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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 649 Session of  
2015

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INTRODUCED BY PAYNE, KOTIK, ADOLPH, HELM, KILLION, KORTZ,  
BARRAR, COHEN, D. COSTA, DAVIS, DeLUCA, EVERETT, HACKETT,  
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FEBRUARY 26, 2015

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REFERRED TO COMMITTEE ON GAMING OVERSIGHT, FEBRUARY 26, 2015

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AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated  
2 Statutes, providing for authorized interactive gaming and for  
3 duties of Pennsylvania Gaming Control Board and Department of  
4 Health; and imposing an interactive gaming tax and  
5 prescribing penalties.

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

8 Section 1. Title 4 of the Pennsylvania Consolidated Statutes  
9 is amended by adding a chapter to read:

10 CHAPTER 13B

11 AUTHORIZED INTERACTIVE GAMING

12 Sec.

13 13B01. Legislative policy.

14 13B02. Definitions.

15 13B03. Regulation and enforcement by the board.

16 13B04. Prohibition on unauthorized Internet gaming.

17 13B05. Application for license.

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- 1 13B07. Institutional investors.
- 2 13B08. Licensing fee.
- 3 13B09. Accounting and operational internal controls.
- 4 13B10. Interactive gaming tax.
- 5 13B11. Prohibition on Internet cafes.
- 6 13B12. Testing of hardware, software and equipment.
- 7 13B13. Expanded compulsive and problem gambling programs.
- 8 13B14. Application of other provisions of this chapter.
- 9 § 13B01. Legislative policy.

10 The General Assembly recognizes the following public policy  
11 purposes and declares that the following objectives of the  
12 Commonwealth are to be served by this chapter:

13 (1) The legalization of slot machines and table games in  
14 Pennsylvania has delivered substantial benefits to the  
15 Commonwealth, including tax revenue for property tax relief  
16 and general economic development, the creation of more than  
17 15,000 jobs and significant contributions to the horse racing  
18 and agricultural industries.

19 (2) Developments in technology and recent legal  
20 decisions have created an opportunity to legalize interactive  
21 gaming as a means to further enhance and complement the  
22 benefits delivered by casino gaming, licensed facilities and  
23 the communities in which they operate.

24 (3) Interactive gaming operates by having players  
25 establish and draw funds from an individual account to place  
26 a wager in authorized games through the Internet and similar  
27 communications media. The Commonwealth currently authorizes  
28 gaming in the form of slot machines and banking and  
29 nonbanking table games, including poker. These gaming  
30 operations provide licensed entities in this Commonwealth the

1 appropriate level of experience to introduce a platform for  
2 interactive gaming that protects the player and the integrity  
3 of the game.

4 (4) It is a vital public interest that licensed entities  
5 retain responsibility for the interactive gaming software and  
6 hardware which shall remain under their ultimate supervisory  
7 control. Vendors' ability to provide the interactive gaming  
8 platform must depend solely on, and be tied to, the status of  
9 the licensed entity for which they are providing their  
10 services. Any interactive gaming enforcement and regulatory  
11 structure must begin from the premise that participation in a  
12 lawful and licensed gaming industry is a privilege, not a  
13 right and that regulatory oversight is intended to safeguard  
14 the integrity of the games and participants and to ensure  
15 accountability.

16 (5) The Commonwealth has entrusted the control and  
17 regulation of gaming to the Pennsylvania Gaming Control Board  
18 for the past seven years. Based on that experience, it is now  
19 appropriate to delegate the responsibility for the  
20 implementation and regulation of interactive gaming to the  
21 board.

22 (6) Authorized interactive gaming, once fully developed,  
23 will allow persons in this Commonwealth to participate in  
24 interactive gaming, not only with other persons in this  
25 Commonwealth, but with persons in other cooperating United  
26 States jurisdictions where interactive gaming has been  
27 authorized.

28 (7) The expansion of gaming through the authorization of  
29 interactive gaming requires the Commonwealth to take steps to  
30 increase awareness of problem gambling across interactive

1 channels and to implement effective strategies for  
2 prevention, assessment and treatment of this behavioral  
3 disorder.

4 § 13B02. Definitions.

5 The following words and phrases when used in this chapter  
6 shall have the meanings given to them in this section unless the  
7 context clearly indicates otherwise:

8 "Affiliate." As defined in section 1103 (relating to  
9 definitions). The term does not include an individual.

10 "Authorized game." Any interactive poker game approved by  
11 the board under this chapter.

12 "Authorized participant." A person placing a wager who is  
13 either physically present in this Commonwealth or located in a  
14 jurisdiction with which the Commonwealth has negotiated an  
15 interactive gaming agreement. The intermediate routing of  
16 electronic data in connection with interactive games may not  
17 determine the location or locations in which a wager is  
18 initiated, received or otherwise made.

19 "Gross interactive gaming revenue." The total of all cash or  
20 cash equivalents paid by authorized participants to a licensee  
21 in consideration for the play of interactive games minus:

22 (1) The total of cash or cash equivalents paid out to  
23 players as winnings.

24 (2) Promotional gaming credits.

25 (3) The cash equivalent value of any personal property  
26 or other noncash item of value included in a drawing, contest  
27 or tournament and distributed to players.

28 (4) Taxes paid to other states or territories of the  
29 United States pursuant to interactive gaming agreements  
30 implemented under this chapter.

1           (5) Revenues from nongaming sources, including food,  
2           beverages, souvenirs, advertising, clothing or other  
3           nongaming sources.

4 Amounts deposited with a licensee for purposes of interactive  
5 gaming and amounts taken in fraudulent acts perpetrated against  
6 a licensee for which the licensee is not reimbursed may not be  
7 considered to have been paid to the licensee for purposes of  
8 calculating gross interactive gaming revenue.

9           "Interactive game." Any game offered through the use of  
10 communications technology that allows a person, utilizing money,  
11 checks, electronic checks, electronic transfers of money, credit  
12 cards, debit cards or any other instrumentality, to transmit  
13 electronic information to assist in the placing of a wager and  
14 corresponding information related to the display of the game,  
15 game outcomes or other similar information. The term does not  
16 include the conduct of gaming that occurs entirely among  
17 participants located within the licensed facility of the  
18 licensee or its affiliate, to the extent that the gaming may be  
19 authorized by the board, or nongambling games that do not  
20 otherwise require a license under the laws of this Commonwealth.  
21 For purposes of this definition, "communications technology"  
22 means any method used and the components employed by an  
23 establishment to facilitate the transmission of information,  
24 including transmission and reception by systems based on wire,  
25 cable, radio, microwave, light, optics or computer data  
26 networks, including the Internet and intranets.

27           "Interactive gaming agreement." A negotiated agreement  
28 between the Commonwealth and one or more of the states or  
29 territories of the United States in which interactive gaming is  
30 legally authorized that permits persons located in the other

1 jurisdictions to place wagers on interactive games with  
2 licensees in this Commonwealth or to permit persons located in  
3 this Commonwealth to place wagers on interactive games with  
4 licensees in the other jurisdictions, or both. Agreements may  
5 contain other provisions the board deems appropriate, except  
6 that only authorized games may be permitted to be offered to  
7 persons located in this Commonwealth under the agreement.

8 "Interactive gaming license." A license issued by the board  
9 under this chapter which authorizes the holder to offer  
10 authorized games for play by, and to accept bets and wagers  
11 associated with authorized games from, authorized participants.

12 "Interactive gaming platform." The combination of hardware  
13 and software designed and used to manage, conduct or record  
14 interactive games or the wagers associated with those games and  
15 which has been approved by the board for purposes of the conduct  
16 of authorized games.

17 "Interactive gaming skin." The portal to an interactive  
18 gaming platform or Internet website through which an authorized  
19 game is made available to customers in this Commonwealth.

20 "Internet." A computer network of interoperable packet-  
21 switched data networks.

22 "Key interactive gaming employee." An individual employed by  
23 a licensee, significant vendor or applicant, or by a holding or  
24 intermediary company of a licensee, significant vendor or  
25 applicant, who is involved in the operation of, or of the wagers  
26 associated with, interactive gaming and who is empowered to make  
27 discretionary decisions that regulate interactive gaming  
28 operations.

29 "Licensee." A licensed entity that holds an interactive  
30 gaming license.

1 "Promotional gaming credit." Any bonus, promotion or amount  
2 received by a licensee from an authorized participant for which  
3 the licensee can demonstrate that it or its affiliate has not  
4 received cash.

5 "Significant vendor." A person who offers or proposes to  
6 offer any of the following services with respect to interactive  
7 gaming:

8 (1) management, administration or control of wagers or  
9 of the interactive games themselves;

10 (2) development, maintenance, provision or operation of  
11 an interactive gaming platform or any discrete component  
12 thereof;

13 (3) sale, licensing or other receipt of compensation for  
14 selling or licensing a database or customer list of  
15 individuals residing in the United States selected, in whole  
16 or in part, because they placed wagers or participated in  
17 gambling games with or through an Internet website or  
18 operator or any derivative of such a database or customer  
19 list;

20 (4) provision of any product, service or asset to a  
21 licensee or significant vendor in return for a percentage of  
22 interactive gaming revenue, not including fees to financial  
23 institutions and payment providers for facilitating a deposit  
24 or withdrawal by an authorized participant; or

25 (5) provision of any trademark, trade name, service mark  
26 or similar intellectual property under which a licensee or  
27 significant vendor identifies to customers the authorized  
28 games, the website or equivalent hosting the authorized  
29 games, any interactive gaming skin or the interactive gaming  
30 platform, but excluding intellectual property of a person

1 providing only art or graphics.

2 The term does not include any key interactive gaming employee of  
3 a licensee or significant vendor. A significant vendor must be  
4 licensed by the board to provide these services.

5 § 13B03. Regulation and enforcement by the board.

6 (a) General rule.--The board shall promulgate regulations  
7 for the operation and conduct of interactive gaming in this  
8 Commonwealth and shall enforce the regulations.

9 (b) Powers and duties.--

10 (1) The board shall authorize licensees and significant  
11 vendors to conduct interactive gaming involving authorized  
12 participants, subject to the provisions of this chapter and  
13 other applicable provisions of law. The board shall also  
14 develop standards for evaluating and approving interactive  
15 gaming platforms for use with interactive gaming.

16 (2) The board may determine in its discretion the  
17 categories of employees who satisfy the definition of "key  
18 interactive employee" and may exclude from the scope of this  
19 definition any particular licensee, significant vendor,  
20 applicant or employee or category of employee it deems  
21 appropriate.

22 (c) Delegated authority.--The board is designated as the  
23 agency of the Commonwealth with the power and authority to  
24 negotiate and enter into interactive gaming agreements on behalf  
25 of the Commonwealth consistent with this chapter.

26 (d) Interactive gaming agreements.--To the extent  
27 practicable, the board shall negotiate interactive gaming  
28 agreements with other states, territories or possessions of the  
29 United States in which interactive gaming has been authorized to  
30 allow players in this Commonwealth to participate in authorized



1 games with players in other jurisdictions.

2 § 13B04. Prohibition on unauthorized Internet gaming.

3 (a) Unauthorized gaming.--

4 (1) It shall be unlawful for any person to willfully and  
5 knowingly operate, carry on, offer or expose for play any  
6 interactive game or to accept a bet or wager associated with  
7 an interactive game from any person physically located in  
8 this Commonwealth at the time of play that is not within the  
9 scope of a valid and current license issued by the board  
10 under this chapter or by another state, territory or  
11 possession of the United States with which the Commonwealth  
12 has an interactive gaming agreement that permits the  
13 activity.

14 (2) It shall be unlawful for any person to willfully and  
15 knowingly provide services with respect to any interactive  
16 game, bet or wager specified in paragraph (1).

17 (b) Grading of offense.--A person who violates subsection  
18 (a) commits a misdemeanor of the first degree. For a second or  
19 subsequent violation of subsection (a), a person commits a  
20 felony of the second degree.

21 (c) Penalties.--

22 (1) For a first violation of subsection (a), a person  
23 shall be sentenced to pay a fine of:

24 (i) not less than \$75,000 nor more than \$150,000, if  
25 the person is an individual;

26 (ii) not less than \$150,000 nor more than \$300,000,  
27 if the person is a licensed manufacturer or supplier; or

28 (iii) not less than \$300,000 nor more than \$600,000,  
29 if the person is a licensed gaming entity.

30 (2) For a second or subsequent violation of subsection

1 (a), a person shall be sentenced to pay a fine of:

2 (i) not less than \$150,000 nor more than \$300,000,

3 if the person is an individual;

4 (ii) not less than \$300,000 nor more than \$600,000,

5 if the person is a licensed manufacturer or supplier; or

6 (iii) not less than \$600,000 nor more than

7 \$1,200,000, if the person is a licensed gaming entity.

8 (d) Forfeiture.--If a person places a wager on an

9 interactive game from a location in which the activity is

10 unauthorized, the person shall forfeit all entitlement to any

11 winnings and the money associated with any forfeited winnings

12 shall be deposited by the licensee into the Compulsive and

13 Problem Gambling Treatment Fund established under section

14 1509(b) (relating to compulsive and problem gambling program).

15 (e) Tax liability.--An unlicensed person offering

16 interactive games to persons in this Commonwealth shall be

17 liable for all taxes required by this chapter in the same manner

18 and amounts as if the person were a licensee. Timely payment of

19 the taxes may not constitute a defense to any prosecution or

20 other proceeding in connection with unauthorized interactive

21 gaming, except for a prosecution or proceeding alleging failure

22 to make such payment.

23 § 13B05. Application for license.

24 (a) Filing of application.--Ninety days from the effective

25 date of this section the board shall permit filing of

26 applications for licenses under this chapter. The application

27 shall include, as applicable:

28 (1) The name and business address of the applicant,

29 including an organizational chart which identifies the

30 applicant's relationship to any person that holds a slot

1 machine license and a table game operation certificate issued  
2 by the board.

3 (2) Identification of and a detailed description of the  
4 qualifications of any proposed significant vendors. Detailed  
5 information shall be provided describing the specific  
6 operational responsibilities of significant vendors and the  
7 nature of the economic relationship with those significant  
8 vendors.

9 (3) A detailed description of the technical protocols  
10 and parameters of the interactive gaming platform proposed to  
11 be utilized.

12 (4) Identification and a description of the interactive  
13 games the applicant proposes to make available.

14 (5) Other information as the board, in its discretion,  
15 may determine to require.

16 (b) Temporary authorization.--

17 (1) During the first 18 months from the effective date  
18 of this section, the board may issue temporary authorizations  
19 to applicants for licensing as a significant vendor, which  
20 may remain in effect until the shorter of 12 months after the  
21 date of issue or the date by which the board considers the  
22 subject application. Temporary authorizations may be renewed  
23 not more than once, upon a showing of good cause. Temporary  
24 authorization shall allow the applicant to engage in all of  
25 the functions of a fully licensed significant vendor for the  
26 duration of the temporary authorization.

27 (2) No temporary authorization may be issued unless:

28 (i) The applicant has submitted a complete license  
29 application.

30 (ii) The applicant agrees to pay the fee prescribed

1 in section 13B08 (relating to licensing fee) within 60  
2 days of issuance of the temporary authorization, which  
3 may be refundable in the event a permanent license is not  
4 issued. Failure to make timely payment shall result in  
5 revocation of the temporary authorization.

6 (iii) The bureau has stated that it has no objection  
7 to the issuance of a temporary authorization to the  
8 applicant.

9 (3) Within 45 days of the date that the bureau receives  
10 the completed application of an applicant for investigation,  
11 the bureau shall conduct a preliminary investigation of the  
12 applicant and any key interactive gaming employee of the  
13 applicant, which shall include a criminal background  
14 investigation of the applicant and any key interactive gaming  
15 employees of the applicant.

16 (4) If the bureau's preliminary investigation discloses  
17 no material adverse information, then the bureau shall issue  
18 to the executive director a statement of no objection to the  
19 issuance of a temporary authorization to the applicant.

20 (5) If the bureau's preliminary investigation discloses  
21 material adverse information, it shall register an objection  
22 and no temporary authorization may be issued until the  
23 material concern is resolved.

24 (6) If the bureau's full investigation of an applicant  
25 discloses material adverse information, the temporary  
26 authorization of the applicant may be suspended or withdrawn  
27 upon a showing of cause by the bureau.

28 § 13B06. Board consideration of application.

29 (a) Suitability.--A holder, or an affiliate of a holder, of  
30 a slot machine license and table game operation certificate,

1 whose license and certificate are in good standing, shall be  
2 considered suitable to be issued an interactive gaming license  
3 by the board without additional investigation.

4 (b) Significant vendors.--The board shall determine the  
5 suitability of any significant vendors, consistent with the  
6 requirements of this chapter.

7 (c) Qualifications.--A review of the suitability of a person  
8 to hold a license as a licensee or significant vendor shall  
9 include the review and determination of whether:

10 (1) The person possesses the requisite experience and  
11 skill to perform the functions consistent with the  
12 requirements of this chapter.

13 (2) The applicant is a person of good character, honesty  
14 and integrity.

15 (3) The applicant is a person whose prior activities,  
16 criminal record, if any, reputation, habits and associations  
17 do not:

18 (i) pose a threat to the public interest or to the  
19 effective regulation and control of interactive gaming;  
20 or

21 (ii) create or enhance the dangers of unsuitable,  
22 unfair or illegal practices, methods and activities in  
23 the conduct of interactive gaming or in the carrying on  
24 of the business and financial arrangements incidental to  
25 gaming; and

26 (d) Owners and key interactive gaming employees.--In  
27 connection with an application for a license as a licensee or  
28 significant vendor, the applicant shall identify and the board  
29 shall determine the suitability of an applicant's owners, chief  
30 executive officer, chief financial officer, any other officer

1 whom the board deems significantly involved in the management or  
2 control of the applicant and all key interactive gaming  
3 employees.

4 (e) Issuance of order.--The board shall issue an order  
5 granting or denying an application for a license as a licensee  
6 or significant vendor within 120 days of the date on which a  
7 properly completed application and any additional information  
8 that the board may require is filed. If the board approves an  
9 application, it may impose reasonable conditions of licensure  
10 consistent with the requirements of this chapter.

11 § 13B07. Institutional investors.

12 (a) Declaration of investment intent.--

13 (1) An institutional investor holding less than 25% of  
14 the equity securities of a licensee's, significant vendor's  
15 or applicant's holding or intermediary companies, shall be  
16 granted a waiver of any investigation of suitability or other  
17 requirement if the securities are those of a corporation,  
18 whether publicly traded or privately held, and the holdings  
19 of the securities were purchased for investment purposes  
20 only. The institutional investor shall file a certified  
21 statement that it has no intention of influencing or  
22 affecting the affairs of the licensee, significant vendor,  
23 applicant or its holding or intermediary companies. However,  
24 an institutional investor shall be permitted to vote on  
25 matters put to the vote of the outstanding security holders.

26 (2) The board may grant a waiver to an institutional  
27 investor holding a higher percentage of securities upon a  
28 showing of good cause and if the conditions specified in  
29 paragraph (1) are met.

30 (3) An institutional investor granted a waiver under

1 this subsection who subsequently decides to influence or  
2 affect the affairs of the licensee, significant vendor or  
3 applicant's holding or intermediary company shall provide not  
4 less than 30 days' notice of intent and shall file with the  
5 board a request for determination of suitability before  
6 taking any action that may influence or affect the affairs of  
7 the issuer. An institutional investor shall be permitted to  
8 vote on matters put to the vote of the outstanding security  
9 holders.

10 (4) If an institutional investor changes its investment  
11 intent or if the board finds reasonable cause to believe that  
12 the institutional investor may be found unsuitable, no action  
13 other than divestiture shall be taken by the institutional  
14 investor with respect to its security holdings until there  
15 has been compliance with any requirements established by the  
16 board, which may include the execution of a trust agreement.

17 (5) The licensee or significant vendor or applicant and  
18 its relevant holding, intermediary or subsidiary company  
19 shall notify the board immediately of any information about,  
20 or actions of, an institutional investor holding its equity  
21 securities where the information or action may impact the  
22 eligibility of the institutional investor for a waiver under  
23 this subsection.

24 (b) Failure to declare.--If the board finds:

25 (1) that an institutional investor holding any security  
26 of a holding or intermediary company of a licensee or  
27 significant vendor or applicant or, where relevant, of  
28 another subsidiary company of a holding or intermediary  
29 company of a licensee or significant vendor or applicant  
30 which is related in any way to the financing of the licensee

1 or significant vendor or applicant, fails to comply with the  
2 provisions of subsection (a); or

3 (2) by reason of the extent or nature of its holdings,  
4 an institutional investor is in a position to exercise such a  
5 substantial impact upon the controlling interests of a  
6 licensee or significant vendor or applicant that  
7 investigation and determination of suitability of the  
8 institutional investor is necessary to protect the public  
9 interest;

10 then the board may take any necessary action otherwise  
11 authorized under this chapter to protect the public interest.

12 § 13B08. Licensing fee.

13 If the board grants an application under section 13B05  
14 (relating to application for license) within 60 days of entry of  
15 the board's order, the successful applicant shall pay a  
16 licensing fee of \$5,000,000 if a licensee or \$1,000,000 if a  
17 significant vendor.

18 § 13B09. Accounting and operational internal controls.

19 Each interactive gaming license applicant shall submit to the  
20 board and department, in such manner as the board shall require,  
21 a description of its administrative and accounting procedures in  
22 detail, including its written system of internal control. In  
23 addition to other standards that the board, in its discretion,  
24 may choose to require, the board shall require licensees to  
25 implement appropriate safeguards:

26 (1) To ensure, to a reasonable degree of certainty, that  
27 authorized participants are not less than 21 years of age.

28 (2) To ensure, to a reasonable degree of certainty, that  
29 authorized participants are physically located within this  
30 Commonwealth or other jurisdiction that is permissible under



1 this chapter.

2 (3) To protect, to a reasonable degree of certainty, the  
3 privacy and online security of authorized participants.

4 (4) To ensure, to a reasonable degree of certainty, that  
5 the interactive games are fair and honest and that  
6 appropriate measures are in place to deter, detect and, to  
7 the extent reasonably possible, to prevent cheating,  
8 including collusion, and use of cheating devices, including  
9 the use of software programs, sometimes referred to as  
10 "bots," that make bets or wagers according to algorithms.

11 (5) To minimize compulsive gambling and to provide  
12 notice to authorized participants of resources to help  
13 problem gamblers.

14 (6) To ensure authorized participants' funds are held in  
15 accounts segregated from the funds of licensees and otherwise  
16 are protected from corporate insolvency, financial risk or  
17 criminal or civil actions against the licensee.

18 § 13B10. Interactive gaming tax.

19 (a) Weekly taxation.--Each licensee shall report to the  
20 department and pay from its daily gross interactive gaming  
21 revenue, on a form and in a manner prescribed by the department,  
22 a tax of 14% of its daily gross interactive gaming revenue,  
23 which shall be payable to the department on a weekly basis and  
24 shall be based upon gross interactive gaming revenue for the  
25 previous week.

26 (b) Taxes on out-of-State wagering.--The tax rate which  
27 shall be assessed and collected by the department with respect  
28 to any wagers placed by residents of this Commonwealth with an  
29 interactive gaming operator outside of this Commonwealth, but  
30 authorized under an interactive gaming agreement shall be

1 governed by the agreement but may not exceed 14% of gross  
2 interactive gaming revenue derived from residents of this  
3 Commonwealth.

4 (c) Taxes held in trust.--All funds owed to the Commonwealth  
5 under this section shall be held in trust for the Commonwealth  
6 by the licensee until the funds are paid to the department.  
7 Unless otherwise agreed to by the board, a licensee shall  
8 establish a separate bank account into which the funds shall be  
9 deposited and maintained until paid to the department.

10 (d) Federal presumption.--In the event Federal law  
11 authorizes interactive gaming which establishes a tax based on  
12 gross interactive gaming revenue, deposits or the substantial  
13 equivalent of or intended substitute for either of them, of  
14 which a portion is allocated to the states, that tax shall  
15 supersede, in its entirety, the tax imposed by this section.  
16 § 13B11. Prohibition on Internet cafes.

17 (a) General rule.--No organization or commercial enterprise,  
18 other than a licensee, shall operate a place of public  
19 accommodation, club, including a club or association limited to  
20 dues-paying members or similar restricted groups, or similar  
21 establishment in which computer terminals or similar access  
22 devices are advertised or made available to be used principally  
23 for the purpose of accessing interactive games.

24 (b) Construction.--Nothing in this section shall be  
25 construed to require the owner or operator of a hotel or motel  
26 or other public place of general use in this Commonwealth to  
27 prohibit or block guests from playing interactive games.  
28 § 13B12. Testing of hardware, software and equipment.

29 (a) Testing by the board.--The board may expand its testing  
30 facility, utilize the services of a private testing facility or

1 adopt the testing and certification standards of another  
2 jurisdiction and may approve computer hardware, software or  
3 associated equipment based on the prior approval of a private  
4 testing facility or of another jurisdiction whose standards the  
5 board reasonably determines are adequate and comparable to those  
6 required by this chapter. Costs associated with the expansion of  
7 its own testing facility shall be assessed on significant  
8 vendors licensed to provide interactive gaming platforms.

9 (b) Approval.--

10 (1) No interactive gaming platform may be utilized by a  
11 licensee unless approved by the board or its testing and  
12 certification facility under this section. The board shall  
13 not approve an interactive gaming platform unless the  
14 platform is subject to the control, and is the ultimate  
15 responsibility, of the licensee.

16 (2) This subsection shall not be construed to prohibit a  
17 licensee from licensing use or delegating daily operation of  
18 the interactive gaming platform from or to a significant  
19 vendor.

20 § 13B13. Expanded compulsive and problem gambling programs.

21 (a) Expanded programs.--

22 (1) The board and the Department of Health shall jointly  
23 develop expanded programs to address compulsive and problem  
24 gambling issues relating to interactive gaming.

25 (2) Licensees shall address compulsive and problem  
26 gambling issues in the context of interactive gaming in their  
27 respective compulsive and problem gambling plans on file with  
28 the board.

29 (b) Message.--Licensees shall permanently and continuously  
30 display the following message to persons at the time of logging

1 on to the Internet websites of the licensees or any interactive  
2 gaming skin:

3 If you or someone you know has a gambling problem and  
4 wants help, call 1-800-GAMBLER.

5 § 13B14. Application of other provisions of this chapter.

6 The following sections of this chapter, which are expressly  
7 applicable to the conduct or operation of slot machines or table  
8 games, are also deemed applicable to interactive gaming under  
9 this chapter:

10 (1) The board's power and duty to require that licensees  
11 prohibit persons under 21 years of age from playing  
12 interactive games under section 1207(8) (relating to  
13 regulatory authority of board).

14 (2) The obligation to include information on interactive  
15 gaming in the board's annual report under section 1211(a.1)  
16 (relating to reports of board).

17 (3) The procedures, parameters and time frames for  
18 promulgating temporary regulations under section 13A03(a) and  
19 (b) (relating to temporary table game regulations).

20 (4) Manufacturing licensing requirements under section  
21 1317.1 (relating to manufacturer licenses).

22 (5) Gaming service provider requirements under section  
23 1317.2 (relating to gaming service provider).

24 (6) Permit renewal requirements under section 1326  
25 (relating to license renewals).

26 (7) Section 1402 (relating to gross terminal revenue  
27 deductions), except that recovery of the costs and expenses  
28 of regulating interactive gaming under this chapter shall be  
29 limited to 1% of gross interactive gaming revenue.

30 (8) The declaration that it shall be unlawful for an

1 individual under 21 years of age to wager, play or attempt to  
2 play an interactive game under section 1518(a)(13.1)  
3 (relating to prohibited acts; penalties).

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