

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 290 Session of 2013

INTRODUCED BY BROOKS, P. DALEY, KRIEGER, SACCONI, P. COSTA, REESE, BOBACK, KULA, PICKETT, YOUNGBLOOD, SNYDER, HARHAI, CALTAGIRONE, D. COSTA, RAPP, CONKLIN, CAUSER, DUNBAR, SAINATO, HARHART, TALLMAN, MATZIE, V. BROWN, KORTZ, C. HARRIS, KAUFFMAN, KNOWLES, COHEN, CARROLL, GINGRICH, EVERETT, DeLUCA, READSHAW, HELM, GROVE, MILLER, WATSON, F. KELLER, MOUL, ROAE, DAY, ROCK, NEUMAN, SCHLOSSBERG, STEVENSON, MAHONEY, MARSHALL, MUNDY, TOBASH, SONNEY, LUCAS AND DEASY, JANUARY 30, 2013

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, FEBRUARY 12, 2013

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 preliminary
9 provisions, further providing for definitions and providing <--
10 for relationship to table games; in games of chance, further
11 providing for games of chance permitted, for prize limits,
12 for regulations of the Department of Revenue and for
13 licensing of eligible organizations to conduct games of
14 chance; in club licensees, further providing for reports by a
15 club licensee and for distribution of proceeds; in
16 enforcement, further providing for revocation of licenses and
17 for enforcement by the Bureau of Liquor Control Enforcement;
18 PROVIDING FOR SOCIAL CARD GAMES; and abrogating regulations. <--

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. The definitions of "games of chance" and "public <--
22 interest purpose" in section 103 of the act of December 19, 1988

1 ~~(P.L.1262, No.156), known as the Local Option Small Games of~~
2 ~~Chance Act, amended February 2, 2012 (P.L.7, No.2), are amended~~
3 ~~and the section is amended by adding definitions to read:~~

4 SECTION 1. THE DEFINITIONS OF "GAMES OF CHANCE," "PUBLIC <--
5 INTEREST PURPOSE" AND "RAFFLE" IN SECTION 103 OF THE ACT OF
6 DECEMBER 19, 1988 (P.L.1262, NO.156), KNOWN AS THE LOCAL OPTION
7 SMALL GAMES OF CHANCE ACT, AMENDED FEBRUARY 2, 2012 (P.L.7,
8 NO.2) AND OCTOBER 24, 2012 (P.L.1462, NO.184), ARE AMENDED AND
9 THE SECTION IS AMENDED BY ADDING DEFINITIONS TO READ:

10 Section 103. Definitions.

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

14 * * * <--

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

17 * * *

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

21 * * *

22 "Games of chance." Punchboards, daily drawings, weekly
23 drawings, 50/50 drawings, raffles, selective raffles, poker
24 runs, coin auctions, a night at the races, Texas Hold'em card <--
25 tournament, RACE NIGHT GAMES, vertical wheel game and pull-tabs, <--
26 as defined in this act, provided that no such game, EXCEPT FOR A <--
27 VERTICAL WHEEL GAME, shall be played by or with the assistance
28 of any mechanical or electrical devices or media other than a
29 dispensing machine or passive selection device and further
30 provided that the particular chance taken by any person in any

1 such game shall not be made contingent upon any other occurrence
2 or the winning of any other contest, but shall be determined
3 solely at the discretion of the purchaser. This definition shall
4 not be construed to authorize any other form of gambling
5 currently prohibited under any provision of Title 18 of the
6 Pennsylvania Consolidated Statutes (relating to crimes and
7 offenses) or authorized under 4 Pa.C.S. (relating to
8 amusements). Nothing in this act shall be construed to authorize
9 games commonly known as "slot machines" or "video poker."

10 * * *

11 "Poker run." A game in which all of the following occur:

12 (1) Participants meet at an ~~eligible organization's~~ <--
13 ~~licensed premises~~ A DESIGNATED LOCATION to receive <--
14 instructions for the event.

15 (2) Each participant receives a detailed explanation of
16 the game destinations and a score card which will be
17 completed as they progress to each destination.

18 (3) At each designated stop on the run route, the
19 participant draws or is dealt a card at random. The card
20 which is drawn or dealt is recorded on the participant's
21 score card.

22 (4) A winner is determined as the participant which
23 makes the ~~best five card~~ HIGHEST poker hand at the end of the <--
24 event.

25 * * *

26 "Public interest purpose." One or more of the following:

27 (1) [The activities and operations of a nonprofit] <--
28 PROVIDING benevolent, religious, educational, philanthropic,
29 humane, scientific, patriotic, social welfare, social
30 advocacy, public health, public safety, emergency response,

1 environmental [or civic objective], HISTORIC PRESERVATION, <--
2 CONSERVATION, ATHLETIC, SPORTSMAN'S SAFETY AND EDUCATION OR
3 CIVIC SERVICES OR BENEFITS.

4 (2) Initiating, performing or fostering worthy public
5 works or enabling or furthering the erection or maintenance
6 of public structures.

7 (3) Lessening the burdens borne by government or
8 voluntarily supporting, augmenting or supplementing services
9 which government would normally render to the people.

10 (4) Improving, expanding, maintaining or repairing real
11 property owned or leased by an eligible organization and
12 relating operational expenses used for purposes specified in
13 paragraphs (1), (2) and (3).

14 The term does not include the erection or acquisition of any
15 real property, unless the property will be used [exclusively]
16 for one or more of the purposes specified in this definition.

17 * * *

18 "RACE NIGHT GAME." A GAME IN WHICH A PARTICIPANT PLACES A <--
19 WAGER ON A PRERECORDED HORSE RACE.

20 "RAFFLE." A GAME OF CHANCE IN WHICH A PARTICIPANT BUYS A
21 TICKET FOR A CHANCE AT A PRIZE WITH THE WINNER DETERMINED BY A
22 RANDOM DRAWING OF CORRESPONDING TICKET STUBS TO TAKE PLACE AT A
23 LOCATION AND DATE OR DATES PRINTED UPON EACH TICKET. SUCH GAMES
24 OF CHANCE SHALL INCLUDE LOTTERIES BUT NOT DAILY DRAWINGS. RAFFLE
25 WINNERS MAY BE DETERMINED BY REFERENCE TO DRAWINGS CONDUCTED BY
26 THE DEPARTMENT PURSUANT TO THE ACT OF AUGUST 26, 1971 (P.L.351,
27 NO.91), KNOWN AS THE STATE LOTTERY LAW. THE TERM INCLUDES A
28 REVERSE RAFFLE.

29 * * *

30 "Selective raffle." A game in which all of the following

1 occur:

2 (1) The participant buys a ticket or tickets for a
3 chance to win a donated prize.

4 (2) The participant places the ticket or tickets in a
5 designated location for the prize which the participant would
6 like to win.

7 (3) The winner for each prize is determined by a random
8 drawing of tickets with a corresponding number for the prize.

9 ~~"Texas Hold'em card tournament." A community card game where~~ <--
10 ~~each player may use any combination of five community cards and~~
11 ~~the player's own two hole cards to make a five card poker hand.~~

12 "Vertical wheel game." A game in which a participant places
13 a coin or token on a color, number or word or purchases a ticket
14 containing a color, number or word and watches a spinning
15 vertical wheel until the pointer of the wheel rests on a section
16 of the wheel designating a winner.

17 * * *

18 ~~Section 2. The act is amended by adding a section to read:~~ <--
19 ~~Section 104. Relationship to table games.~~

20 ~~A vertical wheel game or a Texas Hold'em card tournament is~~
21 ~~not a "table game" as defined in 4 Pa.C.S. § 1103 (relating to~~
22 ~~definitions). The designation of a vertical wheel game and Texas~~
23 ~~Hold'em card tournament under this act does not preclude the~~
24 ~~authorization of a vertical wheel game or a Texas Hold'em card~~
25 ~~tournament as a table game under 4 Pa.C.S. Pt. II (relating to~~
26 ~~gaming).~~

27 Section 3 2. Section 301 of the act, amended October 24, <--
28 2012 (P.L.1462, No.184), is amended to read:

29 Section 301. Games of chance permitted.

30 (A) GENERAL RULE.--Every eligible organization to which a <--

1 license has been issued under the provisions of this chapter may
2 conduct games of chance for the purpose of raising funds for
3 public interest purposes. Except as provided in Chapter 5, all
4 proceeds of a licensed eligible organization shall be used
5 exclusively for public interest purposes, for the purchase of
6 games of chance, for the payment of the license fee or for the
7 payment of the fee for background checks, as required by this
8 act. An eligible organization, except a club licensee, may use
9 the proceeds received from games of chance conducted by the
10 eligible organization to fulfill the organization's own public <--
11 interest purpose. PUBLIC INTEREST PURPOSE OF THE ELIGIBLE <--
12 ORGANIZATION.

13 (B) RELATIONSHIP TO TABLE GAMES.--A VERTICAL WHEEL GAME OR A
14 TEXAS HOLD'EM CARD TOURNAMENT IS NOT A "TABLE GAME" AS DEFINED
15 IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS). THE DESIGNATION
16 OF A VERTICAL WHEEL GAME AND TEXAS HOLD'EM CARD TOURNAMENT UNDER
17 THIS ACT DOES NOT PRECLUDE THE AUTHORIZATION OF A VERTICAL WHEEL
18 GAME OR A TEXAS HOLD'EM CARD TOURNAMENT AS A TABLE GAME UNDER 4
19 PA.C.S. PT. II (RELATING TO GAMING).

20 ~~Section 4. Section 302 of the act is amended by adding a~~ <--
21 ~~subsection to read:~~

22 ~~Section 302. Prize limits.~~

23 ~~* * *~~

24 ~~(e.1) Texas Hold'em requirements. A licensed eligible~~
25 ~~organization shall charge an entry fee of not more than \$10 per~~
26 ~~person to play in a Texas Hold'em tournament. The licensed~~
27 ~~eligible organization shall pay out prizes to no more than the~~
28 ~~top five winning persons in a declining manner based on the~~
29 ~~player's final placement in the tournament. The prize pool shall~~
30 ~~consist solely of entry fees collected.~~

1 * * *

2 SECTION 3. SECTION 302 OF THE ACT, AMENDED FEBRUARY 2, 2012 <--
3 (P.L.7, NO.2), IS AMENDED TO READ:

4 SECTION 302. PRIZE LIMITS.

5 (A) INDIVIDUAL PRIZE LIMIT.--EXCEPT AS PROVIDED UNDER
6 SUBSECTIONS (D) AND (D.1), THE MAXIMUM PRIZE WHICH MAY BE
7 AWARDED FOR ANY SINGLE CHANCE SHALL BE \$1,000.

8 (B) AGGREGATE PRIZE LIMIT.--NO MORE THAN [\$25,000] \$35,000
9 IN PRIZES SHALL BE AWARDED FROM GAMES OF CHANCE BY A LICENSED
10 ELIGIBLE ORGANIZATION IN ANY SEVEN-DAY PERIOD.

11 (C) RAFFLE PRIZE LIMIT.--UP TO \$10,000 IN PRIZES MAY BE
12 AWARDED IN RAFFLES IN ANY CALENDAR MONTH.

13 (C.1) TOTAL LIMIT.--ALL PRIZES AWARDED UNDER THIS SECTION
14 SHALL BE SUBJECT TO THE AGGREGATE PRIZE LIMITS UNDER SUBSECTION
15 (B).

16 (D) EXCEPTION FOR RAFFLES.--NOTWITHSTANDING SUBSECTION (B)
17 OR (C), A LICENSED ELIGIBLE ORGANIZATION MAY CONDUCT A RAFFLE
18 AND AWARD A PRIZE OR PRIZES VALUED IN EXCESS OF \$1,000 EACH ONLY
19 UNDER THE FOLLOWING CONDITIONS:

20 (1) THE LICENSING AUTHORITY HAS ISSUED A SPECIAL PERMIT
21 FOR THE RAFFLE UNDER SECTION 308.

22 (2) A LICENSED ELIGIBLE ORGANIZATION SHALL BE ELIGIBLE
23 TO RECEIVE NO MORE THAN EIGHT SPECIAL PERMITS IN ANY LICENSED
24 TERM EXCEPT THAT A VOLUNTEER FIRE, AMBULANCE OR RESCUE
25 ORGANIZATION THAT IS NOT A CLUB LICENSEE SHALL BE ELIGIBLE TO
26 RECEIVE TEN SPECIAL PERMITS IN ANY LICENSED TERM.

27 (3) ONLY ONE RAFFLE MAY BE CONDUCTED UNDER EACH SPECIAL
28 PERMIT ISSUED UNDER SECTION 308.

29 (4) EXCEPT AS PROVIDED UNDER SUBSECTION (D.1), THE TOTAL
30 OF ALL PRIZES AWARDED UNDER THIS SUBSECTION SHALL BE NO MORE

1 THAN \$100,000 PER CALENDAR YEAR.

2 (D.1) ADDITIONAL AWARD.--A VOLUNTEER FIRE, AMBULANCE OR
3 RESCUE ORGANIZATION MAY, IN ADDITION TO THE TOTAL UNDER
4 SUBSECTION (D) (4), AWARD UP TO \$50,000 FROM RAFFLES WHICH SHALL
5 NOT BE SUBJECT TO THE AGGREGATE LIMIT UNDER SUBSECTION (B), (C)
6 OR (D).

7 (E.1) TEXAS HOLD'EM REQUIREMENTS.--A LICENSED ELIGIBLE
8 ORGANIZATION SHALL CHARGE AN ENTRY FEE OF NOT MORE THAN \$10 PER
9 PERSON TO PLAY IN A TEXAS HOLD'EM TOURNAMENT. THE LICENSED
10 ELIGIBLE ORGANIZATION SHALL PAY OUT PRIZES TO NO MORE THAN THE
11 TOP FIVE WINNING PERSONS IN A DECLINING MANNER BASED ON THE
12 PLAYER'S FINAL PLACEMENT IN THE TOURNAMENT. THE PRIZE POOL SHALL
13 CONSIST SOLELY OF ENTRY FEES COLLECTED.

14 (F) DAILY DRAWING CARRYOVER.--THE PRIZE LIMITATION CONTAINED
15 IN SUBSECTIONS (A) AND (B) MAY BE EXCEEDED BY A DAILY DRAWING
16 UNDER THE FOLLOWING CIRCUMSTANCES: A DAILY DRAWING MAY AWARD A
17 PRIZE IN EXCESS OF \$1,000 IF SUCH PRIZE IS THE RESULT OF A
18 CARRYOVER OF A DRAWING WHICH RESULTED FROM THE WINNING NUMBER IN
19 SUCH DRAWING NOT BEING AMONG THE ELIGIBLE ENTRANTS IN SUCH
20 DRAWINGS. NOTHING CONTAINED HEREIN SHALL AUTHORIZE THE PRIZE
21 LIMITATION AS CONTAINED IN SUBSECTIONS (A) AND (B) TO BE
22 EXCEEDED AS A RESULT OF A FAILURE TO CONDUCT A DRAWING ON AN
23 OPERATING DAY DURING WHICH CHANCES WERE SOLD FOR A DAILY DRAWING
24 OR FOR A DAILY DRAWING FOR WHICH CHANCES WERE SOLD IN EXCESS OF
25 \$1 OR FOR WHICH MORE THAN ONE CHANCE WAS SOLD TO AN ELIGIBLE
26 PARTICIPANT.

27 (G) ADDITIONAL EXCEPTION.--WHEN A DAILY DRAWING OR WEEKLY
28 DRAWING IS SET UP OR CONDUCTED IN SUCH A MANNER AS TO PAY OUT OR
29 AWARD 100% OF THE GROSS REVENUES GENERATED FROM SUCH DRAWING,
30 THE LIMITATION CONTAINED IN SUBSECTION (B) SHALL NOT APPLY.

1 (H) WEEKLY DRAWING CARRYOVER EXCEPTION.--WEEKLY DRAWINGS
2 SHALL BE GOVERNED BY THE PRIZE LIMITATION CONTAINED IN
3 SUBSECTION (B). THE PRIZE LIMITATION CONTAINED IN SUBSECTION (B)
4 MAY BE EXCEEDED BY A WEEKLY DRAWING UNDER THE FOLLOWING
5 CIRCUMSTANCES: A WEEKLY DRAWING MAY AWARD A PRIZE WHERE THE CASH
6 VALUE IS IN EXCESS OF [\$25,000] \$35,000 IF SUCH PRIZE IS THE
7 RESULT OF A CARRYOVER OF A DRAWING OR DRAWINGS WHICH RESULTED
8 FROM THE WINNING NUMBER OR NUMBERS IN SUCH DRAWING OR DRAWINGS
9 NOT BEING AMONG THE ELIGIBLE ENTRANTS IN SUCH DRAWINGS. NOTHING
10 CONTAINED IN THIS CHAPTER SHALL AUTHORIZE THE PRIZE LIMITATION
11 UNDER SUBSECTION (B) TO BE EXCEEDED AS A RESULT OF A FAILURE TO
12 CONDUCT A DRAWING FOR A WEEK DURING WHICH CHANCES WERE SOLD FOR
13 A WEEKLY DRAWING OR FOR A WEEKLY DRAWING FOR WHICH CHANCES WERE
14 SOLD IN EXCESS OF \$1.

15 Section ~~5~~ 4. Section 306(b) and (c) of the act, amended <--
16 October 24, 2012 (P.L.1462, No.184), are amended and the section
17 is amended by adding subsections to read:

18 Section 306. Regulations of department.

19 * * *

20 (a.1.) Review.--The department shall, on an annual basis,
21 review this act and regulations promulgated THE REGULATIONS <--
22 ADOPTED under this act to determine if THE regulations relating <--
23 to games of chance require revision. If the department <--
24 determines that the regulations need modification, the
25 department may promulgate such regulations within 60 days of its
26 review.

27 (a.2) Expansion. The department may authorize any
28 additional games of chance for eligible organizations, except
29 for club licensees, and promulgate regulations it deems
30 necessary for such additional games of chance. The department

1 ~~may consult with law enforcement officials responsible for~~
2 ~~enforcement of this act prior to authorizing any additional~~
3 ~~games of chance. Additional games of chance shall not include~~
4 ~~any games that require Internet access for play.~~ OR ABROGATION. <--
5 THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY BY
6 MARCH 1, 2015, AND EVERY TWO YEARS THEREAFTER. THE REPORT SHALL
7 INCLUDE RECOMMENDATIONS FOR CHANGES TO THIS ACT OR TO
8 REGULATIONS ADOPTED UNDER THIS ACT, IF ANY, INCLUDING
9 RECOMMENDATIONS FOR ADDITIONAL GAMES OF CHANCE. THE
10 RECOMMENDATIONS FOR ADDITIONAL GAMES OF CHANCE SHALL NOT INCLUDE
11 ANY GAME REGULATED BY THE PENNSYLVANIA GAMING CONTROL BOARD
12 UNDER 4 PA.C.S. (RELATING TO AMUSEMENTS), KENO GAMES OR ANY GAME
13 THAT REQUIRES INTERNET ACCESS TO PLAY. THE REPORT SHALL BE
14 SUBMITTED TO THE MAJORITY LEADER AND MINORITY LEADER OF THE
15 SENATE, THE MAJORITY LEADER AND MINORITY LEADER OF THE HOUSE OF
16 REPRESENTATIVES AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
17 THE STANDING COMMITTEES OF THE SENATE AND THE CHAIRPERSON AND
18 MINORITY CHAIRPERSON OF THE STANDING COMMITTEES OF THE HOUSE OF
19 REPRESENTATIVES WITH JURISDICTION OVER THIS ACT.

20 (b) Limitation on recordkeeping requirements.--This section
21 shall not be construed to authorize the department to promulgate
22 regulations providing for recordkeeping requirements for
23 licensed eligible organizations which require unreasonable or
24 unnecessary information or a repetitious listing of information.
25 The department shall strive to keep such recordkeeping
26 requirements from being an undue hardship or burden on licensed
27 eligible organizations. For individual prizes of \$600 or more,
28 records shall include the name and address of the winner. An
29 eligible organization shall not obtain or retain receipts of
30 prizes that are donated. An eligible organization shall provide

1 each winner with a receipt of the value of the prize won OF \$600 <--
2 OR MORE, unless the prize is cash. Except as provided under
3 section 701(b), the department may not require the retention of
4 records for a period in excess of two years.

5 (c) Reporting requirements.--[Each eligible organization
6 which has proceeds in excess of \$2,500 in a calendar year shall
7 submit an annual report to the department including:] Except for
8 an organization licensed under section 307(b)(1)(i), each
9 eligible organization shall submit an annual report to the
10 department for the 12-month period commencing upon the
11 anniversary of the date the license was issued. The form for the
12 report shall be available in hard copy from the licensing <--
13 authority and electronically from the department's Internet
14 website. The report may be submitted by mail to the department
15 or through the department's Internet website. The report shall
16 include the following:

17 (1) Prizes awarded as required under section 335 of the
18 act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform
19 Code of 1971.

20 (2) Amounts expended for public interest purposes.

21 Section 5. Section 307(a), (b), (b.1), (b.2), (b.3), (d.1) <--
22 and (h) of the act, amended February 2, 2012 (P.L.7, No.2) and
23 October 24, 2012 (P.L.1462, No.184), are amended and subsection
24 (b.1) is amended by adding a paragraph to read:

25 Section 307. Licensing of eligible organizations to conduct
26 games of chance.

27 (a) License required.--No eligible organization shall
28 conduct or operate any games of chance unless such eligible
29 organization has obtained and maintains a valid license [or
30 limited occasion license] issued pursuant to this section. An

1 auxiliary group of a licensed eligible organization shall be
2 eligible to conduct games of chance using the license issued to
3 the eligible organization provided that the auxiliary group [or
4 groups are] is listed on the application and license of the
5 eligible organization. An auxiliary group is not eligible to
6 obtain a license [or a limited occasion license]. No additional
7 licensing fee shall be charged to an eligible organization for
8 an auxiliary [group's eligibility under this chapter. Auxiliary
9 groups] group of the organization. An auxiliary group shall not
10 include branches, lodges or chapters of a Statewide
11 organization.

12 (b) Issuance and fees.--The following shall apply:

13 (1) [The licensing authority shall license, upon
14 application, within 30 days any eligible organization] Within
15 30 days of receiving an application from an organization, the
16 licensing authority shall grant a license to an eligible
17 organization meeting the requirements for licensure contained
18 in this chapter to conduct and operate games of chance at
19 such locations within the county or in such manner as stated
20 on the application as limited by subsection (b.1). The
21 license fee to be charged to [each] an eligible organization
22 shall be [\$100, except for limited occasion licenses which
23 shall be \$10] as follows: <--

24 (i) For an eligible organization making \$40,000 or
25 less a year in proceeds from games of chance, \$25.

26 (ii) For an eligible organization making more than
27 \$40,000 in proceeds from games of chance, \$100. \$25, <--

28 UNLESS THE ELIGIBLE ORGANIZATION MADE MORE THAN \$40,000
29 IN PROCEEDS FROM GAMES OF CHANCE IN THE PREVIOUS
30 LICENSING YEAR. IF AN ELIGIBLE ORGANIZATION MADE MORE

1 THAN \$40,000 IN PROCEEDS FROM GAMES OF CHANCE IN THE
2 PREVIOUS LICENSING YEAR, THE LICENSE FEE SHALL BE \$100.

3 (2) Licenses shall be [renewable annually upon] issued
4 for a period of one year and may be renewed on or after the
5 anniversary of the date of issue. The license fee shall be
6 used by the licensing authority to administer this act.

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

8 (1) Except as otherwise provided in this section, a
9 licensed eligible organization[, except a limited occasion
10 licensee,] may conduct small games of chance at a licensed
11 premises. The licensed premises shall be indicated on the
12 eligible organization's license application. [Only one
13 license shall be issued per licensed premises. Except as
14 provided under paragraph (4), a licensed eligible
15 organization may not share a licensed premises with another
16 licensed eligible organization; and no licensed eligible
17 organization may permit its premises to be used for small
18 games of chance by another licensed eligible organization.]

19 (2) Where there exists a location or premises which is
20 the normal business or operating site of the eligible
21 organization and the location or premises is owned or leased
22 by that eligible organization to conduct its normal business,
23 that site shall be the eligible organization's licensed
24 premises. If that location consists of more than one
25 building, the eligible organization shall identify the
26 building that will be designated as the licensed premises.

27 (2.1) An eligible organization may request approval <--
28 MUST NOTIFY THE DISTRICT ATTORNEY to conduct games of chance <--
29 in a different location from the location of the licensed
30 premise that is listed on the eligible organization's

1 ~~application and license. The eligible organization must~~ <--
2 ~~submit a written request to the district attorney, including~~
3 ~~NOTIFICATION MUST INCLUDE the address of the new location and~~ <--
4 ~~the dates and times the games of chance will be conducted at~~
5 ~~the new location. The district attorney may approve or deny~~ <--
6 ~~the request in writing or stipulate additional requirements~~
7 ~~as a condition of approval.~~

8 (3) When an eligible organization does not own or lease
9 a specific location to conduct its normal business, the
10 eligible organization may use the premise of another eligible
11 organization to conduct games of chance or may make
12 arrangements that are consistent with this act to establish a
13 licensed premises, including leasing a premise under a
14 written agreement for a rental; however, the rental may not
15 be determined by either the amount of receipts realized from
16 the conduct of games of chance or the number of people
17 attending. An eligible organization may lease a facility for
18 a banquet in connection with the serving of a meal based on a
19 per-head charge. Prior to the use of the premises of another
20 eligible organization to conduct games of chance, an eligible
21 organization must notify, in writing, the district attorney <--
22 regarding the use of the premise of another eligible
23 organization, including the address of the premise and the
24 dates and times the games of chance will be operated.

25 [(3.1) Notwithstanding paragraphs (1), (2) and (3), if
26 an eligible organization is unable to conduct games of chance
27 at the location listed on its application and license due to
28 natural disaster, fire or other circumstance that renders the
29 location unusable, the eligible organization may submit a
30 written request to the district attorney to conduct games of

1 chance in a different location, including the licensed
2 premises of another eligible organization. The request must
3 include the change in the location and the dates and times
4 the games of chance will be operated at the alternative
5 location. The district attorney shall establish a limit on
6 the duration of the authorization to conduct games of chance
7 at the alternative location. Following the expiration of the
8 authorization period, the eligible organization must return
9 to the location specified in its application and license or
10 apply to the licensing authority for a new permanent location
11 for the conduct of games of chance. The district attorney may
12 approve or deny the request or stipulate additional
13 requirements as a condition of approval. If an eligible
14 organization permits another eligible organization to use its
15 licensed premises to conduct games of chance under this
16 paragraph, the eligible organization shall cease its
17 operation of games of chance during the time the eligible
18 organization utilizing its premises is conducting its games
19 of chance] (Reserved).

20 (3.2) Notwithstanding paragraphs (1), (2) and (3), the
21 following eligible organizations established to raise funds
22 shall not be required to conduct a 50/50 drawing or a raffle
23 at a licensed premises or to own, lease or establish a
24 licensed premises:

25 (i) A nonprofit sports team.

26 (ii) A primary or secondary school-sponsored club,
27 sports team or organization.

28 [(4) An eligible organization that has obtained a
29 limited occasion license under subsection (b.3) may use
30 another eligible organization's licensed premises to conduct

1 its games of chance. When a licensed eligible organization is
2 permitting a limited occasion licensee to use its licensed
3 premises for purposes of games of chance, it shall cease the
4 operation of its own games of chance during the period that
5 the limited occasion licensee is conducting its games on the
6 premises.]

7 (5) For purposes of major league sports drawings, the
8 facility at which a major league sports team conducts its
9 games shall constitute a premises for purposes of this act.

10 (b.2) Off-premises games of chance.--Notwithstanding any
11 other provisions of this section, all of the following apply:

12 (1) A licensed eligible organization may conduct games
13 of chance at a location off its premises when the games of
14 chance are part of an annual carnival, fair, picnic or
15 banquet held or participated in by that licensed eligible
16 organization on a historical basis. The licensed eligible
17 organization must notify, in writing, the district attorney
18 and licensing authority of the location, date and times of
19 the event where it will be conducting games of chance.

20 (2) Raffle and 50/50 drawing tickets may be sold off the
21 licensed premises in a municipality which has adopted the
22 provisions of this act by an affirmative vote in a municipal
23 referendum. [A licensed eligible organization which plans to <--
24 sell raffle ~~and 50/50 drawing~~ tickets in a municipality <--
25 located in a county other than the county in which the
26 eligible organization is licensed shall notify that county's
27 district attorney and licensing authority as to the location
28 and the dates that the licensed eligible organization plans
29 to sell raffle tickets.] <--

30 [(b.3) Limited occasion licenses.--Eligible organizations

1 which do not own their own premises or which do not lease a
2 specific location to conduct their normal business may apply for
3 a limited occasion license to conduct games of chance on not
4 more than three occasions covering a total of seven days during
5 a licensed year. A limited occasion license entitles an eligible
6 organization to conduct no more than two raffles during a
7 licensed year where prizes may not exceed the established limits
8 for regular monthly raffles. Holders of a limited occasion
9 license may not apply or be granted any other license or special
10 permit under this act. No holder of a regular license or special
11 permit under this act shall apply or be granted a limited
12 occasion license.]

13 * * *

14 (d.1) Bank account and records.--The licensed eligible
15 organization, except for an organization licensed under
16 subsection (b) (1) (i), shall keep a bank account to hold the
17 proceeds of games of chance, which shall be separate from all
18 other funds belonging to the licensed eligible organization.
19 Account records shall show all expenditures and income and shall
20 be retained by the licensed eligible organization for at least
21 two years.

22 * * *

23 (h) Background checks.--Each application for a license
24 submitted by an eligible organization [which has proceeds in
25 excess of \$2,500 in a year] , except for an organization
26 licensed under subsection (b) (1) (i), shall include the results
27 of a criminal history record information check obtained from the
28 Pennsylvania State Police, as defined in 18 Pa.C.S. § 9102
29 (relating to definitions) and permitted by 18 Pa.C.S. § 9121(b)
30 (relating to general regulations), for the executive officer and

1 [secretary] treasurer of the eligible organization making the
2 application for a license or any other person required by the
3 department.

4 Section 7 6. Sections 501 and 502 of the act, added February <--
5 2, 2012 (P.L.7, No.2), are amended to read:

6 Section 501. Club licensee.

7 (a) Report.--

8 (1) Beginning in 2013, a club licensee shall submit
9 semiannual reports to the department for the preceding six-
10 month period on a form and in a manner prescribed by the
11 department. The form shall be available in hard copy from the <--
12 licensing authority and electronically from the department's
13 Internet website. The report may be submitted by mail to the
14 department or through the department's Internet website.

15 (2) The report must be filed under oath or affirmation
16 of an authorized officer of the club licensee.

17 (3) The report shall include all of the following
18 information:

19 (i) The proceeds received by the club licensee from
20 each game of chance conducted, itemized by week.

21 (ii) The amount of prizes paid from all games of
22 chance, itemized by week.

23 (iii) Other costs incurred related to the conduct of
24 games of chance.

25 (iv) The verification of amounts distributed for
26 public interest purposes itemized under section
27 [502(a)(1)] 502(a)(2)(i), itemized by the recipient.

28 (v) An itemized list of expenditures made or amounts
29 retained and expenditures under section [502(a)(2)]
30 502(a)(2)(ii).

1 (vi) The address and the county in which the club
2 licensee is located.

3 (vii) Other information or documentation required by
4 the department.

5 (b) Distribution.--The department shall provide a copy of
6 the report to the Bureau of Liquor Control Enforcement.

7 (c) Posting.--The reports under subsection (a) shall be
8 published on the department's Internet website.

9 Section 502. Distribution of proceeds.

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

12 [(1) No less than 70% of the proceeds shall be paid to
13 organizations for public interest purposes in the calendar
14 year in which the proceeds were obtained.

15 (2) No more than 30% of the proceeds obtained in a
16 calendar year may be retained by a club licensee and used for
17 the following operational expenses relating to the club
18 licensee:

19 (i) Real property taxes.

20 (ii) Utility and fuel costs.

21 (iii) Heating and air conditioning equipment or
22 repair costs.

23 (iv) Water and sewer costs.

24 (v) Property or liability insurance costs.

25 (vi) Mortgage payments.

26 (vii) Interior and exterior repair costs, including
27 repair to parking lots.

28 (viii) New facility construction costs.

29 (ix) Entertainment equipment, including television,
30 video and electronic games.

1 (x) Other expenses adopted in regulation by the
2 department.]

3 (1) \$40,000 may be retained by the club licensee. There <--
4 are no EXCEPT AS PROHIBITED BY SUBSECTION (B) (1), THERE ARE <--
5 NO ADDITIONAL restrictions on the use of these proceeds by
6 the club licensee.

7 (2) Any club licensee proceeds remaining after
8 distribution under paragraph (1) shall be distributed as
9 follows:

10 (i) No less than 70% of the proceeds shall be paid <--
11 to organizations USED for public interest purposes in the <--
12 calendar year in 12-MONTH PERIOD FROM which the proceeds <--
13 were obtained.

14 (ii) No more than 30% of the proceeds obtained in a
15 calendar year may be retained by a club licensee and used
16 for the following operational expenses relating to the
17 club licensee:

18 (A) Real property taxes.

19 (B) Utility and fuel costs.

20 (C) Heating and air conditioning equipment or
21 repair costs.

22 (D) Water and sewer costs.

23 (E) Property or liability insurance costs.

24 (F) Mortgage payments.

25 (G) Interior and exterior repair costs,
26 including repair to parking lots.

27 (H) New facility construction costs.

28 (I) Entertainment equipment, including
29 television, video and electronic games.

30 (J) Other expenses adopted in regulation by the

1 DOES NOT COMPLY WITH SECTION 502.

2 (2) ANY PERSON UNDER 18 YEARS OF AGE IS OPERATING OR
3 PLAYING GAMES OF CHANCE.

4 (3) THE ELIGIBLE ORGANIZATION HAS PERMITTED ANY PERSON
5 WHO HAS BEEN CONVICTED OF A FELONY IN A FEDERAL OR STATE
6 COURT WITHIN THE PAST FIVE YEARS OR HAS BEEN CONVICTED IN A
7 FEDERAL OR STATE COURT WITHIN THE PAST TEN YEARS OF A
8 VIOLATION OF THE ACT OF JULY 10, 1981 (P.L.214, NO.67), KNOWN
9 AS THE BINGO LAW, OR OF THIS ACT, TO MANAGE, SET UP,
10 SUPERVISE OR PARTICIPATE IN THE OPERATION OF GAMES OF CHANCE.

11 (4) THE FACILITY IN WHICH THE GAMES OF CHANCE ARE PLAYED
12 DOES NOT HAVE ADEQUATE MEANS OF INGRESS AND EGRESS AND DOES
13 NOT HAVE ADEQUATE SANITARY FACILITIES AVAILABLE IN THE AREA.

14 (5) ANY PERSON OR PERSONS OTHER THAN A MANAGER, OFFICER,
15 DIRECTOR, BAR PERSONNEL OR A BONA FIDE MEMBER OF AN ELIGIBLE
16 ORGANIZATION HAVE BEEN INVOLVED IN MANAGING, SETTING UP,
17 OPERATING OR RUNNING GAMES OF CHANCE.

18 (6) ANY PERSON HAS RECEIVED COMPENSATION FOR CONDUCTING
19 GAMES OF CHANCE.

20 (7) ANY PRIZE HAS BEEN AWARDED IN EXCESS OF THE LIMITS
21 PERMITTED UNDER THIS ACT.

22 (8) THE ELIGIBLE ORGANIZATION HAS VIOLATED ANY CONDITION
23 OF A SPECIAL PERMIT ISSUED PURSUANT TO SECTION 308.

24 (9) THE ELIGIBLE ORGANIZATION CONDUCTS THE GAMES OF
25 CHANCE UNDER A LEASE WHICH CALLS FOR:

26 (I) LEASING SUCH PREMISES FROM THE OWNER THEREOF
27 UNDER AN ORAL AGREEMENT; OR

28 (II) LEASING SUCH PREMISES FROM THE OWNER THEREOF
29 UNDER A WRITTEN AGREEMENT AT A RENTAL WHICH IS DETERMINED
30 BY THE AMOUNT OF RECEIPTS REALIZED FROM THE PLAYING OF

1 GAMES OF CHANCE.

2 (10) FALSE OR ERRONEOUS INFORMATION WAS PROVIDED IN THE
3 ORIGINAL APPLICATION OR IN ANY INFORMATION PROVIDED TO THE
4 LICENSING AUTHORITY OR THE DEPARTMENT IN ANY REPORT.

5 (11) AN ELIGIBLE ORGANIZATION HAS BEEN CONVICTED OF A
6 VIOLATION OF THIS ACT AS EVIDENCED BY A CERTIFIED RECORD OF
7 THE CONVICTION.

8 [(12) THE ELIGIBLE ORGANIZATION HAS PERMITTED ANOTHER
9 ELIGIBLE ORGANIZATION TO CONDUCT GAMES OF CHANCE ON ITS
10 LICENSED PREMISES WITHOUT SUSPENDING ITS OWN OPERATION OF
11 GAMES OF CHANCE DURING THE PERIOD THAT THE OTHER LICENSED
12 ELIGIBLE ORGANIZATION IS CONDUCTING ITS GAMES ON THE
13 PREMISES.]

14 (13) A CLUB LICENSEE HAS FAILED TO FILE AN ACCURATE
15 REPORT UNDER SECTION 501(A).

16 (14) A CLUB LICENSEE HAS FAILED TO COMPLY WITH SECTION
17 502.

18 (15) FAILURE TO FILE REPORTS UNDER SECTION 501.

19 (b) Production of records.--The district attorney may
20 require licensees to produce their books, accounts and records
21 relating to the conduct of games of chance in order to determine
22 if a violation of this act has occurred. Licensees shall also be
23 required, upon request, to provide their license, books,
24 accounts and records relating to the conduct of games of chance
25 to the licensing authority, the Bureau of Liquor Control
26 Enforcement or to a law enforcement agency or official. A club
27 licensee shall retain records for a period of [five] two years.

28 Section 9 8. Section 702(b) of the act, amended October 24, <--
29 2012 (P.L.1462, No.184), is amended to read:

30 Section 702. Enforcement.

1 * * *

2 (b) Bureau of Liquor Control Enforcement.--The following
3 shall apply to enforcement:

4 (1) If the licensee is a club licensee, the Bureau of Liquor
5 Control Enforcement may enforce the provisions of this act in
6 accordance with subsection (g). An administrative law judge
7 under section 212 of the act of April 12, 1951 (P.L.90, No.21),
8 known as the Liquor Code, may impose the penalties under
9 subsection (d) following the issuance of a citation by the
10 bureau.

11 (2) ~~The~~ UNLESS THE BUREAU OF LIQUOR CONTROL ENFORCEMENT HAS <--
12 JURISDICTION OVER A CLUB LICENSEE UNDER SECTION 702(B)(1), THE
13 Bureau of Liquor Control Enforcement shall have no jurisdiction
14 to enforce the provisions of this act on any special occasion
15 permit holder under section 408.4 of the act of April 12, 1951
16 (P.L.90, No.21), known as the Liquor Code. The Bureau of Liquor <--
17 Control Enforcement shall retain all powers and duties to
18 enforce the provisions of the Liquor Code on a special occasion
19 permit holder.

20 * * *

21 SECTION 9. THE ACT IS AMENDED BY ADDING A CHAPTER TO READ: <--

22 CHAPTER 8

23 SOCIAL CARD GAMES

24 SECTION 801. DEFINITIONS.

25 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
26 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
27 CONTEXT CLEARLY INDICATES OTHERWISE:

28 "NONBANKING CARD GAME." A CARD GAME WHERE PLAYERS PLAY
29 AGAINST ONE ANOTHER RATHER THAN AGAINST THE HOUSE. NONBANKING
30 CARD GAMES MAY INCLUDE ANY OF THE FOLLOWING:

1 (1) POKER GAMES.

2 (2) HEARTS.

3 (3) RUMMY.

4 (4) PINOCHLE.

5 (5) BID WHIST.

6 "NONBANKING CARD GAME TOURNAMENT" OR "TOURNAMENT." A SERIES
7 OF CARD GAMES HELD BY A LICENSED ELIGIBLE ORGANIZATION DURING A
8 CONSECUTIVE PERIOD OF TIME OF NOT MORE THAN 24 HOURS AND NOT
9 HELD AS PART OF ANY OTHER GAMES OF CHANCE.

10 "PYRAMID" OR "BUILD-UP." A CARD GAME IN WHICH A PRIZE MUST
11 BE RETURNED IN ORDER TO PLAY ANOTHER GAME OR TO BE ELIGIBLE FOR
12 ANOTHER BIGGER PRIZE, OR A GAME IN WHICH THE PRIZE MUST BE
13 FORFEITED IF A LATER GAME IS LOST.

14 "SOCIAL CARD GAME" OR "CARD GAME." A NONBANKING CARD GAME
15 THAT IS PLAYED BY MEMBERS AT THE LICENSED PREMISES OF AN
16 ELIGIBLE ORGANIZATION.

17 SECTION 802. AUTHORIZATION TO CONDUCT SOCIAL CARD GAMES.

18 (A) AUTHORIZATION.--NOTWITHSTANDING ANY PROVISION OF 18
19 PA.C.S. (RELATING TO CRIMES AND OFFENSES) OR OF THIS ACT OR ANY
20 OTHER LAW OR REGULATION TO THE CONTRARY, SOCIAL CARD GAMES MAY
21 BE PLAYED AT THE LICENSED PREMISES OF AN ELIGIBLE ORGANIZATION
22 IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CHAPTER.

23 (B) CONDITIONS.--THE FOLLOWING SHALL APPLY:

24 (1) CARD GAMES MAY ONLY BE PLAYED BY AND BETWEEN MEMBERS
25 OF THE ELIGIBLE ORGANIZATION.

26 (2) THE ELIGIBLE ORGANIZATION OR ANY OTHER PERSON SHALL
27 NOT HAVE AN INTEREST, FINANCIAL OR OTHERWISE, IN THE OUTCOME
28 OF ANY CARD GAME.

29 (3) ONLY NONBANKING CARD GAMES MAY BE PLAYED WITH
30 MEMBERS PLAYING AGAINST EACH OTHER.

- 1 (4) WAGERING SHALL BE ENTIRELY AT THE DISCRETION OF EACH
2 PLAYER.
- 3 (5) THE MAXIMUM PRIZE OR PAYOUT FOR A CARD GAME SHALL BE
4 LIMITED TO \$100.
- 5 (6) THE ELIGIBLE ORGANIZATION SHALL NOT CHARGE A FEE FOR
6 PLAY.
- 7 (7) NOT MORE THAN TEN MEMBERS MAY PLAY AT ANY TABLE IN A
8 CARD GAME.
- 9 (8) CARD GAMES MAY ONLY BE PLAYED IN A ROOM SET ASIDE
10 FOR THOSE ACTIVITIES AT THE LICENSED PREMISES OF THE ELIGIBLE
11 ORGANIZATION.
- 12 (9) NOT MORE THAN FIVE GAMING TABLES MAY BE MADE
13 AVAILABLE FOR THE PLAY OF CARD GAMES BY THE ELIGIBLE
14 ORGANIZATION.
- 15 (10) NO CARD GAMES MAY BE PLAYED BETWEEN THE HOURS OF 1
16 A.M. AND 1 P.M.
- 17 (11) NO ELIGIBLE ORGANIZATION OR ANY OTHER PERSON SHALL
18 COLLECT, OBTAIN OR CHARGE ANY PERCENTAGE OF OR SHALL COLLECT
19 OR OBTAIN ANY PORTION OF ANY WAGER OR WINNINGS OF ANY PLAYER
20 IN A CARD GAME, EXCEPT A PLAYER MAY COLLECT HIS WINNINGS.
- 21 (12) NO ELIGIBLE ORGANIZATION OR ANY OTHER PERSON SHALL
22 COLLECT, OR OBTAIN ANY MONEY FROM OR CHARGE OR IMPOSE ANY FEE
23 UPON, ANY PERSON THAT EITHER ENABLES THE PERSON TO PLAY OR
24 RESULTS IN OR FROM THE PERSON PLAYING A CARD GAME, EXCEPT
25 THAT THIS PARAGRAPH SHALL NOT PRECLUDE THE COLLECTION OF A
26 MEMBERSHIP FEE BY THE ELIGIBLE ORGANIZATION THAT IS UNRELATED
27 TO PARTICIPATION IN THE PLAY OF A CARD GAME AUTHORIZED UNDER
28 THIS CHAPTER.
- 29 (13) AN ELIGIBLE ORGANIZATION THAT ALLOWS THE USE OF ITS
30 PREMISES FOR THE PLAY OF CARD GAMES BY ITS MEMBERS IN

1 ACCORDANCE WITH THIS CHAPTER SHALL SUBMIT A SCHEDULE OF THE
2 PROPOSED DATES OF SUCH CARD GAMES AND ANY CARD GAME
3 TOURNAMENT TO THE LICENSING AUTHORITY.

4 (C) REQUIRED POSTINGS.--AN ELIGIBLE ORGANIZATION THAT
5 PERMITS THE PLAY OF CARD GAMES AT ITS LICENSED PREMISES SHALL
6 PROMINENTLY POST THE FOLLOWING IN CLOSE PROXIMITY OF CARD GAME
7 TABLES IN THE ROOM DESIGNATED TO PLAY CARD GAMES:

8 (1) THE WAGERING LIMITS FOR EACH TYPE OF CARD GAME.

9 (2) THE RULES OF PLAY.

10 (3) INFORMATION ON WHERE A PERSON CAN OBTAIN HELP FOR
11 PROBLEM GAMBLING, INCLUDING THE TELEPHONE NUMBER FOR THE
12 PENNSYLVANIA COMPULSIVE GAMBLING HOTLINE.

13 (D) PROHIBITIONS.--

14 (1) IT SHALL BE UNLAWFUL FOR AN ELIGIBLE ORGANIZATION
15 TO:

16 (I) OBTAIN OR COLLECT ANY MONEY OR THING OF VALUE
17 FROM THE CONDUCT OF CARD GAMES AT ITS LICENSED PREMISES.

18 (II) KNOWINGLY PERMIT A CARD GAME TO BE PLAYED IN
19 VIOLATION OF THIS CHAPTER.

20 (III) FAIL TO COMPLY WITH THE POSTING REQUIREMENT IN
21 ACCORDANCE WITH SUBSECTION (C).

22 (IV) ENGAGE IN ANY ACT, PRACTICE OR COURSE OF
23 CONDUCT THAT WOULD CONSTITUTE FRAUD OR DECEIT UPON ANY
24 PLAYER IN A CARD GAME.

25 (V) ALLOW A PERSON UNDER 21 YEARS OF AGE TO PLAY A
26 CARD GAME AT ITS LICENSED PREMISES.

27 (VI) KNOWINGLY ALLOW ANY PERSON TO EMPLOY OR ATTEMPT
28 TO EMPLOY ANY DEVICE, SCHEME OR ARTIFICE TO CHEAT OR
29 DEFRAUD ANY PLAYER IN A CARD GAME.

30 (VII) ADVERTISE ANY CARD GAME IN VIOLATION OF

1 SECTION 704.

2 (2) A LICENSED ORGANIZATION THAT VIOLATES PARAGRAPH (1)
3 SHALL BE SUBJECT TO THE PENALTIES IMPOSED UNDER SECTION
4 702(D).

5 (E) APPLICABILITY.--THE REQUIREMENTS OF SECTIONS 502 AND 503
6 SHALL NOT APPLY TO SOCIAL CARD GAMES AUTHORIZED UNDER THIS
7 CHAPTER.

8 SECTION 803. CARD GAME TOURNAMENTS.

9 (A) AUTHORIZATION.--NOTWITHSTANDING ANY OTHER PROVISION OF
10 LAW OR REGULATION TO THE CONTRARY, AN ELIGIBLE ORGANIZATION MAY
11 CONDUCT NONBANKING CARD GAME TOURNAMENTS. A CARD GAME TOURNAMENT
12 CONDUCTED BY AN ELIGIBLE ORGANIZATION SHALL COMPLY WITH ALL OF
13 THE FOLLOWING:

14 (1) ONLY NONBANKING CARD GAMES SHALL BE PLAYED IN A CARD
15 GAME TOURNAMENT.

16 (2) EACH CARD GAME SHALL BE CONDUCTED IN A FAIR AND
17 HONEST MANNER AND SHALL NOT BE OPERATED ON A BUILD-UP OR
18 PYRAMID BASIS.

19 (3) EVERY PLAYER IN A TOURNAMENT SHALL BE GIVEN THE SAME
20 CHANCE OF WINNING THE TOURNAMENT. SECOND-CHANCE ENTRIES OR
21 MULTIPLE ENTRIES SHALL BE PROHIBITED.

22 (4) THE ELIGIBLE ORGANIZATION SHALL CONDUCT EACH
23 TOURNAMENT AND SHALL NOT CONTRACT WITH OR PERMIT ANOTHER
24 PERSON TO CONDUCT THE TOURNAMENT OR ANY CARD GAME DURING THE
25 TOURNAMENT.

26 (5) ONLY THE ELIGIBLE ORGANIZATION MAY RECEIVE OR HAVE
27 ANY FIXED OR CONTINGENT RIGHT TO RECEIVE, DIRECTLY OR
28 INDIRECTLY, ANY PROFIT, REMUNERATION OR COMPENSATION FROM OR
29 RELATED TO A CARD GAME IN A CARD GAME TOURNAMENT, EXCEPT ANY
30 AMOUNT THAT A PERSON MAY WIN AS A PLAYER ON THE SAME BASIS AS

1 THE OTHER PLAYERS.

2 (6) THE ELIGIBLE ORGANIZATION SHALL NOT HOLD MORE THAN
3 FIVE CARD GAME TOURNAMENTS ANNUALLY.

4 (7) THE ELIGIBLE ORGANIZATION SHALL NOT HOLD A CARD GAME
5 TOURNAMENT WITHIN SEVEN CALENDAR DAYS OF ANOTHER TOURNAMENT
6 CONDUCTED BY THE ELIGIBLE ORGANIZATION.

7 (8) THE ELIGIBLE ORGANIZATION MAY HOLD ONLY ONE CARD
8 GAME TOURNAMENT DURING ANY PERIOD OF 24 CONSECUTIVE HOURS,
9 STARTING FROM THE TIME THE TOURNAMENT BEGINS.

10 (9) AT THE CONCLUSION OF EACH TOURNAMENT, THE ELIGIBLE
11 ORGANIZATION CONDUCTING THE TOURNAMENT SHALL ANNOUNCE THE
12 NAME OF THE WINNING PLAYER AND THE AMOUNT OF WINNINGS.

13 (10) THE ELIGIBLE ORGANIZATION SHALL LIMIT THE NUMBER OF
14 TABLES USED IN THE TOURNAMENT TO NOT MORE THAN FIVE WITH NOT
15 MORE THAN TEN PLAYERS AT EACH TABLE.

16 (11) A CARD GAME TOURNAMENT SHALL ONLY BE HELD IN A ROOM
17 AT THE LICENSED PREMISES DESIGNATED BY THE ELIGIBLE
18 ORGANIZATION FOR THE CONDUCT OF CARD GAMES.

19 (12) PLAYERS IN TOURNAMENTS SHALL BE LIMITED TO THE
20 MEMBERS OF THE ELIGIBLE ORGANIZATION.

21 (13) PLAYERS SHALL BE 21 YEARS OF AGE OR OLDER.

22 (14) THE CARD GAME TOURNAMENT SHALL NOT PROVIDE ANY
23 DIRECT FINANCIAL BENEFIT TO THE ELIGIBLE ORGANIZATION OR ANY
24 OTHER PERSON, EXCEPT WINNING PLAYERS IN THE TOURNAMENT.

25 (15) THE VALUE OF ALL PRIZES AWARDED FOR EACH
26 TOURNAMENT, EXCEPT FOR A TEXAS HOLD'EM TOURNAMENT, SHALL NOT
27 EXCEED \$200.

28 (16) FOR A TOURNAMENT INVOLVING TEXAS HOLD'EM, ALL OF
29 THE FOLLOWING SHALL APPLY:

30 (I) THE PAYMENT OF AN ENTRY FEE OR OTHER

1 CONSIDERATION FOR PARTICIPATING IS PROHIBITED.

2 (II) THE VALUE OF ALL PRIZES AWARDED TO AN
3 INDIVIDUAL WINNER OF A TOURNAMENT OR CONTEST AT A SINGLE
4 TABLE SHALL NOT EXCEED \$200 EACH DAY.

5 (17) THE ELIGIBLE ORGANIZATION SHALL ENSURE THAT
6 REASONABLE ACCOMMODATIONS ARE MADE FOR PLAYERS WITH
7 DISABILITIES.

8 (B) REQUIRED POSTINGS.--NOTWITHSTANDING SUBSECTION (A), THE
9 ELIGIBLE ORGANIZATION SHALL PROMINENTLY POST THE TOURNAMENT
10 RULES ON A SIGN IN THE TOURNAMENT PLAYING ROOM AT LEAST 24 HOURS
11 BEFORE THE TOURNAMENT BEGINS. THE SIGN SHALL BE AT LEAST 30
12 INCHES BY 30 INCHES, AND THE RULES SHALL BE EASILY READABLE. THE
13 SIGN SHALL INCLUDE ALL OF THE FOLLOWING:

14 (1) IN PERMANENT LETTERS THREE INCHES HIGH, THE WORDS
15 "TOURNAMENT RULES."

16 (2) CARD GAME OR GAMES TO BE PLAYED IN THE TOURNAMENT
17 AND THE RULES OF EACH CARD GAME.

18 (3) THE PRIZE FOR EACH CARD GAME AND TOURNAMENT.

19 (4) HOW WINNERS WILL BE DETERMINED.

20 (5) ANY OTHER TOURNAMENT RULES.

21 (C) PRIZES.--CASH OR MERCHANDISE PRIZES MAY BE AWARDED FOR
22 EACH CARD GAME TOURNAMENT. ALL OF THE FOLLOWING SHALL APPLY:

23 (1) THE ELIGIBLE ORGANIZATION SHALL DISTRIBUTE THE
24 PRIZES AWARDED ON THE DAY THE PRIZES ARE WON.

25 (2) DONATED OR MERCHANDISE PRIZES SHALL NOT BE
26 REPURCHASED BY THE ELIGIBLE ORGANIZATION.

27 (3) ONLY PRIZES THAT CAN BE WON SHALL BE DISPLAYED IN
28 THE ROOM WHERE THE TOURNAMENT WILL BE HELD.

29 Section 10. The provisions of 61 Pa. Code §§ 901.463(4)
30 (relating to raffle records), 901.464(9) (relating to punchboard

1 and pull-tab records), 901.464a(9) (relating to daily and weekly
2 drawing records), 901.466(1) (relating to prize records) and
3 901.733(f) (relating to control of prizes) are abrogated.

4 Section 11. This act shall take effect immediately.