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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 262 Session of  
2011

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INTRODUCED BY VEREB, SCHRODER, REICHLLEY, TURZAI, AUMENT, BAKER,  
BARRAR, CAUSER, CLYMER, CUTLER, DENLINGER, EVANKOVICH,  
EVERETT, FARRY, GINGRICH, HAHN, HICKERNELL, KAUFFMAN, KORTZ,  
KRIEGER, MARSICO, METZGAR, MILLER, MURT, PAYNE, PYLE,  
QUIGLEY, RAPP, ROAE, SCAVELLO, SONNEY, SWANGER, TALLMAN,  
TOEPEL, WAGNER, WATSON AND BENNINGHOFF, JANUARY 27, 2011

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REFERRED TO COMMITTEE ON GAMING OVERSIGHT, JANUARY 27, 2011

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AN ACT

1 Providing for the transfer of certain powers and duties from the  
2 Pennsylvania Gaming Control Board to the Office of Attorney  
3 General; establishing a Gaming Unit in the Office of Attorney  
4 General; and making related repeals.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Attorney  
9 General Gaming Regulation Act.

10 Section 2. Findings and legislative intent.

11 (a) Findings.--The General Assembly finds that the transfer  
12 of the Bureau of Investigations and Enforcement to the Office of  
13 Attorney General will serve to provide for an appropriate  
14 separation of investigative and enforcement functions from  
15 licensing functions. The General Assembly further finds that the  
16 transfer of the Bureau of Investigations and Enforcement does  
17 not affect the general jurisdiction of the Pennsylvania Gaming

1 Control Board in any way which impairs or otherwise reduces the  
2 board's licensing authority.

3 (b) Legislative intent.--It is the intent of the General  
4 Assembly to transfer all of the existing functions and duties of  
5 the Bureau of Investigations and Enforcement in the Pennsylvania  
6 Gaming Control Board, including the Office of Enforcement  
7 Counsel, to the Gaming Unit in the Office of Attorney General.  
8 It is the further intent of the General Assembly to completely  
9 separate, except as provided under this act, the Gaming Unit in  
10 the Office of Attorney General from any regulatory or fiscal  
11 control by the Pennsylvania Gaming Control Board.

12 Section 3. Gaming Unit.

13 (a) Establishment.--There is established within the Office  
14 of Attorney General a Gaming Unit. The Attorney General shall  
15 select:

16 (1) A director of the Gaming Unit.

17 (2) A director of the Office of Enforcement Counsel  
18 transferred to the Gaming Unit by operation of this act.

19 (b) Powers and duties.--The Gaming Unit shall, in addition  
20 to the powers and duties vested in the Office of Attorney  
21 General by 4 Pa.C.S. Pt. II (relating to gaming), also have the  
22 powers and duties previously vested in the Bureau of  
23 Investigations and Enforcement of the Pennsylvania Gaming  
24 Control Board by 4 Pa.C.S. Pt. II.

25 (c) Personnel.--

26 (1) The Attorney General shall assign agents to  
27 supervisory and other capacities in the Gaming Unit as  
28 necessary. All other personnel of the Gaming Unit shall be  
29 civilians.

30 (2) Except as provided in paragraph (3), all personnel

1 shall continue in their employment with the unit with the  
2 same pay scales, salaries, wages, seniority benefits, pension  
3 rights and other incidents of employment.

4 (3) The unit director, in consultation with the Attorney  
5 General, shall determine which personnel transferred under  
6 this section shall be retained as unit employees and which  
7 personnel transferred under this section shall be replaced  
8 within a six-month period after the appointment of the unit  
9 director.

10 (d) Transfers.--The following are transferred to the Gaming  
11 Unit established under subsection (a):

12 (1) All of the powers, duties and authority previously  
13 vested in the Bureau of Investigations and Enforcement of the  
14 Pennsylvania Gaming Control Board by 4 Pa.C.S. Pt. II.

15 (2) All personnel, allocations, appropriations,  
16 equipment, files, records, contracts, agreements, obligations  
17 and other materials which are used, employed or expended by  
18 the Pennsylvania Gaming Control Board in connection with the  
19 functions transferred by this act to the Gaming Unit as if  
20 these contracts, agreements and obligations had been incurred  
21 or entered into by the Gaming Unit.

22 (e) Requirement of transfer.--The personnel, appropriations,  
23 equipment and other items and material transferred by this  
24 section shall include an appropriate portion of the general  
25 administrative, overhead and supporting personnel,  
26 appropriations, equipment and other materials of the  
27 Pennsylvania Gaming Control Board.

28 (f) Expenses and budget.--

29 (1) Expenses of and related to the Gaming Unit shall be  
30 considered reimbursable expenses under 4 Pa.C.S. Pt. II.

1           (2) The Gaming Unit shall prepare and annually submit an  
2 itemized budget in accordance with 4 Pa.C.S. § 1402.1  
3 (relating to itemized budget reporting).

4           (g) Existing gaming enforcement office.--Any gaming  
5 enforcement office or unit existing within the Office of  
6 Attorney General on the effective date of this section shall be  
7 absorbed by the Gaming Unit established under subsection (a).

8 Section 19. Repeals.

9 Repeals are as follows:

10           (1) The General Assembly declares that the repeals under  
11 paragraph (2) are necessary to effectuate this act.

12           (2) The following acts and parts of acts are repealed:

13                 (i) 4 Pa.C.S. § 1202(b)(25).

14                 (ii) 4 Pa.C.S. §§ 1202(b)(10) and (28) and 1402(a)

15                 (4) insofar as those sections relate to the procedure for  
16 reimbursing costs and expenses incurred by the Office of  
17 Attorney General.

18                 (iii) 4 Pa.C.S. Pt. II insofar as it relates to the  
19 powers and duties of the Bureau of Investigations and  
20 Enforcement of the Pennsylvania Gaming Control Board.

21                 (iv) 4 Pa.C.S. Pt. II insofar as it relates to the  
22 authority and oversight of the Bureau of Investigations  
23 and Enforcement by the Pennsylvania Gaming Control Board.

24 Section 20. Effective date.

25 This act shall take effect in 60 days.