

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2110 Session of
2014

INTRODUCED BY BENNINGHOFF, COHEN, GINGRICH, GODSHALL, GREINER,
GROVE, C. HARRIS, HENNESSEY, JAMES, F. KELLER, MILNE, SAYLOR
AND SWANGER, MARCH 18, 2014

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, OCTOBER 8, 2014

AN ACT

1 Amending the act of August 26, 1971 (P.L.351, No.91), entitled
2 "An act providing for a State Lottery and administration
3 thereof; authorizing the creation of a State Lottery
4 Commission; prescribing its powers and duties; disposition of
5 funds; violations and penalties therefor; exemption of prizes
6 from State and local taxation and making an appropriation,"
7 further providing for DEFINITIONS, FOR powers and duties of <--
8 secretary and for report.

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

11 ~~Section 1. Sections 303(a)(11)(iv) and 315 of the act of <--~~
12 ~~August 26, 1971 (P.L.351, No.91), known as the State Lottery~~
13 ~~Law, amended or added June 30, 2011 (P.L.110, No.23), are~~
14 ~~amended to read:~~

15 SECTION 1. SECTION 302 OF THE ACT OF AUGUST 26, 1971 <--
16 (P.L.351, NO.91), KNOWN AS THE STATE LOTTERY LAW, ADDED NOVEMBER
17 21, 1996 (P.L.741, NO.134), IS AMENDED TO READ:

18 SECTION 302. DEFINITIONS.

19 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
20 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

1 CONTEXT CLEARLY INDICATES OTHERWISE:

2 "DIRECTOR." THE DIRECTOR OF THE DIVISION OF THE STATE
3 LOTTERY.

4 "DIVISION." THE DIVISION OF THE STATE LOTTERY CREATED BY
5 THIS CHAPTER.

6 "INTERNET INSTANT GAME." A LOTTERY GAME IN WHICH, BY THE USE
7 OF A COMPUTER, TABLET COMPUTER OR OTHER MOBILE DEVICE, A PLAYER
8 REMOVES THE COVERING FROM RANDOMLY GENERATED NUMBERS OR LETTERS
9 WHICH REVEAL WHETHER THE INSTANT TICKET IS A WINNING TICKET FOR
10 WHICH MONEY IS PAID. A PLAYER SHALL NOT INCLUDE A RETAILER.

11 "KENO." A LOTTERY GAME COMMONLY KNOWN AS KENO.

12 "LOTTERY" OR "STATE LOTTERY." THE LOTTERY ESTABLISHED AND
13 OPERATED UNDER THIS CHAPTER.

14 "SECRETARY." THE SECRETARY OF REVENUE OF THE COMMONWEALTH.

15 SECTION 2. SECTION 303(A) (1), (8) AND (11) (IV) OF THE ACT,
16 AMENDED NOVEMBER 21, 1996 (P.L.741, NO.134) AND JUNE 30, 2011
17 (P.L.110, NO.23), ARE AMENDED AND THE SECTION IS AMENDED BY
18 ADDING A SUBSECTION TO READ:

19 Section 303. Powers and duties of secretary.

20 (a) Powers and duties enumerated.--In addition to the powers
21 and duties provided by law and the act of April 9, 1929
22 (P.L.177, No.175), known as The Administrative Code of 1929, the
23 secretary shall have the power and it shall be his duty to
24 operate and administer the lottery, and to promulgate rules and
25 regulations governing the establishment and operation thereof,
26 including, but not limited to:

27 (1) THE TYPE OF LOTTERY TO BE CONDUCTED, EXCEPT THAT THE <--
28 SECRETARY MAY NOT AUTHORIZE THE GAME OF KENO OR AN INTERNET
29 INSTANT GAME UNLESS SPECIFICALLY AUTHORIZED BY LAW.

30 * * *

1 (8) THE METHOD TO BE USED IN SELLING TICKETS OR
2 SHARES[.], EXCEPT THAT SALES THROUGH THE LOTTERY'S INTERNET
3 WEBSITE OR INTERNET WEBSITES OPERATED BY LICENSED LOTTERY
4 RETAILERS OF ANY LOTTERY GAME OR ANY INTERNET INSTANT GAME
5 SHALL BE PROHIBITED UNLESS SPECIFICALLY AUTHORIZED BY LAW.

6 * * *

7 (11) The apportionment of the total revenues accruing
8 from the sale of lottery tickets or shares and from all other
9 sources among:

10 * * *

11 (iv) for property tax relief and free or reduced
12 fare transit service for the elderly as provided in
13 section 311. For fiscal years beginning before July 1,
14 [2015] 2014, no less than 27% of the total revenues
15 accruing from the sale of lottery tickets or shares shall
16 be dedicated to this subparagraph. For fiscal years
17 beginning after June 30, [2015] 2014, no less than [30%]
18 25% of the total revenues accruing from the sale of
19 lottery tickets or shares shall be dedicated to this
20 subparagraph.

21 * * *

22 (A.1) PROHIBITIONS.--THE SECRETARY MAY NOT OFFER ANY <--
23 INTERNET-BASED OR MONITOR-BASED INTERACTIVE LOTTERY GAME OR
24 SIMULATED CASINO STYLE LOTTERY GAME, INCLUDING VIDEO POKER,
25 VIDEO ROULETTE, SLOT MACHINES OR VIDEO BLACKJACK, THROUGH THE
26 STATE LOTTERY.

27 * * *

28 SECTION 3. SECTION 315 OF THE ACT, ADDED JUNE 30, 2011
29 (P.L.110, NO.23), IS AMENDED TO READ:
30 Section 315. Report.

1 The Department of Revenue shall submit a report to the
2 Governor, the chairman and minority chairman of the
3 Appropriations Committee of the Senate, the chairman and
4 minority chairman of the Appropriations Committee of the House
5 of Representatives, the chairman and minority chairman of the
6 Aging and Youth Committee of the Senate [and], the chairman and
7 minority chairman of the Aging and Older Adult Services
8 Committee of the House of Representatives, the chairman and
9 minority chairman of the Finance Committee of the Senate and the
10 chairman and minority chairman of the Finance Committee of the
11 House of Representatives by [June 1] September 1 of each year.
12 The report shall set forth current lottery profits and the State
13 Lottery's plan for increasing future profits. This report shall
14 be posted on the department's publicly accessible Internet
15 website. [This section shall expire June 30, 2015.]

16 Section 2 4. This act shall take effect immediately.

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