

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2150 Session of 2015

INTRODUCED BY DUNBAR, DIAMOND, A. HARRIS, KORTZ, KOTIK, MASSER, MILLARD, NEILSON, YOUNGBLOOD, EVERETT AND RAVENSTAHL, JUNE 9, 2016

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 22, 2016

AN ACT

1 ~~Providing for fantasy contests; imposing duties upon the~~ <--
2 ~~Department of Revenue, the Department of Drug and Alcohol~~
3 ~~Programs and the Pennsylvania Gaming Control Board; and~~
4 ~~making appropriations.~~

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16 AMENDING TITLE 4 (AMUSEMENTS) OF THE PENNSYLVANIA CONSOLIDATED <--
17 STATUTES, PROVIDING FOR FANTASY CONTESTS; IN GENERAL
18 PROVISIONS, FURTHER PROVIDING FOR LEGISLATIVE INTENT AND FOR
19 DEFINITIONS; IN PENNSYLVANIA GAMING CONTROL BOARD, FURTHER
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38 STATE GAMING FUND AND NET SLOT MACHINE REVENUE DISTRIBUTION,
39 FOR PENNSYLVANIA RACE HORSE DEVELOPMENT FUND AND FOR
40 PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND AND
41 ESTABLISHING THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT
42 CONTRIBUTION FUND; IN ADMINISTRATION AND ENFORCEMENT, FURTHER
43 PROVIDING FOR RESPONSIBILITY AND AUTHORITY OF THE DEPARTMENT
44 OF REVENUE AND FOR COMPULSIVE AND PROBLEM GAMBLING PROGRAM,
45 PROVIDING FOR CHILD ENDANGERMENT PROTECTION, FURTHER

1 PROVIDING FOR FINANCIAL AND EMPLOYMENT INTERESTS, FOR
2 POLITICAL INFLUENCE, FOR REGULATION REQUIRING EXCLUSION OR
3 EJECTION OF CERTAIN PERSONS, FOR REPEAT OFFENDERS EXCLUDABLE
4 FROM LICENSED GAMING FACILITY, FOR LIST OF PERSONS SELF
5 EXCLUDED FROM GAMING ACTIVITIES, FOR INVESTIGATIONS AND
6 ENFORCEMENT AND FOR PROHIBITED ACTS AND PENALTIES; IN
7 MISCELLANEOUS PROVISIONS, FURTHER PROVIDING FOR
8 APPROPRIATIONS; MAKING AN EDITORIAL CHANGE; AND MAKING A
9 RELATED REPEAL.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 CHAPTER 1 <--

13 GENERAL PROVISIONS

14 ~~Section 101. Short title.~~

15 ~~This act shall be known and may be cited as the Fantasy~~
16 ~~Sports Consumer Protection Act.~~

17 ~~Section 102. Definitions.~~

18 ~~The following words and phrases when used in this act shall~~
19 ~~have the meanings given to them in this section unless the~~
20 ~~context clearly indicates otherwise:~~

21 ~~"Board." The Pennsylvania Gaming Control Board.~~

22 ~~"Conduct of gaming." The licensed placement, operation and~~
23 ~~play of slot machines and table games under 4 Pa.C.S. (relating~~
24 ~~to amusements) as authorized and approved by the board.~~

25 ~~"Controlling interest." Either of the following:~~

26 ~~(1) For a publicly traded domestic or foreign~~
27 ~~corporation, a controlling interest is an interest in an~~
28 ~~applicant for a fantasy contest license or a licensed~~
29 ~~operator if a person's sole voting rights under State law or~~
30 ~~corporate articles or bylaws entitle the person to elect or~~
31 ~~appoint one or more of the members of the board of directors~~
32 ~~or other governing board or the ownership or beneficial~~
33 ~~holding of 5% or more of the securities of the publicly~~
34 ~~traded corporation, partnership, limited liability company or~~

1 ~~other form of publicly traded legal entity, unless this~~
2 ~~presumption of control or ability to elect is rebutted by~~
3 ~~clear and convincing evidence.~~

4 ~~(2) For a privately held domestic or foreign~~
5 ~~corporation, partnership, limited liability company or other~~
6 ~~form of privately held legal entity, a controlling interest~~
7 ~~is the holding of securities of 15% or more in the legal~~
8 ~~entity, unless this presumption of control is rebutted by~~
9 ~~clear and convincing evidence.~~

10 ~~"Department." The Department of Revenue of the Commonwealth.~~

11 ~~"Entry fee." The cash or cash equivalent paid by a~~
12 ~~participant to a licensed operator in order to participate in a~~
13 ~~fantasy contest.~~

14 ~~"Fantasy contest." An online fantasy or simulated game or~~
15 ~~contest with an entry fee and a prize or award in which:~~

16 ~~(1) The value of all prizes or awards offered to winning~~
17 ~~participants is established and made known to participants in~~
18 ~~advance of the contest.~~

19 ~~(2) All winning outcomes reflect the relative knowledge~~
20 ~~and skill of participants and are determined by accumulated~~
21 ~~statistical results of the performance of individuals,~~
22 ~~including athletes in the case of sports events.~~

23 ~~(3) No winning outcome is based on the score, point~~
24 ~~spread or performance of a single actual team or combination~~
25 ~~of teams or solely on a single performance of an individual~~
26 ~~athlete or player in a single actual event.~~

27 ~~"Fantasy contest account." The formal electronic system~~
28 ~~implemented by a licensed operator to record a participant's~~
29 ~~entry fees, prizes or awards and other activities related to~~
30 ~~participation in the licensed operator's fantasy contests.~~

1 ~~"Fantasy contest adjusted revenues." For each fantasy~~
2 ~~contest, the amount equal to the total amount of all entry fees~~
3 ~~collected from all participants entering the fantasy contest~~
4 ~~minus prizes or awards paid to participants in the fantasy~~
5 ~~contest, multiplied by the in State percentage.~~

6 ~~"Fantasy contest license." A license issued by the board~~
7 ~~authorizing a person to offer fantasy contests in this~~
8 ~~Commonwealth in accordance with this act.~~

9 ~~"Fantasy contest terminal." A physical, land based~~
10 ~~computerized or electronic terminal or similar device that~~
11 ~~allows participants to:~~

12 ~~(1) register for a fantasy contest account;~~

13 ~~(2) pay an entry fee;~~

14 ~~(3) select an imaginary team;~~

15 ~~(4) receive winnings; or~~

16 ~~(5) otherwise participate in a fantasy contest.~~

17 ~~"Gaming floor." Any portion of a licensed facility where~~
18 ~~slot machines or table games have been installed for use or~~
19 ~~play.~~

20 ~~"Gaming service provider." As defined in 4 Pa.C.S. § 1103-~~
21 ~~(relating to definitions).~~

22 ~~"In State participant." An individual who participates in a~~
23 ~~fantasy contest conducted by a licensed operator and pays a fee~~
24 ~~to a licensed operator from a location within this Commonwealth.~~
25 ~~The term includes an individual who pays an entry fee through a~~
26 ~~fantasy contest terminal within a licensed facility.~~

27 ~~"In State percentage." For each fantasy contest, the~~
28 ~~percentage, rounded to the nearest tenth of a percent, equal to~~
29 ~~the total entry fees collected from all in State participants~~
30 ~~divided by the total entry fees collected from all participants~~

1 ~~in the fantasy contest.~~

2 ~~"Key employee." An individual who is employed by an~~
3 ~~applicant for a fantasy contest license or a licensed operator~~
4 ~~in a director or department head capacity and who is empowered~~
5 ~~to make discretionary decisions that regulate fantasy contest~~
6 ~~operations as determined by the board.~~

7 ~~"Licensed entity representative." A person, including an~~
8 ~~attorney, agent or lobbyist, acting on behalf of or authorized~~
9 ~~to represent the interest of an applicant, licensee or other~~
10 ~~person authorized by the board to engage in an act or activity~~
11 ~~which is regulated under this act regarding a matter before, or~~
12 ~~which may be reasonably be expected to come before, the board.~~

13 ~~"Licensed facility." As defined in 4 Pa.C.S. § 1103~~
14 ~~(relating to definitions).~~

15 ~~"Licensed gaming entity." As defined in 4 Pa.C.S. § 1103~~
16 ~~(relating to definitions).~~

17 ~~"Licensed operator." A person who holds a fantasy contest~~
18 ~~license.~~

19 ~~"Participant." An individual who participates in a fantasy~~
20 ~~contest, whether the individual is located in this Commonwealth~~
21 ~~or another jurisdiction.~~

22 ~~"Person." A natural person, corporation, publicly traded~~
23 ~~corporation, foundation, organization, business trust, estate,~~
24 ~~limited liability company, licensed corporation, trust,~~
25 ~~partnership, limited liability partnership, association or any~~
26 ~~other form of legal business entity.~~

27 ~~"Principal." An officer, director, person who directly holds~~
28 ~~a beneficial interest in or ownership of the securities of an~~
29 ~~applicant for a fantasy contest license or a licensed operator,~~
30 ~~person who has a controlling interest in an applicant for a~~

1 ~~fantasy contest license or a licensed operator or who has the~~
2 ~~ability to elect a majority of the board of directors of a~~
3 ~~licensed operator or to otherwise control a licensed operator,~~
4 ~~lender or other licensed financial institution of an applicant~~
5 ~~for a fantasy contest license or a licensed operator, other than~~
6 ~~a bank or lending institution which makes a loan or holds a~~
7 ~~mortgage or other lien acquired in the ordinary course of~~
8 ~~business, underwriter of an applicant for a fantasy contest~~
9 ~~license or a licensed operator or other person or employee of an~~
10 ~~applicant for a fantasy contest license or a licensed operator~~
11 ~~deemed to be a principal by the board.~~

12 ~~"Prize or award." Anything of value worth \$100 or more or~~
13 ~~any amount of cash or cash equivalents.~~

14 ~~"Publicly traded corporation." A person, other than an~~
15 ~~individual, that:~~

16 ~~(1) has a class or series of securities registered under~~
17 ~~the Securities Exchange Act of 1934 (48 Stat. 881, 15 U.S.C.~~
18 ~~§ 78a et seq.);~~

19 ~~(2) is a registered management company under the~~
20 ~~Investment Company Act of 1940 (54 Stat. 789, 15 U.S.C. §~~
21 ~~80a-1 et seq.); or~~

22 ~~(3) is subject to the reporting obligations imposed by~~
23 ~~section 15(d) of the Securities Exchange Act of 1934 by~~
24 ~~reason of having filed a registration statement that has~~
25 ~~become effective under the Securities Act of 1933 (48 Stat.~~
26 ~~74, 15 U.S.C. § 77a et seq.).~~

27 ~~"Script." A list of commands that a fantasy contest related~~
28 ~~computer program can execute that is created by a participant or~~
29 ~~third party not approved by the licensed operator to automate~~
30 ~~processes on a licensed operator's fantasy contest platform.~~

1 CHAPTER 3

2 ADMINISTRATION

3 ~~Section 301. General and specific powers of board.~~

4 ~~(a) General powers.~~

5 ~~(1) The board shall have regulatory authority over~~
6 ~~licensed operators, principals and key employees and shall~~
7 ~~ensure the integrity of fantasy contests offered in this~~
8 ~~Commonwealth in accordance with this act.~~

9 ~~(2) The board may employ individuals as necessary to~~
10 ~~carry out the requirements of this act, who shall serve at~~
11 ~~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).~~

15 ~~(b) Specific powers. The board shall have the following~~
16 ~~powers:~~

17 ~~(1) At the board's discretion, to issue, approve, renew,~~
18 ~~revoke, suspend, condition or deny issuance of licenses.~~

19 ~~(2) At the board's discretion, to suspend, condition or~~
20 ~~deny the issuance or renewal of a license or levy fines for~~
21 ~~any violation of this act.~~

22 ~~(3) To publish each January on the board's publicly~~
23 ~~accessible Internet website a complete list of all persons~~
24 ~~who applied for or held a fantasy contest license at any time~~
25 ~~during the preceding calendar year and the status of the~~
26 ~~application or fantasy contest license.~~

27 ~~(4) To prepare and, through the Governor, submit~~
28 ~~annually to the General Assembly an itemized budget~~
29 ~~consistent with Article VI of the act of April 9, 1929~~
30 ~~(P.L.177, No.175), known as The Administrative Code of 1929,~~

1 ~~consisting of the amounts necessary to be appropriated by the~~
2 ~~General Assembly out of the accounts established under~~
3 ~~section 702 required to meet the obligations under this act~~
4 ~~accruing during the fiscal period beginning July 1 of the~~
5 ~~following year.~~

6 ~~(5) In the event that, in any year, appropriations for~~
7 ~~the administration of this act are not enacted by June 30,~~
8 ~~any funds appropriated for the administration of this act~~
9 ~~which are unexpended, uncommitted and unencumbered at the end~~
10 ~~of a fiscal year shall remain available for expenditure by~~
11 ~~the board until the enactment of appropriation for the~~
12 ~~ensuing fiscal year.~~

13 ~~(6) To promulgate rules and regulations necessary for~~
14 ~~the administration and enforcement of this act. Except as~~
15 ~~provided in section 302, regulations shall be adopted under~~
16 ~~the act of July 31, 1968 (P.L.769, No.240), referred to as~~
17 ~~the Commonwealth Documents Law, and the act of June 25, 1982~~
18 ~~(P.L.633, No.181), known as the Regulatory Review Act.~~

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 or to~~
22 ~~designate officers or employees to perform duties required by~~
23 ~~this act.~~

24 ~~(8) At the board's discretion, to delegate any of the~~
25 ~~board's responsibilities under this act to the executive~~
26 ~~director of the board or other designated staff.~~

27 ~~(9) To require licensed operators and applicants for a~~
28 ~~fantasy contest license to submit any information or~~
29 ~~documentation necessary to ensure the proper regulation of~~
30 ~~fantasy contests in accordance with this act.~~

1 ~~(10) To require licensed operators to:~~

2 ~~(i) annually contract with a certified public~~
3 ~~accountant to conduct an independent audit in accordance~~
4 ~~with standards adopted by the American Institute of~~
5 ~~Certified Public Accountants to verify compliance with~~
6 ~~the provisions of this act and board regulations;~~

7 ~~(ii) annually contract with a testing laboratory~~
8 ~~approved by the board to verify compliance with the~~
9 ~~provisions of this act and board regulations; and~~

10 ~~(iii) annually submit to the board and department a~~
11 ~~copy of the audit report required by subparagraph (i) and~~
12 ~~submit to the board a copy of the report of the testing~~
13 ~~laboratory required by subparagraph (ii).~~

14 ~~(11) In conjunction with the Department of Drug and~~
15 ~~Alcohol Programs, to develop a process by which licensed~~
16 ~~operators provide participants with a toll free telephone~~
17 ~~number that provides individuals with information on how to~~
18 ~~access appropriate treatment services for compulsive and~~
19 ~~problem play.~~

20 ~~(12) At the board's discretion, to permit the placement~~
21 ~~and operation of fantasy contest terminals within licensed~~
22 ~~facilities and to ensure the integrity of fantasy contest~~
23 ~~terminals.~~

24 ~~(b.1) Licensed entity representative.—~~

25 ~~(1) A licensed entity representative shall register with~~
26 ~~the board, in a manner prescribed by the board. The~~
27 ~~registration shall include the name, employer or firm,~~
28 ~~business address and business telephone number of both the~~
29 ~~licensed entity representative and any licensed operator,~~
30 ~~applicant for licensure or other person being represented.~~

1 ~~(2) A licensed entity representative shall have an~~
2 ~~affirmative duty to update its registration information on an~~
3 ~~ongoing basis. Failure to update shall be punishable by the~~
4 ~~board.~~

5 ~~(3) The board shall maintain a list of licensed entity~~
6 ~~representatives which shall contain the information required~~
7 ~~under paragraph (1) and shall be available for public~~
8 ~~inspection at the offices of the board and on the board's~~
9 ~~publicly accessible Internet website.~~

10 ~~(c) Exceptions. Except as provided under section 902,~~
11 ~~nothing in this section shall be construed to authorize the~~
12 ~~board.~~

13 ~~(1) To require background investigations for employees,~~
14 ~~other than key employees and principals, of an applicant for~~
15 ~~a fantasy contest license or a licensed operator.~~

16 ~~(2) To require any additional permits or licenses not~~
17 ~~specifically enumerated in this act.~~

18 ~~(3) To impose additional conditions of licensure on~~
19 ~~licensed operators or prohibitions on the operation of~~
20 ~~fantasy contests not specifically enumerated in this act.~~

21 ~~Section 302. Temporary regulations.~~

22 ~~(a) Promulgation. In order to facilitate the prompt~~
23 ~~implementation of this act, regulations promulgated by the board~~
24 ~~shall be deemed temporary regulations and shall expire no later~~
25 ~~than two years following the effective date of this section. The~~
26 ~~board may promulgate temporary regulations not subject to:~~

27 ~~(1) Sections 201, 202 and 203 of the act of July 31,~~
28 ~~1968 (P.L.769, No.240), referred to as the Commonwealth~~
29 ~~Documents Law.~~

30 ~~(2) The act of June 25, 1982 (P.L.633, No.181), known as~~

1 ~~the Regulatory Review Act.~~

2 ~~(b) Expiration. Except for temporary regulations concerning~~
3 ~~network connectivity, security and testing and compulsive and~~
4 ~~problem play, the authority provided to the board to adopt~~
5 ~~temporary regulations in subsection (a) shall expire no later~~
6 ~~than two years following the effective date of this section.~~
7 ~~Regulations adopted after this period shall be promulgated as~~
8 ~~provided by law.~~

9 ~~Section 303. Fantasy contest license appeals.~~

10 ~~An applicant may appeal any final order, determination or~~
11 ~~decision of the board involving the approval, issuance, denial,~~
12 ~~revocation or conditioning of a fantasy contest license in~~
13 ~~accordance with 2 Pa.C.S. Chs. 5 Subch. A (relating to practice~~
14 ~~and procedure of Commonwealth agencies) and 7 Subch. A (relating~~
15 ~~to judicial review of Commonwealth agency action).~~

16 ~~Section 304. Board minutes and records.~~

17 ~~(a) Record of proceedings. The board shall maintain a~~
18 ~~record of all proceedings held at public meetings of the board.~~
19 ~~The verbatim transcript of the proceedings shall be the property~~
20 ~~of the board and shall be prepared by the board upon the request~~
21 ~~of any board member or upon the request of any other person and~~
22 ~~the payment by that person of the costs of preparation.~~

23 ~~(b) Applicant information.~~

24 ~~(1) The board shall maintain a list of all applicants~~
25 ~~for a fantasy contest license. The list shall include a~~
26 ~~record of all actions taken with respect to each applicant.~~
27 ~~The list shall be open to public inspection during the normal~~
28 ~~business hours of the board.~~

29 ~~(2) Information under paragraph (1) regarding an~~
30 ~~applicant whose fantasy contest license has been denied,~~

1 ~~revoked or not renewed shall be removed from the list after~~
2 ~~seven years from the date of the action.~~

3 ~~(c) Other files and records. The board shall maintain such~~
4 ~~other files and records as it may deem appropriate.~~

5 ~~(d) Confidentiality of information.~~

6 ~~(1) The following information submitted by an applicant~~
7 ~~for a fantasy contest license under section 502 or otherwise~~
8 ~~obtained by the board as part of a background or other~~
9 ~~investigation from any source shall be confidential and~~
10 ~~withheld from public disclosure:~~

11 ~~(i) All information relating to character, honesty~~
12 ~~and integrity, including family, habits, reputation,~~
13 ~~history of criminal activity, business activities,~~
14 ~~financial affairs and business, professional and personal~~
15 ~~associations.~~

16 ~~(ii) Nonpublic personal information, including home~~
17 ~~addresses, telephone numbers and other personal contact~~
18 ~~information, Social Security numbers, educational~~
19 ~~records, memberships, medical records, tax returns and~~
20 ~~declarations, actual or proposed compensation, financial~~
21 ~~account records, creditworthiness or financial condition~~
22 ~~relating to an applicant.~~

23 ~~(iii) Information relating to proprietary~~
24 ~~information, trade secrets, patents or exclusive~~
25 ~~licenses, architectural and engineering plans and~~
26 ~~information relating to competitive marketing materials~~
27 ~~and strategies that may include customer identifying~~
28 ~~information or customer prospects for services subject to~~
29 ~~competition.~~

30 ~~(iv) Information with respect to which there is a~~

1 ~~reasonable possibility that public release or inspection~~
2 ~~of the information would constitute an unwarranted~~
3 ~~invasion into personal privacy of an individual as~~
4 ~~determined by the board.~~

5 ~~(v) Records of an applicant for a fantasy contest~~
6 ~~license or a licensed operator not required to be filed~~
7 ~~with the Securities and Exchange Commission by issuers~~
8 ~~that either have securities registered under section 12~~
9 ~~of the Securities Exchange Act of 1934 (48 Stat. 881, 15~~
10 ~~U.S.C. § 781) or are required to file reports under~~
11 ~~section 15(d) of the Securities Exchange Act of 1934 (48~~
12 ~~Stat. 881, 15 U.S.C. § 78o)~~

13 ~~(vi) Records considered nonpublic matters or~~
14 ~~information by the Securities and Exchange Commission as~~
15 ~~provided by 17 CFR 200.80 (relating to commission records~~
16 ~~and information).~~

17 ~~(vii) Financial or security information deemed~~
18 ~~confidential by the board upon a showing of good cause by~~
19 ~~the applicant for a fantasy contest license or licensed~~
20 ~~operator.~~

21 ~~(2) No claim of confidentiality may be made regarding~~
22 ~~any criminal history record information that is available to~~
23 ~~the public under 18 Pa.C.S. § 9121(b) (relating to general~~
24 ~~regulations).~~

25 ~~(3) No claim of confidentiality shall be made regarding~~
26 ~~any record in possession of the board that is otherwise~~
27 ~~publicly available from a Commonwealth agency, local agency~~
28 ~~or another jurisdiction.~~

29 ~~(4) The information made confidential under this section~~
30 ~~shall be withheld from public disclosure, in whole or in~~

1 ~~part, except that any confidential information shall be~~
2 ~~released upon the order of a court of competent jurisdiction~~
3 ~~or, with the approval of the Attorney General, to a duly~~
4 ~~authorized law enforcement agency or shall be released to the~~
5 ~~public, in whole or in part, to the extent that such release~~
6 ~~is requested by an applicant for a fantasy contest license or~~
7 ~~licensed operator and does not otherwise contain confidential~~
8 ~~information about another person.~~

9 ~~(5) The board may seek a voluntary waiver of~~
10 ~~confidentiality from an applicant for a fantasy contest~~
11 ~~license or a licensed operator, but may not require an~~
12 ~~applicant or licensed operator to waive any confidentiality~~
13 ~~provided for in this subsection as a condition for the~~
14 ~~approval of an application, renewal of a fantasy contest~~
15 ~~license or any other action of the board.~~

16 ~~(e) Notice. Notice of the contents of any information,~~
17 ~~except to a duly authorized law enforcement agency under this~~
18 ~~section, shall be given to an applicant or licensee in a manner~~
19 ~~prescribed by the rules and regulations adopted by the board.~~

20 ~~(f) Information held by department. Files, records, reports~~
21 ~~and other information in the possession of the department~~
22 ~~pertaining to licensed operators shall be made available to the~~
23 ~~board as may be necessary for the effective administration of~~
24 ~~this act.~~

25 ~~Section 305. Reports of board.~~

26 ~~(a) General rule. The annual report submitted by the board~~
27 ~~under 4 Pa.C.S. § 1211 (relating to reports of board) shall~~
28 ~~include the following information on the conduct of fantasy~~
29 ~~contests:~~

30 ~~(1) Total fantasy contest adjusted revenues.~~

1 ~~(1) The name, Federal employer identification number and~~
2 ~~principal address of the applicant; if a corporation, the~~
3 ~~state of its incorporation, the full name and address of each~~
4 ~~officer and director thereof, and, if a foreign corporation,~~
5 ~~whether it is qualified to do business in this Commonwealth;~~
6 ~~if a partnership or joint venture, the name and address of~~
7 ~~each officer thereof.~~

8 ~~(2) The name and address of the person having custody of~~
9 ~~the applicant's financial records.~~

10 ~~(3) The names and addresses of key employees.~~

11 ~~(4) The names and addresses of each of the applicant's~~
12 ~~principals.~~

13 ~~(5) Information, documentation and assurances related to~~
14 ~~financial and criminal history as the board deems necessary~~
15 ~~to establish by clear and convincing evidence the financial~~
16 ~~stability, integrity and responsibility of the applicant and~~
17 ~~the applicant's key employees and principals.~~

18 ~~(6) Information and documentation necessary to establish~~
19 ~~the applicant's ability to comply with section 505.~~

20 ~~(7) Any other information required by the board.~~

21 ~~(b) Nonrefundable application fee. Each application~~
22 ~~submitted under this act shall be accompanied by a nonrefundable~~
23 ~~application fee, which shall be established by the board, and~~
24 ~~which may not exceed the amount necessary to reimburse the board~~
25 ~~for all costs incurred by the board for fulfilling the~~
26 ~~requirements of this section and section 503.~~

27 ~~(c) Additional information. A person applying for a fantasy~~
28 ~~contest license shall have the continuing duty to provide~~
29 ~~information required by the board and to cooperate in any~~
30 ~~inquiry or investigation.~~

1 ~~(d) Abbreviated application process. The board, at its~~
2 ~~discretion, may establish an abbreviated application process for~~
3 ~~a fantasy contest license for persons that are also licensed~~
4 ~~gaming entities. The abbreviated application may only require~~
5 ~~information not in possession of the board that is necessary to~~
6 ~~fulfill the requirements of this act.~~

7 ~~Section 503. Issuance and denial of license.~~

8 ~~(a) Duty to review applications. The board shall review all~~
9 ~~applications for a license and shall issue a license to any~~
10 ~~applicant that:~~

11 ~~(1) Has submitted a completed application and paid the~~
12 ~~nonrefundable application fee as required by the board under~~
13 ~~section 502.~~

14 ~~(2) Has demonstrated that the applicant has the~~
15 ~~financial stability, integrity and responsibility to comply~~
16 ~~with the provisions of this act and regulations established~~
17 ~~by the board.~~

18 ~~(3) Has not been denied a license under subsection (b).~~

19 ~~(b) Reasons to deny applications. The board may deny an~~
20 ~~application for a license if the applicant:~~

21 ~~(1) has knowingly made a false statement of material~~
22 ~~fact or has deliberately failed to disclose any information~~
23 ~~requested;~~

24 ~~(2) employs a principal or key employee who has been~~
25 ~~convicted of a felony, a crime of moral turpitude or any~~
26 ~~criminal offense involving dishonesty or breach of trust~~
27 ~~within 10 years prior to the date of the application for~~
28 ~~license;~~

29 ~~(3) has at any time knowingly failed to comply with the~~
30 ~~provisions of this act or of any requirements of the board;~~

1 ~~(4) has had a registration, permit or license to conduct~~
2 ~~fantasy contests denied or revoked in any other jurisdiction;~~

3 ~~(5) has legally defaulted in the payment of any~~
4 ~~obligation or debt due to the Commonwealth or is not~~
5 ~~compliant with taxes due to the department; or~~

6 ~~(6) is not qualified to do business in this Commonwealth~~
7 ~~or is not subject to the jurisdiction of the courts of the~~
8 ~~Commonwealth.~~

9 ~~(c) Time period for review. The board shall conclude its~~
10 ~~review of an application for a fantasy contest license within~~
11 ~~120 days of receipt of the completed application. If the license~~
12 ~~is not issued, the board shall provide the applicant with the~~
13 ~~justification for not issuing such license with specificity.~~

14 ~~(d) License fee.—~~

15 ~~(1) Within 30 days of the board issuing a fantasy~~
16 ~~contest license, an applicant shall pay to the board a~~
17 ~~license fee of \$50,000 or an amount equivalent to 7.5% of the~~
18 ~~applicant's fantasy contest adjusted revenues for the~~
19 ~~previous calendar year, whichever is less, except that an~~
20 ~~applicant who is also a licensed gaming entity shall pay to~~
21 ~~the board a license fee of \$50,000.~~

22 ~~(2) The license fee collected under this subsection~~
23 ~~shall be deposited into the General Fund.~~

24 ~~(3) If an applicant fails to pay the fee required by~~
25 ~~this subsection, the board shall suspend or revoke the~~
26 ~~applicant's fantasy contest license until payment of the~~
27 ~~license fee is received.~~

28 ~~(e) Abbreviated approval process. The board, at its~~
29 ~~discretion, may establish an abbreviated approval process for~~
30 ~~the issuance of a fantasy contest license to a licensed gaming~~

1 ~~entity whose slot machine license and table game certificate are~~
2 ~~in good standing.~~

3 ~~Section 504. License renewal.~~

4 ~~(a) Renewal.~~

5 ~~(1) A license issued under this act shall be valid for a~~
6 ~~period of five years.~~

7 ~~(2) Nothing in this paragraph shall be construed to~~
8 ~~relieve a licensed operator of the affirmative duty to notify~~
9 ~~the board of any changes relating to the status of its~~
10 ~~fantasy contest license or to any other information contained~~
11 ~~in the application materials on file with the board.~~

12 ~~(3) The application for renewal of a fantasy contest~~
13 ~~license must be submitted at least 90 days prior to the~~
14 ~~expiration of the license and include an update of the~~
15 ~~information contained in the initial application for a~~
16 ~~fantasy contest license. A fantasy contest license for which~~
17 ~~a completed renewal application and fee as required under~~
18 ~~subsection (c) has been received by the board shall continue~~
19 ~~in effect unless and until the board sends written~~
20 ~~notification to the licensed operator that the board has~~
21 ~~denied the renewal of the license.~~

22 ~~(b) Revocation or failure to renew.~~

23 ~~(1) In addition to any other sanction the board may~~
24 ~~impose under this act, the board may at its discretion~~
25 ~~suspend, revoke or deny renewal of a fantasy contest license~~
26 ~~issued under this act if it receives information that:~~

27 ~~(i) the applicant or any of the applicant's key~~
28 ~~employees or principals are in violation of any provision~~
29 ~~of this act;~~

30 ~~(ii) the applicant has furnished the board with~~

1 ~~false or misleading information;~~

2 ~~(iii) the information contained in the applicant's~~
3 ~~initial application or any renewal application is no~~
4 ~~longer true and correct;~~

5 ~~(iv) the applicant has failed to remit taxes or~~
6 ~~assessments required under section 701, 702 or 703; or~~

7 ~~(v) the applicant has legally defaulted in the~~
8 ~~payment of any obligation or debt due to the~~
9 ~~Commonwealth.~~

10 ~~(2) In the event of a revocation or failure to renew,~~
11 ~~the applicant's authorization to conduct fantasy contests~~
12 ~~shall immediately cease and all fees paid in connection with~~
13 ~~the application shall be deemed to be forfeited.~~

14 ~~(3) In the event of a suspension, the applicant's~~
15 ~~authorization to conduct fantasy contests shall immediately~~
16 ~~cease until the board has notified the applicant that the~~
17 ~~suspension is no longer in effect.~~

18 ~~(c) Renewal fee.—~~

19 ~~(1) Within 30 days of the board renewing a fantasy~~
20 ~~contest license, the licensed operator shall pay to the board~~
21 ~~a renewal fee of \$5,000.~~

22 ~~(2) The renewal fee collected by the board under this~~
23 ~~subsection shall be deposited into the General Fund.~~

24 ~~(3) If a licensed operator fails to pay the renewal fee~~
25 ~~required under this subsection, the board shall suspend or~~
26 ~~revoke the licensed operator's fantasy contest license until~~
27 ~~payment of the renewal fee is received.~~

28 ~~Section 505.— Conditions of licensure.~~

29 ~~As a condition of licensure, a licensed operator shall~~
30 ~~establish and implement the following procedures related to~~

1 ~~conduct of fantasy contests in this Commonwealth:~~

2 ~~(1) Permit only participants who have established a~~
3 ~~fantasy contest account with the licensed operator to~~
4 ~~participate in a fantasy contest conducted by the licensed~~
5 ~~operator.~~

6 ~~(2) Verify the age, location and identity of any~~
7 ~~participant prior to making a deposit into a fantasy contest~~
8 ~~account for a participant located in this Commonwealth. No~~
9 ~~participant under 18 years of age may be permitted to~~
10 ~~establish a fantasy contest account with a licensed operator.~~

11 ~~(3) Verify the identity of a participant by requiring~~
12 ~~the participant to provide the licensed operator a unique~~
13 ~~user name and password prior to accessing a fantasy contest~~
14 ~~account.~~

15 ~~(4) Ensure rules and prizes and awards established by~~
16 ~~the licensed operator for a fantasy contest are made known to~~
17 ~~a participant prior to the acceptance of any entry fee.~~

18 ~~(5) Ensure that a player who is the subject of a fantasy~~
19 ~~contest is restricted from entering as a participant in a~~
20 ~~fantasy contest that is determined, in whole or part, on the~~
21 ~~accumulated statistical results of a team of individuals in~~
22 ~~the league in which the player is a member.~~

23 ~~(6) Allow a person to restrict himself from entering a~~
24 ~~fantasy contest or accessing a fantasy contest account for a~~
25 ~~specific period of time as determined by the participant and~~
26 ~~implement reasonable procedures to prevent the individual~~
27 ~~from participating in the licensed operator's fantasy~~
28 ~~contests.~~

29 ~~(7) Allow a person to restrict the total amount of~~
30 ~~deposits that the participant may pay to the licensed~~

1 ~~operator for a specific time period established by the~~
2 ~~participant and implement reasonable procedures to prevent~~
3 ~~the participant from exceeding the limit.~~

4 ~~(8) Conspicuously post compulsive and problem play~~
5 ~~notices at fantasy contest registration points and provide a~~
6 ~~toll free telephone number to participants who have expressed~~
7 ~~to the licensed operator issues with compulsive and problem~~
8 ~~play of fantasy contests. The toll free telephone number and~~
9 ~~the compulsive and problem play notice shall be approved by~~
10 ~~the board, in consultation with the Department of Drug and~~
11 ~~Alcohol Programs.~~

12 ~~(9) Disclose the number of entries a single participant~~
13 ~~may submit to each fantasy contest and take commercially~~
14 ~~reasonable steps to prevent such participants from submitting~~
15 ~~more than the allowable number.~~

16 ~~(10) Prevent the licensed operator's employees and~~
17 ~~relatives living in the same household of an employee from~~
18 ~~competing in a fantasy contest offered by any licensed~~
19 ~~operator to the general public and in which fantasy contest~~
20 ~~the licensed operator offers a prize or award.~~

21 ~~(11) Prevent the sharing of confidential information~~
22 ~~that could affect fantasy contest play with third parties~~
23 ~~until the information is made publicly available.~~

24 ~~(12) Take commercially reasonable steps to maintain the~~
25 ~~confidentiality of a participant's personal and financial~~
26 ~~information.~~

27 ~~(13) Segregate participant funds from operational funds~~
28 ~~in separate accounts and maintain a reserve in the form of~~
29 ~~cash, cash equivalents, security deposits held by banks and~~
30 ~~processors, an irrevocable letter of credit, payment~~

1 ~~processor reserves and receivables, a bond or a combination~~
2 ~~thereof in an amount sufficient to pay all prizes and awards~~
3 ~~offered to winning participants.~~

4 ~~(14) Provide winning in State participants with~~
5 ~~information and documentation necessary to ensure the proper~~
6 ~~reporting of winnings by in State participants to the~~
7 ~~department.~~

8 ~~(15) Remit taxes or assessments to the department in~~
9 ~~accordance with sections 701, 702 and 703.~~

10 ~~(16) Prohibit the use of scripts by participants and~~
11 ~~implement technologies to prevent the use of scripts.~~

12 ~~(17) Monitor fantasy contests for the use of scripts and~~
13 ~~restrict players found to have used such scripts from~~
14 ~~participation in future fantasy contests.~~

15 ~~(18) Establish any other condition deemed appropriate by~~
16 ~~the board.~~

17 ~~Section 506. Prohibitions.~~

18 ~~No licensed operator may:~~

19 ~~(1) accept an entry fee from or permit a natural person~~
20 ~~under 18 years of age to become a participant in a fantasy~~
21 ~~contest;~~

22 ~~(2) offer a fantasy contest based, in whole or in part,~~
23 ~~on collegiate or high school athletic events or players;~~

24 ~~(3) permit a participant to enter a fantasy contest~~
25 ~~prior to establishing a fantasy contest account;~~

26 ~~(4) establish a fantasy contest account for a person who~~
27 ~~is not an individual;~~

28 ~~(5) alter rules established for a fantasy contest after~~
29 ~~a participant has entered the fantasy contest;~~

30 ~~(6) issue credit to a participant to establish or fund a~~

1 ~~fantasy contest account;~~

2 ~~(7) knowingly directly market to a participant during~~
3 ~~the time period in which the participant has self excluded~~
4 ~~from the licensed operators' fantasy contests;~~

5 ~~(8) knowingly permit a participant to enter the licensed~~
6 ~~operator's fantasy contests during the time period in which~~
7 ~~the participant has self excluded from the licensed~~
8 ~~operators' fantasy contests;~~

9 ~~(9) knowingly accept a deposit in excess of a limit~~
10 ~~established by a participant for the specific time period~~
11 ~~established by the participant;~~

12 ~~(10) share confidential information that could affect~~
13 ~~fantasy contest play with third parties until the information~~
14 ~~is made publicly available;~~

15 ~~(11) knowingly permit an employee or relative living in~~
16 ~~the same household of an employee to become a participant in~~
17 ~~a fantasy contest offered by any licensed operator in which a~~
18 ~~licensed operator offers a prize or award;~~

19 ~~(12)~~

20 ~~offer a fantasy contest where:~~

21 ~~(i) the value of all prizes or awards offered to~~
22 ~~winning participants is not established and made known to~~
23 ~~participants in advance of the fantasy contest;~~

24 ~~(ii) winning outcomes do not reflect the relative~~
25 ~~knowledge and skill of participants;~~

26 ~~(iii) the winning outcome is based on the score,~~
27 ~~point spread or performance of a single actual team or~~
28 ~~combination of teams or solely on a single performance of~~
29 ~~an individual athlete or player in a single actual event;~~

30 or

1 ~~(iv) the winning outcome is not based on statistical~~
2 ~~results accumulated from fully completed athletic sports~~
3 ~~contests or events, except that participants may be~~
4 ~~credited for statistical results accumulated in a~~
5 ~~suspended or shortened sports event which has been~~
6 ~~partially completed on account of weather or other~~
7 ~~natural or unforeseen event;~~

8 ~~(13) except as permitted under section 902, offer or~~
9 ~~make available in this Commonwealth a fantasy contest~~
10 ~~terminal;~~

11 ~~(14) fail to remit taxes or assessments to the~~
12 ~~department in accordance with sections 701, 702 and 703;~~

13 ~~(15) knowingly allow a participant to use a script~~
14 ~~during a fantasy contest; and~~

15 ~~(16) perform any other action prohibited by the board.~~

16 ~~Section 507. Change in ownership or control of licensed~~
17 ~~operators.~~

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

19 ~~(1) A licensed operator shall notify the board upon~~
20 ~~becoming aware of any proposed change of ownership of the~~
21 ~~licensed operator by a person or group of persons acting in~~
22 ~~concert which involves any of the following:~~

23 ~~(i) More than 15% of a licensed operator's~~
24 ~~securities or other ownership interests.~~

25 ~~(ii) The sale other than in the ordinary course of~~
26 ~~business of a licensed operator's assets.~~

27 ~~(iii) Any other transaction or occurrence deemed by~~
28 ~~the board to be relevant to fantasy contest license~~
29 ~~qualifications.~~

30 ~~(2) Notwithstanding the provisions of paragraph (1), a~~

~~licensed operator shall not be required to notify the board of any acquisition by an institutional investor under paragraph (1)(i) or (ii) if the institutional investor holds less than 10% of the securities or other ownership interests referred to in paragraph (1)(i) or (ii), the securities or interests are publicly traded securities and its holdings of such securities were purchased for investment purposes only and the institutional investor files with the board a certified statement to the effect that the institutional investor has no intention of influencing or affecting, directly or indirectly, the affairs of the licensed operator, provided, however, that the institutional investor may vote on matters put to the vote of the outstanding security holders. Notice to the board shall be required prior to completion of any proposed or contemplated change of ownership of a licensed operator that meets the criteria of this section.~~

~~(b) Qualification of purchaser and change of control.~~

~~(1) A purchaser of the assets, other than in the ordinary course of business, of a licensed operator shall independently qualify for a fantasy contest license in accordance with this act and shall pay the application fee and license fee as required by sections 502 and 503, except that if the purchaser of assets is another licensed operator, the purchaser of assets shall not be required to requalify for a fantasy contest license or pay another application fee and license fee.~~

~~(2) A change in control of any licensed operator shall require that the licensed operator independently qualify for a fantasy contest license in accordance with this act, and~~

1 ~~the licensed operator shall pay a new application and license~~
2 ~~fee as required by sections 502 and 503, except that if the~~
3 ~~new controller is another licensed operator, the new~~
4 ~~controller shall not be required to requalify for a fantasy~~
5 ~~contest license or pay another application fee and license~~
6 ~~fee.~~

7 ~~(c) Change in control defined. For purposes of this~~
8 ~~section, a change in control of a licensed operator shall mean~~
9 ~~the acquisition by a person or group of persons acting in~~
10 ~~concert of more than 20% of a licensed operator's securities or~~
11 ~~other ownership interests, with the exception of any ownership~~
12 ~~interest of the person that existed at the time of initial~~
13 ~~licensing and payment of the initial fantasy contest license~~
14 ~~fee, or more than 20% of the securities or other ownership~~
15 ~~interests of a corporation or other form of business entity that~~
16 ~~owns directly or indirectly at least 20% of the voting or other~~
17 ~~securities or other ownership interests of the licensed~~
18 ~~operator.~~

19 ~~(d) License revocation. Failure to comply with this section~~
20 ~~may cause the fantasy contest license issued under this act to~~
21 ~~be revoked or suspended by the board unless the purchase of the~~
22 ~~assets or the change in control that meets the criteria of this~~
23 ~~section has been independently qualified in advance by the board~~
24 ~~and any required application or license fee has been paid.~~

25 ~~Section 508. Penalties.~~

26 ~~(a) Suspension or revocation of license.~~

27 ~~(1) After a public hearing with at least 15 days'~~
28 ~~notice, the board may suspend or revoke a licensed operator's~~
29 ~~fantasy contest license in any case where a violation of this~~
30 ~~act has been shown by a preponderance of the evidence.~~

1 ~~(2) The board may revoke a fantasy contest license if~~
2 ~~the board finds that facts not known by the board at the time~~
3 ~~the board considered the application indicate that such~~
4 ~~license should not have been issued.~~

5 ~~(b) Administrative penalties.~~

6 ~~(1) In addition to suspension or revocation of a fantasy~~
7 ~~contest license, the board may impose administrative~~
8 ~~penalties on a licensed operator for violations of this act~~
9 ~~not to exceed \$5,000 for each violation.~~

10 ~~(2) A violation of this act that is determined to be an~~
11 ~~offense of a continuing nature shall be deemed to be a~~
12 ~~separate offense on each event or day during which the~~
13 ~~violation occurs, except that the total administrative~~
14 ~~penalty for an offense of a continuing nature may not exceed~~
15 ~~\$25,000.~~

16 ~~(3) The licensed operator shall have the right to appeal~~
17 ~~administrative penalties in accordance with 2 Pa.C.S. Chs. 5~~
18 ~~Subch. A (relating to practice and procedure of Commonwealth~~
19 ~~agencies) and 7 Subch. A (relating to judicial review of~~
20 ~~Commonwealth agency action).~~

21 ~~(4) Penalties imposed under this subsection shall be~~
22 ~~deposited into the General Fund.~~

23 ~~(c) Civil penalties.~~

24 ~~(1) In addition to the provisions of this section, a~~
25 ~~person who knowingly violates a provision of this act shall~~
26 ~~be liable for a civil penalty of not more than \$1,000 for~~
27 ~~each such violation.~~

28 ~~(2) The civil penalty shall be recovered in a civil~~
29 ~~action brought by the board and shall be paid into the~~
30 ~~General Fund.~~

1 CHAPTER 7

2 FISCAL PROVISIONS

3 ~~Section 701. Fantasy contest tax.~~

4 ~~(a) Imposition. Each licensed operator shall report to the~~
5 ~~department and pay from its quarterly fantasy contest adjusted~~
6 ~~revenues, on a form and in the manner prescribed by the~~
7 ~~department, a tax of 5% of its quarterly fantasy contest~~
8 ~~adjusted revenues.~~

9 ~~(b) Deposits and distributions.~~

10 ~~(1) The tax imposed under subsection (a) shall be~~
11 ~~payable to the department on a quarterly basis and shall be~~
12 ~~based upon quarterly fantasy contest adjusted revenue derived~~
13 ~~during the previous quarter.~~

14 ~~(2) All funds owed to the Commonwealth under this~~
15 ~~section shall be held in trust for the Commonwealth by the~~
16 ~~licensed operator until the funds are paid to the department.~~

17 ~~(3) The tax imposed under subsection (a) shall be~~
18 ~~deposited into the General Fund.~~

19 ~~(c) Penalty.~~

20 ~~(1) A licensed operator who fails to timely remit to the~~
21 ~~department amounts required under this section shall be~~
22 ~~liable, in addition to any liability imposed elsewhere in~~
23 ~~this act, to a penalty of 5% per month up to a maximum of 25%~~
24 ~~of the amounts ultimately found to be due, to be recovered by~~
25 ~~the department.~~

26 ~~(2) Penalties imposed under this subsection shall be~~
27 ~~deposited in the General Fund.~~

28 ~~Section 702. Licensed operator deposits.~~

29 ~~(a) Accounts established. The State Treasurer shall~~
30 ~~establish within the State Treasury an account for each licensed~~

1 ~~operator for the deposit of sums required under subsection (b)~~
2 ~~to:~~

3 ~~(1) recover costs or expenses incurred by the board and~~
4 ~~the department in carrying out their powers and duties under~~
5 ~~this act based upon a budget submitted by the board and the~~
6 ~~department under subsection (c); and~~

7 ~~(2) repay any loans made by the General Fund to the~~
8 ~~board or the department in connection with carrying out its~~
9 ~~powers and duties under this act.~~

10 ~~(b) Deposits.—~~

11 ~~(1) The department shall determine the appropriate~~
12 ~~assessment amount for each licensed operator, which shall be~~
13 ~~a percentage assessed on the licensed operator's fantasy~~
14 ~~contest adjusted revenues. Each licensed operator shall~~
15 ~~deposit funds into its account on a quarterly basis.~~

16 ~~(2) The percentage assessed shall not exceed an amount~~
17 ~~necessary to:~~

18 ~~(i) recover costs or expenses incurred by the board~~
19 ~~and the department in carrying out their powers and~~
20 ~~duties under this act based on a budget submitted by the~~
21 ~~board and the department under subsection (c); and~~

22 ~~(ii) repay any loans made from the General Fund to~~
23 ~~the board in connection with carrying out its powers and~~
24 ~~duties under this act.~~

25 ~~(c) Itemized budget reporting.—~~

26 ~~(1) The board and the department shall prepare and~~
27 ~~annually submit to the chairman of the Appropriations~~
28 ~~Committee of the Senate and the chairman of the~~
29 ~~Appropriations Committee of the House of Representatives an~~
30 ~~itemized budget consisting of amounts to be appropriated out~~

1 ~~of the accounts established under this section necessary to~~
2 ~~administer this act.~~

3 ~~(2) As soon as practicable after submitting copies of~~
4 ~~the itemized budget, the board and the department shall~~
5 ~~jointly prepare and submit to the chairmen of the committees~~
6 ~~analyses of and make recommendations regarding the itemized~~
7 ~~budget.~~

8 ~~(d) Appropriation. Costs and expenses from accounts~~
9 ~~established under subsection (a) shall only be disbursed upon~~
10 ~~appropriation by the General Assembly.~~

11 ~~(e) Penalty.—~~

12 ~~(1) A licensed operator who fails to timely remit to the~~
13 ~~department amounts required under this section shall be~~
14 ~~liable, in addition to any liability imposed elsewhere in~~
15 ~~this act, to a penalty of 5% per month up to a maximum of 25%~~
16 ~~of the amounts ultimately found to be due, to be recovered by~~
17 ~~the department.~~

18 ~~(2) Penalties imposed under this subsection shall be~~
19 ~~deposited into the General Fund.~~

20 ~~Section 703. Responsibility and authority of department.~~

21 ~~(a) General rule. The department may administer and collect~~
22 ~~taxes imposed under section 701 and interest imposed under~~
23 ~~section 806 of the act of April 9, 1929 (P.L.343, No.176), known~~
24 ~~as The Fiscal Code, and promulgate and enforce rules and~~
25 ~~regulations to carry out its prescribed duties in accordance~~
26 ~~with sections 701 and 702, including the collection of taxes,~~
27 ~~penalties, assessments and interest.~~

28 ~~(b) Procedure. For purposes of implementing sections 701~~
29 ~~and 702, the department may promulgate regulations in the same~~
30 ~~manner in which the board is authorized as provided in section~~

1 ~~302.~~

2 CHAPTER ~~9~~

3 MISCELLANEOUS PROVISIONS

4 Section ~~901.~~ ~~Applicability of other statutes.~~

5 ~~(a) Unlawful gambling. The provisions of 18 Pa.C.S. § 5513~~
6 ~~(relating to gambling devices, gambling, etc.) shall not apply~~
7 ~~to a fantasy contest conducted in accordance with this act.~~

8 ~~(b) Pool selling and bookmaking. The provisions of 18~~
9 ~~Pa.C.S. § 5514 (relating to pool selling and bookmaking) shall~~
10 ~~not apply to a fantasy contest conducted in accordance with this~~
11 ~~act.~~

12 ~~(c) Lotteries. The provisions of 18 Pa.C.S. § 5512~~
13 ~~(relating to lotteries, etc.) shall not apply to a fantasy~~
14 ~~contest conducted in accordance with this act.~~

15 ~~(d) State Lottery Law. This act shall not apply to a~~
16 ~~fantasy contest or similar product authorized under the act of~~
17 ~~August 26, 1971 (P.L.351, No.91), known as the State Lottery~~
18 ~~Law, and authorized solely by the department and the Division of~~
19 ~~the State Lottery.~~

20 Section ~~902.~~ ~~Licensed gaming entities.~~

21 ~~(a) Scope. This section shall apply to a licensed gaming~~
22 ~~entity that holds a fantasy contest license.~~

23 ~~(b) Applicability.~~

24 ~~(1) Nothing in this act shall be construed to limit the~~
25 ~~board's general and sole regulatory authority over the~~
26 ~~conduct of gaming or related activities under 4 Pa.C.S.~~
27 ~~(relating to amusements), including, but not limited to, the~~
28 ~~certification, registration and regulation of gaming service~~
29 ~~providers and individuals and entities associated with them.~~

30 ~~(2) A fantasy contest terminal shall not be considered a~~

1 ~~"slot machine" or "table game" under 4 Pa.C.S. § 1103-~~

2 ~~(relating to definitions).~~

3 ~~(c) Fantasy contest terminals.—~~

4 ~~(1) Upon approval of a fantasy contest license~~
5 ~~application, a licensed gaming entity may place and operate~~
6 ~~fantasy contest terminals within the licensed gaming entity's~~
7 ~~licensed facility.~~

8 ~~(2) At its discretion, the board may approve the~~
9 ~~placement and operation of fantasy contest terminals at a~~
10 ~~location within the licensed facility, provided that fantasy~~
11 ~~contest terminals shall not be placed on the gaming floor.~~

12 ~~(d) Restricted contests. A licensed gaming entity may offer~~
13 ~~fantasy contests that are exclusive to participants who are at~~
14 ~~least 21 years of age.~~

15 ~~(e) Promotional play. For a restricted contest under~~
16 ~~subsection (d), a licensed gaming entity may offer slot machine~~
17 ~~or table game promotional play to a participant who is at least~~
18 ~~21 years of age as a prize or award or for participating in a~~
19 ~~fantasy contest conducted by the licensed gaming entity.~~

20 ~~(f) Gaming service providers. A licensed operator who is~~
21 ~~not a licensed gaming entity may, at the discretion of the~~
22 ~~board, be certificated or registered as a gaming service~~
23 ~~provider under 4 Pa.C.S. § 1317.2 (relating to gaming service~~
24 ~~provider) in order to operate fantasy contests subject to the~~
25 ~~restrictions of subsection (d) on behalf of a licensed gaming~~
26 ~~entity.~~

27 ~~Section 903. Funding.~~

28 ~~(a) Appropriation. The following amounts are appropriated:~~

29 ~~(1) The sum of \$1,250,000 is appropriated to the board~~
30 ~~for the fiscal period July 1, 2016, to June 30, 2017, for the~~

1 ~~purpose of implementing and administering the provisions of~~
2 ~~this act.~~

3 ~~(2) The sum of \$500,000 is appropriated to the~~
4 ~~department for the fiscal period July 1, 2016, to June 30,~~
5 ~~2017, for the purpose of implementing and administering the~~
6 ~~provisions of this act.~~

7 ~~(b) Repayment. The appropriations in this section shall be~~
8 ~~considered loans from the General Fund and shall be repaid to~~
9 ~~the General Fund quarterly through assessments on licensed~~
10 ~~operators authorized under section 702 by the department. The~~
11 ~~total amounts appropriated to the board and department under~~
12 ~~this section shall be repaid to the General Fund no later than~~
13 ~~10 years from the date the board issues the first fantasy~~
14 ~~contest license.~~

15 ~~(c) Unused amounts. On July 1, 2017, any portion of amounts~~
16 ~~appropriated under subsection (a) that is unexpended,~~
17 ~~unencumbered or uncommitted as of June 30 of the prior fiscal~~
18 ~~year shall automatically be transferred to the General Fund.~~
19 ~~Section 904. Effective date.~~

20 ~~This act shall take effect as follows:~~

21 ~~(1) Section 903 shall take effect immediately.~~

22 ~~(2) This section shall take effect immediately.~~

23 ~~(3) The remainder of this act shall take effect in 180~~
24 ~~days.~~

25 SECTION 1. TITLE 4 OF THE PENNSYLVANIA CONSOLIDATED STATUTES <--
26 IS AMENDED BY ADDING A PART TO READ:

27 PART I

28 AMUSEMENTS GENERALLY

29 CHAPTER

30 1. PRELIMINARY PROVISIONS (RESERVED)

1 3. FANTASY CONTESTS

2 CHAPTER 1

3 PRELIMINARY PROVISIONS

4 (RESERVED)

5 CHAPTER 3

6 FANTASY CONTESTS

7 SUBCHAPTER

8 A. GENERAL PROVISIONS

9 B. ADMINISTRATION

10 C. LICENSURE

11 D. FISCAL PROVISIONS

12 E. MISCELLANEOUS PROVISIONS

13 SUBCHAPTER A

14 GENERAL PROVISIONS

15 SEC.

16 301. SCOPE.

17 302. DEFINITIONS.

18 § 301. SCOPE.

19 THIS CHAPTER RELATES TO FANTASY CONTESTS.

20 § 302. DEFINITIONS.

21 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER

22 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

23 CONTEXT CLEARLY INDICATES OTHERWISE:

24 "BOARD." THE PENNSYLVANIA GAMING CONTROL BOARD.

25 "CONDUCT OF GAMING." THE LICENSED PLACEMENT, OPERATION AND
26 PLAY OF SLOT MACHINES AND TABLE GAMES UNDER PART II (RELATING TO
27 GAMING) AS AUTHORIZED AND APPROVED BY THE BOARD.

28 "CONTROLLING INTEREST." EITHER OF THE FOLLOWING:

29 (1) FOR A PUBLICLY TRADED DOMESTIC OR FOREIGN
30 CORPORATION, A CONTROLLING INTEREST IS AN INTEREST IN AN

1 APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED
2 OPERATOR IF A PERSON'S SOLE VOTING RIGHTS UNDER STATE LAW OR
3 CORPORATE ARTICLES OR BYLAWS ENTITLE THE PERSON TO ELECT OR
4 APPOINT ONE OR MORE OF THE MEMBERS OF THE BOARD OF DIRECTORS
5 OR OTHER GOVERNING BOARD OR THE OWNERSHIP OR BENEFICIAL
6 HOLDING OF 5% OR MORE OF THE SECURITIES OF THE PUBLICLY
7 TRADED CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR
8 OTHER FORM OF PUBLICLY TRADED LEGAL ENTITY, UNLESS THIS
9 PRESUMPTION OF CONTROL OR ABILITY TO ELECT IS REBUTTED BY
10 CLEAR AND CONVINCING EVIDENCE.

11 (2) FOR A PRIVATELY HELD DOMESTIC OR FOREIGN
12 CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER
13 FORM OF PRIVATELY HELD LEGAL ENTITY, A CONTROLLING INTEREST
14 IS THE HOLDING OF SECURITIES OF 15% OR MORE IN THE LEGAL
15 ENTITY, UNLESS THIS PRESUMPTION OF CONTROL IS REBUTTED BY
16 CLEAR AND CONVINCING EVIDENCE.

17 "DEPARTMENT." THE DEPARTMENT OF REVENUE OF THE COMMONWEALTH.

18 "ENTRY FEE." THE CASH OR CASH EQUIVALENT PAID BY A
19 PARTICIPANT TO A LICENSED OPERATOR IN ORDER TO PARTICIPATE IN A
20 FANTASY CONTEST.

21 "FANTASY CONTEST." AN ONLINE FANTASY OR SIMULATED GAME OR
22 CONTEST WITH AN ENTRY FEE AND A PRIZE OR AWARD IN WHICH:

23 (1) THE VALUE OF ALL PRIZES OR AWARDS OFFERED TO WINNING
24 PARTICIPANTS IS ESTABLISHED AND MADE KNOWN TO PARTICIPANTS IN
25 ADVANCE OF THE CONTEST.

26 (2) ALL WINNING OUTCOMES REFLECT THE RELATIVE KNOWLEDGE
27 AND SKILL OF PARTICIPANTS AND ARE DETERMINED BY ACCUMULATED
28 STATISTICAL RESULTS OF THE PERFORMANCE OF INDIVIDUALS,
29 INCLUDING ATHLETES IN THE CASE OF SPORTS EVENTS.

30 (3) NO WINNING OUTCOME IS BASED ON THE SCORE, POINT

1 SPREAD OR PERFORMANCE OF A SINGLE ACTUAL TEAM OR COMBINATION
2 OF TEAMS OR SOLELY ON A SINGLE PERFORMANCE OF AN INDIVIDUAL
3 ATHLETE OR PLAYER IN A SINGLE ACTUAL EVENT.

4 "FANTASY CONTEST ACCOUNT." THE FORMAL ELECTRONIC SYSTEM
5 IMPLEMENTED BY A LICENSED OPERATOR TO RECORD A PARTICIPANT'S
6 ENTRY FEES, PRIZES OR AWARDS AND OTHER ACTIVITIES RELATED TO
7 PARTICIPATION IN THE LICENSED OPERATOR'S FANTASY CONTESTS.

8 "FANTASY CONTEST ADJUSTED REVENUES." FOR EACH FANTASY
9 CONTEST, THE AMOUNT EQUAL TO THE TOTAL AMOUNT OF ALL ENTRY FEES
10 COLLECTED FROM ALL PARTICIPANTS ENTERING THE FANTASY CONTEST
11 MINUS PRIZES OR AWARDS PAID TO PARTICIPANTS IN THE FANTASY
12 CONTEST, MULTIPLIED BY THE IN-STATE PERCENTAGE.

13 "FANTASY CONTEST LICENSE." A LICENSE ISSUED BY THE BOARD
14 AUTHORIZING A PERSON TO OFFER FANTASY CONTESTS IN THIS
15 COMMONWEALTH IN ACCORDANCE WITH THIS CHAPTER.

16 "FANTASY CONTEST TERMINAL." A PHYSICAL, LAND-BASED
17 COMPUTERIZED OR ELECTRONIC TERMINAL OR SIMILAR DEVICE THAT
18 ALLOWS PARTICIPANTS TO:

19 (1) REGISTER FOR A FANTASY CONTEST ACCOUNT;

20 (2) PAY AN ENTRY FEE;

21 (3) SELECT AN IMAGINARY TEAM;

22 (4) RECEIVE WINNINGS; OR

23 (5) OTHERWISE PARTICIPATE IN A FANTASY CONTEST.

24 "GAMING FLOOR." ANY PORTION OF A LICENSED FACILITY WHERE
25 SLOT MACHINES OR TABLE GAMES HAVE BEEN INSTALLED FOR USE OR
26 PLAY.

27 "GAMING SERVICE PROVIDER." AS DEFINED IN SECTION 1103
28 (RELATING TO DEFINITIONS).

29 "IN-STATE PARTICIPANT." AN INDIVIDUAL WHO PARTICIPATES IN A
30 FANTASY CONTEST CONDUCTED BY A LICENSED OPERATOR AND PAYS A FEE

1 TO A LICENSED OPERATOR FROM A LOCATION WITHIN THIS COMMONWEALTH.
2 THE TERM INCLUDES AN INDIVIDUAL WHO PAYS AN ENTRY FEE THROUGH A
3 FANTASY CONTEST TERMINAL WITHIN A LICENSED FACILITY.

4 "IN-STATE PERCENTAGE." FOR EACH FANTASY CONTEST, THE
5 PERCENTAGE, ROUNDED TO THE NEAREST TENTH OF A PERCENT, EQUAL TO
6 THE TOTAL ENTRY FEES COLLECTED FROM ALL IN-STATE PARTICIPANTS
7 DIVIDED BY THE TOTAL ENTRY FEES COLLECTED FROM ALL PARTICIPANTS
8 IN THE FANTASY CONTEST.

9 "KEY EMPLOYEE." AN INDIVIDUAL WHO IS EMPLOYED BY AN
10 APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR
11 IN A DIRECTOR OR DEPARTMENT HEAD CAPACITY AND WHO IS EMPOWERED
12 TO MAKE DISCRETIONARY DECISIONS THAT REGULATE FANTASY CONTEST
13 OPERATIONS AS DETERMINED BY THE BOARD.

14 "LICENSED ENTITY REPRESENTATIVE." A PERSON, INCLUDING AN
15 ATTORNEY, AGENT OR LOBBYIST, ACTING ON BEHALF OF OR AUTHORIZED
16 TO REPRESENT THE INTEREST OF AN APPLICANT, LICENSEE OR OTHER
17 PERSON AUTHORIZED BY THE BOARD TO ENGAGE IN AN ACT OR ACTIVITY
18 WHICH IS REGULATED UNDER THIS CHAPTER REGARDING A MATTER BEFORE,
19 OR WHICH MAY BE REASONABLY BE EXPECTED TO COME BEFORE, THE
20 BOARD.

21 "LICENSED FACILITY." AS DEFINED IN SECTION 1103 (RELATING TO
22 DEFINITIONS).

23 "LICENSED GAMING ENTITY." AS DEFINED IN SECTION 1103
24 (RELATING TO DEFINITIONS).

25 "LICENSED OPERATOR." A PERSON WHO HOLDS A FANTASY CONTEST
26 LICENSE.

27 "PARTICIPANT." AN INDIVIDUAL WHO PARTICIPATES IN A FANTASY
28 CONTEST, WHETHER THE INDIVIDUAL IS LOCATED IN THIS COMMONWEALTH
29 OR ANOTHER JURISDICTION.

30 "PERSON." A NATURAL PERSON, CORPORATION, PUBLICLY TRADED

1 CORPORATION, FOUNDATION, ORGANIZATION, BUSINESS TRUST, ESTATE,
2 LIMITED LIABILITY COMPANY, LICENSED CORPORATION, TRUST,
3 PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, ASSOCIATION OR ANY
4 OTHER FORM OF LEGAL BUSINESS ENTITY.

5 "PRINCIPAL." AN OFFICER, DIRECTOR, PERSON WHO DIRECTLY HOLDS
6 A BENEFICIAL INTEREST IN OR OWNERSHIP OF THE SECURITIES OF AN
7 APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR,
8 PERSON WHO HAS A CONTROLLING INTEREST IN AN APPLICANT FOR A
9 FANTASY CONTEST LICENSE OR A LICENSED OPERATOR OR WHO HAS THE
10 ABILITY TO ELECT A MAJORITY OF THE BOARD OF DIRECTORS OF A
11 LICENSED OPERATOR OR TO OTHERWISE CONTROL A LICENSED OPERATOR,
12 LENDER OR OTHER LICENSED FINANCIAL INSTITUTION OF AN APPLICANT
13 FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR, OTHER THAN
14 A BANK OR LENDING INSTITUTION WHICH MAKES A LOAN OR HOLDS A
15 MORTGAGE OR OTHER LIEN ACQUIRED IN THE ORDINARY COURSE OF
16 BUSINESS, UNDERWRITER OF AN APPLICANT FOR A FANTASY CONTEST
17 LICENSE OR A LICENSED OPERATOR OR OTHER PERSON OR EMPLOYEE OF AN
18 APPLICANT FOR A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR
19 DEEMED TO BE A PRINCIPAL BY THE BOARD.

20 "PRIZE OR AWARD." ANYTHING OF VALUE WORTH \$100 OR MORE OR
21 ANY AMOUNT OF CASH OR CASH EQUIVALENTS.

22 "PUBLICLY TRADED CORPORATION." A PERSON, OTHER THAN AN
23 INDIVIDUAL, THAT:

24 (1) HAS A CLASS OR SERIES OF SECURITIES REGISTERED UNDER
25 THE SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881, 15 U.S.C.
26 § 78A ET SEQ.);

27 (2) IS A REGISTERED MANAGEMENT COMPANY UNDER THE
28 INVESTMENT COMPANY ACT OF 1940 (54 STAT. 789, 15 U.S.C. §
29 80A-1 ET SEQ.); OR

30 (3) IS SUBJECT TO THE REPORTING OBLIGATIONS IMPOSED BY

1 SECTION 15(D) OF THE SECURITIES EXCHANGE ACT OF 1934 BY
2 REASON OF HAVING FILED A REGISTRATION STATEMENT THAT HAS
3 BECOME EFFECTIVE UNDER THE SECURITIES ACT OF 1933 (48 STAT.
4 74, 15 U.S.C. § 77A ET SEQ.).

5 "SCRIPT." A LIST OF COMMANDS THAT A FANTASY-CONTEST-RELATED
6 COMPUTER PROGRAM CAN EXECUTE THAT IS CREATED BY A PARTICIPANT OR
7 THIRD PARTY NOT APPROVED BY THE LICENSED OPERATOR TO AUTOMATE
8 PROCESSES ON A LICENSED OPERATOR'S FANTASY CONTEST PLATFORM.

9 SUBCHAPTER B

10 ADMINISTRATION

11 SEC.

12 311. GENERAL AND SPECIFIC POWERS OF BOARD.

13 312. TEMPORARY REGULATIONS.

14 313. FANTASY CONTEST LICENSE APPEALS.

15 314. BOARD MINUTES AND RECORDS.

16 315. REPORTS OF BOARD.

17 § 311. GENERAL AND SPECIFIC POWERS OF BOARD.

18 (A) GENERAL POWERS.--

19 (1) THE BOARD SHALL HAVE REGULATORY AUTHORITY OVER
20 LICENSED OPERATORS, PRINCIPALS AND KEY EMPLOYEES AND SHALL
21 ENSURE THE INTEGRITY OF FANTASY CONTESTS OFFERED IN THIS
22 COMMONWEALTH IN ACCORDANCE WITH THIS CHAPTER.

23 (2) THE BOARD MAY EMPLOY INDIVIDUALS AS NECESSARY TO
24 CARRY OUT THE REQUIREMENTS OF THIS CHAPTER, WHO SHALL SERVE
25 AT THE BOARD'S PLEASURE. AN EMPLOYEE OF THE BOARD SHALL BE
26 CONSIDERED A STATE EMPLOYEE FOR PURPOSES OF 71 PA.C.S. PT.
27 XXV (RELATING TO RETIREMENT FOR STATE EMPLOYEES AND
28 OFFICERS).

29 (B) SPECIFIC POWERS.--THE BOARD SHALL HAVE THE FOLLOWING
30 POWERS:

1 (1) AT THE BOARD'S DISCRETION, TO ISSUE, APPROVE, RENEW,
2 REVOKE, SUSPEND, CONDITION OR DENY ISSUANCE OF LICENSES.

3 (2) AT THE BOARD'S DISCRETION, TO SUSPEND, CONDITION OR
4 DENY THE ISSUANCE OR RENEWAL OF A LICENSE OR LEVY FINES FOR
5 ANY VIOLATION OF THIS CHAPTER.

6 (3) TO PUBLISH EACH JANUARY ON THE BOARD'S PUBLICLY
7 ACCESSIBLE INTERNET WEBSITE A COMPLETE LIST OF ALL PERSONS
8 WHO APPLIED FOR OR HELD A FANTASY CONTEST LICENSE AT ANY TIME
9 DURING THE PRECEDING CALENDAR YEAR AND THE STATUS OF THE
10 APPLICATION OR FANTASY CONTEST LICENSE.

11 (4) TO PREPARE AND, THROUGH THE GOVERNOR, SUBMIT
12 ANNUALLY TO THE GENERAL ASSEMBLY AN ITEMIZED BUDGET
13 CONSISTENT WITH ARTICLE VI OF THE ACT OF APRIL 9, 1929
14 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929,
15 CONSISTING OF THE AMOUNTS NECESSARY TO BE APPROPRIATED BY THE
16 GENERAL ASSEMBLY OUT OF THE ACCOUNTS ESTABLISHED UNDER
17 SECTION 332 (RELATING TO LICENSED OPERATOR DEPOSITS) REQUIRED
18 TO MEET THE OBLIGATIONS UNDER THIS CHAPTER ACCRUING DURING
19 THE FISCAL PERIOD BEGINNING JULY 1 OF THE FOLLOWING YEAR.

20 (5) IN THE EVENT THAT, IN ANY YEAR, APPROPRIATIONS FOR
21 THE ADMINISTRATION OF THIS CHAPTER ARE NOT ENACTED BY JUNE
22 30, ANY FUNDS APPROPRIATED FOR THE ADMINISTRATION OF THIS
23 CHAPTER WHICH ARE UNEXPENDED, UNCOMMITTED AND UNENCUMBERED AT
24 THE END OF A FISCAL YEAR SHALL REMAIN AVAILABLE FOR
25 EXPENDITURE BY THE BOARD UNTIL THE ENACTMENT OF APPROPRIATION
26 FOR THE ENSUING FISCAL YEAR.

27 (6) TO PROMULGATE RULES AND REGULATIONS NECESSARY FOR
28 THE ADMINISTRATION AND ENFORCEMENT OF THIS CHAPTER. EXCEPT AS
29 PROVIDED IN SECTION 312 (RELATING TO TEMPORARY REGULATIONS),
30 REGULATIONS SHALL BE ADOPTED UNDER THE ACT OF JULY 31, 1968

1 (P.L.769, NO.240), REFERRED TO AS THE COMMONWEALTH DOCUMENTS
2 LAW, AND THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
3 THE REGULATORY REVIEW ACT.

4 (7) TO ADMINISTER OATHS, EXAMINE WITNESSES AND ISSUE
5 SUBPOENAS COMPELLING THE ATTENDANCE OF WITNESSES OR THE
6 PRODUCTION OF DOCUMENTS AND RECORDS OR OTHER EVIDENCE OR TO
7 DESIGNATE OFFICERS OR EMPLOYEES TO PERFORM DUTIES REQUIRED BY
8 THIS CHAPTER.

9 (8) AT THE BOARD'S DISCRETION, TO DELEGATE ANY OF THE
10 BOARD'S RESPONSIBILITIES UNDER THIS CHAPTER TO THE EXECUTIVE
11 DIRECTOR OF THE BOARD OR OTHER DESIGNATED STAFF.

12 (9) TO REQUIRE LICENSED OPERATORS AND APPLICANTS FOR A
13 FANTASY CONTEST LICENSE TO SUBMIT ANY INFORMATION OR
14 DOCUMENTATION NECESSARY TO ENSURE THE PROPER REGULATION OF
15 FANTASY CONTESTS IN ACCORDANCE WITH THIS CHAPTER.

16 (10) TO REQUIRE LICENSED OPERATORS TO:

17 (I) ANNUALLY CONTRACT WITH A CERTIFIED PUBLIC
18 ACCOUNTANT TO CONDUCT AN INDEPENDENT AUDIT IN ACCORDANCE
19 WITH STANDARDS ADOPTED BY THE AMERICAN INSTITUTE OF
20 CERTIFIED PUBLIC ACCOUNTANTS TO VERIFY COMPLIANCE WITH
21 THE PROVISIONS OF THIS CHAPTER AND BOARD REGULATIONS;

22 (II) ANNUALLY CONTRACT WITH A TESTING LABORATORY
23 APPROVED BY THE BOARD TO VERIFY COMPLIANCE WITH THE
24 PROVISIONS OF THIS CHAPTER AND BOARD REGULATIONS; AND

25 (III) ANNUALLY SUBMIT TO THE BOARD AND DEPARTMENT A
26 COPY OF THE AUDIT REPORT REQUIRED BY SUBPARAGRAPH (I) AND
27 SUBMIT TO THE BOARD A COPY OF THE REPORT OF THE TESTING
28 LABORATORY REQUIRED BY SUBPARAGRAPH (II).

29 (11) IN CONJUNCTION WITH THE DEPARTMENT OF DRUG AND
30 ALCOHOL PROGRAMS, TO DEVELOP A PROCESS BY WHICH LICENSED

1 OPERATORS PROVIDE PARTICIPANTS WITH A TOLL-FREE TELEPHONE
2 NUMBER THAT PROVIDES INDIVIDUALS WITH INFORMATION ON HOW TO
3 ACCESS APPROPRIATE TREATMENT SERVICES FOR COMPULSIVE AND
4 PROBLEM PLAY.

5 (12) AT THE BOARD'S DISCRETION, TO PERMIT THE PLACEMENT
6 AND OPERATION OF FANTASY CONTEST TERMINALS WITHIN LICENSED
7 FACILITIES AND TO ENSURE THE INTEGRITY OF FANTASY CONTEST
8 TERMINALS.

9 (B.1) LICENSED ENTITY REPRESENTATIVE.--

10 (1) A LICENSED ENTITY REPRESENTATIVE SHALL REGISTER WITH
11 THE BOARD, IN A MANNER PRESCRIBED BY THE BOARD. THE
12 REGISTRATION SHALL INCLUDE THE NAME, EMPLOYER OR FIRM,
13 BUSINESS ADDRESS AND BUSINESS TELEPHONE NUMBER OF BOTH THE
14 LICENSED ENTITY REPRESENTATIVE AND ANY LICENSED OPERATOR,
15 APPLICANT FOR LICENSURE OR OTHER PERSON BEING REPRESENTED.

16 (2) A LICENSED ENTITY REPRESENTATIVE SHALL HAVE AN
17 AFFIRMATIVE DUTY TO UPDATE ITS REGISTRATION INFORMATION ON AN
18 ONGOING BASIS. FAILURE TO UPDATE SHALL BE PUNISHABLE BY THE
19 BOARD.

20 (3) THE BOARD SHALL MAINTAIN A LIST OF LICENSED ENTITY
21 REPRESENTATIVES WHICH SHALL CONTAIN THE INFORMATION REQUIRED
22 UNDER PARAGRAPH (1) AND SHALL BE AVAILABLE FOR PUBLIC
23 INSPECTION AT THE OFFICES OF THE BOARD AND ON THE BOARD'S
24 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

25 (C) EXCEPTIONS.--EXCEPT AS PROVIDED UNDER SECTION 342
26 (RELATING TO LICENSED GAMING ENTITIES), NOTHING IN THIS SECTION
27 SHALL BE CONSTRUED TO AUTHORIZE THE BOARD:

28 (1) TO REQUIRE BACKGROUND INVESTIGATIONS FOR EMPLOYEES,
29 OTHER THAN KEY EMPLOYEES AND PRINCIPALS, OF AN APPLICANT FOR
30 A FANTASY CONTEST LICENSE OR A LICENSED OPERATOR.

1 (2) TO REQUIRE ANY ADDITIONAL PERMITS OR LICENSES NOT
2 SPECIFICALLY ENUMERATED IN THIS CHAPTER.

3 (3) TO IMPOSE ADDITIONAL CONDITIONS OF LICENSURE ON
4 LICENSED OPERATORS OR PROHIBITIONS ON THE OPERATION OF
5 FANTASY CONTESTS NOT SPECIFICALLY ENUMERATED IN THIS CHAPTER.

6 § 312. TEMPORARY REGULATIONS.

7 (A) PROMULGATION.--IN ORDER TO FACILITATE THE PROMPT
8 IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED BY THE
9 BOARD SHALL BE DEEMED TEMPORARY REGULATIONS AND SHALL EXPIRE NO
10 LATER THAN TWO YEARS FOLLOWING THE EFFECTIVE DATE OF THIS
11 SECTION. THE BOARD MAY PROMULGATE TEMPORARY REGULATIONS NOT
12 SUBJECT TO:

13 (1) SECTIONS 201, 202 AND 203 OF THE ACT OF JULY 31,
14 1968 (P.L.769, NO.240), REFERRED TO AS THE COMMONWEALTH
15 DOCUMENTS LAW.

16 (2) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
17 THE REGULATORY REVIEW ACT.

18 (B) EXPIRATION.--EXCEPT FOR TEMPORARY REGULATIONS CONCERNING
19 NETWORK CONNECTIVITY, SECURITY AND TESTING AND COMPULSIVE AND
20 PROBLEM PLAY, THE AUTHORITY PROVIDED TO THE BOARD TO ADOPT
21 TEMPORARY REGULATIONS IN SUBSECTION (A) SHALL EXPIRE NO LATER
22 THAN TWO YEARS FOLLOWING THE EFFECTIVE DATE OF THIS SECTION.
23 REGULATIONS ADOPTED AFTER THIS PERIOD SHALL BE PROMULGATED AS
24 PROVIDED BY LAW.

25 § 313. FANTASY CONTEST LICENSE APPEALS.

26 AN APPLICANT MAY APPEAL ANY FINAL ORDER, DETERMINATION OR
27 DECISION OF THE BOARD INVOLVING THE APPROVAL, ISSUANCE, DENIAL,
28 REVOCAION OR CONDITIONING OF A FANTASY CONTEST LICENSE IN
29 ACCORDANCE WITH 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO PRACTICE
30 AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH. A (RELATING

1 TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY ACTION).

2 § 314. BOARD MINUTES AND RECORDS.

3 (A) RECORD OF PROCEEDINGS.--THE BOARD SHALL MAINTAIN A
4 RECORD OF ALL PROCEEDINGS HELD AT PUBLIC MEETINGS OF THE BOARD.
5 THE VERBATIM TRANSCRIPT OF THE PROCEEDINGS SHALL BE THE PROPERTY
6 OF THE BOARD AND SHALL BE PREPARED BY THE BOARD UPON THE REQUEST
7 OF ANY BOARD MEMBER OR UPON THE REQUEST OF ANY OTHER PERSON AND
8 THE PAYMENT BY THAT PERSON OF THE COSTS OF PREPARATION.

9 (B) APPLICANT INFORMATION.--

10 (1) THE BOARD SHALL MAINTAIN A LIST OF ALL APPLICANTS
11 FOR A FANTASY CONTEST LICENSE. THE LIST SHALL INCLUDE A
12 RECORD OF ALL ACTIONS TAKEN WITH RESPECT TO EACH APPLICANT.
13 THE LIST SHALL BE OPEN TO PUBLIC INSPECTION DURING THE NORMAL
14 BUSINESS HOURS OF THE BOARD.

15 (2) INFORMATION UNDER PARAGRAPH (1) REGARDING AN
16 APPLICANT WHOSE FANTASY CONTEST LICENSE HAS BEEN DENIED,
17 REVOKED OR NOT RENEWED SHALL BE REMOVED FROM THE LIST AFTER
18 SEVEN YEARS FROM THE DATE OF THE ACTION.

19 (C) OTHER FILES AND RECORDS.--THE BOARD SHALL MAINTAIN SUCH
20 OTHER FILES AND RECORDS AS IT MAY DEEM APPROPRIATE.

21 (D) CONFIDENTIALITY OF INFORMATION.--

22 (1) THE FOLLOWING INFORMATION SUBMITTED BY AN APPLICANT
23 FOR A FANTASY CONTEST LICENSE UNDER SECTION 322 (RELATING TO
24 APPLICATION) OR OTHERWISE OBTAINED BY THE BOARD AS PART OF A
25 BACKGROUND OR OTHER INVESTIGATION FROM ANY SOURCE SHALL BE
26 CONFIDENTIAL AND WITHHELD FROM PUBLIC DISCLOSURE:

27 (I) ALL INFORMATION RELATING TO CHARACTER, HONESTY
28 AND INTEGRITY, INCLUDING FAMILY, HABITS, REPUTATION,
29 HISTORY OF CRIMINAL ACTIVITY, BUSINESS ACTIVITIES,
30 FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL AND PERSONAL

1 ASSOCIATIONS.

2 (II) NONPUBLIC PERSONAL INFORMATION, INCLUDING HOME
3 ADDRESSES, TELEPHONE NUMBERS AND OTHER PERSONAL CONTACT
4 INFORMATION, SOCIAL SECURITY NUMBERS, EDUCATIONAL
5 RECORDS, MEMBERSHIPS, MEDICAL RECORDS, TAX RETURNS AND
6 DECLARATIONS, ACTUAL OR PROPOSED COMPENSATION, FINANCIAL
7 ACCOUNT RECORDS, CREDITWORTHINESS OR FINANCIAL CONDITION
8 RELATING TO AN APPLICANT.

9 (III) INFORMATION RELATING TO PROPRIETARY
10 INFORMATION, TRADE SECRETS, PATENTS OR EXCLUSIVE
11 LICENSES, ARCHITECTURAL AND ENGINEERING PLANS AND
12 INFORMATION RELATING TO COMPETITIVE MARKETING MATERIALS
13 AND STRATEGIES THAT MAY INCLUDE CUSTOMER-IDENTIFYING
14 INFORMATION OR CUSTOMER PROSPECTS FOR SERVICES SUBJECT TO
15 COMPETITION.

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

21 (V) RECORDS OF AN APPLICANT FOR A FANTASY CONTEST
22 LICENSE OR A LICENSED OPERATOR NOT REQUIRED TO BE FILED
23 WITH THE SECURITIES AND EXCHANGE COMMISSION BY ISSUERS
24 THAT EITHER HAVE SECURITIES REGISTERED UNDER SECTION 12
25 OF THE SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881, 15
26 U.S.C. § 78L) OR ARE REQUIRED TO FILE REPORTS UNDER
27 SECTION 15(D) OF THE SECURITIES EXCHANGE ACT OF 1934 (48
28 STAT. 881, 15 U.S.C. § 78O)

29 (VI) RECORDS CONSIDERED NONPUBLIC MATTERS OR
30 INFORMATION BY THE SECURITIES AND EXCHANGE COMMISSION AS

1 PROVIDED BY 17 CFR 200.80 (RELATING TO COMMISSION RECORDS
2 AND INFORMATION).

3 (VII) FINANCIAL OR SECURITY INFORMATION DEEMED
4 CONFIDENTIAL BY THE BOARD UPON A SHOWING OF GOOD CAUSE BY
5 THE APPLICANT FOR A FANTASY CONTEST LICENSE OR LICENSED
6 OPERATOR.

7 (2) NO CLAIM OF CONFIDENTIALITY MAY BE MADE REGARDING
8 ANY CRIMINAL HISTORY RECORD INFORMATION THAT IS AVAILABLE TO
9 THE PUBLIC UNDER 18 PA.C.S. § 9121(B) (RELATING TO GENERAL
10 REGULATIONS).

11 (3) NO CLAIM OF CONFIDENTIALITY SHALL BE MADE REGARDING
12 ANY RECORD IN POSSESSION OF THE BOARD THAT IS OTHERWISE
13 PUBLICLY AVAILABLE FROM A COMMONWEALTH AGENCY, LOCAL AGENCY
14 OR ANOTHER JURISDICTION.

15 (4) THE INFORMATION MADE CONFIDENTIAL UNDER THIS SECTION
16 SHALL BE WITHHELD FROM PUBLIC DISCLOSURE, IN WHOLE OR IN
17 PART, EXCEPT THAT ANY CONFIDENTIAL INFORMATION SHALL BE
18 RELEASED UPON THE ORDER OF A COURT OF COMPETENT JURISDICTION
19 OR, WITH THE APPROVAL OF THE ATTORNEY GENERAL, TO A DULY
20 AUTHORIZED LAW ENFORCEMENT AGENCY OR SHALL BE RELEASED TO THE
21 PUBLIC, IN WHOLE OR IN PART, TO THE EXTENT THAT SUCH RELEASE
22 IS REQUESTED BY AN APPLICANT FOR A FANTASY CONTEST LICENSE OR
23 LICENSED OPERATOR AND DOES NOT OTHERWISE CONTAIN CONFIDENTIAL
24 INFORMATION ABOUT ANOTHER PERSON.

25 (5) THE BOARD MAY SEEK A VOLUNTARY WAIVER OF
26 CONFIDENTIALITY FROM AN APPLICANT FOR A FANTASY CONTEST
27 LICENSE OR A LICENSED OPERATOR, BUT MAY NOT REQUIRE AN
28 APPLICANT OR LICENSED OPERATOR TO WAIVE ANY CONFIDENTIALITY
29 PROVIDED FOR IN THIS SUBSECTION AS A CONDITION FOR THE
30 APPROVAL OF AN APPLICATION, RENEWAL OF A FANTASY CONTEST

1 LICENSE OR ANY OTHER ACTION OF THE BOARD.

2 (E) NOTICE.--NOTICE OF THE CONTENTS OF ANY INFORMATION,
3 EXCEPT TO A DULY AUTHORIZED LAW ENFORCEMENT AGENCY UNDER THIS
4 SECTION, SHALL BE GIVEN TO AN APPLICANT OR LICENSEE IN A MANNER
5 PRESCRIBED BY THE RULES AND REGULATIONS ADOPTED BY THE BOARD.

6 (F) INFORMATION HELD BY DEPARTMENT.--FILES, RECORDS, REPORTS
7 AND OTHER INFORMATION IN THE POSSESSION OF THE DEPARTMENT
8 PERTAINING TO LICENSED OPERATORS SHALL BE MADE AVAILABLE TO THE
9 BOARD AS MAY BE NECESSARY FOR THE EFFECTIVE ADMINISTRATION OF
10 THIS CHAPTER.

11 § 315. REPORTS OF BOARD.

12 (A) GENERAL RULE.--THE ANNUAL REPORT SUBMITTED BY THE BOARD
13 UNDER SECTION 1211 (RELATING TO REPORTS OF BOARD) SHALL INCLUDE
14 THE FOLLOWING INFORMATION ON THE CONDUCT OF FANTASY CONTESTS:

15 (1) TOTAL FANTASY CONTEST ADJUSTED REVENUES.

16 (2) ALL TAXES, FEES, FINES AND OTHER REVENUE COLLECTED
17 FROM LICENSED OPERATORS DURING THE PREVIOUS YEAR. THE
18 DEPARTMENT SHALL COLLABORATE WITH THE BOARD TO CARRY OUT THE
19 REQUIREMENTS OF THIS SECTION.

20 (3) AT THE BOARD'S DISCRETION, ANY OTHER INFORMATION
21 RELATED TO THE CONDUCT OF FANTASY CONTESTS OR LICENSED
22 OPERATORS.

23 (B) LICENSED OPERATORS.--THE BOARD MAY REQUIRE LICENSED
24 OPERATORS TO PROVIDE INFORMATION TO THE BOARD TO ASSIST IN THE
25 PREPARATION OF THE REPORT.

26 SUBCHAPTER C

27 LICENSURE

28 SEC.

29 321. GENERAL PROHIBITION.

30 322. APPLICATION.

1 323. ISSUANCE AND DENIAL OF LICENSE.

2 324. LICENSE RENEWAL.

3 325. CONDITIONS OF LICENSURE.

4 326. PROHIBITIONS.

5 327. CHANGE IN OWNERSHIP OR CONTROL OF LICENSED OPERATORS.

6 328. PENALTIES.

7 § 321. GENERAL PROHIBITION.

8 (A) GENERAL RULE.--EXCEPT AS PROVIDED FOR IN SUBSECTION (B),
9 NO PERSON MAY OFFER OR OTHERWISE MAKE AVAILABLE FOR PLAY IN THIS
10 COMMONWEALTH A FANTASY CONTEST WITHOUT A FANTASY CONTEST LICENSE
11 ISSUED BY THE BOARD.

12 (B) EXISTING ACTIVITY.--A PERSON WHO APPLIES FOR OR RENEWS A
13 FANTASY CONTEST LICENSE IN ACCORDANCE WITH THIS CHAPTER MAY
14 OPERATE DURING THE APPLICATION OR RENEWAL PERIOD UNLESS:

15 (1) THE BOARD HAS REASONABLE CAUSE TO BELIEVE THE PERSON
16 IS OR MAY BE IN VIOLATION OF THE PROVISIONS OF THIS CHAPTER.

17 (2) THE BOARD REQUIRES THE PERSON TO SUSPEND THE
18 OPERATION OF ANY FANTASY CONTEST UNTIL THE LICENSE IS ISSUED
19 OR RENEWED.

20 § 322. APPLICATION.

21 (A) FORM AND INFORMATION.--AN APPLICATION FOR A LICENSE
22 SHALL BE SUBMITTED ON A FORM AND IN MANNER AS SHALL BE REQUIRED
23 BY THE BOARD. AN APPLICATION FOR A FANTASY CONTEST LICENSE SHALL
24 CONTAIN THE FOLLOWING INFORMATION:

25 (1) THE NAME, FEDERAL EMPLOYER IDENTIFICATION NUMBER AND
26 PRINCIPAL ADDRESS OF THE APPLICANT; IF A CORPORATION, THE
27 STATE OF ITS INCORPORATION, THE FULL NAME AND ADDRESS OF EACH
28 OFFICER AND DIRECTOR THEREOF, AND, IF A FOREIGN CORPORATION,
29 WHETHER IT IS QUALIFIED TO DO BUSINESS IN THIS COMMONWEALTH;
30 IF A PARTNERSHIP OR JOINT VENTURE, THE NAME AND ADDRESS OF

1 EACH OFFICER THEREOF.

2 (2) THE NAME AND ADDRESS OF THE PERSON HAVING CUSTODY OF
3 THE APPLICANT'S FINANCIAL RECORDS.

4 (3) THE NAMES AND ADDRESSES OF KEY EMPLOYEES.

5 (4) THE NAMES AND ADDRESSES OF EACH OF THE APPLICANT'S
6 PRINCIPALS.

7 (5) INFORMATION, DOCUMENTATION AND ASSURANCES RELATED TO
8 FINANCIAL AND CRIMINAL HISTORY AS THE BOARD DEEMS NECESSARY
9 TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL
10 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE APPLICANT AND
11 THE APPLICANT'S KEY EMPLOYEES AND PRINCIPALS.

12 (6) INFORMATION AND DOCUMENTATION NECESSARY TO ESTABLISH
13 THE APPLICANT'S ABILITY TO COMPLY WITH SECTION 325 (RELATING
14 TO CONDITIONS OF LICENSURE).

15 (7) ANY OTHER INFORMATION REQUIRED BY THE BOARD.

16 (B) NONREFUNDABLE APPLICATION FEE.--EACH APPLICATION
17 SUBMITTED UNDER THIS CHAPTER SHALL BE ACCOMPANIED BY A
18 NONREFUNDABLE APPLICATION FEE, WHICH SHALL BE ESTABLISHED BY THE
19 BOARD, AND WHICH MAY NOT EXCEED THE AMOUNT NECESSARY TO
20 REIMBURSE THE BOARD FOR ALL COSTS INCURRED BY THE BOARD FOR
21 FULFILLING THE REQUIREMENTS OF THIS SECTION AND SECTION 323
22 (RELATING TO ISSUANCE AND DENIAL OF LICENSE) OR EXCEED AN AMOUNT
23 EQUAL TO 5% OF THE APPLICANT'S FANTASY CONTEST ADJUSTED REVENUES
24 FOR THE PREVIOUS CALENDAR YEAR IF THE APPLICANT IS NOT A
25 LICENSED GAMING ENTITY.

26 (C) ADDITIONAL INFORMATION.--A PERSON APPLYING FOR A FANTASY
27 CONTEST LICENSE SHALL HAVE THE CONTINUING DUTY TO PROVIDE
28 INFORMATION REQUIRED BY THE BOARD AND TO COOPERATE IN ANY
29 INQUIRY OR INVESTIGATION.

30 (D) ABBREVIATED APPLICATION PROCESS.--THE BOARD, AT ITS

1 DISCRETION, MAY ESTABLISH AN ABBREVIATED APPLICATION PROCESS FOR
2 A FANTASY CONTEST LICENSE FOR PERSONS THAT ARE ALSO LICENSED
3 GAMING ENTITIES. THE ABBREVIATED APPLICATION MAY ONLY REQUIRE
4 INFORMATION NOT IN POSSESSION OF THE BOARD THAT IS NECESSARY TO
5 FULFILL THE REQUIREMENTS OF THIS CHAPTER.

6 § 323. ISSUANCE AND DENIAL OF LICENSE.

7 (A) DUTY TO REVIEW APPLICATIONS.--THE BOARD SHALL REVIEW ALL
8 APPLICATIONS FOR A LICENSE AND SHALL ISSUE A LICENSE TO ANY
9 APPLICANT THAT:

10 (1) HAS SUBMITTED A COMPLETED APPLICATION AND PAID THE
11 NONREFUNDABLE APPLICATION FEE AS REQUIRED BY THE BOARD UNDER
12 SECTION 322 (RELATING TO APPLICATION).

13 (2) HAS DEMONSTRATED THAT THE APPLICANT HAS THE
14 FINANCIAL STABILITY, INTEGRITY AND RESPONSIBILITY TO COMPLY
15 WITH THE PROVISIONS OF THIS CHAPTER AND REGULATIONS
16 ESTABLISHED BY THE BOARD.

17 (3) HAS NOT BEEN DENIED A LICENSE UNDER SUBSECTION (B).

18 (B) REASONS TO DENY APPLICATIONS.--THE BOARD MAY DENY AN
19 APPLICATION FOR A LICENSE IF THE APPLICANT:

20 (1) HAS KNOWINGLY MADE A FALSE STATEMENT OF MATERIAL
21 FACT OR HAS DELIBERATELY FAILED TO DISCLOSE ANY INFORMATION
22 REQUESTED;

23 (2) EMPLOYS A PRINCIPAL OR KEY EMPLOYEE WHO HAS BEEN
24 CONVICTED OF A FELONY, A CRIME OF MORAL TURPITUDE OR ANY
25 CRIMINAL OFFENSE INVOLVING DISHONESTY OR BREACH OF TRUST
26 WITHIN 10 YEARS PRIOR TO THE DATE OF THE APPLICATION FOR
27 LICENSE;

28 (3) HAS AT ANY TIME KNOWINGLY FAILED TO COMPLY WITH THE
29 PROVISIONS OF THIS CHAPTER OR OF ANY REQUIREMENTS OF THE
30 BOARD;

1 (4) HAS HAD A REGISTRATION, PERMIT OR LICENSE TO CONDUCT
2 FANTASY CONTESTS DENIED OR REVOKED IN ANY OTHER JURISDICTION;

3 (5) HAS LEGALLY DEFAULTED IN THE PAYMENT OF ANY
4 OBLIGATION OR DEBT DUE TO THE COMMONWEALTH OR IS NOT
5 COMPLIANT WITH TAXES DUE TO THE DEPARTMENT; OR

6 (6) IS NOT QUALIFIED TO DO BUSINESS IN THIS COMMONWEALTH
7 OR IS NOT SUBJECT TO THE JURISDICTION OF THE COURTS OF THE
8 COMMONWEALTH.

9 (C) TIME PERIOD FOR REVIEW.--THE BOARD SHALL CONCLUDE ITS
10 REVIEW OF AN APPLICATION FOR A FANTASY CONTEST LICENSE WITHIN
11 120 DAYS OF RECEIPT OF THE COMPLETED APPLICATION. IF THE LICENSE
12 IS NOT ISSUED, THE BOARD SHALL PROVIDE THE APPLICANT WITH THE
13 JUSTIFICATION FOR NOT ISSUING SUCH LICENSE WITH SPECIFICITY.

14 (D) LICENSE FEE.--

15 (1) WITHIN 30 DAYS OF THE BOARD ISSUING A FANTASY
16 CONTEST LICENSE, AN APPLICANT SHALL PAY TO THE BOARD A
17 LICENSE FEE OF \$50,000 OR AN AMOUNT EQUIVALENT TO 7.5% OF THE
18 APPLICANT'S FANTASY CONTEST ADJUSTED REVENUES FOR THE
19 PREVIOUS CALENDAR YEAR, WHICHEVER IS LESS, EXCEPT THAT AN
20 APPLICANT WHO IS ALSO A LICENSED GAMING ENTITY SHALL PAY TO
21 THE BOARD A LICENSE FEE OF \$50,000.

22 (2) THE LICENSE FEE COLLECTED UNDER THIS SUBSECTION
23 SHALL BE DEPOSITED INTO THE GENERAL FUND.

24 (3) IF AN APPLICANT FAILS TO PAY THE FEE REQUIRED BY
25 THIS SUBSECTION, THE BOARD SHALL SUSPEND OR REVOKE THE
26 APPLICANT'S FANTASY CONTEST LICENSE UNTIL PAYMENT OF THE
27 LICENSE FEE IS RECEIVED.

28 (E) ABBREVIATED APPROVAL PROCESS.--THE BOARD, AT ITS
29 DISCRETION, MAY ESTABLISH AN ABBREVIATED APPROVAL PROCESS FOR
30 THE ISSUANCE OF A FANTASY CONTEST LICENSE TO A LICENSED GAMING

1 ENTITY WHOSE SLOT MACHINE LICENSE AND TABLE GAME CERTIFICATE ARE
2 IN GOOD STANDING.

3 § 324. LICENSE RENEWAL.

4 (A) RENEWAL.--

5 (1) A LICENSE ISSUED UNDER THIS CHAPTER SHALL BE VALID
6 FOR A PERIOD OF FIVE YEARS.

7 (2) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO
8 RELIEVE A LICENSED OPERATOR OF THE AFFIRMATIVE DUTY TO NOTIFY
9 THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS
10 FANTASY CONTEST LICENSE OR TO ANY OTHER INFORMATION CONTAINED
11 IN THE APPLICATION MATERIALS ON FILE WITH THE BOARD.

12 (3) THE APPLICATION FOR RENEWAL OF A FANTASY CONTEST
13 LICENSE MUST BE SUBMITTED AT LEAST 90 DAYS PRIOR TO THE
14 EXPIRATION OF THE LICENSE AND INCLUDE AN UPDATE OF THE
15 INFORMATION CONTAINED IN THE INITIAL APPLICATION FOR A
16 FANTASY CONTEST LICENSE. A FANTASY CONTEST LICENSE FOR WHICH
17 A COMPLETED RENEWAL APPLICATION AND FEE AS REQUIRED UNDER
18 SUBSECTION (C) HAS BEEN RECEIVED BY THE BOARD SHALL CONTINUE
19 IN EFFECT UNLESS AND UNTIL THE BOARD SENDS WRITTEN
20 NOTIFICATION TO THE LICENSED OPERATOR THAT THE BOARD HAS
21 DENIED THE RENEWAL OF THE LICENSE.

22 (B) REVOCATION OR FAILURE TO RENEW.--

23 (1) IN ADDITION TO ANY OTHER SANCTION THE BOARD MAY
24 IMPOSE UNDER THIS CHAPTER, THE BOARD MAY AT ITS DISCRETION
25 SUSPEND, REVOKE OR DENY RENEWAL OF A FANTASY CONTEST LICENSE
26 ISSUED UNDER THIS CHAPTER IF IT RECEIVES INFORMATION THAT:

27 (I) THE APPLICANT OR ANY OF THE APPLICANT'S KEY
28 EMPLOYEES OR PRINCIPALS ARE IN VIOLATION OF ANY PROVISION
29 OF THIS CHAPTER;

30 (II) THE APPLICANT HAS FURNISHED THE BOARD WITH

1 FALSE OR MISLEADING INFORMATION;

2 (III) THE INFORMATION CONTAINED IN THE APPLICANT'S
3 INITIAL APPLICATION OR ANY RENEWAL APPLICATION IS NO
4 LONGER TRUE AND CORRECT;

5 (IV) THE APPLICANT HAS FAILED TO REMIT TAXES OR
6 ASSESSMENTS REQUIRED UNDER SECTION 331 (RELATING TO
7 FANTASY CONTEST TAX), 332 (RELATING TO LICENSED OPERATOR
8 DEPOSITS) OR 333 (RELATING TO RESPONSIBILITY AND
9 AUTHORITY OF DEPARTMENT); OR

10 (V) THE APPLICANT HAS LEGALLY DEFAULTED IN THE
11 PAYMENT OF ANY OBLIGATION OR DEBT DUE TO THE
12 COMMONWEALTH.

13 (2) IN THE EVENT OF A REVOCATION OR FAILURE TO RENEW,
14 THE APPLICANT'S AUTHORIZATION TO CONDUCT FANTASY CONTESTS
15 SHALL IMMEDIATELY CEASE AND ALL FEES PAID IN CONNECTION WITH
16 THE APPLICATION SHALL BE DEEMED TO BE FORFEITED.

17 (3) IN THE EVENT OF A SUSPENSION, THE APPLICANT'S
18 AUTHORIZATION TO CONDUCT FANTASY CONTESTS SHALL IMMEDIATELY
19 CEASE UNTIL THE BOARD HAS NOTIFIED THE APPLICANT THAT THE
20 SUSPENSION IS NO LONGER IN EFFECT.

21 (C) RENEWAL FEE.--

22 (1) WITHIN 30 DAYS OF THE BOARD RENEWING A FANTASY
23 CONTEST LICENSE, THE LICENSED OPERATOR SHALL PAY TO THE BOARD
24 A RENEWAL FEE OF \$5,000.

25 (2) THE RENEWAL FEE COLLECTED BY THE BOARD UNDER THIS
26 SUBSECTION SHALL BE DEPOSITED INTO THE GENERAL FUND.

27 (3) IF A LICENSED OPERATOR FAILS TO PAY THE RENEWAL FEE
28 REQUIRED UNDER THIS SUBSECTION, THE BOARD SHALL SUSPEND OR
29 REVOKE THE LICENSED OPERATOR'S FANTASY CONTEST LICENSE UNTIL
30 PAYMENT OF THE RENEWAL FEE IS RECEIVED.

1 § 325. CONDITIONS OF LICENSURE.

2 AS A CONDITION OF LICENSURE, A LICENSED OPERATOR SHALL
3 ESTABLISH AND IMPLEMENT THE FOLLOWING PROCEDURES RELATED TO
4 CONDUCT OF FANTASY CONTESTS IN THIS COMMONWEALTH:

5 (1) PERMIT ONLY PARTICIPANTS WHO HAVE ESTABLISHED A
6 FANTASY CONTEST ACCOUNT WITH THE LICENSED OPERATOR TO
7 PARTICIPATE IN A FANTASY CONTEST CONDUCTED BY THE LICENSED
8 OPERATOR.

9 (2) VERIFY THE AGE, LOCATION AND IDENTITY OF ANY
10 PARTICIPANT PRIOR TO MAKING A DEPOSIT INTO A FANTASY CONTEST
11 ACCOUNT FOR A PARTICIPANT LOCATED IN THIS COMMONWEALTH. NO
12 PARTICIPANT UNDER 18 YEARS OF AGE MAY BE PERMITTED TO
13 ESTABLISH A FANTASY CONTEST ACCOUNT WITH A LICENSED OPERATOR.

14 (3) VERIFY THE IDENTITY OF A PARTICIPANT BY REQUIRING
15 THE PARTICIPANT TO PROVIDE THE LICENSED OPERATOR A UNIQUE
16 USER NAME AND PASSWORD PRIOR TO ACCESSING A FANTASY CONTEST
17 ACCOUNT.

18 (4) ENSURE RULES AND PRIZES AND AWARDS ESTABLISHED BY
19 THE LICENSED OPERATOR FOR A FANTASY CONTEST ARE MADE KNOWN TO
20 A PARTICIPANT PRIOR TO THE ACCEPTANCE OF ANY ENTRY FEE.

21 (5) ENSURE THAT A PLAYER WHO IS THE SUBJECT OF A FANTASY
22 CONTEST IS RESTRICTED FROM ENTERING AS A PARTICIPANT IN A
23 FANTASY CONTEST THAT IS DETERMINED, IN WHOLE OR PART, ON THE
24 ACCUMULATED STATISTICAL RESULTS OF A TEAM OF INDIVIDUALS IN
25 THE LEAGUE IN WHICH THE PLAYER IS A MEMBER.

26 (6) ALLOW A PERSON TO RESTRICT HIMSELF FROM ENTERING A
27 FANTASY CONTEST OR ACCESSING A FANTASY CONTEST ACCOUNT FOR A
28 SPECIFIC PERIOD OF TIME AS DETERMINED BY THE PARTICIPANT AND
29 IMPLEMENT REASONABLE PROCEDURES TO PREVENT THE INDIVIDUAL
30 FROM PARTICIPATING IN THE LICENSED OPERATOR'S FANTASY

1 CONTESTS.

2 (7) ALLOW A PERSON TO RESTRICT THE TOTAL AMOUNT OF
3 DEPOSITS THAT THE PARTICIPANT MAY PAY TO THE LICENSED
4 OPERATOR FOR A SPECIFIC TIME PERIOD ESTABLISHED BY THE
5 PARTICIPANT AND IMPLEMENT REASONABLE PROCEDURES TO PREVENT
6 THE PARTICIPANT FROM EXCEEDING THE LIMIT.

7 (8) CONSPICUOUSLY POST COMPULSIVE AND PROBLEM PLAY
8 NOTICES AT FANTASY CONTEST REGISTRATION POINTS AND PROVIDE A
9 TOLL-FREE TELEPHONE NUMBER TO PARTICIPANTS WHO HAVE EXPRESSED
10 TO THE LICENSED OPERATOR ISSUES WITH COMPULSIVE AND PROBLEM
11 PLAY OF FANTASY CONTESTS. THE TOLL-FREE TELEPHONE NUMBER AND
12 THE COMPULSIVE AND PROBLEM PLAY NOTICE SHALL BE APPROVED BY
13 THE BOARD, IN CONSULTATION WITH THE DEPARTMENT OF DRUG AND
14 ALCOHOL PROGRAMS.

15 (9) DISCLOSE THE NUMBER OF ENTRIES A SINGLE PARTICIPANT
16 MAY SUBMIT TO EACH FANTASY CONTEST AND TAKE COMMERCIALY
17 REASONABLE STEPS TO PREVENT SUCH PARTICIPANTS FROM SUBMITTING
18 MORE THAN THE ALLOWABLE NUMBER.

19 (10) PREVENT THE LICENSED OPERATOR'S EMPLOYEES AND
20 RELATIVES LIVING IN THE SAME HOUSEHOLD OF AN EMPLOYEE FROM
21 COMPETING IN A FANTASY CONTEST OFFERED BY ANY LICENSED
22 OPERATOR TO THE GENERAL PUBLIC AND IN WHICH FANTASY CONTEST
23 THE LICENSED OPERATOR OFFERS A PRIZE OR AWARD.

24 (11) PREVENT THE SHARING OF CONFIDENTIAL INFORMATION
25 THAT COULD AFFECT FANTASY CONTEST PLAY WITH THIRD PARTIES
26 UNTIL THE INFORMATION IS MADE PUBLICLY AVAILABLE.

27 (12) TAKE COMMERCIALY REASONABLE STEPS TO MAINTAIN THE
28 CONFIDENTIALITY OF A PARTICIPANT'S PERSONAL AND FINANCIAL
29 INFORMATION.

30 (13) SEGREGATE PARTICIPANT FUNDS FROM OPERATIONAL FUNDS

1 IN SEPARATE ACCOUNTS AND MAINTAIN A RESERVE IN THE FORM OF
2 CASH, CASH EQUIVALENTS, SECURITY DEPOSITS HELD BY BANKS AND
3 PROCESSORS, AN IRREVOCABLE LETTER OF CREDIT, PAYMENT
4 PROCESSOR RESERVES AND RECEIVABLES, A BOND OR A COMBINATION
5 THEREOF IN AN AMOUNT SUFFICIENT TO PAY ALL PRIZES AND AWARDS
6 OFFERED TO WINNING PARTICIPANTS.

7 (14) PROVIDE WINNING IN-STATE PARTICIPANTS WITH
8 INFORMATION AND DOCUMENTATION NECESSARY TO ENSURE THE PROPER
9 REPORTING OF WINNINGS BY IN-STATE PARTICIPANTS TO THE
10 DEPARTMENT.

11 (15) REMIT TAXES OR ASSESSMENTS TO THE DEPARTMENT IN
12 ACCORDANCE WITH SECTIONS 331 (RELATING TO FANTASY CONTEST
13 TAX), 332 (RELATING TO LICENSED OPERATOR DEPOSITS) AND 333
14 (RELATING TO RESPONSIBILITY AND AUTHORITY OF DEPARTMENT).

15 (16) PROHIBIT THE USE OF SCRIPTS BY PARTICIPANTS AND
16 IMPLEMENT TECHNOLOGIES TO PREVENT THE USE OF SCRIPTS.

17 (17) MONITOR FANTASY CONTESTS FOR THE USE OF SCRIPTS AND
18 RESTRICT PLAYERS FOUND TO HAVE USED SUCH SCRIPTS FROM
19 PARTICIPATION IN FUTURE FANTASY CONTESTS.

20 (18) ESTABLISH ANY OTHER CONDITION DEEMED APPROPRIATE BY
21 THE BOARD.

22 § 326. PROHIBITIONS.

23 NO LICENSED OPERATOR MAY:

24 (1) ACCEPT AN ENTRY FEE FROM OR PERMIT A NATURAL PERSON
25 UNDER 18 YEARS OF AGE TO BECOME A PARTICIPANT IN A FANTASY
26 CONTEST;

27 (2) OFFER A FANTASY CONTEST BASED, IN WHOLE OR IN PART,
28 ON COLLEGIATE OR HIGH SCHOOL ATHLETIC EVENTS OR PLAYERS;

29 (3) PERMIT A PARTICIPANT TO ENTER A FANTASY CONTEST
30 PRIOR TO ESTABLISHING A FANTASY CONTEST ACCOUNT;

- 1 (4) ESTABLISH A FANTASY CONTEST ACCOUNT FOR A PERSON WHO
2 IS NOT AN INDIVIDUAL;
- 3 (5) ALTER RULES ESTABLISHED FOR A FANTASY CONTEST AFTER
4 A PARTICIPANT HAS ENTERED THE FANTASY CONTEST;
- 5 (6) ISSUE CREDIT TO A PARTICIPANT TO ESTABLISH OR FUND A
6 FANTASY CONTEST ACCOUNT;
- 7 (7) KNOWINGLY DIRECTLY MARKET TO A PARTICIPANT DURING
8 THE TIME PERIOD IN WHICH THE PARTICIPANT HAS SELF-EXCLUDED
9 FROM THE LICENSED OPERATORS' FANTASY CONTESTS;
- 10 (8) KNOWINGLY PERMIT A PARTICIPANT TO ENTER THE LICENSED
11 OPERATOR'S FANTASY CONTESTS DURING THE TIME PERIOD IN WHICH
12 THE PARTICIPANT HAS SELF-EXCLUDED FROM THE LICENSED
13 OPERATORS' FANTASY CONTESTS;
- 14 (9) KNOWINGLY ACCEPT A DEPOSIT IN EXCESS OF A LIMIT
15 ESTABLISHED BY A PARTICIPANT FOR THE SPECIFIC TIME PERIOD
16 ESTABLISHED BY THE PARTICIPANT;
- 17 (10) SHARE CONFIDENTIAL INFORMATION THAT COULD AFFECT
18 FANTASY CONTEST PLAY WITH THIRD PARTIES UNTIL THE INFORMATION
19 IS MADE PUBLICLY AVAILABLE;
- 20 (11) KNOWINGLY PERMIT AN EMPLOYEE OR RELATIVE LIVING IN
21 THE SAME HOUSEHOLD OF AN EMPLOYEE TO BECOME A PARTICIPANT IN
22 A FANTASY CONTEST OFFERED BY ANY LICENSED OPERATOR IN WHICH A
23 LICENSED OPERATOR OFFERS A PRIZE OR AWARD;
- 24 (12) OFFER A FANTASY CONTEST WHERE:
- 25 (I) THE VALUE OF ALL PRIZES OR AWARDS OFFERED TO
26 WINNING PARTICIPANTS IS NOT ESTABLISHED AND MADE KNOWN TO
27 PARTICIPANTS IN ADVANCE OF THE FANTASY CONTEST;
- 28 (II) WINNING OUTCOMES DO NOT REFLECT THE RELATIVE
29 KNOWLEDGE AND SKILL OF PARTICIPANTS;
- 30 (III) THE WINNING OUTCOME IS BASED ON THE SCORE,

1 POINT SPREAD OR PERFORMANCE OF A SINGLE ACTUAL TEAM OR
2 COMBINATION OF TEAMS OR SOLELY ON A SINGLE PERFORMANCE OF
3 AN INDIVIDUAL ATHLETE OR PLAYER IN A SINGLE ACTUAL EVENT;
4 OR

5 (IV) THE WINNING OUTCOME IS NOT BASED ON STATISTICAL
6 RESULTS ACCUMULATED FROM FULLY COMPLETED ATHLETIC SPORTS
7 CONTESTS OR EVENTS, EXCEPT THAT PARTICIPANTS MAY BE
8 CREDITED FOR STATISTICAL RESULTS ACCUMULATED IN A
9 SUSPENDED OR SHORTENED SPORTS EVENT WHICH HAS BEEN
10 PARTIALLY COMPLETED ON ACCOUNT OF WEATHER OR OTHER
11 NATURAL OR UNFORESEEN EVENT;

12 (13) EXCEPT AS PERMITTED UNDER SECTION 342 (RELATING TO
13 LICENSED GAMING ENTITIES), OFFER OR MAKE AVAILABLE IN THIS
14 COMMONWEALTH A FANTASY CONTEST TERMINAL;

15 (14) FAIL TO REMIT TAXES OR ASSESSMENTS TO THE
16 DEPARTMENT IN ACCORDANCE WITH SECTIONS 331 (RELATING TO
17 FANTASY CONTEST TAX), 332 (RELATING TO LICENSED OPERATOR
18 DEPOSITS) AND 333 (RELATING TO RESPONSIBILITY AND AUTHORITY
19 OF DEPARTMENT);

20 (15) KNOWINGLY ALLOW A PARTICIPANT TO USE A SCRIPT
21 DURING A FANTASY CONTEST; AND

22 (16) PERFORM ANY OTHER ACTION PROHIBITED BY THE BOARD.

23 § 327. CHANGE IN OWNERSHIP OR CONTROL OF LICENSED OPERATORS.

24 (A) NOTIFICATION AND APPROVAL.--

25 (1) A LICENSED OPERATOR SHALL NOTIFY THE BOARD UPON
26 BECOMING AWARE OF ANY PROPOSED CHANGE OF OWNERSHIP OF THE
27 LICENSED OPERATOR BY A PERSON OR GROUP OF PERSONS ACTING IN
28 CONCERT WHICH INVOLVES ANY OF THE FOLLOWING:

29 (I) MORE THAN 15% OF A LICENSED OPERATOR'S
30 SECURITIES OR OTHER OWNERSHIP INTERESTS.

1 (II) THE SALE OTHER THAN IN THE ORDINARY COURSE OF
2 BUSINESS OF A LICENSED OPERATOR'S ASSETS.

3 (III) ANY OTHER TRANSACTION OR OCCURRENCE DEEMED BY
4 THE BOARD TO BE RELEVANT TO FANTASY CONTEST LICENSE
5 QUALIFICATIONS.

6 (2) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1), A
7 LICENSED OPERATOR SHALL NOT BE REQUIRED TO NOTIFY THE BOARD
8 OF ANY ACQUISITION BY AN INSTITUTIONAL INVESTOR UNDER
9 PARAGRAPH (1) (I) OR (II) IF THE INSTITUTIONAL INVESTOR HOLDS
10 LESS THAN 10% OF THE SECURITIES OR OTHER OWNERSHIP INTERESTS
11 REFERRED TO IN PARAGRAPH (1) (I) OR (II), THE SECURITIES OR
12 INTERESTS ARE PUBLICLY TRADED SECURITIES AND ITS HOLDINGS OF
13 SUCH SECURITIES WERE PURCHASED FOR INVESTMENT PURPOSES ONLY
14 AND THE INSTITUTIONAL INVESTOR FILES WITH THE BOARD A
15 CERTIFIED STATEMENT TO THE EFFECT THAT THE INSTITUTIONAL
16 INVESTOR HAS NO INTENTION OF INFLUENCING OR AFFECTING,
17 DIRECTLY OR INDIRECTLY, THE AFFAIRS OF THE LICENSED OPERATOR,
18 PROVIDED, HOWEVER, THAT THE INSTITUTIONAL INVESTOR MAY VOTE
19 ON MATTERS PUT TO THE VOTE OF THE OUTSTANDING SECURITY
20 HOLDERS. NOTICE TO THE BOARD SHALL BE REQUIRED PRIOR TO
21 COMPLETION OF ANY PROPOSED OR CONTEMPLATED CHANGE OF
22 OWNERSHIP OF A LICENSED OPERATOR THAT MEETS THE CRITERIA OF
23 THIS SECTION.

24 (B) QUALIFICATION OF PURCHASER AND CHANGE OF CONTROL.--

25 (1) A PURCHASER OF THE ASSETS, OTHER THAN IN THE
26 ORDINARY COURSE OF BUSINESS, OF A LICENSED OPERATOR SHALL
27 INDEPENDENTLY QUALIFY FOR A FANTASY CONTEST LICENSE IN
28 ACCORDANCE WITH THIS CHAPTER AND SHALL PAY THE APPLICATION
29 FEE AND LICENSE FEE AS REQUIRED BY SECTIONS 322 (RELATING TO
30 APPLICATION) AND 323 (RELATING TO ISSUANCE AND DENIAL OF

1 LICENSE), EXCEPT THAT IF THE PURCHASER OF ASSETS IS ANOTHER
2 LICENSED OPERATOR, THE PURCHASER OF ASSETS SHALL NOT BE
3 REQUIRED TO REQUALIFY FOR A FANTASY CONTEST LICENSE OR PAY
4 ANOTHER APPLICATION FEE AND LICENSE FEE.

5 (2) A CHANGE IN CONTROL OF ANY LICENSED OPERATOR SHALL
6 REQUIRE THAT THE LICENSED OPERATOR INDEPENDENTLY QUALIFY FOR
7 A FANTASY CONTEST LICENSE IN ACCORDANCE WITH THIS CHAPTER,
8 AND THE LICENSED OPERATOR SHALL PAY A NEW APPLICATION AND
9 LICENSE FEE AS REQUIRED BY SECTIONS 322 AND 323, EXCEPT THAT
10 IF THE NEW CONTROLLER IS ANOTHER LICENSED OPERATOR, THE NEW
11 CONTROLLER SHALL NOT BE REQUIRED TO REQUALIFY FOR A FANTASY
12 CONTEST LICENSE OR PAY ANOTHER APPLICATION FEE AND LICENSE
13 FEE.

14 (C) CHANGE IN CONTROL DEFINED.--FOR PURPOSES OF THIS
15 SECTION, A CHANGE IN CONTROL OF A LICENSED OPERATOR SHALL MEAN
16 THE ACQUISITION BY A PERSON OR GROUP OF PERSONS ACTING IN
17 CONCERT OF MORE THAN 20% OF A LICENSED OPERATOR'S SECURITIES OR
18 OTHER OWNERSHIP INTERESTS, WITH THE EXCEPTION OF ANY OWNERSHIP
19 INTEREST OF THE PERSON THAT EXISTED AT THE TIME OF INITIAL
20 LICENSING AND PAYMENT OF THE INITIAL FANTASY CONTEST LICENSE
21 FEE, OR MORE THAN 20% OF THE SECURITIES OR OTHER OWNERSHIP
22 INTERESTS OF A CORPORATION OR OTHER FORM OF BUSINESS ENTITY THAT
23 OWNS DIRECTLY OR INDIRECTLY AT LEAST 20% OF THE VOTING OR OTHER
24 SECURITIES OR OTHER OWNERSHIP INTERESTS OF THE LICENSED
25 OPERATOR.

26 (D) LICENSE REVOCATION.--FAILURE TO COMPLY WITH THIS SECTION
27 MAY CAUSE THE FANTASY CONTEST LICENSE ISSUED UNDER THIS CHAPTER
28 TO BE REVOKED OR SUSPENDED BY THE BOARD UNLESS THE PURCHASE OF
29 THE ASSETS OR THE CHANGE IN CONTROL THAT MEETS THE CRITERIA OF
30 THIS SECTION HAS BEEN INDEPENDENTLY QUALIFIED IN ADVANCE BY THE

1 BOARD AND ANY REQUIRED APPLICATION OR LICENSE FEE HAS BEEN PAID.

2 § 328. PENALTIES.

3 (A) SUSPENSION OR REVOCATION OF LICENSE.--

4 (1) AFTER A PUBLIC HEARING WITH AT LEAST 15 DAYS'
5 NOTICE, THE BOARD MAY SUSPEND OR REVOKE A LICENSED OPERATOR'S
6 FANTASY CONTEST LICENSE IN ANY CASE WHERE A VIOLATION OF THIS
7 CHAPTER HAS BEEN SHOWN BY A PREPONDERANCE OF THE EVIDENCE.

8 (2) THE BOARD MAY REVOKE A FANTASY CONTEST LICENSE IF
9 THE BOARD FINDS THAT FACTS NOT KNOWN BY THE BOARD AT THE TIME
10 THE BOARD CONSIDERED THE APPLICATION INDICATE THAT SUCH
11 LICENSE SHOULD NOT HAVE BEEN ISSUED.

12 (B) ADMINISTRATIVE PENALTIES.--

13 (1) IN ADDITION TO SUSPENSION OR REVOCATION OF A FANTASY
14 CONTEST LICENSE, THE BOARD MAY IMPOSE ADMINISTRATIVE
15 PENALTIES ON A LICENSED OPERATOR FOR VIOLATIONS OF THIS
16 CHAPTER NOT TO EXCEED \$5,000 FOR EACH VIOLATION.

17 (2) A VIOLATION OF THIS CHAPTER THAT IS DETERMINED TO BE
18 AN OFFENSE OF A CONTINUING NATURE SHALL BE DEEMED TO BE A
19 SEPARATE OFFENSE ON EACH EVENT OR DAY DURING WHICH THE
20 VIOLATION OCCURS, EXCEPT THAT THE TOTAL ADMINISTRATIVE
21 PENALTY FOR AN OFFENSE OF A CONTINUING NATURE MAY NOT EXCEED
22 \$25,000.

23 (3) THE LICENSED OPERATOR SHALL HAVE THE RIGHT TO APPEAL
24 ADMINISTRATIVE PENALTIES IN ACCORDANCE WITH 2 PA.C.S. CHS. 5
25 SUBCH. A (RELATING TO PRACTICE AND PROCEDURE OF COMMONWEALTH
26 AGENCIES) AND 7 SUBCH. A (RELATING TO JUDICIAL REVIEW OF
27 COMMONWEALTH AGENCY ACTION).

28 (4) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE
29 DEPOSITED INTO THE GENERAL FUND.

30 (C) CIVIL PENALTIES.--

1 (1) A LICENSED OPERATOR WHO FAILS TO TIMELY REMIT TO THE
2 DEPARTMENT AMOUNTS REQUIRED UNDER THIS SECTION SHALL BE
3 LIABLE, IN ADDITION TO ANY LIABILITY IMPOSED ELSEWHERE IN
4 THIS CHAPTER, TO A PENALTY OF 5% PER MONTH UP TO A MAXIMUM OF
5 25% OF THE AMOUNTS ULTIMATELY FOUND TO BE DUE, TO BE
6 RECOVERED BY THE DEPARTMENT.

7 (2) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE
8 DEPOSITED IN THE GENERAL FUND.

9 § 332. LICENSED OPERATOR DEPOSITS.

10 (A) ACCOUNTS ESTABLISHED.--THE STATE TREASURER SHALL
11 ESTABLISH WITHIN THE STATE TREASURY AN ACCOUNT FOR EACH LICENSED
12 OPERATOR FOR THE DEPOSIT OF SUMS REQUIRED UNDER SUBSECTION (B)
13 TO:

14 (1) RECOVER COSTS OR EXPENSES INCURRED BY THE BOARD AND
15 THE DEPARTMENT IN CARRYING OUT THEIR POWERS AND DUTIES UNDER
16 THIS CHAPTER BASED UPON A BUDGET SUBMITTED BY THE BOARD AND
17 THE DEPARTMENT UNDER SUBSECTION (C); AND

18 (2) REPAY ANY LOANS MADE BY THE GENERAL FUND TO THE
19 BOARD OR THE DEPARTMENT IN CONNECTION WITH CARRYING OUT ITS
20 POWERS AND DUTIES UNDER THIS CHAPTER.

21 (B) DEPOSITS.--

22 (1) THE DEPARTMENT SHALL DETERMINE THE APPROPRIATE
23 ASSESSMENT AMOUNT FOR EACH LICENSED OPERATOR, WHICH SHALL BE
24 A PERCENTAGE ASSESSED ON THE LICENSED OPERATOR'S FANTASY
25 CONTEST ADJUSTED REVENUES. EACH LICENSED OPERATOR SHALL
26 DEPOSIT FUNDS INTO ITS ACCOUNT ON A QUARTERLY BASIS.

27 (2) THE PERCENTAGE ASSESSED SHALL NOT EXCEED AN AMOUNT
28 NECESSARY TO:

29 (I) RECOVER COSTS OR EXPENSES INCURRED BY THE BOARD
30 AND THE DEPARTMENT IN CARRYING OUT THEIR POWERS AND

1 DUTIES UNDER THIS CHAPTER BASED ON A BUDGET SUBMITTED BY
2 THE BOARD AND THE DEPARTMENT UNDER SUBSECTION (C); AND
3 (II) REPAY ANY LOANS MADE FROM THE GENERAL FUND TO
4 THE BOARD IN CONNECTION WITH CARRYING OUT ITS POWERS AND
5 DUTIES UNDER THIS CHAPTER.

6 (C) ITEMIZED BUDGET REPORTING.--

7 (1) THE BOARD AND THE DEPARTMENT SHALL PREPARE AND
8 ANNUALLY SUBMIT TO THE CHAIRMAN OF THE APPROPRIATIONS
9 COMMITTEE OF THE SENATE AND THE CHAIRMAN OF THE
10 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AN
11 ITEMIZED BUDGET CONSISTING OF AMOUNTS TO BE APPROPRIATED OUT
12 OF THE ACCOUNTS ESTABLISHED UNDER THIS SECTION NECESSARY TO
13 ADMINISTER THIS CHAPTER.

14 (2) AS SOON AS PRACTICABLE AFTER SUBMITTING COPIES OF
15 THE ITEMIZED BUDGET, THE BOARD AND THE DEPARTMENT SHALL
16 JOINTLY PREPARE AND SUBMIT TO THE CHAIRMEN OF THE COMMITTEES
17 ANALYSES OF AND MAKE RECOMMENDATIONS REGARDING THE ITEMIZED
18 BUDGET.

19 (D) APPROPRIATION.--COSTS AND EXPENSES FROM ACCOUNTS
20 ESTABLISHED UNDER SUBSECTION (A) SHALL ONLY BE DISBURSED UPON
21 APPROPRIATION BY THE GENERAL ASSEMBLY.

22 (E) PENALTY.--

23 (1) A LICENSED OPERATOR WHO FAILS TO TIMELY REMIT TO THE
24 DEPARTMENT AMOUNTS REQUIRED UNDER THIS SECTION SHALL BE
25 LIABLE, IN ADDITION TO ANY LIABILITY IMPOSED ELSEWHERE IN
26 THIS CHAPTER, TO A PENALTY OF 5% PER MONTH UP TO A MAXIMUM OF
27 25% OF THE AMOUNTS ULTIMATELY FOUND TO BE DUE, TO BE
28 RECOVERED BY THE DEPARTMENT.

29 (2) PENALTIES IMPOSED UNDER THIS SUBSECTION SHALL BE
30 DEPOSITED INTO THE GENERAL FUND.

1 § 333. RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

2 (A) GENERAL RULE.--THE DEPARTMENT MAY ADMINISTER AND COLLECT
3 TAXES IMPOSED UNDER SECTION 331 (RELATING TO FANTASY CONTEST
4 TAX) AND INTEREST IMPOSED UNDER SECTION 806 OF THE ACT OF APRIL
5 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, AND
6 PROMULGATE AND ENFORCE RULES AND REGULATIONS TO CARRY OUT ITS
7 PRESCRIBED DUTIES IN ACCORDANCE WITH SECTIONS 331 AND 332
8 (RELATING TO LICENSED OPERATOR DEPOSITS), INCLUDING THE
9 COLLECTION OF TAXES, PENALTIES, ASSESSMENTS AND INTEREST.

10 (B) PROCEDURE.--FOR PURPOSES OF IMPLEMENTING SECTIONS 331
11 AND 332, THE DEPARTMENT MAY PROMULGATE REGULATIONS IN THE SAME
12 MANNER IN WHICH THE BOARD IS AUTHORIZED AS PROVIDED IN SECTION
13 312 (RELATING TO TEMPORARY REGULATIONS).

14 SUPBCHAPTER E

15 MISCELLANEOUS PROVISIONS

16 SEC.

17 341. APPLICABILITY OF OTHER STATUTES.

18 342. LICENSED GAMING ENTITIES.

19 343. FUNDING.

20 § 341. APPLICABILITY OF OTHER STATUTES.

21 (A) UNLAWFUL GAMBLING.--THE PROVISIONS OF 18 PA.C.S. § 5513
22 (RELATING TO GAMBLING DEVICES, GAMBLING, ETC.) SHALL NOT APPLY
23 TO A FANTASY CONTEST CONDUCTED IN ACCORDANCE WITH THIS CHAPTER.

24 (B) POOL SELLING AND BOOKMAKING.--THE PROVISIONS OF 18
25 PA.C.S. § 5514 (RELATING TO POOL SELLING AND BOOKMAKING) SHALL
26 NOT APPLY TO A FANTASY CONTEST CONDUCTED IN ACCORDANCE WITH THIS
27 CHAPTER.

28 (C) LOTTERIES.--THE PROVISIONS OF 18 PA.C.S. § 5512
29 (RELATING TO LOTTERIES, ETC.) SHALL NOT APPLY TO A FANTASY
30 CONTEST CONDUCTED IN ACCORDANCE WITH THIS CHAPTER.

1 (D) STATE LOTTERY LAW.--THIS CHAPTER SHALL NOT APPLY TO A
2 FANTASY CONTEST OR SIMILAR PRODUCT AUTHORIZED UNDER THE ACT OF
3 AUGUST 26, 1971 (P.L.351, NO.91), KNOWN AS THE STATE LOTTERY
4 LAW, AND AUTHORIZED SOLELY BY THE DEPARTMENT AND THE DIVISION OF
5 THE STATE LOTTERY.

6 § 342. LICENSED GAMING ENTITIES.

7 (A) SCOPE.--THIS SECTION SHALL APPLY TO A LICENSED GAMING
8 ENTITY THAT HOLDS A FANTASY CONTEST LICENSE.

9 (B) APPLICABILITY.--

10 (1) NOTHING IN THIS CHAPTER SHALL BE CONSTRUED TO LIMIT
11 THE BOARD'S GENERAL AND SOLE REGULATORY AUTHORITY OVER THE
12 CONDUCT OF GAMING OR RELATED ACTIVITIES UNDER PART II
13 (RELATING TO GAMING), INCLUDING, BUT NOT LIMITED TO, THE
14 CERTIFICATION, REGISTRATION AND REGULATION OF GAMING SERVICE
15 PROVIDERS AND INDIVIDUALS AND ENTITIES ASSOCIATED WITH THEM.

16 (2) A FANTASY CONTEST TERMINAL SHALL NOT BE CONSIDERED A
17 "SLOT MACHINE" OR "TABLE GAME" UNDER SECTION 1103 (RELATING
18 TO DEFINITIONS).

19 (C) FANTASY CONTEST TERMINALS.--

20 (1) UPON APPROVAL OF A FANTASY CONTEST LICENSE
21 APPLICATION, A LICENSED GAMING ENTITY MAY PLACE AND OPERATE
22 FANTASY CONTEST TERMINALS WITHIN THE LICENSED GAMING ENTITY'S
23 LICENSED FACILITY.

24 (2) AT ITS DISCRETION, THE BOARD MAY APPROVE THE
25 PLACEMENT AND OPERATION OF FANTASY CONTEST TERMINALS AT A
26 LOCATION WITHIN THE LICENSED FACILITY, PROVIDED THAT FANTASY
27 CONTEST TERMINALS SHALL NOT BE PLACED ON THE GAMING FLOOR.

28 (D) RESTRICTED CONTESTS.--A LICENSED GAMING ENTITY MAY OFFER
29 FANTASY CONTESTS THAT ARE EXCLUSIVE TO PARTICIPANTS WHO ARE AT
30 LEAST 21 YEARS OF AGE.

1 (E) PROMOTIONAL PLAY.--FOR A RESTRICTED CONTEST UNDER
2 SUBSECTION (D), A LICENSED GAMING ENTITY MAY OFFER SLOT MACHINE
3 OR TABLE GAME PROMOTIONAL PLAY TO A PARTICIPANT WHO IS AT LEAST
4 21 YEARS OF AGE AS A PRIZE OR AWARD OR FOR PARTICIPATING IN A
5 FANTASY CONTEST CONDUCTED BY THE LICENSED GAMING ENTITY.

6 (F) GAMING SERVICE PROVIDERS.--A LICENSED OPERATOR WHO IS
7 NOT A LICENSED GAMING ENTITY MAY, AT THE DISCRETION OF THE
8 BOARD, BE CERTIFICATED OR REGISTERED AS A GAMING SERVICE
9 PROVIDER UNDER SECTION 1317.2 (RELATING TO GAMING SERVICE
10 PROVIDER) IN ORDER TO OPERATE FANTASY CONTESTS SUBJECT TO THE
11 RESTRICTIONS OF SUBSECTION (D) ON BEHALF OF A LICENSED GAMING
12 ENTITY.

13 § 343. FUNDING.

14 (A) APPROPRIATION.--THE FOLLOWING AMOUNTS ARE APPROPRIATED:

15 (1) THE SUM OF \$1,250,000 IS APPROPRIATED TO THE BOARD
16 FOR THE FISCAL YEAR PERIOD JULY 1, 2016, TO JUNE 30, 2017,
17 FOR THE PURPOSE OF IMPLEMENTING AND ADMINISTERING THE
18 PROVISIONS OF THIS CHAPTER.

19 (2) THE SUM OF \$500,000 IS APPROPRIATED TO THE
20 DEPARTMENT FOR THE FISCAL PERIOD JULY 1, 2016, TO JUNE 30,
21 2017, FOR THE PURPOSE OF IMPLEMENTING AND ADMINISTERING THE
22 PROVISIONS OF THIS CHAPTER.

23 (B) REPAYMENT.--THE APPROPRIATIONS IN THIS SECTION SHALL BE
24 CONSIDERED LOANS FROM THE GENERAL FUND AND SHALL BE REPAYED TO
25 THE GENERAL FUND QUARTERLY THROUGH ASSESSMENTS ON LICENSED
26 OPERATORS AUTHORIZED UNDER SECTION 332 (RELATING TO LICENSED
27 OPERATOR DEPOSITS) BY THE DEPARTMENT. THE TOTAL AMOUNTS
28 APPROPRIATED TO THE BOARD AND DEPARTMENT UNDER THIS SECTION
29 SHALL BE REPAYED TO THE GENERAL FUND NO LATER THAN 10 YEARS FROM
30 THE DATE THE BOARD ISSUES THE FIRST FANTASY CONTEST LICENSE.

1 (C) UNUSED AMOUNTS.--ON JULY 1, 2017, ANY PORTION OF AMOUNTS
2 APPROPRIATED UNDER SUBSECTION (A) THAT IS UNEXPENDED,
3 UNENCUMBERED OR UNCOMMITTED AS OF JUNE 30 OF THE PRIOR FISCAL
4 YEAR SHALL AUTOMATICALLY BE TRANSFERRED TO THE GENERAL FUND.

5 SECTION 2. SECTION 1102 OF TITLE 4 IS AMENDED BY ADDING
6 PARAGRAPHS TO READ:

7 § 1102. LEGISLATIVE INTENT.

8 THE GENERAL ASSEMBLY RECOGNIZES THE FOLLOWING PUBLIC POLICY
9 PURPOSES AND DECLARES THAT THE FOLLOWING OBJECTIVES OF THE
10 COMMONWEALTH ARE TO BE SERVED BY THIS PART:

11 * * *

12 (12.1) THE CONTINUED GROWTH AND SUCCESS OF THE
13 COMMERCIAL GAMING INDUSTRY IN THIS COMMONWEALTH IS DEPENDENT
14 UPON A REGULATORY ENVIRONMENT WHICH PROMOTES AND FOSTERS
15 TECHNOLOGICAL ADVANCES AND ENCOURAGES THE DEVELOPMENT AND
16 DELIVERY OF INNOVATIVE GAMING PRODUCTS.

17 (12.2) IT IS ALSO THE INTENT OF THE GENERAL ASSEMBLY TO
18 ENSURE THE SUSTAINABILITY AND COMPETITIVENESS OF THE
19 COMMERCIAL GAMING INDUSTRY IN THIS COMMONWEALTH BY
20 AUTHORIZING INTERACTIVE GAMING, THE OPERATION OF MULTISTATE
21 WIDE-AREA PROGRESSIVE SLOT MACHINES, SKILL AND HYBRID SLOT
22 MACHINES AND CASINO SIMULCASTING AND THE OPERATION OF SLOT
23 MACHINES AT NONPRIMARY LOCATIONS.

24 * * *

25 SECTION 3. THE DEFINITIONS OF "ASSOCIATED EQUIPMENT," "CASH
26 EQUIVALENT," "CHEAT," "CHEATING OR THIEVING DEVICE,"
27 "COMMISSION" OR "COMMISSIONS," "CONDUCT OF GAMING," "CONTEST,"
28 "COUNTERFEIT CHIP," "FULLY AUTOMATED ELECTRONIC GAMING TABLE,"
29 "GAMING EMPLOYEE," "GAMING SCHOOL," "GAMING SERVICE PROVIDER,"
30 "KEY EMPLOYEE," "LICENSED FACILITY," "MANUFACTURER,"

1 "MANUFACTURER LICENSE," "PLAYER," "PROGRESSIVE PAYOUT,"
2 "PROGRESSIVE SYSTEM," "SLOT MACHINE," "SUPPLIER," "SUPPLIER
3 LICENSE" AND "TABLE GAME DEVICE" IN SECTION 1103 OF TITLE 4 ARE
4 AMENDED AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO
5 READ:

6 § 1103. DEFINITIONS.

7 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS PART SHALL
8 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
9 CONTEXT CLEARLY INDICATES OTHERWISE:

10 * * *

11 "AIRPORT AUTHORITY." THE GOVERNING BODY OF A MUNICIPAL
12 AUTHORITY ORGANIZED AND INCORPORATED TO OVERSEE THE OPERATIONS
13 OF A QUALIFIED AIRPORT UNDER 53 PA.C.S. CH. 56 (RELATING TO
14 MUNICIPAL AUTHORITIES) OR THE GOVERNING BODY OF A CITY OF THE
15 FIRST CLASS, WHICH REGULATES THE USE AND CONTROL OF A QUALIFIED
16 AIRPORT.

17 "AIRPORT GAMING AREA." A LOCATION OR LOCATIONS WITHIN A
18 QUALIFIED AIRPORT APPROVED FOR THE CONDUCT OF AUTHORIZED
19 INTERACTIVE GAMES THROUGH THE USE OF MULTI-USE COMPUTING DEVICES
20 BY ELIGIBLE PASSENGERS AS APPROVED BY THE AIRPORT AUTHORITY OR
21 IN THE CASE OF A QUALIFIED AIRPORT LOCATED IN A CITY OF THE
22 FIRST CLASS, AS APPROVED BY THE GOVERNING BODY OF THE CITY OF
23 THE FIRST CLASS, AND THE PENNSYLVANIA GAMING CONTROL BOARD.

24 * * *

25 "ASSOCIATED EQUIPMENT." ANY EQUIPMENT OR MECHANICAL,
26 ELECTROMECHANICAL OR ELECTRONIC CONTRIVANCE, COMPONENT OR
27 MACHINE USED IN CONNECTION WITH SLOT MACHINES OR TABLE GAMES,
28 INCLUDING LINKING DEVICES WHICH CONNECT TO PROGRESSIVE SLOT
29 MACHINES AND MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINES OR
30 SLOT [MACHINES, REPLACEMENT] MACHINE REPLACEMENT PARTS,

1 EQUIPMENT WHICH AFFECTS THE PROPER REPORTING AND COUNTING OF
2 GROSS TERMINAL REVENUE [AND] GROSS TABLE GAME REVENUE AND GROSS
3 INTERACTIVE GAMING REVENUE, COMPUTERIZED SYSTEMS FOR CONTROLLING
4 AND MONITORING SLOT MACHINES [OR] TABLE GAMES OR INTERACTIVE
5 GAMES, INCLUDING, BUT NOT LIMITED TO, THE CENTRAL CONTROL
6 COMPUTER TO WHICH ALL SLOT MACHINES COMMUNICATE [AND] DEVICES
7 FOR WEIGHING OR COUNTING MONEY[.] AND INTERACTIVE GAMING DEVICES
8 AND ASSOCIATED EQUIPMENT NECESSARY FOR THE OPERATION OF
9 INTERACTIVE GAMES AS APPROVED BY THE PENNSYLVANIA GAMING CONTROL
10 BOARD. THE TERM SHALL NOT INCLUDE COUNT ROOM EQUIPMENT.

11 * * *

12 "AUTHORIZED INTERACTIVE GAME." AN INTERACTIVE GAME APPROVED
13 BY REGULATION OF THE PENNSYLVANIA GAMING CONTROL BOARD TO BE
14 SUITABLE FOR INTERACTIVE GAMING OFFERED BY AN INTERACTIVE GAMING
15 CERTIFICATE HOLDER OR OTHER PERSONS ON BEHALF OF A SLOT MACHINE
16 LICENSEE IN ACCORDANCE WITH CHAPTER 13B (RELATING TO INTERACTIVE
17 GAMING). THE TERM SHALL INCLUDE ANY INTERACTIVE GAME APPROVED BY
18 REGULATION OF THE PENNSYLVANIA CONTROL BOARD TO BE SUITABLE FOR
19 INTERACTIVE GAMING THROUGH THE USE OF A MULTI-USE COMPUTING
20 DEVICE.

21 * * *

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

- 24 (1) CHIPS OR TOKENS.
- 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, AN INTERACTIVE GAMING

1 CERTIFICATE HOLDER, A HOLDER OF AN INTERACTIVE GAMING LICENSE
2 OR A FINANCIAL INSTITUTION.

3 (7) ANY OTHER INSTRUMENT OR REPRESENTATION OF VALUE THAT
4 THE PENNSYLVANIA GAMING CONTROL BOARD DEEMS A CASH
5 EQUIVALENT.

6 "CASINO SIMULCASTING." THE SIMULTANEOUS TRANSMISSION OF LIVE
7 THOROUGHBRED OR HARNESS HORSE RACE MEETINGS FROM AN IN-STATE
8 SENDING RACETRACK, OUT-OF-STATE SENDING RACETRACK OR A SATELLITE
9 FACILITY, REGARDLESS OF LICENSURE STATUS OR WHETHER THE HORSE
10 RACE MEETINGS ORIGINATE WITHIN THIS COMMONWEALTH OR ANY OTHER
11 STATE OR JURISDICTION, TO A SIMULCASTING FACILITY IN THIS
12 COMMONWEALTH BY SATELLITE DEVICES, TELEVISION CABLES, TELEPHONE
13 LINES OR ANY OTHER TELECOMMUNICATIONS TECHNOLOGY FOR THE
14 PURPOSES OF CONDUCTING PARI-MUTUEL WAGERING.

15 "CASINO SIMULCASTING PERMIT" OR "SIMULCASTING PERMIT." A
16 PERMIT AWARDED BY THE BOARD UNDER SECTION 13F12 (RELATING TO
17 CASINO SIMULCASTING PERMIT) WHICH AUTHORIZES A LICENSED GAMING
18 ENTITY TO CONDUCT CASINO SIMULCASTING.

19 "CASINO SIMULCASTING PERMIT HOLDER." A LICENSED GAMING
20 ENTITY THAT HOLDS A CASINO SIMULCASTING PERMIT ISSUED BY THE
21 BOARD IN ACCORDANCE WITH SECTION 13F12 (RELATING TO CASINO
22 SIMULCASTING PERMIT).

23 * * *

24 "CHEAT." TO DEFRAUD OR STEAL FROM ANY PLAYER, SLOT MACHINE
25 LICENSEE OR THE COMMONWEALTH WHILE OPERATING OR PLAYING A SLOT
26 MACHINE [OR], TABLE GAME[,] OR AUTHORIZED INTERACTIVE GAME,
27 INCLUDING CAUSING, AIDING, ABETTING OR CONSPIRING WITH ANOTHER
28 PERSON TO DO SO. THE TERM SHALL ALSO MEAN TO ALTER OR CAUSING,
29 AIDING, ABETTING OR CONSPIRING WITH ANOTHER PERSON TO ALTER THE
30 ELEMENTS OF CHANCE, METHOD OF SELECTION OR CRITERIA WHICH

1 DETERMINE:

2 (1) THE RESULT OF A SLOT MACHINE GAME [OR], TABLE GAME
3 OR AUTHORIZED INTERACTIVE GAME.

4 (2) THE AMOUNT OR FREQUENCY OF PAYMENT IN A SLOT MACHINE
5 GAME [OR], TABLE GAME OR AUTHORIZED INTERACTIVE GAME.

6 (3) THE VALUE OF A WAGERING INSTRUMENT.

7 (4) THE VALUE OF A WAGERING CREDIT.

8 THE TERM DOES NOT INCLUDE ALTERING A SLOT MACHINE, TABLE GAME
9 DEVICE OR ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICE OR
10 ASSOCIATED EQUIPMENT FOR MAINTENANCE OR REPAIR WITH THE APPROVAL
11 OF A SLOT MACHINE LICENSEE.

12 "CHEATING OR THIEVING DEVICE." A DEVICE, SOFTWARE OR
13 HARDWARE USED OR POSSESSED WITH THE INTENT TO BE USED TO CHEAT
14 DURING THE OPERATION OR PLAY OF ANY SLOT MACHINE [OR], TABLE
15 GAME OR AUTHORIZED INTERACTIVE GAME. THE TERM SHALL ALSO INCLUDE
16 ANY DEVICE USED TO ALTER A SLOT MACHINE [OR], A TABLE GAME
17 DEVICE OR ASSOCIATED EQUIPMENT, AN AUTHORIZED INTERACTIVE GAME
18 OR INTERACTIVE GAMING DEVICE OR ASSOCIATED EQUIPMENT WITHOUT THE
19 SLOT MACHINE LICENSEE'S APPROVAL.

20 * * *

21 ["COMMISSION" OR "COMMISSIONS."] "COMMISSION." THE STATE
22 HORSE RACING COMMISSION [OR THE STATE HARNESS RACING COMMISSION,
23 OR BOTH AS THE CONTEXT MAY REQUIRE.] AS DEFINED IN SECTION 2801-
24 D OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE
25 ADMINISTRATIVE CODE OF 1929.

26 * * *

27 "CONCESSION OPERATOR." A PERSON ENGAGED IN THE SALE OR
28 OFFERING FOR SALE OF CONSUMER GOODS OR SERVICES TO THE PUBLIC AT
29 A QUALIFIED AIRPORT, OR AUTHORIZED TO CONDUCT OTHER COMMERCIAL
30 ACTIVITIES RELATED TO PASSENGER SERVICES AT A QUALIFIED AIRPORT,

1 IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF AN AGREEMENT OR
2 CONTRACT WITH AN AIRPORT AUTHORITY, GOVERNMENT ENTITY OR OTHER
3 PERSON.

4 "CONDUCT OF GAMING." THE LICENSED PLACEMENT, OPERATION AND
5 PLAY OF SLOT MACHINES [AND], TABLE GAMES AND INTERACTIVE GAMES
6 AND CASINO SIMULCASTING UNDER THIS PART, AS AUTHORIZED AND
7 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD. THE TERM
8 SHALL INCLUDE THE LICENSED PLACEMENT, OPERATION AND PLAY OF
9 AUTHORIZED INTERACTIVE GAMES THROUGH THE USE OF MULTI-USE
10 COMPUTING DEVICES AT A QUALIFIED AIRPORT, AS AUTHORIZED AND
11 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD.

12 "CONTEST." A SLOT MACHINE, TABLE GAME OR AUTHORIZED
13 INTERACTIVE GAME COMPETITION AMONG PLAYERS FOR CASH, CASH
14 EQUIVALENTS OR PRIZES.

15 * * *

16 "COUNTERFEIT CHIP." ANY OBJECT OR THING THAT IS:

17 (1) USED OR INTENDED TO BE USED TO PLAY A TABLE GAME AT
18 A CERTIFICATE HOLDER'S LICENSED FACILITY AND WHICH WAS NOT
19 ISSUED BY THAT CERTIFICATE HOLDER FOR SUCH USE; [OR]

20 (2) PRESENTED TO A CERTIFICATE HOLDER FOR REDEMPTION IF
21 THE OBJECT WAS NOT ISSUED BY THE CERTIFICATE HOLDER[.];

22 (3) USED OR INTENDED TO BE USED TO PLAY AN AUTHORIZED
23 INTERACTIVE GAME WHICH WAS NOT APPROVED BY THE INTERACTIVE
24 GAMING CERTIFICATE HOLDER FOR SUCH USE; OR

25 (4) PRESENTED DURING PLAY OF AN AUTHORIZED INTERACTIVE
26 GAME FOR REDEMPTION, IF THE OBJECT OR THING WAS NOT ISSUED BY
27 THE INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER PERSON ON
28 BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER.

29 * * *

30 "ELIGIBLE PASSENGER" OR "PASSENGER." AN INDIVIDUAL 21 YEARS

1 OF AGE OR OLDER WHO HAS CLEARED SECURITY CHECK POINTS WITH A
2 VALID AIRLINE BOARDING PASS FOR TRAVEL FROM ONE DESTINATION TO
3 ANOTHER BY AIRPLANE.

4 * * *

5 "FULLY AUTOMATED ELECTRONIC GAMING TABLE." AN ELECTRONIC
6 GAMING TABLE DETERMINED BY THE PENNSYLVANIA GAMING CONTROL BOARD
7 TO BE PLAYABLE OR OPERABLE AS A TABLE GAME WITHOUT THE
8 ASSISTANCE OR PARTICIPATION OF A PERSON ACTING ON BEHALF OF A
9 CERTIFICATE HOLDER. THE TERM SHALL INCLUDE A MULTI-USE COMPUTING
10 DEVICE, WHICH THROUGH THE USE OF DIGITAL, ELECTRONIC OR OTHER
11 COMMUNICATIONS TECHNOLOGY, IS CAPABLE OF SIMULATING A TABLE
12 GAME.

13 * * *

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

- 16 (1) CASHIERS.
- 17 (2) CHANGE PERSONNEL.
- 18 (3) COUNT ROOM PERSONNEL.
- 19 (4) SLOT ATTENDANTS.
- 20 (5) HOSTS OR OTHER INDIVIDUALS AUTHORIZED TO EXTEND
21 COMPLIMENTARY SERVICES, INCLUDING EMPLOYEES PERFORMING
22 FUNCTIONS SIMILAR TO THOSE PERFORMED BY A GAMING JUNKET
23 REPRESENTATIVE.
- 24 (6) MACHINE MECHANICS, COMPUTER MACHINE TECHNICIANS OR
25 TABLE GAME DEVICE TECHNICIANS.
- 26 (7) SECURITY PERSONNEL.
- 27 (8) SURVEILLANCE PERSONNEL.
- 28 (9) PROMOTIONAL PLAY SUPERVISORS, CREDIT SUPERVISORS,
29 PIT SUPERVISORS, CASHIER SUPERVISORS, SHIFT SUPERVISORS,
30 TABLE GAME MANAGERS AND ASSISTANT MANAGERS AND OTHER

1 SUPERVISORS AND MANAGERS, EXCEPT FOR THOSE SPECIFICALLY
2 IDENTIFIED IN THIS PART AS KEY EMPLOYEES.

3 (10) BOXMEN.

4 (11) DEALERS OR CROUPIERS.

5 (12) FLOORMEN.

6 (13) PERSONNEL AUTHORIZED TO ISSUE PROMOTIONAL PLAY.

7 (14) PERSONNEL AUTHORIZED TO ISSUE CREDIT.

8 THE TERM SHALL INCLUDE EMPLOYEES OF A PERSON HOLDING A
9 SUPPLIER'S LICENSE WHOSE DUTIES ARE DIRECTLY INVOLVED WITH THE
10 REPAIR OR DISTRIBUTION OF SLOT MACHINES, TABLE GAME DEVICES OR
11 ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES OR ASSOCIATED
12 EQUIPMENT OR CASINO SIMULCASTING TECHNOLOGY AND EQUIPMENT SOLD
13 OR PROVIDED TO A LICENSED FACILITY WITHIN THIS COMMONWEALTH AS
14 DETERMINED BY THE PENNSYLVANIA GAMING CONTROL BOARD. THE TERM
15 SHALL FURTHER INCLUDE EMPLOYEES OF A PERSON AUTHORIZED BY THE
16 BOARD TO SUPPLY GOODS AND SERVICES RELATED TO INTERACTIVE GAMING
17 AND CASINO SIMULCASTING OR ANY SUBCONTRACTOR OR AN EMPLOYEE OF A
18 SUBCONTRACTOR THAT SUPPLIES INTERACTIVE GAMING DEVICES,
19 INCLUDING MULTI-USE COMPUTING DEVICES, OR ASSOCIATED EQUIPMENT
20 TO A HOLDER OF AN INTERACTIVE GAMING CERTIFICATE OR INTERACTIVE
21 GAMING LICENSE OR THAT SUPPLIES CASINO SIMULCASTING TECHNOLOGY
22 OR EQUIPMENT. THE TERM DOES NOT INCLUDE BARTENDERS, COCKTAIL
23 SERVERS OR OTHER PERSONS ENGAGED SOLELY IN PREPARING OR SERVING
24 FOOD OR BEVERAGES, CLERICAL OR SECRETARIAL PERSONNEL, PARKING
25 ATTENDANTS, JANITORIAL, STAGE, SOUND AND LIGHT TECHNICIANS AND
26 OTHER NONGAMING PERSONNEL AS DETERMINED BY THE BOARD.

27 "GAMING FLOOR." ANY PORTION OF A LICENSED FACILITY WHERE
28 SLOT MACHINES OR TABLE GAMES HAVE BEEN INSTALLED FOR USE OR
29 PLAY.

30 * * *

1 "GAMING-RELATED RESTRICTED AREA." ANY ROOM OR AREA OF A
2 LICENSED FACILITY AND WHICH IS SPECIFICALLY DESIGNATED BY THE
3 PENNSYLVANIA GAMING CONTROL BOARD AS RESTRICTED OR BY THE SLOT
4 MACHINE LICENSEE AS RESTRICTED IN ITS BOARD-APPROVED INTERNAL
5 CONTROLS.

6 * * *

7 "GAMING SCHOOL." ANY EDUCATIONAL INSTITUTION APPROVED BY THE
8 DEPARTMENT OF EDUCATION AS AN ACCREDITED COLLEGE OR UNIVERSITY,
9 COMMUNITY COLLEGE, PENNSYLVANIA PRIVATE LICENSED SCHOOL OR ITS
10 EQUIVALENT AND WHOSE CURRICULUM GUIDELINES ARE APPROVED BY THE
11 DEPARTMENT OF LABOR AND INDUSTRY TO PROVIDE EDUCATION AND JOB
12 TRAINING RELATED TO EMPLOYMENT OPPORTUNITIES ASSOCIATED WITH
13 SLOT MACHINES [OR], TABLE GAMES, CASINO SIMULCASTING OR
14 INTERACTIVE GAMES, INCLUDING SLOT MACHINE, TABLE GAME DEVICE AND
15 ASSOCIATED EQUIPMENT MAINTENANCE AND REPAIR AND INTERACTIVE
16 GAMING DEVICES AND ASSOCIATED EQUIPMENT MAINTENANCE AND REPAIR.

17 "GAMING SERVICE PROVIDER." A PERSON THAT IS NOT REQUIRED TO
18 BE LICENSED AS A MANUFACTURER, SUPPLIER, MANAGEMENT COMPANY OR
19 GAMING JUNKET ENTERPRISE UNDER THIS PART OR REGULATIONS OF THE
20 PENNSYLVANIA GAMING CONTROL BOARD AND:

21 (1) PROVIDES GOODS OR SERVICES, INCLUDING, BUT NOT
22 LIMITED TO, COUNT ROOM EQUIPMENT, TO A SLOT MACHINE LICENSEE
23 OR AN APPLICANT FOR A SLOT MACHINE LICENSE FOR USE IN THE
24 OPERATION OF A LICENSED FACILITY; [OR] AND

25 (2) PROVIDES GOODS OR SERVICES [AT] TO A SLOT MACHINE
26 LICENSEE OR AN APPLICANT FOR A SLOT MACHINE LICENSE THAT
27 REQUIRES ACCESS TO THE GAMING FLOOR OR A GAMING-RELATED
28 RESTRICTED AREA OF A LICENSED FACILITY AS DETERMINED BY THE
29 PENNSYLVANIA GAMING CONTROL BOARD.

30 * * *

1 "GROSS INTERACTIVE GAMING REVENUE." THE TOTAL OF ALL CASH OR
2 CASH EQUIVALENT WAGERS PAID BY REGISTERED PLAYERS TO AN
3 INTERACTIVE GAMING CERTIFICATE HOLDER IN CONSIDERATION FOR THE
4 PLAY OF AUTHORIZED INTERACTIVE GAMES, MINUS:

5 (1) THE TOTAL OF CASH OR CASH EQUIVALENTS PAID OUT TO
6 REGISTERED PLAYERS AS WINNINGS.

7 (2) THE CASH EQUIVALENT VALUE OF ANY PERSONAL PROPERTY
8 OR OTHER NONCASH ITEMS OR THINGS OF VALUE INCLUDED IN A
9 DRAWING, CONTEST OR TOURNAMENT AND DISTRIBUTED TO REGISTERED
10 PLAYERS AS A RESULT OF PLAYING AUTHORIZED INTERACTIVE GAMES.

11 (3) ANY ADMINISTRATIVE FEE, OPERATIONS FEE OR TAX PAID
12 TO ANOTHER STATE OR JURISDICTION PURSUANT TO AN INTERACTIVE
13 GAMING RECIPROCAL AGREEMENT.

14 AMOUNTS DEPOSITED WITH AN INTERACTIVE GAMING CERTIFICATE HOLDER
15 FOR PURPOSES OF INTERACTIVE GAMING AND AMOUNTS TAKEN IN
16 FRAUDULENT ACTS PERPETRATED AGAINST AN INTERACTIVE GAMING
17 CERTIFICATE HOLDER FOR WHICH THE INTERACTIVE GAMING CERTIFICATE
18 HOLDER IS NOT REIMBURSED MAY NOT BE CONSIDERED TO HAVE BEEN PAID
19 TO THE INTERACTIVE GAMING CERTIFICATE HOLDER FOR PURPOSES OF
20 CALCULATING GROSS INTERACTIVE GAMING REVENUE.

21 * * *

22 "HYBRID SLOT MACHINE." A SLOT MACHINE IN WHICH A COMBINATION
23 OF THE SKILL OF THE PLAYER AND ELEMENTS OF CHANCE AFFECTS THE
24 OUTCOME OF THE GAME.

25 * * *

26 "IN-STATE SENDING TRACK." A RACETRACK WITHIN THIS
27 COMMONWEALTH WHICH IS OPERATED BY A LICENSED RACING ENTITY AND
28 IS PERMITTED TO CONDUCT CASINO SIMULCASTING.

29 * * *

30 "INTERACTIVE GAME." ANY GAMBLING GAME OFFERED THROUGH THE

1 USE OF COMMUNICATIONS TECHNOLOGY THAT ALLOWS A PERSON, UTILIZING
2 MONEY, CHECKS, ELECTRONIC CHECKS, ELECTRONIC TRANSFERS OF MONEY,
3 CREDIT CARDS OR ANY OTHER INSTRUMENTALITY TO TRANSMIT ELECTRONIC
4 INFORMATION TO ASSIST IN THE PLACEMENT OF A BET OR WAGER AND
5 CORRESPONDING INFORMATION RELATED TO THE DISPLAY OF THE GAME,
6 GAME OUTCOMES OR OTHER SIMILAR INFORMATION. THE TERM SHALL NOT
7 INCLUDE:

8 (1) A LOTTERY GAME OR INTERNET INSTANT GAME AS DEFINED
9 IN THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91), KNOWN AS THE
10 STATE LOTTERY LAW.

11 (2) NONGAMBLING GAMES THAT DO NOT OTHERWISE REQUIRE A
12 LICENSE UNDER THE LAWS OF THIS COMMONWEALTH.

13 FOR THE PURPOSES OF THIS DEFINITION, THE TERM "COMMUNICATIONS
14 TECHNOLOGY" SHALL MEAN ANY METHOD USED AND THE COMPONENTS
15 EMPLOYED TO FACILITATE THE TRANSMISSION AND RECEIPT OF
16 INFORMATION, INCLUDING TRANSMISSION AND RECEPTION BY SYSTEMS
17 USING WIRE, WIRELESS, CABLE, RADIO, MICROWAVE, LIGHT, FIBER
18 OPTICS, SATELLITE OR COMPUTER DATA NETWORKS, INCLUDING THE
19 INTERNET AND INTRANETS, AS APPROVED BY THE BOARD.

20 "INTERACTIVE GAMING." THE PLACING OF BETS OR WAGERS WITH AN
21 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
22 LICENSEE LOCATED IN THIS COMMONWEALTH USING A COMPUTER NETWORK
23 OF BOTH FEDERAL AND NON-FEDERAL INTEROPERABLE PACKET SWITCHED
24 DATA NETWORKS THROUGH WHICH AN INTERACTIVE GAMING CERTIFICATE
25 HOLDER MAY OFFER AUTHORIZED INTERACTIVE GAMES TO REGISTERED
26 PLAYERS. THE TERM SHALL INCLUDE THE PLACING OF BETS OR WAGERS
27 THROUGH THE USE OF A MULTI-USE COMPUTING DEVICE.

28 "INTERACTIVE GAMING ACCOUNT." THE FORMAL, ELECTRONIC SYSTEM
29 IMPLEMENTED BY AN INTERACTIVE GAMING CERTIFICATE HOLDER TO
30 RECORD THE BALANCE OF A REGISTERED PLAYER'S DEBITS, CREDITS AND

1 OTHER ACTIVITY RELATED TO INTERACTIVE GAMING.

2 "INTERACTIVE GAMING ACCOUNT AGREEMENT." AN AGREEMENT ENTERED
3 INTO BETWEEN AN INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER
4 PERSON ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER AND
5 AN INDIVIDUAL WHICH GOVERNS THE TERMS AND CONDITIONS OF THE
6 INDIVIDUAL'S INTERACTIVE GAMING ACCOUNT AND THE USE OF THE
7 INTERNET FOR PURPOSES OF PLACING BETS OR WAGERS ON AUTHORIZED
8 INTERACTIVE GAMES OPERATED BY AN INTERACTIVE GAMING CERTIFICATE
9 HOLDER OR OTHER PERSON ON BEHALF OF AN INTERACTIVE GAMING
10 CERTIFICATE HOLDER.

11 "INTERACTIVE GAMING AGREEMENT." AN AGREEMENT ENTERED INTO BY
12 OR BETWEEN AN INTERACTIVE GAMING CERTIFICATE HOLDER AND AN
13 INTERACTIVE GAMING OPERATOR RELATED TO THE OFFERING OR OPERATION
14 OF INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF
15 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER. THE TERM SHALL
16 INCLUDE AN INTERACTIVE GAMING AGREEMENT ENTERED INTO BY OR
17 BETWEEN AN INTERACTIVE GAMING CERTIFICATE HOLDER AND AN
18 INTERACTIVE GAMING OPERATOR FOR THE CONDUCT OF INTERACTIVE
19 GAMING THROUGH THE USE OF MULTI-USE COMPUTING DEVICES AT A
20 QUALIFIED AIRPORT IN ACCORDANCE WITH THIS PART.

21 "INTERACTIVE GAMING CERTIFICATE." THE AUTHORIZATION ISSUED
22 TO A SLOT MACHINE LICENSEE BY THE PENNSYLVANIA GAMING CONTROL
23 BOARD AUTHORIZING THE OPERATION AND CONDUCT OF INTERACTIVE
24 GAMING BY A SLOT MACHINE LICENSEE OR OTHER PERSON ON BEHALF OF A
25 SLOT MACHINE LICENSEE IN ACCORDANCE WITH CHAPTER 13B (RELATING
26 TO INTERACTIVE GAMING).

27 "INTERACTIVE GAMING CERTIFICATE HOLDER." A SLOT MACHINE
28 LICENSEE THAT HAS BEEN GRANTED AUTHORIZATION BY THE PENNSYLVANIA
29 GAMING CONTROL BOARD TO OPERATE AUTHORIZED INTERACTIVE GAMES IN
30 ACCORDANCE WITH CHAPTER 13B (RELATING TO INTERACTIVE GAMING).

1 "INTERACTIVE GAMING DEVICE." ALL HARDWARE AND SOFTWARE AND
2 OTHER TECHNOLOGY, EQUIPMENT OR DEVICE OF ANY KIND AS DETERMINED
3 BY THE PENNSYLVANIA GAMING CONTROL BOARD TO BE NECESSARY FOR THE
4 CONDUCT OF AUTHORIZED INTERACTIVE GAMES.

5 "INTERACTIVE GAMING LICENSE." A LICENSE ISSUED TO A PERSON
6 BY THE PENNSYLVANIA GAMING CONTROL BOARD UNDER CHAPTER 13B.

7 "INTERACTIVE GAMING LICENSEE." A PERSON WHO HAS BEEN ISSUED
8 A LICENSE TO ACT AS AN INTERACTIVE GAMING OPERATOR UNDER CHAPTER
9 13B.

10 "INTERACTIVE GAMING OPERATOR." A PERSON, INCLUDING AN
11 AFFILIATE OF A SLOT MACHINE LICENSEE, LICENSED BY THE
12 PENNSYLVANIA GAMING CONTROL BOARD TO OPERATE INTERACTIVE GAMING
13 OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF AN INTERACTIVE
14 GAMING CERTIFICATE HOLDER.

15 "INTERACTIVE GAMING PLATFORM." THE COMBINATION OF HARDWARE
16 AND SOFTWARE OR OTHER TECHNOLOGY DESIGNED AND USED TO MANAGE,
17 CONDUCT AND RECORD INTERACTIVE GAMES AND THE BETS OR WAGERS
18 ASSOCIATED WITH INTERACTIVE GAMES, AS APPROVED BY THE
19 PENNSYLVANIA GAMING CONTROL BOARD. THE TERM SHALL INCLUDE ANY
20 EMERGING OR NEW TECHNOLOGY DEPLOYED TO ADVANCE THE CONDUCT AND
21 OPERATION OF INTERACTIVE GAMING, AS APPROVED THROUGH REGULATION
22 BY THE PENNSYLVANIA GAMING CONTROL BOARD.

23 "INTERACTIVE GAMING RECIPROCAL AGREEMENT." AN AGREEMENT
24 NEGOTIATED BY THE PENNSYLVANIA GAMING CONTROL BOARD ON BEHALF OF
25 THE COMMONWEALTH WITH THE AUTHORIZED AGENCY OF ONE OR MORE
26 STATES OR JURISDICTIONS WHERE INTERACTIVE GAMING IS LEGALLY
27 AUTHORIZED WHICH WILL PERMIT THE CONDUCT OF INTERACTIVE GAMING
28 BETWEEN INTERACTIVE GAMING CERTIFICATE HOLDERS IN THIS
29 COMMONWEALTH AND GAMING ENTITIES IN THE STATES OR JURISDICTIONS
30 THAT ARE PARTIES TO THE AGREEMENT.

1 "INTERACTIVE GAMING RESTRICTED AREA." ANY ROOM OR AREA, AS
2 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD, USED BY AN
3 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
4 LICENSE HOLDER TO MANAGE, CONTROL AND OPERATE INTERACTIVE
5 GAMING, INCLUDING, WHERE APPROVED BY THE BOARD, REDUNDANCY
6 FACILITIES.

7 "INTERACTIVE GAMING SKIN OR SKINS." THE PORTAL OR PORTALS TO
8 AN INTERACTIVE GAMING PLATFORM OR INTERNET WEBSITE THROUGH WHICH
9 AUTHORIZED INTERACTIVE GAMES ARE MADE AVAILABLE TO REGISTERED
10 PLAYERS BY AN INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER
11 PERSON ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER IN
12 THIS COMMONWEALTH OR PLAYERS IN ANY OTHER STATE OR JURISDICTION
13 IN WHICH AN INTERACTIVE GAMING RECIPROCAL AGREEMENT HAS BEEN
14 ENTERED.

15 "INTERACTIVE GAMING SYSTEM." ALL HARDWARE, SOFTWARE AND
16 COMMUNICATIONS THAT COMPRISE A TYPE OF SERVER-BASED GAMING
17 SYSTEM FOR THE PURPOSE OF OFFERING AUTHORIZED INTERACTIVE GAMES.

18 "INTERNET WEBSITE." THE INTERACTIVE GAMING SKIN OR SKINS OR
19 INTERNET PORTAL OR PORTALS THROUGH WHICH AN INTERACTIVE GAMING
20 CERTIFICATE HOLDER OR OTHER PERSON MAKES AUTHORIZED INTERACTIVE
21 GAMES AVAILABLE FOR PLAY.

22 * * *

23 "KEY EMPLOYEE." ANY INDIVIDUAL WHO IS EMPLOYED IN A DIRECTOR
24 OR DEPARTMENT HEAD CAPACITY AND WHO IS EMPOWERED TO MAKE
25 DISCRETIONARY DECISIONS THAT REGULATE SLOT MACHINE OR TABLE GAME
26 OPERATIONS OR INTERACTIVE GAMING OPERATIONS OR CASINO
27 SIMULCASTING, INCLUDING THE GENERAL MANAGER AND ASSISTANT
28 MANAGER OF THE LICENSED FACILITY, DIRECTOR OF SLOT OPERATIONS,
29 DIRECTOR OF TABLE GAME OPERATIONS, DIRECTOR OF INTERACTIVE
30 GAMING, DIRECTOR OF CAGE AND/OR CREDIT OPERATIONS, DIRECTOR OF

1 SURVEILLANCE, DIRECTOR OF MARKETING, DIRECTOR OF MANAGEMENT
2 INFORMATION SYSTEMS, DIRECTOR OF INTERACTIVE GAMING SYSTEM
3 PROGRAMS OR OTHER SIMILAR JOB CLASSIFICATIONS ASSOCIATED WITH
4 INTERACTIVE GAMING AND CASINO SIMULCASTING, PERSONS WHO MANAGE,
5 CONTROL OR ADMINISTER INTERACTIVE GAMING AND CASINO SIMULCASTING
6 OR THE BETS AND WAGERS ASSOCIATED WITH AUTHORIZED INTERACTIVE
7 GAMES AND CASINO SIMULCASTING, DIRECTOR OF SECURITY, COMPTROLLER
8 AND ANY EMPLOYEE WHO IS NOT OTHERWISE DESIGNATED AS A GAMING
9 EMPLOYEE AND WHO SUPERVISES THE OPERATIONS OF THESE DEPARTMENTS
10 OR TO WHOM THESE DEPARTMENT DIRECTORS OR DEPARTMENT HEADS REPORT
11 AND SUCH OTHER POSITIONS NOT OTHERWISE DESIGNATED OR DEFINED
12 UNDER THIS PART WHICH THE PENNSYLVANIA GAMING CONTROL BOARD
13 SHALL DETERMINE BASED ON DETAILED ANALYSES OF JOB DESCRIPTIONS
14 AS PROVIDED IN THE INTERNAL CONTROLS OF THE LICENSEE AS APPROVED
15 BY THE PENNSYLVANIA GAMING CONTROL BOARD. ALL OTHER GAMING
16 EMPLOYEES UNLESS OTHERWISE DESIGNATED BY THE PENNSYLVANIA GAMING
17 CONTROL BOARD SHALL BE CLASSIFIED AS NON-KEY EMPLOYEES.

18 * * *

19 "LICENSED FACILITY." THE PHYSICAL LAND-BASED LOCATION AT
20 WHICH A LICENSED GAMING ENTITY IS AUTHORIZED TO PLACE AND
21 OPERATE SLOT MACHINES AND, IF AUTHORIZED BY THE PENNSYLVANIA
22 GAMING CONTROL BOARD UNDER CHAPTER 13A (RELATING TO TABLE
23 GAMES), TO CONDUCT TABLE GAMES AND IF AUTHORIZED UNDER CHAPTER
24 13B (RELATING TO INTERACTIVE GAMING), TO CONDUCT INTERACTIVE
25 GAMING. THE TERM INCLUDES ANY:

26 (1) AREA OF A LICENSED RACETRACK AT WHICH A SLOT MACHINE
27 LICENSEE WAS PREVIOUSLY AUTHORIZED PURSUANT TO SECTION
28 1207(17) (RELATING TO REGULATORY AUTHORITY OF BOARD) TO
29 OPERATE SLOT MACHINES PRIOR TO THE EFFECTIVE DATE OF THIS
30 PARAGRAPH;

1 (2) BOARD-APPROVED INTERIM FACILITY OR TEMPORARY
2 FACILITY; [AND]

3 (3) AREA OF A HOTEL WHICH THE PENNSYLVANIA GAMING
4 CONTROL BOARD DETERMINES IS SUITABLE TO CONDUCT TABLE
5 GAMES[.];

6 (4) AREA OF A LICENSED FACILITY WHERE CASINO
7 SIMULCASTING IS CONDUCTED, AS APPROVED BY THE PENNSYLVANIA
8 GAMING CONTROL BOARD; AND

9 (5) FOR THE PURPOSES OF CHAPTER 13D (RELATING TO SLOT
10 MACHINES AT NONPRIMARY LOCATIONS), THE AREA OF A NONPRIMARY
11 LOCATION IN WHICH A CATEGORY 1 SLOT MACHINE LICENSEE IS
12 AUTHORIZED TO PLACE AND MAKE SLOT MACHINES AVAILABLE FOR
13 PLAY.

14 THE TERM SHALL NOT INCLUDE A REDUNDANCY FACILITY OR AN
15 INTERACTIVE GAMING RESTRICTED AREA WHICH IS NOT LOCATED ON THE
16 PREMISES OF A LICENSED FACILITY AS APPROVED BY THE PENNSYLVANIA
17 GAMING CONTROL BOARD AND WHICH IS MAINTAINED AND OPERATED BY AN
18 INTERACTIVE GAMING CERTIFICATE HOLDER IN CONNECTION WITH
19 INTERACTIVE GAMING OR BY A CATEGORY 1 SLOT MACHINE LICENSEE IN
20 CONNECTION WITH THE OPERATION OF SLOT MACHINES AT A NONPRIMARY
21 LOCATION OR IN CONNECTION WITH CASINO SIMULCASTING.

22 * * *

23 "LICENSED RACING ENTITY." ANY LEGAL ENTITY THAT HAS OBTAINED
24 A LICENSE TO CONDUCT LIVE THOROUGHBRED OR HARNESS HORSE RACE
25 MEETINGS RESPECTIVELY WITH PARI-MUTUEL WAGERING FROM [EITHER]
26 THE STATE HORSE RACING COMMISSION [OR THE STATE HARNESS RACING
27 COMMISSION] PURSUANT TO [THE ACT OF DECEMBER 17, 1981 (P.L.435,
28 NO.135), KNOWN AS] THE RACE HORSE INDUSTRY REFORM ACT.

29 "MANUFACTURER." A PERSON WHO MANUFACTURES, BUILDS, REBUILDS,
30 FABRICATES, ASSEMBLES, PRODUCES, PROGRAMS, DESIGNS OR OTHERWISE

1 MAKES MODIFICATIONS TO ANY SLOT MACHINE, TABLE GAME DEVICE OR
2 ASSOCIATED EQUIPMENT OR AUTHORIZED INTERACTIVE GAMES FOR USE OR
3 PLAY OF SLOT MACHINES [OR], TABLE GAMES OR AUTHORIZED
4 INTERACTIVE GAMES IN THIS COMMONWEALTH FOR GAMING PURPOSES. THE
5 TERM SHALL NOT INCLUDE A PERSON WHO MANUFACTURES, BUILDS,
6 REBUILDS, FABRICATES, ASSEMBLES, PRODUCES, PROGRAMS, DESIGNS OR
7 OTHERWISE MAKES MODIFICATIONS TO MULTI-USE COMPUTING DEVICES
8 USED IN CONNECTION WITH THE CONDUCT OF INTERACTIVE GAMING AT A
9 QUALIFIED AIRPORT.

10 "MANUFACTURER LICENSE." A LICENSE ISSUED BY THE PENNSYLVANIA
11 GAMING CONTROL BOARD AUTHORIZING A MANUFACTURER TO MANUFACTURE
12 OR PRODUCE SLOT MACHINES, TABLE GAME DEVICES OR ASSOCIATED
13 EQUIPMENT, INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT
14 FOR USE IN THIS COMMONWEALTH FOR GAMING PURPOSES.

15 * * *

16 "MULTI-USE COMPUTING DEVICE." AS FOLLOWS:

17 (1) A COMPUTING DEVICE, INCLUDING, BUT NOT LIMITED TO, A
18 TABLET COMPUTER, THAT:

19 (I) ALLOWS A PLAYER TO ACCESS AN AUTHORIZED
20 INTERACTIVE GAME.

21 (II) IS LOCATED AND ACCESSIBLE TO ELIGIBLE
22 PASSENGERS ONLY IN AN AIRPORT GAMING AREA.

23 (III) COMMUNICATES WITH A SERVER THAT IS IN A
24 LOCATION APPROVED BY THE PENNSYLVANIA GAMING CONTROL
25 BOARD.

26 (IV) IS APPROVED BY THE PENNSYLVANIA GAMING CONTROL
27 BOARD.

28 (V) HAS THE CAPABILITY OF BEING LINKED TO AND
29 MONITORED BY THE DEPARTMENT'S CENTRAL CONTROL COMPUTER
30 SYSTEM, AS APPLICABLE FOR ANY PARTICULAR INTERACTIVE

1 GAME, IN ACCORDANCE WITH SECTION 1323 (RELATING TO
2 CENTRAL CONTROL COMPUTER SYSTEM).

3 (VI) OFFERS A PLAYER ADDITIONAL FUNCTIONS WHICH
4 SHALL INCLUDE INTERNET BROWSING, THE CAPABILITY OF
5 CHECKING FLIGHT STATUS AND ORDERING FOOD OR BEVERAGES.

6 (2) THE TERM SHALL NOT INCLUDE ANY TABLET OR COMPUTING
7 DEVICE THAT RESTRICTS, PROHIBITS OR IS INCAPABLE OF PROVIDING
8 ACCESS TO INTERACTIVE GAMING, INTERACTIVE GAMING SKINS OR
9 INTERACTIVE GAMING PLATFORMS.

10 "MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINE SYSTEM." THE
11 LINKING OF SLOT MACHINES LOCATED IN THIS COMMONWEALTH WITH SLOT
12 MACHINES LOCATED IN ONE OR MORE STATES OR JURISDICTIONS IN WHICH
13 THE PENNSYLVANIA GAMING CONTROL BOARD HAS ENTERED INTO AN
14 AGREEMENT AUTHORIZING THE CONDUCT OF A MULTISTATE WIDE-AREA
15 PROGRESSIVE SLOT MACHINE SYSTEM BY SLOT MACHINE LICENSEES IN
16 THIS COMMONWEALTH WITH GAMING ENTITIES IN SUCH OTHER STATE OR
17 JURISDICTION, AS APPROVED BY THE PENNSYLVANIA GAMING CONTROL
18 BOARD.

19 * * *

20 "NONGAMING SERVICE PROVIDER." A PERSON THAT IS NOT A GAMING
21 SERVICE PROVIDER OR REQUIRED TO BE LICENSED AS A MANUFACTURER,
22 SUPPLIER, MANAGEMENT COMPANY OR GAMING JUNKET ENTERPRISE UNDER
23 THIS PART OR REGULATIONS OF THE PENNSYLVANIA GAMING CONTROL
24 BOARD AND THAT PROVIDES GOODS OR SERVICES:

25 (1) TO A SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
26 MACHINE LICENSE FOR USE IN THE OPERATION OF A LICENSED
27 FACILITY; AND

28 (2) THAT DOES NOT REQUIRE ACCESS TO THE GAMING FLOOR OR
29 A GAMING-RELATED RESTRICTED AREA OF A LICENSED FACILITY.

30 * * *

1 "NONPRIMARY LOCATION PERMIT." THE PERMIT ISSUED TO A
2 CATEGORY 1 SLOT MACHINE LICENSEE AUTHORIZING THE PLACEMENT AND
3 OPERATION OF SLOT MACHINES AT A NONPRIMARY LOCATION IN
4 ACCORDANCE WITH CHAPTER 13D (RELATING TO SLOT MACHINES AT
5 NONPRIMARY LOCATIONS).

6 "NONPRIMARY LOCATION PERMIT HOLDER." A CATEGORY 1 SLOT
7 MACHINE LICENSEE THAT HAS BEEN APPROVED FOR AND ISSUED A PERMIT
8 TO PLACE AND MAKE SLOT MACHINES AVAILABLE FOR PLAY AT A
9 NONPRIMARY LOCATION IN ACCORDANCE WITH CHAPTER 13D (RELATING TO
10 SLOT MACHINES AT NONPRIMARY LOCATIONS).

11 * * *

12 "OUT-OF-STATE SENDING TRACK." AN INTERSTATE OR INTERNATIONAL
13 RACETRACK IN A STATE OR JURISDICTION OTHER THAN THIS
14 COMMONWEALTH WHICH IS EQUIPPED TO CONDUCT CASINO SIMULCASTING
15 AND THE OPERATOR OF WHICH IS LAWFULLY PERMITTED TO CONDUCT HORSE
16 RACE MEETINGS AND TO PROVIDE SIMULCAST HORSE RACES TO SLOT
17 MACHINE LICENSEES IN THIS COMMONWEALTH.

18 * * *

19 "PLAYER." AN INDIVIDUAL WAGERING CASH, A CASH EQUIVALENT OR
20 OTHER THING OF VALUE IN THE PLAY OR OPERATION OF A SLOT MACHINE
21 [OR], AN AUTHORIZED INTERACTIVE GAME OR A TABLE GAME, INCLUDING
22 DURING A CONTEST OR TOURNAMENT, THE PLAY OR OPERATION OF WHICH
23 MAY DELIVER OR ENTITLE THE INDIVIDUAL PLAYING OR OPERATING THE
24 SLOT MACHINE [OR], AUTHORIZED INTERACTIVE GAME OR TABLE GAME TO
25 RECEIVE CASH, A CASH EQUIVALENT OR OTHER THING OF VALUE FROM
26 ANOTHER PLAYER OR A SLOT MACHINE LICENSEE.

27 * * *

28 "PROGRESSIVE PAYOUT." A SLOT MACHINE WAGER PAYOUT THAT
29 INCREASES IN A MONETARY AMOUNT BASED ON THE AMOUNTS WAGERED IN A
30 PROGRESSIVE SYSTEM, INCLUDING A MULTISTATE WIDE-AREA PROGRESSIVE

1 SLOT MACHINE SYSTEM.

2 "PROGRESSIVE SYSTEM." A COMPUTERIZED SYSTEM LINKING SLOT
3 MACHINES IN ONE OR MORE LICENSED FACILITIES WITHIN THIS
4 COMMONWEALTH AND OFFERING ONE OR MORE COMMON PROGRESSIVE PAYOUTS
5 BASED ON THE AMOUNTS WAGERED. THE TERM SHALL INCLUDE THE LINKING
6 OF SLOT MACHINES IN A LICENSED FACILITY IN THIS COMMONWEALTH
7 WITH A MULTISTATE WIDE-AREA PROGRESSIVE SYSTEM OPERATED BY
8 GAMING ENTITIES IN ONE OR MORE STATES OR JURISDICTIONS AS
9 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD.

10 * * *

11 "QUALIFIED AIRPORT." A PUBLICLY OWNED COMMERCIAL SERVICE
12 AIRPORT THAT IS DESIGNATED BY THE FEDERAL GOVERNMENT AS AN
13 INTERNATIONAL AIRPORT.

14 * * *

15 "RACE HORSE INDUSTRY REFORM ACT." [THE ACT OF DECEMBER 17,
16 1981 (P.L.435, NO.135), KNOWN AS THE RACE HORSE INDUSTRY REFORM
17 ACT.] ARTICLE XXVIII-D OF THE ACT OF APRIL 9, 1929 (P.L.177,
18 NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

19 "REDUNDANCY FACILITIES." ANY AND ALL ROOMS OR AREAS USED BY
20 A SLOT MACHINE LICENSEE FOR EMERGENCY BACKUP, REDUNDANCY OR
21 SECONDARY OPERATIONS ATTENDANT TO INTERACTIVE GAMING AS APPROVED
22 BY THE PENNSYLVANIA GAMING CONTROL BOARD.

23 "REGISTERED PLAYER." AN INDIVIDUAL WHO HAS ENTERED INTO AN
24 INTERACTIVE GAMING ACCOUNT AGREEMENT WITH AN INTERACTIVE GAMING
25 CERTIFICATE HOLDER.

26 * * *

27 "SIMULCAST HORSE RACE." A THOROUGHBRED OR HARNESS HORSE RACE
28 MEETING CONDUCTED AT A RACETRACK, WHETHER WITHIN OR OUTSIDE THIS
29 COMMONWEALTH, WHICH IS SIMULTANEOUSLY TRANSMITTED BY AN APPROVED
30 TELECOMMUNICATIONS TECHNOLOGY TO RACETRACKS OR SIMULCASTING

1 FACILITIES IN THIS COMMONWEALTH IN ACCORDANCE WITH REGULATIONS
2 OF THE COMMISSION.

3 "SIMULCASTING FACILITY." AN AREA OF A LICENSED FACILITY
4 ESTABLISHED AND MAINTAINED BY A SLOT MACHINE LICENSEE FOR THE
5 CONDUCT OF CASINO SIMULCASTING IN ACCORDANCE WITH CHAPTER 13F
6 (RELATING TO CASINO SIMULCASTING), ARTICLE XXVIII-D OF THE ACT
7 OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE
8 CODE OF 1929, AND REGULATIONS OF THE BOARD AND THE COMMISSION.

9 "SKILL." THE KNOWLEDGE, DEXTERITY, ADROITNESS, ACUMEN OR
10 OTHER MENTAL SKILL OF AN INDIVIDUAL.

11 "SKILL SLOT MACHINE." A SLOT MACHINE IN WHICH THE SKILL OF
12 THE PLAYER, RATHER THAN THE ELEMENTS OF CHANCE, IS THE
13 PREDOMINANT FACTOR IN AFFECTING THE OUTCOME OF THE GAME.

14 "SLOT MACHINE." INCLUDES:

15 (1) ANY MECHANICAL, ELECTRICAL OR COMPUTERIZED
16 CONTRIVANCE, TERMINAL, MACHINE OR OTHER DEVICE APPROVED BY
17 THE PENNSYLVANIA GAMING CONTROL BOARD WHICH, UPON INSERTION
18 OF A COIN, BILL, TICKET, TOKEN OR SIMILAR OBJECT THEREIN OR
19 UPON PAYMENT OF ANY CONSIDERATION WHATSOEVER, INCLUDING THE
20 USE OF ANY ELECTRONIC PAYMENT SYSTEM EXCEPT A CREDIT CARD OR
21 DEBIT CARD, IS AVAILABLE TO PLAY OR OPERATE, THE PLAY OR
22 OPERATION OF WHICH, WHETHER BY REASON OF SKILL OR APPLICATION
23 OF THE ELEMENT OF CHANCE OR BOTH, MAY DELIVER OR ENTITLE THE
24 PERSON OR PERSONS PLAYING OR OPERATING THE CONTRIVANCE,
25 TERMINAL, MACHINE OR OTHER DEVICE TO RECEIVE CASH, BILLETS,
26 TICKETS, TOKENS OR ELECTRONIC CREDITS TO BE EXCHANGED FOR
27 CASH OR TO RECEIVE MERCHANDISE OR ANYTHING OF VALUE
28 WHATSOEVER, WHETHER THE PAYOFF IS MADE AUTOMATICALLY FROM THE
29 MACHINE OR MANUALLY. A SLOT MACHINE:

30 [(1)] (I) MAY UTILIZE SPINNING REELS OR VIDEO

1 DISPLAYS OR BOTH.

2 [(2)] (II) MAY OR MAY NOT DISPENSE COINS, TICKETS OR
3 TOKENS TO WINNING PATRONS.

4 [(3)] (III) MAY USE AN ELECTRONIC CREDIT SYSTEM FOR
5 RECEIVING WAGERS AND MAKING PAYOUTS.

6 (2) THE TERM SHALL INCLUDE [ASSOCIATED EQUIPMENT] ALL OF
7 THE FOLLOWING:

8 (I) ASSOCIATED EQUIPMENT NECESSARY TO CONDUCT THE
9 OPERATION OF THE CONTRIVANCE, TERMINAL, MACHINE OR OTHER
10 DEVICE.

11 (II) A SKILL SLOT MACHINE, HYBRID SLOT MACHINE AND
12 THE DEVICES OR ASSOCIATED EQUIPMENT NECESSARY TO CONDUCT
13 THE OPERATION OF A SKILL SLOT MACHINE OR HYBRID SLOT
14 MACHINE.

15 (III) A MULTISTATE WIDE-AREA PROGRESSIVE SLOT
16 MACHINE AND DEVICES AND ASSOCIATED EQUIPMENT AS DEFINED
17 BY THE BOARD THROUGH REGULATIONS.

18 (IV) A MULTI-USE COMPUTING DEVICE WHICH IS CAPABLE
19 OF SIMULATING, EITHER DIGITALLY OR ELECTRONICALLY, A SLOT
20 MACHINE.

21 * * *

22 "SUPPLIER." A PERSON THAT SELLS, LEASES, OFFERS OR OTHERWISE
23 PROVIDES, DISTRIBUTES OR SERVICES ANY SLOT MACHINE, TABLE GAME
24 DEVICE OR ASSOCIATED EQUIPMENT, OR INTERACTIVE GAMING DEVICE OR
25 ASSOCIATED EQUIPMENT FOR USE OR PLAY OF SLOT MACHINES [OR],
26 TABLE GAMES OR INTERACTIVE GAMES IN THIS COMMONWEALTH. THE TERM
27 SHALL INCLUDE A PERSON THAT SELLS, LEASES, OFFERS OR OTHERWISE
28 PROVIDES, DISTRIBUTES OR SERVICES ANY MULTI-USE COMPUTING DEVICE
29 AS APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD.

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 GAME DEVICES OR
3 ASSOCIATED EQUIPMENT, INTERACTIVE GAMING DEVICE, INCLUDING ANY
4 MULTI-USE COMPUTING DEVICE OR ASSOCIATED EQUIPMENT, TO SLOT
5 MACHINE LICENSEES FOR USE IN THIS COMMONWEALTH FOR GAMING
6 PURPOSES.

7 * * *

8 "TABLE GAME DEVICE." INCLUDES GAMING TABLES, CARDS, DICE,
9 CHIPS, SHUFFLERS, TILES, DOMINOES, WHEELS[, DROP BOXES] OR ANY
10 MECHANICAL, ELECTRICAL OR COMPUTERIZED CONTRIVANCE, TERMINAL,
11 MACHINE OR OTHER DEVICE, APPARATUS, EQUIPMENT OR SUPPLIES
12 APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AND USED TO
13 CONDUCT A TABLE GAME OR THAT IS CAPABLE, THROUGH THE USE OF
14 DIGITAL, ELECTRONIC OR OTHER COMMUNICATIONS TECHNOLOGY, OF
15 SIMULATING PLAY OF A TABLE GAME.

16 * * *

17 SECTION 4. SECTION 1202(A)(1) AND (B)(20) AND (23) OF TITLE
18 4 ARE AMENDED AND SUBSECTION (B) IS AMENDED BY ADDING PARAGRAPHS
19 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] AND RELATED
24 ACTIVITIES AS DESCRIBED IN THIS PART. THE BOARD SHALL ENSURE
25 THE INTEGRITY OF THE ACQUISITION AND OPERATION OF SLOT
26 MACHINES, TABLE GAMES, TABLE GAME DEVICES AND ASSOCIATED
27 EQUIPMENT AND AUTHORIZED INTERACTIVE GAMES AND INTERACTIVE
28 GAMING DEVICES AND ASSOCIATED EQUIPMENT AND SHALL HAVE SOLE
29 REGULATORY AUTHORITY OVER EVERY ASPECT OF THE AUTHORIZATION,
30 OPERATION AND PLAY OF SLOT MACHINES [AND], INCLUDING THE

1 OPERATION OF SLOT MACHINES AT NONPRIMARY LOCATIONS, TABLE
2 GAMES AND INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT
3 AND THE IMPLEMENTATION AND REGULATION OF AIRPORT GAMING.

4 * * *

5 (B) SPECIFIC POWERS.--THE BOARD SHALL HAVE THE SPECIFIC
6 POWER AND DUTY:

7 * * *

8 (12.2) AT ITS DISCRETION, TO AWARD, REVOKE, SUSPEND,
9 CONDITION OR DENY AN INTERACTIVE GAMING CERTIFICATE OR AN
10 INTERACTIVE GAMING LICENSE IN ACCORDANCE WITH CHAPTER 13B
11 (RELATING TO INTERACTIVE GAMING).

12 (12.3) TO AWARD, REVOKE, SUSPEND, CONDITION OR DENY A
13 CASINO SIMULCASTING PERMIT IN ACCORDANCE WITH CHAPTER 13F
14 (RELATING TO CASINO SIMULCASTING).

15 (12.4) AT ITS DISCRETION, TO AWARD, REVOKE, SUSPEND,
16 CONDITION OR DENY AUTHORIZATION FOR THE PLACEMENT AND
17 OPERATION OF SLOT MACHINES AT A NONPRIMARY LOCATION IN
18 ACCORDANCE WITH CHAPTER 13D (RELATING TO SLOT MACHINES AT
19 NONPRIMARY LOCATIONS).

20 * * *

21 (20) IN ADDITION TO THE POWER OF THE BOARD REGARDING
22 LICENSE AND PERMIT APPLICANTS, TO DETERMINE AT ITS DISCRETION
23 THE SUITABILITY OF ANY PERSON WHO FURNISHES OR SEEKS TO
24 FURNISH TO A SLOT MACHINE LICENSEE DIRECTLY OR INDIRECTLY ANY
25 GOODS, SERVICES OR PROPERTY RELATED TO SLOT MACHINES, TABLE
26 GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,
27 INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES AND
28 ASSOCIATED EQUIPMENT OR CASINO SIMULCASTING TECHNOLOGY AND
29 EQUIPMENT OR THROUGH ANY ARRANGEMENTS UNDER WHICH THAT PERSON
30 RECEIVES PAYMENT BASED DIRECTLY OR INDIRECTLY ON EARNINGS,

1 PROFITS OR RECEIPTS FROM THE SLOT MACHINES, TABLE GAMES,
2 TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT, INTERACTIVE
3 GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT OR
4 CASINO SIMULCASTING TECHNOLOGY AND EQUIPMENT. THE BOARD MAY
5 REQUIRE ANY SUCH PERSON TO COMPLY WITH THE REQUIREMENTS OF
6 THIS PART AND THE REGULATIONS OF THE BOARD AND MAY PROHIBIT
7 THE PERSON FROM FURNISHING THE GOODS, SERVICES OR PROPERTY
8 EXCEPT THAT, IN DETERMINING THE SUITABILITY OF A PERSON WHO
9 FURNISHES OR SEEKS TO FURNISH CASINO SIMULCASTING TECHNOLOGY
10 AND EQUIPMENT, THE BOARD SHALL CONSULT THE COMMISSION.

11 * * *

12 (23) THE BOARD SHALL NOT APPROVE AN APPLICATION FOR OR
13 ISSUE OR RENEW A LICENSE, CERTIFICATE, REGISTRATION OR PERMIT
14 UNLESS IT IS SATISFIED THAT THE APPLICANT HAS DEMONSTRATED BY
15 CLEAR AND CONVINCING EVIDENCE THAT THE APPLICANT IS A PERSON
16 OF GOOD CHARACTER, HONESTY AND INTEGRITY AND IS A PERSON
17 WHOSE PRIOR ACTIVITIES, CRIMINAL RECORD, IF ANY, REPUTATION,
18 HABITS AND ASSOCIATIONS DO NOT POSE A THREAT TO THE PUBLIC
19 INTEREST OR THE EFFECTIVE REGULATION AND CONTROL OF SLOT
20 MACHINE [OR], INCLUDING THE OPERATION OF SLOT MACHINES AT
21 NONPRIMARY LOCATIONS AND QUALIFIED AIRPORTS, TABLE GAME
22 OPERATIONS OR INTERACTIVE GAMING OPERATIONS OR CASINO
23 SIMULCASTING, OR CREATE OR ENHANCE THE DANGER OF UNSUITABLE,
24 UNFAIR OR ILLEGAL PRACTICES, METHODS AND ACTIVITIES IN THE
25 CONDUCT OF SLOT MACHINE OR TABLE GAME OPERATIONS, INTERACTIVE
26 GAMING OPERATIONS, CASINO SIMULCASTING OR THE CARRYING ON OF
27 THE BUSINESS AND FINANCIAL ARRANGEMENTS INCIDENTAL THERETO.

28 * * *

29 (27.2) WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS
30 SECTION, TO PUBLISH ON THE BOARD'S INTERNET WEBSITE A

1 COMPLETE LIST OF ALL SLOT MACHINE LICENSEES WHO FILED A
2 PETITION SEEKING AUTHORIZATION TO CONDUCT INTERACTIVE GAMING
3 AND THE STATUS OF EACH PETITION OR INTERACTIVE GAMING
4 CERTIFICATE.

5 * * *

6 (35) TO REVIEW DETAILED SITE PLANS IDENTIFYING THE
7 INTERACTIVE GAMING RESTRICTED AREA OR ROOM WHERE A SLOT
8 MACHINE LICENSEE PROPOSES TO MANAGE, ADMINISTER OR CONTROL
9 INTERACTIVE GAMING OPERATIONS TO DETERMINE THE ADEQUACY OF
10 THE PROPOSED INTERNAL AND EXTERNAL SECURITY AND PROPOSED
11 SURVEILLANCE MEASURES.

12 (36) TO REQUIRE EACH SLOT MACHINE LICENSEE THAT HOLDS AN
13 INTERACTIVE GAMING CERTIFICATE TO PROVIDE ON A QUARTERLY
14 BASIS THE FOLLOWING INFORMATION WITH RESPECT TO INTERACTIVE
15 GAMING:

16 (I) THE NAME OF ANY PERSON, ENTITY OR FIRM TO WHOM
17 ANY PAYMENT, REMUNERATION OR OTHER BENEFIT OR THING OF
18 VALUE HAS BEEN MADE OR CONFERRED FOR PROFESSIONAL
19 SERVICES, INCLUDING, BUT NOT LIMITED TO, INTERACTIVE
20 GAMING SYSTEM OPERATIONS OR MANAGEMENT, LEGAL, CONSULTING
21 AND LOBBYING SERVICES;

22 (II) THE AMOUNT OR VALUE OF THE PAYMENTS,
23 REMUNERATION, BENEFIT OR THING OF VALUE;

24 (III) THE DATE ON WHICH THE PAYMENTS, REMUNERATION,
25 BENEFIT OR THING OF VALUE WAS SUBMITTED; AND

26 (IV) THE REASON OR PURPOSE FOR THE PROCUREMENT OF
27 THE SERVICES.

28 (37) TO REVIEW AND APPROVE DETAILED SITE AND
29 ARCHITECTURAL PLANS IDENTIFYING THE AREA OF A LICENSED
30 FACILITY WHERE A SLOT MACHINE LICENSEE PROPOSES TO MANAGE,

1 CONTROL AND ADMINISTER CASINO SIMULCASTING IN ORDER TO
2 DETERMINE THE ADEQUACY OF PROPOSED INTERNAL AND EXTERNAL
3 CONTROLS, SECURITY AND SURVEILLANCE MEASURES.

4 (38) TO REVIEW AND APPROVE DETAILED SITE AND
5 ARCHITECTURAL PLANS IDENTIFYING THE AREA OF A NONPRIMARY
6 LOCATION WHERE A CATEGORY 1 SLOT MACHINE LICENSEE PROPOSES TO
7 PLACE AND MAKE SLOT MACHINES AVAILABLE FOR PLAY IN ACCORDANCE
8 WITH CHAPTER 13D IN ORDER TO DETERMINE THE ADEQUACY OF
9 PROPOSED INTERNAL AND EXTERNAL CONTROLS, SECURITY AND
10 PROPOSED SURVEILLANCE MEASURES.

11 (39) TO REVIEW AND APPROVE DETAILED SITE AND
12 ARCHITECTURAL PLANS IDENTIFYING THE AREA OF A LICENSED
13 FACILITY WHERE A SLOT MACHINE LICENSEE PROPOSES TO PLACE AND
14 MAKE MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINES, SKILL
15 SLOT MACHINES OR HYBRID SLOT MACHINES AVAILABLE FOR PLAY IN
16 ORDER TO DETERMINE THE ADEQUACY OF PROPOSED INTERNAL AND
17 EXTERNAL CONTROLS, SECURITY AND PROPOSED SURVEILLANCE
18 MEASURES.

19 SECTION 5. SECTIONS 1204 AND 1206(F)(1) OF TITLE 4 ARE
20 AMENDED TO READ:

21 § 1204. LICENSED GAMING ENTITY APPLICATION APPEALS FROM BOARD.

22 THE SUPREME COURT OF PENNSYLVANIA SHALL BE VESTED WITH
23 EXCLUSIVE APPELLATE JURISDICTION TO CONSIDER APPEALS OF ANY
24 FINAL ORDER, DETERMINATION OR DECISION OF THE BOARD INVOLVING
25 THE APPROVAL, ISSUANCE, DENIAL OR CONDITIONING OF A SLOT MACHINE
26 LICENSE [OR], THE AWARD, DENIAL OR CONDITIONING OF A TABLE GAME
27 OPERATION CERTIFICATE[.] OR THE AWARD, DENIAL OR CONDITIONING OF
28 AN INTERACTIVE GAMING CERTIFICATE, AN INTERACTIVE GAMING
29 LICENSE, A CASINO SIMULCASTING PERMIT, A NONPRIMARY LOCATION
30 PERMIT OR AN AIRPORT GAMING OPERATION CERTIFICATE.

1 NOTWITHSTANDING THE PROVISIONS OF 2 PA.C.S. CH. 7 SUBCH. A
2 (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY ACTION) AND
3 42 PA.C.S. § 763 (RELATING TO DIRECT APPEALS FROM GOVERNMENT
4 AGENCIES), THE SUPREME COURT SHALL AFFIRM ALL FINAL ORDERS,
5 DETERMINATIONS OR DECISIONS OF THE BOARD INVOLVING THE APPROVAL,
6 ISSUANCE, DENIAL OR CONDITIONING OF A SLOT MACHINE LICENSE [OR],
7 THE AWARD, DENIAL OR CONDITIONING OF A TABLE GAME OPERATION
8 CERTIFICATE OR THE AWARD, DENIAL OR CONDITIONING OF AN
9 INTERACTIVE GAMING CERTIFICATE, AN INTERACTIVE GAMING LICENSE, A
10 CASINO SIMULCASTING PERMIT, A NONPRIMARY LOCATION PERMIT OR AN
11 AIRPORT GAMING OPERATION CERTIFICATE, UNLESS IT SHALL FIND THAT
12 THE BOARD COMMITTED AN ERROR OF LAW OR THAT THE ORDER,
13 DETERMINATION OR DECISION OF THE BOARD WAS ARBITRARY AND THERE
14 WAS A CAPRICIOUS DISREGARD OF THE EVIDENCE.

15 § 1206. BOARD MINUTES AND RECORDS.

16 * * *

17 (F) CONFIDENTIALITY OF INFORMATION.--

18 (1) THE FOLLOWING INFORMATION SUBMITTED BY AN APPLICANT,
19 PERMITTEE, CERTIFICATE HOLDER OR LICENSEE PURSUANT TO SECTION
20 1310(A) (RELATING TO SLOT MACHINE LICENSE APPLICATION
21 CHARACTER REQUIREMENTS) [OR], 1308(A.1) (RELATING TO
22 APPLICATIONS FOR LICENSE OR PERMIT), 13B12 (RELATING TO
23 INTERACTIVE GAMING CERTIFICATE REQUIRED AND CONTENT OF
24 PETITION), 13B14 (RELATING TO INTERACTIVE GAMING OPERATORS),
25 13D11 (RELATING TO APPLICATION FOR NONPRIMARY LOCATION
26 PERMIT), 13E12 (RELATING TO APPLICATION) OR 13F12 (RELATING
27 TO CASINO SIMULCASTING PERMIT) OR OBTAINED BY THE BOARD OR
28 THE BUREAU AS PART OF A BACKGROUND OR OTHER INVESTIGATION
29 FROM ANY SOURCE SHALL BE CONFIDENTIAL AND WITHHELD FROM
30 PUBLIC DISCLOSURE:

1 (I) ALL INFORMATION RELATING TO CHARACTER, HONESTY
2 AND INTEGRITY, INCLUDING FAMILY, HABITS, REPUTATION,
3 HISTORY OF CRIMINAL ACTIVITY, BUSINESS ACTIVITIES,
4 FINANCIAL AFFAIRS AND BUSINESS, PROFESSIONAL AND PERSONAL
5 ASSOCIATIONS SUBMITTED UNDER SECTION 1310(A) OR 1308(A.1)
6 OR OTHERWISE OBTAINED BY THE BOARD OR THE BUREAU.

7 (II) NONPUBLIC PERSONAL INFORMATION, INCLUDING HOME
8 ADDRESSES, TELEPHONE NUMBERS AND OTHER PERSONAL CONTACT
9 INFORMATION, SOCIAL SECURITY NUMBERS, EDUCATIONAL
10 RECORDS, MEMBERSHIPS, MEDICAL RECORDS, TAX RETURNS AND
11 DECLARATIONS, ACTUAL OR PROPOSED COMPENSATION, FINANCIAL
12 ACCOUNT RECORDS, CREDITWORTHINESS OR FINANCIAL CONDITION
13 RELATING TO AN APPLICANT, LICENSEE [OR], PERMITTEE,
14 INCLUDING THE HOLDER OF AN INTERACTIVE GAMING
15 CERTIFICATE, INTERACTIVE GAMING LICENSE, CASINO
16 SIMULCASTING PERMIT, NONPRIMARY LOCATION PERMIT OR
17 AIRPORT GAMING OPERATION CERTIFICATE OR THE IMMEDIATE
18 FAMILY THEREOF.

19 (III) INFORMATION RELATING TO PROPRIETARY
20 INFORMATION, TRADE SECRETS, PATENTS OR EXCLUSIVE
21 LICENSES, ARCHITECTURAL AND ENGINEERING PLANS AND
22 INFORMATION RELATING TO COMPETITIVE MARKETING MATERIALS
23 AND STRATEGIES, WHICH MAY INCLUDE CUSTOMER-IDENTIFYING
24 INFORMATION OR CUSTOMER PROSPECTS FOR SERVICES SUBJECT TO
25 COMPETITION.

26 (IV) SECURITY INFORMATION, INCLUDING RISK PREVENTION
27 PLANS, DETECTION AND COUNTERMEASURES, LOCATION OF COUNT
28 ROOMS, LOCATION OF INTERACTIVE GAMING RESTRICTED AREAS
29 AND REDUNDANCY FACILITIES, EMERGENCY MANAGEMENT PLANS,
30 SECURITY AND SURVEILLANCE PLANS, EQUIPMENT AND USAGE

1 PROTOCOLS AND THEFT AND FRAUD PREVENTION PLANS AND
2 COUNTERMEASURES.

3 (V) INFORMATION WITH RESPECT TO WHICH THERE IS A
4 REASONABLE POSSIBILITY THAT PUBLIC RELEASE OR INSPECTION
5 OF THE INFORMATION WOULD CONSTITUTE AN UNWARRANTED
6 INVASION INTO PERSONAL PRIVACY OF ANY INDIVIDUAL AS
7 DETERMINED BY THE BOARD.

8 (VI) RECORDS OF AN APPLICANT OR LICENSEE NOT
9 REQUIRED TO BE FILED WITH THE SECURITIES AND EXCHANGE
10 COMMISSION BY ISSUERS THAT EITHER HAVE SECURITIES
11 REGISTERED UNDER SECTION 12 OF THE SECURITIES EXCHANGE
12 ACT OF 1934 (48 STAT. 881, 15 U.S.C. § 78L) OR ARE
13 REQUIRED TO FILE REPORTS UNDER SECTION 15(D) OF THE
14 SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881, 15 U.S.C.
15 § 78O).

16 (VII) RECORDS CONSIDERED NONPUBLIC MATTERS OR
17 INFORMATION BY THE SECURITIES AND EXCHANGE COMMISSION AS
18 PROVIDED BY 17 CFR 200.80 (RELATING TO COMMISSION RECORDS
19 AND INFORMATION).

20 (VIII) ANY FINANCIAL INFORMATION DEEMED CONFIDENTIAL
21 BY THE BOARD UPON A SHOWING OF GOOD CAUSE BY THE
22 APPLICANT OR LICENSEE.

23 * * *

24 SECTION 6. SECTION 1207(1), (3), (4), (5), (6), (8), (9),
25 (10) AND (21) OF TITLE 4 ARE AMENDED AND THE SECTION IS AMENDED
26 BY ADDING PARAGRAPHS TO READ:

27 § 1207. REGULATORY AUTHORITY OF BOARD.

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

29 (1) DENY, DENY THE RENEWAL, REVOKE, CONDITION OR SUSPEND
30 ANY LICENSE [OR], PERMIT, CERTIFICATE, REGISTRATION OR OTHER

1 AUTHORIZATIONS PROVIDED FOR IN THIS PART IF THE BOARD FINDS
2 IN ITS SOLE DISCRETION THAT A LICENSEE [OR], PERMITTEE,
3 REGISTRANT OR CERTIFICATE HOLDER, INCLUDING ANY INTERACTIVE
4 GAMING OPERATOR, UNDER THIS PART, OR ITS OFFICERS, EMPLOYEES
5 OR AGENTS, HAVE FURNISHED FALSE OR MISLEADING INFORMATION TO
6 THE BOARD OR FAILED TO COMPLY WITH THE PROVISIONS OF THIS
7 PART OR THE RULES AND REGULATIONS OF THE BOARD AND THAT IT
8 WOULD BE IN THE PUBLIC INTEREST TO DENY, DENY THE RENEWAL,
9 REVOKE, CONDITION OR SUSPEND THE LICENSE [OR], PERMIT,
10 CERTIFICATE, REGISTRATION OR OTHER AUTHORIZATIONS.

11 * * *

12 (3) PRESCRIBE AND REQUIRE PERIODIC FINANCIAL REPORTING
13 AND INTERNAL CONTROL REQUIREMENTS FOR ALL LICENSED ENTITIES,
14 INCLUDING, IN THE CASE OF INTERACTIVE GAMING, ALL INTERACTIVE
15 GAMING OPERATORS.

16 (4) REQUIRE THAT EACH LICENSED ENTITY, INCLUDING, IN THE
17 CASE OF INTERACTIVE GAMING, EACH INTERACTIVE GAMING OPERATOR,
18 PROVIDE TO THE BOARD ITS AUDITED ANNUAL FINANCIAL STATEMENTS,
19 WITH SUCH ADDITIONAL DETAIL AS THE BOARD FROM TIME TO TIME
20 SHALL REQUIRE, WHICH INFORMATION SHALL BE SUBMITTED NOT LATER
21 THAN 90 DAYS AFTER THE END OF THE LICENSEE'S FISCAL YEAR.

22 (5) PRESCRIBE THE PROCEDURES TO BE FOLLOWED BY SLOT
23 MACHINE LICENSEES FOR ANY FINANCIAL EVENT THAT OCCURS IN THE
24 OPERATION AND PLAY OF SLOT MACHINES [OR], TABLE GAMES,
25 AUTHORIZED INTERACTIVE GAMES, CASINO SIMULCASTING OR MULTI-
26 USE COMPUTING DEVICES.

27 (6) PRESCRIBE CRITERIA AND CONDITIONS FOR THE OPERATION
28 OF SLOT MACHINE PROGRESSIVE SYSTEMS, INCLUDING MULTISTATE
29 WIDE-AREA PROGRESSIVE SLOT MACHINE SYSTEMS. A WIDE AREA
30 PROGRESSIVE SLOT SYSTEM SHALL BE COLLECTIVELY ADMINISTERED BY

1 PARTICIPATING SLOT MACHINE LICENSEES IN ACCORDANCE WITH THE
2 TERMS OF A WRITTEN AGREEMENT EXECUTED BY EACH PARTICIPATING
3 SLOT MACHINE LICENSEE AND, IN THE CASE OF A MULTISTATE WIDE-
4 AREA PROGRESSIVE SLOT MACHINE SYSTEM, IN ACCORDANCE WITH THE
5 TERMS OF AN AGREEMENT EXECUTED BY THE SLOT MACHINE LICENSEE
6 AND AUTHORIZED GAMING ENTITIES IN OTHER STATES OR
7 JURISDICTIONS, AS APPROVED BY THE BOARD.

8 (6.1) COLLABORATE WITH THE APPROPRIATE GAMING
9 AUTHORITIES IN OTHER STATES OR JURISDICTIONS TO FACILITATE
10 THE ESTABLISHMENT OF MULTISTATE WIDE-AREA PROGRESSIVE SLOT
11 MACHINE SYSTEMS BY SLOT MACHINE LICENSEES IN THIS
12 COMMONWEALTH AND, IF DETERMINED NECESSARY, ENTER INTO THE
13 NECESSARY AGREEMENTS WITH SUCH OTHER STATES OR JURISDICTIONS
14 AS NECESSARY FOR THE OPERATION OF MULTISTATE WIDE-AREA
15 PROGRESSIVE SLOT MACHINE SYSTEMS BY SLOT MACHINE LICENSEES IN
16 THIS COMMONWEALTH.

17 * * *

18 (7.2) ENFORCE PRESCRIBED HOURS FOR THE OPERATION OF
19 AUTHORIZED INTERACTIVE GAMES SO THAT AN INTERACTIVE GAMING
20 CERTIFICATE HOLDER OR INTERACTIVE GAMING LICENSEE MAY CONDUCT
21 AUTHORIZED INTERACTIVE GAMES ON ANY DAY DURING THE YEAR IN
22 ORDER TO MEET THE NEEDS OF REGISTERED PLAYERS OR TO MEET
23 COMPETITION.

24 (7.3) IN CONSULTATION WITH THE COMMISSION, ENFORCE
25 PRESCRIBED HOURS OF OPERATION OF CASINO SIMULCASTING BY SLOT
26 MACHINE LICENSEES AND THE OPERATION OF SLOT MACHINES AT A
27 NONPRIMARY LOCATION BY A CATEGORY 1 SLOT MACHINE LICENSEE.

28 (8) REQUIRE THAT EACH LICENSED GAMING ENTITY PROHIBIT
29 PERSONS UNDER 21 YEARS OF AGE FROM OPERATING OR USING SLOT
30 MACHINES [OR], PLAYING TABLE GAMES OR PARTICIPATING IN

1 INTERACTIVE GAMING AND CASINO SIMULCASTING.

2 (9) ESTABLISH PROCEDURES FOR THE INSPECTION AND
3 CERTIFICATION OF COMPLIANCE OF EACH SLOT MACHINE, TABLE GAME,
4 TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT, INTERACTIVE GAME
5 AND INTERACTIVE GAMING DEVICE AND ASSOCIATED EQUIPMENT AND
6 CASINO SIMULCASTING TECHNOLOGY AND EQUIPMENT PRIOR TO BEING
7 PLACED INTO USE BY A SLOT MACHINE LICENSEE. HOWEVER, THE
8 BOARD SHALL COLLABORATE WITH THE COMMISSION TO FACILITATE THE
9 INSPECTION AND CERTIFICATION OF CASINO SIMULCASTING
10 TECHNOLOGY AND EQUIPMENT.

11 (10) REQUIRE THAT NO SLOT MACHINE OR AUTHORIZED
12 INTERACTIVE GAME THAT REPLICATES THE PLAY OF A SLOT MACHINE
13 MAY BE SET TO PAY OUT LESS THAN THE THEORETICAL PAYOUT
14 PERCENTAGE, WHICH SHALL BE NO LESS THAN 85%, AS SPECIFICALLY
15 APPROVED BY THE BOARD. THE BOARD SHALL ADOPT REGULATIONS THAT
16 DEFINE THE THEORETICAL PAYOUT PERCENTAGE OF A SLOT MACHINE
17 GAME BASED ON THE TOTAL VALUE OF THE JACKPOTS EXPECTED TO BE
18 PAID BY A PLAY OR A SLOT MACHINE GAME DIVIDED BY THE TOTAL
19 VALUE OF SLOT MACHINE WAGERS EXPECTED TO BE MADE ON THAT PLAY
20 OR SLOT MACHINE GAME DURING THE SAME PORTION OF THE GAME
21 CYCLE. IN SO DOING, THE BOARD SHALL DECIDE WHETHER THE
22 CALCULATION SHALL INCLUDE THE ENTIRE CYCLE OF A SLOT MACHINE
23 GAME OR ANY PORTION THEREOF. EXCEPT THAT, IN THE CASE OF
24 SKILL SLOT MACHINES AND HYBRID SLOT MACHINES, THE BOARD SHALL
25 ADOPT REGULATIONS TO DEFINE THE PLAYER'S WIN PERCENTAGE BASED
26 ON THE RELATIVE SKILL OF THE PLAYER OR THE COMBINATION OF
27 SKILL AND THE ELEMENTS OF CHANCE OF THE GAME. IN THE CASE OF
28 MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINE SYSTEM, THE
29 THEORETICAL PAYOUT PERCENTAGE OR A PLAYER'S WIN PERCENTAGE
30 SHALL BE AS SET FORTH IN THE AGREEMENT, AS APPROVED BY THE

1 BOARD.

2 * * *

3 (21) AUTHORIZE, IN ITS DISCRETION, A SLOT MACHINE
4 LICENSEE TO CONDUCT SLOT MACHINE CONTESTS OR TOURNAMENTS,
5 TABLE GAME TOURNAMENTS OR CONTESTS IN ACCORDANCE WITH SECTION
6 13A22.1 (RELATING TO TABLE GAME TOURNAMENTS) OR INTERACTIVE
7 GAMING CONTESTS OR TOURNAMENTS AND ADOPT REGULATIONS
8 GOVERNING THE CONDUCT OF SUCH TOURNAMENTS AND CONTESTS.

9 (21.1) AUTHORIZE, AT ITS DISCRETION, A SLOT MACHINE
10 LICENSEE TO PLACE AND MAKE MULTISTATE WIDE-AREA PROGRESSIVE
11 SLOT MACHINES, SKILL SLOT MACHINES OR HYBRID SLOT MACHINES
12 AVAILABLE FOR PLAY AT LICENSED FACILITIES.

13 (21.2) ADOPT AND PROMULGATE REGULATIONS TO GOVERN THE
14 OPERATION AND PLACEMENT OF SKILL SLOT MACHINES AND HYBRID
15 SLOT MACHINES BY SLOT MACHINE LICENSEES AT LICENSED
16 FACILITIES. IN ORDER TO FACILITATE THE OPERATION AND
17 PLACEMENT OF SKILL AND HYBRID SLOT MACHINES AT LICENSED
18 FACILITIES PURSUANT TO THIS PARAGRAPH, REGULATIONS
19 PROMULGATED BY THE BOARD SHALL BE DEEMED TEMPORARY
20 REGULATIONS WHICH SHALL EXPIRE TWO YEARS AFTER THE DATE OF
21 PUBLICATION IN THE PENNSYLVANIA BULLETIN.

22 (22) LICENSE, REGULATE, INVESTIGATE AND TAKE ANY OTHER
23 ACTION DETERMINED NECESSARY REGARDING ALL ASPECTS OF
24 INTERACTIVE GAMING, CASINO SIMULCASTING AND THE OPERATION OF
25 SLOT MACHINES AT NONPRIMARY LOCATIONS AND QUALIFIED AIRPORTS.

26 (23) DEFINE AND LIMIT THE AREAS OF OPERATION AND THE
27 RULES OF AUTHORIZED INTERACTIVE GAMES, INCLUDING ODDS,
28 DEVICES AND ASSOCIATED EQUIPMENT PERMITTED AND THE METHOD OF
29 OPERATION OF AUTHORIZED INTERACTIVE GAMES AND INTERACTIVE
30 GAMING DEVICES AND ASSOCIATED EQUIPMENT.

1 (24) REQUIRE, AS APPLICABLE, THAT ALL WAGERING OFFERED
2 THROUGH INTERACTIVE GAMING DISPLAY ONLINE THE PERMISSIBLE
3 MINIMUM AND MAXIMUM WAGERS ASSOCIATED WITH EACH AUTHORIZED
4 INTERACTIVE GAME.

5 (25) ENSURE, IN CONSULTATION WITH THE COMMISSION, THAT
6 THE WAGERING AT CASINO SIMULCASTING FACILITIES IS CONDUCTED
7 IN CONFORMANCE WITH THE PARI-MUTUEL SYSTEM OF WAGERING
8 REGULATED BY THE COMMISSION PURSUANT TO ARTICLE XXVIII-D OF
9 THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE
10 ADMINISTRATIVE CODE OF 1929.

11 (26) NEGOTIATE AND ENTER INTO INTERACTIVE GAMING
12 RECIPROCAL AGREEMENTS ON BEHALF OF THE COMMONWEALTH TO GOVERN
13 THE CONDUCT OF INTERACTIVE GAMING BETWEEN INTERACTIVE GAMING
14 CERTIFICATE HOLDERS IN THIS COMMONWEALTH AND GAMING ENTITIES
15 OF OTHER STATES OR JURISDICTIONS. NOTWITHSTANDING ANY
16 PROVISION OF THIS PART, WAGERS MAY BE ACCEPTED IN ACCORDANCE
17 WITH THIS PART AND REGULATIONS OF THE BOARD FROM PERSONS IN
18 OTHER STATES OR JURISDICTIONS IF THE BOARD DETERMINES THAT
19 SUCH WAGERING IS NOT INCONSISTENT WITH FEDERAL LAW OR THE LAW
20 OF THE STATE OR JURISDICTION, INCLUDING A FOREIGN
21 JURISDICTION, IN WHICH THE PERSON IS LOCATED, OR SUCH
22 WAGERING IS CONDUCTED PURSUANT TO AN INTERACTIVE GAMING
23 RECIPROCAL AGREEMENT TO WHICH THIS COMMONWEALTH IS A PARTY
24 THAT IS NOT INCONSISTENT WITH FEDERAL LAW. THE BOARD, WITH
25 THE APPROVAL OF THE GOVERNOR, IS HEREBY DESIGNATED AS THE
26 AGENCY OF THE COMMONWEALTH WITH THE SOLE POWER AND AUTHORITY
27 TO ENTER INTO INTERACTIVE GAMING RECIPROCAL AGREEMENTS WITH
28 OTHER STATES OR JURISDICTIONS.

29 (27) ENTER INTO AGREEMENTS WITH OTHER STATES FOR THE
30 OPERATION OF MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINE

1 SYSTEMS.

2 (28) AUTHORIZE A CATEGORY 2 OR CATEGORY 3 SLOT MACHINE
3 LICENSEE TO ENTER INTO AN AGREEMENT WITH A CATEGORY 1 SLOT
4 MACHINE LICENSEE FOR THE CONDUCT OF CASINO SIMULCASTING UNDER
5 THE CATEGORY 1 SLOT MACHINE LICENSEE'S AUTHORITY AS A
6 LICENSED RACING ENTITY, IF SUCH AGREEMENT IS APPROVED BY THE
7 BOARD AND BY THE COMMISSION, PURSUANT TO THE COMMISSION'S
8 AUTHORITY UNDER ARTICLE XXVIII-D OF THE ADMINISTRATIVE CODE
9 OF 1929.

10 (29) ADOPT, IN CONSULTATION WITH THE COMMISSION,
11 REGULATIONS TO GOVERN THE CONDUCT OF CASINO SIMULCASTING BY A
12 CATEGORY 2 OR CATEGORY 3 SLOT MACHINE LICENSEE IN ACCORDANCE
13 WITH PARAGRAPH (28).

14 (30) ADOPT AND PROMULGATE REGULATIONS TO GOVERN THE
15 INSTALLATION OF VIDEO DISPLAY TECHNOLOGY IN APPROVED AREAS OF
16 A CATEGORY 1 LICENSED FACILITY TO ENABLE THE DELIVERY OF
17 SIMULCAST HORSE RACE MEETINGS TO PATRONS THROUGH VIDEO WALLS
18 AND OTHER SUCH VIDEO DISPLAY TECHNOLOGY. THE BOARD MAY
19 CONSULT WITH THE COMMISSION TO FACILITATE THE INSTALLATION OF
20 VIDEO DISPLAY MONITORS IN ACCORDANCE WITH THIS PARAGRAPH AND
21 TO FACILITATE THE CONDUCT OF CASINO SIMULCASTING UNDER
22 PARAGRAPH (28).

23 SECTION 7. SECTION 1209(B) OF TITLE 4 IS AMENDED TO READ:

24 § 1209. SLOT MACHINE LICENSE FEE.

25 * * *

26 (B) TERM.--A SLOT MACHINE LICENSE, AFTER PAYMENT OF THE FEE,
27 SHALL BE IN EFFECT UNLESS SUSPENDED, REVOKED OR NOT RENEWED BY
28 THE BOARD UPON GOOD CAUSE CONSISTENT WITH THE LICENSE
29 REQUIREMENTS AS PROVIDED FOR IN THIS PART. SLOT MACHINE
30 LICENSEES SHALL BE REQUIRED TO UPDATE THE INFORMATION IN THEIR

1 INITIAL APPLICATIONS ANNUALLY, AND THE LICENSE OF A LICENSEE IN
2 GOOD STANDING SHALL BE RENEWED EVERY [THREE] FIVE YEARS. NOTHING
3 IN THIS SUBSECTION SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE
4 DUTY TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS
5 OF ITS LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN THE
6 APPLICATION MATERIALS ON FILE WITH THE BOARD. AS TO THE RENEWAL
7 OF A LICENSE, EXCEPT AS REQUIRED IN SUBSECTION (F) (3), NO
8 ADDITIONAL LICENSE FEE PURSUANT TO SUBSECTION (A) SHALL BE
9 REQUIRED.

10 * * *

11 SECTION 8. SECTION 1211 OF TITLE 4 IS AMENDED BY ADDING
12 SUBSECTIONS TO READ:

13 § 1211. REPORTS OF BOARD.

14 * * *

15 (A.4) INTERACTIVE GAMING REPORTING REQUIREMENTS.--

16 (1) THE ANNUAL REPORT SUBMITTED BY THE BOARD IN
17 ACCORDANCE WITH SUBSECTION (A) SHALL INCLUDE INFORMATION ON
18 THE CONDUCT OF INTERACTIVE GAMES AS FOLLOWS:

19 (I) TOTAL GROSS INTERACTIVE GAMING REVENUE.

20 (II) THE NUMBER AND WIN BY TYPE OF AUTHORIZED
21 INTERACTIVE GAME AT EACH LICENSED FACILITY CONDUCTING
22 INTERACTIVE GAMING DURING THE PREVIOUS YEAR.

23 (III) ALL TAXES, FEES, FINES AND OTHER REVENUE
24 COLLECTED AND, WHERE APPROPRIATE, REVENUE DISBURSED
25 DURING THE PREVIOUS YEAR. THE DEPARTMENT SHALL
26 COLLABORATE WITH THE BOARD TO CARRY OUT THE REQUIREMENTS
27 OF THIS SUBPARAGRAPH.

28 (2) THE BOARD MAY REQUIRE INTERACTIVE GAMING CERTIFICATE
29 HOLDERS AND OTHER PERSONS INVOLVED IN THE OPERATION OF
30 INTERACTIVE GAMING ON BEHALF OF A SLOT MACHINE LICENSEE TO

1 PROVIDE INFORMATION TO THE BOARD TO ASSIST IN THE PREPARATION
2 OF THE REPORT.

3 * * *

4 (D.1) IMPACT OF INTERACTIVE GAMING, ANNUAL REPORT.--ONE YEAR
5 AFTER THE ISSUANCE OF THE FIRST INTERACTIVE GAMING CERTIFICATE,
6 AN ANNUAL REPORT SHALL BE PREPARED AND DISTRIBUTED TO THE
7 GOVERNOR AND THE STANDING COMMITTEES OF THE GENERAL ASSEMBLY
8 WITH JURISDICTION OVER THIS PART ON THE IMPACT OF INTERACTIVE
9 GAMING ON COMPULSIVE AND PROBLEM GAMBLING AND GAMBLING ADDICTION
10 IN THIS COMMONWEALTH. THE REPORT SHALL BE PREPARED BY A PRIVATE
11 ORGANIZATION OR ENTITY WITH EXPERTISE IN SERVING AND TREATING
12 THE NEEDS OF PERSONS WITH COMPULSIVE GAMBLING ADDICTIONS, WHICH
13 ORGANIZATION OR ENTITY SHALL BE SELECTED BY THE DEPARTMENT OF
14 DRUG AND ALCOHOL PROGRAMS. THE REPORT MAY BE PREPARED AND
15 DISTRIBUTED IN COORDINATION WITH THE BOARD. ANY COSTS ASSOCIATED
16 WITH THE PREPARATION AND DISTRIBUTION OF THE REPORT SHALL BE
17 BORNE BY SLOT MACHINE LICENSEES WHO HAVE BEEN AUTHORIZED BY THE
18 BOARD TO CONDUCT INTERACTIVE GAMING. THE BOARD SHALL BE
19 AUTHORIZED TO ASSESS A FEE AGAINST EACH SLOT MACHINE LICENSEE
20 FOR THESE PURPOSES.

21 (D.2) ADDITIONAL INFORMATION AND ANNUAL REPORTING.--

22 (1) ONE YEAR AFTER THE COMMENCEMENT OF CASINO
23 SIMULCASTING IN ACCORDANCE WITH CHAPTER 13F (RELATING TO
24 CASINO SIMULCASTING), THE OPERATION OF SKILL SLOT MACHINES,
25 HYBRID SLOT MACHINES, THE OPERATION OF SLOT MACHINES AT
26 NONPRIMARY LOCATIONS IN ACCORDANCE WITH CHAPTER 13D (RELATING
27 TO SLOT MACHINES AT NONPRIMARY LOCATIONS) AND THE OPERATION
28 OF A MULTISTATE WIDE-AREA SLOT MACHINE SYSTEM, THE REPORT
29 REQUIRED UNDER SUBSECTION (A) SHALL INCLUDE INFORMATION
30 RELATED TO THE FOLLOWING:

1 (I) THE CONDUCT OF CASINO SIMULCASTING.

2 (II) THE OPERATION OF SKILL SLOT MACHINES AND HYBRID
3 SLOT MACHINES.

4 (III) THE OPERATION OF A MULTISTATE WIDE-AREA
5 PROGRESSIVE SLOT MACHINE SYSTEM.

6 (IV) THE OPERATION OF SLOT MACHINES AT NONPRIMARY
7 LOCATIONS.

8 (2) INFORMATION ON REVENUE, TAXES, FEES AND FINES, IF
9 ANY, COLLECTED DURING THE PRECEDING CALENDAR YEAR AND ANY
10 OTHER INFORMATION, DATA OR RECOMMENDATIONS RELATED TO THE
11 CONDUCT OF CASINO SIMULCASTING, THE OPERATION OF MULTISTATE
12 WIDE-AREA PROGRESSIVE SLOT MACHINES, SKILL SLOT MACHINES AND
13 HYBRID SLOT MACHINES AND THE OPERATION OF SLOT MACHINES AT
14 NONPRIMARY LOCATIONS AS DETERMINED BY THE BOARD, IN
15 CONSULTATION WITH THE COMMISSION, TO BE NECESSARY UNDER THIS
16 PART SHALL BE INCLUDED IN THE REPORT.

17 (D.3) ANNUAL REPORT.--IN ADDITION TO ITS DUTIES UNDER
18 SUBSECTION (D), THE BOARD SHALL HAVE THE CONTINUING DUTY TO
19 STUDY AND ANNUALLY REPORT TO THE CHAIRPERSON AND MINORITY
20 CHAIRPERSON OF THE COMMUNITY, ECONOMIC AND RECREATIONAL
21 DEVELOPMENT COMMITTEE OF THE SENATE AND TO THE CHAIRPERSON AND
22 MINORITY CHAIRPERSON OF THE GAMING OVERSIGHT COMMITTEE OF THE
23 HOUSE OF REPRESENTATIVES ON DEVELOPMENTS IN GAMING TECHNOLOGY
24 AND THE IMPACT, IF ANY, NEW TECHNOLOGIES ARE HAVING OR WILL HAVE
25 ON THE SUSTAINABILITY AND COMPETITIVENESS OF THE COMMERCIAL
26 GAMING INDUSTRY IN THIS COMMONWEALTH. THE REPORT SHALL
27 SPECIFICALLY ADDRESS THE FOLLOWING:

28 (1) AWARENESS AND GROWTH, TO THE EXTENT KNOWN, OF ANY
29 UNREGULATED COMMERCIAL GAMING PRODUCTS, SUCH AS E-SPORTS AND
30 OTHER SUCH DIGITAL-BASED COMPUTER OR VIDEO TECHNOLOGY.

1 (2) NEW GAMING PRODUCTS, IF ANY, WHICH HAVE BEEN
2 INTRODUCED IN OTHER JURISDICTIONS, BOTH FOREIGN AND DOMESTIC.

3 (3) ANY GAMING PRODUCTS WHICH THE BOARD MAY HAVE THE
4 AUTHORITY TO AUTHORIZE PURSUANT TO ITS REGULATORY AUTHORITY
5 UNDER THIS PART.

6 (4) ANY LEGISLATIVE OR ADMINISTRATIVE CONCERNS REGARDING
7 TRADITIONAL, NEW OR EMERGING GAMING TECHNOLOGIES WITH
8 RECOMMENDATIONS REGARDING RESOLUTION OF SUCH CONCERNS.

9 (D.4) TIME OF SUBMISSION AND REPORTS.--NOTWITHSTANDING ANY
10 PROVISION OF THIS PART, ALL REPORTS AND STUDIES REQUIRED TO BE
11 SUBMITTED UNDER SUBSECTIONS (D.1), (D.2) AND (D.3) AFTER THE
12 EFFECTIVE DATE OF THIS SUBSECTION SHALL BE SUBMITTED INITIALLY
13 BY OCTOBER 1, 2017, AND BY OCTOBER 1 OF EACH YEAR THEREAFTER.

14 * * *

15 SECTION 9. SECTION 1212(E) OF TITLE 4 IS AMENDED BY ADDING
16 PARAGRAPHS TO READ:

17 § 1212. DIVERSITY GOALS OF BOARD.

18 * * *

19 (E) DEFINITION.--AS USED IN THIS SECTION, THE TERM
20 "PROFESSIONAL SERVICES" MEANS THOSE SERVICES RENDERED TO A SLOT
21 MACHINE LICENSEE WHICH RELATE TO A LICENSED FACILITY IN THIS
22 COMMONWEALTH, INCLUDING, BUT NOT LIMITED TO:

23 * * *

24 (9) TECHNOLOGY RELATED TO INTERACTIVE GAMING AND
25 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT.

26 (10) TECHNOLOGY RELATED TO CASINO SIMULCASTING.

27 SECTION 10. SECTION 1305 OF TITLE 4 IS AMENDED TO READ:
28 § 1305. CATEGORY 3 SLOT MACHINE LICENSE.

29 (A) ELIGIBILITY.--

30 (1) A PERSON MAY BE ELIGIBLE TO APPLY FOR A CATEGORY 3

1 SLOT MACHINE LICENSE IF THE APPLICANT, ITS AFFILIATE,
2 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY HAS NOT APPLIED
3 FOR OR BEEN APPROVED OR ISSUED A CATEGORY 1 OR CATEGORY 2
4 SLOT MACHINE LICENSE AND THE PERSON IS SEEKING TO LOCATE A
5 CATEGORY 3 LICENSED FACILITY IN A WELL-ESTABLISHED RESORT
6 HOTEL HAVING NO FEWER THAN 275 GUEST ROOMS UNDER COMMON
7 OWNERSHIP AND HAVING SUBSTANTIAL YEAR-ROUND [RECREATIONAL]
8 GUEST AMENITIES. THE APPLICANT FOR A CATEGORY 3 LICENSE SHALL
9 BE THE OWNER OR BE A WHOLLY OWNED SUBSIDIARY OF THE OWNER OF
10 THE WELL-ESTABLISHED RESORT HOTEL. [A CATEGORY 3 LICENSE MAY
11 ONLY BE GRANTED UPON THE EXPRESS CONDITION THAT AN INDIVIDUAL
12 MAY NOT ENTER A GAMING AREA OF THE LICENSED FACILITY IF THE
13 INDIVIDUAL IS NOT ANY OF THE FOLLOWING:

14 (I) A REGISTERED OVERNIGHT GUEST OF THE WELL-
15 ESTABLISHED RESORT HOTEL.

16 (II) A PATRON OF ONE OR MORE OF THE AMENITIES
17 PROVIDED BY THE WELL-ESTABLISHED RESORT HOTEL.

18 (III) AN AUTHORIZED EMPLOYEE OF THE SLOT MACHINE
19 LICENSEE, OF A GAMING SERVICE PROVIDER, OF THE BOARD OR
20 OF ANY REGULATORY, EMERGENCY RESPONSE OR LAW ENFORCEMENT
21 AGENCY WHILE ENGAGED IN THE PERFORMANCE OF THE EMPLOYEE'S
22 DUTIES.

23 (IV) AN INDIVIDUAL HOLDING A VALID MEMBERSHIP
24 APPROVED IN ACCORDANCE WITH PARAGRAPH (1.1) OR A GUEST OF
25 SUCH INDIVIDUAL.

26 (1.1) THE BOARD MAY APPROVE A SEASONAL OR YEAR-ROUND
27 MEMBERSHIP THAT ALLOWS AN INDIVIDUAL TO USE ONE OR MORE OF
28 THE AMENITIES PROVIDED BY THE WELL-ESTABLISHED RESORT HOTEL
29 HOLDING A CATEGORY 3 SLOT MACHINE LICENSE. THE MEMBERSHIP
30 SHALL ALLOW THE MEMBER AND ONE GUEST TO ENTER THE GAMING

1 FLOOR AT ANY TIME AS LONG AS THE GUEST IS ACCOMPANIED BY THE
2 INDIVIDUAL OWNING OR HOLDING THE MEMBERSHIP. THE BOARD SHALL
3 BASE ITS APPROVAL OF A MEMBERSHIP ON ALL OF THE FOLLOWING:

4 (I) THE DURATION OF THE MEMBERSHIP.

5 (II) THE AMENITY COVERED BY THE MEMBERSHIP.

6 (III) WHETHER THE FEE CHARGED FOR THE MEMBERSHIP
7 REPRESENTS THE FAIR MARKET VALUE FOR THE USE OF THE
8 AMENITY.]

9 (2) NOTWITHSTANDING SECTION 1512(A) AND (A.1) (RELATING
10 TO PUBLIC OFFICIAL FINANCIAL INTEREST), IF AT THE TIME OF
11 APPLICATION AN APPLICANT HAS TERMINATED PUBLIC OFFICE OR
12 EMPLOYMENT AS AN EXECUTIVE-LEVEL PUBLIC EMPLOYEE WITHIN THE
13 LAST CALENDAR YEAR, THE APPLICANT SHALL BE ELIGIBLE TO APPLY
14 FOR A SLOT MACHINE LICENSE UNDER THIS SECTION BUT MAY NOT BE
15 ISSUED A LICENSE UNTIL ONE YEAR FOLLOWING THE DATE OF
16 TERMINATION AS A PUBLIC OFFICIAL OR EXECUTIVE-LEVEL PUBLIC
17 EMPLOYEE. AN APPLICATION SUBMITTED IN ACCORDANCE WITH THIS
18 PARAGRAPH SHALL NOT CONSTITUTE A VIOLATION OF SECTION 1512(A)
19 OR (A.1).

20 (3) IF THE PERSON SEEKING A SLOT MACHINE LICENSE
21 PROPOSES TO PLACE THE LICENSED FACILITY UPON LAND DESIGNATED
22 A SUBZONE, AN EXPANSION SUBZONE OR AN IMPROVEMENT SUBZONE
23 UNDER THE ACT OF OCTOBER 6, 1998 (P.L.705, NO.92), KNOWN AS
24 THE KEYSTONE OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION
25 ZONE AND KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT, THE
26 PERSON SHALL, AT ANY TIME PRIOR TO THE APPLICATION BEING
27 APPROVED, SUBMIT A STATEMENT WAIVING THE EXEMPTIONS,
28 DEDUCTIONS, ABATEMENTS OR CREDITS GRANTED UNDER THE KEYSTONE
29 OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION ZONE AND
30 KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT IF THE BOARD

1 APPROVES THE APPLICATION.

2 (B) LOCATION.--THE FOLLOWING SHALL APPLY:

3 (1) [EXCEPT AS PROVIDED IN PARAGRAPH (1.1), NO] NO
4 CATEGORY 3 LICENSE SHALL BE LOCATED BY THE BOARD WITHIN 15
5 LINEAR MILES OF ANOTHER LICENSED FACILITY.

6 (1.1) A CATEGORY 3 LICENSE ESTABLISHED ON OR AFTER [JULY
7 20, 2017] JANUARY 1, 2016, SHALL [NOT BE LOCATED BY THE BOARD
8 WITHIN 30 LINEAR MILES OF ANOTHER LICENSED FACILITY.] ONLY BE
9 LOCATED IN A COUNTY THAT:

10 (I) DOES NOT CONTAIN A LICENSED FACILITY; AND
11 (II) DOES NOT SHARE A GEOGRAPHIC BORDER AT ANY POINT
12 WITH A COUNTY WHERE A LICENSED FACILITY, REGARDLESS OF
13 CATEGORY, IS LOCATED OR MAY BE LOCATED.

14 (2) WITHIN FIVE DAYS OF APPROVING A LICENSE FOR AN
15 APPLICANT WITH A PROPOSED LICENSED FACILITY CONSISTING OF
16 LAND DESIGNATED A SUBZONE, AN EXPANSION SUBZONE OR AN
17 IMPROVEMENT SUBZONE UNDER THE KEYSTONE OPPORTUNITY ZONE,
18 KEYSTONE OPPORTUNITY EXPANSION ZONE AND KEYSTONE OPPORTUNITY
19 IMPROVEMENT ZONE ACT FOR A SLOT MACHINE LICENSE UNDER THIS
20 SECTION, THE BOARD SHALL NOTIFY THE DEPARTMENT OF COMMUNITY
21 AND ECONOMIC DEVELOPMENT. THE NOTICE SHALL INCLUDE A
22 DESCRIPTION OF THE LAND OF THE PROPOSED LICENSED FACILITY
23 WHICH IS DESIGNATED A SUBZONE, AN EXPANSION SUBZONE OR AN
24 IMPROVEMENT SUBZONE. WITHIN FIVE DAYS OF RECEIVING THE NOTICE
25 REQUIRED BY THIS PARAGRAPH, THE SECRETARY OF COMMUNITY AND
26 ECONOMIC DEVELOPMENT SHALL DECERTIFY THE LAND OF THE PROPOSED
27 LICENSE FACILITY AS BEING A SUBZONE, AN EXPANSION SUBZONE OR
28 AN IMPROVEMENT SUBZONE. UPON DECERTIFICATION IN ACCORDANCE
29 WITH THIS PARAGRAPH AND NOTWITHSTANDING CHAPTER 3 OF THE
30 KEYSTONE OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION

1 ZONE AND KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT, A
2 POLITICAL SUBDIVISION MAY AMEND THE ORDINANCE, RESOLUTION OR
3 OTHER REQUIRED ACTION WHICH GRANTED THE EXEMPTIONS,
4 DEDUCTIONS, ABATEMENTS OR CREDITS REQUIRED BY THE KEYSTONE
5 OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY EXPANSION ZONE AND
6 KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT TO REPEAL THE
7 EXEMPTIONS, DEDUCTIONS, ABATEMENTS OR CREDITS FOR THE LAND
8 DECERTIFIED.

9 (C) NUMBER OF SLOT MACHINES.--NOTWITHSTANDING THE NUMBER OF
10 PERMISSIBLE SLOT MACHINES AS SET FORTH IN SECTION 1210 (RELATING
11 TO NUMBER OF SLOT MACHINES), A CATEGORY 3 LICENSE GRANTED UNDER
12 THE PROVISIONS OF THIS SECTION SHALL ENTITLE THE LICENSED ENTITY
13 TO OPERATE NO MORE THAN 500 SLOT MACHINES AT THE LICENSED
14 FACILITY, PROVIDED, HOWEVER, A CATEGORY 3 SLOT MACHINE LICENSEE
15 HOLDING A TABLE GAME OPERATION CERTIFICATE SHALL BE ENTITLED TO
16 OPERATE NO MORE THAN 600 SLOT MACHINES AT ITS LICENSED FACILITY.

17 (C.1) ADDITIONAL SLOT MACHINES.--UPON SUBMISSION OF A
18 PETITION TO THE BOARD, IN SUCH FORM AND MANNER AS THE BOARD MAY
19 REQUIRE, THE BOARD MAY AUTHORIZE THE CATEGORY 3 SLOT MACHINE
20 LICENSEE TO INCREASE THE NUMBER OF SLOT MACHINES AT ITS LICENSED
21 FACILITY. AN INCREASE IN THE NUMBER OF SLOT MACHINES BY A
22 CATEGORY 3 SLOT MACHINE LICENSEE PURSUANT TO THIS SUBSECTION MAY
23 NOT, AT THE DISCRETION OF THE BOARD, EXCEED 250 ADDITIONAL SLOT
24 MACHINES, WHICH SHALL BE IN ADDITION TO THE NUMBER OF
25 PERMISSIBLE SLOT MACHINES AUTHORIZED UNDER SUBSECTION (C).

26 (C.2) INCREASE IN NUMBER.--UPON SUBMISSION OF A PETITION TO
27 THE BOARD IN SUCH FORM AND MANNER AS THE BOARD MAY REQUIRE, THE
28 BOARD MAY AUTHORIZE THE CATEGORY 3 SLOT MACHINE LICENSEE TO
29 INCREASE THE NUMBER OF SLOT MACHINES AT ITS LICENSED FACILITY
30 FOR THE CONDUCT OF A SLOT MACHINE TOURNAMENT OR CONTEST. AN

1 INCREASE IN THE NUMBER OF SLOT MACHINES BY A CATEGORY 3 SLOT
2 MACHINE LICENSEE UNDER THIS SUBSECTION MAY NOT, AT THE
3 DISCRETION OF THE BOARD, EXCEED 75 ADDITIONAL SLOT MACHINES,
4 WHICH SHALL BE IN ADDITION TO THE NUMBER OF PERMISSIBLE SLOT
5 MACHINES AUTHORIZED UNDER SUBSECTIONS (C) AND (C.1).

6 (D) CATEGORY 3 LICENSE FEE.--THE BOARD SHALL IMPOSE A ONE-
7 TIME CATEGORY 3 LICENSE FEE TO BE PAID BY EACH SUCCESSFUL
8 APPLICANT IN THE AMOUNT OF \$5,000,000 TO BE DEPOSITED IN THE
9 STATE GAMING FUND. THE PROVISIONS OF SECTION 1209(B), (C), (D)
10 AND (E) SHALL APPLY TO A CATEGORY 3 LICENSEE[.], EXCEPT THAT THE
11 HOLDER OF A CATEGORY 3 SLOT MACHINE LICENSE APPROVED AND ISSUED
12 BY THE BOARD ON OR AFTER JANUARY 1, 2016, SHALL PAY A FEE OF
13 \$8,500,000 FOR DEPOSIT IN THE GENERAL FUND.

14 (D.1) ADDITIONAL FEE.--NOTWITHSTANDING SUBSECTION (D), NO
15 LATER THAN 60 DAYS AFTER THE EFFECTIVE DATE OF SUBSECTION (A),
16 EACH HOLDER OF AN EXISTING CATEGORY 3 SLOT MACHINE LICENSE
17 ISSUED BY THE BOARD BEFORE JANUARY 1, 2016, SHALL PAY A ONE-TIME
18 FEE OF \$1,000,000 FOR DEPOSIT IN THE GENERAL FUND.

19 (D.2) FEE FOR ADDITIONAL SLOT MACHINES.--NOTWITHSTANDING
20 SUBSECTION (D), NO LATER THAN 60 DAYS AFTER THE BOARD APPROVES A
21 REQUEST FOR AN INCREASE IN THE NUMBER OF SLOT MACHINES SUBMITTED
22 BY A CATEGORY 3 SLOT MACHINE LICENSEE IN ACCORDANCE WITH
23 SUBSECTION (C.1), THE CATEGORY 3 SLOT MACHINE LICENSEE SHALL PAY
24 A ONE-TIME FEE OF \$2,500,000 FOR DEPOSIT INTO THE GENERAL FUND.

25 [(E) DEFINITIONS.--FOR THE PURPOSE OF SUBSECTION (A), THE
26 FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANING GIVEN TO THEM
27 IN THIS SUBSECTION:

28 "AMENITIES." ANY ANCILLARY ACTIVITIES, SERVICES OR
29 FACILITIES IN WHICH A REGISTERED GUEST OR THE TRANSIENT PUBLIC,
30 IN RETURN FOR NON-DE MINIMIS CONSIDERATION AS DEFINED BY BOARD

1 REGULATION, MAY PARTICIPATE AT A WELL-ESTABLISHED RESORT HOTEL,
2 INCLUDING, BUT NOT LIMITED TO, SPORTS AND RECREATIONAL
3 ACTIVITIES AND FACILITIES SUCH AS A GOLF COURSE OR GOLF DRIVING
4 RANGE, TENNIS COURTS OR SWIMMING POOL; HEALTH SPA; CONVENTION,
5 MEETING AND BANQUET FACILITIES; ENTERTAINMENT FACILITIES; AND
6 RESTAURANT FACILITIES.

7 "PATRON OF THE AMENITIES." ANY INDIVIDUAL WHO IS A
8 REGISTERED ATTENDEE OF A CONVENTION, MEETING OR BANQUET EVENT OR
9 A PARTICIPANT IN A SPORT OR RECREATIONAL EVENT OR ANY OTHER
10 SOCIAL, CULTURAL OR BUSINESS EVENT HELD AT A RESORT HOTEL OR WHO
11 PARTICIPATES IN ONE OR MORE OF THE AMENITIES PROVIDED TO
12 REGISTERED GUESTS OF THE WELL-ESTABLISHED RESORT HOTEL.]

13 SECTION 11. SECTION 1309(A.1) HEADING OF TITLE 4 IS AMENDED
14 AND THE SUBSECTION IS AMENDED BY ADDING A PARAGRAPH TO READ:
15 § 1309. SLOT MACHINE LICENSE APPLICATION.

16 * * *

17 (A.1) TABLE GAMES AND INTERACTIVE GAMING INFORMATION.--

18 * * *

19 (3) NOTWITHSTANDING PARAGRAPH (2), THE BOARD MAY PERMIT
20 AN APPLICANT FOR A SLOT MACHINE LICENSE THAT HAS AN
21 APPLICATION PENDING BEFORE THE BOARD TO SUPPLEMENT ITS
22 APPLICATION WITH ALL INFORMATION REQUIRED UNDER CHAPTERS 13B
23 (RELATING TO INTERACTIVE GAMING) AND 13D (RELATING TO SLOT
24 MACHINES AT NONPRIMARY LOCATIONS) AND TO REQUEST THAT THE
25 BOARD CONSIDER ITS APPLICATION FOR A SLOT MACHINE LICENSE, A
26 TABLE GAME OPERATION CERTIFICATE, AN INTERACTIVE GAMING
27 CERTIFICATE OR A NONPRIMARY LOCATION PERMIT CONCURRENTLY. ALL
28 FEES FOR AN INTERACTIVE GAMING CERTIFICATE AND A NONPRIMARY
29 LOCATION PERMIT SHALL BE PAID BY THE APPLICANT IN ACCORDANCE
30 WITH THE REQUIREMENTS OF THIS PART.

1 * * *

2 SECTION 12. SECTIONS 1317(A) AND (C) AND 1317.1(A), (B),
3 (C), (C.1), (D.1) AND (E) OF TITLE 4 ARE AMENDED AND THE
4 SECTIONS ARE AMENDED BY ADDING SUBSECTIONS TO READ:

5 § 1317. SUPPLIER LICENSES.

6 (A) APPLICATION.--A MANUFACTURER THAT ELECTS TO CONTRACT
7 WITH A SUPPLIER UNDER SECTION 1317.1(D.1) (RELATING TO
8 MANUFACTURER LICENSES) SHALL ENSURE THAT THE SUPPLIER IS
9 APPROPRIATELY LICENSED UNDER THIS SECTION. A PERSON SEEKING TO
10 PROVIDE SLOT MACHINES, TABLE GAME DEVICES OR ASSOCIATED
11 EQUIPMENT, INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT OR
12 MULTI-USE COMPUTING DEVICES TO A SLOT MACHINE LICENSEE OR AN
13 INTERACTIVE GAMING LICENSEE WITHIN THIS COMMONWEALTH THROUGH A
14 CONTRACT WITH A LICENSED MANUFACTURER SHALL APPLY TO THE BOARD
15 FOR THE APPROPRIATE SUPPLIER LICENSE.

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 ISSUE THE APPLICANT A SUPPLIER
20 LICENSE CONSISTENT WITH ALL OF THE FOLLOWING:

21 (1) THE [INITIAL LICENSE SHALL BE FOR A PERIOD OF ONE
22 YEAR, AND, IF RENEWED UNDER SUBSECTION (D), THE] LICENSE
23 SHALL BE ISSUED FOR A PERIOD OF [THREE] FIVE YEARS AND SHALL
24 BE RENEWED IN ACCORDANCE WITH SUBSECTION (D). NOTHING IN THIS
25 PARAGRAPH SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE DUTY TO
26 NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS
27 LICENSE OR TO ANY INFORMATION CONTAINED IN THE APPLICATION
28 MATERIALS ON FILE WITH THE BOARD.

29 (2) THE LICENSE SHALL BE NONTRANSFERABLE.

30 (3) ANY OTHER CONDITION ESTABLISHED BY THE BOARD.

1 * * *

2 (C.2) ABBREVIATED PROCESS FOR SUPPLIER.--

3 (1) NOTWITHSTANDING SUBSECTION (C.1) (1) OR ANY
4 REGULATIONS OF THE BOARD TO THE CONTRARY, THE BOARD MAY
5 EXTEND THE USE OF THE ABBREVIATED PROCESS AUTHORIZED UNDER
6 SUBSECTION (C.1) TO AN APPLICANT FOR A SUPPLIER LICENSE TO
7 SUPPLY SLOT MACHINES USED IN A MULTISTATE WIDE-AREA
8 PROGRESSIVE SLOT MACHINE SYSTEM, SKILL SLOT MACHINES, HYBRID
9 SLOT MACHINES AND DEVICES OR ASSOCIATED EQUIPMENT USED IN
10 CONNECTION WITH MULTISTATE WIDE-AREA PROGRESSIVE SLOT MACHINE
11 SYSTEMS, SKILL OR HYBRID SLOT MACHINES, INTERACTIVE GAMING
12 DEVICES OR ASSOCIATED EQUIPMENT USED IN CONNECTION WITH
13 INTERACTIVE GAMING, INCLUDING MULTI-USE COMPUTING DEVICES, IF
14 THE APPLICANT HOLDS A VALID SUPPLIER LICENSE ISSUED BY THE
15 BOARD TO SUPPLY SLOT MACHINES OR ASSOCIATED EQUIPMENT OR
16 TABLE GAMES OR TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT.
17 THE REQUIREMENTS OF SUBSECTION (C.1) (2) AND (3) SHALL APPLY
18 TO THIS SUBSECTION.

19 (2) AN APPLICANT FOR A SUPPLIER'S LICENSE TO SUPPLY SLOT
20 MACHINES USED IN A MULTISTATE WIDE-AREA PROGRESSIVE SYSTEMS,
21 SKILL OR HYBRID SLOT MACHINES OR ASSOCIATED EQUIPMENT OR
22 INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT SHALL BE
23 SUBJECT TO THE APPLICABLE PROVISIONS OF THIS PART.

24 * * *

25 § 1317.1. MANUFACTURER LICENSES.

26 (A) APPLICATION.--A PERSON SEEKING TO MANUFACTURE SLOT
27 MACHINES, TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT OR
28 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT FOR USE IN
29 THIS COMMONWEALTH SHALL APPLY TO THE BOARD FOR A MANUFACTURER
30 LICENSE.

1 (B) REQUIREMENTS.--AN APPLICATION FOR A MANUFACTURER LICENSE
2 SHALL BE ON THE FORM REQUIRED BY THE BOARD, ACCOMPANIED BY THE
3 APPLICATION FEE, AND SHALL INCLUDE ALL OF THE FOLLOWING:

4 (1) THE NAME AND BUSINESS ADDRESS OF THE APPLICANT AND
5 THE APPLICANT'S AFFILIATES, INTERMEDIARIES, SUBSIDIARIES AND
6 HOLDING COMPANIES; THE PRINCIPALS AND KEY EMPLOYEES OF EACH
7 BUSINESS; AND A LIST OF EMPLOYEES AND THEIR POSITIONS WITHIN
8 EACH BUSINESS, AS WELL AS ANY FINANCIAL INFORMATION REQUIRED
9 BY THE BOARD.

10 (2) A STATEMENT THAT THE APPLICANT AND EACH AFFILIATE,
11 INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF THE APPLICANT
12 ARE NOT SLOT MACHINE LICENSEES.

13 (3) THE CONSENT TO A BACKGROUND INVESTIGATION OF THE
14 APPLICANT, ITS PRINCIPALS AND KEY EMPLOYEES OR OTHER PERSONS
15 REQUIRED BY THE BOARD AND A RELEASE TO OBTAIN ANY AND ALL
16 INFORMATION NECESSARY FOR THE COMPLETION OF THE BACKGROUND
17 INVESTIGATION.

18 (4) THE DETAILS OF ANY EQUIVALENT LICENSE GRANTED OR
19 DENIED BY OTHER JURISDICTIONS WHERE GAMING ACTIVITIES AS
20 AUTHORIZED BY THIS PART ARE PERMITTED AND CONSENT FOR THE
21 BOARD TO ACQUIRE COPIES OF APPLICATIONS SUBMITTED OR LICENSES
22 ISSUED IN CONNECTION THEREWITH.

23 (5) THE TYPE OF SLOT MACHINES, TABLE GAME DEVICES OR
24 ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES OR
25 ASSOCIATED EQUIPMENT TO BE MANUFACTURED OR REPAIRED.

26 (6) ANY OTHER INFORMATION DETERMINED BY THE BOARD TO BE
27 APPROPRIATE.

28 (C) REVIEW AND APPROVAL.--UPON BEING SATISFIED THAT THE
29 REQUIREMENTS OF SUBSECTION (B) HAVE BEEN MET, THE BOARD MAY
30 APPROVE THE APPLICATION AND GRANT THE APPLICANT A MANUFACTURER

1 LICENSE CONSISTENT WITH ALL OF THE FOLLOWING:

2 (1) THE [INITIAL LICENSE SHALL BE FOR A PERIOD OF ONE
3 YEAR, AND, IF RENEWED UNDER SUBSECTION (D), THE] LICENSE
4 SHALL BE ISSUED FOR A PERIOD OF [THREE] FIVE YEARS AND SHALL
5 BE RENEWED IN ACCORDANCE WITH SUBSECTION (D). NOTHING IN THIS
6 PARAGRAPH SHALL RELIEVE THE LICENSEE OF THE AFFIRMATIVE DUTY
7 TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF
8 ITS LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN
9 APPLICATION MATERIALS ON FILE WITH THE BOARD.

10 (2) THE LICENSE SHALL BE NONTRANSFERABLE.

11 (3) ANY OTHER CONDITION ESTABLISHED BY THE BOARD.

12 (C.1) ABBREVIATED PROCESS.--IN THE EVENT AN APPLICANT FOR A
13 MANUFACTURER LICENSE TO MANUFACTURE TABLE GAME DEVICES OR
14 ASSOCIATED EQUIPMENT USED IN CONNECTION WITH TABLE GAMES IS
15 LICENSED BY THE BOARD UNDER THIS SECTION TO MANUFACTURE SLOT
16 MACHINES OR ASSOCIATED EQUIPMENT USED IN CONNECTION WITH SLOT
17 MACHINES, THE BOARD MAY DETERMINE TO USE AN ABBREVIATED PROCESS
18 REQUIRING ONLY THAT INFORMATION DETERMINED BY THE BOARD TO BE
19 NECESSARY TO CONSIDER THE ISSUANCE OF A LICENSE TO MANUFACTURE
20 TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT USED IN CONNECTION
21 WITH TABLE GAMES, INCLUDING FINANCIAL VIABILITY OF THE
22 APPLICANT. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO WAIVE
23 ANY FEES ASSOCIATED WITH OBTAINING A LICENSE, CERTIFICATE OR
24 PERMIT THROUGH THE NORMAL APPLICATION PROCESS. THE BOARD MAY
25 ONLY USE THE ABBREVIATED PROCESS IF ALL OF THE FOLLOWING APPLY:

26 (1) THE MANUFACTURER LICENSE WAS ISSUED BY THE BOARD
27 WITHIN A 36-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE THE
28 MANUFACTURER LICENSEE FILES AN APPLICATION TO MANUFACTURE
29 TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT.

30 (2) THE PERSON TO WHOM THE MANUFACTURER LICENSE WAS

1 ISSUED AFFIRMS THERE HAS BEEN NO MATERIAL CHANGE IN
2 CIRCUMSTANCES RELATING TO THE LICENSE.

3 (3) THE BOARD DETERMINES, IN ITS SOLE DISCRETION, THAT
4 THERE HAS BEEN NO MATERIAL CHANGE IN CIRCUMSTANCES RELATING
5 TO THE LICENSEE THAT NECESSITATES THAT THE ABBREVIATED
6 PROCESS NOT BE USED.

7 (C.2) ABBREVIATED PROCESS FOR MANUFACTURER.--

8 (1) NOTWITHSTANDING SUBSECTION (C.1) (1) OR ANY
9 REGULATIONS OF THE BOARD TO THE CONTRARY, THE BOARD MAY
10 EXTEND THE USE OF THE ABBREVIATED PROCESS AUTHORIZED UNDER
11 SUBSECTION (C.1) TO AN APPLICANT FOR A MANUFACTURER LICENSE
12 TO MANUFACTURE MULTISTATE WIDE-AREA PROGRESSIVE SLOT
13 MACHINES, SKILL SLOT MACHINES, HYBRID SLOT MACHINES OR
14 ASSOCIATED EQUIPMENT USED IN CONNECTION WITH MULTISTATE WIDE-
15 AREA PROGRESSIVE SLOT MACHINES, SKILL OR HYBRID SLOT MACHINES
16 OR INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT USED IN
17 CONNECTION WITH INTERACTIVE GAMING, IF THE APPLICANT HOLDS A
18 VALID MANUFACTURER LICENSE ISSUED BY THE BOARD TO
19 MANUFACTURER SLOT MACHINES OR ASSOCIATED EQUIPMENT OR TABLE
20 GAMES OR TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT. THE
21 REQUIREMENTS OF SUBSECTION (C.1) (2) AND (3) SHALL APPLY TO
22 THIS SUBSECTION.

23 (2) AN APPLICANT FOR A MANUFACTURER LICENSE TO
24 MANUFACTURE SLOT MACHINES USED IN A MULTISTATE WIDE-AREA
25 PROGRESSIVE SYSTEM, SKILL OR HYBRID SLOT MACHINES OR
26 ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES OR
27 ASSOCIATED EQUIPMENT SHALL BE SUBJECT TO THE APPLICABLE
28 PROVISIONS OF THIS PART.

29 * * *

30 (D.1) AUTHORITY.--THE FOLLOWING SHALL APPLY TO A LICENSED

1 MANUFACTURER:

2 (1) A MANUFACTURER OR ITS DESIGNEE, AS LICENSED BY THE
3 BOARD, MAY SUPPLY OR REPAIR ANY SLOT MACHINE, TABLE GAME
4 DEVICE OR ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICE
5 OR ASSOCIATED EQUIPMENT MANUFACTURED BY THE MANUFACTURER,
6 PROVIDED THE MANUFACTURER HOLDS THE APPROPRIATE MANUFACTURER
7 LICENSE.

8 (2) A MANUFACTURER OF SLOT MACHINES MAY CONTRACT WITH A
9 SUPPLIER UNDER SECTION 1317 (RELATING TO SUPPLIER LICENSES)
10 TO PROVIDE SLOT MACHINES OR ASSOCIATED EQUIPMENT TO A SLOT
11 MACHINE LICENSEE WITHIN THIS COMMONWEALTH, PROVIDED THE
12 SUPPLIER IS LICENSED TO SUPPLY SLOT MACHINES OR ASSOCIATED
13 EQUIPMENT USED IN CONNECTION WITH SLOT MACHINES.

14 (3) A MANUFACTURER MAY CONTRACT WITH A SUPPLIER UNDER
15 SECTION 1317 TO PROVIDE TABLE GAME DEVICES OR ASSOCIATED
16 EQUIPMENT TO A CERTIFICATE HOLDER, PROVIDED THE SUPPLIER IS
17 LICENSED TO SUPPLY TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT
18 USED IN CONNECTION WITH TABLE GAMES.

19 (4) A MANUFACTURER MAY CONTRACT WITH A SUPPLIER UNDER
20 SECTION 1317 TO PROVIDE SLOT MACHINES USED IN A MULTISTATE
21 WIDE-AREA PROGRESSIVE SYSTEM, SKILL OR HYBRID SLOT MACHINES
22 OR ASSOCIATED EQUIPMENT, INTERACTIVE GAMING DEVICES OR
23 ASSOCIATED EQUIPMENT TO A SLOT MACHINE LICENSEE, PROVIDED
24 THAT THE MANUFACTURER IS LICENSED TO MANUFACTURE SLOT
25 MACHINES USED IN A MULTISTATE WIDE-AREA PROGRESSIVE SLOT
26 MACHINE SYSTEM, SKILL OR HYBRID SLOT MACHINES OR ASSOCIATED
27 EQUIPMENT OR INTERACTIVE GAMING DEVICES OR ASSOCIATED
28 EQUIPMENT USED IN CONNECTION WITH INTERACTIVE GAMES.

29 (E) PROHIBITIONS.--

30 (1) NO PERSON MAY MANUFACTURE SLOT MACHINES, TABLE GAME

1 DEVICES OR ASSOCIATED EQUIPMENT OR INTERACTIVE GAMING DEVICES
2 OR ASSOCIATED EQUIPMENT FOR USE WITHIN THIS COMMONWEALTH BY A
3 SLOT MACHINE LICENSEE UNLESS THE PERSON HAS BEEN ISSUED THE
4 APPROPRIATE MANUFACTURER LICENSE UNDER THIS SECTION.

5 (2) EXCEPT AS PERMITTED IN SECTION 13A23.1 (RELATING TO
6 TRAINING EQUIPMENT), NO SLOT MACHINE LICENSEE MAY USE SLOT
7 MACHINES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,
8 AUTHORIZED INTERACTIVE GAMES OR INTERACTIVE GAMING DEVICES OR
9 ASSOCIATED EQUIPMENT UNLESS THE SLOT MACHINES, TABLE GAME
10 DEVICES OR ASSOCIATED EQUIPMENT, INTERACTIVE GAMES OR
11 INTERACTIVE GAMING DEVICES OR ASSOCIATED EQUIPMENT WERE
12 MANUFACTURED BY A PERSON THAT HAS BEEN ISSUED THE APPROPRIATE
13 MANUFACTURER LICENSE UNDER THIS SECTION.

14 (3) NO PERSON ISSUED A LICENSE UNDER THIS SECTION SHALL
15 APPLY FOR OR BE ISSUED A LICENSE UNDER SECTION 1317.

16 (4) NO LIMITATION SHALL BE PLACED ON THE NUMBER OF
17 MANUFACTURER LICENSES ISSUED OR THE TIME PERIOD TO SUBMIT
18 APPLICATIONS FOR LICENSURE, EXCEPT AS REQUIRED TO COMPLY WITH
19 SECTION 1306 (RELATING TO ORDER OF INITIAL LICENSE ISSUANCE).
20 SECTION 13. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:

21 § 1317.3. NONGAMING SERVICE PROVIDER.

22 (A) NOTIFICATION REQUIRED.--

23 (1) A SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
24 MACHINE LICENSE THAT CONTRACTS WITH OR OTHERWISE ENGAGES IN
25 BUSINESS WITH A NONGAMING SERVICE PROVIDER SHALL PROVIDE
26 NOTIFICATION TO THE BOARD PRIOR TO:

27 (I) THE NONGAMING SERVICE PROVIDER'S PROVISION OF
28 GOODS OR SERVICES AT THE SLOT MACHINE LICENSEE'S LICENSED
29 FACILITY; OR

30 (II) THE PROVISION OF GOODS OR SERVICES FOR USE IN

1 THE OPERATION OF THE SLOT MACHINE LICENSEE'S LICENSED
2 FACILITY.

3 (2) NOTIFICATION UNDER THIS SECTION SHALL BE ON A FORM
4 AND IN A MANNER AS DETERMINED BY THE BOARD. THE BOARD MAY
5 IMPOSE A FEE, NOT TO EXCEED \$100, WHICH MUST ACCOMPANY THE
6 NOTIFICATION.

7 (B) CONTENTS OF NOTIFICATION.--NOTIFICATION UNDER THIS
8 SECTION SHALL INCLUDE:

9 (1) THE NAME AND BUSINESS ADDRESS OF THE NONGAMING
10 SERVICE PROVIDER.

11 (2) A DESCRIPTION OF THE TYPE OR NATURE OF THE GOODS OR
12 SERVICES TO BE PROVIDED.

13 (3) AN AFFIRMATION FROM THE SLOT MACHINE LICENSEE OR
14 APPLICANT FOR A SLOT MACHINE LICENSE THAT THE GOODS OR
15 SERVICES TO BE PROVIDED BY THE NONGAMING SERVICE PROVIDER
16 WILL NOT REQUIRE ACCESS TO THE GAMING FLOOR OR A GAMING-
17 RELATED RESTRICTED AREA OF A LICENSED FACILITY.

18 (4) AN AFFIRMATION FROM THE SLOT MACHINE LICENSEE OR
19 APPLICANT FOR A SLOT MACHINE LICENSE CERTIFYING THAT THE
20 LICENSEE OR APPLICANT HAS PERFORMED DUE DILIGENCE REGARDING
21 THE NONGAMING SERVICE PROVIDER AND BELIEVES THAT THE
22 NONGAMING SERVICE PROVIDER AND ITS EMPLOYEES WILL NOT
23 ADVERSELY AFFECT THE PUBLIC INTEREST OR INTEGRITY OF GAMING.

24 (5) ANY OTHER INFORMATION THAT THE BOARD MAY REQUIRE.

25 (C) DURATION OF NOTIFICATION.--THE NONGAMING SERVICE
26 PROVIDER NOTIFICATION REQUIRED UNDER SUBSECTION (A) MAY BE VALID
27 FOR THREE YEARS UNLESS MODIFIED BY THE BOARD. IN DETERMINING THE
28 DURATION OF A NONGAMING SERVICE PROVIDER NOTIFICATION, THE BOARD
29 SHALL CONSIDER THE FOLLOWING:

30 (1) THE TYPE OR NATURE OF THE GOODS OR SERVICES.

1 (2) THE FREQUENCY OF BUSINESS TRANSACTIONS RELATED TO
2 THE PROVISION OF SUCH GOODS OR SERVICES.

3 (3) ANY OTHER INFORMATION THE BOARD DEEMS NECESSARY AND
4 APPROPRIATE.

5 (D) CONDITIONS.--A SLOT MACHINE LICENSEE OR APPLICANT FOR A
6 SLOT MACHINE LICENSE THAT CONTRACTS OR OTHERWISE ENGAGES IN
7 BUSINESS WITH A NONGAMING SERVICE PROVIDER SHALL BE SUBJECT TO
8 THE FOLLOWING CONDITIONS:

9 (1) THE NONGAMING SERVICE PROVIDER OR ITS EMPLOYEES
10 SHALL ONLY PROVIDE THE GOODS AND SERVICES DESCRIBED IN THE
11 NOTIFICATION UNDER THIS SECTION.

12 (2) THE SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
13 MACHINE LICENSE SHALL NOTIFY THE BOARD OF ANY MATERIAL CHANGE
14 IN THE INFORMATION PROVIDED IN THE NOTIFICATION UNDER THIS
15 SECTION. NO FEE SHALL BE REQUIRED FOR A SUBSEQUENT CHANGE
16 DURING THE TIME FOR WHICH THE NOTIFICATION REMAINS VALID
17 UNDER SUBSECTION (C).

18 (3) THE SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
19 MACHINE LICENSE SHALL ENSURE THAT EMPLOYEES OF THE NONGAMING
20 SERVICE PROVIDER DO NOT ENTER THE GAMING FLOOR OR A GAMING-
21 RELATED RESTRICTED AREA OF THE LICENSED FACILITY.

22 (4) THE SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
23 MACHINE LICENSE SHALL REPORT TO THE BOARD AN EMPLOYEE OF A
24 NONGAMING SERVICE PROVIDER THAT DOES ANY OF THE FOLLOWING:

25 (I) ENTERS THE GAMING FLOOR OR A GAMING-RELATED
26 RESTRICTED AREA OF THE LICENSED FACILITY.

27 (II) COMMITS AN ACT THAT ADVERSELY AFFECTS THE
28 PUBLIC INTEREST OR INTEGRITY OF GAMING.

29 (5) THE BOARD MAY PROHIBIT A NONGAMING SERVICE PROVIDER
30 AND ANY EMPLOYEES FROM PROVIDING GOODS OR SERVICES TO A SLOT

1 MACHINE LICENSEE OR APPLICANT FOR A SLOT MACHINE LICENSE AT A
2 LICENSED FACILITY IF THE BOARD DETERMINES THE PROHIBITION IS
3 NECESSARY TO PROTECT THE PUBLIC INTEREST OR INTEGRITY OF
4 GAMING.

5 (E) AUTHORITY TO EXEMPT.--THE BOARD MAY EXEMPT A NONGAMING
6 SERVICE PROVIDER FROM THE NOTIFICATION REQUIREMENTS OF THIS
7 SECTION IF THE BOARD DETERMINES ANY OF THE FOLLOWING:

8 (1) THE NONGAMING SERVICE PROVIDER OR THE TYPE OR NATURE
9 OF THE NONGAMING SERVICE PROVIDER'S BUSINESS IS REGULATED BY
10 AN AGENCY OF THE FEDERAL GOVERNMENT, AN AGENCY OF THE
11 COMMONWEALTH OR THE PENNSYLVANIA SUPREME COURT.

12 (2) NOTIFICATION IS NOT NECESSARY TO PROTECT THE PUBLIC
13 INTEREST OR INTEGRITY OF GAMING.

14 (F) (RESERVED).

15 (G) CRIMINAL HISTORY RECORD INFORMATION.--NOTWITHSTANDING
16 ANY OTHER PROVISION OF THIS PART OR REGULATION OF THE BOARD, A
17 NONGAMING SERVICE PROVIDER SHALL PROVIDE A CRIMINAL HISTORY
18 RECORD INFORMATION CHECK OBTAINED FROM THE PENNSYLVANIA STATE
19 POLICE AS DEFINED IN 18 PA.C.S. § 9102 (RELATING TO DEFINITIONS)
20 AND PERMITTED BY 18 PA.C.S. § 9121(B) (RELATING TO GENERAL
21 REGULATIONS).

22 (H) EMERGENCY NOTIFICATION.--

23 (1) A SLOT MACHINE LICENSEE MAY USE A NONGAMING SERVICE
24 PROVIDER PRIOR TO THE BOARD RECEIVING NOTIFICATION UNDER THIS
25 SECTION WHEN A THREAT TO PUBLIC HEALTH, WELFARE OR SAFETY
26 EXISTS OR CIRCUMSTANCES OUTSIDE THE CONTROL OF THE SLOT
27 MACHINE LICENSEE REQUIRE IMMEDIATE ACTION TO MITIGATE DAMAGE
28 OR LOSS TO THE SLOT MACHINE LICENSEE'S LICENSED FACILITY OR
29 TO THE COMMONWEALTH.

30 (2) A SLOT MACHINE LICENSEE THAT USES A NONGAMING

1 SERVICE PROVIDER IN ACCORDANCE WITH PARAGRAPH (1) SHALL:

2 (I) NOTIFY THE BOARD IMMEDIATELY UPON ENGAGING A
3 NONGAMING SERVICE PROVIDER FOR WHICH THE BOARD HAS NOT
4 PREVIOUSLY RECEIVED NOTIFICATION IN ACCORDANCE WITH
5 SUBSECTION (A).

6 (II) PROVIDE THE NOTIFICATION REQUIRED UNDER
7 SUBSECTION (A) WITHIN A REASONABLE TIME AS ESTABLISHED BY
8 THE BOARD.

9 (I) NONGAMING SERVICE PROVIDER LIST.--

10 (1) THE BOARD SHALL HAVE THE AUTHORITY TO PROHIBIT A
11 NONGAMING SERVICE PROVIDER FROM ENGAGING IN BUSINESS WITH A
12 SLOT MACHINE LICENSEE UPON A FINDING BY THE BOARD THAT THE
13 PROHIBITION IS NECESSARY TO PROTECT THE PUBLIC INTEREST AND
14 THE INTEGRITY OF GAMING.

15 (2) THE BOARD SHALL DEVELOP AND MAINTAIN A LIST OF
16 PROHIBITED NONGAMING SERVICE PROVIDERS.

17 (3) A SLOT MACHINE LICENSEE OR APPLICANT FOR A SLOT
18 MACHINE LICENSE MAY NOT ENTER INTO AN AGREEMENT OR ENGAGE IN
19 BUSINESS WITH A NONGAMING SERVICE PROVIDER APPEARING ON THE
20 LIST UNDER THIS SUBSECTION.

21 (J) DUTIES OF NONGAMING SERVICE PROVIDER.--A NONGAMING
22 SERVICE PROVIDER SHALL:

23 (1) COOPERATE WITH THE BOARD AND BUREAU REGARDING AN
24 INVESTIGATION, HEARING, ENFORCEMENT ACTION OR DISCIPLINARY
25 ACTION.

26 (2) COMPLY WITH EACH CONDITION, RESTRICTION,
27 REQUIREMENT, ORDER OR RULING OF THE BOARD IN ACCORDANCE WITH
28 THIS PART.

29 (3) REPORT ANY CHANGE IN CIRCUMSTANCES TO THE SLOT
30 MACHINE LICENSEE OR APPLICANT FOR A SLOT MACHINE LICENSE THAT

1 MAY RENDER THE NONGAMING SERVICE PROVIDER INELIGIBLE,
2 UNQUALIFIED OR UNSUITABLE FOR THE PROVISION OF GOODS OR
3 SERVICES AT A LICENSED FACILITY OR USE IN THE OPERATION OF A
4 LICENSED FACILITY. THE SLOT MACHINE LICENSEE SHALL REPORT ANY
5 SUCH CHANGE IN CIRCUMSTANCES TO THE BOARD IN SUCH FORM AND
6 MANNER AS THE BOARD MAY ESTABLISH.

7 (K) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE
8 CONSTRUED TO LIMIT THE POWERS AND AUTHORITY OF THE BOARD UNDER
9 SECTION 1202 (RELATING TO GENERAL AND SPECIFIC POWERS OF THE
10 BOARD) OR THE REGULATORY AUTHORITY OF THE BOARD UNDER SECTION
11 1207 (RELATING TO REGULATORY AUTHORITY OF THE BOARD).

12 SECTION 14. SECTION 1320 (A) OF TITLE 4 IS AMENDED AND THE
13 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

14 § 1320. SLOT MACHINE TESTING AND CERTIFICATION STANDARDS.

15 (A) USE OF OTHER STATE STANDARDS.--[UNTIL SUCH TIME AS THE
16 BOARD ESTABLISHES AN INDEPENDENT TESTING AND CERTIFICATION
17 FACILITY PURSUANT TO SUBSECTION (B), THE] THE BOARD MAY
18 DETERMINE, AT ITS DISCRETION, WHETHER THE SLOT MACHINE TESTING
19 AND CERTIFICATION STANDARDS OF ANOTHER JURISDICTION WITHIN THE
20 UNITED STATES IN WHICH AN APPLICANT FOR A MANUFACTURER LICENSE
21 IS LICENSED ARE COMPREHENSIVE AND THOROUGH AND PROVIDE SIMILAR
22 ADEQUATE SAFEGUARDS AS THOSE REQUIRED BY THIS PART. IF THE BOARD
23 MAKES THAT DETERMINATION, IT MAY PERMIT A MANUFACTURER THROUGH A
24 LICENSED SUPPLIER AS PROVIDED IN SECTION 1317 (RELATING TO
25 SUPPLIER [AND MANUFACTURER LICENSES APPLICATION] LICENSES) TO
26 DEPLOY THOSE SLOT MACHINES WHICH HAVE MET THE SLOT MACHINE
27 TESTING AND CERTIFICATION STANDARDS IN SUCH OTHER JURISDICTIONS
28 WITHOUT UNDERGOING THE FULL TESTING AND CERTIFICATION PROCESS BY
29 A BOARD-ESTABLISHED INDEPENDENT FACILITY. IN THE EVENT SLOT
30 MACHINES OF AN APPLICANT FOR A MANUFACTURER LICENSE ARE LICENSED

1 IN SUCH OTHER JURISDICTION, THE BOARD MAY DETERMINE TO USE AN
2 ABBREVIATED PROCESS REQUIRING ONLY THAT INFORMATION DETERMINED
3 BY THE BOARD TO BE NECESSARY TO CONSIDER THE ISSUANCE OF A SLOT
4 MACHINE CERTIFICATION TO SUCH AN APPLICANT. [ALTERNATIVELY, THE
5 BOARD IN ITS DISCRETION MAY ALSO RELY UPON THE CERTIFICATION OF
6 A SLOT MACHINE THAT HAS MET THE TESTING AND CERTIFICATION
7 STANDARDS OF A BOARD-APPROVED PRIVATE TESTING AND CERTIFICATION
8 FACILITY UNTIL SUCH TIME AS THE BOARD ESTABLISHES AN INDEPENDENT
9 TESTING AND CERTIFICATION FACILITY PURSUANT TO SUBSECTION (B).
10 NOTHING IN THIS SECTION SHALL BE CONSTRUED TO WAIVE ANY FEES
11 ASSOCIATED WITH OBTAINING A LICENSE THROUGH THE NORMAL
12 APPLICATION PROCESS.]

13 * * *

14 (B.1) USE OF PRIVATE TESTING AND CERTIFICATION FACILITIES.--
15 NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS PART OR REGULATION
16 OF THE BOARD, IF A SLOT MACHINE IS TESTED AND CERTIFIED BY A
17 PRIVATE TESTING AND CERTIFICATION FACILITY REGISTERED WITH THE
18 BOARD, THE BOARD SHALL USE AN ABBREVIATED CERTIFICATION PROCESS
19 REQUIRING ONLY THAT INFORMATION DETERMINED BY IT TO BE NECESSARY
20 TO CONSIDER THE ISSUANCE OF A SLOT MACHINE CERTIFICATION UNDER
21 THIS SECTION. WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS
22 SUBSECTION, THE BOARD SHALL PROMULGATE REGULATIONS THAT:

23 (1) PROVIDE FOR THE REGISTRATION OF PRIVATE TESTING AND
24 CERTIFICATION FACILITIES. PERSONS SEEKING REGISTRATION UNDER
25 THIS SUBSECTION SHALL BE SUBJECT TO SECTION 1202(B)(9)
26 (RELATING TO SPECIFIC POWERS).

27 (2) SPECIFY THE FORM AND CONTENT OF THE APPLICATION FOR
28 REGISTRATION.

29 (3) ESTABLISH AND COLLECT AN APPLICATION FEE FOR PERSONS
30 SEEKING REGISTRATION. THE APPLICATION FEE SHALL INCLUDE THE

1 COSTS OF ALL BACKGROUND INVESTIGATIONS AS DETERMINED
2 NECESSARY AND APPROPRIATE BY THE BUREAU.

3 (4) ESTABLISH UNIFORM PROCEDURES AND STANDARDS WHICH
4 PRIVATE TESTING AND CERTIFICATION FACILITIES MUST COMPLY WITH
5 DURING THE TESTING AND CERTIFICATION OF SLOT MACHINES.

6 (5) UTILIZE INFORMATION PROVIDED BY PRIVATE TESTING AND
7 CERTIFICATION FACILITIES FOR THE ABBREVIATED CERTIFICATION OF
8 SLOT MACHINES.

9 (6) ESTABLISH AN ABBREVIATED CERTIFICATION PROCESS THAT
10 MAY BE USED BY REGISTERED PRIVATE TESTING AND CERTIFICATION
11 FACILITIES TO TEST AND CERTIFY SLOT MACHINES.

12 (7) ESTABLISH FEES THAT MUST BE PAID BY LICENSED
13 MANUFACTURERS.

14 (8) REQUIRE SLOT MACHINES SUBMITTED FOR ABBREVIATED
15 CERTIFICATION TO BE APPROVED OR DENIED BY THE BOARD WITHIN 30
16 DAYS FROM THE DATE OF SUBMISSION TO THE BOARD. IF THE BOARD
17 FAILS TO ACT WITHIN THE 30-DAY PERIOD, THE ABBREVIATED
18 CERTIFICATION SHALL BE DEEMED CONDITIONALLY APPROVED.

19 (9) PROVIDE PROCEDURES AND STANDARDS FOR THE SUSPENSION
20 AND REVOCATION OF THE REGISTRATION OF A PRIVATE TESTING AND
21 CERTIFICATION FACILITY AND THE REINSTATEMENT OF A SUSPENDED
22 OR REVOKED REGISTRATION, AS DETERMINED APPROPRIATE BY THE
23 BOARD.

24 * * *

25 SECTION 15. SECTIONS 1326, 13A11(B), 13A22.1(C) AND 13A27(C)
26 OF TITLE 4 ARE AMENDED TO READ:

27 § 1326. [LICENSE RENEWALS] RENEWALS.

28 (A) RENEWAL.--ALL PERMITS [AND], LICENSES, REGISTRATIONS OR
29 CERTIFICATES ISSUED UNDER THIS PART UNLESS OTHERWISE PROVIDED
30 SHALL BE SUBJECT TO RENEWAL EVERY [THREE] FIVE YEARS. NOTHING IN

1 THIS SUBSECTION SHALL RELIEVE A LICENSEE OF THE AFFIRMATIVE DUTY
2 TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO THE STATUS OF ITS
3 LICENSE, PERMIT, CERTIFICATE OR REGISTRATION OR TO ANY OTHER
4 INFORMATION CONTAINED IN THE APPLICATION MATERIALS ON FILE WITH
5 THE BOARD. THE APPLICATION FOR RENEWAL SHALL BE SUBMITTED AT
6 LEAST [60] 180 DAYS PRIOR TO THE EXPIRATION OF THE PERMIT [OR],
7 LICENSE, REGISTRATION OR CERTIFICATE AND SHALL INCLUDE AN UPDATE
8 OF THE INFORMATION CONTAINED IN THE INITIAL AND ANY PRIOR
9 RENEWAL APPLICATIONS AND THE PAYMENT OF ANY RENEWAL FEE REQUIRED
10 BY THIS PART. UNLESS OTHERWISE SPECIFICALLY PROVIDED IN THIS
11 PART, THE AMOUNT OF ANY RENEWAL FEE SHALL BE CALCULATED BY THE
12 BOARD TO REFLECT THE LONGER RENEWAL PERIOD. A PERMIT [OR],
13 LICENSE, REGISTRATION OR CERTIFICATE FOR WHICH A COMPLETED
14 RENEWAL APPLICATION AND FEE, IF REQUIRED, HAS BEEN RECEIVED BY
15 THE BOARD WILL CONTINUE IN EFFECT UNLESS AND UNTIL THE BOARD
16 SENDS WRITTEN NOTIFICATION TO THE HOLDER OF THE PERMIT [OR],
17 LICENSE, REGISTRATION OR CERTIFICATE THAT THE BOARD HAS DENIED
18 THE RENEWAL OF SUCH PERMIT [OR], LICENSE, REGISTRATION OR
19 CERTIFICATE.

20 (B) REVOCATION OR FAILURE TO RENEW.--IN ADDITION TO ANY
21 OTHER SANCTIONS THE BOARD MAY IMPOSE UNDER THIS PART, THE BOARD
22 MAY AT ITS DISCRETION SUSPEND, REVOKE OR DENY RENEWAL OF ANY
23 PERMIT [OR], LICENSE, REGISTRATION OR CERTIFICATE ISSUED UNDER
24 THIS PART IF IT RECEIVES ANY INFORMATION FROM ANY SOURCE THAT
25 THE APPLICANT OR ANY OF ITS OFFICERS, DIRECTORS, OWNERS OR KEY
26 EMPLOYEES IS IN VIOLATION OF ANY PROVISION OF THIS PART, THAT
27 THE APPLICANT HAS FURNISHED THE BOARD WITH FALSE OR MISLEADING
28 INFORMATION OR THAT THE INFORMATION CONTAINED IN THE APPLICANT'S
29 INITIAL APPLICATION OR ANY RENEWAL APPLICATION IS NO LONGER TRUE
30 AND CORRECT. IN THE EVENT OF A REVOCATION OR FAILURE TO RENEW,

1 THE APPLICANT'S AUTHORIZATION TO CONDUCT THE PREVIOUSLY APPROVED
2 ACTIVITY SHALL IMMEDIATELY CEASE, AND ALL FEES PAID IN
3 CONNECTION THEREWITH SHALL BE DEEMED TO BE FORFEITED. IN THE
4 EVENT OF A SUSPENSION, THE APPLICANT'S AUTHORIZATION TO CONDUCT
5 THE PREVIOUSLY APPROVED ACTIVITY SHALL IMMEDIATELY CEASE UNTIL
6 THE BOARD HAS NOTIFIED THE APPLICANT THAT THE SUSPENSION IS NO
7 LONGER IN EFFECT.

8 § 13A11. AUTHORIZATION TO CONDUCT TABLE GAMES.

9 * * *

10 (B) NUMBER OF AUTHORIZED GAMING TABLES.--

11 (1) A CATEGORY 1 AND CATEGORY 2 SLOT MACHINE LICENSEE
12 AWARDED A TABLE GAME OPERATION CERTIFICATE MAY OPERATE UP TO
13 250 GAMING TABLES AT ANY ONE TIME AT ITS LICENSED FACILITY.
14 NO MORE THAN 30% OF THESE GAMING TABLES MAY BE USED TO PLAY
15 NONBANKING GAMES AT ANY ONE TIME. SIX MONTHS FOLLOWING THE
16 DATE OF COMMENCEMENT OF TABLE GAME OPERATIONS, THE BOARD MAY
17 PERMIT A CATEGORY 1 OR CATEGORY 2 CERTIFICATE HOLDER TO
18 INCREASE THE NUMBER OF GAMING TABLES ABOVE THE NUMBER
19 AUTHORIZED UNDER THIS PARAGRAPH. THE CERTIFICATE HOLDER SHALL
20 PETITION THE BOARD FOR THE INCREASE AT ITS LICENSED FACILITY.
21 THE BOARD, IN CONSIDERING THE PETITION, SHALL TAKE INTO
22 ACCOUNT THE APPROPRIATENESS OF THE PHYSICAL SPACE WHERE THE
23 GAMING TABLES WILL BE LOCATED AND THE CONVENIENCE OF THE
24 PUBLIC ATTENDING THE FACILITY. THE BOARD MAY ALSO TAKE INTO
25 ACCOUNT THE POTENTIAL BENEFIT TO THE COMMONWEALTH.

26 (2) A CATEGORY 3 SLOT MACHINE LICENSEE AWARDED A TABLE
27 GAME OPERATION CERTIFICATE MAY OPERATE UP TO 50 GAMING TABLES
28 AT ANY ONE TIME AT ITS LICENSED FACILITY. [NO MORE THAN 30%
29 OF THESE GAMING TABLES MAY BE USED TO PLAY NONBANKING GAMES
30 AT ANY ONE TIME.]

1 (2.1) A CATEGORY 3 SLOT MACHINE LICENSEE AWARDED A TABLE
2 GAME OPERATION CERTIFICATE MAY PETITION THE BOARD FOR
3 ADDITIONAL TABLE GAMES AT ITS LICENSED FACILITY. THE BOARD
4 MAY AUTHORIZE UP TO 15 ADDITIONAL GAMING TABLES. THE
5 ADDITIONAL TABLES SHALL BE USED TO PLAY NONBANKING GAMES. THE
6 BOARD, IN CONSIDERING THE PETITION, SHALL TAKE INTO ACCOUNT
7 THE APPROPRIATENESS OF THE PHYSICAL SPACE WHERE THE GAMING
8 TABLES WILL BE LOCATED AND THE CONVENIENCE OF THE PUBLIC
9 ATTENDING THE FACILITY. THE BOARD MAY ALSO TAKE INTO ACCOUNT
10 THE POTENTIAL BENEFIT TO THE COMMONWEALTH.

11 (3) NONBANKING GAMING TABLES SHALL SEAT A MAXIMUM OF TEN
12 PLAYERS.

13 § 13A22.1. TABLE GAME TOURNAMENTS.

14 * * *

15 (C) EXEMPTIONS AND ADDITIONAL TABLES.--THE FOLLOWING SHALL
16 APPLY:

17 (1) FOR A CATEGORY 1 OR CATEGORY 2 LICENSED FACILITY,
18 GAMING TABLES USED IN TOURNAMENTS SHALL BE EXEMPT FROM
19 SECTION 13A11 (B) (1) (RELATING TO AUTHORIZATION TO CONDUCT
20 TABLE GAMES) AND SHALL NOT BE USED IN ANY CALCULATION OF THE
21 TOTAL NUMBER OF GAMING TABLES AUTHORIZED IN THE TABLE GAME
22 AUTHORIZATION CERTIFICATE.

23 (2) FOR A CATEGORY 3 LICENSED FACILITY, THE EXECUTIVE
24 DIRECTOR MAY AUTHORIZE THE LICENSED FACILITY TO OPERATE UP TO
25 15 ADDITIONAL GAMING TABLES FOR USE IN TOURNAMENTS. [THE
26 EXECUTIVE DIRECTOR MAY GRANT THE USE OF THE ADDITIONAL GAMING
27 TABLES FOR TOURNAMENTS AUTHORIZED UNDER THIS PARAGRAPH ONLY
28 ONE DAY PER MONTH.] ADDITIONAL GAMING TABLES FOR USE IN
29 TOURNAMENTS SHALL BE EXEMPT FROM SECTION 13A11 (B) (2)
30 (RELATING TO AUTHORIZATION TO CONDUCT TABLE GAMES) AND SHALL

1 NOT BE USED IN ANY CALCULATION OF THE TOTAL NUMBER OF GAMING
2 TABLES AUTHORIZED IN THE TABLE GAME AUTHORIZATION
3 CERTIFICATE. THE EXECUTIVE DIRECTOR MAY GRANT THE USE OF
4 ADDITIONAL GAMING TABLES ON THE DATES AND TIMES LISTED IN THE
5 PROPOSED SCHEDULE OF TOURNAMENTS SUBMITTED BY THE CATEGORY 3
6 SLOT MACHINE LICENSEE IN ACCORDANCE WITH SUBSECTION (B).

7 * * *

8 § 13A27. OTHER FINANCIAL TRANSACTIONS.

9 * * *

10 (C) CREDIT APPLICATION VERIFICATION.---PRIOR TO APPROVING AN
11 APPLICATION FOR CREDIT, A CERTIFICATE HOLDER SHALL VERIFY:

12 (1) THE IDENTITY, CREDITWORTHINESS AND INDEBTEDNESS
13 INFORMATION OF THE APPLICANT BY CONDUCTING A COMPREHENSIVE
14 REVIEW OF THE INFORMATION SUBMITTED WITH THE APPLICATION AND
15 ANY INFORMATION REGARDING THE APPLICANT'S CREDIT ACTIVITY AT
16 OTHER LICENSED FACILITIES WHICH THE CERTIFICATE HOLDER MAY
17 OBTAIN THROUGH A CASINO CREDIT BUREAU AND, IF APPROPRIATE,
18 THROUGH DIRECT CONTACT WITH OTHER SLOT MACHINE LICENSEES.

19 (2) THAT THE APPLICANT'S NAME IS NOT INCLUDED ON AN
20 EXCLUSION LIST UNDER SECTION 1514 (RELATING TO REGULATION
21 REQUIRING EXCLUSION [OR] EJECTION OR DENIAL OF ACCESS OF
22 CERTAIN PERSONS) OR 1516 (RELATING TO LIST OF PERSONS SELF
23 EXCLUDED FROM GAMING ACTIVITIES) OR THE VOLUNTARY CREDIT
24 SUSPENSION LIST UNDER SUBSECTION (H).

25 * * *

26 SECTION 16. SECTION 13A41 OF TITLE 4 IS AMENDED BY ADDING A
27 SUBSECTION TO READ:

28 § 13A41. TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT TESTING AND
29 CERTIFICATION STANDARDS.

30 * * *

1 (B.1) USE OF PRIVATE TESTING AND CERTIFICATION FACILITIES.--
2 NOTWITHSTANDING ANY PROVISION OF THIS PART OR REGULATION OF THE
3 BOARD, IF A TABLE GAME DEVICE OR ASSOCIATED EQUIPMENT IS TESTED
4 AND CERTIFIED BY A PRIVATE TESTING AND CERTIFICATION FACILITY
5 REGISTERED WITH THE BOARD, THE BOARD SHALL USE AN ABBREVIATED
6 CERTIFICATION PROCESS REQUIRING ONLY THAT INFORMATION DETERMINED
7 BY IT TO BE NECESSARY TO CONSIDER THE ISSUANCE OF A TABLE GAME
8 DEVICE OR ASSOCIATED EQUIPMENT CERTIFICATION UNDER THIS SECTION.
9 WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SUBSECTION, THE
10 BOARD SHALL PROMULGATE REGULATIONS THAT:

11 (1) PROVIDE FOR THE REGISTRATION OF PRIVATE TESTING AND
12 CERTIFICATION FACILITIES. PERSONS SEEKING REGISTRATION UNDER
13 THIS SUBSECTION SHALL BE SUBJECT TO SECTION 1202(B)(9)
14 (RELATING TO SPECIFIC POWERS).

15 (2) SPECIFY THE FORM AND CONTENT OF THE APPLICATION FOR
16 REGISTRATION.

17 (3) ESTABLISH AND COLLECT AN APPLICATION FEE FOR PERSONS
18 SEEKING REGISTRATION. THE APPLICATION FEE SHALL INCLUDE THE
19 COSTS OF ALL BACKGROUND INVESTIGATIONS AS DETERMINED
20 NECESSARY AND APPROPRIATE BY THE BOARD.

21 (4) ESTABLISH UNIFORM PROCEDURES AND STANDARDS WHICH
22 PRIVATE TESTING AND CERTIFICATION FACILITIES MUST COMPLY WITH
23 DURING THE TESTING AND CERTIFICATION OF TABLE GAME DEVICES
24 AND ASSOCIATED EQUIPMENT.

25 (5) UTILIZE INFORMATION PROVIDED BY PRIVATE TESTING AND
26 CERTIFICATION FACILITIES FOR THE ABBREVIATED CERTIFICATION OF
27 TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT.

28 (6) ESTABLISH AN ABBREVIATED CERTIFICATION PROCESS THAT
29 MAY BE USED BY REGISTERED PRIVATE TESTING AND CERTIFICATION
30 FACILITIES TO TEST AND CERTIFY TABLE GAME DEVICES AND

1 ASSOCIATED EQUIPMENT.

2 (7) ESTABLISH FEES THAT MUST BE PAID BY A LICENSED
3 MANUFACTURER.

4 (8) REQUIRE TABLE GAME DEVICES AND ASSOCIATED EQUIPMENT
5 SUBMITTED FOR ABBREVIATED CERTIFICATION TO BE APPROVED OR
6 DENIED BY THE BOARD WITHIN 30 DAYS FROM THE DATE OF
7 SUBMISSION TO THE BOARD. IF THE BOARD FAILS TO ACT WITHIN THE
8 30-DAY PERIOD, THE ABBREVIATED CERTIFICATION SHALL BE DEEMED
9 CONDITIONALLY APPROVED.

10 (9) PROVIDE PROCEDURES AND STANDARDS FOR THE SUSPENSION
11 AND REVOCATION OF THE REGISTRATION OF A PRIVATE TESTING AND
12 CERTIFICATION FACILITY AND THE REINSTATEMENT OF A SUSPENDED
13 OR REVOKED REGISTRATION.

14 SECTION 17. SECTIONS 13A61(A) AND (F) AND 13A63(B) (4) OF
15 TITLE 4 ARE AMENDED TO READ:

16 § 13A61. TABLE GAME AUTHORIZATION FEE.

17 (A) AMOUNT OF AUTHORIZATION FEE.--

18 (1) A CATEGORY 1 OR A CATEGORY 2 SLOT MACHINE LICENSEE
19 THAT SUBMITS A PETITION FOR A TABLE GAME OPERATION
20 CERTIFICATE UNDER SECTION 13A12 (RELATING TO PETITION
21 REQUIREMENTS) ON OR BEFORE JUNE 1, 2010, SHALL PAY A ONE-TIME
22 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$16,500,000.

23 A CATEGORY 1 OR A CATEGORY 2 SLOT MACHINE LICENSEE THAT
24 SUBMITS A PETITION FOR A TABLE GAME OPERATION CERTIFICATE
25 UNDER SECTION 13A12 AFTER JUNE 1, 2010, SHALL PAY A ONE-TIME
26 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$24,750,000.

27 (2) A CATEGORY 3 SLOT MACHINE LICENSEE THAT SUBMITS A
28 PETITION FOR A TABLE GAME OPERATION CERTIFICATE UNDER SECTION
29 13A12 ON OR BEFORE JUNE 1, 2010, SHALL PAY A ONE-TIME
30 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$7,500,000.

1 A CATEGORY 3 SLOT MACHINE LICENSEE THAT SUBMITS A PETITION
2 FOR A TABLE GAME OPERATION CERTIFICATE UNDER SECTION 13A12
3 AFTER JUNE 1, 2010, SHALL PAY A ONE-TIME NONREFUNDABLE
4 AUTHORIZATION FEE IN THE AMOUNT OF \$11,250,000.

5 (3) NOTWITHSTANDING PARAGRAPHS (1) AND (2), THE HOLDER
6 OF A CATEGORY 1 OR CATEGORY 3 SLOT MACHINE LICENSE ISSUED
7 AFTER JUNE 1, 2010, THAT SUBMITS A PETITION FOR A TABLE GAME
8 OPERATION CERTIFICATE SHALL PAY A ONE-TIME NONREFUNDABLE
9 AUTHORIZATION FEE IN THE AMOUNT OF \$16,500,000 OR \$7,500,000,
10 RESPECTIVELY.

11 (3.1) NOTWITHSTANDING PARAGRAPHS (2) AND (3), THE HOLDER
12 OF A CATEGORY 3 SLOT MACHINE LICENSE ISSUED ON OR AFTER
13 JANUARY 1, 2016, THAT SUBMITS A PETITION FOR A TABLE GAME
14 OPERATION CERTIFICATE SHALL PAY A ONE-TIME NONREFUNDABLE
15 AUTHORIZATION FEE IN THE AMOUNT OF \$8,500,000.

16 (3.2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART,
17 NO LATER THAN 60 DAYS AFTER THE BOARD APPROVES A REQUEST FOR
18 ADDITIONAL TABLE GAMES IN ACCORDANCE WITH SECTION 13A11
19 (RELATING TO AUTHORIZATION TO CONDUCT TABLE GAMES) SUBMITTED
20 BY THE HOLDER OF A CATEGORY 3 SLOT MACHINE LICENSE ISSUED
21 PRIOR TO JANUARY 1, 2016, THE CATEGORY 3 SLOT MACHINE
22 LICENSEE SHALL PAY A ONE-TIME NONREFUNDABLE FEE IN THE AMOUNT
23 OF \$1,000,000.

24 (4) A TABLE GAME OPERATION CERTIFICATE SHALL NOT BE
25 SUBJECT TO RENEWAL OR PAYMENT OF AN ADDITIONAL AUTHORIZATION
26 FEE.

27 * * *

28 (F) DEPOSIT OF FEES.--NOTWITHSTANDING SECTION 1208 (RELATING
29 TO COLLECTION OF FEES AND FINES), ALL TABLE GAME AUTHORIZATION
30 FEES AND OTHER FEES OR PENALTIES RECEIVED BY THE BOARD UNDER

1 THIS SUBCHAPTER, ALL TABLE GAME DEVICE AND ASSOCIATED EQUIPMENT
2 MANUFACTURER AND SUPPLIER LICENSE FEES, ALL TABLE GAME DEVICE OR
3 ASSOCIATED EQUIPMENT MANUFACTURER AND SUPPLIER RENEWAL FEES AND
4 FEES FOR LICENSES ISSUED UNDER CHAPTER 16 (RELATING TO JUNKETS)
5 SHALL BE DEPOSITED IN THE GENERAL FUND.

6 § 13A63. LOCAL SHARE ASSESSMENT.

7 * * *

8 (B) DISTRIBUTIONS TO COUNTIES.--THE DEPARTMENT SHALL MAKE
9 QUARTERLY DISTRIBUTIONS FROM THE LOCAL SHARE ASSESSMENTS
10 DEPOSITED INTO THE FUND UNDER SUBSECTION (A) TO COUNTIES,
11 INCLUDING HOME RULE COUNTIES, HOSTING A LICENSED FACILITY
12 AUTHORIZED TO CONDUCT TABLE GAMES UNDER THIS CHAPTER IN
13 ACCORDANCE WITH THE FOLLOWING:

14 * * *

15 (4) THE FOLLOWING APPLY:

16 (I) IF THE FACILITY IS A CATEGORY 3 LICENSED
17 FACILITY LOCATED IN A COUNTY OF THE SECOND CLASS A: 50%
18 OF THE LICENSED FACILITY'S LOCAL SHARE ASSESSMENT SHALL
19 BE [DEPOSITED INTO A RESTRICTED RECEIPTS ACCOUNT TO BE
20 ESTABLISHED IN THE COMMONWEALTH FINANCING AUTHORITY TO BE
21 USED EXCLUSIVELY FOR GRANTS OR GUARANTEES FOR PROJECTS IN
22 THE COUNTY THAT QUALIFY UNDER 64 PA.C.S. §§ 1551
23 (RELATING TO BUSINESS IN OUR SITES PROGRAM), 1556
24 (RELATING TO TAX INCREMENT FINANCING GUARANTEE PROGRAM)
25 AND 1558 (RELATING TO WATER SUPPLY AND WASTE WATER
26 INFRASTRUCTURE PROGRAM).] DISTRIBUTED AS FOLLOWS:

27 (A) SEVENTY-FIVE PERCENT SHALL BE DISTRIBUTED TO
28 THE COUNTY HOSTING THE LICENSED FACILITY FROM EACH
29 SUCH LICENSED FACILITY FOR THE PURPOSE OF SUPPORTING
30 THE MAINTENANCE AND REFURBISHMENT OF THE PARKS AND

1 HERITAGE SITES THROUGHOUT THE COUNTY IN WHICH THE
2 LICENSEE IS LOCATED.

3 (B) TWELVE AND ONE-HALF PERCENT SHALL BE
4 DISTRIBUTED TO THE COUNTY HOSTING THE LICENSED
5 FACILITY FROM EACH SUCH LICENSED FACILITY FOR THE
6 PURPOSE OF SUPPORTING A CHILD ADVOCACY CENTER LOCATED
7 WITHIN THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

8 (C) TWELVE AND ONE-HALF PERCENT SHALL BE
9 DISTRIBUTED TO THE COUNTY HOSTING THE LICENSED
10 FACILITY FROM EACH SUCH LICENSED FACILITY FOR THE
11 PURPOSE OF SUPPORTING AN ORGANIZATION PROVIDING
12 COMPREHENSIVE SUPPORT SERVICES TO VICTIMS OF DOMESTIC
13 VIOLENCE, INCLUDING LEGAL AND MEDICAL AID, SHELTERS,
14 TRANSITIONAL HOUSING AND COUNSELING LOCATED WITHIN
15 THE COUNTY IN WHICH THE LICENSEE IS LOCATED.

16 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (I), IF THE
17 FACILITY IS A CATEGORY 3 LICENSED FACILITY IN A COUNTY OF
18 ANY CLASS: 50% OF THE LICENSED FACILITY'S LOCAL SHARE
19 ASSESSMENT SHALL BE ADDED TO THE FUNDS IN THE RESTRICTED
20 RECEIPTS ACCOUNT ESTABLISHED UNDER SECTION 1403(C)(2)(IV)
21 FOR DISTRIBUTION WITH THOSE FUNDS.

22 * * *

23 SECTION 18. TITLE 4 IS AMENDED BY ADDING CHAPTERS TO READ:

24 CHAPTER 13B

25 INTERACTIVE GAMING

26 SUBCHAPTER

27 A. GENERAL PROVISIONS

28 B. INTERACTIVE GAMING AUTHORIZED

29 B.1. MULTI-USE COMPUTING DEVICES

30 C. CONDUCT OF INTERACTIVE GAMING

1 D. FACILITIES AND EQUIPMENT

2 E. TESTING AND CERTIFICATION

3 F. TAXES AND FEES

4 G. MISCELLANEOUS PROVISIONS

5 SUBCHAPTER A

6 GENERAL PROVISIONS

7 SEC.

8 13B01. LEGISLATIVE FINDINGS.

9 13B02. REGULATORY AUTHORITY.

10 13B03. TEMPORARY INTERACTIVE GAMING REGULATIONS.

11 § 13B01. LEGISLATIVE FINDINGS.

12 THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

13 (1) THE PRIMARY OBJECTIVE OF THE PENNSYLVANIA RACE HORSE
14 DEVELOPMENT AND GAMING ACT, TO WHICH ALL OTHER OBJECTIVES ARE
15 SECONDARY, IS TO PROTECT THE PUBLIC THROUGH THE REGULATION
16 AND POLICING OF ALL ACTIVITIES INVOLVING GAMING AND PRACTICES
17 THAT CONTINUE TO BE UNLAWFUL.

18 (2) LEGISLATIVE AUTHORIZATION OF SLOT MACHINE GAMING AND
19 THE CONDUCT OF TABLE GAMES IS INTENDED TO ENHANCE LIVE HORSE
20 RACING, BREEDING PROGRAMS, ENTERTAINMENT AND EMPLOYMENT IN
21 THIS COMMONWEALTH.

22 (3) LEGALIZED GAMING WAS SEEN AS A MEANS TO PROVIDE A
23 SOURCE OF REVENUE FOR PROPERTY AND WAGE TAX RELIEF, PROMOTE
24 ECONOMIC DEVELOPMENT AND ENHANCE DEVELOPMENT OF TOURISM
25 MARKETS THROUGHOUT THIS COMMONWEALTH.

26 (4) LEGALIZED GAMING IN THE CATEGORY 1, CATEGORY 2 AND
27 CATEGORY 3 LICENSED FACILITIES GEOGRAPHICALLY DISPERSED IN
28 THIS COMMONWEALTH HAS BECOME A CRITICAL COMPONENT OF ECONOMIC
29 DEVELOPMENT AND, IF GAMING ACTIVITIES CONTINUE TO BE PROPERLY
30 REGULATED AND FOSTERED, IT WILL PROVIDE A SUBSTANTIAL

1 CONTRIBUTION TO THE GENERAL HEALTH, WELFARE AND PROSPERITY OF
2 THIS COMMONWEALTH AND ITS CITIZENS.

3 (5) THE GENERAL ASSEMBLY REMAINS COMMITTED TO ENSURING A
4 ROBUST GAMING INDUSTRY IN THIS COMMONWEALTH THAT IS CAPABLE
5 OF COMPETING INTERNATIONALLY, NATIONALLY AND REGIONALLY AT
6 THE HIGHEST LEVELS OF QUALITY WHILE MAINTAINING STRICT
7 REGULATORY OVERSIGHT TO ENSURE THE INTEGRITY OF ALL GAMING
8 OPERATIONS AS SUPERVISED BY THE BOARD.

9 (6) SINCE ITS DEVELOPMENT, THE INTERNET HAS PROVIDED THE
10 OPPORTUNITY FOR MILLIONS OF PEOPLE WORLDWIDE TO ENGAGE IN
11 ONLINE GAMBLING, MOSTLY THROUGH ILLEGAL, UNREGULATED OFF-
12 SHORE GAMBLING OPERATIONS.

13 (7) IN 2006, THE UNITED STATES CONGRESS PASSED AND THE
14 PRESIDENT OF THE UNITED STATES SIGNED THE UNLAWFUL INTERNET
15 GAMBLING ENFORCEMENT ACT OF 2006 (PUBLIC LAW 109-347, 31
16 U.S.C. § 5361 ET SEQ.), WHICH GENERALLY PROHIBITS THE USE OF
17 BANKING INSTRUMENTS, INCLUDING CREDIT CARDS, CHECKS AND MONEY
18 TRANSFERS FOR INTERSTATE INTERNET GAMBLING.

19 (8) ALTHOUGH THE UNLAWFUL INTERNET GAMBLING ENFORCEMENT
20 ACT OF 2006 PROHIBITS INTERSTATE INTERNET GAMBLING BY UNITED
21 STATES CITIZENS, IT PERMITS INDIVIDUAL STATES TO CREATE A
22 REGULATORY FRAMEWORK TO GOVERN INTRASTATE INTERNET OR
23 INTERACTIVE GAMBLING.

24 (9) INTERACTIVE GAMING IS ILLEGAL IN THIS COMMONWEALTH
25 AND WITHOUT LEGISLATIVE AUTHORIZATION AND STRICT REGULATION,
26 THE PUBLIC'S TRUST AND CONFIDENCE IN LEGALIZED COMMERCIAL
27 GAMING MAY BE IMPACTED.

28 (10) IN THIS COMMONWEALTH, INTERACTIVE GAMING HAS BEEN
29 CONDUCTED WITHOUT OVERSIGHT, REGULATION OR ENFORCEMENT, ALL
30 OF WHICH RAISES SIGNIFICANT CONCERNS FOR THE PROTECTION OF

1 THE HEALTH, WELFARE AND SAFETY OF THE CITIZENS OF THIS
2 COMMONWEALTH.

3 (11) AN EFFECTIVE REGULATORY, LICENSING AND ENFORCEMENT
4 SYSTEM FOR INTERACTIVE GAMING IN THIS COMMONWEALTH WOULD
5 INHIBIT UNDERAGE WAGERING AND OTHERWISE PROTECT VULNERABLE
6 INDIVIDUALS, ENSURE THAT THE GAMES OFFERED THROUGH THE
7 INTERNET ARE FAIR AND SAFE, STOP SENDING MUCH-NEEDED JOBS,
8 TAX AND OTHER REVENUE OFFSHORE TO ILLEGAL OPERATORS, PROVIDE
9 A SIGNIFICANT SOURCE OF TAXABLE REVENUE, CREATE JOBS AND
10 ECONOMIC DEVELOPMENT AND ADDRESS THE CONCERNS OF LAW
11 ENFORCEMENT.

12 (12) BY LEGALIZING INTERACTIVE GAMING AND SUBJECTING IT
13 TO THE REGULATORY OVERSIGHT OF THE PENNSYLVANIA GAMING
14 CONTROL BOARD, THE GENERAL ASSEMBLY IS ASSURING THE CITIZENS
15 OF THIS COMMONWEALTH THAT ONLY THOSE PERSONS LICENSED BY THE
16 BOARD TO CONDUCT SLOT MACHINE GAMING AND TABLE GAMES AND TO
17 OPERATE INTERACTIVE GAMES OR INTERACTIVE GAMING SYSTEMS, IN
18 ACCORDANCE WITH THE REQUIREMENTS OF THIS PART, HAVE BEEN
19 DETERMINED TO BE SUITABLE TO FACILITATE AND CONDUCT
20 INTERACTIVE GAMING ACTIVITIES IN THIS COMMONWEALTH.

21 (13) AN EFFECTIVE REGULATORY, LICENSING AND ENFORCEMENT
22 SYSTEM TO GOVERN INTERACTIVE GAMING IN THIS COMMONWEALTH IS
23 CONSISTENT WITH THE ORIGINAL OBJECTIVES AND INTENT OF THE
24 PENNSYLVANIA RACE HORSE DEVELOPMENT AND GAMING ACT, THEREBY
25 ENSURING THE PUBLIC TRUST AND CONFIDENCE IN THE COMMERCIAL
26 GAMING INDUSTRY IN THIS COMMONWEALTH.

27 (14) THE COMMONWEALTH HAS A LEGITIMATE STATE INTEREST IN
28 PROTECTING THE INTEGRITY OF STATE-AUTHORIZED INTERACTIVE
29 GAMING BY LICENSING THOSE ENTITIES ALREADY ENGAGED IN THE
30 CONDUCT OF GAMING IN THIS COMMONWEALTH, WHICH ARE SUBJECT TO

1 THE SCRUTINY AND DISCIPLINE OF THE BOARD AND OTHER REGULATORY
2 AGENCIES AND WHICH ARE IN GOOD STANDING WITH THOSE AGENCIES.
3 § 13B02. REGULATORY AUTHORITY.

4 (A) AUTHORITY.--THE BOARD SHALL PROMULGATE AND ADOPT RULES
5 AND REGULATIONS TO GOVERN THE CONDUCT OF INTERACTIVE GAMING IN
6 ORDER TO ENSURE THAT IT WILL BE IMPLEMENTED IN A MANNER THAT
7 PROVIDES FOR THE SECURITY AND EFFECTIVE MANAGEMENT,
8 ADMINISTRATION AND CONTROL OF INTERACTIVE GAMING, INCLUDING, BUT
9 NOT LIMITED TO, REGULATIONS:

10 (1) ENSURING THAT INTERACTIVE GAMING IS OFFERED FOR PLAY
11 IN THIS COMMONWEALTH IN A MANNER THAT IS CONSISTENT WITH
12 FEDERAL LAW AND THE PROVISIONS OF THIS CHAPTER.

13 (2) ESTABLISHING STANDARDS AND PROCEDURES FOR TESTING
14 AND APPROVING INTERACTIVE GAMES AND INTERACTIVE GAMING
15 DEVICES AND ASSOCIATED EQUIPMENT, AND ANY VARIATIONS OR
16 COMPOSITES OF AUTHORIZED INTERACTIVE GAMES, PROVIDED THAT THE
17 BOARD DETERMINES THAT THE INTERACTIVE GAMES AND ANY NEW
18 INTERACTIVE GAMES OR ANY VARIATIONS OR COMPOSITES ARE
19 SUITABLE FOR USE AFTER A TEST OR EXPERIMENTAL PERIOD UNDER
20 ANY TERMS AND CONDITIONS AS THE BOARD MAY DEEM APPROPRIATE.
21 THE BOARD MAY GIVE PRIORITY TO THE TESTING OF INTERACTIVE
22 GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT OR
23 OTHER GAMING EQUIPMENT WHICH A SLOT MACHINE LICENSEE HAS
24 CERTIFIED THAT IT WILL USE TO CONDUCT INTERACTIVE GAMING IN
25 THIS COMMONWEALTH. NOTHING IN THIS PARAGRAPH SHALL BE
26 CONSTRUED TO PROHIBIT THE BOARD FROM USING THE TESTING AND
27 CERTIFICATION STANDARDS OF ANOTHER STATE OR JURISDICTION IN
28 WHICH INTERACTIVE GAMING IS CONDUCTED, IF IT DETERMINES THAT
29 THE STANDARDS OF THE JURISDICTION ARE COMPREHENSIVE, THOROUGH
30 AND PROVIDE SIMILAR AND ADEQUATE SAFEGUARDS AS THOSE REQUIRED

1 UNDER THIS PART. IF THE BOARD MAKES SUCH A DETERMINATION AND
2 THE APPLICANT FOR AN INTERACTIVE GAMING CERTIFICATE OR AN
3 INTERACTIVE GAMING LICENSE IS LICENSED IN ANOTHER STATE OR
4 JURISDICTION TO OPERATE INTERACTIVE GAMING, IT MAY USE AN
5 ABBREVIATED PROCESS REQUIRING ONLY THE INFORMATION DETERMINED
6 BY IT TO BE NECESSARY TO CONSIDER THE ISSUANCE OF A
7 CERTIFICATION UNDER THIS CHAPTER. THE BOARD, IN ITS
8 DISCRETION, MAY ALSO RELY UPON THE CERTIFICATION OF
9 INTERACTIVE GAMES THAT HAVE MET THE TESTING AND CERTIFICATION
10 STANDARDS OF A BOARD-APPROVED PRIVATE TESTING AND
11 CERTIFICATION FACILITY.

12 (3) ESTABLISHING STANDARDS AND RULES TO GOVERN THE
13 CONDUCT OF INTERACTIVE GAMING AND THE SYSTEM OF AND WAGERING
14 ASSOCIATED WITH INTERACTIVE GAMING, INCLUDING INTERNAL
15 CONTROLS AND ACCOUNTING CONTROLS, AND THE TYPE, NUMBER,
16 PAYOUT, WAGERING LIMITS AND RULES FOR INTERACTIVE GAMES.

17 (4) ESTABLISHING THE METHOD FOR CALCULATING GROSS
18 INTERACTIVE GAMING REVENUE AND STANDARDS FOR THE DAILY
19 COUNTING AND RECORDING OF CASH AND CASH EQUIVALENTS RECEIVED
20 IN THE CONDUCT OF AUTHORIZED INTERACTIVE GAMES AND ENSURE
21 THAT INTERNAL CONTROLS AND ACCOUNTING CONTROLS ARE FOLLOWED,
22 INCLUDING THE MAINTENANCE OF FINANCIAL BOOKS AND RECORDS AND
23 THE CONDUCT OF AUDITS. THE BOARD SHALL CONSULT WITH THE
24 DEPARTMENT IN ESTABLISHING THESE REGULATIONS.

25 (5) ESTABLISHING NOTICE REQUIREMENTS PERTAINING TO
26 MINIMUM AND MAXIMUM WAGERS ON AUTHORIZED INTERACTIVE GAMES.

27 (6) ENSURING THAT ALL FACILITIES AND INTERACTIVE GAMING
28 DEVICES AND ASSOCIATED EQUIPMENT ARE ARRANGED IN A MANNER TO
29 PROMOTE APPROPRIATE SECURITY FOR INTERACTIVE GAMING.

30 (7) ESTABLISHING TECHNICAL STANDARDS FOR THE APPROVAL OF

1 INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND ASSOCIATED
2 EQUIPMENT, INCLUDING MECHANICAL, ELECTRICAL OR PROGRAM
3 RELIABILITY, SECURITY AGAINST TAMPERING AND ANY OTHER
4 STANDARDS AS IT MAY DEEM NECESSARY TO PROTECT REGISTERED
5 PLAYERS FROM FRAUD OR DECEPTION.

6 (8) GOVERNING THE CREATION AND UTILIZATION OF
7 INTERACTIVE GAMING ACCOUNTS BY REGISTERED PLAYERS, INCLUDING
8 REQUIRING THAT:

9 (I) INTERACTIVE GAMING ACCOUNTS BE POSSESSED BY A
10 NATURAL PERSON AND NOT IN THE NAME OF ANY BENEFICIARY,
11 CUSTODIAN, JOINT TRUST, CORPORATION, PARTNERSHIP OR OTHER
12 ORGANIZATION OR ENTITY.

13 (II) INTERACTIVE GAMING ACCOUNTS SHALL NOT BE
14 ASSIGNABLE OR OTHERWISE TRANSFERABLE.

15 (III) NO ACCOUNT BE ESTABLISHED FOR AN INDIVIDUAL
16 UNDER 21 YEARS OF AGE.

17 (9) ESTABLISHING PROCEDURES FOR REGISTERED PLAYERS TO
18 LOG INTO THEIR INTERACTIVE GAMING ACCOUNTS, AUTHENTICATE
19 IDENTITIES, AGREE TO TERMS, CONDITIONS AND RULES APPLICABLE
20 TO AUTHORIZED INTERACTIVE GAMES AND LOG OUT OF INTERACTIVE
21 GAMING ACCOUNTS, INCLUDING PROCEDURES FOR AUTOMATICALLY
22 LOGGING OFF REGISTERED PLAYERS FROM AN INTERACTIVE GAME AFTER
23 A SPECIFIED PERIOD OF INACTIVITY.

24 (10) ESTABLISHING PROCEDURES FOR:

25 (I) DEPOSITING FUNDS IN AN INTERACTIVE GAMING
26 ACCOUNT BY CASH, TRANSFER OR OTHER MEANS, AS APPROVED BY
27 THE BOARD.

28 (II) THE WITHDRAWAL OF FUNDS FROM INTERACTIVE GAMING
29 ACCOUNTS.

30 (III) THE SUSPENSION OF INTERACTIVE GAMING ACCOUNT

1 ACTIVITY FOR SECURITY REASONS.

2 (IV) THE TERMINATION OF INTERACTIVE GAMING ACCOUNTS
3 AND DISPOSITION OF PROCEEDS IN ACCOUNTS.

4 (V) THE DISPOSITION OF UNCLAIMED AMOUNTS IN DORMANT
5 INTERACTIVE GAMING ACCOUNTS.

6 (11) ESTABLISHING MECHANISMS BY WHICH REGISTERED PLAYERS
7 MAY PLACE LIMITS ON THE AMOUNT OF MONEY BEING WAGERED PER
8 AUTHORIZED INTERACTIVE GAME OR DURING ANY SPECIFIED TIME
9 PERIOD OR THE AMOUNT OF LOSSES INCURRED DURING ANY SPECIFIED
10 TIME PERIOD.

11 (12) ESTABLISHING MECHANISMS TO EXCLUDE FROM INTERACTIVE
12 GAMING PERSONS NOT ELIGIBLE TO PLAY BY REASON OF AGE,
13 IDENTITY OR LOCATION OR INCLUSION ON A LIST OF PERSONS DENIED
14 ACCESS TO INTERACTIVE GAMING ACTIVITIES IN ACCORDANCE WITH
15 SECTIONS 1514 (RELATING TO REGULATION REQUIRING EXCLUSION,
16 EJECTION OR DENIAL OF ACCESS OF CERTAIN PERSONS), 1515
17 (RELATING TO REPEAT OFFENDERS EXCLUDABLE FROM LICENSED GAMING
18 FACILITY) AND 1516 (RELATING TO LIST OF PERSONS SELF EXCLUDED
19 FROM GAMING ACTIVITIES).

20 (13) ESTABLISHING PROCEDURES FOR THE PROTECTION,
21 SECURITY AND RELIABILITY OF INTERACTIVE GAMING ACCOUNTS,
22 AUTHORIZED INTERACTIVE GAMES, INTERACTIVE GAMING DEVICES AND
23 ASSOCIATED EQUIPMENT AND MECHANISMS TO PREVENT TAMPERING OR
24 UTILIZATION BY UNAUTHORIZED PERSONS.

25 (14) ESTABLISHING DATA SECURITY STANDARDS TO GOVERN AGE,
26 IDENTITY AND LOCATION VERIFICATION OF PERSONS ENGAGED IN
27 INTERACTIVE GAMING ACTIVITY.

28 (15) REQUIRING EACH INTERACTIVE GAMING CERTIFICATE
29 HOLDER TO:

30 (I) PROVIDE WRITTEN INFORMATION ON ITS INTERACTIVE

1 GAMING SKIN OR INTERNET WEBSITE, WHICH EXPLAINS THE RULES
2 FOR EACH AUTHORIZED INTERACTIVE GAME, PAYOFFS OR WINNING
3 WAGERS AND OTHER INFORMATION AS THE BOARD MAY REQUIRE.

4 (II) DESIGNATE ONE OR MORE INTERACTIVE GAMING
5 RESTRICTED AREAS WHERE INTERACTIVE GAMING WILL BE
6 MANAGED, ADMINISTERED OR CONTROLLED.

7 (III) PROVIDE THE BOARD WITH ACCESS TO THE
8 INTERACTIVE GAMING SKIN OR WEBSITE, INTERACTIVE GAMING
9 PLATFORM, SIGNAL OR TRANSMISSION USED IN CONNECTION WITH
10 INTERACTIVE GAMING AND INTERACTIVE GAMING RESTRICTED
11 AREAS.

12 (IV) ADOPT PROCEDURES FOR THE RECORDATION,
13 REPLICATION AND STORAGE OF ALL PLAY AND TRANSACTIONS FOR
14 A PERIOD TO BE DETERMINED BY THE BOARD.

15 (V) PROVIDE STATEMENTS ON ITS INTERACTIVE GAMING
16 SKIN OR WEBSITE ABOUT THE PERMISSIBLE MINIMUM AND MAXIMUM
17 WAGERS FOR EACH AUTHORIZED INTERACTIVE GAME, AS
18 APPLICABLE.

19 (VI) ADOPT POLICIES OR PROCEDURES TO PROHIBIT ANY
20 UNAUTHORIZED PERSON FROM HAVING ACCESS TO INTERACTIVE
21 GAMING DEVICES AND ASSOCIATED EQUIPMENT, INCLUDING
22 SOFTWARE, SYSTEM PROGRAMS, HARDWARE AND ANY OTHER GAMING
23 EQUIPMENT OR DEVICES WHICH ARE USED TO MANAGE, ADMINISTER
24 OR CONTROL INTERACTIVE GAMING.

25 (VII) ADOPT DATA SECURITY STANDARDS TO VERIFY THE
26 AGE, IDENTITY AND LOCATION OF PERSONS ENGAGED IN
27 INTERACTIVE GAMING ACTIVITY AND PREVENT UNAUTHORIZED
28 ACCESS BY ANY PERSON WHOSE AGE AND LOCATION HAVE NOT BEEN
29 VERIFIED OR WHOSE AGE AND LOCATION CANNOT BE VERIFIED IN
30 ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.

1 (VIII) ADOPT STANDARDS TO PROTECT THE PRIVACY AND
2 SECURITY OF REGISTERED PLAYERS ENGAGED IN INTERACTIVE
3 GAMING.

4 (IX) COLLECT, REPORT AND PAY ANY AND ALL APPLICABLE
5 TAXES AND FEES AND MAINTAIN ALL BOOKS, RECORDS AND
6 DOCUMENTS RELATED TO THE INTERACTIVE GAMING CERTIFICATE
7 HOLDER'S INTERACTIVE GAMING ACTIVITIES IN A MANNER AND IN
8 A LOCATION WITHIN THIS COMMONWEALTH AS APPROVED BY THE
9 BOARD OR THE DEPARTMENT. ALL BOOKS, RECORDS AND DOCUMENTS
10 SHALL BE IMMEDIATELY AVAILABLE FOR INSPECTION DURING ALL
11 HOURS OF OPERATION IN ACCORDANCE WITH THE REGULATIONS OF
12 THE BOARD AND SHALL BE MAINTAINED IN A MANNER AND DURING
13 PERIODS OF TIME AS THE BOARD SHALL BY REGULATION REQUIRE.

14 (B) ADDITIONAL AUTHORITY.--

15 (1) AT ITS DISCRETION, THE BOARD MAY DETERMINE WHETHER
16 PERSONS THAT PROVIDE THE FOLLOWING GOODS OR SERVICES AND ANY
17 OTHER GOODS OR SERVICES RELATED TO INTERACTIVE GAMING AS THE
18 BOARD MAY DETERMINE SHALL BE REQUIRED TO OBTAIN A LICENSE,
19 PERMIT OR OTHER AUTHORIZATION:

20 (I) PAYMENT PROCESSING AND RELATED MONEY
21 TRANSMITTING AND SERVICES.

22 (II) CUSTOMER IDENTITY OR AGE VERIFICATION AND
23 GEOSPATIAL TECHNOLOGY SERVICES.

24 (III) GENERAL TELECOMMUNICATIONS SERVICES, WHICH ARE
25 NOT SPECIFICALLY DESIGNED FOR OR RELATED TO INTERACTIVE
26 GAMING.

27 (IV) OTHER GOODS OR SERVICES THAT ARE NOT
28 SPECIFICALLY DESIGNED FOR USE WITH INTERACTIVE GAMING IF
29 THE PERSONS PROVIDING THE GOODS OR SERVICES ARE NOT PAID
30 A PERCENTAGE OF GAMING REVENUE OR OF MONEY WAGERED ON

1 INTERACTIVE GAMES OR OF ANY FEES, NOT INCLUDING FEES TO
2 FINANCIAL INSTITUTIONS AND PAYMENT PROVIDERS FOR
3 FACILITATING A DEPOSIT BY AN INTERACTIVE GAMING ACCOUNT
4 HOLDER.

5 (2) THE BOARD SHALL DEVELOP A CLASSIFICATION SYSTEM FOR
6 THE LICENSURE, PERMITTING OR OTHER AUTHORIZATION OF PERSONS
7 THAT PROVIDE THE FOLLOWING GOODS OR SERVICES RELATED TO
8 INTERACTIVE GAMING:

9 (I) PERSONS THAT PROVIDE INTERACTIVE GAMES AND
10 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT.

11 (II) PERSONS THAT MANAGE, CONTROL OR ADMINISTER THE
12 INTERACTIVE GAMES OR THE WAGERS ASSOCIATED WITH
13 INTERACTIVE GAMES.

14 (III) PROVIDERS OF CUSTOMER LISTS COMPRISED OF
15 PERSONS IDENTIFIED OR SELECTED, IN WHOLE OR IN PART,
16 BECAUSE THEY PLACED OR MAY PLACE WAGERS ON INTERACTIVE
17 GAMING.

18 (C) DEFINITION.--FOR THE PURPOSES OF SUBSECTION (A) (12),
19 (14) AND (15) (VIII) AND (IX), THE TERM "PERSON" SHALL MEAN A
20 NATURAL PERSON.

21 § 13B03. TEMPORARY INTERACTIVE GAMING REGULATIONS.

22 (A) PROMULGATION.--

23 (1) IN ORDER TO FACILITATE THE PROMPT IMPLEMENTATION OF
24 THIS CHAPTER, REGULATIONS PROMULGATED BY THE BOARD SHALL BE
25 DEEMED TEMPORARY REGULATIONS WHICH SHALL EXPIRE NOT LATER
26 THAN TWO YEARS FOLLOWING THE PUBLICATION OF THE TEMPORARY
27 REGULATION IN THE PENNSYLVANIA BULLETIN AND ON THE BOARD'S
28 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

29 (2) THE BOARD MAY PROMULGATE TEMPORARY REGULATIONS NOT
30 SUBJECT TO:

1 INTERACTIVE GAMING AUTHORIZED

2 SEC.

3 13B11. AUTHORIZATION TO CONDUCT INTERACTIVE GAMING.

4 13B12. INTERACTIVE GAMING CERTIFICATE REQUIRED AND CONTENT OF
5 PETITION.

6 13B13. ISSUANCE OF INTERACTIVE GAMING CERTIFICATE.

7 13B14. INTERACTIVE GAMING OPERATORS.

8 13B15. INTERACTIVE GAMING CERTIFICATE AND LICENSE.

9 13B16. TIMING OF INITIAL INTERACTIVE GAMING AUTHORIZATIONS.

10 § 13B11. AUTHORIZATION TO CONDUCT INTERACTIVE GAMING.

11 (A) AUTHORITY OF BOARD.--

12 (1) THE BOARD MAY AUTHORIZE A SLOT MACHINE LICENSEE:

13 (I) TO CONDUCT INTERACTIVE GAMING, INCLUDING
14 CONTESTS AND TOURNAMENTS AND ANY OTHER GAME WHICH IS
15 DETERMINED BY THE BOARD TO BE SUITABLE FOR INTERACTIVE
16 GAMING.

17 (II) TO DEPLOY INTERACTIVE GAMING SKINS OR INTERNET
18 WEBSITES TO FACILITATE THE CONDUCT OF INTERACTIVE GAMING
19 ACTIVITIES.

20 (2) EXCEPT AS PROVIDED IN THIS PART, ALL INDIVIDUALS
21 PLAYING AUTHORIZED INTERACTIVE GAMES MUST BE PHYSICALLY
22 LOCATED WITHIN THIS COMMONWEALTH OR WITHIN A STATE OR
23 JURISDICTION IN WHICH THE BOARD HAS ENTERED AN INTERACTIVE
24 GAMING RECIPROCAL AGREEMENT. NO INDIVIDUAL UNDER 21 YEARS OF
25 AGE SHALL OPEN, MAINTAIN, USE OR HAVE ACCESS TO AN
26 INTERACTIVE GAMING ACCOUNT.

27 (B) AUTHORITY TO PLAY INTERACTIVE GAMES.--NOTWITHSTANDING
28 ANY OTHER PROVISION OF LAW, AN INDIVIDUAL WHO IS 21 YEARS OF AGE
29 OR OLDER IS HEREBY PERMITTED TO PARTICIPATE AS A REGISTERED
30 PLAYER IN INTERACTIVE GAMING AND WAGERING ASSOCIATED WITH

1 PLAYING AN AUTHORIZED INTERACTIVE GAME OFFERED BY AN INTERACTIVE
2 GAMING CERTIFICATE HOLDER IN ACCORDANCE WITH REGULATIONS OF THE
3 BOARD.

4 § 13B12. INTERACTIVE GAMING CERTIFICATE REQUIRED AND CONTENT OF
5 PETITION.

6 (A) CERTIFICATE REQUIRED.--NO SLOT MACHINE LICENSEE OR ANY
7 OTHER PERSON ASSOCIATED WITH OR REPRESENTING A SLOT MACHINE
8 LICENSEE SHALL OPERATE OR CONDUCT OR ATTEMPT TO OPERATE OR
9 CONDUCT INTERACTIVE GAMING, EXCEPT FOR TEST PURPOSES OR OPEN
10 INTERACTIVE GAMING TO THE PUBLIC IN THIS COMMONWEALTH WITHOUT
11 FIRST OBTAINING AN INTERACTIVE GAMING CERTIFICATE OR AN
12 INTERACTIVE GAMING LICENSE FROM THE BOARD. A SLOT MACHINE
13 LICENSEE MAY SEEK APPROVAL TO CONDUCT INTERACTIVE GAMING BY
14 FILING A PETITION FOR AN INTERACTIVE GAMING CERTIFICATE WITH THE
15 BOARD. THE BOARD SHALL PRESCRIBE THE FORM AND MANNER TO GOVERN
16 THE SUBMISSION OF A PETITION FOR AN INTERACTIVE GAMING
17 CERTIFICATE.

18 (B) CONTENT OF PETITION.--IN ADDITION TO INFORMATION AND
19 DOCUMENTATION DEMONSTRATING THAT THE SLOT MACHINE LICENSEE IS
20 QUALIFIED FOR AN INTERACTIVE GAMING CERTIFICATE UNDER THIS
21 CHAPTER, A PETITION SEEKING BOARD APPROVAL TO CONDUCT
22 INTERACTIVE GAMING WITHIN THIS COMMONWEALTH SHALL INCLUDE THE
23 FOLLOWING:

24 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION
25 OF THE SLOT MACHINE LICENSEE.

26 (2) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION
27 OF ANY AFFILIATE, INTERACTIVE GAMING OPERATOR OR OTHER PERSON
28 THAT WILL BE A PARTY TO AN AGREEMENT RELATED TO THE OPERATION
29 OF INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON
30 BEHALF OF A SLOT MACHINE LICENSEE.

1 (3) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A
2 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE SLOT
3 MACHINE LICENSEE WHO WILL BE INVOLVED IN THE CONDUCT OF
4 INTERACTIVE GAMING AND WHO IS NOT CURRENTLY LICENSED BY THE
5 BOARD, IF KNOWN.

6 (4) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A
7 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE
8 INTERACTIVE GAMING CERTIFICATE HOLDER AND INTERACTIVE GAMING
9 LICENSEE, IF ANY, WHO WILL BE INVOLVED IN THE CONDUCT OF
10 INTERACTIVE GAMING AND WHO IS CURRENTLY LICENSED BY THE
11 BOARD.

12 (5) AN ITEMIZED LIST OF THE INTERACTIVE GAMES AND ANY
13 OTHER GAME OR GAMES THE SLOT MACHINE LICENSEE PLANS TO OFFER
14 OVER THE INTERNET FOR WHICH AUTHORIZATION IS BEING SOUGHT.
15 THE SLOT MACHINE LICENSEE SHALL, IN ACCORDANCE WITH
16 REGULATIONS PROMULGATED BY THE BOARD, FILE ANY CHANGES IN THE
17 NUMBER OF AUTHORIZED INTERACTIVE GAMES OFFERED THROUGH
18 INTERACTIVE GAMING WITH THE BOARD.

19 (6) THE ESTIMATED NUMBER OF FULL-TIME AND PART-TIME
20 EMPLOYMENT POSITIONS THAT WILL BE CREATED AT THE LICENSED
21 FACILITY IF INTERACTIVE GAMING IS AUTHORIZED AND AN UPDATED
22 HIRING PLAN UNDER SECTION 1510(A) (RELATING TO LABOR HIRING
23 PREFERENCES) WHICH OUTLINES THE SLOT MACHINE LICENSEE'S PLAN
24 TO PROMOTE THE REPRESENTATION OF DIVERSE GROUPS AND
25 COMMONWEALTH RESIDENTS IN THE EMPLOYMENT POSITIONS.

26 (7) A BRIEF DESCRIPTION OF THE ECONOMIC BENEFITS
27 EXPECTED TO BE REALIZED BY THE COMMONWEALTH, THE HOST
28 MUNICIPALITIES AND RESIDENTS IF INTERACTIVE GAMING IS
29 AUTHORIZED.

30 (8) THE DETAILS OF ANY FINANCING OBTAINED OR THAT WILL

1 BE OBTAINED TO FUND AN EXPANSION OR MODIFICATION OF THE
2 LICENSED FACILITY TO ACCOMMODATE INTERACTIVE GAMING AND TO
3 OTHERWISE FUND THE COST OF COMMENCING INTERACTIVE GAMING.

4 (9) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL
5 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO
6 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL
7 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE SLOT MACHINE
8 LICENSEE, AND INFORMATION OR DOCUMENTATION CONCERNING ANY
9 INTERACTIVE GAMING OPERATOR THAT WILL OPERATE INTERACTIVE
10 GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF THE SLOT
11 MACHINE LICENSEE, AS THE BOARD MAY REQUIRE.

12 (10) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY
13 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT
14 THE SLOT MACHINE LICENSEE HAS SUFFICIENT BUSINESS ABILITY AND
15 EXPERIENCE TO CONDUCT A SUCCESSFUL INTERACTIVE GAMING
16 OPERATION. IN MAKING THIS DETERMINATION, THE BOARD MAY
17 CONSIDER THE RESULTS OF THE SLOT MACHINE LICENSEE'S SLOT
18 MACHINE AND TABLE GAME OPERATIONS, INCLUDING FINANCIAL
19 INFORMATION, EMPLOYMENT DATA AND CAPITAL INVESTMENT.

20 (11) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY
21 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT
22 THE SLOT MACHINE LICENSEE HAS OR WILL HAVE THE FINANCIAL
23 ABILITY TO PAY THE INTERACTIVE GAMING AUTHORIZATION FEE.

24 (12) DETAILED SITE PLANS IDENTIFYING THE PROPOSED
25 INTERACTIVE GAMING RESTRICTED AREA WHERE INTERACTIVE GAMING
26 OPERATIONS WILL BE MANAGED, ADMINISTERED OR CONTROLLED AS
27 APPROVED BY THE BOARD.

28 (13) A DETAILED DESCRIPTION OF ALL OF THE FOLLOWING:

29 (I) THE SLOT MACHINE LICENSEE'S INITIAL SYSTEM OF
30 INTERNAL AND ACCOUNTING CONTROLS APPLICABLE TO

1 INTERACTIVE GAMING.

2 (II) THE SLOT MACHINE LICENSEE'S PROPOSED STANDARDS
3 TO PROTECT, WITH A REASONABLE DEGREE OF CERTAINTY, THE
4 PRIVACY AND SECURITY OF ITS REGISTERED PLAYERS.

5 (III) HOW THE SLOT MACHINE LICENSEE WILL FACILITATE
6 COMPLIANCE WITH ALL OF THE REQUIREMENTS SET FORTH IN THIS
7 CHAPTER AND IN SECTION 802(A) OF THE UNLAWFUL INTERNET
8 GAMBLING ENFORCEMENT ACT OF 2006 (PUBLIC LAW 109-347, 31
9 U.S.C. § 5362(10)(B)), INCLUDING, BUT NOT LIMITED TO, ALL
10 OF THE FOLLOWING:

11 (A) AGE, IDENTITY AND LOCATION VERIFICATION
12 REQUIREMENTS DESIGNED TO BLOCK ACCESS TO INDIVIDUALS
13 UNDER 21 YEARS OF AGE.

14 (B) APPROPRIATE DATA SECURITY STANDARDS TO
15 PREVENT UNAUTHORIZED ACCESS BY ANY PERSON WHOSE AGE,
16 IDENTITY AND LOCATION HAVE NOT BEEN VERIFIED OR WHOSE
17 AGE, IDENTITY AND LOCATION CANNOT BE VERIFIED IN
18 ACCORDANCE WITH THIS CHAPTER AND APPLICABLE
19 REGULATIONS OF THE BOARD.

20 (C) EXCEPT AS PROVIDED IN THIS CHAPTER, THE
21 REQUIREMENT THAT ALL WAGERS MADE IN THE CONDUCT OF
22 INTERACTIVE GAMING BE INITIATED AND RECEIVED OR
23 OTHERWISE MADE EXCLUSIVELY WITHIN THIS COMMONWEALTH.

24 (IV) THE SLOT MACHINE LICENSEE'S PROPOSED AGE,
25 IDENTITY AND LOCATION VERIFICATION STANDARDS DESIGNED TO
26 BLOCK ACCESS TO PERSONS UNDER 21 YEARS OF AGE AND PERSONS
27 EXCLUDED OR PROHIBITED FROM PARTICIPATING IN INTERACTIVE
28 GAMING UNDER THIS CHAPTER.

29 (V) THE PROCEDURES THE SLOT MACHINE LICENSEE WILL
30 USE TO REGISTER INDIVIDUALS WHO WISH TO PARTICIPATE IN

1 INTERACTIVE GAMING.

2 (VI) THE PROCEDURES THE SLOT MACHINE LICENSEE WILL
3 USE TO ESTABLISH INTERACTIVE GAMING ACCOUNTS FOR
4 REGISTERED PLAYERS.

5 (VII) THE INTERACTIVE GAMES AND SERVICES THE SLOT
6 MACHINE LICENSEE PROPOSES TO OFFER TO REGISTERED PLAYERS.

7 (VIII) DOCUMENTATION AND INFORMATION RELATING TO ALL
8 PROPOSED SUBCONTRACTORS OF THE SLOT MACHINE LICENSEE,
9 INCLUDING, BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

10 (A) A DESCRIPTION OF THE SERVICES TO BE PROVIDED
11 BY EACH SUBCONTRACTOR.

12 (B) INFORMATION ON THE EXPERIENCE AND
13 QUALIFICATIONS OF EACH SUBCONTRACTOR TO PROVIDE THE
14 SERVICES ANTICIPATED.

15 (C) THE NAMES OF ALL PROPOSED SUBCONTRACTORS,
16 OWNERS, EXECUTIVES AND EMPLOYEES THAT WILL BE
17 DIRECTLY OR INDIRECTLY INVOLVED IN THE SLOT MACHINE
18 LICENSEE'S INTERACTIVE GAMING OPERATIONS, AS WELL AS
19 SUFFICIENT PERSONAL IDENTIFYING INFORMATION ON EACH
20 SUCH PERSON TO CONDUCT BACKGROUND CHECKS AS MAY BE
21 REQUIRED BY THE BOARD.

22 (14) THE INTERACTIVE GAMING DEVICES AND ASSOCIATED
23 EQUIPMENT, INCLUDING THE INTERACTIVE GAMING NETWORK,
24 INTERACTIVE GAMING SYSTEM OR SYSTEMS, THAT THE SLOT MACHINE
25 LICENSEE PLANS TO OR WILL UTILIZE TO MANAGE, ADMINISTER OR
26 CONTROL ITS INTERACTIVE GAMING OPERATIONS.

27 (15) COMPLIANCE CERTIFICATION OF ITS INTERACTIVE GAMING
28 DEVICES AND ASSOCIATED EQUIPMENT, INCLUDING INTERACTIVE
29 GAMING SOFTWARE AND HARDWARE, BY A BOARD-APPROVED GAMING
30 LABORATORY TO ENSURE THAT THE GAMING SOFTWARE AND HARDWARE

1 COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER AND REGULATIONS
2 OF THE BOARD.

3 (16) DETAILED DESCRIPTION OF ACCOUNTING SYSTEMS,
4 INCLUDING, BUT NOT LIMITED TO, ACCOUNTING SYSTEMS FOR ALL OF
5 THE FOLLOWING:

6 (I) INTERACTIVE GAMING ACCOUNTS.

7 (II) PER-HAND CHARGES, IF APPLICABLE.

8 (III) TRANSPARENCY AND REPORTING TO THE BOARD AND
9 THE DEPARTMENT.

10 (IV) DISTRIBUTION OF REVENUE TO THE COMMONWEALTH AND
11 WINNINGS TO REGISTERED PLAYERS.

12 (V) ONGOING AUDITING AND INTERNAL CONTROL COMPLIANCE
13 REVIEWS.

14 (17) DETAILED INFORMATION ON SECURITY SYSTEMS AT THE
15 LICENSED FACILITY TO PROTECT THE INTERACTIVE GAMING SKINS OR
16 INTERNET WEBSITE FROM INTERNAL AND EXTERNAL BREACHES AND
17 THREATS.

18 (18) ANY OTHER INFORMATION THE BOARD MAY REQUIRE.

19 (C) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD
20 UNDER SUBSECTION (B) MAY BE CONSIDERED CONFIDENTIAL BY THE BOARD
21 IF THE INFORMATION WOULD BE CONFIDENTIAL UNDER SECTION 1206(F)
22 (RELATING TO BOARD MINUTES AND RECORDS).

23 § 13B13. ISSUANCE OF INTERACTIVE GAMING CERTIFICATE.

24 (A) REQUIREMENTS FOR APPROVAL OF PETITION.--

25 (1) THE BOARD MAY APPROVE A PETITION UNDER SECTION 13B12
26 (RELATING TO INTERACTIVE GAMING CERTIFICATE REQUIRED AND
27 CONTENT OF PETITION) UPON FINDING CLEAR AND CONVINCING
28 EVIDENCE OF ALL OF THE FOLLOWING:

29 (I) THE SLOT MACHINE LICENSEE'S CONDUCT OF
30 INTERACTIVE GAMING COMPLIES IN ALL RESPECTS WITH THE

1 REQUIREMENTS OF THIS CHAPTER AND REGULATIONS PROMULGATED
2 BY THE BOARD.

3 (II) AGE, IDENTITY AND LOCATION VERIFICATION
4 REQUIREMENTS DESIGNED TO BLOCK ACCESS TO INDIVIDUALS
5 UNDER 21 YEARS OF AGE AND PERSONS OTHERWISE PROHIBITED
6 FROM ENGAGING IN INTERACTIVE GAMING IN ACCORDANCE WITH
7 THIS CHAPTER, AS APPROVED BY THE BOARD, HAVE BEEN
8 IMPLEMENTED BY THE SLOT MACHINE LICENSEE.

9 (III) THE SLOT MACHINE LICENSEE HAS IMPLEMENTED OR
10 WILL IMPLEMENT APPROPRIATE DATA SECURITY STANDARDS TO
11 PREVENT UNAUTHORIZED ACCESS BY ANY PERSON WHOSE AGE,
12 IDENTITY AND LOCATION HAS NOT BEEN VERIFIED OR CANNOT BE
13 VERIFIED IN ACCORDANCE WITH THE REGULATIONS PROMULGATED
14 AND ADOPTED BY THE BOARD.

15 (IV) THE SLOT MACHINE LICENSEE HAS IMPLEMENTED OR
16 WILL IMPLEMENT APPROPRIATE STANDARDS TO PROTECT THE
17 PRIVACY AND SECURITY OF REGISTERED PLAYERS.

18 (V) THE SLOT MACHINE LICENSEE'S INITIAL SYSTEM OF
19 INTERNAL AND ACCOUNTING CONTROLS APPLICABLE TO
20 INTERACTIVE GAMING, AND THE SECURITY AND INTEGRITY OF ALL
21 FINANCIAL TRANSACTIONS IN CONNECTION WITH THE SYSTEM,
22 COMPLIES WITH THIS CHAPTER AND REGULATIONS PROMULGATED
23 AND ADOPTED BY THE BOARD.

24 (VI) THE SLOT MACHINE LICENSEE IS IN GOOD STANDING
25 WITH THE BOARD.

26 (VII) THE SLOT MACHINE LICENSEE AGREES THAT THE
27 NUMBER OF SLOT MACHINES AND TABLE GAMES IN OPERATION AT
28 ITS LICENSED FACILITY, AS OF THE EFFECTIVE DATE OF THIS
29 SECTION, WILL NOT BE REDUCED AS A RESULT OF THE
30 AUTHORIZATION AND COMMENCEMENT OF INTERACTIVE GAMING.

1 (2) IT SHALL BE AN EXPRESS CONDITION OF ANY INTERACTIVE
2 GAMING CERTIFICATE THAT A SLOT MACHINE LICENSEE SHALL
3 COLLECT, REPORT AND PAY ALL APPLICABLE TAXES AND FEES AND
4 SHALL MAINTAIN ALL BOOKS, RECORDS AND DOCUMENTS PERTAINING TO
5 THE SLOT MACHINE LICENSEE'S INTERACTIVE GAMING OPERATIONS IN
6 A MANNER AND LOCATION WITHIN THIS COMMONWEALTH AS APPROVED BY
7 THE BOARD. ALL BOOKS, RECORDS AND DOCUMENTS SHALL BE
8 IMMEDIATELY AVAILABLE FOR INSPECTION BY THE BOARD AND THE
9 DEPARTMENT DURING ALL HOURS OF OPERATION IN ACCORDANCE WITH
10 THE REGULATIONS OF THE BOARD AND SHALL BE MAINTAINED IN A
11 MANNER AND DURING PERIODS OF TIME AS THE BOARD SHALL REQUIRE.

12 (B) ISSUANCE OF INTERACTIVE GAMING CERTIFICATE.--

13 (1) UPON APPROVAL OF A PETITION FOR AN INTERACTIVE
14 GAMING CERTIFICATE, THE BOARD SHALL ISSUE AN INTERACTIVE
15 GAMING CERTIFICATE TO THE SLOT MACHINE LICENSEE. THE ISSUANCE
16 OF AN INTERACTIVE GAMING CERTIFICATE PRIOR TO THE FULL
17 PAYMENT OF THE AUTHORIZATION FEE REQUIRED UNDER SECTION 13B51
18 (RELATING TO INTERACTIVE GAMING AUTHORIZATION FEE) SHALL NOT
19 RELIEVE THE SLOT MACHINE LICENSEE FROM THE OBLIGATION TO PAY
20 THE AUTHORIZATION FEE IN ACCORDANCE WITH THE REQUIREMENTS OF
21 SECTION 13B51.

22 (2) UPON ISSUING AN INTERACTIVE GAMING CERTIFICATE, THE
23 BOARD SHALL AMEND THE SLOT MACHINE LICENSEE'S STATEMENT OF
24 CONDITIONS TO INCLUDE CONDITIONS PERTAINING TO THE
25 REQUIREMENTS OF THIS CHAPTER.

26 (C) TERM OF INTERACTIVE GAMING CERTIFICATE.--SUBJECT TO THE
27 POWER OF THE BOARD TO DENY, REVOKE OR SUSPEND AN INTERACTIVE
28 GAMING CERTIFICATE ISSUED IN ACCORDANCE WITH THE REQUIREMENTS OF
29 THIS SECTION, AN INTERACTIVE GAMING CERTIFICATE SHALL BE RENEWED
30 EVERY FIVE YEARS AND SHALL BE SUBJECT TO THE REQUIREMENTS OF

1 SECTION 1326 (RELATING TO RENEWALS).

2 (D) SANCTIONS.--A SLOT MACHINE LICENSEE THAT FAILS TO ABIDE
3 BY THE REQUIREMENTS OF THIS CHAPTER OR ANY CONDITION CONTAINED
4 IN THE SLOT MACHINE LICENSEE'S STATEMENT OF CONDITIONS GOVERNING
5 THE OPERATION OF INTERACTIVE GAMING SHALL BE SUBJECT TO BOARD-
6 IMPOSED ADMINISTRATIVE SANCTIONS OR OTHER PENALTIES AUTHORIZED
7 UNDER THIS PART. THE IMPOSITION OF ADMINISTRATIVE SANCTIONS IN
8 ACCORDANCE WITH THIS SUBSECTION SHALL APPLY TO ANY INTERACTIVE
9 GAMING OPERATOR THAT FAILS TO ABIDE BY THE REQUIREMENTS OF THIS
10 CHAPTER AND REGULATIONS OF THE BOARD.

11 (E) BACKGROUND INVESTIGATIONS.--EACH PETITION FOR AN
12 INTERACTIVE GAMING CERTIFICATE SHALL BE ACCOMPANIED BY A
13 NONREFUNDABLE FEE ESTABLISHED BY THE BOARD TO COVER THE COST OF
14 BACKGROUND INVESTIGATIONS. THE BOARD SHALL DETERMINE BY
15 REGULATION THE PERSONS INVOLVED, DIRECTLY OR INDIRECTLY, IN A
16 SLOT MACHINE LICENSEE'S INTERACTIVE GAMING OPERATIONS AND
17 PERSONS INVOLVED IN THE OPERATIONS OF AN INTERACTIVE GAMING
18 OPERATOR WHO SHALL BE SUBJECT TO BACKGROUND INVESTIGATION. ANY
19 ADDITIONAL COSTS AND EXPENSES INCURRED IN ANY BACKGROUND
20 INVESTIGATION OR OTHER INVESTIGATION OR PROCEEDING UNDER THIS
21 CHAPTER SHALL BE REIMBURSED TO THE BOARD.

22 § 13B14. INTERACTIVE GAMING OPERATORS.

23 (A) LICENSE REQUIRED.--NO PERSON SHALL SERVE OR ATTEMPT TO
24 SERVE AS AN INTERACTIVE GAMING OPERATOR WITHOUT FIRST OBTAINING
25 AN INTERACTIVE GAMING LICENSE FROM THE BOARD. A PERSON MAY SEEK
26 APPROVAL TO SERVE AS AN INTERACTIVE GAMING OPERATOR BY FILING AN
27 APPLICATION WITH THE BOARD. THE BOARD SHALL PRESCRIBE THE FORM
28 AND MANNER TO GOVERN THE SUBMISSION OF AN APPLICATION FOR AN
29 INTERACTIVE GAMING LICENSE. THE BOARD SHALL PROVIDE FOR THE
30 LICENSURE OF INTERACTIVE GAMING OPERATORS THAT OPERATE

1 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF
2 AN INTERACTIVE GAMING CERTIFICATE HOLDER. THE BOARD SHALL:

3 (1) DETERMINE SUITABILITY AND PROVIDE FOR THE LICENSURE,
4 PERMITTING, REGISTRATION OR CERTIFICATION, AS IT DEEMS
5 APPROPRIATE, OF INTERACTIVE GAMING OPERATORS OR OTHER PERSONS
6 DIRECTLY INVOLVED IN THE OPERATION OF INTERACTIVE GAMING OR
7 AN INTERACTIVE GAMING SYSTEM ON BEHALF OF A SLOT MACHINE
8 LICENSEE. THE BOARD SHALL DETERMINE SUITABILITY IN ACCORDANCE
9 WITH THE APPLICABLE REQUIREMENTS OF THIS PART, PROVIDED THAT
10 THE BOARD MAY EXTEND SUITABILITY TO A HOLDER OF A VALID
11 LICENSE, PERMIT, REGISTRATION, CERTIFICATE OR OTHER
12 AUTHORIZATIONS APPROVED AND ISSUED UNDER THIS PART, WHICH IS
13 IN GOOD STANDING, WITHOUT ADDITIONAL INVESTIGATION. THE
14 EXTENSION OF SUITABILITY IN ACCORDANCE WITH THIS PARAGRAPH
15 SHALL NOT RELIEVE THE HOLDER OF A VALID LICENSE, PERMIT,
16 REGISTRATION OR CERTIFICATE ISSUED UNDER THIS CHAPTER FROM
17 PAYMENT OF ALL FEES IMPOSED UNDER THIS CHAPTER.

18 (2) PROVIDE FOR THE APPROVAL OF THE TERMS AND CONDITIONS
19 OF ALL AGREEMENTS ENTERED INTO BY OR BETWEEN AN INTERACTIVE
20 GAMING CERTIFICATE HOLDER AND AN INTERACTIVE GAMING OPERATOR
21 OR ANY OTHER PERSON RELATED TO THE OPERATION OF INTERACTIVE
22 GAMES OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF THE
23 INTERACTIVE GAMING CERTIFICATE HOLDER.

24 (B) CLASSIFICATION AND APPROVAL OF EMPLOYEES.--

25 (1) THE BOARD SHALL ESTABLISH A CLASSIFICATION SYSTEM
26 FOR EMPLOYEES OF INTERACTIVE GAMING OPERATORS OR OTHER
27 PERSONS WHO PROVIDE PRODUCTS OR SERVICES ASSOCIATED WITH OR
28 RELATED TO INTERACTIVE GAMING, INTERACTIVE GAMING PLATFORMS
29 AND INTERACTIVE GAMING SYSTEMS.

30 (2) THE BOARD SHALL PROVIDE FOR THE LICENSURE,

1 PERMITTING, REGISTRATION OR CERTIFICATION, AS IT DEEMS
2 APPROPRIATE, OF EMPLOYEES IN EACH EMPLOYEE CLASSIFICATION
3 ESTABLISHED BY IT IN ACCORDANCE WITH PARAGRAPH (1).

4 (C) APPLICABILITY OF CERTAIN PROVISIONS.--INTERACTIVE GAMING
5 OPERATORS SHALL BE SUBJECT TO THE APPLICABLE PROVISIONS OF THIS
6 PART THAT APPLY TO INTERACTIVE GAMING CERTIFICATE HOLDERS, AS
7 DETERMINED BY THE BOARD.

8 (D) OPERATORS OWNED, CONTROLLED BY SLOT MACHINE LICENSEE.--
9 THIS SECTION SHALL NOT APPLY TO AN INTERACTIVE GAMING OPERATOR
10 THAT IS OWNED BY, AFFILIATED WITH OR OTHERWISE CONTROLLED BY A
11 SLOT MACHINE LICENSEE THAT HAS BEEN APPROVED FOR AND ISSUED AN
12 INTERACTIVE GAMING CERTIFICATE UNDER THIS CHAPTER. THE BOARD
13 SHALL DETERMINE BY REGULATION THE CRITERIA OR CONDITIONS
14 NECESSARY TO DETERMINE WHETHER AN INTERACTIVE GAMING OPERATOR IS
15 OWNED BY, AFFILIATED WITH OR OTHERWISE CONTROLLED BY A SLOT
16 MACHINE LICENSEE TO EFFECTUATE THE PURPOSE OF THIS SUBSECTION.

17 (E) INTERACTIVE GAMING LICENSE AND CONDITIONAL
18 AUTHORIZATION.--

19 (1) THE FOLLOWING SHALL APPLY:

20 (I) DURING THE FIRST 18 MONTHS AFTER THE EFFECTIVE
21 DATE OF THIS SECTION, THE BOARD MAY ISSUE CONDITIONAL
22 AUTHORIZATIONS TO PERSONS SEEKING LICENSURE AS
23 INTERACTIVE GAMING OPERATORS.

24 (II) CONDITIONAL AUTHORIZATION AWARDED TO AN
25 INTERACTIVE GAMING OPERATOR MAY REMAIN IN EFFECT UNTIL
26 THE SHORTER OF 12 MONTHS AFTER THE DATE OF ISSUE OR THE
27 DATE BY WHICH THE BOARD CONSIDERS THE SUBJECT
28 APPLICATION.

29 (III) CONDITIONAL AUTHORIZATION MAY BE RENEWED BY
30 THE BOARD NOT MORE THAN ONCE, UPON A SHOWING OF GOOD

1 CAUSE.

2 (IV) CONDITIONAL AUTHORIZATION SHALL ALLOW AN
3 APPLICANT FOR AN INTERACTIVE GAMING LICENSE TO ENGAGE IN
4 ALL OF THE FUNCTIONS OF A LICENSED INTERACTIVE GAMING
5 OPERATOR FOR THE DURATION OF THE CONDITIONAL
6 AUTHORIZATION.

7 (2) NO CONDITIONAL AUTHORIZATION MAY BE ISSUED UNLESS:

8 (I) THE APPLICANT HAS SUBMITTED A COMPLETE
9 APPLICATION FOR AN INTERACTIVE GAMING LICENSE TO THE
10 BOARD.

11 (II) THE APPLICANT AGREES TO PAY OR HAS PAID THE FEE
12 PRESCRIBED IN SECTION 13B51 (RELATING TO INTERACTIVE
13 GAMING AUTHORIZATION FEE) PRIOR TO THE ISSUANCE OF
14 CONDITIONAL AUTHORIZATION, WHICH MAY BE REFUNDABLE IN THE
15 EVENT THE LICENSE IS NOT APPROVED AND ISSUED BY THE
16 BOARD.

17 (III) THE BUREAU HAS NO OBJECTION TO THE ISSUANCE OF
18 A CONDITIONAL AUTHORIZATION TO THE APPLICANT.

19 (3) WITHIN 45 DAYS OF THE DATE THAT THE BUREAU RECEIVES
20 THE COMPLETED APPLICATION FOR AN INTERACTIVE GAMING LICENSE
21 FROM AN APPLICANT FOR INVESTIGATION, THE BUREAU SHALL CONDUCT
22 A PRELIMINARY INVESTIGATION OF THE APPLICANT AND ANY KEY
23 INTERACTIVE GAMING EMPLOYEE OF THE APPLICANT, AS DETERMINED
24 BY THE BOARD, WHICH SHALL INCLUDE A CRIMINAL BACKGROUND
25 INVESTIGATION OF THE APPLICANT AND ANY INTERACTIVE GAMING
26 EMPLOYEES OF THE APPLICANT, AS DETERMINED BY THE BOARD IN
27 ACCORDANCE WITH SECTION 1202 (B) (RELATING TO GENERAL AND
28 SPECIFIC POWERS).

29 (4) IF THE BUREAU'S PRELIMINARY INVESTIGATION DISCLOSES
30 NO ADVERSE INFORMATION THAT WOULD IMPACT SUITABILITY FOR

1 LICENSURE, THE BUREAU SHALL PROVIDE THE BOARD WITH A
2 STATEMENT OF NO OBJECTION TO ISSUANCE OF CONDITIONAL
3 AUTHORIZATION TO THE APPLICANT.

4 (5) IF THE BUREAU'S PRELIMINARY INVESTIGATION DISCLOSES
5 ADVERSE INFORMATION THAT WOULD IMPACT SUITABILITY FOR
6 LICENSURE, IT SHALL REGISTER AN OBJECTION AND NO CONDITIONAL
7 AUTHORIZATION MAY BE ISSUED UNTIL THE BUREAU'S CONCERNS ARE
8 RESOLVED.

9 (6) ANY CONDITIONAL AUTHORIZATION APPROVED AND ISSUED TO
10 AN APPLICANT FOR AN INTERACTIVE GAMING LICENSE UNDER THIS
11 SUBSECTION MAY BE SUSPENDED OR WITHDRAWN BY THE BOARD UPON A
12 SHOWING OF GOOD CAUSE BY THE BUREAU.

13 § 13B15. INTERACTIVE GAMING CERTIFICATE AND LICENSE.

14 THE FOLLOWING SHALL APPLY:

15 (1) AN INTERACTIVE GAMING CERTIFICATE AND INTERACTIVE
16 GAMING LICENSE SHALL BE IN EFFECT UNLESS:

17 (I) THE CERTIFICATE OR LICENSE IS SUSPENDED OR
18 REVOKED BY THE BOARD CONSISTENT WITH THE REQUIREMENTS OF
19 THIS PART.

20 (II) THE SLOT MACHINE LICENSE IS SUSPENDED, REVOKED
21 OR NOT RENEWED BY THE BOARD CONSISTENT WITH THE
22 REQUIREMENTS OF THIS PART.

23 (III) THE SLOT MACHINE LICENSEE RELINQUISHES OR DOES
24 NOT SEEK RENEWAL OF ITS SLOT MACHINE LICENSE.

25 (IV) THE SLOT MACHINE LICENSEE DOES NOT SEEK RENEWAL
26 OF ITS INTERACTIVE GAMING CERTIFICATE.

27 (2) THE INTERACTIVE GAMING CERTIFICATE MAY INCLUDE AN
28 INITIAL ITEMIZED LIST BY NUMBER AND TYPE OF AUTHORIZED
29 INTERACTIVE GAMES FOR INTERACTIVE GAMING TO BE CONDUCTED BY
30 THE INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE

1 GAMING OPERATOR OR OTHER PERSON ON BEHALF OF AN INTERACTIVE
2 GAMING CERTIFICATE HOLDER. THE SLOT MACHINE LICENSEE MAY
3 INCREASE OR DECREASE THE NUMBER OF INTERACTIVE GAMES
4 AUTHORIZED FOR PLAY ON ITS INTERACTIVE GAMING SKIN OR
5 INTERNET WEBSITE OR CHANGE THE TYPE OF AUTHORIZED INTERACTIVE
6 GAMES PLAYED ON ITS INTERACTIVE GAMING SKIN OR INTERNET
7 WEBSITE UPON NOTICE, IF REQUIRED BY THE BOARD, TO THE BOARD
8 AND APPROVAL BY THE BOARD OR A DESIGNATED EMPLOYEE OF THE
9 BOARD. UNLESS APPROVED BY THE BOARD OR A DESIGNATED EMPLOYEE
10 OF THE BOARD, THE TOTAL NUMBER AND TYPE OF AUTHORIZED
11 INTERACTIVE GAMES OFFERED FOR PLAY BY AN INTERACTIVE GAMING
12 CERTIFICATE HOLDER MAY NOT DIFFER FROM THE NUMBER AND TYPE
13 APPROVED BY THE BOARD AND AUTHORIZED IN THE INTERACTIVE
14 GAMING CERTIFICATE.

15 (3) A SLOT MACHINE LICENSEE SHALL BE REQUIRED TO UPDATE
16 THE INFORMATION IN ITS INITIAL INTERACTIVE GAMING PETITION AT
17 TIMES AND IN THE FORM AND MANNER AS PRESCRIBED BY THE BOARD.

18 § 13B16. TIMING OF INITIAL INTERACTIVE GAMING AUTHORIZATIONS.

19 THE BOARD SHALL PRESCRIBE THE DATE ON WHICH PETITIONS FOR AN
20 INTERACTIVE GAMING CERTIFICATE AND APPLICATIONS FOR AN
21 INTERACTIVE GAMING LICENSE MUST BE FILED WITH THE BOARD AND
22 SHALL APPROVE OR DENY A PETITION OR APPLICATION WITHIN 90 DAYS
23 FOLLOWING RECEIPT.

24 SUBCHAPTER B.1

25 MULTI-USE COMPUTING DEVICES

26 SEC.

27 13B20. AUTHORIZATION.

28 13B20.1. BOARD AUTHORIZATION REQUIRED.

29 13B20.2. STANDARD FOR REVIEW OF APPLICATIONS.

30 13B20.3. FEES.

1 13B20.4. MULTI-USE GAMING DEVICE TAX.

2 13B20.5. LOCAL SHARE ASSESSMENT.

3 13B20.6. REGULATIONS.

4 13B20.7. CONSTRUCTION.

5 § 13B20. AUTHORIZATION.

6 (A) AUTHORITY.--

7 (1) NOTWITHSTANDING ANY PROVISION OF THIS PART OR
8 REGULATION OF THE BOARD, AN INTERACTIVE GAMING CERTIFICATE
9 HOLDER MAY PROVIDE FOR THE CONDUCT OF INTERACTIVE GAMING AT A
10 QUALIFIED AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING
11 DEVICES OR ENTER INTO A WRITTEN AGREEMENT WITH AN INTERACTIVE
12 GAMING OPERATOR THAT PROVIDES FOR THE CONDUCT OF SUCH
13 INTERACTIVE GAMING BY THE INTERACTIVE GAMING OPERATOR ON
14 BEHALF OF THE INTERACTIVE GAMING CERTIFICATE HOLDER.

15 (2) AN INTERACTIVE GAMING CERTIFICATE HOLDER SEEKING TO
16 MAKE AUTHORIZED INTERACTIVE GAMES AVAILABLE FOR PLAY THROUGH
17 THE USE OF MULTI-USE COMPUTING DEVICES AT A QUALIFIED AIRPORT
18 SHALL FILE A PETITION WITH THE BOARD IN SUCH FORM AND MANNER
19 AS THE BOARD, THROUGH REGULATIONS, SHALL REQUIRE.

20 (B) PLACE OF CONDUCT.--THE BOARD, AT ITS DISCRETION, MAY
21 AUTHORIZE AN INTERACTIVE GAMING CERTIFICATE HOLDER OR AN
22 INTERACTIVE GAMING OPERATOR TO PLACE AND MAKE AUTHORIZED
23 INTERACTIVE GAMES AVAILABLE FOR PLAY AT A QUALIFIED AIRPORT
24 THROUGH THE USE OF MULTI-USE COMPUTING DEVICES IN ACCORDANCE
25 WITH THE REQUIREMENTS OF THIS SUBCHAPTER AND REGULATIONS OF THE
26 BOARD.

27 (C) SATISFACTION OF CONTINGENCIES.--AUTHORIZATION FOR AN
28 INTERACTIVE GAMING CERTIFICATE HOLDER TO CONDUCT INTERACTIVE
29 GAMING AT A QUALIFIED AIRPORT IN ACCORDANCE WITH SUBSECTION (A)
30 SHALL BE CONTINGENT UPON THE FOLLOWING:

1 (1) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS
2 SUBMITTED A PETITION TO THE BOARD SEEKING AUTHORIZATION TO
3 MANAGE THE CONDUCT OF INTERACTIVE GAMING AT THE QUALIFIED
4 AIRPORT AND THE BOARD HAS APPROVED THE PETITION.

5 (2) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS
6 DISCLOSED THAT IT HAS OR WILL ENTER INTO AN AGREEMENT WITH AN
7 INTERACTIVE GAMING OPERATOR WHO WILL MANAGE, OPERATE AND
8 CONTROL THE CONDUCT OF INTERACTIVE GAMING AT A QUALIFIED
9 AIRPORT ON BEHALF OF THE INTERACTIVE GAMING CERTIFICATE
10 HOLDER AND THE INTERACTIVE GAMING OPERATOR HAS PETITIONED THE
11 BOARD FOR APPROVAL AND THE BOARD HAS APPROVED THE AGREEMENT
12 AND THE PETITION.

13 (3) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
14 INTERACTIVE GAMING OPERATOR, AS THE CASE MAY BE, HAS ENTERED
15 INTO AN AGREEMENT WITH THE CONCESSION OPERATOR AT THE
16 QUALIFIED AIRPORT FOR THE CONDUCT OF INTERACTIVE GAMING
17 THROUGH THE USE OF MULTI-USE COMPUTING DEVICES WITHIN THE
18 AIRPORT GAMING AREA.

19 (4) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
20 INTERACTIVE GAMING OPERATOR, AS APPLICABLE, HAS PROVIDED
21 ADEQUATE ASSURANCES THAT THE CONDUCT OF INTERACTIVE GAMING AT
22 THE QUALIFIED AIRPORT WILL BE CONDUCTED AND OPERATED IN
23 ACCORDANCE WITH THIS PART AND REGULATIONS PROMULGATED BY THE
24 BOARD.

25 (5) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS PAID
26 OR WILL PAY ALL APPLICABLE TAXES AND FEES.

27 (6) IN THE CASE OF A QUALIFIED AIRPORT THAT IS GOVERNED
28 BY A MUNICIPAL AUTHORITY OR JOINT MUNICIPAL AUTHORITY
29 ORGANIZED AND INCORPORATED TO OVERSEE THE OPERATIONS OF AN
30 AIRPORT IN ACCORDANCE WITH 53 PA.C.S. CH. 56 (RELATING TO

1 MUNICIPAL AUTHORITIES), THE INTERACTIVE GAMING CERTIFICATE
2 HOLDER OR INTERACTIVE GAMING OPERATOR, AS THE CASE MAY BE,
3 HAS ENTERED INTO AN AGREEMENT WITH THE MUNICIPAL AUTHORITY OR
4 JOINT MUNICIPAL AUTHORITY FOR THE CONDUCT OF INTERACTIVE
5 GAMING THROUGH THE USE OF MULTI-USE COMPUTING DEVICES WITHIN
6 THE GAMING AREA OF THE QUALIFIED AIRPORT AND THE BOARD HAS
7 APPROVED THE AGREEMENT.

8 (D) AGREEMENT REQUIRED.--THE FOLLOWING SHALL APPLY:

9 (1) AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY SEEK
10 AUTHORIZATION FOR THE OPERATION AND PLACEMENT OF AUTHORIZED
11 INTERACTIVE GAMES AT A QUALIFIED AIRPORT OR MAY ENTER INTO AN
12 AGREEMENT WITH AN INTERACTIVE GAMING OPERATOR TO PROVIDE FOR
13 THE CONDUCT OF INTERACTIVE GAMING AT THE QUALIFIED AIRPORT.

14 (2) AN AGREEMENT ENTERED INTO IN ACCORDANCE WITH THIS
15 SUBSECTION SHALL BE IN WRITING AND SHALL BE SUBMITTED TO THE
16 BOARD FOR REVIEW AND APPROVAL.

17 § 13B20.1. BOARD AUTHORIZATION REQUIRED.

18 (A) CONTENTS OF PETITION.--AN INTERACTIVE GAMING CERTIFICATE
19 HOLDER SEEKING AUTHORIZATION TO CONDUCT INTERACTIVE GAMING AT A
20 QUALIFIED AIRPORT THROUGH THE USE OF A MULTI-USE COMPUTING
21 DEVICE SHALL PETITION THE BOARD FOR APPROVAL. THE PETITION SHALL
22 INCLUDE:

23 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION
24 OF THE INTERACTIVE GAMING CERTIFICATE HOLDER OR THE NAME,
25 BUSINESS ADDRESS AND CONTACT INFORMATION OF THE INTERACTIVE
26 GAMING OPERATOR, IF AN INTERACTIVE GAMING OPERATOR WILL
27 MANAGE THE OPERATION OF INTERACTIVE GAMING AT A QUALIFIED
28 AIRPORT ON BEHALF OF AN INTERACTIVE GAMING CERTIFICATE HOLDER
29 PURSUANT TO AN INTERACTIVE GAMING AGREEMENT.

30 (2) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A

1 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE
2 INTERACTIVE GAMING CERTIFICATE HOLDER AND, IF RELEVANT, THE
3 INTERACTIVE GAMING OPERATOR WHO WILL BE DIRECTLY INVOLVED IN
4 THE CONDUCT OF AUTHORIZED INTERACTIVE GAMES AT THE QUALIFIED
5 AIRPORT AND WHO IS NOT CURRENTLY LICENSED BY THE BOARD, IF
6 KNOWN.

7 (3) THE NAME AND BUSINESS ADDRESS OF THE AIRPORT
8 AUTHORITY, THE LOCATION OF THE QUALIFIED AIRPORT AND THE
9 NAMES OF THE GOVERNING BODY OF THE AIRPORT AUTHORITY, IF THE
10 AIRPORT AUTHORITY IS INCORPORATED IN ACCORDANCE WITH 53
11 PA.C.S. CH. 56 (RELATING TO MUNICIPAL AUTHORITIES).

12 (4) IF THE USE AND CONTROL OF A QUALIFIED AIRPORT IS
13 REGULATED BY A CITY OF THE FIRST CLASS, AN IDENTIFICATION OF
14 THE MUNICIPAL AGENCY AND PRIMARY OFFICIALS OF A CITY OF THE
15 FIRST CLASS, WHICH REGULATES THE USE AND CONTROL OF THE
16 QUALIFIED AIRPORT.

17 (5) THE NAME AND JOB TITLE OF THE PERSON OR PERSONS WHO
18 WILL BE RESPONSIBLE FOR ENSURING THE OPERATION AND INTEGRITY
19 OF THE CONDUCT OF INTERACTIVE GAMING AT A QUALIFIED AIRPORT
20 AND REVIEWING REPORTS OF SUSPICIOUS TRANSACTIONS.

21 (6) THE BRAND NAME OF THE MULTI-USE COMPUTING DEVICES
22 THAT WILL BE PLACED IN OPERATION AT THE QUALIFIED AIRPORT.
23 THE BOARD, AT ITS DISCRETION, MAY REQUIRE ANY ADDITIONAL
24 INFORMATION RELATED TO THE CONDUCT OF INTERACTIVE GAMING AT A
25 QUALIFIED AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING
26 DEVICES OR PERSONS THAT MANUFACTURE OR SUPPLY MULTI-USE
27 COMPUTING DEVICES THAT IT MAY DETERMINE NECESSARY AND
28 APPROPRIATE TO ENSURE THE INTEGRITY OF INTERACTIVE GAMING AT
29 A QUALIFIED AIRPORT AND PROTECT THE PUBLIC INTEREST.

30 (7) AN ITEMIZED LIST OF THE INTERACTIVE GAMES FOR WHICH

1 AUTHORIZATION IS BEING SOUGHT.

2 (8) INFORMATION, AS THE BOARD MAY REQUIRE, ON ANY
3 COMPUTER APPLICATIONS OR APPS, INCLUDING GAMING APPS, WHICH
4 CAN BE ACCESSED ON THE MULTI-USE COMPUTING DEVICES.

5 (9) INFORMATION ON THE TERMS AND CONDITIONS OF ANY
6 INTERACTIVE GAMING AGREEMENT ENTERED INTO BY OR BETWEEN AN
7 INTERACTIVE GAMING CERTIFICATE HOLDER AND INTERACTIVE GAMING
8 OPERATOR OR OTHER PERSON RELATED TO THE CONDUCT OF
9 INTERACTIVE GAMING THROUGH THE USE OF MULTI-USE COMPUTING
10 DEVICES AT A QUALIFIED AIRPORT, IF THE BOARD DEEMS NECESSARY
11 AND APPROPRIATE.

12 (10) DETAILED SITE PLANS ILLUSTRATING THE LOCATION OF
13 THE PROPOSED AIRPORT GAMING AREA AT THE QUALIFIED AIRPORT.

14 (11) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL
15 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO
16 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL
17 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE PETITIONER.

18 (12) ANY OTHER INFORMATION AS THE BOARD MAY REQUIRE.

19 (B) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD
20 UNDER SUBSECTION (A) (8), (9), (11) AND (12) MAY BE CONSIDERED
21 CONFIDENTIAL BY THE BOARD IF THE INFORMATION WOULD BE
22 CONFIDENTIAL UNDER SECTION 1206(F) (RELATING TO BOARD MINUTES
23 AND RECORDS).

24 (C) APPROVAL OF PETITION.--UPON APPROVAL OF A PETITION AS
25 REQUIRED UNDER THIS SECTION, THE BOARD SHALL AUTHORIZE AN
26 INTERACTIVE GAMING CERTIFICATE HOLDER OR AN INTERACTIVE GAMING
27 OPERATOR, AS APPLICABLE, TO CONDUCT INTERACTIVE GAMING AT A
28 QUALIFIED AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING
29 DEVICES. THE AUTHORIZATION OF AN INTERACTIVE GAMING CERTIFICATE
30 HOLDER OR AN INTERACTIVE GAMING OPERATOR, AS APPLICABLE, TO

1 CONDUCT INTERACTIVE GAMING AT A QUALIFIED AIRPORT IN ACCORDANCE
2 WITH THIS CHAPTER PRIOR TO THE FULL PAYMENT OF THE AUTHORIZATION
3 FEE UNDER SECTION 13B20.3 (RELATING TO FEES) SHALL NOT RELIEVE
4 THE INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
5 OPERATOR, AS APPLICABLE, FROM THE OBLIGATION TO PAY THE
6 AUTHORIZATION FEE IN ACCORDANCE WITH SECTION 13B20.3.
7 § 13B20.2. STANDARD FOR REVIEW OF PETITIONS.

8 THE BOARD SHALL APPROVE A PETITION UNDER SECTION 13B20.1
9 (RELATING TO BOARD AUTHORIZATION REQUIRED) IF THE INTERACTIVE
10 GAMING OPERATOR HAS BEEN OR WILL BE ISSUED AN INTERACTIVE GAMING
11 LICENSE UNDER SECTION 13B14 (RELATING TO INTERACTIVE GAMING
12 OPERATORS), AND IF IT ESTABLISHES, BY CLEAR AND CONVINCING
13 EVIDENCE, ALL OF THE FOLLOWING:

14 (1) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
15 INTERACTIVE GAMING OPERATOR, AS THE CASE MAY BE, HAS ENTERED
16 INTO AN AGREEMENT WITH A CONCESSION OPERATOR FOR THE CONDUCT
17 OF INTERACTIVE GAMING THROUGH THE USE OF MULTI-USE COMPUTING
18 DEVICES WITHIN THE AIRPORT GAMING AREA OF A QUALIFIED
19 AIRPORT.

20 (2) THE INTERACTIVE GAMING OPERATOR HAS AN AGREEMENT
21 WITH AN INTERACTIVE GAMING CERTIFICATE HOLDER RELATING TO THE
22 CONDUCT OF AUTHORIZED INTERACTIVE GAMES BY THE INTERACTIVE
23 GAMING OPERATOR ON BEHALF OF THE INTERACTIVE GAMING
24 CERTIFICATE HOLDER.

25 (3) THE BOARD HAS APPROVED THE AGREEMENTS UNDER
26 PARAGRAPHS (1) AND (2), AS APPLICABLE.

27 (4) THE INTERACTIVE GAMING OPERATOR HAS PAID THE
28 AUTHORIZATION FEE UNDER SECTION 13B51 (RELATING TO
29 INTERACTIVE GAMING AUTHORIZATION FEE).

30 (5) THE INTERACTIVE GAMING OPERATOR POSSESSES THE

1 NECESSARY FUNDS OR HAS SECURED ADEQUATE FINANCING TO COMMENCE
2 THE CONDUCT OF INTERACTIVE GAMING AT THE QUALIFIED AIRPORT.

3 (6) THE PROPOSED INTERNAL AND EXTERNAL SECURITY AND
4 SURVEILLANCE MEASURES WITHIN THE AIRPORT GAMING AREA OF THE
5 QUALIFIED AIRPORT ARE ADEQUATE.

6 § 13B20.3. FEES.

7 (A) REQUIRED FEES.--AN INTERACTIVE GAMING CERTIFICATE HOLDER
8 SHALL PAY A ONE-TIME, NONREFUNDABLE FEE OF \$1,000,000 UPON THE
9 AUTHORIZATION TO CONDUCT INTERACTIVE GAMING AT A QUALIFIED
10 AIRPORT THROUGH THE USE OF MULTI-USE COMPUTING DEVICES IN
11 ACCORDANCE WITH THIS CHAPTER.

12 (B) DEPOSIT OF FEES.--NOTWITHSTANDING SECTION 1208 (RELATING
13 TO COLLECTION OF FEES AND FINES), ALL FEES OR PENALTIES RECEIVED
14 BY THE BOARD UNDER THIS CHAPTER SHALL BE DEPOSITED IN THE
15 GENERAL FUND.

16 § 13B20.4. MULTI-USE GAMING DEVICE TAX.

17 (A) IMPOSITION.--

18 (1) EACH INTERACTIVE GAMING CERTIFICATE HOLDER
19 AUTHORIZED TO CONDUCT INTERACTIVE GAMING AT A QUALIFIED
20 AIRPORT IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBCHAPTER
21 SHALL REPORT TO THE DEPARTMENT AND PAY FROM ITS DAILY GROSS
22 INTERACTIVE GAMING REVENUE GENERATED FROM THE CONDUCT OF
23 INTERACTIVE GAMING THROUGH MULTI-USE COMPUTING DEVICES AT THE
24 QUALIFIED AIRPORT, ON A FORM AND IN THE MANNER PRESCRIBED BY
25 THE DEPARTMENT, A TAX OF 14% OF ITS DAILY GROSS INTERACTIVE
26 GAMING REVENUE GENERATED FROM MULTI-USE COMPUTING DEVICES AT
27 THE QUALIFIED AIRPORT AND A LOCAL SHARE ASSESSMENT.

28 (2) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE
29 PAYABLE TO THE DEPARTMENT ON A DAILY BASIS AND SHALL BE BASED
30 UPON THE GROSS INTERACTIVE GAMING REVENUE GENERATED FROM

1 MULTI-USE COMPUTING DEVICES AT A QUALIFIED AIRPORT DERIVED
2 DURING THE PREVIOUS WEEK.

3 (3) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS
4 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE
5 INTERACTIVE GAMING CERTIFICATE HOLDER UNTIL THE FUNDS ARE
6 PAID TO THE DEPARTMENT. AN INTERACTIVE GAMING CERTIFICATE
7 HOLDER SHALL ESTABLISH A SEPARATE BANK ACCOUNT INTO WHICH
8 GROSS INTERACTIVE GAMING REVENUE FROM MULTI-USE COMPUTING
9 DEVICES SHALL BE DEPOSITED AND MAINTAINED UNTIL SUCH TIME AS
10 THE FUNDS ARE PAID TO THE DEPARTMENT UNDER THIS SECTION.

11 (4) THE DEPARTMENT SHALL TRANSFER THE TAX REVENUES
12 COLLECTED UNDER THIS SECTION TO THE GENERAL FUND.

13 § 13B20.5. LOCAL SHARE ASSESSMENT.

14 (A) REQUIRED PAYMENT.--IN ADDITION TO THE TAX IMPOSED UNDER
15 SECTION 13B20.4 (RELATING TO MULTI-USE GAMING DEVICE TAX), EACH
16 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL PAY ON A WEEKLY
17 BASIS AND ON A FORM AND IN A MANNER PRESCRIBED BY THE DEPARTMENT
18 A LOCAL SHARE ASSESSMENT INTO A RESTRICTED RECEIPTS ACCOUNT
19 ESTABLISHED IN THE FUND. ALL FUNDS OWED UNDER THIS SECTION SHALL
20 BE HELD IN TRUST BY THE INTERACTIVE GAMING CERTIFICATE HOLDER
21 UNTIL THE FUNDS ARE PAID INTO THE ACCOUNT. FUNDS IN THE ACCOUNT
22 ARE HEREBY APPROPRIATED TO THE DEPARTMENT ON A CONTINUING BASIS
23 FOR THE PURPOSES SET FORTH IN THIS SECTION.

24 (B) DISTRIBUTIONS TO QUALIFIED AIRPORTS.--

25 (1) THE DEPARTMENT SHALL MAKE QUARTERLY DISTRIBUTIONS
26 FROM THE LOCAL SHARE ASSESSMENTS DEPOSITED INTO THE FUND
27 UNDER SUBSECTION (A) TO QUALIFIED AIRPORTS.

28 (2) NOTWITHSTANDING PARAGRAPH (1) OR ANY OTHER PROVISION
29 OF LAW, THE MULTI-USE COMPUTING DEVICE LOCAL SHARE ASSESSMENT
30 GENERATED AT A QUALIFIED AIRPORT LOCATED IN A CITY OF THE

1 FIRST CLASS WHICH REGULATES THE USE AND CONTROL OF A
2 QUALIFIED AIRPORT SHALL BE DISTRIBUTED TO THE SCHOOL DISTRICT
3 OF THE CITY OF THE FIRST CLASS FOR PRE-KINDERGARTEN PROGRAMS.

4 (C) DEFINITION.--AS USED IN THIS SECTION, THE TERM "MULTI-
5 USE COMPUTING DEVICE LOCAL SHARE ASSESSMENT" MEANS 20% OF AN
6 INTERACTIVE GAMING CERTIFICATE HOLDER'S GROSS INTERACTIVE GAMING
7 REVENUE FROM MULTI-USE COMPUTING DEVICES AT QUALIFIED AIRPORTS.
8 § 13B20.6. REGULATIONS.

9 (A) REGULATIONS.--THE BOARD SHALL PROMULGATE REGULATIONS
10 RELATED TO THE OPERATION OF AUTHORIZED INTERACTIVE GAMES THROUGH
11 THE USE OF MULTI-USE COMPUTING DEVICES AT QUALIFIED AIRPORTS,
12 INCLUDING, BUT NOT LIMITED TO:

13 (1) PROCEDURES FOR THE CREATION OF TEMPORARY OR
14 PROVISIONAL INTERACTIVE GAMING ACCOUNTS THAT TAKE INTO
15 CONSIDERATION THE NATURE OF INTERACTIVE GAMING THROUGH MULTI-
16 USE COMPUTING DEVICES AT QUALIFIED AIRPORTS.

17 (2) PROCEDURES TO GOVERN CREDITS, DEBITS, DEPOSITS AND
18 PAYMENTS TO INTERACTIVE GAMING ACCOUNTS ESTABLISHED THROUGH
19 MULTI-USE COMPUTING DEVICES AT QUALIFIED AIRPORTS.

20 (3) PROCEDURES, IN CONSULTATION WITH THE DEPARTMENT, TO
21 GOVERN FINANCIAL TRANSACTIONS BETWEEN AN INTERACTIVE GAMING
22 CERTIFICATE HOLDER, AN INTERACTIVE GAMING OPERATOR OR OTHER
23 PERSONS THAT RELATES TO THE REPORTING OF GROSS INTERACTIVE
24 GAMING REVENUE GENERATED THROUGH THE USE OF MULTI-USE
25 COMPUTING DEVICES AT QUALIFIED AIRPORTS.

26 (B) TEMPORARY REGULATIONS.--IN ORDER TO FACILITATE THE
27 PROMPT IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED
28 BY THE BOARD IN ACCORDANCE WITH SUBSECTION (A) SHALL BE DEEMED
29 TEMPORARY REGULATIONS. THE BOARD AND THE COMMISSION MAY
30 PROMULGATE TEMPORARY REGULATIONS NOT SUBJECT TO:

1 (1) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT OF
2 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
3 COMMONWEALTH DOCUMENTS LAW.

4 (2) SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER
5 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH
6 ATTORNEYS ACT.

7 (3) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
8 THE REGULATORY REVIEW ACT.

9 § 13B20.7. CONSTRUCTION.

10 NOTHING IN THIS SUBCHAPTER SHALL BE CONSTRUED TO:

11 (1) CREATE A SEPARATE LICENSE GOVERNING THE USE OF
12 MULTI-USE COMPUTING DEVICES FOR THE CONDUCT OF INTERACTIVE
13 GAMES AT ELIGIBLE AIRPORTS BY INTERACTIVE GAMING CERTIFICATE
14 HOLDERS WITHIN THIS COMMONWEALTH.

15 (2) LIMIT THE BOARD'S AUTHORITY TO DETERMINE THE
16 SUITABILITY OF ANY PERSON WHO MAY BE DIRECTLY OR INDIRECTLY
17 INVOLVED IN OR ASSOCIATED WITH THE OPERATION OF INTERACTIVE
18 GAMING AT A QUALIFIED AIRPORT TO ENSURE THE INTEGRITY OF
19 INTERACTIVE GAMING AND PROTECT THE PUBLIC INTEREST.

20 SUBCHAPTER C

21 CONDUCT OF INTERACTIVE GAMING

22 SEC.

23 13B21. SITUS OF INTERACTIVE GAMING OPERATIONS.

24 13B22. ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS.

25 13B23. INTERACTIVE GAMING ACCOUNT CREDITS, DEBITS, DEPOSITS AND
26 PAYMENTS.

27 13B24. ACCEPTANCE OF ACCOUNT WAGERS.

28 13B25. DORMANT INTERACTIVE GAMING ACCOUNTS.

29 13B26. LOG-IN PROCEDURE REQUIRED.

30 13B27. INFORMATION PROVIDED AT LOGIN.

1 13B28. PROHIBITIONS.

2 13B29. COMMENCEMENT OF INTERACTIVE GAMING OPERATIONS.

3 § 13B21. SITUS OF INTERACTIVE GAMING OPERATIONS.

4 EXCEPT AS PROVIDED IN THIS CHAPTER, ALL WAGERS MADE THROUGH
5 INTERACTIVE GAMING SHALL BE DEEMED TO BE INITIATED, RECEIVED OR
6 OTHERWISE MADE WITHIN THE GEOGRAPHIC BOUNDARIES OF THIS
7 COMMONWEALTH. THE INTERMEDIATE ROUTING OF ELECTRONIC DATA
8 ASSOCIATED OR IN CONNECTION WITH INTERACTIVE GAMING SHALL NOT
9 DETERMINE THE LOCATION OR LOCATIONS IN WHICH A BET OR WAGER IS
10 INITIATED, RECEIVED OR OTHERWISE MADE.

11 § 13B22. ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS.

12 (A) REGISTRATION RESTRICTIONS.--ONLY A NATURAL PERSON WHO
13 HAS FIRST ESTABLISHED AN INTERACTIVE GAMING ACCOUNT SHALL BE
14 PERMITTED TO PLAY AN AUTHORIZED INTERACTIVE GAME OR PLACE ANY
15 BET OR WAGER ASSOCIATED WITH AN AUTHORIZED INTERACTIVE GAME. AN
16 INTERACTIVE GAMING ACCOUNT SHALL BE IN THE NAME OF A NATURAL
17 PERSON AND MAY NOT BE IN THE NAME OF ANY BENEFICIARY, CUSTODIAN,
18 JOINT TRUST, CORPORATION, PARTNERSHIP OR OTHER ORGANIZATION OR
19 ENTITY. AN INTERACTIVE GAMING CERTIFICATE HOLDER SHALL NOT
20 PERMIT AN INDIVIDUAL TO ESTABLISH AN INTERACTIVE GAMING ACCOUNT
21 UNLESS THE PERSON IS 21 YEARS OF AGE OR OLDER.

22 (B) ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS.--

23 (1) AN INTERACTIVE GAMING ACCOUNT MAY BE EXECUTED IN
24 PERSON, PROVIDED THAT THE BOARD SHALL, THROUGH REGULATIONS,
25 PROVIDE PROCEDURES FOR THE ESTABLISHMENT OF INTERACTIVE
26 GAMING ACCOUNTS OVER THE INTERNET THROUGH THE INTERACTIVE
27 GAMING CERTIFICATE HOLDER'S INTERACTIVE GAMING SKIN OR PORTAL
28 OR INTERNET WEBSITE. EACH INTERACTIVE GAMING ACCOUNT SHALL
29 COMPLY WITH THE INTERNAL CONTROLS OF THE INTERACTIVE GAMING
30 CERTIFICATE HOLDER THAT, AT A MINIMUM, REQUIRE THE FOLLOWING:

1 (I) THE FILING AND EXECUTION OF AN INTERACTIVE
2 GAMING ACCOUNT APPLICATION, THE FORM OF WHICH HAS BEEN
3 PREAPPROVED BY THE BOARD.

4 (II) PROOF OF AGE, IDENTITY AND RESIDENCY AS
5 DEMONSTRATED BY AT LEAST TWO FORMS OF IDENTIFICATION
6 APPROVED BY THE BOARD THROUGH REGULATION.

7 (III) PHYSICAL ADDRESS OR THE PRINCIPAL RESIDENCE OF
8 THE PROSPECTIVE ACCOUNT HOLDER, E-MAIL ADDRESS OF THE
9 PROSPECTIVE ACCOUNT HOLDER AND OTHER CONTACT INFORMATION,
10 AS THE BOARD OR INTERACTIVE GAMING CERTIFICATE HOLDER MAY
11 REQUIRE.

12 (IV) PASSWORD OR OTHER SECURED IDENTIFICATION
13 PROVIDED BY THE INTERACTIVE GAMING CERTIFICATE HOLDER TO
14 ACCESS THE INTERACTIVE GAMING ACCOUNT OR SOME OTHER
15 MECHANISM APPROVED BY THE BOARD TO AUTHENTICATE THE
16 PLAYER AS THE HOLDER TO THE INTERACTIVE GAMING ACCOUNT.

17 (V) AN ACKNOWLEDGMENT UNDER PENALTY OF PERJURY THAT
18 FALSE OR MISLEADING STATEMENTS MADE IN REGARD TO AN
19 APPLICATION FOR AN INTERACTIVE GAMING ACCOUNT MAY SUBJECT
20 THE APPLICANT TO CIVIL AND CRIMINAL PENALTIES.

21 (2) THE INTERACTIVE GAMING CERTIFICATE HOLDER MAY ACCEPT
22 OR REJECT AN APPLICATION AFTER RECEIPT AND REVIEW OF THE
23 APPLICATION AND VERIFICATION OF AGE AND IDENTITY FOR
24 COMPLIANCE WITH THE PROVISIONS OF THIS CHAPTER. THE
25 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL HAVE THE RIGHT,
26 AT ANY TIME WITH OR WITHOUT CAUSE, TO SUSPEND OR CLOSE ANY
27 INTERACTIVE GAMING ACCOUNT AT ITS SOLE DISCRETION.

28 (3) THE ADDRESS PROVIDED BY THE APPLICANT IN THE
29 APPLICATION FOR AN INTERACTIVE GAMING ACCOUNT SHALL BE DEEMED
30 THE ADDRESS OF RECORD FOR THE PURPOSES OF MAILING CHECKS,

1 ACCOUNT WITHDRAWALS, NOTICES AND OTHER MATERIALS TO THE
2 INTERACTIVE GAMING ACCOUNT HOLDER.

3 (4) AN INTERACTIVE GAMING ACCOUNT SHALL NOT BE
4 ASSIGNABLE OR OTHERWISE TRANSFERABLE AND AN INTERACTIVE
5 GAMING CERTIFICATE HOLDER MAY, AT ANY TIME, DECLARE ALL OR
6 ANY PART OF AN INTERACTIVE GAMING ACCOUNT TO BE CLOSED FOR
7 WAGERING.

8 (C) PASSWORD REQUIRED.--AS PART OF THE APPLICATION PROCESS,
9 THE INTERACTIVE GAMING CERTIFICATE HOLDER SHALL PROVIDE THE
10 PROSPECTIVE INTERACTIVE GAMING ACCOUNT HOLDER WITH A PASSWORD TO
11 ACCESS THE INTERACTIVE GAMING ACCOUNT OR SHALL ESTABLISH SOME
12 OTHER METHOD APPROVED BY THE BOARD TO AUTHENTICATE THE
13 INDIVIDUAL AS THE HOLDER OF THE INTERACTIVE GAMING ACCOUNT AND
14 ALLOW THE REGISTERED PLAYER ACCESS TO THE INTERACTIVE GAMING
15 ACCOUNT.

16 (D) GROUNDS FOR REJECTION.--ANY INDIVIDUAL WHO PROVIDES
17 FALSE OR MISLEADING INFORMATION IN THE APPLICATION FOR AN
18 INTERACTIVE GAMING ACCOUNT MAY BE SUBJECT TO REJECTION OF THE
19 APPLICATION OR CANCELLATION OF THE ACCOUNT BY THE INTERACTIVE
20 GAMING CERTIFICATE HOLDER.

21 (E) SUSPENSION OF INTERACTIVE GAMING ACCOUNT.--THE
22 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL HAVE THE RIGHT TO
23 SUSPEND OR CLOSE ANY INTERACTIVE GAMING ACCOUNT AT ITS
24 DISCRETION.

25 (F) PERSONS PROHIBITED FROM ESTABLISHING OR MAINTAINING AN
26 INTERACTIVE GAMING ACCOUNT.--THE FOLLOWING PERSONS SHALL NOT BE
27 ENTITLED TO ESTABLISH OR MAINTAIN AN INTERACTIVE GAMING ACCOUNT:

28 (1) ANY PERSON UNDER 21 YEARS OF AGE.

29 (2) ANY PERSON ON THE LIST OF PERSONS WHO ARE OR WILL BE
30 EXCLUDED OR EJECTED FROM OR DENIED ACCESS TO ANY LICENSED

1 FACILITY UNDER SECTION 1514 (RELATING TO REGULATION REQUIRING
2 EXCLUSION, EJECTION OR DENIAL OF ACCESS OF CERTAIN PERSONS),
3 1515 (RELATING TO REPEAT OFFENDERS EXCLUDABLE FROM LICENSED
4 GAMING FACILITY) OR 1516 (RELATING TO LIST OF PERSONS SELF
5 EXCLUDED FROM GAMING ACTIVITIES).

6 (3) ANY GAMING EMPLOYEE, KEY EMPLOYEE OR PRINCIPAL
7 EMPLOYEE OF A SLOT MACHINE LICENSEE AND ANY EMPLOYEE OR KEY
8 EMPLOYEE OF AN INTERACTIVE GAMING OPERATOR OR ANY OTHER
9 PERSON DIRECTLY INVOLVED IN THE OPERATION OF INTERACTIVE
10 GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF OF A SLOT
11 MACHINE LICENSEE.

12 § 13B23. INTERACTIVE GAMING ACCOUNT CREDITS, DEBITS, DEPOSITS
13 AND PAYMENTS.

14 (A) DUTY OF BOARD.--THE BOARD SHALL, BY REGULATION, DEVELOP
15 PROCEDURES TO GOVERN CREDITS, DEBITS AND DEPOSITS TO INTERACTIVE
16 GAMING ACCOUNTS. NOTWITHSTANDING ANY PROVISION OF THIS PART TO
17 THE CONTRARY, ALL CREDITS, DEBITS AND DEPOSITS TO INTERACTIVE
18 GAMING ACCOUNTS SHALL BE MADE IN ACCORDANCE WITH REGULATIONS
19 PROMULGATED BY THE BOARD, IN CONSULTATION WITH THE DEPARTMENT,
20 AND ALL PAYMENTS OF WINNINGS SHALL BE MADE IN ACCORDANCE WITH
21 THE RULES OF EACH PARTICULAR AUTHORIZED INTERACTIVE GAME.

22 (B) RIGHTS OF INTERACTIVE GAMING CERTIFICATE HOLDER.--AN
23 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL HAVE THE RIGHT TO:

24 (1) CREDIT AN INTERACTIVE GAMING ACCOUNT AS PART OF A
25 PROMOTION.

26 (2) REFUSE ALL OR PART OF ANY WAGER OR DEPOSIT TO THE
27 INTERACTIVE GAMING ACCOUNT OF A REGISTERED PLAYER.

28 (C) INTEREST PROHIBITED.--FUNDS DEPOSITED IN A REGISTERED
29 PLAYER'S INTERACTIVE GAMING ACCOUNT SHALL NOT BEAR INTEREST TO
30 THE ACCOUNT HOLDER.

1 § 13B24. ACCEPTANCE OF ACCOUNT WAGERS.

2 (A) ACCEPTANCE.--AN INTERACTIVE GAMING CERTIFICATE HOLDER
3 MAY ACCEPT INTERACTIVE GAMING WAGERS OR BETS ONLY AS FOLLOWS:

4 (1) THE WAGER SHALL BE PLACED DIRECTLY WITH THE
5 INTERACTIVE GAMING CERTIFICATE HOLDER BY THE REGISTERED
6 PLAYER, AFTER THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS
7 VERIFIED THAT THE INDIVIDUAL SEEKING TO PLACE A WAGER OR BET
8 IS THE REGISTERED PLAYER.

9 (2) THE REGISTERED PLAYER PROVIDES THE SLOT MACHINE
10 LICENSEE WITH THE CORRECT PASSWORD OR OTHER AUTHENTICATION
11 INFORMATION FOR ACCESS TO THE INTERACTIVE GAMING ACCOUNT.

12 (B) NONACCEPTANCE.--AN INTERACTIVE GAMING CERTIFICATE HOLDER
13 MAY NOT ACCEPT AN ACCOUNT WAGER IN AN AMOUNT IN EXCESS OF FUNDS
14 ON DEPOSIT IN AN INTERACTIVE GAMING ACCOUNT OF THE REGISTERED
15 PLAYER PLACING THE BET OR WAGER. FUNDS ON DEPOSIT INCLUDE
16 AMOUNTS CREDITED TO A REGISTERED PLAYER'S INTERACTIVE GAMING
17 ACCOUNT IN ACCORDANCE WITH REGULATIONS OF THE BOARD AND ANY
18 FUNDS IN THE ACCOUNT AT THE TIME THE WAGER IS PLACED.

19 § 13B25. DORMANT INTERACTIVE GAMING ACCOUNTS.

20 BEFORE CLOSING A DORMANT INTERACTIVE GAMING ACCOUNT, THE
21 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL ATTEMPT TO CONTACT
22 THE INTERACTIVE GAMING ACCOUNT HOLDER BY MAIL AND PHONE OR E-
23 MAIL TO INFORM THE ACCOUNT HOLDER THAT THE INTERACTIVE GAMING
24 ACCOUNT IS INACTIVE AND MAY BE SUBJECT TO TERMINATION AT SUCH
25 TIME AND MANNER AS DETERMINED BY REGULATION OF THE BOARD.

26 § 13B26. LOG-IN PROCEDURE REQUIRED.

27 EACH INTERACTIVE GAMING CERTIFICATE HOLDER SHALL ESTABLISH A
28 LOG-IN PROCEDURE FOR REGISTERED PLAYERS TO ACCESS INTERACTIVE
29 GAMING. THE LOG-IN PROCEDURE SHALL INCLUDE THE PROVISION OF THE
30 APPROPRIATE AUTHENTICATION INFORMATION BY THE REGISTERED PLAYER

1 FOR ACCESS TO THE INTERACTIVE GAMING ACCOUNT. THE INTERACTIVE
2 GAMING CERTIFICATE HOLDER SHALL NOT ALLOW A REGISTERED PLAYER TO
3 LOG IN AND ACCESS THE INTERACTIVE GAMING ACCOUNT UNLESS THE
4 CORRECT PASSWORD OR OTHER AUTHENTICATION INFORMATION IS
5 PROVIDED.

6 § 13B27. INFORMATION PROVIDED AT LOGIN.

7 THE INTERACTIVE GAMING CERTIFICATE HOLDER SHALL CONFIGURE ITS
8 INTERACTIVE GAMING SKIN TO INCLUDE A LINK THAT, UPON LOGIN, WILL
9 ALLOW A REGISTERED PLAYER TO ACCESS ALL OF THE FOLLOWING
10 INFORMATION:

11 (1) THE CURRENT AMOUNT OF FUNDS IN THE INTERACTIVE
12 GAMING ACCOUNT.

13 (2) THE WINS AND LOSSES SINCE THE INTERACTIVE GAMING
14 ACCOUNT WAS ESTABLISHED.

15 (3) THE WINS AND LOSSES AT THE BEGINNING OF THE CURRENT
16 GAMING SESSION AND THE WINS AND LOSSES AT THE END OF THE
17 CURRENT GAMING SESSION.

18 (4) THE COMPLETE TEXT IN SEARCHABLE FORMAT OF THE RULES
19 OF EACH AUTHORIZED INTERACTIVE GAME OFFERED BY THE
20 INTERACTIVE GAMING CERTIFICATE HOLDER AND ANY OTHER
21 INFORMATION AS THE BOARD MAY REQUIRE.

22 § 13B28. PROHIBITIONS.

23 EXCEPT AS PROVIDED IN THIS PART, NO INTERACTIVE GAMING
24 CERTIFICATE HOLDER OR ANY PERSON LICENSED UNDER THIS PART TO
25 OPERATE INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM AND
26 NO PERSON ACTING ON BEHALF OF, OR UNDER ANY ARRANGEMENT WITH, AN
27 INTERACTIVE GAMING CERTIFICATE HOLDER OR OTHER PERSON LICENSED
28 UNDER THIS PART SHALL:

29 (1) MAKE ANY LOAN TO ANY PERSON FOR THE PURPOSE OF
30 CREDITING AN INTERACTIVE GAMING ACCOUNT.

1 (2) RELEASE OR DISCHARGE ANY DEBT, EITHER IN WHOLE OR IN
2 PART, OR MAKE ANY LOAN WHICH REPRESENTS ANY LOSSES INCURRED
3 BY ANY REGISTERED PLAYER WHILE PLAYING AUTHORIZED INTERACTIVE
4 GAMES WITHOUT MAINTAINING A WRITTEN RECORD THEREOF IN
5 ACCORDANCE WITH REGULATIONS OF THE BOARD.

6 § 13B29. COMMENCEMENT OF INTERACTIVE GAMING OPERATIONS.

7 AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY NOT OPERATE OR
8 OFFER INTERACTIVE GAMES FOR PLAY ON ITS INTERACTIVE GAMING SKIN
9 UNTIL THE BOARD DETERMINES THAT:

10 (1) THE INTERACTIVE GAMING CERTIFICATE HOLDER IS IN
11 COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER.

12 (2) THE INTERACTIVE GAMING CERTIFICATE HOLDER'S
13 INTERNAL, ADMINISTRATIVE AND ACCOUNTING CONTROLS ARE
14 SUFFICIENT TO MEET THE REQUIREMENTS OF SECTION 13B32
15 (RELATING TO INTERNAL, ADMINISTRATIVE AND ACCOUNTING
16 CONTROLS).

17 (3) THE INTERACTIVE GAMING CERTIFICATE HOLDER'S
18 INTERACTIVE GAMING EMPLOYEES, WHERE APPLICABLE, ARE LICENSED,
19 PERMITTED, REGISTERED, CERTIFIED OR OTHERWISE AUTHORIZED BY
20 THE BOARD TO PERFORM THEIR RESPECTIVE DUTIES.

21 (4) THE EMPLOYEES OF THE INTERACTIVE GAMING OPERATOR
22 ARE, WHERE APPLICABLE, LICENSED, PERMITTED OR OTHERWISE
23 AUTHORIZED BY THE BOARD TO PERFORM THEIR DUTIES.

24 (5) THE INTERACTIVE GAMING CERTIFICATE HOLDER IS
25 PREPARED IN ALL RESPECTS TO OFFER INTERACTIVE GAMING TO THE
26 PUBLIC OVER ITS INTERACTIVE GAMING SKIN.

27 (6) THE INTERACTIVE GAMING CERTIFICATE HOLDER HAS
28 IMPLEMENTED NECESSARY INTERNAL, ADMINISTRATIVE AND ACCOUNTING
29 CONTROLS, SECURITY ARRANGEMENTS AND SURVEILLANCE SYSTEMS FOR
30 THE OPERATION OF INTERACTIVE GAMING.

1 (4) COMPLY IN ALL RESPECTS WITH REGULATIONS OF THE
2 BOARD.

3 (B) LOCATION OF EQUIPMENT AND INTERACTIVE GAMING RESTRICTED
4 AREAS.--

5 (1) ALL INTERACTIVE GAMING DEVICES AND ASSOCIATED
6 EQUIPMENT USED BY AN INTERACTIVE GAMING CERTIFICATE HOLDER OR
7 AN INTERACTIVE GAMING LICENSEE TO CONDUCT INTERACTIVE GAMING
8 MAY BE LOCATED, WITH THE PRIOR APPROVAL OF THE BOARD, IN AN
9 INTERACTIVE GAMING RESTRICTED AREA ON THE PREMISES OF THE
10 LICENSED FACILITY, IN AN INTERACTIVE GAMING RESTRICTED AREA
11 WITHIN THE GEOGRAPHIC LIMITS OF THE COUNTY IN THIS
12 COMMONWEALTH WHERE THE LICENSED FACILITY IS SITUATED OR IN
13 ANY OTHER AREA APPROVED BY THE BOARD.

14 (2) ALL WAGERS ASSOCIATED WITH INTERACTIVE GAMING SHALL
15 BE DEEMED TO BE PLACED WHEN RECEIVED BY THE INTERACTIVE
16 GAMING CERTIFICATE HOLDER.

17 § 13B32. INTERNAL, ADMINISTRATIVE AND ACCOUNTING CONTROLS.

18 (A) SUBMISSIONS TO BOARD.--NOTWITHSTANDING ANY PROVISION OF
19 THIS PART, EACH SLOT MACHINE LICENSEE WHO HOLDS OR HAS APPLIED
20 FOR AN INTERACTIVE GAMING CERTIFICATE IN ACCORDANCE WITH THIS
21 CHAPTER SHALL SUBMIT A DESCRIPTION OF ITS SYSTEM OF INTERNAL
22 PROCEDURES AND ADMINISTRATIVE AND ACCOUNTING CONTROLS FOR
23 INTERACTIVE GAMING TO THE BOARD, INCLUDING PROVISIONS THAT
24 PROVIDE FOR REAL-TIME MONITORING, RECORDATION OR STORAGE OF ALL
25 INTERACTIVE GAMES AND A DESCRIPTION OF ANY CHANGES TO ITS
26 PROCEDURES AND CONTROLS. THE SUBMISSION SHALL BE MADE AT LEAST
27 90 DAYS BEFORE AUTHORIZED INTERACTIVE GAMING IS TO COMMENCE OR
28 AT LEAST 90 DAYS BEFORE ANY CHANGE IN THOSE PROCEDURES OR
29 CONTROLS IS TO TAKE EFFECT, UNLESS OTHERWISE DIRECTED BY THE
30 BOARD.

1 (B) FILING.--NOTWITHSTANDING SUBSECTION (A), THE PROCEDURES
2 AND CONTROLS MAY BE IMPLEMENTED BY AN INTERACTIVE GAMING
3 CERTIFICATE HOLDER UPON THE FILING OF THE PROCEDURES AND
4 CONTROLS WITH THE BOARD. EACH PROCEDURE OR CONTROL SUBMISSION
5 SHALL CONTAIN BOTH NARRATIVE AND DIAGRAMMATIC REPRESENTATIONS OF
6 THE SYSTEM TO BE UTILIZED WITH REGARD TO INTERACTIVE GAMING,
7 INCLUDING, BUT NOT LIMITED TO:

8 (1) ACCOUNTING CONTROLS, INCLUDING THE STANDARDIZATION
9 OF FORMS AND DEFINITION OF TERMS TO BE UTILIZED IN THE
10 INTERACTIVE GAMING OPERATIONS.

11 (2) PROCEDURES, FORMS AND, WHERE APPROPRIATE, FORMULAS
12 TO GOVERN THE FOLLOWING:

13 (I) CALCULATION OF HOLD PERCENTAGES;

14 (II) REVENUE DROPS;

15 (III) EXPENSE AND OVERHEAD SCHEDULES;

16 (IV) COMPLIMENTARY SERVICES; AND

17 (V) CASH-EQUIVALENT TRANSACTIONS.

18 (3) JOB DESCRIPTIONS AND THE SYSTEM OF PERSONNEL AND
19 CHAIN OF COMMAND, ESTABLISHING A DIVERSITY OF RESPONSIBILITY
20 AMONG EMPLOYEES ENGAGED IN INTERACTIVE GAMING OPERATIONS,
21 INCLUDING EMPLOYEES OF AN INTERACTIVE GAMING OPERATOR, AND
22 IDENTIFYING PRIMARY AND SECONDARY MANAGEMENT AND SUPERVISORY
23 POSITIONS FOR AREAS OF RESPONSIBILITY, SALARY STRUCTURE AND
24 PERSONNEL PRACTICES.

25 (4) PROCEDURES FOR THE REGISTRATION OF PLAYERS AND
26 ESTABLISHMENT OF INTERACTIVE GAMING ACCOUNTS, INCLUDING A
27 PROCEDURE FOR AUTHENTICATING THE AGE, IDENTITY AND LOCATION
28 OF APPLICANTS FOR INTERACTIVE GAMING ACCOUNTS.

29 (5) PROCEDURES FOR TERMINATING A REGISTERED PLAYER'S
30 INTERACTIVE GAMING ACCOUNT AND THE RETURN OF ANY FUNDS

1 REMAINING IN THE INTERACTIVE GAMING ACCOUNT TO THE REGISTERED
2 PLAYER.

3 (6) PROCEDURES FOR SUSPENDING OR TERMINATING A DORMANT
4 INTERACTIVE GAMING ACCOUNT.

5 (7) PROCEDURES FOR THE LOGGING IN AND AUTHENTICATION OF
6 A REGISTERED PLAYER IN ORDER TO ENABLE THE PLAYER TO COMMENCE
7 INTERACTIVE GAMING AND THE LOGGING OFF OF THE REGISTERED
8 PLAYER WHEN THE PLAYER HAS COMPLETED PLAY, INCLUDING A
9 PROCEDURE TO AUTOMATICALLY LOG A REGISTERED PLAYER OUT OF THE
10 PLAYER'S INTERACTIVE GAMING ACCOUNT AFTER A SPECIFIED PERIOD
11 OF INACTIVITY.

12 (8) PROCEDURES FOR THE CREDITING AND DEBITING OF
13 REGISTERED PLAYERS' INTERACTIVE GAMING ACCOUNTS.

14 (9) PROCEDURES FOR CASHING CHECKS, RECEIVING ELECTRONIC
15 NEGOTIABLE INSTRUMENTS AND FOR REDEEMING CHIPS, TOKENS OR
16 OTHER CASH EQUIVALENTS.

17 (10) PROCEDURES FOR WITHDRAWING FUNDS FROM AN
18 INTERACTIVE GAMING ACCOUNT BY THE REGISTERED PLAYER.

19 (11) PROCEDURES FOR THE PROTECTION OF PLAYER FUNDS,
20 INCLUDING THE SEGREGATION OF PLAYER FUNDS FROM OPERATING
21 FUNDS.

22 (12) PROCEDURES FOR RECORDING TRANSACTIONS PERTAINING TO
23 INTERACTIVE GAMING.

24 (13) PROCEDURES FOR THE SECURITY AND SHARING OF PERSONAL
25 IDENTIFIABLE INFORMATION OF REGISTERED PLAYERS AND OTHER
26 INFORMATION AS REQUIRED BY THE BOARD AND FUNDS IN INTERACTIVE
27 GAMING ACCOUNTS. THE PROCEDURES SHALL INCLUDE THE MEANS BY
28 WHICH AN INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE
29 GAMING OPERATOR WILL PROVIDE NOTICE TO REGISTERED PLAYERS
30 RELATED TO ITS SHARING OF PERSONAL IDENTIFIABLE INFORMATION.

1 FOR THE PURPOSE OF THIS PARAGRAPH, "PERSONAL IDENTIFIABLE
2 INFORMATION" SHALL MEAN ANY DATA OR INFORMATION THAT CAN BE
3 USED, ON ITS OWN OR WITH OTHER DATA OR INFORMATION, TO
4 IDENTIFY, CONTACT OR OTHERWISE LOCATE A REGISTERED PLAYER,
5 INCLUDING A REGISTERED PLAYER'S NAME, ADDRESS, DATE OF BIRTH
6 AND SOCIAL SECURITY NUMBER.

7 (14) PROCEDURES AND SECURITY FOR THE CALCULATION AND
8 RECORDATION OF REVENUE.

9 (15) PROCEDURES FOR THE SECURITY OF INTERACTIVE GAMING
10 DEVICES AND ASSOCIATED EQUIPMENT WITHIN AN INTERACTIVE GAMING
11 RESTRICTED AREA ON THE PREMISES OF THE LICENSED FACILITY OR
12 IN A SECURE FACILITY INACCESSIBLE TO THE PUBLIC AND
13 SPECIFICALLY DESIGNED FOR THAT PURPOSE OFF THE PREMISES OF A
14 LICENSED FACILITY AS APPROVED BY THE BOARD.

15 (16) PROCEDURES AND SECURITY STANDARDS AS TO RECEIPT OF
16 AND THE HANDLING AND STORAGE OF INTERACTIVE GAMING DEVICES
17 AND ASSOCIATED EQUIPMENT.

18 (17) PROCEDURES AND SECURITY STANDARDS TO PROTECT THE
19 INTERACTIVE GAMING CERTIFICATE HOLDER'S INTERACTIVE GAMING
20 SKIN OR INTERNET WEBSITE AND INTERACTIVE GAMING DEVICES AND
21 ASSOCIATED EQUIPMENT FROM HACKING OR TAMPERING BY ANY PERSON.

22 (18) PROCEDURES FOR RESPONDING TO SUSPECTED OR ACTUAL
23 HACKING OR TAMPERING WITH AN INTERACTIVE GAMING CERTIFICATE
24 HOLDER'S INTERACTIVE GAMING SKIN OR INTERNET WEBSITE AND
25 INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT,
26 INCLUDING PARTIAL OR COMPLETE SUSPENSION OF INTERACTIVE
27 GAMING OR THE SUSPENSION OF ANY OR ALL INTERACTIVE GAMING
28 ACCOUNTS WHEN WARRANTED.

29 (19) PROCEDURES TO VERIFY EACH REGISTERED PLAYER'S
30 PHYSICAL LOCATION EACH TIME A WAGER IS PLACED ON AN

1 INTERACTIVE GAME.

2 (20) PROCEDURES TO ENSURE, TO A REASONABLE DEGREE OF
3 CERTAINTY, THAT THE INTERACTIVE GAMES ARE FAIR AND HONEST AND
4 THAT APPROPRIATE MEASURES ARE IN PLACE TO DETER, DETECT AND,
5 TO THE EXTENT REASONABLY POSSIBLE, TO PREVENT CHEATING,
6 INCLUDING COLLUSION, AND USE OF CHEATING DEVICES, INCLUDING
7 THE USE OF SOFTWARE PROGRAMS THAT MAKE BETS OR WAGERS
8 ACCORDING TO ALGORITHMS.

9 (21) PROCEDURES TO ASSIST PROBLEM AND COMPULSIVE
10 GAMBLERS, INCLUDING PROCEDURES REASONABLY INTENDED TO PREVENT
11 A PERSON FROM PARTICIPATING IN INTERACTIVE GAMING ACTIVITIES
12 IN ACCORDANCE WITH SECTIONS 1514 (RELATING TO REGULATION
13 REQUIRING EXCLUSION, EJECTION OR DENIAL OF ACCESS OF CERTAIN
14 PERSONS), 1515 (RELATING TO REPEAT OFFENDERS EXCLUDABLE FROM
15 LICENSED GAMING FACILITY) AND 1516 (RELATING TO LIST OF
16 PERSONS SELF EXCLUDED FROM GAMING ACTIVITIES).

17 (22) PROCEDURES TO GOVERN EMERGENCIES, INCLUDING
18 SUSPECTED OR ACTUAL CYBER ATTACKS, HACKING OR TAMPERING WITH
19 THE INTERACTIVE GAMING CERTIFICATE HOLDER'S INTERACTIVE
20 GAMING PORTAL, PLATFORM OR INTERNET WEBSITE.

21 (C) REVIEW OF SUBMISSIONS.--

22 (1) THE BOARD SHALL REVIEW EACH SUBMISSION REQUIRED BY
23 SUBSECTIONS (A) AND (B) AND SHALL DETERMINE WHETHER THE
24 SUBMISSION CONFORMS TO THE REQUIREMENTS OF THIS CHAPTER AND
25 REGULATIONS PROMULGATED BY THE BOARD AND WHETHER THE SYSTEM
26 SUBMITTED PROVIDES ADEQUATE AND EFFECTIVE CONTROLS FOR
27 INTERACTIVE GAMING OF THE PARTICULAR INTERACTIVE GAMING
28 CERTIFICATE HOLDER.

29 (2) IF THE BOARD DETERMINES THAT INSUFFICIENCIES EXIST,
30 IT SHALL SPECIFY THE INSUFFICIENCIES IN WRITING TO THE

1 INTERACTIVE GAMING CERTIFICATE HOLDER, WHO SHALL MAKE
2 APPROPRIATE ALTERATIONS TO ENSURE COMPLIANCE WITH THE
3 REQUIREMENTS OF THIS CHAPTER AND REGULATIONS OF THE BOARD.
4 WHEN THE BOARD DETERMINES A SUBMISSION TO BE ADEQUATE IN ALL
5 RESPECTS, IT SHALL NOTIFY THE INTERACTIVE GAMING CERTIFICATE
6 HOLDER.

7 (3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (A), NO
8 INTERACTIVE GAMING CERTIFICATE HOLDER, INTERACTIVE GAMING
9 OPERATOR OR OTHER PERSON SHALL COMMENCE OR ALTER INTERACTIVE
10 GAMING OPERATIONS UNLESS AND UNTIL THE SYSTEM OF PROCEDURES,
11 CONTROLS AND ALTERNATIONS IS APPROVED BY THE BOARD.

12 SUBCHAPTER E

13 TESTING AND CERTIFICATION

14 SEC.

15 13B41. INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES AND
16 ASSOCIATED EQUIPMENT TESTING AND CERTIFICATION
17 STANDARDS.

18 § 13B41. INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES AND
19 ASSOCIATED EQUIPMENT TESTING AND CERTIFICATION
20 STANDARDS.

21 (A) TESTING REQUIRED.--

22 (1) NO INTERACTIVE GAME OR INTERACTIVE GAMING DEVICE OR
23 ASSOCIATED EQUIPMENT SHALL BE USED TO CONDUCT INTERACTIVE
24 GAMING UNLESS IT HAS BEEN TESTED AND APPROVED BY THE BOARD.
25 THE BOARD MAY, IN ITS DISCRETION AND FOR THE PURPOSE OF
26 EXPEDITING THE APPROVAL PROCESS, REFER TESTING TO ANY TESTING
27 LABORATORY AS APPROVED BY THE BOARD.

28 (2) THE BOARD SHALL ESTABLISH, BY REGULATION, TECHNICAL
29 STANDARDS FOR APPROVAL OF INTERACTIVE GAMES AND INTERACTIVE
30 GAMING DEVICES AND ASSOCIATED EQUIPMENT, INCLUDING STANDARDS

1 TO GOVERN MECHANICAL, ELECTRICAL OR PROGRAM RELIABILITY AND
2 SECURITY AGAINST TAMPERING AND THREATS, AS IT MAY DEEM
3 NECESSARY TO PROTECT THE REGISTERED PLAYER FROM FRAUD OR
4 DECEPTION AND TO ENSURE THE INTEGRITY OF INTERACTIVE GAMING.

5 (B) INDEPENDENT TESTING AND CERTIFICATION FACILITY.--ANY
6 COSTS ASSOCIATED WITH THE BOARD'S TESTING AND CERTIFICATION
7 FACILITY SHALL BE ASSESSED ON PERSONS AUTHORIZED BY THE BOARD TO
8 MANUFACTURE, SUPPLY, DISTRIBUTE OR OTHERWISE PROVIDE INTERACTIVE
9 GAMES AND INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT TO
10 INTERACTIVE GAMING CERTIFICATE HOLDERS OR TO INTERACTIVE GAMING
11 OPERATORS IN THIS COMMONWEALTH. THE COSTS SHALL BE ASSESSED IN
12 ACCORDANCE WITH A SCHEDULE ADOPTED BY THE BOARD.

13 (C) USE OF OTHER STATE STANDARDS.--THE BOARD MAY DETERMINE
14 WHETHER THE TESTING AND CERTIFICATION STANDARDS FOR INTERACTIVE
15 GAMES AND INTERACTIVE GAMING DEVICES AND ASSOCIATED EQUIPMENT AS
16 ADOPTED BY ANOTHER JURISDICTION WITHIN THE UNITED STATES OR ANY
17 OF THE TESTING AND CERTIFICATION STANDARDS USED BY AN
18 INTERACTIVE GAMING CERTIFICATE HOLDER ARE COMPREHENSIVE AND
19 THOROUGH AND PROVIDE SIMILAR AND ADEQUATE SAFEGUARDS AS THOSE
20 REQUIRED BY THIS CHAPTER AND REGULATIONS OF THE BOARD. IF THE
21 BOARD MAKES THAT DETERMINATION, IT MAY PERMIT THE PERSON
22 AUTHORIZED TO MANUFACTURE, SUPPLY, DISTRIBUTE OR OTHERWISE
23 PROVIDE INTERACTIVE GAMES AND INTERACTIVE GAMING DEVICES OR
24 ASSOCIATED EQUIPMENT TO FURNISH INTERACTIVE GAMES OR INTERACTIVE
25 GAMING DEVICES AND ASSOCIATED EQUIPMENT TO INTERACTIVE GAMING
26 CERTIFICATE HOLDERS IN THIS COMMONWEALTH WITHOUT UNDERGOING THE
27 FULL TESTING AND CERTIFICATION PROCESS BY THE BOARD'S
28 INDEPENDENT TESTING AND CERTIFICATION FACILITY.

29 SUBCHAPTER F

30 TAXES AND FEES

1 SEC.

2 13B51. INTERACTIVE GAMING AUTHORIZATION FEE.

3 13B52. INTERACTIVE GAMING TAX.

4 13B53. LOCAL SHARE ASSESSMENT.

5 13B54. COMPULSIVE AND PROBLEM GAMBLING.

6 § 13B51. INTERACTIVE GAMING AUTHORIZATION FEE.

7 (A) AMOUNT OF AUTHORIZATION FEE.--

8 (1) EACH SLOT MACHINE LICENSEE THAT IS ISSUED AN
9 INTERACTIVE GAMING CERTIFICATE TO CONDUCT INTERACTIVE GAMING
10 IN ACCORDANCE WITH SECTION 13B11 (RELATING TO AUTHORIZATION
11 TO CONDUCT INTERACTIVE GAMING) SHALL PAY A ONE-TIME
12 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$8,000,000.

13 (2) EACH INTERACTIVE GAMING OPERATOR OR AN AFFILIATE OF
14 AN INTERACTIVE GAMING CERTIFICATE HOLDER THAT IS ISSUED AN
15 INTERACTIVE GAMING LICENSE UNDER THIS CHAPTER TO OPERATE
16 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF
17 OF A SLOT MACHINE LICENSEE PURSUANT TO AN INTERACTIVE GAMING
18 AGREEMENT AND THAT IS NOT OWNED, AFFILIATED WITH OR OTHERWISE
19 CONTROLLED BY A SLOT MACHINE LICENSEE SHALL PAY A ONE-TIME
20 NONREFUNDABLE AUTHORIZATION FEE IN THE AMOUNT OF \$2,000,000.

21 (3) EACH INTERACTIVE GAMING OPERATOR THAT HAS BEEN
22 APPROVED BY THE BOARD TO PROVIDE FOR THE CONDUCT OF
23 INTERACTIVE GAMING ON BEHALF OF AN INTERACTIVE GAMING
24 CERTIFICATE HOLDER AT A QUALIFIED AIRPORT IN ACCORDANCE WITH
25 SUBCHAPTER B.1 SHALL PAY A ONE-TIME NONREFUNDABLE
26 AUTHORIZATION FEE IN THE AMOUNT OF \$1,000,000.

27 (B) PAYMENT OF FEE.--PERSONS REQUIRED TO PAY THE
28 AUTHORIZATION FEE UNDER SUBSECTION (A) SHALL REMIT THE FEE TO
29 THE BOARD WITHIN 60 DAYS OF THE BOARD'S APPROVAL OF ITS
30 PETITION, LICENSE OR CONDITIONAL LICENSE TO CONDUCT INTERACTIVE

1 GAMING OR TO OPERATE INTERACTIVE GAMING OR AN INTERACTIVE GAMING
2 SYSTEM. THE BOARD MAY ALLOW THE FEE TO BE PAID IN INSTALLMENTS,
3 PROVIDED THAT ALL SUCH INSTALLMENTS ARE PAID WITHIN THE 60-DAY
4 PERIOD AND THAT THE INSTALLMENT PAYMENTS ARE MADE IN ACCORDANCE
5 WITH THE TERMS OF AN AGREEMENT BETWEEN THE BOARD AND THE
6 INTERACTIVE GAMING CERTIFICATE HOLDER OR AN INTERACTIVE GAMING
7 OPERATOR UNDER SUBSECTION (A) (2) THAT SETS FORTH THE TERMS OF
8 THE INSTALLMENT PAYMENT.

9 (C) RENEWAL FEE.--

10 (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER,
11 AN INTERACTIVE GAMING CERTIFICATE HOLDER SHALL PAY A RENEWAL
12 FEE IN THE AMOUNT OF \$250,000 UPON THE RENEWAL OF ITS
13 INTERACTIVE GAMING CERTIFICATE IN ACCORDANCE WITH SECTIONS
14 1326 (RELATING TO RENEWALS) AND 13B13(C) (RELATING TO
15 ISSUANCE OF INTERACTIVE GAMING CERTIFICATE).

16 (2) EACH INTERACTIVE GAMING OPERATOR UNDER SUBSECTION
17 (A) (2) SHALL PAY A RENEWAL FEE OF \$100,000 UPON THE RENEWAL
18 OF ITS INTERACTIVE GAMING LICENSE IN ACCORDANCE WITH THIS
19 CHAPTER.

20 (D) DEPOSIT OF FEES.--THE FEES IMPOSED AND COLLECTED UNDER
21 THIS SECTION SHALL BE DEPOSITED IN THE GENERAL FUND.

22 § 13B52. INTERACTIVE GAMING TAX.

23 (A) IMPOSITION OF TAX.--EACH INTERACTIVE GAMING CERTIFICATE
24 HOLDER THAT CONDUCTS INTERACTIVE GAMING SHALL REPORT TO THE
25 DEPARTMENT AND PAY FROM ITS DAILY GROSS INTERACTIVE GAMING
26 REVENUE, ON A FORM AND IN THE MANNER PRESCRIBED BY THE
27 DEPARTMENT, A TAX OF 14% OF ITS DAILY GROSS INTERACTIVE GAMING
28 REVENUE AND A LOCAL SHARE ASSESSMENT AS PROVIDED IN SECTION
29 13B53 (RELATING TO LOCAL SHARE ASSESSMENT).

30 (B) DEPOSITS AND DISTRIBUTIONS.--

1 (1) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE
2 PAYABLE TO THE DEPARTMENT ON A WEEKLY BASIS AND SHALL BE
3 BASED UPON GROSS INTERACTIVE GAMING REVENUE DERIVED DURING
4 THE PREVIOUS WEEK.

5 (2) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS
6 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE
7 INTERACTIVE GAMING CERTIFICATE HOLDER UNTIL THE FUNDS ARE
8 PAID TO THE DEPARTMENT FOR DEPOSIT IN THE GENERAL FUND. AN
9 INTERACTIVE GAMING CERTIFICATE HOLDER SHALL ESTABLISH A
10 SEPARATE BANK ACCOUNT INTO WHICH GROSS INTERACTIVE GAMING
11 REVENUE SHALL BE DEPOSITED AND MAINTAINED UNTIL SUCH TIME AS
12 THE FUNDS ARE PAID TO THE DEPARTMENT UNDER THIS SECTION.

13 (C) TAXES ON OUT-OF-STATE WAGERING.--THE TAX RATE WHICH
14 SHALL BE ASSESSED AND COLLECTED BY THE DEPARTMENT WITH RESPECT
15 TO ANY WAGERS PLACED BY REGISTERED PLAYERS LOCATED IN THIS
16 COMMONWEALTH WITH AN INTERACTIVE GAMING OPERATOR OUTSIDE OF THIS
17 COMMONWEALTH, BUT AUTHORIZED UNDER AN INTERACTIVE GAMING
18 RECIPROCAL AGREEMENT SHALL BE GOVERNED BY THE AGREEMENT BUT MAY
19 NOT EXCEED 16% OF GROSS INTERACTIVE GAMING REVENUE DERIVED FROM
20 REGISTERED PLAYERS LOCATED IN THIS COMMONWEALTH.

21 (D) DEPOSIT OF FUNDS.--THE TAX IMPOSED UNDER SUBSECTION (A)
22 SHALL BE COLLECTED BY THE DEPARTMENT FOR DEPOSIT IN THE GENERAL
23 FUND.

24 § 13B53. LOCAL SHARE ASSESSMENT.

25 (A) REQUIRED PAYMENT.--

26 (1) IN ADDITION TO THE TAX IMPOSED UNDER SECTION 13B52
27 (RELATING TO INTERACTIVE GAMING TAX), EACH INTERACTIVE GAMING
28 CERTIFICATE HOLDER THAT CONDUCTS INTERACTIVE GAMING SHALL PAY
29 ON A WEEKLY BASIS AND ON A FORM AND IN A MANNER PRESCRIBED BY
30 THE DEPARTMENT A LOCAL SHARE ASSESSMENT INTO A RESTRICTED

1 RECEIPTS ACCOUNT ESTABLISHED IN THE DEPARTMENT OF COMMUNITY
2 AND ECONOMIC DEVELOPMENT TO BE USED EXCLUSIVELY FOR GRANTS TO
3 ALL COUNTIES IN THIS COMMONWEALTH, TO ECONOMIC DEVELOPMENT
4 AUTHORITIES OR REDEVELOPMENT AUTHORITIES WITHIN EACH COUNTY,
5 FOR GRANTS FOR ECONOMIC DEVELOPMENT PROJECTS, COMMUNITY
6 IMPROVEMENT PROJECTS AND OTHER PROJECTS IN THE PUBLIC
7 INTEREST.

8 (2) THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
9 SHALL DEVELOP POLICIES AND PROCEDURES TO GOVERN THE
10 DISTRIBUTION OF GRANTS FROM THE LOCAL SHARE ASSESSMENT
11 ESTABLISHED UNDER PARAGRAPH (1). THE POLICIES AND PROCEDURES
12 SHALL BE OF SUFFICIENT SCOPE TO ENSURE EQUAL ACCESS TO GRANT
13 FUNDS BY ALL COUNTIES IN THIS COMMONWEALTH.

14 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
15 WORDS AND PHRASES SHALL HAVE THE MEANING GIVEN TO THEM IN THIS
16 SUBSECTION:

17 "LOCAL SHARE ASSESSMENT." TWO PERCENT OF AN INTERACTIVE
18 GAMING CERTIFICATE HOLDER'S DAILY GROSS INTERACTIVE GAMING
19 REVENUE.

20 § 13B54. COMPULSIVE AND PROBLEM GAMBLING.

21 THE FOLLOWING SHALL APPLY:

22 (1) EACH YEAR, FROM THE TAX IMPOSED IN SECTION 13B52
23 (RELATING TO INTERACTIVE GAMING TAX), \$2,000,000 OR AN AMOUNT
24 EQUAL TO .002 MULTIPLIED BY THE TOTAL GROSS INTERACTIVE
25 GAMING REVENUE OF ALL ACTIVE AND OPERATING INTERACTIVE GAMING
26 CERTIFICATE HOLDERS, WHICHEVER IS GREATER, SHALL BE
27 TRANSFERRED INTO THE COMPULSIVE AND PROBLEM GAMBLING
28 TREATMENT FUND ESTABLISHED IN SECTION 1509 (RELATING TO
29 COMPULSIVE AND PROBLEM GAMBLING PROGRAM).

30 (2) EACH YEAR, FROM THE TAX IMPOSED IN SECTION 13B52,

1 \$2,000,000 OR AN AMOUNT EQUAL TO .002 MULTIPLIED BY THE TOTAL
2 GROSS INTERACTIVE GAMING REVENUE OF ALL ACTIVE AND OPERATING
3 INTERACTIVE GAMING CERTIFICATE HOLDERS, WHICHEVER IS GREATER,
4 SHALL BE TRANSFERRED TO THE DEPARTMENT OF DRUG AND ALCOHOL
5 PROGRAMS TO BE USED FOR DRUG AND ALCOHOL ADDICTION TREATMENT
6 SERVICES, INCLUDING TREATMENT FOR DRUG AND ALCOHOL ADDICTION
7 RELATED TO COMPULSIVE AND PROBLEM GAMBLING, AS SET FORTH IN
8 SECTION 1509.1 (RELATING TO DRUG AND ALCOHOL TREATMENT).

9 SUBCHAPTER G

10 MISCELLANEOUS PROVISIONS

11 SEC.

12 13B61. PARTICIPATION IN INTERACTIVE GAMING BY PERSONS OUTSIDE
13 COMMONWEALTH.

14 13B62. INSTITUTIONAL INVESTORS.

15 13B63. INTERNET CAFES AND PROHIBITION.

16 § 13B61. PARTICIPATION IN INTERACTIVE GAMING BY PERSONS OUTSIDE
17 COMMONWEALTH.

18 NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER TO THE
19 CONTRARY, AN INTERACTIVE GAMING CERTIFICATE HOLDER MAY ACCEPT
20 INTERACTIVE GAMING WAGERS FROM A PERSON WHO IS NOT PHYSICALLY
21 PRESENT IN THIS COMMONWEALTH, IF THE BOARD DETERMINES THE
22 FOLLOWING:

23 (1) PARTICIPATION IN INTERACTIVE GAMING AND ACCEPTANCE
24 OF WAGERS ASSOCIATED WITH INTERACTIVE GAMING FROM A PERSON
25 NOT PHYSICALLY PRESENT IN THIS COMMONWEALTH IS NOT
26 INCONSISTENT WITH FEDERAL LAW OR REGULATION OR THE LAW OR
27 REGULATION OF THE JURISDICTION, INCLUDING ANY FOREIGN
28 JURISDICTION, IN WHICH THE PERSON IS LOCATED.

29 (2) PARTICIPATION IN INTERACTIVE GAMING IS CONDUCTED
30 PURSUANT TO AN INTERACTIVE GAMING RECIPROCAL AGREEMENT

1 BETWEEN THE COMMONWEALTH AND ANOTHER STATE OR JURISDICTION,
2 INCLUDING A FOREIGN JURISDICTION, TO WHICH THE COMMONWEALTH
3 IS A PARTY AND THE INTERACTIVE GAMING RECIPROCAL AGREEMENT IS
4 NOT INCONSISTENT WITH FEDERAL LAW OR REGULATION.

5 § 13B62. INSTITUTIONAL INVESTORS.

6 (A) DECLARATION OF INVESTMENT INTENT.--NOTWITHSTANDING ANY
7 OTHER PROVISION OF THIS PART, THE FOLLOWING SHALL APPLY:

8 (1) AN INSTITUTIONAL INVESTOR HOLDING 20% OR LESS OF THE
9 EQUITY SECURITIES OF AN INTERACTIVE GAMING CERTIFICATE
10 HOLDER'S, INTERACTIVE GAMING OPERATOR'S OR APPLICANT'S
11 HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANIES SHALL BE
12 GRANTED A WAIVER OF ANY INVESTIGATION OF SUITABILITY OR OTHER
13 REQUIREMENT IF THE SECURITIES ARE THOSE OF A CORPORATION,
14 WHETHER PUBLICLY TRADED OR PRIVATELY HELD, AND THE HOLDINGS
15 OF THE SECURITIES WERE PURCHASED FOR INVESTMENT PURPOSES
16 ONLY. THE INSTITUTIONAL INVESTOR SHALL FILE A CERTIFIED
17 STATEMENT THAT IT HAS NO INTENTION OF INFLUENCING OR
18 AFFECTING THE AFFAIRS OF THE INTERACTIVE GAMING CERTIFICATE
19 HOLDER, INTERACTIVE GAMING OPERATOR, APPLICANT OR ANY
20 HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANY OF AN INTERACTIVE
21 GAMING CERTIFICATE HOLDER, INTERACTIVE GAMING OPERATOR OR
22 APPLICANT. HOWEVER, AN INSTITUTIONAL INVESTOR SHALL BE
23 PERMITTED TO VOTE ON MATTERS PUT TO THE VOTE OF THE
24 OUTSTANDING SECURITY HOLDERS.

25 (2) THE BOARD MAY GRANT A WAIVER TO AN INSTITUTIONAL
26 INVESTOR HOLDING A HIGHER PERCENTAGE OF SECURITIES UPON A
27 SHOWING OF GOOD CAUSE AND IF THE CONDITIONS SPECIFIED IN
28 PARAGRAPH (1) ARE MET.

29 (3) AN INSTITUTIONAL INVESTOR GRANTED A WAIVER UNDER
30 THIS SUBSECTION WHO SUBSEQUENTLY DECIDES TO INFLUENCE OR

1 AFFECT THE AFFAIRS OF AN INTERACTIVE GAMING CERTIFICATE
2 HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT'S HOLDING,
3 SUBSIDIARY OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING
4 CERTIFICATE HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT
5 SHALL PROVIDE NOT LESS THAN 30 DAYS' NOTICE OF INTENT AND
6 SHALL FILE WITH THE BOARD A REQUEST FOR DETERMINATION OF
7 SUITABILITY BEFORE TAKING ANY ACTION THAT MAY INFLUENCE OR
8 AFFECT THE AFFAIRS OF THE ISSUER. AN INSTITUTIONAL INVESTOR
9 SHALL BE PERMITTED TO VOTE ON MATTERS PUT TO THE VOTE OF THE
10 OUTSTANDING SECURITY HOLDERS.

11 (4) IF AN INSTITUTIONAL INVESTOR CHANGES ITS INVESTMENT
12 INTENT OR IF THE BOARD FINDS REASONABLE CAUSE TO BELIEVE THAT
13 THE INSTITUTIONAL INVESTOR MAY BE FOUND UNSUITABLE, NO ACTION
14 OTHER THAN DIVESTITURE SHALL BE TAKEN BY THE INSTITUTIONAL
15 INVESTOR WITH RESPECT TO ITS SECURITY HOLDINGS UNTIL THERE
16 HAS BEEN COMPLIANCE WITH ANY REQUIREMENTS ESTABLISHED BY THE
17 BOARD, WHICH MAY INCLUDE THE EXECUTION OF A TRUST AGREEMENT
18 IN ACCORDANCE WITH SECTION 1332 (RELATING TO APPOINTMENT OF
19 TRUSTEE).

20 (5) THE INTERACTIVE GAMING CERTIFICATE HOLDER OR
21 INTERACTIVE GAMING OPERATOR OR APPLICANT OR ANY HOLDING,
22 INTERMEDIARY OR SUBSIDIARY COMPANY OF AN INTERACTIVE GAMING
23 CERTIFICATE HOLDER, INTERACTIVE GAMING OPERATOR OR APPLICANT
24 SHALL NOTIFY THE BOARD IMMEDIATELY OF ANY INFORMATION ABOUT,
25 OR ACTIONS OF, AN INSTITUTIONAL INVESTOR HOLDING ITS EQUITY
26 SECURITIES WHERE THE INFORMATION OR ACTION MAY IMPACT THE
27 ELIGIBILITY OF THE INSTITUTIONAL INVESTOR FOR A WAIVER UNDER
28 THIS SUBSECTION.

29 (B) FAILURE TO DECLARE.--IF THE BOARD FINDS:

30 (1) THAT AN INSTITUTIONAL INVESTOR HOLDING ANY SECURITY

1 OF A HOLDING OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING
2 CERTIFICATE HOLDER OR INTERACTIVE GAMING OPERATOR OR
3 APPLICANT OR, WHERE RELEVANT, OF ANOTHER SUBSIDIARY COMPANY
4 OF A HOLDING OR INTERMEDIARY COMPANY OF AN INTERACTIVE GAMING
5 CERTIFICATE HOLDER OR INTERACTIVE GAMING OPERATOR OR
6 APPLICANT WHICH IS RELATED IN ANY WAY TO THE FINANCING OF THE
7 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
8 OPERATOR OR APPLICANT, FAILS TO COMPLY WITH THE PROVISIONS OF
9 SUBSECTION (A); OR

10 (2) BY REASON OF THE EXTENT OR NATURE OF ITS HOLDINGS,
11 AN INSTITUTIONAL INVESTOR IS IN A POSITION TO EXERCISE SUCH A
12 SUBSTANTIAL IMPACT UPON THE CONTROLLING INTERESTS OF AN
13 INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE GAMING
14 OPERATOR OR APPLICANT THAT INVESTIGATION AND DETERMINATION OF
15 SUITABILITY OF THE INSTITUTIONAL INVESTOR IS NECESSARY TO
16 PROTECT THE PUBLIC INTEREST;

17 THEN THE BOARD MAY TAKE ANY NECESSARY ACTION OTHERWISE
18 AUTHORIZED UNDER THIS CHAPTER TO PROTECT THE PUBLIC INTEREST.

19 § 13B63. INTERNET CAFES AND PROHIBITION.

20 (A) GENERAL RULE.--NO ORGANIZATION OR COMMERCIAL ENTERPRISE
21 SHALL OPERATE A PLACE OF PUBLIC ACCOMMODATION, CLUB, INCLUDING A
22 CLUB OR ASSOCIATION LIMITED TO DUES-PAYING MEMBERS OR SIMILAR
23 RESTRICTED GROUPS, OR SIMILAR ESTABLISHMENT IN WHICH COMPUTER
24 TERMINALS OR SIMILAR ACCESS DEVICES ARE ADVERTISED OR MADE
25 AVAILABLE TO BE USED PRINCIPALLY FOR THE PURPOSE OF ACCESSING
26 AUTHORIZED INTERACTIVE GAMES. NO INTERACTIVE GAMING CERTIFICATE
27 HOLDER OR INTERACTIVE GAMING OPERATOR SHALL OFFER OR MAKE
28 AVAILABLE COMPUTER TERMINALS OR SIMILAR ACCESS DEVICES TO BE
29 USED PRINCIPALLY FOR THE PURPOSE OF ACCESSING INTERACTIVE GAMES
30 WITHIN A LICENSED FACILITY.

1 (B) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE
2 CONSTRUED TO:

3 (1) REQUIRE THE OWNER OR OPERATOR OF A HOTEL OR MOTEL OR
4 OTHER PUBLIC PLACE OF GENERAL USE IN THIS COMMONWEALTH TO
5 PROHIBIT OR BLOCK GUESTS FROM PLAYING INTERACTIVE GAMES; OR

6 (2) REQUIRE AN INTERACTIVE GAMING CERTIFICATE HOLDER OR
7 AN INTERACTIVE GAMING OPERATOR TO PROHIBIT REGISTERED PLAYERS
8 WITHIN A LICENSED FACILITY FROM PLAYING INTERACTIVE GAMES.

9 CHAPTER 13C

10 (RESERVED)

11 CHAPTER 13D

12 SLOT MACHINES AT
13 NONPRIMARY LOCATIONS

14 SUBCHAPTER

15 A. GENERAL PROVISIONS

16 B. CATEGORY 1 LICENSED GAMING ENTITIES AND NONPRIMARY
17 LOCATIONS

18 C. APPLICATION AND ISSUANCE OF NONPRIMARY LOCATION PERMIT

19 D. FEES AND TAXES

20 SUBCHAPTER A

21 GENERAL PROVISIONS

22 SEC.

23 13D01. (RESERVED).

24 13D02. AUTHORITY TO PLACE SLOT MACHINES AT NONPRIMARY
25 LOCATIONS.

26 13D03. TEMPORARY REGULATIONS.

27 § 13D01. (RESERVED).

28 § 13D02. AUTHORITY TO PLACE SLOT MACHINES AT NONPRIMARY
29 LOCATIONS.

30 (A) PLACEMENT OF SLOT MACHINES AT NONPRIMARY LOCATIONS.--

1 NOTWITHSTANDING ANY PROVISION OF THIS PART, ARTICLE XXVIII-D OF
2 THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE
3 ADMINISTRATIVE CODE OF 1929, OR ANY OTHER LAW OR REGULATION TO
4 THE CONTRARY, A CATEGORY 1 LICENSED GAMING ENTITY THAT IS A
5 LICENSED RACING ENTITY UNDER ARTICLE XXVIII-D OF THE
6 ADMINISTRATIVE CODE OF 1929 SHALL APPLY TO THE BOARD FOR A
7 NONPRIMARY LOCATION PERMIT TO PLACE AND MAKE SLOT MACHINES
8 AVAILABLE FOR PLAY AT NONPRIMARY LOCATIONS.

9 (B) DUTY OF THE BOARD AND COMMISSION.--THE BOARD SHALL HAVE
10 GENERAL AND REGULATORY AUTHORITY OVER THE PLACEMENT AND
11 OPERATION OF SLOT MACHINES AT NONPRIMARY LOCATIONS AND SHALL, IN
12 CONSULTATION WITH THE COMMISSION, PROMULGATE REGULATIONS TO
13 GOVERN THE PLACEMENT AND OPERATION OF SLOT MACHINES AT
14 NONPRIMARY LOCATIONS. EXCEPT THAT, ANY REGULATIONS SPECIFIC TO
15 THE OPERATION OF NONPRIMARY LOCATIONS BY LICENSED RACING
16 ENTITIES PROMULGATED UNDER 58 PA. CODE CH. 171 (RELATING TO
17 NONPRIMARY LOCATIONS) OR ANY REGULATIONS RELATED TO THE
18 OPERATION OF NONPRIMARY LOCATIONS WHICH MAY BE ADOPTED BY THE
19 COMMISSION SUBSEQUENT TO THE EFFECTIVE DATE OF THIS CHAPTER
20 SHALL BE ADOPTED AS REGULATIONS UNDER THIS CHAPTER, UNLESS THE
21 BOARD, IN CONSULTATION WITH THE COMMISSION, DETERMINE THAT SUCH
22 REGULATIONS ARE NOT SUFFICIENT FOR THE ADMINISTRATION AND
23 ENFORCEMENT OF THIS CHAPTER. IN THAT EVENT, THE BOARD SHALL, IN
24 CONSULTATION WITH THE COMMISSION, PROMULGATE SUCH REGULATIONS
25 SPECIFIC TO THE OPERATION OF SLOT MACHINES AT NONPRIMARY
26 LOCATIONS AS THE BOARD AND COMMISSION DEEM NECESSARY TO
27 FACILITATE THE ADMINISTRATION AND ENFORCEMENT OF THIS CHAPTER.
28 § 13D03. TEMPORARY REGULATIONS.

29 (A) PROMULGATION.--IN ORDER TO FACILITATE THE PROMPT
30 IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED BY THE

1 BOARD OR COMMISSION SHALL BE DEEMED TEMPORARY REGULATIONS WHICH
2 SHALL EXPIRE NOT LATER THAN TWO YEARS AFTER THE PUBLICATION OF
3 THE TEMPORARY REGULATION IN THE PENNSYLVANIA BULLETIN. THE BOARD
4 MAY PROMULGATE TEMPORARY REGULATIONS NOT SUBJECT TO:

5 (1) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT OF
6 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
7 COMMONWEALTH DOCUMENTS LAW.

8 (2) SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER
9 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH
10 ATTORNEYS ACT.

11 (3) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
12 THE REGULATORY REVIEW ACT.

13 (B) EXPIRATION.--THE AUTHORITY OF THE BOARD AND THE
14 COMMISSION 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, IN CONSULTATION WITH
19 THE COMMISSION, SHALL BEGIN PUBLISHING TEMPORARY REGULATIONS
20 GOVERNING PLACEMENT AND OPERATION OF SLOT MACHINES AT NONPRIMARY
21 LOCATIONS IN THE PENNSYLVANIA BULLETIN WITHIN 60 DAYS OF THE
22 EFFECTIVE DATE OF THIS SECTION.

23 SUBCHAPTER B

24 CATEGORY 1 LICENSED GAMING ENTITIES

25 AND NONPRIMARY LOCATIONS

26 SEC.

27 13D07. AUTHORITY TO PLACE SLOT MACHINES AT NONPRIMARY
28 LOCATIONS.

29 § 13D07. AUTHORITY TO PLACE SLOT MACHINES AT NONPRIMARY
30 LOCATIONS.

1 (A) CATEGORY 1 LICENSED GAMING ENTITY AND OPERATION OF SLOT
2 MACHINES AT NONPRIMARY LOCATIONS.--THE FOLLOWING SHALL APPLY:

3 (1) EACH CATEGORY 1 LICENSED GAMING ENTITY THAT IS A
4 LICENSED RACING ENTITY UNDER SECTION 13D02 (RELATING TO
5 AUTHORITY TO PLACE SLOT MACHINES AT NONPRIMARY LOCATIONS)
6 THAT IS AUTHORIZED TO HOLD HORSE RACE MEETINGS AT A RACETRACK
7 AT WHICH MORE THAN ONE LICENSE IS AUTHORIZED MAY BE GRANTED
8 APPROVAL TO PLACE AND MAKE SLOT MACHINES AVAILABLE FOR PLAY
9 AT FOUR NONPRIMARY LOCATIONS, IF THE BOARD, IN CONSULTATION
10 WITH THE COMMISSION, DETERMINES THAT A NONPRIMARY LOCATION
11 NEWLY PROPOSED OR APPROVED BY THE COMMISSION IN ACCORDANCE
12 WITH ARTICLE XXVIII-D OF THE ACT OF APRIL 9, 1929 (P.L.177,
13 NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929, AND
14 REGULATIONS OF THE COMMISSION WILL BENEFIT ECONOMIC
15 DEVELOPMENT, EMPLOYMENT, TOURISM, THE RACE HORSE INDUSTRY AND
16 RESULT IN ENHANCED REVENUES TO THE COMMONWEALTH AND THE
17 MUNICIPALITY WHERE THE NEWLY PROPOSED OR APPROVED NONPRIMARY
18 LOCATION WILL BE OR IS SITUATED.

19 (2) EACH CATEGORY 1 LICENSED GAMING ENTITY UNDER SECTION
20 13D02 THAT IS AUTHORIZED TO HOLD HORSE RACE MEETINGS AT A
21 RACETRACK AT WHICH ONLY ONE LICENSE IS AUTHORIZED MAY BE
22 GRANTED APPROVAL TO PLACE AND MAKE SLOT MACHINES AVAILABLE
23 FOR PLAY AT FOUR NONPRIMARY LOCATIONS, IF THE BOARD, IN
24 CONSULTATION WITH THE COMMISSION, DETERMINES THAT A
25 NONPRIMARY LOCATION NEWLY PROPOSED OR APPROVED BY THE
26 COMMISSION IN ACCORDANCE WITH ARTICLE XXVIII-D OF THE
27 ADMINISTRATIVE CODE OF 1929, AND REGULATIONS OF THE
28 COMMISSION WILL BENEFIT ECONOMIC DEVELOPMENT, EMPLOYMENT,
29 TOURISM, THE RACE HORSE INDUSTRY AND RESULT IN ENHANCED
30 REVENUES TO THE COMMONWEALTH AND THE MUNICIPALITY WHERE THE

1 NEWLY PROPOSED OR APPROVED NONPRIMARY LOCATION WILL BE OR IS
2 SITUATED.

3 (3) A CATEGORY 1 LICENSED GAMING ENTITY, WHICH IS ALSO A
4 LICENSED RACING ENTITY AS SET FORTH IN SECTION 13D02(A),
5 SHALL NOT BE AUTHORIZED TO PLACE AND MAKE SLOT MACHINES
6 AVAILABLE FOR PLAY AT ANY NONPRIMARY LOCATION WHICH IS WITHIN
7 THE PRIMARY MARKET AREA OF ANOTHER LICENSED RACING ENTITY,
8 REGARDLESS OF WHETHER THE LICENSED RACING ENTITY IS
9 AUTHORIZED TO CONDUCT HORSE RACE MEETINGS OR HARNESS HORSE
10 RACE MEETINGS, OR BOTH, AT THE RACETRACK.

11 (4) NO CATEGORY 1 LICENSED GAMING ENTITY, WHICH IS ALSO
12 A LICENSED RACING ENTITY AS SET FORTH IN SECTION 13D02(A),
13 SHALL BE AUTHORIZED TO PLACE AND MAKE SLOT MACHINES AVAILABLE
14 FOR PLAY AT A NONPRIMARY LOCATION WHICH IS LOCATED WITHIN THE
15 PRIMARY MARKET AREA OF ANOTHER LICENSED FACILITY OR ANOTHER
16 NONPRIMARY LOCATION.

17 (5) A NONPRIMARY LOCATION MAY BE LOCATED WITHIN THE
18 PRIMARY MARKET AREA OF A LICENSED FACILITY IF THE CATEGORY 1
19 LICENSED GAMING ENTITY OWNS THE NONPRIMARY LOCATION AND THE
20 LICENSED GAMING ENTITY ENTERS INTO AN AGREEMENT WITH THE
21 AFFECTED LICENSED GAMING ENTITY OR ENTITIES AND THE AGREEMENT
22 IS FILED WITH THE COMMISSION AND THE BOARD.

23 (6) A CATEGORY 1 LICENSED GAMING ENTITY THAT PLACES AND
24 MAKES SLOT MACHINES AVAILABLE FOR PLAY AT A NONPRIMARY
25 LOCATION SHALL BE SUBJECT TO THE REQUIREMENTS OF SECTION
26 1303(A), (B) AND (D) (RELATING TO ADDITIONAL CATEGORY 1 SLOT
27 MACHINE LICENSE REQUIREMENTS).

28 (8) FOR THE PURPOSES OF THIS SUBSECTION, THE TERM
29 "PRIMARY MARKET AREA" SHALL MEAN THE AREA WITHIN 50 LINEAR
30 MILES OF A LICENSED FACILITY OR NONPRIMARY LOCATION.

1 (B) EXISTING AND NEWLY ESTABLISHED NONPRIMARY LOCATIONS.--
2 NOTWITHSTANDING ANY PROVISION OF ARTICLE XXVIII-D OF THE
3 ADMINISTRATIVE CODE OF 1929 OR ANY OTHER LAW OR REGULATION TO
4 THE CONTRARY, THE FOLLOWING SHALL APPLY:

5 (1) A LICENSED RACING ENTITY THAT OPERATED NONPRIMARY
6 LOCATIONS PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION
7 SHALL NOT BE PROHIBITED FROM REOPENING A PREVIOUSLY CLOSED
8 NONPRIMARY LOCATION OR RELOCATING AN EXISTING NONPRIMARY
9 LOCATION IN ORDER TO PLACE AND MAKE SLOT MACHINES AVAILABLE
10 FOR PLAY IN A REOPENED OR RELOCATED NONPRIMARY LOCATION:
11 PROVIDED, THAT, THE PREVIOUSLY CLOSED OR A RELOCATED
12 NONPRIMARY LOCATION IS APPROVED BY THE COMMISSION IN
13 ACCORDANCE WITH ARTICLE XXVIII-D OF THE ADMINISTRATIVE CODE
14 OF 1929 AND REGULATIONS ADOPTED BY THE COMMISSION PURSUANT TO
15 ARTICLE XXVIII-D AND COMPLIES WITH THE LOCATION REQUIREMENTS
16 SET FORTH IN SUBSECTION (A) (3), (4) AND (5).

17 (2) A LICENSED RACING ENTITY MAY ESTABLISH A NEW
18 NONPRIMARY LOCATION IN ACCORDANCE WITH ARTICLE XXVIII-D OF
19 THE ADMINISTRATIVE CODE OF 1929 AND REGULATIONS OF THE
20 COMMISSION IN ORDER TO PLACE AND MAKE SLOT MACHINES AVAILABLE
21 FOR PLAY AND OPERATE RACE HORSE SIMULCASTING:
22 PROVIDED, THAT, THE NEW NONPRIMARY LOCATION IS APPROVED BY
23 THE COMMISSION IN ACCORDANCE WITH ARTICLE XXVIII-D OF THE
24 ADMINISTRATIVE CODE OF 1929 AND REGULATIONS ADOPTED BY THE
25 COMMISSION PURSUANT TO ARTICLE XXVIII-D AND COMPLIES WITH THE
26 LOCATION REQUIREMENTS SET FORTH IN SUBSECTION (A) (3), (4) AND
27 (5).

28 (C) PERMISSIBLE NUMBER OF SLOT MACHINES.--

29 (1) NOTWITHSTANDING SECTION 1210 (RELATING TO NUMBER OF
30 SLOT MACHINES), A CATEGORY 1 LICENSED GAMING ENTITY, UPON

1 APPROVAL OF THE BOARD AND REMITTANCE OF THE FEE UNDER SECTION
2 13D17 (RELATING TO NONPRIMARY LOCATION PERMIT FEE), MAY PLACE
3 AND MAKE AVAILABLE FOR PLAY NO MORE THAN 250 SLOT MACHINES AT
4 A NONPRIMARY LOCATION.

5 (2) THE PERMISSIBLE NUMBER OF SLOT MACHINES THAT MAY BE
6 PLACED AND MADE AVAILABLE FOR PLAY AT A NONPRIMARY LOCATION
7 UNDER THIS SUBSECTION SHALL NOT BE INCLUDED IN THE COMPLEMENT
8 OF SLOT MACHINES AUTHORIZED FOR A CATEGORY 1 LICENSED
9 FACILITY UNDER SECTION 1210.

10 (3) IN DETERMINING THE PERMISSIBLE NUMBER OF SLOT
11 MACHINES THAT MAY BE PLACED AT A NONPRIMARY LOCATION IN
12 ACCORDANCE WITH THIS SUBSECTION, THE BOARD SHALL CONSIDER THE
13 APPROPRIATENESS OF THE PHYSICAL SPACE OF THE NONPRIMARY
14 LOCATION WHERE THE SLOT MACHINES WILL BE PLACED AND THE
15 CONVENIENCE OF THE PUBLIC PATRONIZING THE NONPRIMARY
16 LOCATION. THE BOARD MAY ALSO CONSIDER THE POTENTIAL BENEFIT
17 TO ECONOMIC DEVELOPMENT, EMPLOYMENT, TOURISM, THE RACE HORSE
18 INDUSTRY AND ENHANCED REVENUES TO THE COMMONWEALTH AND THE
19 MUNICIPALITY WHERE THE NONPRIMARY LOCATION IS SITUATED.

20 SUBCHAPTER C

21 APPLICATION AND ISSUANCE OF

22 NONPRIMARY LOCATION PERMIT

23 SEC.

24 13D11. APPLICATION FOR NONPRIMARY LOCATION PERMIT.

25 13D12. ISSUANCE AND TERMS OF NONPRIMARY LOCATION PERMIT.

26 13D13. CONFIDENTIALITY.

27 13D14. KEY EMPLOYEES AND OCCUPATION PERMITS.

28 § 13D11. APPLICATION FOR NONPRIMARY LOCATION PERMIT.

29 (A) APPLICATION.--AN APPLICATION FOR A NONPRIMARY LOCATION
30 PERMIT TO PLACE AND MAKE SLOT MACHINES AVAILABLE FOR PLAY AT A

1 NONPRIMARY LOCATION SHALL BE SUBMITTED ON A FORM AND IN A MANNER
2 AS SHALL BE REQUIRED BY THE BOARD. IN REVIEWING AND APPROVING
3 EACH APPLICATION, THE BOARD SHALL:

4 (1) ENSURE THAT THE PROPOSED LOCATION OF THE NONPRIMARY
5 LOCATION IS APPROVED BY THE COMMISSION IN ACCORDANCE WITH
6 13D07 (RELATING TO AUTHORITY TO PLACE SLOT MACHINE AT
7 NONPRIMARY LOCATIONS) AND COMPLIES WITH THE LOCATION
8 REQUIREMENTS SET FORTH IN SECTION 13D07(A) (3), (4) AND (5).

9 (2) CONFIRM THAT THE NONPRIMARY LOCATION PERMIT FEE
10 UNDER SECTION 13D17 (RELATING TO NONPRIMARY LOCATION PERMIT
11 FEE) HAS BEEN PAID OR WILL BE PAID IN ACCORDANCE SECTION
12 13D17.

13 (B) REQUIRED INFORMATION.--AN APPLICATION FOR A NONPRIMARY
14 LOCATION PERMIT SHALL INCLUDE, AT A MINIMUM:

15 (1) THE NAME OF THE CATEGORY 1 SLOT MACHINE LICENSEE AND
16 THE LICENSED RACING ENTITY AND LOCATION OF THE EXISTING
17 NONPRIMARY LOCATION, IF ANY, OR THE LOCATION OF ANY PROPOSED
18 RELOCATED OR NEW NONPRIMARY LOCATION APPROVED BY THE
19 COMMISSION.

20 (2) THE NAME, ADDRESS AND CURRENT PHOTOGRAPH OF THE
21 APPLICANT AND OF ALL DIRECTORS AND OWNERS AND KEY EMPLOYEES
22 AND THEIR POSITIONS WITHIN THE LICENSED RACING ENTITY, IF
23 REQUIRED BY THE BOARD.

24 (3) THE PROPOSED LOCATION OF THE SLOT MACHINE AREA OR
25 AREAS IN THE NONPRIMARY LOCATION, IF KNOWN.

26 (4) DETAILED SITE AND ARCHITECTURAL PLANS OF THE
27 PROPOSED AREA OR AREAS WITHIN THE NONPRIMARY LOCATION WHERE
28 SLOT MACHINES WILL BE PLACED AND MADE AVAILABLE FOR PLAY.

29 (5) THE NUMBER OF SLOT MACHINES REQUESTED.

30 (6) THE CURRENT STATUS OF THE LICENSED RACING ENTITY'S

1 HORSE RACING LICENSE, IF REQUIRED BY THE BOARD.

2 (7) THE CURRENT STATUS OF THE SLOT MACHINE LICENSE
3 ISSUED UNDER THIS PART, IF REQUIRED BY THE BOARD.

4 (8) THE DETAILS OF ANY LOANS OR OTHER FINANCING OBTAINED
5 OR THAT WILL BE OBTAINED TO FUND AN EXPANSION, MODIFICATION
6 OR CONSTRUCTION PROJECT AT AN EXISTING NONPRIMARY LOCATION, A
7 RELOCATED NONPRIMARY LOCATION OR A PROPOSED OR NEWLY APPROVED
8 NONPRIMARY LOCATION TO ACCOMMODATE SLOT MACHINES AT THE
9 NONPRIMARY LOCATION.

10 (9) THE CONSENT TO CONDUCT A BACKGROUND INVESTIGATION BY
11 THE BUREAU, THE SCOPE OF WHICH SHALL BE DETERMINED BY THE
12 BUREAU AT ITS DISCRETION CONSISTENT WITH THE PROVISIONS OF
13 THIS PART, AND A RELEASE SIGNED BY ALL PERSONS SUBJECT TO THE
14 INVESTIGATION OF ALL INFORMATION REQUIRED TO COMPLETE THE
15 INVESTIGATION, IF THE BUREAU, AT ITS DISCRETION, DETERMINES
16 THAT A BACKGROUND INVESTIGATION IS NECESSARY UNDER THIS
17 CHAPTER.

18 (10) ANY OTHER INFORMATION DETERMINED TO BE NECESSARY
19 AND APPROPRIATE BY THE BOARD.

20 § 13D12. ISSUANCE AND TERMS OF NONPRIMARY LOCATION PERMIT.

21 (A) ISSUANCE OF PERMIT.--UPON APPROVAL OF AN APPLICATION FOR
22 A NONPRIMARY LOCATION PERMIT AND PAYMENT OF THE NONPRIMARY
23 LOCATION PERMIT FEE UNDER SECTION 13D17 (RELATING TO NONPRIMARY
24 LOCATION PERMIT FEE), THE BOARD SHALL ISSUE A NONPRIMARY
25 LOCATION PERMIT TO A CATEGORY 1 LICENSED GAMING ENTITY
26 AUTHORIZING IT TO PLACE AND MAKE SLOT MACHINES AVAILABLE FOR
27 PLAY AT A NONPRIMARY LOCATION.

28 (B) TERMS OF PERMIT.--A NONPRIMARY LOCATION PERMIT APPROVED
29 AND ISSUED BY THE BOARD IN ACCORDANCE WITH SUBSECTION (A) SHALL
30 BE IN EFFECT UNLESS SUSPENDED OR REVOKED BY THE BOARD UPON GOOD

1 CAUSE CONSISTENT WITH THE REQUIREMENTS OF THIS PART, REGULATIONS
2 PROMULGATED PURSUANT TO THIS PART OR REGULATIONS OF THE
3 COMMISSION.

4 (C) NOTIFICATION OF CHANGE IN STATUS.--NOTHING IN THIS
5 SECTION SHALL RELIEVE A NONPRIMARY LOCATION PERMIT HOLDER OF THE
6 AFFIRMATIVE DUTY TO NOTIFY THE BOARD OF ANY CHANGES RELATING TO
7 THE STATUS OF ITS NONPRIMARY LOCATION PERMIT, ITS HORSE RACING
8 LICENSE OR TO ANY OTHER INFORMATION CONTAINED IN THE APPLICATION
9 MATERIALS ON FILE WITH THE BOARD.

10 § 13D13. CONFIDENTIALITY.

11 INFORMATION SUBMITTED TO THE BOARD UNDER SECTION 13D11
12 (RELATING TO APPLICATION FOR NONPRIMARY LOCATION PERMIT) MAY BE
13 CONSIDERED CONFIDENTIAL BY THE BOARD IF THE INFORMATION WOULD BE
14 CONFIDENTIAL UNDER SECTION 1206(F) (RELATING TO BOARD MINUTES
15 AND RECORDS).

16 § 13D14. KEY EMPLOYEES AND OCCUPATION PERMITS.

17 NOTHING IN THIS SUBCHAPTER SHALL BE CONSTRUED TO REQUIRE ANY
18 INDIVIDUAL WHO HOLDS A PRINCIPAL LICENSE, A KEY EMPLOYEE LICENSE
19 OR GAMING EMPLOYEE LICENSE UNDER CHAPTERS 13 (RELATING TO
20 LICENSEES) AND 13A (RELATING TO TABLE GAMES) OR WHO HOLDS A
21 LICENSE, PERMIT OR REGISTRATION UNDER ARTICLE XXVIII-D OF THE
22 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE
23 ADMINISTRATIVE CODE OF 1929, TO OBTAIN A SEPARATE LICENSE,
24 PERMIT OR REGISTRATION TO BE EMPLOYED IN A SLOT MACHINE
25 LICENSEE'S SLOT MACHINE OPERATION AT A NONPRIMARY LOCATION UNDER
26 THIS CHAPTER, IF THE BOARD DETERMINES, IN CONSULTATION WITH THE
27 COMMISSION, THAT LICENSURE UNDER THE PROVISIONS OF THIS PART OR
28 ARTICLE XXVIII-D OF THE ADMINISTRATIVE CODE OF 1929 IS
29 SUFFICIENT AND WILL NOT COMPROMISE THE INTEGRITY OF THE
30 OPERATION OF SLOT MACHINES AT NONPRIMARY LOCATIONS.

1 BY THE DEPARTMENT IN THE GENERAL FUND.

2 (II) EIGHT PERCENT SHALL CONSTITUTE A LOCAL SHARE
3 ASSESSMENT AND BE DISTRIBUTED BY THE DEPARTMENT ON A
4 QUARTERLY BASIS AS FOLLOWS:

5 (A) FOUR PERCENT TO THE COUNTY IN WHICH THE
6 NONPRIMARY LOCATION IS LOCATED.

7 (B) FOUR PERCENT TO THE MUNICIPALITY IN WHICH
8 THE NONPRIMARY LOCATION IS LOCATED.

9 (2) ALL MONEY OWED TO THE COMMONWEALTH, A COUNTY OR A
10 MUNICIPALITY UNDER THIS SECTION SHALL BE HELD IN TRUST BY THE
11 LICENSED RACING ENTITY OR LICENSED GAMING ENTITY FOR THE
12 COMMONWEALTH, COUNTY OR MUNICIPALITY UNTIL ALL FUNDS ARE
13 DISTRIBUTED BY THE DEPARTMENT IN ACCORDANCE WITH THIS
14 SUBSECTION.

15 (C) PAYMENTS AND DEPOSITS.--

16 (1) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE
17 PAYABLE TO THE DEPARTMENT ON A WEEKLY BASIS AND SHALL BE
18 BASED UPON GROSS SLOT MACHINE REVENUE DERIVED FROM THE
19 OPERATION OF SLOT MACHINES AT A NONPRIMARY LOCATION DURING
20 THE PREVIOUS WEEK.

21 (2) ALL MONEY OWED TO THE COMMONWEALTH AND COLLECTED BY
22 THE DEPARTMENT IN ACCORDANCE WITH THIS SUBCHAPTER SHALL BE
23 DEPOSITED IN THE GENERAL FUND.

24 CHAPTER 13E

25 SLOT MACHINES IN QUALIFIED AIRPORTS

26 SUBCHAPTER

27 A. PRELIMINARY PROVISIONS

28 B. AIRPORT GAMING AUTHORIZED

29 C. CONDUCT OF AIRPORT GAMING

30 D. AIRPORT GAMING FEES AND TAXES

1 E. MISCELLANEOUS PROVISIONS

2 SUBCHAPTER A

3 PRELIMINARY PROVISIONS

4 SEC.

5 13E01. DEFINITIONS.

6 § 13E01. DEFINITIONS.

7 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
8 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
9 CONTEXT CLEARLY INDICATES OTHERWISE:

10 "AIRPORT AUTHORITY." THE GOVERNING BODY OF A MUNICIPAL
11 AUTHORITY ORGANIZED AND INCORPORATED IN ACCORDANCE WITH 53
12 PA.C.S. CH. 56 (RELATING TO MUNICIPAL AUTHORITIES) TO OVERSEE
13 THE OPERATIONS OF A QUALIFIED AIRPORT. THE TERM SHALL INCLUDE
14 THE GOVERNING BODY OF ANY JOINT MUNICIPAL AUTHORITY WHICH
15 OPERATES A QUALIFIED AIRPORT AND THE GOVERNING BODY OF A CITY OF
16 THE FIRST CLASS WHICH OWNS AND OPERATES A QUALIFIED AIRPORT
17 LOCATED IN A COUNTY OF THE FIRST CLASS.

18 "AIRPORT GAMING." THE LICENSED PLACEMENT, OPERATION AND PLAY
19 OF SLOT MACHINES IN A QUALIFIED AIRPORT AS AUTHORIZED AND
20 APPROVED BY THE BOARD.

21 "AIRPORT GAMING CERTIFICATE HOLDER." THE AUTHORIZATION
22 ISSUED UNDER THIS CHAPTER TO CONDUCT AIRPORT GAMING.

23 "AIRPORT GAMING OPERATION CERTIFICATE." A CERTIFICATE ISSUED
24 BY THE PENNSYLVANIA GAMING CONTROL BOARD UNDER CHAPTER 13B
25 (RELATING TO INTERACTIVE GAMING) THAT AUTHORIZES A SLOT MACHINE
26 LICENSEE TO CONDUCT AIRPORT GAMING IN ACCORDANCE WITH THIS
27 CHAPTER.

28 "AIRPORT GAMING REVENUE." THE DAILY GROSS TERMINAL REVENUE
29 DERIVED FROM THE CONDUCT OF AIRPORT GAMING.

30 "APPLICANT." A SLOT MACHINE LICENSEE.

1 "QUALIFIED AIRPORT." A PUBLICLY OWNED COMMERCIAL SERVICE
2 AIRPORT THAT IS DESIGNATED BY THE FEDERAL GOVERNMENT AS AN
3 INTERNATIONAL AIRPORT.

4 "SPECIFIED AREA." THE SECURE AREA OF A QUALIFIED AIRPORT
5 WHERE SLOT MACHINES ARE PLACED AND MADE AVAILABLE TO PLAY AND
6 MEMBERS OF THE PUBLIC, OTHER THAN PASSENGERS, ARE PROHIBITED
7 FROM ENTERING.

8 SUBCHAPTER B

9 AIRPORT GAMING AUTHORIZED

10 SEC.

11 13E11. AUTHORIZATION.

12 13E12. APPLICATION.

13 13E13. STANDARD FOR REVIEW OF APPLICATIONS.

14 13E14. APPROVAL OF APPLICATION.

15 13E15. AIRPORT GAMING OPERATION CERTIFICATE.

16 13E16. TIMING OF INITIAL AIRPORT GAMING AUTHORIZATIONS.

17 § 13E11. AUTHORIZATION.

18 (A) GENERAL RULE.--UPON APPLICATION OF A SLOT MACHINE
19 LICENSEE, THE BOARD MAY AUTHORIZE THE SLOT MACHINE LICENSEE TO
20 CONDUCT AIRPORT GAMING. A SLOT MACHINE LICENSEE SEEKING
21 AUTHORIZATION TO CONDUCT AIRPORT GAMING MUST ENTER INTO AN
22 AGREEMENT WITH THE GOVERNING BODY OF A QUALIFIED AIRPORT AND
23 SUBMIT THE AGREEMENT TO THE BOARD FOR APPROVAL. NO PERSON SHALL
24 CAUSE OR MAKE SLOT MACHINES AVAILABLE FOR PLAY AT A QUALIFIED
25 AIRPORT WITHOUT FIRST OBTAINING AN AIRPORT GAMING OPERATION
26 CERTIFICATE IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER.

27 (B) CONDITIONS.--AUTHORIZATION SHALL BE CONTINGENT UPON THE
28 SLOT MACHINE LICENSEE'S AGREEMENT TO ENSURE THAT SLOT MACHINE
29 OPERATIONS WILL BE CONDUCTED IN ACCORDANCE WITH THIS PART AND
30 ANY OTHER CONDITIONS ESTABLISHED BY THE BOARD. THE AGREEMENT

1 SHALL SPECIFY THE FEES TO BE PAID TO THE QUALIFIED AIRPORT BY
2 THE SLOT MACHINE LICENSEE FOR THE PRIVILEGE OF CONDUCTING
3 AIRPORT GAMING. NOTHING IN THIS PART SHALL BE CONSTRUED TO
4 CREATE A SEPARATE LICENSE GOVERNING THE CONDUCT OF AIRPORT
5 GAMING BY SLOT MACHINE LICENSEES WITHIN THIS COMMONWEALTH.

6 (C) NUMBER OF SLOT MACHINES.--THE BOARD SHALL APPROVE THE
7 MAXIMUM NUMBER OF SLOT MACHINES THAT A SLOT MACHINE LICENSEE MAY
8 OPERATE AT A QUALIFIED AIRPORT. THE BOARD, IN MAKING ITS
9 DETERMINATION, SHALL CONSIDER THE PHYSICAL SPACE WHERE THE SLOT
10 MACHINES WILL BE LOCATED AND THE CONVENIENCE OF PASSENGERS. THE
11 BOARD MAY ALSO CONSIDER THE POTENTIAL EMPLOYMENT, ENHANCED
12 REVENUES TO THE COMMONWEALTH AND OTHER ECONOMIC INDICATORS IT
13 DEEMS APPLICABLE IN MAKING ITS DECISION.

14 § 13E12. APPLICATION.

15 (A) INFORMATION TO BE PROVIDED.--AN APPLICANT SEEKING
16 AUTHORIZATION TO CONDUCT AIRPORT GAMING SHALL PROVIDE THE
17 FOLLOWING INFORMATION TO THE BOARD:

18 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION
19 OF THE APPLICANT, AND THE NAME, BUSINESS ADDRESS AND CONTACT
20 INFORMATION OF THE AIRPORT AUTHORITY AND THE LOCATION OF THE
21 QUALIFIED AIRPORT.

22 (2) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A
23 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE
24 APPLICANT WHO WILL BE INVOLVED IN THE CONDUCT OF AIRPORT
25 GAMING AND WHO IS NOT CURRENTLY LICENSED BY THE BOARD, IF
26 KNOWN.

27 (3) THE NUMBER OF SLOT MACHINES FOR WHICH AUTHORIZATION
28 IS BEING SOUGHT.

29 (4) THE ESTIMATED NUMBER OF FULL-TIME AND PART-TIME
30 EMPLOYMENT POSITIONS THAT WILL BE CREATED AT THE QUALIFIED

1 AIRPORT IF THE SLOT MACHINE LICENSEE IS AUTHORIZED TO OPERATE
2 SLOT MACHINES UNDER THIS CHAPTER AND AN UPDATED HIRING PLAN
3 UNDER SECTION 1510(A) (RELATING TO LABOR HIRING PREFERENCES)
4 WHICH OUTLINES THE APPLICANT'S PLAN TO PROMOTE THE EMPLOYMENT
5 REPRESENTATION OF DIVERSE GROUPS AND COMMONWEALTH RESIDENTS.

6 (5) THE DETAILS OF ANY FINANCING OBTAINED OR THAT WILL
7 BE OBTAINED TO FUND AN EXPANSION OR MODIFICATION OF THE
8 QUALIFIED AIRPORT TO ACCOMMODATE THE CONDUCT OF AIRPORT
9 GAMING AND TO OTHERWISE FUND THE COST OF COMMENCING AIRPORT
10 GAMING OPERATIONS.

11 (6) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL
12 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO
13 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL
14 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE APPLICANT.

15 (7) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY
16 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT
17 THE APPLICANT HAS SUFFICIENT BUSINESS ABILITY AND EXPERIENCE
18 TO CONDUCT AIRPORT GAMING. IN MAKING THIS DETERMINATION, THE
19 BOARD MAY CONSIDER THE RESULTS OF THE APPLICANT'S SLOT
20 MACHINE OPERATION, INCLUDING FINANCIAL INFORMATION,
21 EMPLOYMENT DATA AND CAPITAL INVESTMENT.

22 (8) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY
23 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT
24 THE APPLICANT HAS OR WILL HAVE THE FINANCIAL ABILITY TO PAY
25 THE REQUIRED FEE UNDER SECTION 13E51 (RELATING TO FEES).

26 (9) DETAILED SITE PLANS IDENTIFYING THE APPLICANT'S
27 PROPOSED SPECIFIED AREA.

28 (10) A COPY OF THE AGREEMENT ENTERED INTO BY THE SLOT
29 MACHINE LICENSEE AND THE QUALIFIED AIRPORT. THE AGREEMENT
30 SHALL IDENTIFY THE MEMBERS OF THE GOVERNING BOARD OF THE

1 AIRPORT AUTHORITY AND ALL EMPLOYEES OF THE AIRPORT AUTHORITY
2 WHO, DIRECTLY OR INDIRECTLY, REGULATE THE USE AND CONTROL OF
3 THE QUALIFIED AIRPORT AND WHO WILL OVERSEE AIRPORT GAMING AT
4 THE QUALIFIED AIRPORT.

5 (11) OTHER INFORMATION AS THE BOARD MAY REQUIRE.

6 (B) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD
7 UNDER SUBSECTION (A) (6), (7), (8), (9) AND (10) MAY BE
8 CONSIDERED CONFIDENTIAL BY THE BOARD IF THE INFORMATION WOULD BE
9 CONFIDENTIAL UNDER SECTION 1206(F) (RELATING TO BOARD MINUTES
10 AND RECORDS).

11 § 13E13. STANDARD FOR REVIEW OF APPLICATIONS.

12 THE BOARD SHALL APPROVE AN APPLICATION IF THE APPLICANT
13 ESTABLISHES, BY CLEAR AND CONVINCING EVIDENCE, ALL OF THE
14 FOLLOWING:

15 (1) THE APPLICANT'S SLOT MACHINE LICENSE IS IN GOOD
16 STANDING WITH THE BOARD, AND THE APPLICANT HAS AN AGREEMENT
17 WITH THE AIRPORT AUTHORITY AUTHORIZING THE PLACEMENT OF SLOT
18 MACHINES AT THE QUALIFIED AIRPORT.

19 (2) THE APPLICANT POSSESSES ADEQUATE FUNDS OR HAS
20 SECURED ADEQUATE FINANCING TO:

21 (I) FUND ANY NECESSARY EXPANSION OR MODIFICATION OF
22 THE QUALIFIED AIRPORT TO ACCOMMODATE THE CONDUCT OF
23 AIRPORT GAMING IF REQUIRED IN THE AGREEMENT WITH THE
24 GOVERNING BODY OF THE AIRPORT AUTHORITY.

25 (II) PAY THE REQUIRED FEE IN ACCORDANCE WITH SECTION
26 13E51 (RELATING TO FEES).

27 (III) COMMENCE AIRPORT GAMING OPERATIONS AT THE
28 QUALIFIED AIRPORT.

29 (3) THE APPLICANT HAS THE FINANCIAL STABILITY, INTEGRITY
30 AND RESPONSIBILITY TO CONDUCT AIRPORT GAMING.

1 (4) THE APPLICANT HAS SUFFICIENT BUSINESS ABILITY AND
2 EXPERIENCE TO CREATE AND MAINTAIN AIRPORT GAMING.

3 (5) THE APPLICANT'S PROPOSED INTERNAL AND EXTERNAL
4 SECURITY AND PROPOSED SURVEILLANCE MEASURES WITHIN THE
5 SPECIFIED AREA WHERE THE APPLICANT SEEKS TO CONDUCT AIRPORT
6 GAMING ARE ADEQUATE.

7 (6) THE APPLICANT AGREES THAT THE NUMBER OF SLOT
8 MACHINES IN OPERATION AT ITS LICENSED FACILITY WILL NOT BE
9 PERMANENTLY REDUCED IN ORDER TO CONDUCT AIRPORT GAMING.

10 § 13E14. APPROVAL OF APPLICATION.

11 UPON APPROVAL OF AN APPLICATION, THE BOARD SHALL ISSUE AN
12 AIRPORT GAMING OPERATION CERTIFICATE TO THE APPLICANT. ISSUING
13 AN AIRPORT GAMING OPERATION CERTIFICATE PRIOR TO THE PAYMENT IN
14 FULL OF THE FEE REQUIRED BY SECTION 13E51 (RELATING TO FEES)
15 SHALL NOT RELIEVE THE APPLICANT FROM COMPLYING WITH THE
16 PROVISIONS OF SECTION 13E51.

17 § 13E15. AIRPORT GAMING OPERATION CERTIFICATE.

18 THE FOLLOWING SHALL APPLY:

19 (1) AN AIRPORT GAMING OPERATION CERTIFICATE SHALL BE IN
20 EFFECT UNLESS:

21 (I) SUSPENDED OR REVOKED BY THE BOARD CONSISTENT
22 WITH THE REQUIREMENTS OF THIS PART.

23 (II) THE SLOT MACHINE LICENSE HELD BY THE AIRPORT
24 GAMING CERTIFICATE HOLDER IS SUSPENDED, REVOKED OR NOT
25 RENEWED BY THE BOARD CONSISTENT WITH THE REQUIREMENTS OF
26 THIS PART.

27 (III) THE AIRPORT GAMING CERTIFICATE HOLDER
28 RELINQUISHES OR DOES NOT SEEK RENEWAL OF ITS SLOT MACHINE
29 LICENSE.

30 (IV) THE AGREEMENT BETWEEN THE AIRPORT GAMING

1 CERTIFICATE HOLDER AND THE GOVERNING BODY OF THE
2 AUTHORITY IS NOT RENEWED.

3 (2) THE AIRPORT GAMING OPERATION CERTIFICATE SHALL
4 INCLUDE THE MAXIMUM NUMBER OF SLOT MACHINES APPROVED BY THE
5 BOARD AND PERMITTED IN THE SPECIFIED AREA. THE AIRPORT GAMING
6 CERTIFICATE HOLDER MAY INCREASE OR DECREASE THE NUMBER OF
7 SLOT MACHINES PERMITTED IN THE SPECIFIED AREA OR CHANGE THE
8 CONFIGURATION OF THE SLOT MACHINES UPON NOTICE TO AND
9 APPROVAL BY THE BOARD. UNLESS APPROVED BY THE BOARD, THE
10 TOTAL NUMBER OF SLOT MACHINES IN OPERATION IN THE SPECIFIED
11 AREA MAY NOT EXCEED THE NUMBER AUTHORIZED IN THE AIRPORT
12 GAMING OPERATION CERTIFICATE.

13 (3) A AIRPORT GAMING CERTIFICATE HOLDER SHALL BE
14 REQUIRED TO UPDATE THE INFORMATION IN ITS INITIAL AIRPORT
15 GAMING APPLICATION AT TIMES PRESCRIBED BY THE BOARD.

16 § 13E16. TIMING OF INITIAL AIRPORT GAMING AUTHORIZATIONS.

17 THE BOARD SHALL APPROVE OR DENY AN APPLICATION WITHIN 180
18 DAYS FOLLOWING RECEIPT OF THE COMPLETED APPLICATION.

19 SUBCHAPTER C

20 CONDUCT OF AIRPORT GAMING

21 SEC.

22 13E31. AUTHORIZED LOCATIONS FOR OPERATION.

23 13E32. COMMENCEMENT OF AIRPORT GAMING OPERATIONS.

24 13E33. CONDITION OF CONTINUED OPERATION.

25 13E34. AIRPORT GAMING ACCOUNTING CONTROLS AND AUDIT PROTOCOLS.

26 13E35. CASH EQUIVALENTS.

27 13E36. OCCUPATION PERMITS.

28 § 13E31. AUTHORIZED LOCATIONS FOR OPERATION.

29 (A) RESTRICTION.--AN AIRPORT GAMING CERTIFICATE HOLDER SHALL
30 ONLY BE PERMITTED TO OPERATE SLOT MACHINES IN THE SPECIFIED AREA

1 AUTHORIZED BY THE BOARD.

2 (B) POWERS AND DUTIES OF BOARD.--NO AIRPORT GAMING
3 CERTIFICATE HOLDER MAY BE APPROVED TO OPERATE SLOT MACHINES
4 UNLESS THE SPECIFIED AREA IS EQUIPPED WITH ADEQUATE SECURITY AND
5 SURVEILLANCE EQUIPMENT TO ENSURE THE INTEGRITY OF THE CONDUCT OF
6 AIRPORT GAMING. AN AUTHORIZATION GRANTED UNDER THIS SECTION MAY
7 NOT IMPOSE ANY CRITERIA OR REQUIREMENTS REGARDING THE CONTENTS
8 OR STRUCTURE OF A QUALIFIED AIRPORT WHICH ARE UNRELATED TO THE
9 CONDUCT OF AIRPORT GAMING.

10 § 13E32. COMMENCEMENT OF AIRPORT GAMING OPERATIONS.

11 AN AIRPORT GAMING CERTIFICATE HOLDER MAY NOT OPERATE OR OFFER
12 SLOT MACHINES FOR PLAY AT A QUALIFIED AIRPORT UNTIL THE BOARD
13 DETERMINES THAT:

14 (1) THE AIRPORT GAMING CERTIFICATE HOLDER IS IN
15 COMPLIANCE WITH THE REQUIREMENTS OF THIS PART.

16 (2) THE AIRPORT GAMING CERTIFICATE HOLDER'S INTERNAL
17 CONTROLS AND AUDIT PROTOCOLS ARE SUFFICIENT TO MEET THE
18 REQUIREMENTS OF SECTION 13E34 (RELATING TO AIRPORT GAMING
19 ACCOUNTING CONTROLS AND AUDIT PROTOCOLS).

20 (3) THE AIRPORT GAMING CERTIFICATE HOLDER'S GAMING
21 EMPLOYEES, WHERE APPLICABLE, ARE LICENSED, PERMITTED OR
22 OTHERWISE AUTHORIZED BY THE BOARD TO PERFORM THEIR RESPECTIVE
23 DUTIES.

24 (4) THE AIRPORT GAMING CERTIFICATE HOLDER IS PREPARED IN
25 ALL RESPECTS TO OFFER SLOT MACHINE PLAY TO ELIGIBLE
26 PASSENGERS AT THE QUALIFIED AIRPORT.

27 (5) THE AIRPORT GAMING CERTIFICATE HOLDER HAS
28 IMPLEMENTED NECESSARY INTERNAL AND MANAGEMENT CONTROLS AND
29 SECURITY ARRANGEMENTS AND SURVEILLANCE SYSTEMS FOR THE
30 CONDUCT OF AIRPORT GAMING.

1 (6) THE AIRPORT GAMING CERTIFICATE HOLDER IS IN
2 COMPLIANCE WITH OR HAS COMPLIED WITH SECTION 13E51 (RELATING
3 TO FEES).

4 (7) ALL SLOT MACHINES CERTIFIED AND APPROVED FOR USE
5 UNDER THIS CHAPTER HAVE BEEN APPROVED BY THE BOARD AND ARE
6 COMPATIBLE WITH THE CENTRAL CONTROL COMPUTER AND PROTOCOL
7 SPECIFICATIONS APPROVED BY THE DEPARTMENT.

8 (8) THE AIRPORT GAMING CERTIFICATE HOLDER HAS
9 IMPLEMENTED OR WILL IMPLEMENT THE NECESSARY PROCEDURES AND
10 SAFEGUARDS TO ENSURE THAT NO INDIVIDUAL UNDER 21 YEARS OF AGE
11 WILL BE PERMITTED TO ENTER THE SPECIFIED AREA OF THE
12 QUALIFIED AIRPORT.

13 § 13E33. CONDITION OF CONTINUED OPERATION.

14 AS A CONDITION OF CONTINUED OPERATION, AN AIRPORT GAMING
15 CERTIFICATE HOLDER SHALL MAINTAIN ALL BOOKS, RECORDS AND
16 DOCUMENTS PERTAINING TO AIRPORT GAMING IN A MANNER AND LOCATION
17 WITHIN THIS COMMONWEALTH AS APPROVED BY THE BOARD. ALL BOOKS,
18 RECORDS AND DOCUMENTS RELATED TO AIRPORT GAMING SHALL:

19 (1) BE SEGREGATED BY SEPARATE ACCOUNTS WITHIN THE SLOT
20 MACHINE LICENSEE'S BOOKS, RECORDS AND DOCUMENTS, EXCEPT FOR
21 ANY BOOKS, RECORDS OR DOCUMENTS THAT ARE COMMON TO THE
22 LICENSEE'S SLOT MACHINE OPERATIONS AT A LICENSED FACILITY AND
23 A QUALIFIED AIRPORT;

24 (2) BE IMMEDIATELY AVAILABLE FOR INSPECTION UPON REQUEST
25 OF THE BOARD, THE BUREAU, THE DEPARTMENT, THE PENNSYLVANIA
26 STATE POLICE OR THE ATTORNEY GENERAL, OR AGENTS THEREOF,
27 DURING ALL HOURS OF OPERATION AT THE QUALIFIED AIRPORT IN
28 ACCORDANCE WITH REGULATIONS PROMULGATED BY THE BOARD; AND

29 (3) BE MAINTAINED FOR A PERIOD AS THE BOARD, BY
30 REGULATION, MAY REQUIRE.

1 § 13E34. AIRPORT GAMING ACCOUNTING CONTROLS AND AUDIT

2 PROTOCOLS.

3 (A) APPROVAL.--PRIOR TO THE COMMENCEMENT OF AIRPORT GAMING
4 OPERATIONS, AN AIRPORT GAMING CERTIFICATE HOLDER SHALL SUBMIT TO
5 THE BOARD FOR APPROVAL ALL PROPOSED SITE PLANS, INTERNAL AND
6 ACCOUNTING CONTROL SYSTEMS AND AUDIT PROTOCOLS FOR THE AIRPORT
7 GAMING CERTIFICATE HOLDER'S AIRPORT GAMING OPERATIONS.

8 (B) MINIMUM REQUIREMENTS.--THE AIRPORT GAMING CERTIFICATE
9 HOLDER'S INTERNAL AND ACCOUNTING CONTROLS AND AUDIT PROTOCOLS
10 SHALL MEET THE REQUIREMENTS SET FORTH IN SECTION 1322(B) AND (C)
11 (RELATING TO SLOT MACHINE ACCOUNTING CONTROLS AND AUDITS).

12 § 13E35. CASH EQUIVALENTS.

13 NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS PART, THE BOARD
14 MAY, THROUGH REGULATIONS, DETERMINE THE CASH EQUIVALENTS THAT
15 MAY BE AUTHORIZED AND ACCEPTED BY AN AIRPORT GAMING CERTIFICATE
16 HOLDER IN THE CONDUCT OF AIRPORT GAMING.

17 § 13E36. OCCUPATION PERMITS.

18 (A) APPLICATION.--ANY PERSON WHO DESIRES TO BE A GAMING
19 EMPLOYEE AND HAS A BONA FIDE OFFER OF EMPLOYMENT FROM A AIRPORT
20 GAMING CERTIFICATE HOLDER AUTHORIZED TO OPERATE SLOT MACHINES
21 UNDER THIS CHAPTER SHALL APPLY TO THE BOARD FOR AN OCCUPATION
22 PERMIT. A PERSON MAY NOT BE EMPLOYED AS A GAMING EMPLOYEE UNLESS
23 AND UNTIL THAT PERSON HOLDS AN APPROPRIATE OCCUPATION PERMIT
24 ISSUED UNDER THIS SECTION. THE BOARD MAY PROMULGATE REGULATIONS
25 TO RECLASSIFY A CATEGORY OF NONGAMING EMPLOYEES OR GAMING
26 EMPLOYEES UPON A FINDING THAT THE RECLASSIFICATION IS IN THE
27 PUBLIC INTEREST AND CONSISTENT WITH THE OBJECTIVES OF THIS PART.

28 (B) REQUIREMENTS.--THE APPLICATION FOR AN OCCUPATION PERMIT
29 SHALL INCLUDE, AT A MINIMUM:

30 (1) THE NAME AND HOME ADDRESS OF THE PERSON.

1 (2) THE PREVIOUS EMPLOYMENT HISTORY OF THE PERSON.

2 (3) THE CRIMINAL HISTORY RECORD OF THE PERSON, AS WELL
3 AS THE PERSON'S CONSENT FOR THE PENNSYLVANIA STATE POLICE TO
4 CONDUCT A BACKGROUND INVESTIGATION.

5 (4) A CURRENT PHOTOGRAPH OF THE PERSON.

6 (5) EVIDENCE OF THE OFFER OF EMPLOYMENT AND THE NATURE
7 AND SCOPE OF THE PROPOSED DUTIES OF THE PERSON, IF KNOWN.

8 (6) THE DETAILS OF ANY OCCUPATION PERMIT OR SIMILAR
9 LICENSE GRANTED OR DENIED TO THE PERSON IN OTHER
10 JURISDICTIONS.

11 (7) ANY OTHER INFORMATION DETERMINED BY THE BOARD TO BE
12 APPROPRIATE.

13 (C) PROHIBITION.--NO AIRPORT GAMING CERTIFICATE HOLDER MAY
14 EMPLOY OR PERMIT ANY PERSON UNDER 18 YEARS OF AGE TO RENDER ANY
15 SERVICE IN ANY SPECIFIED AREA WHERE SLOT MACHINES ARE PHYSICALLY
16 LOCATED.

17 (D) CONSTRUCTION.--NOTHING IN THIS PART SHALL BE CONSTRUED
18 TO REQUIRE ANY PERSON WHO HOLDS A PRINCIPAL LICENSE, A KEY
19 EMPLOYEE LICENSE OR GAMING EMPLOYEE OCCUPATION PERMIT UNDER
20 CHAPTER 13 (RELATING TO LICENSEES) TO OBTAIN A SEPARATE LICENSE,
21 PERMIT, CERTIFICATE, REGISTRATION OR OTHER AUTHORIZATION TO BE
22 EMPLOYED IN AN AIRPORT GAMING CERTIFICATE HOLDER'S AIRPORT
23 GAMING OPERATIONS.

24 SUBCHAPTER D

25 AIRPORT GAMING FEES AND TAXES

26 SEC.

27 13E51. FEES.

28 13E52. AIRPORT GAMING TAX AND ASSESSMENT.

29 § 13E51. FEES.

30 (A) REQUIRED FEES.--A SLOT MACHINE LICENSEE SHALL PAY:

1 (1) EXCEPT AS SET FORTH IN PARAGRAPH (2) OR (3), A ONE-
2 TIME, NONREFUNDABLE FEE OF \$1,000,000 UPON THE ISSUANCE OF A
3 CERTIFICATE TO OPERATE SLOT MACHINES UNDER THIS CHAPTER IN A
4 QUALIFIED AIRPORT.

5 (2) A ONE-TIME, NONREFUNDABLE FEE OF \$5,000,000 UPON THE
6 ISSUANCE OF A CERTIFICATE TO OPERATE SLOT MACHINES UNDER THIS
7 CHAPTER IN A QUALIFIED AIRPORT LOCATED IN A CITY OF THE FIRST
8 CLASS.

9 (3) A ONE-TIME, NONREFUNDABLE FEE OF \$2,500,000 UPON THE
10 ISSUANCE OF A CERTIFICATE TO OPERATE SLOT MACHINES UNDER THIS
11 CHAPTER IN A QUALIFIED AIRPORT LOCATED IN A COUNTY OF THE
12 SECOND CLASS.

13 (B) DEPOSIT OF FEES.--NOTWITHSTANDING SECTION 1208 (RELATING
14 TO COLLECTION OF FEES AND FINES), ALL FEES OR PENALTIES RECEIVED
15 BY THE BOARD UNDER THIS CHAPTER SHALL BE DEPOSITED IN THE
16 GENERAL FUND.

17 § 13E52. AIRPORT GAMING TAX AND ASSESSMENT.

18 (A) IMPOSITION.--EACH AIRPORT GAMING CERTIFICATE HOLDER
19 SHALL REPORT TO THE DEPARTMENT AND PAY FROM ITS AIRPORT GAMING
20 REVENUE, ON A FORM AND IN THE MANNER PRESCRIBED BY THE
21 DEPARTMENT, A TAX OF 34% OF ITS AIRPORT GAMING REVENUE AND AN
22 AIRPORT LOCAL SHARE ASSESSMENT.

23 (B) DEPOSITS AND DISTRIBUTIONS.--

24 (1) THE TAX AND LOCAL SHARE ASSESSMENT IMPOSED UNDER
25 SUBSECTION (A) SHALL BE PAYABLE TO THE DEPARTMENT ON A WEEKLY
26 BASIS AND SHALL BE BASED UPON GROSS TERMINAL REVENUE DERIVED
27 DURING THE PREVIOUS WEEK.

28 (2) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS
29 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE
30 AIRPORT GAMING CERTIFICATE HOLDER UNTIL THE FUNDS ARE PAID TO

1 THE DEPARTMENT. UNLESS OTHERWISE AGREED TO BY THE BOARD, A
2 AIRPORT GAMING CERTIFICATE HOLDER SHALL ESTABLISH A SEPARATE
3 BANK ACCOUNT INTO WHICH GROSS TERMINAL REVENUE SHALL BE
4 DEPOSITED AND MAINTAINED UNTIL SUCH TIME AS THE FUNDS ARE
5 PAID TO THE DEPARTMENT UNDER THIS SECTION.

6 (3) THE DEPARTMENT SHALL TRANSFER THE TAX REVENUES
7 COLLECTED UNDER THIS SECTION TO THE GENERAL FUND.

8 (4) THE DEPARTMENT SHALL QUARTERLY DISTRIBUTE TO EACH
9 QUALIFIED AIRPORT THE AIRPORT LOCAL SHARE ASSESSMENT FROM THE
10 AIRPORT GAMING REVENUE GENERATED FROM AIRPORT GAMING AT EACH
11 QUALIFIED AIRPORT.

12 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
13 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
14 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

15 "AIRPORT LOCAL SHARE ASSESSMENT." TWENTY PERCENT OF AN
16 AIRPORT GAMING CERTIFICATE HOLDER'S AIRPORT GAMING REVENUE.

17 SUBCHAPTER E

18 MISCELLANEOUS PROVISIONS

19 SEC.

20 13E91. REGULATIONS.

21 § 13E91. REGULATIONS.

22 (A) REGULATIONS.--THE BOARD SHALL PROMULGATE REGULATIONS
23 CONSISTENT WITH THE PROVISIONS OF THIS PART TO GOVERN THE
24 CONDUCT OF AIRPORT GAMING AT QUALIFIED AIRPORTS.

25 (B) TEMPORARY REGULATIONS.--IN ORDER TO FACILITATE THE
26 PROMPT IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED
27 BY THE BOARD IN ACCORDANCE WITH SUBSECTION (A) SHALL BE DEEMED
28 TEMPORARY REGULATIONS WHICH SHALL EXPIRE NOT LATER THAN TWO
29 YEARS FOLLOWING THE PUBLICATION OF THE TEMPORARY REGULATION. THE
30 BOARD MAY PROMULGATE TEMPORARY REGULATIONS NOT SUBJECT TO:

1 COMMONWEALTH'S GAMING INDUSTRY, INCLUDING THE RACE HORSE
2 INDUSTRY. DUE TO THIS ECONOMIC INTEREST, ENHANCEMENTS TO
3 CURRENT GAMING ACTIVITIES MUST BE AUTHORIZED TO ENSURE THE
4 ONGOING COMPETITIVENESS, VIABILITY AND STABILITY OF THE
5 GAMING INDUSTRY IN THIS COMMONWEALTH.

6 (2) A PRIMARY INTENT OF THE RACE HORSE DEVELOPMENT AND
7 GAMING ACT, AS CODIFIED IN THIS PART, IS TO ENHANCE LIVE
8 HORSE RACING. HOWEVER, THE LEGALIZATION OF COMMERCIAL GAMING
9 IN STATES ON THE GEOGRAPHIC BORDERS OF THIS COMMONWEALTH
10 MAKES IT IMPERATIVE TO AUTHORIZE NEW AND INNOVATIVE GAMING
11 ACTIVITIES RELATED TO HORSE RACING AND COMMERCIAL CASINO-
12 STYLE GAMING, WHICH COULD BE IMPLEMENTED BY LICENSED GAMING
13 ENTITIES, AND WHICH COULD HELP ENSURE THE VIABILITY OF BOTH
14 HORSE RACING AND COMMERCIAL GAMING.

15 (3) THE INTENT OF THIS CHAPTER IS TO GIVE LICENSED
16 GAMING ENTITIES THE AUTHORITY TO CONDUCT CASINO SIMULCASTING
17 AT CATEGORY 2 AND CATEGORY 3 LICENSED FACILITIES IN ORDER TO
18 EXPAND HORSE RACING OPPORTUNITIES THROUGH SIMULCASTING AND,
19 THEREBY, ENHANCING THE VIABILITY OF THIS COMMONWEALTH'S RACE
20 HORSE AND COMMERCIAL GAMING INDUSTRY.

21 § 13F02. DEFINITIONS.

22 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
23 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
24 CONTEXT CLEARLY INDICATES OTHERWISE:

25 "LICENSED GAMING ENTITY." A PERSON WHO HAS BEEN APPROVED FOR
26 AND ISSUED A CATEGORY 2 SLOT MACHINE LICENSE OR A CATEGORY 3
27 SLOT MACHINE LICENSE IN ACCORDANCE WITH SECTIONS 1304 (RELATING
28 TO CATEGORY 2 SLOT MACHINE LICENSE), 1305 (RELATING TO CATEGORY
29 3 SLOT MACHINE LICENSE) AND 1325 (RELATING TO LICENSE OR PERMIT
30 ISSUANCE) AND WHO HOLDS A CASINO SIMULCASTING PERMIT.

1 LICENSED GAMING ENTITY MUST FOLLOW AND COMPLETE BEFORE
2 CONSIDERATION OF THE LICENSED GAMING ENTITY'S APPLICATION TO
3 CONDUCT CASINO SIMULCASTING.

4 (2) THE PERMISSIBLE COMMUNICATIONS TECHNOLOGY WHICH MUST
5 BE USED TO FACILITATE THE CONDUCT OF CASINO SIMULCASTING IN
6 ACCORDANCE WITH REGULATIONS OF THE BOARD, THE COMMISSION AND
7 APPLICABLE FEDERAL LAW AND REGULATIONS.

8 (3) THE TIMES DURING WHICH A LICENSED GAMING ENTITY MAY
9 CONDUCT CASINO SIMULCASTING SHALL BE THE SAME AS THE TIMES
10 AUTHORIZED FOR THE CONDUCT OF CASINO SIMULCASTING BY CATEGORY
11 1 SLOT MACHINE LICENSEES.

12 (4) THE APPROVAL OF THE TERMS AND CONDITIONS OF ANY
13 AGREEMENT BETWEEN A LICENSED GAMING ENTITY AND A LICENSED
14 RACING ENTITY OR OTHER PERSON RELATED TO THE MANAGEMENT OR
15 OPERATION OF CASINO SIMULCASTING AND THE PARI-MUTUEL SYSTEM
16 OF WAGERING, INCLUDING THE PERCENTAGE OF THE MONEY RETAINED
17 BY A LICENSED RACING ENTITY FOR PARI-MUTUEL POOLS WHICH MAY
18 BE DISTRIBUTED TO THE LICENSED GAMING ENTITY.

19 (5) THE REQUIRED CONTENTS OF AGREEMENTS ENTERED INTO
20 BETWEEN A LICENSED GAMING ENTITY, A LICENSED RACING ENTITY OR
21 OTHER PERSON FOR THE MANAGEMENT OR OPERATION OF CASINO
22 SIMULCASTING AND THE PARI-MUTUEL SYSTEM OF WAGERING.

23 (6) A REQUIREMENT THAT WAGERING ON SIMULCAST HORSE RACE
24 MEETINGS SHALL ONLY BE CONDUCTED WITHIN AN ENCLOSED LOCATION
25 OF AN AUTHORIZED LICENSED GAMING ENTITY'S LICENSED FACILITY
26 WHICH HAS BEEN APPROVED BY THE BOARD, IN CONSULTATION WITH
27 THE COMMISSION.

28 (7) THE STANDARDS AND RULES TO GOVERN THE CONDUCT OF
29 CASINO SIMULCASTING AND THE SYSTEM OF PARI-MUTUEL WAGERING
30 ASSOCIATED WITH RACE HORSE SIMULCASTING.

1 (8) THE REPORTING PROCEDURES AND RECORDS WHICH WILL BE
2 REQUIRED FROM A LICENSED GAMING ENTITY TO ENSURE THAT ALL
3 MONEY GENERATED FROM CASINO SIMULCASTING IS ACCOUNTED FOR AND
4 WINNERS' NAMES, WHEN REQUIRED UNDER APPLICABLE FEDERAL OR
5 STATE LAW, ARE FILED WITH THE APPROPRIATE TAXING AUTHORITIES.

6 (9) NOTWITHSTANDING SECTION 2840-D OF THE ACT OF APRIL
7 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE
8 OF 1929, OR ANY OTHER PROVISION OF LAW OR REGULATION, THE
9 POLICIES AND PROCEDURES WHICH WILL BE ADOPTED, IMPLEMENTED
10 AND FOLLOWED TO ENSURE THAT INDIVIDUALS UNDER 21 YEARS OF AGE
11 WILL BE PROHIBITED FROM PARTICIPATING IN CASINO SIMULCASTING
12 OR ENTERING SIMULCASTING AREAS OF LICENSED FACILITIES.

13 (10) ANY OTHER REQUIREMENTS, CONDITIONS OR CONTROLS
14 WHICH THE BOARD, IN CONSULTATION WITH THE COMMISSION, DEEMS
15 NECESSARY AND APPROPRIATE TO ADMINISTER AND ENFORCE THE
16 PROVISIONS OF THIS CHAPTER AND TO FACILITATE THE
17 IMPLEMENTATION OF THIS CHAPTER.

18 (B) UNIFORM REGULATION.--IN ADOPTING REGULATIONS UNDER THIS
19 CHAPTER, THE COMMISSION SHALL COOPERATE AND WORK WITH THE BOARD
20 TO DEVELOP UNIFORM REGULATIONS TO GOVERN THE OPERATION OF CASINO
21 SIMULCASTING IN THIS COMMONWEALTH. EXCEPT AS HEREIN PROVIDED,
22 THE PROVISIONS OF THIS CHAPTER AND ANY REGULATIONS PROMULGATED
23 UNDER THIS CHAPTER SHALL BE CONSIDERED AS ESTABLISHING UNIFORM
24 REQUIREMENTS AND REGULATIONS FOR CASINO SIMULCASTING AT LICENSED
25 FACILITIES IN THIS COMMONWEALTH.

26 (C) ADOPTION OF EXISTING REGULATIONS.--NOTWITHSTANDING
27 SUBSECTION (B) OR ANY OTHER LAW OR REGULATION TO THE CONTRARY,
28 THE PROVISIONS OF SECTION 2835-D OF THE ADMINISTRATIVE CODE OF
29 1929 AND ALL REGULATIONS AND SUPPLEMENTS THERETO OR REVISIONS
30 THEREOF ADOPTED BY THE COMMISSION UNDER SECTION 2835-D OF THE

1 ADMINISTRATIVE CODE OF 1929, WHICH RELATE TO THE RETENTION OF
2 MONEY IN PARI-MUTUEL POOLS AND THE PARI-MUTUEL SYSTEM OF
3 WAGERING ON, BEFORE OR AFTER THE EFFECTIVE DATE OF THIS CHAPTER
4 ARE ADOPTED AS REGULATIONS UNDER THIS CHAPTER AND SHALL REMAIN
5 IN EFFECT UNLESS SUBSEQUENTLY MODIFIED OR SUPERSEDED BY
6 REGULATIONS PROMULGATED BY THE COMMISSION.

7 § 13F07. TEMPORARY REGULATIONS.

8 (A) PROMULGATION.--IN ORDER TO FACILITATE THE PROMPT
9 IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED BY THE
10 BOARD SHALL BE DEEMED TEMPORARY REGULATIONS WHICH SHALL EXPIRE
11 NOT LATER THAN TWO YEARS FOLLOWING THE PUBLICATION OF THE
12 TEMPORARY REGULATION. THE BOARD MAY PROMULGATE TEMPORARY
13 REGULATIONS NOT SUBJECT TO:

14 (1) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT OF
15 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
16 COMMONWEALTH DOCUMENTS LAW.

17 (2) SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER
18 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH
19 ATTORNEYS ACT.

20 (3) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
21 THE REGULATORY REVIEW ACT.

22 (B) EXPIRATION.--THE AUTHORITY TO ADOPT TEMPORARY
23 REGULATIONS UNDER SUBSECTION (A) SHALL EXPIRE TWO YEARS AFTER
24 THE EFFECTIVE DATE OF THIS SECTION. REGULATIONS ADOPTED BY THE
25 BOARD AND COMMISSION AFTER THE TWO-YEAR PERIOD SHALL BE
26 PROMULGATED AS PROVIDED BY LAW.

27 (C) PUBLICATION OF TEMPORARY REGULATIONS.--THE BOARD AND THE
28 COMMISSION SHALL BEGIN PUBLISHING TEMPORARY REGULATIONS
29 GOVERNING CASINO SIMULCASTING IN THE PENNSYLVANIA BULLETIN NO
30 LATER THAN FEBRUARY 1, 2016.

1 § 13F08. SIMULCAST AGREEMENTS.

2 (A) MANNER OF AGREEMENT.--ANY AGREEMENT ENTERED INTO BETWEEN
3 A LICENSED GAMING ENTITY AND A LICENSED RACING ENTITY OR OTHER
4 PERSON TO FACILITATE CASINO SIMULCASTING SHALL BE IN WRITING AND
5 SHALL BE FILED WITH AND APPROVED BY THE BOARD AND THE COMMISSION
6 IN ACCORDANCE WITH REGULATIONS PROMULGATED BY THE BOARD IN
7 CONSULTATION WITH THE COMMISSION.

8 (B) WAGER PROVISIONS.--NOTWITHSTANDING SECTION 2834-D OR
9 2835-D OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS
10 THE ADMINISTRATIVE CODE OF 1929, THE FOLLOWING SHALL APPLY:

11 (1) IF A LICENSED GAMING ENTITY OFFERS CASINO
12 SIMULCASTING AT ITS LICENSED FACILITY THROUGH AN AGREEMENT
13 WITH A LICENSED RACING ENTITY, THE AGREEMENT SHALL SPECIFY
14 THE PERCENTAGE OF THE MONEY WAGERED EACH RACING DAY AT THE
15 CASINO SIMULCASTING FACILITY AND REMAINING IN THE WAGERING
16 POOLS AFTER THE REQUIRED DISTRIBUTIONS UNDER SECTION 2834-D
17 OF THE ADMINISTRATIVE CODE OF 1929, THAT WILL BE PAID TO THE
18 LICENSED GAMING ENTITY. THE AMOUNT RETAINED BY A LICENSED
19 GAMING ENTITY SHALL NOT EXCEED 25% OF THE MONEY RETAINED BY
20 THE LICENSED RACING ENTITY UNDER SECTION 2835-D OF THE
21 ADMINISTRATIVE CODE OF 1929.

22 (2) IF A LICENSED GAMING ENTITY CHOOSES TO OFFER CASINO
23 SIMULCASTING THROUGH ITS OWN RESOURCES OR THROUGH AN
24 AGREEMENT WITH ANOTHER PERSON, AS APPROVED BY THE BOARD AND
25 THE COMMISSION, THE BOARD, IN CONSULTATION WITH THE
26 COMMISSION, SHALL, THROUGH REGULATION, ESTABLISH THE
27 PERCENTAGE OF MONEY WAGERED EACH RACING DAY AT THE CASINO
28 SIMULCASTING FACILITY AND REMAINING IN THE WAGERING POOLS
29 AFTER THE REQUIRED DISTRIBUTIONS UNDER SECTION 2834-D OF THE
30 ADMINISTRATIVE CODE OF 1929 THAT WILL BE PAID TO THE LICENSED

1 GAMING ENTITY OR OTHER PERSON, PROVIDED THAT THE PERCENTAGE
2 OF MONEY TO BE PAID TO A LICENSED GAMING ENTITY OR OTHER
3 PERSON UNDER THIS PARAGRAPH SHALL BE, IF DETERMINED
4 APPROPRIATE BY THE BOARD AND THE COMMISSION, THE SAME
5 PERCENTAGE OF MONEY REMAINING IN THE WAGERING POOLS THAT IS
6 RETAINED BY A LICENSED RACING ENTITY IN ACCORDANCE WITH
7 SECTION 2835-D OF THE ADMINISTRATIVE CODE OF 1929.

8 (C) REGULATIONS.--THE BOARD, IN CONSULTATION WITH THE
9 COMMISSION, SHALL ESTABLISH REGULATIONS TO ADMINISTER THE
10 RETENTION REQUIREMENTS UNDER THIS SECTION.

11 SUBCHAPTER C

12 APPLICATION AND ISSUANCE OF PERMIT AND
13 ESTABLISHMENT OF SIMULCASTING FACILITY

14 SEC.

15 13F11. APPLICATION FOR PERMIT AND REQUIREMENTS.

16 13F12. CASINO SIMULCASTING PERMIT.

17 13F13. CASINO SIMULCASTING FACILITIES.

18 13F14. LICENSE OR REGISTRATION OF EMPLOYEES REQUIRED.

19 13F15. KEY EMPLOYEES AND OCCUPATION PERMITS.

20 § 13F11. APPLICATION FOR PERMIT AND REQUIREMENTS.

21 (A) APPLICATIONS.--A LICENSED GAMING ENTITY SHALL FILE AN
22 APPLICATION FOR A CASINO SIMULCASTING PERMIT WITH THE BOARD. THE
23 APPLICATION SHALL INCLUDE THE FOLLOWING:

24 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION
25 OF THE APPLICANT.

26 (2) THE NAME AND LOCATION OF THE APPLICANT'S LICENSED
27 FACILITY.

28 (3) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A
29 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE
30 APPLICANT WHO WILL BE INVOLVED IN THE CONDUCT OF CASINO

1 SIMULCASTING AND WHO IS NOT CURRENTLY LICENSED BY THE BOARD
2 OR THE COMMISSION, IF KNOWN.

3 (4) THE ESTIMATED NUMBER OF FULL-TIME AND PART-TIME
4 EMPLOYMENT POSITIONS THAT WILL BE CREATED AT THE LICENSED
5 FACILITY IF CASINO SIMULCASTING IS AUTHORIZED AND AN UPDATED
6 HIRING PLAN UNDER SECTION 1510(A) (RELATING TO LABOR HIRING
7 PREFERENCES) WHICH OUTLINES THE APPLICANT'S PLAN TO PROMOTE
8 THE REPRESENTATION OF DIVERSE GROUPS AND COMMONWEALTH
9 RESIDENTS IN THE EMPLOYMENT POSITIONS.

10 (5) A BRIEF DESCRIPTION OF THE ECONOMIC BENEFITS
11 EXPECTED TO BE REALIZED BY THE COMMONWEALTH, THE DEPARTMENT
12 OF AGRICULTURE AND THE RACE HORSE INDUSTRY IN THIS
13 COMMONWEALTH IF CASINO SIMULCASTING IS AUTHORIZED AT THE
14 APPLICANT'S LICENSED FACILITY.

15 (6) THE DETAILS OF ANY FINANCING, IF APPLICABLE,
16 OBTAINED OR THAT WILL BE OBTAINED TO FUND AN EXPANSION OR
17 MODIFICATION OF THE LICENSED FACILITY TO ACCOMMODATE CASINO
18 SIMULCASTING OR CONSTRUCT A SIMULCASTING FACILITY OR TO
19 OTHERWISE FUND THE COST OF COMMENCING CASINO SIMULCASTING
20 OPERATIONS.

21 (7) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL
22 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO
23 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL
24 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE APPLICANT.

25 (8) A COPY OF OR A DETAILED DESCRIPTION OF THE TERMS AND
26 CONDITIONS OF ANY AGREEMENT OR AGREEMENTS THE LICENSED GAMING
27 ENTITY HAS ENTERED INTO OR WILL ENTER INTO WITH A LICENSED
28 CORPORATION OR OTHER PERSON TO FACILITATE THE CONDUCT OF
29 CASINO SIMULCASTING.

30 (9) A DETAILED DESCRIPTION OF ANY FINANCIAL ARRANGEMENTS

1 BETWEEN A LICENSED GAMING ENTITY AND A LICENSED RACING ENTITY
2 OR OTHER PERSON RELATED TO THE CONDUCT OF CASINO
3 SIMULCASTING.

4 (10) DETAILED SITE AND ARCHITECTURAL PLANS OF THE
5 PROPOSED SIMULCASTING FACILITY WITHIN THE APPLICANT'S
6 LICENSED FACILITY.

7 (11) ANY OTHER INFORMATION AS THE BOARD MAY REQUIRE.

8 (B) REVIEW AND APPROVAL OF APPLICATION.--THE BOARD SHALL
9 REVIEW AND APPROVE AN APPLICATION FOR A SIMULCASTING PERMIT IF
10 THE APPLICANT ESTABLISHES, BY CLEAR AND CONVINCING EVIDENCE, ALL
11 OF THE FOLLOWING:

12 (1) THE APPLICANT'S SLOT MACHINE LICENSE IS IN GOOD
13 STANDING WITH THE BOARD.

14 (2) THE CONDUCT OF CASINO SIMULCASTING AT THE
15 APPLICANT'S LICENSED FACILITY WILL HAVE A POSITIVE ECONOMIC
16 IMPACT ON THE COMMONWEALTH AND THE RACE HORSE INDUSTRY IN
17 THIS COMMONWEALTH THROUGH INCREASED REVENUES, INCREASED
18 PURSES AND EMPLOYMENT OPPORTUNITIES.

19 (3) THE APPLICANT POSSESSES ADEQUATE FUNDS OR HAS
20 SECURED ADEQUATE FINANCING TO:

21 (I) FUND ANY NECESSARY EXPANSION OR MODIFICATION OF
22 THE APPLICANT'S LICENSED FACILITY OR TO CONSTRUCT A
23 SIMULCASTING FACILITY TO ACCOMMODATE THE CONDUCT OF
24 CASINO SIMULCASTING.

25 (II) PAY THE COSTS OF ESTABLISHING, MAINTAINING AND
26 OPERATING THE SIMULCASTING FACILITY.

27 (III) COMMENCE CASINO SIMULCASTING OPERATIONS.

28 (4) THE APPLICANT HAS ENTERED INTO OR WILL ENTER INTO AN
29 AGREEMENT WITH A LICENSED RACING ENTITY OR OTHER PERSON TO
30 MANAGE OR OPERATE CASINO SIMULCASTING OPERATIONS, AND THE

1 AGREEMENT HAS BEEN APPROVED BY THE COMMISSION.

2 (5) THE APPLICANT HAS THE EXPERTISE TO MANAGE CASINO
3 SIMULCASTING.

4 (6) THE APPLICANT HAS THE FINANCIAL STABILITY, INTEGRITY
5 AND RESPONSIBILITY TO CONDUCT CASINO SIMULCASTING.

6 (7) THE APPLICANT HAS SUFFICIENT BUSINESS ABILITY AND
7 EXPERIENCE TO CREATE AND MAINTAIN A SUCCESSFUL CASINO
8 SIMULCASTING OPERATION.

9 (8) THE APPLICANT'S PROPOSED INTERNAL AND EXTERNAL
10 SECURITY CONTROLS AND PROPOSED SURVEILLANCE MEASURES WITHIN
11 THE AREA OF THE LICENSED FACILITY WHERE THE APPLICANT SEEKS
12 TO CONDUCT CASINO SIMULCASTING ARE ADEQUATE.

13 (C) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD
14 UNDER SUBSECTION (A) (6), (7) AND (8) MAY BE CONSIDERED
15 CONFIDENTIAL BY THE BOARD IF THE INFORMATION WOULD BE
16 CONFIDENTIAL UNDER SECTION 1206(F) (RELATING TO BOARD MINUTES
17 AND RECORDS).

18 § 13F12. CASINO SIMULCASTING PERMIT.

19 (A) ISSUANCE OF PERMIT.--UPON REVIEW AND APPROVAL OF AN
20 APPLICATION SUBMITTED TO THE BOARD IN ACCORDANCE WITH SECTION
21 13F11 (RELATING TO APPLICATION FOR PERMIT AND REQUIREMENTS), THE
22 BOARD SHALL ISSUE A CASINO SIMULCASTING PERMIT TO THE APPLICANT.

23 (B) CONTENT OF PERMIT.--

24 (1) A CASINO SIMULCASTING PERMIT SHALL INCLUDE A LIST OF
25 THE HORSE RACE MEETINGS WHICH ARE PROPOSED TO BE SIMULCAST BY
26 THE CASINO SIMULCASTING PERMIT HOLDER AT ITS SIMULCASTING
27 FACILITY, INCLUDING THE NAMES AND LOCATIONS OF THE IN-STATE
28 SENDING RACETRACKS AND OUT-OF-STATE SENDING RACETRACKS, AND
29 THE START DATE AND EXPIRATION DATE OF ANY AGREEMENT OR
30 AGREEMENTS THE PERMIT HOLDER HAS ENTERED INTO OR WILL ENTER

1 INTO WITH A LICENSED RACING ENTITY OR OTHER PERSON FOR THE
2 OPERATION OF CASINO SIMULCASTING.

3 (2) A CASINO SIMULCASTING PERMIT HOLDER SHALL BE
4 REQUIRED TO UPDATE THE INITIAL CASINO SIMULCASTING
5 APPLICATION AT TIMES PRESCRIBED BY THE BOARD, IN CONSULTATION
6 WITH THE COMMISSION.

7 § 13F13. CASINO SIMULCASTING FACILITIES.

8 (A) ESTABLISHMENT OF SIMULCASTING FACILITY.--A LICENSED
9 GAMING ENTITY APPROVED FOR AND ISSUED A PERMIT TO OPERATE CASINO
10 SIMULCASTING UNDER THIS CHAPTER SHALL ESTABLISH A SIMULCASTING
11 FACILITY AS PART OF ITS LICENSED FACILITY. THE SIMULCASTING
12 FACILITY MAY BE ADJACENT TO, BUT SHALL NOT BE PART OF, ANY ROOM
13 OR LOCATION IN WHICH SLOT MACHINES OR TABLE GAMES ARE OPERATED
14 OR CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THIS PART. THE
15 FOLLOWING SHALL APPLY:

16 (1) THE SIMULCASTING FACILITY SHALL CONFORM TO ALL
17 REQUIREMENTS CONCERNING SQUARE FOOTAGE, EQUIPMENT, SECURITY
18 MEASURES AND RELATED MATTERS WHICH THE BOARD, IN CONSULTATION
19 WITH THE COMMISSION, SHALL BY REGULATION PRESCRIBE.

20 (2) THE SPACE OR AREA REQUIRED FOR THE ESTABLISHMENT OF
21 A SIMULCASTING FACILITY SHALL NOT BE USED TO DECREASE THE
22 NUMBER OF SLOT MACHINES OR TABLE GAMES IN OPERATION AT THE
23 LICENSED FACILITY OR TO REDUCE THE SPACE APPROVED BY THE
24 BOARD FOR THE OPERATION OF SLOT MACHINES AND THE CONDUCT OF
25 TABLE GAMES.

26 (3) THE COST OF ESTABLISHING, MAINTAINING AND OPERATING
27 A SIMULCASTING FACILITY SHALL BE THE SOLE RESPONSIBILITY OF
28 THE LICENSED GAMING ENTITY.

29 (B) VIDEO DISPLAY MONITORS.--NOTWITHSTANDING ARTICLE XXVIII-
30 D OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE

1 ADMINISTRATIVE CODE OF 1929, OR REGULATIONS PROMULGATED PURSUANT
2 TO ARTICLE XXVIII-D, THE REGULATIONS PROMULGATED BY THE BOARD
3 SHALL PROVIDE FOR THE INSTALLATION OF VIDEO DISPLAY TECHNOLOGY
4 IN APPROVED AREAS OF LICENSED FACILITIES TO DELIVER SIMULCAST
5 HORSE RACE MEETINGS TO PATRONS VIA VIDEO WALLS AND OTHER SUCH
6 INNOVATIVE VIDEO DISPLAY TECHNOLOGY. THE BOARD MAY COLLABORATE
7 WITH THE COMMISSION IN DEVELOPING REGULATIONS TO GOVERN THE
8 INSTALLATION AND OPERATION OF VIDEO DISPLAY MONITORS IN
9 ACCORDANCE WITH THIS SUBSECTION.

10 § 13F14. LICENSE OR REGISTRATION OF EMPLOYEES REQUIRED.

11 EXCEPT AS PROVIDED IN THIS PART, ALL PERSONS ENGAGED DIRECTLY
12 IN WAGERING-RELATED ACTIVITIES AT A SIMULCASTING FACILITY,
13 WHETHER EMPLOYED BY THE LICENSED GAMING ENTITY, LICENSED RACING
14 ENTITY OR BY A PERSON OR ENTITY CONDUCTING CASINO SIMULCASTING
15 IN THE SIMULCASTING FACILITY UNDER AN AGREEMENT WITH THE
16 LICENSED GAMING ENTITY AND ALL OTHER EMPLOYEES OF THE LICENSED
17 GAMING ENTITY, LICENSED RACING ENTITY OR OF THE PERSON OR ENTITY
18 CONDUCTING CASINO SIMULCASTING WHO WORK OR WILL WORK IN THE
19 SIMULCASTING FACILITY, SHALL BE LICENSED OR REGISTERED IN
20 ACCORDANCE WITH REGULATIONS PROMULGATED BY THE BOARD IN
21 COLLABORATION WITH THE COMMISSION.

22 § 13F15. KEY EMPLOYEES AND OCCUPATION PERMITS.

23 NOTHING IN THIS SUBCHAPTER SHALL BE CONSTRUED TO REQUIRE ANY
24 INDIVIDUAL WHO HOLDS A PRINCIPAL LICENSE, A KEY EMPLOYEE LICENSE
25 OR GAMING EMPLOYEE LICENSE UNDER CHAPTERS 13 (RELATING TO
26 LICENSEES) AND 13A (RELATING TO TABLE GAMES) OR WHO HOLDS A
27 LICENSE UNDER ARTICLE XXVIII-D OF THE ACT OF APRIL 9, 1929
28 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929, TO
29 OBTAIN A SEPARATE LICENSE, PERMIT OR REGISTRATION TO BE EMPLOYED
30 IN A CASINO SIMULCASTING PERMIT HOLDER'S CASINO SIMULCASTING

1 OPERATION AUTHORIZED UNDER THIS CHAPTER, IF THE BOARD, IN
2 CONSULTATION WITH THE COMMISSION, DETERMINES THAT LICENSURE
3 UNDER THE PROVISIONS OF THIS PART OR ARTICLE XXVIII-D OF THE
4 ADMINISTRATIVE CODE OF 1929, IS SUFFICIENT AND WILL NOT
5 COMPROMISE THE INTEGRITY OF CASINO SIMULCASTING.

6 SUBCHAPTER D

7 CONDUCT OF CASINO SIMULCASTING

8 SEC.

9 13F31. CONDUCT OF CASINO SIMULCASTING.

10 13F32. TRANSMISSION OF LIVE RACES.

11 13F33. ACCOUNTING CONTROLS AND AUDIT PROTOCOLS.

12 13F34. CONDITION OF CONTINUED OPERATION.

13 13F35. APPLICATION OF LIQUOR CODE.

14 § 13F31. CONDUCT OF CASINO SIMULCASTING.

15 (A) WAGERING.--WAGERING ON SIMULCAST HORSE RACES SHALL BE
16 CONDUCTED ONLY IN THE SIMULCASTING FACILITY.

17 (B) REQUIRED SECURITY.--

18 (1) THE SECURITY MEASURES FOR A SIMULCASTING FACILITY
19 SHALL INCLUDE, BUT MAY NOT BE LIMITED TO, THE INSTALLATION BY
20 THE LICENSED GAMING ENTITY OF A CLOSED-CIRCUIT TELEVISION
21 SYSTEM ACCORDING TO SPECIFICATIONS PROMULGATED BY THE BOARD,
22 IN CONSULTATION WITH THE COMMISSION.

23 (2) THE BOARD AND THE COMMISSION SHALL HAVE ACCESS TO
24 THE SIMULCAST SYSTEM OR ITS SIGNAL IN ACCORDANCE WITH
25 REGULATIONS PROMULGATED BY THE BOARD, IN CONSULTATION WITH
26 THE COMMISSION.

27 § 13F32. TRANSMISSION OF LIVE RACES.

28 THE FOLLOWING SHALL APPLY:

29 (1) A LICENSED RACING ENTITY WHICH OPERATES INTERSTATE
30 OR INTERNATIONAL SIMULCASTING OF HORSE RACE MEETINGS IN THIS

1 COMMONWEALTH SHALL HAVE DISCRETION TO TRANSMIT ALL OR SOME OF
2 THE LIVE RACES CONDUCTED AT THE RACETRACK TO THE LICENSED
3 FACILITY OF A LICENSED GAMING ENTITY WHICH HAS ESTABLISHED A
4 SIMULCASTING FACILITY UNDER THIS CHAPTER. ANY RACE WHICH IS
5 TRANSMITTED FROM AN IN-STATE SENDING TRACK SHALL BE
6 TRANSMITTED TO ALL LICENSED GAMING ENTITIES WHICH HAVE
7 ESTABLISHED SIMULCASTING FACILITIES.

8 (2) A LICENSED GAMING ENTITY WHICH ESTABLISHES A
9 SIMULCASTING FACILITY AND CONDUCTS CASINO SIMULCASTING IN
10 ACCORDANCE WITH THIS CHAPTER SHALL, AS A CONDITION OF
11 CONTINUED OPERATION OF CASINO SIMULCASTING, RECEIVE ALL LIVE
12 RACES WHICH ARE TRANSMITTED BY IN-STATE SENDING TRACKS.

13 § 13F33. ACCOUNTING CONTROLS AND AUDIT PROTOCOLS.

14 (A) APPROVAL.--PRIOR TO THE COMMENCEMENT OF CASINO
15 SIMULCASTING, A CASINO SIMULCASTING PERMIT HOLDER SHALL SUBMIT
16 TO THE BOARD FOR APPROVAL ALL PROPOSED SITE AND ARCHITECTURAL
17 PLANS, INTERNAL CONTROL SYSTEMS AND AUDIT PROTOCOLS FOR THE
18 PERMIT HOLDER'S CASINO SIMULCASTING OPERATIONS.

19 (B) MINIMUM REQUIREMENTS.--A CASINO SIMULCASTING PERMIT
20 HOLDER'S INTERNAL CONTROLS AND AUDIT PROTOCOLS SHALL:

21 (1) PROVIDE FOR RELIABLE RECORDS, ACCOUNTS AND REPORTS
22 OF ANY FINANCIAL EVENT THAT OCCURS IN THE CONDUCT OF CASINO
23 SIMULCASTING, INCLUDING REPORTS TO THE BOARD AND COMMISSION
24 RELATED TO CASINO SIMULCASTING, AS MAY BE REQUIRED BY
25 REGULATION OF THE BOARD, IN CONSULTATION WITH THE COMMISSION.

26 (2) PROVIDE FOR ACCURATE AND RELIABLE FINANCIAL RECORDS
27 RELATED TO THE CONDUCT OF CASINO SIMULCASTING AND THE PARI-
28 MUTUEL SYSTEM OF WAGERING.

29 (3) ESTABLISH PROCEDURES AND SECURITY FOR THE COUNTING,
30 RECORDING AND STORAGE OF MONEY GENERATED FROM THE CONDUCT OF

1 CASINO SIMULCASTING.

2 (4) ESTABLISH PROCEDURES AND SECURITY STANDARDS FOR THE
3 MAINTENANCE OF TELECOMMUNICATIONS EQUIPMENT AND VIDEO DISPLAY
4 TECHNOLOGY USED IN CONNECTION WITH THE CONDUCT OF CASINO
5 SIMULCASTING.

6 (5) ESTABLISH PROCEDURES AND RULES TO GOVERN THE CONDUCT
7 OF CASINO SIMULCASTING AND THE RESPONSIBILITY OF EMPLOYEES
8 RELATED TO CASINO SIMULCASTING.

9 (6) ESTABLISH PROCEDURES FOR THE COLLECTION, RECORDING
10 AND DEPOSIT OF REVENUE FROM THE CONDUCT OF CASINO
11 SIMULCASTING, INCLUDING THE ROLES OF THE COMMISSION, THE
12 DEPARTMENT, LICENSED RACING ENTITIES AND LICENSED GAMING
13 ENTITIES IN THE COLLECTION AND RECORDING OF THE REVENUE.

14 (7) ENSURE THAT THE SYSTEM OF PARI-MUTUEL WAGERING USED
15 IN THE CONDUCT OF CASINO SIMULCASTING IS IN ACCORDANCE WITH
16 ARTICLE XXVIII-D OF THE ACT OF APRIL 9, 1929 (P.L.177,
17 NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929, AND
18 REGULATIONS OF THE COMMISSION PROMULGATED UNDER THE
19 ADMINISTRATIVE CODE OF 1929.

20 (8) ENSURE, IN CONSULTATION WITH THE COMMISSION, THE
21 PROPER AND TIMELY ACCOUNTING FOR AND RETENTION OF PERCENTAGES
22 FOR PARI-MUTUEL POOLS AND THE PROPER AND TIMELY DISTRIBUTION
23 OF MONEY IN ANY PARI-MUTUEL POOL GENERATED FROM CASINO
24 SIMULCASTING.

25 (9) ENSURE THAT ALL FUNCTIONS, DUTIES AND
26 RESPONSIBILITIES RELATED TO CASINO SIMULCASTING ARE
27 APPROPRIATELY SEGREGATED AND PERFORMED IN ACCORDANCE WITH
28 SOUND FINANCIAL PRACTICES BY QUALIFIED EMPLOYEES.

29 (10) PERMIT USE OF ITS CASINO SIMULCASTING FACILITY BY
30 THE BOARD, THE BUREAU, THE COMMISSION AND OTHER PERSONS

1 AUTHORIZED UNDER THIS PART OR BY THE BOARD AND THE COMMISSION
2 TO FACILITATE THEIR ABILITY TO PERFORM REGULATORY AND
3 OVERSIGHT FUNCTIONS UNDER THIS CHAPTER.

4 (C) SUBMISSION TO BOARD.--THE SUBMISSION REQUIRED UNDER
5 SUBSECTION (A) SHALL INCLUDE A DETAILED DESCRIPTION OF THE
6 CASINO SIMULCASTING PERMIT HOLDER'S ADMINISTRATIVE AND
7 ACCOUNTING PROCEDURES RELATED TO CASINO SIMULCASTING, INCLUDING
8 ITS WRITTEN SYSTEM OF INTERNAL CONTROLS. EACH WRITTEN SYSTEM OF
9 INTERNAL CONTROLS SHALL INCLUDE:

10 (1) AN ORGANIZATIONAL CHART DEPICTING APPROPRIATE
11 FUNCTIONS AND RESPONSIBILITIES OF EMPLOYEES INVOLVED IN
12 CASINO SIMULCASTING.

13 (2) A DESCRIPTION OF THE DUTIES AND RESPONSIBILITIES OF
14 EACH POSITION SHOWN ON THE ORGANIZATIONAL CHART.

15 (3) THE RECORD RETENTION POLICY OF THE PERMIT HOLDER.

16 (4) THE PROCEDURE TO BE UTILIZED TO ENSURE THAT MONEY
17 GENERATED FROM THE CONDUCT OF CASINO SIMULCASTING IS
18 SAFEGUARDED, INCLUDING MANDATORY COUNTING AND RECORDING
19 PROCEDURES.

20 (5) A STATEMENT SIGNED BY THE CASINO SIMULCASTING PERMIT
21 HOLDER'S CHIEF FINANCIAL OFFICER OR OTHER COMPETENT PERSON
22 ATTESTING THAT THE SIGNATORY BELIEVES, IN GOOD FAITH, THAT
23 THE SYSTEM SATISFIES THE REQUIREMENTS OF THIS SECTION.

24 (D) REVIEW.--PRIOR TO AUTHORIZING A PERMIT HOLDER TO CONDUCT
25 CASINO SIMULCASTING, THE BOARD, IN CONSULTATION WITH THE
26 COMMISSION, SHALL REVIEW THE SYSTEM OF INTERNAL CONTROLS
27 SUBMITTED UNDER SUBSECTION (C) TO DETERMINE WHETHER IT CONFORMS
28 TO THE REQUIREMENTS OF THIS SUBCHAPTER AND WHETHER IT PROVIDES
29 ADEQUATE AND EFFECTIVE CONTROLS FOR THE CONDUCT OF CASINO
30 SIMULCASTING.

1 (E) LICENSE OR REGISTRATION OF EMPLOYEES REQUIRED.--EXCEPT
2 AS PROVIDED IN SECTION 13F15 (RELATING TO KEY EMPLOYEES AND
3 OCCUPATION PERMITS), PERSONS ENGAGED DIRECTLY IN WAGERING-
4 RELATED ACTIVITIES AT A SIMULCASTING FACILITY, WHETHER EMPLOYED
5 BY THE LICENSED GAMING ENTITY, A LICENSED RACING ENTITY OR BY A
6 PERSON OR ENTITY CONDUCTING CASINO SIMULCASTING UNDER AN
7 AGREEMENT WITH THE LICENSED GAMING ENTITY, LICENSED RACING
8 ENTITY AND ALL OTHER EMPLOYEES OF THE LICENSED GAMING ENTITY OR
9 OF THE PERSON OR ENTITY CONDUCTING CASINO SIMULCASTING WHO WORK
10 OR WILL WORK IN THE SIMULCASTING FACILITY SHALL BE LICENSED OR
11 REGISTERED IN ACCORDANCE WITH REGULATIONS PROMULGATED BY THE
12 BOARD IN COLLABORATION WITH THE COMMISSION.

13 § 13F34. CONDITION OF CONTINUED OPERATION.

14 AS A CONDITION OF CONTINUED OPERATION, A CASINO SIMULCASTING
15 PERMIT HOLDER SHALL AGREE TO MAINTAIN ALL BOOKS, RECORDS AND
16 DOCUMENTS PERTAINING TO CASINO SIMULCASTING IN A MANNER AND
17 LOCATION WITHIN THIS COMMONWEALTH AS APPROVED BY THE BOARD, IN
18 CONSULTATION WITH THE COMMISSION. ALL BOOKS, RECORDS AND
19 DOCUMENTS RELATED TO CASINO SIMULCASTING SHALL:

20 (1) BE ORGANIZED IN A MANNER TO CLEARLY DEPICT BY
21 SEPARATE RECORD THE TOTAL AMOUNT OF MONEY CONTRIBUTED TO
22 EVERY PARI-MUTUEL POOL IN ACCORDANCE WITH THE APPLICABLE
23 PROVISIONS OF ARTICLE XXVIII-D OF THE ACT OF APRIL 9, 1929
24 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929,
25 AND ANY REGULATION PROMULGATED UNDER ARTICLE XXVIII-D OF THE
26 ADMINISTRATIVE CODE OF 1929.

27 (2) BE SEGREGATED BY SEPARATE ACCOUNTS WITHIN THE
28 LICENSED GAMING ENTITY'S BOOKS, RECORDS AND DOCUMENTS, EXCEPT
29 FOR ANY BOOKS, RECORDS OR DOCUMENTS THAT ARE COMMON TO SLOT
30 MACHINE OPERATIONS, TABLE GAME OPERATIONS AND CASINO

1 SIMULCASTING, AS DETERMINED BY THE BOARD IN CONSULTATION WITH
2 THE COMMISSION.

3 (3) BE IMMEDIATELY AVAILABLE FOR INSPECTION UPON REQUEST
4 OF THE BOARD, THE COMMISSION, THE BUREAU, THE DEPARTMENT, THE
5 PENNSYLVANIA STATE POLICE OR THE ATTORNEY GENERAL, OR AGENTS
6 THEREOF, DURING ALL HOURS OF OPERATION OF THE PERMIT HOLDER'S
7 SIMULCASTING FACILITY IN ACCORDANCE WITH REGULATIONS
8 PROMULGATED BY THE BOARD IN CONSULTATION WITH THE COMMISSION.

9 (4) BE MAINTAINED FOR A SPECIFIC PERIOD OF TIME AS THE
10 BOARD, IN CONSULTATION WITH THE COMMISSION, BY REGULATION,
11 MAY REQUIRE.

12 § 13F35. APPLICATION OF LIQUOR CODE.

13 THE PROVISIONS OF SECTION 493(24) (II) OF THE ACT OF APRIL 12,
14 1951 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, SHALL ALSO APPLY
15 TO CASINO SIMULCASTING.

16 SUBCHAPTER E

17 FEEES AND TAXES

18 SEC.

19 13F41. CASINO SIMULCASTING AUTHORIZATION FEE.

20 13F42. RETENTION AND DISTRIBUTION OF MONEY AND PARI-MUTUEL
21 POOLS.

22 13F43. CASINO SIMULCASTING TAXES.

23 13F44. CONSTRUCTION.

24 § 13F41. CASINO SIMULCASTING AUTHORIZATION FEE.

25 A CASINO SIMULCASTING PERMIT SHALL NOT BE SUBJECT TO THE
26 PAYMENT OF AN AUTHORIZATION FEE, RENEWAL OR A RENEWAL FEE OR THE
27 PAYMENT OF AN ADDITIONAL PERMIT FEE.

28 § 13F42. RETENTION AND DISTRIBUTION OF MONEY AND PARI-MUTUEL
29 POOLS.

30 (A) WAGERS INCLUDED IN PARI-MUTUEL POOLS.--

1 (1) SUMS WAGERED AT A SIMULCASTING FACILITY ON THE
2 RESULTS OF A SIMULCAST HORSE RACE SHALL BE INCLUDED IN THE
3 APPROPRIATE PARI-MUTUEL POOL GENERATED FOR THE RACE BEING
4 TRANSMITTED IN ACCORDANCE WITH SECTION 2835-D OF THE
5 ADMINISTRATIVE CODE OF 1929 AND SHALL BE DISTRIBUTED IN
6 ACCORDANCE WITH SECTION 2835-D OF THE ADMINISTRATIVE CODE OF
7 1929 OR ANY REGULATIONS PROMULGATED UNDER SECTION 2835-D OF
8 THE ADMINISTRATIVE CODE OF 1929. ALL REMAINING MONEY SHALL BE
9 PAID TO THE GENERAL FUND.

10 (2) PAYMENTS TO PERSONS HOLDING WINNING TICKETS AT A
11 LICENSED FACILITY SHALL BE MADE ACCORDING TO THE SAME ODDS AS
12 THOSE GENERATED AT THE IN-STATE SENDING TRACK.

13 (3) A PERSON PLACING A WAGER ON A SIMULCAST HORSE RACE
14 AT A SIMULCASTING FACILITY SHALL NOT BE CHARGED A FEE FOR
15 PLACING THE WAGER IN ADDITION TO THE AMOUNT WAGERED.

16 (B) COMPUTATION OF MONEY WAGERED.--ALL MONEY WAGERED BY
17 PLAYERS ON HORSE RACE MEETINGS AT A SIMULCASTING FACILITY SHALL
18 BE COMPUTED IN THE AMOUNT OF MONEY WAGERED EACH RACING DAY FOR
19 PURPOSES OF TAXATION UNDER SECTION 2834-D OF THE ADMINISTRATIVE
20 CODE OF 1929, ALL THOROUGHBRED RACES SHALL BE CONSIDERED A PART
21 OF A THOROUGHBRED HORSE RACE MEETING AND ALL HARNESS RACES SHALL
22 BE CONSIDERED A PART OF A HARNESS HORSE RACE MEETING FOR
23 PURPOSES OF SECTION 2834-D OF THE ADMINISTRATIVE CODE OF 1929.
24 § 13F43. CASINO SIMULCASTING TAXES.

25 (A) IMPOSITION.--

26 (1) ALL LICENSED GAMING ENTITIES THAT CONDUCT CASINO
27 SIMULCASTING SHALL PAY A TAX THROUGH THE DEPARTMENT FOR
28 CREDIT TO THE STATE RACING FUND.

29 (2) THE TAX IMPOSED ON ALL LICENSED GAMING ENTITIES
30 SHALL BE A PERCENTAGE TAX IN THE AMOUNT OF 2% OF THE AMOUNT

1 WAGERED EACH RACING DAY ON CASINO SIMULCASTING AND SHALL BE
2 PAID FROM THE MONEY RETAINED BY THE LICENSED GAMING ENTITY.
3 THE TAX IMPOSED UNDER THIS PARAGRAPH SHALL BE PAID TO THE
4 DEPARTMENT ON A FORM AND IN THE MANNER PRESCRIBED BY THE
5 DEPARTMENT FOR DEPOSIT INTO THE STATE RACING FUND.

6 (3) THE CASINO SIMULCASTING TAX IMPOSED UNDER THIS
7 SECTION SHALL BE PAID TO THE DEPARTMENT BY THE CASINO
8 SIMULCASTING PERMIT HOLDER FOR DEPOSIT INTO THE STATE RACING
9 FUND.

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 THE AMOUNTS RETAINED BY THE CASINO SIMULCASTING
14 PERMIT HOLDER FROM THE AMOUNT WAGERED ON CASINO SIMULCASTING
15 EACH RACING DAY DURING THE PREVIOUS WEEK.

16 (2) ALL MONEY OWED TO THE COMMONWEALTH UNDER THIS
17 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE
18 PERMIT HOLDER UNTIL THE FUNDS ARE PAID TO THE DEPARTMENT.
19 UNLESS OTHERWISE AGREED TO BY THE BOARD, A CASINO
20 SIMULCASTING PERMIT HOLDER SHALL ESTABLISH A SEPARATE BANK
21 ACCOUNT INTO WHICH CASINO SIMULCASTING REVENUE SHALL BE
22 DEPOSITED AND MAINTAINED UNTIL SUCH TIME AS THE FUNDS ARE
23 PAID TO THE DEPARTMENT UNDER THIS SECTION.

24 § 13F44. CONSTRUCTION.

25 NOTHING IN THIS CHAPTER AND SECTION 1207 (RELATING TO
26 REGULATORY AUTHORITY OF BOARD), AS IT RELATES TO SLOT MACHINES
27 AT NONPRIMARY LOCATIONS AND CASINO SIMULCASTING, SHALL BE
28 CONSTRUED TO ALTER, PREEMPT OR OTHERWISE IMPINGE THE AUTHORITY
29 OF THE COMMISSION PURSUANT TO ARTICLE XXVIII-D OF THE ACT OF
30 APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE

1 CODE OF 1929.

2 CHAPTER 13G

3 SPORTS WAGERING

4 SUBCHAPTER

5 A. GENERAL PROVISIONS

6 B. SPORTS WAGERING AUTHORIZED

7 C. CONDUCT OF SPORTS WAGERING

8 D. SPORTS WAGERING TAXES AND FEES

9 E. MISCELLANEOUS PROVISIONS

10 SUBCHAPTER A

11 GENERAL PROVISIONS

12 SEC.

13 13G01. DEFINITIONS.

14 13G02. REGULATORY AUTHORITY.

15 13G03. TEMPORARY SPORTS WAGERING REGULATIONS.

16 13G04. UNAUTHORIZED SPORTS WAGERING.

17 § 13G01. DEFINITIONS.

18 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
19 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
20 CONTEXT CLEARLY INDICATES OTHERWISE:

21 "CERTIFICATE HOLDER." A PERSON TO WHOM THE BOARD HAS AWARDED
22 A SPORTS WAGERING CERTIFICATE.

23 "GROSS SPORTS WAGERING REVENUE." THE TOTAL OF CASH OR CASH
24 EQUIVALENTS RECEIVED FROM SPORTS WAGERING MINUS THE TOTAL OF:

25 (1) CASH OR CASH EQUIVALENTS PAID TO PLAYERS AS A RESULT
26 OF SPORTS WAGERING.

27 (2) CASH OR CASH EQUIVALENTS PAID TO PURCHASE ANNUITIES
28 TO FUND PRIZES PAYABLE TO PLAYERS OVER A PERIOD OF TIME AS A
29 RESULT OF SPORTS WAGERING.

30 (3) THE ACTUAL COST PAID BY THE CERTIFICATE HOLDER FOR

1 ANY PERSONAL PROPERTY DISTRIBUTED TO A PLAYER AS A RESULT OF
2 SPORTS WAGERING. THIS PARAGRAPH DOES NOT INCLUDE TRAVEL
3 EXPENSES, FOOD, REFRESHMENTS, LODGING OR SERVICES.
4 THE TERM DOES NOT INCLUDE COUNTERFEIT CASH OR CHIPS; COINS OR
5 CURRENCY OF OTHER COUNTRIES RECEIVED IN AS A RESULT OF SPORTS
6 WAGERING, EXCEPT TO THE EXTENT THAT THE COINS OR CURRENCY ARE
7 READILY CONVERTIBLE TO CASH; OR CASH TAKEN IN A FRAUDULENT ACT
8 PERPETRATED AGAINST A CERTIFICATE HOLDER FOR WHICH THE
9 CERTIFICATE HOLDER IS NOT REIMBURSED.

10 "SPORTING EVENTS." ANY PROFESSIONAL OR COLLEGIATE SPORTS OR
11 ATHLETIC EVENT, OR MOTOR RACE EVENT.

12 "SPORTS WAGERING." THE BUSINESS OF ACCEPTING WAGERS ON
13 SPORTING EVENTS OR ON THE INDIVIDUAL PERFORMANCE STATISTICS OF
14 ATHLETES IN A SPORTING EVENT OR COMBINATION OF SPORTING EVENTS
15 BY ANY SYSTEM OR METHOD OF WAGERING, INCLUDING, BUT NOT LIMITED
16 TO, EXCHANGE WAGERING, PARLAYS, OVER-UNDER, MONEYLINE, POOLS AND
17 STRAIGHT BETS. THE TERM DOES NOT INCLUDE:

18 (1) LOTTERY GAMES OF THE PENNSYLVANIA STATE LOTTERY AS
19 AUTHORIZED UNDER THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91),
20 KNOWN AS THE STATE LOTTERY LAW.

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

23 (3) PARI-MUTUEL BETTING ON THE OUTCOME OF THOROUGHBRED
24 OR HARNESS HORSE RACING AS AUTHORIZED UNDER THE ACT OF
25 ARTICLE XXVIII-D OF THE ACT OF APRIL 9, 1929 (P.L.177,
26 NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

27 (4) SMALL GAMES OF CHANCE AS AUTHORIZED UNDER THE ACT OF
28 DECEMBER 19, 1988 (P.L.1262, NO.156), KNOWN AS THE LOCAL
29 OPTION SMALL GAMES OF CHANCE ACT.

30 (5) SLOT MACHINE GAMING AND PROGRESSIVE SLOT MACHINE

1 GAMING AS DEFINED AND AUTHORIZED UNDER THIS PART.

2 (6) KENO.

3 (7) FANTASY CONTESTS AS AUTHORIZED UNDER CHAPTER 3

4 (RELATING TO FANTASY CONTESTS).

5 "SPORTS WAGERING CERTIFICATE." A CERTIFICATE AWARDED BY THE
6 BOARD UNDER THIS CHAPTER THAT AUTHORIZES A SLOT MACHINE LICENSEE
7 TO CONDUCT SPORTS WAGERING IN ACCORDANCE WITH THIS CHAPTER.

8 "SPORTS WAGERING DEVICE." THE TERM INCLUDES ANY MECHANICAL,
9 ELECTRICAL OR COMPUTERIZED CONTRIVANCE, TERMINAL, MACHINE OR
10 OTHER DEVICE, APPARATUS, EQUIPMENT OR SUPPLIES APPROVED BY THE
11 BOARD AND USED TO CONDUCT SPORTS WAGERING.

12 § 13G02. REGULATORY AUTHORITY.

13 THE BOARD SHALL PROMULGATE REGULATIONS:

14 (1) ESTABLISHING STANDARDS AND PROCEDURES FOR SPORTS
15 WAGERING. THE STANDARDS AND PROCEDURES SHALL PROVIDE FOR THE
16 CONDUCT AND IMPLEMENTATION OF SPORTS WAGERING WITHIN LICENSED
17 FACILITIES, INCLUDING ANY NEW SPORTS WAGERING OR VARIATIONS
18 OR COMPOSITES OF APPROVED SPORTS WAGERING, PROVIDED THE BOARD
19 DETERMINES THAT THE NEW SPORTS WAGERING OR ANY VARIATIONS OR
20 COMPOSITES OR OTHER APPROVED SPORTS WAGERING ARE SUITABLE FOR
21 USE AFTER A TEST OR EXPERIMENTAL PERIOD UNDER THE TERMS AND
22 CONDITIONS AS THE BOARD MAY DEEM APPROPRIATE.

23 (2) ESTABLISHING STANDARDS AND RULES TO GOVERN THE
24 CONDUCT OF SPORTS WAGERING AND THE SYSTEM OF WAGERING,
25 INCLUDING THE MANNER IN WHICH WAGERS ARE RECEIVED AND PAYOUTS
26 ARE REMITTED AND POINT SPREADS, LINES AND ODDS ARE
27 DETERMINED. THE BOARD MAY ALSO ESTABLISH STANDARDS AND RULES
28 TO GOVERN THE CONDUCT OF SPORTS WAGERING AND THE SYSTEM OF
29 WAGERING AS A FORM OF INTERACTIVE GAMING AUTHORIZED BY THE
30 COMMONWEALTH.

1 (3) ESTABLISHING THE METHOD FOR CALCULATING GROSS SPORTS
2 WAGERING REVENUE AND STANDARDS FOR THE DAILY COUNTING AND
3 RECORDING OF CASH AND CASH EQUIVALENTS RECEIVED IN THE
4 CONDUCT OF SPORTS WAGERING, INCLUDING THE CONDUCT OF SPORTS
5 WAGERING AND THE SYSTEM OF WAGERING AS A FORM OF INTERACTIVE
6 GAMING AUTHORIZED BY THE COMMONWEALTH, AND ENSURING THAT
7 INTERNAL CONTROLS ARE FOLLOWED, THE MAINTENANCE OF FINANCIAL
8 BOOKS AND RECORDS AND THE CONDUCT OF AUDITS. THE BOARD SHALL
9 CONSULT WITH THE DEPARTMENT IN ESTABLISHING THE REGULATIONS
10 UNDER THIS PARAGRAPH.

11 (4) ESTABLISHING NOTICE REQUIREMENTS PERTAINING TO
12 MINIMUM AND MAXIMUM WAGERS ON SPORTS WAGERING.

13 (5) ESTABLISHING COMPULSIVE AND PROBLEM GAMBLING
14 STANDARDS PERTAINING TO SPORTS WAGERING CONSISTENT WITH THIS
15 PART.

16 (6) ESTABLISHING STANDARDS PROHIBITING PERSONS UNDER 21
17 YEARS OF AGE FROM PARTICIPATING IN SPORTS WAGERING.

18 (7) PROVIDING INFORMATION PERTAINING TO SPORTS WAGERING
19 IN THE BOARD'S ANNUAL REPORT REQUIRED UNDER SECTION 1211(A.1)
20 (RELATING TO REPORTS OF BOARD).

21 (8) REQUIRING EACH CERTIFICATE HOLDER TO:

22 (I) PROVIDE WRITTEN INFORMATION ABOUT SPORTS
23 WAGERING RULES, PAYOUTS OR WINNING WAGERS AND OTHER
24 INFORMATION AS THE BOARD MAY REQUIRE.

25 (II) PROVIDE SPECIFICATIONS APPROVED BY THE BOARD
26 UNDER SECTION 1207(11) (RELATING TO REGULATORY AUTHORITY
27 OF BOARD) TO INTEGRATE AND UPDATE THE LICENSED FACILITY'S
28 SURVEILLANCE SYSTEM TO COVER ALL AREAS WHERE SPORTS
29 WAGERING IS CONDUCTED. THE SPECIFICATIONS SHALL INCLUDE
30 PROVISIONS PROVIDING THE BOARD AND OTHER PERSONS

1 AUTHORIZED BY THE BOARD WITH ONSITE ACCESS TO THE SYSTEM
2 OR ITS SIGNAL.

3 (III) DESIGNATE ONE OR MORE LOCATIONS WITHIN THE
4 LICENSED FACILITY OF THE CERTIFICATE HOLDER TO CONDUCT
5 SPORTS WAGERING.

6 (IV) ENSURE THAT VISIBILITY IN THE LICENSED FACILITY
7 OF THE CERTIFICATE HOLDER IS NOT OBSTRUCTED IN ANY WAY
8 THAT COULD INTERFERE WITH THE ABILITY OF THE CERTIFICATE
9 HOLDER, THE BOARD AND OTHER PERSONS AUTHORIZED UNDER THIS
10 PART OR BY THE BOARD TO OVERSEE THE SURVEILLANCE OF THE
11 CONDUCT OF SPORTS WAGERING.

12 (V) INTEGRATE THE LICENSED FACILITY'S COUNT ROOM TO
13 ENSURE MAXIMUM SECURITY OF THE COUNTING AND STORAGE OF
14 CASH AND CASH EQUIVALENTS.

15 (VI) EQUIP EACH DESIGNATED LOCATION WITHIN THE
16 LICENSED FACILITY PROVIDING SPORTS WAGERING WITH A SIGN
17 INDICATING THE PERMISSIBLE SPORTS WAGERING MINIMUM AND
18 MAXIMUM WAGERS.

19 (VII) ENSURE THAT NO PERSON UNDER 21 YEARS OF AGE
20 PARTICIPATES IN SPORTS WAGERING.

21 § 13G03. TEMPORARY SPORTS WAGERING REGULATIONS.

22 (A) PROMULGATION.--IN ORDER TO FACILITATE THE PROMPT
23 IMPLEMENTATION OF THIS CHAPTER, REGULATIONS PROMULGATED BY THE
24 BOARD SHALL BE DEEMED TEMPORARY REGULATIONS WHICH SHALL EXPIRE
25 NOT LATER THAN TWO YEARS FOLLOWING THE PUBLICATION OF THE
26 TEMPORARY REGULATION. THE BOARD MAY PROMULGATE TEMPORARY
27 REGULATIONS NOT SUBJECT TO:

28 (1) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT OF
29 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
30 COMMONWEALTH DOCUMENTS LAW.

1 (2) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
2 THE REGULATORY REVIEW ACT.

3 (3) SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER
4 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH
5 ATTORNEYS ACT.

6 (B) EXPIRATION.--EXCEPT FOR TEMPORARY REGULATIONS GOVERNING
7 THE RULES OF NEW SPORTS WAGERING APPROVED BY THE BOARD, THE
8 BOARD'S AUTHORITY TO ADOPT TEMPORARY REGULATIONS UNDER
9 SUBSECTION (A) SHALL EXPIRE TWO YEARS AFTER THE EFFECTIVE DATE
10 OF THIS SECTION. REGULATIONS ADOPTED AFTER THIS PERIOD SHALL BE
11 PROMULGATED AS PROVIDED BY LAW.

12 § 13G04. UNAUTHORIZED SPORTS WAGERING.

13 (A) OFFENSE DEFINED.--

14 (1) IT SHALL BE UNLAWFUL FOR ANY PERSON TO WILLFULLY AND
15 KNOWINGLY OPERATE, CARRY ON, OFFER OR EXPOSE FOR PLAY ANY
16 SPORTS WAGERING OR TO ACCEPT A BET OR WAGER ASSOCIATED WITH
17 SPORTS WAGERING FROM ANY PERSON PHYSICALLY LOCATED IN THIS
18 COMMONWEALTH AT THE TIME OF PLAY THAT IS NOT WITHIN THE SCOPE
19 OF A VALID AND CURRENT SPORTS WAGERING CERTIFICATE ISSUED BY
20 THE BOARD UNDER THIS CHAPTER OR BY ANOTHER STATE, TERRITORY
21 OR POSSESSION OF THE UNITED STATES WITH WHICH THE
22 COMMONWEALTH HAS A SPORTS WAGERING AGREEMENT.

23 (2) IT SHALL BE UNLAWFUL FOR ANY PERSON TO WILLFULLY AND
24 KNOWINGLY PROVIDE SERVICES WITH RESPECT TO ANY SPORTS
25 WAGERING OR BET OR WAGER SPECIFIED IN PARAGRAPH (1).

26 (B) GRADING OF OFFENSE.--A PERSON WHO VIOLATES SUBSECTION
27 (A) COMMITS A MISDEMEANOR OF THE FIRST DEGREE. FOR A SECOND OR
28 SUBSEQUENT VIOLATION OF SUBSECTION (A), A PERSON COMMITS A
29 FELONY OF THE SECOND DEGREE.

30 (C) PENALTIES.--

1 (1) FOR A FIRST VIOLATION OF SUBSECTION (A), A PERSON
2 SHALL BE SENTENCED TO PAY A FINE OF:

3 (I) NOT LESS THAN \$75,000 NOR MORE THAN \$150,000, IF
4 THE PERSON IS AN INDIVIDUAL;

5 (II) NOT LESS THAN \$150,000 NOR MORE THAN \$300,000,
6 IF THE PERSON IS A LICENSED MANUFACTURER OR SUPPLIER; OR

7 (III) NOT LESS THAN \$300,000 NOR MORE THAN \$600,000,
8 IF THE PERSON IS A LICENSED GAMING ENTITY.

9 (2) FOR A SECOND OR SUBSEQUENT VIOLATION OF SUBSECTION
10 (A), A PERSON SHALL BE SENTENCED TO PAY A FINE OF:

11 (I) NOT LESS THAN \$150,000 NOR MORE THAN \$300,000,
12 IF THE PERSON IS AN INDIVIDUAL;

13 (II) NOT LESS THAN \$300,000 NOR MORE THAN \$600,000,
14 IF THE PERSON IS A LICENSED MANUFACTURER OR SUPPLIER; OR

15 (III) NOT LESS THAN \$600,000 NOR MORE THAN
16 \$1,200,000, IF THE PERSON IS A LICENSED GAMING ENTITY.

17 (D) FORFEITURE.--IF A PERSON ENGAGES IN SPORTS WAGERING FROM
18 A LOCATION IN WHICH THE ACTIVITY IS UNAUTHORIZED, THE PERSON
19 SHALL FORFEIT ALL ENTITLEMENT TO ANY WINNINGS AND THE MONEY
20 ASSOCIATED WITH ANY FORFEITED WINNINGS SHALL BE DEPOSITED INTO
21 THE COMPULSIVE AND PROBLEM GAMBLING TREATMENT FUND ESTABLISHED
22 UNDER SECTION 1509(B) (RELATING TO COMPULSIVE AND PROBLEM
23 GAMBLING PROGRAM) .

24 (E) TAX LIABILITY.--

25 (1) AN UNLICENSED PERSON WHO OFFERS SPORTS WAGERING TO
26 PERSONS IN THIS COMMONWEALTH SHALL BE LIABLE FOR ALL TAXES
27 REQUIRED BY THIS CHAPTER IN THE SAME MANNER AND AMOUNTS AS IF
28 THE PERSON WERE A LICENSEE.

29 (2) TIMELY PAYMENT OF THE TAXES MAY NOT CONSTITUTE A
30 DEFENSE TO ANY PROSECUTION OR OTHER PROCEEDING IN CONNECTION

1 WITH UNAUTHORIZED SPORTS WAGERING, EXCEPT FOR A PROSECUTION
2 OR PROCEEDING ALLEGING FAILURE TO MAKE SUCH PAYMENT.

3 SUBCHAPTER B

4 SPORTS WAGERING AUTHORIZED

5 SEC.

6 13G11. AUTHORIZATION TO CONDUCT SPORTS WAGERING.

7 13G12. PETITION REQUIREMENTS.

8 13G13. STANDARD FOR REVIEW OF PETITIONS.

9 13G14. AWARD OF CERTIFICATE.

10 13G15. SPORTS WAGERING CERTIFICATE.

11 13G16. SPORTS WAGERING BY SUPPLIERS AND MANUFACTURERS.

12 § 13G11. AUTHORIZATION TO CONDUCT SPORTS WAGERING.

13 (A) PERSONS WHO MAY BE AUTHORIZED.--

14 (1) (I) THE BOARD MAY AUTHORIZE A SLOT MACHINE LICENSEE
15 TO CONDUCT SPORTS WAGERING AND TO OPERATE A SYSTEM OF
16 WAGERING ASSOCIATED WITH THE CONDUCT OF SPORTS WAGERING
17 AT THE SLOT MACHINE LICENSEE'S LICENSED FACILITY, A
18 TEMPORARY FACILITY AUTHORIZED UNDER SECTION 13G21(A.1)
19 (RELATING TO AUTHORIZED LOCATIONS FOR OPERATION) OR AN
20 AREA AUTHORIZED UNDER SECTION 13G21(B).

21 (II) AUTHORIZATION SHALL BE CONTINGENT UPON THE SLOT
22 MACHINE LICENSEE'S AGREEMENT TO ENSURE THAT SPORTS
23 WAGERING WILL BE CONDUCTED IN ACCORDANCE WITH THIS PART
24 AND ANY OTHER CONDITIONS ESTABLISHED BY THE BOARD.

25 (III) NOTHING IN THIS PART SHALL BE CONSTRUED TO
26 CREATE A SEPARATE LICENSE GOVERNING THE CONDUCT OF SPORTS
27 WAGERING BY SLOT MACHINE LICENSEES WITHIN THIS
28 COMMONWEALTH.

29 (2) THE BOARD MAY AUTHORIZE A SPORTS WAGERING
30 CERTIFICATE HOLDER TO CONDUCT SPORTS WAGERING AND TO OPERATE

1 A SYSTEM OF WAGERING ASSOCIATED WITH THE CONDUCT OF SPORTS
2 WAGERING AS A FORM OF INTERACTIVE GAMING AUTHORIZED BY THE
3 COMMONWEALTH.

4 (3) (I) EXCEPT AS PROVIDED IN THIS PART, ALL
5 INDIVIDUALS WAGERING ON SPORTING EVENTS THROUGH
6 AUTHORIZED SPORTS WAGERING MUST BE PHYSICALLY LOCATED
7 WITHIN THIS COMMONWEALTH OR WITHIN A STATE OR
8 JURISDICTION IN WHICH THE BOARD HAS ENTERED A SPORTS
9 WAGERING AGREEMENT.

10 (II) NO INDIVIDUAL UNDER 21 YEARS OF AGE MAY MAKE A
11 WAGER OR BET ON SPORTING EVENTS THROUGH AUTHORIZED SPORTS
12 WAGERING OR HAVE ACCESS TO THE DESIGNATED AREA OF THE
13 LICENSED FACILITY AUTHORIZED TO HOST SPORTS WAGERING.

14 (B) FEDERAL AUTHORIZATION.--

15 (1) THE SECRETARY OF STATE OF THE COMMONWEALTH SHALL,
16 WHEN FEDERAL LAW IS ENACTED OR FEDERAL COURT DECISION IS
17 FILED THAT AFFIRMS THE AUTHORITY OF A STATE TO REGULATE
18 SPORTS WAGERING, PUBLISH A NOTICE IN THE PENNSYLVANIA
19 BULLETIN CERTIFYING THE ENACTMENT OR FILING OF THE DECISION.

20 (2) THE BOARD MAY NOT AUTHORIZE THE CONDUCT OF SPORTS
21 WAGERING IN THIS COMMONWEALTH UNTIL THE NOTICE IS PUBLISHED
22 AS PRESCRIBED IN PARAGRAPH (1).

23 § 13G12. PETITION REQUIREMENTS.

24 (A) GENERAL RULE.--UNLESS OTHERWISE PROHIBITED UNDER SECTION
25 13A13 (RELATING TO PROHIBITIONS), A SLOT MACHINE LICENSEE MAY
26 SEEK APPROVAL TO CONDUCT SPORTS WAGERING BY FILING A PETITION
27 WITH THE BOARD.

28 (B) PETITION CONTENTS.--A PETITION SEEKING AUTHORIZATION TO
29 CONDUCT SPORTS WAGERING SHALL INCLUDE THE FOLLOWING:

30 (1) THE NAME, BUSINESS ADDRESS AND CONTACT INFORMATION

1 OF THE PETITIONER.

2 (2) THE NAME AND BUSINESS ADDRESS, JOB TITLE AND A
3 PHOTOGRAPH OF EACH PRINCIPAL AND KEY EMPLOYEE OF THE
4 PETITIONER WHO WILL BE INVOLVED IN THE CONDUCT OF SPORTS
5 WAGERING AND WHO IS NOT CURRENTLY LICENSED BY THE BOARD, IF
6 KNOWN.

7 (3) A BRIEF DESCRIPTION OF THE ECONOMIC BENEFITS
8 EXPECTED TO BE REALIZED BY THE COMMONWEALTH, ITS
9 MUNICIPALITIES AND ITS RESIDENTS IF SPORTS WAGERING IS
10 AUTHORIZED AT THE PETITIONER'S LICENSED FACILITY.

11 (4) THE DETAILS OF ANY FINANCING OBTAINED OR THAT WILL
12 BE OBTAINED TO FUND AN EXPANSION OR MODIFICATION OF THE
13 LICENSED FACILITY TO ACCOMMODATE SPORTS WAGERING AND TO
14 OTHERWISE FUND THE COST OF COMMENCING SPORTS WAGERING.

15 (5) INFORMATION AND DOCUMENTATION CONCERNING FINANCIAL
16 BACKGROUND AND RESOURCES, AS THE BOARD MAY REQUIRE, TO
17 ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THE FINANCIAL
18 STABILITY, INTEGRITY AND RESPONSIBILITY OF THE PETITIONER.

19 (6) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY
20 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT
21 THE PETITIONER HAS SUFFICIENT BUSINESS ABILITY AND EXPERIENCE
22 TO CREATE AND MAINTAIN A SUCCESSFUL SPORTS WAGERING
23 OPERATION. IN MAKING THIS DETERMINATION, THE BOARD MAY
24 CONSIDER THE PERFORMANCE OF THE PETITIONER'S SLOT MACHINE AND
25 TABLE GAME OPERATION, INCLUDING FINANCIAL INFORMATION,
26 EMPLOYMENT DATA AND CAPITAL INVESTMENT.

27 (7) INFORMATION AND DOCUMENTATION, AS THE BOARD MAY
28 REQUIRE, TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT
29 THE PETITIONER HAS OR WILL HAVE THE FINANCIAL ABILITY TO PAY
30 THE AUTHORIZATION FEE UNDER SECTION 13G61 (RELATING TO SPORTS

1 WAGERING AUTHORIZATION FEE).

2 (8) DETAILED SITE PLANS IDENTIFYING THE PETITIONER'S
3 PROPOSED SPORTS WAGERING AREA WITHIN THE LICENSED FACILITY.

4 (9) OTHER INFORMATION AS THE BOARD MAY REQUIRE.

5 (C) CONFIDENTIALITY.--INFORMATION SUBMITTED TO THE BOARD
6 UNDER SUBSECTION (B) (4), (5), (6), (7) AND (8) MAY BE CONSIDERED
7 CONFIDENTIAL BY THE BOARD IF THE INFORMATION WOULD BE
8 CONFIDENTIAL UNDER SECTION 1206(F) (RELATING TO BOARD MINUTES
9 AND RECORDS).

10 § 13G13. STANDARD FOR REVIEW OF PETITIONS.

11 (A) GENERAL RULE.--THE BOARD SHALL APPROVE A PETITION IF THE
12 PETITIONER ESTABLISHES, BY CLEAR AND CONVINCING EVIDENCE, ALL OF
13 THE FOLLOWING:

14 (1) THE PETITIONER'S SLOT MACHINE LICENSE IS IN GOOD
15 STANDING WITH THE BOARD.

16 (2) THE CONDUCT OF SPORTS WAGERING AT THE PETITIONER'S
17 LICENSED FACILITY WILL HAVE A POSITIVE ECONOMIC IMPACT ON THE
18 COMMONWEALTH, ITS MUNICIPALITIES AND RESIDENTS THROUGH
19 INCREASED REVENUES AND EMPLOYMENT OPPORTUNITIES.

20 (3) THE PETITIONER POSSESSES ADEQUATE FUNDS OR HAS
21 SECURED ADEQUATE FINANCING TO:

22 (I) FUND ANY NECESSARY EXPANSION OR MODIFICATION OF
23 THE PETITIONER'S LICENSED FACILITY TO ACCOMMODATE THE
24 CONDUCT OF SPORTS WAGERING.

25 (II) PAY THE AUTHORIZATION FEE IN ACCORDANCE WITH
26 SECTION 13G61 (RELATING TO SPORTS WAGERING AUTHORIZATION
27 FEE).

28 (III) COMMENCE SPORTS WAGERING OPERATIONS AT ITS
29 LICENSED FACILITY.

30 (4) THE PETITIONER HAS THE FINANCIAL STABILITY,

1 INTEGRITY AND RESPONSIBILITY TO CONDUCT SPORTS WAGERING.

2 (5) THE PETITIONER HAS SUFFICIENT BUSINESS ABILITY AND
3 EXPERIENCE TO CREATE AND MAINTAIN A SUCCESSFUL SPORTS
4 WAGERING OPERATION.

5 (6) THE PETITIONER'S PROPOSED INTERNAL AND EXTERNAL
6 SECURITY AND PROPOSED SURVEILLANCE MEASURES WITHIN THE AREA
7 OF THE LICENSED FACILITY WHERE THE PETITIONER SEEKS TO
8 CONDUCT SPORTS WAGERING ARE ADEQUATE.

9 (7) THE PETITIONER HAS SATISFIED THE PETITION
10 APPLICATION REQUIREMENTS AND PROVIDED ANY OTHER INFORMATION
11 REQUIRED BY SECTION 13G12(B) (RELATING TO PETITION
12 REQUIREMENTS).

13 (B) TIMING OF APPROVAL.--THE BOARD SHALL APPROVE OR DENY A
14 PETITION WITHIN 90 DAYS FOLLOWING RECEIPT OF THE PETITION.
15 § 13G14. AWARD OF CERTIFICATE.

16 (A) GENERAL RULE.--UPON APPROVAL OF A PETITION, THE BOARD
17 SHALL AWARD A SPORTS WAGERING CERTIFICATE TO THE PETITIONER. THE
18 AWARD OF A SPORTS WAGERING CERTIFICATE PRIOR TO THE PAYMENT IN
19 FULL OF THE AUTHORIZATION FEE REQUIRED BY SECTION 13G61
20 (RELATING TO SPORTS WAGERING AUTHORIZATION FEE) SHALL NOT
21 RELIEVE THE PETITIONER FROM COMPLYING WITH THE PROVISIONS OF
22 SECTION 13G61.

23 (B) STATEMENT OF CONDITIONS.--UPON AWARDING A SPORTS
24 WAGERING OPERATION CERTIFICATE, THE BOARD SHALL AMEND THE SLOT
25 MACHINE LICENSEE'S STATEMENT OF CONDITIONS PERTAINING TO THE
26 REQUIREMENTS OF THIS CHAPTER.

27 (C) TERM OF SPORTS WAGERING CERTIFICATE.--SUBJECT TO THE
28 POWER OF THE BOARD TO DENY, REVOKE OR SUSPEND A SPORTS WAGERING
29 CERTIFICATE ISSUED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS
30 SECTION, A SPORTS WAGERING CERTIFICATE SHALL BE RENEWED EVERY

1 FIVE YEARS AND SHALL BE SUBJECT TO THE REQUIREMENTS OF SECTION
2 1326 (RELATING TO LICENSE RENEWALS).
3 § 13G15. SPORTS WAGERING CERTIFICATE.

4 THE FOLLOWING SHALL APPLY:

5 (1) A SPORTS WAGERING CERTIFICATE SHALL BE IN EFFECT
6 UNLESS:

7 (I) SUSPENDED OR REVOKED BY THE BOARD CONSISTENT
8 WITH THE REQUIREMENTS OF THIS PART;

9 (II) THE SLOT MACHINE LICENSE HELD BY THE
10 CERTIFICATE HOLDER IS SUSPENDED, REVOKED OR NOT RENEWED
11 BY THE BOARD CONSISTENT WITH THE REQUIREMENTS OF THIS
12 PART; OR

13 (III) THE CERTIFICATE HOLDER RELINQUISHES OR DOES
14 NOT SEEK RENEWAL OF ITS SLOT MACHINE LICENSE.

15 (2) A CERTIFICATE HOLDER THAT FAILS TO ABIDE BY THIS
16 CHAPTER OR ANY CONDITION CONTAINED IN THE SLOT MACHINE
17 LICENSEE'S STATEMENT OF CONDITIONS GOVERNING THE CONDUCT OF
18 SPORTS WAGERING SHALL BE SUBJECT TO BOARD-IMPOSED
19 ADMINISTRATIVE SANCTIONS OR OTHER PENALTIES AUTHORIZED UNDER
20 THIS PART.

21 § 13G16. SPORTS WAGERING BY SUPPLIERS AND MANUFACTURERS.

22 (A) SUPPLIERS.--A PERSON THAT SELLS, LEASES, OFFERS OR
23 OTHERWISE PROVIDES, DISTRIBUTES OR SERVICES ANY SPORTS WAGERING
24 DEVICE OR ASSOCIATED EQUIPMENT FOR USE OR OPERATION IN THIS
25 COMMONWEALTH FOR SPORTS WAGERING PURPOSES SHALL BE LICENSED BY
26 THE BOARD PURSUANT TO SECTION 1317 (RELATING TO SUPPLIER
27 LICENSES) AND SHALL BE SUBJECT TO APPLICATION AND LICENSURE FEES
28 AND FINES AS PRESCRIBED UNDER SECTION 1208 (RELATING TO
29 COLLECTION OF FEES AND FINES), AS DETERMINED BY THE BOARD.

30 (B) MANUFACTURERS.--A PERSON WHO MANUFACTURERS, BUILDS,

1 REBUILDS, FABRICATES, ASSEMBLES, PRODUCES, PROGRAMS, DESIGNS OR
2 OTHERWISE MAKES MODIFICATIONS TO ANY SPORTS WAGERING DEVICE OR
3 ASSOCIATED EQUIPMENT FOR USE OR OPERATION IN THIS COMMONWEALTH
4 FOR SPORTS WAGERING PURPOSES SHALL BE LICENSED BY THE BOARD
5 PURSUANT TO SECTION 1317.1 (RELATING TO MANUFACTURER LICENSES)
6 AND SHALL BE SUBJECT TO APPLICATION AND LICENSURE FEES AND FINES
7 AS PRESCRIBED UNDER SECTION 1208, AS DETERMINED BY THE BOARD.

8 SUBCHAPTER C

9 CONDUCT OF SPORTS WAGERING

10 SEC.

11 13G21. AUTHORIZED LOCATIONS FOR OPERATION.

12 13G22. COMMENCEMENT OF SPORTS WAGERING OPERATIONS.

13 13G23. CONDITION OF CONTINUED OPERATION.

14 13G24. KEY EMPLOYEES AND OCCUPATION PERMITS.

15 13G25. APPLICATION OF CLEAN INDOOR AIR ACT.

16 13G25.1. APPLICATION OF LIQUOR CODE.

17 § 13G21. AUTHORIZED LOCATIONS FOR OPERATION.

18 (A) RESTRICTION.--A CERTIFICATE HOLDER MAY ONLY BE PERMITTED
19 TO CONDUCT SPORTS WAGERING AT THE LICENSED FACILITY, A TEMPORARY
20 FACILITY AUTHORIZED UNDER SUBSECTION (A.1) OR AN AREA AUTHORIZED
21 UNDER SUBSECTION (B).

22 (A.1) TEMPORARY FACILITIES.--THE BOARD MAY PERMIT A
23 CERTIFICATE HOLDER TO CONDUCT SPORTS WAGERING AT A TEMPORARY
24 FACILITY THAT IS PHYSICALLY CONNECTED TO, ATTACHED TO OR
25 ADJACENT TO A LICENSED FACILITY FOR A PERIOD NOT TO EXCEED 24
26 MONTHS.

27 (B) POWERS AND DUTIES OF BOARD.--

28 (1) UPON REQUEST MADE BY A CERTIFICATE HOLDER, THE BOARD
29 MAY DETERMINE THE SUITABILITY OF A CATEGORY 1 LICENSED GAMING
30 ENTITY THAT IS ALSO A LICENSED RACING ENTITY AUTHORIZED TO

1 CONDUCT PARI-MUTUEL WAGERING AT NONPRIMARY LOCATIONS UNDER
2 THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE
3 ADMINISTRATIVE CODE OF 1929, TO CONDUCT SPORTS WAGERING AT
4 NONPRIMARY LOCATIONS.

5 (2) NO CERTIFICATE HOLDER MAY BE APPROVED TO CONDUCT
6 SPORTS WAGERING IN A NONPRIMARY LOCATION UNLESS THE AREAS ARE
7 EQUIPPED WITH ADEQUATE SECURITY AND SURVEILLANCE EQUIPMENT TO
8 ENSURE THE INTEGRITY OF THE CONDUCT OF SPORTS WAGERING.

9 (3) AN AUTHORIZATION GRANTED UNDER THIS SUBSECTION MAY
10 NOT:

11 (I) IMPOSE ANY CRITERIA OR REQUIREMENTS REGARDING
12 THE CONTENTS OR STRUCTURE OF A NONPRIMARY LOCATION THAT
13 ARE UNRELATED TO THE CONDUCT OF SPORTS WAGERING.

14 (II) AUTHORIZE THE PLACEMENT OR OPERATION OF SLOT
15 MACHINES OR TABLE GAMES IN A NONPRIMARY LOCATION.

16 § 13G22. COMMENCEMENT OF SPORTS WAGERING OPERATIONS.

17 NO CERTIFICATE HOLDER MAY OPERATE OR OFFER SPORTS WAGERING
18 UNTIL THE BOARD DETERMINES THAT:

19 (1) THE CERTIFICATE HOLDER IS IN COMPLIANCE WITH THE
20 REQUIREMENTS OF THIS PART.

21 (2) THE CERTIFICATE HOLDER IS PREPARED IN ALL RESPECTS
22 TO OFFER SPORTS WAGERING PLAY TO THE PUBLIC AT THE LICENSED
23 FACILITY.

24 (3) THE CERTIFICATE HOLDER HAS IMPLEMENTED NECESSARY
25 INTERNAL AND MANAGEMENT CONTROLS AND SECURITY ARRANGEMENTS
26 AND SURVEILLANCE SYSTEMS FOR THE CONDUCT OF SPORTS WAGERING.

27 (4) THE CERTIFICATE HOLDER IS IN COMPLIANCE WITH OR HAS
28 COMPLIED WITH SECTION 13A61 (RELATING TO SPORTS WAGERING
29 AUTHORIZATION FEE).

30 (5) OTHER CONDITIONS AS THE BOARD MAY REQUIRE TO

1 IMPLEMENT THE CONDUCT OF SPORTS WAGERING.

2 § 13G23. CONDITION OF CONTINUED OPERATION.

3 AS A CONDITION OF CONTINUED OPERATION, A CERTIFICATE HOLDER
4 SHALL AGREE TO MAINTAIN ALL BOOKS, RECORDS AND DOCUMENTS
5 PERTAINING TO SPORTS WAGERING IN A MANNER AND LOCATION WITHIN
6 THIS COMMONWEALTH AS APPROVED BY THE BOARD. ALL BOOKS, RECORDS
7 AND DOCUMENTS RELATED TO SPORTS WAGERING SHALL:

8 (1) BE SEGREGATED BY SEPARATE ACCOUNTS WITHIN THE
9 CERTIFICATE HOLDER'S BOOKS, RECORDS AND DOCUMENTS, EXCEPT FOR
10 ANY BOOKS, RECORDS OR DOCUMENTS THAT ARE COMMON TO SLOT
11 MACHINE, TABLE GAME AND SPORTS WAGERING OPERATIONS;

12 (2) BE IMMEDIATELY AVAILABLE FOR INSPECTION UPON REQUEST
13 OF THE BOARD, THE BUREAU, THE DEPARTMENT, THE PENNSYLVANIA
14 STATE POLICE OR THE ATTORNEY GENERAL, OR AGENTS THEREOF,
15 DURING ALL HOURS OF OPERATION OF THE CERTIFICATE HOLDER IN
16 ACCORDANCE WITH REGULATIONS PROMULGATED BY THE BOARD; AND

17 (3) BE MAINTAINED FOR A PERIOD AS THE BOARD, BY
18 REGULATION, MAY REQUIRE.

19 § 13G24. KEY EMPLOYEES AND OCCUPATION PERMITS.

20 NOTHING IN THIS PART SHALL BE CONSTRUED TO REQUIRE ANY
21 INDIVIDUAL WHO HOLDS A PRINCIPAL LICENSE, A KEY EMPLOYEE LICENSE
22 OR GAMING EMPLOYEE LICENSE UNDER CHAPTER 13 (RELATING TO
23 LICENSEES) TO OBTAIN A SEPARATE LICENSE OR PERMIT TO BE EMPLOYED
24 IN A CERTIFICATE HOLDER'S SPORTS WAGERING OPERATION AUTHORIZED
25 UNDER THIS CHAPTER.

26 § 13G25. APPLICATION OF CLEAN INDOOR AIR ACT.

27 FOR THE PURPOSE OF SECTION 3(B)(11) OF THE ACT OF JUNE 13,
28 2008 (P.L.182, NO.27), KNOWN AS THE CLEAN INDOOR AIR ACT, THE
29 TERM "GAMING FLOOR" SHALL INCLUDE THE AREAS OF ANY FACILITY
30 WHERE THE CERTIFICATE HOLDER IS AUTHORIZED TO CONDUCT SPORTS

1 WAGERING, EXCEPT SUCH AREAS OFF THE GAMING FLOOR WHERE CONTESTS
2 OR TOURNAMENTS ARE CONDUCTED UNLESS SMOKING IS OTHERWISE
3 PERMITTED IN SUCH AREAS.

4 § 13G25.1. APPLICATION OF LIQUOR CODE.

5 THE PROVISIONS OF SECTION 493(24)(II) OF THE ACT OF APRIL 12,
6 1951 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, SHALL ALSO APPLY
7 TO SPORTS WAGERING.

8 SUBCHAPTER D

9 SPORTS WAGERING TAXES AND FEES

10 SEC.

11 13G61. SPORTS WAGERING AUTHORIZATION FEE.

12 13G62. SPORTS WAGERING TAX.

13 13G63. LOCAL SHARE ASSESSMENT.

14 13G64. COMPULSIVE AND PROBLEM GAMBLING.

15 § 13G61. SPORTS WAGERING AUTHORIZATION FEE.

16 (A) AMOUNT.--EACH SLOT MACHINE LICENSEE THAT IS ISSUED A
17 SPORTS WAGERING CERTIFICATE TO CONDUCT SPORTS WAGERING IN
18 ACCORDANCE WITH SECTION 13G11 (RELATING TO AUTHORIZATION TO
19 CONDUCT SPORTS WAGERING) SHALL PAY A ONE-TIME NONREFUNDABLE
20 AUTHORIZATION FEE IN THE AMOUNT OF \$5,000,000.

21 (B) PAYMENT OF FEE.--THE AUTHORIZATION FEE UNDER SUBSECTION
22 (A) SHALL REMIT THE FEE TO THE BOARD WITHIN 60 DAYS OF THE
23 APPROVAL OF A PETITION TO CONDUCT SPORTS WAGERING. THE BOARD MAY
24 ALLOW THE FEE TO BE PAID IN INSTALLMENTS, PROVIDED ALL
25 INSTALLMENTS ARE PAID WITHIN THE 60-DAY PERIOD. IN THAT EVENT,
26 THE BOARD AND THE SLOT MACHINE LICENSEE SHALL ENTER INTO A
27 WRITTEN AGREEMENT SETTING FORTH THE TERMS OF PAYMENT. SPORTS
28 WAGERING MAY NOT BE CONDUCTED UNTIL THE FEE UNDER SUBSECTION (A)
29 IS PAID IN FULL.

30 (C) RENEWAL FEE.--NOTWITHSTANDING ANY OTHER PROVISION OF

1 THIS CHAPTER, A SLOT MACHINE LICENSEE THAT IS ISSUED A SPORTS
2 WAGERING CERTIFICATE SHALL PAY A RENEWAL FEE IN THE AMOUNT OF
3 \$250,000 UPON THE RENEWAL OF ITS SPORTS WAGERING CERTIFICATE IN
4 ACCORDANCE WITH SECTIONS 1326 (RELATING TO LICENSE RENEWALS) AND
5 13G14(C) (RELATING TO AWARD OF CERTIFICATE).

6 (D) FAILURE TO PAY BY DEADLINE.--IF A PETITIONER OR
7 CERTIFICATE HOLDER FAILS TO PAY THE REQUIRED AUTHORIZATION FEE
8 IN FULL WITHIN THE 60-DAY TIME PERIOD, THE BOARD SHALL IMPOSE A
9 PENALTY AND MAY GRANT THE PETITIONER OR CERTIFICATE HOLDER UP TO
10 A SIX-MONTH EXTENSION TO PAY THE AUTHORIZATION FEE OR ANY
11 REMAINING PORTION OF THE AUTHORIZATION FEE AND THE PENALTY.

12 (E) SUSPENSION OF CERTIFICATE.--THE BOARD SHALL SUSPEND THE
13 SPORTS WAGERING CERTIFICATE IF THE CERTIFICATE HOLDER FAILS TO
14 PAY THE TOTAL AUTHORIZATION FEE AND THE PENALTY PRIOR TO THE
15 EXPIRATION OF AN EXTENSION PERIOD GRANTED UNDER SUBSECTION (C).
16 THE SUSPENSION SHALL REMAIN IN EFFECT UNTIL FINAL PAYMENT IS
17 MADE.

18 (F) DEPOSIT OF FEES.--NOTWITHSTANDING SECTION 1208 (RELATING
19 TO COLLECTION OF FEES AND FINES), ALL SPORTS WAGERING
20 AUTHORIZATION FEES OR PENALTIES RECEIVED BY THE BOARD UNDER THIS
21 SUBCHAPTER, ALL SPORTS WAGERING DEVICE AND ASSOCIATED EQUIPMENT
22 MANUFACTURER AND SUPPLIER LICENSE FEES, ALL SPORTS WAGERING
23 DEVICE OR ASSOCIATED EQUIPMENT MANUFACTURER AND SUPPLIER RENEWAL
24 FEES AND FEES FOR LICENSES ISSUED UNDER CHAPTER 16 (RELATING TO
25 JUNKETS) SHALL BE DEPOSITED IN THE GENERAL FUND.
26 § 13G62. SPORTS WAGERING TAX.

27 (A) IMPOSITION.--EACH CERTIFICATE HOLDER SHALL REPORT TO THE
28 DEPARTMENT AND PAY FROM ITS DAILY GROSS SPORTS WAGERING REVENUE,
29 ON A FORM AND IN THE MANNER PRESCRIBED BY THE DEPARTMENT, A TAX
30 OF 16% OF ITS DAILY GROSS SPORTS WAGERING REVENUE.

1 (B) DEPOSITS AND DISTRIBUTIONS.--

2 (1) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE
3 PAYABLE TO THE DEPARTMENT ON A WEEKLY BASIS AND SHALL BE
4 BASED UPON GROSS SPORTS WAGERING REVENUE DERIVED DURING THE
5 PREVIOUS WEEK.

6 (2) ALL FUNDS OWED TO THE COMMONWEALTH UNDER THIS
7 SECTION SHALL BE HELD IN TRUST FOR THE COMMONWEALTH BY THE
8 CERTIFICATE HOLDER UNTIL THE FUNDS ARE PAID TO THE
9 DEPARTMENT. UNLESS OTHERWISE AGREED TO BY THE BOARD, A
10 CERTIFICATE HOLDER SHALL ESTABLISH A SEPARATE BANK ACCOUNT
11 INTO WHICH GROSS SPORTS WAGERING REVENUE SHALL BE DEPOSITED
12 AND MAINTAINED UNTIL SUCH TIME AS THE FUNDS ARE PAID TO THE
13 DEPARTMENT UNDER THIS SECTION OR PAID INTO THE FUND UNDER
14 SECTION 13G63 (A) (RELATING TO LOCAL SHARE ASSESSMENT).

15 (3) THE TAX IMPOSED UNDER SUBSECTION (A) SHALL BE
16 DEPOSITED INTO THE GENERAL FUND.

17 § 13G63. LOCAL SHARE ASSESSMENT.

18 (A) REQUIRED PAYMENT.--IN ADDITION TO THE TAX IMPOSED UNDER
19 SECTION 13G62 (RELATING TO SPORTS WAGERING TAX), EACH
20 CERTIFICATE HOLDER SHALL PAY ON A WEEKLY BASIS AND ON A FORM AND
21 IN A MANNER PRESCRIBED BY THE DEPARTMENT A LOCAL SHARE
22 ASSESSMENT INTO A RESTRICTED RECEIPTS ACCOUNT ESTABLISHED WITHIN
23 THE FUND. ALL MONEY OWED UNDER THIS SECTION SHALL BE HELD IN
24 TRUST BY THE CERTIFICATE HOLDER UNTIL THE MONEY IS PAID INTO THE
25 RESTRICTED ACCOUNT. FUNDS IN THE RESTRICTED ACCOUNT ARE HEREBY
26 APPROPRIATED TO THE DEPARTMENT ON A CONTINUING BASIS FOR THE
27 PURPOSES SET FORTH IN THIS SECTION.

28 (B) DISTRIBUTIONS.--EXCEPT AS PROVIDED UNDER SUBSECTIONS
29 (B.1) AND (B.2), THE DEPARTMENT SHALL MAKE QUARTERLY
30 DISTRIBUTIONS FROM THE LOCAL SHARE ASSESSMENTS DEPOSITED INTO

1 THE RESTRICTED ACCOUNT TO COUNTIES, INCLUDING HOME RULE
2 COUNTIES, AND TO MUNICIPALITIES, INCLUDING HOME RULE
3 MUNICIPALITIES, HOSTING A LICENSED FACILITY AUTHORIZED TO
4 CONDUCT SPORTS WAGERING IN THE FOLLOWING MANNER:

5 (1) FIFTY PERCENT OF THE LOCAL SHARE ASSESSMENT UNDER
6 THIS CHAPTER SHALL BE ADDED TO AND DISTRIBUTED WITH THE FUNDS
7 DISTRIBUTED UNDER SECTION 13A63(B) (RELATING TO LOCAL SHARE
8 ASSESSMENT).

9 (2) FIFTY PERCENT OF THE LOCAL SHARE ASSESSMENT UNDER
10 THIS CHAPTER SHALL BE ADDED TO AND DISTRIBUTED WITH THE FUNDS
11 DISTRIBUTED UNDER SECTION 13A63(C).

12 (B.1) NONPRIMARY LOCATIONS.--FOR SPORTS WAGERING CONDUCTED
13 AT NONPRIMARY LOCATIONS, THE LOCAL SHARE ASSESSMENT IMPOSED
14 UNDER SUBSECTION (A) SHALL BE DISTRIBUTED AS FOLLOWS:

15 (1) FIFTY PERCENT TO THE COUNTY IN WHICH THE NONPRIMARY
16 LOCATION IS LOCATED.

17 (2) FIFTY PERCENT TO THE MUNICIPALITY IN WHICH THE
18 NONPRIMARY LOCATION IS LOCATED.

19 (B.2) INTERACTIVE GAMING.--FOR SPORTS WAGERING CONDUCTED AS
20 A FORM OF INTERACTIVE GAMING, THE LOCAL SHARE ASSESSMENT IMPOSED
21 UNDER SUBSECTION (A) SHALL BE ADDED TO AND DISTRIBUTED WITH THE
22 FUNDS DISTRIBUTED UNDER SECTION 13B53 (RELATING TO LOCAL SHARE
23 ASSESSMENT).

24 (C) DEFINITIONS.--AS USED IN THIS SECTION, "LOCAL SHARE
25 ASSESSMENT" MEANS 2% OF A CERTIFICATE HOLDER'S DAILY GROSS
26 SPORTS WAGERING REVENUE.

27 § 13G64. COMPULSIVE AND PROBLEM GAMBLING.

28 THE FOLLOWING SHALL APPLY:

29 (1) EACH YEAR, FROM THE TAX IMPOSED IN SECTION 13G62
30 (RELATING TO SPORTS WAGERING TAX), \$2,000,000 OR AN AMOUNT

1 EQUAL TO .002 MULTIPLIED BY THE TOTAL GROSS SPORTS WAGERING
2 REVENUE OF ALL ACTIVE AND OPERATING SPORTS WAGERING
3 CERTIFICATE HOLDERS, WHICHEVER IS GREATER, SHALL BE
4 TRANSFERRED INTO THE COMPULSIVE AND PROBLEM GAMBLING
5 TREATMENT FUND ESTABLISHED IN SECTION 1509 (RELATING TO
6 COMPULSIVE AND PROBLEM GAMBLING PROGRAM).

7 (2) EACH YEAR, FROM THE TAX IMPOSED IN SECTION 13G62,
8 \$2,000,000 OR AN AMOUNT EQUAL TO .002 MULTIPLIED BY THE TOTAL
9 GROSS SPORTS WAGERING REVENUE OF ALL ACTIVE AND OPERATING
10 SPORTS WAGERING CERTIFICATE HOLDERS, WHICHEVER IS GREATER,
11 SHALL BE TRANSFERRED TO THE DEPARTMENT OF HEALTH TO BE USED
12 FOR DRUG AND ALCOHOL ADDICTION TREATMENT SERVICES, INCLUDING
13 TREATMENT FOR DRUG AND ALCOHOL ADDICTION RELATED TO
14 COMPULSIVE AND PROBLEM GAMBLING, AS SET FORTH IN SECTION
15 1509.1 (RELATING TO DRUG AND ALCOHOL TREATMENT).

16 SUBCHAPTER E

17 MISCELLANEOUS PROVISIONS

18 SEC.

19 13G71. CRIMINAL ACTIVITY.

20 § 13G71. CRIMINAL ACTIVITY.

21 SPORTS WAGERING CONDUCTED BY A CERTIFICATE HOLDER IN
22 ACCORDANCE WITH THIS CHAPTER SHALL NOT CONSTITUTE A CRIMINAL
23 ACTIVITY UNDER 18 PA.C.S. § 5514 (RELATING TO POOL SELLING AND
24 BOOKMAKING).

25 SECTION 19. SECTIONS 1403(B), (C)(2)(II)(D), (III)(A) AND
26 (IV)(B), 1405 AND 1407 OF TITLE 4 ARE AMENDED TO READ:

27 § 1403. ESTABLISHMENT OF STATE GAMING FUND AND NET SLOT MACHINE
28 REVENUE DISTRIBUTION.

29 * * *

30 (B) SLOT MACHINE TAX.--THE DEPARTMENT SHALL DETERMINE AND

1 EACH SLOT MACHINE LICENSEE SHALL PAY A DAILY TAX OF 34% FROM ITS
2 DAILY GROSS TERMINAL REVENUE FROM THE SLOT MACHINES IN OPERATION
3 AT ITS LICENSED FACILITY AND A LOCAL SHARE ASSESSMENT AS
4 PROVIDED IN SUBSECTION (C). ALL FUNDS OWED TO THE COMMONWEALTH,
5 A COUNTY OR A MUNICIPALITY UNDER THIS SECTION SHALL BE HELD IN
6 TRUST BY THE LICENSED GAMING ENTITY FOR THE COMMONWEALTH, THE
7 COUNTY AND THE MUNICIPALITY UNTIL THE FUNDS ARE PAID OR
8 TRANSFERRED TO THE FUND. UNLESS OTHERWISE AGREED TO BY THE
9 BOARD, A LICENSED GAMING ENTITY SHALL ESTABLISH A SEPARATE BANK
10 ACCOUNT TO MAINTAIN GROSS TERMINAL REVENUE UNTIL SUCH TIME AS
11 THE FUNDS ARE PAID OR TRANSFERRED UNDER THIS SECTION. MONEYS IN
12 THE FUND ARE HEREBY APPROPRIATED TO THE DEPARTMENT ON A
13 CONTINUING BASIS FOR THE PURPOSES SET FORTH IN SUBSECTION (C).
14 FOR THE PURPOSE OF THIS SUBSECTION, THE TERM LICENSED FACILITY
15 SHALL NOT BE CONSTRUED TO INCLUDE A NONPRIMARY LOCATION AT WHICH
16 A CATEGORY 1 SLOT MACHINE LICENSEE IS AUTHORIZED TO PLACE AND
17 MAKE SLOT MACHINES AVAILABLE FOR PLAY IN ACCORDANCE WITH CHAPTER
18 13D (RELATING TO SLOT MACHINES AT NONPRIMARY LOCATIONS) OR THE
19 PHYSICAL LAND-BASED LOCATION OF A QUALIFIED AIRPORT UNDER
20 CHAPTER 13E (RELATING TO SLOT MACHINES IN QUALIFIED AIRPORTS).

21 (C) TRANSFERS AND DISTRIBUTIONS.--THE DEPARTMENT SHALL:

22 * * *

23 (2) FROM THE LOCAL SHARE ASSESSMENT ESTABLISHED IN
24 SUBSECTION (B), MAKE QUARTERLY DISTRIBUTIONS AMONG THE
25 COUNTIES HOSTING A LICENSED FACILITY IN ACCORDANCE WITH THE
26 FOLLOWING SCHEDULE:

27 * * *

28 (II) IF THE LICENSED FACILITY IS A CATEGORY 1
29 LICENSED FACILITY AND IS LOCATED AT A THOROUGHBRED
30 RACETRACK AND THE COUNTY IN WHICH THE LICENSED FACILITY

1 IS LOCATED IS:

2 * * *

3 (D) A COUNTY OF THE THIRD CLASS: 1% OF THE
4 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
5 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.
6 AN ADDITIONAL 1% OF THE GROSS TERMINAL REVENUE TO THE
7 COUNTY HOSTING THE LICENSED FACILITY FROM EACH SUCH
8 LICENSED FACILITY FOR THE PURPOSE OF MUNICIPAL GRANTS
9 WITHIN THE COUNTY IN WHICH THE LICENSEE IS LOCATED.
10 NOTWITHSTANDING THE PROVISIONS OF THE ACT OF FEBRUARY
11 9, 1999 (P.L.1, NO.1), KNOWN AS THE CAPITAL
12 FACILITIES DEBT ENABLING ACT, GRANTS MADE UNDER THIS
13 CLAUSE MAY BE UTILIZED AS LOCAL MATCHING FUNDS FOR
14 OTHER GRANTS OR LOANS FROM THE COMMONWEALTH.

15 * * *

16 (III) IF THE FACILITY IS A CATEGORY 2 LICENSED
17 FACILITY AND IF THE COUNTY IN WHICH THE LICENSED FACILITY
18 IS LOCATED IS:

19 (A) A COUNTY OF THE FIRST CLASS: 4% OF THE
20 GROSS TERMINAL REVENUE TO THE COUNTY HOSTING THE
21 LICENSED FACILITY FROM EACH SUCH LICENSED FACILITY.
22 NOTWITHSTANDING ANY OTHER PROVISION TO THE CONTRARY,
23 FUNDS FROM LICENSED GAMING ENTITIES LOCATED WITHIN A
24 COUNTY OF THE FIRST CLASS SHALL NOT BE DISTRIBUTED
25 OUTSIDE OF A COUNTY OF THE FIRST CLASS. [THE FIRST
26 \$5,000,000] FIFTY PERCENT OR \$5,000,000, WHICHEVER IS
27 GREATER, OF THE TOTAL AMOUNT DISTRIBUTED ANNUALLY TO
28 THE COUNTY OF THE FIRST CLASS SHALL BE DISTRIBUTED TO
29 THE PHILADELPHIA SCHOOL DISTRICT.

30 * * *

1 (IV) * * *

2 (B) IF THE FACILITY IS A CATEGORY 3 LICENSED
3 FACILITY LOCATED IN A COUNTY OF THE SECOND CLASS A,
4 2% OF THE GROSS TERMINAL REVENUE [FROM THE LICENSED
5 FACILITY SHALL BE DEPOSITED INTO A RESTRICTED
6 RECEIPTS ACCOUNT TO BE ESTABLISHED IN THE
7 COMMONWEALTH FINANCING AUTHORITY TO BE USED
8 EXCLUSIVELY FOR GRANTS OR GUARANTEES FOR PROJECTS IN
9 THE HOST COUNTY THAT QUALIFY UNDER 64 PA.C.S. §§ 1551
10 (RELATING TO BUSINESS IN OUR SITES PROGRAM), 1556
11 (RELATING TO TAX INCREMENT FINANCING GUARANTEE
12 PROGRAM) AND 1558 (RELATING TO WATER SUPPLY AND
13 WASTEWATER INFRASTRUCTURE PROGRAM).] TO THE COUNTY
14 HOSTING THE LICENSED FACILITY FROM EACH SUCH LICENSED
15 FACILITY SHALL BE DEPOSITED AS FOLLOWS:

16 (I) SEVENTY-FIVE PERCENT SHALL BE DEPOSITED
17 FOR THE PURPOSE OF SUPPORTING THE MAINTENANCE AND
18 REFURBISHMENT OF THE PARKS AND HERITAGE SITES
19 THROUGHOUT THE COUNTY IN WHICH THE LICENSED
20 FACILITY IS LOCATED.

21 (II) TWELVE AND ONE-HALF PERCENT SHALL BE
22 DEPOSITED FOR THE PURPOSE OF SUPPORTING A CHILD
23 ADVOCACY CENTER LOCATED WITHIN THE COUNTY IN
24 WHICH THE LICENSED FACILITY IS LOCATED.

25 (III) TWELVE AND ONE-HALF PERCENT SHALL BE
26 DEPOSITED FOR THE PURPOSE OF SUPPORTING AN
27 ORGANIZATION PROVIDING COMPREHENSIVE SUPPORT
28 SERVICES TO VICTIMS OF DOMESTIC VIOLENCE,
29 INCLUDING LEGAL AND MEDICAL AID, SHELTERS,
30 TRANSITIONAL HOUSING AND COUNSELING LOCATED

1 WITHIN THE COUNTY IN WHICH THE LICENSED FACILITY
2 IS LOCATED.

3 * * *

4 § 1405. PENNSYLVANIA RACE HORSE DEVELOPMENT FUND.

5 (B) PENNSYLVANIA RACE HORSE IMPROVEMENT ASSESSMENT.--EACH
6 ACTIVE AND OPERATING LICENSED GAMING ENTITY SHALL PAY A DAILY
7 ASSESSMENT TO THE PENNSYLVANIA RACE HORSE DEVELOPMENT FUND AS
8 DETERMINED BY THE DEPARTMENT. SUBJECT TO THE DAILY ASSESSMENT
9 CAP ESTABLISHED UNDER SUBSECTION (C), THE LICENSED GAMING
10 ENTITY'S ASSESSMENT SHALL BE A PERCENTAGE OF EACH LICENSED
11 GAMING ENTITY'S GROSS TERMINAL REVENUE FROM THE SLOT MACHINES IN
12 OPERATION AT ITS LICENSED FACILITY, EQUAL TO AN AMOUNT
13 CALCULATED AS "A" MULTIPLIED BY "B", WITH "A" BEING EQUAL TO
14 EACH LICENSED GAMING ENTITY'S GROSS TERMINAL REVENUE FOR THAT
15 DAY DIVIDED BY THE TOTAL GROSS TERMINAL REVENUE FOR THAT DAY
16 FROM ALL LICENSED GAMING ENTITIES, AND "B" BEING EQUAL TO 18% OF
17 THAT DAY'S GROSS TERMINAL REVENUE FOR ALL ACTIVE AND OPERATING
18 CATEGORY 1 LICENSEES CONDUCTING LIVE RACING.

19 (C) DAILY ASSESSMENT CAP.--IF THE RESULTING DAILY ASSESSMENT
20 FOR A LICENSED GAMING ENTITY EXCEEDS 12% OF THAT LICENSED GAMING
21 ENTITY'S GROSS TERMINAL REVENUE FROM THE SLOT MACHINES IN
22 OPERATION AT ITS LICENSED FACILITY FOR THE DAY, THE LICENSED
23 GAMING ENTITY SHALL PAY A DAILY ASSESSMENT OF 12% OF ITS GROSS
24 TERMINAL REVENUE FOR THAT DAY.

25 (E) DEFINITION.--FOR THE PURPOSES OF THIS SECTION, THE TERM
26 "LICENSED FACILITY" SHALL NOT INCLUDE THE PHYSICAL LAND-BASED
27 LOCATION AT WHICH A LICENSED GAMING ENTITY IS AUTHORIZED TO
28 PLACE AND OPERATE SLOT MACHINES IN A NONPRIMARY LOCATION UNDER
29 CHAPTER 13D (RELATING TO SLOT MACHINES AT NONPRIMARY LOCATIONS)
30 OR IN A QUALIFIED AIRPORT UNDER CHAPTER 13E (RELATING TO SLOT

1 MACHINES IN QUALIFIED AIRPORTS).

2 § 1407. PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM
3 FUND.

4 (A) FUND ESTABLISHED.--THERE IS HEREBY ESTABLISHED A
5 PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND WITHIN
6 THE STATE TREASURY.

7 (B) FUND ADMINISTRATION AND DISTRIBUTION.--THE PENNSYLVANIA
8 GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND SHALL BE
9 ADMINISTERED BY THE DEPARTMENT OF COMMUNITY AND ECONOMIC
10 DEVELOPMENT. ALL MONEYS IN THE PENNSYLVANIA GAMING ECONOMIC
11 DEVELOPMENT AND TOURISM FUND SHALL BE DISTRIBUTED PURSUANT TO A
12 SUBSEQUENTLY ENACTED ECONOMIC DEVELOPMENT CAPITAL BUDGET THAT
13 APPROPRIATES MONEY FROM THE FUND PURSUANT TO THIS SECTION. THE
14 PROCEDURES FOR ENACTMENT, AUTHORIZATION AND RELEASE OF ECONOMIC
15 DEVELOPMENT AND TOURISM FUNDS AUTHORIZED UNDER THIS SECTION FOR
16 BOTH CAPITAL PROJECTS AND OPERATIONAL EXPENDITURES SHALL BE THE
17 SAME AS THOSE PROVIDED FOR IN SECTIONS 303(A), (B) AND (C) AND
18 318(A) OF THE ACT OF FEBRUARY 9, 1999 (P.L.1, NO.1), KNOWN AS
19 THE CAPITAL FACILITIES DEBT ENABLING ACT, WITHOUT REFERENCE TO
20 THE NATURE OR PURPOSE OF THE PROJECT, AND ANY OTHER STATUTORY
21 PROVISION, IF ANY, NECESSARY TO EFFECTUATE THE RELEASE OF FUNDS
22 APPROPRIATED IN SUCH ECONOMIC DEVELOPMENT CAPITAL BUDGET.

23 (C) PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM
24 FUND ASSESSMENT.--EACH LICENSED GAMING ENTITY SHALL PAY A DAILY
25 ASSESSMENT OF 5% OF ITS GROSS TERMINAL REVENUE FROM THE SLOT
26 MACHINES IN OPERATION AT ITS LICENSED FACILITY TO THE
27 PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND.

28 (D) RESTRICTIONS ON PROJECTS FOR CERTAIN COUNTIES AND
29 CITIES.--EXCEPT AS SET FORTH IN SUBSECTION (D.1), [FOR A TEN-
30 YEAR PERIOD BEGINNING WITH THE FIRST FISCAL YEAR DURING WHICH

1 DEPOSITS ARE MADE INTO THIS FUND], NO MONEYS FROM THE
2 PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND SHALL
3 BE DISTRIBUTED FOR ANY PROJECT LOCATED IN A CITY OR COUNTY OF
4 THE FIRST OR SECOND CLASS EXCEPT AS AUTHORIZED BY THIS
5 SUBSECTION. MONEYS NOT USED FOR THE AUTHORIZED PROJECTS IN
6 CITIES AND COUNTIES OF THE FIRST AND SECOND CLASSES MAY BE USED
7 THROUGHOUT THIS COMMONWEALTH. MONEYS FROM THE FUND FOR PROJECTS
8 WITHIN CITIES AND COUNTIES OF THE FIRST AND SECOND CLASSES MAY
9 ONLY BE USED FOR THE FOLLOWING PROJECTS [DURING THIS TEN-YEAR
10 PERIOD]:

11 (1) FOR REIMBURSEMENT TO A CITY OF THE FIRST CLASS FOR
12 DEBT SERVICE MADE BY SUCH CITY TO THE EXTENT THAT SUCH
13 PAYMENTS HAVE BEEN MADE FOR THE EXPANSION OF THE PENNSYLVANIA
14 CONVENTION CENTER;

15 (2) FOR DISTRIBUTION TO THE GENERAL FUND TO THE EXTENT
16 THAT THE COMMONWEALTH HAS MADE DEBT SERVICE PAYMENTS FOR THE
17 EXPANSION OF THE PENNSYLVANIA CONVENTION CENTER;

18 (3) FOR REIMBURSEMENT TO A CITY OF THE FIRST CLASS FOR
19 PAYMENTS MADE BY SUCH CITY FOR THE OPERATION EXPENSES OF THE
20 PENNSYLVANIA CONVENTION CENTER DURING THE PRIOR CALENDAR
21 YEAR;

22 (4) FOR DEBT SERVICE AND FOR DEVELOPMENT AND ECONOMIC
23 DEVELOPMENT PROJECTS FOR AN INTERNATIONAL AIRPORT LOCATED IN
24 A COUNTY OF THE SECOND CLASS;

25 (5) FOR DISTRIBUTION TO A COMMUNITY INFRASTRUCTURE
26 DEVELOPMENT FUND OF A COUNTY OF THE SECOND CLASS TO FUND
27 CONSTRUCTION, DEVELOPMENT, IMPROVEMENT AND MAINTENANCE OF
28 INFRASTRUCTURE PROJECTS;

29 (6) FOR THE RETIREMENT OF THE INDEBTEDNESS OF AN URBAN
30 REDEVELOPMENT AUTHORITY CREATED PURSUANT TO THE ACT OF MAY

1 24, 1945 (P.L.991, NO.385), KNOWN AS THE URBAN REDEVELOPMENT
2 LAW, IN A CITY OF THE SECOND CLASS WHICH IS FINANCED IN PART
3 WITH THE UTILIZATION OF FUNDS TRANSFERRED TO THE REGIONAL
4 ASSET DISTRICT PURSUANT TO ARTICLE XXXI-B OF THE ACT OF JULY
5 28, 1953 (P.L.723, NO.230), KNOWN AS THE SECOND CLASS COUNTY
6 CODE;

7 (8) FOR RETIREMENT OF INDEBTEDNESS OF A COUNTY OF THE
8 SECOND CLASS DEVELOPMENT FUND CREATED PURSUANT TO THE
9 AUTHORITY OF ARTICLE XXXI-B OF THE SECOND CLASS COUNTY CODE
10 AND THE URBAN REDEVELOPMENT LAW;

11 (9) FOR RETIREMENT OF INDEBTEDNESS OF A CONVENTION
12 CENTER IN A CITY OF THE SECOND CLASS ESTABLISHED PURSUANT TO
13 THE AUTHORITY OF THE PUBLIC AUDITORIUM AUTHORITIES LAW;

14 (10) FOR PAYMENT OF THE OPERATING DEFICIT FOR THE
15 OPERATION OF A CONVENTION CENTER IN A CITY OF THE SECOND
16 CLASS ESTABLISHED PURSUANT TO THE PUBLIC AUDITORIUM
17 AUTHORITIES LAW.

18 (D.1) COMMUNITY AND ECONOMIC DEVELOPMENT.--

19 (1) NOTWITHSTANDING SUBSECTION (B) OR ANY OTHER
20 PROVISION OF LAW TO THE CONTRARY, THE MONEY AUTHORIZED BUT
21 NOT EXPENDED UNDER FORMER SUBSECTION (D) (7) AS OF THE
22 EFFECTIVE DATE OF THIS SUBSECTION SHALL BE DEPOSITED INTO A
23 RESTRICTED RECEIPTS ACCOUNT TO BE ESTABLISHED IN THE
24 COMMONWEALTH FINANCING AUTHORITY EXCLUSIVELY FOR ELIGIBLE
25 APPLICATIONS SUBMITTED BY THE REDEVELOPMENT AUTHORITY OF A
26 COUNTY OF THE SECOND CLASS CREATED PURSUANT TO THE ACT OF MAY
27 24, 1945 (P.L.991, NO.385), KNOWN AS THE URBAN REDEVELOPMENT
28 LAW, FOR ECONOMIC DEVELOPMENT, INFRASTRUCTURE DEVELOPMENT,
29 JOB TRAINING, COMMUNITY IMPROVEMENT, PUBLIC SAFETY OR OTHER
30 PROJECTS IN THE PUBLIC INTEREST LOCATED IN A COUNTY OF THE

1 SECOND CLASS. COMMUNITY DEVELOPMENT CORPORATIONS, POLITICAL
2 SUBDIVISIONS, URBAN REDEVELOPMENT AUTHORITIES, MUNICIPAL
3 AUTHORITIES, FOR-PROFIT ENTITIES AND NONPROFIT ENTITIES
4 LOCATED IN A COUNTY OF THE SECOND CLASS SHALL BE ELIGIBLE TO
5 RECEIVE FUNDS MADE AVAILABLE UNDER THIS PARAGRAPH.

6 (2) NOTWITHSTANDING THE CAPITAL FACILITIES DEBT ENABLING
7 ACT, FUNDING UNDER THE PARAGRAPH (1) MAY BE UTILIZED AS LOCAL
8 MATCHING FUNDS FOR GRANTS OR LOANS FROM THE COMMONWEALTH.

9 (E) ANNUAL REPORT.--THE OFFICE OF THE BUDGET, IN COOPERATION
10 WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT AND
11 THE COMMONWEALTH FINANCING AUTHORITY, SHALL SUBMIT AN ANNUAL
12 REPORT OF ALL DISTRIBUTION OF FUNDS UNDER THIS SECTION TO THE
13 CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE
14 OF THE SENATE, THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
15 COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT COMMITTEE OF
16 THE SENATE, THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
17 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
18 CHAIRMAN AND MINORITY CHAIRMAN OF THE GAMING OVERSIGHT COMMITTEE
19 OF THE HOUSE OF REPRESENTATIVES. THE REPORT SHALL INCLUDE
20 DETAILED INFORMATION RELATING TO TRANSFERS MADE FROM THE
21 PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND AND
22 ALL REIMBURSEMENTS, DISTRIBUTIONS AND PAYMENTS MADE UNDER
23 SUBSECTION (B) OR THE ACT OF JULY 25, 2007 (P.L.342, NO.53),
24 KNOWN AS PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM
25 FUND CAPITAL BUDGET ITEMIZATION ACT OF 2007. THE REPORT SHALL BE
26 SUBMITTED BY AUGUST 31, 2010, AND BY AUGUST 31 OF EACH YEAR
27 THEREAFTER.

28 (F) LOCAL REPORT.--A CITY OF THE FIRST CLASS, CITY OF THE
29 SECOND CLASS, COUNTY OF THE SECOND CLASS, CONVENTION CENTER OR
30 CONVENTION CENTER AUTHORITY, SPORTS AND EXHIBITION AUTHORITY OF

1 A COUNTY OF THE SECOND CLASS, URBAN REDEVELOPMENT AUTHORITY,
2 AIRPORT AUTHORITY OR OTHER ENTITY THAT RECEIVES MONEY FROM THE
3 FUND PURSUANT TO AN ECONOMIC DEVELOPMENT CAPITAL BUDGET UNDER
4 SUBSECTION (B) OR THE PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT
5 AND TOURISM FUND CAPITAL BUDGET ITEMIZATION ACT OF 2007 SHALL
6 SUBMIT AN ANNUAL REPORT TO THE OFFICE OF THE BUDGET. THE REPORT
7 SHALL INCLUDE DETAILED INFORMATION, INCLUDING RECORDS OF
8 EXPENDITURES, PAYMENTS AND OTHER DISTRIBUTIONS MADE FROM FUNDS
9 RECEIVED UNDER SUBSECTION (B). THE INITIAL REPORT SHALL INCLUDE
10 INFORMATION ON ALL FUNDS RECEIVED PRIOR TO AUGUST 31, 2010. THE
11 REPORT SHALL BE SUBMITTED BY AUGUST 31, 2010, AND BY AUGUST 31
12 OF EACH YEAR THEREAFTER UNTIL ALL FUNDS UNDER THIS SECTION ARE
13 DISTRIBUTED OR RECEIVED. AN ENTITY THAT RECEIVES FUNDS FOR THE
14 FIRST TIME AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL SUBMIT
15 ITS INITIAL REPORT BY AUGUST 31 OF THE YEAR FOLLOWING RECEIPT OF
16 THE FUNDS.

17 (G) DISTRIBUTION TO INTERNATIONAL AIRPORT.--NOTWITHSTANDING
18 THE PROVISIONS OF SECTION 7(D) OF THE PENNSYLVANIA GAMING
19 ECONOMIC DEVELOPMENT AND TOURISM FUND CAPITAL BUDGET ITEMIZATION
20 ACT OF 2007, FOLLOWING THE DISTRIBUTION OF \$42.5 MILLION OF
21 FUNDS ALLOCATED TO A COUNTY OF THE SECOND CLASS FOR DEBT SERVICE
22 AND ECONOMIC DEVELOPMENT PROJECTS FOR AN INTERNATIONAL AIRPORT
23 IN THE COUNTY UNDER SECTION 3(2)(I)(E) OF THE PENNSYLVANIA
24 GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND CAPITAL BUDGET
25 ITEMIZATION ACT OF 2007, ALL REMAINING FUNDS SHALL BE
26 DISTRIBUTED DIRECTLY TO AN AUTHORITY THAT OPERATES AN
27 INTERNATIONAL AIRPORT IN THE COUNTY.

28 (H) DEFINITION.--FOR THE PURPOSES OF THIS SECTION, THE TERM
29 "LICENSED FACILITY" SHALL NOT INCLUDE THE PHYSICAL LAND-BASED
30 LOCATION AT WHICH A LICENSED GAMING ENTITY IS AUTHORIZED TO

1 PLACE AND OPERATE SLOT MACHINES IN A NONPRIMARY LOCATION UNDER
2 CHAPTER 13D (RELATING TO SLOT MACHINES AT NONPRIMARY LOCATIONS)
3 OR IN A QUALIFIED AIRPORT UNDER CHAPTER 13E (RELATING TO SLOT
4 MACHINES IN QUALIFIED AIRPORTS).

5 SECTION 20. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:
6 § 1410. PUBLIC SCHOOL EMPLOYEES' RETIREMENT CONTRIBUTION FUND.

7 (A) ESTABLISHMENT.--THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT
8 CONTRIBUTION FUND IS ESTABLISHED WITHIN THE STATE TREASURY.

9 (B) CONTENTS OF FUND.--THE FUND SHALL CONTAIN THE MONEY
10 TRANSFERRED TO THE FUND UNDER SUBSECTION (C) AND ANY OTHER MONEY
11 TRANSFERRED TO OR DEPOSITED INTO THE FUND.

12 (C) TRANSFERS TO FUND.--NOTWITHSTANDING ANY PROVISION OF
13 THIS PART, THE FOLLOWING SHALL APPLY:

14 (1) FOR THE 2016-2017 FISCAL YEAR, \$303,000,000 OF THE
15 RECEIPTS DEPOSITED INTO THE GENERAL FUND UNDER CHAPTERS 13A
16 (RELATING TO TABLE GAMES), 13B (RELATING TO INTERACTIVE
17 GAMING), 13D (RELATING TO SLOT MACHINES AT NONPRIMARY
18 LOCATIONS) AND 13E (RELATING TO SLOT MACHINES IN QUALIFIED
19 AIRPORTS) SHALL BE TRANSFERRED ANNUALLY TO THE FUND. THE
20 TRANSFERS REQUIRED BY THIS PARAGRAPH SHALL BE MADE IN EQUAL
21 MONTHLY AMOUNTS BY THE 20TH DAY OF EACH MONTH FOLLOWING THE
22 EFFECTIVE DATE OF THIS PARAGRAPH.

23 (2) FOR THE 2017-2018 FISCAL YEAR AND EACH FISCAL YEAR
24 THEREAFTER, \$310,000,000 OF THE RECEIPTS DEPOSITED INTO THE
25 GENERAL FUND UNDER CHAPTERS 13A, 13B, 13D AND 13E SHALL BE
26 TRANSFERRED ANNUALLY TO THE FUND. THE TRANSFERS REQUIRED BY
27 THIS PARAGRAPH SHALL BE MADE IN EQUAL MONTHLY AMOUNTS BY THE
28 20TH DAY OF EACH MONTH.

29 (D) USE OF MONEY IN FUND.--MONEY IN THE FUND IS HEREBY
30 APPROPRIATED TO THE DEPARTMENT OF EDUCATION AS AN AUGMENTATION

1 TO THE APPROPRIATION FOR REQUIRED CONTRIBUTION FOR PUBLIC SCHOOL
2 EMPLOYEES' RETIREMENT.

3 (E) DEFINITION.--AS USED IN THIS SECTION, THE TERM "FUND"
4 MEANS THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT CONTRIBUTION FUND.

5 SECTION 21. SECTIONS 1501(B) AND 1509(C) OF TITLE 4 ARE
6 AMENDED TO READ:

7 § 1501. RESPONSIBILITY AND AUTHORITY OF DEPARTMENT.

8 * * *

9 (B) APPLICATION OF RULES AND REGULATIONS.--THE DEPARTMENT
10 MAY PRESCRIBE THE EXTENT, IF ANY, TO WHICH ANY RULES AND
11 REGULATIONS SHALL BE APPLIED WITHOUT RETROACTIVE EFFECT. THE
12 DEPARTMENT SHALL HAVE AUTHORITY TO PRESCRIBE THE FORMS AND THE
13 SYSTEM OF ACCOUNTING AND RECORDKEEPING TO BE EMPLOYED AND
14 THROUGH ITS REPRESENTATIVE SHALL AT ALL TIMES HAVE POWER OF
15 ACCESS TO AND EXAMINATION AND AUDIT OF ANY EQUIPMENT AND RECORDS
16 RELATING TO ALL ASPECTS OF THE OPERATION OF SLOT MACHINES [AND],
17 INCLUDING SLOT MACHINES AT NONPRIMARY LOCATIONS AND QUALIFIED
18 AIRPORTS, TABLE GAMES, CASINO SIMULCASTING AND INTERACTIVE
19 GAMING UNDER THIS PART.

20 * * *

21 § 1509. COMPULSIVE AND PROBLEM GAMBLING PROGRAM.

22 * * *

23 (C) NOTICE OF AVAILABILITY OF ASSISTANCE.--

24 (1) EACH SLOT MACHINE LICENSEE SHALL OBTAIN A TOLL-FREE
25 TELEPHONE NUMBER TO BE USED TO PROVIDE PERSONS WITH
26 INFORMATION ON ASSISTANCE FOR COMPULSIVE OR PROBLEM GAMBLING.
27 EACH LICENSEE SHALL CONSPICUOUSLY POST AT LEAST 20 SIGNS
28 SIMILAR TO THE FOLLOWING STATEMENT:

29 IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP
30 IS AVAILABLE. CALL (TOLL-FREE TELEPHONE NUMBER).

1 THE SIGNS MUST BE POSTED WITHIN 50 FEET OF EACH ENTRANCE AND
2 EXIT, WITHIN 50 FEET OF EACH AUTOMATED TELLER MACHINE
3 LOCATION WITHIN THE LICENSED FACILITY AND IN OTHER
4 APPROPRIATE PUBLIC AREAS OF THE LICENSED FACILITY, INCLUDING
5 AREAS OF A CASINO SIMULCASTING FACILITY, AS DETERMINED BY THE
6 SLOT MACHINE LICENSEE.

7 (2) EACH RACETRACK WHERE SLOT MACHINES OR TABLE GAMES
8 ARE OPERATED SHALL PRINT A STATEMENT ON DAILY RACING PROGRAMS
9 PROVIDED TO THE GENERAL PUBLIC THAT IS SIMILAR TO THE
10 FOLLOWING:

11 IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, HELP
12 IS AVAILABLE. CALL (TOLL-FREE TELEPHONE NUMBER).

13 (2.1) EACH INTERACTIVE GAMING CERTIFICATE HOLDER,
14 INTERACTIVE GAMING OPERATOR OR OTHER PERSON THAT OPERATES
15 INTERACTIVE GAMING OR AN INTERACTIVE GAMING SYSTEM ON BEHALF
16 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER:

17 (I) SHALL CAUSE THE WORDS:

18 IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM,
19 HELP IS AVAILABLE. CALL (TOLL-FREE TELEPHONE NUMBER).
20 OR SOME COMPARABLE LANGUAGE APPROVED BY THE BOARD, WHICH
21 LANGUAGE SHALL INCLUDE THE WORDS "GAMBLING PROBLEM" AND
22 "CALL 1-800-XXXX," TO BE PROMINENTLY AND CONTINUOUSLY
23 DISPLAYED TO ANY PERSON VISITING OR LOGGED ONTO THE
24 INTERACTIVE GAMING CERTIFICATE HOLDER'S INTERACTIVE
25 GAMING SKIN OR INTERNET WEBSITE.

26 (II) SHALL PROVIDE A MECHANISM BY WHICH AN
27 INTERACTIVE GAMING ACCOUNT HOLDER MAY ESTABLISH THE
28 FOLLOWING CONTROLS ON WAGERING ACTIVITY THROUGH THE
29 INTERACTIVE GAMING ACCOUNT:

30 (A) A LIMIT ON THE AMOUNT OF MONEY LOST WITHIN A

1 SPECIFIED PERIOD OF TIME AND THE LENGTH OF TIME THE
2 ACCOUNT HOLDER WILL BE UNABLE TO PARTICIPATE IN
3 GAMING IF THE HOLDER REACHES THE ESTABLISHED LOSS
4 LIMIT.

5 (B) A LIMIT ON THE MAXIMUM AMOUNT OF ANY SINGLE
6 WAGER ON ANY INTERACTIVE GAME.

7 (C) A TEMPORARY SUSPENSION OF INTERACTIVE GAMING
8 THROUGH THE ACCOUNT FOR ANY NUMBER OF HOURS OR DAYS.

9 (III) SHALL NOT MAIL OR OTHERWISE FORWARD ANY
10 GAMING-RELATED PROMOTIONAL MATERIAL OR E-MAIL TO A
11 REGISTERED PLAYER DURING ANY PERIOD IN WHICH INTERACTIVE
12 GAMING THROUGH THE REGISTERED PLAYERS' INTERACTIVE GAMING
13 ACCOUNT HAS BEEN SUSPENDED OR TERMINATED. THE INTERACTIVE
14 GAMING CERTIFICATE HOLDER SHALL PROVIDE A MECHANISM BY
15 WHICH A REGISTERED PLAYER MAY CHANGE THE CONTROLS, EXCEPT
16 THAT, WHILE INTERACTIVE GAMING THROUGH THE INTERACTIVE
17 GAMING ACCOUNT IS SUSPENDED, THE REGISTERED PLAYER MAY
18 NOT CHANGE GAMING CONTROLS UNTIL THE SUSPENSION EXPIRES,
19 BUT THE REGISTERED PLAYER SHALL CONTINUE TO HAVE ACCESS
20 TO THE ACCOUNT AND SHALL BE PERMITTED TO WITHDRAW FUNDS
21 FROM THE ACCOUNT UPON PROPER APPLICATION FOR THE FUNDS TO
22 THE INTERACTIVE GAMING CERTIFICATE HOLDER.

23 (3) A [LICENSED FACILITY] LICENSED GAMING ENTITY WHICH
24 FAILS TO POST OR PRINT THE WARNING SIGN IN ACCORDANCE WITH
25 PARAGRAPH (1) [OR], (2) OR (2.1)(I) SHALL BE ASSESSED A FINE
26 OF \$1,000 A DAY FOR EACH DAY THE MINIMUM NUMBER OF SIGNS ARE
27 NOT POSTED OR THE REQUIRED STATEMENT IS NOT PRINTED AS
28 PROVIDED IN THIS SUBSECTION.

29 (4) AN INTERACTIVE GAMING CERTIFICATE HOLDER OR
30 INTERACTIVE GAMING LICENSE HOLDER, AS THE CASE MAY BE, THAT

1 FAILS TO ESTABLISH THE MECHANISMS, CONTROLS AND SYSTEMS IN
2 ACCORDANCE WITH PARAGRAPH (2.1) (II) AND (III) SHALL BE
3 ASSESSED A FINE OF NOT LESS THAN \$5,000 PER DAY FOR EACH DAY
4 THE MECHANISMS, CONTROLS AND SYSTEMS ARE NOT AVAILABLE TO
5 INTERACTIVE GAMING ACCOUNT HOLDERS.

6 * * *

7 SECTION 22. TITLE 4 IS AMENDED BY ADDING A SECTION TO READ:
8 § 1509.2. CHILD ENDANGERMENT PROTECTION.

9 (A) POSTING OF SIGNS.--THE FOLLOWING SHALL APPLY:

10 (1) EACH LICENSED GAMING ENTITY SHALL POST THE NECESSARY
11 SIGNAGE TO NOTIFY PATRONS OF THE PROHIBITION AGAINST LEAVING
12 A CHILD UNATTENDED IN A VEHICLE UNDER SECTION 1518(A) (18)
13 (RELATING TO PROHIBITED ACTS; PENALTIES) AND UNDERAGE
14 GAMBLING UNDER SECTION 1518(A) (13) AND (13.1) AND THE PENALTY
15 FOR VIOLATIONS.

16 (2) THE SIGNS SHALL BE CONSPICUOUSLY POSTED IN CLEAR
17 VIEW OF ALL PARKING AREAS AND OTHER PUBLIC AREAS OF THE
18 LICENSED FACILITY AND, INCLUDING WHERE APPLICABLE, NONPRIMARY
19 LOCATIONS, AS DETERMINED BY THE LICENSED GAMING ENTITY AND
20 APPROVED BY THE BOARD.

21 (3) THE BOARD SHALL DETERMINE THE WRITTEN CONTENT AND
22 MINIMUM NUMBER OF SIGNS TO BE POSTED AT EACH LICENSED
23 FACILITY.

24 (B) FINE.--A LICENSED GAMING ENTITY THAT FAILS TO POST
25 SIGNAGE IN ACCORDANCE WITH SUBSECTION (A) SHALL BE ASSESSED A
26 FINE OF \$1,000 PER DAY FOR EACH DAY THE MINIMUM NUMBER OF SIGNS
27 AS PRESCRIBED BY THE BOARD ARE NOT POSTED.

28 SECTION 23. SECTION 1512 OF TITLE 4 IS AMENDED BY ADDING A
29 SUBSECTION TO READ:

30 § 1512. FINANCIAL AND EMPLOYMENT INTERESTS.

1 * * *

2 (A.6) PROHIBITION RELATED TO INTERACTIVE GAMING.--

3 (1) EXCEPT AS MAY BE PROVIDED BY RULE OR ORDER OF THE
4 PENNSYLVANIA SUPREME COURT AND EXCEPT AS PROVIDED IN SECTION
5 1202.1 (RELATING TO CODE OF CONDUCT) OR 1512.1 (RELATING TO
6 ADDITIONAL RESTRICTIONS), NO EXECUTIVE-LEVEL PUBLIC EMPLOYEE,
7 PUBLIC OFFICIAL OR PARTY OFFICER OR IMMEDIATE FAMILY MEMBER
8 THEREOF SHALL HOLD, DIRECTLY OR INDIRECTLY, A FINANCIAL
9 INTEREST IN, BE EMPLOYED BY OR REPRESENT, APPEAR FOR, OR
10 NEGOTIATE ON BEHALF OF, OR DERIVE ANY REMUNERATION, PAYMENT,
11 BENEFIT OR ANY OTHER THING OF VALUE FOR ANY SERVICES,
12 INCLUDING, BUT NOT LIMITED TO, CONSULTING OR SIMILAR SERVICES
13 FROM ANY HOLDER OF OR APPLICANT FOR AN INTERACTIVE GAMING
14 CERTIFICATE, HOLDER OR APPLICANT FOR AN INTERACTIVE GAMING
15 LICENSE OR OTHER AUTHORIZATION TO CONDUCT INTERACTIVE GAMING
16 OR ANY HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANY WITH
17 RESPECT THERETO, OR ANY BUSINESS, ASSOCIATION, ENTERPRISE OR
18 OTHER ENTITY THAT IS ORGANIZED IN WHOLE OR IN PART FOR THE
19 PURPOSE OF PROMOTING, ADVOCATING FOR OR ADVANCING THE
20 INTERESTS OF THE INTERACTIVE GAMING INDUSTRY GENERALLY OR ANY
21 INTERACTIVE GAMING-RELATED BUSINESS OR BUSINESSES IN
22 CONNECTION WITH ANY CAUSE, APPLICATION OR MATTER. THE
23 FINANCIAL INTEREST AND EMPLOYMENT PROHIBITIONS UNDER THIS
24 PARAGRAPH SHALL REMAIN IN EFFECT FOR ONE YEAR FOLLOWING
25 TERMINATION OF THE INDIVIDUAL'S STATUS AS AN EXECUTIVE-LEVEL
26 PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER.

27 (2) NOTWITHSTANDING PARAGRAPH (1), A MEMBER OF THE
28 IMMEDIATE FAMILY OF AN EXECUTIVE-LEVEL PUBLIC EMPLOYEE,
29 PUBLIC OFFICIAL OR PARTY OFFICER MAY HOLD EMPLOYMENT WITH THE
30 HOLDER OF OR APPLICANT FOR AN INTERACTIVE GAMING CERTIFICATE,

1 HOLDER OR APPLICANT FOR AN INTERACTIVE GAMING LICENSE OR
2 OTHER AUTHORIZATION TO CONDUCT INTERACTIVE GAMING OR ANY
3 HOLDING, SUBSIDIARY OR INTERMEDIARY COMPANY WITH RESPECT
4 THERE TO, IF IN THE JUDGMENT OF THE STATE ETHICS COMMISSION OR
5 THE SUPREME COURT, AS APPROPRIATE, EMPLOYMENT WILL NOT
6 INTERFERE WITH THE RESPONSIBILITIES OF THE EXECUTIVE-LEVEL
7 PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY OFFICER AND WILL
8 NOT CREATE A CONFLICT OF INTEREST OR REASONABLE RISK OF THE
9 PUBLIC PERCEPTION OF A CONFLICT OF INTEREST ON THE PART OF
10 THE EXECUTIVE-LEVEL PUBLIC EMPLOYEE, PUBLIC OFFICIAL OR PARTY
11 OFFICER.

12 (3) THE FINANCIAL INTEREST AND EMPLOYMENT PROHIBITIONS
13 SPECIFIED IN PARAGRAPHS (1) AND (2) SHALL APPLY TO CASINO
14 SIMULCASTING UNDER CHAPTER 13F (RELATING TO CASINO
15 SIMULCASTING), SLOT MACHINES AT NONPRIMARY LOCATIONS UNDER
16 CHAPTER 13D (RELATING TO SLOT MACHINES AT NONPRIMARY
17 LOCATIONS) AND AIRPORT GAMING UNDER CHAPTER 13-E (RELATING TO
18 SLOT MACHINES IN QUALIFIED AIRPORTS).

19 * * *

20 SECTION 24. SECTIONS 1513(A), 1514 HEADING, (A), (D), (E)
21 AND (F), 1515, 1516 AND 1517(B) (1), (C) (12) AND (E) (1) OF TITLE
22 4 ARE AMENDED TO READ:

23 § 1513. POLITICAL INFLUENCE.

24 (A) CONTRIBUTION RESTRICTION.--THE FOLLOWING PERSONS SHALL
25 BE PROHIBITED FROM CONTRIBUTING ANY MONEY OR IN-KIND
26 CONTRIBUTION TO A CANDIDATE FOR NOMINATION OR ELECTION TO ANY
27 PUBLIC OFFICE IN THIS COMMONWEALTH, OR TO ANY POLITICAL PARTY
28 COMMITTEE OR OTHER POLITICAL COMMITTEE IN THIS COMMONWEALTH OR
29 TO ANY GROUP, COMMITTEE OR ASSOCIATION ORGANIZED IN SUPPORT OF A
30 CANDIDATE, POLITICAL PARTY COMMITTEE OR OTHER POLITICAL

1 COMMITTEE IN THIS COMMONWEALTH:

2 (1) AN APPLICANT FOR A SLOT MACHINE LICENSE,
3 MANUFACTURER LICENSE, SUPPLIER LICENSE, PRINCIPAL LICENSE,
4 KEY EMPLOYEE LICENSE, INTERACTIVE GAMING LICENSE OR HORSE OR
5 HARNESS RACING LICENSE.

6 (2) A SLOT MACHINE LICENSEE, LICENSED MANUFACTURER,
7 LICENSED SUPPLIER, INTERACTIVE GAMING OPERATOR OR LICENSED
8 RACING ENTITY.

9 (3) A LICENSED PRINCIPAL OR LICENSED KEY EMPLOYEE OF A
10 SLOT MACHINE LICENSEE, LICENSED MANUFACTURER, LICENSED
11 SUPPLIER, INTERACTIVE GAMING OPERATOR OR LICENSED RACING
12 ENTITY.

13 (4) AN AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING
14 COMPANY OF A SLOT MACHINE LICENSEE, LICENSED MANUFACTURER,
15 LICENSED SUPPLIER, INTERACTIVE GAMING OPERATOR OR LICENSED
16 RACING ENTITY.

17 (5) A LICENSED PRINCIPAL OR LICENSED KEY EMPLOYEE OF AN
18 AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING COMPANY OF A
19 SLOT MACHINE LICENSEE, LICENSED MANUFACTURER, LICENSED
20 SUPPLIER, INTERACTIVE GAMING OPERATOR OR LICENSED RACING
21 ENTITY.

22 (6) A PERSON WHO HOLDS A SIMILAR GAMING LICENSE IN
23 ANOTHER JURISDICTION AND THE AFFILIATES, INTERMEDIARIES,
24 SUBSIDIARIES, HOLDING COMPANIES, PRINCIPALS OR KEY EMPLOYEES
25 THEREOF.

26 * * *

27 § 1514. REGULATION REQUIRING EXCLUSION [OR], EJECTION OR DENIAL
28 OF ACCESS OF CERTAIN PERSONS.

29 (A) GENERAL RULE.--THE BOARD SHALL BY REGULATION PROVIDE FOR
30 THE ESTABLISHMENT OF A LIST OF PERSONS WHO ARE TO BE EXCLUDED OR

1 EJECTED FROM ANY LICENSED FACILITY OR WHO MAY BE DENIED ACCESS
2 TO INTERACTIVE GAMING, CASINO SIMULCASTING OR SLOT MACHINES AT
3 NONPRIMARY LOCATIONS. THE PROVISIONS SHALL DEFINE THE STANDARDS
4 FOR EXCLUSION AND SHALL INCLUDE STANDARDS RELATING TO PERSONS
5 WHO ARE CAREER OR PROFESSIONAL OFFENDERS AS DEFINED BY
6 REGULATIONS OF THE BOARD OR WHOSE PRESENCE IN A LICENSED
7 FACILITY OR WHOSE ACCESS TO INTERACTIVE GAMING, CASINO
8 SIMULCASTING AND SLOT MACHINES AT NONPRIMARY LOCATIONS WOULD, IN
9 THE OPINION OF THE BOARD, BE INIMICAL TO THE INTEREST OF THE
10 COMMONWEALTH OR OF LICENSED GAMING THEREIN, OR BOTH.

11 * * *

12 (D) SANCTIONS.--THE BOARD MAY IMPOSE SANCTIONS UPON A
13 LICENSED GAMING ENTITY OR INTERACTIVE GAMING LICENSEE IN
14 ACCORDANCE WITH THIS PART IF THE LICENSED GAMING ENTITY
15 KNOWINGLY FAILS TO EXCLUDE OR EJECT FROM THE PREMISES OF ANY
16 LICENSED FACILITY OR DENY ACCESS TO INTERACTIVE GAMING, CASINO
17 SIMULCASTING OR TO SLOT MACHINES AT A NONPRIMARY LOCATION ANY
18 PERSON PLACED BY THE BOARD ON THE LIST OF PERSONS TO BE EXCLUDED
19 [OR], EJECTED OR DENIED ACCESS.

20 (E) LIST NOT ALL-INCLUSIVE.--ANY LIST COMPILED BY THE BOARD
21 OF PERSONS TO BE EXCLUDED [OR], EJECTED OR DENIED ACCESS SHALL
22 NOT BE DEEMED AN ALL-INCLUSIVE LIST, AND A LICENSED GAMING
23 ENTITY SHALL HAVE A DUTY TO KEEP FROM THE LICENSED FACILITY AND
24 FROM INTERACTIVE GAMING, CASINO SIMULCASTING AND SLOT MACHINES
25 AT A NONPRIMARY LOCATION PERSONS KNOWN TO IT TO BE WITHIN THE
26 CLASSIFICATIONS DECLARED IN THIS SECTION AND THE REGULATIONS
27 PROMULGATED UNDER THIS SECTION WHOSE PRESENCE IN A LICENSED
28 FACILITY OR WHOSE PARTICIPATION IN INTERACTIVE GAMING, CASINO
29 SIMULCASTING AND THE PLAY OF SLOT MACHINES AT A NONPRIMARY
30 LOCATION WOULD BE INIMICAL TO THE INTEREST OF THE COMMONWEALTH

1 OR OF LICENSED GAMING THEREIN, OR BOTH, AS DEFINED IN STANDARDS
2 ESTABLISHED BY THE BOARD.

3 (F) NOTICE.--WHENEVER THE BUREAU SEEKS TO PLACE THE NAME OF
4 ANY PERSON ON A LIST PURSUANT TO THIS SECTION, THE BUREAU SHALL
5 SERVE NOTICE OF THIS FACT TO SUCH PERSON BY PERSONAL SERVICE OR
6 CERTIFIED MAIL AT THE LAST KNOWN ADDRESS OF THE PERSON. THE
7 NOTICE SHALL INFORM THE PERSON OF THE RIGHT TO REQUEST A HEARING
8 UNDER SUBSECTION (G). THE BUREAU MAY ALSO PROVIDE NOTICE BY E-
9 MAIL, IF THE ELECTRONIC MAIL ADDRESS OF THE PERSON IS KNOWN TO
10 THE BUREAU.

11 * * *

12 § 1515. REPEAT OFFENDERS EXCLUDABLE FROM LICENSED GAMING
13 FACILITY.

14 A LICENSED GAMING ENTITY MAY EXCLUDE OR EJECT FROM ITS
15 LICENSED FACILITY OR DENY ACCESS TO INTERACTIVE GAMING, CASINO
16 SIMULCASTING AND SLOT MACHINES AT A NONPRIMARY LOCATION ANY
17 PERSON WHO IS KNOWN TO IT TO HAVE BEEN CONVICTED OF A
18 MISDEMEANOR OR FELONY COMMITTED IN OR ON THE PREMISES OF ANY
19 LICENSED FACILITY. NOTHING IN THIS SECTION OR IN ANY OTHER LAW
20 OF THIS COMMONWEALTH SHALL LIMIT THE RIGHT OF A LICENSED GAMING
21 ENTITY TO EXERCISE ITS COMMON LAW RIGHT TO EXCLUDE OR EJECT
22 PERMANENTLY FROM ITS LICENSED FACILITY OR PERMANENTLY DENY
23 ACCESS TO ITS INTERACTIVE GAMING, CASINO SIMULCASTING AND SLOT
24 MACHINES AT A NONPRIMARY LOCATION ANY PERSON WHO DISRUPTS THE
25 OPERATIONS OF ITS PREMISES OR ITS INTERACTIVE GAMING, CASINO
26 SIMULCASTING OR THE OPERATION OF SLOT MACHINES AT A NONPRIMARY
27 LOCATION, THREATENS THE SECURITY OF ITS PREMISES OR ITS
28 OCCUPANTS OR IS DISORDERLY OR INTOXICATED[.] OR WHO THREATENS
29 THE SECURITY OF ITS LICENSED FACILITY, INCLUDING THE AREA OF A
30 NONPRIMARY LOCATION WHERE SLOT MACHINES ARE PLACED AND MADE

1 AVAILABLE FOR PLAY OR THE AREA OF A LICENSED FACILITY WHERE
2 INTERACTIVE GAMING OPERATIONS ARE MANAGED, ADMINISTERED OR
3 CONTROLLED OR CASINO SIMULCASTING IS CONDUCTED.

4 § 1516. LIST OF PERSONS SELF EXCLUDED FROM GAMING ACTIVITIES.

5 (A) GENERAL RULE.--THE BOARD SHALL PROVIDE BY REGULATION FOR
6 THE ESTABLISHMENT OF A LIST OF PERSONS SELF EXCLUDED FROM GAMING
7 ACTIVITIES, INCLUDING INTERACTIVE GAMING, CASINO SIMULCASTING
8 AND THE PLAY OF SLOT MACHINES AT NONPRIMARY LOCATIONS, AT ALL
9 LICENSED FACILITIES. ANY PERSON MAY REQUEST PLACEMENT ON THE
10 LIST OF SELF-EXCLUDED PERSONS BY ACKNOWLEDGING IN A MANNER TO BE
11 ESTABLISHED BY THE BOARD THAT THE PERSON IS A PROBLEM GAMBLER
12 AND BY AGREEING THAT, DURING ANY PERIOD OF VOLUNTARY EXCLUSION,
13 THE PERSON MAY NOT COLLECT ANY WINNINGS OR RECOVER ANY LOSSES
14 RESULTING FROM ANY GAMING ACTIVITY AT LICENSED FACILITIES,
15 INCLUDING INTERACTIVE GAMING, CASINO SIMULCASTING AND THE PLAY
16 OF SLOT MACHINES AT A NONPRIMARY LOCATION.

17 (B) REGULATIONS.--THE REGULATIONS OF THE BOARD SHALL
18 ESTABLISH PROCEDURES FOR PLACEMENTS ON AND REMOVALS FROM THE
19 LIST OF SELF-EXCLUDED PERSONS. THE REGULATIONS SHALL ESTABLISH
20 PROCEDURES FOR THE TRANSMITTAL TO LICENSED GAMING ENTITIES OF
21 IDENTIFYING INFORMATION CONCERNING SELF-EXCLUDED PERSONS AND
22 SHALL REQUIRE LICENSED GAMING ENTITIES TO ESTABLISH PROCEDURES
23 DESIGNED AT A MINIMUM TO DENY SELF-EXCLUDED PERSONS ACCESS TO
24 INTERACTIVE GAMING, CASINO SIMULCASTING AND THE PLAY OF SLOT
25 MACHINES AT NONPRIMARY LOCATIONS AND TO REMOVE SELF-EXCLUDED
26 PERSONS FROM TARGETED MAILINGS OR OTHER FORMS OF ADVERTISING OR
27 PROMOTIONS AND DENY SELF-EXCLUDED PERSONS ACCESS TO
28 COMPLIMENTARIES, CHECK CASHING PRIVILEGES, CLUB PROGRAMS AND
29 OTHER SIMILAR BENEFITS.

30 (C) LIABILITY.--A LICENSED GAMING ENTITY OR EMPLOYEE THEREOF

1 SHALL NOT BE LIABLE TO ANY SELF-EXCLUDED PERSON OR TO ANY OTHER
2 PARTY IN ANY JUDICIAL PROCEEDING FOR ANY HARM, MONETARY OR
3 OTHERWISE, WHICH MAY ARISE AS A RESULT OF:

4 (1) THE FAILURE OF A LICENSED GAMING ENTITY TO WITHHOLD
5 GAMING PRIVILEGES FROM OR RESTORE GAMING PRIVILEGES TO A
6 SELF-EXCLUDED PERSON; [OR]

7 (1.1) THE FAILURE OF A INTERACTIVE GAMING CERTIFICATE
8 HOLDER OR INTERACTIVE GAMING LICENSEE TO WITHHOLD INTERACTIVE
9 GAMING PRIVILEGES FROM OR RESTORE INTERACTIVE GAMING
10 PRIVILEGES TO A SELF-EXCLUDED PERSON;

11 (1.2) THE FAILURE OF A CASINO SIMULCASTING PERMIT HOLDER
12 TO WITHHOLD CASINO SIMULCASTING PRIVILEGES FROM OR RESTORE
13 SUCH PRIVILEGES TO A SELF-EXCLUDED PERSON;

14 (1.3) THE FAILURE OF A CATEGORY 1 LICENSED GAMING ENTITY
15 TO WITHHOLD OR RESTORE ACCESS TO SLOT MACHINES AT A
16 NONPRIMARY LOCATION TO A SELF-EXCLUDED PERSON; OR

17 (2) OTHERWISE PERMITTING OR NOT PERMITTING A SELF-
18 EXCLUDED PERSON TO ENGAGE IN GAMING ACTIVITY IN THE FACILITY
19 OR PARTICIPATE IN INTERACTIVE GAMING, CASINO SIMULCASTING OR
20 SLOT MACHINE PLAY AT A NONPRIMARY LOCATION WHILE ON THE LIST
21 OF SELF-EXCLUDED PERSONS.

22 (D) DISCLOSURE.--NOTWITHSTANDING ANY OTHER LAW TO THE
23 CONTRARY, THE BOARD'S LIST OF SELF-EXCLUDED PERSONS SHALL NOT BE
24 OPEN TO PUBLIC INSPECTION. NOTHING IN THIS SECTION, HOWEVER,
25 SHALL BE CONSTRUED TO PROHIBIT A LICENSED GAMING ENTITY FROM
26 DISCLOSING THE IDENTITY OF PERSONS SELF EXCLUDED PURSUANT TO
27 THIS SECTION TO AFFILIATED GAMING ENTITIES IN THIS COMMONWEALTH
28 OR OTHER JURISDICTIONS FOR THE LIMITED PURPOSE OF ASSISTING IN
29 THE PROPER ADMINISTRATION OF RESPONSIBLE GAMING PROGRAMS
30 OPERATED BY AFFILIATED LICENSED GAMING ENTITIES.

1 § 1517. INVESTIGATIONS AND ENFORCEMENT.

2 * * *

3 (B) POWERS AND DUTIES OF DEPARTMENT.--

4 (1) THE DEPARTMENT SHALL AT ALL TIMES HAVE THE POWER OF
5 ACCESS TO EXAMINE AND AUDIT EQUIPMENT AND RECORDS RELATING TO
6 ALL ASPECTS OF THE OPERATION OF SLOT MACHINES [OR], INCLUDING
7 SLOT MACHINES AT NONPRIMARY LOCATIONS AND, CONSISTENT WITH
8 AIRPORT SECURITY RULES AND PROCEDURES, AT QUALIFIED AIRPORTS,
9 TABLE GAMES OR INTERACTIVE GAMES AND CASINO SIMULCASTING
10 UNDER THIS PART.

11 * * *

12 (C) POWERS AND DUTIES OF THE PENNSYLVANIA STATE POLICE.--THE
13 PENNSYLVANIA STATE POLICE SHALL HAVE THE FOLLOWING POWERS AND
14 DUTIES:

15 * * *

16 (12) CONDUCT AUDITS OR VERIFICATION OF INFORMATION OF
17 SLOT MACHINE [OR], TABLE GAME OPERATIONS, INCLUDING THE
18 OPERATION OF SLOT MACHINES USED IN A MULTISTATE WIDE-AREA
19 PROGRESSIVE SLOT MACHINE SYSTEM AND IN THE OPERATION OF SKILL
20 OR HYBRID SLOT MACHINES, INTERACTIVE GAMING OPERATIONS AND
21 CASINO SIMULCASTING OPERATIONS AND THE OPERATION OF SLOT
22 MACHINES AT A NONPRIMARY LOCATION AND IN THE SPECIFIED AREA
23 OF A QUALIFIED AIRPORT AT SUCH TIMES, UNDER SUCH
24 CIRCUMSTANCES AND TO SUCH EXTENT AS THE BUREAU DETERMINES.
25 THIS PARAGRAPH INCLUDES REVIEWS OF ACCOUNTING, ADMINISTRATIVE
26 AND FINANCIAL RECORDS AND MANAGEMENT CONTROL SYSTEMS,
27 PROCEDURES AND RECORDS UTILIZED BY A SLOT MACHINE LICENSEE.

28 * * *

29 (E) INSPECTION, SEIZURE AND WARRANTS.--

30 (1) THE BUREAU, THE DEPARTMENT AND THE PENNSYLVANIA

1 STATE POLICE SHALL HAVE THE AUTHORITY WITHOUT NOTICE AND
2 WITHOUT WARRANT TO DO ALL OF THE FOLLOWING IN THE PERFORMANCE
3 OF THEIR DUTIES:

4 (I) INSPECT AND EXAMINE ALL PREMISES, INCLUDING THE
5 PREMISES OF A NONPRIMARY LOCATION AND THE SPECIFIED AREA
6 OF A QUALIFIED AIRPORT, CONSISTENT WITH AIRPORT SECURITY
7 RULES AND PROCEDURES, WHERE SLOT MACHINE [OR], TABLE GAME
8 AND INTERACTIVE GAMING AND CASINO SIMULCASTING OPERATIONS
9 ARE CONDUCTED, SLOT MACHINES, TABLE GAME DEVICES AND
10 ASSOCIATED EQUIPMENT, INTERACTIVE GAMING DEVICES AND
11 ASSOCIATED EQUIPMENT OR CASINO SIMULCASTING TECHNOLOGY OR
12 EQUIPMENT ARE MANUFACTURED, SOLD, DISTRIBUTED OR SERVICED
13 OR WHERE RECORDS OF THESE ACTIVITIES ARE PREPARED OR
14 MAINTAINED.

15 (II) INSPECT ALL EQUIPMENT AND SUPPLIES IN, ABOUT,
16 UPON OR AROUND PREMISES REFERRED TO IN SUBPARAGRAPH (I).

17 (III) SEIZE, SUMMARILY REMOVE AND IMPOUND EQUIPMENT
18 AND SUPPLIES FROM PREMISES REFERRED TO IN SUBPARAGRAPH
19 (I) FOR THE PURPOSES OF EXAMINATION AND INSPECTION.

20 (IV) INSPECT, EXAMINE AND AUDIT ALL BOOKS, RECORDS
21 AND DOCUMENTS PERTAINING TO A SLOT MACHINE LICENSEE'S
22 OPERATION.

23 (V) SEIZE, IMPOUND OR ASSUME PHYSICAL CONTROL OF ANY
24 BOOK, RECORD, LEDGER, GAME, DEVICE, CASH BOX AND ITS
25 CONTENTS, COUNT ROOM OR ITS EQUIPMENT, INTERACTIVE GAMING
26 DEVICES AND ASSOCIATED EQUIPMENT OR CASINO SIMULCASTING
27 TECHNOLOGY OR EQUIPMENT OR SLOT MACHINE [OR], TABLE GAME
28 OR INTERACTIVE GAMING OR CASINO SIMULCASTING OPERATIONS.

29 * * *

30 SECTION 25. SECTION 1518(A) (1), (2), (3), (4), (5), (7.1),

1 (11), (13), (13.1), (15) AND (17) AND (B) (1), (2) AND (3) OF
2 TITLE 4 ARE AMENDED, SUBSECTIONS (A) AND (B) ARE AMENDED BY
3 ADDING PARAGRAPHS AND SUBSECTION (C) (1) IS AMENDED BY ADDING A
4 SUBPARAGRAPH TO READ:

5 § 1518. PROHIBITED ACTS; PENALTIES.

6 (A) CRIMINAL OFFENSES.--

7 (1) THE PROVISIONS OF 18 PA.C.S. § 4902 (RELATING TO
8 PERJURY), 4903 (RELATING TO FALSE SWEARING) OR 4904 (RELATING
9 TO UNSWORN FALSIFICATION TO AUTHORITIES) SHALL APPLY TO ANY
10 PERSON PROVIDING INFORMATION OR MAKING ANY STATEMENT, WHETHER
11 WRITTEN OR ORAL, TO THE BOARD, THE COMMISSION, THE BUREAU,
12 THE DEPARTMENT, THE PENNSYLVANIA STATE POLICE OR THE OFFICE
13 OF ATTORNEY GENERAL, AS REQUIRED BY THIS PART.

14 (2) IT SHALL BE UNLAWFUL FOR A PERSON TO WILLFULLY:

15 (I) FAIL TO REPORT, PAY OR TRUTHFULLY ACCOUNT FOR
16 AND PAY OVER ANY LICENSE FEE, AUTHORIZATION FEE, PERMIT
17 FEE, TAX OR ASSESSMENT IMPOSED UNDER THIS PART; OR

18 (II) ATTEMPT IN ANY MANNER TO EVADE OR DEFEAT ANY
19 LICENSE FEE, AUTHORIZATION FEE, PERMIT FEE, REGISTRATION
20 FEE, TAX OR ASSESSMENT OR ANY OTHER FEE IMPOSED UNDER
21 THIS PART.

22 (3) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY, GAMING
23 EMPLOYEE, KEY EMPLOYEE OR ANY OTHER PERSON TO PERMIT A SLOT
24 MACHINE, TABLE GAME OR TABLE GAME DEVICE, INTERACTIVE GAME OR
25 INTERACTIVE GAMING DEVICE OR ASSOCIATED EQUIPMENT TO BE
26 OPERATED, TRANSPORTED, REPAIRED OR OPENED ON THE PREMISES OF
27 A LICENSED FACILITY BY A PERSON OTHER THAN A PERSON LICENSED
28 OR PERMITTED BY THE BOARD PURSUANT TO THIS PART.

29 (3.1) IT SHALL BE UNLAWFUL FOR ANY PERSON WHO DOES NOT
30 POSSESS A VALID AND THEN EFFECTIVE INTERACTIVE GAMING

1 CERTIFICATE OR INTERACTIVE GAMING LICENSE ISSUED BY THE BOARD
2 IN ACCORDANCE WITH CHAPTER 13B (RELATING TO INTERACTIVE
3 GAMING) TO ACCEPT ANY WAGER ASSOCIATED WITH ANY AUTHORIZED
4 INTERACTIVE GAME FROM ANY INDIVIDUAL WITHOUT VERIFYING THE
5 AGE, IDENTITY AND PHYSICAL LOCATION OF THE PLAYER AT THE TIME
6 OF PLAY OR WAGER.

7 (3.2) IT SHALL BE UNLAWFUL FOR ANY PERSON WHO DOES NOT
8 POSSESS A VALID AND THEN EFFECTIVE CASINO SIMULCASTING PERMIT
9 ISSUED BY THE BOARD IN ACCORDANCE WITH SECTION 13F12
10 (RELATING TO CASINO SIMULCASTING PERMIT) TO OPERATE OR PERMIT
11 AN INDIVIDUAL TO PARTICIPATE IN CASINO SIMULCASTING AT A
12 CATEGORY 2 LICENSED FACILITY IN THIS COMMONWEALTH.

13 (3.3) IT SHALL BE UNLAWFUL FOR ANY PERSON WHO DOES NOT
14 POSSESS A VALID NONPRIMARY LOCATION PERMIT ISSUED BY THE
15 BOARD IN ACCORDANCE WITH SECTION 13D12 (RELATING TO ISSUANCE
16 AND TERMS OF NONPRIMARY LOCATION PERMIT) TO PLACE AND MAKE
17 SLOT MACHINES AVAILABLE FOR PLAY AT A NONPRIMARY LOCATION.

18 (4) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY OR
19 OTHER PERSON TO MANUFACTURE, SUPPLY OR PLACE SLOT MACHINES,
20 TABLE GAMES, TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,
21 AUTHORIZED INTERACTIVE GAME OR INTERACTIVE GAMING DEVICES OR
22 ASSOCIATED EQUIPMENT OR CASINO SIMULCASTING TECHNOLOGY OR
23 EQUIPMENT INTO PLAY OR DISPLAY SLOT MACHINES, INCLUDING SLOT
24 MACHINES AT A NONPRIMARY LOCATION OR IN A SPECIFIED AREA OF A
25 QUALIFIED AIRPORT, TABLE GAMES, TABLE GAME DEVICES OR
26 ASSOCIATED EQUIPMENT ON THE PREMISES OF A LICENSED FACILITY
27 WITHOUT THE AUTHORITY OF THE BOARD.

28 (4.1) IT SHALL BE UNLAWFUL FOR ANY SLOT MACHINE LICENSEE
29 TO OFFER INTERACTIVE GAMES INTO PLAY OR DISPLAY SUCH GAMES ON
30 ITS INTERACTIVE GAMING SKIN OR INTERNET WEBSITE WITHOUT THE

1 APPROVAL OF THE BOARD.

2 (4.2) IT SHALL BE UNLAWFUL FOR ANY LICENSED ENTITY OR
3 OTHER PERSON TO MANUFACTURE, SUPPLY OR PLACE INTERACTIVE
4 GAMING DEVICES OR ASSOCIATED EQUIPMENT INTO OPERATION AT A
5 LICENSED FACILITY WITHOUT THE APPROVAL OF THE BOARD.

6 (4.3) IT SHALL BE UNLAWFUL FOR ANY SLOT MACHINE LICENSEE
7 TO CONDUCT CASINO SIMULCASTING WITHOUT THE APPROVAL OF THE
8 BOARD, IN CONSULTATION WITH THE COMMISSION.

9 (4.4) IT SHALL BE UNLAWFUL FOR ANY SLOT MACHINE LICENSEE
10 TO PLACE AND MAKE SLOT MACHINES AVAILABLE FOR PLAY AT A
11 NONPRIMARY LOCATION OR IN A SPECIFIED AREA OF A QUALIFIED
12 AIRPORT WITHOUT THE APPROVAL OF THE BOARD.

13 (5) EXCEPT AS PROVIDED FOR IN SECTION 1326 (RELATING TO
14 [LICENSE] RENEWALS), IT SHALL BE UNLAWFUL FOR A LICENSED
15 ENTITY OR OTHER PERSON TO MANUFACTURE, SUPPLY, OPERATE, CARRY
16 ON OR EXPOSE FOR PLAY ANY SLOT MACHINE, INCLUDING SLOT
17 MACHINES AT A NONPRIMARY LOCATION, TABLE GAME, TABLE GAME
18 DEVICE OR ASSOCIATED EQUIPMENT, INTERACTIVE GAME OR
19 INTERACTIVE GAMING DEVICE OR ASSOCIATED EQUIPMENT OR CASINO
20 SIMULCASTING TECHNOLOGY OR EQUIPMENT AFTER THE PERSON'S
21 LICENSE HAS EXPIRED AND PRIOR TO THE ACTUAL RENEWAL OF THE
22 LICENSE.

23 * * *

24 (7.1) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO DO ANY
25 OF THE FOLLOWING:

26 (I) USE OR POSSESS COUNTERFEIT, MARKED, LOADED OR
27 TAMPERED WITH TABLE GAME DEVICES OR ASSOCIATED EQUIPMENT,
28 CHIPS OR OTHER CHEATING DEVICES IN THE CONDUCT OF GAMING
29 UNDER THIS PART, EXCEPT THAT AN AUTHORIZED EMPLOYEE OF A
30 LICENSEE OR AN AUTHORIZED EMPLOYEE OF THE BOARD MAY

1 POSSESS AND USE COUNTERFEIT CHIPS OR TABLE GAME DEVICES
2 OR ASSOCIATED EQUIPMENT THAT HAVE BEEN MARKED, LOADED OR
3 TAMPERED WITH, OR OTHER CHEATING DEVICES OR ANY
4 UNAUTHORIZED INTERACTIVE GAMING DEVICE OR ASSOCIATED
5 EQUIPMENT IN PERFORMANCE OF THE DUTIES OF EMPLOYMENT FOR
6 TRAINING, INVESTIGATIVE OR TESTING PURPOSES ONLY.

7 (II) KNOWINGLY, BY A TRICK OR SLEIGHT OF HAND
8 PERFORMANCE OR BY FRAUD OR FRAUDULENT SCHEME, OR
9 MANIPULATION, TABLE GAME DEVICE OR OTHER DEVICE, OR
10 INTERACTIVE GAMING DEVICE FOR HIMSELF OR FOR ANOTHER, WIN
11 OR ATTEMPT TO WIN ANY CASH, PROPERTY OR PRIZE AT A
12 LICENSED FACILITY OR TO REDUCE OR ATTEMPT TO REDUCE A
13 LOSING WAGER.

14 (7.2) IT SHALL BE UNLAWFUL FOR A PERSON TO KNOWINGLY
15 ALTER, TAMPER OR MANIPULATE INTERACTIVE GAMING DEVICES OR
16 ASSOCIATED EQUIPMENT, INCLUDING SOFTWARE, SYSTEM PROGRAMS,
17 HARDWARE AND ANY OTHER DEVICE OR ASSOCIATED EQUIPMENT USED IN
18 INTERACTIVE GAMING OPERATIONS, IN ORDER TO ALTER THE ODDS OR
19 THE PAYOUT OF AN INTERACTIVE GAME OR TO DISABLE THE
20 INTERACTIVE GAME FROM OPERATING ACCORDING TO THE RULES OF THE
21 GAME AS AUTHORIZED BY THE BOARD.

22 (7.3) IT SHALL BE UNLAWFUL FOR A PERSON TO KNOWINGLY
23 OFFER OR ALLOW TO BE OFFERED ANY AUTHORIZED INTERACTIVE GAME
24 THAT HAS BEEN ALTERED, TAMPERED WITH OR MANIPULATED IN A WAY
25 THAT AFFECTS THE ODDS OR THE PAYOUT OF AN AUTHORIZED
26 INTERACTIVE GAME OR DISABLES THE INTERACTIVE GAME FROM
27 OPERATING ACCORDING TO THE AUTHORIZED RULES OF THE GAME AS
28 AUTHORIZED BY THE BOARD.

29 * * *

30 (11) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY

1 THAT IS A LICENSED RACING ENTITY AND THAT HAS LOST THE
2 LICENSE ISSUED TO IT BY [EITHER] THE STATE HORSE RACING
3 COMMISSION OR THE STATE HARNESS RACING COMMISSION UNDER THE
4 RACE HORSE INDUSTRY REFORM ACT OR THAT HAS HAD THAT LICENSE
5 SUSPENDED TO OPERATE SLOT MACHINES [OR] TABLE GAMES OR
6 AUTHORIZED INTERACTIVE GAMES AT THE RACETRACK OR NONPRIMARY
7 LOCATION FOR WHICH ITS SLOT MACHINE LICENSE WAS ISSUED UNLESS
8 THE LICENSE ISSUED TO IT BY EITHER THE STATE HORSE RACING
9 COMMISSION OR THE STATE HARNESS RACING COMMISSION WILL BE
10 SUBSEQUENTLY REISSUED OR REINSTATED WITHIN 30 DAYS AFTER THE
11 LOSS OR SUSPENSION.

12 * * *

13 (13) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL UNDER 21
14 YEARS OF AGE TO ENTER AND REMAIN IN ANY AREA OF A LICENSED
15 FACILITY WHERE SLOT MACHINES ARE OPERATED, INCLUDING ANY AREA
16 OF A NONPRIMARY LOCATION OR A SPECIFIED AREA OF A QUALIFIED
17 AIRPORT, OR THE PLAY OF TABLE GAMES IS CONDUCTED OR WHERE
18 CASINO SIMULCASTING IS CONDUCTED, EXCEPT THAT AN INDIVIDUAL
19 18 YEARS OF AGE OR OLDER EMPLOYED BY A SLOT MACHINE LICENSEE,
20 A GAMING SERVICE PROVIDER, THE BOARD OR ANY OTHER REGULATORY
21 OR EMERGENCY RESPONSE AGENCY MAY ENTER AND REMAIN IN ANY SUCH
22 AREA WHILE ENGAGED IN THE PERFORMANCE OF THE INDIVIDUAL'S
23 EMPLOYMENT DUTIES.

24 (13.1) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL UNDER 21
25 YEARS OF AGE TO WAGER, PLAY OR ATTEMPT TO PLAY A SLOT MACHINE
26 OR TABLE GAME, OR CASINO SIMULCASTING AT A LICENSED FACILITY,
27 INCLUDING AT A NONPRIMARY LOCATION AND THE SPECIFIED AREA OF
28 A QUALIFIED AIRPORT OR TO WAGER, PLAY OR ATTEMPT TO PLAY AN
29 INTERACTIVE GAME.

30 (13.2) IT SHALL BE UNLAWFUL TO ALLOW A PERSON UNDER 21

1 YEARS OF AGE TO OPEN, MAINTAIN OR USE IN ANY WAY AN
2 INTERACTIVE GAMING ACCOUNT. ANY INTERACTIVE GAMING
3 CERTIFICATE HOLDER, INTERACTIVE GAMING LICENSEE OR EMPLOYEE
4 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER OR INTERACTIVE
5 GAMING LICENSEE OR OTHER SUCH PERSON WHO KNOWINGLY ALLOWS A
6 PERSON UNDER 21 YEARS OF AGE TO OPEN, MAINTAIN OR USE AN
7 INTERACTIVE GAMING ACCOUNT SHALL BE SUBJECT TO THE PENALTY
8 SET FORTH IN THIS SECTION, EXCEPT THAT THE ESTABLISHMENT OF
9 ALL OF THE FOLLOWING FACTS BY AN INTERACTIVE GAMING
10 CERTIFICATE HOLDER, INTERACTIVE GAMING LICENSEE OR EMPLOYEE
11 OF AN INTERACTIVE GAMING CERTIFICATE HOLDER, INTERACTIVE
12 GAMING LICENSEE OR OTHER SUCH PERSON SHALL CONSTITUTE A
13 DEFENSE TO ANY REGULATORY ACTION BY THE BOARD OR THE PENALTY
14 AUTHORIZED UNDER THIS SECTION:

15 (I) THE UNDERAGE PERSON FALSELY REPRESENTED THAT HE
16 WAS OF THE PERMITTED 21 YEARS OF AGE IN THE APPLICATION
17 FOR AN INTERACTIVE GAMING ACCOUNT; AND

18 (II) THE ESTABLISHMENT OF THE INTERACTIVE GAMING
19 ACCOUNT WAS MADE IN GOOD FAITH RELIANCE UPON SUCH
20 REPRESENTATION AND IN THE REASONABLE BELIEF THAT THE
21 UNDERAGE PERSON WAS 21 YEARS OF AGE.

22 * * *

23 (15) IT SHALL BE UNLAWFUL FOR A LICENSED GAMING ENTITY
24 TO REQUIRE A WAGER TO BE GREATER THAN THE STATED MINIMUM
25 WAGER OR LESS THAN THE STATED MAXIMUM WAGER. HOWEVER, A WAGER
26 MADE BY A PLAYER AND NOT REJECTED BY A LICENSED GAMING ENTITY
27 PRIOR TO COMMENCEMENT OF PLAY SHALL BE TREATED AS A VALID
28 WAGER. A WAGER ACCEPTED BY A DEALER OR THROUGH AN AUTHORIZED
29 INTERACTIVE GAME SHALL BE PAID OR LOST IN ITS ENTIRETY IN
30 ACCORDANCE WITH THE RULES OF THE GAME, NOTWITHSTANDING THAT

1 THE WAGER EXCEEDED THE CURRENT TABLE MAXIMUM WAGER OR
2 AUTHORIZED INTERACTIVE GAME WAGER OR WAS LOWER THAN THE
3 CURRENT TABLE MINIMUM WAGER OR MINIMUM INTERACTIVE GAME
4 WAGER.

5 * * *

6 (17) IT SHALL BE UNLAWFUL FOR AN INDIVIDUAL TO CLAIM,
7 COLLECT OR TAKE, OR ATTEMPT TO CLAIM, COLLECT OR TAKE, MONEY
8 OR ANYTHING OF VALUE IN OR FROM A SLOT MACHINE, INCLUDING A
9 SLOT MACHINE AT A NONPRIMARY LOCATION OR IN A SPECIFIED AREA
10 OF A QUALIFIED AIRPORT, GAMING TABLE OR OTHER TABLE GAME
11 DEVICE, INTERACTIVE GAME OR INTERACTIVE GAMING DEVICE OR FROM
12 CASINO SIMULCASTING OPERATIONS WITH THE INTENT TO DEFRAUD, OR
13 TO CLAIM, COLLECT OR TAKE AN AMOUNT GREATER THAN THE AMOUNT
14 WON, OR TO MANIPULATE WITH THE INTENT TO CHEAT, ANY COMPONENT
15 OF ANY SLOT MACHINE, INCLUDING SLOT MACHINES AT A NONPRIMARY
16 LOCATION OR IN A SPECIFIED AREA OF A QUALIFIED AIRPORT, TABLE
17 GAME OR TABLE GAME DEVICE, INTERACTIVE GAME OR INTERACTIVE
18 GAMING DEVICE IN A MANNER CONTRARY TO THE DESIGNED AND NORMAL
19 OPERATIONAL PURPOSE.

20 (18) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IT
21 SHALL BE UNLAWFUL FOR AN INDIVIDUAL DRIVING OR IN CHARGE OF A
22 MOTOR VEHICLE TO PERMIT A CHILD UNDER 14 YEARS OF AGE TO
23 REMAIN UNATTENDED IN THE VEHICLE IF THE VEHICLE IS LOCATED ON
24 PROPERTY OWNED, LEASED OR CONTROLLED BY A LICENSED GAMING
25 ENTITY OR ITS AFFILIATE, INTERMEDIARY, SUBSIDIARY OR HOLDING
26 COMPANY. IN ADDITION TO THE PENALTIES IN SUBSECTION (B), THE
27 INDIVIDUAL SHALL BE SUBJECT TO EXCLUSION OR EJECTION FROM
28 LICENSED FACILITIES UNDER SECTIONS 1514 (RELATING TO
29 REGULATION REQUIRING EXCLUSION, EJECTION OR DENIAL OF ACCESS
30 OF CERTAIN PERSONS) AND 1515 (RELATING TO REPEAT OFFENDERS

1 EXCLUDABLE FROM LICENSED GAMING FACILITY). NOTWITHSTANDING
2 ANY OF THE PROVISIONS OF 18 PA.C.S. CH. 91 (RELATING TO
3 CRIMINAL HISTORY RECORD INFORMATION), THE INVESTIGATING
4 OFFICER IN THE JURISDICTION IN WHICH THE VEHICLE IS LOCATED
5 SHALL BE RESPONSIBLE FOR PROVIDING WRITTEN NOTICE OF THE
6 VIOLATION WITHIN 48 HOURS TO THE DIRECTOR OF THE COUNTY
7 CHILDREN AND YOUTH SERVICE AGENCY OF THE COUNTY WHERE THE
8 VIOLATION OCCURRED. THE NOTICE SHALL CONTAIN:

9 (I) THE NAME OF THE INDIVIDUAL CHARGED UNDER THIS
10 SECTION.

11 (II) THE ADDRESS OR ADDRESSES AT WHICH THE
12 INDIVIDUAL RESIDES.

13 (III) THE NAME OF THE CHILD OR CHILDREN LEFT
14 UNATTENDED.

15 (B) CRIMINAL PENALTIES AND FINES.--

16 (1) (I) A PERSON THAT COMMITS A FIRST OFFENSE IN
17 VIOLATION OF 18 PA.C.S. § 4902, 4903 OR 4904 IN
18 CONNECTION WITH PROVIDING INFORMATION OR MAKING ANY
19 STATEMENT, WHETHER WRITTEN OR ORAL, TO THE BOARD, THE
20 BUREAU, THE DEPARTMENT, THE PENNSYLVANIA STATE POLICE,
21 THE OFFICE OF ATTORNEY GENERAL OR A DISTRICT ATTORNEY AS
22 REQUIRED BY THIS PART COMMITS AN OFFENSE TO BE GRADED IN
23 ACCORDANCE WITH THE APPLICABLE SECTION VIOLATED. A PERSON
24 THAT IS CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF
25 18 PA.C.S. § 4902, 4903 OR 4904 IN CONNECTION WITH
26 PROVIDING INFORMATION OR MAKING ANY STATEMENT, WHETHER
27 WRITTEN OR ORAL, TO THE BOARD, THE BUREAU, THE
28 DEPARTMENT, THE PENNSYLVANIA STATE POLICE, THE OFFICE OF
29 ATTORNEY GENERAL OR A DISTRICT ATTORNEY AS REQUIRED BY
30 THIS PART COMMITS A FELONY OF THE SECOND DEGREE.

1 (II) A PERSON THAT VIOLATES SUBSECTION (A) (2), (3)
2 AND (4) THROUGH (12) OR (17) COMMITS A MISDEMEANOR OF THE
3 FIRST DEGREE. A PERSON THAT IS CONVICTED OF A SECOND OR
4 SUBSEQUENT VIOLATION OF SUBSECTION (A) (2), (3) AND (4)
5 THROUGH (12) OR (17) COMMITS A FELONY OF THE SECOND
6 DEGREE.

7 (2) (I) FOR A FIRST VIOLATION OF SUBSECTION (A) (1)
8 THROUGH (12) OR (17), A PERSON SHALL BE SENTENCED TO PAY
9 A FINE OF:

10 (A) NOT LESS THAN \$75,000 NOR MORE THAN \$150,000
11 IF THE PERSON IS AN INDIVIDUAL;

12 (B) NOT LESS THAN \$300,000 NOR MORE THAN
13 \$600,000 IF THE PERSON IS A LICENSED GAMING ENTITY OR
14 AN INTERACTIVE GAMING LICENSEE; OR

15 (C) NOT LESS THAN \$150,000 NOR MORE THAN
16 \$300,000 IF THE PERSON IS A LICENSED MANUFACTURER OR
17 SUPPLIER.

18 (II) FOR A SECOND OR SUBSEQUENT VIOLATION OF
19 SUBSECTION (A) (1), (2), (3) AND (4) THROUGH (12) OR (17),
20 A PERSON SHALL BE SENTENCED TO PAY A FINE OF:

21 (A) NOT LESS THAN \$150,000 NOR MORE THAN
22 \$300,000 IF THE PERSON IS AN INDIVIDUAL;

23 (B) NOT LESS THAN \$600,000 NOR MORE THAN
24 \$1,200,000 IF THE PERSON IS A LICENSED GAMING ENTITY;
25 OR

26 (C) NOT LESS THAN \$300,000 NOR MORE THAN
27 \$600,000 IF THE PERSON IS A LICENSED MANUFACTURER OR
28 SUPPLIER.

29 (2.1) A PERSON THAT COMMITS AN OFFENSE IN VIOLATION OF
30 SUBSECTION (A) (3.1) OR (3.2) COMMITS A FELONY AND, UPON

1 CONVICTION, SHALL BE SENTENCED TO PAY A FINE OF NOT LESS THAN
2 \$500,000 NOR MORE THAN \$1,000,000. A PERSON THAT IS CONVICTED
3 OF A SECOND OR SUBSEQUENT VIOLATION OF SUBSECTION (A) (3.1)
4 COMMITTS A FELONY OF THE FIRST DEGREE AND SHALL BE SENTENCED
5 TO PAY A FINE OF NOT LESS THAN \$1,000,000 NOR MORE THAN
6 \$2,500,000.

7 (3) AN INDIVIDUAL WHO COMMITS AN OFFENSE IN VIOLATION OF
8 SUBSECTION (A) (13) [OR], (13.1) OR (13.2) COMMITS A
9 NONGAMBLING SUMMARY OFFENSE AND UPON CONVICTION OF A FIRST
10 OFFENSE SHALL BE SENTENCED TO PAY A FINE OF NOT LESS THAN
11 \$200 NOR MORE THAN \$1,000. AN INDIVIDUAL THAT IS CONVICTED OF
12 A SECOND OR SUBSEQUENT OFFENSE UNDER SUBSECTION (A) (13) [OR],
13 (13.1) OR (13.2) SHALL BE SENTENCED TO PAY A FINE OF NOT LESS
14 THAN \$500 NOR MORE THAN \$1,500. IN ADDITION TO THE FINE
15 IMPOSED, AN INDIVIDUAL CONVICTED OF AN OFFENSE UNDER
16 SUBSECTION (A) (13) [OR], (13.1) OR (13.2) MAY BE SENTENCED TO
17 PERFORM A PERIOD OF COMMUNITY SERVICE NOT TO EXCEED 40 HOURS.

18 (3.1) NOTWITHSTANDING PARAGRAPH (3), WHENEVER AN
19 INDIVIDUAL IS CONVICTED OF A SECOND OR SUBSEQUENT OFFENSE
20 UNDER SUBSECTION (A) (13) OR (13.1), THE COURT, INCLUDING A
21 COURT NOT OF RECORD IF IT IS EXERCISING JURISDICTION PURSUANT
22 TO 42 PA.C.S. § 1515(A) (RELATING TO JURISDICTION AND VENUE),
23 SHALL ORDER THE OPERATING PRIVILEGES OF THE INDIVIDUAL
24 SUSPENDED. A COPY OF THE COURT ORDER SHALL BE TRANSMITTED TO
25 THE DEPARTMENT OF TRANSPORTATION.

26 (3.2) WHEN THE DEPARTMENT SUSPENDS THE OPERATING
27 PRIVILEGE OF A PERSON UNDER PARAGRAPH (3.1), THE DURATION OF
28 THE SUSPENSION SHALL BE AS FOLLOWS:

29 (I) FOR A FIRST OFFENSE, A PERIOD OF 90 DAYS FROM
30 THE DATE OF SUSPENSION.

1 (II) FOR A SECOND OFFENSE, A PERIOD OF ONE YEAR FROM
2 THE DATE OF SUSPENSION.

3 (III) FOR A THIRD OFFENSE, AND ANY OFFENSE
4 THEREAFTER, A PERIOD OF TWO YEARS FROM THE DATE OF
5 SUSPENSION. ANY MULTIPLE SENTENCES IMPOSED SHALL BE
6 SERVED CONSECUTIVELY.

7 REINSTATEMENT OF OPERATING PRIVILEGE SHALL BE GOVERNED BY 75
8 PA.C.S. § 1545 (RELATING TO RESTORATION OF OPERATING
9 PRIVILEGE).

10 * * *

11 (5) AN INDIVIDUAL WHO COMMITS AN OFFENSE IN VIOLATION OF
12 SUBSECTION (A) (18) COMMITS A MISDEMEANOR OF THE THIRD DEGREE
13 FOR THE FIRST OFFENSE. A PERSON THAT IS CONVICTED OF A SECOND
14 OR SUBSEQUENT VIOLATION OF SUBSECTION (A) (18) COMMITS A
15 MISDEMEANOR OF THE SECOND DEGREE.

16 (C) BOARD-IMPOSED ADMINISTRATIVE SANCTIONS.--

17 (1) IN ADDITION TO ANY OTHER PENALTY AUTHORIZED BY LAW,
18 THE BOARD MAY IMPOSE WITHOUT LIMITATION THE FOLLOWING
19 SANCTIONS UPON ANY LICENSEE OR PERMITTEE:

20 * * *

21 (X) ASSESS A FINE FOR FAILURE TO REPORT A VIOLATION
22 UNDER SUBSECTION (A) (18), OF WHICH THE LICENSED GAMING
23 ENTITY KNEW OR SHOULD HAVE KNOWN, TO THE APPROPRIATE LAW
24 ENFORCEMENT AUTHORITY. THE AMOUNT OF THE FINE SHALL BE
25 NOT LESS THAN \$75,000 NOR MORE THAN \$150,000 FOR A FIRST
26 VIOLATION OF THIS SUBPARAGRAPH, AND NOT LESS THAN
27 \$150,000 NOR MORE THAN \$300,000 FOR A SECOND OR
28 SUBSEQUENT VIOLATION OF THIS SUBPARAGRAPH.

29 * * *

30 SECTION 26. SECTION 1901(A) OF TITLE 4 IS AMENDED BY ADDING

1 A PARAGRAPH TO READ:

2 § 1901. APPROPRIATIONS.

3 (A) APPROPRIATION TO BOARD.--

4 * * *

5 (3) THE SUM OF \$5,000,000 IS HEREBY APPROPRIATED FROM
6 THE STATE GAMING FUND TO THE PENNSYLVANIA GAMING CONTROL
7 BOARD FOR SALARIES, WAGES AND ALL NECESSARY EXPENSES FOR THE
8 PROPER OPERATION AND ADMINISTRATION OF THE BOARD FOR THE
9 ACTIVITIES AUTHORIZED UNDER THIS ACT. THIS APPROPRIATION
10 SHALL BE A SUPPLEMENTAL APPROPRIATION FOR FISCAL YEAR 2016-
11 2017 AND SHALL BE IN ADDITION TO THE APPROPRIATION CONTAINED
12 IN THE ACT OF _____, 2016 (P.L. _____, NO. A), KNOWN AS THE
13 GAMING CONTROL APPROPRIATION ACT OF 2016.

14 * * *

15 SECTION 27. THE AMENDMENT OF 4 PA.C.S. § 1305 IN THE ACT OF
16 JANUARY 7, 2010 (P.L.1, NO.1), ENTITLED "AN ACT AMENDING TITLE 4
17 (AMUSEMENTS) OF THE PENNSYLVANIA CONSOLIDATED STATUTES, MAKING
18 EXTENSIVE REVISIONS TO PROVISIONS ON GAMING, IN THE AREAS OF
19 LEGISLATIVE INTENT, DEFINITIONS, THE PENNSYLVANIA GAMING CONTROL
20 BOARD, APPLICABILITY OF OTHER STATUTES, POWERS OF THE BOARD,
21 CODE OF CONDUCT, EXPENSES OF REGULATORY AGENCIES, LICENSED
22 GAMING ENTITY APPLICATION APPEALS FROM BOARD, LICENSE OR PERMIT
23 APPLICATION HEARING PROCESS AND PUBLIC HEARINGS, BOARD MINUTES
24 AND RECORDS, REGULATORY AUTHORITY, COLLECTION OF FEES AND FINES,
25 SLOT MACHINE LICENSE FEE, NUMBER OF SLOT MACHINES, REPORTS OF
26 BOARD, DIVERSITY GOALS OF BOARD, LICENSE OR PERMIT PROHIBITION,
27 SPECIFIC AUTHORITY TO SUSPEND SLOT MACHINE LICENSE, CATEGORY 2
28 SLOT MACHINE LICENSE, CATEGORY 3 SLOT MACHINE LICENSE, NUMBER OF
29 SLOT MACHINE LICENSES, APPLICATIONS FOR LICENSE OR PERMIT, SLOT
30 MACHINE LICENSE APPLICATION, SLOT MACHINE LICENSE APPLICATION

1 CHARACTER REQUIREMENTS, SUPPLIER LICENSES, MANUFACTURER
2 LICENSES, GAMING SERVICE PROVIDER, OCCUPATION PERMIT
3 APPLICATION, ALTERNATIVE MANUFACTURER LICENSING STANDARDS,
4 ALTERNATIVE SUPPLIER LICENSING STANDARDS, ADDITIONAL LICENSES
5 AND PERMITS AND APPROVAL OF AGREEMENTS, LICENSE RENEWALS, CHANGE
6 IN OWNERSHIP OR CONTROL OF SLOT MACHINE LICENSEE, NONPORTABILITY
7 OF SLOT MACHINE LICENSE, APPOINTMENT OF TRUSTEE, TABLE GAMES,
8 SLOT MACHINE LICENSEE DEPOSITS, GROSS TERMINAL REVENUE
9 DEDUCTIONS, ITEMIZED BUDGET REPORTING, ESTABLISHMENT OF STATE
10 GAMING FUND AND NET SLOT MACHINE REVENUE DISTRIBUTION,
11 DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE DEVELOPMENT FUND,
12 PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND,
13 TRANSFERS FROM STATE GAMING FUND, RESPONSIBILITY AND AUTHORITY
14 OF DEPARTMENT OF REVENUE, WAGERING ON CREDIT, EMINENT DOMAIN
15 AUTHORITY, COMPULSIVE AND PROBLEM GAMBLING PROGRAM, DRUG AND
16 ALCOHOL TREATMENT, LABOR HIRING PREFERENCES, DECLARATION OF
17 EXEMPTION FROM FEDERAL LAWS PROHIBITING SLOT MACHINES, FINANCIAL
18 AND EMPLOYMENT INTERESTS, ADDITIONAL RESTRICTIONS, POLITICAL
19 INFLUENCE, REGULATION REQUIRING EXCLUSION OF CERTAIN PERSONS,
20 PROSECUTORIAL AND ADJUDICATIVE FUNCTIONS, INVESTIGATIONS AND
21 ENFORCEMENT, CONDUCT OF PUBLIC OFFICIALS AND EMPLOYEES,
22 PROHIBITED ACTS AND PENALTIES, REPORT OF SUSPICIOUS
23 TRANSACTIONS, ADDITIONAL AUTHORITY, APPLICABILITY OF CLEAN
24 INDOOR AIR ACT, LIQUOR LICENSES AT LICENSED FACILITIES,
25 INTERCEPTION OF ORAL COMMUNICATIONS, ELECTRONIC FUNDS TRANSFER
26 TERMINALS, JUNKETS, GAMING SCHOOLS, APPROPRIATIONS AND
27 COMMONWEALTH FINANCING AUTHORITY; AND MAKING RELATED REPEALS,"
28 SHALL TAKE EFFECT ON JANUARY 1, 2016, IF ALL CATEGORY 3 LICENSED
29 FACILITIES AUTHORIZED BY 4 PA.C.S. PT. II BEFORE THE EFFECTIVE
30 DATE OF THIS SECTION HAVE COMMENCED THE OPERATION OF SLOT

1 MACHINES.

2 SECTION 28. REPEALS ARE AS FOLLOWS:

3 (1) THE GENERAL ASSEMBLY FINDS THAT THE REPEAL UNDER
4 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THIS ACT.

5 (2) SECTION 21(2) OF THE ACT OF JANUARY 7, 2010 (P.L.1,
6 NO.1), ENTITLED "AN ACT AMENDING TITLE 4 (AMUSEMENTS) OF THE
7 PENNSYLVANIA CONSOLIDATED STATUTES, MAKING EXTENSIVE
8 REVISIONS TO PROVISIONS ON GAMING, IN THE AREAS OF
9 LEGISLATIVE INTENT, DEFINITIONS, THE PENNSYLVANIA GAMING
10 CONTROL BOARD, APPLICABILITY OF OTHER STATUTES, POWERS OF THE
11 BOARD, CODE OF CONDUCT, EXPENSES OF REGULATORY AGENCIES,
12 LICENSED GAMING ENTITY APPLICATION APPEALS FROM BOARD,
13 LICENSE OR PERMIT APPLICATION HEARING PROCESS AND PUBLIC
14 HEARINGS, BOARD MINUTES AND RECORDS, REGULATORY AUTHORITY,
15 COLLECTION OF FEES AND FINES, SLOT MACHINE LICENSE FEE,
16 NUMBER OF SLOT MACHINES, REPORTS OF BOARD, DIVERSITY GOALS OF
17 BOARD, LICENSE OR PERMIT PROHIBITION, SPECIFIC AUTHORITY TO
18 SUSPEND SLOT MACHINE LICENSE, CATEGORY 2 SLOT MACHINE
19 LICENSE, CATEGORY 3 SLOT MACHINE LICENSE, NUMBER OF SLOT
20 MACHINE LICENSES, APPLICATIONS FOR LICENSE OR PERMIT, SLOT
21 MACHINE LICENSE APPLICATION, SLOT MACHINE LICENSE APPLICATION
22 CHARACTER REQUIREMENTS, SUPPLIER LICENSES, MANUFACTURER
23 LICENSES, GAMING SERVICE PROVIDER, OCCUPATION PERMIT
24 APPLICATION, ALTERNATIVE MANUFACTURER LICENSING STANDARDS,
25 ALTERNATIVE SUPPLIER LICENSING STANDARDS, ADDITIONAL LICENSES
26 AND PERMITS AND APPROVAL OF AGREEMENTS, LICENSE RENEWALS,
27 CHANGE IN OWNERSHIP OR CONTROL OF SLOT MACHINE LICENSEE,
28 NONPORTABILITY OF SLOT MACHINE LICENSE, APPOINTMENT OF
29 TRUSTEE, TABLE GAMES, SLOT MACHINE LICENSEE DEPOSITS, GROSS
30 TERMINAL REVENUE DEDUCTIONS, ITEMIZED BUDGET REPORTING,

1 ESTABLISHMENT OF STATE GAMING FUND AND NET SLOT MACHINE
2 REVENUE DISTRIBUTION, DISTRIBUTIONS FROM PENNSYLVANIA RACE
3 HORSE DEVELOPMENT FUND, PENNSYLVANIA GAMING ECONOMIC
4 DEVELOPMENT AND TOURISM FUND, TRANSFERS FROM STATE GAMING
5 FUND, RESPONSIBILITY AND AUTHORITY OF DEPARTMENT OF REVENUE,
6 WAGERING ON CREDIT, EMINENT DOMAIN AUTHORITY, COMPULSIVE AND
7 PROBLEM GAMBLING PROGRAM, DRUG AND ALCOHOL TREATMENT, LABOR
8 HIRING PREFERENCES, DECLARATION OF EXEMPTION FROM FEDERAL
9 LAWS PROHIBITING SLOT MACHINES, FINANCIAL AND EMPLOYMENT
10 INTERESTS, ADDITIONAL RESTRICTIONS, POLITICAL INFLUENCE,
11 REGULATION REQUIRING EXCLUSION OF CERTAIN PERSONS,
12 PROSECUTORIAL AND ADJUDICATIVE FUNCTIONS, INVESTIGATIONS AND
13 ENFORCEMENT, CONDUCT OF PUBLIC OFFICIALS AND EMPLOYEES,
14 PROHIBITED ACTS AND PENALTIES, REPORT OF SUSPICIOUS
15 TRANSACTIONS, ADDITIONAL AUTHORITY, APPLICABILITY OF CLEAN
16 INDOOR AIR ACT, LIQUOR LICENSES AT LICENSED FACILITIES,
17 INTERCEPTION OF ORAL COMMUNICATIONS, ELECTRONIC FUNDS
18 TRANSFER TERMINALS, JUNKETS, GAMING SCHOOLS, APPROPRIATIONS
19 AND COMMONWEALTH FINANCING AUTHORITY; AND MAKING RELATED
20 REPEALS," IS REPEALED.

21 SECTION 29. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

22 (1) EXCEPT AS SET FORTH IN PARAGRAPH (2), THE ADDITION
23 OF 4 PA.C.S. CH. 3 SHALL TAKE EFFECT IN 180 DAYS.

24 (2) THE ADDITION OF 4 PA.C.S. § 343 SHALL TAKE EFFECT
25 IMMEDIATELY.

26 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
27 IMMEDIATELY.