY. THE  
12 POSTING SHALL INCLUDE:

13 (I) IF THE APPLICANT OR LICENSED GAMING ENTITY, OR  
14 ANY AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING  
15 COMPANY OF THE APPLICANT OR LICENSED GAMING ENTITY, IS A  
16 PUBLICLY TRADED DOMESTIC OR FOREIGN CORPORATION,  
17 PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER LEGAL  
18 ENTITY, THE NAMES OF ALL PERSONS WITH A CONTROLLING  
19 INTEREST.

20 (II) IF THE APPLICANT OR LICENSED GAMING ENTITY, OR  
21 ANY AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING  
22 COMPANY OF THE APPLICANT OR LICENSED GAMING ENTITY, IS A  
23 PRIVATELY HELD DOMESTIC OR FOREIGN CORPORATION,  
24 PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER LEGAL  
25 ENTITY, THE NAMES OF ALL PERSONS WITH AN OWNERSHIP  
26 INTEREST EQUAL TO OR GREATER THAN 1%.

27 (III) THE NAME OF ANY PERSON ENTITLED TO CAST THE  
28 VOTE OF A PERSON NAMED UNDER SUBPARAGRAPH (I) OR (II).

29 (IV) THE NAMES OF ALL OFFICERS, DIRECTORS AND  
30 PRINCIPALS OF THE APPLICANT OR LICENSED GAMING ENTITY.

1           (32) TO APPOINT A TRUSTEE AS PRESCRIBED IN SECTION 1332  
2           (RELATING TO APPOINTMENT OF TRUSTEE).

3           (33) TO ADOPT REGULATIONS GOVERNING THE POSTEMPLOYMENT  
4           LIMITATIONS AND RESTRICTIONS APPLICABLE TO MEMBERS AND TO  
5           EMPLOYEES OF THE BOARD SUBJECT TO SECTION 1201(H) (13)  
6           (RELATING TO PENNSYLVANIA GAMING CONTROL BOARD ESTABLISHED).  
7           IN DEVELOPING THESE REGULATIONS, THE BOARD MAY CONSULT WITH  
8           THE STATE ETHICS COMMISSION, OTHER GOVERNMENTAL AGENCIES AND  
9           THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA  
10           REGARDING POSTEMPLOYMENT LIMITATIONS AND RESTRICTIONS ON  
11           MEMBERS AND EMPLOYEES OF THE BOARD WHO ARE MEMBERS OF THE  
12           PENNSYLVANIA BAR.

13           (34) TO REVIEW DETAILED SITE PLANS IDENTIFYING A  
14           PETITIONER'S PROPOSED TABLE GAME AREA WITHIN A LICENSED  
15           FACILITY TO DETERMINE THE ADEQUACY OF THE PROPOSED INTERNAL  
16           AND EXTERNAL SECURITY AND PROPOSED SURVEILLANCE MEASURES.

17           SECTION 5. SECTION 1202.1 OF TITLE 4 IS AMENDED TO READ:  
18 § 1202.1. CODE OF CONDUCT.

19           (A) SCOPE.--THE BOARD SHALL ADOPT A COMPREHENSIVE CODE OF  
20 CONDUCT PRIOR TO THE CONSIDERATION OF ANY LICENSE, PERMIT OR  
21 REGISTRATION APPLICATION. THE CODE OF CONDUCT SHALL SUPPLEMENT  
22 ALL OTHER REQUIREMENTS UNDER THIS PART AND 65 PA.C.S. PT. II  
23 (RELATING TO ACCOUNTABILITY) AND SHALL PROVIDE GUIDELINES  
24 APPLICABLE TO MEMBERS, EMPLOYEES OF THE BOARD, INDEPENDENT  
25 CONTRACTORS [OF THE BOARD] AND THE IMMEDIATE [FAMILIES] FAMILY  
26 OF THE MEMBERS, EMPLOYEES AND INDEPENDENT CONTRACTORS TO ENABLE  
27 THEM TO AVOID ANY PERCEIVED OR ACTUAL CONFLICT OF INTEREST AND  
28 TO PROMOTE PUBLIC CONFIDENCE IN THE INTEGRITY AND IMPARTIALITY  
29 OF THE BOARD. AT A MINIMUM, THE CODE OF CONDUCT ADOPTED UNDER  
30 THIS SECTION SHALL INCLUDE REGISTRATION OF LICENSED ENTITY

1 REPRESENTATIVES UNDER SUBSECTION (B) AND THE RESTRICTIONS UNDER  
2 [SUBSECTION (C)] SUBSECTIONS (C) AND (C.1).

3 (B) REGISTRATION.--

4 (1) A LICENSED ENTITY REPRESENTATIVE SHALL REGISTER WITH  
5 THE BOARD IN A MANNER PRESCRIBED BY THE BOARD, WHICH SHALL  
6 INCLUDE THE NAME, EMPLOYER OR FIRM, BUSINESS ADDRESS[, ] AND  
7 BUSINESS TELEPHONE NUMBER OF BOTH THE LICENSED ENTITY  
8 REPRESENTATIVE AND [THE] ANY LICENSED ENTITY, APPLICANT FOR  
9 LICENSURE OR OTHER PERSON BEING REPRESENTED.

10 (2) A LICENSED ENTITY REPRESENTATIVE SHALL HAVE AN  
11 [ONGOING] AFFIRMATIVE DUTY TO UPDATE ITS REGISTRATION  
12 INFORMATION ON AN ONGOING BASIS AND FAILURE TO DO SO SHALL BE  
13 PUNISHABLE BY THE BOARD.

14 (3) THE [REGISTRATION LIST] BOARD SHALL MAINTAIN A  
15 REGISTRATION LIST WHICH SHALL CONTAIN THE INFORMATION  
16 REQUIRED UNDER PARAGRAPH (1) AND WHICH SHALL BE AVAILABLE FOR  
17 PUBLIC INSPECTION AT THE OFFICES OF THE BOARD AND ON THE  
18 BOARD'S INTERNET WEBSITE.

19 (C) RESTRICTIONS.--[A] IN ADDITION TO THE OTHER PROHIBITIONS  
20 CONTAINED IN THIS PART, A MEMBER [OF THE BOARD] SHALL:

21 (1) [NOT ENGAGE IN ANY EX PARTE COMMUNICATION WITH ANY  
22 PERSON.] (RESERVED).

23 (2) NOT ACCEPT ANY DISCOUNT, GIFT, GRATUITY,  
24 COMPENSATION, TRAVEL, LODGING OR OTHER THING OF VALUE,  
25 DIRECTLY OR INDIRECTLY, FROM ANY APPLICANT[, LICENSEE, ];  
26 LICENSED ENTITY; AFFILIATE, SUBSIDIARY, OR INTERMEDIARY OF AN  
27 APPLICANT OR A LICENSED ENTITY; PERMITTEE[, ]; REGISTRANT; OR  
28 LICENSED ENTITY REPRESENTATIVE [THEREOF].

29 (3) DISCLOSE AND [DISQUALIFY] RECUSE HIMSELF FROM ANY  
30 HEARING OR OTHER PROCEEDING IN WHICH THE MEMBER'S

1 OBJECTIVITY, IMPARTIALITY, INTEGRITY OR INDEPENDENCE OF  
2 JUDGMENT MAY BE REASONABLY QUESTIONED DUE TO THE MEMBER'S  
3 RELATIONSHIP OR ASSOCIATION WITH A PARTY CONNECTED TO ANY  
4 HEARING OR PROCEEDING OR A PERSON APPEARING BEFORE THE BOARD.

5 (4) REFRAIN FROM ANY FINANCIAL OR BUSINESS DEALING WHICH  
6 WOULD TEND TO REFLECT ADVERSELY ON THE MEMBER'S OBJECTIVITY,  
7 IMPARTIALITY OR INDEPENDENCE OF JUDGMENT.

8 (5) NOT HOLD OR CAMPAIGN FOR PUBLIC OFFICE, HOLD AN  
9 OFFICE IN ANY POLITICAL PARTY OR POLITICAL COMMITTEE AS  
10 DEFINED IN SECTION 1513(D) (RELATING TO POLITICAL INFLUENCE),  
11 CONTRIBUTE TO OR SOLICIT CONTRIBUTIONS TO A POLITICAL  
12 CAMPAIGN, [PARTY,] POLITICAL PARTY, POLITICAL COMMITTEE OR  
13 CANDIDATE, PUBLICLY ENDORSE A CANDIDATE OR ACTIVELY  
14 PARTICIPATE IN A POLITICAL CAMPAIGN.

15 (6) NOT SOLICIT FUNDS FOR ANY CHARITABLE, EDUCATIONAL,  
16 RELIGIOUS, HEALTH, FRATERNAL, CIVIC OR OTHER NONPROFIT ENTITY  
17 FROM [AN] ANY APPLICANT, LICENSED ENTITY, PARTY, PERMITTEE,  
18 REGISTRANT OR LICENSED ENTITY REPRESENTATIVE, OR FROM ANY  
19 AFFILIATE, SUBSIDIARY, INTERMEDIARY OR HOLDING COMPANY OF [A]  
20 ANY APPLICANT, LICENSED ENTITY, [INTERESTED] PARTY OR  
21 LICENSED ENTITY REPRESENTATIVE. [A BOARD] SUBJECT TO THE  
22 PROVISIONS OF SECTION 1201(H)(4.1), A MEMBER MAY SERVE AS AN  
23 OFFICER, EMPLOYEE OR MEMBER OF THE GOVERNING BODY OF A  
24 NONPROFIT ENTITY AND MAY ATTEND, MAKE PERSONAL CONTRIBUTIONS  
25 TO AND PLAN OR PRESIDE OVER THE ENTITY'S FUNDRAISING EVENTS.  
26 A [BOARD] MEMBER MAY PERMIT HIS NAME TO APPEAR ON THE  
27 LETTERHEAD USED FOR FUNDRAISING EVENTS IF THE LETTERHEAD  
28 CONTAINS ONLY THE [BOARD] MEMBER'S NAME AND POSITION WITH THE  
29 NONPROFIT ENTITY.

30 (7) NOT MEET OR ENGAGE IN DISCUSSIONS WITH ANY

1 APPLICANT, [PERSON LICENSED UNDER THIS PART OR A] LICENSED  
2 ENTITY, PERMITTEE, REGISTRANT, LICENSED ENTITY  
3 REPRESENTATIVE, PERSON WHO PROVIDES GOODS, PROPERTY OR  
4 SERVICES TO A SLOT MACHINE LICENSEE OR ANY OTHER PERSON OR  
5 ENTITY UNDER THE JURISDICTION OF THE BOARD UNLESS THE MEETING  
6 OR DISCUSSION OCCURS ON THE BUSINESS PREMISES OF THE BOARD  
7 AND IS RECORDED IN A LOG [MAINTAINED FOR THIS PURPOSE]. THE  
8 LOG SHALL BE AVAILABLE FOR PUBLIC INSPECTION DURING THE  
9 REGULAR BUSINESS HOURS OF THE BOARD AND SHALL BE POSTED ON  
10 THE BOARD'S INTERNET WEBSITE. THE LOG SHALL INCLUDE THE DATE  
11 AND TIME OF THE MEETING OR DISCUSSION, THE NAMES OF THE  
12 PARTICIPANTS AND THE SUBJECT DISCUSSED. THE PROVISIONS OF  
13 THIS PARAGRAPH SHALL NOT APPLY TO MEETINGS [OF THE BOARD] TO  
14 CONSIDER MATTERS REQUIRING THE PHYSICAL INSPECTION OF THE  
15 EQUIPMENT OR PREMISES OF AN APPLICANT OR A LICENSED ENTITY  
16 [AT THEIR LOCATION] PROVIDED THE MEETING IS ENTERED IN THE  
17 LOG.

18 (8) AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY  
19 AT ALL TIMES AND OBSERVE STANDARDS AND CONDUCT THAT PROMOTE  
20 PUBLIC CONFIDENCE IN THE OVERSIGHT OF GAMING.

21 (9) COMPLY WITH ANY OTHER LAWS, RULES OR REGULATIONS  
22 RELATING TO THE CONDUCT OF A MEMBER.

23 (C.1) EX PARTE COMMUNICATIONS.--

24 (1) NO MEMBER OR HEARING OFFICER OF THE BOARD SHALL  
25 ENGAGE IN ANY EX PARTE COMMUNICATION WITH ANY PERSON. NO  
26 ATTORNEY OF THE OFFICE OF CHIEF COUNSEL ADVISING THE BOARD ON  
27 A PARTICULAR LICENSING ISSUE OR PROCEEDING SHALL ENGAGE IN  
28 ANY EX PARTE COMMUNICATION WITH ANY PERSON.

29 (2) NO ATTORNEY REPRESENTING THE BUREAU OR THE OFFICE OF  
30 ENFORCEMENT COUNSEL OR AN APPLICANT, LICENSEE OR PERMITTEE IN

1 ANY PROCEEDING, SHALL ENGAGE IN AN EX PARTE COMMUNICATION  
2 WITH A MEMBER, AN ATTORNEY OF THE OFFICE OF CHIEF COUNSEL WHO  
3 IS ADVISING THE BOARD ON A PROCEEDING OR A HEARING OFFICER OF  
4 THE BOARD.

5 (3) NO EMPLOYEE OF THE BUREAU OR THE OFFICE OF  
6 ENFORCEMENT COUNSEL SHALL ENGAGE IN AN EX PARTE COMMUNICATION  
7 WITH A MEMBER, AN ATTORNEY OF THE OFFICE OF CHIEF COUNSEL WHO  
8 IS ADVISING THE BOARD ON A PROCEEDING OR A HEARING OFFICER OF  
9 THE BOARD.

10 (C.2) PROCEDURES RELATING TO EX PARTE COMMUNICATIONS.--

11 (1) AN EX PARTE COMMUNICATION RECEIVED OR ENGAGED IN BY  
12 A MEMBER OR HEARING OFFICER SHALL BE RECORDED IN A LOG. THE  
13 LOG SHALL BE AVAILABLE FOR PUBLIC INSPECTION DURING THE  
14 REGULAR BUSINESS HOURS OF THE BOARD AND SHALL BE POSTED ON  
15 THE BOARD'S INTERNET WEBSITE. THE LOG SHALL INCLUDE:

16 (I) THE NAME OF THE INDIVIDUAL DOCUMENTING THE EX  
17 PARTE COMMUNICATION.

18 (II) THE DATE AND TIME OF THE EX PARTE  
19 COMMUNICATION.

20 (III) THE NAMES OF ALL INDIVIDUALS INVOLVED IN THE  
21 EX PARTE COMMUNICATION.

22 (IV) THE SUBJECT DISCUSSED.

23 (2) IN ADDITION TO DOCUMENTING AN EX PARTE COMMUNICATION  
24 UNDER PARAGRAPH (1), NOTIFICATION OF THE SUBSTANCE OF THE  
25 COMMUNICATION AND AN OPPORTUNITY TO RESPOND SHALL BE PROVIDED  
26 TO ALL PARTIES TO A HEARING OR OTHER PROCEEDING DIRECTLY  
27 AFFECTED BY THE ANTICIPATED VOTE OR ACTION OF THE HEARING  
28 OFFICER OR BOARD RELATED TO THE EX PARTE COMMUNICATION.

29 (3) (I) A MEMBER OR HEARING OFFICER WHO ENGAGED IN OR  
30 RECEIVED AN EX PARTE COMMUNICATION SHALL RECUSE HIMSELF

1 FROM ANY HEARING OR OTHER PROCEEDING RELATED TO THE EX  
2 PARTE COMMUNICATION IF THE CONTEXT AND SUBSTANCE OF THE  
3 EX PARTE COMMUNICATION CREATES SUBSTANTIAL REASONABLE  
4 DOUBT AS TO THE INDIVIDUAL'S ABILITY TO ACT OBJECTIVELY,  
5 INDEPENDENTLY OR IMPARTIALLY.

6 (II) A MEMBER OR HEARING OFFICER WHO ENGAGED IN OR  
7 RECEIVED AN EX PARTE COMMUNICATION WHO ELECTS NOT TO  
8 RECUSE HIMSELF FROM A HEARING OR OTHER PROCEEDING SHALL  
9 STATE HIS REASONS FOR NOT RECUSING HIMSELF ON THE RECORD  
10 PRIOR TO THE COMMENCEMENT OF THE HEARING OR PROCEEDING.

11 (III) IF A LEGISLATIVE APPOINTEE RECUSES HIMSELF  
12 FROM ANY HEARING OR OTHER PROCEEDING UNDER THIS SECTION,  
13 ANY QUALIFIED MAJORITY VOTE REQUIRED UNDER THIS PART  
14 SHALL CONSIST OF ALL OF THE REMAINING LEGISLATIVE  
15 APPOINTEES AND AT LEAST TWO GUBERNATORIAL APPOINTEES.

16 (IV) FAILURE OF A HEARING OFFICER WHO ENGAGED IN OR  
17 RECEIVED AN EX PARTE COMMUNICATION TO RECUSE HIMSELF FROM  
18 A HEARING OR OTHER PROCEEDING WHEN REQUIRED UNDER  
19 SUBPARAGRAPH (I) SHALL BE GROUNDS FOR APPEAL TO THE  
20 BOARD.

21 (V) FAILURE OF A MEMBER WHO ENGAGED IN OR RECEIVED  
22 AN EX PARTE COMMUNICATION TO RECUSE HIMSELF FROM A  
23 HEARING OR OTHER PROCEEDING WHEN REQUIRED UNDER  
24 SUBPARAGRAPH (I) SHALL BE GROUNDS FOR APPEAL TO A COURT  
25 OF COMPETENT JURISDICTION IF THE BOARD ACTION BEING  
26 APPEALED COULD NOT HAVE OCCURRED WITHOUT THE  
27 PARTICIPATION OF THE MEMBER.

28 (4) THIS SUBSECTION SHALL NOT PRECLUDE A MEMBER FROM  
29 CONSULTING WITH OTHER MEMBERS INDIVIDUALLY IF THE  
30 CONSULTATION COMPLIES WITH 65 PA.C.S. CH. 7 (RELATING TO

1 OPEN MEETINGS) OR WITH EMPLOYEES OR INDEPENDENT  
2 CONTRACTORS WHOSE FUNCTIONS ARE TO ASSIST THE BOARD IN  
3 CARRYING OUT ITS ADJUDICATIVE FUNCTIONS.

4 (D) EX OFFICIO MEMBERS.--THE RESTRICTIONS UNDER SUBSECTION  
5 (C) (5) SHALL NOT APPLY TO EX OFFICIO MEMBERS.

6 (E) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
7 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
8 SUBSECTION:

9 "EX PARTE COMMUNICATION." AN OFF-THE-RECORD COMMUNICATION  
10 ENGAGED IN OR RECEIVED BY A MEMBER OR [EMPLOYEE] HEARING OFFICER  
11 OF THE BOARD REGARDING THE MERITS OF OR ANY FACT IN ISSUE  
12 RELATING TO A PENDING MATTER BEFORE THE BOARD OR HEARING OFFICER  
13 OR WHICH MAY REASONABLY BE EXPECTED TO COME BEFORE THE BOARD OR  
14 HEARING OFFICER IN A CONTESTED ON-THE-RECORD PROCEEDING. THE  
15 TERM SHALL NOT INCLUDE OFF-THE-RECORD COMMUNICATIONS BY OR  
16 BETWEEN A MEMBER OR [EMPLOYEE] HEARING OFFICER OF THE BOARD,  
17 [DEPARTMENT OF REVENUE] DEPARTMENT, PENNSYLVANIA STATE POLICE,  
18 ATTORNEY GENERAL OR OTHER LAW ENFORCEMENT OFFICIAL PRIOR TO THE  
19 BEGINNING OF THE PROCEEDING SOLELY FOR THE PURPOSE OF SEEKING  
20 CLARIFICATION OR CORRECTION TO EVIDENTIARY MATERIALS INTENDED  
21 FOR USE IN THE PROCEEDINGS. THE TERM SHALL ALSO NOT INCLUDE  
22 COMMUNICATIONS BETWEEN THE BOARD OR A MEMBER AND THE OFFICE OF  
23 CHIEF COUNSEL.

24 ["LICENSED ENTITY REPRESENTATIVE." A PERSON ACTING ON BEHALF  
25 OF OR REPRESENTING THE INTEREST OF ANY APPLICANT, LICENSEE,  
26 PERMITTEE OR REGISTRANT, INCLUDING AN ATTORNEY, AGENT OR  
27 LOBBYIST, REGARDING ANY MATTER WHICH MAY REASONABLY BE EXPECTED  
28 TO COME BEFORE THE BOARD.]

29 SECTION 6. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:  
30 § 1202.2. EXPENSES OF REGULATORY AGENCIES.

1     (A) REIMBURSEMENT.--MEMBERS AND EMPLOYEES OF THE BOARD,  
2 EMPLOYEES OF THE DEPARTMENT AND THE OFFICE OF ATTORNEY GENERAL,  
3 AND TROOPERS AND EMPLOYEES OF THE PENNSYLVANIA STATE POLICE,  
4 WHOSE DUTIES INVOLVE THE REGULATION OR ENFORCEMENT OF GAMING  
5 UNDER THIS PART WHO ARE SEEKING REIMBURSEMENT FROM FUNDS WHICH  
6 ARE OR WILL BE PAID BY AN APPLICANT FOR A SLOT MACHINE LICENSE  
7 OR A SLOT MACHINE LICENSEE OR FROM THE ASSESSMENTS MADE BY THE  
8 DEPARTMENT UNDER SECTION 1402(A) (RELATING TO GROSS TERMINAL  
9 REVENUE DEDUCTIONS) MAY BE REIMBURSED ONLY FOR ACTUAL AND  
10 REASONABLE EXPENSES INCURRED DURING THE PERFORMANCE OF THEIR  
11 DUTIES UNDER THIS PART.

12     (B) RECEIPTS.--IN ORDER TO RECEIVE REIMBURSEMENT FOR AN  
13 EXPENSE UNDER SUBSECTION (A), THE INDIVIDUAL SEEKING  
14 REIMBURSEMENT MUST SUBMIT A RECEIPT TO THE APPROPRIATE AGENCY  
15 DOCUMENTING THE EXPENSE INCURRED. RECEIPTS AND REQUESTS FOR  
16 REIMBURSEMENT SHALL BE FINANCIAL RECORDS FOR PURPOSES OF, AND  
17 SUBJECT TO REDACTION UNDER, THE ACT OF FEBRUARY 14, 2008 (P.L.6,  
18 NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.

19     SECTION 7. SECTION 1204 OF TITLE 4 IS AMENDED TO READ:  
20 § 1204. LICENSED GAMING ENTITY APPLICATION APPEALS FROM BOARD.  
21     THE SUPREME COURT OF PENNSYLVANIA SHALL BE VESTED WITH  
22 EXCLUSIVE APPELLATE JURISDICTION TO CONSIDER APPEALS OF ANY  
23 FINAL ORDER, DETERMINATION OR DECISION OF THE BOARD INVOLVING  
24 THE APPROVAL, ISSUANCE, DENIAL OR CONDITIONING OF A SLOT MACHINE  
25 LICENSE OR THE AWARD, DENIAL OR CONDITIONING OF A TABLE GAME  
26 OPERATION CERTIFICATE. NOTWITHSTANDING THE PROVISIONS OF 2  
27 PA.C.S. CH. 7 SUBCH. A (RELATING TO JUDICIAL REVIEW OF  
28 COMMONWEALTH AGENCY ACTION) AND 42 PA.C.S. § 763 (RELATING TO  
29 DIRECT APPEALS FROM GOVERNMENT AGENCIES), THE SUPREME COURT  
30 SHALL AFFIRM ALL FINAL ORDERS, DETERMINATIONS OR DECISIONS OF

1 THE BOARD INVOLVING THE APPROVAL, ISSUANCE, DENIAL OR  
2 CONDITIONING OF A SLOT MACHINE LICENSE OR THE AWARD, DENIAL OR  
3 CONDITIONING OF A TABLE GAME OPERATION CERTIFICATE UNLESS IT  
4 SHALL FIND THAT THE BOARD COMMITTED AN ERROR OF LAW OR THAT THE  
5 ORDER, DETERMINATION OR DECISION OF THE BOARD WAS ARBITRARY AND  
6 THERE WAS A CAPRICIOUS DISREGARD OF THE EVIDENCE.

7 SECTION 7.1. SECTION 1205(B)(1) AND (2) OF TITLE 4 ARE  
8 AMENDED AND THE SUBSECTION IS AMENDED BY ADDING A PARAGRAPH TO  
9 READ:

10 § 1205. LICENSE OR PERMIT APPLICATION HEARING PROCESS; PUBLIC  
11 INPUT HEARINGS.

12 \* \* \*

13 (B) PUBLIC INPUT HEARING REQUIREMENT.--

14 (1) [PRIOR TO LICENSING A FACILITY UNDER THIS PART, THE  
15 BOARD SHALL HOLD AT LEAST ONE PUBLIC INPUT HEARING ON THE  
16 MATTER.] THE BOARD SHALL HOLD AT LEAST ONE PUBLIC INPUT  
17 HEARING PRIOR TO:

18 (I) APPROVING A SLOT MACHINE LICENSE APPLICATION OR  
19 RENEWING A SLOT MACHINE LICENSE.

20 (II) APPROVING THE STRUCTURAL REDESIGN OF A LICENSED  
21 FACILITY LOCATED IN A CITY OF THE FIRST CLASS.

22 (2) ALL PUBLIC INPUT HEARINGS [RELATING TO AN  
23 APPLICATION FOR A SLOT MACHINE LICENSE] UNDER PARAGRAPH (1)  
24 SHALL BE HELD IN THE MUNICIPALITY WHERE THE LICENSED FACILITY  
25 WILL BE, OR IS, LOCATED AND SHALL BE ORGANIZED IN COOPERATION  
26 WITH THE MUNICIPALITY.

27 \* \* \*

28 (4) IN ADDITION TO ANY WITNESSES SCHEDULED TO TESTIFY  
29 UNDER PARAGRAPH (3), THE BOARD SHALL ESTABLISH A PUBLIC  
30 COMMENT PERIOD DURING WHICH TIME MEMBERS OF THE PUBLIC MAY

1 ADDRESS THE BOARD REGARDING THE APPLICATION, LICENSE OR  
2 PROPOSED STRUCTURAL REDESIGN. THE BOARD, IN ITS DISCRETION,  
3 MAY PLACE REASONABLE TIME LIMITS ON AN INDIVIDUAL'S COMMENTS.

4 SECTION 8. SECTION 1206(F) OF TITLE 4 IS AMENDED TO READ:

5 § 1206. BOARD MINUTES AND RECORDS.

6 \* \* \*

7 (F) CONFIDENTIALITY OF INFORMATION.--[ALL]

8 (1) THE FOLLOWING INFORMATION SUBMITTED BY AN APPLICANT,  
9 PERMITTEE OR LICENSEE PURSUANT TO SECTION 1310(A) (RELATING  
10 TO SLOT MACHINE LICENSE APPLICATION CHARACTER REQUIREMENTS)  
11 OR 1308(A.1) (RELATING TO APPLICATIONS FOR LICENSE OR PERMIT)  
12 OR OBTAINED BY THE BOARD OR THE BUREAU AS PART OF A  
13 BACKGROUND OR OTHER INVESTIGATION FROM ANY SOURCE SHALL BE  
14 [CONSIDERED] CONFIDENTIAL[.] AND WITHHELD FROM PUBLIC  
15 DISCLOSURE:

16 (I) ALL INFORMATION RELATING TO CHARACTER, HONESTY  
17 AND INTEGRITY, INCLUDING FAMILY, HABITS, REPUTATION,  
18 HISTORY OF CRIMINAL ACTIVITY, BUSINESS ACTIVITIES,  
19 FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL AND PERSONAL  
20 ASSOCIATIONS SUBMITTED UNDER SECTION 1310(A) OR 1308(A.1)  
21 OR OTHERWISE OBTAINED BY THE BOARD OR THE BUREAU.

22 (II) NONPUBLIC PERSONAL INFORMATION, INCLUDING HOME  
23 ADDRESSES, TELEPHONE NUMBERS AND OTHER PERSONAL CONTACT  
24 INFORMATION, SOCIAL SECURITY NUMBERS, EDUCATIONAL  
25 RECORDS, MEMBERSHIPS, MEDICAL RECORDS, TAX RETURNS AND  
26 DECLARATIONS, ACTUAL OR PROPOSED COMPENSATION, FINANCIAL  
27 ACCOUNT RECORDS, CREDITWORTHINESS OR FINANCIAL CONDITION  
28 RELATING TO AN APPLICANT, LICENSEE OR PERMITTEE OR THE  
29 IMMEDIATE FAMILY THEREOF.

30 (III) INFORMATION RELATING TO PROPRIETARY

1 INFORMATION, TRADE SECRETS, PATENTS OR EXCLUSIVE  
2 LICENSES, ARCHITECTURAL AND ENGINEERING PLANS AND  
3 INFORMATION RELATING TO COMPETITIVE MARKETING MATERIALS  
4 AND STRATEGIES, WHICH MAY INCLUDE CUSTOMER-IDENTIFYING  
5 INFORMATION OR CUSTOMER PROSPECTS FOR SERVICES SUBJECT TO  
6 COMPETITION.

7 (IV) SECURITY INFORMATION, INCLUDING RISK PREVENTION  
8 PLANS, DETECTION AND COUNTERMEASURES, LOCATION OF COUNT  
9 ROOMS, EMERGENCY MANAGEMENT PLANS, SECURITY AND  
10 SURVEILLANCE PLANS, EQUIPMENT AND USAGE PROTOCOLS AND  
11 THEFT AND FRAUD PREVENTION PLANS AND COUNTERMEASURES.

12 (V) INFORMATION WITH RESPECT TO WHICH THERE IS A  
13 REASONABLE POSSIBILITY THAT PUBLIC RELEASE OR INSPECTION  
14 OF THE INFORMATION WOULD CONSTITUTE AN UNWARRANTED  
15 INVASION INTO PERSONAL PRIVACY OF ANY INDIVIDUAL AS  
16 DETERMINED BY THE BOARD.

17 (VI) RECORDS OF AN APPLICANT OR LICENSEE NOT  
18 REQUIRED TO BE FILED WITH THE SECURITIES AND EXCHANGE  
19 COMMISSION BY ISSUERS THAT EITHER HAVE SECURITIES  
20 REGISTERED UNDER SECTION 12 OF THE SECURITIES EXCHANGE  
21 ACT OF 1934 (48 STAT. 881, 15 U.S.C. § 78A ET SEQ.) OR  
22 ARE REQUIRED TO FILE REPORTS UNDER SECTION 15(D) OF THE  
23 SECURITIES EXCHANGE ACT OF 1934.

24 (VII) RECORDS CONSIDERED NONPUBLIC MATTERS OR  
25 INFORMATION BY THE SECURITIES AND EXCHANGE COMMISSION AS  
26 PROVIDED BY 17 CFR 200.80 (RELATING TO COMMISSION RECORDS  
27 AND INFORMATION).

28 (VIII) ANY FINANCIAL INFORMATION DEEMED CONFIDENTIAL  
29 BY THE BOARD UPON A SHOWING OF GOOD CAUSE BY THE  
30 APPLICANT OR LICENSEE.

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

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

9           (3.1) NOTWITHSTANDING PARAGRAPH (1)(III), FOR PURPOSES  
10 OF A PUBLIC INPUT HEARING UNDER THIS PART, THE BOARD MAY  
11 RELEASE ARCHITECTURAL RENDERINGS OR MODELS DEPICTING A  
12 PROPOSED STRUCTURAL DESIGN OR REDESIGN OF THE LICENSED  
13 FACILITY THAT IS THE SUBJECT OF THE HEARING.

14           (4) EXCEPT AS PROVIDED IN SECTION 1517(F) (RELATING TO  
15 [INVESTIGATION] INVESTIGATIONS AND ENFORCEMENT), THE  
16 INFORMATION MADE CONFIDENTIAL PURSUANT TO THIS SECTION SHALL  
17 BE WITHHELD FROM PUBLIC DISCLOSURE IN WHOLE OR IN PART,  
18 EXCEPT THAT ANY CONFIDENTIAL INFORMATION SHALL BE RELEASED  
19 UPON THE [LAWFUL] ORDER OF A COURT OF COMPETENT JURISDICTION  
20 OR, WITH THE APPROVAL OF THE ATTORNEY GENERAL, TO A DULY  
21 AUTHORIZED LAW ENFORCEMENT AGENCY OR SHALL BE RELEASED TO THE  
22 PUBLIC, IN WHOLE OR IN PART, TO THE EXTENT THAT SUCH RELEASE  
23 IS REQUESTED BY AN APPLICANT OR LICENSEE AND DOES NOT  
24 OTHERWISE CONTAIN CONFIDENTIAL INFORMATION ABOUT ANOTHER  
25 PERSON.

26           (5) THE BOARD MAY SEEK A VOLUNTARY WAIVER OF  
27 CONFIDENTIALITY FROM AN APPLICANT OR LICENSEE BUT MAY NOT  
28 REQUIRE ANY APPLICANT OR LICENSEE TO WAIVE ANY  
29 CONFIDENTIALITY PROVIDED FOR IN THIS SUBSECTION AS A  
30 CONDITION FOR THE APPROVAL OF AN APPLICATION, RENEWAL OF A

1 LICENSE OR ANY OTHER ACTION OF THE BOARD. [ANY PERSON WHO  
2 VIOLATES THIS SUBSECTION SHALL]

3 (6) NO CURRENT OR FORMER MEMBER AND NO CURRENT OR FORMER  
4 EMPLOYEE, AGENT OR INDEPENDENT CONTRACTOR OF THE BOARD, THE  
5 DEPARTMENT, THE PENNSYLVANIA STATE POLICE, THE OFFICE OF  
6 ATTORNEY GENERAL OR ANY OTHER EXECUTIVE-BRANCH OFFICE WHO HAS  
7 OBTAINED CONFIDENTIAL INFORMATION IN THE PERFORMANCE OF  
8 DUTIES UNDER THIS PART, SHALL INTENTIONALLY AND PUBLICLY  
9 DISCLOSE THE INFORMATION TO ANY PERSON, KNOWING THAT THE  
10 INFORMATION BEING DISCLOSED IS CONFIDENTIAL UNDER THIS  
11 SUBSECTION, UNLESS THE PERSON IS AUTHORIZED BY LAW TO RECEIVE  
12 IT. A VIOLATION OF THIS SUBSECTION CONSTITUTES A MISDEMEANOR  
13 OF THE THIRD DEGREE. IN ADDITION, AN EMPLOYEE, AGENT OR  
14 INDEPENDENT CONTRACTOR WHO VIOLATES THIS SUBSECTION SHALL BE  
15 ADMINISTRATIVELY DISCIPLINED BY DISCHARGE, SUSPENSION,  
16 TERMINATION OF CONTRACT OR OTHER FORMAL DISCIPLINARY ACTION  
17 AS [THE BOARD DEEMS] APPROPRIATE. IF A CURRENT MEMBER  
18 VIOLATES THIS PARAGRAPH, THE OTHER MEMBERS SHALL REFER THE  
19 MATTER TO THE CURRENT MEMBER'S APPOINTING AUTHORITY.

20 \* \* \*

21 SECTION 8.1. SECTION 1207(4), (5), (8), (9), (14) AND (17)  
22 OF TITLE 4 ARE AMENDED AND THE SECTION IS AMENDED BY ADDING  
23 PARAGRAPHS TO READ:

24 § 1207. REGULATORY AUTHORITY OF BOARD.

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

26 \* \* \*

27 (4) REQUIRE THAT EACH LICENSED ENTITY PROVIDE TO THE  
28 BOARD ITS AUDITED ANNUAL FINANCIAL STATEMENTS, WITH SUCH  
29 ADDITIONAL DETAIL AS THE BOARD FROM TIME TO TIME SHALL  
30 REQUIRE, WHICH INFORMATION SHALL BE SUBMITTED NOT LATER THAN

1 [60] 90 DAYS AFTER THE END OF THE LICENSEE'S FISCAL YEAR.

2 (5) PRESCRIBE THE PROCEDURES TO BE FOLLOWED BY SLOT  
3 MACHINE LICENSEES FOR ANY FINANCIAL EVENT THAT OCCURS IN THE  
4 OPERATION AND PLAY OF SLOT MACHINES OR TABLE GAMES.

5 \* \* \*

6 (7.1) ENFORCE PRESCRIBED HOURS FOR THE OPERATION OF  
7 TABLE GAMES SO THAT A CERTIFICATE HOLDER MAY CONDUCT TABLE  
8 GAMES ON ANY DAY DURING THE YEAR IN ORDER TO MEET THE NEEDS  
9 OF PATRONS OR TO MEET COMPETITION.

10 (8) REQUIRE THAT EACH LICENSED GAMING ENTITY PROHIBIT  
11 PERSONS UNDER 21 YEARS OF AGE FROM OPERATING OR USING SLOT  
12 MACHINES OR PLAYING TABLE GAMES.

13 (9) ESTABLISH PROCEDURES FOR THE INSPECTION AND  
14 CERTIFICATION OF COMPLIANCE OF EACH SLOT MACHINE, TABLE GAME,  
15 TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT PRIOR TO BEING  
16 PLACED INTO USE BY A SLOT MACHINE LICENSEE.

17 \* \* \*

18 (14) CONSULT WITH MEMBERS OF THE PENNSYLVANIA STATE  
19 POLICE, THE OFFICE OF ATTORNEY GENERAL, THE DEPARTMENT AND  
20 SUCH OTHER PERSONS IT DEEMS NECESSARY FOR ADVICE REGARDING  
21 THE VARIOUS ASPECTS OF THE POWERS AND DUTIES IMPOSED ON IT  
22 UNDER THIS PART AND ITS JURISDICTION OVER THE AUTHORIZATION,  
23 [AND] OPERATION AND PLAY OF SLOT MACHINES, TABLE GAMES AND  
24 LICENSED FACILITIES.

25 \* \* \*

26 (17) PERMIT, IN ITS DISCRETION AND UPON APPLICATION OR  
27 PETITION, THE USE OF A TEMPORARY FACILITY WITHIN WHICH SLOT  
28 MACHINES AND TABLE GAMES MAY BE AVAILABLE FOR PLAY OR  
29 OPERATION AT A LICENSED [GAMING] FACILITY, FOR A PERIOD NOT  
30 TO EXCEED 24 MONTHS, PROVIDED THAT, UPON GOOD CAUSE SHOWN,

1 THE BOARD MAY EXTEND PERMISSION TO OPERATE A TEMPORARY  
2 FACILITY FOR AN ADDITIONAL [12-MONTH] 24-MONTH PERIOD.

3 (18) IN CONSULTATION WITH THE DEPARTMENT, ESTABLISH A  
4 PROCEDURE AND METHOD FOR DETERMINING THE DAILY GROSS TABLE  
5 GAME REVENUE FROM PLAY AT GAMING TABLES, INCLUDING ELECTRONIC  
6 GAMING TABLES AND FULLY AUTOMATED ELECTRONIC GAMING TABLES.

7 (19) AUTHORIZE AN EMPLOYEE OF THE BOARD TO APPROVE, DENY  
8 OR CONDITION A CERTIFICATE HOLDER'S REQUEST TO DECREASE THE  
9 NUMBER OF SLOT MACHINES IN OPERATION AT ITS LICENSED  
10 FACILITY. AN EMPLOYEE MAY NOT APPROVE A REQUESTED DECREASE IN  
11 THE NUMBER OF SLOT MACHINES UNDER THIS PARAGRAPH IF THE  
12 REQUESTED DECREASE EXCEEDS 2% OF THE TOTAL NUMBER OF SLOT  
13 MACHINES IN OPERATION AT THE CERTIFICATE HOLDER'S LICENSED  
14 FACILITY. AT NO TIME SHALL THE NUMBER OF SLOT MACHINES IN  
15 OPERATION AT A CATEGORY 1 OR CATEGORY 2 LICENSED FACILITY BE  
16 LESS THAN 1,500.

17 (20) APPROVE, IN ITS DISCRETION, A REDUCTION IN THE  
18 NUMBER OF SLOT MACHINES IN OPERATION AT A LICENSED FACILITY  
19 UNDER THE FOLLOWING CIRCUMSTANCES:

20 (I) FOR THE DURATION OF ANY RENOVATION, REMODELING  
21 OR MODIFICATION OF AN AREA OF A LICENSED FACILITY WHERE  
22 SLOT MACHINES ARE LOCATED.

23 (II) TO ENABLE THE LICENSED FACILITY TO RESPOND TO  
24 AN EMERGENCY.

25 (III) IN RESPONSE TO MARKET CONDITIONS.  
26 AT NO TIME SHALL THE NUMBER OF SLOT MACHINES IN OPERATION AT  
27 A CATEGORY 1 OR CATEGORY 2 LICENSED FACILITY BE LESS THAN  
28 1,500.

29 SECTION 8.2. SECTIONS 1208(1), 1209(B) AND (F) AND 1210 OF  
30 TITLE 4 ARE AMENDED TO READ:

1 § 1208. COLLECTION OF FEES AND FINES.

2 THE BOARD HAS THE FOLLOWING POWERS AND DUTIES:

3 (1) TO LEVY AND COLLECT FEES FROM THE VARIOUS  
4 APPLICANTS, LICENSEES AND PERMITTEES TO FUND THE OPERATIONS  
5 OF THE BOARD. [THE] UNLESS OTHERWISE PROVIDED IN THIS PART,  
6 THE FEES SHALL BE DEPOSITED INTO THE STATE GAMING FUND AS  
7 ESTABLISHED IN SECTION 1403 (RELATING TO ESTABLISHMENT OF  
8 STATE GAMING FUND AND NET SLOT MACHINE REVENUE DISTRIBUTION)  
9 AND DISTRIBUTED TO THE BOARD UPON APPROPRIATION BY THE  
10 GENERAL ASSEMBLY. IN ADDITION TO THE FEES SET FORTH IN  
11 SECTIONS 1209 (RELATING TO SLOT MACHINE LICENSE FEE) AND 1305  
12 (RELATING TO CATEGORY 3 SLOT MACHINE LICENSE), THE BOARD  
13 SHALL ASSESS AND COLLECT FEES AS FOLLOWS:

14 (I) [SUPPLIER] SUBJECT TO SUBPARAGRAPH (I.1),  
15 SUPPLIER LICENSEES SHALL PAY [A]:

16 (A) A FEE OF \$25,000 UPON THE ISSUANCE OF A  
17 LICENSE [AND \$10,000 FOR THE ANNUAL RENEWAL OF A  
18 SUPPLIER LICENSE.] TO SUPPLY SLOT MACHINES OR  
19 ASSOCIATED EQUIPMENT USED IN CONNECTION WITH SLOT  
20 MACHINES.

21 (B) A FEE OF \$25,000 UPON THE ISSUANCE OF A  
22 LICENSE TO SUPPLY TABLE GAME DEVICES OR ASSOCIATED  
23 EQUIPMENT USED IN CONNECTION WITH TABLE GAMES OR  
24 TABLE GAME DEVICES.

25 (C) A FEE OF \$15,000 FOR THE ANNUAL RENEWAL OF  
26 THE APPROPRIATE SUPPLIER LICENSE. UPON THE EXTENSION  
27 OF THE RENEWAL PERIOD UNDER SECTION 1317(C) (1)  
28 (RELATING TO SUPPLIER LICENSES), THE FEE SHALL BE  
29 \$45,000 FOR THE RENEWAL.

30 (II) [MANUFACTURER] SUBJECT TO SUBPARAGRAPH (II.1),

1 MANUFACTURER LICENSEES SHALL PAY [A]:

2 (A) A FEE OF \$50,000 UPON THE ISSUANCE OF A  
3 LICENSE [AND \$25,000 FOR THE ANNUAL RENEWAL OF A  
4 MANUFACTURER LICENSE.] TO MANUFACTURE SLOT MACHINES  
5 AND ASSOCIATED EQUIPMENT USED IN CONNECTION WITH SLOT  
6 MACHINES.

7 (B) A FEE OF \$50,000 UPON THE ISSUANCE OF A  
8 LICENSE TO MANUFACTURE TABLE GAME DEVICES OR  
9 ASSOCIATED EQUIPMENT USED IN CONNECTION WITH TABLE  
10 GAMES OR TABLE GAME DEVICES.

11 (C) A FEE OF \$30,000 FOR THE ANNUAL RENEWAL OF  
12 THE APPROPRIATE MANUFACTURER LICENSE. UPON THE  
13 EXTENSION OF THE RENEWAL PERIOD UNDER SECTION  
14 1317.1(C)(1) (RELATING TO MANUFACTURER LICENSES), THE  
15 FEE SHALL BE \$90,000 FOR THE RENEWAL.

16 (III) EACH APPLICATION FOR A SLOT MACHINE LICENSE,  
17 SUPPLIER LICENSE OR MANUFACTURER LICENSE MUST BE  
18 ACCOMPANIED BY A NONREFUNDABLE FEE SET BY THE BOARD FOR  
19 THE COST OF EACH INDIVIDUAL REQUIRING A BACKGROUND  
20 INVESTIGATION. THE REASONABLE AND NECESSARY COSTS AND  
21 EXPENSES INCURRED IN ANY BACKGROUND INVESTIGATION OR  
22 OTHER INVESTIGATION OR PROCEEDING CONCERNING ANY  
23 APPLICANT, LICENSEE, PERMITTEE OR REGISTRANT SHALL BE  
24 REIMBURSED TO THE BOARD BY THOSE PERSONS.

25 \* \* \*

26 § 1209. SLOT MACHINE LICENSE FEE.

27 \* \* \*

28 (B) TERM.--A SLOT MACHINE LICENSE, AFTER PAYMENT OF THE FEE,  
29 SHALL BE IN EFFECT UNLESS SUSPENDED, REVOKED OR NOT RENEWED BY  
30 THE BOARD UPON GOOD CAUSE CONSISTENT WITH THE LICENSE

1 REQUIREMENTS AS PROVIDED FOR IN THIS PART. SLOT MACHINE  
2 LICENSEES SHALL BE REQUIRED TO UPDATE THE INFORMATION IN THEIR  
3 INITIAL APPLICATIONS ANNUALLY, AND THE LICENSE OF A LICENSEE IN  
4 GOOD STANDING SHALL BE [UPDATED AND] RENEWED [ANNUALLY] EVERY  
5 THREE YEARS. NOTHING IN THIS SUBSECTION SHALL RELIEVE A LICENSEE  
6 OF THE AFFIRMATIVE DUTY TO NOTIFY THE BOARD OF ANY CHANGES  
7 RELATING TO THE STATUS OF ITS LICENSE OR TO ANY OTHER  
8 INFORMATION CONTAINED IN THE APPLICATION MATERIALS ON FILE WITH  
9 THE BOARD. AS TO THE RENEWAL OF A LICENSE, EXCEPT AS REQUIRED IN  
10 SUBSECTION (F) (1), NO ADDITIONAL LICENSE FEE PURSUANT TO  
11 SUBSECTION (A) SHALL BE REQUIRED.

12 \* \* \*

13 (F) RETURN OF SLOT MACHINE LICENSE FEE.--

14 (1) THE ENTIRE ONE-TIME SLOT MACHINE LICENSE FEE OF  
15 \$50,000,000 FOR EACH CATEGORY 1 AND CATEGORY 2 SLOT MACHINE  
16 LICENSE SHALL BE RETURNED TO EACH LICENSEE IN THE EVENT  
17 SECTION 1201 (RELATING TO PENNSYLVANIA GAMING CONTROL BOARD  
18 ESTABLISHED), 1202 (RELATING TO GENERAL AND SPECIFIC POWERS)  
19 OR 1307 (RELATING TO NUMBER OF SLOT MACHINE LICENSES) IS  
20 AMENDED OR OTHERWISE ALTERED BY AN ACT OF THE GENERAL  
21 ASSEMBLY, WITHIN FIVE YEARS FOLLOWING THE [INITIAL ISSUANCE  
22 OF ANY SLOT MACHINE LICENSES PURSUANT TO SECTION 1301  
23 (RELATING TO AUTHORIZED SLOT MACHINE LICENSES)] DATE  
24 ESTABLISHED BY THE BOARD AS THE DEADLINE FOR THE INITIAL  
25 SUBMISSION OF CATEGORY 1 AND CATEGORY 2 SLOT MACHINE LICENSE  
26 APPLICATIONS, TO CHANGE:

27 (I) THE COMPOSITION OF THE BOARD;

28 (II) THE NUMBER OR VOTING POWERS OF MEMBERS OF THE  
29 BOARD;

30 (III) THE MANNER IN WHICH MEMBERS ARE NOMINATED OR

1 APPOINTED TO THE BOARD;

2 (IV) THE LENGTH OF TERM FOR WHICH EACH MEMBER  
3 SERVES;

4 (V) THE GENERAL JURISDICTION OF THE BOARD IN A  
5 MANNER THAT IMPAIRS OR OTHERWISE REDUCES THE BOARD'S  
6 LICENSING AUTHORITY; OR

7 (VI) SECTION [1307] 1307(A) TO INCREASE THE  
8 STATUTORY MAXIMUM NUMBER OF PERMISSIBLE CATEGORY 1 OR  
9 CATEGORY 2 LICENSED FACILITIES.

10 (2) IN THE EVENT THAT [THIS PART IS AMENDED OR OTHERWISE  
11 ALTERED BY AN ACT OF] THE GENERAL ASSEMBLY [AS] ACTS IN THE  
12 MANNER DESCRIBED [PURSUANT TO] IN PARAGRAPH (1):

13 (I) IN THE SIXTH YEAR FOLLOWING THE [INITIAL  
14 ISSUANCE OF ANY SLOT MACHINE LICENSES PURSUANT TO SECTION  
15 1301] DATE ESTABLISHED BY THE BOARD AS THE DEADLINE FOR  
16 THE INITIAL SUBMISSION OF CATEGORY 1 AND CATEGORY 2 SLOT  
17 MACHINE LICENSE APPLICATIONS, A CATEGORY 1 AND CATEGORY 2  
18 SLOT MACHINE LICENSEE SHALL BE ENTITLED TO A PARTIAL  
19 RETURN OF THE ONE-TIME SLOT MACHINE LICENSE FEE IN THE  
20 AMOUNT OF \$41,666,667.

21 (II) IN THE SEVENTH YEAR, [THE] EACH CATEGORY 1 AND  
22 CATEGORY 2 SLOT MACHINE LICENSEE SHALL BE ENTITLED TO A  
23 PARTIAL RETURN OF THE ONE-TIME SLOT MACHINE LICENSE FEE  
24 IN THE AMOUNT OF \$33,333,334.

25 (III) IN THE EIGHTH YEAR, [THE] EACH CATEGORY 1 AND  
26 CATEGORY 2 SLOT MACHINE LICENSEE SHALL BE ENTITLED TO A  
27 PARTIAL RETURN OF THE ONE-TIME SLOT MACHINE LICENSE FEE  
28 IN THE AMOUNT OF \$25,000,000.

29 (IV) IN THE NINTH YEAR, [THE] EACH CATEGORY 1 AND  
30 CATEGORY 2 SLOT MACHINE LICENSEE SHALL BE ENTITLED TO A

1 PARTIAL RETURN OF THE ONE-TIME SLOT MACHINE LICENSE FEE  
2 IN THE AMOUNT OF \$16,666,668.

3 (V) IN THE TENTH YEAR, [THE] EACH CATEGORY 1 AND  
4 CATEGORY 2 SLOT MACHINE LICENSEE SHALL BE ENTITLED TO A  
5 PARTIAL RETURN OF THE ONE-TIME MACHINE LICENSE FEE IN THE  
6 AMOUNT OF \$8,333,334.

7 (2.1) IN THE EVENT THAT THE [ACTION] GENERAL ASSEMBLY  
8 ACTS IN THE MANNER DESCRIBED IN PARAGRAPH (1) [OCCURS] AFTER  
9 THE EXPIRATION OF TEN YEARS, [THE LICENSEE] CATEGORY 1 AND  
10 CATEGORY 2 SLOT MACHINE LICENSEES SHALL NOT BE ENTITLED TO A  
11 RETURN OF ANY PORTION OF THE ONE-TIME SLOT MACHINE LICENSE  
12 FEE. NOTWITHSTANDING THE FOREGOING, NO SLOT MACHINE LICENSEE  
13 SHALL BE ENTITLED TO THE RETURN OF ANY PORTION OF THE FEE AS  
14 A RESULT OF ANY ACT OF THE GENERAL ASSEMBLY INSOFAR AS IT  
15 IMPLEMENTS A RECOMMENDATION MADE BY THE BOARD PURSUANT TO A  
16 QUALIFIED MAJORITY VOTE. IN THE EVENT A FULL OR PARTIAL  
17 RETURN OF THE SLOT MACHINE LICENSE FEE IMPOSED PURSUANT TO  
18 SUBSECTION (A) BECOMES DUE PURSUANT TO THIS SUBSECTION, THE  
19 AMOUNT TO BE RETURNED TO ANY SLOT MACHINE LICENSEE SHALL BE  
20 REDUCED ON A DOLLAR-FOR-DOLLAR BASIS BY THE TOTAL ACCUMULATED  
21 TAX CREDITS GRANTED TO SUCH LICENSEE PURSUANT TO SUBSECTION  
22 (C). IN NO EVENT SHALL THE TOTAL AMOUNT OF THE SLOT MACHINE  
23 LICENSE FEE RETURNED TO A CATEGORY 1 OR CATEGORY 2 LICENSEE,  
24 COMBINED WITH THE TOTAL TAX CREDITS GRANTED, EXCEED THE  
25 AMOUNTS SET FORTH IN THIS SUBSECTION FOR ANY LICENSEE. THE  
26 TOTAL OR PARTIAL RETURN OF THE SLOT MACHINE LICENSE FEE SHALL  
27 EXTINGUISH A LICENSEE'S RIGHT TO CLAIM ANY FURTHER TAX  
28 CREDITS PURSUANT TO SUBSECTION (C) AND TO MAKE ANY FUTURE  
29 CLAIM FOR THE RETURN OF THE SLOT MACHINE LICENSE FEE.

30 (3) WITHIN TEN DAYS FOLLOWING A DETERMINATION THAT A

1 SLOT MACHINE LICENSEE IS ENTITLED TO THE RETURN OF ANY  
2 PORTION OF THE SLOT MACHINE LICENSE FEE PAID BY THE SLOT  
3 MACHINE LICENSEE BASED ON THE PROVISIONS OF THIS SECTION OR  
4 BASED ON A CONTRACT EXECUTED BY A SLOT MACHINE LICENSEE AND  
5 THE DEPARTMENT UNDER SUBSECTION (C), THE BOARD SHALL  
6 IMMEDIATELY ASSESS A ONE-TIME SLOT MACHINE LICENSE RENEWAL  
7 FEE ON EACH SLOT MACHINE LICENSEE IN AN AMOUNT EQUAL TO THE  
8 AMOUNT OF THE FEE RETURNED TO THE SLOT MACHINE LICENSEE. THE  
9 RENEWAL FEE SHALL BE PAID BY EACH SLOT MACHINE LICENSEE  
10 WITHIN TWO BUSINESS DAYS FOLLOWING THE RETURN OF THE INITIAL  
11 FEE.

12 § 1210. NUMBER OF SLOT MACHINES.

13 (A) INITIAL COMPLEMENT.--EXCEPT AS PROVIDED FOR CATEGORY 3  
14 SLOT MACHINE LICENSEES UNDER SECTION 1305 (RELATING TO CATEGORY  
15 3 SLOT MACHINE LICENSE), [ALL] THE FOLLOWING APPLY:

16 (1) ALL SLOT MACHINE LICENSEES SHALL BE PERMITTED TO  
17 OPERATE UP TO 3,000 SLOT MACHINES AT ANY ONE LICENSED  
18 FACILITY [AND].

19 (2) EACH SLOT MACHINE LICENSEE SHALL BE REQUIRED TO  
20 OPERATE AND MAKE AVAILABLE TO PLAY A MINIMUM OF 1,500 SLOT  
21 MACHINES AT [ANY ONE] ITS LICENSED FACILITY WITHIN ONE YEAR  
22 OF THE ISSUANCE BY THE BOARD OF A SLOT MACHINE LICENSE  
23 [UNLESS OTHERWISE EXTENDED BY THE] TO THE SLOT MACHINE  
24 LICENSEE. THE BOARD, UPON APPLICATION AND FOR GOOD CAUSE  
25 SHOWN, MAY GRANT AN EXTENSION FOR AN ADDITIONAL PERIOD [NOT  
26 TO EXCEED 24 MONTHS] ENDING ON THE LATER OF 36 MONTHS FROM  
27 THE END OF THE INITIAL ONE-YEAR PERIOD OR DECEMBER 31, 2012.

28 (3) UPON EXPIRATION OF THE APPLICABLE TIME PERIOD UNDER  
29 PARAGRAPH (2) AND AT ALL TIMES THEREAFTER, A SLOT MACHINE  
30 LICENSEE SHALL BE REQUIRED TO OPERATE AND MAKE AVAILABLE TO

1       PLAY A MINIMUM OF 1,500 SLOT MACHINES AT ITS LICENSED  
2       FACILITY.

3       (B)   ADDITIONAL SLOT MACHINES.--EXCEPT AS PROVIDED FOR  
4   CATEGORY 3 SLOT MACHINE LICENSEES UNDER SECTION 1305, SIX MONTHS  
5   FOLLOWING THE DATE OF COMMENCEMENT OF SLOT MACHINE OPERATIONS,  
6   THE BOARD MAY PERMIT A SLOT MACHINE LICENSEE TO INSTALL AND  
7   OPERATE UP TO 2,000 ADDITIONAL SLOT MACHINES AT ITS LICENSED  
8   FACILITY, BEYOND THOSE MACHINES [AUTHORIZED] PERMITTED UNDER  
9   SUBSECTION (A), UPON APPLICATION BY THE SLOT MACHINE LICENSEE.  
10  THE BOARD, IN CONSIDERING SUCH AN APPLICATION, SHALL TAKE INTO  
11  ACCOUNT THE APPROPRIATENESS OF THE PHYSICAL SPACE WHERE THE  
12  ADDITIONAL SLOT MACHINES WILL BE LOCATED AND THE CONVENIENCE OF  
13  THE PUBLIC ATTENDING THE FACILITY. THE BOARD MAY ALSO TAKE INTO  
14  ACCOUNT THE POTENTIAL BENEFIT TO ECONOMIC DEVELOPMENT,  
15  EMPLOYMENT AND TOURISM, ENHANCED REVENUES TO THE COMMONWEALTH  
16  AND OTHER ECONOMIC INDICATORS IT DEEMS APPLICABLE IN MAKING ITS  
17  DECISION.

18       [(C)   LIMITATION.--FOR THE TWO AND ONE-HALF YEARS FOLLOWING  
19  THE BEGINNING OF SLOT MACHINE OPERATIONS AT THE LICENSED  
20  FACILITY, NO LICENSED GAMING ENTITY MAY MAKE AVAILABLE FOR PLAY  
21  BY ITS PATRONS AT ITS LICENSED FACILITY MORE THAN 50% OF SLOT  
22  MACHINES FROM THE SAME MANUFACTURER OR ITS AFFILIATE,  
23  INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY. THE PROVISIONS OF  
24  THIS SUBSECTION SHALL NOT APPLY TO MACHINES PURCHASED PURSUANT  
25  TO A CONTRACT OR ORDER EXECUTED BY A CONDITIONAL CATEGORY 1 OR  
26  CATEGORY 1 SLOT MACHINE LICENSEE PRIOR TO OCTOBER 20, 2006.]

27       SECTION 9.   SECTION 1211(A) OF TITLE 4 IS AMENDED AND THE  
28   SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:  
29   § 1211.   REPORTS OF BOARD.

30       (A)   REPORT OF BOARD.--EIGHTEEN MONTHS AFTER THE EFFECTIVE

1 DATE OF THIS PART AND EVERY YEAR ON THAT DATE THEREAFTER, THE  
2 BOARD SHALL ISSUE A REPORT TO THE GOVERNOR AND EACH MEMBER OF  
3 THE GENERAL ASSEMBLY ON THE GENERAL OPERATION OF THE BOARD AND  
4 EACH SLOT MACHINE LICENSEE'S PERFORMANCE, INCLUDING, BUT NOT  
5 LIMITED TO, NUMBER AND WIN PER SLOT MACHINE AND TOTAL GROSS  
6 TERMINAL REVENUE AT EACH LICENSED [FACILITIES] FACILITY DURING  
7 THE PREVIOUS YEAR, ALL TAXES, FEES, FINES AND OTHER REVENUES  
8 COLLECTED AND, WHERE APPROPRIATE, DISBURSED, THE COSTS OF  
9 OPERATION OF THE BOARD, ALL HEARINGS CONDUCTED AND THE RESULTS  
10 OF THE HEARINGS AND OTHER INFORMATION THAT THE BOARD DEEMS  
11 NECESSARY AND APPROPRIATE.

12 (A.1) ADDITIONAL REPORTING REQUIREMENTS.--NO LATER THAN 12  
13 MONTHS AFTER THE EFFECTIVE DATE OF CHAPTER 13A (RELATING TO  
14 TABLE GAMES) AND EVERY YEAR THEREAFTER, THE ANNUAL REPORT  
15 SUBMITTED BY THE BOARD SHALL INCLUDE INFORMATION ON THE CONDUCT  
16 OF TABLE GAMES AS FOLLOWS:

17 (1) TOTAL GROSS TABLE GAME REVENUE.

18 (2) THE NUMBER AND WIN BY TYPE OF TABLE GAME AT EACH  
19 LICENSED FACILITY DURING THE PREVIOUS YEAR.

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

24 (4) OTHER INFORMATION RELATED TO THE CONDUCT OF TABLE  
25 GAMES.

26 THE BOARD MAY REQUIRE CERTIFICATE HOLDERS TO PROVIDE INFORMATION  
27 TO THE BOARD TO ASSIST IN THE PREPARATION OF THE REPORT.

28 (A.2) FACILITY RESPONSIBILITY.--EACH CATEGORY 1 LICENSED  
29 FACILITY SHALL PROVIDE:

30 (1) AN ANNUAL REPORT TO THE BOARD AND TO THE RESPECTIVE

1 RACING COMMISSION SUMMARIZING HOW THE INTRODUCTION AND  
2 EXPANSION OF GAMING HAS FULFILLED THE INTENT OF THIS PART TO  
3 ENHANCE LIVE RACING AT THE LICENSED RACETRACK.

4 (2) PLANS TO PROMOTE LIVE RACING AND INCREASE LIVE  
5 HANDLE AND DAILY ATTENDANCE AT THE LICENSED RACETRACK IN THE  
6 UPCOMING YEAR.

7 (A.3) EXPENSES.--BEGINNING 30 DAYS AFTER THE EFFECTIVE DATE  
8 OF THIS SUBSECTION, THE BOARD SHALL POST WITHIN 45 DAYS AFTER  
9 THE END OF EACH MONTH ON ITS INTERNET WEBSITE A LIST OF ALL THE  
10 ITEMIZED EXPENSES OF EMPLOYEES AND MEMBERS FOR THAT MONTH THAT  
11 WERE OR ARE TO BE REIMBURSED FROM THE ASSESSMENTS MADE BY THE  
12 DEPARTMENT UNDER SECTION 1402(A) (RELATING TO GROSS TERMINAL  
13 REVENUE DEDUCTIONS) AND ALL ITEMIZED EXPENSES OF EMPLOYEES OF  
14 THE DEPARTMENT AND THE OFFICE OF ATTORNEY GENERAL AND TROOPERS  
15 AND EMPLOYEES OF THE PENNSYLVANIA STATE POLICE FOR THE PRECEDING  
16 MONTH THAT WERE OR ARE TO BE REIMBURSED FROM SUCH ASSESSMENTS.  
17 THE LIST SHALL IDENTIFY THE NATURE OF THE EXPENSE, THE EMPLOYEE,  
18 MEMBER OR THE AGENCY AND EMPLOYEE OF THE AGENCY TO WHICH AN  
19 EXPENSE IS ATTRIBUTABLE. IF THE EXPENSE IS DIRECTLY ATTRIBUTABLE  
20 TO OR PAID BY A LICENSED GAMING ENTITY, THE LIST SHALL IDENTIFY  
21 THE LICENSED GAMING ENTITY AND IF THE EXPENSE WAS CHARGED TO THE  
22 LICENSED GAMING ENTITY. BY OCTOBER 1 OF EACH YEAR, A FINAL  
23 REPORT OF ALL EXPENSES DESCRIBED IN THIS SUBSECTION FOR THE  
24 PRECEDING FISCAL YEAR SHALL BE POSTED ON THE BOARD'S INTERNET  
25 WEBSITE AND SHALL BE SUBMITTED TO THE APPROPRIATIONS COMMITTEE  
26 OF THE SENATE, THE COMMUNITY, ECONOMIC AND RECREATIONAL  
27 DEVELOPMENT COMMITTEE OF THE SENATE, THE APPROPRIATIONS  
28 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE GAMING  
29 OVERSIGHT COMMITTEE OF THE HOUSE OF REPRESENTATIVES. INFORMATION  
30 POSTED ON THE INTERNET WEBSITE PURSUANT TO THIS SUBSECTION SHALL

1 BE FINANCIAL RECORDS FOR THE PURPOSES OF AND SUBJECT TO  
2 REDACTION UNDER THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3),  
3 KNOWN AS THE RIGHT-TO-KNOW LAW. THE BOARD, THE DEPARTMENT, THE  
4 OFFICE OF ATTORNEY GENERAL AND THE PENNSYLVANIA STATE POLICE  
5 SHALL COLLABORATE TO DEVELOP A UNIFORM SYSTEM THAT WILL ENABLE  
6 THE BOARD TO CARRY OUT THE REQUIREMENTS OF THIS SUBSECTION.

7 \* \* \*

8 (E) SUBMISSION OF REPORTS.--NOTWITHSTANDING ANY OTHER  
9 PROVISION OF THIS PART, ALL ANNUAL REPORTS OR STUDIES OF THE  
10 BOARD REQUIRED TO BE SUBMITTED TO THE GENERAL ASSEMBLY UNDER  
11 THIS PART AFTER THE EFFECTIVE DATE OF THIS SUBSECTION SHALL BE  
12 SUBMITTED BY OCTOBER 1, 2010, AND BY OCTOBER 1 OF EACH YEAR  
13 THEREAFTER.

14 SECTION 10. SECTIONS 1212 AND 1213 OF TITLE 4 ARE AMENDED TO  
15 READ:

16 § 1212. DIVERSITY GOALS OF BOARD.

17 (A) INTENT.--IT IS THE INTENT AND GOAL OF THE GENERAL  
18 ASSEMBLY THAT THE BOARD PROMOTE AND ENSURE DIVERSITY IN ALL  
19 ASPECTS OF THE GAMING ACTIVITIES AUTHORIZED UNDER THIS PART. THE  
20 BOARD SHALL WORK TO ENHANCE THE REPRESENTATION OF DIVERSE GROUPS  
21 IN [THE]:

22 (1) THE OWNERSHIP[, PARTICIPATION AND OPERATION] OF  
23 LICENSED ENTITIES [AND LICENSED FACILITIES] IN THIS  
24 COMMONWEALTH [AND THROUGH THE].

25 (2) THE OWNERSHIP[, PARTICIPATION AND OPERATION] OF  
26 BUSINESS ENTERPRISES ASSOCIATED WITH OR UTILIZED BY LICENSED  
27 ENTITIES [AND LICENSED FACILITIES] AND THROUGH THE PROVISION  
28 OF GOODS AND SERVICES UTILIZED BY SLOT MACHINE LICENSEES  
29 UNDER THIS PART.

30 (3) THE OPERATION OF LICENSED ENTITIES AND THE CONDUCT

1 OF GAMING IN THIS COMMONWEALTH BY ENSURING LICENSED ENTITIES  
2 PROMOTE THE PARTICIPATION OF DIVERSE GROUPS BY AFFORDING  
3 EQUAL ACCESS TO EMPLOYMENT OPPORTUNITIES, INCLUDING KEY  
4 EMPLOYEE, GAMING EMPLOYEE, AND NONGAMING EMPLOYEE POSITIONS.

5 (4) THE OPERATION OF BUSINESS ENTERPRISES ASSOCIATED  
6 WITH OR UTILIZED BY LICENSED ENTITIES, INCLUDING BUSINESS  
7 ENTERPRISES THAT PROVIDE GOODS, PROPERTY AND SERVICES  
8 UTILIZED BY SLOT MACHINE LICENSEES IN THIS COMMONWEALTH BY  
9 ENSURING THESE BUSINESS ENTERPRISES PROMOTE THE PARTICIPATION  
10 OF DIVERSE GROUPS BY AFFORDING EQUAL ACCESS TO EMPLOYMENT  
11 OPPORTUNITIES.

12 (5) THE CONSTRUCTION, RENOVATION OR RECONSTRUCTION OF A  
13 LICENSED FACILITY BY ENSURING THAT ALL CONTRACTS AND  
14 SUBCONTRACTS TO BE AWARDED RELATING TO THE CONSTRUCTION,  
15 RENOVATION OR RECONSTRUCTION OF A LICENSED FACILITY CONTAIN  
16 ADEQUATE PROVISIONS ENSURING ALL CONTRACTORS OR  
17 SUBCONTRACTORS AND ASSIGNEES, WILL PROMOTE THE PARTICIPATION  
18 OF DIVERSE GROUPS IN ANY PROPOSED CONSTRUCTION, RENOVATION OR  
19 RECONSTRUCTION PROJECT BY AFFORDING EQUAL ACCESS TO  
20 EMPLOYMENT OPPORTUNITIES.

21 (6) THE RENDERING OF PROFESSIONAL SERVICES TO LICENSED  
22 ENTITIES BY ENSURING LICENSED ENTITIES PROMOTE THE  
23 PARTICIPATION OF DIVERSE GROUPS BY AFFORDING EQUAL ACCESS TO  
24 PROFESSIONAL SERVICE CONTRACTUAL OPPORTUNITIES.

25 (A.1) REPORTS BY LICENSEES.--EACH SLOT MACHINE LICENSEE  
26 SHALL SUBMIT A QUARTERLY REPORT TO THE BOARD DESCRIBING  
27 ACTIVITIES UNDERTAKEN AT ITS LICENSED FACILITY RELATED TO THE  
28 DEVELOPMENT AND IMPLEMENTATION OF ITS DIVERSITY PLAN IN  
29 ACCORDANCE WITH SECTION 1325 (RELATING TO LICENSE OR PERMIT  
30 ISSUANCE) DURING THE PRIOR QUARTER. AT A MINIMUM, THE QUARTERLY

1 REPORTS SHALL CONTAIN A SUMMARY OF:

2 (1) ALL EMPLOYEE RECRUITMENT AND RETENTION EFFORTS  
3 UNDERTAKEN TO ENSURE THE PARTICIPATION OF DIVERSE GROUPS IN  
4 EMPLOYMENT WITH THE SLOT MACHINE LICENSEE.

5 (2) THE TOTAL NUMBER OF HIRES AND EMPLOYMENT OFFERS  
6 MADE, INCLUDING DATA RELATING TO THE RACE, GENDER AND  
7 RESIDENCE OF THOSE HIRED OR OFFERED EMPLOYMENT.

8 (3) ALL CONTRACTING AND SUBCONTRACTING DATA INVOLVING  
9 THE SLOT MACHINE LICENSEE AND MINORITY-OWNED BUSINESS  
10 ENTERPRISES AND WOMEN-OWNED BUSINESS ENTERPRISES.

11 (4) ANY OTHER INFORMATION DEEMED RELEVANT OR NECESSARY  
12 BY THE BOARD TO ASSESS THE SLOT MACHINE LICENSEE'S DIVERSITY  
13 PLAN.

14 (B) [INVESTIGATIONS] ANNUAL REVIEW.--THE BOARD [IS  
15 AUTHORIZED TO INVESTIGATE AND] SHALL CONDUCT AN ANNUAL [STUDY TO  
16 ASCERTAIN] REVIEW OF EACH SLOT MACHINE LICENSEE'S ACTIVITIES  
17 RELATED TO THE IMPLEMENTATION OF ITS DIVERSITY PLAN IN ORDER TO  
18 EVALUATE WHETHER THE SLOT MACHINE LICENSEE HAS TAKEN EFFECTIVE  
19 AND MEANINGFUL ACTION [HAS BEEN TAKEN OR WILL BE TAKEN TO  
20 ENHANCE THE] TO IMPLEMENT A DIVERSITY PLAN AND WHETHER THE  
21 LICENSEE'S PLAN AND ANY OTHER ACTIONS TAKEN HAVE ACHIEVED OR  
22 WILL ACHIEVE THE COMMONWEALTH'S GOAL OF ENHANCED REPRESENTATION  
23 OF DIVERSE GROUPS IN THE [OWNERSHIP, PARTICIPATION AND OPERATION  
24 OF LICENSED FACILITIES IN THIS COMMONWEALTH, THROUGH THE  
25 OWNERSHIP AND OPERATION OF BUSINESS ENTERPRISES ASSOCIATED WITH  
26 OR UTILIZED BY SLOT MACHINE LICENSEES, THROUGH THE PROVISION OF  
27 GOODS AND SERVICES UTILIZED BY SLOT MACHINE LICENSEES AND  
28 THROUGH EMPLOYMENT OPPORTUNITIES] GAMING INDUSTRY AS SET FORTH  
29 IN SUBSECTION (A).

30 (C) COMPLETION OF INVESTIGATION.--THE [FIRST STUDY] REVIEW

1 REQUIRED UNDER SUBSECTION (B) SHALL BE COMPLETED SIX MONTHS  
2 FOLLOWING THE EFFECTIVE DATE OF THIS [PART] SECTION, IF  
3 PRACTICALLY POSSIBLE, AND ANNUALLY THEREAFTER AND SHALL CONTAIN  
4 RECOMMENDATIONS WHICH THE BOARD DETERMINES APPROPRIATE. EACH  
5 REVIEW SHALL CONTAIN, AT A MINIMUM, A DESCRIPTIVE SUMMARY OF THE  
6 FOLLOWING RELATING TO EACH SLOT MACHINE LICENSEE'S LICENSED  
7 FACILITY:

8 (1) EMPLOYEE RECRUITMENT AND RETENTION PROGRAMS DESIGNED  
9 TO ENSURE THE PARTICIPATION OF DIVERSE GROUPS.

10 (2) THE TOTAL NUMBER OF HIRES AND EMPLOYMENT OFFERS  
11 MADE, INCLUDING DATA RELATING TO THE RACE, GENDER AND  
12 RESIDENCE OF INDIVIDUALS HIRED OR OFFERED EMPLOYMENT.

13 (3) MINORITY-OWNED BUSINESS ENTERPRISE AND WOMEN-OWNED  
14 BUSINESS ENTERPRISE CONTRACTING AND SUBCONTRACTING DATA.

15 (D) FACILITY RESPONSIBILITY.--EACH SLOT MACHINE LICENSEE  
16 SHALL PROVIDE INFORMATION AS REQUIRED BY THE BOARD TO ENABLE THE  
17 BOARD TO COMPLETE THE REVIEWS REQUIRED UNDER SUBSECTION (B).

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

22 (1) LEGAL SERVICES.

23 (2) ADVERTISING OR PUBLIC RELATIONS SERVICES.

24 (3) ENGINEERING SERVICES.

25 (4) ARCHITECTURAL, LANDSCAPING OR SURVEYING SERVICES.

26 (5) ACCOUNTING, AUDITING OR ACTUARIAL SERVICES.

27 (6) SECURITY CONSULTANT SERVICES.

28 (7) COMPUTER AND INFORMATION TECHNOLOGY SERVICES, EXCEPT  
29 TELEPHONE SERVICE.

30 § 1213. LICENSE OR PERMIT PROHIBITION.

1 [NO APPLICANT FOR A LICENSE OR PERMIT UNDER THIS PART,  
2 INCLUDING PRINCIPALS AND KEY EMPLOYEES,] THE FOLLOWING APPLY:

3 (1) THE BOARD SHALL BE PROHIBITED FROM GRANTING A  
4 PRINCIPAL LICENSE OR A KEY EMPLOYEE LICENSE TO AN INDIVIDUAL  
5 WHO HAS BEEN CONVICTED OF A FELONY [OR GAMBLING] OFFENSE IN  
6 ANY JURISDICTION [SHALL BE ISSUED A LICENSE OR PERMIT UNLESS  
7 15 YEARS HAS ELAPSED FROM THE DATE OF EXPIRATION OF THE  
8 SENTENCE FOR THE OFFENSE].

9 (2) [WHEN DETERMINING WHETHER TO ISSUE A LICENSE OR  
10 PERMIT TO AN APPLICANT WHO HAS BEEN CONVICTED IN ANY  
11 JURISDICTION OF A FELONY OR GAMBLING OFFENSE,] IN ADDITION TO  
12 THE PROHIBITION UNDER PARAGRAPH (1), THE BOARD SHALL BE  
13 PROHIBITED FROM GRANTING THE FOLLOWING:

14 (I) A PRINCIPAL LICENSE OR KEY EMPLOYEE LICENSE TO  
15 AN INDIVIDUAL WHO HAS BEEN CONVICTED IN ANY JURISDICTION  
16 OF A MISDEMEANOR GAMBLING OFFENSE, UNLESS 15 YEARS HAVE  
17 ELAPSED FROM THE DATE OF CONVICTION FOR THE OFFENSE.

18 (II) A GAMING EMPLOYEE PERMIT OR A LICENSE OTHER  
19 THAN A PRINCIPAL LICENSE OR KEY EMPLOYEE LICENSE TO AN  
20 INDIVIDUAL WHO HAS BEEN CONVICTED IN ANY JURISDICTION OF  
21 A FELONY OFFENSE OR OF A MISDEMEANOR GAMBLING OFFENSE,  
22 UNLESS 15 YEARS HAVE ELAPSED FROM THE DATE OF CONVICTION  
23 FOR THE OFFENSE.

24 (3) FOLLOWING THE EXPIRATION OF ANY PROHIBITION PERIOD  
25 APPLICABLE TO AN APPLICANT UNDER PARAGRAPH (2), IN  
26 DETERMINING WHETHER TO ISSUE A LICENSE OR PERMIT, THE BOARD  
27 SHALL CONSIDER THE FOLLOWING FACTORS:

28 [(1)] (I) THE NATURE AND DUTIES OF THE APPLICANT'S  
29 POSITION WITH THE LICENSED ENTITY.

30 [(2)] (II) THE NATURE AND SERIOUSNESS OF THE OFFENSE

1 OR CONDUCT.

2 [(3)] (III) THE CIRCUMSTANCES UNDER WHICH THE  
3 OFFENSE OR CONDUCT OCCURRED.

4 [(4)] (IV) THE AGE OF THE APPLICANT WHEN THE OFFENSE  
5 OR CONDUCT WAS COMMITTED.

6 [(5)] (V) WHETHER THE OFFENSE OR CONDUCT WAS AN  
7 ISOLATED OR A REPEATED INCIDENT.

8 [(6)] (VI) ANY EVIDENCE OF REHABILITATION, INCLUDING  
9 GOOD CONDUCT IN THE COMMUNITY, COUNSELING OR PSYCHIATRIC  
10 TREATMENT RECEIVED AND THE RECOMMENDATION OF PERSONS WHO  
11 HAVE SUBSTANTIAL CONTACT WITH THE APPLICANT.

12 (4) FOR PURPOSES OF THIS SECTION, A FELONY OFFENSE IS  
13 ANY OF THE FOLLOWING:

14 (I) AN OFFENSE PUNISHABLE UNDER THE LAWS OF THIS  
15 COMMONWEALTH BY IMPRISONMENT FOR MORE THAN FIVE YEARS.

16 (II) AN OFFENSE WHICH, UNDER THE LAWS OF ANOTHER  
17 JURISDICTION, IS:

18 (A) CLASSIFIED AS A FELONY; OR

19 (B) PUNISHABLE BY IMPRISONMENT FOR MORE THAN  
20 FIVE YEARS.

21 (III) AN OFFENSE UNDER THE LAWS OF ANOTHER  
22 JURISDICTION WHICH, IF COMMITTED IN THIS COMMONWEALTH,  
23 WOULD BE SUBJECT TO IMPRISONMENT FOR MORE THAN FIVE  
24 YEARS.

25 SECTION 10.1. TITLE 4 IS AMENDED BY ADDING A SECTION TO  
26 READ:

27 § 1214. SPECIFIC AUTHORITY TO SUSPEND SLOT MACHINE LICENSE.

28 (A) CONDITIONS.--ANY SLOT MACHINE LICENSEE THAT IS REQUIRED  
29 AS A CONDITION OF LICENSURE TO MAKE PAYMENTS TO A MUNICIPALITY,  
30 MUNICIPAL AUTHORITY OR OTHER ENTITY FOR AN ECONOMIC DEVELOPMENT

1 PROJECT, INCLUDING ANY PROJECT ENUMERATED IN THE ACT OF JULY 25,  
2 2007 (P.L.342, NO.53), KNOWN AS PENNSYLVANIA GAMING ECONOMIC  
3 DEVELOPMENT AND TOURISM FUND CAPITAL BUDGET ITEMIZATION ACT OF  
4 2007, SHALL, WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS  
5 SECTION OR WITHIN 30 DAYS FOLLOWING LICENSURE, WHICHEVER IS  
6 LATER, ENTER INTO A WRITTEN AGREEMENT WITH THE MUNICIPALITY,  
7 MUNICIPAL AUTHORITY OR OTHER ENTITY. THE WRITTEN AGREEMENT SHALL  
8 ESTABLISH AND GOVERN THE TERMS OF THE REQUIRED PAYMENTS,  
9 INCLUDING THE AMOUNTS OF EACH PAYMENT, THE DATE ON WHICH EACH  
10 PAYMENT SHALL BE MADE AND THE DURATION OF THE PAYMENTS.

11 (B) FAILURE TO MEET CONDITIONS.--IF A SLOT MACHINE LICENSEE  
12 FAILS TO ENTER INTO A WRITTEN AGREEMENT AS REQUIRED BY  
13 SUBSECTION (A), THE BOARD MAY TAKE ANY ACTION IT DEEMS  
14 NECESSARY. AN ACTION TAKEN BY THE BOARD SHALL REMAIN IN EFFECT  
15 UNTIL THE SLOT MACHINE LICENSEE SATISFIES THE BOARD THAT IT HAS  
16 ENTERED INTO THE WRITTEN AGREEMENT REQUIRED BY SUBSECTION (A).

17 (C) FAILURE TO COMPLY WITH WRITTEN AGREEMENT.--IF A SLOT  
18 MACHINE LICENSEE IS IN DEFAULT WITH RESPECT TO A PAYMENT  
19 OBLIGATION CONTAINED IN A WRITTEN AGREEMENT REQUIRED BY  
20 SUBSECTION (A), THE BOARD MAY TAKE ANY ACTION IT DEEMS  
21 NECESSARY. AN ACTION TAKEN BY THE BOARD SHALL REMAIN IN EFFECT  
22 UNTIL THE SLOT MACHINE LICENSEE SATISFIES THE BOARD THAT IT IS  
23 IN COMPLIANCE WITH THE TERMS OF THE WRITTEN AGREEMENT.

24 (D) OTHER REMEDIES APPLICABLE.--NOTHING IN THIS SECTION  
25 SHALL PROHIBIT THE BOARD FROM TAKING ANY ADDITIONAL ACTION,  
26 INCLUDING SUSPENSION OR REVOCATION OF THE SLOT MACHINE  
27 LICENSEE'S LICENSE, APPOINTING A TRUSTEE UNDER SECTION 1332, OR  
28 IMPOSING ANY OTHER SANCTION PERMITTED BY THIS PART AGAINST A  
29 SLOT MACHINE LICENSEE WHO VIOLATES THE PROVISIONS OF THIS  
30 SECTION.

1 SECTION 10.2. SECTIONS 1304(B), 1305(A)(1), (B)(1), (C), (D)  
2 AND (E) AND 1307 OF TITLE 4 ARE AMENDED TO READ:

3 § 1304. CATEGORY 2 SLOT MACHINE LICENSE.

4 \* \* \*

5 (B) LOCATION.--

6 (1) TWO CATEGORY 2 LICENSED FACILITIES AND NO MORE SHALL  
7 BE LOCATED BY THE BOARD WITHIN A CITY OF THE FIRST CLASS, AND  
8 ONE CATEGORY 2 LICENSED FACILITY AND NO MORE SHALL BE LOCATED  
9 BY THE BOARD WITHIN A CITY OF THE SECOND CLASS. NO CATEGORY 2  
10 LICENSED FACILITY LOCATED BY THE BOARD WITHIN A CITY OF THE  
11 FIRST CLASS SHALL BE WITHIN TEN LINEAR MILES OF A CATEGORY 1  
12 LICENSED FACILITY REGARDLESS OF THE MUNICIPALITY WHERE THE  
13 CATEGORY 1 LICENSED FACILITY IS LOCATED. EXCEPT FOR ANY  
14 CATEGORY 2 LICENSED FACILITY LOCATED BY THE BOARD WITHIN A  
15 CITY OF THE FIRST CLASS OR A CITY OF THE SECOND CLASS, NO  
16 CATEGORY 2 LICENSED FACILITY SHALL BE LOCATED WITHIN 30  
17 LINEAR MILES OF ANY CATEGORY 1 LICENSED FACILITY THAT HAS  
18 CONDUCTED OVER 200 RACING DAYS PER YEAR FOR THE TWO CALENDAR  
19 YEARS IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THIS PART  
20 AND NOT WITHIN 20 LINEAR MILES OF ANY OTHER CATEGORY 1  
21 LICENSED FACILITY. EXCEPT FOR ANY CATEGORY 2 LICENSED  
22 FACILITY LOCATED BY THE BOARD WITHIN A CITY OF THE FIRST  
23 CLASS, NO CATEGORY 2 LICENSED FACILITY SHALL BE LOCATED  
24 WITHIN 20 LINEAR MILES OF ANOTHER CATEGORY 2 LICENSED  
25 FACILITY.

26 (2) WITHIN FIVE DAYS OF APPROVING A LICENSE FOR AN  
27 APPLICANT WITH A PROPOSED LICENSED FACILITY CONSISTING OF  
28 LAND DESIGNATED A SUBZONE, AN EXPANSION SUBZONE OR AN  
29 IMPROVEMENT SUBZONE UNDER THE KEYSTONE OPPORTUNITY ZONE,  
30 KEYSTONE OPPORTUNITY EXPANSION ZONE AND KEYSTONE OPPORTUNITY

1 IMPROVEMENT ZONE ACT FOR A SLOT MACHINE LICENSE UNDER THIS  
2 SECTION, THE BOARD SHALL NOTIFY THE DEPARTMENT OF COMMUNITY  
3 AND ECONOMIC DEVELOPMENT. THE NOTICE SHALL INCLUDE A  
4 DESCRIPTION OF THE LAND OF THE PROPOSED LICENSED FACILITY  
5 WHICH IS DESIGNATED A SUBZONE, AN EXPANSION SUBZONE OR AN  
6 IMPROVEMENT SUBZONE. WITHIN FIVE DAYS OF RECEIVING THE NOTICE  
7 REQUIRED BY THIS PARAGRAPH, THE SECRETARY OF COMMUNITY AND  
8 ECONOMIC DEVELOPMENT SHALL DECERTIFY THE LAND OF THE PROPOSED  
9 LICENSED FACILITY AS BEING A SUBZONE, AN EXPANSION SUBZONE OR  
10 AN IMPROVEMENT SUBZONE. UPON DECERTIFICATION IN ACCORDANCE  
11 WITH THIS PARAGRAPH AND NOTWITHSTANDING CHAPTER 3 OF THE  
12 KEYSTONE OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION  
13 ZONE AND KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT, A  
14 POLITICAL SUBDIVISION MAY AMEND THE ORDINANCE, RESOLUTION OR  
15 OTHER REQUIRED ACTION WHICH GRANTED THE EXEMPTIONS,  
16 DEDUCTIONS, ABATEMENTS OR CREDITS REQUIRED BY THE KEYSTONE  
17 OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION ZONE AND  
18 KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT TO REPEAL THE  
19 EXEMPTIONS, DEDUCTIONS, ABATEMENTS OR CREDITS FOR THE LAND  
20 DECERTIFIED.

21 (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE  
22 GOVERNING BODY OF A CITY OF THE FIRST CLASS SHALL NOT EXEMPT  
23 FROM REAL PROPERTY TAXATION OR PROVIDE ANY REAL PROPERTY TAX  
24 ABATEMENT UNDER THE ACT OF DECEMBER 1, 1977 (P.L.237, NO.76),  
25 KNOWN AS THE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE  
26 ACT, TO A CATEGORY 2 LICENSED FACILITY LOCATED WITHIN THE  
27 CITY, OR ANY IMPROVEMENTS TO SUCH FACILITY, UNLESS THE OWNER  
28 OF THE LICENSED FACILITY ENTERS INTO OR HAS ENTERED INTO A  
29 TAX SETTLEMENT AGREEMENT OR PAYMENT IN LIEU OF TAXES  
30 AGREEMENT WITH THE CITY, INCLUDING ANY AMENDMENTS,

1        SUPPLEMENTS OR MODIFICATIONS OF SUCH AGREEMENTS.

2    § 1305.    CATEGORY 3 SLOT MACHINE LICENSE.

3        (A)    ELIGIBILITY.--

4            (1)    (I)    A PERSON MAY BE ELIGIBLE TO APPLY FOR A  
5            CATEGORY 3 SLOT MACHINE LICENSE IF THE APPLICANT, ITS  
6            AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY  
7            HAS NOT APPLIED FOR OR BEEN APPROVED OR ISSUED A CATEGORY  
8            1 OR 2 SLOT MACHINE LICENSE AND THE PERSON IS SEEKING TO  
9            LOCATE A CATEGORY 3 LICENSED FACILITY IN A WELL-  
10           ESTABLISHED RESORT HOTEL HAVING NO FEWER THAN 275 GUEST  
11           ROOMS UNDER COMMON OWNERSHIP AND HAVING SUBSTANTIAL YEAR-  
12           ROUND [RECREATIONAL GUEST] AMENITIES. THE APPLICANT FOR A  
13           CATEGORY 3 LICENSE SHALL BE THE OWNER OR BE A WHOLLY  
14           OWNED SUBSIDIARY OF THE OWNER OF THE ESTABLISHED RESORT  
15           HOTEL. [A CATEGORY 3 LICENSE MAY ONLY BE GRANTED UPON THE  
16           EXPRESS CONDITION THAT AN INDIVIDUAL MAY NOT ENTER A  
17           GAMING AREA OF THE LICENSEE IF THE INDIVIDUAL IS NOT A  
18           REGISTERED OVERNIGHT GUEST OF THE ESTABLISHED RESORT  
19           HOTEL OR IF THE INDIVIDUAL IS NOT A PATRON OF ONE OR MORE  
20           OF THE AMENITIES PROVIDED BY THE ESTABLISHED RESORT  
21           HOTEL.] IN ADDITION TO ANY OTHER INDIVIDUAL PROHIBITED  
22           UNDER THIS PART FROM ENTERING THE GAMING AREA OF A  
23           LICENSED FACILITY, AN INDIVIDUAL WHO DOES NOT MEET AT  
24           LEAST ONE OF THE FOLLOWING CRITERIA SHALL ALSO BE  
25           PROHIBITED FROM ENTERING THE GAMING AREA OF AN  
26           ESTABLISHED RESORT HOTEL FOR WHICH A CATEGORY 3 LICENSE  
27           HAS BEEN ISSUED:

28                    (A)    THE INDIVIDUAL IS A REGISTERED OVERNIGHT  
29                    GUEST OF THE ESTABLISHED RESORT HOTEL.

30                    (B)    THE INDIVIDUAL IS A PATRON OF THE AMENITIES

1           PROVIDED BY THE ESTABLISHED RESORT HOTEL.

2           (C) THE INDIVIDUAL POSSESSES A MEMBERSHIP TO THE  
3           ESTABLISHED RESORT HOTEL OR IS A GUEST OF AN  
4           INDIVIDUAL WHO POSSESSES SUCH A MEMBERSHIP. THE GUEST  
5           MUST BE ACCOMPANIED BY THE INDIVIDUAL WHO POSSESSES  
6           THE MEMBERSHIP WHEN ENTERING OR REMAINING IN THE  
7           GAMING AREA OF THE HOTEL. THE OWNER OF THE  
8           ESTABLISHED RESORT HOTEL MAY ISSUE MEMBERSHIPS THAT  
9           ALLOW FOR UP TO FOUR GUESTS OF THE MEMBERSHIP OWNER  
10          TO ENTER THE GAMING AREA.

11          (II) NOTHING IN THIS PARAGRAPH SHALL BE DEEMED TO  
12          PROHIBIT AN INDIVIDUAL 18 YEARS OF AGE OR OLDER FROM  
13          ENTERING AND REMAINING IN THE GAMING AREA OF AN  
14          ESTABLISHED RESORT HOTEL WHILE IN THE PERFORMANCE OF  
15          EMPLOYMENT DUTIES PERFORMED ON BEHALF OF THE RESORT  
16          HOTEL.

17          \* \* \*

18          (B) LOCATION.--

19           (1) MILEAGE REQUIREMENTS ARE AS FOLLOWS:

20           (I) NO CATEGORY 3 LICENSE WHICH WAS AUTHORIZED BY  
21           THIS PART PRIOR TO DECEMBER 1, 2009, REGARDLESS OF WHEN  
22           ISSUED, SHALL BE LOCATED BY THE BOARD WITHIN 15 LINEAR  
23           MILES OF ANOTHER LICENSED FACILITY.

24           (II) NO CATEGORY 3 LICENSE WHICH WAS AUTHORIZED BY  
25           THIS PART AFTER NOVEMBER 30, 2009, SHALL BE LOCATED BY  
26           THE BOARD WITHIN 30 LINEAR MILES OF ANOTHER LICENSED  
27           FACILITY.

28          \* \* \*

29          (C) NUMBER OF SLOT MACHINES.--NOTWITHSTANDING THE NUMBER OF  
30          PERMISSIBLE SLOT MACHINES AS SET FORTH IN SECTION 1210 (RELATING

1 TO NUMBER OF SLOT MACHINES), A CATEGORY 3 LICENSE GRANTED UNDER  
2 THE PROVISIONS OF THIS SECTION SHALL ENTITLE THE LICENSED ENTITY  
3 TO OPERATE NO MORE THAN 500 SLOT MACHINES AT THE LICENSED  
4 FACILITY, PROVIDED, HOWEVER, A CATEGORY 3 SLOT MACHINE LICENSEE  
5 HOLDING A TABLE GAME OPERATION CERTIFICATE SHALL BE ENTITLED TO  
6 OPERATE NO MORE THAN 600 SLOT MACHINES AT ITS LICENSED FACILITY.

7 (D) CATEGORY 3 LICENSE FEE.--[NOTWITHSTANDING THE ONE-TIME  
8 SLOT MACHINE LICENSE FEE AS SET FORTH IN SECTION 1209 (RELATING  
9 TO SLOT MACHINE LICENSE FEE), THE] THE BOARD SHALL IMPOSE A ONE-  
10 TIME CATEGORY 3 LICENSE FEE TO BE PAID BY EACH SUCCESSFUL  
11 APPLICANT IN THE AMOUNT OF \$5,000,000 TO BE DEPOSITED IN THE  
12 STATE GAMING FUND. THE PROVISIONS OF SECTION [1209 RELATING TO  
13 TERM, CREDIT AGAINST TAX FOR SLOT MACHINE LICENSEES, DEPOSIT OF  
14 LICENSE FEE AND CHANGE OF OWNERSHIP OR CONTROL OF A LICENSE  
15 SHALL BE APPLICABLE] 1209(B), (C), (D) AND (E) SHALL APPLY TO A  
16 CATEGORY 3 [LICENSE FEE] LICENSEE.

17 (E) DEFINITIONS.--FOR THE PURPOSE OF SUBSECTION (A), THE  
18 FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANING GIVEN TO THEM  
19 IN THIS SUBSECTION:

20 "AMENITIES." ANY ANCILLARY ACTIVITIES, SERVICES OR  
21 FACILITIES IN WHICH A REGISTERED GUEST OR THE TRANSIENT PUBLIC,  
22 IN RETURN FOR NON-DE MINIMIS CONSIDERATION AS DEFINED BY BOARD  
23 REGULATION, MAY PARTICIPATE AT A RESORT HOTEL, INCLUDING, BUT  
24 NOT LIMITED TO, SPORTS AND RECREATIONAL ACTIVITIES AND  
25 FACILITIES SUCH AS A GOLF COURSE OR GOLF DRIVING RANGE, TENNIS  
26 COURTS OR SWIMMING POOL; HEALTH SPA; CONVENTION, MEETING AND  
27 BANQUET FACILITIES; ENTERTAINMENT FACILITIES; AND RESTAURANT  
28 FACILITIES.

29 "PATRON OF THE AMENITIES." ANY INDIVIDUAL WHO IS A  
30 REGISTERED ATTENDEE OF A CONVENTION, MEETING OR BANQUET EVENT OR

1 A PARTICIPANT IN A SPORT OR RECREATIONAL EVENT OR ANY OTHER  
2 SOCIAL, CULTURAL OR BUSINESS EVENT HELD AT A RESORT HOTEL OR WHO  
3 PARTICIPATES IN ONE OR MORE OF THE AMENITIES PROVIDED TO  
4 REGISTERED GUESTS OF THE RESORT HOTEL.

5 § 1307. NUMBER OF SLOT MACHINE LICENSES.

6 (A) CATEGORY 1 AND CATEGORY 2 SLOT MACHINE LICENSES.--THE  
7 BOARD MAY LICENSE NO MORE THAN SEVEN CATEGORY 1 LICENSED  
8 FACILITIES AND NO MORE THAN FIVE CATEGORY 2 LICENSED FACILITIES,  
9 AS IT MAY DEEM APPROPRIATE, AS LONG AS TWO, AND NOT MORE,  
10 CATEGORY 2 [LICENSES] LICENSED FACILITIES ARE LOCATED BY THE  
11 BOARD WITHIN THE CITY OF THE FIRST CLASS AND THAT ONE, AND NOT  
12 MORE, CATEGORY 2 LICENSED FACILITY IS LOCATED BY THE BOARD  
13 WITHIN THE CITY OF THE SECOND CLASS. THE BOARD MAY AT ITS  
14 DISCRETION INCREASE THE TOTAL NUMBER OF CATEGORY 2 LICENSED  
15 FACILITIES PERMITTED TO BE LICENSED BY THE BOARD BY AN AMOUNT  
16 NOT TO EXCEED THE TOTAL NUMBER OF CATEGORY 1 LICENSES NOT  
17 APPLIED FOR WITHIN FIVE YEARS FOLLOWING THE EFFECTIVE DATE OF  
18 THIS PART. EXCEPT AS PERMITTED BY SECTION 1328 (RELATING TO  
19 CHANGE IN OWNERSHIP OR CONTROL OF SLOT MACHINE LICENSEE), ANY  
20 CATEGORY 1 LICENSE MAY BE REISSUED BY THE BOARD AT ITS  
21 DISCRETION AS A CATEGORY 2 LICENSE IF AN APPLICATION FOR  
22 ISSUANCE OF SUCH LICENSE HAS NOT BEEN MADE TO THE BOARD.

23 (B) CATEGORY 3 SLOT MACHINE LICENSES.--

24 (1) THE BOARD MAY LICENSE NO MORE THAN TWO CATEGORY 3  
25 LICENSED FACILITIES THAT SHALL BE SUBJECT TO THE MILEAGE  
26 RESTRICTION UNDER SECTION 1305(B) (1) (I) (RELATING TO CATEGORY  
27 3 SLOT MACHINE LICENSE).

28 (2) THE BOARD MAY LICENSE NO MORE THAN ONE CATEGORY 3  
29 LICENSED FACILITY THAT SHALL BE SUBJECT TO THE MILEAGE  
30 RESTRICTION UNDER SECTION 1305(B) (1) (II). WITHIN TEN DAYS

1 FOLLOWING THE EFFECTIVE DATE OF THIS PARAGRAPH, THE BOARD  
2 SHALL ESTABLISH AN APPLICATION PERIOD NOT TO EXCEED 90 DAYS  
3 FOR THE ACCEPTANCE OF APPLICATIONS FOR THIS CATEGORY 3  
4 LICENSE.

5 SECTION 10.3. SECTIONS 1308 AND 1309 OF TITLE 4 ARE AMENDED  
6 BY ADDING SUBSECTIONS TO READ:

7 § 1308. APPLICATIONS FOR LICENSE OR PERMIT.

8 \* \* \*

9 (A.1) SUBMISSION OF INFORMATION.--AN APPLICANT FOR A LICENSE  
10 OR PERMIT UNDER THIS PART SHALL DISCLOSE IN THE APPLICATION ALL  
11 ARRESTS OF THE APPLICANT AND ALL CITATIONS ISSUED TO THE  
12 APPLICANT FOR SUMMARY GAMBLING OFFENSES. THE INFORMATION SHALL  
13 INCLUDE:

14 (1) A BRIEF DESCRIPTION OF THE CIRCUMSTANCES SURROUNDING  
15 THE ARREST OR ISSUANCE OF THE CITATION.

16 (2) THE SPECIFIC OFFENSE CHARGED.

17 (3) THE ULTIMATE DISPOSITION OF THE CHARGE, INCLUDING  
18 THE DETAILS OF ANY DISMISSAL, PLEA BARGAIN, CONVICTION,  
19 SENTENCE, PARDON, EXPUNGEMENT OR ORDER OF ACCELERATED  
20 REHABILITATIVE DISPOSITION.

21 NO APPLICANT SHALL BE REQUIRED TO PROVIDE DOCUMENTATION RELATING  
22 TO ANY SUMMARY OFFENSE. FAILURE OF THE BUREAU TO RECOVER RECORDS  
23 OF A SUMMARY OFFENSE SHALL NOT BE GROUNDS FOR DENYING AN  
24 APPLICATION.

25 \* \* \*

26 § 1309. SLOT MACHINE LICENSE APPLICATION.

27 \* \* \*

28 (A.1) TABLE GAMES INFORMATION.--

29 (1) AN APPLICANT FOR A SLOT MACHINE LICENSE MAY SUBMIT  
30 WITH ITS APPLICATION ALL INFORMATION REQUIRED UNDER CHAPTER

1 13A (RELATING TO TABLE GAMES) AND REQUEST THAT THE BOARD  
2 CONSIDER ITS APPLICATION FOR A SLOT MACHINE LICENSE AND A  
3 TABLE GAME OPERATION CERTIFICATE CONCURRENTLY. ALL FEES FOR A  
4 TABLE GAME OPERATION CERTIFICATE SHALL BE PAID BY THE  
5 APPLICANT IN ACCORDANCE WITH SECTION 1361A (RELATING TO TABLE  
6 GAME AUTHORIZATION FEE).

7 (2) THE BOARD SHALL PERMIT ANY APPLICANT FOR A SLOT  
8 MACHINE LICENSE THAT HAS AN APPLICATION PENDING BEFORE THE  
9 BOARD ON THE EFFECTIVE DATE OF THIS SUBSECTION TO SUPPLEMENT  
10 ITS APPLICATION WITH ALL INFORMATION REQUIRED UNDER CHAPTER  
11 13A AND TO REQUEST THAT THE BOARD CONSIDER ITS APPLICATION  
12 FOR A SLOT MACHINE LICENSE AND A TABLE GAME OPERATION  
13 CERTIFICATE CONCURRENTLY. ALL FEES FOR A TABLE GAME OPERATION  
14 CERTIFICATE SHALL BE PAID BY THE APPLICANT IN ACCORDANCE WITH  
15 SECTION 1361A.

16 \* \* \*

17 SECTION 10.4. SECTION 1310 OF TITLE 4 IS AMENDED TO READ:

18 § 1310. SLOT MACHINE LICENSE APPLICATION CHARACTER  
19 REQUIREMENTS.

20 (A) APPLICATION.--

21 (1) EVERY APPLICATION FOR A SLOT MACHINE LICENSE SHALL  
22 INCLUDE SUCH INFORMATION, DOCUMENTATION AND ASSURANCES AS MAY  
23 BE REQUIRED TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE  
24 APPLICANT'S SUITABILITY, INCLUDING GOOD CHARACTER, HONESTY  
25 AND INTEGRITY. INFORMATION SHALL INCLUDE, WITHOUT LIMITATION,  
26 INFORMATION PERTAINING TO FAMILY, HABITS, CHARACTER,  
27 REPUTATION, CRIMINAL HISTORY BACKGROUND, BUSINESS ACTIVITIES,  
28 FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL AND PERSONAL  
29 ASSOCIATES, COVERING AT LEAST THE TEN-YEAR PERIOD IMMEDIATELY  
30 PRECEDING THE FILING DATE OF THE APPLICATION.

1           (2) NOTWITHSTANDING 18 PA.C.S. § 9124(B) (RELATING TO  
2           USE OF RECORDS BY LICENSING AGENCIES), IN ADDITION TO THE  
3           INFORMATION SUBMITTED UNDER SECTION 1308(A.1) (RELATING TO  
4           APPLICATIONS FOR LICENSE OR PERMIT), A CONVICTION FOR A  
5           FELONY OFFENSE OR A MISDEMEANOR GAMBLING OFFENSE THAT HAS  
6           BEEN EXPUNGED OR OVERTURNED, OR FOR WHICH A PERSON HAS BEEN  
7           PARDONED OR AN ORDER OF ACCELERATED REHABILITATIVE  
8           DISPOSITION HAS BEEN ISSUED, SHALL BE INCLUDED WITH AN  
9           APPLICATION AND CONSIDERED BY THE BOARD AS PART OF THE REVIEW  
10           OF THE APPLICANT'S SUITABILITY UNDER PARAGRAPH (1).

11           (B) CIVIL JUDGMENTS AND LAW ENFORCEMENT AGENCY  
12 INFORMATION.--EACH APPLICANT SHALL NOTIFY THE BOARD OF ANY CIVIL  
13 JUDGMENTS OBTAINED AGAINST THE APPLICANT PERTAINING TO ANTITRUST  
14 OR SECURITY REGULATION LAWS OF THE FEDERAL GOVERNMENT, THIS  
15 COMMONWEALTH OR ANY OTHER STATE, JURISDICTION, PROVINCE OR  
16 COUNTRY. IN ADDITION, EACH APPLICANT SHALL PRODUCE A LETTER OF  
17 REFERENCE FROM LAW ENFORCEMENT AGENCIES HAVING JURISDICTION IN  
18 THE APPLICANT'S PLACE OF RESIDENCE AND PRINCIPAL PLACE OF  
19 BUSINESS, WHICH LETTER OF REFERENCE SHALL INDICATE THAT THE LAW  
20 ENFORCEMENT AGENCIES DO NOT HAVE ANY PERTINENT INFORMATION  
21 CONCERNING THE APPLICANT OR, IF THE LAW ENFORCEMENT AGENCY DOES  
22 HAVE INFORMATION PERTAINING TO THE APPLICANT, SHALL SPECIFY THE  
23 NATURE AND CONTENT OF THAT INFORMATION. IF NO LETTERS ARE  
24 RECEIVED WITHIN 30 DAYS OF THE REQUEST, THE APPLICANT MAY SUBMIT  
25 A STATEMENT UNDER OATH WHICH IS SUBJECT TO THE PENALTY FOR FALSE  
26 SWEARING UNDER 18 PA.C.S. § 4903 (RELATING TO FALSE SWEARING)  
27 THAT THE APPLICANT IS OR WAS DURING THE PERIOD THE ACTIVITIES  
28 WERE CONDUCTED IN GOOD STANDING WITH THE GAMING OR CASINO  
29 ENFORCEMENT OR CONTROL AGENCY.

30           (C) GAMING OR CASINO ENFORCEMENT AGENCY INFORMATION.--IF THE

1 APPLICANT HAS HELD A GAMING LICENSE IN A JURISDICTION WHERE  
2 GAMING ACTIVITIES ARE PERMITTED, THE APPLICANT SHALL PRODUCE A  
3 LETTER OF REFERENCE FROM THE GAMING OR CASINO ENFORCEMENT OR  
4 CONTROL AGENCY WHICH SHALL SPECIFY THE EXPERIENCES OF THAT  
5 AGENCY WITH THE APPLICANT, THE APPLICANT'S ASSOCIATES AND THE  
6 APPLICANT'S GAMING OPERATION. IF NO LETTERS ARE RECEIVED WITHIN  
7 30 DAYS OF THE REQUEST, THE APPLICANT MAY SUBMIT A STATEMENT  
8 UNDER OATH WHICH IS SUBJECT TO THE PENALTY FOR FALSE SWEARING  
9 UNDER 18 PA.C.S. § 4903 THAT THE APPLICANT IS OR WAS DURING THE  
10 PERIOD THE ACTIVITIES WERE CONDUCTED IN GOOD STANDING WITH THE  
11 GAMING OR CASINO ENFORCEMENT OR CONTROL AGENCY.

12 (D) AGENCY RECORDS.--EACH APPLICANT FOR A SLOT MACHINE  
13 LICENSE, PRINCIPAL LICENSE OR KEY EMPLOYEE LICENSE SHALL BE  
14 REQUIRED TO APPLY TO EACH FEDERAL AGENCY DEEMED APPROPRIATE BY  
15 THE BOARD OR BUREAU FOR AGENCY RECORDS UNDER THE FREEDOM OF  
16 INFORMATION ACT (PUBLIC LAW 89-554, 5 U.S.C. § 552) PERTAINING  
17 TO THE APPLICANT AND PROVIDE THE BUREAU WITH THE COMPLETE RECORD  
18 RECEIVED FROM THE FEDERAL AGENCY. THE BOARD MAY ISSUE A LICENSE  
19 TO THE APPLICANT PRIOR TO THE RECEIPT OF INFORMATION UNDER THIS  
20 SUBSECTION.

21 SECTION 10.5. SECTIONS 1317(A) AND (C)(1) AND 1317.1(A), (B)  
22 (5), (C), (D), (D.1) AND (E) OF TITLE 4 ARE AMENDED AND THE  
23 SECTIONS ARE AMENDED BY ADDING SUBSECTIONS TO READ:

24 § 1317. SUPPLIER LICENSES.

25 (A) APPLICATION.--A MANUFACTURER THAT ELECTS TO CONTRACT  
26 WITH A SUPPLIER UNDER SECTION 1317.1(D.1) (RELATING TO  
27 MANUFACTURER LICENSES) SHALL ENSURE THAT THE SUPPLIER IS  
28 APPROPRIATELY LICENSED UNDER THIS SECTION. A PERSON SEEKING TO  
29 PROVIDE SLOT MACHINES, TABLE GAME DEVICES OR ASSOCIATED  
30 EQUIPMENT TO A SLOT MACHINE LICENSEE WITHIN THIS COMMONWEALTH

1 THROUGH A CONTRACT WITH A LICENSED MANUFACTURER SHALL APPLY TO  
2 THE BOARD FOR [A] THE APPROPRIATE SUPPLIER LICENSE.

3 \* \* \*

4 (C) REVIEW AND APPROVAL.--UPON BEING SATISFIED THAT THE  
5 REQUIREMENTS OF SUBSECTION (B) HAVE BEEN MET, THE BOARD MAY  
6 APPROVE THE APPLICATION AND ISSUE THE APPLICANT A SUPPLIER  
7 LICENSE CONSISTENT WITH ALL OF THE FOLLOWING:

8 (1) [THE LICENSE SHALL BE FOR A PERIOD OF ONE YEAR. UPON  
9 EXPIRATION, THE LICENSE MAY BE RENEWED IN ACCORDANCE WITH  
10 SUBSECTION (D)] THE INITIAL LICENSE SHALL BE FOR A PERIOD OF  
11 ONE YEAR AND IF RENEWED UNDER SUBSECTION (D), THE LICENSE  
12 SHALL BE FOR A PERIOD OF THREE YEARS. NOTHING IN THIS  
13 PARAGRAPH SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE DUTY TO  
14 NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS  
15 LICENSE OR TO ANY INFORMATION CONTAINED IN THE APPLICATION  
16 MATERIALS ON FILE WITH THE BOARD.

17 \* \* \*

18 (C.1) ABBREVIATED PROCESS.--IN THE EVENT AN APPLICANT FOR A  
19 SUPPLIER LICENSE TO SUPPLY TABLE GAME DEVICES OR ASSOCIATED  
20 EQUIPMENT USED IN CONNECTION WITH TABLE GAMES IS LICENSED BY THE  
21 BOARD UNDER THIS SECTION TO SUPPLY SLOT MACHINES OR ASSOCIATED  
22 EQUIPMENT USED IN CONNECTION WITH SLOT MACHINES, THE BOARD MAY  
23 DETERMINE TO USE AN ABBREVIATED PROCESS REQUIRING ONLY THAT  
24 INFORMATION DETERMINED BY THE BOARD TO BE NECESSARY TO CONSIDER  
25 THE ISSUANCE OF A LICENSE TO SUPPLY TABLE GAME DEVICES OR  
26 ASSOCIATED EQUIPMENT USED IN CONNECTION WITH TABLE GAMES,  
27 INCLUDING FINANCIAL VIABILITY OF THE APPLICANT. NOTHING IN THIS  
28 SECTION SHALL BE CONSTRUED TO WAIVE ANY FEES ASSOCIATED WITH  
29 OBTAINING A LICENSE THROUGH THE NORMAL APPLICATION PROCESS. THE  
30 BOARD MAY ONLY USE THE ABBREVIATED PROCESS IF ALL OF THE

1 FOLLOWING APPLY:

2 (1) THE SUPPLIER LICENSE WAS ISSUED BY THE BOARD WITHIN  
3 A 36-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE THE SUPPLIER  
4 LICENSEE FILES AN INITIAL APPLICATION TO SUPPLY TABLE GAME  
5 DEVICES OR ASSOCIATED EQUIPMENT.

6 (2) THE PERSON TO WHOM THE SUPPLIER LICENSE WAS ISSUED  
7 AFFIRMS THERE HAS BEEN NO MATERIAL CHANGE IN CIRCUMSTANCES  
8 RELATING TO THE LICENSE.

9 (3) THE BOARD DETERMINES, IN ITS SOLE DISCRETION, THAT  
10 THERE HAS BEEN NO MATERIAL CHANGE IN CIRCUMSTANCES RELATING  
11 TO THE LICENSEE THAT NECESSITATES THAT THE ABBREVIATED  
12 PROCESS NOT BE USED.

13 \* \* \*

14 § 1317.1. MANUFACTURER LICENSES.

15 (A) APPLICATION.--A PERSON SEEKING TO MANUFACTURE SLOT  
16 MACHINES, TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT FOR USE IN  
17 THIS COMMONWEALTH SHALL APPLY TO THE BOARD FOR A MANUFACTURER  
18 LICENSE.

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

22 \* \* \*

23 (5) THE TYPE OF SLOT MACHINES, TABLE GAME DEVICES OR  
24 ASSOCIATED EQUIPMENT TO BE MANUFACTURED OR REPAIRED.

25 (C) REVIEW AND APPROVAL.--UPON BEING SATISFIED THAT THE  
26 REQUIREMENTS OF SUBSECTION (B) HAVE BEEN MET, THE BOARD MAY  
27 APPROVE THE APPLICATION AND GRANT THE APPLICANT A MANUFACTURER  
28 LICENSE CONSISTENT WITH ALL OF THE FOLLOWING:

29 (1) [THE LICENSE SHALL BE FOR A PERIOD OF ONE YEAR. UPON  
30 EXPIRATION, A LICENSE MAY BE RENEWED IN ACCORDANCE WITH

1        SUBSECTION (D)] THE INITIAL LICENSE SHALL BE FOR A PERIOD OF  
2        ONE YEAR AND IF RENEWED UNDER SUBSECTION (D), THE LICENSE  
3        SHALL BE FOR A PERIOD OF THREE YEARS. NOTHING IN THIS  
4        PARAGRAPH SHALL RELIEVE THE LICENSEE OF THE AFFIRMATIVE DUTY  
5        TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF  
6        ITS LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN  
7        APPLICATION MATERIALS ON FILE WITH THE BOARD.

8            (2) THE LICENSE SHALL BE NONTRANSFERABLE.

9            (3) ANY OTHER CONDITION ESTABLISHED BY THE BOARD.

10        (C.1) ABBREVIATED PROCESS.--IN THE EVENT AN APPLICANT FOR A  
11        MANUFACTURER LICENSE TO MANUFACTURE TABLE GAME DEVICES OR  
12        ASSOCIATED EQUIPMENT USED IN CONNECTION WITH TABLE GAMES IS  
13        LICENSED BY THE BOARD UNDER THIS SECTION TO MANUFACTURE SLOT  
14        MACHINES OR ASSOCIATED EQUIPMENT USED IN CONNECTION WITH SLOT  
15        MACHINES, THE BOARD MAY DETERMINE TO USE AN ABBREVIATED PROCESS  
16        REQUIRING ONLY THAT INFORMATION DETERMINED BY THE BOARD TO BE  
17        NECESSARY TO CONSIDER THE ISSUANCE OF A LICENSE TO MANUFACTURE  
18        TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT USED IN CONNECTION  
19        WITH TABLE GAMES, INCLUDING FINANCIAL VIABILITY OF THE  
20        APPLICANT. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO WAIVE  
21        ANY FEES ASSOCIATED WITH OBTAINING A LICENSE THROUGH THE NORMAL  
22        APPLICATION PROCESS. THE BOARD MAY ONLY USE THE ABBREVIATED  
23        PROCESS IF ALL OF THE FOLLOWING APPLY:

24            (1) THE MANUFACTURER LICENSE WAS ISSUED BY THE BOARD  
25            WITHIN A 36-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE THE  
26            MANUFACTURER LICENSEE FILES AN APPLICATION TO MANUFACTURE  
27            TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT.

28            (2) THE PERSON TO WHOM THE MANUFACTURER LICENSE WAS  
29            ISSUED AFFIRMS THERE HAS BEEN NO MATERIAL CHANGE IN  
30            CIRCUMSTANCES RELATING TO THE LICENSE.

1           (3) THE BOARD DETERMINES, IN ITS SOLE DISCRETION, THAT  
2 THERE HAS BEEN NO MATERIAL CHANGE IN CIRCUMSTANCES RELATING  
3 TO THE LICENSEE THAT NECESSITATES THAT THE ABBREVIATED  
4 PROCESS NOT BE USED.

5           (D) RENEWAL.--

6           (1) [SIX] TWO MONTHS PRIOR TO EXPIRATION OF A  
7 MANUFACTURER LICENSE, THE MANUFACTURER LICENSEE SEEKING  
8 RENEWAL OF ITS LICENSE SHALL SUBMIT A RENEWAL APPLICATION  
9 ACCOMPANIED BY THE RENEWAL FEE TO THE BOARD.

10           (2) IF THE RENEWAL APPLICATION SATISFIES THE  
11 REQUIREMENTS OF SUBSECTION (B), THE BOARD MAY RENEW THE  
12 LICENSEE'S MANUFACTURER LICENSE.

13           (3) IF THE BOARD RECEIVES A COMPLETE RENEWAL APPLICATION  
14 BUT FAILS TO ACT UPON THE RENEWAL APPLICATION PRIOR TO THE  
15 EXPIRATION OF THE MANUFACTURER LICENSE, THE MANUFACTURER  
16 LICENSE SHALL CONTINUE IN EFFECT FOR AN ADDITIONAL SIX-MONTH  
17 PERIOD OR UNTIL ACTED UPON BY THE BOARD, WHICHEVER OCCURS  
18 FIRST.

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

21           (1) A [LICENSED] MANUFACTURER OR ITS DESIGNEE, AS  
22 LICENSED BY THE BOARD, MAY SUPPLY OR REPAIR ANY SLOT MACHINE,  
23 TABLE GAME DEVICE OR ASSOCIATED EQUIPMENT MANUFACTURED BY THE  
24 [LICENSED] MANUFACTURER, PROVIDED THE MANUFACTURER HOLDS THE  
25 APPROPRIATE MANUFACTURER LICENSE.

26           (2) A MANUFACTURER OF SLOT MACHINES MAY CONTRACT WITH A  
27 SUPPLIER UNDER SECTION 1317 (RELATING TO SUPPLIER LICENSES)  
28 TO PROVIDE SLOT MACHINES OR ASSOCIATED EQUIPMENT TO A SLOT  
29 MACHINE LICENSEE WITHIN THIS COMMONWEALTH, PROVIDED THE  
30 SUPPLIER IS LICENSED TO SUPPLY SLOT MACHINES OR ASSOCIATED

1 EQUIPMENT USED IN CONNECTION WITH SLOT MACHINES.

2 (3) A MANUFACTURER MAY CONTRACT WITH A SUPPLIER UNDER  
3 SECTION 1317 TO PROVIDE TABLE GAME DEVICES OR ASSOCIATED  
4 EQUIPMENT TO A CERTIFICATE HOLDER, PROVIDED THE SUPPLIER IS  
5 LICENSED TO SUPPLY TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT  
6 USED IN CONNECTION WITH TABLE GAMES.

7 (E) PROHIBITIONS.--

8 (1) NO PERSON MAY MANUFACTURE SLOT MACHINES, TABLE GAME  
9 DEVICES OR ASSOCIATED EQUIPMENT FOR USE WITHIN THIS  
10 COMMONWEALTH BY A SLOT MACHINE LICENSEE UNLESS THE PERSON HAS  
11 BEEN ISSUED [A] THE APPROPRIATE MANUFACTURER LICENSE UNDER  
12 THIS SECTION.

13 (2) [NO] EXCEPT AS PERMITTED IN SECTION 1323.1A  
14 (RELATING TO TRAINING EQUIPMENT), NO SLOT MACHINE LICENSEE  
15 MAY USE SLOT MACHINES, TABLE GAME DEVICES OR ASSOCIATED  
16 EQUIPMENT UNLESS THE SLOT MACHINES, TABLE GAME DEVICES OR  
17 ASSOCIATED EQUIPMENT WERE MANUFACTURED BY A PERSON THAT HAS  
18 BEEN ISSUED [A] THE APPROPRIATE MANUFACTURER LICENSE UNDER  
19 THIS SECTION.

20 (3) NO PERSON ISSUED A LICENSE UNDER THIS SECTION SHALL  
21 APPLY FOR OR BE ISSUED A LICENSE UNDER SECTION 1317.

22 (4) NO LIMITATION SHALL BE PLACED ON THE NUMBER OF  
23 MANUFACTURER LICENSES ISSUED OR THE TIME PERIOD TO SUBMIT  
24 APPLICATIONS FOR LICENSURE, EXCEPT AS REQUIRED TO COMPLY WITH  
25 SECTION 1306 (RELATING TO ORDER OF INITIAL LICENSE ISSUANCE).

26 SECTION 10.6. TITLE 4 IS AMENDED BY ADDING A SECTION TO

27 READ:

28 § 1317.2. GAMING SERVICE PROVIDER.

29 (A) DEVELOPMENT OF CLASSIFICATION SYSTEM.--THE BOARD SHALL  
30 DEVELOP A CLASSIFICATION SYSTEM GOVERNING THE CERTIFICATION,

1 REGISTRATION AND REGULATION OF GAMING SERVICE PROVIDERS AND  
2 INDIVIDUALS AND ENTITIES ASSOCIATED WITH THEM. THE  
3 CLASSIFICATION SYSTEM SHALL BE BASED UPON THE FOLLOWING:

4 (1) THE MONETARY VALUE OR AMOUNT OF BUSINESS CONDUCTED  
5 OR EXPECTED TO BE CONDUCTED BY THE GAMING SERVICE PROVIDER  
6 WITH AN APPLICANT FOR A SLOT MACHINE LICENSEE OR A SLOT  
7 MACHINE LICENSEE IN ANY CONSECUTIVE 12-MONTH PERIOD.

8 (2) WHETHER THE EMPLOYEES OF THE GAMING SERVICE PROVIDER  
9 WILL HAVE ACCESS TO THE GAMING FLOOR OR ANY GAMING-RELATED  
10 RESTRICTED AREA OF A LICENSED FACILITY.

11 (3) THE BOARD'S ANALYSIS OF THE GOODS OR SERVICES  
12 PROVIDED OR TO BE PROVIDED BY THE GAMING SERVICE PROVIDER.

13 (B) AUTHORITY TO EXEMPT.--THE BOARD MAY EXEMPT ANY PERSON OR  
14 TYPE OF BUSINESS FROM THE REQUIREMENTS OF THIS SECTION IF THE  
15 BOARD DETERMINES:

16 (1) THE PERSON OR TYPE OF BUSINESS IS REGULATED BY AN  
17 AGENCY OF THE FEDERAL GOVERNMENT, AN AGENCY OF THE  
18 COMMONWEALTH OR THE PENNSYLVANIA SUPREME COURT; OR

19 (2) THE REGULATION OF THE PERSON OR TYPE OF BUSINESS IS  
20 DETERMINED NOT TO BE NECESSARY IN ORDER TO PROTECT THE PUBLIC  
21 INTEREST OR THE INTEGRITY OF GAMING.

22 (C) DUTIES OF GAMING SERVICE PROVIDERS.--EACH GAMING SERVICE  
23 PROVIDER SHALL HAVE A CONTINUING DUTY TO:

24 (1) PROVIDE ALL INFORMATION, DOCUMENTATION AND  
25 ASSURANCES AS THE BOARD MAY REQUIRE.

26 (2) COOPERATE WITH THE BOARD IN INVESTIGATIONS, HEARINGS  
27 AND ENFORCEMENT AND DISCIPLINARY ACTIONS.

28 (3) COMPLY WITH ALL CONDITIONS, RESTRICTIONS,  
29 REQUIREMENTS, ORDERS AND RULINGS OF THE BOARD IN ACCORDANCE  
30 WITH THIS PART.

1           (4) REPORT ANY CHANGE IN CIRCUMSTANCES THAT MAY RENDER  
2           THE GAMING SERVICE PROVIDER INELIGIBLE, UNQUALIFIED OR  
3           UNSUITABLE FOR CONTINUED REGISTRATION OR CERTIFICATION.

4           (D) REQUIREMENT FOR PERMIT.--THE BOARD MAY REQUIRE EMPLOYEES  
5           OF A GAMING SERVICE PROVIDER TO OBTAIN A PERMIT OR OTHER  
6           AUTHORIZATION IF, AFTER AN ANALYSIS OF DUTIES, RESPONSIBILITIES  
7           AND FUNCTIONS, THE BOARD DETERMINES THAT A PERMIT OR OTHER  
8           AUTHORIZATION IS NECESSARY TO PROTECT THE INTEGRITY OF GAMING.

9           (E) INTERIM AUTHORIZATION.--THE BOARD OR A DESIGNATED  
10           EMPLOYEE OF THE BOARD MAY PERMIT A GAMING SERVICE PROVIDER  
11           APPLICANT TO ENGAGE IN BUSINESS WITH AN APPLICANT FOR A SLOT  
12           MACHINE LICENSE OR A SLOT MACHINE LICENSEE PRIOR TO APPROVAL OF  
13           THE GAMING SERVICE PROVIDER APPLICATION IF THE FOLLOWING  
14           CRITERIA HAVE BEEN SATISFIED:

15           (1) A COMPLETED APPLICATION HAS BEEN FILED WITH THE  
16           BOARD BY THE GAMING SERVICE PROVIDER.

17           (2) THE SLOT MACHINE APPLICANT OR SLOT MACHINE LICENSEE  
18           CONTRACTING OR DOING BUSINESS WITH THE GAMING SERVICE  
19           PROVIDER CERTIFIES THAT IT HAS PERFORMED DUE DILIGENCE ON THE  
20           GAMING SERVICE PROVIDER AND BELIEVES THAT THE APPLICANT MEETS  
21           THE QUALIFICATION TO BE A GAMING SERVICE PROVIDER PURSUANT TO  
22           THIS SECTION.

23           (3) THE GAMING SERVICE PROVIDER APPLICANT AGREES IN  
24           WRITING THAT THE GRANT OF INTERIM AUTHORIZATION TO CONDUCT  
25           BUSINESS PRIOR TO BOARD APPROVAL OF ITS APPLICATION DOES NOT  
26           CREATE A RIGHT TO CONTINUE TO ENGAGE IN BUSINESS IF THE BOARD  
27           DETERMINES THAT THE APPLICANT IS NOT SUITABLE OR CONTINUED  
28           AUTHORIZATION IS NOT IN THE PUBLIC INTEREST.

29           (F) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE  
30           CONSTRUED TO PROHIBIT THE BOARD FROM RESCINDING A GRANT OF

1 INTERIM AUTHORIZATION IF, AT ANY TIME, THE SUITABILITY OF THE  
2 PERSON SUBJECT TO INTERIM AUTHORIZATION IS AT ISSUE OR IF THE  
3 PERSON FAILS TO COOPERATE WITH THE BOARD, THE BUREAU OR AN AGENT  
4 OF THE BOARD OR BUREAU.

5 (G) GAMING SERVICE PROVIDER LISTS.--THE BOARD SHALL:

6 (1) DEVELOP AND MAINTAIN A LIST OF APPROVED GAMING  
7 SERVICE PROVIDERS WHO ARE AUTHORIZED TO PROVIDE GOODS OR  
8 SERVICES WHETHER UNDER A GRANT OF INTERIM OR CONTINUED  
9 AUTHORIZATION.

10 (2) DEVELOP AND MAINTAIN A LIST OF PROHIBITED GAMING  
11 SERVICE PROVIDERS. AN APPLICANT FOR A SLOT MACHINE LICENSE OR  
12 A SLOT MACHINE LICENSEE MAY NOT ENTER INTO AN AGREEMENT OR  
13 ENGAGE IN BUSINESS WITH A GAMING SERVICE PROVIDER LISTED ON  
14 THE PROHIBITED GAMING SERVICE PROVIDER LIST.

15 (H) EMERGENCY AUTHORIZATION.--A SLOT MACHINE LICENSEE MAY  
16 UTILIZE A GAMING SERVICE PROVIDER THAT HAS NOT BEEN APPROVED BY  
17 THE BOARD WHEN A THREAT TO PUBLIC HEALTH, WELFARE OR SAFETY  
18 EXISTS OR CIRCUMSTANCES OUTSIDE THE CONTROL OF THE SLOT MACHINE  
19 LICENSEE REQUIRE IMMEDIATE ACTION TO MITIGATE DAMAGE OR LOSS TO  
20 THE LICENSEE'S LICENSED FACILITY OR TO THE COMMONWEALTH. THE  
21 BOARD SHALL PROMULGATE REGULATIONS TO GOVERN THE USE OF GAMING  
22 SERVICE PROVIDERS UNDER EMERGENCY CIRCUMSTANCES. THE REGULATIONS  
23 SHALL INCLUDE A REQUIREMENT THAT THE SLOT MACHINE LICENSEE  
24 CONTACT THE BOARD IMMEDIATELY UPON UTILIZING A GAMING SERVICE  
25 PROVIDER THAT HAS NOT BEEN APPROVED BY THE BOARD.

26 (I) CRIMINAL HISTORY RECORD INFORMATION.--IF THE  
27 CLASSIFICATION SYSTEM DEVELOPED BY THE BOARD IN ACCORDANCE WITH  
28 SUBSECTION (A) REQUIRES A GAMING SERVICE PROVIDER OR AN  
29 INDIVIDUAL OR ENTITY ASSOCIATED WITH THE GAMING SERVICE PROVIDER  
30 TO SUBMIT TO OR PROVIDE THE BUREAU WITH CRIMINAL HISTORY RECORD

1 INFORMATION UNDER 18 PA.C.S. CH. 91 (RELATING TO CRIMINAL  
2 HISTORY RECORD INFORMATION), THE BUREAU SHALL NOTIFY A SLOT  
3 MACHINE LICENSEE THAT SUBMITTED A CERTIFICATION UNDER SUBSECTION  
4 (E) (2) WHETHER THE APPLICANT HAS BEEN CONVICTED OF A FELONY OR  
5 MISDEMEANOR GAMBLING OFFENSE.

6 SECTION 10.7. SECTIONS 1318(C) AND 1319 OF TITLE 4 ARE  
7 AMENDED TO READ:

8 § 1318. OCCUPATION PERMIT APPLICATION.

9 \* \* \*

10 (C) PROHIBITION.--NO SLOT MACHINE LICENSEE MAY EMPLOY OR  
11 PERMIT ANY PERSON UNDER 18 YEARS OF AGE TO RENDER ANY SERVICE  
12 WHATSOEVER IN ANY AREA OF ITS LICENSED FACILITY [AT WHICH] WHERE  
13 SLOT MACHINES OR TABLE GAMES ARE PHYSICALLY LOCATED.

14 § 1319. ALTERNATIVE MANUFACTURER LICENSING STANDARDS.

15 (A) GENERAL RULE.--THE BOARD MAY DETERMINE WHETHER THE  
16 LICENSING STANDARDS OF ANOTHER JURISDICTION WITHIN THE UNITED  
17 STATES IN WHICH AN APPLICANT FOR A MANUFACTURER LICENSE IS  
18 SIMILARLY LICENSED ARE COMPREHENSIVE AND THOROUGH AND PROVIDE  
19 SIMILAR ADEQUATE SAFEGUARDS AS THOSE REQUIRED BY THIS PART. IF  
20 THE BOARD MAKES THAT DETERMINATION, IT MAY ISSUE A MANUFACTURER  
21 LICENSE TO AN APPLICANT WHO HOLDS A SIMILAR MANUFACTURER LICENSE  
22 IN SUCH OTHER JURISDICTION AFTER CONDUCTING AN EVALUATION OF THE  
23 INFORMATION RELATING TO THE APPLICANT FROM SUCH OTHER  
24 JURISDICTIONS, AS UPDATED BY THE BOARD, AND EVALUATING OTHER  
25 INFORMATION RELATED TO THE APPLICANT RECEIVED FROM THAT  
26 JURISDICTION AND OTHER JURISDICTIONS WHERE THE APPLICANT MAY BE  
27 LICENSED, THE BOARD MAY INCORPORATE SUCH INFORMATION IN WHOLE OR  
28 IN PART INTO ITS EVALUATION OF THE APPLICANT.

29 (B) ABBREVIATED PROCESS.--IN THE EVENT AN APPLICANT FOR A  
30 [SLOT MACHINE] MANUFACTURER LICENSE IS LICENSED IN ANOTHER

1 JURISDICTION, THE BOARD MAY DETERMINE TO USE AN [ALTERNATE]  
2 ABBREVIATED PROCESS REQUIRING ONLY THAT INFORMATION DETERMINED  
3 BY THE BOARD TO BE NECESSARY TO CONSIDER THE ISSUANCE OF A  
4 LICENSE, INCLUDING FINANCIAL VIABILITY OF THE [LICENSEE, TO SUCH  
5 AN] APPLICANT. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO  
6 WAIVE ANY FEES ASSOCIATED WITH OBTAINING A LICENSE THROUGH THE  
7 NORMAL APPLICATION PROCESS.

8 SECTION 10.8. TITLE 4 IS AMENDED BY ADDING A SECTION TO  
9 READ:

10 § 1319.1. ALTERNATIVE SUPPLIER LICENSING STANDARDS.

11 (A) GENERAL RULE.--THE BOARD MAY DETERMINE WHETHER THE  
12 LICENSING STANDARDS OF ANOTHER JURISDICTION WITHIN THE UNITED  
13 STATES IN WHICH AN APPLICANT FOR A SUPPLIER'S LICENSE IS  
14 SIMILARLY LICENSED ARE COMPREHENSIVE AND THOROUGH AND PROVIDE  
15 SIMILAR ADEQUATE SAFEGUARDS AS REQUIRED BY THIS PART. IF THE  
16 BOARD MAKES THAT DETERMINATION, IT MAY ISSUE A SUPPLIER LICENSE  
17 TO AN APPLICANT WHO HOLDS A SIMILAR SUPPLIER LICENSE IN ANOTHER  
18 JURISDICTION AFTER CONDUCTING AN EVALUATION OF THE INFORMATION  
19 RELATING TO THE APPLICANT FROM THE OTHER JURISDICTIONS, AS  
20 UPDATED BY THE BOARD, AND EVALUATING OTHER INFORMATION RELATED  
21 TO THE APPLICANT RECEIVED FROM THAT JURISDICTION AND OTHER  
22 JURISDICTIONS WHERE THE APPLICANT MAY BE LICENSED, THE BOARD MAY  
23 INCORPORATE THE INFORMATION IN WHOLE OR IN PART INTO ITS  
24 EVALUATION OF THE APPLICANT.

25 (B) ABBREVIATED PROCESS.--IN THE EVENT AN APPLICANT FOR A  
26 SUPPLIER LICENSE IS LICENSED IN ANOTHER JURISDICTION, THE BOARD  
27 MAY DETERMINE TO USE AN ABBREVIATED PROCESS REQUIRING ONLY THAT  
28 INFORMATION DETERMINED BY THE BOARD TO BE NECESSARY TO CONSIDER  
29 THE ISSUANCE OF A LICENSE, INCLUDING FINANCIAL VIABILITY OF THE  
30 APPLICANT. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO WAIVE

1 ANY FEES ASSOCIATED WITH OBTAINING A LICENSE THROUGH THE NORMAL  
2 APPLICATION PROCESS.

3 SECTION 10.9. SECTIONS 1321, 1326(A), 1328(A)(1) AND (B) AND  
4 1329 OF TITLE 4 ARE AMENDED TO READ:

5 § 1321. ADDITIONAL LICENSES AND PERMITS AND APPROVAL OF  
6 AGREEMENTS.

7 (A) REQUIREMENTS.--IN ADDITION TO THE REQUIREMENTS FOR A  
8 LICENSE OR PERMIT SPECIFICALLY SET FORTH IN THIS PART, THE BOARD  
9 MAY REQUIRE A LICENSE [OR], PERMIT OR OTHER AUTHORIZATION, AND  
10 SET A FEE FOR THE SAME, FOR ANY KEY EMPLOYEE OR GAMING EMPLOYEE  
11 OR ANY PERSON WHO SATISFIES ANY OF THE FOLLOWING CRITERIA:

12 (1) THE PERSON TRANSACTS BUSINESS WITHIN THIS  
13 COMMONWEALTH WITH A SLOT MACHINE LICENSEE AS A TICKET  
14 PURVEYOR, TOUR OPERATOR, OPERATOR OF A BUS TRIP PROGRAM OR  
15 OPERATOR OF ANY OTHER TYPE OF TRAVEL PROGRAM OR PROMOTIONAL  
16 BUSINESS RELATED TO SLOT MACHINES OR TABLE GAMES. THE BOARD  
17 MAY ALSO REVIEW, DENY, ORDER MODIFICATION OR APPROVE, AT ITS  
18 DISCRETION, PROPOSED TOURS, BUS ROUTES AND TRAVEL PROGRAMS.

19 (2) THE PERSON IS PRESENTLY NOT [OTHERWISE] REQUIRED TO  
20 BE LICENSED OR PERMITTED UNDER THIS PART AND PROVIDES ANY  
21 GOODS, PROPERTY OR SERVICES, INCLUDING, BUT NOT LIMITED TO,  
22 MANAGEMENT [CONTRACTS] SERVICES FOR COMPENSATION TO A SLOT  
23 MACHINE LICENSEE AT THE LICENSED FACILITY.

24 (B) AGREEMENT.--ANY AGREEMENT TO CONDUCT BUSINESS WITHIN  
25 THIS COMMONWEALTH BETWEEN A PERSON AND A SLOT MACHINE LICENSEE  
26 RELATING TO SLOT MACHINES, TABLE GAMES, TABLE GAME DEVICES OR  
27 ASSOCIATED EQUIPMENT IS SUBJECT TO THE APPROVAL OF THE BOARD IN  
28 ACCORDANCE WITH RULES AND REGULATIONS PROMULGATED BY THE BOARD.  
29 EVERY AGREEMENT SHALL BE IN WRITING AND SHALL INCLUDE A  
30 PROVISION FOR ITS TERMINATION WITHOUT LIABILITY ON THE PART OF

1 THE SLOT MACHINE LICENSEE UPON A FINDING BY THE BOARD THAT THE  
2 AGREEMENT IS NOT APPROVED OR THAT IT IS TERMINATED. FAILURE TO  
3 EXPRESSLY INCLUDE THIS CONDITION IN THE AGREEMENT IS NOT A  
4 DEFENSE IN ANY ACTION BROUGHT UNDER THIS SECTION RELATING TO THE  
5 TERMINATION OF THE AGREEMENT.

6 § 1326. LICENSE RENEWALS.

7 (A) RENEWAL.--ALL PERMITS AND LICENSES ISSUED UNDER THIS  
8 PART UNLESS OTHERWISE PROVIDED SHALL BE SUBJECT TO RENEWAL [ON  
9 AN ANNUAL BASIS UPON THE APPLICATION OF THE HOLDER OF THE PERMIT  
10 OR LICENSE SUBMITTED TO THE BOARD AT LEAST 60 DAYS PRIOR TO THE  
11 EXPIRATION OF THE PERMIT OR LICENSE] EVERY THREE YEARS. NOTHING  
12 IN THIS SUBSECTION SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE  
13 DUTY TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS  
14 OF ITS LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN THE  
15 APPLICATION MATERIALS ON FILE WITH THE BOARD. THE APPLICATION  
16 FOR RENEWAL SHALL BE SUBMITTED AT LEAST 60 DAYS PRIOR TO THE  
17 EXPIRATION OF THE PERMIT OR LICENSE AND SHALL INCLUDE AN UPDATE  
18 OF THE INFORMATION CONTAINED IN THE INITIAL AND ANY PRIOR  
19 RENEWAL APPLICATIONS AND THE PAYMENT OF ANY RENEWAL FEE REQUIRED  
20 BY THIS PART. UNLESS OTHERWISE SPECIFICALLY PROVIDED IN THIS  
21 PART, THE AMOUNT OF ANY RENEWAL FEE SHALL BE CALCULATED BY THE  
22 BOARD TO REFLECT THE LONGER RENEWAL PERIOD. A PERMIT OR LICENSE  
23 FOR WHICH A COMPLETED RENEWAL APPLICATION AND FEE, IF REQUIRED,  
24 HAS BEEN RECEIVED BY THE BOARD WILL CONTINUE IN EFFECT UNLESS  
25 AND UNTIL THE BOARD SENDS WRITTEN NOTIFICATION TO THE HOLDER OF  
26 THE PERMIT OR LICENSE THAT THE BOARD HAS DENIED THE RENEWAL OF  
27 SUCH PERMIT OR LICENSE.

28 \* \* \*

29 § 1328. CHANGE IN OWNERSHIP OR CONTROL OF SLOT MACHINE  
30 LICENSEE.

1 (A) NOTIFICATION AND APPROVAL.--

2 (1) A SLOT MACHINE LICENSEE SHALL NOTIFY THE BOARD  
3 [PRIOR TO OR] IMMEDIATELY UPON BECOMING AWARE OF ANY PROPOSED  
4 OR CONTEMPLATED CHANGE OF OWNERSHIP OF THE SLOT MACHINE  
5 LICENSEE BY A PERSON OR GROUP OF PERSONS ACTING IN CONCERT  
6 WHICH INVOLVES ANY OF THE FOLLOWING:

7 (I) MORE THAN 5% OF A SLOT MACHINE LICENSEE'S  
8 SECURITIES OR OTHER OWNERSHIP INTERESTS.

9 (II) MORE THAN 5% OF THE SECURITIES OR OTHER  
10 OWNERSHIP INTERESTS OF A CORPORATION OR OTHER FORM OF  
11 BUSINESS ENTITY THAT OWNS DIRECTLY OR INDIRECTLY AT LEAST  
12 20% OF THE VOTING OR OTHER SECURITIES OR OTHER OWNERSHIP  
13 INTERESTS OF THE LICENSEE.

14 (III) THE SALE OTHER THAN IN THE ORDINARY COURSE OF  
15 BUSINESS OF A LICENSEE'S ASSETS.

16 (IV) ANY OTHER TRANSACTION OR OCCURRENCE DEEMED BY  
17 THE BOARD TO BE RELEVANT TO LICENSE QUALIFICATIONS.

18 (B) QUALIFICATION OF PURCHASER OF SLOT MACHINE LICENSEE;  
19 CHANGE OF CONTROL.--THE PURCHASER OF THE ASSETS, OTHER THAN IN  
20 THE ORDINARY COURSE OF BUSINESS, OF ANY SLOT MACHINE LICENSEE  
21 SHALL INDEPENDENTLY QUALIFY FOR A LICENSE IN ACCORDANCE WITH  
22 THIS PART AND SHALL PAY THE LICENSE FEE AS REQUIRED BY SECTION  
23 1209 (RELATING TO SLOT MACHINE LICENSE FEE). A CHANGE IN CONTROL  
24 OF ANY SLOT MACHINE LICENSEE SHALL REQUIRE THAT THE SLOT MACHINE  
25 LICENSEE INDEPENDENTLY QUALIFY FOR A LICENSE IN ACCORDANCE WITH  
26 THIS PART, AND THE SLOT MACHINE LICENSEE SHALL PAY A NEW LICENSE  
27 FEE AS REQUIRED BY SECTION 1209, EXCEPT AS OTHERWISE REQUIRED BY  
28 THE BOARD PURSUANT TO THIS SECTION. THE NEW LICENSE FEE SHALL BE  
29 PAID UPON THE ASSIGNMENT AND ACTUAL CHANGE OF CONTROL OR  
30 OWNERSHIP OF THE SLOT MACHINE LICENSE.

1 \* \* \*

2 § 1329. [NONPORTABILITY] PORTABILITY AND RELOCATION OF SLOT  
3 MACHINE LICENSE.

4 (A) GENERAL RULE.--[EACH] EXCEPT AS OTHERWISE PROVIDED IN  
5 THIS SECTION, EACH SLOT MACHINE LICENSE SHALL ONLY BE VALID FOR  
6 THE SPECIFIC PHYSICAL LOCATION WITHIN THE MUNICIPALITY AND  
7 COUNTY FOR WHICH IT WAS ORIGINALLY GRANTED. [NO]

8 (B) PETITION.--AN APPLICANT FOR A SLOT MACHINE LICENSE OR A  
9 SLOT MACHINE LICENSEE MAY PETITION THE BOARD TO RELOCATE ITS  
10 FACILITY. IN DETERMINING WHETHER TO GRANT A PETITION TO  
11 RELOCATE, THE BOARD SHALL:

12 (1) EVALUATE THE PROPOSED NEW LOCATION AND THE REASON  
13 FOR THE RELOCATION.

14 (2) CONDUCT AN ANALYSIS COMPARING ESTIMATED GROSS  
15 TERMINAL REVENUES AND ESTIMATED GROSS TABLE GAME REVENUES AT  
16 THE PROPOSED NEW LOCATION WITH ESTIMATED OR ACTUAL GROSS  
17 TERMINAL REVENUES AND ESTIMATED OR ACTUAL GROSS TABLE GAME  
18 REVENUES AT THE APPROVED CURRENT LOCATION.

19 (3) CONDUCT AN ANALYSIS COMPARING THE ECONOMIC IMPACT OF  
20 THE LICENSED FACILITY AT THE PROPOSED NEW LOCATION WITH THE  
21 ESTIMATED OR ACTUAL ECONOMIC IMPACT AT THE APPROVED CURRENT  
22 LOCATION. THE COMPARATIVE ANALYSIS SHALL INCLUDE THE TOTAL  
23 COST OF THE PROJECT AND PROJECTED DIRECT AND INDIRECT  
24 EMPLOYMENT FIGURES.

25 (4) COMMISSION A COMPREHENSIVE TRAFFIC STUDY FOR THE  
26 PROPOSED NEW LOCATION.

27 (5) EVALUATE COMMUNITY SUPPORT OR OPPOSITION.

28 (6) CONSIDER ANY OTHER INFORMATION SUBMITTED BY THE  
29 PETITIONER OR REQUESTED BY THE BOARD.

30 (C) RELOCATION.--A SLOT MACHINE LICENSEE [SHALL BE PERMITTED

1 TO] MAY MOVE OR RELOCATE [THE PHYSICAL LOCATION OF] THE LICENSED  
2 FACILITY [WITHOUT] WITH BOARD APPROVAL [FOR] UPON GOOD CAUSE  
3 SHOWN IF THE RELOCATION OF THE LICENSED FACILITY:

4 (1) REMAINS WITHIN THE SAME COUNTY AS WHEN IT WAS  
5 ORIGINALLY LICENSED;

6 (2) WILL FACILITATE THE TIMELY COMMENCEMENT OR THE  
7 CONTINUED CONDUCT OF GAMING OPERATIONS;

8 (3) COMPLIES WITH ALL OTHER PROVISIONS OF THIS PART  
9 RELATED TO THE SITING AND LOCATION OF A LICENSED FACILITY;  
10 AND

11 (4) IS IN THE BEST INTERESTS OF THE COMMONWEALTH.

12 (D) PUBLIC INPUT HEARING.--THE BOARD SHALL HOLD AT LEAST ONE  
13 PUBLIC INPUT HEARING IN THE MUNICIPALITY WHERE THE LICENSED  
14 FACILITY WILL BE LOCATED PRIOR TO RULING ON THE PETITION.

15 (E) RESTRICTION.--NO GRANT OR LOAN FROM THE COMMONWEALTH MAY  
16 BE AWARDED FOR THE PURPOSE OF RELOCATING OR DEVELOPING THE  
17 RELOCATED LICENSED FACILITY TO COMPLY WITH ANY CONDITIONS OF  
18 APPROVAL OF THE RELOCATION.

19 SECTION 11. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:  
20 § 1332. APPOINTMENT OF TRUSTEE.

21 (A) APPOINTMENT.--UPON PETITION OF THE OFFICE OF ENFORCEMENT  
22 COUNSEL, THE BOARD MAY APPOINT A TRUSTEE FROM THE LIST REQUIRED  
23 UNDER SUBSECTION (J) TO ACT ON BEHALF OF THE INTERESTS OF THE  
24 COMMONWEALTH AND THE BOARD TO ENSURE COMPLIANCE WITH THIS PART  
25 AND ANY CONDITIONS IMPOSED UPON THE SLOT MACHINE LICENSE. A  
26 TRUSTEE MAY BE APPOINTED ONLY IN THE FOLLOWING CIRCUMSTANCES:

27 (1) UPON THE REVOCATION, SUSPENSION OR NONRENEWAL OF A  
28 SLOT MACHINE LICENSE OR A PRINCIPAL LICENSE IF THE PRINCIPAL  
29 LICENSEE IS THE ONLY PRINCIPAL WHO EXERCISES OPERATIONAL  
30 CONTROL OF THE LICENSED FACILITY.

1           (2) UPON THE FAILURE TO RENEW A SLOT MACHINE LICENSE OR  
2 A PRINCIPAL LICENSE IF THE PRINCIPAL LICENSEE IS THE ONLY  
3 PRINCIPAL WHO EXERCISES OPERATIONAL CONTROL OF THE LICENSED  
4 FACILITY.

5           (3) IF NECESSARY TO PROTECT THE BEST INTERESTS OF THE  
6 COMMONWEALTH.

7 (B) QUALIFICATIONS.--THE FOLLOWING SHALL APPLY:

8           (1) A TRUSTEE SHALL BE REQUIRED TO QUALIFY AS A  
9 PRINCIPAL AND OBTAIN A PRINCIPAL LICENSE. THE BOARD MAY  
10 APPOINT A TRUSTEE AND AWARD THE TRUSTEE A TEMPORARY PRINCIPAL  
11 LICENSE AS PRESCRIBED IN BOARD REGULATIONS.

12           (2) BEFORE ASSUMING DUTIES, A TRUSTEE SHALL EXECUTE AND  
13 FILE A BOND FOR THE FAITHFUL PERFORMANCE OF THE TRUSTEE'S  
14 DUTIES. THE BOND SHALL BE PAYABLE TO THE BOARD WITH SURETIES  
15 AND IN THE AMOUNT AND FORM AS REQUIRED BY BOARD ORDER. THE  
16 COST OF THE BOND SHALL BE PAID BY THE FORMER OR SUSPENDED  
17 LICENSEE.

18           (3) A TRUSTEE SHALL BE A RESIDENT OF THIS COMMONWEALTH.

19 (C) POWERS.--A TRUSTEE APPOINTED UNDER THIS SECTION SHALL  
20 EXERCISE ONLY THOSE POWERS, DUTIES AND RESPONSIBILITIES  
21 EXPRESSLY CONFERRED UPON THE TRUSTEE BY THE BOARD. THE BOARD'S  
22 ORDER APPOINTING THE TRUSTEE SHALL SET FORTH THE POWERS, DUTIES  
23 AND RESPONSIBILITIES OF THE TRUSTEE WHICH MAY INCLUDE:

24           (1) MAINTAINING AND OPERATING THE LICENSED FACILITY IN A  
25 MANNER THAT COMPLIES WITH THIS PART AND ANY CONDITIONS  
26 IMPOSED BY THE BOARD.

27           (2) MAINTAINING AND OPERATING THE LICENSED FACILITY  
28 CONSISTENT WITH THE MEASURES GENERALLY TAKEN IN THE ORDINARY  
29 COURSE OF BUSINESS INCLUDING:

30           (I) ENTERING INTO CONTRACTS.

1           (II) BORROWING MONEY.

2           (III) PLEDGING, MORTGAGING OR OTHERWISE ENCUMBERING  
3 THE LICENSED FACILITY OR PROPERTY THEREOF AS SECURITY FOR  
4 THE REPAYMENT OF LOANS SUBJECT TO ANY PROVISIONS AND  
5 RESTRICTIONS IN ANY EXISTING CREDIT DOCUMENTS.

6           (IV) HIRING, FIRING AND DISCIPLINING EMPLOYEES.

7           (3) EXERCISING THE RIGHTS AND OBLIGATIONS OF THE FORMER  
8 OR SUSPENDED LICENSEE.

9           (4) TAKING POSSESSION OF ALL OF THE ASSETS OF THE SLOT  
10 MACHINE LICENSEE, INCLUDING ITS BOOKS, RECORDS AND PAPERS.

11           (5) ESTABLISHING ACCOUNTS WITH FINANCIAL INSTITUTIONS.  
12 AN ACCOUNT MAY NOT BE ESTABLISHED WITH A FINANCIAL  
13 INSTITUTION IN WHICH THE LICENSEE, AN AFFILIATE OF THE FORMER  
14 OR SUSPENDED LICENSEE, THE TRUSTEE, OR AN IMMEDIATE FAMILY  
15 MEMBER OF THE TRUSTEE, HAS A CONTROLLING INTEREST.

16           (6) MEETING WITH THE FORMER OR SUSPENDED LICENSEE.

17           (7) MEETING WITH PRINCIPALS AND KEY EMPLOYEES AT THE  
18 LICENSED FACILITY.

19           (8) MEETING WITH THE INDEPENDENT AUDIT COMMITTEE.

20           (9) MEETING WITH THE BOARD'S EXECUTIVE DIRECTOR AND  
21 KEEPING THE BOARD'S EXECUTIVE DIRECTOR APPRISED OF ACTIONS  
22 TAKEN AND THE TRUSTEE'S PLANS AND GOALS FOR THE FUTURE.

23           (10) HIRING LEGAL COUNSEL, ACCOUNTANTS OR OTHER  
24 CONSULTANTS OR ASSISTANTS, WITH PRIOR APPROVAL OF THE BOARD,  
25 AS NECESSARY TO CARRY OUT THE TRUSTEE'S DUTIES AND  
26 RESPONSIBILITIES.

27           (11) SETTLING OR COMPROMISING WITH ANY DEBTOR OR  
28 CREDITOR OF THE FORMER OR SUSPENDED LICENSEE, INCLUDING ANY  
29 TAXING AUTHORITY.

30           (12) REVIEWING OUTSTANDING AGREEMENTS TO WHICH THE

1 FORMER OR SUSPENDED LICENSEE IS A PARTY AND ADVISING THE  
2 BOARD AS TO WHICH, IF ANY, OF THE AGREEMENTS SHOULD BE THE  
3 SUBJECT OF SCRUTINY, EXAMINATION OR INVESTIGATION BY THE  
4 BOARD.

5 (13) OBTAINING BOARD APPROVAL PRIOR TO ANY SALE, CHANGE  
6 OF OWNERSHIP, CHANGE OF CONTROL, CHANGE OF FINANCIAL STATUS,  
7 RESTRUCTURING, TRANSFER OF ASSETS OR EXECUTION OF A CONTRACT  
8 OR ANY OTHER ACTION TAKEN OUTSIDE OF THE ORDINARY COURSE OF  
9 BUSINESS.

10 (14) OBTAINING BOARD APPROVAL FOR ANY PAYMENTS OUTSIDE  
11 OF THOSE MADE IN THE ORDINARY COURSE OF BUSINESS.

12 NOTWITHSTANDING ANY PROVISION CONTAINED IN THIS SUBSECTION TO  
13 THE CONTRARY, THE TRUSTEE SHALL HAVE THE DUTY TO CONSERVE AND  
14 PRESERVE THE ASSETS OF THE LICENSED GAMING ENTITY.

15 (D) COMPENSATION.--THE BOARD SHALL ESTABLISH THE  
16 COMPENSATION OF A TRUSTEE AND SHALL REVIEW AND APPROVE ACTUAL  
17 AND REASONABLE COSTS AND EXPENSES OF THE TRUSTEE, LEGAL COUNSEL,  
18 ACCOUNTANTS OR OTHER CONSULTANTS OR ASSISTANTS HIRED BY THE  
19 TRUSTEE. THE COMPENSATION, COSTS AND EXPENSES SHALL BE PAID BY  
20 THE FORMER OR SUSPENDED LICENSEE. TOTAL COMPENSATION FOR THE  
21 TRUSTEE AND ALL PERSONS HIRED OR RETAINED BY THE TRUSTEE UNDER  
22 SUBSECTION (C) (10) SHALL NOT EXCEED \$600 PER HOUR IN THE  
23 AGGREGATE UNLESS OTHERWISE INCREASED BY THE BOARD PURSUANT TO  
24 SUBSECTION (D.2).

25 (D.1) CALCULATION OF COMPENSATION.--IN DETERMINING THE  
26 AGGREGATE HOURLY RATE OF COMPENSATION TO BE PAID TO THE TRUSTEE  
27 AND ALL OTHER PERSONS HIRED OR RETAINED BY THE TRUSTEE, THE  
28 BOARD SHALL CONSIDER:

29 (1) THE TIME AND LABOR REQUIRED, THE DIFFICULTY OF THE  
30 QUESTIONS INVOLVED AND THE SKILL REQUIRED TO PROPERLY PERFORM

1 THE REQUIRED SERVICES.

2 (2) WHETHER THE ACCEPTANCE OF THE POSITION BY THE  
3 TRUSTEE OR OTHER PERSON WILL PRECLUDE THE TRUSTEE OR OTHER  
4 PERSON FROM OTHER EMPLOYMENT.

5 (3) THE FEE CUSTOMARILY CHARGED FOR SIMILAR SERVICES.

6 (4) THE NATURE AND POTENTIAL LENGTH OF THE DUTIES.

7 (5) THE EXPERIENCE, REPUTATION AND ABILITY OF THE  
8 TRUSTEE OR OTHER PERSON SELECTED TO PERFORM THE SERVICES.

9 (D.2) COMPENSATION EXCEPTIONS.--

10 (1) ON JANUARY 1 OF EACH YEAR, THE BOARD MAY ADJUST THE  
11 AGGREGATE HOURLY RATE OF COMPENSATION AUTHORIZED UNDER  
12 SUBSECTION (D) FOR INFLATION. THE ADJUSTMENT SHALL NOT EXCEED  
13 THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR ALL  
14 URBAN CONSUMERS FOR THE PENNSYLVANIA, NEW JERSEY, DELAWARE  
15 AND MARYLAND AREA FOR THE MOST RECENT 12-MONTH PERIOD FOR  
16 WHICH FIGURES HAVE BEEN OFFICIALLY REPORTED BY THE UNITED  
17 STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS. WHEN  
18 ADJUSTED, THE BOARD SHALL PUBLISH THE ADJUSTED AGGREGATE  
19 HOURLY RATE OF COMPENSATION IN THE PENNSYLVANIA BULLETIN.

20 (2) UPON PETITION BY THE DIRECTOR OF THE OFFICE OF  
21 ENFORCEMENT COUNSEL, THE BOARD MAY INCREASE THE TOTAL HOURLY  
22 RATE OF COMPENSATION ABOVE THE LIMITATION CONTAINED IN  
23 SUBSECTION (D) FOR GOOD CAUSE SHOWN. THE BOARD SHALL CONSIDER  
24 THE FACTORS UNDER SUBSECTION (D.1) WHEN CALCULATING ANY  
25 INCREASE REQUESTED BY THE OFFICE.

26 (E) REPORTS.--A TRUSTEE SHALL FILE REPORTS RELATING TO THE  
27 ADMINISTRATION OF THE TRUSTEESHIP WITH THE BOARD IN THE FORM AND  
28 AT INTERVALS AS THE BOARD ORDERS. THE BOARD MAY DIRECT THAT  
29 COPIES OR PORTIONS OF THE TRUSTEE'S REPORTS BE MAILED TO  
30 CREDITORS OR OTHER PARTIES IN INTEREST AND MAKE SUMMARIES OF THE

1 REPORTS AVAILABLE TO THE PUBLIC AND SHALL POST THEM ON THE  
2 BOARD'S INTERNET WEBSITE.

3 (F) REVIEW OF ACTIONS.--A CREDITOR OR OTHER PARTY IN  
4 INTEREST AGGRIEVED BY ANY ALLEGED BREACH OF A DELEGATED POWER OR  
5 DUTY OR RESPONSIBILITY OF A TRUSTEE IN THE DISCHARGE OF THE  
6 TRUSTEE'S DUTIES MAY REQUEST A REVIEW OF THE TRUSTEE'S ACTION OR  
7 INACTION BY FILING A PETITION IN ACCORDANCE WITH BOARD  
8 REGULATIONS. THE PETITION MUST SET FORTH IN DETAIL THE PERTINENT  
9 FACTS AND THE REASONS WHY THE FACTS CONSTITUTE THE ALLEGED  
10 BREACH. THE BOARD SHALL REVIEW ANY PETITION FILED UNDER THIS  
11 SECTION AND TAKE WHATEVER ACTION, IF ANY, IT DEEMS APPROPRIATE.

12 (G) EFFECT OF THE TRUSTEESHIP.--AFTER ISSUANCE OF AN ORDER  
13 TO APPOINT A TRUSTEE, THE FORMER OR SUSPENDED PRINCIPAL OR SLOT  
14 MACHINE LICENSEE MAY NOT EXERCISE ANY OF ITS PRIVILEGES, COLLECT  
15 OR RECEIVE ANY DEBTS OR PAY OUT, SELL, ASSIGN OR TRANSFER ANY OF  
16 ITS ASSETS TO ANYONE WITHOUT PRIOR APPROVAL OF THE APPOINTED  
17 TRUSTEE AND THE BOARD.

18 (H) DISPOSITION OF NET INCOME.--DURING THE PERIOD OF  
19 TRUSTEESHIP, NET INCOME FROM THE LICENSED FACILITY SHALL BE  
20 DEPOSITED IN AN ESCROW ACCOUNT MAINTAINED FOR THAT PURPOSE.  
21 PAYMENTS FROM THE ESCROW ACCOUNT DURING THE PERIOD OF  
22 TRUSTEESHIP MAY NOT BE MADE WITHOUT THE PRIOR APPROVAL OF THE  
23 BOARD. A SUSPENDED OR FORMER PRINCIPAL OR SLOT MACHINE LICENSEE  
24 MAY REQUEST DISTRIBUTION OF ALL OR A PORTION OF THE FUNDS IN THE  
25 ESCROW ACCOUNT DURING THE PERIOD OF TRUSTEESHIP BY FILING A  
26 PETITION IN ACCORDANCE WITH BOARD REGULATION. THE SUSPENDED OR  
27 FORMER PRINCIPAL OR SLOT MACHINE LICENSEE SHALL HAVE THE BURDEN  
28 OF DEMONSTRATING GOOD CAUSE FOR THE DISTRIBUTION OF THE FUNDS  
29 REQUESTED.

30 (I) DISCONTINUATION.--THE BOARD MAY ISSUE AN ORDER TO

1 DISCONTINUE A TRUSTEESHIP WHEN:

2 (1) THE BOARD DETERMINES THAT CIRCUMSTANCES REQUIRING  
3 THE APPOINTMENT OF THE TRUSTEE NO LONGER EXIST; OR

4 (2) THE TRUSTEE HAS, WITH THE PRIOR APPROVAL OF THE  
5 BOARD, CONSUMMATED THE SALE, ASSIGNMENT, CONVEYANCE OR OTHER  
6 DISPOSITION OF ALL THE ASSETS OR INTEREST OF THE FORMER  
7 PRINCIPAL OR SLOT MACHINE LICENSEE RELATING TO THE SLOT  
8 MACHINE LICENSE.

9 (J) LIST OF APPROVED TRUSTEES.--THE BOARD SHALL PROMULGATE  
10 REGULATIONS GOVERNING ESTABLISHMENT OF A LIST OF PERSONS  
11 APPROVED BY THE BOARD AND QUALIFIED TO SERVE AS A TRUSTEE. AT A  
12 MINIMUM, THE REGULATIONS SHALL PROVIDE FOR THE FOLLOWING:

13 (1) THE MINIMUM QUALIFICATIONS A PERSON MUST POSSESS TO  
14 BE APPROVED AS A TRUSTEE, WHICH SHALL INCLUDE THE  
15 QUALIFICATIONS SET FORTH IN SUBSECTION (B).

16 (2) THE PROCEDURE FOR PLACEMENT ON OR REMOVAL FROM THE  
17 APPROVED TRUSTEE LIST.

18 (3) ANY OTHER INFORMATION THE BOARD DEEMS NECESSARY TO  
19 CARRY OUT THE INTENT OF THIS SECTION.

20 SECTION 11.1. TITLE 4 IS AMENDED BY ADDING A CHAPTER TO

21 READ:

22 CHAPTER 13A

23 TABLE GAMES

24 SUBCHAPTER

25 A. GENERAL PROVISIONS

26 B. TABLE GAMES AUTHORIZED

27 C. CONDUCT OF TABLE GAMES

28 D. (RESERVED)

29 E. TABLE GAME TESTING AND CERTIFICATION

30 F. (RESERVED)

1 G. TABLE GAME TAXES AND FEES

2 SUBCHAPTER A

3 GENERAL PROVISIONS

4 SEC.

5 1301A. (RESERVED).

6 1302A. REGULATORY AUTHORITY.

7 1303A. TEMPORARY TABLE GAME REGULATIONS.

8 1304A. COMMONWEALTH RESIDENT EMPLOYMENT GOALS.

9 § 1301A. (RESERVED).

10 § 1302A. REGULATORY AUTHORITY.

11 THE BOARD SHALL PROMULGATE REGULATIONS:

12 (1) ESTABLISHING STANDARDS AND PROCEDURES FOR TABLE  
13 GAMES AND TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,  
14 INCLUDING STANDARDS DISTINGUISHING ELECTRONIC GAMING TABLES,  
15 FULLY AUTOMATED ELECTRONIC GAMING TABLES AND TRADITIONAL  
16 GAMING TABLES. THE STANDARDS AND PROCEDURES SHALL PROVIDE FOR  
17 ANY NEW TABLE GAMES OR GAMING TABLES AND VARIATIONS OR  
18 COMPOSITES OF APPROVED TABLE GAMES OR GAMING TABLES, PROVIDED  
19 THE BOARD DETERMINES THAT THE NEW TABLE GAME, GAMING TABLE OR  
20 ANY VARIATIONS OR COMPOSITES OR OTHER APPROVED TABLE GAMES OR  
21 GAMING TABLES ARE SUITABLE FOR USE AFTER A TEST OR  
22 EXPERIMENTAL PERIOD UNDER THE TERMS AND CONDITIONS AS THE  
23 BOARD MAY DEEM APPROPRIATE.

24 (2) ESTABLISHING STANDARDS AND RULES TO GOVERN THE  
25 CONDUCT OF TABLE GAMES AND THE SYSTEM OF WAGERING ASSOCIATED  
26 WITH TABLE GAMES, INCLUDING THE CONDUCT OF TABLE GAMES AND  
27 THE SYSTEM OF WAGERING ON ELECTRONIC GAMING TABLES AND FULLY  
28 AUTOMATED ELECTRONIC GAMING TABLES.

29 (2.1) ESTABLISHING THE METHOD FOR CALCULATING GROSS  
30 TABLE GAME REVENUE AND STANDARDS FOR THE DAILY COUNTING AND

1 RECORDING OF CASH AND CASH EQUIVALENTS RECEIVED IN THE  
2 CONDUCT OF TABLE GAMES, INCLUDING THE CONDUCT OF TABLE GAMES  
3 ON ELECTRONIC GAMING TABLES AND FULLY AUTOMATED ELECTRONIC  
4 GAMING TABLES, AND ENSURING THAT INTERNAL CONTROLS ARE  
5 FOLLOWED, INCLUDING OBSERVATION BY EMPLOYEES OF THE BOARD OF  
6 THAT PROCESS, THE MAINTENANCE OF FINANCIAL BOOKS AND RECORDS  
7 AND THE CONDUCT OF AUDITS.

8 (3) ESTABLISHING NOTICE REQUIREMENTS PERTAINING TO  
9 MINIMUM AND MAXIMUM WAGERS ON TABLE GAMES. MINIMUM AND  
10 MAXIMUM WAGERS MAY BE ADJUSTED BY THE CERTIFICATE HOLDER IN  
11 THE NORMAL COURSE OF CONDUCTING TABLE GAMES, EXCEPT THAT  
12 CHANGES IN MINIMUM WAGERS AT ANY GIVEN GAMING TABLE SHALL NOT  
13 APPLY TO PLAYERS ALREADY ENGAGED IN WAGERING AT THAT GAMING  
14 TABLE WHEN THE MINIMUM WAGER IS CHANGED, UNLESS 30 MINUTES  
15 NOTICE IS PROVIDED AT THAT GAMING TABLE.

16 (4) REQUIRING EACH CERTIFICATE HOLDER TO:

17 (I) PROVIDE WRITTEN INFORMATION AT EACH OPERATIONAL  
18 GAMING TABLE ABOUT TABLE GAME RULES, PAYOFFS OR WINNING  
19 WAGERS AND OTHER INFORMATION AS THE BOARD MAY REQUIRE.

20 (II) PROVIDE SPECIFICATIONS APPROVED BY THE BOARD  
21 UNDER SECTION 1207(11) (RELATING TO REGULATORY AUTHORITY  
22 OF BOARD) TO INTEGRATE AND UPDATE THE LICENSED FACILITY'S  
23 SURVEILLANCE SYSTEM TO COVER ALL AREAS WHERE TABLE GAMES  
24 ARE CONDUCTED. THE SPECIFICATIONS SHALL INCLUDE  
25 PROVISIONS PROVIDING THE BOARD AND OTHER PERSONS  
26 AUTHORIZED BY THE BOARD WITH ONSITE ACCESS TO THE SYSTEM  
27 OR ITS SIGNAL.

28 (III) DESIGNATE ONE OR MORE LOCATIONS WITHIN THE  
29 LICENSED FACILITY TO CONDUCT TABLE GAMES.

30 (IV) ENSURE THAT VISIBILITY IN A LICENSED FACILITY

1 IS NOT OBSTRUCTED IN ANY WAY THAT COULD INTERFERE WITH  
2 THE ABILITY OF THE CERTIFICATE HOLDER, THE BOARD AND  
3 OTHER PERSONS AUTHORIZED UNDER THIS PART OR BY THE BOARD  
4 TO OVERSEE THE SURVEILLANCE OF THE CONDUCT OF TABLE  
5 GAMES.

6 (V) INTEGRATE THE LICENSED FACILITY'S COUNT ROOM FOR  
7 SLOT MACHINE AND TABLE GAME OPERATIONS TO ENSURE MAXIMUM  
8 SECURITY OF THE COUNTING AND STORAGE OF CASH AND CASH  
9 EQUIVALENTS.

10 (VI) EQUIP EACH OPERATIONAL GAMING TABLE WITH A SIGN  
11 INDICATING THE PERMISSIBLE MINIMUM AND MAXIMUM WAGERS AT  
12 THE GAMING TABLE.

13 (VII) ADOPT POLICIES OR PROCEDURES TO PROHIBIT ANY  
14 TABLE GAME DEVICE OR ASSOCIATED EQUIPMENT FROM BEING  
15 POSSESSED, MAINTAINED OR EXHIBITED BY ANY PERSON ON THE  
16 PREMISES OF A LICENSED FACILITY EXCEPT IN THE AREAS OF A  
17 LICENSED FACILITY WHERE THE CONDUCT OF TABLE GAMES IS  
18 AUTHORIZED OR IN A RESTRICTED AREA DESIGNATED TO BE USED  
19 FOR THE INSPECTION, SERVICE, REPAIR OR STORAGE OF TABLE  
20 GAME DEVICES OR ASSOCIATED EQUIPMENT BY THE CERTIFICATE  
21 HOLDER OR IN AN AREA USED FOR EMPLOYEE TRAINING AND  
22 INSTRUCTION BY THE CERTIFICATE HOLDER.

23 (VIII) EQUIP ALL DROP BOXES IN WHICH CASH, CASH  
24 EQUIVALENTS, FILL SLIPS, CREDIT SLIPS OR INVENTORY SLIPS  
25 ARE DEPOSITED AT THE GAMING TABLES, AND ALL AREAS WHERE  
26 DROP BOXES ARE KEPT WHILE IN USE, WITH TWO LOCKING  
27 DEVICES OR KEYS, OF WHICH ONE LOCKING DEVICE OR KEY SHALL  
28 BE UNDER THE EXCLUSIVE CONTROL OF THE BOARD, AND THE  
29 SECOND LOCKING DEVICE OR KEY SHALL BE UNDER THE EXCLUSIVE  
30 CONTROL OF THE CERTIFICATE HOLDER'S DESIGNATED EMPLOYEES.

1           THE DROP BOXES SHALL BE BROUGHT INTO OR REMOVED FROM AN  
2           AREA WHERE TABLE GAMES ARE CONDUCTED OR LOCKED OR  
3           UNLOCKED IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE  
4           BOARD.

5           (IX) DESIGNATE SECURE LOCATIONS FOR THE INSPECTION  
6           AND STORAGE OF TABLE GAME DEVICES AND ASSOCIATED  
7           EQUIPMENT AS MAY BE APPROVED BY THE BOARD.

8           (5) ESTABLISHING THE SIZE AND UNIFORM COLOR BY  
9           DENOMINATION OF ALL CHIPS USED IN THE CONDUCT OF TABLE GAMES,  
10           INCLUDING CONTESTS AND TOURNAMENTS, AND A POLICY FOR THE USE  
11           OF PROMOTIONAL OR COMMEMORATIVE CHIPS USED IN THE CONDUCT OF  
12           TABLE GAMES. ALL TYPES OF CHIPS SHALL BE APPROVED BY THE  
13           BOARD PRIOR TO BEING USED FOR PLAY AT A TABLE GAME AT A  
14           LICENSED FACILITY.

15           (5.1) ESTABLISHING THE PROCEDURE TO BE USED BY A  
16           CERTIFICATE HOLDER TO DETERMINE AND EXTRACT A RAKE FOR THE  
17           PURPOSES OF GENERATING GROSS TABLE GAME REVENUE FROM  
18           NONBANKING GAMES. THE RAKE MAY BE CALCULATED AS A PERCENTAGE  
19           OR A FLAT FEE.

20           (6) ESTABLISHING MINIMUM STANDARDS RELATING TO THE  
21           ACCEPTANCE OF TIPS OR GRATUITIES BY DEALERS AND CROUPIERS AT  
22           A TABLE GAME, WHICH SHALL INCLUDE:

23           (I) THE REQUIREMENT THAT TIPS OR GRATUITIES ACCEPTED  
24           BY DEALERS AND CROUPIERS AT BANKING GAMES BE PLACED IN A  
25           COMMON POOL FOR COMPLETE DISTRIBUTION PRO RATA AMONG ALL  
26           DEALERS AND CROUPIERS.

27           (II) THE RIGHT OF THE CERTIFICATE HOLDER TO  
28           ESTABLISH POLICIES UNDER WHICH TIPS OR GRATUITIES  
29           ACCEPTED BY DEALERS AND CROUPIERS AT NONBANKING GAMES ARE  
30           NOT REQUIRED TO BE POOLED AND MAY BE RETAINED BY THE

1           DEALERS AND CROUPIERS.

2           NOTHING IN THIS PARAGRAPH SHALL PROHIBIT A CERTIFICATE HOLDER  
3           FROM ADOPTING A FORMAL POLICY RELATING TO ACCEPTANCE OF TIPS  
4           AND GRATUITIES, PROVIDED THAT THE POLICY MEETS THE MINIMUM  
5           STANDARDS ESTABLISHED BY THE BOARD UNDER THIS PARAGRAPH.

6           (7) ESTABLISHING THE MINIMAL PROFICIENCY REQUIREMENTS  
7           FOR INDIVIDUALS TO SUCCESSFULLY COMPLETE A COURSE OF TRAINING  
8           AT A GAMING SCHOOL. THE REGULATIONS SHALL NOT PROHIBIT A SLOT  
9           MACHINE LICENSEE FROM ESTABLISHING A COURSE OF TRAINING FOR  
10          ITS EMPLOYEES OR POTENTIAL EMPLOYEES OR PROHIBIT A  
11          CERTIFICATE HOLDER FROM OFFERING EMPLOYMENT TO AN INDIVIDUAL  
12          WHO HAS NOT ATTENDED OR COMPLETED A COURSE OF INSTRUCTION AT  
13          A GAMING SCHOOL AND SHALL REQUIRE A SLOT MACHINE LICENSEE  
14          THAT ELECTS TO TRAIN ITS GAMING EMPLOYEES OR POTENTIAL TABLE  
15          GAME EMPLOYEES TO SUBMIT A DETAILED SUMMARY OF THE TRAINING  
16          PROGRAM TO THE BOARD AND TO DEMONSTRATE THE ADEQUACY OF THE  
17          TRAINING. THE REGULATIONS SHALL PROHIBIT A SLOT MACHINE  
18          LICENSEE FROM CHARGING ITS EMPLOYEES OR POTENTIAL EMPLOYEES A  
19          FEE TO COMPLETE A COURSE OF TRAINING.

20          (8) PERMITTING CERTIFICATE HOLDERS TO REQUEST  
21          AUTHORIZATION TO CONDUCT, AND TO CONDUCT, TOURNAMENTS AND  
22          ESTABLISHING THE PRACTICES AND PROCEDURES GOVERNING THE  
23          CONDUCT OF THE TOURNAMENTS. THE NUMBER OF GAMING TABLES USED  
24          DURING A CONTEST OR TOURNAMENT SHALL NOT BE COUNTED TOWARD  
25          THE MAXIMUM NUMBER OF GAMING TABLES AUTHORIZED BY THE  
26          CERTIFICATE HOLDER'S TABLE GAME OPERATION CERTIFICATE.

27   § 1303A. TEMPORARY TABLE GAME REGULATIONS.

28          (A) PROMULGATION.--IN ORDER TO FACILITATE THE PROMPT  
29          IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED BY THE  
30          BOARD SHALL BE DEEMED TEMPORARY REGULATIONS WHICH SHALL EXPIRE

1 NOT LATER THAN TWO YEARS FOLLOWING THE PUBLICATION OF THE  
2 TEMPORARY REGULATION. THE BOARD MAY PROMULGATE TEMPORARY  
3 REGULATIONS NOT SUBJECT TO:

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

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

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

12 (B) EXPIRATION.--EXCEPT FOR TEMPORARY REGULATIONS GOVERNING  
13 THE RULES OF NEW TABLE GAMES APPROVED BY THE BOARD, THE BOARD'S  
14 AUTHORITY TO ADOPT TEMPORARY REGULATIONS UNDER SUBSECTION (A)  
15 SHALL EXPIRE TWO YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION.  
16 REGULATIONS ADOPTED AFTER THIS PERIOD SHALL BE PROMULGATED AS  
17 PROVIDED BY LAW.

18 (C) TEMPORARY REGULATIONS.--THE BOARD SHALL BEGIN PUBLISHING  
19 TEMPORARY REGULATIONS GOVERNING TABLE GAME RULES, LICENSING OF  
20 MANUFACTURERS AND SUPPLIERS AND SURVEILLANCE STANDARDS IN THE  
21 PENNSYLVANIA BULLETIN NO LATER THAN FEBRUARY 1, 2010.

22 § 1304A. COMMONWEALTH RESIDENT EMPLOYMENT GOALS.

23 (A) EMPLOYMENT OPPORTUNITIES.--IT IS THE GOAL OF THE GENERAL  
24 ASSEMBLY THAT THE BOARD PROMOTE AND ENSURE THE AVAILABILITY OF  
25 EMPLOYMENT OPPORTUNITIES FOR COMMONWEALTH RESIDENTS IN TABLE  
26 GAMES AND TABLE GAME-RELATED OPERATIONS AS AUTHORIZED IN THIS  
27 CHAPTER. THE BOARD SHALL WORK WITH EACH CERTIFICATE HOLDER TO  
28 ENSURE THAT A SIGNIFICANT NUMBER OF COMMONWEALTH RESIDENTS ARE  
29 EMPLOYED BY A CERTIFICATE HOLDER RELATING TO TABLE GAMES. IT IS  
30 ALSO THE GOAL OF THE GENERAL ASSEMBLY THAT COMMONWEALTH

1 RESIDENTS COMPRISE AT LEAST 85% OF EACH CERTIFICATE HOLDER'S  
2 TABLE GAME-RELATED EMPLOYEES BY THE END OF THE THIRD YEAR  
3 FOLLOWING COMMENCEMENT OF THE CONDUCT OF TABLE GAMES AT EACH  
4 CERTIFICATE HOLDER'S LICENSED FACILITY.

5 (B) REVIEW.--THE BOARD SHALL CONDUCT AN ANNUAL REVIEW TO  
6 ASCERTAIN EACH CERTIFICATE HOLDER'S PROGRESS IN ACHIEVING THE  
7 GOALS OF THIS SECTION AND WHETHER EACH CERTIFICATE HOLDER HAS  
8 TAKEN EFFECTIVE AND MEANINGFUL ACTION TO EMPLOY COMMONWEALTH  
9 RESIDENTS IN TABLE GAME-RELATED POSITIONS AT LICENSED  
10 FACILITIES. THE FIRST REVIEW SHALL BE COMPLETED ONE YEAR  
11 FOLLOWING THE AWARD OF THE FIRST TABLE GAME OPERATION  
12 CERTIFICATE. EACH ANNUAL REVIEW SHALL CONTAIN RECOMMENDATIONS  
13 WHICH THE BOARD DETERMINES APPROPRIATE AND MAY BE COMBINED WITH  
14 ANY OTHER REVIEW OR STUDY REQUIRED BY THE BOARD UNDER THIS PART.  
15 THE REVIEW SHALL BE SUBMITTED TO THE CHAIRMAN AND MINORITY  
16 CHAIRMAN OF THE STANDING COMMITTEES OF THE SENATE AND OF THE  
17 HOUSE OF REPRESENTATIVES WITH JURISDICTION OVER THIS PART.

18 SUBCHAPTER B

19 TABLE GAMES AUTHORIZED

20 SEC.

21 1311A. AUTHORIZATION TO CONDUCT TABLE GAMES.

22 1312A. PETITION REQUIREMENTS.

23 1313A. PROHIBITIONS.

24 1314A. TABLE GAME AUTHORIZATION HEARING PROCESS; PUBLIC INPUT  
25 HEARINGS.

26 1315A. STANDARD FOR REVIEW OF PETITIONS.

27 1316A. AWARD OF CERTIFICATE.

28 1316.1A. AMENDMENT OF STATEMENT OF CONDITIONS.

29 1317A. TABLE GAME OPERATION CERTIFICATE.

30 1318A. TIMING OF INITIAL TABLE GAME AUTHORIZATIONS.

1 § 1311A. AUTHORIZATION TO CONDUCT TABLE GAMES.

2 (A) AUTHORIZATION.--THE BOARD MAY AUTHORIZE A SLOT MACHINE  
3 LICENSEE TO CONDUCT TABLE GAMES, INCLUDING TABLE GAME CONTESTS  
4 AND TOURNAMENTS, AND TO OPERATE A SYSTEM OF WAGERING ASSOCIATED  
5 WITH THE CONDUCT OF TABLE GAMES AT THE SLOT MACHINE LICENSEE'S  
6 LICENSED FACILITY. AUTHORIZATION SHALL BE CONTINGENT UPON THE  
7 SLOT MACHINE LICENSEE'S AGREEMENT TO ENSURE THAT SLOT MACHINE  
8 AND TABLE GAME OPERATIONS WILL BE CONDUCTED IN ACCORDANCE WITH  
9 THIS PART AND ANY OTHER CONDITIONS ESTABLISHED BY THE BOARD.  
10 NOTHING IN THIS PART SHALL BE CONSTRUED TO CREATE A SEPARATE  
11 LICENSE GOVERNING THE CONDUCT OF TABLE GAMES BY LICENSED  
12 ENTITIES WITHIN THIS COMMONWEALTH.

13 (B) NUMBER OF AUTHORIZED GAMING TABLES.--

14 (1) A CATEGORY 1 AND CATEGORY 2 SLOT MACHINE LICENSEE  
15 AWARDED A TABLE GAME OPERATION CERTIFICATE MAY OPERATE UP TO  
16 250 GAMING TABLES AT ANY ONE TIME AT ITS LICENSED FACILITY.  
17 NO MORE THAN 75 OF THESE GAMING TABLES MAY BE USED TO PLAY  
18 NONBANKING GAMES AT ANY ONE TIME.

19 (2) A CATEGORY 3 SLOT MACHINE LICENSEE AWARDED A TABLE  
20 GAME OPERATION CERTIFICATE MAY OPERATE UP TO 50 GAMING TABLES  
21 AT ANY ONE TIME AT ITS LICENSED FACILITY. NO MORE THAN 15 OF  
22 THESE GAMING TABLES MAY BE USED TO PLAY NONBANKING GAMES AT  
23 ANY ONE TIME.

24 (C) ADDITIONAL AUTHORIZATION.--NOTWITHSTANDING SUBSECTION  
25 (B), THE BOARD AND, IF AUTHORIZED BY THE BOARD UNDER SECTION  
26 1321A (RELATING TO AUTHORIZED LOCATIONS FOR OPERATION), THE  
27 EXECUTIVE DIRECTOR MAY AUTHORIZE THE CERTIFICATE HOLDER TO  
28 EXCEED THE TOTAL NUMBER OF GAMING TABLES AUTHORIZED IN  
29 SUBSECTION (B) AND ITS TABLE GAME OPERATION CERTIFICATE FOR THE  
30 PURPOSE OF CONDUCTING CONTESTS OR TOURNAMENTS IN ACCORDANCE WITH

1 SECTION 1321A.

2 § 1312A. PETITION REQUIREMENTS.

3 (A) GENERAL RULE.--UNLESS OTHERWISE PROHIBITED UNDER SECTION  
4 1313A (RELATING TO PROHIBITIONS), A SLOT MACHINE LICENSEE MAY  
5 SEEK APPROVAL TO CONDUCT TABLE GAMES BY FILING A PETITION WITH  
6 THE BOARD.

7 (B) PETITION CONTENTS.--A PETITION SEEKING AUTHORIZATION TO  
8 CONDUCT TABLE GAMES SHALL INCLUDE THE FOLLOWING:

9 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION  
10 OF THE PETITIONER.

11 (2) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A  
12 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE  
13 PETITIONER WHO WILL BE INVOLVED IN THE CONDUCT OF TABLE GAMES  
14 AND WHO IS NOT CURRENTLY LICENSED BY THE BOARD, IF KNOWN.

15 (3) AN ITEMIZED LIST OF THE NUMBER OF GAMING TABLES AND  
16 TYPES OF TABLE GAMES FOR WHICH AUTHORIZATION IS BEING SOUGHT.

17 (4) THE ESTIMATED NUMBER OF FULL-TIME AND PART-TIME  
18 EMPLOYMENT POSITIONS THAT WILL BE CREATED AT THE LICENSED  
19 FACILITY IF TABLE GAMES ARE AUTHORIZED AND AN UPDATED HIRING  
20 PLAN PURSUANT TO SECTION 1510(A) (RELATING TO LABOR HIRING  
21 PREFERENCES) WHICH OUTLINES THE PETITIONER'S PLAN TO PROMOTE  
22 THE REPRESENTATION OF DIVERSE GROUPS AND COMMONWEALTH  
23 RESIDENTS IN THE EMPLOYMENT POSITIONS.

24 (5) A BRIEF DESCRIPTION OF THE ECONOMIC BENEFITS  
25 EXPECTED TO BE REALIZED BY THE COMMONWEALTH, ITS  
26 MUNICIPALITIES AND ITS RESIDENTS IF TABLE GAMES ARE  
27 AUTHORIZED AT THE PETITIONER'S LICENSED FACILITY.

28 (6) THE DETAILS OF ANY FINANCING OBTAINED OR THAT WILL  
29 BE OBTAINED TO FUND AN EXPANSION OR MODIFICATION OF THE  
30 LICENSED FACILITY TO ACCOMMODATE TABLE GAMES AND TO OTHERWISE

1 FUND THE COST OF COMMENCING TABLE GAME OPERATIONS.

2 (7) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL  
3 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO  
4 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL  
5 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE PETITIONER.

6 (8) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY  
7 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT  
8 THE PETITIONER HAS SUFFICIENT BUSINESS ABILITY AND EXPERIENCE  
9 TO CREATE AND MAINTAIN A SUCCESSFUL TABLE GAME OPERATION. IN  
10 MAKING THIS DETERMINATION, THE BOARD MAY CONSIDER THE RESULTS  
11 OF THE PETITIONER'S SLOT MACHINE OPERATION, INCLUDING  
12 FINANCIAL INFORMATION, EMPLOYMENT DATA AND CAPITAL  
13 INVESTMENT.

14 (9) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY  
15 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT  
16 THE PETITIONER HAS OR WILL HAVE THE FINANCIAL ABILITY TO PAY  
17 THE AUTHORIZATION FEE UNDER SECTION 1361A (RELATING TO TABLE  
18 GAME AUTHORIZATION FEE).

19 (10) DETAILED SITE PLANS IDENTIFYING THE PETITIONER'S  
20 PROPOSED TABLE GAME AREA WITHIN THE LICENSED FACILITY.

21 (11) IF THE PETITIONER IS A CATEGORY 1 OR CATEGORY 2  
22 SLOT MACHINE LICENSEE, A WAIVER, ON A FORM PRESCRIBED BY THE  
23 BOARD WHICH IS SIGNED BY THE PETITIONER AND ACKNOWLEDGED BY  
24 EACH OF THE PETITIONER'S PRINCIPALS, OF THE FOLLOWING RIGHTS  
25 ARISING AS A RESULT OF AN AMENDMENT OR ADDITION TO THIS PART  
26 THAT TOOK EFFECT AT THE SAME TIME AS THE EFFECTIVE DATE OF  
27 THIS SECTION:

28 (I) THE PETITIONER'S RIGHT UNDER SECTION 1209(F)  
29 (RELATING TO SLOT MACHINE LICENSE FEE) OR UNDER ANY  
30 CONTRACT EXECUTED BY THE APPLICANT AND THE DEPARTMENT

1 UNDER SECTION 1209(C) TO RECEIVE THE RETURN OF ANY  
2 PORTION OF THE SLOT MACHINE LICENSE FEE PAID BY THE  
3 PETITIONER FOR ITS SLOT MACHINE LICENSE; AND

4 (II) THE PETITIONER'S RIGHT, IF ANY, TO SUE FOR THE  
5 RETURN OF ANY PORTION OF THE SLOT MACHINE LICENSE FEE  
6 PAID BY THE PETITIONER FOR ITS SLOT MACHINE LICENSE.

7 (12) OTHER INFORMATION AS THE BOARD MAY REQUIRE.

8 (C) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD  
9 UNDER SUBSECTION (B) (6), (7), (9), (10) AND (12) MAY BE  
10 CONSIDERED CONFIDENTIAL BY THE BOARD IF THE INFORMATION WOULD BE  
11 CONFIDENTIAL UNDER SECTION 1206(F) (RELATING TO BOARD MINUTES  
12 AND RECORDS).

13 § 1313A. PROHIBITIONS.

14 (A) SLOT MACHINE LICENSEE.--NO SLOT MACHINE LICENSEE THAT IS  
15 REQUIRED AS A CONDITION OF SLOT MACHINE LICENSURE TO MAKE  
16 PAYMENTS TO A MUNICIPALITY, MUNICIPAL AUTHORITY OR OTHER ENTITY  
17 FOR AN ECONOMIC DEVELOPMENT PROJECT, INCLUDING ANY PROJECT  
18 ENUMERATED IN THE ACT OF JULY 25, 2007 (P.L.342, NO.53), KNOWN  
19 AS PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND  
20 CAPITAL BUDGET ITEMIZATION ACT OF 2007, MAY SUBMIT A PETITION  
21 UNDER SECTION 1312A (RELATING TO PETITION REQUIREMENTS) UNTIL  
22 THE REQUIREMENTS OF SECTION 1214(A) (RELATING TO SPECIFIC  
23 AUTHORITY TO SUSPEND SLOT MACHINE LICENSE) ARE MET.

24 (B) DUTIES OF BOARD.--THE BOARD SHALL NOT ACCEPT OR APPROVE  
25 A PETITION SUBMITTED BY ANY SLOT MACHINE LICENSEE SUBJECT TO  
26 SUBSECTION (A) UNTIL THE WRITTEN AGREEMENT REQUIRED BY SECTION  
27 1214(A) IS SUBMITTED BY THE SLOT MACHINE LICENSEE TO THE BOARD,  
28 WHICH SHALL ENSURE THE WRITTEN AGREEMENT MEETS THE REQUIREMENTS  
29 OF SECTION 1214(A) AND ALL CONDITIONS RELATING TO THE ECONOMIC  
30 DEVELOPMENT PROJECT IMPOSED BY THE BOARD WHEN AWARDING THE SLOT

1 MACHINE LICENSE TO THE LICENSEE ARE SATISFIED.

2 (C) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE  
3 CONSTRUED TO RELIEVE A SLOT MACHINE LICENSEE OF ITS LEGAL  
4 OBLIGATION TO MAKE ANY REQUIRED PAYMENTS REFERENCED UNDER THIS  
5 SECTION IF THE SLOT MACHINE LICENSEE ELECTS NOT TO PETITION THE  
6 BOARD FOR AUTHORIZATION TO CONDUCT TABLE GAMES.

7 § 1314A. TABLE GAME AUTHORIZATION HEARING PROCESS; PUBLIC INPUT  
8 HEARINGS.

9 (A) GENERAL RULE.--THE BOARD'S CONSIDERATION AND RESOLUTION  
10 OF ALL PETITIONS TO CONDUCT TABLE GAMES SHALL BE CONDUCTED IN  
11 ACCORDANCE WITH 2 PA.C.S. (RELATING TO ADMINISTRATIVE LAW AND  
12 PROCEDURE) OR WITH PROCEDURES ADOPTED BY ORDER OF THE BOARD.  
13 NOTWITHSTANDING THE REQUIREMENTS OF 2 PA.C.S. §§ 504 (RELATING  
14 TO HEARING AND RECORD) AND 505 (RELATING TO EVIDENCE AND CROSS-  
15 EXAMINATION) AS THEY RELATE TO THE CONDUCT OF ORAL HEARINGS, THE  
16 BOARD MAY ADOPT PROCEDURES TO PROVIDE PARTIES BEFORE IT WITH A  
17 DOCUMENTARY HEARING, AND THE BOARD MAY RESOLVE DISPUTED MATERIAL  
18 FACTS WITHOUT CONDUCTING AN ORAL HEARING WHERE CONSTITUTIONALLY  
19 PERMISSIBLE.

20 (B) PUBLIC INPUT HEARING REQUIREMENT.--

21 (1) PRIOR TO GRANTING A PETITION FOR A SLOT MACHINE  
22 LICENSEE TO CONDUCT TABLE GAMES UNDER THIS CHAPTER, THE BOARD  
23 SHALL HOLD AT LEAST ONE PUBLIC INPUT HEARING ON THE MATTER IN  
24 THE MUNICIPALITY WHERE THE PETITIONER'S LICENSED FACILITY IS  
25 LOCATED.

26 (2) A LIST OF ALL WITNESSES SCHEDULED TO TESTIFY AT A  
27 PUBLIC INPUT HEARING SHALL BE POSTED ON THE BOARD'S INTERNET  
28 WEBSITE AT LEAST SEVEN DAYS PRIOR TO THE HEARING. THE LIST  
29 SHALL BE UPDATED AT LEAST THREE DAYS PRIOR TO THE HEARING.  
30 ADDITIONAL WITNESSES SHALL BE POSTED ON THE BOARD'S INTERNET

1 WEBSITE AS THEY ARE ADDED TO THE LIST.

2 § 1315A. STANDARD FOR REVIEW OF PETITIONS.

3 THE BOARD SHALL APPROVE A PETITION IF THE PETITIONER  
4 ESTABLISHES, BY CLEAR AND CONVINCING EVIDENCE, ALL OF THE  
5 FOLLOWING:

6 (1) THE PETITIONER'S SLOT MACHINE LICENSE IS IN GOOD  
7 STANDING WITH THE BOARD.

8 (2) THE CONDUCT OF TABLE GAMES AT THE PETITIONER'S  
9 LICENSED FACILITY WILL HAVE A POSITIVE ECONOMIC IMPACT ON THE  
10 COMMONWEALTH, ITS MUNICIPALITIES AND RESIDENTS THROUGH  
11 INCREASED REVENUES AND EMPLOYMENT OPPORTUNITIES.

12 (3) THE PETITIONER POSSESSES ADEQUATE FUNDS OR HAS  
13 SECURED ADEQUATE FINANCING TO:

14 (I) FUND ANY NECESSARY EXPANSION OR MODIFICATION OF  
15 THE PETITIONER'S LICENSED FACILITY TO ACCOMMODATE THE  
16 CONDUCT OF TABLE GAMES.

17 (II) PAY THE AUTHORIZATION FEE IN ACCORDANCE WITH  
18 SECTION 1361A (RELATING TO TABLE GAME AUTHORIZATION FEE).

19 (III) COMMENCE TABLE GAME OPERATIONS AT ITS LICENSED  
20 FACILITY.

21 (4) THE PETITIONER HAS THE FINANCIAL STABILITY,  
22 INTEGRITY AND RESPONSIBILITY TO CONDUCT TABLE GAMES.

23 (5) THE PETITIONER HAS SUFFICIENT BUSINESS ABILITY AND  
24 EXPERIENCE TO CREATE AND MAINTAIN A SUCCESSFUL TABLE GAME  
25 OPERATION.

26 (6) THE PETITIONER'S PROPOSED INTERNAL AND EXTERNAL  
27 SECURITY AND PROPOSED SURVEILLANCE MEASURES WITHIN THE AREA  
28 OF THE LICENSED FACILITY WHERE THE PETITIONER SEEKS TO  
29 CONDUCT TABLE GAMES ARE ADEQUATE.

30 (7) THE PETITIONER AGREES THAT THE NUMBER OF SLOT

1 MACHINES IN OPERATION AT ITS LICENSED FACILITY ON OCTOBER 1,  
2 2009, WILL NOT BE PERMANENTLY REDUCED IN ORDER TO INSTALL  
3 GAMING TABLES.

4 (8) THE PETITIONER HAS EXECUTED THE WAIVER REQUIRED  
5 UNDER SECTION 1312A(B) (11) (RELATING TO PETITION  
6 REQUIREMENTS) AND PROVIDED ANY OTHER INFORMATION REQUIRED BY  
7 SECTION 1312A(B).

8 § 1316A. AWARD OF CERTIFICATE.

9 UPON APPROVAL OF A PETITION, THE BOARD SHALL AWARD A TABLE  
10 GAMES OPERATION CERTIFICATE TO THE PETITIONER. AWARDED OF A  
11 TABLE GAME OPERATION CERTIFICATE PRIOR TO THE PAYMENT IN FULL OF  
12 THE AUTHORIZATION FEE REQUIRED BY SECTION 1361A (RELATING TO  
13 TABLE GAME AUTHORIZATION FEE) SHALL NOT RELIEVE THE PETITIONER  
14 FROM COMPLYING WITH THE PROVISIONS OF SECTION 1361A.

15 § 1316.1A. AMENDMENT OF STATEMENT OF CONDITIONS.

16 (A) AMENDMENT.--UPON AWARDED A TABLE GAME OPERATION  
17 CERTIFICATE, THE BOARD SHALL AMEND THE SLOT MACHINE LICENSEE'S  
18 STATEMENT OF CONDITIONS GOVERNING THE SLOT MACHINE LICENSE TO  
19 INCLUDE CONDITIONS PERTAINING TO THE REQUIREMENTS OF THIS PART.  
20 IF THE SLOT MACHINE LICENSEE IS A CATEGORY 1 OR CATEGORY 2 SLOT  
21 MACHINE LICENSEE, AMENDMENTS TO THE STATEMENT OF CONDITIONS  
22 SHALL INCLUDE A REQUIREMENT THAT THE SLOT MACHINE LICENSEE  
23 ACKNOWLEDGE AND HONOR THE WAIVER OF RIGHTS REQUIRED TO BE FILED  
24 UNDER SECTION 1312A(B) (11) (RELATING TO PETITION REQUIREMENTS).

25 (B) SANCTIONS.--A CERTIFICATE HOLDER THAT FAILS TO ABIDE BY  
26 THIS PART OR ANY CONDITION CONTAINED IN THE LICENSEE'S STATEMENT  
27 OF CONDITIONS IN THE CONDUCT OF TABLE GAMES SHALL BE SUBJECT TO  
28 BOARD-IMPOSED ADMINISTRATIVE SANCTIONS OR OTHER PENALTIES  
29 AUTHORIZED UNDER THIS PART.

30 § 1317A. TABLE GAME OPERATION CERTIFICATE.

1 THE FOLLOWING SHALL APPLY:

2 (1) A TABLE GAME OPERATION CERTIFICATE SHALL BE IN  
3 EFFECT UNLESS:

4 (I) SUSPENDED OR REVOKED BY THE BOARD CONSISTENT  
5 WITH THE REQUIREMENTS OF THIS PART.

6 (II) THE SLOT MACHINE LICENSE HELD BY THE  
7 CERTIFICATE HOLDER IS SUSPENDED, REVOKED OR NOT RENEWED  
8 BY THE BOARD CONSISTENT WITH THE REQUIREMENTS OF THIS  
9 PART.

10 (III) THE CERTIFICATE HOLDER RELINQUISHES OR DOES  
11 NOT SEEK RENEWAL OF ITS SLOT MACHINE LICENSE.

12 (2) THE TABLE GAME OPERATION CERTIFICATE SHALL INCLUDE  
13 AN ITEMIZED LIST BY TYPE OF TABLE GAME AND THE NUMBER OF  
14 GAMING TABLES APPROVED BY THE BOARD AND PERMITTED IN THE  
15 CERTIFICATE HOLDER'S LICENSED FACILITY. THE CERTIFICATE  
16 HOLDER MAY INCREASE OR DECREASE THE NUMBER OF GAMING TABLES  
17 PERMITTED AT THE LICENSED FACILITY, CHANGE THE TYPE OF TABLE  
18 GAMES PLAYED AT A PARTICULAR GAMING TABLE OR CHANGE THE  
19 CONFIGURATION OF GAMING TABLES UPON NOTICE TO THE BOARD AND  
20 APPROVAL BY A DESIGNATED EMPLOYEE OF THE BOARD. UNLESS  
21 APPROVED BY THE BOARD, THE TOTAL NUMBER OF GAMING TABLES IN  
22 OPERATION AT THE LICENSED FACILITY MAY NOT EXCEED THE NUMBER  
23 AUTHORIZED IN THE TABLE GAMES OPERATION CERTIFICATE.

24 (3) A CERTIFICATE HOLDER SHALL BE REQUIRED TO UPDATE THE  
25 INFORMATION IN ITS INITIAL TABLE GAMES PETITION AT TIMES  
26 PRESCRIBED BY THE BOARD.

27 § 1318A. TIMING OF INITIAL TABLE GAME AUTHORIZATIONS.

28 THE BOARD SHALL APPROVE OR DENY A PETITION WITHIN 60 DAYS  
29 FOLLOWING RECEIPT OF THE PETITION.

30 SUBCHAPTER C

1 CONDUCT OF TABLE GAMES

2 SEC.

3 1321A. AUTHORIZED LOCATIONS FOR OPERATION.

4 1322A. COMMENCEMENT OF TABLE GAME OPERATIONS.

5 1323A. TRAINING OF EMPLOYEES AND POTENTIAL EMPLOYEES.

6 1323.1A. TRAINING EQUIPMENT.

7 1324A. CONDITION OF CONTINUED OPERATION.

8 1325A. TABLE GAME ACCOUNTING CONTROLS AND AUDIT PROTOCOLS.

9 1326A. CASH EQUIVALENTS.

10 1327A. OTHER FINANCIAL TRANSACTIONS.

11 1328A. KEY EMPLOYEES AND OCCUPATION PERMITS.

12 1329A. APPLICATION OF CLEAN INDOOR AIR ACT.

13 1329.1A. APPLICATION OF LIQUOR CODE.

14 § 1321A. AUTHORIZED LOCATIONS FOR OPERATION.

15 (A) RESTRICTION.--A CERTIFICATE HOLDER SHALL ONLY BE  
16 PERMITTED TO OPERATE TABLE GAMES AT THE LICENSED FACILITY, A  
17 TEMPORARY FACILITY AUTHORIZED UNDER SUBSECTION (A.1) OR AN AREA  
18 AUTHORIZED UNDER SUBSECTION (B).

19 (A.1) TEMPORARY FACILITIES.--THE BOARD MAY PERMIT A  
20 CERTIFICATE HOLDER TO CONDUCT TABLE GAMES AT A TEMPORARY  
21 FACILITY WHICH IS PHYSICALLY CONNECTED TO, ATTACHED TO OR  
22 ADJACENT TO A LICENSED FACILITY FOR A PERIOD NOT TO EXCEED 24  
23 MONTHS.

24 (B) POWERS AND DUTIES OF BOARD.--UPON REQUEST MADE BY A  
25 CERTIFICATE HOLDER, THE BOARD MAY DETERMINE THE SUITABILITY OF A  
26 HOTEL FOR THE CONDUCT OF TABLE GAMES. THE BOARD MAY AUTHORIZE  
27 THE EXECUTIVE DIRECTOR TO DESIGNATE SPECIFIC AREAS OF A LICENSED  
28 FACILITY, OTHER THAN THE GAMING FLOOR, OR SPECIFIC AREAS OF A  
29 HOTEL, INCLUDING CONFERENCE ROOMS, BALLROOMS OR OTHER ROOMS, IN  
30 WHICH THE CERTIFICATE HOLDER MAY CONDUCT TABLE GAME CONTESTS OR

1 TOURNAMENTS. NO CERTIFICATE HOLDER MAY BE APPROVED TO CONDUCT  
2 TABLE GAMES IN A LICENSED FACILITY OR A HOTEL UNLESS THE AREAS  
3 TO BE DESIGNATED ARE EQUIPPED WITH ADEQUATE SECURITY AND  
4 SURVEILLANCE EQUIPMENT TO ENSURE THE INTEGRITY OF THE CONDUCT OF  
5 A TABLE GAME CONTEST OR TOURNAMENT. THE CERTIFICATE HOLDER SHALL  
6 NOTIFY THE BOARD OF THE NUMBER OF GAMING TABLES THAT THE  
7 CERTIFICATE HOLDER INTENDS TO OPERATE DURING A CONTEST OR  
8 TOURNAMENT, AND THE BOARD SHALL DESIGNATE AN EMPLOYEE OF THE  
9 BOARD TO APPROVE OR DENY THE REQUEST. AN AUTHORIZATION GRANTED  
10 UNDER THIS SECTION MAY NOT:

11 (1) IMPOSE ANY CRITERIA OR REQUIREMENTS REGARDING THE  
12 CONTENTS OR STRUCTURE OF A HOTEL WHICH ARE UNRELATED TO THE  
13 CONDUCT OF TABLE GAMES.

14 (2) AUTHORIZE THE PLACEMENT OR OPERATION OF SLOT  
15 MACHINES IN A HOTEL.

16 (3) COUNT THE NUMBER OF GAMING TABLES TO BE UTILIZED IN  
17 A CONTEST OR TOURNAMENT TOWARD THE NUMBER OF APPROVED GAMING  
18 TABLES IN THE TABLE GAME OPERATION CERTIFICATE.

19 § 1322A. COMMENCEMENT OF TABLE GAME OPERATIONS.

20 A CERTIFICATE HOLDER MAY NOT OPERATE OR OFFER TABLE GAMES FOR  
21 PLAY AT A LICENSED FACILITY UNTIL THE BOARD DETERMINES THAT:

22 (1) THE CERTIFICATE HOLDER IS IN COMPLIANCE WITH THE  
23 REQUIREMENTS OF THIS PART.

24 (2) THE CERTIFICATE HOLDER'S INTERNAL CONTROLS AND AUDIT  
25 PROTOCOLS ARE SUFFICIENT TO MEET THE REQUIREMENTS OF SECTION  
26 1325A (RELATING TO TABLE GAME ACCOUNTING CONTROLS AND AUDIT  
27 PROTOCOLS).

28 (3) THE CERTIFICATE HOLDER'S TABLE GAME EMPLOYEES, WHERE  
29 APPLICABLE, ARE LICENSED, PERMITTED OR OTHERWISE AUTHORIZED  
30 BY THE BOARD TO PERFORM THEIR RESPECTIVE DUTIES.

1           (4) THE CERTIFICATE HOLDER IS PREPARED IN ALL RESPECTS  
2 TO OFFER TABLE GAME PLAY TO THE PUBLIC AT THE LICENSED  
3 FACILITY.

4           (5) THE CERTIFICATE HOLDER HAS IMPLEMENTED NECESSARY  
5 INTERNAL AND MANAGEMENT CONTROLS AND SECURITY ARRANGEMENTS  
6 AND SURVEILLANCE SYSTEMS FOR THE CONDUCT OF TABLE GAMES.

7           (6) THE CERTIFICATE HOLDER IS IN COMPLIANCE WITH OR HAS  
8 COMPLIED WITH SECTION 1361A (RELATING TO TABLE GAME  
9 AUTHORIZATION FEE).

10 § 1323A. TRAINING OF EMPLOYEES AND POTENTIAL EMPLOYEES.

11       (A) ADEQUACY.--A SLOT MACHINE LICENSEE THAT ELECTS TO OFFER  
12 TABLE GAME TRAINING TO ITS EMPLOYEES OR POTENTIAL EMPLOYEES  
13 SHALL SUBMIT TO THE BOARD A DETAILED SUMMARY OF THE TRAINING  
14 PROGRAM DEMONSTRATING THE ADEQUACY OF THE TRAINING.

15       (B) AUTHORIZATION.--NOTWITHSTANDING ANY PROVISION OF THIS  
16 PART TO THE CONTRARY, THE EXECUTIVE DIRECTOR OF THE BOARD MAY  
17 AUTHORIZE A SLOT MACHINE LICENSEE TO CONDUCT TABLE GAME TRAINING  
18 AND INSTRUCTION FOR THE SLOT MACHINE LICENSEE'S EMPLOYEES AND  
19 POTENTIAL EMPLOYEES.

20       (C) EFFECT.--AUTHORIZATION GRANTED UNDER SUBSECTION (B)  
21 SHALL DO ALL OF THE FOLLOWING:

22           (1) PERMIT A SLOT MACHINE LICENSEE TO CONDUCT TRAINING  
23 AT A LOCATION WITHIN THE LICENSED FACILITY OR AT ANOTHER  
24 LOCATION.

25           (2) REQUIRE ANY TRAINING AUTHORIZED ON THE GAMING FLOOR  
26 TO BE CONDUCTED IN A SPECIFIED AREA OF THE GAMING FLOOR THAT  
27 IS CLEARLY IDENTIFIED AS A TRAINING AREA AND NOT ACCESSIBLE  
28 TO THE PUBLIC

29           (3) DESIGNATE A SECURE AREA AT THE LOCATION WHERE THE  
30 TRAINING WILL TAKE PLACE FOR THE STORAGE OF TABLE GAME

1 DEVICES AND ASSOCIATED EQUIPMENT USED FOR TRAINING.

2 (4) LIMIT THE NUMBER OF TABLE GAME DEVICES AND  
3 ASSOCIATED EQUIPMENT TO THAT NECESSARY TO CONDUCT TRAINING.

4 (5) PROHIBIT THE PAYMENT OF ANY CASH, CASH EQUIVALENT OR  
5 OTHER PRIZE TO AN INDIVIDUAL AS A RESULT OF PLAY CONDUCTED  
6 DURING TRAINING OR PLAY CONDUCTED UTILIZING TABLE GAME  
7 DEVICES OR ASSOCIATED EQUIPMENT OBTAINED UNDER SECTION  
8 1323.1A (RELATING TO TRAINING EQUIPMENT).

9 (6) PROHIBIT A SLOT MACHINE LICENSEE FROM CHARGING ITS  
10 EMPLOYEES OR POTENTIAL EMPLOYEES A FEE TO PARTICIPATE IN THE  
11 TRAINING.

12 (C) RESCISSION OR REVOCATION.--AN AUTHORIZATION GRANTED BY  
13 THE EXECUTIVE DIRECTOR UNDER SUBSECTION (B) MAY BE RESCINDED OR  
14 REVOKED BY THE EXECUTIVE DIRECTOR OR THE BOARD WITHOUT CAUSE.  
15 THE SLOT MACHINE LICENSEE SHALL BE GIVEN NOTICE THAT THE  
16 AUTHORIZATION HAS BEEN RESCINDED OR REVOKED AND AFFORDED A  
17 REASONABLE TIME TO TAKE ALL NECESSARY ACTIONS REQUIRED BY THE  
18 EXECUTIVE DIRECTOR OR THE BOARD.

19 (D) PROHIBITION.--THE BOARD SHALL BE PROHIBITED FROM  
20 CHARGING A FEE AS A CONDITION OF RECEIVING AUTHORIZATION UNDER  
21 SUBSECTION (B).

22 § 1323.1 A. TRAINING EQUIPMENT.

23 (A) ACQUISITION--NOTWITHSTANDING SECTION 1317 (RELATING TO  
24 SUPPLIER LICENSES) OR SECTION 1317.1 (RELATING TO MANUFACTURER  
25 LICENSES), FOR A ONE-YEAR PERIOD FOLLOWING THE EFFECTIVE DATE OF  
26 THIS SECTION, A SLOT MACHINE LICENSEE MAY PURCHASE, LEASE OR  
27 OTHERWISE OBTAIN TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT  
28 THAT WILL BE USED FOR THE SOLE PURPOSE OF CONDUCTING TABLE GAME  
29 TRAINING AUTHORIZED UNDER SECTION 1323A (RELATING TO INITIAL  
30 TRAINING OF EMPLOYEES AND POTENTIAL EMPLOYEES) FROM A

1 MANUFACTURER OR SUPPLIER, WHETHER OR NOT LICENSED OR OTHERWISE  
2 APPROVED BY THE BOARD UNDER THIS PART, OR FROM AN AFFILIATE OF  
3 THE SLOT MACHINE LICENSEE OR A GAMING FACILITY IN ANOTHER  
4 JURISDICTION.

5 (B) IDENTIFICATION.--TABLE GAME DEVICES OR ASSOCIATED  
6 EQUIPMENT OBTAINED BY A SLOT MACHINE LICENSEE PURSUANT TO  
7 SUBSECTION (A) SHALL HAVE AN IDENTIFICATION NUMBER WHICH SHALL  
8 BE KEPT ON FILE WITH THE BOARD AND THE TABLE GAME DEVICES OR  
9 ASSOCIATED EQUIPMENT SHALL BE CLEARLY IDENTIFIED AS BEING USED  
10 FOR TRAINING PURPOSES ONLY.

11 (C) PROHIBITION.--

12 (1) TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT OBTAINED  
13 PURSUANT TO THIS SECTION SHALL BE PROHIBITED FROM BEING USED  
14 ON THE GAMING FLOOR UNLESS BEING USED FOR TRAINING PURPOSES  
15 PURSUANT TO SECTION 1323A(C) (2) .

16 (2) THE PAYMENT OF ANY CASH, CASH EQUIVALENT OR OTHER  
17 PRIZE TO AN INDIVIDUAL FROM THE PLAY OF A TABLE GAME ON TABLE  
18 GAME DEVICES OR ASSOCIATED EQUIPMENT OBTAINED PURSUANT TO  
19 THIS SECTION IS PROHIBITED.

20 § 1324A. CONDITION OF CONTINUED OPERATION.

21 AS A CONDITION OF CONTINUED OPERATION, A CERTIFICATE HOLDER  
22 SHALL AGREE TO MAINTAIN ALL BOOKS, RECORDS AND DOCUMENTS  
23 PERTAINING TO TABLE GAMES IN A MANNER AND LOCATION WITHIN THIS  
24 COMMONWEALTH AS APPROVED BY THE BOARD. ALL BOOKS, RECORDS AND  
25 DOCUMENTS RELATED TO TABLE GAMES SHALL:

26 (1) BE SEGREGATED BY SEPARATE ACCOUNTS WITHIN THE SLOT  
27 MACHINE LICENSEE'S BOOKS, RECORDS AND DOCUMENTS, EXCEPT FOR  
28 ANY BOOKS, RECORDS OR DOCUMENTS THAT ARE COMMON TO BOTH SLOT  
29 MACHINE AND TABLE GAME OPERATIONS;

30 (2) BE IMMEDIATELY AVAILABLE FOR INSPECTION UPON REQUEST

1 OF THE BOARD, THE BUREAU, THE DEPARTMENT, THE PENNSYLVANIA  
2 STATE POLICE OR THE ATTORNEY GENERAL, OR AGENTS THEREOF,  
3 DURING ALL HOURS OF OPERATION OF THE LICENSED FACILITY IN  
4 ACCORDANCE WITH REGULATIONS PROMULGATED BY THE BOARD; AND

5 (3) BE MAINTAINED FOR A PERIOD AS THE BOARD, BY  
6 REGULATION, MAY REQUIRE.

7 § 1325A. TABLE GAME ACCOUNTING CONTROLS AND AUDIT PROTOCOLS.

8 (A) APPROVAL.--PRIOR TO THE COMMENCEMENT OF TABLE GAME  
9 OPERATIONS, A CERTIFICATE HOLDER SHALL SUBMIT TO THE BOARD FOR  
10 APPROVAL ALL PROPOSED SITE PLANS, INTERNAL CONTROL SYSTEMS AND  
11 AUDIT PROTOCOLS FOR THE CERTIFICATE HOLDER'S TABLE GAME  
12 OPERATIONS.

13 (B) MINIMUM REQUIREMENTS.--A CERTIFICATE HOLDER'S INTERNAL  
14 CONTROLS AND AUDIT PROTOCOLS SHALL:

15 (1) SAFEGUARD ITS ASSETS AND REVENUES, INCLUDING THE  
16 RECORDING OF CASH, CASH EQUIVALENTS AND EVIDENCES OF  
17 INDEBTEDNESS RELATED TO TABLE GAMES.

18 (2) PROVIDE FOR RELIABLE RECORDS, ACCOUNTS AND REPORTS  
19 OF ANY FINANCIAL EVENT THAT OCCURS IN THE CONDUCT OF TABLE  
20 GAMES, INCLUDING REPORTS TO THE BOARD RELATED TO TABLE GAMES.

21 (3) PROVIDE FOR ACCURATE AND RELIABLE FINANCIAL RECORDS  
22 RELATED TO TABLE GAMES.

23 (4) ESTABLISH PROCEDURES FOR ALL THE FOLLOWING:

24 (I) THE RECEIPT, STORAGE AND DISBURSAL OF CHIPS,  
25 CASH AND CASH EQUIVALENTS USED IN TABLE GAMES.

26 (II) CONVERSION OF CASH EQUIVALENTS TO CASH.

27 (III) THE REDEMPTION OF CHIPS AND OTHER  
28 REPRESENTATIONS OF VALUE USED IN TABLE GAMES AND THE  
29 PAYMENT OF WINNINGS AND PRIZES.

30 (IV) THE RECORDING OF FINANCIAL TRANSACTIONS

1           PERTAINING TO TABLE GAMES.

2           (5) ESTABLISH PROCEDURES FOR THE COLLECTION AND SECURITY  
3 OF CASH AND CASH EQUIVALENTS AT THE GAMING TABLES.

4           (6) ESTABLISH PROCEDURES FOR THE RECORDING OF AND  
5 TRANSFER OF CHIPS AND CASH EQUIVALENTS BETWEEN THE GAMING  
6 TABLES AND THE CASHIER'S CAGE.

7           (7) ESTABLISH PROCEDURES FOR THE TRANSFER OF DROP BOXES  
8 FROM THE GAMING TABLES TO THE COUNT ROOM.

9           (8) ESTABLISH PROCEDURES AND SECURITY FOR THE COUNTING  
10 AND RECORDING OF GROSS TABLE GAME REVENUE.

11           (9) ESTABLISH PROCEDURES FOR THE SECURITY, STORAGE AND  
12 RECORDING OF CASH AND CASH EQUIVALENTS UTILIZED IN TABLE  
13 GAMES.

14           (10) ESTABLISH PROCEDURES AND SECURITY STANDARDS FOR THE  
15 HANDLING AND STORAGE OF TABLE GAME DEVICES AND ASSOCIATED  
16 EQUIPMENT USED IN CONNECTION WITH TABLE GAMES.

17           (11) ESTABLISH PROCEDURES AND RULES GOVERNING THE  
18 CONDUCT OF EACH TABLE GAME AND THE RESPONSIBILITY OF  
19 EMPLOYEES RELATED TO TABLE GAMES.

20           (12) ESTABLISH PROCEDURES FOR THE COLLECTION AND  
21 RECORDING OF REVENUE FROM POKER AND OTHER TABLE GAMES WHEN  
22 PLAYED AS NONBANKING GAMES, INCLUDING THE TYPE OF RAKE  
23 UTILIZED AND THE METHODOLOGY FOR CALCULATING THE AMOUNT OF  
24 PERMISSIBLE RAKE.

25           (13) ENSURE THAT ANY WAGERING PERMITTED IN THE PLAY OF A  
26 TABLE GAME IS IMPLEMENTED ONLY IN ACCORDANCE WITH THE  
27 CERTIFICATE HOLDER'S GENERAL OR SPECIFIC AUTHORIZATION, AS  
28 APPROVED BY THE BOARD.

29           (14) ENSURE THE PROPER AND TIMELY ACCOUNTING OF GROSS  
30 TABLE GAME REVENUE AND THE CALCULATION OF GROSS TABLE GAME

1 REVENUE, FEES, TAXES AND ASSESSMENTS BASED ON THE GROSS TABLE  
2 GAME REVENUE.

3 (15) MAINTAIN ACCOUNTABILITY FOR ASSETS, ENSURE THAT  
4 RECORDED ACCOUNTABILITY FOR ASSETS IS COMPARED WITH ACTUAL  
5 ASSETS AT REASONABLE INTERVALS AND ENSURE THAT APPROPRIATE  
6 ACTION IS TAKEN WITH RESPECT TO ANY DISCREPANCIES.

7 (16) ENSURE THAT ALL FUNCTIONS, DUTIES AND  
8 RESPONSIBILITIES RELATED TO TABLE GAME OPERATIONS ARE  
9 APPROPRIATELY SEGREGATED AND PERFORMED IN ACCORDANCE WITH  
10 SOUND FINANCIAL PRACTICES BY QUALIFIED EMPLOYEES.

11 (17) PERMIT USE OF ITS LICENSED FACILITY BY THE BOARD,  
12 THE BUREAU AND OTHER PERSONS AUTHORIZED UNDER THIS PART OR BY  
13 THE BOARD TO FACILITATE THEIR ABILITY TO PERFORM REGULATORY  
14 AND OVERSIGHT FUNCTIONS UNDER THIS CHAPTER.

15 (C) SUBMISSION TO BOARD.--THE SUBMISSION REQUIRED UNDER  
16 SUBSECTION (A) SHALL INCLUDE A DETAILED DESCRIPTION OF THE  
17 CERTIFICATE HOLDER'S ADMINISTRATIVE AND ACCOUNTING PROCEDURES  
18 RELATED TO TABLE GAMES, INCLUDING ITS WRITTEN SYSTEM OF INTERNAL  
19 CONTROLS. EACH WRITTEN SYSTEM OF INTERNAL CONTROLS SHALL  
20 INCLUDE:

21 (1) AN ORGANIZATIONAL CHART DEPICTING APPROPRIATE  
22 FUNCTIONS AND RESPONSIBILITIES OF EMPLOYEES INVOLVED IN BOTH  
23 SLOT MACHINE OPERATIONS AND TABLE GAME OPERATIONS.

24 (2) A DESCRIPTION OF THE DUTIES AND RESPONSIBILITIES OF  
25 EACH POSITION SHOWN ON THE ORGANIZATIONAL CHART.

26 (3) THE RECORD RETENTION POLICY OF THE CERTIFICATE  
27 HOLDER.

28 (4) THE PROCEDURE TO BE UTILIZED TO ENSURE THAT ASSETS  
29 ARE SAFEGUARDED, INCLUDING MANDATORY COUNT PROCEDURES.

30 (5) A DETAILED NARRATIVE DESCRIPTION OF THE

1 ADMINISTRATIVE AND ACCOUNTING PROCEDURES IN PLACE TO ENSURE  
2 COMPLIANCE WITH THE REQUIREMENTS OF SECTION 1326A (RELATING  
3 TO CASH EQUIVALENTS).

4 (6) A STATEMENT SIGNED BY THE CERTIFICATE HOLDER'S CHIEF  
5 FINANCIAL OFFICER OR OTHER COMPETENT PERSON ATTESTING THAT  
6 THE SIGNATORY BELIEVES, IN GOOD FAITH, THAT THE SYSTEM  
7 SATISFIES THE REQUIREMENTS OF THIS SECTION.

8 (D) REVIEW.--PRIOR TO AUTHORIZING A CERTIFICATE HOLDER TO  
9 CONDUCT TABLE GAMES, THE BOARD SHALL REVIEW THE SYSTEM OF  
10 INTERNAL CONTROLS SUBMITTED UNDER SUBSECTION (C) TO DETERMINE  
11 WHETHER IT CONFORMS TO THE REQUIREMENTS OF THIS PART AND WHETHER  
12 IT PROVIDES ADEQUATE AND EFFECTIVE CONTROLS FOR THE CONDUCT OF  
13 TABLE GAMES.

14 § 1326A. CASH EQUIVALENTS.

15 (A) CHECKS.--

16 (1) A CERTIFICATE HOLDER MAY ACCEPT A CHECK FROM A  
17 PATRON IN EXCHANGE FOR CASH OR CHIPS. THE CERTIFICATE HOLDER  
18 SHALL PRESENT EACH CHECK FOR PAYMENT TO THE FINANCIAL  
19 INSTITUTION UPON WHICH THE CHECK IS DRAWN WITHIN TEN DAYS OF  
20 RECEIPT BY THE CERTIFICATE HOLDER. NO THIRD PARTY CHECKS  
21 SHALL BE PERMITTED.

22 (2) NOTWITHSTANDING ANY LAW TO THE CONTRARY, CHECKS  
23 CASHED IN CONFORMITY WITH THE REQUIREMENTS OF THIS SECTION OR  
24 13 PA.C.S. DIV. 3 (RELATING TO NEGOTIABLE INSTRUMENTS) SHALL  
25 BE VALID INSTRUMENTS, ENFORCEABLE AT LAW IN THE COURTS OF  
26 THIS COMMONWEALTH. ANY CHECK CASHED, TRANSFERRED, CONVEYED,  
27 GIVEN OR ACCEPTED IN VIOLATION OF THIS SECTION SHALL BE  
28 INVALID AND UNENFORCEABLE FOR THE PURPOSES OF COLLECTION BY A  
29 CERTIFICATE HOLDER BUT SHALL BE INCLUDED IN THE CALCULATION  
30 OF GROSS TABLE GAME REVENUE.

1 (B) NOTICE OF FEES.--ALL FEES CHARGED FOR THE CONVERSION OF  
2 CASH EQUIVALENTS SHALL BE DISCLOSED.

3 (C) PAYMENT OF CASH EQUIVALENTS.--OTHER THAN CREDIT EXTENDED  
4 BY A CERTIFICATE HOLDER, AN INSTRUMENT THAT CONSTITUTES A CASH  
5 EQUIVALENT SHALL BE MADE PAYABLE TO THE SLOT MACHINE LICENSEE,  
6 TO THE BEARER OR TO CASH. AN INSTRUMENT MADE PAYABLE TO A THIRD  
7 PARTY SHALL NOT BE CONSIDERED A CASH EQUIVALENT AND SHALL BE  
8 PROHIBITED.

9 § 1327A. OTHER FINANCIAL TRANSACTIONS.

10 (A) CREDIT.--NOTWITHSTANDING SECTION 1504 (RELATING TO  
11 WAGERING ON CREDIT), A CERTIFICATE HOLDER MAY EXTEND CREDIT TO  
12 PATRONS FOR THE PURPOSE OF PLAYING SLOT MACHINES OR TABLE GAMES  
13 IN ACCORDANCE WITH THIS SECTION; HOWEVER, A CERTIFICATE HOLDER  
14 SHALL NOT ACCEPT CREDIT CARDS, CHARGE CARDS OR DEBIT CARDS FROM  
15 A PATRON OR PLAYER FOR THE EXCHANGE OR PURCHASE OR CHIPS, SLOT  
16 MACHINE OR TABLE GAME CREDITS OR FOR AN ADVANCE OF COINS OR  
17 CURRENCY TO BE UTILIZED BY A PLAYER TO PLAY SLOT MACHINE OR  
18 TABLE GAMES.

19 (B) CREDIT APPLICATIONS.--EACH APPLICATION FOR CREDIT  
20 SUBMITTED BY A PATRON TO A CERTIFICATE HOLDER SHALL BE  
21 MAINTAINED IN A CONFIDENTIAL CREDIT FILE. THE APPLICATION SHALL  
22 INCLUDE THE PATRON'S NAME, ADDRESS, TELEPHONE NUMBER AND  
23 COMPREHENSIVE BANK ACCOUNT INFORMATION; THE REQUESTED CREDIT  
24 LIMIT; THE PATRON'S APPROXIMATE AMOUNT OF CURRENT INDEBTEDNESS;  
25 THE AMOUNT AND SOURCE OF INCOME IN SUPPORT OF THE APPLICATION;  
26 THE PATRON'S SIGNATURE ON THE APPLICATION; A CERTIFICATION OF  
27 TRUTHFULNESS; AND ANY OTHER INFORMATION DEEMED RELEVANT BY THE  
28 CERTIFICATE HOLDER. THE CERTIFICATE HOLDER SHALL NOTIFY EACH  
29 APPLICANT THAT, AS A CONDITION OF RECEIVING CREDIT, THE  
30 CERTIFICATE HOLDER WILL VERIFY IDENTITY AND INDEBTEDNESS

1 INFORMATION THROUGH A CREDIT BUREAU OR CASINO CREDIT BUREAU AND,  
2 IF APPROPRIATE, THROUGH DIRECT CONTACT WITH OTHER SLOT MACHINE  
3 LICENSEES.

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

6 (1) THE IDENTITY, CREDITWORTHINESS AND INDEBTEDNESS  
7 INFORMATION OF THE APPLICANT BY CONDUCTING A COMPREHENSIVE  
8 REVIEW OF THE INFORMATION SUBMITTED WITH THE APPLICATION AND  
9 ANY INFORMATION REGARDING THE APPLICANT'S CREDIT ACTIVITY AT  
10 OTHER LICENSED FACILITIES WHICH THE CERTIFICATE HOLDER MAY  
11 OBTAIN THROUGH A CASINO CREDIT BUREAU AND, IF APPROPRIATE,  
12 THROUGH DIRECT CONTACT WITH OTHER SLOT MACHINE LICENSEES.

13 (2) THAT THE APPLICANT'S NAME IS NOT INCLUDED ON AN  
14 EXCLUSION LIST UNDER SECTION 1514 (RELATING TO REGULATION  
15 REQUIRING EXCLUSION OF CERTAIN PERSONS) OR 1516 (RELATING TO  
16 LIST OF PERSONS SELF EXCLUDED FROM GAMING ACTIVITIES) OR THE  
17 VOLUNTARY CREDIT SUSPENSION LIST UNDER SUBSECTION (H).

18 (D) ESTABLISHMENT OF CREDIT.--UPON COMPLETION OF THE  
19 VERIFICATION REQUIRED UNDER SUBSECTION (C), A CERTIFICATE HOLDER  
20 MAY GRANT A PATRON CREDIT. THE CERTIFICATE HOLDER SHALL  
21 ESTABLISH A CREDIT LIMIT FOR EACH PATRON TO WHOM THE CERTIFICATE  
22 HOLDER GRANTS CREDIT. EACH APPLICANT'S CREDIT LIMIT SHALL BE  
23 APPROVED BY TWO OR MORE EMPLOYEES OF THE CERTIFICATE HOLDER  
24 HOLDING THE JOB POSITIONS OF CREDIT MANAGER, ASSISTANT CREDIT  
25 MANAGER, CREDIT SHIFT MANAGER, CREDIT EXECUTIVE OR A KEY  
26 EMPLOYEE IN A DIRECT REPORTING LINE ABOVE THE MANAGER OR CREDIT  
27 MANAGER. THE APPROVAL SHALL BE RECORDED IN THE APPLICANT'S  
28 CREDIT FILE AND SHALL INCLUDE THE REASONS AND INFORMATION RELIED  
29 ON FOR THE APPROVAL OF CREDIT AND VERIFICATION BY THE EMPLOYEES  
30 APPROVING THE APPLICANT'S CREDIT LIMIT. INCREASES TO AN

1 INDIVIDUAL'S CREDIT LIMIT MAY BE APPROVED FOLLOWING A WRITTEN  
2 REQUEST FROM THE INDIVIDUAL AND REVERIFICATION OF AN  
3 INDIVIDUAL'S CREDIT INFORMATION.

4 (E) RECORDKEEPING.--DETAILED INFORMATION PERTAINING TO ALL  
5 TRANSACTIONS AFFECTING AN INDIVIDUAL'S OUTSTANDING INDEBTEDNESS  
6 TO A CERTIFICATE HOLDER SHALL BE RECORDED IN CHRONOLOGICAL ORDER  
7 IN THE INDIVIDUAL'S CREDIT FILE.

8 (F) REDUCTION OR SUSPENSION OF CREDIT.--A CERTIFICATE HOLDER  
9 MAY REDUCE AN INDIVIDUAL'S CREDIT LIMIT OR SUSPEND CREDIT TO AN  
10 INDIVIDUAL FOR ANY REASON.

11 (G) VOLUNTARY CREDIT SUSPENSION.--AN INDIVIDUAL MAY REQUEST  
12 A CERTIFICATE HOLDER TO SUSPEND THE INDIVIDUAL'S CREDIT. EACH  
13 CERTIFICATE HOLDER SHALL INFORM THE BOARD WHEN AN INDIVIDUAL  
14 REQUESTS A SUSPENSION OF CREDIT AND SHALL PROVIDE THE BOARD WITH  
15 ALL INFORMATION NECESSARY TO MAINTAIN THE VOLUNTARY CREDIT  
16 SUSPENSION LIST UNDER SUBSECTION (H).

17 (H) VOLUNTARY CREDIT SUSPENSION LIST.--THE BOARD SHALL  
18 MAINTAIN A VOLUNTARY CREDIT SUSPENSION LIST OF ALL INDIVIDUALS  
19 WHO HAVE REQUESTED SUSPENSION OF CREDIT PRIVILEGES AND SHALL  
20 PROVIDE THE LIST ON A CONTINUOUS BASIS TO THE CREDIT DEPARTMENT  
21 OF EACH CERTIFICATE HOLDER. AN INDIVIDUAL MAY REQUEST PLACEMENT  
22 ON THE VOLUNTARY CREDIT SUSPENSION LIST BY SUBMITTING TO THE  
23 BOARD THE INDIVIDUAL'S NAME, ADDRESS AND DATE OF BIRTH. THE  
24 INDIVIDUAL DOES NOT NEED TO PROVIDE A REASON FOR THE REQUEST.  
25 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE  
26 BOARD'S LIST OF INDIVIDUALS WHO HAVE HAD CREDIT PRIVILEGES  
27 VOLUNTARILY SUSPENDED SHALL BE CONFIDENTIAL, AND NEITHER THE  
28 BOARD NOR THE CREDIT DEPARTMENT OF A CERTIFICATE HOLDER SHALL  
29 DIVULGE THE NAME OF ANY INDIVIDUAL ON THIS LIST TO ANY PERSON OR  
30 ENTITY OTHER THAN THOSE PROVIDED FOR IN THIS SUBSECTION. TO BE

1 REMOVED FROM THE LIST, THE INDIVIDUAL SHALL SUBMIT A REQUEST TO  
2 THE BOARD. THE BOARD SHALL REMOVE THE INDIVIDUAL FROM THE LIST  
3 AND INFORM THE CREDIT DEPARTMENT OF EACH CERTIFICATE HOLDER NOT  
4 LATER THAN THREE BUSINESS DAYS AFTER THE BOARD'S RECEIPT OF THE  
5 REQUEST.

6 (I) LIABILITY.--A CERTIFICATE HOLDER OR EMPLOYEE THEREOF  
7 SHALL NOT BE LIABLE TO ANY INDIVIDUAL ON THE VOLUNTARY CREDIT  
8 SUSPENSION LIST OR TO ANY OTHER PARTY IN ANY JUDICIAL PROCEEDING  
9 FOR ANY HARM, MONETARY OR OTHERWISE, WHICH MAY ARISE AS A RESULT  
10 OF:

11 (1) THE FAILURE OF A CERTIFICATE HOLDER TO RESTORE  
12 CREDIT PRIVILEGES TO AN INDIVIDUAL ON THE VOLUNTARY CREDIT  
13 SUSPENSION LIST; OR

14 (2) OTHERWISE PERMITTING AN INDIVIDUAL ON THE VOLUNTARY  
15 CREDIT SUSPENSION LIST TO ENGAGE IN GAMING ACTIVITY IN THE  
16 LICENSED FACILITY WHILE ON THE VOLUNTARY CREDIT SUSPENSION  
17 LIST.

18 (J) TAX LIABILITY.--DRAWS AGAINST UNSECURED CREDIT EXTENDED  
19 TO PATRONS PURSUANT TO THIS SECTION WHICH BECOME UNCOLLECTIBLE  
20 MAY NOT BE CLAIMED BY A CERTIFICATE HOLDER AS A DEDUCTION,  
21 CREDIT OR ANY OTHER TYPE OF REDUCTION OR OFFSET AGAINST ANY TAX  
22 IMPOSED BY THIS PART OR THE ACT OF MARCH 4, 1971 (P.L.6, NO.2),  
23 KNOWN AS THE TAX REFORM CODE OF 1971.

24 § 1328A. KEY EMPLOYEES AND OCCUPATION PERMITS.

25 NOTHING IN THIS PART SHALL BE CONSTRUED TO REQUIRE ANY  
26 INDIVIDUAL WHO HOLDS A PRINCIPAL LICENSE, A KEY EMPLOYEE LICENSE  
27 OR GAMING EMPLOYEE LICENSE UNDER CHAPTER 13 (RELATING TO  
28 LICENSEES) TO OBTAIN A SEPARATE LICENSE OR PERMIT TO BE EMPLOYED  
29 IN A CERTIFICATE HOLDER'S TABLE GAME OPERATION AUTHORIZED UNDER  
30 THIS CHAPTER.

1 § 1329A. APPLICATION OF CLEAN INDOOR AIR ACT.

2 FOR THE PURPOSE OF SECTION 3(B)(11) OF THE ACT OF JUNE 13,  
3 2008 (P.L.182, NO.27), KNOWN AS THE CLEAN INDOOR AIR ACT, THE  
4 TERM "GAMING FLOOR" SHALL INCLUDE THE AREAS OF ANY LICENSED  
5 FACILITY WHERE THE SLOT MACHINE LICENSEE IS AUTHORIZED TO PLACE  
6 AND OPERATE SLOT MACHINES OR CONDUCT TABLE GAMES, EXCEPT SUCH  
7 AREAS OFF THE GAMING FLOOR WHERE CONTESTS OR TOURNAMENTS ARE  
8 CONDUCTED UNLESS SMOKING IS OTHERWISE PERMITTED IN SUCH AREAS.

9 § 1329.1A. APPLICATION OF LIQUOR CODE.

10 THE PROVISIONS OF SECTION 493(24)(II) OF THE ACT OF APRIL 12,  
11 1951 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, SHALL ALSO APPLY  
12 TO TABLE GAMES.

13 SUBCHAPTER D

14 (RESERVED)

15 SUBCHAPTER E

16 TABLE GAME TESTING AND CERTIFICATION

17 SEC.

18 1341A. TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT TESTING AND  
19 CERTIFICATION STANDARDS.

20 § 1341A. TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT TESTING AND  
21 CERTIFICATION STANDARDS.

22 (A) EXPANSION OF INDEPENDENT TESTING AND CERTIFICATION  
23 FACILITY.--WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS  
24 SECTION, THE BOARD SHALL EXPAND THE INDEPENDENT TESTING AND  
25 CERTIFICATION FACILITY CREATED UNDER SECTION 1320(B) TO INCLUDE  
26 THE TESTING AND CERTIFICATION OF TABLE GAME DEVICES AND  
27 ASSOCIATED EQUIPMENT. COSTS ASSOCIATED WITH THE EXPANSION OF THE  
28 FACILITY SHALL BE ASSESSED ON MANUFACTURERS LICENSED TO  
29 MANUFACTURE TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT UNDER  
30 THIS PART IN ACCORDANCE WITH A SCHEDULE ADOPTED BY THE BOARD.

1 THE EXPANDED FACILITY SHALL BE MADE AVAILABLE TO EACH TABLE GAME  
2 DEVICE MANUFACTURER AND SUPPLIER AS DETERMINED BY THE BOARD.

3 (B) USE OF OTHER STATE STANDARDS.--THE BOARD MAY DETERMINE  
4 WHETHER THE TABLE GAME DEVICE TESTING AND CERTIFICATION  
5 STANDARDS OF ANOTHER JURISDICTION WITHIN THE UNITED STATES IN  
6 WHICH A MANUFACTURER LICENSED PURSUANT TO SECTION 1317.1  
7 (RELATING TO MANUFACTURER LICENSES) TO MANUFACTURE TABLE GAME  
8 DEVICES OR ASSOCIATED EQUIPMENT USED IN CONNECTION WITH TABLE  
9 GAMES IS LICENSED ARE COMPREHENSIVE AND THOROUGH AND PROVIDE  
10 SIMILAR ADEQUATE SAFEGUARDS AS THOSE REQUIRED BY THIS PART. IF  
11 THE BOARD MAKES THAT DETERMINATION, IT MAY PERMIT THE  
12 MANUFACTURER APPROPRIATELY LICENSED PURSUANT TO SECTION 1317.1  
13 TO DEPLOY TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT IT  
14 MANUFACTURES WHICH HAVE MET THE TABLE GAME DEVICE TESTING AND  
15 CERTIFICATION STANDARDS IN ANOTHER JURISDICTION WITHOUT  
16 UNDERGOING THE FULL TESTING AND CERTIFICATION PROCESS BY THE  
17 BOARD'S INDEPENDENT TESTING AND CERTIFICATION FACILITY.

18 SUBCHAPTER F

19 (RESERVED)

20 SUBCHAPTER G

21 TABLE GAME TAXES AND FEES

22 SEC.

23 1361A. TABLE GAME AUTHORIZATION FEE.

24 1362A. TABLE GAME TAXES.

25 1363A. LOCAL SHARE ASSESSMENT.

26 § 1361A. TABLE GAME AUTHORIZATION FEE.

27 (A) AMOUNT OF AUTHORIZATION FEE.--

28 (1) A CATEGORY 1 OR A CATEGORY 2 SLOT MACHINE LICENSEE  
29 THAT SUBMITS A PETITION FOR A TABLE GAME OPERATION  
30 CERTIFICATE UNDER SECTION 1312A (RELATING TO PETITION

1 REQUIREMENTS) ON OR BEFORE JUNE 1, 2010, SHALL PAY A ONE-TIME  
2 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$16,500,000.  
3 A CATEGORY 1 OR A CATEGORY 2 SLOT MACHINE LICENSEE THAT  
4 SUBMITS A PETITION FOR A TABLE GAME OPERATION CERTIFICATE  
5 UNDER SECTION 1312A AFTER JUNE 1, 2010, SHALL PAY A ONE-TIME  
6 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$24,750,000.

7 (2) A CATEGORY 3 SLOT MACHINE LICENSEE THAT SUBMITS A  
8 PETITION FOR A TABLE GAME OPERATION CERTIFICATE UNDER SECTION  
9 1312A ON OR BEFORE JUNE 1, 2010, SHALL PAY A ONE-TIME  
10 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$7,500,000.

11 A CATEGORY 3 SLOT MACHINE LICENSEE THAT SUBMITS A PETITION  
12 FOR A TABLE GAME OPERATION CERTIFICATE UNDER SECTION 1312A  
13 AFTER JUNE 1, 2010, SHALL PAY A ONE-TIME NONREFUNDABLE  
14 AUTHORIZATION FEE IN THE AMOUNT OF \$11,250,000.

15 (3) NOTWITHSTANDING PARAGRAPHS (1) AND (2), THE HOLDER  
16 OF A CATEGORY 1 OR CATEGORY 3 SLOT MACHINE LICENSE ISSUED  
17 AFTER JUNE 1, 2010, THAT SUBMITS A PETITION FOR A TABLE GAME  
18 OPERATION CERTIFICATE SHALL PAY A ONE-TIME NONREFUNDABLE  
19 AUTHORIZATION FEE IN THE AMOUNT OF \$16,500,000 OR \$7,500,000,  
20 RESPECTIVELY.

21 (4) A TABLE GAME OPERATION CERTIFICATE SHALL NOT BE  
22 SUBJECT TO RENEWAL OR PAYMENT OF AN ADDITIONAL AUTHORIZATION  
23 FEE.

24 (B) PAYMENT OF FEE.--A SLOT MACHINE LICENSEE THAT SUBMITS A  
25 PETITION ON OR BEFORE JUNE 1, 2010, SHALL PAY THE REQUIRED  
26 AUTHORIZATION FEE ON OR BEFORE JUNE 1, 2010. THE BOARD MAY ALLOW  
27 THE FEE TO BE PAID IN INSTALLMENTS, PROVIDED ALL INSTALLMENTS  
28 ARE PAID ON OR BEFORE JUNE 1, 2010. IN THAT EVENT, THE BOARD AND  
29 THE SLOT MACHINE LICENSEE SHALL ENTER INTO A WRITTEN AGREEMENT  
30 SETTING FORTH THE TERMS OF PAYMENT.

1 (C) FAILURE TO PAY BY DEADLINE.--IF A PETITIONER OR  
2 CERTIFICATE HOLDER FAILS TO PAY THE REQUIRED AUTHORIZATION FEE  
3 IN FULL BY JUNE 1, 2010, THE BOARD SHALL IMPOSE A PENALTY AND  
4 MAY GRANT THE PETITIONER OR CERTIFICATE HOLDER UP TO A SIX-MONTH  
5 EXTENSION TO PAY THE AUTHORIZATION FEE OR ANY REMAINING PORTION  
6 OF THE AUTHORIZATION FEE AND THE PENALTY. THE BOARD SHALL  
7 REQUIRE THE PETITIONER OR CERTIFICATE HOLDER TO MAKE WEEKLY  
8 PAYMENTS UNTIL THE FEE AND PENALTY ARE PAID IN FULL.

9 (D) SUSPENSION OF CERTIFICATE.--THE BOARD SHALL SUSPEND THE  
10 TABLE GAME OPERATION CERTIFICATE IF THE CERTIFICATE HOLDER FAILS  
11 TO PAY THE TOTAL AUTHORIZATION FEE AND THE PENALTY PRIOR TO THE  
12 EXPIRATION OF AN EXTENSION PERIOD GRANTED UNDER SUBSECTION (C).  
13 THE SUSPENSION SHALL REMAIN IN EFFECT UNTIL FINAL PAYMENT IS  
14 MADE.

15 (E) (RESERVED).

16 (F) DEPOSIT OF FEES.--NOTWITHSTANDING SECTION 1208 (RELATING  
17 TO COLLECTION OF FEES AND FINES), ALL TABLE GAME AUTHORIZATION  
18 FEES OR PENALTIES RECEIVED BY THE BOARD UNDER THIS SUBCHAPTER;  
19 ALL TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT MANUFACTURER AND  
20 SUPPLIER LICENSE FEES; ALL TABLE GAME DEVICE OR ASSOCIATED  
21 EQUIPMENT MANUFACTURER AND SUPPLIER RENEWAL FEES; AND FEES FOR  
22 LICENSES ISSUED UNDER CHAPTER 16 (RELATING TO JUNKETS) SHALL BE  
23 DEPOSITED IN THE GENERAL FUND.

24 § 1362A. TABLE GAME TAXES.

25 (A) IMPOSITION.--

26 (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3), EACH  
27 CERTIFICATE HOLDER SHALL REPORT TO THE DEPARTMENT AND PAY  
28 FROM ITS DAILY GROSS TABLE GAME REVENUE, ON A FORM AND IN THE  
29 MANNER PRESCRIBED BY THE DEPARTMENT, A TAX OF 12% OF ITS  
30 DAILY GROSS TABLE GAME REVENUE.

1           (2) IN ADDITION TO THE TAX PAYABLE UNDER PARAGRAPH (1),  
2 EACH CERTIFICATE HOLDER SHALL REPORT TO THE DEPARTMENT AND  
3 PAY FROM ITS DAILY GROSS TABLE GAME REVENUE, ON A FORM AND IN  
4 THE MANNER PRESCRIBED BY THE DEPARTMENT, A TAX OF 34% OF ITS  
5 DAILY GROSS TABLE GAME REVENUE FROM EACH TABLE GAME PLAYED ON  
6 A FULLY AUTOMATIC ELECTRONIC GAMING TABLE.

7           (3) UNTIL JULY 1, 2011, THE TAX REPORTED AND PAYABLE  
8 UNDER PARAGRAPH (1) SHALL BE 14% OF DAILY GROSS TABLE GAME  
9 REVENUE.

10 (B) DEPOSITS AND DISTRIBUTIONS.--

11           (1) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE  
12 PAYABLE TO THE DEPARTMENT ON A WEEKLY BASIS AND SHALL BE  
13 BASED UPON GROSS TABLE GAME REVENUE DERIVED DURING THE  
14 PREVIOUS WEEK.

15           (2) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS  
16 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE  
17 CERTIFICATE HOLDER UNTIL THE FUNDS ARE PAID TO THE  
18 DEPARTMENT. UNLESS OTHERWISE AGREED TO BY THE BOARD, A  
19 CERTIFICATE HOLDER SHALL ESTABLISH A SEPARATE BANK ACCOUNT  
20 INTO WHICH GROSS TABLE GAME REVENUE SHALL BE DEPOSITED AND  
21 MAINTAINED UNTIL SUCH TIME AS THE FUNDS ARE PAID TO THE  
22 DEPARTMENT UNDER THIS SECTION OR PAID INTO THE FUND UNDER  
23 SECTION 1363A(A) (RELATING TO LOCAL SHARE ASSESSMENT).

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

26 (C) DEPOSITS FOR PROPERTY TAX RELIEF.--IF, ON THE LAST DAY  
27 OF A FISCAL YEAR THE BALANCE OF THE BUDGET STABILIZATION RESERVE  
28 FUND ESTABLISHED PURSUANT TO SECTION 1701-A OF THE ACT OF APRIL  
29 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, EXCEEDS  
30 \$750,000,000, AS CERTIFIED BY THE SECRETARY OF THE BUDGET, THE

1 DEPOSITS MADE INTO THE GENERAL FUND PURSUANT TO SUBSECTION (A)  
2 SHALL CEASE AND THEREAFTER BE DEPOSITED INTO THE PROPERTY TAX  
3 RELIEF FUND ESTABLISHED PURSUANT TO 4 PA.C.S. § 1409 (RELATING  
4 TO PROPERTY TAX RELIEF FUND).  
5 § 1363A. LOCAL SHARE ASSESSMENT.

6 (A) REQUIRED PAYMENT.--IN ADDITION TO THE TAX IMPOSED UNDER  
7 SECTION 1362A (RELATING TO TABLE GAME TAXES), EACH CERTIFICATE  
8 HOLDER SHALL PAY ON A WEEKLY BASIS AND ON A FORM AND IN A MANNER  
9 PRESCRIBED BY THE DEPARTMENT A LOCAL SHARE ASSESSMENT INTO A  
10 RESTRICTED RECEIPTS ACCOUNT ESTABLISHED WITHIN THE FUND. ALL  
11 FUNDS OWED TO A COUNTY OR MUNICIPALITY UNDER THIS SECTION SHALL  
12 BE HELD IN TRUST BY THE CERTIFICATE HOLDER UNTIL THE FUNDS ARE  
13 PAID INTO THE ACCOUNT. FUNDS IN THE ACCOUNT ARE HEREBY  
14 APPROPRIATED TO THE DEPARTMENT ON A CONTINUING BASIS FOR THE  
15 PURPOSES SET FORTH IN THIS SECTION.

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 (1) IF THE LICENSED FACILITY IS A CATEGORY 1 LICENSED  
23 FACILITY LOCATED AT A HARNESS RACETRACK AND THE COUNTY,  
24 INCLUDING A HOME RULE COUNTY, IN WHICH THE LICENSED FACILITY  
25 IS LOCATED IS:

26 (I) A COUNTY OF THE THIRD CLASS: 50% OF THE  
27 LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE ADDED  
28 TO AND DISTRIBUTED WITH THE FUNDS DISTRIBUTED UNDER  
29 SECTION 1403(C)(2)(I)(D) (RELATING TO ESTABLISHMENT OF  
30 STATE GAMING FUND AND NET SLOT MACHINE REVENUE

1 DISTRIBUTION).

2 (II) A COUNTY OF THE SECOND CLASS A: 50% OF THE  
3 LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE  
4 DISTRIBUTED TO THE COUNTY.

5 (III) A COUNTY OF THE FOURTH CLASS: 50% OF THE  
6 LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE ADDED  
7 TO THE FUNDS IN THE RESTRICTED RECEIPTS ACCOUNT  
8 ESTABLISHED PURSUANT TO SECTION 1403(C) (2) (I) (E) FOR  
9 DISTRIBUTION WITH THOSE FUNDS.

10 (IV) A COUNTY OF THE FIFTH CLASS: 50% OF THE  
11 LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE ADDED  
12 TO THE FUNDS IN THE RESTRICTED RECEIPTS ACCOUNT  
13 ESTABLISHED PURSUANT TO SECTION 1403(C) (2) (I) (F) FOR  
14 DISTRIBUTION WITH THOSE FUNDS.

15 (2) IF THE FACILITY IS A CATEGORY 1 LICENSED FACILITY  
16 THAT IS LOCATED AT A THOROUGHBRED RACETRACK AND THE COUNTY IN  
17 WHICH THE LICENSED FACILITY IS LOCATED IS:

18 (I) A COUNTY OF THE SECOND CLASS A: 50% OF THE  
19 LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE  
20 DISTRIBUTED TO THE COUNTY TO BE FURTHER DISTRIBUTED AS  
21 GRANTS TO A NONPROFIT HOSPITAL IN A FIRST CLASS TOWNSHIP  
22 THAT IS CONTIGUOUS TO THE MUNICIPALITY IN WHICH THE  
23 LICENSED FACILITY IS LOCATED. IF THE NONPROFIT HOSPITAL  
24 CEASES TO EXIST, 50% OF THE LICENSED FACILITY'S LOCAL  
25 SHARE ASSESSMENT SHALL BE DISTRIBUTED TO THE COUNTY IN  
26 WHICH THE LICENSED FACILITY IS LOCATED.

27 (II) EXCEPT AS SET FORTH IN SUBPARAGRAPH (III), A  
28 COUNTY OF THE THIRD CLASS: 50% OF THE LICENSED  
29 FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE DISTRIBUTED TO  
30 THE COUNTY TO BE USED SOLELY TO FUND THE ESTABLISHMENT OF

1 A COUNTY VIOLENT CRIME TASK FORCE TO REDUCE GANG  
2 VIOLENCE, GUN TRAFFICKING AND VIOLENCE AND DRUG-RELATED  
3 CRIMES IN THE COUNTY. THE DISTRICT ATTORNEY SHALL  
4 APPOINT, DIRECT AND COORDINATE THE OPERATIONS AND  
5 PERSONNEL OF THE TASK FORCE.

6 (III) A COUNTY OF THE THIRD CLASS WHICH IS ALSO A  
7 HOME RULE COUNTY: 100% OF THE LICENSED FACILITY'S LOCAL  
8 SHARE ASSESSMENT SHALL BE DISTRIBUTED TO A COMMUNITY  
9 COLLEGE THAT IS ESTABLISHED IN THE COUNTY AFTER THE  
10 EFFECTIVE DATE OF THIS SUBPARAGRAPH AND PRIOR TO JANUARY  
11 1, 2014, TO BE USED BY THE COMMUNITY COLLEGE FOR  
12 ORGANIZATIONAL, ADMINISTRATIVE, OPERATING AND CAPITAL  
13 EXPENDITURES AND THE PAYMENT OF PRINCIPAL, INTEREST AND  
14 EXPENSES RELATED TO INDEBTEDNESS, SUBJECT TO THE  
15 FOLLOWING:

16 (A) UNTIL JANUARY 1, 2014, OR UNTIL A COMMUNITY  
17 COLLEGE IS ESTABLISHED AFTER THE EFFECTIVE DATE OF  
18 THIS SUBPARAGRAPH PRIOR TO JANUARY 1, 2014, WHICHEVER  
19 OCCURS FIRST, 100% OF THE LICENSED FACILITY'S LOCAL  
20 SHARE ASSESSMENT SHALL BE DISTRIBUTED TO THE COUNTY  
21 REDEVELOPMENT AUTHORITY TO BE DEPOSITED AND  
22 MAINTAINED BY THE COUNTY REDEVELOPMENT AUTHORITY IN A  
23 RESTRICTED RECEIPTS ACCOUNT. THE FUNDS MAY BE  
24 INVESTED BY THE COUNTY REDEVELOPMENT AUTHORITY AS  
25 PERMITTED BY LAW, AND ANY INTEREST EARNED ON THE  
26 FUNDS AND INVESTMENT INCOME DERIVED FROM THE FUNDS  
27 SHALL BE DEPOSITED INTO THE RESTRICTED RECEIPTS  
28 ACCOUNT. THE FUNDS IN THE RESTRICTED RECEIPTS ACCOUNT  
29 SHALL BE DISTRIBUTED AS PROVIDED IN CLAUSE (B) OR  
30 USED AS PROVIDED IN CLAUSE (C), AS APPLICABLE.

1           (B) IF A COMMUNITY COLLEGE IS ESTABLISHED IN THE  
2           COUNTY FOLLOWING THE EFFECTIVE DATE OF THIS  
3           SUBPARAGRAPH AND PRIOR TO JANUARY 1, 2014, THE FUNDS  
4           IN THE RESTRICTED RECEIPTS ACCOUNT ESTABLISHED UNDER  
5           CLAUSE (A) SHALL BE DISTRIBUTED IN THEIR ENTIRETY BY  
6           THE COUNTY REDEVELOPMENT AUTHORITY TO THE COMMUNITY  
7           COLLEGE NO LATER THAN 60 DAYS FOLLOWING THE DATE OF  
8           THE ESTABLISHMENT OF THE COMMUNITY COLLEGE.

9           (C) IF A COMMUNITY COLLEGE IS NOT ESTABLISHED IN  
10          THE COUNTY FOLLOWING THE EFFECTIVE DATE OF THIS  
11          SUBPARAGRAPH AND PRIOR TO JANUARY 1, 2014, BEGINNING  
12          JANUARY 1, 2014, 100% OF THE LICENSED FACILITY'S  
13          LOCAL SHARE ASSESSMENT SHALL BE DISTRIBUTED TO THE  
14          COUNTY REDEVELOPMENT AUTHORITY TO BE DEPOSITED INTO  
15          THE RESTRICTED RECEIPTS ACCOUNT ESTABLISHED UNDER  
16          CLAUSE (A) AND ALL FUNDS IN THE RESTRICTED RECEIPTS  
17          ACCOUNT SHALL BE USED BY THE COUNTY REDEVELOPMENT  
18          AUTHORITY FOR A REVOLVING LOAN PROGRAM AVAILABLE TO  
19          MUNICIPALITIES WITHIN THE COUNTY FOR INFRASTRUCTURE  
20          PROJECTS, INCLUDING, BUT NOT LIMITED TO, WATER,  
21          SEWER, STORM WATER MANAGEMENT, FLOOD CONTROL, ROADS,  
22          BROADBAND INTERNET ACCESS, SITE REMEDIATION AND  
23          PUBLIC UTILITY INFRASTRUCTURE IN AREAS OTHER THAN A  
24          PUBLIC UTILITY'S OWN FACILITIES. THE COUNTY  
25          REDEVELOPMENT AUTHORITY MAY USE FUNDS FROM THE  
26          REVOLVING LOAN PROGRAM FOR EXPENSES RELATED TO THE  
27          COST TO ADMINISTER THE REVOLVING LOAN PROGRAM IN AN  
28          AMOUNT NOT IN EXCESS OF 0.5% OF THE REVOLVING LOAN  
29          PROGRAM PORTFOLIO IN A GIVEN CALENDAR YEAR. A  
30          MUNICIPALITY MAY NOT USE FUNDS RECEIVED UNDER THE

1 REVOLVING LOAN PROGRAM FOR GENERAL BUDGET OR  
2 OPERATING EXPENSES. THE COUNTY REDEVELOPMENT  
3 AUTHORITY SHALL DEVELOP LOAN PROGRAM CRITERIA AND  
4 GUIDELINES CONSISTENT WITH THE PROVISIONS OF THIS  
5 CLAUSE.

6 (D) FOR PURPOSES OF THIS SUBPARAGRAPH, A  
7 COMMUNITY COLLEGE SHALL BE CONSIDERED TO BE  
8 ESTABLISHED ON THE DATE ON WHICH THE PROPOSED  
9 COMMUNITY COLLEGE PLAN IS APPROVED BY THE STATE BOARD  
10 OF EDUCATION WITHIN THE MEANING OF SECTION 1903-A(C)  
11 OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN  
12 AS THE PUBLIC SCHOOL CODE OF 1949, NOTWITHSTANDING  
13 THE FACT THAT A BOARD OF TRUSTEES OF THE COMMUNITY  
14 COLLEGE MAY NOT HAVE YET BEEN APPOINTED BY THE  
15 GOVERNING BODIES OF THE LOCAL SPONSOR OF THE  
16 COMMUNITY COLLEGE.

17 (3) IF THE FACILITY IS A CATEGORY 2 LICENSED FACILITY  
18 AND IF THE COUNTY IN WHICH THE LICENSED FACILITY IS LOCATED  
19 IS:

20 (I) A COUNTY OF THE FIRST CLASS: 100% OF THE  
21 LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE ADDED  
22 TO AND DISTRIBUTED WITH THE FUNDS DISTRIBUTED UNDER  
23 SECTION 1403(C)(2)(III)(A).

24 (II) A COUNTY OF THE SECOND CLASS: 50% OF THE  
25 LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE  
26 DISTRIBUTED AS FOLLOWS:

27 (A) EIGHTY-FIVE PERCENT SHALL BE DEPOSITED INTO  
28 A RESTRICTED RECEIPTS ACCOUNT TO BE ESTABLISHED IN  
29 THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION PURSUANT  
30 TO THE ACT OF JUNE 14, 1961 (P.L.324, NO.188), KNOWN

1 AS THE LIBRARY CODE, FOR GRANTS TO AN ESTABLISHED  
2 LIBRARY SYSTEM IN THE COUNTY BUT OUTSIDE A CITY OF  
3 THE SECOND CLASS. FUNDS MADE AVAILABLE UNDER THIS  
4 CLAUSE SHALL BE IN ADDITION TO ANY FUNDING PROVIDED  
5 TO SUCH LIBRARIES PURSUANT TO THE ACT OF APRIL 9,  
6 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE; THE  
7 PUBLIC SCHOOL CODE OF 1949; AND THE LIBRARY CODE.  
8 NOTWITHSTANDING THE LIBRARY CODE, IN MAKING  
9 DISTRIBUTIONS FROM FUNDS MADE AVAILABLE UNDER THIS  
10 CLAUSE, THE LIBRARY SYSTEM SHALL DISTRIBUTE THE FUNDS  
11 AS FOLLOWS:

12 (I) AT LEAST 80% SHALL BE DISTRIBUTED TO  
13 LIBRARIES IN THE LIBRARY SYSTEM IN THE COUNTY BUT  
14 OUTSIDE A CITY OF THE SECOND CLASS ON A PER  
15 CAPITA BASIS OF THE POPULATION OF THE COUNTY  
16 BASED ON THE MOST RECENT DECENNIAL CENSUS  
17 EXCLUDING A CITY OF THE SECOND CLASS.

18 (II) AT LEAST 15% BUT NOT MORE THAN 20%  
19 SHALL BE DISTRIBUTED TO LIBRARIES IN THE LIBRARY  
20 SYSTEM IN EACH CITY, BOROUGH, TOWN OR TOWNSHIP IN  
21 THE COUNTY OUTSIDE A CITY OF THE SECOND CLASS,  
22 WHICH HAS A MARKET VALUE PER CAPITA BELOW THE  
23 FIFTH PERCENTILE OF ALL CITIES, BOROUGH, TOWNS  
24 OR TOWNSHIPS, WITH COMPARABLE CLASSIFICATIONS.  
25 THE MARKET VALUE PER CAPITA AND PERCENTILES UNDER  
26 THIS SUBCLAUSE SHALL BE AS DETERMINED ANNUALLY BY  
27 THE STATE TAX EQUALIZATION BOARD.

28 (III) NOT MORE THAN 5% MAY BE USED TO DEFRAY  
29 THE REASONABLE AND NECESSARY ADMINISTRATIVE COSTS  
30 OF THE LIBRARY SYSTEM IN ADMINISTERING THE FUNDS,

1 AS DETERMINED BY THE DEPARTMENT OF EDUCATION.

2 (IV) IF, AFTER THE DISTRIBUTION AND USE  
3 UNDER SUBCLAUSES (I), (II) AND (III), FUNDS ARE  
4 STILL AVAILABLE FOR DISTRIBUTION UNDER THIS  
5 CLAUSE, THOSE FUNDS SHALL BE SHALL BE DISTRIBUTED  
6 TO LIBRARIES IN THE LIBRARY SYSTEM IN THE COUNTY  
7 BUT OUTSIDE A CITY OF THE SECOND CLASS ON A PER  
8 CAPITA BASIS OF THE POPULATION OF THE COUNTY  
9 BASED ON THE MOST RECENT DECENNIAL CENSUS  
10 EXCLUDING A CITY OF THE SECOND CLASS.

11 (B) FIFTEEN PERCENT TO A RECOGNIZED TOURIST  
12 PROMOTION AGENCY THAT IS ESTABLISHED BY A HOME RULE  
13 MUNICIPALITY THAT WAS FORMERLY A TOWNSHIP OR BOROUGH  
14 LOCATED IN THE COUNTY PURSUANT TO THE ACT OF JULY 4,  
15 2008 (P.L.621, NO.50), KNOWN AS THE TOURIST PROMOTION  
16 ACT, AND RECOGNIZED BY THE DEPARTMENT OF COMMUNITY  
17 AND ECONOMIC DEVELOPMENT AND THE HOME RULE  
18 MUNICIPALITY.

19 (III) A COUNTY OF THE THIRD CLASS WHERE A CITY OF  
20 THE THIRD CLASS HOSTING THE LICENSED FACILITY IS LOCATED  
21 IN TWO COUNTIES OF THE THIRD CLASS: 50% OF THE LICENSED  
22 FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE DISTRIBUTED AS  
23 FOLLOWS:

24 (A) SIXTY PERCENT TO THE COUNTY IN WHICH THE  
25 LICENSED FACILITY IS LOCATED FOR ECONOMIC DEVELOPMENT  
26 PROJECTS, COMMUNITY IMPROVEMENT PROJECTS AND OTHER  
27 PROJECTS IN THE PUBLIC INTEREST WITHIN THE COUNTY.

28 (B) TWENTY PERCENT TO THE NONHOST CITY OF THE  
29 THIRD CLASS IN THE COUNTY IN WHICH THE LICENSED  
30 FACILITY IS LOCATED.

1                   (C) TWENTY PERCENT TO THE NONHOST COUNTY IN  
2                   WHICH THE HOST CITY IS LOCATED, OF WHICH 50% SHALL BE  
3                   USED SOLELY FOR GRANTS TO MUNICIPALITIES THAT ARE  
4                   CONTIGUOUS TO THE HOST CITY FOR ECONOMIC DEVELOPMENT  
5                   PROJECTS, COMMUNITY IMPROVEMENT PROJECTS AND OTHER  
6                   PROJECTS IN THE PUBLIC INTEREST.

7                   (IV) A COUNTY OF THE FIFTH CLASS: 50% OF THE  
8                   LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE  
9                   DISTRIBUTED AS FOLLOWS:

10                   (A) FIFTY PERCENT SHALL BE ADDED TO THE FUNDS IN  
11                   THE RESTRICTED RECEIPTS ACCOUNT ESTABLISHED PURSUANT  
12                   TO SECTION 1403(C) (2) (III) (F) (I) FOR DISTRIBUTION  
13                   WITH THOSE FUNDS.

14                   (B) FIFTY PERCENT SHALL BE TRANSFERRED TO THE  
15                   PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY FOR  
16                   DEPOSIT INTO A RESTRICTED RECEIPTS ACCOUNT TO BE USED  
17                   EXCLUSIVELY FOR GRANTS TO A SCHOOL OF MEDICINE  
18                   LOCATED IN A CITY OF THE SECOND CLASS A WITHIN A  
19                   COUNTY OF THE THIRD CLASS FOR OPERATING COSTS  
20                   ASSOCIATED WITH THE SCHOOL OF MEDICINE.

21                   (4) THE FOLLOWING APPLY:

22                   (I) IF THE FACILITY IS A CATEGORY 3 LICENSED  
23                   FACILITY LOCATED IN A COUNTY OF THE SECOND CLASS A: 50%  
24                   OF THE LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL  
25                   BE DEPOSITED INTO A RESTRICTED RECEIPTS ACCOUNT TO BE  
26                   ESTABLISHED IN THE COMMONWEALTH FINANCING AUTHORITY TO BE  
27                   USED EXCLUSIVELY FOR GRANTS OR GUARANTEES FOR PROJECTS IN  
28                   THE COUNTY THAT QUALIFY UNDER 64 PA.C.S. §§ 1551  
29                   (RELATING TO BUSINESS IN OUR SITES PROGRAM), 1556  
30                   (RELATING TO TAX INCREMENT FINANCING GUARANTEE PROGRAM)

1 AND 1558 (RELATING TO WATER SUPPLY AND WASTE WATER  
2 INFRASTRUCTURE PROGRAM) .

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

9 (5) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, IF  
10 THE FACILITY IS A CATEGORY 1 OR A CATEGORY 2 LICENSED  
11 FACILITY IN A COUNTY OF ANY CLASS: 50% OF THE LICENSED  
12 FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE DISTRIBUTED IN  
13 ACCORDANCE WITH SECTION 1403(C) BASED UPON THE CATEGORY AND  
14 TYPE OF LICENSED FACILITY AND THE CLASSIFICATION OF THE  
15 COUNTY WHERE THE LICENSED FACILITY IS LOCATED.

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

22 (1) IF THE LICENSED FACILITY IS A CATEGORY 2 LICENSED  
23 FACILITY AND IS LOCATED IN A CITY OF THE SECOND CLASS, 50% OF  
24 THE LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE  
25 DEPOSITED INTO A RESTRICTED RECEIPTS ACCOUNT TO BE  
26 ESTABLISHED IN THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION  
27 PURSUANT TO THE LIBRARY CODE FOR GRANTS TO AN ESTABLISHED  
28 LOCAL LIBRARY IN THE CITY FOR THE PURPOSE OF MAINTAINING THE  
29 LIBRARY BRANCH SYSTEM IN EXISTENCE ON JANUARY 1, 2011. FUNDS  
30 MADE AVAILABLE UNDER THIS CLAUSE SHALL BE IN ADDITION TO ANY

1 FUNDING PROVIDED TO SUCH LIBRARIES PURSUANT TO THE FISCAL  
2 CODE, THE PUBLIC SCHOOL CODE OF 1949 AND THE LIBRARY CODE. IF  
3 THE ESTABLISHED LOCAL LIBRARY IN THE CITY FAILS TO MAINTAIN  
4 THE LIBRARY BRANCH SYSTEM AS PROVIDED IN THIS PARAGRAPH, 50%  
5 OF THE LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE  
6 DISTRIBUTED TO THE CITY TO BE USED SOLELY TO FUND THE ACCRUED  
7 LIABILITY OF ALL PENSION PLANS MAINTAINED BY THE CITY.

8 (2) IF THE LICENSED FACILITY IS A CATEGORY 1 LICENSED  
9 FACILITY LOCATED AT A HARNESS RACETRACK IN A CITY OF THE  
10 THIRD CLASS, 50% OF THE LICENSED FACILITY'S LOCAL SHARE  
11 ASSESSMENT SHALL BE DISTRIBUTED TO THE CITY SOLELY FOR THE  
12 PURPOSE OF BECOMING AND REMAINING A MEMBER OR LOCAL SPONSOR  
13 OF A COMMUNITY COLLEGE ON BEHALF OF ALL STUDENTS IN THE  
14 SCHOOL DISTRICT. IF IN ANY YEAR THE AMOUNT DISTRIBUTABLE OR  
15 RECEIVED UNDER THIS PARAGRAPH EXCEEDS THE AMOUNT NECESSARY  
16 FOR THE CITY TO BECOME OR REMAIN A MEMBER OR LOCAL SPONSOR,  
17 THE EXCESS SHALL BE DISTRIBUTED TO, OR RETAINED BY, THE CITY  
18 AND MAY BE USED FOR ANY LAWFUL PURPOSE.

19 (3) IF A LICENSED FACILITY IS A CATEGORY 2 FACILITY AND  
20 IS LOCATED IN A CITY OF THE THIRD CLASS AND THE CITY IS  
21 LOCATED IN MORE THAN ONE COUNTY OF THE THIRD CLASS, 50% OF  
22 THE LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE  
23 DISTRIBUTED AS FOLLOWS:

24 (I) 50% TO THE HOST CITY;

25 (II) 20% TO A CITY OF THE THIRD CLASS LOCATED SOLELY  
26 IN THE NONHOST COUNTY IN WHICH THE HOST CITY OF THE THIRD  
27 CLASS IS ALSO LOCATED; AND

28 (III) 30% TO A NONHOST CITY OF THE THIRD CLASS  
29 LOCATED SOLELY IN THE HOST COUNTY.

30 (4) IF THE LICENSED FACILITY IS A CATEGORY 1 LICENSED

1 FACILITY LOCATED AT A HARNESS RACETRACK IN A TOWNSHIP OF THE  
2 FIRST CLASS, 50% OF THE LICENSED FACILITY'S LOCAL SHARE  
3 ASSESSMENT SHALL BE DISTRIBUTED TO THE TOWNSHIP, SUBJECT,  
4 HOWEVER, TO THE BUDGETARY LIMITATION IN THIS PARAGRAPH. THE  
5 AMOUNT DISTRIBUTED TO THE TOWNSHIP SHALL NOT EXCEED 50% OF  
6 THE TOWNSHIP'S TOTAL BUDGET FOR FISCAL YEAR 2009, ADJUSTED  
7 FOR INFLATION IN SUBSEQUENT YEARS BY AN AMOUNT NOT TO EXCEED  
8 AN ANNUAL COST-OF-LIVING ADJUSTMENT CALCULATED BY APPLYING  
9 THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX IMMEDIATELY  
10 PRIOR TO THE DATE THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY  
11 FUNDS NOT DISTRIBUTED TO THE TOWNSHIP BECAUSE OF THE  
12 BUDGETARY LIMITATION SHALL BE DISTRIBUTED IN ACCORDANCE WITH  
13 SUBSECTION (B) BASED UPON THE CLASSIFICATION OF THE COUNTY  
14 WHERE THE LICENSED FACILITY IS LOCATED.

15 (5) THE FOLLOWING APPLY:

16 (I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND  
17 (III), IF THE LICENSED FACILITY IS A CATEGORY 1 OR  
18 CATEGORY 2 LICENSED FACILITY AND IS LOCATED IN A TOWNSHIP  
19 OF THE SECOND CLASS, 50% OF THE LICENSED FACILITY'S LOCAL  
20 SHARE ASSESSMENT SHALL BE DISTRIBUTED TO THE TOWNSHIP,  
21 SUBJECT, HOWEVER, TO THE BUDGETARY LIMITATION IN THIS  
22 SUBPARAGRAPH. THE AMOUNT DISTRIBUTED TO THE TOWNSHIP  
23 SHALL NOT EXCEED 50% OF THE TOWNSHIP'S TOTAL BUDGET FOR  
24 FISCAL YEAR 2009, ADJUSTED FOR INFLATION IN SUBSEQUENT  
25 YEARS BY AN AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING  
26 ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE CHANGE  
27 IN THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR TO THE DATE  
28 THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY FUNDS NOT  
29 DISTRIBUTED TO THE TOWNSHIP BECAUSE OF THE BUDGETARY  
30 LIMITATION SHALL BE DISTRIBUTED IN ACCORDANCE WITH

1 SUBSECTION (B) BASED UPON THE CLASSIFICATION OF COUNTY  
2 WHERE THE LICENSED FACILITY IS LOCATED. NO FUNDS SHALL BE  
3 DISTRIBUTED UNDER THIS SUBPARAGRAPH TO A TOWNSHIP OF THE  
4 SECOND CLASS LOCATED IN A COUNTY OF THE THIRD CLASS  
5 RECEIVING ANY FUNDS UNDER SUBSECTION (B) (2) (III).

6 (II) IF THE LICENSED FACILITY IS A CATEGORY 1  
7 LICENSED FACILITY LOCATED AT A THOROUGHBRED RACETRACK IN  
8 A TOWNSHIP OF THE SECOND CLASS IN A COUNTY OF THE SECOND  
9 CLASS A, 50% OF THE LICENSED FACILITY'S LOCAL SHARE  
10 ASSESSMENT SHALL BE DISTRIBUTED TO THE RECREATION  
11 DEPARTMENT OF THE TOWNSHIP OF THE SECOND CLASS TO SUPPORT  
12 YOUTH ATHLETICS, SUBJECT, HOWEVER, TO THE BUDGETARY  
13 LIMITATION IN THIS SUBPARAGRAPH. THE AMOUNT DISTRIBUTED  
14 SHALL NOT EXCEED 50% OF THE DEPARTMENT'S TOTAL BUDGET FOR  
15 FISCAL YEAR 2009, ADJUSTED FOR INFLATION IN SUBSEQUENT  
16 YEARS BY AN AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING  
17 ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE CHANGE  
18 IN THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR TO THE DATE  
19 THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY FUNDS NOT  
20 DISTRIBUTED TO THE RECREATION DEPARTMENT BECAUSE OF THE  
21 BUDGETARY LIMITATION SHALL BE DISTRIBUTED IN ACCORDANCE  
22 WITH SUBSECTION (B) BASED UPON THE CLASSIFICATION OF  
23 COUNTY WHERE THE LICENSED FACILITY IS LOCATED.

24 (III) IF THE LICENSED FACILITY IS A CATEGORY 1  
25 LICENSED FACILITY LOCATED AT A THOROUGHBRED RACETRACK IN  
26 A TOWNSHIP OF THE SECOND CLASS IN A COUNTY OF THE THIRD  
27 CLASS WITH A POPULATION OF NOT LESS THAN 200,000 BUT NOT  
28 MORE THAN 260,000 WHERE THE LICENSED FACILITY AND ALL  
29 ATTACHED OR CONTIGUOUS ACREAGE OWNED BY THE LICENSED  
30 FACILITY IS LOCATED IN MORE THAN ONE TOWNSHIP OF THE

1 SECOND CLASS, 50% OF THE LICENSED FACILITY'S LOCAL SHARE  
2 ASSESSMENT SHALL BE DISTRIBUTED AS FOLLOWS:

3 (A) \$120,000 OF THE LICENSED FACILITY'S LOCAL  
4 SHARE ASSESSMENT SHALL BE DISTRIBUTED ANNUALLY TO  
5 EACH SUCH TOWNSHIP OF THE SECOND CLASS; AND

6 (B) REMAINING FUNDS SHALL BE ADDED TO AND  
7 DISTRIBUTED WITH THE FUNDS DISTRIBUTED TO THE COUNTY  
8 UNDER SUBSECTION (B) (2) (II).

9 (6) THE FOLLOWING APPLY:

10 (I) IF THE LICENSED FACILITY IS A CATEGORY 3  
11 LICENSED FACILITY AND IS LOCATED IN A BOROUGH IN A COUNTY  
12 OF THE THIRD CLASS AND THE BOROUGH IS CONTIGUOUS TO A  
13 CITY OF THE THIRD CLASS:

14 (A) FIFTY PERCENT OF THE LICENSED FACILITY'S  
15 LOCAL SHARE ASSESSMENT SHALL BE DISTRIBUTED TO THE  
16 HOST BOROUGH, SUBJECT TO CLAUSE (C).

17 (B) FIFTY PERCENT OF THE LICENSED FACILITY'S  
18 LOCAL SHARE ASSESSMENT SHALL BE DISTRIBUTED TO THE  
19 CITY OF THE THIRD CLASS THAT IS CONTIGUOUS TO THE  
20 HOST BOROUGH, SUBJECT TO CLAUSE (C).

21 (C) THE AMOUNT DISTRIBUTED TO THE BOROUGH OR THE  
22 CITY SHALL NOT EXCEED 50% OF THE BOROUGH'S OR THE  
23 CITY'S TOTAL BUDGET FOR FISCAL YEAR 2009, ADJUSTED  
24 FOR INFLATION IN SUBSEQUENT YEARS BY AN AMOUNT NOT TO  
25 EXCEED AN ANNUAL COST-OF-LIVING ADJUSTMENT CALCULATED  
26 BY APPLYING THE PERCENTAGE CHANGE IN THE CONSUMER  
27 PRICE INDEX IMMEDIATELY PRIOR TO THE DATE THE  
28 ADJUSTMENT IS DUE TO TAKE EFFECT. ANY FUNDS NOT  
29 DISTRIBUTED TO THE BOROUGH OR THE CITY BECAUSE OF THE  
30 BUDGETARY LIMITATION SHALL BE DISTRIBUTED IN

1           ACCORDANCE WITH SUBSECTION (B) BASED UPON THE  
2           CLASSIFICATION OF THE COUNTY WHERE THE LICENSED  
3           FACILITY IS LOCATED.

4           (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (I), IF THE  
5           LICENSED FACILITY IS A CATEGORY 3 LICENSED FACILITY AND  
6           IS LOCATED IN A MUNICIPALITY OF ANY CLASS, 50% OF THE  
7           LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE  
8           DISTRIBUTED TO THE MUNICIPALITY, SUBJECT, HOWEVER, TO THE  
9           BUDGETARY LIMITATION IN THIS SUBPARAGRAPH. THE AMOUNT  
10           DISTRIBUTED TO THE MUNICIPALITY SHALL NOT EXCEED 50% OF  
11           THE MUNICIPALITY'S TOTAL BUDGET FOR FISCAL YEAR 2009,  
12           ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS BY AN AMOUNT  
13           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 FUNDS NOT  
17           DISTRIBUTED TO THE MUNICIPALITY BECAUSE OF THE BUDGETARY  
18           LIMITATION SHALL BE DISTRIBUTED IN ACCORDANCE WITH  
19           SUBSECTION (B) BASED UPON THE CLASSIFICATION OF COUNTY  
20           WHERE THE LICENSED FACILITY IS LOCATED.

21           (7) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, IF  
22           THE FACILITY IS A CATEGORY 1 OR A CATEGORY 2 LICENSED  
23           FACILITY IN A MUNICIPALITY OF ANY CLASS, 50% OF THE LICENSED  
24           FACILITY'S LOCAL SHARE ASSESSMENT SHALL BE DISTRIBUTED TO THE  
25           MUNICIPALITY, SUBJECT, HOWEVER, TO THE BUDGETARY LIMITATION  
26           IN THIS PARAGRAPH. THE AMOUNT DISTRIBUTED TO THE MUNICIPALITY  
27           SHALL NOT EXCEED 50% OF THE MUNICIPALITY'S TOTAL BUDGET FOR  
28           FISCAL YEAR 2009 ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS  
29           BY AN AMOUNT NOT TO EXCEED THE ANNUAL COST-OF-LIVING  
30           ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE CHANGE IN

1 THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR TO THE DATE THE  
2 ADJUSTMENT IS DUE TO TAKE EFFECT. ANY FUNDS NOT DISTRIBUTED  
3 TO THE MUNICIPALITY BECAUSE OF THE BUDGETARY LIMITATION SHALL  
4 BE DISTRIBUTED IN ACCORDANCE WITH SUBSECTION (B) BASED UPON  
5 THE CLASSIFICATION OF COUNTY WHERE THE LICENSED FACILITY IS  
6 LOCATED.

7 (D) CONSTRUCTION.--THE FOLLOWING SHALL APPLY TO  
8 DISTRIBUTIONS PROVIDED FOR IN THIS SECTION:

9 (1) DISTRIBUTIONS TO COUNTIES SHALL BE BASED UPON COUNTY  
10 CLASSIFICATIONS IN EFFECT ON THE EFFECTIVE DATE OF THIS  
11 SECTION AND ANY RECLASSIFICATION OF A COUNTY AS A RESULT OF A  
12 FEDERAL DECENNIAL CENSUS OR PURSUANT TO AN ACT OF THE GENERAL  
13 ASSEMBLY SHALL NOT APPLY TO THIS SECTION UNLESS THE ACT OF  
14 THE GENERAL ASSEMBLY SPECIFICALLY PROVIDES OTHERWISE.

15 (2) DISTRIBUTIONS TO MUNICIPALITIES SHALL BE BASED UPON  
16 MUNICIPAL CLASSIFICATIONS IN EFFECT ON THE EFFECTIVE DATE OF  
17 THIS SECTION AND ANY RECLASSIFICATION OF A MUNICIPALITY AS A  
18 RESULT OF A FEDERAL DECENNIAL CENSUS OR PURSUANT TO AN ACT OF  
19 THE GENERAL ASSEMBLY SHALL NOT APPLY TO THIS SECTION UNLESS  
20 THE ACT OF THE GENERAL ASSEMBLY SPECIFICALLY PROVIDES  
21 OTHERWISE.

22 (E) MISCELLANEOUS PROVISIONS.--

23 (1) IF ANY PROVISION OF THIS SECTION IS FOUND TO BE  
24 UNENFORCEABLE FOR ANY REASON, THE DISTRIBUTION PROVIDED FOR  
25 IN SUCH UNENFORCEABLE PROVISION SHALL BE MADE TO THE  
26 MUNICIPALITY IN WHICH THE LICENSED FACILITY IS LOCATED.

27 (2) REFERENCES TO THE CONSUMER PRICE INDEX SHALL MEAN  
28 THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS FOR THE  
29 PENNSYLVANIA, NEW JERSEY, DELAWARE AND MARYLAND AREA FOR THE  
30 MOST RECENT 12-MONTH PERIOD FOR WHICH FIGURES HAVE BEEN

1 OFFICIALLY REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR,  
2 BUREAU OF LABOR STATISTICS.

3 (3) A PERSON OR ITS AFFILIATED ENTITY OR A POLITICAL  
4 SUBDIVISION MAY NOT COMPENSATE OR INCUR AN OBLIGATION TO  
5 COMPENSATE A PERSON TO ENGAGE IN LOBBYING FOR COMPENSATION  
6 CONTINGENT IN WHOLE OR IN PART UPON THE APPROVAL, AWARD,  
7 RECEIPT OR DENIAL OF FUNDS UNDER THIS SECTION. A PERSON OR  
8 ITS AFFILIATED ENTITY MAY NOT ENGAGE IN OR AGREE TO ENGAGE IN  
9 LOBBYING FOR COMPENSATION CONTINGENT IN WHOLE OR IN PART UPON  
10 THE APPROVAL, AWARD, RECEIPT OR DENIAL OF FUNDS UNDER THIS  
11 SECTION. A VIOLATION OF THIS PARAGRAPH SHALL BE CONSIDERED AN  
12 INTENTIONAL VIOLATION OF 65 PA.C.S. § 13A09(E) (RELATING TO  
13 PENALTIES). THIS PARAGRAPH SHALL NOT APPLY TO A COUNTY OR  
14 MUNICIPALITY THAT COMPENSATES A PERSON TO PREPARE A GRANT  
15 APPLICATION FOR FUNDS UNDER THIS SECTION IF ALL OF THE  
16 FOLLOWING REQUIREMENTS ARE MET:

17 (I) THE PERSON IS NOT IDENTIFIED IN THE APPLICATION.

18 (II) THE PERSON HAS NO DIRECT CONTACT WITH THE  
19 AGENCY, COUNTY OR MUNICIPALITY PROVIDING THE FUNDING.

20 (III) THE PERSON IS PAID A FIXED FEE OR PERCENTAGE  
21 OF THE AMOUNT OF ANY FUNDS APPROVED, AWARDED OR RECEIVED  
22 OF UP TO 0.5%.

23 (4) IN COOPERATION WITH THE DEPARTMENT, THE DEPARTMENT  
24 OF COMMUNITY AND ECONOMIC DEVELOPMENT, AND THE COMMONWEALTH  
25 FINANCING AUTHORITY, THE OFFICE OF THE BUDGET SHALL SUBMIT AN  
26 ANNUAL REPORT ON ALL DISTRIBUTIONS OF LOCAL SHARE ASSESSMENTS  
27 TO COUNTIES AND MUNICIPALITIES UNDER THIS SECTION TO THE  
28 CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS  
29 COMMITTEE OF THE SENATE, THE CHAIRMAN AND THE MINORITY  
30 CHAIRMAN OF THE COMMUNITY, ECONOMIC AND RECREATIONAL

1 DEVELOPMENT COMMITTEE OF THE SENATE, THE CHAIRMAN AND THE  
2 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE  
3 HOUSE OF REPRESENTATIVES AND THE CHAIRMAN AND MINORITY  
4 CHAIRMAN OF THE GAMING OVERSIGHT COMMITTEE OF THE HOUSE OF  
5 REPRESENTATIVES.

6 (5) ALL COUNTIES AND MUNICIPALITIES RECEIVING  
7 DISTRIBUTIONS OF LOCAL SHARE ASSESSMENTS UNDER THIS SECTION  
8 SHALL SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT OF COMMUNITY  
9 AND ECONOMIC DEVELOPMENT ON A FORM PREPARED BY THE DEPARTMENT  
10 OF COMMUNITY AND ECONOMIC DEVELOPMENT THAT SETS FORTH THE  
11 AMOUNT AND USE OF THE FUNDS RECEIVED FOR THE PRIOR CALENDAR  
12 YEAR. THE REPORT SHALL SET FORTH WHETHER THE FUNDS RECEIVED  
13 WERE DEPOSITED INTO THE COUNTY'S OR MUNICIPALITY'S GENERAL  
14 FUND OR COMMITTED TO A SPECIFIC PROJECT OR USE. THE REPORT  
15 SHALL BE SUBMITTED BY AUGUST 31, 2010, AND BY AUGUST 31 OF  
16 EACH YEAR THEREAFTER.

17 (F) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
18 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
19 SUBSECTION:

20 "COMMUNITY COLLEGE." THE TERM SHALL HAVE THE MEANING  
21 ASCRIED TO IT IN SECTION 1901-A(4) OF THE ACT OF MARCH 10, 1949  
22 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949.

23 "LOCAL SHARE ASSESSMENT." TWO PERCENT OF A CERTIFICATE  
24 HOLDER'S DAILY GROSS TABLE GAME REVENUE.

25 SECTION 11.2. SECTIONS 1401(B), 1402(A) AND 1402.1 OF TITLE  
26 4 ARE AMENDED TO READ:

27 § 1401. SLOT MACHINE LICENSEE DEPOSITS.

28 \* \* \*

29 (B) INITIAL DEPOSIT OF FUNDS.--NOT LATER THAN TWO BUSINESS  
30 DAYS PRIOR TO THE COMMENCEMENT OF SLOT MACHINE OPERATIONS BY A

1 SLOT MACHINE LICENSEE, [THE] A SLOT MACHINE LICENSEE SHALL  
2 DEPOSIT AND MAINTAIN THE [SUM OF \$5,000,000] FOLLOWING SUMS IN  
3 ITS ACCOUNT TO GUARANTEE THE PAYMENT OF FUNDS TO THE  
4 COMMONWEALTH UNDER THIS PART AND AS SECURITY FOR ITS OBLIGATIONS  
5 UNDER SECTION 1405 (RELATING TO PENNSYLVANIA RACE HORSE  
6 DEVELOPMENT FUND) [.]:

7 (1) FOR A CATEGORY 1 OR CATEGORY 2 SLOT MACHINE  
8 LICENSEE, \$1,500,000.

9 (2) FOR A CATEGORY 3 SLOT MACHINE LICENSEE, \$1,000,000.

10 NO ADDITIONAL MINIMUM DEPOSIT SHALL BE REQUIRED FROM A SLOT  
11 MACHINE LICENSEE IF A SLOT MACHINE LICENSEE IS GRANTED A TABLE  
12 GAME OPERATION CERTIFICATE UNDER CHAPTER 13A (RELATING TO TABLE  
13 GAMES).

14 \* \* \*

15 § 1402. GROSS TERMINAL REVENUE DEDUCTIONS.

16 (A) DEDUCTIONS.--AFTER DETERMINING THE APPROPRIATE  
17 ASSESSMENTS FOR EACH SLOT MACHINE LICENSEE, THE DEPARTMENT SHALL  
18 DETERMINE COSTS, EXPENSES OR PAYMENTS FROM EACH ACCOUNT  
19 ESTABLISHED UNDER SECTION 1401 (RELATING TO SLOT MACHINE  
20 LICENSEE DEPOSITS). THE FOLLOWING COSTS AND EXPENSES SHALL BE  
21 TRANSFERRED TO THE APPROPRIATE AGENCY UPON APPROPRIATION BY THE  
22 GENERAL ASSEMBLY:

23 (1) THE COSTS AND EXPENSES TO BE INCURRED BY THE  
24 DEPARTMENT IN ADMINISTERING THIS PART AT EACH SLOT MACHINE  
25 LICENSEE'S LICENSED FACILITY BASED UPON A BUDGET SUBMITTED BY  
26 THE DEPARTMENT [TO AND APPROVED BY THE BOARD] UNDER SECTION  
27 1402.1 (RELATING TO ITEMIZED BUDGET REPORTING).

28 (2) THE OTHER COSTS AND EXPENSES TO BE INCURRED BY THE  
29 DEPARTMENT IN ADMINISTERING THIS PART BASED UPON A BUDGET  
30 SUBMITTED BY THE DEPARTMENT [TO AND APPROVED BY THE BOARD]

1 UNDER SECTION 1402.1.

2 (3) SUMS NECESSARY TO REPAY ANY LOANS MADE BY THE  
3 GENERAL FUND TO THE DEPARTMENT IN CONNECTION WITH CARRYING  
4 OUT ITS RESPONSIBILITIES UNDER THIS PART, INCLUDING THE COSTS  
5 OF THE INITIAL ACQUISITION OF THE CENTRAL CONTROL COMPUTER  
6 AND ANY ACCESSORIES OR ASSOCIATED EQUIPMENT.

7 (4) THE COSTS AND EXPENSES TO BE INCURRED BY THE  
8 PENNSYLVANIA STATE POLICE AND THE OFFICE OF ATTORNEY GENERAL  
9 AND NOT OTHERWISE REIMBURSED UNDER THIS PART IN CARRYING OUT  
10 THEIR RESPECTIVE RESPONSIBILITIES UNDER THIS PART BASED UPON  
11 [A BUDGET] BUDGETS SUBMITTED BY THE PENNSYLVANIA STATE POLICE  
12 AND THE ATTORNEY GENERAL [TO AND APPROVED BY THE BOARD] UNDER  
13 SECTION 1402.1.

14 (5) SUMS NECESSARY TO REPAY ANY LOANS MADE BY THE  
15 GENERAL FUND TO THE PENNSYLVANIA STATE POLICE IN CONNECTION  
16 WITH CARRYING OUT ITS RESPONSIBILITIES UNDER THIS PART.

17 (6) THE COSTS AND EXPENSES TO BE INCURRED BY THE BOARD  
18 IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS PART BASED  
19 UPON A BUDGET [APPROVED] SUBMITTED BY THE BOARD UNDER SECTION  
20 1402.1.

21 (7) SUMS NECESSARY TO REPAY ANY LOANS MADE BY THE  
22 GENERAL FUND TO THE BOARD IN CONNECTION WITH CARRYING OUT ITS  
23 RESPONSIBILITIES UNDER THIS PART.

24 \* \* \*

25 § 1402.1. ITEMIZED BUDGET REPORTING.

26 (A) SUBMISSION.--THE BOARD, DEPARTMENT, PENNSYLVANIA STATE  
27 POLICE AND [THE] OFFICE OF ATTORNEY GENERAL SHALL PREPARE AND  
28 ANNUALLY SUBMIT TO THE CHAIRMAN OF THE APPROPRIATIONS COMMITTEE  
29 OF THE SENATE AND THE CHAIRMAN OF THE APPROPRIATIONS COMMITTEE  
30 OF THE HOUSE OF REPRESENTATIVES AN ITEMIZED BUDGET CONSISTING OF

1 AMOUNTS TO BE APPROPRIATED OUT OF THE ACCOUNTS ESTABLISHED UNDER  
2 SECTION 1401 (RELATING TO SLOT MACHINE LICENSEE DEPOSITS)  
3 NECESSARY TO ADMINISTER THIS PART. THE DEPARTMENT, PENNSYLVANIA  
4 STATE POLICE AND OFFICE OF ATTORNEY GENERAL SHALL PROVIDE COPIES  
5 OF THEIR ITEMIZED BUDGETS TO THE BOARD AT THE SAME TIME THEY ARE  
6 SUBMITTED TO THE CHAIRMEN OF THE COMMITTEES.

7 (B) ANALYSES AND RECOMMENDATIONS.--AS SOON AS PRACTICABLE  
8 AFTER RECEIVING COPIES OF THE ITEMIZED BUDGETS SUBMITTED UNDER  
9 SUBSECTION (A), THE BOARD SHALL PREPARE AND SUBMIT TO THE  
10 CHAIRMEN OF THE COMMITTEES ANALYSES OF, AND MAKE RECOMMENDATIONS  
11 REGARDING, THE ITEMIZED BUDGETS.

12 SECTION 11.3. SECTION 1403 (B), (C) (2) (I) (D), (E) AND (F),  
13 (III) (F) AND (IV) AND (3) (V) AND (VIII) OF TITLE 4 ARE AMENDED  
14 AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:  
15 § 1403. ESTABLISHMENT OF STATE GAMING FUND AND NET SLOT MACHINE  
16 REVENUE DISTRIBUTION.

17 \* \* \*

18 (B) SLOT MACHINE TAX.--[THE DEPARTMENT SHALL DETERMINE AND  
19 EACH] EACH SLOT MACHINE LICENSEE SHALL REPORT TO THE DEPARTMENT  
20 AND PAY ON A FORM AND IN A MANNER PRESCRIBED BY THE DEPARTMENT A  
21 DAILY TAX OF 34% FROM ITS DAILY GROSS TERMINAL REVENUE FROM THE  
22 SLOT MACHINES IN OPERATION AT ITS FACILITY AND A LOCAL SHARE  
23 ASSESSMENT AS PROVIDED IN SUBSECTION (C) [INTO THE FUND]. ALL  
24 FUNDS OWED TO THE COMMONWEALTH, A COUNTY OR A MUNICIPALITY UNDER  
25 THIS SECTION SHALL BE HELD IN TRUST BY THE LICENSED GAMING  
26 ENTITY FOR THE COMMONWEALTH, THE COUNTY AND THE MUNICIPALITY  
27 UNTIL THE FUNDS ARE PAID OR TRANSFERRED [AND DISTRIBUTED] TO THE  
28 FUND. UNLESS OTHERWISE AGREED TO BY THE [GAMING BOARD] BOARD, A  
29 LICENSED GAMING ENTITY SHALL ESTABLISH A SEPARATE BANK ACCOUNT  
30 TO MAINTAIN [GAMING PROCEEDS] GROSS TERMINAL REVENUE UNTIL SUCH

1 TIME AS [THEY] THE FUNDS ARE PAID OR TRANSFERRED UNDER THIS  
2 SECTION. MONEYS IN THE FUND ARE HEREBY APPROPRIATED TO THE  
3 DEPARTMENT ON A CONTINUING BASIS FOR THE PURPOSES SET FORTH IN  
4 SUBSECTION (C).

5 (C) TRANSFERS AND DISTRIBUTIONS.--THE DEPARTMENT SHALL:

6 \* \* \*

7 (2) FROM THE LOCAL SHARE ASSESSMENT ESTABLISHED IN  
8 SUBSECTION (B), MAKE QUARTERLY DISTRIBUTIONS AMONG THE  
9 COUNTIES HOSTING A LICENSED FACILITY IN ACCORDANCE WITH THE  
10 FOLLOWING SCHEDULE:

11 (I) IF THE LICENSED FACILITY IS A CATEGORY 1  
12 LICENSED FACILITY THAT IS LOCATED AT A HARNESS RACETRACK  
13 AND THE COUNTY, INCLUDING A HOME RULE COUNTY, IN WHICH  
14 THE LICENSED FACILITY IS LOCATED IS:

15 \* \* \*

16 (D) (I) A COUNTY OF THE THIRD CLASS: EXCEPT AS  
17 PROVIDED IN SUBCLAUSE (II), 2% OF THE GROSS  
18 TERMINAL REVENUE FROM EACH SUCH LICENSED FACILITY  
19 SHALL BE DEPOSITED INTO A RESTRICTED RECEIPTS  
20 ACCOUNT TO BE ESTABLISHED IN THE [DEPARTMENT OF  
21 COMMUNITY AND ECONOMIC DEVELOPMENT] COMMONWEALTH  
22 FINANCING AUTHORITY TO BE USED EXCLUSIVELY FOR  
23 GRANTS FOR [HEALTH, SAFETY AND ECONOMIC  
24 DEVELOPMENT PROJECTS] PROJECTS IN THE PUBLIC  
25 INTEREST TO MUNICIPALITIES WITHIN THE COUNTY  
26 WHERE THE LICENSED FACILITY IS LOCATED.  
27 [MUNICIPALITIES THAT ARE CONTIGUOUS TO THE  
28 MUNICIPALITY HOSTING SUCH LICENSED FACILITY SHALL  
29 BE GIVEN PRIORITY BY THE DEPARTMENT OF COMMUNITY  
30 AND ECONOMIC DEVELOPMENT IN THE AWARD OF SUCH

1 GRANTS.]

2 (I.1) PRIORITY SHALL BE GIVEN TO MULTIYEAR  
3 PROJECTS APPROVED OR AWARDED BY THE DEPARTMENT OF  
4 COMMUNITY AND ECONOMIC DEVELOPMENT UNDER  
5 SUBCLAUSE (I) ON OR BEFORE THE EFFECTIVE DATE OF  
6 THIS SUBCLAUSE.

7 (II) IF A LICENSED FACILITY IS LOCATED IN  
8 ONE OF TWO COUNTIES OF THE THIRD CLASS WHERE A  
9 CITY OF THE THIRD CLASS IS LOCATED IN BOTH  
10 COUNTIES OF THE THIRD CLASS, THE COUNTY IN WHICH  
11 THE LICENSED FACILITY IS LOCATED SHALL RECEIVE  
12 1.2% OF THE GROSS TERMINAL REVENUE TO BE  
13 DISTRIBUTED AS FOLLOWS: 20% TO THE HOST CITY,  
14 30% TO THE HOST COUNTY AND 50% TO THE HOST COUNTY  
15 FOR THE PURPOSE OF MAKING MUNICIPAL GRANTS WITHIN  
16 THE COUNTY, WITH PRIORITY GIVEN TO MUNICIPALITIES  
17 CONTIGUOUS TO THE HOST CITY. THE COUNTY OF THE  
18 THIRD CLASS, WHICH INCLUDES A CITY OF THE THIRD  
19 CLASS THAT IS LOCATED IN TWO COUNTIES OF THE  
20 THIRD CLASS AND IS NOT THE HOST COUNTY FOR THE  
21 LICENSED FACILITY, SHALL RECEIVE .8% OF THE GROSS  
22 TERMINAL REVENUE TO BE DISTRIBUTED AS FOLLOWS:  
23 60% TO A NONHOST CITY OF THE THIRD CLASS LOCATED  
24 SOLELY IN THE NONHOST COUNTY IN WHICH THE HOST  
25 CITY OF THE THIRD CLASS IS ALSO LOCATED OR 60% TO  
26 THE NONHOST CITY OF THE THIRD CLASS LOCATED BOTH  
27 IN THE HOST AND NONHOST COUNTIES OF THE THIRD  
28 CLASS, 35% TO THE NONHOST COUNTY AND 5% TO THE  
29 NONHOST COUNTY FOR THE PURPOSE OF MAKING  
30 MUNICIPAL GRANTS WITHIN THE COUNTY.

1 (E) A COUNTY OF THE FOURTH CLASS: 2% OF THE  
2 GROSS TERMINAL REVENUE FROM EACH SUCH LICENSED  
3 FACILITY SHALL BE DISTRIBUTED AS FOLLOWS:

4 (I) THE DEPARTMENT SHALL MAKE DISTRIBUTIONS  
5 DIRECTLY TO EACH MUNICIPALITY WITHIN THE COUNTY,  
6 EXCEPT THE HOST MUNICIPALITY, BY USING A FORMULA  
7 EQUAL TO THE SUM OF \$25,000 PLUS \$10 PER RESIDENT  
8 OF THE MUNICIPALITY USING THE MOST RECENT  
9 POPULATION FIGURES PROVIDED BY THE DEPARTMENT OF  
10 COMMUNITY AND ECONOMIC DEVELOPMENT, PROVIDED,  
11 HOWEVER, THAT THE AMOUNT SO DISTRIBUTED TO ANY  
12 MUNICIPALITY SHALL NOT EXCEED 50% OF ITS TOTAL  
13 BUDGET FOR FISCAL YEAR 2009, ADJUSTED FOR  
14 INFLATION IN SUBSEQUENT FISCAL YEARS BY AN AMOUNT  
15 NOT TO EXCEED AN ANNUAL COST-OF-LIVING ADJUSTMENT  
16 CALCULATED BY APPLYING ANY UPWARD PERCENTAGE  
17 CHANGE IN THE CONSUMER PRICE INDEX IMMEDIATELY  
18 PRIOR TO THE DATE THE ADJUSTMENT IS DUE TO TAKE  
19 EFFECT. DISTRIBUTIONS TO A MUNICIPALITY IN  
20 ACCORDANCE WITH THIS SUBCLAUSE SHALL BE DEPOSITED  
21 INTO A SPECIAL FUND WHICH SHALL BE ESTABLISHED BY  
22 THE MUNICIPALITY. THE GOVERNING BODY OF THE  
23 MUNICIPALITY SHALL HAVE THE RIGHT TO DRAW UPON  
24 THE SPECIAL FUND FOR ANY LAWFUL PURPOSE PROVIDED  
25 THAT THE MUNICIPALITY IDENTIFIES THE FUND AS THE  
26 SOURCE OF THE EXPENDITURE. EACH MUNICIPALITY  
27 SHALL ANNUALLY SUBMIT A REPORT TO THE DEPARTMENT  
28 OF COMMUNITY AND ECONOMIC DEVELOPMENT DETAILING  
29 THE AMOUNT AND PURPOSE OF EACH EXPENDITURE MADE  
30 FROM THE SPECIAL FUND DURING THE PRIOR FISCAL

1           YEAR.

2                   (II) ANY FUNDS NOT DISTRIBUTED UNDER  
3           SUBCLAUSE (I) SHALL BE DEPOSITED INTO A  
4           RESTRICTED RECEIPTS ACCOUNT ESTABLISHED IN THE  
5           DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
6           TO BE USED EXCLUSIVELY FOR GRANTS TO THE COUNTY,  
7           TO ECONOMIC DEVELOPMENT AUTHORITIES OR  
8           REDEVELOPMENT AUTHORITIES WITHIN THE COUNTY FOR  
9           GRANTS FOR ECONOMIC DEVELOPMENT PROJECTS,  
10           INFRASTRUCTURE PROJECTS, JOB TRAINING, COMMUNITY  
11           IMPROVEMENT PROJECTS, OTHER PROJECTS IN THE  
12           PUBLIC INTEREST, AND NECESSARY AND REASONABLE  
13           ADMINISTRATIVE COSTS. NOTWITHSTANDING THE  
14           PROVISIONS OF THE ACT OF FEBRUARY 9, 1999 (P.L.1,  
15           NO.1), KNOWN AS THE CAPITAL FACILITIES DEBT  
16           ENABLING ACT, GRANTS MADE UNDER THIS CLAUSE MAY  
17           BE UTILIZED AS LOCAL MATCHING FUNDS FOR OTHER  
18           GRANTS OR LOANS FROM THE COMMONWEALTH.

19           (F) COUNTIES OF THE FIFTH THROUGH EIGHTH  
20           CLASSES:

21                   (I) EXCEPT AS SET FORTH IN SUBCLAUSE (II),  
22           2% OF THE GROSS TERMINAL REVENUE FROM EACH SUCH  
23           LICENSED FACILITY SHALL BE DEPOSITED INTO A  
24           RESTRICTED ACCOUNT ESTABLISHED IN THE DEPARTMENT  
25           OF COMMUNITY AND ECONOMIC DEVELOPMENT TO BE USED  
26           EXCLUSIVELY FOR GRANTS TO THE COUNTY.

27                   (II) IF THE LICENSED FACILITY IS LOCATED IN  
28           A SECOND CLASS TOWNSHIP IN A COUNTY OF THE FIFTH  
29           CLASS, 2% OF THE GROSS TERMINAL REVENUE FROM THE  
30           LICENSED FACILITY SHALL BE DISTRIBUTED AS

1                   FOLLOWS:

2                   (A) 1% SHALL BE DEPOSITED INTO A  
3                   RESTRICTED RECEIPTS ACCOUNT TO BE ESTABLISHED  
4                   IN THE COMMONWEALTH FINANCING AUTHORITY TO BE  
5                   USED EXCLUSIVELY FOR GRANTS FOR PROJECTS IN  
6                   THE PUBLIC INTEREST TO MUNICIPALITIES WITHIN  
7                   THE COUNTY WHERE THE LICENSED FACILITY IS  
8                   LOCATED.

9                   (B) 1% SHALL BE DISTRIBUTED TO THE COUNTY  
10                   FOR PROJECTS IN THE PUBLIC INTEREST IN THE  
11                   COUNTY.

12                   \* \* \*

13                   (III) IF THE FACILITY IS A CATEGORY 2 LICENSED  
14                   FACILITY AND IF THE COUNTY IN WHICH THE LICENSED FACILITY  
15                   IS LOCATED IS:

16                   \* \* \*

17                   (F) COUNTIES OF THE FIFTH CLASS: 2% OF THE  
18                   GROSS TERMINAL REVENUE FROM EACH SUCH LICENSED  
19                   FACILITY SHALL BE DEPOSITED AND DISTRIBUTED AS  
20                   FOLLOWS:

21                   (I) ONE PERCENT TO BE DISTRIBUTED AS  
22                   FOLLOWS:

23                   (A) BEGINNING IN 2010, THE SUM OF  
24                   \$2,400,000 ANNUALLY FOR A PERIOD OF 20 YEARS  
25                   TO THE COUNTY FOR PURPOSES OF FUNDING DEBT  
26                   SERVICE RELATED TO THE CONSTRUCTION OF A  
27                   COMMUNITY COLLEGE CAMPUS LOCATED WITHIN THE  
28                   COUNTY.

29                   (B) ANY FUNDS NOT DISTRIBUTED UNDER  
30                   SUBCLAUSE (A) SHALL BE DEPOSITED INTO A

1 RESTRICTED RECEIPTS ACCOUNT TO BE ESTABLISHED  
2 IN THE [DEPARTMENT OF COMMUNITY AND ECONOMIC  
3 DEVELOPMENT] COMMONWEALTH FINANCING AUTHORITY  
4 TO BE USED EXCLUSIVELY FOR GRANTS WITHIN THE  
5 COUNTY FOR ECONOMIC DEVELOPMENT PROJECTS,  
6 ROAD PROJECTS LOCATED WITHIN A 20-MILE RADIUS  
7 OF THE LICENSED FACILITY AND LOCATED WITHIN  
8 THE COUNTY, COMMUNITY IMPROVEMENT PROJECTS  
9 AND OTHER PROJECTS IN THE PUBLIC INTEREST  
10 WITHIN THE COUNTY. THE AMOUNT UNDER THIS  
11 SUBCLAUSE INCLUDES REASONABLE ADMINISTRATIVE  
12 COSTS.

13 (II) ONE PERCENT SHALL BE DEPOSITED INTO A  
14 RESTRICTED RECEIPTS ACCOUNT TO BE ESTABLISHED IN  
15 THE [DEPARTMENT OF COMMUNITY AND ECONOMIC  
16 DEVELOPMENT] COMMONWEALTH FINANCING AUTHORITY TO  
17 BE USED EXCLUSIVELY FOR GRANTS WITHIN CONTIGUOUS  
18 COUNTIES FOR ECONOMIC DEVELOPMENT PROJECTS,  
19 COMMUNITY IMPROVEMENT PROJECTS AND OTHER PROJECTS  
20 IN THE PUBLIC INTEREST WITHIN CONTIGUOUS  
21 COUNTIES. THE AMOUNT UNDER THIS SUBCLAUSE  
22 INCLUDES REASONABLE ADMINISTRATIVE COSTS. A  
23 CONTIGUOUS COUNTY THAT HOSTS A CATEGORY 1  
24 LICENSED FACILITY SHALL BE INELIGIBLE TO RECEIVE  
25 GRANTS UNDER THIS SUBCLAUSE.

26 (II.1) PRIORITY SHALL BE GIVEN TO MULTIYEAR  
27 PROJECTS APPROVED OR AWARDED BY THE DEPARTMENT OF  
28 COMMUNITY AND ECONOMIC DEVELOPMENT UNDER  
29 SUBCLAUSE (II) ON OR BEFORE THE EFFECTIVE DATE OF  
30 THIS SUBCLAUSE.

1 (III) FIFTY PERCENT OF ANY REVENUE REQUIRED  
2 TO BE TRANSFERRED UNDER PARAGRAPH (3) (V) SHALL BE  
3 DEPOSITED INTO THE RESTRICTED RECEIPTS ACCOUNT  
4 ESTABLISHED UNDER SUBCLAUSE (I) (B), AND 50% SHALL  
5 BE DEPOSITED INTO THE RESTRICTED [RECEIPT]  
6 RECEIPTS ACCOUNT ESTABLISHED UNDER SUBCLAUSE  
7 (II). NOTWITHSTANDING THE CAPITAL FACILITIES DEBT  
8 ENABLING ACT, GRANTS MADE UNDER THIS CLAUSE MAY  
9 BE UTILIZED AS LOCAL MATCHING FUNDS FOR OTHER  
10 GRANTS OR LOANS FROM THE COMMONWEALTH.

11 \* \* \*

12 (IV) [IF] (A) EXCEPT AS PROVIDED IN CLAUSE (B) OR  
13 (C), IF THE FACILITY IS A CATEGORY 3 LICENSED  
14 FACILITY, 2% OF THE GROSS TERMINAL REVENUE FROM [EACH  
15 SUCH] THE LICENSED FACILITY SHALL BE DEPOSITED INTO A  
16 RESTRICTED RECEIPTS ACCOUNT ESTABLISHED IN THE  
17 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO  
18 BE USED EXCLUSIVELY FOR GRANTS TO THE COUNTY, TO  
19 ECONOMIC DEVELOPMENT AUTHORITIES OR REDEVELOPMENT  
20 AUTHORITIES WITHIN THE COUNTY FOR GRANTS FOR ECONOMIC  
21 DEVELOPMENT PROJECTS [AND], COMMUNITY IMPROVEMENT  
22 PROJECTS AND OTHER PROJECTS IN THE PUBLIC INTEREST.

23 (B) IF THE FACILITY IS A CATEGORY 3 LICENSED  
24 FACILITY LOCATED IN A COUNTY OF THE SECOND CLASS A,  
25 2% OF THE GROSS TERMINAL REVENUE FROM THE LICENSED  
26 FACILITY SHALL BE DEPOSITED INTO A RESTRICTED  
27 RECEIPTS ACCOUNT TO BE ESTABLISHED IN THE  
28 COMMONWEALTH FINANCING AUTHORITY TO BE USED  
29 EXCLUSIVELY FOR GRANTS OR GUARANTEES FOR PROJECTS IN  
30 THE HOST COUNTY THAT QUALIFY UNDER 64 PA.C.S. §§ 1551

1 (RELATING TO BUSINESS IN OUR SITES PROGRAM), 1556  
2 (RELATING TO TAX INCREMENT FINANCING GUARANTEE  
3 PROGRAM) AND 1558 (RELATING TO WATER SUPPLY AND  
4 WASTEWATER INFRASTRUCTURE PROGRAM).

5 (C) IF THE FACILITY IS A CATEGORY 3 LICENSED  
6 FACILITY LOCATED IN A COUNTY OF THE FIFTH CLASS THAT  
7 IS CONTIGUOUS TO A COUNTY OF THE SEVENTH CLASS, 2% OF  
8 THE GROSS TERMINAL REVENUE FROM THE LICENSED FACILITY  
9 SHALL BE DEPOSITED INTO A RESTRICTED RECEIPTS ACCOUNT  
10 TO BE ESTABLISHED IN THE COMMONWEALTH FINANCING  
11 AUTHORITY TO BE USED EXCLUSIVELY FOR GRANTS WITHIN  
12 THE COUNTY FOR ECONOMIC DEVELOPMENT PROJECTS,  
13 INFRASTRUCTURE PROJECTS, COMMUNITY IMPROVEMENT  
14 PROJECTS AND OTHER PROJECTS IN THE PUBLIC INTEREST  
15 WITHIN THE COUNTY AND FOR INFRASTRUCTURE PROJECTS  
16 WITHIN A TWO MILE RADIUS OF THE LICENSED FACILITY IN  
17 A CONTIGUOUS COUNTY OF THE SEVENTH CLASS.

18 \* \* \*

19 (3) FROM THE LOCAL SHARE ASSESSMENT ESTABLISHED IN  
20 SUBSECTION (B), MAKE QUARTERLY DISTRIBUTIONS AMONG THE  
21 MUNICIPALITIES, INCLUDING HOME RULE MUNICIPALITIES, HOSTING A  
22 LICENSED FACILITY IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

23 \* \* \*

24 (V) TO A TOWNSHIP OF THE SECOND CLASS HOSTING A  
25 LICENSED FACILITY[, OTHER THAN A CATEGORY 3 LICENSED  
26 FACILITY,]

27 (A) 2% OF THE GROSS TERMINAL REVENUE OR  
28 \$10,000,000 ANNUALLY, WHICHEVER IS GREATER, SHALL BE  
29 PAID BY EACH LICENSED GAMING ENTITY OPERATING A  
30 LICENSED FACILITY [LOCATED IN THE TOWNSHIP], OTHER

1 THAN A CATEGORY 3 LICENSED FACILITY OR A LICENSED  
2 FACILITY OWNING LAND ADJACENT TO THE LICENSED  
3 FACILITY LOCATED IN MORE THAN ONE TOWNSHIP OF THE  
4 SECOND CLASS, TO THE TOWNSHIP OF THE SECOND CLASS  
5 HOSTING THE LICENSED FACILITY, SUBJECT, HOWEVER, TO  
6 THE BUDGETARY LIMITATION IN THIS SUBPARAGRAPH. THE  
7 AMOUNT ALLOCATED TO THE DESIGNATED MUNICIPALITIES  
8 SHALL NOT EXCEED 50% OF THEIR TOTAL BUDGET FOR FISCAL  
9 YEAR 2003-2004, ADJUSTED FOR INFLATION IN SUBSEQUENT  
10 YEARS BY AN AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-  
11 LIVING ADJUSTMENT CALCULATED BY APPLYING THE  
12 PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX  
13 IMMEDIATELY PRIOR TO THE DATE THE ADJUSTMENT IS DUE  
14 TO TAKE EFFECT. ANY REMAINING MONEY SHALL BE  
15 COLLECTED BY THE DEPARTMENT FROM EACH LICENSED GAMING  
16 ENTITY AND DISTRIBUTED IN ACCORDANCE WITH PARAGRAPH  
17 (2) BASED UPON THE CLASSIFICATION OF COUNTY WHERE THE  
18 LICENSED FACILITY IS LOCATED. [WHERE THE LICENSED  
19 FACILITY IS OTHER THAN A CATEGORY 3 AND IS LOCATED IN  
20 MORE THAN ONE SECOND CLASS TOWNSHIP, THE] IF REVENUES  
21 GENERATED BY THE 2% DO NOT MEET THE \$10,000,000  
22 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  
25 ENTITY OPERATING A LICENSED FACILITY IN THE TOWNSHIP,  
26 PAY ANY BALANCE DUE TO THE TOWNSHIP AND TRANSFER ANY  
27 REMAINDER IN ACCORDANCE WITH PARAGRAPH (2).

28 (B) 2% OF THE GROSS TERMINAL REVENUE OR  
29 \$10,000,000 ANNUALLY, WHICHEVER IS GREATER, LESS THE  
30 AMOUNT PAID UNDER CLAUSE (C), SHALL BE PAID BY EACH

1 LICENSED GAMING ENTITY OPERATING A LICENSED FACILITY  
2 AND OWNING LAND ADJACENT TO THE LICENSED FACILITY  
3 LOCATED IN MORE THAN ONE TOWNSHIP OF THE SECOND  
4 CLASS, OTHER THAN A CATEGORY 3 LICENSED FACILITY, TO  
5 THE TOWNSHIP OF THE SECOND CLASS HOSTING THE LICENSED  
6 FACILITY, SUBJECT, HOWEVER, TO THE BUDGETARY  
7 LIMITATION IN THIS SUBPARAGRAPH. THE AMOUNT ALLOCATED  
8 TO THE DESIGNATED MUNICIPALITIES MAY NOT EXCEED 50%  
9 OF THEIR TOTAL BUDGET FOR THE FISCAL YEAR 2003-2004,  
10 ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS BY AN  
11 AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING  
12 ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE  
13 CHANGE IN THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR  
14 TO THE DATE THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY  
15 REMAINING MONEY SHALL BE COLLECTED BY THE DEPARTMENT  
16 FROM EACH LICENSED GAMING ENTITY AND DISTRIBUTED IN  
17 ACCORDANCE WITH PARAGRAPH (2) BASED UPON THE  
18 CLASSIFICATION OF THE COUNTY WHERE THE LICENSED  
19 FACILITY IS LOCATED. THE COUNTY COMMISSIONERS OF  
20 [THE] A COUNTY OF THE THIRD CLASS IN WHICH THE  
21 LICENSED FACILITY IS LOCATED SHALL APPOINT AN  
22 ADVISORY COMMITTEE FOR THE PURPOSE OF ADVISING THE  
23 COUNTY AS TO THE NEED FOR MUNICIPAL GRANTS FOR  
24 HEALTH, SAFETY, TRANSPORTATION AND OTHER PROJECTS IN  
25 THE PUBLIC INTEREST TO BE COMPRISED OF TWO  
26 INDIVIDUALS FROM THE HOST MUNICIPALITY, TWO FROM  
27 CONTIGUOUS MUNICIPALITIES WITHIN THE COUNTY OF THE  
28 THIRD CLASS AND ONE FROM THE HOST COUNTY. [A COUNTY  
29 OTHER THAN A COUNTY OF THE THIRD CLASS IN WHICH THE  
30 LICENSED FACILITY IS LOCATED IS NOT REQUIRED TO

1 APPOINT AN ADVISORY COMMITTEE AND MAY USE FUNDS  
2 RECEIVED UNDER THIS SUBPARAGRAPH FOR PURPOSES OTHER  
3 THAN MUNICIPAL GRANTS.] IN THE EVENT THAT THE  
4 REVENUES GENERATED BY THE 2% DO NOT MEET THE  
5 \$10,000,000 MINIMUM SPECIFIED IN THIS SUBPARAGRAPH,  
6 THE DEPARTMENT SHALL COLLECT THE REMAINDER OF THE  
7 MINIMUM AMOUNT OF \$10,000,000 FROM EACH LICENSED  
8 GAMING ENTITY OPERATING A LICENSED FACILITY IN THE  
9 TOWNSHIP, PAY ANY BALANCE DUE TO THE TOWNSHIP AND  
10 TRANSFER ANY REMAINDER IN ACCORDANCE WITH PARAGRAPH  
11 (2).

12 (C) \$160,000 ANNUALLY SHALL BE PAID BY EACH  
13 LICENSED GAMING ENTITY OPERATING A LICENSED FACILITY  
14 AND OWNING LAND ADJACENT TO THE LICENSED FACILITY  
15 LOCATED IN MORE THAN ONE TOWNSHIP OF THE SECOND  
16 CLASS, OTHER THAN A CATEGORY 3 LICENSED FACILITY, TO  
17 THE TOWNSHIP OF THE SECOND CLASS THAT IS LOCATED IN A  
18 COUNTY OF THE FIFTH CLASS IN WHICH THE ADJACENT LAND  
19 IS LOCATED, INCLUDING RACETRACKS, GRAZING FIELDS OR  
20 ANY OTHER ADJOINING REAL PROPERTY.

21 \* \* \*

22 (VIII) [TO] (A) EXCEPT AS PROVIDED IN CLAUSE (B) OR  
23 (C), TO A MUNICIPALITY OF ANY CLASS HOSTING A  
24 CATEGORY 3 FACILITY, 2% OF THE GROSS TERMINAL REVENUE  
25 FROM THE CATEGORY 3 LICENSED FACILITY LOCATED IN THE  
26 MUNICIPALITY, SUBJECT, HOWEVER, TO THE BUDGETARY  
27 LIMITATION IN THIS [SUBPARAGRAPH] CLAUSE. THE AMOUNT  
28 ALLOCATED TO THE DESIGNATED MUNICIPALITIES SHALL NOT  
29 EXCEED 50% OF THEIR TOTAL BUDGET FOR FISCAL YEAR  
30 [2003-2004] 2009, ADJUSTED FOR INFLATION IN

1 SUBSEQUENT YEARS BY AN AMOUNT NOT TO EXCEED AN ANNUAL  
2 COST-OF-LIVING ADJUSTMENT CALCULATED BY APPLYING THE  
3 PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX  
4 IMMEDIATELY PRIOR TO THE DATE THE ADJUSTMENT IS DUE  
5 TO TAKE EFFECT. ANY REMAINING MONEY SHALL BE  
6 COLLECTED BY THE DEPARTMENT FROM EACH LICENSED GAMING  
7 ENTITY AND DISTRIBUTED IN ACCORDANCE WITH PARAGRAPH  
8 (2) BASED UPON THE CLASSIFICATION OF COUNTY WHERE THE  
9 LICENSED FACILITY IS LOCATED.

10 (B) IF THE MUNICIPALITY HOSTING A CATEGORY 3  
11 LICENSED FACILITY IS A BOROUGH LOCATED IN A COUNTY OF  
12 THE THIRD CLASS AND THE BOROUGH IS CONTIGUOUS TO A  
13 CITY OF THE THIRD CLASS, 1% OF GROSS TERMINAL REVENUE  
14 SHALL BE DISTRIBUTED TO THE HOST BOROUGH AND 1% OF  
15 GROSS TERMINAL REVENUE SHALL BE DISTRIBUTED TO THE  
16 CITY OF THE THIRD CLASS THAT IS CONTIGUOUS TO THE  
17 HOST BOROUGH, SUBJECT, HOWEVER, TO THE BUDGETARY  
18 LIMITATION IN THIS CLAUSE. THE AMOUNT ALLOCATED TO  
19 EACH DESIGNATED MUNICIPALITY SHALL NOT EXCEED 50% OF  
20 ITS TOTAL BUDGET FOR FISCAL YEAR 2009, ADJUSTED FOR  
21 INFLATION IN SUBSEQUENT YEARS BY AN AMOUNT NOT TO  
22 EXCEED AN ANNUAL COST-OF-LIVING ADJUSTMENT CALCULATED  
23 BY APPLYING THE PERCENTAGE INCREASE, IF ANY, IN THE  
24 CONSUMER PRICE INDEX IMMEDIATELY PRIOR TO THE DATE  
25 THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY REMAINING  
26 MONEY SHALL BE COLLECTED BY THE DEPARTMENT FROM EACH  
27 LICENSED GAMING ENTITY AND DISTRIBUTED IN ACCORDANCE  
28 WITH PARAGRAPH (2) BASED UPON THE CLASSIFICATION OF  
29 COUNTY WHERE THE LICENSED FACILITY IS LOCATED.

30 (C) IF THE MUNICIPALITY HOSTING A CATEGORY 3

1 LICENSED FACILITY IS A TOWNSHIP OF THE SECOND CLASS  
2 IN A COUNTY OF THE FIFTH CLASS, 2% OF THE GROSS  
3 TERMINAL REVENUE FROM THE CATEGORY 3 LICENSED  
4 FACILITY LOCATED IN THE MUNICIPALITY, SUBJECT,  
5 HOWEVER, TO THE BUDGETARY LIMITATION IN THIS CLAUSE.  
6 THE AMOUNT ALLOCATED TO THE DESIGNATED MUNICIPALITIES  
7 SHALL NOT EXCEED 50% OF THEIR TOTAL BUDGET FOR FISCAL  
8 YEAR 2009, ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS  
9 BY AN AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING  
10 ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE  
11 CHANGE IN THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR  
12 TO THE DATE THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY  
13 REMAINING MONEY SHALL BE COLLECTED BY THE DEPARTMENT  
14 FROM EACH LICENSED GAMING ENTITY AND DISTRIBUTED IN  
15 EQUAL AMOUNTS TO EACH MUNICIPALITY CONTIGUOUS TO THE  
16 HOST MUNICIPALITY. HOWEVER, IF THE AMOUNT TO BE  
17 ALLOCATED TO ANY CONTIGUOUS MUNICIPALITY EXCEEDS 50%  
18 OF THE MUNICIPALITY'S TOTAL BUDGET FOR FISCAL YEAR  
19 2009, ADJUSTED FOR INFLATION IN SUBSEQUENT YEARS BY  
20 AN AMOUNT NOT TO EXCEED AN ANNUAL COST-OF-LIVING  
21 ADJUSTMENT CALCULATED BY APPLYING THE PERCENTAGE  
22 CHANGE IN THE CONSUMER PRICE INDEX IMMEDIATELY PRIOR  
23 TO THE DATE THE ADJUSTMENT IS DUE TO TAKE EFFECT. ANY  
24 MONEY REMAINING FOLLOWING DISTRIBUTION TO CONTIGUOUS  
25 MUNICIPALITIES SHALL BE COLLECTED BY THE DEPARTMENT  
26 AND DISTRIBUTED IN ACCORDANCE WITH PARAGRAPH (2)  
27 BASED UPON THE CLASSIFICATION OF COUNTY WHERE THE  
28 LICENSED FACILITY IS LOCATED.

29 \* \* \*

30 (E) REPORTING.--

1           (1) IN COOPERATION WITH THE DEPARTMENT, THE DEPARTMENT  
2 OF COMMUNITY AND ECONOMIC DEVELOPMENT SHALL SUBMIT AN ANNUAL  
3 REPORT ON ALL DISTRIBUTIONS OF LOCAL SHARE ASSESSMENTS TO  
4 COUNTIES AND MUNICIPALITIES UNDER THIS SECTION TO THE  
5 CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS  
6 COMMITTEE OF THE SENATE, THE CHAIRMAN AND MINORITY CHAIRMAN  
7 OF THE COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT  
8 COMMITTEE OF THE SENATE, THE CHAIRMAN AND MINORITY CHAIRMAN  
9 OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF  
10 REPRESENTATIVES AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE  
11 GAMING OVERSIGHT COMMITTEE OF THE HOUSE OF REPRESENTATIVES.  
12 THE REPORT SHALL BE SUBMITTED BY AUGUST 31, 2010, AND BY  
13 AUGUST 31 OF EACH YEAR THEREAFTER.

14           (2) ALL COUNTIES AND MUNICIPALITIES RECEIVING  
15 DISTRIBUTIONS OF LOCAL SHARE ASSESSMENTS UNDER THIS SECTION  
16 SHALL SUBMIT INFORMATION TO THE DEPARTMENT OF COMMUNITY AND  
17 ECONOMIC DEVELOPMENT ON A FORM PREPARED BY THE DEPARTMENT OF  
18 COMMUNITY AND ECONOMIC DEVELOPMENT THAT SETS FORTH THE AMOUNT  
19 AND USE OF THE FUNDS RECEIVED IN THE PRIOR CALENDAR YEAR. THE  
20 FORM SHALL SET FORTH WHETHER THE FUNDS RECEIVED WERE  
21 DEPOSITED IN THE COUNTY'S OR MUNICIPALITY'S GENERAL FUND OR  
22 COMMITTED TO A SPECIFIC PROJECT OR USE.

23 (F) PROHIBITED ACTIVITIES.--

24           (1) A PERSON OR ITS AFFILIATED ENTITY OR A POLITICAL  
25 SUBDIVISION SHALL NOT COMPENSATE OR INCUR AN OBLIGATION TO  
26 COMPENSATE A PERSON TO ENGAGE IN LOBBYING FOR COMPENSATION  
27 CONTINGENT IN WHOLE OR IN PART UPON THE APPROVAL, AWARD,  
28 RECEIPT OR DENIAL OF FUNDS UNDER THIS SECTION. A PERSON OR  
29 ITS AFFILIATED ENTITY SHALL NOT ENGAGE IN OR AGREE TO ENGAGE  
30 IN LOBBYING FOR COMPENSATION CONTINGENT IN WHOLE OR IN PART

1 UPON THE APPROVAL, AWARD, RECEIPT OR DENIAL OF FUNDS UNDER  
2 THIS SECTION. THIS SUBSECTION SHALL NOT APPLY TO A COUNTY OR  
3 MUNICIPALITY THAT COMPENSATES A PERSON TO PREPARE A GRANT  
4 APPLICATION FOR FUNDS UNDER THIS SECTION IF THE FOLLOWING  
5 REQUIREMENTS ARE MET:

6 (I) THE PERSON IS NOT IDENTIFIED IN THE APPLICATION.

7 (II) THE PERSON HAS NO DIRECT CONTACT WITH THE  
8 AGENCY, COUNTY OR MUNICIPALITY PROVIDING THE FUNDING.

9 (III) THE PERSON IS PAID A FIXED FEE OR PERCENTAGE  
10 OF THE AMOUNT OF ANY FUNDS APPROVED, AWARDED OR RECEIVED  
11 UP TO .5%.

12 (2) A VIOLATION OF THIS SECTION SHALL BE CONSIDERED AN  
13 INTENTIONAL VIOLATION OF 65 PA.C.S. § 13A09(E) (RELATING TO  
14 PENALTIES).

15 SECTION 11.4. SECTION 1406(A) OF TITLE 4 IS AMENDED TO READ:  
16 § 1406. DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE DEVELOPMENT  
17 FUND.

18 (A) DISTRIBUTIONS.--FUNDS [FROM] IN THE PENNSYLVANIA RACE  
19 HORSE DEVELOPMENT FUND ARE HEREBY APPROPRIATED TO THE DEPARTMENT  
20 ON A CONTINUING BASIS FOR THE PURPOSES SET FORTH IN THIS  
21 SUBSECTION AND SHALL BE DISTRIBUTED TO EACH ACTIVE AND OPERATING  
22 CATEGORY 1 LICENSEE CONDUCTING LIVE RACING [IN THE FOLLOWING  
23 MANNER] AS FOLLOWS:

24 (1) AN AMOUNT EQUAL TO 18% OF THE DAILY GROSS TERMINAL  
25 REVENUE OF EACH CATEGORY 1 LICENSEE SHALL BE DISTRIBUTED TO  
26 EACH ACTIVE AND OPERATING CATEGORY 1 LICENSEE CONDUCTING LIVE  
27 RACING UNLESS THE DAILY ASSESSMENTS ARE AFFECTED BY THE DAILY  
28 ASSESSMENT CAP PROVIDED FOR IN SECTION 1405(C) (RELATING TO  
29 PENNSYLVANIA RACE HORSE DEVELOPMENT FUND). IN CASES IN WHICH  
30 THE DAILY ASSESSMENT CAP AFFECTS DAILY ASSESSMENTS, THE

1 DISTRIBUTION TO EACH ACTIVE AND OPERATING CATEGORY 1 LICENSEE  
2 CONDUCTING LIVE RACING FOR THAT DAY SHALL BE A PERCENTAGE OF  
3 THE TOTAL DAILY ASSESSMENTS PAID INTO THE PENNSYLVANIA RACE  
4 HORSE DEVELOPMENT FUND FOR THAT DAY EQUAL TO THE GROSS  
5 TERMINAL REVENUE OF EACH ACTIVE AND OPERATING CATEGORY 1  
6 LICENSEE CONDUCTING LIVE RACING FOR THAT DAY DIVIDED BY THE  
7 TOTAL GROSS TERMINAL REVENUE OF ALL ACTIVE AND OPERATING  
8 CATEGORY 1 LICENSEES CONDUCTING LIVE RACING FOR THAT DAY.

9 [THE] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (2.1), THE  
10 DISTRIBUTIONS TO LICENSED RACING ENTITIES FROM THE  
11 PENNSYLVANIA RACE HORSE DEVELOPMENT FUND SHALL BE ALLOCATED  
12 AS FOLLOWS:

13 (I) EIGHTY PERCENT SHALL BE DEPOSITED WEEKLY INTO A  
14 SEPARATE, INTEREST-BEARING PURSE ACCOUNT TO BE  
15 ESTABLISHED BY AND FOR THE BENEFIT OF THE HORSEMEN. THE  
16 EARNED INTEREST ON THE ACCOUNT SHALL BE CREDITED TO THE  
17 PURSE ACCOUNT. LICENSEES SHALL COMBINE THESE FUNDS WITH  
18 REVENUES FROM EXISTING PURSE AGREEMENTS TO FUND PURSES  
19 FOR LIVE RACES CONSISTENT WITH THOSE AGREEMENTS WITH THE  
20 ADVICE AND CONSENT OF THE HORSEMEN.

21 (II) FOR THOROUGHBRED TRACKS, 16% SHALL BE DEPOSITED  
22 ON A MONTHLY BASIS INTO THE PENNSYLVANIA BREEDING FUND AS  
23 DEFINED IN SECTION 223 OF THE RACE HORSE INDUSTRY REFORM  
24 ACT. FOR STANDARD BRED TRACKS, 8% SHALL BE DEPOSITED ON A  
25 MONTHLY BASIS IN THE PENNSYLVANIA SIRE STAKES FUND AS  
26 DEFINED IN SECTION 224 OF THE RACE HORSE INDUSTRY REFORM  
27 ACT, AND 8% SHALL BE DEPOSITED ON A MONTHLY BASIS INTO A  
28 RESTRICTED ACCOUNT IN THE STATE RACING FUND TO BE KNOWN  
29 AS THE PENNSYLVANIA STANDARD BRED BREEDERS DEVELOPMENT  
30 FUND. THE STATE HARNESS RACING COMMISSION SHALL, IN

1 CONSULTATION WITH THE SECRETARY OF AGRICULTURE BY RULE OR  
2 BY REGULATION, ADOPT A STANDARDBRED BREEDERS PROGRAM THAT  
3 WILL INCLUDE THE ADMINISTRATION OF PENNSYLVANIA STALLION  
4 AWARD, PENNSYLVANIA BRED AWARD AND A PENNSYLVANIA SIRED  
5 AND BRED AWARD.

6 (III) FOUR PERCENT SHALL BE USED TO FUND HEALTH AND  
7 PENSION BENEFITS FOR THE MEMBERS OF THE HORSEMEN'S  
8 ORGANIZATIONS REPRESENTING THE OWNERS AND TRAINERS AT THE  
9 RACETRACK AT WHICH THE LICENSED RACING ENTITY OPERATES  
10 FOR THE BENEFIT OF THE ORGANIZATION'S MEMBERS, THEIR  
11 FAMILIES, EMPLOYEES AND OTHERS IN ACCORDANCE WITH THE  
12 RULES AND ELIGIBILITY REQUIREMENTS OF THE ORGANIZATION,  
13 AS APPROVED BY THE STATE HORSE RACING COMMISSION OR THE  
14 STATE HARNESS RACING COMMISSION. THIS AMOUNT SHALL BE  
15 DEPOSITED WITHIN FIVE BUSINESS DAYS OF THE END OF EACH  
16 MONTH INTO A SEPARATE ACCOUNT TO BE ESTABLISHED BY EACH  
17 RESPECTIVE HORSEMEN'S ORGANIZATION AT A BANKING  
18 INSTITUTION OF ITS CHOICE. OF THIS AMOUNT, \$250,000 SHALL  
19 BE PAID ANNUALLY BY THE HORSEMEN'S ORGANIZATION TO THE  
20 THOROUGHBRED JOCKEYS OR STANDARDBRED DRIVERS ORGANIZATION  
21 AT THE RACETRACK AT WHICH THE LICENSED RACING ENTITY  
22 OPERATES FOR HEALTH INSURANCE, LIFE INSURANCE OR OTHER  
23 BENEFITS TO ACTIVE AND DISABLED THOROUGHBRED JOCKEYS OR  
24 STANDARDBRED DRIVERS IN ACCORDANCE WITH THE RULES AND  
25 ELIGIBILITY REQUIREMENTS OF THAT ORGANIZATION.

26 (2) [(RESERVED).] BEGINNING JANUARY 1, 2010, AND FOR THE  
27 REMAINDER OF FISCAL YEAR 2009-2010, DISTRIBUTIONS FROM THE  
28 PENNSYLVANIA RACE HORSE DEVELOPMENT FUND SHALL BE ALLOCATED  
29 AS FOLLOWS:

30 (I) EACH WEEK, 34% OF THE MONEY IN THE PENNSYLVANIA

1 RACE HORSE DEVELOPMENT FUND SHALL BE TRANSFERRED TO THE  
2 GENERAL FUND.

3 (II) EACH WEEK, 66% OF THE MONEY IN THE PENNSYLVANIA  
4 RACE HORSE DEVELOPMENT FUND SHALL BE DISTRIBUTED TO EACH  
5 ACTIVE AND OPERATING CATEGORY 1 LICENSEE CONDUCTING LIVE  
6 RACING IN ACCORDANCE WITH THE FOLLOWING FORMULA:

7 (A) DIVIDE:

8 (I) THE TOTAL DAILY ASSESSMENTS PAID BY EACH  
9 ACTIVE AND OPERATING CATEGORY 1 LICENSEE  
10 CONDUCTING LIVE RACING INTO THE PENNSYLVANIA RACE  
11 HORSE DEVELOPMENT FUND FOR THAT WEEK; BY

12 (II) THE TOTAL DAILY ASSESSMENTS PAID BY ALL  
13 ACTIVE AND OPERATING CATEGORY 1 LICENSEES  
14 CONDUCTING LIVE RACING INTO THE PENNSYLVANIA RACE  
15 HORSE DEVELOPMENT FUND FOR THAT WEEK.

16 (B) MULTIPLY THE QUOTIENT UNDER CLAUSE (A) BY  
17 THE AMOUNT TO BE DISTRIBUTED UNDER THIS SUBPARAGRAPH.

18 (III) THE DISTRIBUTION UNDER SUBPARAGRAPH (II) SHALL  
19 BE ALLOCATED AS FOLLOWS:

20 (A) THE GREATER OF 4% OF THE AMOUNT TO BE  
21 DISTRIBUTED UNDER SUBPARAGRAPH (II) OR \$275,000 SHALL  
22 BE USED TO FUND HEALTH AND PENSION BENEFITS FOR THE  
23 MEMBERS OF THE HORSEMEN'S ORGANIZATIONS REPRESENTING  
24 THE OWNERS AND TRAINERS AT THE RACETRACK AT WHICH THE  
25 LICENSED RACING ENTITY OPERATES FOR THE BENEFIT OF  
26 THE ORGANIZATION'S MEMBERS, THEIR FAMILIES, EMPLOYEES  
27 AND OTHERS IN ACCORDANCE WITH THE RULES AND  
28 ELIGIBILITY REQUIREMENTS OF THE ORGANIZATION, AS  
29 APPROVED BY THE STATE HORSE RACING COMMISSION OR THE  
30 STATE HARNESS RACING COMMISSION. THIS AMOUNT SHALL BE

1 DEPOSITED WITHIN FIVE BUSINESS DAYS OF THE END OF  
2 EACH WEEK INTO A SEPARATE ACCOUNT TO BE ESTABLISHED  
3 BY EACH RESPECTIVE HORSEMEN'S ORGANIZATION AT A  
4 BANKING INSTITUTION OF ITS CHOICE. OF THIS AMOUNT, A  
5 MINIMUM OF \$250,000 SHALL BE PAID ANNUALLY BY THE  
6 HORSEMEN'S ORGANIZATION TO THE THOROUGHBRED JOCKEYS  
7 OR STANDARDBRED DRIVERS ORGANIZATION AT THE RACETRACK  
8 AT WHICH THE LICENSED RACING ENTITY OPERATES FOR  
9 HEALTH INSURANCE, LIFE INSURANCE OR OTHER BENEFITS TO  
10 ACTIVE AND DISABLED THOROUGHBRED JOCKEYS OR  
11 STANDARDBRED DRIVERS IN ACCORDANCE WITH THE RULES AND  
12 ELIGIBILITY REQUIREMENTS OF THAT ORGANIZATION. THE  
13 TOTAL DISTRIBUTIONS FOR HEALTH AND PENSION BENEFITS  
14 FOR FISCAL YEAR 2009-2010 SHALL NOT EXCEED  
15 \$11,400,000.

16 (B) OF THE MONEY REMAINING TO BE DISTRIBUTED  
17 UNDER SUBPARAGRAPH (II) AFTER APPLICATION OF CLAUSE  
18 (A), THE FOLLOWING DISBURSEMENTS SHALL BE MADE:

19 (I) EIGHTY-THREE AND ONE-THIRD PERCENT OF  
20 THE MONEY TO BE DISTRIBUTED UNDER THIS CLAUSE  
21 SHALL BE DEPOSITED ON A WEEKLY BASIS INTO A  
22 SEPARATE, INTEREST-BEARING PURSE ACCOUNT TO BE  
23 ESTABLISHED BY AND FOR THE BENEFIT OF THE  
24 HORSEMEN. THE EARNED INTEREST ON THE ACCOUNT  
25 SHALL BE CREDITED TO THE PURSE ACCOUNT. LICENSEES  
26 SHALL COMBINE THESE FUNDS WITH REVENUES FROM  
27 EXISTING PURSE AGREEMENTS TO FUND PURSES FOR LIVE  
28 RACES CONSISTENT WITH THOSE AGREEMENTS WITH THE  
29 ADVICE AND CONSENT OF THE HORSEMEN.

30 (II) FOR THOROUGHBRED TRACKS, 16 AND 2/3% OF

1                   THE MONEY TO BE DISTRIBUTED UNDER THIS CLAUSE  
2                   SHALL BE DEPOSITED ON A WEEKLY BASIS INTO THE  
3                   PENNSYLVANIA BREEDING FUND ESTABLISHED IN SECTION  
4                   223 OF THE ACT OF DECEMBER 17, 1981 (P.L.435,  
5                   NO.135), KNOWN AS THE RACE HORSE INDUSTRY REFORM  
6                   ACT. FOR STANDARD BRED TRACKS, 8 AND 1/3% OF THE  
7                   MONEY TO BE DISTRIBUTED UNDER THIS CLAUSE SHALL  
8                   BE DEPOSITED ON A WEEKLY BASIS INTO THE  
9                   PENNSYLVANIA SIRE STAKES FUND AS DEFINED IN  
10                   SECTION 224 OF THE RACE HORSE INDUSTRY REFORM  
11                   ACT; AND 8 AND 1/3% OF THE MONEY TO BE  
12                   DISTRIBUTED UNDER THIS CLAUSE SHALL BE DEPOSITED  
13                   ON A WEEKLY BASIS INTO A RESTRICTED ACCOUNT IN  
14                   THE STATE RACING FUND TO BE KNOWN AS THE  
15                   PENNSYLVANIA STANDARD BRED BREEDERS DEVELOPMENT  
16                   FUND. THE STATE HARNESS RACING COMMISSION SHALL,  
17                   IN CONSULTATION WITH THE SECRETARY OF  
18                   AGRICULTURE, PROMULGATE REGULATIONS ADOPTING A  
19                   STANDARD BRED BREEDERS PROGRAM THAT WILL INCLUDE  
20                   THE ADMINISTRATION OF THE PENNSYLVANIA STALLION  
21                   AWARD, THE PENNSYLVANIA BRED AWARD AND THE  
22                   PENNSYLVANIA SIRE AND BRED AWARD.

23                   (2.1) FOR FISCAL YEARS 2010-2011 THROUGH 2012-2013,  
24                   DISTRIBUTIONS FROM THE PENNSYLVANIA RACE HORSE DEVELOPMENT  
25                   FUND SHALL BE ALLOCATED AS FOLLOWS:

26                   (I) EACH WEEK, 17% OF THE MONEY IN THE PENNSYLVANIA  
27                   RACE HORSE DEVELOPMENT FUND SHALL BE TRANSFERRED TO THE  
28                   GENERAL FUND.

29                   (II) EACH WEEK, 83% OF THE MONEY IN THE PENNSYLVANIA  
30                   RACE HORSE DEVELOPMENT FUND SHALL BE DISTRIBUTED TO EACH

1 ACTIVE AND OPERATING CATEGORY 1 LICENSEE CONDUCTING LIVE  
2 RACING IN ACCORDANCE WITH THE FOLLOWING FORMULA:

3 (A) DIVIDE:

4 (I) THE TOTAL DAILY ASSESSMENTS PAID, BY  
5 EACH ACTIVE AND OPERATING CATEGORY 1 LICENSEE  
6 CONDUCTING LIVE RACING, INTO THE PENNSYLVANIA  
7 RACE HORSE DEVELOPMENT FUND FOR THAT WEEK; BY

8 (II) THE TOTAL DAILY ASSESSMENTS PAID, BY  
9 ALL ACTIVE AND OPERATING CATEGORY 1 LICENSEES  
10 CONDUCTING LIVE RACING, INTO THE PENNSYLVANIA  
11 RACE HORSE DEVELOPMENT FUND FOR THAT WEEK.

12 (B) MULTIPLY THE QUOTIENT UNDER CLAUSE (A) BY  
13 THE AMOUNT TO BE DISTRIBUTED UNDER THIS SUBPARAGRAPH.

14 (III) THE DISTRIBUTION UNDER SUBPARAGRAPH (II) SHALL  
15 BE ALLOCATED AS FOLLOWS:

16 (A) THE GREATER OF 4% OF THE AMOUNT TO BE  
17 DISTRIBUTED UNDER SUBPARAGRAPH (II) OR \$220,000 SHALL  
18 BE USED TO FUND HEALTH AND PENSION BENEFITS FOR THE  
19 MEMBERS OF THE HORSEMEN'S ORGANIZATIONS REPRESENTING  
20 THE OWNERS AND TRAINERS AT THE RACETRACK AT WHICH THE  
21 LICENSED RACING ENTITY OPERATES FOR THE BENEFIT OF  
22 THE ORGANIZATION'S MEMBERS, THEIR FAMILIES, EMPLOYEES  
23 AND OTHERS IN ACCORDANCE WITH THE RULES AND  
24 ELIGIBILITY REQUIREMENTS OF THE ORGANIZATION, AS  
25 APPROVED BY THE STATE HORSE RACING COMMISSION OR THE  
26 STATE HARNESS RACING COMMISSION. THIS AMOUNT SHALL BE  
27 DEPOSITED WITHIN FIVE BUSINESS DAYS OF THE END OF  
28 EACH WEEK INTO A SEPARATE ACCOUNT TO BE ESTABLISHED  
29 BY EACH RESPECTIVE HORSEMEN'S ORGANIZATION AT A  
30 BANKING INSTITUTION OF ITS CHOICE. OF THIS AMOUNT, A

1 MINIMUM OF \$250,000 SHALL BE PAID ANNUALLY BY THE  
2 HORSEMEN'S ORGANIZATION TO THE THOROUGHBRED JOCKEYS  
3 OR STANDARDBRED DRIVERS ORGANIZATION AT THE RACETRACK  
4 AT WHICH THE LICENSED RACING ENTITY OPERATES FOR  
5 HEALTH INSURANCE, LIFE INSURANCE OR OTHER BENEFITS TO  
6 ACTIVE AND DISABLED THOROUGHBRED JOCKEYS OR  
7 STANDARDBRED DRIVERS IN ACCORDANCE WITH THE RULES AND  
8 ELIGIBILITY REQUIREMENTS OF THAT ORGANIZATION. THE  
9 TOTAL DISTRIBUTION UNDER THIS CLAUSE IN ANY FISCAL  
10 YEAR SHALL NOT EXCEED \$11,400,000.

11 (B) OF THE MONEY REMAINING TO BE DISTRIBUTED  
12 UNDER SUBPARAGRAPH (II) AFTER APPLICATION OF CLAUSE  
13 (A), THE FOLLOWING DISBURSEMENTS SHALL BE MADE:

14 (I) EIGHTY-THREE AND ONE-THIRD PERCENT OF  
15 THE MONEY TO BE DISTRIBUTED UNDER THIS CLAUSE  
16 SHALL BE DEPOSITED ON A WEEKLY BASIS INTO A  
17 SEPARATE, INTEREST-BEARING PURSE ACCOUNT TO BE  
18 ESTABLISHED BY AND FOR THE BENEFIT OF THE  
19 HORSEMEN. THE EARNED INTEREST ON THE ACCOUNT  
20 SHALL BE CREDITED TO THE PURSE ACCOUNT. LICENSEES  
21 SHALL COMBINE THESE FUNDS WITH REVENUES FROM  
22 EXISTING PURSE AGREEMENTS TO FUND PURSES FOR LIVE  
23 RACES CONSISTENT WITH THOSE AGREEMENTS WITH THE  
24 ADVICE AND CONSENT OF THE HORSEMEN.

25 (II) FOR THOROUGHBRED TRACKS, 16 AND 2/3% OF  
26 THE MONEY TO BE DISTRIBUTED UNDER THIS CLAUSE  
27 SHALL BE DEPOSITED ON A WEEKLY BASIS INTO THE  
28 PENNSYLVANIA BREEDING FUND ESTABLISHED IN SECTION  
29 223 OF THE RACE HORSE INDUSTRY REFORM ACT. FOR  
30 STANDARDBRED TRACKS, 8 AND 1/3% OF THE MONEY TO

1 BE DISTRIBUTED UNDER THIS CLAUSE SHALL BE  
2 DEPOSITED ON A WEEKLY BASIS INTO THE PENNSYLVANIA  
3 SIRE STAKES FUND AS DEFINED IN SECTION 224 OF THE  
4 RACE HORSE INDUSTRY REFORM ACT; AND 8 AND 1/3% OF  
5 THE MONEY TO BE DISTRIBUTED UNDER THIS CLAUSE  
6 SHALL BE DEPOSITED ON A WEEKLY BASIS INTO A  
7 RESTRICTED ACCOUNT IN THE STATE RACING FUND TO BE  
8 KNOWN AS THE PENNSYLVANIA STANDARDBRED BREEDERS  
9 DEVELOPMENT FUND. THE STATE HARNESS RACING  
10 COMMISSION SHALL, IN CONSULTATION WITH THE  
11 SECRETARY OF AGRICULTURE, PROMULGATE REGULATIONS  
12 ADOPTING A STANDARDBRED BREEDERS PROGRAM THAT  
13 WILL INCLUDE THE ADMINISTRATION OF THE  
14 PENNSYLVANIA STALLION AWARD, THE PENNSYLVANIA  
15 BRED AWARD AND THE PENNSYLVANIA SIRE AND BRED  
16 AWARD.

17 \* \* \*

18 SECTION 12. SECTION 1407(D) INTRODUCTORY PARAGRAPH AND (7)  
19 OF TITLE 4 ARE AMENDED AND THE SECTION IS AMENDED BY ADDING  
20 SUBSECTIONS TO READ:

21 § 1407. PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM  
22 FUND.

23 \* \* \*

24 (D) RESTRICTIONS ON PROJECTS FOR CERTAIN COUNTIES AND  
25 CITIES.--[FOR] EXCEPT AS SET FORTH IN SUBSECTION (D.1), FOR A  
26 TEN-YEAR PERIOD BEGINNING WITH THE FIRST FISCAL YEAR DURING  
27 WHICH DEPOSITS ARE MADE INTO THIS FUND, NO MONEYS FROM THE  
28 PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND SHALL  
29 BE DISTRIBUTED FOR ANY PROJECT LOCATED IN A CITY OR COUNTY OF  
30 THE FIRST OR SECOND CLASS EXCEPT AS AUTHORIZED BY THIS

1 SUBSECTION. MONEYS NOT USED FOR THE AUTHORIZED PROJECTS IN  
2 CITIES AND COUNTIES OF THE FIRST AND SECOND CLASSES MAY BE USED  
3 THROUGHOUT THIS COMMONWEALTH. MONEYS FROM THE FUND FOR PROJECTS  
4 WITHIN CITIES AND COUNTIES OF THE FIRST AND SECOND CLASSES MAY  
5 ONLY BE USED FOR THE FOLLOWING PROJECTS DURING THIS TEN-YEAR  
6 PERIOD:

7 \* \* \*

8 [(7) FOR RETIREMENT OF INDEBTEDNESS AND FOR FINANCING OF  
9 A HOTEL OR CONVENTION CENTER IN A CITY OF THE SECOND CLASS  
10 ESTABLISHED PURSUANT TO THE AUTHORITY OF THE ACT OF JULY 29,  
11 1953 (P.L.1034, NO.270), KNOWN AS THE PUBLIC AUDITORIUM  
12 AUTHORITIES LAW;]

13 \* \* \*

14 (D.1) COMMUNITY AND ECONOMIC DEVELOPMENT.--

15 (1) NOTWITHSTANDING SUBSECTION (B) OR ANY OTHER  
16 PROVISION OF LAW TO THE CONTRARY, THE MONEY AUTHORIZED BUT  
17 NOT EXPENDED UNDER FORMER SUBSECTION (D) (7) AS OF THE  
18 EFFECTIVE DATE OF THIS SUBSECTION SHALL BE DEPOSITED INTO A  
19 RESTRICTED RECEIPTS ACCOUNT TO BE ESTABLISHED IN THE  
20 COMMONWEALTH FINANCING AUTHORITY EXCLUSIVELY FOR ELIGIBLE  
21 APPLICATIONS SUBMITTED BY THE REDEVELOPMENT AUTHORITY OF A  
22 COUNTY OF THE SECOND CLASS CREATED PURSUANT TO THE ACT OF MAY  
23 24, 1945 (P.L.991, NO.385), KNOWN AS THE URBAN REDEVELOPMENT  
24 LAW, FOR ECONOMIC DEVELOPMENT, INFRASTRUCTURE DEVELOPMENT,  
25 JOB TRAINING, COMMUNITY IMPROVEMENT, PUBLIC SAFETY OR OTHER  
26 PROJECTS IN THE PUBLIC INTEREST LOCATED IN A COUNTY OF THE  
27 SECOND CLASS. COMMUNITY DEVELOPMENT CORPORATIONS, POLITICAL  
28 SUBDIVISIONS, URBAN REDEVELOPMENT AUTHORITIES, MUNICIPAL  
29 AUTHORITIES, FOR-PROFIT ENTITIES AND NONPROFIT ENTITIES  
30 LOCATED IN A COUNTY OF THE SECOND CLASS SHALL BE ELIGIBLE TO

1 RECEIVE FUNDS MADE AVAILABLE UNDER THIS PARAGRAPH.

2 (2) NOTWITHSTANDING THE CAPITAL FACILITIES DEBT ENABLING  
3 ACT, FUNDING UNDER THE PARAGRAPH (1) MAY BE UTILIZED AS LOCAL  
4 MATCHING FUNDS FOR GRANTS OR LOANS FROM THE COMMONWEALTH.

5 (E) ANNUAL REPORT.--THE OFFICE OF THE BUDGET, IN COOPERATION  
6 WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT AND  
7 THE COMMONWEALTH FINANCING AUTHORITY, SHALL SUBMIT AN ANNUAL  
8 REPORT OF ALL DISTRIBUTION OF FUNDS UNDER THIS SECTION TO THE  
9 CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE  
10 OF THE SENATE, THE CHAIRMAN AND MINORITY CHAIRMAN OF THE  
11 COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT COMMITTEE OF  
12 THE SENATE, THE CHAIRMAN AND MINORITY CHAIRMAN OF THE  
13 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE  
14 CHAIRMAN AND MINORITY CHAIRMAN OF THE GAMING OVERSIGHT COMMITTEE  
15 OF THE HOUSE OF REPRESENTATIVES. THE REPORT SHALL INCLUDE  
16 DETAILED INFORMATION RELATING TO TRANSFERS MADE FROM THE  
17 PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND AND  
18 ALL REIMBURSEMENTS, DISTRIBUTIONS AND PAYMENTS MADE UNDER  
19 SUBSECTION (B) OR THE ACT OF JULY 25, 2007 (P.L.342, NO.53),  
20 KNOWN AS PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM  
21 FUND CAPITAL BUDGET ITEMIZATION ACT OF 2007. THE REPORT SHALL BE  
22 SUBMITTED BY AUGUST 31, 2010, AND BY AUGUST 31 OF EACH YEAR  
23 THEREAFTER.

24 (F) LOCAL REPORT.--A CITY OF THE FIRST CLASS, CITY OF THE  
25 SECOND CLASS, COUNTY OF THE SECOND CLASS, CONVENTION CENTER OR  
26 CONVENTION CENTER AUTHORITY, SPORTS AND EXHIBITION AUTHORITY OF  
27 A COUNTY OF THE SECOND CLASS, URBAN REDEVELOPMENT AUTHORITY,  
28 AIRPORT AUTHORITY OR OTHER ENTITY THAT RECEIVES MONEY FROM THE  
29 FUND PURSUANT TO AN ECONOMIC DEVELOPMENT CAPITAL BUDGET UNDER  
30 SUBSECTION (B) OR THE PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT

1 AND TOURISM FUND CAPITAL BUDGET ITEMIZATION ACT OF 2007 SHALL  
2 SUBMIT AN ANNUAL REPORT TO THE OFFICE OF THE BUDGET. THE REPORT  
3 SHALL INCLUDE DETAILED INFORMATION, INCLUDING RECORDS OF  
4 EXPENDITURES, PAYMENTS AND OTHER DISTRIBUTIONS MADE FROM FUNDS  
5 RECEIVED UNDER SUBSECTION (B). THE INITIAL REPORT SHALL INCLUDE  
6 INFORMATION ON ALL FUNDS RECEIVED PRIOR TO AUGUST 31, 2010. THE  
7 REPORT SHALL BE SUBMITTED BY AUGUST 31, 2010, AND BY AUGUST 31  
8 OF EACH YEAR THEREAFTER UNTIL ALL FUNDS UNDER THIS SECTION ARE  
9 DISTRIBUTED OR RECEIVED. AN ENTITY THAT RECEIVES FUNDS FOR THE  
10 FIRST TIME AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL SUBMIT  
11 ITS INITIAL REPORT BY AUGUST 31 OF THE YEAR FOLLOWING RECEIPT OF  
12 THE FUNDS.

13 (G) DISTRIBUTION TO INTERNATIONAL AIRPORT.--NOTWITHSTANDING  
14 THE PROVISIONS OF SECTION 7(D) OF THE ACT OF JULY 25, 2007  
15 (P.L.342, NO.53), KNOWN AS THE PENNSYLVANIA GAMING ECONOMIC  
16 DEVELOPMENT AND TOURISM FUND CAPITAL BUDGET ITEMIZATION ACT OF  
17 2007, FOLLOWING THE DISTRIBUTION OF \$42.5 MILLION OF FUNDS  
18 ALLOCATED TO A COUNTY OF THE SECOND CLASS FOR DEBT SERVICE AND  
19 ECONOMIC DEVELOPMENT PROJECTS FOR AN INTERNATIONAL AIRPORT IN  
20 THE COUNTY UNDER SECTION 3(2)(I)(E) OF SAID ACT, ALL REMAINING  
21 FUNDS SHALL BE DISTRIBUTED DIRECTLY TO AN AUTHORITY THAT  
22 OPERATES AN INTERNATIONAL AIRPORT IN THE COUNTY.

23 SECTION 13. SECTION 1408(A), (C) AND (E) OF TITLE 4 ARE  
24 AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO  
25 READ:

26 § 1408. TRANSFERS FROM STATE GAMING FUND.

27 (A) TRANSFER FOR COMPULSIVE AND PROBLEM GAMBLING  
28 TREATMENT.--EACH YEAR, THE SUM OF [\$1,500,000] \$2,000,000 OR AN  
29 AMOUNT EQUAL TO [.001] .002 MULTIPLIED BY THE TOTAL GROSS  
30 TERMINAL REVENUE OF ALL ACTIVE AND OPERATING LICENSED GAMING

1 ENTITIES, WHICHEVER IS GREATER, SHALL BE TRANSFERRED INTO THE  
2 COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND ESTABLISHED IN  
3 SECTION 1509 (RELATING TO COMPULSIVE AND PROBLEM GAMBLING  
4 PROGRAM) .

5 (A.1) TRANSFER.--BEGINNING ON THE FIRST BUSINESS DAY OF  
6 JANUARY 2010 AND ANNUALLY THEREAFTER, THE SUM OF \$3,000,000  
7 SHALL BE TRANSFERED TO THE DEPARTMENT OF HEALTH TO BE USED TO  
8 PROVIDE DRUG AND ALCOHOL ADDICTION TREATMENT SERVICES, INCLUDING  
9 TREATMENT FOR DRUG AND ALCOHOL ADDICTION RELATED TO COMPULSIVE  
10 AND PROBLEM GAMBLING, AS SET FORTH IN SECTION 1509.1 (RELATING  
11 TO DRUG AND ALCOHOL TREATMENT).

12 \* \* \*

13 (C) LOCAL LAW ENFORCEMENT GRANTS.--ANNUALLY, THE SUM OF  
14 [\$5,000,000] \$2,000,000 SHALL BE TRANSFERRED TO THE BOARD FOR  
15 THE PURPOSE OF ISSUING GRANTS TO LOCAL LAW ENFORCEMENT AGENCIES  
16 TO [ENFORCE AND PREVENT THE UNLAWFUL OPERATION OF SLOT MACHINES]  
17 INVESTIGATE VIOLATIONS OF AND ENFORCE LAWS RELATING TO UNLAWFUL  
18 GAMBLING IN THIS COMMONWEALTH. FOR PURPOSES OF THIS SUBSECTION,  
19 THE TERM "LOCAL LAW ENFORCEMENT AGENCY" SHALL INCLUDE THE  
20 PENNSYLVANIA STATE POLICE WHEN CONDUCTING UNLAWFUL GAMBLING  
21 ENFORCEMENT AND PREVENTION ACTIVITIES IN A MUNICIPALITY WHICH  
22 DOES NOT HAVE A MUNICIPAL POLICE DEPARTMENT AND IN WHICH THE  
23 PENNSYLVANIA STATE POLICE PROVIDE THE MUNICIPALITY WITH PRIMARY  
24 POLICE COVERAGE.

25 \* \* \*

26 (E) TRANSFER TO PROPERTY TAX RELIEF FUND.--MONTHLY, THE  
27 STATE TREASURER SHALL TRANSFER THE REMAINING BALANCE IN THE  
28 STATE GAMING FUND WHICH IS NOT ALLOCATED IN SUBSECTIONS (A),  
29 (A.1), (B), (C) AND (D) TO THE PROPERTY TAX RELIEF FUND  
30 ESTABLISHED IN SECTION 1409 (RELATING TO PROPERTY TAX RELIEF

1   FUND) .

2       SECTION 13.1.   SECTIONS 1501(B) AND (C), 1504 AND 1505 OF  
3   TITLE 4 ARE AMENDED TO READ:

4   § 1501.   RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

5       \* \* \*

6       (B)   APPLICATION OF RULES AND REGULATIONS.--THE DEPARTMENT  
7   MAY PRESCRIBE THE EXTENT, IF ANY, TO WHICH ANY RULES AND  
8   REGULATIONS SHALL BE APPLIED WITHOUT RETROACTIVE EFFECT. THE  
9   DEPARTMENT SHALL HAVE AUTHORITY TO PRESCRIBE THE FORMS AND THE  
10  SYSTEM OF ACCOUNTING AND RECORDKEEPING TO BE EMPLOYED AND  
11  THROUGH ITS REPRESENTATIVE SHALL AT ALL TIMES HAVE POWER OF  
12  ACCESS TO AND EXAMINATION AND AUDIT OF ANY EQUIPMENT AND RECORDS  
13  RELATING TO ALL ASPECTS OF THE OPERATION OF SLOT MACHINES AND  
14  TABLE GAMES UNDER THIS PART.

15       (C)   PROCEDURE.--FOR PURPOSES OF IMPLEMENTING THIS PART, THE  
16  DEPARTMENT MAY PROMULGATE REGULATIONS IN THE SAME MANNER IN  
17  WHICH THE BOARD IS AUTHORIZED AS PROVIDED IN SECTION 1203  
18  (RELATING TO TEMPORARY REGULATIONS) AND SECTION 1303A (RELATING  
19  TO TEMPORARY TABLE GAME REGULATIONS).

20       \* \* \*

21  § 1504.   WAGERING ON CREDIT.

22       [SLOT] EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, SLOT  
23  MACHINE LICENSEES [MAY] SHALL NOT EXTEND CREDIT. SLOT MACHINE  
24  LICENSEES [MAY] SHALL NOT ACCEPT CREDIT CARDS, CHARGE CARDS OR  
25  DEBIT CARDS FROM A PATRON OR PLAYER FOR THE EXCHANGE OR PURCHASE  
26  OF SLOT MACHINE CREDITS OR FOR AN ADVANCE OF COINS OR CURRENCY  
27  TO BE UTILIZED BY A PLAYER TO PLAY SLOT MACHINE GAMES OR EXTEND  
28  CREDIT IN ANY MANNER TO A PLAYER SO AS TO ENABLE THE PLAYER TO  
29  PLAY SLOT MACHINES. SLOT MACHINE LICENSEES WHO HOLD A TABLE GAME  
30  OPERATION CERTIFICATE MAY EXTEND CREDIT FOR SLOT MACHINE GAMING

1 IN ACCORDANCE WITH SECTION 1326A (RELATING TO CASH EQUIVALENTS).

2 § 1505. NO EMINENT DOMAIN AUTHORITY.

3 NEITHER THE COMMONWEALTH NOR ANY POLITICAL SUBDIVISION  
4 THEREOF SHALL HAVE THE RIGHT TO ACQUIRE, WITH OR WITHOUT  
5 COMPENSATION, THROUGH THE POWER OF EMINENT DOMAIN ANY PROPERTY,  
6 EASEMENT OR LAND USE RIGHT FOR THE SITING OR CONSTRUCTION OF A  
7 LICENSED FACILITY [FOR THE OPERATION OF SLOT MACHINES BY A SLOT  
8 MACHINE LICENSEE].

9 SECTION 13.2. SECTION 1509(A), (B), (C) AND (D) OF TITLE 4  
10 ARE AMENDED AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO  
11 READ:

12 § 1509. COMPULSIVE AND PROBLEM GAMBLING PROGRAM.

13 (A) ESTABLISHMENT OF PROGRAM.--THE DEPARTMENT OF HEALTH, IN  
14 CONSULTATION WITH ORGANIZATIONS SIMILAR TO THE MID-ATLANTIC  
15 ADDICTION TRAINING INSTITUTE, SHALL DEVELOP PROGRAM GUIDELINES  
16 FOR PUBLIC EDUCATION, AWARENESS AND TRAINING REGARDING  
17 COMPULSIVE AND PROBLEM GAMBLING AND THE TREATMENT AND PREVENTION  
18 OF COMPULSIVE AND PROBLEM GAMBLING. THE GUIDELINES SHALL INCLUDE  
19 STRATEGIES FOR THE PREVENTION OF COMPULSIVE AND PROBLEM  
20 GAMBLING. THE DEPARTMENT OF HEALTH MAY CONSULT WITH THE BOARD  
21 AND LICENSED GAMING ENTITIES TO DEVELOP SUCH STRATEGIES. [THE  
22 PROGRAM SHALL INCLUDE:

23 (1) MAINTENANCE OF A COMPULSIVE GAMBLERS ASSISTANCE  
24 ORGANIZATION'S TOLL-FREE PROBLEM GAMBLING TELEPHONE NUMBER TO  
25 PROVIDE CRISIS COUNSELING AND REFERRAL SERVICES TO FAMILIES  
26 EXPERIENCING DIFFICULTY AS A RESULT OF PROBLEM OR COMPULSIVE  
27 GAMBLING.

28 (2) THE PROMOTION OF PUBLIC AWARENESS REGARDING THE  
29 RECOGNITION AND PREVENTION OF PROBLEM OR COMPULSIVE GAMBLING.

30 (3) FACILITATION, THROUGH IN-SERVICE TRAINING AND OTHER

1 MEANS, OF THE AVAILABILITY OF EFFECTIVE ASSISTANCE PROGRAMS  
2 FOR PROBLEM AND COMPULSIVE GAMBLERS AND FAMILY MEMBERS  
3 AFFECTED BY PROBLEM AND COMPULSIVE GAMBLING.

4 (4) CONDUCTING STUDIES TO IDENTIFY ADULTS AND JUVENILES  
5 IN THIS COMMONWEALTH WHO ARE OR ARE AT RISK OF BECOMING  
6 PROBLEM OR COMPULSIVE GAMBLERS.

7 (5) PROVIDING GRANTS TO AND CONTRACTING WITH  
8 ORGANIZATIONS WHICH PROVIDE SERVICES AS SET FORTH IN THIS  
9 SECTION.

10 (6) PROVIDING REIMBURSEMENT FOR ORGANIZATIONS FOR  
11 REASONABLE EXPENSES IN ASSISTING THE DEPARTMENT OF HEALTH IN  
12 CARRYING OUT THE PURPOSES OF THIS SECTION.]

13 (A.1) DUTIES OF DEPARTMENT OF HEALTH.--FROM FUNDS AVAILABLE  
14 IN THE COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND, THE  
15 DEPARTMENT OF HEALTH SHALL:

16 (1) MAINTAIN A COMPULSIVE GAMBLERS ASSISTANCE  
17 ORGANIZATION'S TOLL-FREE PROBLEM GAMBLING TELEPHONE NUMBER TO  
18 PROVIDE CRISIS COUNSELING AND REFERRAL SERVICES TO  
19 INDIVIDUALS AND FAMILIES EXPERIENCING DIFFICULTY AS A RESULT  
20 OF PROBLEM OR COMPULSIVE GAMBLING.

21 (2) FACILITATE, THROUGH IN-SERVICE TRAINING AND OTHER  
22 MEANS, THE AVAILABILITY OF EFFECTIVE ASSISTANCE PROGRAMS FOR  
23 PROBLEM AND COMPULSIVE GAMBLERS AND FAMILY MEMBERS AFFECTED  
24 BY PROBLEM AND COMPULSIVE GAMBLING.

25 (3) AT ITS DISCRETION, CONDUCT STUDIES TO IDENTIFY  
26 INDIVIDUALS IN THIS COMMONWEALTH WHO ARE OR ARE AT RISK OF  
27 BECOMING PROBLEM OR COMPULSIVE GAMBLERS.

28 (4) PROVIDE GRANTS TO AND CONTRACT WITH SINGLE COUNTY  
29 AUTHORITIES AND OTHER ORGANIZATIONS WHICH PROVIDE SERVICES AS  
30 SET FORTH IN THIS SECTION.

1           (5) REIMBURSE ORGANIZATIONS FOR REASONABLE EXPENSES  
2           INCURRED ASSISTING THE DEPARTMENT OF HEALTH WITH IMPLEMENTING  
3           THIS SECTION.

4           (A.2) DUTIES OF DEPARTMENT OF HEALTH AND BOARD.--WITHIN 60  
5           DAYS FOLLOWING THE EFFECTIVE DATE OF THIS SUBSECTION, THE  
6           DEPARTMENT OF HEALTH'S BUREAU OF DRUG AND ALCOHOL PROGRAMS AND  
7           THE BOARD'S OFFICE OF COMPULSIVE AND PROBLEM GAMBLING SHALL  
8           JOINTLY COLLABORATE WITH OTHER APPROPRIATE OFFICES AND AGENCIES  
9           OF STATE OR LOCAL GOVERNMENT, INCLUDING SINGLE COUNTY  
10           AUTHORITIES, AND PROVIDERS AND OTHER PERSONS, PUBLIC OR PRIVATE,  
11           WITH EXPERTISE IN COMPULSIVE AND PROBLEM GAMBLING TREATMENT TO  
12           DO THE FOLLOWING:

13           (1) IMPLEMENT A STRATEGIC PLAN FOR THE PREVENTION AND  
14           TREATMENT OF COMPULSIVE AND PROBLEM GAMBLING.

15           (2) ADOPT COMPULSIVE AND PROBLEM GAMBLING TREATMENT  
16           STANDARDS TO BE INTEGRATED WITH THE BUREAU OF DRUG AND  
17           ALCOHOL PROGRAM'S UNIFORM STATEWIDE GUIDELINES THAT GOVERN  
18           THE PROVISION OF ADDICTION TREATMENT SERVICES.

19           (3) DEVELOP A METHOD TO COORDINATE COMPULSIVE AND  
20           PROBLEM GAMBLING DATA COLLECTION AND REFERRAL INFORMATION TO  
21           CRISIS RESPONSE HOTLINES, CHILD WELFARE AND DOMESTIC VIOLENCE  
22           PROGRAMS AND PROVIDERS AND OTHER APPROPRIATE PROGRAMS AND  
23           PROVIDERS.

24           (4) DEVELOP AND DISSEMINATE EDUCATIONAL MATERIALS TO  
25           PROVIDE PUBLIC AWARENESS RELATED TO THE PREVENTION,  
26           RECOGNITION AND TREATMENT OF COMPULSIVE AND PROBLEM GAMBLING.

27           (5) DEVELOP DEMOGRAPHIC-SPECIFIC COMPULSIVE AND PROBLEM  
28           GAMBLING PREVENTION, INTERVENTION AND TREATMENT PROGRAMS.

29           (6) PREPARE AN ITEMIZED BUDGET OUTLINING HOW FUNDS WILL  
30           BE ALLOCATED TO FULFILL THE RESPONSIBILITIES UNDER THIS

1        SECTION.

2        (B)    COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND.--THERE  
3    IS HEREBY ESTABLISHED IN THE STATE TREASURY A SPECIAL FUND TO BE  
4    KNOWN AS THE COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND. ALL  
5    MONEYS IN THE FUND SHALL BE [EXPENDED] ADMINISTERED BY THE  
6    DEPARTMENT OF HEALTH AND EXPENDED SOLELY FOR PROGRAMS FOR THE  
7    PREVENTION AND TREATMENT OF GAMBLING ADDICTION AND OTHER  
8    EMOTIONAL AND BEHAVIORAL PROBLEMS ASSOCIATED WITH OR RELATED TO  
9    GAMBLING ADDICTION AND FOR THE ADMINISTRATION OF THE COMPULSIVE  
10   AND PROBLEM GAMBLING PROGRAM[.]; PROVIDED THAT THE DEPARTMENT OF  
11   HEALTH SHALL ANNUALLY DISTRIBUTE AT LEAST 50% OF THE MONEY IN  
12   THE FUND TO SINGLE COUNTY AUTHORITIES UNDER SUBSECTION (D). THE  
13   FUND SHALL CONSIST OF MONEY ANNUALLY ALLOCATED TO IT FROM THE  
14   ANNUAL PAYMENT ESTABLISHED UNDER SECTION [1408] 1408(A)  
15   (RELATING TO TRANSFERS FROM STATE GAMING FUND), MONEY WHICH MAY  
16   BE ALLOCATED BY THE BOARD, INTEREST EARNINGS ON MONEYS IN THE  
17   FUND AND ANY OTHER CONTRIBUTIONS, PAYMENTS OR DEPOSITS WHICH MAY  
18   BE MADE TO THE FUND.

19        (C)    NOTICE OF AVAILABILITY OF ASSISTANCE.--

20            (1)    EACH SLOT MACHINE LICENSEE SHALL OBTAIN A TOLL-FREE  
21    TELEPHONE NUMBER TO BE USED TO PROVIDE PERSONS WITH  
22    INFORMATION ON ASSISTANCE FOR COMPULSIVE OR PROBLEM GAMBLING.  
23    EACH LICENSEE SHALL CONSPICUOUSLY POST AT LEAST 20 SIGNS  
24    SIMILAR TO THE FOLLOWING STATEMENT:

25            IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP  
26            IS AVAILABLE. CALL (TOLL-FREE TELEPHONE NUMBER).  
27    THE SIGNS MUST BE POSTED WITHIN 50 FEET OF EACH ENTRANCE AND  
28    EXIT [AND]   WITHIN 50 FEET OF EACH AUTOMATED TELLER MACHINE  
29    LOCATION WITHIN THE LICENSED FACILITY AND IN OTHER  
30    APPROPRIATE PUBLIC AREAS OF THE LICENSED FACILITY AS

1 DETERMINED BY THE SLOT MACHINE LICENSEE.

2 (2) EACH RACETRACK WHERE SLOT MACHINES OR TABLE GAMES  
3 ARE OPERATED SHALL PRINT A STATEMENT ON DAILY RACING PROGRAMS  
4 PROVIDED TO THE GENERAL PUBLIC THAT IS SIMILAR TO THE  
5 FOLLOWING:

6 IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP  
7 IS AVAILABLE. CALL (TOLL-FREE TELEPHONE NUMBER).

8 (3) A LICENSED FACILITY WHICH FAILS TO POST OR PRINT THE  
9 WARNING SIGN IN ACCORDANCE WITH PARAGRAPH (1) OR (2) SHALL BE  
10 ASSESSED A FINE OF \$1,000 A DAY FOR EACH DAY THE [SIGN IS]  
11 MINIMUM NUMBER OF SIGNS ARE NOT POSTED OR THE REQUIRED  
12 STATEMENT IS NOT PRINTED AS PROVIDED IN THIS SUBSECTION.

13 (D) SINGLE COUNTY AUTHORITIES.--THE DEPARTMENT OF HEALTH  
14 [MAY] SHALL MAKE GRANTS FROM THE FUND ESTABLISHED UNDER  
15 SUBSECTION (B) TO [A SINGLE COUNTY AUTHORITY] SINGLE COUNTY  
16 AUTHORITIES CREATED PURSUANT TO THE ACT OF APRIL 14, 1972  
17 (P.L.221, NO.63), KNOWN AS THE PENNSYLVANIA DRUG AND ALCOHOL  
18 ABUSE CONTROL ACT, FOR THE PURPOSE OF PROVIDING COMPULSIVE  
19 GAMBLING AND GAMBLING ADDICTION PREVENTION, TREATMENT AND  
20 EDUCATION PROGRAMS. TREATMENT MAY INCLUDE FINANCIAL COUNSELING,  
21 IRRESPECTIVE OF WHETHER THE FINANCIAL COUNSELING IS PROVIDED BY  
22 THE SINGLE COUNTY AUTHORITY, THE TREATMENT SERVICE PROVIDER OR  
23 SUBCONTRACTED TO A THIRD PARTY. IT IS THE INTENTION OF THE  
24 GENERAL ASSEMBLY THAT ANY GRANTS [THAT] MADE BY THE DEPARTMENT  
25 OF HEALTH [MAY MAKE] TO ANY SINGLE COUNTY AUTHORITY IN  
26 ACCORDANCE WITH THE PROVISIONS OF THIS SUBSECTION BE USED  
27 EXCLUSIVELY FOR THE DEVELOPMENT AND IMPLEMENTATION OF COMPULSIVE  
28 AND PROBLEM GAMBLING PROGRAMS AUTHORIZED UNDER [SUBSECTION (A)]  
29 THIS SECTION.

30 (D.1) ELIGIBILITY.--ELIGIBILITY TO RECEIVE TREATMENT

1 SERVICES FOR TREATMENT OF COMPULSIVE AND PROBLEM GAMBLING UNDER  
2 THIS SECTION SHALL BE DETERMINED USING FINANCIAL ELIGIBILITY AND  
3 OTHER REQUIREMENTS OF THE SINGLE COUNTY AUTHORITIES AS APPROVED  
4 BY THE DEPARTMENT OF HEALTH.

5 (D.2) REPORT.--NO LATER THAN OCTOBER 1, 2010, AND EACH  
6 OCTOBER 1 THEREAFTER, THE DEPARTMENT OF HEALTH, IN CONSULTATION  
7 WITH THE BOARD, SHALL PREPARE AND SUBMIT A REPORT ON THE IMPACT  
8 OF THE PROGRAMS FUNDED BY THE COMPULSIVE AND PROBLEM GAMBLING  
9 TREATMENT FUND TO THE GOVERNOR AND TO THE MEMBERS OF THE GENERAL  
10 ASSEMBLY. THE REPORT SHALL INCLUDE AGGREGATE DEMOGRAPHIC-  
11 SPECIFIC DATA, INCLUDING RACE, GENDER, GEOGRAPHY AND INCOME OF  
12 THOSE INDIVIDUALS TREATED.

13 \* \* \*

14 SECTION 13.3. TITLE 4 IS AMENDED BY ADDING A SECTION TO  
15 READ:

16 § 1509.1. DRUG AND ALCOHOL TREATMENT.

17 (A) DUTIES OF DEPARTMENT OF HEALTH.--ANNUALLY, THE  
18 DEPARTMENT OF HEALTH SHALL ALLOCATE AND TRANSFER ALL FUNDS  
19 RECEIVED BY IT UNDER SECTION 1408(A.1) (RELATING TO TRANSFERS  
20 FROM STATE GAMING FUND) TO THE SINGLE COUNTY AUTHORITIES.

21 (B) DUTIES OF SINGLE COUNTY AUTHORITIES.--THE FUNDS  
22 ALLOCATED AND TRANSFERRED TO THE SINGLE COUNTY AUTHORITIES UNDER  
23 SUBSECTION (A) SHALL BE USED BY THE SINGLE COUNTY AUTHORITIES  
24 SOLELY FOR DRUG AND ALCOHOL ADDICTION ASSESSMENTS, INCLUDING  
25 DRUG AND ALCOHOL ADDICTION ASSESSMENT ASSOCIATED OR RELATED TO  
26 COMPULSIVE AND PROBLEM GAMBLING, AND FOR THE RELATED ADDICTION  
27 TREATMENT, IN NONHOSPITAL RESIDENTIAL DETOXIFICATION FACILITIES,  
28 NONHOSPITAL RESIDENTIAL REHABILITATION FACILITIES AND HALFWAY  
29 HOUSES LICENSED BY THE DEPARTMENT OF HEALTH TO PROVIDE ADDICTION  
30 TREATMENT SERVICES.

1 (C) ELIGIBILITY.--ELIGIBILITY TO RECEIVE TREATMENT SERVICES  
2 FOR TREATMENT OF DRUG AND ALCOHOL ADDICTION OR DRUG AND ALCOHOL  
3 ADDICTION ASSOCIATED WITH OR RELATED TO COMPULSIVE AND PROBLEM  
4 GAMBLING SHALL BE DETERMINED USING FINANCIAL ELIGIBILITY AND  
5 OTHER REQUIREMENTS OF THE SINGLE COUNTY AUTHORITIES AS APPROVED  
6 BY THE DEPARTMENT OF HEALTH.

7 (D) REPORT.--NO LATER THAN OCTOBER 1, 2010, AND EACH OCTOBER  
8 1 THEREAFTER, THE BUREAU OF DRUG AND ALCOHOL PROGRAMS SHALL  
9 PREPARE AND SUBMIT A REPORT TO THE GOVERNOR AND TO THE MEMBERS  
10 OF THE GENERAL ASSEMBLY ON THE DATA AND PROGRESS ON ACTIVITIES  
11 INITIATED UNDER THIS SECTION.

12 SECTION 13.4. SECTIONS 1510(A), 1511(B) AND 1512(A.1), (A.5)  
13 AND (B) OF TITLE 4 ARE AMENDED TO READ:

14 § 1510. LABOR HIRING PREFERENCES.

15 (A) CATEGORY 1, 2, AND 3 LICENSED FACILITIES, GENERALLY.--  
16 EACH LICENSED GAMING ENTITY SHALL PREPARE A HIRING PLAN FOR  
17 EMPLOYEES OF ITS RESPECTIVE LICENSED FACILITY WHICH PROMOTES A  
18 DIVERSE WORK FORCE, MINORITY PARTICIPATION AND PERSONNEL FROM  
19 WITHIN THE SURROUNDING GEOGRAPHICAL AREA. THE HIRING PLAN SHALL  
20 BE APPROVED BY THE BOARD AND SHALL BE CONSISTENT WITH THE GOALS  
21 OUTLINED IN SECTIONS 1212 (RELATING TO DIVERSITY GOALS OF BOARD)  
22 AND 1304A (RELATING TO COMMONWEALTH RESIDENT EMPLOYMENT GOALS)  
23 AND SHALL BE UPDATED ANNUALLY.

24 \* \* \*

25 § 1511. DECLARATION OF EXEMPTION FROM FEDERAL LAWS PROHIBITING  
26 SLOT MACHINES.

27 \* \* \*

28 (B) LEGAL SHIPMENTS.--ALL SHIPMENTS OF [SLOT MACHINES]  
29 GAMBLING DEVICES, AS DEFINED IN SECTION 1 OF THE GAMBLING  
30 DEVICES TRANSPORTATION ACT (64 STAT. 1134, 15 U.S.C. § 1171),

1 INTO THIS COMMONWEALTH, THE REGISTERING, RECORDING AND LABELING  
2 OF WHICH HAS BEEN EFFECTED BY THE MANUFACTURER AND SUPPLIER OF  
3 THOSE DEVICES, IN ACCORDANCE WITH SECTIONS [5 AND 7] 3 AND 4 OF  
4 THE GAMBLING DEVICES TRANSPORTATION ACT (64 STAT. 1134, 15  
5 U.S.C. §§ [1175 AND 1177] 1173 AND 1174), SHALL BE DEEMED LEGAL  
6 SHIPMENTS OF [SLOT MACHINES] GAMBLING DEVICES INTO THIS  
7 COMMONWEALTH.

8 § 1512. FINANCIAL AND EMPLOYMENT INTERESTS.

9 \* \* \*

10 (A.1) EMPLOYMENT.--EXCEPT AS MAY BE PROVIDED BY RULE OR  
11 ORDER OF THE PENNSYLVANIA SUPREME COURT AND EXCEPT AS PROVIDED  
12 IN SECTION 1202.1 (RELATING TO CODE OF CONDUCT) OR 1512.1  
13 (RELATING TO ADDITIONAL RESTRICTIONS), NO EXECUTIVE-LEVEL PUBLIC  
14 EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER, OR AN IMMEDIATE  
15 FAMILY MEMBER THEREOF, SHALL BE EMPLOYED BY AN APPLICANT OR A  
16 SLOT MACHINE LICENSEE, MANUFACTURER LICENSEE, SUPPLIER LICENSEE  
17 OR LICENSED RACING ENTITY, OR BY ANY HOLDING COMPANY, AFFILIATE,  
18 INTERMEDIARY OR SUBSIDIARY THEREOF, WHILE THE INDIVIDUAL IS AN  
19 EXECUTIVE-LEVEL PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY  
20 OFFICER AND FOR ONE YEAR FOLLOWING TERMINATION OF THE  
21 INDIVIDUAL'S STATUS AS AN EXECUTIVE-LEVEL PUBLIC EMPLOYEE,  
22 PUBLIC OFFICIAL OR PARTY OFFICER.

23 \* \* \*

24 (A.5) STATE ETHICS COMMISSION.--THE STATE ETHICS COMMISSION  
25 SHALL [PUBLISH] DO ALL OF THE FOLLOWING:

26 (1) ISSUE A WRITTEN DETERMINATION OF WHETHER A PERSON IS  
27 SUBJECT TO SUBSECTIONS (A), (A.1) OR (A.2) UPON THE WRITTEN  
28 REQUEST OF THE PERSON OR ANY OTHER PERSON THAT MAY HAVE  
29 LIABILITY FOR AN ACTION TAKEN WITH RESPECT TO SUCH PERSON. A  
30 PERSON THAT RELIES IN GOOD FAITH ON A DETERMINATION MADE

1 UNDER THIS PARAGRAPH SHALL NOT BE SUBJECT TO ANY PENALTY FOR  
2 AN ACTION TAKEN, PROVIDED THAT ALL MATERIAL FACTS SET FORTH  
3 IN THE REQUEST FOR THE DETERMINATION ARE CORRECT.

4 (2) PUBLISH A LIST OF ALL STATE, COUNTY, MUNICIPAL AND  
5 OTHER GOVERNMENT POSITIONS THAT MEET THE DEFINITIONS OF  
6 "PUBLIC OFFICIAL" AS DEFINED UNDER SUBSECTION (B) OR  
7 "EXECUTIVE-LEVEL PUBLIC EMPLOYEE" [UNDER SUBSECTION (B)]. THE  
8 OFFICE OF ADMINISTRATION SHALL ASSIST THE STATE ETHICS  
9 COMMISSION IN THE DEVELOPMENT OF THE LIST, WHICH SHALL BE  
10 PUBLISHED BY THE STATE ETHICS COMMISSION IN THE PENNSYLVANIA  
11 BULLETIN BIENNIALLY AND POSTED BY THE BOARD ON THE BOARD'S  
12 INTERNET WEBSITE. UPON REQUEST, EACH PUBLIC OFFICIAL SHALL  
13 HAVE A DUTY TO PROVIDE THE STATE ETHICS COMMISSION WITH  
14 ADEQUATE INFORMATION TO ACCURATELY DEVELOP AND MAINTAIN THE  
15 LIST. THE STATE ETHICS COMMISSION MAY IMPOSE A CIVIL PENALTY  
16 UNDER 65 PA.C.S. § 1109(F) (RELATING TO PENALTIES) UPON ANY  
17 INDIVIDUAL, INCLUDING ANY PUBLIC OFFICIAL OR EXECUTIVE-LEVEL  
18 PUBLIC EMPLOYEE, WHO FAILS TO COOPERATE WITH THE STATE ETHICS  
19 COMMISSION UNDER THIS SUBSECTION. A PERSON THAT RELIES IN  
20 GOOD FAITH ON THE LIST PUBLISHED BY THE STATE ETHICS  
21 COMMISSION SHALL NOT BE SUBJECT TO ANY PENALTY FOR A  
22 VIOLATION OF THIS SECTION.

23 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
24 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
25 SUBSECTION:

26 ["EXECUTIVE-LEVEL PUBLIC EMPLOYEE." THE TERM SHALL INCLUDE  
27 THE FOLLOWING:

28 (1) DEPUTY SECRETARIES OF THE COMMONWEALTH AND THE  
29 GOVERNOR'S OFFICE EXECUTIVE STAFF.

30 (2) AN EMPLOYEE OF THE EXECUTIVE BRANCH WITH

1 DISCRETIONARY POWER WHICH MAY AFFECT OR INFLUENCE THE OUTCOME  
2 OF A STATE AGENCY'S ACTION OR DECISION AND WHO IS INVOLVED IN  
3 THE DEVELOPMENT OF REGULATIONS OR POLICIES RELATING TO A  
4 LICENSED ENTITY OR WHO IS INVOLVED IN OTHER MATTERS UNDER  
5 THIS PART. THE TERM SHALL INCLUDE AN EMPLOYEE WITH LAW  
6 ENFORCEMENT AUTHORITY.

7 (3) AN EMPLOYEE OF A COUNTY OR MUNICIPALITY WITH  
8 DISCRETIONARY POWERS WHICH MAY AFFECT OR INFLUENCE THE  
9 OUTCOME OF THE COUNTY'S OR MUNICIPALITY'S ACTION OR DECISION  
10 AND WHO IS INVOLVED IN THE DEVELOPMENT OF LAW, REGULATION OR  
11 POLICY RELATING TO A LICENSED ENTITY OR WHO IS INVOLVED IN  
12 OTHER MATTERS UNDER THIS PART. THE TERM SHALL INCLUDE AN  
13 EMPLOYEE WITH LAW ENFORCEMENT AUTHORITY.

14 (4) AN EMPLOYEE OF A DEPARTMENT, AGENCY, BOARD,  
15 COMMISSION, AUTHORITY OR OTHER GOVERNMENTAL BODY NOT INCLUDED  
16 IN PARAGRAPH (1), (2) OR (3) WITH DISCRETIONARY POWER WHICH  
17 MAY AFFECT OR INFLUENCE THE OUTCOME OF THE GOVERNMENTAL  
18 BODY'S ACTION OR DECISION AND WHO IS INVOLVED IN THE  
19 DEVELOPMENT OF REGULATION OR POLICY RELATING TO A LICENSED  
20 ENTITY OR WHO IS INVOLVED IN OTHER MATTERS UNDER THIS PART.  
21 THE TERM SHALL INCLUDE AN EMPLOYEE WITH LAW ENFORCEMENT  
22 AUTHORITY.]

23 "FINANCIAL INTEREST." OWNING OR HOLDING, OR BEING DEEMED TO  
24 HOLD, DEBT OR EQUITY SECURITIES OR OTHER OWNERSHIP INTEREST OR  
25 PROFITS INTEREST. A FINANCIAL INTEREST SHALL NOT INCLUDE ANY  
26 DEBT OR EQUITY SECURITY, OR OTHER OWNERSHIP INTEREST OR PROFITS  
27 INTEREST, WHICH IS HELD OR DEEMED TO BE HELD IN ANY OF THE  
28 FOLLOWING:

29 (1) A BLIND TRUST OVER WHICH THE EXECUTIVE-LEVEL PUBLIC  
30 EMPLOYEE, PUBLIC OFFICIAL, PARTY OFFICER OR IMMEDIATE FAMILY

1 MEMBER THEREOF MAY NOT EXERCISE ANY MANAGERIAL CONTROL OR  
2 RECEIVE INCOME DURING THE TENURE OF OFFICE AND THE PERIOD  
3 UNDER SUBSECTION (A). THE PROVISIONS OF THIS PARAGRAPH SHALL  
4 APPLY ONLY TO BLIND TRUSTS ESTABLISHED PRIOR TO THE EFFECTIVE  
5 DATE OF THIS PARAGRAPH.

6 (2) SECURITIES THAT ARE HELD IN A PENSION PLAN, PROFIT-  
7 SHARING PLAN, INDIVIDUAL RETIREMENT ACCOUNT, TAX-SHELTERED  
8 ANNUITY, A PLAN ESTABLISHED PURSUANT TO SECTION 457 OF THE  
9 INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. §  
10 1 ET SEQ.) OR ANY SUCCESSOR PROVISION DEFERRED COMPENSATION  
11 PLAN WHETHER QUALIFIED OR NOT QUALIFIED UNDER THE INTERNAL  
12 REVENUE CODE OF 1986 OR ANY SUCCESSOR PROVISION OR OTHER  
13 RETIREMENT PLAN THAT:

14 (I) IS NOT SELF-DIRECTED BY THE INDIVIDUAL; AND

15 (II) IS ADVISED BY AN INDEPENDENT INVESTMENT ADVISER  
16 WHO HAS SOLE AUTHORITY TO MAKE INVESTMENT DECISIONS WITH  
17 RESPECT TO CONTRIBUTIONS MADE BY THE INDIVIDUAL TO THESE  
18 PLANS.

19 (3) A TUITION ACCOUNT PLAN ORGANIZED AND OPERATED  
20 PURSUANT TO SECTION 529 OF THE INTERNAL REVENUE CODE OF 1986  
21 (PUBLIC LAW 99-514, 26 U.S.C. § 529) THAT IS NOT SELF-  
22 DIRECTED BY THE INDIVIDUAL.

23 (4) A MUTUAL FUND WHERE THE INTEREST OWNED BY THE MUTUAL  
24 FUND IN A LICENSED ENTITY DOES NOT CONSTITUTE A CONTROLLING  
25 INTEREST AS DEFINED IN THIS PART.

26 "IMMEDIATE FAMILY." A SPOUSE, MINOR CHILD OR UNEMANCIPATED  
27 CHILD.

28 ["LAW ENFORCEMENT AUTHORITY." THE POWER TO CONDUCT  
29 INVESTIGATIONS OF OR TO MAKE ARRESTS FOR CRIMINAL OFFENSES.]

30 "PARTY OFFICER." A MEMBER OF A NATIONAL COMMITTEE; A

1 CHAIRMAN, VICE CHAIRMAN, SECRETARY, TREASURER OR COUNSEL OF A  
2 STATE COMMITTEE OR MEMBER OF THE EXECUTIVE COMMITTEE OF A STATE  
3 COMMITTEE; A COUNTY CHAIRMAN, VICE CHAIRMAN, COUNSEL, SECRETARY  
4 OR TREASURER OF A COUNTY COMMITTEE IN WHICH A LICENSED FACILITY  
5 IS LOCATED; OR A CITY CHAIRMAN, VICE CHAIRMAN, COUNSEL,  
6 SECRETARY OR TREASURER OF A CITY COMMITTEE OF A CITY IN WHICH A  
7 LICENSED FACILITY IS LOCATED.

8 "PUBLIC OFFICIAL." THE TERM SHALL INCLUDE THE FOLLOWING:

9 (1) THE GOVERNOR, LIEUTENANT GOVERNOR, A MEMBER OF THE  
10 GOVERNOR'S CABINET, TREASURER, AUDITOR GENERAL AND ATTORNEY  
11 GENERAL OF THE COMMONWEALTH.

12 (2) A MEMBER OF THE SENATE OR HOUSE OF REPRESENTATIVES  
13 OF THE COMMONWEALTH.

14 (3) AN INDIVIDUAL ELECTED OR APPOINTED TO ANY OFFICE OF  
15 A COUNTY OR MUNICIPALITY THAT DIRECTLY RECEIVES A  
16 DISTRIBUTION OF REVENUE UNDER THIS PART.

17 (4) AN INDIVIDUAL ELECTED OR APPOINTED TO A DEPARTMENT,  
18 AGENCY, BOARD, COMMISSION, AUTHORITY OR OTHER GOVERNMENTAL  
19 BODY NOT INCLUDED IN PARAGRAPH (1), (2) OR (3) THAT DIRECTLY  
20 RECEIVES A DISTRIBUTION OF REVENUE UNDER THIS PART.

21 (5) AN INDIVIDUAL ELECTED OR APPOINTED TO A DEPARTMENT,  
22 AGENCY, BOARD, COMMISSION, AUTHORITY, COUNTY, MUNICIPALITY OR  
23 OTHER GOVERNMENTAL BODY NOT INCLUDED IN PARAGRAPH (1), (2) OR  
24 (3) WITH DISCRETIONARY POWER WHICH MAY INFLUENCE OR AFFECT  
25 THE OUTCOME OF AN ACTION OR DECISION AND WHO IS INVOLVED IN  
26 THE DEVELOPMENT OF REGULATION OR POLICY RELATING TO A  
27 LICENSED ENTITY OR WHO IS INVOLVED IN OTHER MATTERS UNDER  
28 THIS PART.

29 THE TERM DOES NOT INCLUDE A MEMBER OF A SCHOOL BOARD OR AN  
30 INDIVIDUAL WHO HELD AN UNCOMPENSATED OFFICE WITH A GOVERNMENTAL

1 BODY PRIOR TO JANUARY 1, 2006, AND WHO NO LONGER HOLDS THE  
2 OFFICE AS OF JANUARY 1, 2006. THE TERM INCLUDES A MEMBER OF AN  
3 ADVISORY BOARD OR COMMISSION WHICH MAKES RECOMMENDATIONS  
4 RELATING TO A LICENSED FACILITY.

5 SECTION 14. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:  
6 § 1512.1. ADDITIONAL RESTRICTIONS.

7 (A) RESTRICTIONS.--NO INDIVIDUAL TROOPER OR EMPLOYEE OF THE  
8 PENNSYLVANIA STATE POLICE OR EMPLOYEE OF THE OFFICE OF ATTORNEY  
9 GENERAL OR THE DEPARTMENT WHOSE DUTIES SUBSTANTIALLY INVOLVE  
10 LICENSING OR ENFORCEMENT, THE DEVELOPMENT OF LAWS, OR THE  
11 DEVELOPMENT OR ADOPTION OF REGULATIONS OR POLICY RELATED TO  
12 GAMING UNDER THIS PART OR WHO HAS OTHER DISCRETIONARY AUTHORITY  
13 WHICH MAY AFFECT THE OUTCOME OF AN ACTION, PROCEEDING OR  
14 DECISION UNDER THIS PART SHALL DO ANY OF THE FOLLOWING:

15 (1) ACCEPT EMPLOYMENT WITH OR BE RETAINED BY AN  
16 APPLICANT OR LICENSED ENTITY, OR AN AFFILIATE, INTERMEDIARY,  
17 SUBSIDIARY OR HOLDING COMPANY OF AN APPLICANT OR LICENSED  
18 ENTITY, FOR A PERIOD OF TWO YEARS AFTER THE TERMINATION OF  
19 EMPLOYMENT.

20 (2) APPEAR BEFORE THE BOARD IN ANY HEARING OR PROCEEDING  
21 OR PARTICIPATE IN ANY OTHER ACTIVITY ON BEHALF OF ANY  
22 APPLICANT, LICENSEE, PERMITTEE OR LICENSED ENTITY, OR AN  
23 AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF AN  
24 APPLICANT, LICENSEE OR LICENSED ENTITY, FOR A PERIOD OF TWO  
25 YEARS AFTER TERMINATION OF EMPLOYMENT. NOTHING IN THIS  
26 PARAGRAPH SHALL PREVENT A CURRENT OR FORMER TROOPER OR  
27 EMPLOYEE OF THE PENNSYLVANIA STATE POLICE, THE OFFICE OF  
28 ATTORNEY GENERAL OR THE DEPARTMENT FROM APPEARING BEFORE THE  
29 BOARD IN ANY PROCEEDING OR HEARING AS A WITNESS OR TESTIFYING  
30 AS TO ANY FACT OR INFORMATION.

1           (3) AS A CONDITION OF EMPLOYMENT, AN INDIVIDUAL SUBJECT  
2 TO THIS SUBSECTION SHALL SIGN AN AFFIDAVIT THAT THE  
3 INDIVIDUAL WILL NOT ACCEPT EMPLOYMENT WITH OR BE RETAINED BY  
4 ANY APPLICANT OR LICENSED ENTITY, OR AN AFFILIATE,  
5 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF AN APPLICANT  
6 OR LICENSED ENTITY, FOR A PERIOD OF TWO YEARS AFTER THE  
7 TERMINATION OF EMPLOYMENT.

8           (B) EMPLOYMENT OR RETENTION.--AN APPLICANT OR LICENSED  
9 ENTITY OR AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING  
10 COMPANY OF AN APPLICANT OR LICENSED ENTITY SHALL NOT EMPLOY OR  
11 RETAIN AN INDIVIDUAL WHO SIGNED AN AFFIDAVIT REQUIRED BY  
12 SUBSECTION (A) (3) UNTIL THE EXPIRATION OF THE PERIOD REQUIRED IN  
13 SUBSECTION (A) (1). AN APPLICANT OR LICENSED ENTITY, OR AN  
14 AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF AN  
15 APPLICANT OR LICENSED ENTITY, THAT KNOWINGLY EMPLOYS OR RETAINS  
16 AN INDIVIDUAL IN VIOLATION OF THIS SUBSECTION SHALL TERMINATE  
17 THE EMPLOYMENT OF THE INDIVIDUAL AND BE SUBJECT TO A PENALTY  
18 UNDER SECTION 1518(C) (RELATING TO PROHIBITED ACTS; PENALTIES).

19           (C) VIOLATION.--IF AN INDIVIDUAL SUBJECT TO SUBSECTION (A)  
20 REFUSES OR OTHERWISE FAILS TO SIGN AN AFFIDAVIT, THE  
21 INDIVIDUAL'S EMPLOYER SHALL TERMINATE THE EMPLOYMENT.

22           (D) CODE OF CONDUCT.--THE PENNSYLVANIA STATE POLICE, OFFICE  
23 OF ATTORNEY GENERAL AND DEPARTMENT EACH SHALL ADOPT A  
24 COMPREHENSIVE CODE OF CONDUCT WHICH SHALL SUPPLEMENT ALL OTHER  
25 REQUIREMENTS UNDER THIS PART AND 65 PA.C.S. PT. II (RELATING TO  
26 ACCOUNTABILITY), AS APPLICABLE, AND SHALL PROVIDE GUIDELINES  
27 APPLICABLE TO TROOPERS, EMPLOYEES, INDEPENDENT CONTRACTORS OF  
28 THE AGENCY WHOSE DUTIES SUBSTANTIALLY INVOLVE LICENSING OR  
29 ENFORCEMENT, THE DEVELOPMENT OF LAWS, OR THE DEVELOPMENT OR  
30 ADOPTION OF REGULATIONS OR POLICY RELATED TO GAMING UNDER THIS

1 PART OR WHO HAS OTHER DISCRETIONARY AUTHORITY WHICH MAY AFFECT  
2 THE OUTCOME OF AN ACTION, PROCEEDING OR DECISION UNDER THIS  
3 PART, AND THE IMMEDIATE FAMILIES OF THESE INDIVIDUALS TO ENABLE  
4 THEM TO AVOID ANY PERCEIVED OR ACTUAL CONFLICT OF INTEREST AND  
5 TO PROMOTE PUBLIC CONFIDENCE IN THE INTEGRITY AND IMPARTIALITY  
6 OF GAMING ENFORCEMENT AND REGULATION. AT A MINIMUM, THE CODE OF  
7 CONDUCT ADOPTED UNDER THIS SECTION SHALL APPLY THE TYPES OF  
8 RESTRICTIONS APPLICABLE TO MEMBERS UNDER SECTION 1202.1(C),  
9 EXCEPT THAT THE RESTRICTIONS UNDER SECTION 1202.1(C)(5) SHALL  
10 NOT APPLY TO AN ELECTED ATTORNEY GENERAL.

11 (E) STATE ETHICS COMMISSION.--THE STATE ETHICS COMMISSION  
12 SHALL DO ALL OF THE FOLLOWING:

13 (1) ISSUE A WRITTEN DETERMINATION OF WHETHER AN  
14 INDIVIDUAL IS SUBJECT TO SUBSECTION (A) UPON THE WRITTEN  
15 REQUEST OF THE INDIVIDUAL OR THE INDIVIDUAL'S EMPLOYER OR  
16 POTENTIAL EMPLOYER. A PERSON THAT RELIES IN GOOD FAITH ON A  
17 DETERMINATION MADE UNDER THIS PARAGRAPH SHALL NOT BE SUBJECT  
18 TO ANY PENALTY FOR AN ACTION TAKEN, PROVIDED THAT ALL  
19 MATERIAL FACTS SET FORTH IN THE REQUEST FOR THE DETERMINATION  
20 ARE CORRECT.

21 (2) PUBLISH A LIST OF ALL POSITIONS WITHIN THE  
22 PENNSYLVANIA STATE POLICE, THE OFFICE OF ATTORNEY GENERAL AND  
23 THE DEPARTMENT WHOSE DUTIES WOULD SUBJECT THE INDIVIDUALS IN  
24 THOSE POSITIONS TO THE PROVISIONS OF SUBSECTION (A). EACH  
25 AGENCY SUBJECT TO THIS SUBSECTION SHALL ASSIST THE STATE  
26 ETHICS COMMISSION IN THE DEVELOPMENT OF THE LIST, WHICH SHALL  
27 BE PUBLISHED BY THE STATE ETHICS COMMISSION IN THE  
28 PENNSYLVANIA BULLETIN BIENNIALY, SHALL BE POSTED BY THE  
29 BOARD ON THE BOARD'S INTERNET WEBSITE AND SHALL BE POSTED BY  
30 EACH AGENCY ON THE AGENCY'S INTERNET WEBSITE. UPON REQUEST BY

1 THE STATE ETHICS COMMISSION, MEMBERS AND EMPLOYEES OF EACH  
2 AGENCY SUBJECT TO THIS SUBSECTION SHALL HAVE A DUTY TO  
3 PROVIDE THE STATE ETHICS COMMISSION WITH ADEQUATE INFORMATION  
4 TO ACCURATELY DEVELOP AND MAINTAIN THE LIST. THE STATE ETHICS  
5 COMMISSION MAY IMPOSE A CIVIL PENALTY UNDER 65 PA.C.S. §  
6 1109(F) (RELATING TO PENALTIES) UPON ANY INDIVIDUAL WHO FAILS  
7 TO COOPERATE WITH THE STATE ETHICS COMMISSION UNDER THIS  
8 SUBSECTION. A PERSON WHO RELIES IN GOOD FAITH ON THE LIST  
9 PUBLISHED BY THE STATE ETHICS COMMISSION SHALL NOT BE SUBJECT  
10 TO ANY PENALTY FOR A VIOLATION OF SUBSECTION (A).

11 SECTION 14.1. SECTIONS 1513(C) AND 1514 HEADING, (B), (F),  
12 (G) AND (H) OF TITLE 4 ARE AMENDED TO READ:

13 § 1513. POLITICAL INFLUENCE.

14 \* \* \*

15 (C) PENALTIES.--

16 (1) THE FIRST VIOLATION OF THIS SECTION BY A LICENSED  
17 GAMING ENTITY OR ANY PERSON THAT HOLDS A CONTROLLING INTEREST  
18 IN SUCH GAMING ENTITY, OR A SUBSIDIARY COMPANY THEREOF, [AND]  
19 OR ANY OFFICER, DIRECTOR OR MANAGEMENT-LEVEL EMPLOYEE OF SUCH  
20 LICENSEE SHALL BE PUNISHABLE BY A FINE [OF] EQUAL TO AN  
21 AMOUNT NOT LESS THAN [AN] THE AVERAGE SINGLE DAY'S GROSS  
22 TERMINAL REVENUE AND GROSS TABLE GAME REVENUE OF THE LICENSED  
23 GAMING ENTITY [DERIVED FROM THE OPERATION OF SLOT MACHINES IN  
24 THIS COMMONWEALTH]; A SECOND VIOLATION OF THIS SECTION,  
25 WITHIN FIVE YEARS OF THE FIRST VIOLATION, SHALL BE PUNISHABLE  
26 BY AT LEAST A ONE-DAY SUSPENSION OF THE LICENSE HELD BY THE  
27 LICENSED GAMING ENTITY AND A FINE EQUAL TO AN AMOUNT NOT LESS  
28 THAN [AN] TWO TIMES THE AVERAGE [TWO DAYS'] SINGLE DAY'S  
29 GROSS TERMINAL REVENUE AND GROSS TABLE GAME REVENUE OF THE  
30 LICENSED GAMING ENTITY; A THIRD VIOLATION OF THIS SECTION

1 WITHIN FIVE YEARS OF THE SECOND VIOLATION SHALL BE PUNISHABLE  
2 BY THE IMMEDIATE REVOCATION OF THE LICENSE HELD BY THE  
3 LICENSED GAMING ENTITY. FOLLOWING REVOCATION, THE BOARD SHALL  
4 CONSIDER APPOINTING A TRUSTEE IN ACCORDANCE WITH SECTION 1332  
5 (RELATING TO APPOINTMENT OF TRUSTEE).

6 (2) THE FIRST VIOLATION OF THIS SECTION BY A  
7 MANUFACTURER OR SUPPLIER LICENSED PURSUANT TO THIS PART OR BY  
8 ANY PERSON THAT HOLDS A CONTROLLING INTEREST IN SUCH  
9 MANUFACTURER OR SUPPLIER, OR A SUBSIDIARY COMPANY THEREOF,  
10 [AND] OR ANY OFFICER, DIRECTOR OR MANAGEMENT-LEVEL EMPLOYEE  
11 OF SUCH A LICENSEE SHALL BE PUNISHABLE BY A FINE [OF] EQUAL  
12 TO AN AMOUNT NOT LESS THAN [ONE] A SINGLE DAY'S AVERAGE OF  
13 THE GROSS PROFIT FROM SALES MADE BY THE MANUFACTURER OR  
14 SUPPLIER IN PENNSYLVANIA DURING THE PRECEDING 12-MONTH PERIOD  
15 OR PORTION THEREOF IN THE EVENT THE MANUFACTURER OR SUPPLIER  
16 HAS NOT OPERATED IN PENNSYLVANIA FOR 12 MONTHS; A [SECOND]  
17 SUBSEQUENT VIOLATION OF THIS SECTION WITHIN FIVE YEARS OF  
18 [THE FIRST] A PRIOR VIOLATION SHALL BE PUNISHABLE BY A ONE-  
19 MONTH SUSPENSION OF THE LICENSE HELD BY THE MANUFACTURER OR  
20 SUPPLIER AND A FINE [OF] EQUAL TO AN AMOUNT NOT LESS THAN TWO  
21 TIMES [ONE] A SINGLE DAY'S AVERAGE OF THE GROSS PROFIT FROM  
22 SALES MADE BY THE MANUFACTURER OR SUPPLIER IN PENNSYLVANIA  
23 DURING THE PRECEDING 12-MONTH PERIOD OR PORTION THEREOF IN  
24 THE EVENT THE MANUFACTURER OR SUPPLIER HAS NOT OPERATED IN  
25 PENNSYLVANIA FOR 12 MONTHS.

26 (3) IN NO EVENT SHALL THE FINE IMPOSED UNDER THIS  
27 SECTION BE [IN] AN AMOUNT LESS THAN [\$50,000] \$100,000 FOR  
28 EACH VIOLATION. IN ADDITION TO ANY FINE OR SANCTION THAT MAY  
29 BE IMPOSED BY THE BOARD UNDER THIS SUBSECTION, ANY [PERSON]  
30 INDIVIDUAL WHO MAKES A CONTRIBUTION IN VIOLATION OF THIS

1 SECTION COMMITS A MISDEMEANOR OF THE THIRD DEGREE.

2 \* \* \*

3 § 1514. REGULATION REQUIRING EXCLUSION OR EJECTION OF CERTAIN  
4 PERSONS.

5 \* \* \*

6 (B) CATEGORIES TO BE DEFINED.--THE BOARD SHALL PROMULGATE  
7 DEFINITIONS ESTABLISHING THOSE CATEGORIES OF PERSONS WHO SHALL  
8 BE EXCLUDED OR EJECTED PURSUANT TO THIS SECTION, INCLUDING  
9 CHEATS AND PERSONS WHOSE PRIVILEGES FOR LICENSURE,  
10 CERTIFICATION, PERMIT OR REGISTRATION HAVE BEEN REVOKED.

11 \* \* \*

12 (F) NOTICE.--WHENEVER THE [BOARD PLACES] BUREAU SEEKS TO  
13 PLACE THE NAME OF ANY PERSON ON A LIST PURSUANT TO THIS SECTION,  
14 THE [BOARD] BUREAU SHALL SERVE NOTICE OF THIS FACT TO SUCH  
15 PERSON BY PERSONAL SERVICE OR CERTIFIED MAIL AT THE LAST KNOWN  
16 ADDRESS OF THE PERSON. THE NOTICE SHALL INFORM THE INDIVIDUAL OF  
17 THE RIGHT TO REQUEST A HEARING UNDER SUBSECTION (G).

18 (G) HEARING.--WITHIN 30 DAYS AFTER RECEIPT OF NOTICE IN  
19 ACCORDANCE WITH SUBSECTION (F), THE PERSON NAMED FOR EXCLUSION  
20 OR EJECTION MAY DEMAND A HEARING BEFORE THE BOARD, AT WHICH  
21 HEARING THE [BOARD] BUREAU SHALL HAVE THE AFFIRMATIVE OBLIGATION  
22 TO DEMONSTRATE THAT THE PERSON NAMED FOR EXCLUSION OR EJECTION  
23 SATISFIES THE CRITERIA FOR EXCLUSION OR EJECTION ESTABLISHED BY  
24 THIS SECTION AND THE BOARD'S REGULATIONS. FAILURE OF THE PERSON  
25 TO DEMAND A HEARING WITHIN 30 DAYS AFTER SERVICE SHALL BE DEEMED  
26 AN ADMISSION OF ALL MATTERS AND FACTS ALLEGED IN THE [BOARD'S]  
27 BUREAU'S NOTICE AND SHALL PRECLUDE [A] THE PERSON FROM HAVING AN  
28 ADMINISTRATIVE HEARING, BUT SHALL IN NO WAY AFFECT THE RIGHT TO  
29 JUDICIAL REVIEW AS PROVIDED IN THIS SECTION.

30 (H) REVIEW.--IF, UPON COMPLETION OF A HEARING ON THE NOTICE

1 OF EXCLUSION OR EJECTION, THE BOARD DETERMINES THAT PLACEMENT OF  
2 THE NAME OF THE PERSON ON THE EXCLUSION OR EJECTION LIST IS  
3 APPROPRIATE, THE BOARD SHALL MAKE AND ENTER AN ORDER TO THAT  
4 EFFECT, WHICH ORDER SHALL BE SERVED ON ALL [SLOT MACHINE  
5 LICENSEES] LICENSED GAMING ENTITIES. THE ORDER SHALL BE SUBJECT  
6 TO REVIEW BY THE COMMONWEALTH COURT IN ACCORDANCE WITH THE RULES  
7 OF COURT.

8 SECTION 14.2. TITLE 4 IS AMENDED BY ADDING A SECTION TO  
9 READ:

10 § 1516.1. PROSECUTORIAL AND ADJUDICATORY FUNCTIONS.

11 THE BOARD SHALL PROMULGATE REGULATIONS AND ADOPT PROCEDURES  
12 NECESSARY TO ENSURE THAT THE BUREAU IS A DISTINCT ENTITY AND TO  
13 PREVENT COMMINGLING OF THE INVESTIGATORY AND PROSECUTORIAL  
14 FUNCTIONS OF THE BUREAU UNDER SECTION 1517 (RELATING TO  
15 INVESTIGATIONS AND ENFORCEMENT) AND THE ADJUDICATORY FUNCTIONS  
16 OF THE BOARD. REGULATIONS AND PROCEDURES PROMULGATED OR ADOPTED  
17 UNDER THIS SECTION SHALL DO ALL OF THE FOLLOWING:

18 (1) PROVIDE THAT NEITHER THE EXECUTIVE DIRECTOR NOR THE  
19 CHIEF COUNSEL OF THE BOARD SHALL DIRECT OR LIMIT THE SCOPE OF  
20 A BACKGROUND INVESTIGATION CONDUCTED BY THE BUREAU.

21 (2) INCORPORATE SECTION 1202.1(C.1) (RELATING TO CODE OF  
22 CONDUCT) AND ANY OTHER APPLICABLE PROVISIONS OF SECTION  
23 1202.1.

24 SECTION 15. SECTION 1517(A.1)(2) AND (6), (B)(1), (C)(12)  
25 AND (E)(1) OF TITLE 4 ARE AMENDED, SUBSECTION (A.2)(1) IS  
26 AMENDED BY ADDING A SUBPARAGRAPH AND SUBSECTION (C) IS AMENDED  
27 BY ADDING PARAGRAPHS TO READ:

28 § 1517. INVESTIGATIONS AND ENFORCEMENT.

29 \* \* \*

30 (A.1) POWERS AND DUTIES OF BUREAU.--THE BUREAU OF

1 INVESTIGATIONS AND ENFORCEMENT SHALL HAVE THE FOLLOWING POWERS  
2 AND DUTIES:

3 \* \* \*

4 (2) INVESTIGATE AND REVIEW ALL APPLICANTS FOR A LICENSE,  
5 PERMIT OR REGISTRATION. THE BUREAU SHALL BE PROHIBITED FROM  
6 DISCLOSING ANY PORTION OF A BACKGROUND INVESTIGATION REPORT  
7 TO ANY BOARD MEMBER PRIOR TO THE SUBMISSION OF THE BUREAU'S  
8 FINAL BACKGROUND INVESTIGATION REPORT RELATING TO THE  
9 APPLICANT'S SUITABILITY FOR LICENSURE TO THE BOARD. THE  
10 OFFICE OF ENFORCEMENT COUNSEL, ON BEHALF OF THE BUREAU, SHALL  
11 PREPARE THE FINAL BACKGROUND INVESTIGATION REPORT FOR  
12 INCLUSION IN A FINAL REPORT RELATING TO THE APPLICANT'S  
13 SUITABILITY FOR LICENSURE.

14 \* \* \*

15 (6) CONDUCT [AUDITS] REVIEWS OF A LICENSED ENTITY AS  
16 NECESSARY TO ENSURE COMPLIANCE WITH THIS PART. [AN AUDIT] A  
17 REVIEW MAY INCLUDE THE REVIEW OF ACCOUNTING, ADMINISTRATIVE  
18 AND FINANCIAL RECORDS, MANAGEMENT CONTROL SYSTEMS, PROCEDURES  
19 AND OTHER RECORDS UTILIZED BY A LICENSED ENTITY.

20 \* \* \*

21 (A.2) OFFICE OF ENFORCEMENT COUNSEL.--

22 (1) THERE IS ESTABLISHED WITHIN THE BUREAU AN OFFICE OF  
23 ENFORCEMENT COUNSEL WHICH SHALL ACT AS THE PROSECUTOR IN ALL  
24 NONCRIMINAL ENFORCEMENT ACTIONS INITIATED BY THE BUREAU UNDER  
25 THIS PART AND SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

26 \* \* \*

27 (IV) PETITION THE BOARD FOR THE APPOINTMENT OF A  
28 TRUSTEE UNDER SECTION 1332 (RELATING TO APPOINTMENT OF  
29 TRUSTEE).

30 \* \* \*

1 (B) POWERS AND DUTIES OF DEPARTMENT.--

2 (1) THE DEPARTMENT SHALL AT ALL TIMES HAVE THE POWER OF  
3 ACCESS TO [EXAMINATION] EXAMINE AND AUDIT [OF ANY] EQUIPMENT  
4 AND RECORDS RELATING TO ALL ASPECTS OF THE OPERATION OF SLOT  
5 MACHINES OR TABLE 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 (1.1) PROMPTLY CONDUCT A BACKGROUND INVESTIGATION ON AN  
12 INDIVIDUAL SELECTED BY THE BOARD TO FILL THE POSITION OF  
13 EXECUTIVE DIRECTOR OF THE BOARD, DIRECTOR OF THE BUREAU,  
14 CHIEF COUNSEL OF THE BOARD OR THE DIRECTOR OF THE OFFICE OF  
15 ENFORCEMENT COUNSEL AND SUBMIT THE RESULTS TO THE BOARD.

16 \* \* \*

17 (12) CONDUCT AUDITS OR VERIFICATION OF INFORMATION OF  
18 SLOT MACHINE OR TABLE GAME OPERATIONS AT SUCH TIMES, UNDER  
19 SUCH CIRCUMSTANCES AND TO SUCH EXTENT AS THE BUREAU  
20 DETERMINES. THIS PARAGRAPH INCLUDES REVIEWS OF ACCOUNTING,  
21 ADMINISTRATIVE AND FINANCIAL RECORDS AND MANAGEMENT CONTROL  
22 SYSTEMS, PROCEDURES AND RECORDS UTILIZED BY A SLOT MACHINE  
23 LICENSEE.

24 \* \* \*

25 (14) BY MARCH 1 OF EACH YEAR, THE COMMISSIONER OF THE  
26 PENNSYLVANIA STATE POLICE SHALL SUBMIT A REPORT TO THE  
27 APPROPRIATIONS COMMITTEE OF THE SENATE, THE COMMUNITY,  
28 ECONOMIC AND RECREATIONAL DEVELOPMENT COMMITTEE OF THE  
29 SENATE, THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF  
30 REPRESENTATIVES AND THE GAMING OVERSIGHT COMMITTEE OF THE

1 HOUSE OF REPRESENTATIVES. THE REPORT SHALL SUMMARIZE ALL LAW  
2 ENFORCEMENT ACTIVITIES AT EACH LICENSED FACILITY DURING THE  
3 PREVIOUS CALENDAR YEAR AND SHALL INCLUDE ALL OF THE  
4 FOLLOWING:

5 (I) THE NUMBER OF ARRESTS MADE AND CITATIONS ISSUED  
6 AT EACH LICENSED FACILITY AND THE NAME OF THE LAW  
7 ENFORCEMENT AGENCY MAKING THE ARREST OR ISSUING THE  
8 CITATION.

9 (II) A LIST OF SPECIFIC OFFENSES CHARGED FOR EACH  
10 ARREST MADE OR CITATION ISSUED.

11 (III) THE NUMBER OF CRIMINAL PROSECUTIONS RESULTING  
12 FROM ARRESTS MADE OR CITATIONS ISSUED.

13 (IV) THE NUMBER OF CONVICTIONS RESULTING FROM  
14 PROSECUTIONS REPORTED UNDER SUBPARAGRAPH (III).

15 (V) THE NUMBER OF PENNSYLVANIA STATE POLICE TROOPERS  
16 ASSIGNED TO EACH LICENSED FACILITY AND TO THE GAMING UNIT  
17 AT THE PENNSYLVANIA STATE POLICE HEADQUARTERS.

18 (VI) THE NUMBER AND THE SUBJECT MATTER OF COMPLAINTS  
19 MADE AGAINST PENNSYLVANIA STATE POLICE TROOPERS IN  
20 LICENSED FACILITIES AND THE TYPE OF DISCIPLINARY ACTIONS  
21 TAKEN BY THE PENNSYLVANIA STATE POLICE, IF ANY, AGAINST  
22 THE PENNSYLVANIA STATE POLICE TROOPERS.

23 (VII) THE CLOSEST LOCAL POLICE STATION, PENNSYLVANIA  
24 STATE POLICE STATION AND REGIONAL PENNSYLVANIA STATE  
25 POLICE HEADQUARTERS TO EACH LICENSED FACILITY.

26 \* \* \*

27 (E) INSPECTION, SEIZURE AND WARRANTS.--

28 (1) THE BUREAU, THE DEPARTMENT AND THE PENNSYLVANIA  
29 STATE POLICE SHALL HAVE THE AUTHORITY WITHOUT NOTICE AND  
30 WITHOUT WARRANT TO DO ALL OF THE FOLLOWING IN THE PERFORMANCE

1 OF THEIR DUTIES:

2 (I) INSPECT AND EXAMINE ALL PREMISES WHERE SLOT  
3 MACHINE OR TABLE GAME OPERATIONS ARE CONDUCTED, [GAMING  
4 DEVICES OR] SLOT MACHINES, TABLE GAME DEVICES AND  
5 ASSOCIATED EQUIPMENT ARE MANUFACTURED, SOLD, DISTRIBUTED  
6 OR SERVICED OR WHERE RECORDS OF THESE ACTIVITIES ARE  
7 PREPARED OR MAINTAINED.

8 (II) INSPECT ALL EQUIPMENT AND SUPPLIES IN, ABOUT,  
9 UPON OR AROUND PREMISES REFERRED TO IN SUBPARAGRAPH (I).

10 (III) SEIZE, SUMMARILY REMOVE AND IMPOUND EQUIPMENT  
11 AND SUPPLIES FROM PREMISES REFERRED TO IN SUBPARAGRAPH  
12 (I) FOR THE PURPOSES OF EXAMINATION AND INSPECTION.

13 (IV) INSPECT, EXAMINE AND AUDIT ALL BOOKS, RECORDS  
14 AND DOCUMENTS PERTAINING TO A SLOT MACHINE LICENSEE'S  
15 OPERATION.

16 (V) SEIZE, IMPOUND OR ASSUME PHYSICAL CONTROL OF ANY  
17 BOOK, RECORD, LEDGER, GAME, DEVICE, CASH BOX AND ITS  
18 CONTENTS, [COUNTING] COUNT ROOM OR ITS EQUIPMENT OR SLOT  
19 MACHINE OR TABLE GAME OPERATIONS.

20 \* \* \*

21 SECTION 16. SECTION 1517.2 OF TITLE 4 IS AMENDED TO READ:  
22 § 1517.2. CONDUCT OF [PUBLIC OFFICIALS AND] BOARD EMPLOYEES.

23 (A) [EX PARTE DISCUSSION PROHIBITED.--AN ATTORNEY  
24 REPRESENTING THE BUREAU OR THE OFFICE OF ENFORCEMENT COUNSEL, OR  
25 AN EMPLOYEE OF THE BUREAU OR OFFICE INVOLVED IN THE HEARING  
26 PROCESS, SHALL NOT DISCUSS THE CASE EX PARTE WITH A HEARING  
27 OFFICER, CHIEF COUNSEL OR MEMBER] (RESERVED).

28 (B) [OTHER PROHIBITIONS.--A HEARING OFFICER, THE CHIEF  
29 COUNSEL OR A MEMBER SHALL NOT DISCUSS OR EXERCISE ANY  
30 SUPERVISORY RESPONSIBILITY OVER ANY EMPLOYEE WITH RESPECT TO AN

1 ENFORCEMENT HEARING WITH WHICH THE EMPLOYEE IS INVOLVED]

2 (RESERVED).

3 (C) DISQUALIFICATION.--IF IT BECOMES NECESSARY FOR THE CHIEF  
4 COUNSEL OR A MEMBER TO BECOME INVOLVED ON BEHALF OF THE BOARD IN  
5 ANY ENFORCEMENT PROCEEDING, THE CHIEF COUNSEL OR THE MEMBER  
6 SHALL BE PROHIBITED FROM PARTICIPATING IN THE ADJUDICATION OF  
7 THAT MATTER AND SHALL DESIGNATE APPROPRIATE INDIVIDUALS TO  
8 EXERCISE ADJUDICATORY FUNCTIONS.

9 SECTION 16.1. SECTION 1518(A)(2), (3), (4), (5), (7), (8),  
10 (11) AND (13), (B)(1) AND (2) AND (C)(1)(V) AND (3) OF TITLE 4  
11 ARE AMENDED, SUBSECTIONS (A) AND (B) ARE AMENDED BY ADDING  
12 PARAGRAPHS AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO  
13 READ:

14 § 1518. PROHIBITED ACTS; PENALTIES.

15 (A) CRIMINAL OFFENSES.--

16 \* \* \*

17 (2) IT SHALL BE UNLAWFUL FOR A PERSON TO WILLFULLY:

18 (I) FAIL TO REPORT, PAY OR TRUTHFULLY ACCOUNT FOR  
19 AND PAY OVER ANY LICENSE FEE, AUTHORIZATION FEE, TAX OR  
20 ASSESSMENT IMPOSED UNDER THIS PART; OR

21 (II) ATTEMPT IN ANY MANNER TO EVADE OR DEFEAT ANY  
22 LICENSE FEE, AUTHORIZATION FEE, TAX OR ASSESSMENT IMPOSED  
23 UNDER THIS PART.

24 (3) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY, GAMING  
25 EMPLOYEE, KEY EMPLOYEE OR ANY OTHER PERSON TO PERMIT A SLOT  
26 MACHINE, TABLE GAME OR TABLE GAME DEVICE TO BE OPERATED,  
27 TRANSPORTED, REPAIRED OR OPENED ON THE PREMISES OF A LICENSED  
28 FACILITY BY A PERSON OTHER THAN A PERSON LICENSED OR  
29 PERMITTED BY THE BOARD PURSUANT TO THIS PART.

30 (4) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY OR

1 OTHER PERSON TO MANUFACTURE, SUPPLY OR PLACE SLOT MACHINES,  
2 TABLE GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT INTO  
3 PLAY OR DISPLAY SLOT MACHINES, TABLE GAMES, TABLE GAME  
4 DEVICES OR ASSOCIATED EQUIPMENT ON THE [PREMISE] PREMISES OF  
5 A LICENSED FACILITY WITHOUT THE AUTHORITY OF THE BOARD.

6 (5) EXCEPT AS PROVIDED FOR IN SECTION 1326 (RELATING TO  
7 LICENSE RENEWALS), IT SHALL BE UNLAWFUL FOR A LICENSED ENTITY  
8 OR OTHER PERSON TO MANUFACTURE, SUPPLY, OPERATE, CARRY ON OR  
9 EXPOSE FOR PLAY ANY SLOT MACHINE, TABLE GAME, TABLE GAME  
10 DEVICE OR ASSOCIATED EQUIPMENT AFTER THE PERSON'S LICENSE HAS  
11 EXPIRED AND PRIOR TO THE ACTUAL RENEWAL OF THE LICENSE.

12 \* \* \*

13 (7) (I) EXCEPT AS SET FORTH IN SUBPARAGRAPH (II), IT  
14 SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO USE OR POSSESS A  
15 CHEATING OR THIEVING DEVICE, COUNTERFEIT OR ALTERED  
16 BILLET, TICKET, TOKEN OR SIMILAR OBJECTS ACCEPTED BY A  
17 SLOT MACHINE OR COUNTERFEIT OR ALTERED SLOT MACHINE-  
18 ISSUED TICKETS OR VOUCHERS AT A LICENSED FACILITY.

19 (II) AN AUTHORIZED EMPLOYEE OF A LICENSEE OR AN  
20 EMPLOYEE OF THE BOARD MAY POSSESS AND USE A CHEATING OR  
21 THIEVING DEVICE, COUNTERFEIT OR ALTERED BILLET, TICKET,  
22 TOKEN OR SIMILAR OBJECTS ACCEPTED BY A SLOT MACHINE OR  
23 COUNTERFEIT OR ALTERED SLOT MACHINE-ISSUED TICKETS OR  
24 VOUCHERS IN PERFORMANCE OF THE DUTIES OF EMPLOYMENT.

25 [(III) AS USED IN THIS PARAGRAPH, THE TERM "CHEATING  
26 OR THIEVING DEVICE" INCLUDES, BUT IS NOT LIMITED TO, A  
27 DEVICE TO FACILITATE THE ALIGNMENT OF ANY WINNING  
28 COMBINATION OR TO REMOVE FROM ANY SLOT MACHINE MONEY OR  
29 OTHER CONTENTS. THE TERM INCLUDES, BUT IS NOT LIMITED TO,  
30 A TOOL, DRILL, WIRE, COIN OR TOKEN ATTACHED TO A STRING

1 OR WIRE AND ANY ELECTRONIC OR MAGNETIC DEVICE.]

2 (7.1) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO DO ANY  
3 OF THE FOLLOWING:

4 (I) USE OR POSSESS COUNTERFEIT, MARKED, LOADED OR  
5 TAMPERED WITH TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,  
6 CHIPS OR OTHER CHEATING DEVICES IN THE CONDUCT OF GAMING  
7 UNDER THIS PART, EXCEPT THAT AN AUTHORIZED EMPLOYEE OF A  
8 LICENSEE OR AN AUTHORIZED EMPLOYEE OF THE BOARD MAY  
9 POSSESS AND USE COUNTERFEIT CHIPS OR TABLE GAME DEVICES  
10 OR ASSOCIATED EQUIPMENT THAT HAVE BEEN MARKED, LOADED OR  
11 TAMPERED WITH, OR OTHER CHEATING DEVICES IN PERFORMANCE  
12 OF THE DUTIES OF EMPLOYMENT FOR TRAINING, INVESTIGATIVE  
13 OR TESTING PURPOSES ONLY.

14 (II) KNOWINGLY, BY A TRICK OR SLEIGHT OF HAND  
15 PERFORMANCE OR BY FRAUD OR FRAUDULENT SCHEME, TABLE GAME  
16 DEVICE OR OTHER DEVICE, FOR HIMSELF OR FOR ANOTHER, WIN  
17 OR ATTEMPT TO WIN ANY CASH, PROPERTY OR PRIZE AT A  
18 LICENSED FACILITY OR TO REDUCE OR ATTEMPT TO REDUCE A  
19 LOSING WAGER.

20 (8) (I) EXCEPT AS SET FORTH IN SUBPARAGRAPH (II), IT  
21 SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO KNOWINGLY POSSESS  
22 OR USE WHILE ON THE PREMISES OF A LICENSED FACILITY A KEY  
23 OR DEVICE DESIGNED FOR THE PURPOSE OF AND SUITABLE FOR  
24 OPENING OR ENTERING ANY SLOT MACHINE, DROP BOX OR COIN  
25 BOX WHICH IS LOCATED ON THE PREMISES OF THE LICENSED  
26 FACILITY.

27 (II) AN AUTHORIZED EMPLOYEE OF A LICENSEE OR A  
28 MEMBER OF THE BOARD MAY POSSESS AND USE A DEVICE REFERRED  
29 TO IN SUBPARAGRAPH (I) IN THE PERFORMANCE OF THE DUTIES  
30 OF EMPLOYMENT.

1 \* \* \*

2 (11) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY  
3 THAT IS A LICENSED RACING ENTITY AND THAT HAS LOST THE  
4 LICENSE ISSUED TO IT BY EITHER THE STATE HORSE RACING  
5 COMMISSION OR THE STATE HARNESS RACING COMMISSION UNDER THE  
6 RACE HORSE INDUSTRY REFORM ACT OR THAT HAS HAD THAT LICENSE  
7 SUSPENDED TO OPERATE SLOT MACHINES OR TABLE GAMES AT THE  
8 RACETRACK FOR WHICH ITS SLOT MACHINE LICENSE WAS ISSUED  
9 UNLESS THE LICENSE ISSUED TO IT BY EITHER THE STATE HORSE  
10 RACING COMMISSION OR THE STATE HARNESS RACING COMMISSION WILL  
11 BE SUBSEQUENTLY REISSUED OR REINSTATED WITHIN 30 DAYS AFTER  
12 THE LOSS OR SUSPENSION.

13 \* \* \*

14 (13) IT SHALL BE UNLAWFUL FOR [ANY PERSON] AN INDIVIDUAL  
15 UNDER [18] 21 YEARS OF AGE TO [BE PERMITTED IN THE] ENTER AND  
16 REMAIN IN ANY AREA OF A LICENSED FACILITY WHERE SLOT MACHINES  
17 ARE OPERATED OR THE PLAY OF TABLE GAMES IS CONDUCTED, EXCEPT  
18 THAT AN INDIVIDUAL 18 YEARS OF AGE OR OLDER EMPLOYED BY A  
19 SLOT MACHINE LICENSEE MAY ENTER AND REMAIN IN ANY SUCH AREA  
20 WHILE IN THE PERFORMANCE OF THE INDIVIDUAL'S EMPLOYMENT  
21 DUTIES BEING PERFORMED ON BEHALF OF THE SLOT MACHINE  
22 LICENSEE.

23 (13.1) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL UNDER 21  
24 YEARS OF AGE TO WAGER, PLAY OR ATTEMPT TO PLAY A SLOT MACHINE  
25 OR TABLE GAME AT A LICENSED FACILITY.

26 (14) (RESERVED).

27 (15) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY  
28 TO REQUIRE A WAGER TO BE GREATER THAN THE STATED MINIMUM  
29 WAGER OR LESS THAN THE STATED MAXIMUM WAGER. HOWEVER, A WAGER  
30 MADE BY A PLAYER AND NOT REJECTED BY A LICENSED GAMING ENTITY

1 PRIOR TO COMMENCEMENT OF PLAY SHALL BE TREATED AS A VALID  
2 WAGER. A WAGER ACCEPTED BY A DEALER SHALL BE PAID OR LOST IN  
3 ITS ENTIRETY IN ACCORDANCE WITH THE RULES OF THE GAME,  
4 NOTWITHSTANDING THAT THE WAGER EXCEEDED THE CURRENT TABLE  
5 MAXIMUM WAGER OR WAS LOWER THAN THE CURRENT TABLE MINIMUM  
6 WAGER.

7 (16) AN INDIVIDUAL THAT ENGAGES IN CONDUCT PROHIBITED BY  
8 18 PA.C.S. § 6308 (RELATING TO PURCHASE, CONSUMPTION,  
9 POSSESSION OR TRANSFER OF LIQUOR OR MALT OR BREWED BEVERAGES)  
10 IN A LICENSED FACILITY COMMITS A NONGAMBLING OFFENSE.

11 (17) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO CLAIM,  
12 COLLECT OR TAKE, OR ATTEMPT TO CLAIM, COLLECT OR TAKE, MONEY  
13 OR ANYTHING OF VALUE IN OR FROM A SLOT MACHINE, GAMING TABLE  
14 OR OTHER TABLE GAME DEVICE, WITH THE INTENT TO DEFRAUD, OR TO  
15 CLAIM, COLLECT OR TAKE AN AMOUNT GREATER THAN THE AMOUNT WON,  
16 OR TO MANIPULATE WITH THE INTENT TO CHEAT, ANY COMPONENT OF  
17 ANY SLOT MACHINE, TABLE GAME OR TABLE GAME DEVICE IN A MANNER  
18 CONTRARY TO THE DESIGNED AND NORMAL OPERATIONAL PURPOSE.

19 (B) CRIMINAL PENALTIES AND FINES.--

20 (1) (I) A PERSON THAT COMMITS A FIRST OFFENSE IN  
21 VIOLATION OF 18 PA.C.S. § 4902, 4903 OR 4904 IN  
22 CONNECTION WITH PROVIDING INFORMATION OR MAKING ANY  
23 STATEMENT, WHETHER WRITTEN OR ORAL, TO THE BOARD, THE  
24 BUREAU, THE DEPARTMENT, THE PENNSYLVANIA STATE POLICE,  
25 THE OFFICE OF ATTORNEY GENERAL OR A DISTRICT ATTORNEY AS  
26 REQUIRED BY THIS PART COMMITS AN OFFENSE TO BE GRADED IN  
27 ACCORDANCE WITH THE APPLICABLE SECTION VIOLATED. A PERSON  
28 THAT IS CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF  
29 18 PA.C.S. § 4902, 4903 OR 4904 IN CONNECTION WITH  
30 PROVIDING INFORMATION OR MAKING ANY STATEMENT, WHETHER

1 WRITTEN OR ORAL, TO THE BOARD, THE BUREAU, THE  
2 DEPARTMENT, THE PENNSYLVANIA STATE POLICE, THE OFFICE OF  
3 ATTORNEY GENERAL OR A DISTRICT ATTORNEY AS REQUIRED BY  
4 THIS PART COMMITS A FELONY OF THE SECOND DEGREE.

5 (II) A PERSON THAT VIOLATES SUBSECTION (A) (2)  
6 THROUGH (12) OR (17) COMMITS A MISDEMEANOR OF THE FIRST  
7 DEGREE. A PERSON THAT IS CONVICTED OF A SECOND OR  
8 SUBSEQUENT VIOLATION OF SUBSECTION (A) (2) THROUGH (12) OR  
9 (17) COMMITS A FELONY OF THE SECOND DEGREE.

10 (2) (I) FOR A FIRST VIOLATION OF SUBSECTION (A) (1)  
11 THROUGH (12) OR (17), A PERSON SHALL BE SENTENCED TO PAY  
12 A FINE OF:

13 (A) NOT LESS THAN \$75,000 NOR MORE THAN \$150,000  
14 IF THE PERSON IS AN INDIVIDUAL;

15 (B) NOT LESS THAN \$300,000 NOR MORE THAN  
16 \$600,000 IF THE PERSON IS A LICENSED GAMING ENTITY;  
17 OR

18 (C) NOT LESS THAN \$150,000 NOR MORE THAN  
19 \$300,000 IF THE PERSON IS A LICENSED MANUFACTURER OR  
20 SUPPLIER.

21 (II) FOR A SECOND OR SUBSEQUENT VIOLATION OF  
22 SUBSECTION (A) (1) THROUGH (12) OR (17), A PERSON SHALL BE  
23 SENTENCED TO PAY A FINE OF:

24 (A) NOT LESS THAN \$150,000 NOR MORE THAN  
25 \$300,000 IF THE PERSON IS AN INDIVIDUAL;

26 (B) NOT LESS THAN \$600,000 NOR MORE THAN  
27 \$1,200,000 IF THE PERSON IS A LICENSED GAMING ENTITY;  
28 OR

29 (C) NOT LESS THAN \$300,000 NOR MORE THAN  
30 \$600,000 IF THE PERSON IS A LICENSED MANUFACTURER OR

1 SUPPLIER.

2 (3) AN INDIVIDUAL WHO COMMITS AN OFFENSE IN VIOLATION OF  
3 SUBSECTION (A) (13) OR (13.1) COMMITS A NONGAMBLING SUMMARY  
4 OFFENSE AND UPON CONVICTION OF A FIRST OFFENSE SHALL BE  
5 SENTENCED TO PAY A FINE OF NOT LESS THAN \$200 NOR MORE THAN  
6 \$1,000. AN INDIVIDUAL THAT IS CONVICTED OF A SECOND OR  
7 SUBSEQUENT OFFENSE UNDER SUBSECTION (A) (13) OR (13.1) SHALL  
8 BE SENTENCED TO PAY A FINE OF NOT LESS THAN \$500 NOR MORE  
9 THAN \$1,500. IN ADDITION TO THE FINE IMPOSED, AN INDIVIDUAL  
10 CONVICTED OF AN OFFENSE UNDER SUBSECTION (A) (13) OR (13.1)  
11 MAY BE SENTENCED TO PERFORM A PERIOD OF COMMUNITY SERVICE NOT  
12 TO EXCEED 40 HOURS.

13 (4) AN INDIVIDUAL THAT COMMITS AN OFFENSE IN VIOLATION  
14 OF SUBSECTION (A) (16) COMMITS A NONGAMBLING OFFENSE TO BE  
15 GRADED IN ACCORDANCE WITH 18 PA.C.S. § 6308 AND SHALL BE  
16 SUBJECT TO THE SAME PENALTIES IMPOSED PURSUANT TO 18 PA.C.S.  
17 § 6308 AND 6310.4 (RELATING TO RESTRICTION OF OPERATING  
18 PRIVILEGES) EXCEPT THAT THE FINE IMPOSED FOR A VIOLATION OF  
19 SUBSECTION (A) (16) SHALL BE NOT LESS THAN \$350 NOR MORE THAN  
20 \$1,000.

21 (C) BOARD-IMPOSED ADMINISTRATIVE SANCTIONS.--

22 (1) IN ADDITION TO ANY OTHER PENALTY AUTHORIZED BY LAW,  
23 THE BOARD MAY IMPOSE WITHOUT LIMITATION THE FOLLOWING  
24 SANCTIONS UPON ANY LICENSEE OR PERMITTEE:

25 \* \* \*

26 (V) SUSPEND THE LICENSE OF ANY LICENSED GAMING  
27 ENTITY FOR VIOLATION OF OR ATTEMPTING TO VIOLATE ANY  
28 PROVISIONS OF THIS PART OR REGULATIONS PROMULGATED UNDER  
29 THIS PART RELATING TO ITS SLOT MACHINE OR TABLE GAME  
30 OPERATIONS.

1 \* \* \*

2 (3) IN ADDITION TO ANY OTHER FINES OR PENALTIES THAT THE  
3 BOARD MAY IMPOSE UNDER THIS PART OR REGULATION, IF A PERSON  
4 VIOLATES SUBSECTION (A) (2), THE BOARD SHALL IMPOSE AN  
5 ADMINISTRATIVE PENALTY OF THREE TIMES THE AMOUNT OF THE  
6 LICENSE FEE, AUTHORIZATION FEE, TAX OR OTHER ASSESSMENT  
7 EVADED AND NOT PAID, COLLECTED OR PAID OVER. THIS SUBSECTION  
8 IS SUBJECT TO 2 PA.C.S. CHS. 5 SUBCH. A AND 7 SUBCH. A.

9 (D) AIDING AND ABETTING.--A PERSON WHO AIDS, ABETS,  
10 COUNSELS, COMMANDS, INDUCES, PROCURES OR CAUSES ANOTHER PERSON  
11 TO VIOLATE A PROVISION OF THIS PART SHALL BE SUBJECT TO ALL  
12 SANCTIONS AND PENALTIES, BOTH CIVIL AND CRIMINAL, PROVIDED UNDER  
13 THIS PART.

14 (E) CONTINUING OFFENSES.--A VIOLATION OF THIS PART THAT IS  
15 DETERMINED TO BE AN OFFENSE OF A CONTINUING NATURE SHALL BE  
16 DEEMED TO BE A SEPARATE OFFENSE ON EACH EVENT OR DAY DURING  
17 WHICH THE VIOLATION OCCURS. NOTHING IN THIS SECTION SHALL BE  
18 CONSTRUED TO PRECLUDE THE COMMISSION OF MULTIPLE VIOLATIONS OF  
19 THE PROVISIONS OF THIS PART IN ANY ONE DAY THAT ESTABLISH  
20 OFFENSES CONSISTING OF SEPARATE AND DISTINCT ACTS OR VIOLATIONS  
21 OF THE PROVISIONS OF THIS PART OR REGULATIONS PROMULGATED UNDER  
22 THIS PART.

23 (F) PROPERTY SUBJECT TO SEIZURE, CONFISCATION, DESTRUCTION  
24 OR FORFEITURE.--ANY EQUIPMENT, DEVICE OR APPARATUS, MONEY,  
25 MATERIAL, GAMING PROCEEDS OR SUBSTITUTED PROCEEDS OR REAL OR  
26 PERSONAL PROPERTY USED, OBTAINED OR RECEIVED OR ANY ATTEMPT TO  
27 USE, OBTAIN OR RECEIVE THE DEVICE, APPARATUS, MONEY, MATERIAL,  
28 PROCEEDS OR REAL OR PERSONAL PROPERTY IN VIOLATION OF THIS PART,  
29 SHALL BE SUBJECT TO SEIZURE, CONFISCATION, DESTRUCTION OR  
30 FORFEITURE.

1 SECTION 17. TITLE 4 IS AMENDED BY ADDING SECTIONS TO READ:

2 § 1518.1. REPORT OF SUSPICIOUS TRANSACTIONS.

3 (A) DUTY.--A SLOT MACHINE LICENSEE OR A PERSON ACTING ON  
4 BEHALF OF A SLOT MACHINE LICENSEE SHALL FILE A REPORT OF ANY  
5 SUSPICIOUS TRANSACTION WITH THE BUREAU. THE FILING WITH THE  
6 BUREAU OF A COPY OF A REPORT MADE UNDER 31 CFR 103.21 (RELATING  
7 TO REPORTS BY CASINOS OF SUSPICIOUS TRANSACTIONS) SHALL SATISFY  
8 THIS REQUIREMENT.

9 (B) FAILURE TO REPORT.--

10 (1) A PERSON REQUIRED UNDER THIS SECTION TO FILE A  
11 REPORT OF A SUSPICIOUS TRANSACTION WHO KNOWINGLY FAILS TO  
12 FILE A REPORT OF A SUSPICIOUS TRANSACTION OR WHO KNOWINGLY  
13 CAUSES ANOTHER PERSON HAVING THAT RESPONSIBILITY TO FAIL TO  
14 FILE A REPORT COMMITS A MISDEMEANOR OF THE THIRD DEGREE.

15 (2) A PERSON REQUIRED UNDER THIS SECTION TO FILE A  
16 REPORT OF A SUSPICIOUS TRANSACTION WHO FAILS TO FILE A REPORT  
17 OR A PERSON WHO CAUSES ANOTHER PERSON REQUIRED UNDER THIS  
18 SECTION TO FILE A REPORT OF A SUSPICIOUS TRANSACTION TO FAIL  
19 TO FILE A REPORT SHALL BE STRICTLY LIABLE FOR HIS ACTIONS AND  
20 MAY BE SUBJECT TO SANCTION UNDER SECTION 1518(C) (RELATING TO  
21 PROHIBITED ACTS; PENALTIES).

22 (C) BUREAU.--THE BUREAU SHALL MAINTAIN A RECORD OF ALL  
23 REPORTS MADE UNDER THIS SECTION FOR A PERIOD OF FIVE YEARS. THE  
24 BUREAU SHALL MAKE THE REPORTS AVAILABLE TO ANY FEDERAL OR STATE  
25 LAW ENFORCEMENT AGENCY UPON WRITTEN REQUEST AND WITHOUT  
26 NECESSITY OF SUBPOENA.

27 (D) NOTICE PROHIBITED.--A PERSON WHO IS REQUIRED TO FILE A  
28 REPORT OF A SUSPICIOUS TRANSACTION UNDER THIS SECTION SHALL NOT  
29 NOTIFY ANY INDIVIDUAL SUSPECTED OF COMMITTING THE SUSPICIOUS  
30 TRANSACTION THAT THE TRANSACTION HAS BEEN REPORTED. ANY PERSON

1 THAT VIOLATES THIS SUBSECTION COMMITS A MISDEMEANOR OF THE THIRD  
2 DEGREE AND MAY BE SUBJECT TO SANCTION UNDER SECTION 1518(C).

3 (E) IMMUNITY.--A PERSON WHO IS REQUIRED TO FILE A REPORT OF  
4 A SUSPICIOUS TRANSACTION UNDER THIS SECTION WHO IN GOOD FAITH  
5 MAKES THE REPORT SHALL NOT BE LIABLE IN ANY CIVIL ACTION BROUGHT  
6 BY ANY PERSON FOR MAKING THE REPORT, REGARDLESS OF WHETHER THE  
7 TRANSACTION IS LATER DETERMINED TO BE SUSPICIOUS.

8 (F) SANCTIONS.--

9 (1) IN CONSIDERING APPROPRIATE ADMINISTRATIVE SANCTIONS  
10 AGAINST ANY PERSON FOR A VIOLATION OF THIS SECTION, THE BOARD  
11 SHALL CONSIDER ALL OF THE FOLLOWING:

12 (I) THE RISK TO THE PUBLIC AND TO THE INTEGRITY OF  
13 GAMING OPERATIONS CREATED BY THE CONDUCT OF THE PERSON.

14 (II) THE SERIOUSNESS OF THE CONDUCT OF THE PERSON  
15 AND WHETHER THE CONDUCT WAS PURPOSEFUL AND WITH KNOWLEDGE  
16 THAT IT WAS IN CONTRAVENTION OF THE PROVISIONS OF THIS  
17 PART OR REGULATIONS PROMULGATED UNDER THIS PART.

18 (III) ANY JUSTIFICATION OR EXCUSE FOR THE CONDUCT BY  
19 THE PERSON.

20 (IV) THE PRIOR HISTORY OF THE PARTICULAR LICENSEE OR  
21 PERSON INVOLVED WITH RESPECT TO GAMING ACTIVITY.

22 (V) THE CORRECTIVE ACTION TAKEN BY THE SLOT MACHINE  
23 LICENSEE TO PREVENT FUTURE MISCONDUCT OF A LIKE NATURE  
24 FROM OCCURRING.

25 (VI) IN THE CASE OF A MONETARY PENALTY, THE AMOUNT  
26 OF THE PENALTY IN RELATION TO THE SEVERITY OF THE  
27 MISCONDUCT AND THE FINANCIAL MEANS OF THE LICENSEE OR  
28 PERSON. THE BOARD MAY IMPOSE ANY SCHEDULE OR TERMS OF  
29 PAYMENT OF SUCH PENALTY AS IT MAY DEEM APPROPRIATE.

30 (2) IT SHALL BE NO DEFENSE TO DISCIPLINARY ACTION BEFORE

1 THE BOARD THAT A PERSON INADVERTENTLY, UNINTENTIONALLY OR  
2 UNKNOWINGLY VIOLATED A PROVISION OF THIS SECTION. THE FACTORS  
3 UNDER PARAGRAPH (1) SHALL ONLY GO TO THE DEGREE OF THE  
4 PENALTY TO BE IMPOSED BY THE BOARD AND NOT TO A FINDING OF A  
5 VIOLATION ITSELF.

6 (G) REGULATIONS.--THE BOARD SHALL PROMULGATE REGULATIONS TO  
7 EFFECTUATE THE PURPOSES OF THIS SECTION.

8 § 1518.2. ADDITIONAL AUTHORITY.

9 (A) GENERAL RULE.--THE DIRECTOR OF THE OFFICE OF ENFORCEMENT  
10 COUNSEL WITHIN THE BUREAU MAY PETITION A COURT OF RECORD HAVING  
11 JURISDICTION OVER INFORMATION IN THE POSSESSION OF AN AGENCY IN  
12 THIS COMMONWEALTH, OR IF THERE IS NO SUCH COURT, THEN THE  
13 COMMONWEALTH COURT FOR AUTHORIZATION TO REVIEW OR OBTAIN  
14 INFORMATION IN THE POSSESSION OF AN AGENCY IN THIS COMMONWEALTH  
15 BY AVERRING SPECIFIC FACTS DEMONSTRATING THAT THE AGENCY HAS IN  
16 ITS POSSESSION INFORMATION MATERIAL TO A PENDING INVESTIGATION  
17 OR INQUIRY BEING CONDUCTED BY THE BUREAU PURSUANT TO THIS PART  
18 AND THAT DISCLOSURE OR RELEASE IS IN THE BEST INTEREST OF THE  
19 COMMONWEALTH. THE PETITION SHALL REQUEST THAT THE COURT ENTER A  
20 RULE UPON THE AGENCY TO SHOW CAUSE WHY THE AGENCY SHOULD NOT BE  
21 DIRECTED TO DISCLOSE TO THE BUREAU, OR IDENTIFIED AGENTS  
22 THEREOF, INFORMATION IN ITS POSSESSION ABOUT ANY PENDING MATTER  
23 UNDER THE JURISDICTION OF THE BUREAU PURSUANT TO THIS PART. IF A  
24 RESPONDENT IS A LOCAL AGENCY, A COPY OF ANY RULE ISSUED PURSUANT  
25 TO THIS SECTION SHALL BE PROVIDED TO THE DISTRICT ATTORNEY OF  
26 THE COUNTY IN WHICH THE LOCAL AGENCY IS LOCATED AND THE OFFICE  
27 OF ATTORNEY GENERAL. UPON REQUEST OF A LOCAL AGENCY, THE  
28 DISTRICT ATTORNEY OR THE ATTORNEY GENERAL MAY ELECT TO ENTER AN  
29 APPEARANCE TO REPRESENT THE LOCAL AGENCY IN THE PROCEEDINGS.

30 (B) PROCEDURE.--THE FILING OF A PETITION PURSUANT TO THIS

1 SECTION AND RELATED PROCEEDINGS SHALL BE IN ACCORDANCE WITH  
2 COURT RULE, INCLUDING ISSUANCE AS OF COURSE. A PARTY SHALL NOT  
3 DISCLOSE THE FILING OF A PETITION OR ANSWER OR THE RECEIPT,  
4 CONTENT OR DISPOSITION OF A RULE OR ORDER ISSUED PURSUANT TO  
5 THIS SECTION WITHOUT LEAVE OF COURT. ANY PARTY TO THE  
6 PROCEEDINGS MAY REQUEST THAT THE RECORD BE SEALED AND  
7 PROCEEDINGS BE CLOSED. THE COURT SHALL GRANT THE REQUEST IF IT  
8 IS IN THE BEST INTEREST OF ANY PERSON OR THE COMMONWEALTH TO DO  
9 SO.

10 (C) COURT DETERMINATION.--FOLLOWING REVIEW OF THE RECORD,  
11 THE COURT SHALL GRANT THE RELIEF SOUGHT BY THE DIRECTOR OF THE  
12 OFFICE OF ENFORCEMENT COUNSEL IF THE COURT DETERMINES THAT THE  
13 AGENCY HAS IN ITS POSSESSION INFORMATION MATERIAL TO THE  
14 INVESTIGATION OR INQUIRY AND THAT DISCLOSURE OR RELEASE OF THE  
15 INFORMATION IS IN THE BEST INTEREST OF THE COMMONWEALTH, THAT  
16 THE DISCLOSURE OR RELEASE OF THE INFORMATION IS NOT OTHERWISE  
17 PROHIBITED BY STATUTE OR REGULATION AND THAT THE DISCLOSURE OR  
18 RELEASE OF THE INFORMATION WOULD NOT INHIBIT AN AGENCY IN THE  
19 PERFORMANCE OF THE AGENCY'S DUTIES. IF THE COURT SO DETERMINES,  
20 THE COURT SHALL ENTER AN ORDER AUTHORIZING AND DIRECTING THE  
21 INFORMATION BE MADE AVAILABLE FOR REVIEW IN CAMERA.

22 (D) RELEASE OF MATERIALS OR INFORMATION.--IF, AFTER AN IN  
23 CAMERA REVIEW BY THE COURT, THE DIRECTOR OF THE OFFICE OF  
24 ENFORCEMENT COUNSEL SEEKS TO OBTAIN COPIES OF MATERIALS IN THE  
25 AGENCY'S POSSESSION, THE COURT MAY, IF NOT OTHERWISE PROHIBITED  
26 BY STATUTE OR REGULATION, ENTER AN ORDER THAT THE REQUESTED  
27 MATERIALS BE PROVIDED. ANY ORDER AUTHORIZING THE RELEASE OF  
28 MATERIALS OR OTHER INFORMATION SHALL CONTAIN DIRECTION REGARDING  
29 THE SAFEKEEPING AND USE OF THE MATERIALS OR OTHER INFORMATION  
30 SUFFICIENT TO SATISFY THE COURT THAT THE MATERIALS OR

1 INFORMATION WILL BE SUFFICIENTLY SAFEGUARDED. IN MAKING THIS  
2 DETERMINATION THE COURT SHALL CONSIDER THE INPUT OF THE AGENCY  
3 IN POSSESSION OF THE INFORMATION AND ANY INPUT FROM ANY AGENCY  
4 WITH WHICH THE INFORMATION ORIGINATED CONCERNING ANY PENDING  
5 INVESTIGATION OR ONGOING MATTER AND THE SAFETY OF PERSON AND  
6 PROPERTY.

7 (E) MODIFICATION OF ORDER.--IF SUBSEQUENT INVESTIGATION OR  
8 INQUIRY BY THE BUREAU WARRANTS MODIFICATION OF ANY ORDER ENTERED  
9 PURSUANT TO THIS SECTION, THE DIRECTOR OF THE OFFICE OF  
10 ENFORCEMENT COUNSEL MAY PETITION TO REQUEST THE MODIFICATION.  
11 UPON SUCH REQUEST, THE COURT MAY MODIFY ITS ORDERS AT ANY TIME  
12 AND IN ANY MANNER IT DEEMS NECESSARY AND APPROPRIATE. THE AGENCY  
13 NAMED IN THE ORIGINAL PETITION SHALL BE GIVEN NOTICE AND AN  
14 OPPORTUNITY TO BE HEARD.

15 (F) USE OF INFORMATION OR MATERIALS.--ANY PERSON WHO, BY ANY  
16 MEANS AUTHORIZED BY THIS SECTION, HAS OBTAINED KNOWLEDGE OF  
17 INFORMATION OR MATERIALS SOLELY PURSUANT TO THIS SECTION MAY USE  
18 SUCH INFORMATION OR MATERIALS IN A MANNER CONSISTENT WITH ANY  
19 DIRECTIONS IMPOSED BY THE COURT AND APPROPRIATE TO THE PROPER  
20 PERFORMANCE OF THE PERSON'S OFFICIAL DUTIES UNDER THIS PART.

21 (G) VIOLATION.--IN ADDITION TO ANY REMEDIES AND PENALTIES  
22 PROVIDED IN THIS PART, ANY VIOLATION OF THE PROVISIONS OF THIS  
23 SECTION MAY BE PUNISHED AS CONTEMPT OF THE COURT.

24 (H) DEFINITION.--AS USED IN THIS SECTION THE TERM "AGENCY"  
25 SHALL MEAN A "COMMONWEALTH AGENCY" OR A "LOCAL AGENCY" AS THOSE  
26 TERMS ARE DEFINED IN SECTION 102 OF THE ACT OF FEBRUARY 14, 2008  
27 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.

28 § 1518.3. APPLICABILITY OF CLEAN INDOOR AIR ACT.

29 NOTWITHSTANDING SECTION 11(B) OF THE ACT OF JUNE 13, 2008  
30 (P.L.182, NO.27), KNOWN AS THE CLEAN INDOOR AIR ACT, THE

1 PROVISIONS OF SECTION 3(B) (11) OF THE CLEAN INDOOR AIR ACT SHALL  
2 APPLY TO ALL LICENSED FACILITIES.

3 SECTION 17.1. SECTION 1521 OF TITLE 4 IS AMENDED BY ADDING A  
4 SUBSECTION TO READ:

5 § 1521. LIQUOR LICENSES AT LICENSED FACILITIES.

6 \* \* \*

7 (B.1) LIQUOR CODE SANCTIONS.--NOTWITHSTANDING ANY OTHER  
8 PROVISION OF LAW, A PERSON HOLDING A SLOT MACHINE LICENSE THAT  
9 ALSO HOLDS A LICENSE ISSUED BY THE PENNSYLVANIA LIQUOR CONTROL  
10 BOARD SHALL NOT BE SUBJECT TO THE PROVISIONS OF SECTION 471(C)  
11 OF THE LIQUOR CODE. IN ADDITION, IF A FINE IS IMPOSED UNDER  
12 SECTION 471(B) OF THE LIQUOR CODE, IT SHALL BE FOR NOT LESS THAN  
13 \$250 NOR MORE THAN \$25,000. THE PRIOR CITATION HISTORY OF THE  
14 SLOT MACHINE LICENSEE SHALL BE CONSIDERED IN DETERMINING THE  
15 AMOUNT OF THE FINE.

16 \* \* \*

17 SECTION 18. SECTION 1522 OF TITLE 4 IS AMENDED TO READ:

18 § 1522. INTERCEPTION OF ORAL COMMUNICATIONS.

19 THE INTERCEPTION AND RECORDING OF ORAL COMMUNICATIONS MADE IN  
20 A [COUNTING] COUNT ROOM OF A LICENSED FACILITY BY A LICENSEE  
21 SHALL NOT BE SUBJECT TO THE PROVISIONS OF 18 PA.C.S. CH. 57  
22 (RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE). NOTICE  
23 THAT ORAL COMMUNICATIONS ARE BEING INTERCEPTED AND RECORDED  
24 SHALL BE POSTED CONSPICUOUSLY IN THE [COUNTING] COUNT ROOM.

25 SECTION 18.1. TITLE 4 IS AMENDED BY ADDING A SECTION TO  
26 READ:

27 § 1523. ELECTRONIC FUNDS TRANSFER TERMINALS.

28 (A) PROHIBITION.--A SLOT MACHINE LICENSEE MAY NOT INSTALL,  
29 OWN OR OPERATE OR ALLOW ANOTHER PERSON TO INSTALL, OWN OR  
30 OPERATE ON THE PREMISES OF THE LICENSED FACILITY A SLOT MACHINE

1 OR TABLE GAME THAT IS PLAYED WITH A DEVICE THAT ALLOWS A PLAYER  
2 TO OPERATE THE SLOT MACHINE OR TABLE GAME BY TRANSFERRING FUNDS  
3 ELECTRONICALLY FROM A DEBIT CARD, CREDIT CARD OR BY MEANS OF AN  
4 ELECTRONIC FUNDS TRANSFER TERMINAL.

5 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
6 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
7 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

8 "ELECTRONIC FUNDS TRANSFER TERMINAL." AN INFORMATION-  
9 PROCESSING DEVICE OR AN AUTOMATIC TELLER MACHINE USED FOR  
10 EXECUTING DEPOSIT ACCOUNT TRANSACTIONS BETWEEN FINANCIAL  
11 INSTITUTIONS AND THEIR ACCOUNT HOLDERS BY EITHER THE DIRECT  
12 TRANSMISSION OF ELECTRONIC IMPULSES OR THE RECORDING OF  
13 ELECTRONIC IMPULSES FOR DELAYED PROCESSING. THE FACT THAT A  
14 DEVICE IS USED FOR OTHER PURPOSES SHALL NOT PREVENT IT FROM  
15 BEING CONSIDERED AN ELECTRONIC FUNDS TRANSFER TERMINAL UNDER  
16 THIS DEFINITION.

17 SECTION 18.2. TITLE 4 IS AMENDED BY ADDING CHAPTERS TO READ:

18 CHAPTER 16

19 JUNKETS

20 SEC.

21 1601. GAMING JUNKETS AUTHORIZED.

22 1602. GAMING JUNKET ENTERPRISE LICENSE.

23 1603. CLASSIFICATION SYSTEM.

24 1604. GAMING JUNKET REPRESENTATIVES.

25 1605. JUNKET AGREEMENTS.

26 1606. CONDUCT OF JUNKET.

27 1607. VIOLATION OF TERMS.

28 1608. RECORDS.

29 1609. REPORT.

30 1610. GAMING JUNKET ARRANGEMENT.

1 1611. PROHIBITIONS.

2 § 1601. GAMING JUNKETS AUTHORIZED.

3 THE BOARD MAY AUTHORIZE THE ORGANIZATION AND CONDUCT OF  
4 GAMING JUNKETS SUBJECT TO THE PROVISIONS OF THIS CHAPTER. NO  
5 GAMING JUNKET SHALL BE ORGANIZED OR PERMITTED TO OPERATE IN THIS  
6 COMMONWEALTH AND NO PERSON SHALL ACT AS A GAMING JUNKET  
7 REPRESENTATIVE OR GAMING JUNKET ENTERPRISE EXCEPT IN ACCORDANCE  
8 WITH THIS CHAPTER. THE BOARD SHALL ESTABLISH A REASONABLE  
9 APPLICATION AND AUTHORIZATION FEE FOR ANY LICENSE, PERMIT OR  
10 OTHER AUTHORIZATION ISSUED UNDER THIS CHAPTER.

11 § 1602. GAMING JUNKET ENTERPRISE LICENSE.

12 (A) GAMING JUNKET ENTERPRISE LICENSE REQUIRED.--ALL GAMING  
13 JUNKET ENTERPRISES SHALL OBTAIN A LICENSE FROM THE BOARD PRIOR  
14 TO ACTING AS A GAMING JUNKET ENTERPRISE IN THIS COMMONWEALTH.

15 (B) APPLICATION.--A GAMING JUNKET ENTERPRISE LICENSE  
16 APPLICATION SHALL BE IN A FORM PRESCRIBED BY THE BOARD AND SHALL  
17 INCLUDE THE FOLLOWING:

18 (1) THE NAME, ADDRESS AND PHOTOGRAPH OF THE APPLICANT  
19 AND ALL OWNERS, DIRECTORS, MANAGERS AND SUPERVISORY EMPLOYEES  
20 OF A GAMING JUNKET ENTERPRISE.

21 (2) THE DETAILS OF A GAMING JUNKET ENTERPRISE LICENSE OR  
22 SIMILAR LICENSE APPLIED FOR OR GRANTED OR DENIED TO THE  
23 APPLICANT BY ANOTHER JURISDICTION.

24 (3) CONSENT FOR THE BUREAU TO CONDUCT A BACKGROUND  
25 INVESTIGATION, THE SCOPE OF WHICH SHALL BE DETERMINED BY THE  
26 BOARD.

27 (4) ALL RELEASES NECESSARY FOR THE BUREAU AND THE BOARD  
28 TO ACQUIRE LICENSING DOCUMENTS AND OTHER INFORMATION  
29 NECESSARY TO CONDUCT A BACKGROUND INVESTIGATION OR OTHERWISE  
30 EVALUATE THE APPLICATION.

1           (5) A LIST OF ALL CIVIL JUDGMENTS OBTAINED AGAINST THE  
2           APPLICANT PERTAINING TO ANY GAMING JUNKET ENTERPRISE WITH  
3           WHICH THE APPLICANT HAS BEEN ASSOCIATED.

4           (6) A DESCRIPTION OF THE OPERATION AND ORGANIZATION OF  
5           THE GAMING JUNKET ENTERPRISE.

6           (7) ANY ADDITIONAL INFORMATION REQUIRED BY THE BOARD.

7           (C) ENFORCEMENT INFORMATION.--IF THE APPLICANT HAS HELD A  
8           GAMING JUNKET LICENSE OR OTHER GAMING LICENSE IN ANOTHER  
9           JURISDICTION, THE APPLICANT MAY SUBMIT A LETTER OF REFERENCE  
10          FROM THE GAMING ENFORCEMENT AGENCY IN THE OTHER JURISDICTION.  
11          THE LETTER SHALL SPECIFY THE EXPERIENCES OF THE AGENCY WITH THE  
12          APPLICANT, THE APPLICANT'S ASSOCIATES AND THE APPLICANT'S GAMING  
13          JUNKET ENTERPRISE OR GAMING ACTIVITY. IF NO LETTER IS RECEIVED  
14          WITHIN 30 DAYS FOLLOWING THE APPLICANT'S REQUEST, THE APPLICANT  
15          MAY SUBMIT A STATEMENT UNDER OATH, SUBJECT TO THE PENALTY FOR  
16          FALSE SWEARING UNDER 18 PA.C.S. § 4903 (RELATING TO FALSE  
17          SWEARING), THAT THE APPLICANT IS IN GOOD STANDING WITH THE  
18          GAMING ENFORCEMENT AGENCY IN THE OTHER JURISDICTION.

19          (D) ISSUANCE.--FOLLOWING REVIEW OF THE APPLICATION,  
20          COMPLETION OF THE BACKGROUND INVESTIGATION AND PAYMENT OF THE  
21          LICENSE FEE ESTABLISHED BY THE BOARD UNDER SECTION 1601(A)  
22          (RELATING TO GAMING JUNKETS AUTHORIZED), THE BOARD MAY ISSUE A  
23          GAMING JUNKET ENTERPRISE LICENSE TO THE APPLICANT IF THE  
24          APPLICANT HAS PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE  
25          APPLICANT IS A PERSON OF GOOD CHARACTER, HONESTY AND INTEGRITY  
26          AND THAT THE APPLICANT'S ACTIVITIES, CRIMINAL RECORD,  
27          REPUTATION, HABITS AND ASSOCIATIONS DO NOT POSE A THREAT TO THE  
28          PUBLIC INTEREST OR SUITABLE OR LEGITIMATE OPERATION OF GAMING.

29          (E) FAILURE TO COOPERATE.--FAILURE TO PROVIDE REQUIRED  
30          INFORMATION OR RELEASES UNDER THIS SECTION SHALL RESULT IN THE

1 IMMEDIATE DENIAL OF AN APPLICATION FOR A LICENSE.

2 (F) NONTRANSFERABILITY.--A LICENSE ISSUED UNDER THIS SECTION  
3 SHALL BE NONTRANSFERABLE.

4 § 1603. CLASSIFICATION SYSTEM.

5 THE BOARD SHALL DEVELOP A CLASSIFICATION SYSTEM FOR THE  
6 REGULATION OF GAMING JUNKET ENTERPRISES AND THE INDIVIDUALS AND  
7 ENTITIES ASSOCIATED WITH GAMING JUNKET ENTERPRISES.

8 § 1604. GAMING JUNKET REPRESENTATIVES.

9 (A) OCCUPATION PERMIT.--EXCEPT AS OTHERWISE PROVIDED IN  
10 SUBSECTION (E), A GAMING JUNKET REPRESENTATIVE SHALL OBTAIN AN  
11 OCCUPATION PERMIT FROM THE BOARD IN ACCORDANCE WITH SECTION 1318  
12 (RELATING TO OCCUPATION PERMIT APPLICATION).

13 (B) APPLICATION.--IN ADDITION TO THE REQUIREMENTS OF SECTION  
14 1308 (RELATING TO APPLICATIONS FOR LICENSE OR PERMIT), THE  
15 APPLICATION FOR A GAMING JUNKET REPRESENTATIVE OCCUPATION PERMIT  
16 SHALL BE IN A FORM PRESCRIBED BY THE BOARD AND SHALL INCLUDE THE  
17 FOLLOWING:

18 (1) VERIFICATION OF EMPLOYMENT STATUS AS A GAMING JUNKET  
19 REPRESENTATIVE WITH A LICENSED GAMING JUNKET ENTERPRISE OR AN  
20 APPLICANT FOR A GAMING JUNKET ENTERPRISE LICENSE.

21 (2) A DESCRIPTION OF EMPLOYMENT RESPONSIBILITIES.

22 (3) A CONSENT FORM TO ALLOW THE BUREAU TO CONDUCT A  
23 BACKGROUND INVESTIGATION, THE SCOPE OF WHICH SHALL BE  
24 DETERMINED BY THE BOARD.

25 (4) A RELEASE FOR THE BUREAU AND THE BOARD TO ACQUIRE  
26 COPIES OF INFORMATION FROM GOVERNMENT AGENCIES, EMPLOYERS AND  
27 OTHERS AS NECESSARY TO COMPLETE THE INVESTIGATION.

28 (5) FINGERPRINTS WHICH SHALL BE SUBMITTED TO THE  
29 PENNSYLVANIA STATE POLICE.

30 (6) A PHOTOGRAPH THAT MEETS THE STANDARDS OF THE

1 COMMONWEALTH PHOTO IMAGING NETWORK.

2 (7) DETAILS RELATING TO A SIMILAR LICENSE, PERMIT OR  
3 OTHER AUTHORIZATION OBTAINED IN ANOTHER JURISDICTION, IF ANY.

4 (8) ANY ADDITIONAL INFORMATION REQUIRED BY THE BOARD.

5 (C) ISSUANCE.--FOLLOWING REVIEW OF THE APPLICATION,  
6 BACKGROUND INVESTIGATION AND PAYMENT OF THE PERMIT FEE  
7 ESTABLISHED BY THE BOARD UNDER SECTION 1601(A) (RELATING TO  
8 GAMING JUNKETS AUTHORIZED), THE BOARD MAY ISSUE AN OCCUPATION  
9 PERMIT IF THE APPLICANT HAS PROVEN BY CLEAR AND CONVINCING  
10 EVIDENCE THAT THE APPLICANT IS A PERSON OF GOOD CHARACTER,  
11 HONESTY AND INTEGRITY AND IS ELIGIBLE AND SUITABLE TO RECEIVE AN  
12 OCCUPATION PERMIT.

13 (D) NONTRANSFERABILITY.--AN OCCUPATION PERMIT ISSUED UNDER  
14 THIS SECTION SHALL BE NONTRANSFERABLE.

15 (E) HOLDER OF OCCUPATION PERMIT.--NOTHING IN THIS SECTION  
16 SHALL BE CONSTRUED TO PROHIBIT AN INDIVIDUAL WHO HOLDS A VALID  
17 OCCUPATION PERMIT AND WHO IS EMPLOYED BY A SLOT MACHINE LICENSEE  
18 FROM ACTING AS A JUNKET REPRESENTATIVE. A GAMING JUNKET  
19 REPRESENTATIVE NEED NOT BE A RESIDENT OF THIS COMMONWEALTH.

20 § 1605. JUNKET AGREEMENTS.

21 AGREEMENTS ENTERED INTO BETWEEN A SLOT MACHINE LICENSEE AND A  
22 GAMING JUNKET ENTERPRISE OR A GAMING JUNKET REPRESENTATIVE SHALL  
23 INCLUDE A PROVISION FOR THE TERMINATION OF THE AGREEMENT WITHOUT  
24 LIABILITY ON THE PART OF THE SLOT MACHINE LICENSEE IF:

25 (1) THE BOARD ORDERS THE SUSPENSION, LIMITATION,  
26 CONDITIONING, DENIAL OR REVOCATION OF THE LICENSE OF A GAMING  
27 JUNKET REPRESENTATIVE LICENSE OR OCCUPATION PERMIT OF A  
28 GAMING JUNKET REPRESENTATIVE.

29 (2) THE BOARD DISAPPROVES THE AGREEMENT AND REQUIRES ITS  
30 TERMINATION.

1 FAILURE TO EXPRESSLY INCLUDE THE TERMINATION REQUIREMENT UNDER  
2 THIS SECTION IN THE AGREEMENT SHALL NOT CONSTITUTE A DEFENSE IN  
3 AN ACTION BROUGHT RELATING TO THE TERMINATION OF THE AGREEMENT.  
4 § 1606. CONDUCT OF JUNKET.

5 A SLOT MACHINE LICENSEE SHALL BE RESPONSIBLE FOR THE CONDUCT  
6 OF A GAMING JUNKET REPRESENTATIVE OR GAMING JUNKET ENTERPRISE  
7 WITH WHICH THE SLOT MACHINE LICENSEE HAS AN AGREEMENT AND FOR  
8 THE TERMS AND CONDITIONS OF A GAMING JUNKET ON ITS PREMISES.  
9 § 1607. VIOLATION OF TERMS.

10 NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART, IF THE  
11 BOARD DETERMINES THAT THE TERMS OF AN AGREEMENT TO CONDUCT A  
12 GAMING JUNKET WERE VIOLATED BY A SLOT MACHINE LICENSEE, GAMING  
13 JUNKET ENTERPRISE OR GAMING JUNKET REPRESENTATIVE, THE BOARD MAY  
14 DO ANY OR ALL OF THE FOLLOWING:

15 (1) ORDER RESTITUTION TO THE GAMING JUNKET PARTICIPANT.

16 (2) ASSESS CIVIL PENALTIES OR SANCTIONS UNDER SECTION  
17 1518 (RELATING TO PROHIBITED ACTS; PENALTIES) FOR A VIOLATION  
18 OR DEVIATION FROM THE TERMS OF THE JUNKET AGREEMENT.

19 § 1608. RECORDS.

20 THE BOARD SHALL PRESCRIBE PROCEDURES AND FORMS TO RETAIN  
21 RECORDS RELATING TO THE CONDUCT OF A GAMING JUNKET BY A SLOT  
22 MACHINE LICENSEE. A SLOT MACHINE LICENSEE SHALL:

23 (1) MAINTAIN A CURRENT REPORT OF THE OPERATIONS OF  
24 GAMING JUNKETS CONDUCTED AT ITS LICENSED FACILITY.

25 (2) SUBMIT TO THE BOARD AND THE BUREAU A LIST OF ALL ITS  
26 EMPLOYEES WHO CONDUCT BUSINESS ON BEHALF OF THE SLOT MACHINE  
27 LICENSEE WITH GAMING JUNKET REPRESENTATIVES ON A FULL-TIME,  
28 PART-TIME OR TEMPORARY BASIS.

29 (3) MAINTAIN RECORDS OF ALL AGREEMENTS ENTERED INTO WITH  
30 A GAMING JUNKET ENTERPRISE OR GAMING JUNKET REPRESENTATIVE

1 FOR A MINIMUM OF FIVE YEARS.

2 (4) PROVIDE ANY OTHER INFORMATION RELATING TO A GAMING  
3 JUNKET REQUIRED BY THE BOARD OR BUREAU.

4 § 1609. REPORT.

5 A SLOT MACHINE LICENSEE, GAMING JUNKET REPRESENTATIVE OR  
6 GAMING JUNKET ENTERPRISE SHALL FILE A REPORT WITH THE BUREAU ON  
7 EACH LIST OF GAMING JUNKET PARTICIPANTS OR POTENTIAL GAMING  
8 JUNKET PARTICIPANTS PURCHASED BY THE SLOT MACHINE LICENSEE,  
9 GAMING JUNKET REPRESENTATIVE OR GAMING JUNKET ENTERPRISE. THE  
10 REPORT SHALL INCLUDE THE SOURCE OF THE LIST AND ZIP CODES OF  
11 PARTICIPANTS OR POTENTIAL PARTICIPANTS ON A LIST PURCHASED  
12 DIRECTLY OR INDIRECTLY BY A SLOT MACHINE LICENSEE, GAMING JUNKET  
13 REPRESENTATIVE OR GAMING JUNKET ENTERPRISE. NOTHING IN THIS  
14 SECTION SHALL REQUIRE THE REPORTING OR MAINTENANCE OF PERSONAL  
15 IDENTIFYING INFORMATION PERTAINING TO PARTICIPANTS OR POTENTIAL  
16 PARTICIPANTS.

17 § 1610. GAMING JUNKET ARRANGEMENT.

18 UPON PETITION BY A SLOT MACHINE LICENSEE, THE BOARD MAY GRANT  
19 AN EXEMPTION FROM THE PERMIT REQUIREMENTS OF THIS CHAPTER TO A  
20 GAMING JUNKET REPRESENTATIVE. THE BOARD SHALL CONSULT WITH THE  
21 BUREAU PRIOR TO GRANTING AN EXEMPTION UNDER THIS SECTION AND  
22 SHALL CONSIDER THE FOLLOWING:

23 (1) THE TERMS OF THE GAMING JUNKET ARRANGEMENT.

24 (2) THE NUMBER AND SCOPE OF GAMING JUNKETS.

25 (3) WHETHER THE EXEMPTION IS CONSISTENT WITH THE  
26 POLICIES AND PURPOSES OF THIS PART.

27 (4) ANY OTHER FACTOR DEEMED NECESSARY BY THE BUREAU OR  
28 BOARD.

29 THE BOARD MAY CONDITION, LIMIT OR RESTRICT THE EXEMPTION.

30 § 1611. PROHIBITIONS.

1 A GAMING JUNKET ENTERPRISE OR GAMING JUNKET REPRESENTATIVE  
2 SHALL NOT DO ANY OF THE FOLLOWING:

3 (1) ENGAGE IN EFFORTS TO COLLECT ON ANY CHECK PROVIDED  
4 BY A GAMING JUNKET PARTICIPANT THAT HAS BEEN RETURNED BY A  
5 FINANCIAL INSTITUTION WITHOUT PAYMENT.

6 (2) EXERCISE APPROVAL AUTHORITY OVER THE AUTHORIZATION  
7 OR ISSUANCE OF CREDIT UNDER SECTION 1326A (RELATING TO CASH  
8 EQUIVALENTS).

9 (3) RECEIVE OR RETAIN A FEE FROM AN INDIVIDUAL FOR THE  
10 PRIVILEGE OF PARTICIPATING IN A GAMING JUNKET.

11 (4) PAY FOR ANY SERVICE, INCLUDING TRANSPORTATION, OR  
12 OTHER THING OF VALUE PROVIDED TO A PARTICIPANT PARTICIPATING  
13 IN A GAMING JUNKET EXCEPT AS AUTHORIZED BY THIS PART.

14 CHAPTER 17

15 GAMING SCHOOLS

16 SEC.

17 1701. CURRICULUM.

18 1701.1. (RESERVED).

19 1702. GAMING SCHOOL GAMING EQUIPMENT.

20 § 1701. CURRICULUM.

21 THE DEPARTMENT OF LABOR AND INDUSTRY, IN CONSULTATION WITH  
22 THE DEPARTMENT OF EDUCATION AND THE BOARD, SHALL, WITHIN 60 DAYS  
23 FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, DEVELOP CURRICULUM  
24 GUIDELINES, INCLUDING MINIMUM PROFICIENCY REQUIREMENTS  
25 ESTABLISHED BY THE BOARD, FOR GAMING SCHOOL INSTRUCTION. THE  
26 GUIDELINES SHALL, AT A MINIMUM, ESTABLISH COURSES OF INSTRUCTION  
27 THAT WILL PROVIDE INDIVIDUALS WITH ADEQUATE JOB TRAINING  
28 NECESSARY TO OBTAIN EMPLOYMENT AS A GAMING EMPLOYEE WITH A  
29 LICENSED GAMING ENTITY.

30 § 1701.1. (RESERVED).

1 § 1702. GAMING SCHOOL GAMING EQUIPMENT.

2 (A) USE OF GAMING EQUIPMENT.--ALL GAMING EQUIPMENT UTILIZED  
3 BY A GAMING SCHOOL, INCLUDING SLOT MACHINES, TABLE GAME DEVICES,  
4 ASSOCIATED EQUIPMENT AND ALL REPRESENTATIONS OF VALUE, SHALL BE  
5 USED FOR TRAINING, INSTRUCTIONAL AND PRACTICE PURPOSES ONLY. THE  
6 USE OF ANY SUCH GAMING EQUIPMENT FOR ACTUAL GAMING BY ANY PERSON  
7 IS PROHIBITED.

8 (B) CHIPS.--UNLESS THE BOARD OTHERWISE DETERMINES, ALL  
9 GAMING CHIPS AND OTHER REPRESENTATIONS OF VALUE UTILIZED BY A  
10 GAMING SCHOOL SHALL BE DISTINCTLY DISSIMILAR TO ANY CHIPS  
11 UTILIZED BY A SLOT MACHINE LICENSEE.

12 (C) POSSESSION, REMOVAL AND TRANSPORT OF EQUIPMENT.--NO  
13 GAMING SCHOOL SHALL POSSESS, REMOVE OR TRANSPORT, OR CAUSE TO BE  
14 REMOVED OR TRANSPORTED, ANY SLOT MACHINE, TABLE GAME DEVICE OR  
15 ASSOCIATED EQUIPMENT EXCEPT IN ACCORDANCE WITH THIS PART.

16 (D) SERIAL NUMBERS.--EACH SLOT MACHINE, TABLE GAME DEVICE  
17 AND ASSOCIATED EQUIPMENT ON THE PREMISES OF A GAMING SCHOOL  
18 SHALL HAVE PERMANENTLY AFFIXED ON IT A SERIAL NUMBER WHICH,  
19 TOGETHER WITH THE LOCATION OF THE MACHINE OR TABLE GAME DEVICE,  
20 SHALL BE FILED WITH THE BOARD.

21 (E) SECURITY.--EACH GAMING SCHOOL SHALL PROVIDE ADEQUATE  
22 SECURITY FOR THE SLOT MACHINES, TABLE GAMES, TABLE GAME DEVICES  
23 AND ASSOCIATED EQUIPMENT ON THE GAMING SCHOOL PREMISES.

24 (F) NOTICE TO BOARD AND BUREAU.--NO GAMING SCHOOL SHALL SELL  
25 OR TRANSFER ANY SLOT MACHINE, TABLE GAME, TABLE GAME DEVICE OR  
26 ASSOCIATED EQUIPMENT EXCEPT UPON PRIOR WRITTEN NOTICE TO THE  
27 BOARD AND THE BUREAU.

28 (G) ADDITIONAL TRAINING.--EACH INDIVIDUAL ATTENDING GAMING  
29 SCHOOL SHALL BE TRAINED IN CARDIOPULMONARY RESUSCITATION.

30 SECTION 18.3. SECTION 1901(A) OF TITLE 4 IS AMENDED TO READ:

1 § 1901. APPROPRIATIONS.

2 (A) APPROPRIATION TO BOARD.--

3 (1) THE SUM OF \$7,500,000 IS HEREBY APPROPRIATED TO THE  
4 PENNSYLVANIA GAMING CONTROL BOARD FOR THE FISCAL PERIOD JULY  
5 1, 2004, TO JUNE 30, 2006, TO IMPLEMENT AND ADMINISTER THE  
6 PROVISIONS OF THIS PART. THE MONEY APPROPRIATED IN THIS  
7 SUBSECTION SHALL BE CONSIDERED A LOAN FROM THE GENERAL FUND  
8 AND SHALL BE REPAYED TO THE GENERAL FUND QUARTERLY COMMENCING  
9 WITH THE DATE SLOT MACHINE LICENSEES BEGIN OPERATING SLOT  
10 MACHINES UNDER THIS PART. THIS APPROPRIATION SHALL BE A TWO-  
11 YEAR APPROPRIATION AND SHALL NOT LAPSE UNTIL JUNE 30, 2006.

12 (2) THE SUM OF \$2,100,000 IS HEREBY APPROPRIATED FROM  
13 THE STATE GAMING FUND TO THE PENNSYLVANIA GAMING CONTROL  
14 BOARD FOR SALARIES, WAGES AND ALL NECESSARY EXPENSES FOR THE  
15 PROPER OPERATION AND ADMINISTRATION OF THE PENNSYLVANIA  
16 GAMING CONTROL BOARD FOR THE EXPANSION OF GAMING ASSOCIATED  
17 WITH TABLE GAMES. THIS APPROPRIATION SHALL BE A SUPPLEMENTAL  
18 APPROPRIATION FOR FISCAL YEAR 2009-2010 AND SHALL BE IN  
19 ADDITION TO THE APPROPRIATION CONTAINED IN THE ACT OF AUGUST  
20 19, 2009 (P.L. , NO.9A), KNOWN AS THE GAMING CONTROL  
21 APPROPRIATION ACT OF 2009.

22 \* \* \*

23 SECTION 18.4. SECTION 1513(B) OF TITLE 64 IS AMENDED TO

24 READ:

25 § 1513. POWERS.

26 \* \* \*

27 (B) DUTIES.--THE AUTHORITY SHALL DO ALL OF THE FOLLOWING:

28 (1) ADMINISTER THE PROGRAMS ESTABLISHED IN SUBCHAPTER E  
29 IN ACCORDANCE WITH THIS CHAPTER.

30 (2) FUND THE PROGRAMS ESTABLISHED IN SUBCHAPTER E AND 12

1 PA.C.S. CH. 29 (RELATING TO MACHINERY AND EQUIPMENT LOANS)  
2 SUBJECT TO SUBCHAPTER D (RELATING TO FUNDS, ACCOUNTS,  
3 INDEBTEDNESS AND USE).

4 (3) ESTABLISH ACCOUNTS, ADMINISTER AND DISTRIBUTE THE  
5 FUNDS DEPOSITED INTO SUCH ACCOUNTS AND PERFORM ALL OTHER  
6 DUTIES REQUIRED OF THE AUTHORITY UNDER 4 PA.C.S. PART II  
7 (RELATING TO GAMING).

8 SECTION 19. NO LATER THAN 90 DAYS AFTER THE EFFECTIVE DATE  
9 OF THIS SECTION, THE PENNSYLVANIA GAMING CONTROL BOARD SHALL  
10 TRANSFER THE SUM OF \$12,500,000 FROM THE AMOUNTS PREVIOUSLY  
11 APPROPRIATED TO THE PENNSYLVANIA GAMING CONTROL BOARD PURSUANT  
12 TO 4 PA.C.S. § 1408 TO THE GENERAL FUND.

13 SECTION 19.1. NO LATER THAN TEN BUSINESS DAYS AFTER THE  
14 EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT OF REVENUE SHALL  
15 PAY TO EACH CATEGORY 1 AND CATEGORY 2 SLOT MACHINE LICENSEE FROM  
16 ITS EXISTING ACCOUNT ESTABLISHED UNDER 4 PA.C.S. § 1401(A) AN  
17 AMOUNT SUFFICIENT TO BRING THE BALANCE IN THE ACCOUNT TO  
18 \$1,500,000.

19 SECTION 19.2. (RESERVED).

20 SECTION 19.3. THE PROVISIONS OF THIS ACT ARE SEVERABLE. IF  
21 ANY PROVISION OF THIS ACT OR ITS APPLICATION TO ANY PERSON OR  
22 CIRCUMSTANCE IS HELD INVALID, THE INVALIDITY SHALL NOT AFFECT  
23 OTHER PROVISIONS OR APPLICATIONS OF THIS ACT WHICH CAN BE GIVEN  
24 EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION.

25 SECTION 19.4. THE AMENDMENT OF 4 PA.C.S. § 1201(H)(13) SHALL  
26 NOT APPLY TO INDIVIDUALS EMPLOYED ON THE EFFECTIVE DATE OF THIS  
27 SECTION BY THE PENNSYLVANIA GAMING CONTROL BOARD UNTIL JULY 1,  
28 2010.

29 SECTION 19.5. REPEALS ARE AS FOLLOWS:

30 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER

1 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE AMENDMENT OR  
2 ADDITION OF 4 PA.C.S. § 1407(D) (7) AND (D.1) AND 64 PA.C.S. §  
3 1513(B) (3) .

4 (2) THE FOLLOWING PROVISIONS OF THE ACT OF JULY 25, 2007  
5 (P.L.342, NO.53), KNOWN AS THE PENNSYLVANIA GAMING ECONOMIC  
6 DEVELOPMENT AND TOURISM FUND CAPITAL BUDGET ITEMIZATION ACT  
7 OF 2007, ARE REPEALED TO THE EXTENT SPECIFIED:

8 (I) SECTION 3(2) (I) (G), ABSOLUTELY.

9 (II) SECTION 4(7), ABSOLUTELY.

10 (III) SECTION 5, INsofar AS INCONSISTENT WITH THIS  
11 ACT.

12 SECTION 20. THE FOLLOWING SHALL APPLY:

13 (1) THE AMENDMENT OF 4 PA.C.S. § 1213 SHALL NOT APPLY TO  
14 ANY OF THE FOLLOWING:

15 (I) AN APPLICATION SUBMITTED BEFORE THE EFFECTIVE  
16 DATE OF THIS SECTION.

17 (II) ANY LICENSE OR PERMIT ISSUED PRIOR TO THE  
18 EFFECTIVE DATE OF THIS SECTION.

19 (III) THE RENEWAL OF ANY LICENSE OR PERMIT ISSUED OR  
20 APPLIED FOR PRIOR TO THE EFFECTIVE DATE OF THIS SECTION.

21 (2) THE AMENDMENT OF 4 PA.C.S. § 1202(A) (2) AND THE  
22 ADDITION OF 4 PA.C.S. § 1517(C) (1.1) SHALL NOT APPLY TO AN  
23 INDIVIDUAL:

24 (I) WHO, ON JULY 1, 2009, WAS SERVING OFFICIALLY OR  
25 ACTING AS EXECUTIVE DIRECTOR OF THE PENNSYLVANIA GAMING  
26 CONTROL BOARD, CHIEF COUNSEL OF THE BOARD, OR THE  
27 DIRECTOR OF THE OFFICE OF ENFORCEMENT COUNSEL WITHIN THE  
28 BUREAU OF INVESTIGATIONS AND ENFORCEMENT; AND

29 (II) ON WHOM THE BUREAU OR THE PENNSYLVANIA STATE  
30 POLICE COMPLETED A BACKGROUND INVESTIGATION AS A

1           CONDITION OF EMPLOYMENT WITH THE BOARD.

2           (3) THE AMENDMENT OR ADDITION OF 4 PA.C.S. § 1201(H)

3           (4.1) AND (5) SHALL NOT APPLY TO:

4                   (I) AN INDIVIDUAL APPOINTED TO THE PENNSYLVANIA  
5           GAMING CONTROL BOARD BEFORE JULY 1, 2010; OR

6                   (II) AN INDIVIDUAL UNDER SUBPARAGRAPH (I) WHO IS  
7           REAPPOINTED TO THE PENNSYLVANIA GAMING CONTROL BOARD.

8           SECTION 21. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

9                   (1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT JULY 1,  
10           2010:

11                           (I) THE AMENDMENT OF 4 PA.C.S. § 1407.

12                           (II) SECTION 19.5 OF THIS ACT.

13                   (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
14           IMMEDIATELY.