

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 1325

PRINTER NO. 1973

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

April 25, 2019

PRIME SPONSOR

Representative Ortitay

DESCRIPTION AND PURPOSE OF BILL

House Bill 1325 amends Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to provide for an evaluation for a gambling disorder for those violating the Pennsylvania Gaming Control Board’s self-exclusion list.

The legislation amends section 3503 of Title 18 (relating to criminal trespass) by adding a new subsection to provide a court with an additional sentencing provision in instances where a person is convicted of trespass resulting from a violation of either the casino or video gaming self-exclusion list established by the Pennsylvania Gaming Control Board. Upon conviction or admission to Accelerated Rehabilitative Disposition (ARD) or other pretrial diversion program, the court may direct that the person be evaluated in a manner deemed appropriate by the court to determine the following:

1. If the person has a gambling disorder; and
2. Whether there is a need for counseling or treatment as part of the sentence or preadjudication disposition.

House Bill 1325 stipulates that the evaluation shall be conducted by a clinician appointed by the court and shall include recommendations for levels of care, continuing care and monitoring.

The legislation includes definitions for “establishment licensee”, “licensed facility”, “licensed gaming entity”, “self-exclusion list”, and “video gaming area” in order to incorporate relevant references to Title 4 (Race Horse Development and Gaming Act) into section 3503 of Title 18.

This act shall take effect immediately.

FISCAL IMPACT:

House Bill 1325 will have a minimal fiscal impact on Commonwealth funds.

Costs associated with admission and completion of an ARD or any other pretrial diversionary program would be borne by the defendant unless the defendant is determined indigent, in which case the court may waive those costs.