

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2651 Session of 2012

INTRODUCED BY D. COSTA, MATZIE, DeLUCA, CALTAGIRONE, DALEY,  
DAVIS, FABRIZIO, GABLER, GRELL, GROVE, HALUSKA, HARHAI,  
HORNAMAN, HUTCHINSON, JAMES, MALONEY, MILLARD, MULLERY,  
MYERS, M. O'BRIEN, READSHAW, SAINATO, SCHMOTZER, STABACK AND  
TALLMAN, OCTOBER 1, 2012

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, OCTOBER 1, 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," in games of chance,  
9 further providing for licensing of eligible organizations to  
10 conduct games of chance.

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

13 Section 1. Section 307(b.1) of the act of December 19, 1988  
14 (P.L.1262, No.156), known as the Local Option Small Games of  
15 Chance Act, renumbered and amended February 2, 2012 (P.L.7,  
16 No.2), is amended to read:

17 Section 307. Licensing of eligible organizations to conduct  
18 games of chance.

19 \* \* \*

20 (b.1) Location of games of chance.--

1       (1) (i) Every licensed eligible organization, except a  
2       limited occasion licensee and as provided under  
3       subparagraph (ii), may conduct small games of chance only  
4       at a licensed premises. The licensed premises shall be  
5       indicated on the eligible organization's license  
6       application. Only one license shall be issued per  
7       licensed premises. Except as provided under subparagraph  
8       (ii) and paragraph (4), a licensed eligible organization  
9       may not share a licensed premises with another licensed  
10      eligible organization; and no licensed eligible  
11      organization may permit its premises to be used for small  
12      games of chance by another licensed eligible  
13      organization.

14       (ii) Licensed eligible organizations that are  
15      volunteer fire companies may conduct small games of  
16      chance at the licensed premises of other licensed  
17      eligible organizations that are volunteer fire companies  
18      if the licensed eligible organizations that change their  
19      licensed premises provide prior written notice to the  
20      district attorney of the change in licensed premises and  
21      the dates and times the games of chance will be conducted  
22      in such manner.

23       (2) [Where] Subject to the provisions of paragraph (1)  
24      (ii), where there exists a location or premises which is the  
25      normal business or operating site of the eligible  
26      organization and the location or premises is owned or leased  
27      by that eligible organization to conduct its normal business,  
28      that site shall be the eligible organization's licensed  
29      premises. If that location consists of more than one  
30      building, the eligible organization shall choose the building

1       that will be the licensed premises.

2           (3) When an eligible organization does not own or lease  
3       a specific location to conduct its normal business, the  
4       eligible organization may make arrangements that are  
5       consistent with this act to establish a licensed premises,  
6       including leasing a premise under a written agreement for a  
7       rental; however, the rental may not be determined by either  
8       the amount of receipts realized from the conduct of games of  
9       chance or the number of people attending. An eligible  
10      organization may lease a facility for a banquet in connection  
11      with the serving of a meal based on a per-head charge.

12           (4) (i) An eligible organization that has obtained a  
13      limited occasion license under subsection (b.3) may use  
14      another eligible organization's licensed premises to  
15      conduct its games of chance.

16           (ii) When a licensed eligible organization is  
17      permitting a limited occasion licensee to use its  
18      licensed premises for purposes of games of chance, it  
19      shall cease the operation of its own games of chance  
20      during the period that the limited occasion licensee is  
21      conducting its games on the premises.

22           (iii) Subparagraph (ii) shall not apply if the  
23      limited occasion licensee and licensed eligible  
24      organization are volunteer fire companies and operate the  
25      games of chance in compliance with paragraph (1)(i).

26      \* \* \*

27      Section 2. This act shall take effect in 60 days.