

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2015 Session of 2011

INTRODUCED BY P. COSTA, YOUNGBLOOD, BRENNAN, V. BROWN, BURNS, CALTAGIRONE, CARROLL, D. COSTA, DALEY, DEASY, DeLUCA, GERGELY, HORNAMAN, W. KELLER, KORTZ, MAHONEY, MANN, MATZIE, MILLARD, MIRABITO, MOUL, WHITE, FABRIZIO, RAVENSTAHL AND STEPHENS, NOVEMBER 17, 2011

AS REPORTED FROM COMMITTEE ON GAMING OVERSIGHT, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 28, 2012

AN ACT

1 Amending the act of December 19, 1988 (P.L.1262, No.156),
2 entitled, as amended, "An act providing for the licensing of
3 eligible organizations to conduct games of chance, for the
4 licensing of persons to distribute games of chance, for the
5 registration of manufacturers of games of chance, and for
6 suspensions and revocations of licenses and permits;
7 requiring records; providing for local referendum by
8 electorate; and prescribing penalties," further providing for
9 definitions and for prize limits; AND PROVIDING FOR MAJOR
10 LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50 RAFFLE.



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

13 Section 1. The definition of "games of chance" in section 3
14 of the act of December 19, 1988 (P.L.1262, No.156), known as the
15 Local Option Small Games of Chance Act, amended October 18, 2000
16 (P.L.602, No.79), is amended and the section is amended by
17 adding a definition to read:



18 Section 3. Definitions.

19 The following words and phrases when used in this act shall
20 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 ~~"50/50" raffles." A game of chance conducted by a major or~~  
3 ~~minor league baseball team affiliated nonprofit organization at~~  
4 ~~a home game in which 50% of the money taken in by raffle ticket~~  
5 ~~sales is offered as the prize and the remaining 50% is retained~~  
6 ~~by the affiliated nonprofit organization sponsoring the raffle~~  
7 ~~for the benefit of a charitable organization. A person may~~  
8 ~~purchase one or more raffle tickets, and each raffle ticket~~  
9 ~~purchased equals one entry in the drawing for a winner. A single~~  
10 ~~ticket is randomly chosen as the winner after a certain number~~  
11 ~~of tickets are sold or a specified time period expires as~~  
12 ~~designated by the affiliated nonprofit organization. There shall~~  
13 ~~be no limit on the number of times the organization may conduct~~  
14 ~~a 50/50 raffle during the course of any one season.~~

15 \* \* \*

16 ~~"Games of chance." Punchboards, daily drawings, weekly~~  
17 ~~drawings, raffles, 50/50 raffles and pull tabs, as defined in~~  
18 ~~this act, provided that no such game shall be played by or with~~  
19 ~~the assistance of any mechanical or electrical devices or media~~  
20 ~~other than a dispensing machine or passive selection device and~~  
21 ~~further provided that the particular chance taken by any person~~  
22 ~~in any such game shall not be made contingent upon any other~~  
23 ~~occurrence or the winning of any other contest, but shall be~~  
24 ~~determined solely at the discretion of the purchaser. This~~  
25 ~~definition shall not be construed to authorize any other form of~~  
26 ~~gambling currently prohibited under any provision of Title 18 of~~  
27 ~~the Pennsylvania Consolidated Statutes (relating to crimes and~~  
28 ~~offenses). Nothing in this act shall be construed to authorize~~  
29 ~~games commonly known as "slot machines" or "video poker."~~

30 \* \* \*

1       ~~Section 2. Section 5 of the act is amended by adding a~~  
2 ~~subsection to read:~~

3 ~~Section 5. Prize limits.~~

4       ~~\* \* \*~~

5       ~~(i) 50/50 Raffles. The limitations under subsections (a),~~  
6 ~~(b) and (c) shall not apply to a prize awarded in a 50/50~~  
7 ~~raffle. The prize amount for a 50/50 raffle shall be determined~~  
8 ~~by the total money collected during the 50/50 raffle. Any prize~~  
9 ~~unclaimed at the end of each baseball season shall be donated to~~  
10 ~~a charitable organization selected by the sponsoring major or~~  
11 ~~minor league baseball team affiliated nonprofit organization.~~

12       SECTION 1. THE DEFINITION OF "GAMES OF CHANCE" IN SECTION       ←  
13 103 OF THE ACT OF DECEMBER 19, 1988 (P.L.1262, NO.156), KNOWN AS  
14 THE LOCAL OPTION SMALL GAMES OF CHANCE ACT, RENUMBERED AND  
15 AMENDED FEBRUARY 6, 2012 (P.L.7, NO.2), IS AMENDED AND THE  
16 SECTION IS AMENDED BY ADDING DEFINITIONS TO READ:

17 SECTION 103. DEFINITIONS.

18       THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
19 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
20 CONTEXT CLEARLY INDICATES OTHERWISE:

21       "50/50 DRAWING." A GAME IN WHICH A PARTICIPANT BUYS A TICKET  
22 FOR A CHANCE AT A PRIZE WITH THE WINNER OR WINNERS DETERMINED BY  
23 A RANDOM DRAWING OF A CORRESPONDING TICKET. THE PRIZE PAID TO  
24 THE WINNER OR WINNERS IS COMPRISED OF ONE-HALF OF THE PROCEEDS  
25 FROM THE GAME AND THE REMAINING PROCEEDS RETAINED BY THE  
26 ELIGIBLE ORGANIZATION.

27       \* \* \*

28       "GAMES OF CHANCE." PUNCHBOARDS, DAILY DRAWINGS, WEEKLY  
29 DRAWINGS, 50/50 DRAWINGS, RAFFLES, MAJOR LEAGUE BASEBALL OR  
30 NATIONAL HOCKEY LEAGUE 50/50 RAFFLES AND PULL-TABS, AS DEFINED

1 IN THIS ACT, PROVIDED THAT NO SUCH GAME SHALL BE PLAYED BY OR  
2 WITH THE ASSISTANCE OF ANY MECHANICAL OR ELECTRICAL DEVICES OR  
3 MEDIA OTHER THAN A DISPENSING MACHINE OR PASSIVE SELECTION  
4 DEVICE AND FURTHER PROVIDED THAT THE PARTICULAR CHANCE TAKEN BY  
5 ANY PERSON IN ANY SUCH GAME SHALL NOT BE MADE CONTINGENT UPON  
6 ANY OTHER OCCURRENCE OR THE WINNING OF ANY OTHER CONTEST, BUT  
7 SHALL BE DETERMINED SOLELY AT THE DISCRETION OF THE PURCHASER.  
8 THIS DEFINITION SHALL NOT BE CONSTRUED TO AUTHORIZE ANY OTHER  
9 FORM OF GAMBLING CURRENTLY PROHIBITED UNDER ANY PROVISION OF  
10 TITLE 18 OF THE PENNSYLVANIA CONSOLIDATED STATUTES (RELATING TO  
11 CRIMES AND OFFENSES) OR AUTHORIZED UNDER 4 PA.C.S. (RELATING TO  
12 AMUSEMENTS). NOTHING IN THIS ACT SHALL BE CONSTRUED TO AUTHORIZE  
13 GAMES COMMONLY KNOWN AS "SLOT MACHINES" OR "VIDEO POKER."

14 \* \* \*

15 "MAJOR LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50  
16 RAFFLE." A GAME OF CHANCE CONDUCTED BY A MAJOR LEAGUE BASEBALL  
17 OR NATIONAL HOCKEY LEAGUE TEAM THAT IS AFFILIATED WITH A  
18 NONPROFIT ORGANIZATION AT A HOME GAME IN WHICH 50% OF THE MONEY  
19 TAKEN IN BY RAFFLE TICKET SALES IS OFFERED AS THE PRIZE AND THE  
20 REMAINING 50% IS RETAINED BY THE AFFILIATED NONPROFIT  
21 ORGANIZATION SPONSORING THE RAFFLE.

22 \* \* \*

23 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
24 SECTION 302.1. MAJOR LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE  
25 50/50 RAFFLE.

26 (A) GENERAL RULE.--A PERSON MAY PURCHASE ONE OR MORE MAJOR  
27 LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50 RAFFLE TICKETS,  
28 AND EACH TICKET PURCHASED SHALL REPRESENT ONE ENTRY IN THE  
29 DRAWING FOR A WINNER. A SINGLE MAJOR LEAGUE BASEBALL OR NATIONAL  
30 HOCKEY LEAGUE 50/50 RAFFLE TICKET SHALL BE RANDOMLY CHOSEN AS

1 THE WINNER AFTER A CERTAIN NUMBER OF TICKETS ARE SOLD OR A  
2 SPECIFIED TIME PERIOD EXPIRES AS DESIGNATED BY THE CHARITABLE  
3 ORGANIZATION CONDUCTING THE MAJOR LEAGUE BASEBALL OR NATIONAL  
4 HOCKEY LEAGUE 50/50 RAFFLE.

5 (B) FREQUENCY.--THERE SHALL BE NO LIMIT ON THE NUMBER OF  
6 TIMES A MAJOR LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50  
7 RAFFLE MAY BE CONDUCTED DURING THE COURSE OF A MAJOR LEAGUE  
8 BASEBALL OR NATIONAL HOCKEY LEAGUE SEASON.

9 (C) DISTRIBUTION OF MONEY COLLECTED.--THE PRIZE AMOUNT FOR A  
10 MAJOR LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50 RAFFLE  
11 SHALL BE 50% OF THE TOTAL MONEY COLLECTED FROM THE SALE OF MAJOR  
12 LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50 RAFFLE TICKETS.  
13 THE OTHER 50% OF THE TOTAL MONEY COLLECTED FROM THE SALE OF  
14 MAJOR LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50 RAFFLE  
15 TICKETS SHALL BE DONATED WITHIN SEVEN DAYS FROM THE DATE OF THE  
16 RAFFLE BY THE CHARITABLE ORGANIZATION CONDUCTING THE MAJOR  
17 LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50 RAFFLE TO THE  
18 DESIGNATED CHARITABLE ORGANIZATION FOR WHICH THE RAFFLE WAS  
19 CONDUCTED.

20 (D) DESIGNATED CHARITABLE ORGANIZATION.--THE CHARITABLE  
21 ORGANIZATION CONDUCTING THE MAJOR LEAGUE BASEBALL OR NATIONAL  
22 HOCKEY LEAGUE 50/50 RAFFLE SHALL DISCLOSE TO THE RAFFLE TICKET  
23 PURCHASERS THE DESIGNATED CHARITABLE ORGANIZATION FOR WHICH THE  
24 MAJOR LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50 RAFFLE IS  
25 BEING CONDUCTED.

26 (E) UNCLAIMED PRIZES.--ANY MAJOR LEAGUE BASEBALL OR NATIONAL  
27 HOCKEY LEAGUE 50/50 RAFFLE PRIZE REMAINING UNCLAIMED BY THE  
28 WINNER AT THE END OF THE MAJOR LEAGUE BASEBALL OR NATIONAL  
29 HOCKEY LEAGUE TEAM'S SEASON SHALL BE DONATED WITHIN 30 DAYS FROM  
30 THE END OF THE SEASON BY THE CHARITABLE ORGANIZATION CONDUCTING

1 THE MAJOR LEAGUE BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50 RAFFLE  
2 TO THE DESIGNATED CHARITABLE ORGANIZATION FOR WHICH THE 50/50  
3 RAFFLE WAS CONDUCTED.

4 (F) APPLICABILITY OF OTHER SECTIONS.--THE LIMITATIONS UNDER  
5 SECTIONS 302, 308 AND 704 SHALL NOT APPLY TO A MAJOR LEAGUE  
6 BASEBALL OR NATIONAL HOCKEY LEAGUE 50/50 RAFFLE.

7 Section 3. This act shall take effect in 60 days.