

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 757 Session of 2011

INTRODUCED BY HICKERNELL, AUMENT, BAKER, BOYD, CLYMER, CUTLER,
DENLINGER, FLECK, GABLER, GEIST, GINGRICH, HENNESSEY, HESS,
KAUFFMAN, MILNE, MURT, OBERLANDER, M. O'BRIEN, RAPP,
SCAVELLO, STERN, SWANGER, TALLMAN AND VULAKOVICH,
FEBRUARY 17, 2011

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, FEBRUARY 17, 2011

AN ACT

1 Prohibiting expansion of gambling and gaming except by
2 referendum or by a two-thirds vote of the General Assembly.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Gambling and
7 Gaming Control Act.

8 Section 2. Certain expansion of gambling and gaming prohibited.

9 (a) General rule.--Except as provided in subsections (b) and
10 (c), no legislation shall be enacted which expands existing
11 forms of gambling or gaming or authorizes new forms of gambling
12 or gaming.

13 (b) Existing law.--Subsection (a) does not apply to:

14 (1) The Pennsylvania State Lottery, as authorized by the
15 act of August 26, 1971 (P.L.351, No.91), known as the State
16 Lottery Law.

1 (2) Bingo, as authorized by the act of July 10, 1981
2 (P.L.214, No.67), known as the Bingo Law.

3 (3) Pari-mutuel betting on horse racing, as authorized
4 by the act of December 17, 1981 (P.L.435, No.135), known as
5 the Race Horse Industry Reform Act.

6 (4) Small games of chance, as authorized by the act of
7 December 19, 1988 (P.L.1262, No.156), known as the Local
8 Option Small Games of Chance Act.

9 (5) Any gaming activity authorized as of July 5, 2004,
10 by 4 Pa.C.S. Pt. II (relating to gaming).

11 (c) New gambling or gaming.--No new forms of gambling or
12 gaming shall be authorized except:

13 (1) by a vote of no less than two-thirds of all the
14 members elected to each chamber of the General Assembly; or

15 (2) upon approval of the electors in a public referendum
16 as follows:

17 (i) the referendum question shall appear on a
18 primary election ballot pursuant to a concurrent
19 resolution of the General Assembly and shall utilize
20 clear language that is readily understandable by a
21 layperson;

22 (ii) the Secretary of the Commonwealth shall draft a
23 nonlegal interpretive statement which shall accompany the
24 referendum question in accordance with section 201.1 of
25 the act of June 3, 1937 (P.L.1333, No.320), known as the
26 Pennsylvania Election Code;

27 (iii) adoption of the referendum shall authorize
28 enactment of legislation expanding gambling or gaming to
29 the extent stated in the language of the referendum; and

30 (iv) notwithstanding any other provision of this

1 act, subsequent expansion of new gambling or gaming
2 authorized pursuant to the provisions of this subsection
3 shall require resubmission to the electors under this
4 paragraph or legislative action under paragraph (1).

5 Section 3. Effective date.

6 This act shall take effect immediately.