

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 120 Session of 2011

INTRODUCED BY M. O'BRIEN, SCHRODER, YOUNGBLOOD, CLYMER,
CALTAGIRONE, COHEN, DALEY, DeLUCA, GOODMAN, KIRKLAND, MURT,
READSHAW, STERN, SWANGER, TALLMAN, TAYLOR, THOMAS, VULAKOVICH
AND WAGNER, OCTOBER 12, 2011

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, OCTOBER 12, 2011

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, further providing for prohibited acts and
3 penalties.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 1518(b)(1) of Title 4 of the Pennsylvania
7 Consolidated Statutes is amended and subsections (a) and (b) are
8 amended by adding paragraphs to read:

9 § 1518. Prohibited acts; penalties.

10 (a) Criminal offenses.--

11 * * *

12 (18) It shall be unlawful for an individual driving or
13 in charge of a motor vehicle to permit a child under 14 years
14 of age to remain unattended in the vehicle if the vehicle is
15 located on property owned, leased or controlled by a licensed
16 facility or its affiliate, intermediary, subsidiary or
17 holding company. In addition to the penalties in subsection

1 (b), the individual shall be subject to exclusion or ejection
2 from licensed facilities under sections 1514 (relating to
3 regulation requiring exclusion or ejection of certain
4 persons) and 1515 (relating to repeat offenders excludable
5 from licensed gaming facility). Notwithstanding any of the
6 provisions of 18 Pa.C.S. Ch. 91 (relating to criminal history
7 record information), the chief law enforcement officer of
8 jurisdiction in which the vehicle is located shall be
9 responsible for providing written notice of the violation
10 within 48 hours to the director of the county children and
11 youth service agency of the county where the individual
12 resides. The notice shall contain:

13 (i) The name of the individual charged under this
14 section.

15 (ii) The address or addresses at which the
16 individual resides.

17 (iii) The name of the child.

18 (19) It shall be unlawful for a licensed gaming entity
19 to fail to report violations under paragraph (18) to
20 appropriate law enforcement personnel.

21 (b) Criminal penalties and fines.--

22 (1) (i) A person that commits a first offense in
23 violation of 18 Pa.C.S. § 4902, 4903 or 4904 in
24 connection with providing information or making any
25 statement, whether written or oral, to the board, the
26 bureau, the department, the Pennsylvania State Police,
27 the Office of Attorney General or a district attorney as
28 required by this part commits an offense to be graded in
29 accordance with the applicable section violated. A person
30 that is convicted of a second or subsequent violation of

1 18 Pa.C.S. § 4902, 4903 or 4904 in connection with
2 providing information or making any statement, whether
3 written or oral, to the board, the bureau, the
4 department, the Pennsylvania State Police, the Office of
5 Attorney General or a district attorney as required by
6 this part commits a felony of the second degree.

7 (ii) A person that violates subsection (a) (2)
8 through (12) or (17) commits a misdemeanor of the first
9 degree. A person that is convicted of a second or
10 subsequent violation of subsection (a) (2) through (12) or
11 (17) commits a felony of the second degree.

12 (iii) A person that violates subsection (a) (18)
13 commits a misdemeanor of the third degree. A person that
14 is convicted of a second or subsequent violation of
15 subsection (a) (18) commits a misdemeanor of the second
16 degree.

17 * * *

18 (5) (i) For a first violation of subsection (a) (19), a
19 licensed gaming entity shall be sentenced to pay a fine
20 of not less than \$75,000 nor more than \$150,000.

21 (ii) For a second or subsequent violation of
22 subsection (a) (19), a licensed gaming entity shall be
23 sentenced to pay a fine of not less than \$150,000 nor
24 more than \$300,000.

25 * * *

26 Section 2. This act shall take effect in 60 days.