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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 444 Session of  
2011

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INTRODUCED BY EARLL, FOLMER, SOLOBAY, CORMAN, ORIE, SCARNATI,  
BOSCOLA, FONTANA, FERLO, RAFFERTY, ALLOWAY, PICCOLA, COSTA,  
YAW, HUGHES, KASUNIC, WAUGH, M. WHITE, WASHINGTON,  
EICHELBERGER, BROWNE, VOGEL, LEACH, YUDICHAK, PIPPY, MENSCH,  
BREWSTER, WOZNIAK, DINNIMAN AND ARGALL, FEBRUARY 23, 2011

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SENATE AMENDMENTS TO HOUSE AMENDMENTS, OCTOBER 1, 2012

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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; providing for relationship to table games;~~  
10 ~~further providing for games of chance permitted; providing~~  
11 ~~for Major League Baseball, National Hockey League or National~~  
12 ~~Basketball Association 50/50 raffle; and further providing~~  
13 ~~for regulations, for licensing of eligible organizations to~~  
14 ~~conduct games of chance and for distribution of proceeds.~~  
15 AMENDING THE ACT OF DECEMBER 19, 1988 (P.L.1262, NO.156), ←  
16 ENTITLED, AS AMENDED, "AN ACT PROVIDING FOR THE LICENSING OF  
17 ELIGIBLE ORGANIZATIONS TO CONDUCT GAMES OF CHANCE, FOR THE  
18 LICENSING OF PERSONS TO DISTRIBUTE GAMES OF CHANCE, FOR THE  
19 REGISTRATION OF MANUFACTURERS OF GAMES OF CHANCE, AND FOR  
20 SUSPENSIONS AND REVOCATIONS OF LICENSES AND PERMITS;  
21 REQUIRING RECORDS; PROVIDING FOR LOCAL REFERENDUM BY  
22 ELECTORATE; AND PRESCRIBING PENALTIES," FURTHER PROVIDING FOR  
23 DEFINITIONS AND FOR GAMES OF CHANCE PERMITTED; PROVIDING FOR  
24 MAJOR LEAGUE SPORTS DRAWING; FURTHER PROVIDING FOR  
25 REGISTRATION OF MANUFACTURERS, FOR REGULATIONS AND FOR  
26 LICENSING OF ELIGIBLE ORGANIZATIONS TO CONDUCT GAMES OF  
27 CHANCE; PROVIDING FOR APPLICABILITY; AND FURTHER PROVIDING

1 FOR DISTRIBUTION OF PROCEEDS AND FOR ENFORCEMENT.

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

4 ~~Section 1. The definition of "games of chance" in section~~ ←  
5 ~~103 of the act of December 19, 1988 (P.L.1262, No.156), known as~~  
6 ~~the Local Option Small Games of Chance Act, renumbered and~~  
7 ~~amended February 2, 2012 (P.L.7, No.2), is amended and the~~  
8 ~~section is amended by adding definitions to read:~~

9 ~~Section 103. Definitions.~~

10 ~~The following words and phrases when used in this act shall~~  
11 ~~have the meanings given to them in this section unless the~~  
12 ~~context clearly indicates otherwise:~~

13 ~~"50/50 drawing." A game in which:~~

14 ~~(1) A participant buys a ticket for a chance at a prize~~  
15 ~~with the winner or winners determined by a random drawing of~~  
16 ~~a corresponding ticket.~~

17 ~~(2) The prize paid to the winner or winners is comprised~~  
18 ~~of one half of the proceeds from the game and the remaining~~  
19 ~~proceeds retained by the eligible organization.~~

20 ~~"A night at the races." A game in which a participant places~~  
21 ~~a wager on a prerecorded horse race.~~

22 ~~\* \* \*~~

23 ~~"Coin auction." A game in which a participant buys a~~  
24 ~~numbered paddle for a chance to bid on a donated prize with the~~  
25 ~~winner determined by a random drawing of corresponding numbers.~~

26 ~~\* \* \*~~

27 ~~"Games of chance." Punchboards, daily drawings, weekly~~  
28 ~~drawings, 50/50 drawings, raffles, selective raffles, coin~~  
29 ~~auctions, a night at the races, Major League Baseball, National~~  
30 ~~Hockey League or National Basketball Association 50/50 raffles,~~

1 ~~vertical wheel games and pull tabs, as defined in this act,~~  
2 ~~provided that, except for vertical wheel games, no such game~~  
3 ~~shall be played by or with the assistance of any mechanical or~~  
4 ~~electrical devices or media other than a dispensing machine or~~  
5 ~~passive selection device and further provided that the~~  
6 ~~particular chance taken by any person in any such game shall not~~  
7 ~~be made contingent upon any other occurrence or the winning of~~  
8 ~~any other contest, but shall be determined solely at the~~  
9 ~~discretion of the purchaser. This definition shall not be~~  
10 ~~construed to authorize any other form of gambling currently~~  
11 ~~prohibited under any provision of Title 18 of the Pennsylvania~~  
12 ~~Consolidated Statutes (relating to crimes and offenses) or~~  
13 ~~authorized under 4 Pa.C.S. (relating to amusements). Nothing in~~  
14 ~~this act shall be construed to authorize games commonly known as~~  
15 ~~"slot machines" or "video poker."~~

16 \* \* \*

17 ~~"Major League Baseball, National Hockey League or National~~  
18 ~~Basketball Association 50/50 raffle." A game of chance~~  
19 ~~conducted by a Major League Baseball, National Hockey League or~~  
20 ~~National Basketball Association team that is affiliated with a~~  
21 ~~nonprofit organization at a home game in which 50% of the money~~  
22 ~~taken in by raffle ticket sales is offered as the prize and the~~  
23 ~~remaining 50% is retained by the affiliated nonprofit~~  
24 ~~organization sponsoring the raffle.~~

25 \* \* \*

26 ~~"Selective raffle." A game in which a participant buys a~~  
27 ~~ticket or tickets for a chance to win a donated prize. The~~  
28 ~~participant places his or her ticket or tickets in a designated~~  
29 ~~location for the prize which he or she would like to win. The~~  
30 ~~winner for each prize is determined by a random drawing of~~

1 ~~tickets with a corresponding number for the prize.~~

2 ~~"Vertical wheel game." A game in which a participant places~~  
3 ~~a coin or token on a color, number or word or purchases a ticket~~  
4 ~~containing a color, number or word and watches a spinning~~  
5 ~~vertical wheel until the pointer of the wheel rests on a section~~  
6 ~~of the wheel designating a winner.~~

7 \* \* \*

8 Section 1.1. The act is amended by adding a section to read:

9 ~~Section 104. Relationship to table games.~~

10 ~~A vertical wheel game is not a "table game" as defined in 4~~  
11 ~~Pa.C.S. § 1103 (relating to definitions). The designation of a~~  
12 ~~vertical wheel game under this act does not preclude the~~  
13 ~~authorization of a vertical wheel game as a table game under 4~~  
14 ~~Pa.C.S. Pt. II (relating to gaming).~~

15 Section 2. Section 301 of the act, renumbered and amended  
16 February 2, 2012 (P.L.7, No.2), is amended to read:

17 ~~Section 301. Games of chance permitted.~~

18 ~~Every eligible organization to which a license has been~~  
19 ~~issued under the provisions of this chapter may conduct games of~~  
20 ~~chance for the purpose of raising funds for public interest~~  
21 ~~purposes. Except as provided in Chapter 5, all proceeds of a~~  
22 ~~licensed eligible organization shall be used exclusively for~~  
23 ~~public interest purposes [or], for the purchase of games of~~  
24 ~~chance [as permitted], for the payment of the license fee or for~~  
25 ~~the payment of the fee for background checks, as required by~~  
26 ~~this act. An eligible organization, except a club licensee, may~~  
27 ~~use its proceeds from games of chance to fulfill its own public~~  
28 ~~interest purpose.~~

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

30 ~~Section 302.1. Major League Baseball, National Hockey League or~~

~~National Basketball Association 50/50 raffle.~~

~~(a) General rule. A person may purchase one or more Major League Baseball, National Hockey League or National Basketball Association 50/50 raffle tickets, and each ticket purchased shall represent one entry in the drawing for a winner. A single Major League Baseball, National Hockey League or National Basketball Association 50/50 raffle ticket shall be randomly chosen as the winner after a certain number of tickets are sold or a specified time period expires as designated by the charitable organization conducting the Major League Baseball, National Hockey League or National Basketball Association 50/50 raffle.~~

~~(b) Frequency. A Major League Baseball, National Hockey League or National Basketball Association team may conduct no more than one Major League Baseball, National Hockey League or National Basketball Association 50/50 raffle per home game.~~

~~(b.1) Sales restricted. Tickets for the Major League Baseball, National Hockey League or National Basketball Association 50/50 raffle may not be sold in any seating area designated by the Major League Baseball, National Hockey League or National Basketball Association team as a family section.~~

~~(c) Distribution of money collected. The prize amount for a Major League Baseball, National Hockey League or National Basketball Association 50/50 raffle shall be 50% of the total money collected from the sale of Major League Baseball, National Hockey League or National Basketball Association 50/50 raffle tickets. The other 50% of the total money collected from the sale of Major League Baseball, National Hockey League or National Basketball Association 50/50 raffle tickets shall be donated within seven days from the date of the raffle by the~~

~~1 charitable organization conducting the Major League Baseball,  
2 National Hockey League or National Basketball Association 50/50  
3 raffle to the designated charitable organization for which the  
4 raffle was conducted.~~

~~5 (d) Designated charitable organization. The charitable  
6 organization conducting the Major League Baseball, National  
7 Hockey League or National Basketball Association 50/50 raffle  
8 shall disclose to the raffle ticket purchasers the designated  
9 charitable organization for which the Major League Baseball,  
10 National Hockey League or National Basketball Association 50/50  
11 raffle is being conducted.~~

~~12 (e) Unclaimed prizes. Any Major League Baseball, National  
13 Hockey League or National Basketball Association 50/50 raffle  
14 prize remaining unclaimed by the winner at the end of the Major  
15 League Baseball, National Hockey League or National Basketball  
16 Association team's season shall be donated within 30 days from  
17 the end of the season by the charitable organization conducting  
18 the Major League Baseball, National Hockey League or National  
19 Basketball Association 50/50 raffle to the designated charitable  
20 organization for which the 50/50 raffle was conducted.~~

~~21 (f) Applicability of other sections. The limitations under  
22 sections 302, 308 and 704 shall not apply to a Major League  
23 Baseball, National Hockey League or National Basketball  
24 Association 50/50 raffle.~~

~~25 Section 4. Sections 306 and 307(b.1), (d) and (h) of the  
26 act, renumbered and amended February 2, 2012 (P.L.7, No.2), are  
27 amended to read:~~

~~28 Section 306. Regulations of department.~~

~~29 (a) Authorization. The department shall promulgate  
30 regulations to:~~

1           ~~(1) Impose minimum standards and restrictions applicable~~  
2 ~~to games of chance manufactured for sale in this~~  
3 ~~Commonwealth, which may include standards and restrictions~~  
4 ~~which specify the maximum number of chances available to be~~  
5 ~~sold for any single game of chance or prize and such other~~  
6 ~~standards and restrictions as the department deems necessary~~  
7 ~~for the purposes of this chapter. The department shall~~  
8 ~~consider standards adopted by the National Association of~~  
9 ~~Gambling Regulatory Agencies and other standards commonly~~  
10 ~~accepted in the industry.~~

11           ~~(2) Establish procedures by which manufacturers may~~  
12 ~~register and distributors of games of chance may apply for~~  
13 ~~licensure on forms which the department shall provide.~~  
14 ~~Procedures shall include a requirement that manufacturer and~~  
15 ~~distributor applicants provide criminal history record~~  
16 ~~information obtained from the Pennsylvania State Police under~~  
17 ~~18 Pa.C.S. § 9121(b) (relating to general regulations) for~~  
18 ~~each officer and manager of the manufacturer's or~~  
19 ~~distributor's organization and for any other individual~~  
20 ~~specified by the department. As used in this paragraph, the~~  
21 ~~term "criminal history record information" has the meaning~~  
22 ~~given in 18 Pa.C.S. § 9102 (relating to definitions).~~

23           ~~(3) Provide for the suspension or revocation of~~  
24 ~~distribution licenses or manufacturer certificates for~~  
25 ~~violations of this act or regulations of the department.~~

26           ~~(4) Carry out other provisions of this act.~~

27           ~~(b) Limitation on recordkeeping requirements. This section~~  
28 ~~shall not be construed to authorize the department to promulgate~~  
29 ~~regulations providing for recordkeeping requirements for~~  
30 ~~licensed eligible organizations which require unreasonable or~~

1 ~~unnecessary information or a repetitious listing of information.~~  
2 ~~The department shall strive to keep such recordkeeping~~  
3 ~~requirements from being an undue hardship or burden on licensed~~  
4 ~~eligible organizations. Except as provided under section 701(b),~~  
5 ~~the department may not require the retention of records for a~~  
6 ~~period in excess of two years.~~

7 ~~(c) Reporting requirements. Each eligible organization~~  
8 ~~which has proceeds in excess of \$2,500 in a single calendar year~~  
9 ~~shall submit an annual report to the department including:~~

10 ~~(1) Prizes awarded as required under section 335 of the~~  
11 ~~act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform~~  
12 ~~Code of 1971.~~

13 ~~(2) Amounts expended for public interest purposes.~~  
14 ~~Section 307. Licensing of eligible organizations to conduct~~  
15 ~~games of chance.~~

16 ~~\* \* \*~~

17 ~~(b.1) Location of games of chance.~~

18 ~~(1) [Every] Except as otherwise provided in this~~  
19 ~~section, a licensed eligible organization, except a limited~~  
20 ~~occasion licensee, may conduct small games of chance [only]~~  
21 ~~at a licensed premises. The licensed premises shall be~~  
22 ~~indicated on the eligible organization's license application.~~  
23 ~~{Only one license shall be issued per licensed premises.~~  
24 ~~Except as provided under paragraph (4), a licensed eligible~~  
25 ~~organization may not share a licensed premises with another~~  
26 ~~licensed eligible organization; and no licensed eligible~~  
27 ~~organization may permit its premises to be used for small~~  
28 ~~games of chance by another licensed eligible organization.}~~

29 ~~(2) Where there exists a location or premises which is~~  
30 ~~the normal business or operating site of the eligible~~



1 ~~organization and the location or premises is owned or leased~~  
2 ~~by that eligible organization to conduct its normal business,~~  
3 ~~that site shall be the eligible organization's licensed~~  
4 ~~premises. If that location consists of more than one~~  
5 ~~building, the eligible organization shall [choose] identify~~  
6 ~~the building that will be designated as the licensed~~  
7 ~~premises.~~

8 ~~(2.1) If an eligible organization wishes to conduct~~  
9 ~~games of chance in a different location from the one that is~~  
10 ~~listed on its application and license, the eligible~~  
11 ~~organization must submit a written request to the district~~  
12 ~~attorney. The request must include the change in the location~~  
13 ~~and the dates and times the games of chance will be operated~~  
14 ~~at the new location. The district attorney may approve the~~  
15 ~~request, deny the request or stipulate additional~~  
16 ~~requirements as a condition of approval.~~

17 ~~(3) When an eligible organization does not own or lease~~  
18 ~~a specific location to conduct its normal business, the~~  
19 ~~eligible organization may use the premises of another~~  
20 ~~eligible organization to conduct games of chance or may make~~  
21 ~~arrangements that are consistent with this act to establish a~~  
22 ~~licensed premises, including leasing a premise under a~~  
23 ~~written agreement for a rental; however, the rental may not~~  
24 ~~be determined by either the amount of receipts realized from~~  
25 ~~the conduct of games of chance or the number of people~~  
26 ~~attending. An eligible organization may lease a facility for~~  
27 ~~a banquet in connection with the serving of a meal based on a~~  
28 ~~per head charge. Prior to the use of the premises of another~~  
29 ~~eligible organization to conduct games of chance, an eligible~~  
30 ~~organization must notify, in writing, the district attorney~~

~~1 regarding the location of the premises and the dates and  
2 times the games of chance will be operated. When an eligible  
3 organization permits another eligible organization to use its  
4 licensed premises for purposes of games of chance, it shall  
5 cease the operation of its own games of chance during the  
6 period that the other eligible organization is conducting its  
7 games on the premises.~~

~~8 (4) An eligible organization that has obtained a limited  
9 occasion license under subsection (b.3) may use another  
10 eligible organization's licensed premises to conduct its  
11 games of chance. When a licensed eligible organization is  
12 permitting a limited occasion licensee to use its licensed  
13 premises for purposes of games of chance, it shall cease the  
14 operation of its own games of chance during the period that  
15 the limited occasion licensee is conducting its games on the  
16 premises.~~

~~17 \* \* \*~~

~~18 (d) Operation. Each licensed eligible organization shall be  
19 prohibited from the following:~~

~~20 (1) Permitting any person under 18 years of age to  
21 operate or play games of chance.~~

~~22 (2) Permitting any person who has been convicted of a  
23 felony in a Federal or State court within the past five years  
24 or has been convicted in a Federal or State court within the  
25 past ten years of a violation of the act of July 10, 1981  
26 (P.L.214, No.67), known as the Bingo Law, or of this act to  
27 manage, set up, supervise or participate in the operation of  
28 games of chance.~~

~~29 (3) Paying any compensation to any person for conducting  
30 any games of chance. Games of chance may only be conducted by~~

1 ~~managers, officers, directors, bar personnel and bona fide~~  
2 ~~members of the eligible organization.~~

3 ~~(4) Conducting games of chance on any premises other~~  
4 ~~than on the licensed premises or as otherwise provided by~~  
5 ~~this chapter.~~

6 ~~(5) Leasing the licensed premises under either an oral~~  
7 ~~or a written agreement for a rental which is determined by~~  
8 ~~either the amount of receipts realized from the playing of~~  
9 ~~games of chance or the number of people attending, except~~  
10 ~~that an eligible organization may lease a facility for a~~  
11 ~~banquet where a per head charge is applied in connection with~~  
12 ~~the serving of a meal. An eligible organization shall not~~  
13 ~~lease such premises from any person who has been convicted of~~  
14 ~~a violation of this act or the Bingo Law within the past ten~~  
15 ~~years.~~

16 ~~(6) Purchasing games of chance, other than raffles,~~  
17 ~~daily drawings and weekly drawings, from any person other~~  
18 ~~than a registered manufacturer or licensed distributor~~  
19 ~~approved by the department.~~

20 ~~(7) (Reserved).~~

21 ~~(8) Raffle tickets may be sold off the licensed premises~~  
22 ~~as follows:~~

23 ~~(i) In a municipality which has adopted the~~  
24 ~~provisions of this act by an affirmative vote in a~~  
25 ~~municipal referendum. A licensed eligible organization~~  
26 ~~which plans to sell raffle tickets in a municipality~~  
27 ~~located in a county other than the county in which the~~  
28 ~~eligible organization is licensed must notify that~~  
29 ~~county's district attorney and licensing authority as to~~  
30 ~~the location and the dates that the eligible organization~~

1 ~~plans to sell raffle tickets.~~

2 ~~(ii) In a licensed "eating place," "restaurant" or~~  
3 ~~"retail dispenser," as defined in section 102 of the act~~  
4 ~~of April 12, 1951 (P.L.90, No.21), known as the Liquor~~  
5 ~~Code. A licensed eligible organization which plans to~~  
6 ~~sell raffle tickets at a licensed eating place,~~  
7 ~~restaurant or retail dispenser must notify the county's~~  
8 ~~district attorney and licensing authority as to the~~  
9 ~~location of the eating place, restaurant or retail~~  
10 ~~dispenser and the dates that the eligible organization~~  
11 ~~plans to sell raffle tickets at the club.~~

12 \* \* \*

13 ~~(h) Background checks. [Each]~~

14 ~~(1) Except as set forth in paragraph (2), each~~  
15 ~~application for a license shall include the results of a~~  
16 ~~criminal history record information check obtained from the~~  
17 ~~Pennsylvania State Police, as defined in 18 Pa.C.S. § 9102-~~  
18 ~~(relating to definitions) and permitted by 18 Pa.C.S. §~~  
19 ~~9121(b) (relating to general regulations), for the executive~~  
20 ~~officer and secretary of the eligible organization making the~~  
21 ~~application for a license or any other person required by the~~  
22 ~~department.~~

23 ~~(2) Paragraph (1) does not apply as follows:~~

24 ~~(i) An application submitted by an eligible~~  
25 ~~organization that is not a club, shall not be required to~~  
26 ~~include the results of a criminal history record~~  
27 ~~information check if the application includes an~~  
28 ~~affidavit executed by the eligible organization's~~  
29 ~~executive officer affirming that, if granted a license,~~  
30 ~~the eligible organization does not anticipate that the~~

~~organization's total small games of chance revenue will exceed \$2,500 during the period for which the license is valid. The department shall prescribe an affidavit form for this purpose and make the form available to licensing authorities.~~

~~(ii) If, following the issuance of a license to an eligible organization under subparagraph (i), the eligible organization's total small games of chance revenue receipts surpass \$2,500 during the period for which the license was valid, the eligible organization shall:~~

~~(A) within 180 days of surpassing the specified amount, provide the issuing authority with the results of a criminal history record information check for its executive officer and secretary which meets the requirements of paragraph (1); and~~

~~(B) when it next applies for licensure, comply with paragraph (1).~~

~~Section 5. Section 502 of the act, added February 2, 2012 (P.L.7, No.2), is amended to read:~~

~~Section 502. Distribution of proceeds.~~

~~(a) Distribution. The proceeds from games of chance received by a club licensee shall be distributed as follows:~~

~~(1) No less than 70% of the proceeds shall be paid to organizations for public interest purposes in the calendar year in which the proceeds were obtained. This paragraph includes charity events, scholarship programs and other philanthropic events:~~

~~(i) held by the club on its licensed premises; and~~

~~(ii) available to club members, club member families~~

1 ~~or the general public.~~

2 ~~(2) No more than 30% of the proceeds obtained in a~~  
3 ~~calendar year may be retained by a club licensee and used for~~  
4 ~~the following operational expenses relating to the club~~  
5 ~~licensee:~~

6 ~~(i) Real property taxes.~~

7 ~~(ii) Utility and fuel costs.~~

8 ~~(iii) Heating and air conditioning equipment or~~  
9 ~~repair costs.~~

10 ~~(iv) Water and sewer costs.~~

11 ~~(v) Property or liability insurance costs.~~

12 ~~(vi) Mortgage payments.~~

13 ~~(vii) Interior and exterior repair costs, including~~  
14 ~~repair to parking lots.~~

15 ~~(viii) New facility construction costs.~~

16 ~~(ix) Entertainment equipment, including television,~~  
17 ~~video and electronic games.~~

18 ~~(x) Other expenses adopted in regulation by the~~  
19 ~~department.~~

20 ~~(xi) License fees as required under this act.~~

21 ~~(xii) Background check fees as required under this~~  
22 ~~act.~~

23 ~~(a.1) Amounts retained. Amounts retained by a club licensee~~  
24 ~~under subsection (a) (2) shall be expended within the same~~  
25 ~~calendar year unless the club licensee notifies the department~~  
26 ~~that funds are being retained for a substantial purchase or~~  
27 ~~project. Notification shall include a description of the~~  
28 ~~purchase or project, the cost and the anticipated date of the~~  
29 ~~purchase or project.~~

30 ~~(b) Prohibition.~~

1           ~~(1) Proceeds shall not be used for wages, alcohol or~~  
2           ~~food purchases or for the payment of any fine levied against~~  
3           ~~the club licensee.~~

4           ~~(2) An officer or employee of a club licensee who~~  
5           ~~operates the game of chance shall not participate in the~~  
6           ~~game. This paragraph shall not apply to a raffle.~~

7           ~~Section 6. This act shall take effect in 60 days.~~

8           SECTION 1. THE DEFINITIONS OF "ELIGIBLE ORGANIZATION" AND           ←  
9           "GAMES OF CHANCE" IN SECTION 103 OF THE ACT OF DECEMBER 19, 1988  
10          (P.L.1262, NO.156), KNOWN AS THE LOCAL OPTION SMALL GAMES OF  
11          CHANCE ACT, RENUMBERED AND AMENDED FEBRUARY 2, 2012 (P.L.7,  
12          NO.2), ARE AMENDED AND THE SECTION IS AMENDED BY ADDING  
13          DEFINITIONS TO READ:

14          SECTION 103. DEFINITIONS.

15          THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
16          HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
17          CONTEXT CLEARLY INDICATES OTHERWISE:

18          "50/50 DRAWING." A GAME IN WHICH:

19                 (1) A PARTICIPANT BUYS A TICKET FOR A CHANCE TO WIN A  
20                 PRIZE WHERE THE WINNER IS DETERMINED BY A RANDOM DRAWING OF  
21                 CORRESPONDING TICKETS SOLD FOR THAT DRAWING.

22                 (2) THE PRIZE PAID TO THE WINNER IS COMPRISED OF ONE-  
23                 HALF OF THE MONEY COLLECTED FROM TICKETS FROM THE DRAWING AND  
24                 THE REMAINING MONEY RETAINED BY THE ELIGIBLE ORGANIZATION FOR  
25                 DISTRIBUTION IN ACCORDANCE WITH THIS ACT.

26          "AFFILIATED NONPROFIT ORGANIZATION." AN ORGANIZATION  
27          ESTABLISHED BY OR AFFILIATED WITH A MAJOR LEAGUE BASEBALL,  
28          NATIONAL HOCKEY LEAGUE, NATIONAL BASKETBALL ASSOCIATION OR MAJOR  
29          LEAGUE SOCCER TEAM FOR THE PURPOSE OF RAISING FUNDS FOR CHARITY,  
30          WHICH IS QUALIFIED FOR AN EXEMPTION UNDER SECTION 501(C) (3) OF

1 THE INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C.  
2 § 101(C)(3).

3 \* \* \*

4 "ELIGIBLE ORGANIZATION." A CHARITABLE, RELIGIOUS, FRATERNAL  
5 OR VETERANS' ORGANIZATION, CLUB, CLUB LICENSEE OR CIVIC AND  
6 SERVICE ASSOCIATION. IN ORDER TO QUALIFY AS AN ELIGIBLE  
7 ORGANIZATION FOR PURPOSES OF THIS ACT, AN ORGANIZATION SHALL  
8 HAVE BEEN IN EXISTENCE AND FULFILLING ITS PURPOSES FOR ONE YEAR  
9 PRIOR TO THE DATE OF APPLICATION FOR A LICENSE. THE TERM SHALL  
10 INCLUDE AN AFFILIATED NONPROFIT ORGANIZATION LICENSED UNDER  
11 SECTION 307.

12 \* \* \*

13 "GAMES OF CHANCE." PUNCHBOARDS, DAILY DRAWINGS, WEEKLY  
14 DRAWINGS, 50/50 DRAWINGS, RAFFLES AND PULL-TABS, AS DEFINED IN  
15 THIS ACT, PROVIDED THAT NO SUCH GAME SHALL BE PLAYED BY OR WITH  
16 THE ASSISTANCE OF ANY MECHANICAL OR ELECTRICAL DEVICES OR MEDIA  
17 OTHER THAN A DISPENSING MACHINE OR PASSIVE SELECTION DEVICE AND  
18 FURTHER PROVIDED THAT THE PARTICULAR CHANCE TAKEN BY ANY PERSON  
19 IN ANY SUCH GAME SHALL NOT BE MADE CONTINGENT UPON ANY OTHER  
20 OCCURRENCE OR THE WINNING OF ANY OTHER CONTEST, BUT SHALL BE  
21 DETERMINED SOLELY AT THE DISCRETION OF THE PURCHASER. THIS  
22 DEFINITION SHALL NOT BE CONSTRUED TO AUTHORIZE ANY OTHER FORM OF  
23 GAMBLING CURRENTLY PROHIBITED UNDER ANY PROVISION OF TITLE 18 OF  
24 THE PENNSYLVANIA CONSOLIDATED STATUTES (RELATING TO CRIMES AND  
25 OFFENSES) OR AUTHORIZED UNDER 4 PA.C.S. (RELATING TO  
26 AMUSEMENTS). NOTHING IN THIS ACT SHALL BE CONSTRUED TO AUTHORIZE  
27 GAMES COMMONLY KNOWN AS "SLOT MACHINES" OR "VIDEO POKER."

28 \* \* \*

29 "MAJOR LEAGUE SPORTS DRAWING." A 50/50 DRAWING CONDUCTED BY  
30 AN AFFILIATED NONPROFIT ORGANIZATION AT A HOME GAME OF A MAJOR



1 LEAGUE SPORTS TEAM IN WHICH 50% OF THE MONEY COLLECTED FROM  
2 TICKET SALES FROM THE DRAWING ARE OFFERED AS THE PRIZE AND THE  
3 REMAINING 50% IS RETAINED BY THE AFFILIATED NONPROFIT  
4 ORGANIZATION SPONSORING THE DRAWING FOR DISTRIBUTION TO  
5 CHARITABLE ORGANIZATIONS.

6 "MAJOR LEAGUE SPORTS TEAM." A PROFESSIONAL TEAM THAT IS A  
7 MEMBER OF MAJOR LEAGUE BASEBALL, THE NATIONAL HOCKEY LEAGUE, THE  
8 NATIONAL BASKETBALL ASSOCIATION OR MAJOR LEAGUE SOCCER.

9 \* \* \*

10 SECTION 2. SECTION 301 OF THE ACT, RENUMBERED AND AMENDED  
11 FEBRUARY 2, 2012 (P.L.7, NO.2), IS AMENDED TO READ:

12 SECTION 301. GAMES OF CHANCE PERMITTED.

13 EVERY ELIGIBLE ORGANIZATION TO WHICH A LICENSE HAS BEEN  
14 ISSUED UNDER THE PROVISIONS OF THIS CHAPTER MAY CONDUCT GAMES OF  
15 CHANCE FOR THE PURPOSE OF RAISING FUNDS FOR PUBLIC INTEREST  
16 PURPOSES. EXCEPT AS PROVIDED IN CHAPTER 5, ALL PROCEEDS OF A  
17 LICENSED ELIGIBLE ORGANIZATION SHALL BE USED EXCLUSIVELY FOR  
18 PUBLIC INTEREST PURPOSES [OR], FOR THE PURCHASE OF GAMES OF  
19 CHANCE [AS PERMITTED], FOR THE PAYMENT OF THE LICENSE FEE OR FOR  
20 THE PAYMENT OF THE FEE FOR BACKGROUND CHECKS, AS REQUIRED BY  
21 THIS ACT.

22 SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

23 SECTION 304.1. MAJOR LEAGUE SPORTS DRAWING.

24 (A) GENERAL RULE.--A PERSON MAY PURCHASE ONE OR MORE MAJOR  
25 LEAGUE SPORTS DRAWING TICKETS AT A HOME GAME, AND EACH TICKET  
26 PURCHASED SHALL REPRESENT ONE ENTRY IN THE DRAWING FOR A WINNER.  
27 A SINGLE TICKET SHALL BE RANDOMLY CHOSEN AS THE WINNER AFTER A  
28 CERTAIN NUMBER OF TICKETS ARE SOLD OR A SPECIFIED TIME PERIOD  
29 EXPIRES AS DESIGNATED BY THE AFFILIATED NONPROFIT ORGANIZATION.

30 (B) FREQUENCY.--AN AFFILIATED NONPROFIT ORGANIZATION MAY

1 CONDUCT NO MORE THAN ONE MAJOR LEAGUE SPORTS DRAWING PER HOME  
2 GAME.

3 (B.1) SALES RESTRICTED.--TICKETS FOR A MAJOR LEAGUE SPORTS  
4 DRAWING MAY NOT BE SOLD IN ANY SEATING AREA DESIGNATED AS A  
5 FAMILY SECTION.

6 (C) DISTRIBUTION.--THE PRIZE AMOUNT OF A MAJOR LEAGUE SPORTS  
7 DRAWING SHALL BE 50% OF THE TOTAL AMOUNT COLLECTED FROM THE SALE  
8 OF MAJOR LEAGUE SPORTS DRAWING TICKETS. THE OTHER 50% OF THE  
9 TOTAL AMOUNT COLLECTED FROM THE SALE OF MAJOR LEAGUE SPORTS  
10 DRAWING TICKETS SHALL BE DONATED WITHIN SEVEN DAYS FROM THE DATE  
11 OF THE DRAWING BY THE AFFILIATED NONPROFIT ORGANIZATION  
12 CONDUCTING THE MAJOR LEAGUE SPORTS DRAWING TO A DESIGNATED  
13 CHARITABLE ORGANIZATION FOR WHICH THE DRAWING WAS CONDUCTED.

14 (D) DESIGNATED CHARITABLE ORGANIZATION.--THE AFFILIATED  
15 NONPROFIT ORGANIZATION CONDUCTING THE MAJOR LEAGUE SPORTS  
16 DRAWING SHALL DISCLOSE TO ALL TICKET PURCHASERS THE DESIGNATED  
17 CHARITABLE ORGANIZATION FOR WHICH THE MAJOR LEAGUE SPORTS  
18 DRAWING IS BEING CONDUCTED.

19 (E) ELIGIBILITY.--IN ORDER TO RECEIVE PROCEEDS FROM A MAJOR  
20 LEAGUE SPORTS DRAWING, A CHARITABLE ORGANIZATION MUST BE IN  
21 EXISTENCE AND FULFILLING ITS PURPOSES FOR AT LEAST TWO YEARS  
22 PRIOR TO THE DRAWING AND SHALL BE ELIGIBLE FOR EXEMPTION UNDER  
23 SECTION 501(C) (3) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC  
24 LAW 99-514, 26 U.S.C. § 501(C) (3)). A POLITICAL SUBDIVISION  
25 SHALL NOT QUALIFY AS A CHARITABLE ORGANIZATION UNDER THIS  
26 SECTION.

27 (F) UNCLAIMED PRIZES.--ANY MAJOR LEAGUE BASEBALL SPORTS  
28 DRAWING PRIZE REMAINING UNCLAIMED BY A WINNER AT THE END OF THE  
29 MAJOR LEAGUE SPORTS TEAM'S SEASON SHALL BE DONATED WITHIN 30  
30 DAYS FROM THE END OF THE SEASON BY THE AFFILIATED NONPROFIT

1 ORGANIZATION TO THE DESIGNATED CHARITABLE ORGANIZATION FOR WHICH  
2 THE MAJOR LEAGUE SPORTS DRAWING WAS CONDUCTED.

3 (G) APPLICABILITY.--THE LIMITATIONS UNDER SECTIONS 302,  
4 303(B), 308 AND 704 SHALL NOT APPLY TO A MAJOR LEAGUE SPORTS  
5 DRAWING.

6 SECTION 4. SECTIONS 305, 306 AND 307(B.1), (D)(6) AND (H) OF  
7 THE ACT, RENUMBERED AND AMENDED FEBRUARY 2, 2012 (P.L.7, NO.2),  
8 ARE AMENDED TO READ:

9 SECTION 305. REGISTRATION OF MANUFACTURERS.

10 (A) REGISTRATION REQUIRED.--NO MANUFACTURER OF GAMES OF  
11 CHANCE SHALL SELL ANY GAMES OF CHANCE TO ANY PERSON UNLESS THE  
12 MANUFACTURER HAS REGISTERED WITH THE DEPARTMENT AND HAS BEEN  
13 ISSUED A CERTIFICATE OF REGISTRATION.

14 (B) ANNUAL CERTIFICATE; FEE.--A CERTIFICATE UNDER THIS  
15 SECTION SHALL BE VALID FOR ONE YEAR. THE ANNUAL FEE FOR  
16 REGISTRATION SHALL BE \$2,000.

17 (C) PROHIBITED SALES.--A MANUFACTURER SHALL NOT SELL GAMES  
18 OF CHANCE TO ANY PERSON NOT LICENSED AS A DISTRIBUTOR UNLESS THE  
19 MANUFACTURER IS ALSO A LICENSED DISTRIBUTOR.

20 (D) EXCEPTION.--THIS SECTION SHALL NOT APPLY TO THE  
21 MANUFACTURE OR DISTRIBUTION OF RAFFLE TICKETS, 50/50 DRAWINGS,  
22 DAILY DRAWINGS OR WEEKLY DRAWINGS.

23 SECTION 306. REGULATIONS OF DEPARTMENT.

24 (A) AUTHORIZATION.--THE DEPARTMENT SHALL PROMULGATE  
25 REGULATIONS TO:

26 (1) IMPOSE MINIMUM STANDARDS AND RESTRICTIONS APPLICABLE  
27 TO GAMES OF CHANCE MANUFACTURED FOR SALE IN THIS  
28 COMMONWEALTH, WHICH MAY INCLUDE STANDARDS AND RESTRICTIONS  
29 WHICH SPECIFY THE MAXIMUM NUMBER OF CHANCES AVAILABLE TO BE  
30 SOLD FOR ANY SINGLE GAME OF CHANCE OR PRIZE AND SUCH OTHER

1 STANDARDS AND RESTRICTIONS AS THE DEPARTMENT DEEMS NECESSARY  
2 FOR THE PURPOSES OF THIS CHAPTER. THE DEPARTMENT SHALL  
3 CONSIDER STANDARDS ADOPTED BY THE NATIONAL ASSOCIATION OF  
4 GAMBLING REGULATORY AGENCIES AND OTHER STANDARDS COMMONLY  
5 ACCEPTED IN THE INDUSTRY.

6 (2) ESTABLISH PROCEDURES BY WHICH MANUFACTURERS MAY  
7 REGISTER AND DISTRIBUTORS OF GAMES OF CHANCE MAY APPLY FOR  
8 LICENSURE ON FORMS WHICH THE DEPARTMENT SHALL PROVIDE.  
9 PROCEDURES SHALL INCLUDE A REQUIREMENT THAT MANUFACTURER AND  
10 DISTRIBUTOR APPLICANTS PROVIDE CRIMINAL HISTORY RECORD  
11 INFORMATION OBTAINED FROM THE PENNSYLVANIA STATE POLICE UNDER  
12 18 PA.C.S. § 9121(B) (RELATING TO GENERAL REGULATIONS) FOR  
13 EACH OFFICER AND MANAGER OF THE MANUFACTURER'S OR  
14 DISTRIBUTOR'S ORGANIZATION AND FOR ANY OTHER INDIVIDUAL  
15 SPECIFIED BY THE DEPARTMENT. AS USED IN THIS PARAGRAPH, THE  
16 TERM "CRIMINAL HISTORY RECORD INFORMATION" HAS THE MEANING  
17 GIVEN IN 18 PA.C.S. § 9102 (RELATING TO DEFINITIONS).

18 (3) PROVIDE FOR THE SUSPENSION OR REVOCATION OF  
19 DISTRIBUTION LICENSES OR MANUFACTURER CERTIFICATES FOR  
20 VIOLATIONS OF THIS ACT OR REGULATIONS OF THE DEPARTMENT.

21 (4) CARRY OUT OTHER PROVISIONS OF THIS ACT.

22 (B) LIMITATION ON RECORDKEEPING REQUIREMENTS.--THIS SECTION  
23 SHALL NOT BE CONSTRUED TO AUTHORIZE THE DEPARTMENT TO PROMULGATE  
24 REGULATIONS PROVIDING FOR RECORDKEEPING REQUIREMENTS FOR  
25 LICENSED ELIGIBLE ORGANIZATIONS WHICH REQUIRE UNREASONABLE OR  
26 UNNECESSARY INFORMATION OR A REPETITIOUS LISTING OF INFORMATION.  
27 THE DEPARTMENT SHALL STRIVE TO KEEP SUCH RECORDKEEPING  
28 REQUIREMENTS FROM BEING AN UNDUE HARDSHIP OR BURDEN ON LICENSED  
29 ELIGIBLE ORGANIZATIONS. EXCEPT AS PROVIDED UNDER SECTION 701(B),  
30 THE DEPARTMENT MAY NOT REQUIRE THE RETENTION OF RECORDS FOR A

1 PERIOD IN EXCESS OF TWO YEARS.

2 (C) REPORTING REQUIREMENTS.--EACH ELIGIBLE ORGANIZATION  
3 WHICH HAS PROCEEDS IN EXCESS OF \$2,500 IN A CALENDAR YEAR SHALL  
4 SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT INCLUDING:

5 (1) PRIZES AWARDED AS REQUIRED UNDER SECTION 335 OF THE  
6 ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM  
7 CODE OF 1971.

8 (2) AMOUNTS EXPENDED FOR PUBLIC INTEREST PURPOSES.  
9 SECTION 307. LICENSING OF ELIGIBLE ORGANIZATIONS TO CONDUCT  
10 GAMES OF CHANCE.

11 \* \* \*

12 (B.1) LOCATION OF GAMES OF CHANCE.--

13 (1) [EVERY] EXCEPT AS OTHERWISE PROVIDED IN THIS  
14 SECTION, A LICENSED ELIGIBLE ORGANIZATION, EXCEPT A LIMITED  
15 OCCASION LICENSEE, MAY CONDUCT SMALL GAMES OF CHANCE [ONLY]  
16 AT A LICENSED PREMISES. THE LICENSED PREMISES SHALL BE  
17 INDICATED ON THE ELIGIBLE ORGANIZATION'S LICENSE APPLICATION.  
18 ONLY ONE LICENSE SHALL BE ISSUED PER LICENSED PREMISES.  
19 EXCEPT AS PROVIDED UNDER PARAGRAPH (4), A LICENSED ELIGIBLE  
20 ORGANIZATION MAY NOT SHARE A LICENSED PREMISES WITH ANOTHER  
21 LICENSED ELIGIBLE ORGANIZATION; AND NO LICENSED ELIGIBLE  
22 ORGANIZATION MAY PERMIT ITS PREMISES TO BE USED FOR SMALL  
23 GAMES OF CHANCE BY ANOTHER LICENSED ELIGIBLE ORGANIZATION.

24 (2) WHERE THERE EXISTS A LOCATION OR PREMISES WHICH IS  
25 THE 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] IDENTIFY

1 THE BUILDING THAT WILL BE DESIGNATED AS THE LICENSED  
2 PREMISES.

3 (3) WHEN AN ELIGIBLE ORGANIZATION DOES NOT OWN OR LEASE  
4 A SPECIFIC LOCATION TO CONDUCT ITS NORMAL BUSINESS, THE  
5 ELIGIBLE ORGANIZATION MAY MAKE ARRANGEMENTS THAT ARE  
6 CONSISTENT WITH THIS ACT TO ESTABLISH A LICENSED PREMISES,  
7 INCLUDING LEASING A PREMISE UNDER A WRITTEN AGREEMENT FOR A  
8 RENTAL; HOWEVER, THE RENTAL MAY NOT BE DETERMINED BY EITHER  
9 THE AMOUNT OF RECEIPTS REALIZED FROM THE CONDUCT OF GAMES OF  
10 CHANCE OR THE NUMBER OF PEOPLE ATTENDING. AN ELIGIBLE  
11 ORGANIZATION MAY LEASE A FACILITY FOR A BANQUET IN CONNECTION  
12 WITH THE SERVING OF A MEAL BASED ON A PER-HEAD CHARGE.

13 (3.1) NOTWITHSTANDING PARAGRAPHS (1), (2) AND (3), IF AN  
14 ELIGIBLE ORGANIZATION IS UNABLE TO CONDUCT GAMES OF CHANCE AT  
15 THE LOCATION LISTED ON ITS APPLICATION AND LICENSE DUE TO  
16 NATURAL DISASTER, FIRE OR OTHER CIRCUMSTANCE THAT RENDERS THE  
17 LOCATION UNUSABLE, THE ELIGIBLE ORGANIZATION MAY SUBMIT A  
18 WRITTEN REQUEST TO THE DISTRICT ATTORNEY TO CONDUCT GAMES OF  
19 CHANCE IN A DIFFERENT LOCATION, INCLUDING THE LICENSED  
20 PREMISES OF ANOTHER ELIGIBLE ORGANIZATION. THE REQUEST MUST  
21 INCLUDE THE CHANGE IN THE LOCATION AND THE DATES AND TIMES  
22 THE GAMES OF CHANCE WILL BE OPERATED AT THE ALTERNATIVE  
23 LOCATION. THE DISTRICT ATTORNEY SHALL ESTABLISH A LIMIT ON  
24 THE DURATION OF THE AUTHORIZATION TO CONDUCT GAMES OF CHANCE  
25 AT THE ALTERNATIVE LOCATION. FOLLOWING THE EXPIRATION OF THE  
26 AUTHORIZATION PERIOD, THE ELIGIBLE ORGANIZATION MUST RETURN  
27 TO THE LOCATION SPECIFIED IN ITS APPLICATION AND LICENSE OR  
28 APPLY TO THE LICENSING AUTHORITY FOR A NEW PERMANENT LOCATION  
29 FOR THE CONDUCT OF GAMES OF CHANCE. THE DISTRICT ATTORNEY MAY  
30 APPROVE OR DENY THE REQUEST OR STIPULATE ADDITIONAL

1 REQUIREMENTS AS A CONDITION OF APPROVAL. IF AN ELIGIBLE  
2 ORGANIZATION PERMITS ANOTHER ELIGIBLE ORGANIZATION TO USE ITS  
3 LICENSED PREMISES TO CONDUCT GAMES OF CHANCE UNDER THIS  
4 PARAGRAPH, THE ELIGIBLE ORGANIZATION SHALL CEASE ITS  
5 OPERATION OF GAMES OF CHANCE DURING THE TIME THE ELIGIBLE  
6 ORGANIZATION UTILIZING ITS PREMISES IS CONDUCTING ITS GAMES  
7 OF CHANCE.

8 (3.2) NOTWITHSTANDING PARAGRAPHS (1), (2) AND (3), THE  
9 FOLLOWING ELIGIBLE ORGANIZATIONS ESTABLISHED TO RAISE FUNDS  
10 SHALL NOT BE REQUIRED TO CONDUCT A 50/50 DRAWING OR A RAFFLE  
11 AT A LICENSED PREMISES OR TO OWN, LEASE OR ESTABLISH A  
12 LICENSED PREMISES:

13 (I) A NONPROFIT SPORTS TEAM.

14 (II) A PRIMARY OR SECONDARY SCHOOL-SPONSORED CLUB,  
15 SPORTS TEAM OR ORGANIZATION.

16 (4) AN ELIGIBLE ORGANIZATION THAT HAS OBTAINED A LIMITED  
17 OCCASION LICENSE UNDER SUBSECTION (B.3) MAY USE ANOTHER  
18 ELIGIBLE ORGANIZATION'S LICENSED PREMISES TO CONDUCT ITS  
19 GAMES OF CHANCE. WHEN A LICENSED ELIGIBLE ORGANIZATION IS  
20 PERMITTING A LIMITED OCCASION LICENSEE TO USE ITS LICENSED  
21 PREMISES FOR PURPOSES OF GAMES OF CHANCE, IT SHALL CEASE THE  
22 OPERATION OF ITS OWN GAMES OF CHANCE DURING THE PERIOD THAT  
23 THE LIMITED OCCASION LICENSEE IS CONDUCTING ITS GAMES ON THE  
24 PREMISES.

25 (5) FOR PURPOSES OF MAJOR LEAGUE SPORTS DRAWINGS, THE  
26 FACILITY AT WHICH A MAJOR LEAGUE SPORTS TEAM CONDUCTS ITS  
27 GAMES SHALL CONSTITUTE A PREMISES FOR PURPOSES OF THIS ACT.

28 \* \* \*

29 (D) OPERATION.--EACH LICENSED ELIGIBLE ORGANIZATION SHALL BE  
30 PROHIBITED FROM THE FOLLOWING:

1 \* \* \*

2 (6) PURCHASING GAMES OF CHANCE, OTHER THAN RAFFLES,  
3 50/50 DRAWINGS, DAILY DRAWINGS AND WEEKLY DRAWINGS, FROM ANY  
4 PERSON OTHER THAN A REGISTERED MANUFACTURER OR LICENSED  
5 DISTRIBUTOR APPROVED BY THE DEPARTMENT.

6 \* \* \*

7 (H) BACKGROUND CHECKS.--EACH APPLICATION FOR A LICENSE  
8 SUBMITTED BY AN ELIGIBLE ORGANIZATION WHICH HAS PROCEEDS IN  
9 EXCESS OF \$2,500 IN A YEAR SHALL INCLUDE THE RESULTS OF A  
10 CRIMINAL HISTORY RECORD INFORMATION CHECK OBTAINED FROM THE  
11 PENNSYLVANIA STATE POLICE, AS DEFINED IN 18 PA.C.S. § 9102  
12 (RELATING TO DEFINITIONS) AND PERMITTED BY 18 PA.C.S. § 9121(B)  
13 (RELATING TO GENERAL REGULATIONS), FOR THE EXECUTIVE OFFICER AND  
14 SECRETARY OF THE ELIGIBLE ORGANIZATION MAKING THE APPLICATION  
15 FOR A LICENSE OR ANY OTHER PERSON REQUIRED BY THE DEPARTMENT.

16 SECTION 5. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
17 SECTION 506. APPLICABILITY.

18 THIS CHAPTER SHALL ONLY APPLY TO ELIGIBLE ORGANIZATIONS THAT  
19 HAVE A CLUB LICENSE.

20 SECTION 6. SECTION 702(B) OF THE ACT, AMENDED FEBRUARY 2,  
21 2012 (P.L.7, NO.2), IS AMENDED TO READ:  
22 SECTION 702. ENFORCEMENT.

23 \* \* \*

24 (B) BUREAU OF LIQUOR CONTROL ENFORCEMENT.--IF THE LICENSEE  
25 IS A CLUB LICENSEE, THE BUREAU OF LIQUOR CONTROL ENFORCEMENT MAY  
26 ENFORCE THE PROVISIONS OF THIS ACT IN ACCORDANCE WITH SUBSECTION  
27 (G). AN ADMINISTRATIVE LAW JUDGE UNDER SECTION 212 OF THE ACT OF  
28 APRIL 12, 1951 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, MAY  
29 IMPOSE THE PENALTIES UNDER SUBSECTION (D) FOLLOWING THE ISSUANCE  
30 OF A CITATION BY THE BUREAU.



1 \* \* \*

2 SECTION 7. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.