

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 75

Session of  
1987

INTRODUCED BY HOLL, JANUARY 15, 1987

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
NOVEMBER 21, 1988

AN ACT

1 ~~Amending the act of March 4, 1971 (P.L.6, No.2), entitled "An~~ <—  
2 ~~act relating to tax reform and State taxation by codifying~~  
3 ~~and enumerating certain subjects of taxation and imposing~~  
4 ~~taxes thereon; providing procedures for the payment,~~  
5 ~~collection, administration and enforcement thereof; providing~~  
6 ~~for tax credits in certain cases; conferring powers and~~  
7 ~~imposing duties upon the Department of Revenue, certain~~  
8 ~~employers, fiduciaries, individuals, persons, corporations~~  
9 ~~and other entities; prescribing crimes, offenses and~~  
10 ~~penalties," providing that no tax shall be imposed on sales~~  
11 ~~by volunteer firemen's, ambulance or rescue organizations.~~  
12 PROVIDING FOR THE LICENSING OF CLUBS TO CONDUCT GAMES OF CHANCE, <—  
13 FOR THE LICENSING OF PERSONS TO DISTRIBUTE GAMES OF CHANCE,  
14 FOR THE REGISTRATION OF MANUFACTURERS OF GAMES OF CHANCE, AND  
15 FOR SUSPENSIONS AND REVOCATIONS OF LICENSES AND PERMITS;  
16 REQUIRING RECORDS; PROVIDING FOR LOCAL REFERENDUM BY  
17 ELECTORATE; AND PRESCRIBING PENALTIES.

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29 The General Assembly of the Commonwealth of Pennsylvania  
30 hereby enacts as follows:

1 Section 1. ~~Section 204(1) of the act of March 4, 1971~~ ←  
2 ~~(P.L.6, No.2), known as the Tax Reform Code of 1971, is amended~~  
3 ~~to read:~~

4 Section 204. ~~Exclusions from Tax. The tax imposed by~~  
5 ~~section 202 shall not be imposed upon~~

6 ~~(1) The sale at retail or use of tangible personal property~~  
7 ~~(other than motor vehicles, trailers, semi trailers, motor~~  
8 ~~boats, aircraft or other similar tangible personal property~~  
9 ~~required under either Federal law or laws of this Commonwealth~~  
10 ~~to be registered or licensed) or services sold by or purchased~~  
11 ~~from a person not a vendor in an isolated transaction or sold by~~  
12 ~~or purchased from a person who is a vendor but is not a vendor~~  
13 ~~with respect to the tangible personal property or services sold~~  
14 ~~or purchased in such transaction: Provided, That inventory and~~  
15 ~~stock in trade so sold or purchased, shall not be excluded from~~  
16 ~~the tax by the provisions of this subsection. Isolated~~  
17 ~~transactions include sales of tangible personal property or~~  
18 ~~services by volunteer firemen's, ambulance or rescue~~  
19 ~~organizations without limitation as to the number of times or~~  
20 ~~number of days the sales or series of sales are conducted.~~

21 \* \* \*

22 Section 2. ~~This act shall take effect immediately.~~

23 SECTION 1. SHORT TITLE. ←

24 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE LOCAL OPTION  
25 SMALL GAMES OF CHANCE ACT.

26 SECTION 2. LEGISLATIVE INTENT. ←

27 THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE PLAYING OF  
28 SMALL GAMES OF CHANCE FOR THE PURPOSE OF RAISING FUNDS, BY  
29 CERTAIN NONPROFIT ASSOCIATIONS, FOR THE PROMOTION OF CHARITABLE  
30 OR CIVIC PURPOSES, IS IN THE PUBLIC INTEREST.

1 IT IS HEREBY DECLARED TO BE THE POLICY OF THE GENERAL  
2 ASSEMBLY THAT ALL PHASES OF LICENSING, OPERATION AND REGULATION  
3 OF SMALL GAMES OF CHANCE BE STRICTLY CONTROLLED, AND THAT ALL  
4 LAWS AND REGULATIONS WITH RESPECT THERETO AS WELL AS ALL  
5 GAMBLING LAWS SHOULD BE STRICTLY CONSTRUED AND RIGIDLY ENFORCED.

6 THE GENERAL ASSEMBLY RECOGNIZES THE POSSIBILITY OF  
7 ASSOCIATION BETWEEN COMMERCIAL GAMBLING AND ORGANIZED CRIME, AND  
8 WISHES TO DISCOURAGE COMMERCIALIZATION OF SMALL GAMES OF CHANCE;  
9 PREVENT PARTICIPATION BY ORGANIZED CRIME AND PREVENT THE  
10 DIVERSION OF FUNDS FROM THE PURPOSES HEREIN AUTHORIZED.

11 SECTION 2 3. DEFINITIONS. ←

12 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
13 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
14 CONTEXT CLEARLY INDICATES OTHERWISE:

15 "BONA FIDE CLUB MEMBER." ANY INDIVIDUAL WHO HOLDS A FULL  
16 MEMBERSHIP IN THE CLUB AS DEFINED BY THE CLUB'S CONSTITUTION,  
17 CHARTER, ARTICLES OF INCORPORATION OR BYLAWS.

18 "CHARITABLE ORGANIZATION." A NOT-FOR-PROFIT GROUP OR BODY OF  
19 PERSONS WHICH IS CREATED AND EXISTS FOR THE PURPOSE OF  
20 PERFORMING A HUMANE SERVICE; PROMOTING THE GOOD AND WELFARE OF  
21 THE AGED, POOR, INFIRM OR DISTRESSED; COMBATING JUVENILE  
22 DELINQUENCY; OR ADVANCING THE SPIRITUAL, MENTAL, SOCIAL AND  
23 PHYSICAL IMPROVEMENT OF YOUNG MEN AND WOMEN.

24 "CLUB." AN INCORPORATED UNIT OF A NATIONAL VETERANS'  
25 ORGANIZATION, AS DEFINED IN SECTION 461.1 OF THE ACT OF APRIL  
26 12, 1951 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, AND LICENSED  
27 TO SELL LIQUOR AT RETAIL UNDER THE ACT; OR A CLUB, AS DEFINED IN  
28 SECTION 102 OF THE LIQUOR CODE, THAT QUALIFIES AS AN EXEMPT  
29 ORGANIZATION UNDER SECTION 501(C) OR 527 OF THE INTERNAL REVENUE  
30 CODE OF 1954 (68A STAT. 3, 26 U.S.C. § 501(C) OR 527) AND IS

1 LICENSED TO SELL LIQUOR AT RETAIL AND HAS A CHARITABLE,  
2 RELIGIOUS OR CIVIC PURPOSE OR IS ORGANIZED TO BENEFIT A  
3 POLITICAL PARTY; OR AN ORGANIZED FRATERNAL SOCIETY CREATED AND  
4 CARRIED ON FOR THE MUTUAL BENEFIT OF ITS MEMBERS, NOT-FOR-PROFIT  
5 AND NOT ISSUING CAPITAL STOCK, HAVING A LIMITED MEMBERSHIP AND A  
6 REPRESENTATIVE FORM OF GOVERNMENT AND LICENSED TO SELL LIQUOR AT  
7 RETAIL UNDER THE LIQUOR CODE; OR A NOT-FOR-PROFIT RELIGIOUS OR  
8 CHARITABLE ORGANIZATION CONDUCTING BUSINESS IN ACCORDANCE WITH  
9 THE EXPRESS PURPOSE OF A WRITTEN CONSTITUTION, CHARTER, ARTICLES  
10 OF INCORPORATION OR BYLAWS. THE TERM "CLUB" SHALL ALSO INCLUDE  
11 ANY VOLUNTEER FIRE COMPANY, VOLUNTEER RESCUE SQUAD OR VOLUNTEER  
12 AMBULANCE ASSOCIATION. EACH CLUB SHALL HAVE BEEN IN EXISTENCE  
13 AND FULFILLING ITS PURPOSES FOR TWO YEARS PRIOR TO THE DATE OF  
14 APPLICATION FOR A LICENSE.

15 "DEPARTMENT." THE DEPARTMENT OF REVENUE OF THE COMMONWEALTH.

16 "GAMES OF CHANCE." PUNCHBOARDS, LOTTERIES, RAFFLES AND PULL-  
17 TABS, AS DEFINED IN THIS ACT, PROVIDED THAT NO SUCH GAME SHALL  
18 BE PLAYED BY OR WITH THE ASSISTANCE OF ANY MECHANICAL OR  
19 ELECTRICAL DEVICES OR MEDIA AND FURTHER PROVIDED THAT THE  
20 PARTICULAR CHANCE TAKEN BY ANY PERSON IN ANY SUCH GAME SHALL NOT  
21 BE MADE CONTINGENT UPON ANY OTHER OCCURRENCE OR THE WINNING OF  
22 ANY OTHER CONTEST, BUT SHALL BE DETERMINED SOLELY AT THE  
23 DISCRETION OF THE PURCHASER. THIS DEFINITION SHALL NOT BE  
24 CONSTRUED TO AUTHORIZE ANY OTHER FORM OF GAMBLING CURRENTLY  
25 PROHIBITED UNDER ANY PROVISION OF TITLE 18 OF THE PENNSYLVANIA  
26 CONSOLIDATED STATUTES (RELATING TO CRIMES AND OFFENSES). NOTHING  
27 IN THIS ACT SHALL BE CONSTRUED TO AUTHORIZE GAMES COMMONLY KNOWN  
28 AS "SLOT MACHINES" OR "VIDEO POKER."

29 "LAW ENFORCEMENT OFFICIAL." A MUNICIPAL POLICE OFFICER, A  
30 MEMBER OF THE PENNSYLVANIA STATE POLICE, THE SHERIFF OF A COUNTY

1 OR A DEPUTY SHERIFF.

2 "LEGITIMATE CLUB PURPOSES." ONE OR MORE OF THE FOLLOWING:

3 (1) BENEFITING PERSONS BY ENHANCING THEIR OPPORTUNITY  
4 FOR RELIGIOUS OR EDUCATION ADVANCEMENT, BY RELIEVING OR  
5 PROTECTING THEM FROM DISEASE, SUFFERING OR DISTRESS, BY  
6 CONTRIBUTING TO THEIR PHYSICAL, EMOTIONAL OR SOCIAL WELL-  
7 BEING, BY ASSISTING THEM IN ESTABLISHING THEMSELVES IN LIFE  
8 AS WORTHY AND USEFUL CITIZENS, OR BY INCREASING THEIR  
9 COMPREHENSION OF AND DEVOTION TO THE PRINCIPLES UPON WHICH  
10 THIS NATION WAS FOUNDED.

11 (2) INITIATING, PERFORMING, OR FOSTERING WORTHY PUBLIC  
12 WORKS OR ENABLING OR FURTHERING THE ERECTION OR MAINTENANCE  
13 OF PUBLIC STRUCTURES.

14 (3) LESSENING THE BURDENS BORNE BY GOVERNMENT OR  
15 VOLUNTARILY SUPPORTING, AUGMENTING OR SUPPLEMENTING SERVICES  
16 WHICH GOVERNMENT WOULD NORMALLY RENDER TO THE PEOPLE.

17 ~~(4) THE IMPROVING, EXPANDING, MAINTAINING OR REPAIRING~~ <—  
18 ~~REAL PROPERTY OWNED OR LEASED BY A CLUB.~~

19 ~~THE TERM DOES NOT INCLUDE THE ERECTION OR ACQUISITION OF ANY~~  
20 ~~REAL PROPERTY, UNLESS THE PROPERTY WILL BE USED EXCLUSIVELY FOR~~  
21 ~~ONE OR MORE OF THE PURPOSES SPECIFIED IN THIS DEFINITION.~~

22 (4) IMPROVING, EXPANDING, MAINTAINING OR REPAIRING REAL <—  
23 PROPERTY OWNED OR LEASED BY A CLUB AND USED FOR PURPOSES  
24 SPECIFIED IN PARAGRAPHS (1), (2) AND (3).

25 THE TERM DOES NOT INCLUDE THE ERECTION OR ACQUISITION OF ANY  
26 REAL PROPERTY, UNLESS THE PROPERTY WILL BE USED EXCLUSIVELY FOR  
27 ONE OR MORE OF THE PURPOSES SPECIFIED IN THIS DEFINITION.

28 "LICENSING AUTHORITY." THE COUNTY TREASURER, OR IN ANY HOME  
29 RULE COUNTY OR CITY OF THE FIRST CLASS, WHERE THERE IS NO  
30 ELECTED TREASURER, THE DESIGNEE OF THE GOVERNING AUTHORITY.

1 "LOTTERY." A GAME IN WHICH A BONA FIDE CLUB MEMBER OR GUEST  
2 SELECTS A NUMBER FOR A CHANCE AT A PRIZE WITH THE WINNER  
3 DETERMINED BY A RANDOM DRAWING TO TAKE PLACE ON THE LICENSED  
4 PREMISES. THE TERM INCLUDES GAMES COMMONLY KNOWN AS "MEMBER  
5 SIGN-IN LOTTERIES" AND "HALF-AND-HALF LOTTERIES." NOTHING IN  
6 THIS ACT SHALL BE CONSTRUED TO PERMIT LOTTERIES ANY PART OF  
7 WHICH ARE CONDUCTED AT LOCATIONS OTHER THAN THE LICENSED  
8 PREMISES, NOR SHALL THE TERM "LOTTERY" INCLUDE ANY GAME OR  
9 CONTEST IN WHICH THE WINNING NUMBER IS DETERMINED BY ANY OTHER  
10 DRAWING OR EVENT, EXCEPT THAT WINNING NUMBERS MAY BE DETERMINED  
11 BY REFERENCE TO DRAWINGS CONDUCTED BY THE DEPARTMENT PURSUANT TO  
12 THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91), KNOWN AS THE STATE  
13 LOTTERY LAW.

14 "PULL-TAB." A SINGLE FOLDED OR BANDED TICKET OR A STRIP  
15 TICKET OR CARD WITH A FACE COVERED TO CONCEAL ONE OR MORE  
16 NUMBERS OR SYMBOLS, WHERE ONE OR MORE OF EACH SET OF TICKETS OR  
17 CARDS HAS BEEN DESIGNATED IN ADVANCE AS A WINNER. "PULL-TAB"  
18 ALSO INCLUDES A TICKET SOLD IN A DEVICE KNOWN AS A TICKET JAR,  
19 FISH BOWL OR STAMP MACHINE.

20 "PUNCHBOARD." A BOARD, PLACARD OR OTHER DEVICE ~~MARKET~~ MARKED ←  
21 OFF IN A GRID OR COLUMNS, IN WHICH EACH SECTION CONTAINS A  
22 HIDDEN NUMBER OR NUMBERS, OR OTHER SYMBOL, WHICH DETERMINES THE  
23 WINNING CHANCES.

24 "RAFFLE." A GAME IN WHICH A PARTICIPANT BUYS A TICKET FOR A  
25 CHANCE AT A PRIZE WITH THE WINNER DETERMINED BY A RANDOM DRAWING  
26 OF CORRESPONDING TICKET STUBS TO TAKE PLACE AT A LOCATION AND  
27 DATE PRINTED UPON EACH TICKET.

28 "RELIGIOUS ORGANIZATION." A NOT-FOR-PROFIT GROUP OR BODY OF  
29 PERSONS WHICH IS CREATED AND WHICH EXISTS FOR THE PREDOMINANT  
30 PURPOSE OF REGULARLY HOLDING OR CONDUCTING RELIGIOUS ACTIVITIES

1 OR RELIGIOUS EDUCATION, WITHOUT PECUNIARY BENEFIT TO ANY  
2 OFFICER, MEMBER OR SHAREHOLDER EXCEPT AS REASONABLE COMPENSATION  
3 FOR ACTUAL SERVICES RENDERED TO THE ORGANIZATION.

4 SECTION 3 4. GAMES OF CHANCE PERMITTED. <—

5 EVERY CLUB TO WHICH A LICENSE HAS BEEN ISSUED UNDER THE  
6 PROVISIONS OF THIS ACT MAY CONDUCT GAMES OF CHANCE FOR THE  
7 PURPOSE OF RAISING FUNDS FOR LEGITIMATE CLUB PURPOSES. ALL  
8 PROCEEDS OF GAMES OF CHANCE SHALL BE USED EXCLUSIVELY FOR  
9 LEGITIMATE CLUB PURPOSES OR FOR THE PURCHASE OF GAMES OF CHANCE  
10 AS PERMITTED BY THIS ACT.

11 SECTION 4 5. PRIZE LIMITS. <—

12 (A) INDIVIDUAL PRIZE LIMIT.--THE MAXIMUM CASH VALUE WHICH  
13 MAY BE AWARDED FOR ANY SINGLE CHANCE SHALL BE \$500.

14 (B) WEEKLY LIMIT.--NO MORE THAN \$5,000 IN CASH OR  
15 MERCHANDISE SHALL BE AWARDED BY ANY CLUB IN ANY SEVEN-DAY  
16 PERIOD.

17 (C) LIMIT ON RAFFLES.--NO MORE THAN \$5,000 IN CASH OR <—  
18 MERCHANDISE SHALL BE AWARDED IN RAFFLES IN ANY CALENDAR MONTH.

19 ~~(C)~~ (D) EXCEPTION.--A CLUB MAY CONDUCT A RAFFLE AND AWARD A <—  
20 PRIZE OR PRIZES VALUED IN EXCESS OF \$500 EACH ONLY UNDER THE  
21 FOLLOWING CONDITIONS:

22 (1) THE LICENSING AUTHORITY HAS ISSUED A SPECIAL PERMIT  
23 FOR THE RAFFLE UNDER SECTION 10.

24 (2) NO CLUB SHALL BE ELIGIBLE TO RECEIVE MORE THAN TWO  
25 SPECIAL PERMITS IN ANY CALENDAR YEAR.

26 (3) ONLY ONE RAFFLE MAY BE CONDUCTED UNDER EACH SPECIAL  
27 PERMIT.

28 (4) THE TOTAL CASH VALUE OF ALL PRIZES SHALL BE NO MORE  
29 THAN \$25,000 FOR EACH RAFFLE.

30 SECTION 5 6. SALES LIMITED. <—



1 NO PERSON SHALL SELL, OFFER FOR SALE OR FURNISH GAMES OF  
2 CHANCE FOR USE WITHIN THIS COMMONWEALTH EXCEPT TO A CLUB OR  
3 DISTRIBUTOR LICENSED UNDER THIS ACT. NO GAME OF CHANCE, OTHER  
4 THAN A RAFFLE, SOLD, OFFERED FOR SALE OR FURNISHED FOR USE  
5 WITHIN THIS COMMONWEALTH SHALL CONTAIN, PERMIT, DEPICT OR  
6 DESIGNATE A PRIZE HAVING A CASH VALUE IN EXCESS OF \$500.

7 SECTION 6 7. DISTRIBUTOR LICENSES. <—

8 (A) LICENSE REQUIRED.--NO PERSON SHALL SELL, OFFER FOR SALE  
9 OR FURNISH GAMES OF CHANCE TO CLUBS LICENSED UNDER THIS ACT <—  
10 UNLESS SUCH PERSON SHALL HAVE OBTAINED A DISTRIBUTOR LICENSE AS  
11 PROVIDED IN THIS SECTION.

12 (B) APPLICATION.--AN APPLICANT FOR THE GRANT OR RENEWAL OF A  
13 DISTRIBUTOR LICENSE ISSUED PURSUANT TO THIS SECTION SHALL  
14 PROVIDE TO THE DEPARTMENT, UPON THE FORM PRESCRIBED, ALL OF THE  
15 FOLLOWING:

16 (1) THE APPLICANT'S STATE SALES TAX NUMBER.

17 (2) THE APPLICANT'S STATE CORPORATE TAX NUMBER.

18 (3) THE APPLICANT'S STATE EMPLOYER WITHHOLDING TAX  
19 NUMBER.

20 (4) THE APPLICANT'S UNEMPLOYMENT COMPENSATION ACCOUNT  
21 NUMBER.

22 (5) A STATEMENT THAT:

23 (I) ALL STATE TAX REPORTS HAVE BEEN FILED AND ALL  
24 STATE TAXES PAID;

25 (II) ALL STATE TAXES ARE SUBJECT TO A TIMELY  
26 ADMINISTRATIVE OR JUDICIAL APPEAL; OR

27 (III) ALL STATE TAXES ARE SUBJECT TO A DULY APPROVED  
28 DEFERRED PAYMENT PLAN.

29 (6) THE NAMES AND BUSINESS ADDRESSES OF ALL OWNERS,  
30 OFFICERS, DIRECTORS, PARTNERS AND SALES PERSONNEL.

1 (C) WAIVER OF CONFIDENTIALITY.--AN APPLICANT FOR THE GRANT  
2 OR RENEWAL OF ANY LICENSE ISSUED PURSUANT TO THIS SECTION SHALL,  
3 BY THE FILING OF AN APPLICATION INSOFAR AS IT RELATES TO THE  
4 DEPARTMENT, WAIVE ANY CONFIDENTIALITY WITH RESPECT TO STATE TAX  
5 INFORMATION IN THE POSSESSION OF THE DEPARTMENT, THE OFFICE OF  
6 ATTORNEY GENERAL OR THE DEPARTMENT OF LABOR AND INDUSTRY  
7 REGARDING THAT APPLICANT, REGARDLESS OF THE SOURCE OF THAT  
8 INFORMATION AND SHALL CONSENT TO THE PROVIDING OF THAT  
9 INFORMATION TO THE DEPARTMENT BY THE OFFICE OF ATTORNEY GENERAL  
10 OR THE DEPARTMENT OF LABOR AND INDUSTRY.

11 (D) REVIEW OF TAX STATUS.--UPON RECEIPT OF ANY APPLICATION  
12 FOR THE GRANT OR RENEWAL OF ANY LICENSE ISSUED PURSUANT TO THIS  
13 SECTION, THE DEPARTMENT SHALL REVIEW THE STATE TAX STATUS OF THE  
14 APPLICANT. THE DEPARTMENT SHALL REQUEST STATE TAX INFORMATION  
15 REGARDING THE APPLICANT FROM THE OFFICE OF ATTORNEY GENERAL OR  
16 THE DEPARTMENT OF LABOR AND INDUSTRY AND THAT INFORMATION SHALL  
17 BE PROVIDED.

18 (E) LIMITATION ON APPROVAL.--THE DEPARTMENT SHALL NOT  
19 APPROVE ANY APPLICATION FOR THE GRANT OR RENEWAL OF ANY LICENSE  
20 ISSUED PURSUANT TO THIS SECTION WHERE THE APPLICANT HAS FAILED  
21 TO:

22 (1) PROVIDE ANY OF THE INFORMATION REQUIRED BY  
23 SUBSECTION (B);

24 (2) FILE REQUIRED STATE TAX REPORTS; OR

25 (3) PAY ANY STATE TAXES NOT SUBJECT TO A TIMELY  
26 ADMINISTRATIVE OR JUDICIAL APPEAL OR SUBJECT TO A DULY  
27 AUTHORIZED DEFERRED PAYMENT PLAN.

28 (F) RECORDS.--THE LICENSEE SHALL KEEP SUCH RECORDS, REPORTS  
29 AND BOOKS AS THE DEPARTMENT SHALL PRESCRIBE. APPLICANTS SHALL BE  
30 REQUIRED TO MAKE SUCH RECORDS, REPORTS AND BOOKS AVAILABLE AS

1 REQUIRED BY THE DEPARTMENT PURSUANT TO REGULATION.

2 (G) INELIGIBILITY.--THE DEPARTMENT SHALL NOT ISSUE OR RENEW  
3 A DISTRIBUTOR LICENSE FOR THE SALE OF GAMES OF CHANCE TO A <—  
4 PERSON, INCLUDING ANY CORPORATION, FIRM OR PARTNERSHIP WHICH HAS  
5 AS AN OFFICER, DIRECTOR OR OTHER PERSON IN A SUPERVISORY OR <—  
6 MANAGEMENT POSITION, OR EMPLOYEE ELIGIBLE TO MAKE SALES ON  
7 BEHALF OF THE DISTRIBUTOR, ~~A PERSON~~ WHO: <—

8 (1) HAS BEEN CONVICTED OF A FELONY IN A STATE OR FEDERAL  
9 COURT WITHIN THE PAST FIVE YEARS; OR

10 (2) HAS BEEN CONVICTED WITHIN TEN YEARS OF THE DATE OF  
11 APPLICATION IN A STATE OR FEDERAL COURT OF A VIOLATION OF THE  
12 ACT OF JULY 10, 1981 (P.L.214, NO.67), KNOWN AS THE BINGO  
13 LAW, OR OF THIS ACT OR OF A GAMBLING-RELATED OFFENSE UNDER  
14 TITLE 18 OF THE PENNSYLVANIA CONSOLIDATED STATUTES (RELATING  
15 TO CRIMES AND OFFENSES) OR OTHER COMPARABLE STATE OR FEDERAL  
16 LAW.

17 (H) LICENSE AND RENEWAL FEES.--THE FEE FOR A DISTRIBUTOR  
18 LICENSE SHALL BE \$1,000. LICENSES SHALL BE RENEWABLE ON AN  
19 ANNUAL BASIS.

20 (I) EXCEPTION.--THIS SECTION SHALL NOT APPLY TO THE  
21 MANUFACTURE OR DISTRIBUTION OF RAFFLE TICKETS.

22 SECTION 7 8. REGISTRATION OF MANUFACTURERS. <—

23 (A) REGISTRATION REQUIRED.--NO MANUFACTURER OF GAMES OF  
24 CHANCE SHALL SELL ANY GAMES OF CHANCE TO ANY PERSON UNLESS THE  
25 MANUFACTURER HAS REGISTERED WITH THE DEPARTMENT AND HAS BEEN  
26 ISSUED A CERTIFICATE OF REGISTRATION.

27 (B) ANNUAL CERTIFICATE; FEE.--A CERTIFICATE UNDER THIS  
28 SECTION SHALL BE VALID FOR ONE YEAR. THE ANNUAL FEE FOR  
29 REGISTRATION SHALL BE \$2,000.

30 (C) PROHIBITED SALES.--A MANUFACTURER SHALL NOT SELL GAMES

1 OF CHANCE TO ANY PERSON NOT LICENSED AS A DISTRIBUTOR UNLESS THE  
2 MANUFACTURER IS ALSO A LICENSED DISTRIBUTOR.

3 (D) EXCEPTION.--THIS SECTION SHALL NOT APPLY TO THE  
4 MANUFACTURE OR DISTRIBUTION OF RAFFLE TICKETS.

5 SECTION 9. REGULATIONS OF DEPARTMENT. <—

6 THE DEPARTMENT SHALL PROMULGATE REGULATIONS TO:

7 (1) IMPOSE MINIMUM STANDARDS AND RESTRICTIONS APPLICABLE  
8 TO GAMES OF CHANCE MANUFACTURED FOR SALE IN THIS  
9 COMMONWEALTH, WHICH MAY INCLUDE STANDARDS AND RESTRICTIONS  
10 WHICH SPECIFY THE MAXIMUM NUMBER OF CHANCES AVAILABLE TO BE  
11 SOLD FOR ANY SINGLE GAME OR PRIZE AND SUCH OTHER STANDARDS  
12 AND RESTRICTIONS AS THE DEPARTMENT DEEMS NECESSARY FOR THE  
13 PURPOSES OF THIS ACT. THE DEPARTMENT SHALL CONSIDER STANDARDS  
14 ADOPTED BY THE NATIONAL ASSOCIATION OF GAMBLING REGULATORY  
15 AGENCIES AND OTHER STANDARDS COMMONLY ACCEPTED IN THE  
16 INDUSTRY.

17 (2) ESTABLISH PROCEDURES BY WHICH MANUFACTURERS MAY  
18 REGISTER AND DISTRIBUTORS OF GAMES OF CHANCE MAY APPLY FOR  
19 LICENSURE ON FORMS WHICH THE DEPARTMENT SHALL PROVIDE.

20 (3) PROVIDE FOR THE SUSPENSION OR REVOCATION OF  
21 DISTRIBUTION LICENSES OR MANUFACTURER ~~PERMITS~~ CERTIFICATES <—  
22 FOR VIOLATIONS OF THIS ACT OR REGULATIONS OF THE DEPARTMENT.

23 (4) CARRY OUT OTHER PROVISIONS OF THIS ACT.

24 SECTION 10. LICENSING OF CLUBS TO CONDUCT GAMES OF CHANCE. <—

25 (A) LICENSE REQUIRED.--NO CLUB SHALL CONDUCT OR OPERATE ANY  
26 GAMES OF CHANCE UNLESS SUCH CLUB HAS OBTAINED AND MAINTAINS A  
27 VALID LICENSE ISSUED PURSUANT TO THIS SECTION.

28 (B) ISSUANCE AND FEES.--THE LICENSING AUTHORITY SHALL  
29 LICENSE, UPON APPLICATION, ANY CLUB MEETING THE REQUIREMENTS FOR  
30 LICENSURE CONTAINED IN THIS ACT TO CONDUCT AND OPERATE GAMES OF

1 CHANCE AT ONE LOCATION IN THE COUNTY. THE LICENSE FEE TO BE  
2 CHARGED TO EACH CLUB SHALL BE \$100. LICENSES SHALL BE RENEWABLE  
3 ANNUALLY.

4 (C) DISPLAY.--LICENSES ISSUED PURSUANT TO THIS SECTION SHALL  
5 BE PUBLICLY DISPLAYED ON THE PREMISES.

6 (D) OPERATION.--EACH LICENSED CLUB SHALL COMPLY WITH THE  
7 FOLLOWING RESTRICTIONS AND RULES GOVERNING THE OPERATION OF  
8 GAMES OF CHANCE:

9 (1) NO PERSON UNDER 18 YEARS OF AGE, OR IN THE CASE OF A  
10 CLUB HOLDING A LIQUOR LICENSE, 21 YEARS OF AGE, SHALL BE  
11 PERMITTED TO OPERATE OR PLAY GAMES OF CHANCE.

12 (2) NO CLUB SHALL PERMIT ANY PERSON WHO HAS BEEN  
13 CONVICTED OF A FELONY OR A VIOLATION OF THE ACT OF JULY 10,  
14 1981 (P.L.214, NO.67), KNOWN AS THE BINGO LAW, OR OF THIS ACT  
15 TO MANAGE, ~~SETUP~~ SET UP, SUPERVISE OR PARTICIPATE IN THE <—  
16 OPERATION OF GAMES OF CHANCE.

17 (3) NO CLUB SHALL PAY ANY COMPENSATION TO ANY PERSON FOR  
18 CONDUCTING ANY GAMES OF CHANCE., ~~EXCEPT AS PART OF THE SALARY~~ <—  
19 ~~OR OTHER NORMAL COMPENSATION PAID TO CLUB MANAGERS, BAR~~  
20 ~~PERSONNEL, OFFICERS AND DIRECTORS. OTHER PERSONS MAY CONDUCT~~  
21 ~~GAMES OF CHANCE ONLY IF THEY ARE BONA FIDE MEMBERS OF THE~~  
22 ~~CLUB.~~ GAMES OF CHANCE MAY ONLY BE CONDUCTED BY CLUB MANAGERS, <—  
23 OFFICERS, DIRECTORS, BAR PERSONNEL AND PERSONS WHO HAVE BEEN  
24 BONA FIDE MEMBERS OF THE CLUB FOR AT LEAST ONE YEAR.

25 (4) GAMES SHALL BE CONDUCTED ONLY ON THE LICENSED  
26 PREMISES, EXCEPT THAT ~~RAFFLES MAY BE CONDUCTED~~ RAFFLE TICKETS <—  
27 MAY BE SOLD AT OTHER LOCATIONS FOR DRAWINGS TO BE HELD NO <—  
28 MORE FREQUENTLY THAN ONCE A CALENDAR MONTH.

29 (5) THE CLUB SHALL OWN THE PREMISES UPON WHICH GAMES OF  
30 CHANCE ARE PLAYED OR SHALL LEASE SUCH PREMISES UNDER A

1 WRITTEN AGREEMENT FOR A RENTAL WHICH IS NOT DETERMINED BY  
2 EITHER THE AMOUNT OF RECEIPTS REALIZED FROM THE PLAYING OF  
3 GAMES OF CHANCE NOR THE NUMBER OF PEOPLE ATTENDING. A CLUB  
4 SHALL NOT LEASE SUCH PREMISES FROM ANY PERSON WHO HAS BEEN  
5 CONVICTED OF A VIOLATION OF THIS ACT.

6 (6) GAMES, OTHER THAN RAFFLES, SHALL BE PURCHASED ONLY  
7 FROM MANUFACTURERS AND DISTRIBUTORS APPROVED BY THE  
8 DEPARTMENT.

9 (7) NO LOCATION OR LICENSED PREMISES MAY BE USED BY MORE <—  
10 THAN ONE LICENSED CLUB FOR THE CONDUCTING OF GAMES OF CHANCE.

11 (E) APPLICATION FOR LICENSE.--EACH CLUB SHALL APPLY TO THE  
12 LICENSING AUTHORITY FOR A LICENSE ON A FORM TO BE PRESCRIBED BY  
13 THE SECRETARY OF REVENUE. THE FORM SHALL CONTAIN AN AFFIDAVIT TO  
14 BE AFFIRMED BY THE EXECUTIVE OFFICER OR SECRETARY OF THE CLUB  
15 STATING THAT:

16 (1) NO PERSON UNDER 18 YEARS OF AGE, OR IN THE CASE OF A  
17 CLUB HOLDING A LIQUOR LICENSE, 21 YEARS OF AGE, WILL BE  
18 PERMITTED BY THE CLUB TO OPERATE OR PLAY GAMES OF CHANCE.

19 (2) THE FACILITY IN WHICH THE GAMES OF CHANCE ARE TO BE  
20 PLAYED HAS ADEQUATE MEANS OF INGRESS AND EGRESS AND ADEQUATE  
21 SANITARY FACILITIES AVAILABLE IN THE AREA.

22 (3) THE CLUB IS THE OWNER OF THE PREMISES UPON WHICH THE  
23 GAMES OF CHANCE ARE PLAYED OR, IF IT IS NOT, THAT THE CLUB IS  
24 NOT LEASING SUCH PREMISES FROM THE OWNER THEREOF UNDER AN  
25 ORAL AGREEMENT, NOR IS IT LEASING SUCH PREMISES FROM THE  
26 OWNER THEREOF UNDER A WRITTEN AGREEMENT AT A RENTAL WHICH IS  
27 DETERMINED BY THE AMOUNT OF RECEIPTS REALIZED FROM THE  
28 PLAYING OF GAMES OF CHANCE OR BY THE NUMBER OF PEOPLE  
29 ATTENDING.

30 (F) LIST OF LICENSEES.--THE LICENSING AUTHORITY, ON A <—

1 SEMIANNUAL BASIS, SHALL SEND A COPY OF ALL LICENSEES TO THE  
2 DEPARTMENT OF REVENUE.

3 SECTION ~~10~~ 11. SPECIAL PERMITS. <—

4 (A) ISSUANCE AND FEE.--THE LICENSING AUTHORITY SHALL ISSUE A  
5 SPECIAL PERMIT FOR EACH RAFFLE IN WHICH THE LICENSEE PROPOSES TO  
6 AWARD INDIVIDUAL PRIZES HAVING A CASH VALUE IN EXCESS OF \$500.  
7 THE LICENSING AUTHORITY MAY ESTABLISH AND COLLECT A FEE FOR THE  
8 ISSUANCE OF SPECIAL PERMITS UNDER THIS SECTION.

9 (B) PERMIT APPLICATION.--EACH SPECIAL PERMIT APPLICATION  
10 SHALL SPECIFY THE LOCATION ~~OR LOCATIONS AT WHICH THE RAFFLE~~ <—  
11 WHERE THE ACTUAL DRAWING WILL BE HELD, THE NUMBER OF CHANCES TO <—  
12 BE SOLD, THE PRICE PER CHANCE AND THE CASH VALUE OF THE PRIZE OR  
13 PRIZES TO BE AWARDED.

14 ~~(C) PERMITTED ACTIVITIES. A CLUB ISSUED A SPECIAL PERMIT~~ <—  
15 ~~UNDER THIS SECTION MAY CONDUCT THE RAFFLE AT THE LOCATION OR~~  
16 ~~LOCATIONS SPECIFIED IN THE PERMIT AND MAY USE RAFFLE TICKETS~~  
17 ~~OBTAINED FROM A SOURCE OTHER THAN A LICENSED DISTRIBUTOR.~~

18 (C) LOCATION.--NO LOCATION OR LICENSED PREMISES MAY BE USED <—  
19 BY MORE THAN ONE LICENSED CLUB FOR A SPECIAL PERMIT RAFFLE IN A  
20 CALENDAR YEAR.

21 SECTION ~~11~~ 12. REVOCATION OF LICENSES. <—

22 (A) GROUNDS.--THE LICENSING AUTHORITY SHALL REVOKE OR REFUSE  
23 TO RENEW THE LICENSE OF ANY CLUB WHENEVER THE DISTRICT ATTORNEY  
24 FINDS UPON COMPLAINT AND INVESTIGATION THAT:

25 (1) ANY OF THE FUNDS DERIVED FROM THE OPERATION OF GAMES  
26 OF CHANCE ARE USED FOR ANY PURPOSE OTHER THAN FOR LEGITIMATE  
27 CLUB PURPOSES OR FOR THE PURCHASE OF GAMES OF CHANCE AS  
28 PERMITTED BY THIS ACT.

29 (2) ANY PERSON UNDER 18 YEARS OF AGE, OR IN THE CASE OF  
30 A CLUB HOLDING A LIQUOR LICENSE, A PERSON UNDER 21 YEARS OF

1 AGE, IS OPERATING OR PLAYING GAMES OF CHANCE AS DEFINED IN  
2 THIS ACT.

3 (3) THE CLUB HAS PERMITTED ANY PERSON WHO HAS BEEN  
4 CONVICTED OF A FELONY OR A VIOLATION OF THE ACT OF JULY 10,  
5 1981 (P.L.214, NO.67), KNOWN AS THE BINGO LAW, OR OF THIS  
6 ACT, TO MANAGE, SET UP, SUPERVISE OR PARTICIPATE IN THE  
7 OPERATION OF GAMES OF CHANCE.

8 (4) THE FACILITY IN WHICH THE GAMES OF CHANCE ARE PLAYED  
9 DOES NOT HAVE ADEQUATE MEANS OF INGRESS AND EGRESS AND DOES  
10 NOT HAVE ADEQUATE SANITARY FACILITIES AVAILABLE IN THE AREA.

11 (5) ANY PERSON OR PERSONS OTHER THAN A MANAGER, OFFICER,  
12 DIRECTOR, BAR PERSONNEL OR A BONA FIDE MEMBER OF A CLUB HAVE  
13 BEEN INVOLVED IN MANAGING, SETTING UP, OPERATING OR RUNNING  
14 GAMES OF CHANCE.

15 (6) ANY PERSON HAS RECEIVED COMPENSATION FOR CONDUCTING  
16 GAMES OF CHANCE, ~~EXCEPT AS PERMITTED UNDER THIS ACT.~~ <—

17 (7) ANY PRIZE HAS BEEN AWARDED IN EXCESS OF THE LIMITS  
18 PERMITTED UNDER THIS ACT.

19 (8) THE CLUB HAS VIOLATED ANY CONDITION OF A SPECIAL  
20 PERMIT ISSUED PURSUANT TO SECTION 10.

21 (9) THE CLUB CONDUCTS THE GAMES OF CHANCE UPON PREMISES  
22 WHICH IT DOES NOT OWN OR LEASE IN ACCORDANCE WITH THIS ACT  
23 AND IS EITHER:

24 (I) LEASING SUCH PREMISES FROM THE OWNER THEREOF  
25 UNDER AN ORAL AGREEMENT; OR

26 (II) LEASING SUCH PREMISES FROM THE OWNER THEREOF  
27 UNDER A WRITTEN AGREEMENT AT A RENTAL WHICH IS DETERMINED  
28 BY THE AMOUNT OF RECEIPTS REALIZED FROM THE PLAYING OF  
29 GAMES OF CHANCE.

30 (10) FALSE OR ERRONEOUS INFORMATION WAS PROVIDED IN THE



1 ORIGINAL ~~NOTARIZED~~ APPLICATION. <—

2 (11) A CLUB HAS BEEN CONVICTED OF A VIOLATION OF THIS  
3 ACT AS EVIDENCED BY A CERTIFIED RECORD OF THE CONVICTION.

4 (12) THE CLUB HAS PERMITTED ANOTHER CLUB TO USE ITS <—  
5 LICENSED PREMISES FOR THE CONDUCTING OF GAMES OF CHANCE.

6 (13) A CLUB HAS CONDUCTED MORE THAN ONE RAFFLE IN ANY  
7 CALENDAR MONTH.

8 (B) PRODUCTION OF RECORDS.--THE DISTRICT ATTORNEY MAY  
9 REQUIRE LICENSEES TO PRODUCE THEIR BOOKS, ACCOUNTS AND RECORDS  
10 RELATING TO THE CONDUCT OF GAMES OF CHANCE IN ORDER TO DETERMINE  
11 WHETHER A LICENSE SHOULD BE REVOKED OR RENEWAL THEREOF DENIED.  
12 LICENSEES SHALL ALSO BE REQUIRED TO PRODUCE THEIR LICENSE,  
13 BOOKS, ACCOUNTS AND RECORDS RELATING TO THE CONDUCT OF GAMES OF  
14 CHANCE TO OTHER LAW ENFORCEMENT OFFICIALS UPON PROPER REQUEST.  
15 SECTION ~~12~~ 13. ENFORCEMENT. <—

16 (A) DISTRICT ATTORNEY.--THE DISTRICT ATTORNEY SHALL  
17 INVESTIGATE ALLEGED VIOLATIONS OF THIS ACT. IF THE DISTRICT  
18 ATTORNEY FINDS PROBABLE CAUSE TO BELIEVE THAT A VIOLATION HAS  
19 OCCURRED, HE MAY FILE A COMPLAINT AGAINST THE ALLEGED VIOLATOR  
20 IN THE COURT OF COMMON PLEAS OF SAID COUNTY, EXCEPT IN COUNTIES  
21 OF THE FIRST CLASS WHERE THE COMPLAINT MAY BE FILED IN THE  
22 MUNICIPAL COURT. IN ADDITION, THE DISTRICT ATTORNEY SHALL  
23 PROSECUTE SAID COMPLAINT IN THE MANNER PROVIDED BY LAW.

24 (B) OTHER LAW ENFORCEMENT OFFICIALS.--NOTHING IN THIS ACT  
25 SHALL BE INTERPRETED TO RESTRICT THE POWER OF STATE, COUNTY OR  
26 LOCAL LAW ENFORCEMENT OFFICIALS TO CONDUCT INVESTIGATIONS AND  
27 ENFORCE THE PROVISIONS OF THIS ACT.  
28 SECTION ~~13~~ 14. LOCAL OPTION. <—

29 (A) ELECTION TO BE HELD.--~~NO~~ IN ANY MUNICIPALITY, AN <—  
30 ELECTION MAY BE HELD ON THE DATE OF THE PRIMARY ELECTION

1 IMMEDIATELY PRECEDING ANY MUNICIPAL ELECTION, BUT NOT MORE THAN  
2 ONCE IN FOUR YEARS, TO DETERMINE THE WILL OF THE ELECTORS WITH  
3 RESPECT TO THE ISSUANCE OF LICENSES WITHIN THE LIMITS OF SUCH  
4 MUNICIPALITY UNDER THE PROVISIONS OF THIS ACT. WHERE AN ELECTION  
5 SHALL HAVE BEEN HELD AT THE PRIMARY ELECTION PRECEDING A  
6 MUNICIPAL ELECTION IN ANY YEAR, ANOTHER ELECTION MAY BE HELD  
7 UNDER THE PROVISIONS OF THIS ACT AT THE PRIMARY ELECTION  
8 OCCURRING THE FOURTH YEAR AFTER SUCH PRIOR ELECTION. WHENEVER  
9 ELECTORS EQUAL TO AT LEAST 25% OF THE HIGHEST VOTE CAST FOR ANY  
10 OFFICE IN THE MUNICIPALITY AT THE LAST PRECEDING GENERAL  
11 ELECTION SHALL FILE A PETITION WITH THE COUNTY BOARD OF  
12 ELECTIONS OF THE COUNTY, OR THE GOVERNING BODY OF THE  
13 MUNICIPALITY ADOPTS, BY A MAJORITY VOTE, A RESOLUTION TO PLACE  
14 SUCH A QUESTION ON THE BALLOT AND A COPY OF THE RESOLUTION IS  
15 FILED WITH THE BOARD OF ELECTIONS OF THE COUNTY, FOR A  
16 REFERENDUM ON THE QUESTION OF ISSUING LICENSES, THE COUNTY BOARD  
17 OF ELECTIONS SHALL CAUSE A QUESTION TO BE PLACED ON THE BALLOT  
18 OR ON THE VOTING MACHINE BOARD AND SUBMITTED AT THE PRIMARY  
19 ELECTION IMMEDIATELY PRECEDING THE MUNICIPAL ELECTION. THE  
20 QUESTION SHALL BE IN THE FOLLOWING FORM:

21 DO YOU FAVOR THE ISSUANCE OF LICENSES  
22 TO CONDUCT SMALL GAMES OF CHANCE IN THE  
23 OF ?

24 (B) VOTE.--IF A MAJORITY OF THE ELECTORS VOTING ON THE  
25 QUESTION VOTE "YES," THEN LICENSES SHALL BE ISSUED BY THE  
26 LICENSING AUTHORITY IN SUCH MUNICIPALITY, BUT IF A MAJORITY OF  
27 THE ELECTORS VOTING ON ANY SUCH QUESTION VOTE "NO," THEN THE  
28 LICENSING AUTHORITY SHALL HAVE NO POWER TO ISSUE OR TO RENEW,  
29 UPON THEIR EXPIRATION, ANY LICENSES IN SUCH MUNICIPALITY, UNLESS  
30 AND UNTIL, AT A LATER ELECTION, A MAJORITY OF THE VOTING

1 ELECTORS VOTE "YES" ON SUCH QUESTION.

2 (C) VOTING PROCEEDINGS.--PROCEEDINGS UNDER THIS SECTION  
3 SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF JUNE 3,  
4 1937 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION  
5 CODE.

6 (D) APPLICABILITY.--THIS ACT APPLIES ONLY TO THOSE CLUBS  
7 LOCATED IN MUNICIPALITIES WHICH HAVE ADOPTED THE PROVISIONS OF  
8 THIS ACT BY AN AFFIRMATIVE VOTE IN A MUNICIPAL REFERENDUM IN  
9 ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

10 (E) WITHDRAWAL OF APPROVAL.--THE REFERENDUM PROCEDURE  
11 CONTAINED IN THIS SECTION SHALL ALSO BE AVAILABLE TO WITHDRAW  
12 THE APPROVAL OF THE ISSUANCE OF SUCH LICENSES WITHIN SUCH  
13 MUNICIPALITY WHICH WAS GRANTED THROUGH A PRIOR REFERENDUM.

14 SECTION ~~14~~ 15. ADVERTISING. <—

15 IT SHALL BE UNLAWFUL FOR ANY CLUB OR PERSON TO ADVERTISE THE  
16 PRIZES OR THEIR DOLLAR VALUE TO BE AWARDED IN GAMES OF CHANCE,  
17 PROVIDED THAT PRIZES MAY BE IDENTIFIED ON RAFFLE TICKETS.

18 SECTION ~~15~~ 16. CERTAIN PERSONS PROHIBITED. <—

19 NO DISTRIBUTOR NOR ANY PERSON WHO HAS BEEN CONVICTED OF A  
20 FELONY OR OF A VIOLATION OF THE ACT OF JULY 10, 1981 (P.L.214,  
21 NO.67), KNOWN AS THE BINGO LAW, OR OF THIS ACT OR OF ANY  
22 COMPARABLE STATE OR FEDERAL LAW SHALL HAVE A PECUNIARY INTEREST  
23 IN THE OPERATION OR PROCEEDS OF GAMES OF CHANCE.

24 SECTION ~~16~~ 17. PENALTIES. <—

25 (A) SUMMARY OFFENSE.--ANY CLUB VIOLATING THE PROVISIONS OF  
26 THIS ACT SHALL BE GUILTY OF A SUMMARY OFFENSE AND, UPON  
27 CONVICTION THEREOF, SHALL BE SENTENCED TO PAY A FINE NOT  
28 EXCEEDING \$1,000 AND SHALL FORFEIT ANY LICENSE ISSUED TO THE  
29 CLUB, AND IT SHALL BE INELIGIBLE FOR A LICENSE RENEWAL FOR 30  
30 MONTHS THEREAFTER.

1 (B) MISDEMEANOR.--ANY PERSON WHO CONDUCTS OR ASSISTS IN THE  
2 CONDUCTING OF GAMES OF CHANCE IN VIOLATION OF THE PROVISIONS OF  
3 THIS ACT IS GUILTY OF A MISDEMEANOR OF THE FIRST DEGREE.

4 (C) DISTRIBUTORS AND MANUFACTURERS.--ANY PERSON WHO  
5 DISTRIBUTES GAMES OF CHANCE WITHOUT A LICENSE OR IN VIOLATION OF  
6 ANY PROVISION OF THIS ACT OR APPLICABLE REGULATIONS, AND ANY  
7 MANUFACTURER OF GAMES OF CHANCE WHO DELIVERS GAMES OF CHANCE FOR  
8 SALE OR DISTRIBUTION IN THIS COMMONWEALTH WHO FAILS TO OBTAIN A  
9 PERMIT THEREFOR IS GUILTY OF A MISDEMEANOR OF THE FIRST DEGREE,  
10 PROVIDED THAT NO LICENSE OR PERMIT SHALL BE REQUIRED FOR THE  
11 MANUFACTURE OR DISTRIBUTION OF RAFFLE TICKETS.

12 (D) RIGGING.--A PERSON COMMITS A MISDEMEANOR OF THE FIRST  
13 DEGREE IF, WITH INTENT TO PREVENT A GAME OF CHANCE FROM BEING  
14 CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS ACT OR THE  
15 RULES AND USAGES GOVERNING THE GAME, HE:

16 (1) CONFERS OR OFFERS OR AGREES TO CONFER ANY BENEFIT  
17 UPON OR THREATENS ANY INJURY TO A PARTICIPANT OR OTHER PERSON  
18 ASSOCIATED WITH THE GAME;

19 (2) ~~TEMPERS~~ TAMPERS WITH ANY PERSON OR GAMES; OR ←  
20 (3) SOLICITS, ACCEPTS OR AGREES TO ACCEPT ANY BENEFIT.

21 (E) CONTINGENT FEES.--ANY PERSON WHO DISTRIBUTES, ←  
22 MANUFACTURES OR OPERATES A SMALL GAME OF CHANCE AND WHO  
23 REQUIRES, FOR EQUIPMENT FURNISHED, OR TO PLAY A GAME, PAYMENT  
24 EQUAL TO A PERCENTAGE OF THE TOTAL WINNINGS OF ANY GAME COMMITS  
25 A MISDEMEANOR OF THE FIRST DEGREE.

26 SECTION ~~17~~ 18. EFFECTIVE DATE. ←

27 THIS ACT SHALL TAKE EFFECT IN 60 DAYS.