

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 559 Session of  
1993

INTRODUCED BY TRICH, ITKIN, EVANS, VEON, M. COHEN, VAN HORNE,  
LESCOVITZ, DALEY, HECKLER, FARGO, MARKOSEK, CORRIGAN, TIGUE,  
LaGROTTA, MELIO, RUDY, WOZNIAC, BATTISTO, ACOSTA, MIHALICH,  
CESSAR, PISTELLA, TOMLINSON, STABACK, SURRA, GORDNER,  
COLAFELLA, GEIST, KASUNIC, DRUCE, MUNDY AND ROONEY,  
MARCH 15, 1993

SENATOR ANDREZESKI, AGING AND YOUTH, IN SENATE, AS AMENDED,  
APRIL 19, 1993

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 LOTTERY SALES AGENTS; AND providing for <—  
8 certain applications for lottery machines and for a compact  
9 to sell tickets.

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

12 Section 1. Section 7 of the act of August 26, 1971 (P.L.351,  
13 No.91), known as the State Lottery Law, is amended by adding a  
14 subsection to read:

15 Section 7. Lottery Sales Agents; Qualifications;  
16 Prohibitions.--\* \* \*

17 (e) Any person who has a pending application for a lottery  
18 machine and is currently engaged in the sale of out-of-State

1 lottery tickets may submit a written request to the Department  
2 of Revenue for a resurvey. This resurvey shall be completed by  
3 the department within ninety days of receipt of the request.

4 ~~Out of State lottery tickets may be sold by that person during~~ <—  
5 ~~this period.~~

6 SECTION 2. SECTION 9 OF THE ACT, AMENDED DECEMBER 15, 1982 <—  
7 (P.L.1288, NO.291), IS AMENDED TO READ:

8 SECTION 9. SALES OF TICKETS IN EXCESS OF REGULATED PRICE;  
9 SALES BY NON-LICENSED PERSONS; PENALTIES.--(A) NO PERSON SHALL  
10 SELL [A TICKET OR SHARE], RESELL OR ENGAGE IN THE BUSINESS OF  
11 RESELLING LOTTERY TICKETS OR SHARES AT A PRICE GREATER THAN THAT  
12 FIXED BY RULE OR REGULATION OF THE DEPARTMENT. PRICE SHALL  
13 INCLUDE ANY FEE ASSOCIATED WITH THE ACQUISITION OR  
14 TRANSPORTATION OF LOTTERY TICKETS OR SHARES.

15 (B) NO PERSON OTHER THAN A LICENSED LOTTERY SALES AGENT  
16 SHALL SELL LOTTERY TICKETS OR SHARES, EXCEPT THAT NOTHING IN  
17 THIS SECTION SHALL BE CONSTRUED TO PREVENT ANY PERSON FROM  
18 GIVING LOTTERY TICKETS OR SHARES TO ANOTHER AS A GIFT.

19 (C) EXCEPT AS PROVIDED IN THIS ACT, NO PERSON SHALL ENGAGE  
20 IN THE SALE OR OFFERING FOR SALE WITHIN THIS COMMONWEALTH OF ANY  
21 INTEREST IN A LOTTERY OF ANOTHER STATE OR GOVERNMENT WHETHER OR  
22 NOT SUCH INTEREST IS AN ACTUAL LOTTERY TICKET, RECEIPT,  
23 CONTINGENT PROMISE TO PAY, ORDER TO PURCHASE OR OTHER RECORD OF  
24 SUCH INTEREST.

25 (D) ANY PERSON CONVICTED OF VIOLATING THIS SECTION SHALL BE  
26 GUILTY OF A MISDEMEANOR AND UPON CONVICTION THEREOF, SHALL BE  
27 SENTENCED TO PAY A FINE NOT EXCEEDING [FIVE HUNDRED DOLLARS  
28 (\$500).] TWO THOUSAND DOLLARS (\$2,000).

29 Section 2 3. The act is amended by adding a section to read: <—

30 Section 9.1. Compact to Sell Tickets.--The secretary shall

1 enter into a compact with any other states that permit sale of  
2 Pennsylvania lottery tickets within their borders to sell those  
3 states' lottery tickets within this Commonwealth.

4 Section 3 4. This act shall take effect as follows: <—

5 (1) The amendment of section 7 of the act shall take  
6 effect immediately.

7 (2) The remainder of this act shall take effect in 60  
8 days.