

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1021 Session of
2024

INTRODUCED BY DILLON, GEBHARD, TARTAGLIONE, FONTANA, DUSH,
COSTA, CAPPELLETTI AND KEARNEY, JANUARY 10, 2024

REFERRED TO JUDICIARY, JANUARY 10, 2024

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in burglary and other criminal
3 intrusion, further providing for the offense of criminal
4 trespass; and, in offenses against the family, further
5 providing for the offense of endangering welfare of children.

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

8 Section 1. Section 3503(d) of Title 18 of the Pennsylvania
9 Consolidated Statutes is amended and the section is amended by
10 adding a subsection to read:

11 § 3503. Criminal trespass.

12 * * *

13 (b.4) Evaluation for gambling disorder.--

14 (1) Upon conviction or admission to Accelerated
15 Rehabilitative Disposition or other pretrial diversion
16 program of a person for an offense committed under subsection
17 (b), where the person's name is included on a self-exclusion
18 list and the offense was committed at a licensed facility or
19 a video gaming area, the court may direct that the person be

evaluated in a manner deemed appropriate by the court to
determine:

(i) if the person has a gambling disorder; and
(ii) whether there is a need for counseling or
treatment as part of the sentence or preadjudication
disposition.

(2) The evaluation shall be conducted by a clinician
appointed by the court and shall include recommendations for
levels of care, continuing care and monitoring.

* * *

(d) [Definition.--As used in this section, the term "school
grounds" means any] Definitions.--As used in this section, the
following words and phrases shall have the meanings given to
them in this subsection unless the context clearly indicates
otherwise:

"Establishment licensee." As defined in 4 Pa.C.S. § 3102
(relating to definitions).

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

"Licensed gaming entity." As defined in 4 Pa.C.S. § 1103.

"School grounds." Any building or grounds of any
elementary or secondary publicly funded educational institution,
any elementary or secondary private school licensed by the
Department of Education, any elementary or secondary parochial
school, any certified day-care center or any licensed preschool
program.

"Self-exclusion list." The lists established and maintained
by the Pennsylvania Gaming Control Board under 4 Pa.C.S. §§ 1516
(relating to list of persons self excluded from gaming
activities) and 3903 (relating to self-exclusion) or self-

exclusion lists maintained by a licensed gaming entity which
meets the minimum criteria stated in 4 Pa.C.S. § 1516 or by an
establishment licensee which meets the minimum criteria stated
in 4 Pa.C.S. § 3903.

"Video gaming area." As defined in 4 Pa.C.S. § 3102.

Section 2. Section 4304(b)(1) of Title 18 is amended by
adding a subparagraph and the section is amended by adding
subsections to read:

§ 4304. Endangering welfare of children.

* * *

(b) Grading.--

(1) Except as provided under paragraph (2), the
following apply:

* * *

(v) If the actor's conduct under subsection (a)(1)
included leaving a child unattended in any part of a
licensed gaming facility, the offense constitutes a
felony of the third degree.

* * *

(d) Leaving child unattended at a licensed gaming
facility.--The following shall apply to an offense graded under
subsection (b)(1)(v):

(1) A person who commits an offense may be placed on the
exclusion list under 4 Pa.C.S. § 1514 (relating to regulation
requiring exclusion, ejection or denial of access of certain
persons).

(2) The commission of an offense shall be reported to
the children and youth services agency of the county in which
the violation occurred for investigation.

(3) A licensed gaming entity shall provide notice of the

1 offense and grading in a licensed gaming facility. The notice
2 shall include the use of signage in conjunction with
3 pamphlets or brochures.

4 (4) A licensed gaming entity shall establish policies
5 and procedures to train employees in the care of unattended
6 children.

7 (e) Definitions.--As used in this section, the following
8 words and phrases shall have the meanings given to them in this
9 subsection unless the context clearly indicates otherwise:

10 "Licensed gaming entity." As defined in 4 Pa.C.S. § 1103
11 (relating to definitions).

12 "Licensed gaming facility." The physical land-based location
13 at which a licensed gaming entity is authorized to place and
14 operate slot machines and, if authorized by the Pennsylvania
15 Gaming Control Board under 4 Pa.C.S. Ch. 13A (relating to table
16 games), to conduct table games. The term includes a hotel or
17 parking facility that is owned or operated by the licensed
18 gaming entity and is located on and attached to, physically
19 connected to or adjacent to the property of the facility.

20 Section 3. This act shall take effect in 60 days.