

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2943 Session of  
2006

INTRODUCED BY DALLY, BAKER, BEYER, BOYD, CALTAGIRONE, CAPPELLI,  
CRAHALLA, CREIGHTON, DENLINGER, DIVEN, FAIRCHILD, FEESE,  
FLAHERTY, FLEAGLE, FREEMAN, GABIG, GEIST, GINGRICH, GOODMAN,  
GRUCELA, HARPER, HARRIS, HENNESSEY, HUTCHINSON, KAUFFMAN,  
KENNEY, LEDERER, MACKERETH, S. MILLER, MUSTIO, O'NEILL,  
PICKETT, PYLE, REED, REICHLEY, ROSS, RUBLEY, SCAVELLO,  
SCHRODER, SONNEY, STEIL, STERN, R. STEVENSON, E. Z. TAYLOR,  
TIGUE, TRUE, WALKO, WILT AND WRIGHT, SEPTEMBER 26, 2006

REFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT,  
SEPTEMBER 26, 2006

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated  
2 Statutes, providing for applicability of other statutes and  
3 for investigations and enforcement.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 4 of the Pennsylvania Consolidated Statutes  
7 is amended by adding a section to read:

8 § 1201.1. Applicability of other statutes.

9 (a) General rule.--The following acts shall apply to the  
10 board:

11 (1) The act of June 21, 1957 (P.L.390, No.212), referred  
12 to as the Right-to-Know Law.

13 (2) The act of July 19, 1957 (P.L.1017, No.451), known  
14 as the State Adverse Interest Act.

15 (3) The provisions of 65 Pa.C.S. Chs. 7 (relating to

1 open meetings) and 11 (relating to ethics standards and  
2 financial disclosure).

3 (b) Status of board.--

4 (1) The board shall be considered an independent agency  
5 for the purposes of all of the following:

6 (i) 2 Pa.C.S. (relating to administrative law and  
7 procedure).

8 (ii) 62 Pa.C.S. Pt. 1 (relating to Commonwealth  
9 procurement code). The expediting of the payment of  
10 revenue to the Commonwealth shall not be grounds for an  
11 emergency procurement by the board.

12 (iii) The act of October 15, 1980 (P.L.950, No.164),  
13 known as the Commonwealth Attorneys Act.

14 (2) The board shall be considered an agency for the  
15 purposes of all of the following:

16 (i) The act of July 31, 1968 (P.L.769, No.240),  
17 referred to as the Commonwealth Documents Law.

18 (ii) The act of June 25, 1982 (P.L.633, No.181),  
19 known as the Regulatory Review Act.

20 Section 2. Section 1517 heading and (d) of Title 4 are  
21 amended and the section is amended by adding a subsection to  
22 read:

23 § 1517. [Enforcement] Investigations and enforcement.

24 \* \* \*

25 (c.1) Powers and duties of Attorney General.--The Attorney  
26 General shall establish a gaming unit within the Office of  
27 Attorney General. The Attorney General shall have the following  
28 powers and duties:

29 (1) Investigate and institute criminal proceedings as  
30 authorized by subsection (d).

1       (2) Prepare and, through the Governor, submit annually  
2       to the General Assembly an itemized budget consisting of the  
3       amounts necessary to fund the duties of the Attorney General  
4       under this part which shall be appropriated by the  
5       Commonwealth out of the fund.

6       (d) Criminal action.--

7       (1) The district attorneys of the several counties shall  
8       have authority to investigate and to institute criminal  
9       proceedings for [any] a violation of this part.

10       (2) In addition to the authority conferred upon the  
11       Attorney General [by] under the act of October 15, 1980  
12       (P.L.950, No.164), known as the Commonwealth Attorneys Act,  
13       the Attorney General shall have the authority to investigate  
14       and, following consultation with the appropriate district  
15       attorney, to institute criminal proceedings for [any] a  
16       violation of this part, [or any series of such violations  
17       involving any county of this Commonwealth and another state.  
18       No] A person charged with a violation of this part by the  
19       Attorney General shall not have standing to challenge the  
20       authority of the Attorney General to investigate or prosecute  
21       the case, and, if any such challenge is made, the challenge  
22       shall be dismissed and no relief shall be available in the  
23       courts of this Commonwealth to the person making the  
24       challenge.

25       \* \* \*

26       Section 3. This act shall take effect immediately.