
 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, R. MILLER, WATSON, F. KELLER, MOUL, ROAE, DAY, ROCK, NEUMAN, SCHLOSSBERG, STEVENSON, MAHONEY, MARSHALL, MUNDY, TOBASH, SONNEY, LUCAS, DEASY, GIBBONS, PASHINSKI AND HACKETT, JANUARY 30, 2013

SENATOR WARD, COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, IN SENATE, AS AMENDED, JUNE 19, 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; in games of~~
 10 ~~chance, further providing for games of chance permitted, for~~
 11 ~~prize limits, for regulations of the Department of Revenue~~
 12 ~~and for licensing of eligible organizations to conduct games~~
 13 ~~of chance; in club licensees, further providing for reports~~
 14 ~~by a club licensee and for distribution of proceeds; in~~
 15 ~~enforcement, further providing for revocation of licenses and~~
 16 ~~for enforcement by the Bureau of Liquor Control Enforcement;~~
 17 ~~providing for social card games; and abrogating regulations.~~
 18 FURTHER PROVIDING FOR THE DEFINITIONS OF "DAILY DRAWING," <--
 19 "GAMES OF CHANCE," "RAFFLE," "PUBLIC INTEREST PURPOSE" AND
 20 "WEEKLY DRAWING"; PROVIDING FOR THE DEFINITIONS OF "AUXILIARY
 21 GROUP," "CONSERVATION ORGANIZATION" AND "RACE NIGHT GAME";
 22 FURTHER PROVIDING FOR GAMES OF CHANCE PERMITTED, FOR PRIZE
 23 LIMITS, FOR LIMITED SALES, FOR DISTRIBUTOR LICENSES, FOR
 24 REGULATIONS OF DEPARTMENT AND FOR LICENSING OF ELIGIBLE
 25 ORGANIZATIONS TO CONDUCT GAMES OF CHANCE.

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

3 ~~Section 1. The definitions of "games of chance," "public~~ <--
4 ~~interest purpose" and "raffle" in section 103 of the act of~~
5 ~~December 19, 1988 (P.L.1262, No.156), known as the Local Option~~
6 ~~Small Games of Chance Act, amended February 2, 2012 (P.L.7,~~
7 ~~No.2) and October 24, 2012 (P.L.1462, No.184), are amended and~~
8 ~~the 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 ~~* * *~~

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

17 ~~* * *~~

18 ~~"Games of chance." Punchboards, daily drawings, weekly~~
19 ~~drawings, 50/50 drawings, raffles, selective raffles, poker~~
20 ~~runs, coin auctions, race night games, vertical wheel game and~~
21 ~~pull tabs, as defined in this act, provided that no such game,~~
22 ~~except for a vertical wheel game, shall be played by or with the~~
23 ~~assistance of any mechanical or electrical devices or media~~
24 ~~other than a dispensing machine or passive selection device and~~
25 ~~further provided that the particular chance taken by any person~~
26 ~~in any such game shall not be made contingent upon any other~~
27 ~~occurrence or the winning of any other contest, but shall be~~
28 ~~determined solely at the discretion of the purchaser. This~~
29 ~~definition shall not be construed to authorize any other form of~~
30 ~~gambling currently prohibited under any provision of Title 18 of~~

1 the Pennsylvania Consolidated Statutes (relating to crimes and
2 offenses) or authorized under 4 Pa.C.S. (relating to
3 amusements). Nothing in this act shall be construed to authorize
4 games commonly known as "slot machines" or "video poker."

5 * * *

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

7 (1) Participants meet at a designated location to
8 receive instructions for the event.

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

12 (3) At each designated stop on the run route, the
13 participant draws or is dealt a card at random. The card
14 which is drawn or dealt is recorded on the participant's
15 score card.

16 (4) A winner is determined as the participant which
17 makes the highest poker hand at the end of the event.

18 * * *

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

20 (1) [The activities and operations of a nonprofit]
21 Providing benevolent, religious, educational, philanthropic,
22 humane, scientific, patriotic, social welfare, social
23 advocacy, public health, public safety, emergency response,
24 environmental [or civic objective], historic preservation,
25 conservation, athletic, sportsman's safety and education or
26 civic services or benefits.

27 (2) Initiating, performing or fostering worthy public
28 works or enabling or furthering the erection or maintenance
29 of public structures.

30 (3) Lessening the burdens borne by government or

1 voluntarily supporting, augmenting or supplementing services
2 which government would normally render to the people.

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

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

10 * * *

11 ~~"Race night game." A game in which a participant places a~~
12 ~~wager on a prerecorded horse race.~~

13 ~~"Raffle." A game of chance in which a participant buys a~~
14 ~~ticket for a chance at a prize with the winner determined by a~~
15 ~~random drawing of corresponding ticket stubs to take place at a~~
16 ~~location and date or dates printed upon each ticket. Such games~~
17 ~~of chance shall include lotteries but not daily drawings. Raffle~~
18 ~~winners may be determined by reference to drawings conducted by~~
19 ~~the department pursuant to the act of August 26, 1971 (P.L.351,~~
20 ~~No.91), known as the State Lottery Law. The term includes a~~
21 ~~reverse raffle.~~

22 * * *

23 ~~"Selective raffle." A game in which all of the following~~
24 ~~occur:~~

25 ~~(1) The participant buys a ticket or tickets for a~~
26 ~~chance to win a donated prize.~~

27 ~~(2) The participant places the ticket or tickets in a~~
28 ~~designated location for the prize which the participant would~~
29 ~~like to win.~~

30 ~~(3) The winner for each prize is determined by a random~~

1 ~~drawing of 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 2. ~~Section 301 of the act, amended October 24, 2012~~
9 ~~(P.L.1462, No.184), is amended to read:~~

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

11 ~~(a) General rule. Every eligible organization to which a~~
12 ~~license has been issued under the provisions of this chapter may~~
13 ~~conduct games of chance for the purpose of raising funds for~~
14 ~~public interest purposes. Except as provided in Chapter 5, all~~
15 ~~proceeds of a licensed eligible organization shall be used~~
16 ~~exclusively for public interest purposes, for the purchase of~~
17 ~~games of chance, for the payment of the license fee or for the~~
18 ~~payment of the fee for background checks, as required by this~~
19 ~~act. An eligible organization, except a club licensee, may use~~
20 ~~the proceeds received from games of chance conducted by the~~
21 ~~eligible organization to fulfill the public interest purpose of~~
22 ~~the eligible organization.~~

23 ~~(b) Relationship to table games. A vertical wheel game is~~
24 ~~not a "table game" as defined in 4 Pa.C.S. § 1103 (relating to~~
25 ~~definitions). The designation of a vertical wheel game under~~
26 ~~this act does not preclude the authorization of a vertical wheel~~
27 ~~game as a table game under 4 Pa.C.S. Pt. II (relating to~~
28 ~~gaming).~~

29 Section 3. ~~Section 302 of the act, amended February 2, 2012~~
30 ~~(P.L.7, No.2), is amended to read:~~

1 ~~Section 302. Prize limits.~~

2 ~~(a) Individual prize limit. Except as provided under~~
3 ~~subsections (d) and (d.1), the maximum prize which may be~~
4 ~~awarded for any single chance shall be \$1,000.~~

5 ~~(b) Aggregate prize limit. No more than [\$25,000] \$35,000~~
6 ~~in prizes shall be awarded from games of chance by a licensed~~
7 ~~eligible organization in any seven day period.~~

8 ~~(c) Raffle prize limit. Up to \$10,000 in prizes may be~~
9 ~~awarded in raffles in any calendar month.~~

10 ~~(c.1) Total limit. All prizes awarded under this section~~
11 ~~shall be subject to the aggregate prize limits under subsection~~
12 ~~(b).~~

13 ~~(d) Exception for raffles. Notwithstanding subsection (b)~~
14 ~~or (c), a licensed eligible organization may conduct a raffle~~
15 ~~and award a prize or prizes valued in excess of \$1,000 each only~~
16 ~~under the following conditions:~~

17 ~~(1) The licensing authority has issued a special permit~~
18 ~~for the raffle under section 308.~~

19 ~~(2) A licensed eligible organization shall be eligible~~
20 ~~to receive no more than eight special permits in any licensed~~
21 ~~term except that a volunteer fire, ambulance or rescue~~
22 ~~organization that is not a club licensee shall be eligible to~~
23 ~~receive ten special permits in any licensed term.~~

24 ~~(3) Only one raffle may be conducted under each special~~
25 ~~permit issued under section 308.~~

26 ~~(4) Except as provided under subsection (d.1), the total~~
27 ~~of all prizes awarded under this subsection shall be no more~~
28 ~~than \$100,000 per calendar year.~~

29 ~~(d.1) Additional award. A volunteer fire, ambulance or~~
30 ~~rescue organization may, in addition to the total under~~

1 ~~subsection (d) (4), award up to \$50,000 from raffles which shall~~
2 ~~not be subject to the aggregate limit under subsection (b), (c)~~
3 ~~or (d).~~

4 ~~(f) Daily drawing carryover. The prize limitation contained~~
5 ~~in subsections (a) and (b) may be exceeded by a daily drawing~~
6 ~~under the following circumstances: a daily drawing may award a~~
7 ~~prize in excess of \$1,000 if such prize is the result of a~~
8 ~~carryover of a drawing which resulted from the winning number in~~
9 ~~such drawing not being among the eligible entrants in such~~
10 ~~drawings. Nothing contained herein shall authorize the prize~~
11 ~~limitation as contained in subsections (a) and (b) to be~~
12 ~~exceeded as a result of a failure to conduct a drawing on an~~
13 ~~operating day during which chances were sold for a daily drawing~~
14 ~~or for a daily drawing for which chances were sold in excess of~~
15 ~~\$1 or for which more than one chance was sold to an eligible~~
16 ~~participant.~~

17 ~~(g) Additional exception. When a daily drawing or weekly~~
18 ~~drawing is set up or conducted in such a manner as to pay out or~~
19 ~~award 100% of the gross revenues generated from such drawing,~~
20 ~~the limitation contained in subsection (b) shall not apply.~~

21 ~~(h) Weekly drawing carryover exception. Weekly drawings~~
22 ~~shall be governed by the prize limitation contained in~~
23 ~~subsection (b). The prize limitation contained in subsection (b)~~
24 ~~may be exceeded by a weekly drawing under the following~~
25 ~~circumstances: a weekly drawing may award a prize where the cash~~
26 ~~value is in excess of [\$25,000] \$35,000 if such prize is the~~
27 ~~result of a carryover of a drawing or drawings which resulted~~
28 ~~from the winning number or numbers in such drawing or drawings~~
29 ~~not being among the eligible entrants in such drawings. Nothing~~
30 ~~contained in this chapter shall authorize the prize limitation~~

1 ~~under subsection (b) to be exceeded as a result of a failure to~~
2 ~~conduct a drawing for a week during which chances were sold for~~
3 ~~a weekly drawing or for a weekly drawing for which chances were~~
4 ~~sold in excess of \$1.~~

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

8 ~~Section 306. Regulations of department.~~

9 ~~* * *~~

10 ~~(a.1) Review. The department shall, on an annual basis,~~
11 ~~review the regulations adopted under this act to determine if~~
12 ~~the regulations relating to games of chance require revision or~~
13 ~~abrogation. The department shall submit a report to the General~~
14 ~~Assembly by March 1, 2015, and every two years thereafter. The~~
15 ~~report shall include recommendations for changes to this act or~~
16 ~~to regulations adopted under this act, if any, including~~
17 ~~recommendations for additional games of chance. The~~
18 ~~recommendations for additional games of chance shall not include~~
19 ~~any game regulated by the Pennsylvania Gaming Control Board~~
20 ~~under 4 Pa.C.S. (relating to amusements), keno games or any game~~
21 ~~that requires Internet access to play. The report shall be~~
22 ~~submitted to the Majority Leader and Minority Leader of the~~
23 ~~Senate, the Majority Leader and Minority Leader of the House of~~
24 ~~Representatives and the chairperson and minority chairperson of~~
25 ~~the standing committees of the Senate and the chairperson and~~
26 ~~minority chairperson of the standing committees of the House of~~
27 ~~Representatives with jurisdiction over this act.~~

28 ~~(b) Limitation on recordkeeping requirements. This section~~
29 ~~shall not be construed to authorize the department to promulgate~~
30 ~~regulations providing for recordkeeping requirements for~~

1 ~~licensed eligible organizations which require unreasonable or~~
2 ~~unnecessary information or a repetitious listing of information.~~
3 ~~The department shall strive to keep such recordkeeping~~
4 ~~requirements from being an undue hardship or burden on licensed~~
5 ~~eligible organizations. For individual prizes of \$600 or more,~~
6 ~~records shall include the name and address of the winner. An~~
7 ~~eligible organization shall not obtain or retain receipts of~~
8 ~~prizes that are donated. An eligible organization shall provide~~
9 ~~each winner with a receipt of the value of the prize won of \$600~~
10 ~~or more, unless the prize is cash. Except as provided under~~
11 ~~section 701(b), the department may not require the retention of~~
12 ~~records for a period in excess of two years.~~

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

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

27 ~~(2) Amounts expended for public interest purposes.~~
28 ~~Section 5. Section 307(a), (b), (b.1), (b.2), (b.3), (d.1)~~
29 ~~and (h) of the act, amended February 2, 2012 (P.L.7, No.2) and~~
30 ~~October 24, 2012 (P.L.1462, No.184), are amended and subsection~~

1 ~~(b.1) is amended by adding a paragraph to read:~~

2 ~~Section 307. Licensing of eligible organizations to conduct~~
3 ~~games of chance.~~

4 ~~(a) License required. No eligible organization shall~~
5 ~~conduct or operate any games of chance unless such eligible~~
6 ~~organization has obtained and maintains a valid license [or~~
7 ~~limited occasion license] issued pursuant to this section. An~~
8 ~~auxiliary group of a licensed eligible organization shall be~~
9 ~~eligible to conduct games of chance using the license issued to~~
10 ~~the eligible organization provided that the auxiliary group [or~~
11 ~~groups are] is listed on the application and license of the~~
12 ~~eligible organization. An auxiliary group is not eligible to~~
13 ~~obtain a license [or a limited occasion license]. No additional~~
14 ~~licensing fee shall be charged to an eligible organization for~~
15 ~~an auxiliary [group's eligibility under this chapter. Auxiliary~~
16 ~~groups] group of the organization. An auxiliary group shall not~~
17 ~~include branches, lodges or chapters of a Statewide~~
18 ~~organization.~~

19 ~~(b) Issuance and fees. The following shall apply:~~

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

1 ~~(i) For an eligible organization making \$40,000 or~~
2 ~~less in proceeds from games of chance in the preceding~~
3 ~~calendar year, \$25.~~

4 ~~(ii) For an eligible organization making more than~~
5 ~~\$40,000 in proceeds from games of chance in the preceding~~
6 ~~calendar year, \$100.~~

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

11 ~~(b.1) Location of games of chance.—~~

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

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

1 ~~(2.1) An eligible organization must notify the district~~
2 ~~attorney to conduct games of chance in a different location~~
3 ~~from the location of the licensed premise that is listed on~~
4 ~~the eligible organization's application and license. The~~
5 ~~notification must include the address of the new location and~~
6 ~~the dates and times the games of chance will be conducted at~~
7 ~~the new location.~~

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 the district attorney regarding the~~
22 ~~use of the premise of another eligible organization,~~
23 ~~including the address of the premise and the dates and times~~
24 ~~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 tickets in a municipality located in a county~~
25 ~~other than the county in which the eligible organization is~~
26 ~~licensed shall notify that county's district attorney and~~
27 ~~licensing authority as to the location and the dates that the~~
28 ~~licensed eligible organization plans to sell raffle tickets.]~~

29 ~~[(b.3) Limited occasion licenses. Eligible organizations~~
30 ~~which do not own their own premises or which do not lease a~~

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

12 ~~* * *~~

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

21 ~~* * *~~

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

1 ~~application for a license or any other person required by the~~
2 ~~department.~~

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

5 ~~Section 501. Club licensee.~~

6 ~~(a) Report.~~

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

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

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

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

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

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

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

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

30 ~~(vi) The address and the county in which the club~~

1 ~~licensee is located.~~

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

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

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

8 ~~Section 502. Distribution of proceeds.~~

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

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

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

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

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

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

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

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

24 ~~(vi) Mortgage payments.~~

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

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

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

30 ~~(x) Other expenses adopted in regulation by the~~

1 department.}

2 ~~(1) \$40,000 may be retained by the club licensee. Except~~
3 ~~as prohibited by subsection (b) (1), there are no additional~~
4 ~~restrictions on the use of these proceeds by the club~~
5 ~~licensee.~~

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

9 ~~(i) No less than 70% of the proceeds shall be used~~
10 ~~for public interest purposes in the 12 month period from~~
11 ~~which the proceeds were obtained.~~

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

16 ~~(A) Real property taxes.~~

17 ~~(B) Utility and fuel costs.~~

18 ~~(C) Heating and air conditioning equipment or~~
19 ~~repair costs.~~

20 ~~(D) Water and sewer costs.~~

21 ~~(E) Property or liability insurance costs.~~

22 ~~(F) Mortgage payments.~~

23 ~~(G) Interior and exterior repair costs,~~
24 ~~including repair to parking lots.~~

25 ~~(H) New facility construction costs.~~

26 ~~(I) Entertainment equipment, including~~
27 ~~television, video and electronic games.~~

28 ~~(J) Other expenses adopted in regulation by the~~
29 ~~department.~~

30 ~~(a.1) Amounts retained. Amounts retained by a club licensee~~

1 ~~under subsection (a) (2) shall be expended within [the same~~
2 ~~calendar year] a 12 month period from when the proceeds were~~
3 ~~received unless the club licensee notifies the department that~~
4 ~~funds are being retained for a substantial purchase or project.~~
5 ~~Notification shall include a description of the purchase or~~
6 ~~project, the anticipated cost and the anticipated date of the~~
7 ~~purchase or project.~~

8 ~~(b) Prohibition.~~

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

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

15 ~~Section 7. Section 701 of the act, amended February 2, 2012~~
16 ~~(P.L.7, No.2), is amended to read:~~

17 ~~Section 701. Revocation of licenses.~~

18 ~~(a) Grounds. The following shall be grounds for suspension,~~
19 ~~revocation or nonrenewal of a license:~~

20 ~~(1) Any of the proceeds derived from the operation of~~
21 ~~games of chance by an eligible organization are used for any~~
22 ~~purpose other than for:~~

23 ~~(i) public interest purposes;~~

24 ~~(ii) the purchase of games of chance; or~~

25 ~~(iii) a purpose permitted by Chapter 5.~~

26 ~~(1.1) Any of the funds derived from the operation of~~
27 ~~games of chance by a club licensee are used in a manner that~~
28 ~~does not comply with section 502.~~

29 ~~(2) Any person under 18 years of age is operating or~~
30 ~~playing games of chance.~~

1 ~~(3) The eligible organization has permitted any person~~
2 ~~who has been convicted of a felony in a Federal or State~~
3 ~~court within the past five years or has been convicted in a~~
4 ~~Federal or State court within the past ten years of a~~
5 ~~violation of the act of July 10, 1981 (P.L.214, No.67), known~~
6 ~~as the Bingo Law, or of this act, to manage, set up,~~
7 ~~supervise or participate in the operation of games of chance.~~

8 ~~(4) The facility in which the games of chance are played~~
9 ~~does not have adequate means of ingress and egress and does~~
10 ~~not have adequate sanitary facilities available in the area.~~

11 ~~(5) Any person or persons other than a manager, officer,~~
12 ~~director, bar personnel or a bona fide member of an eligible~~
13 ~~organization have been involved in managing, setting up,~~
14 ~~operating or running games of chance.~~

15 ~~(6) Any person has received compensation for conducting~~
16 ~~games of chance.~~

17 ~~(7) Any prize has been awarded in excess of the limits~~
18 ~~permitted under this act.~~

19 ~~(8) The eligible organization has violated any condition~~
20 ~~of a special permit issued pursuant to section 308.~~

21 ~~(9) The eligible organization conducts the games of~~
22 ~~chance under a lease which calls for:~~

23 ~~(i) leasing such premises from the owner thereof~~
24 ~~under an oral agreement; or~~

25 ~~(ii) leasing such premises from the owner thereof~~
26 ~~under a written agreement at a rental which is determined~~
27 ~~by the amount of receipts realized from the playing of~~
28 ~~games of chance.~~

29 ~~(10) False or erroneous information was provided in the~~
30 ~~original application or in any information provided to the~~

1 ~~licensing authority or the department in any report.~~

2 ~~(11) An eligible organization has been convicted of a~~
3 ~~violation of this act as evidenced by a certified record of~~
4 ~~the conviction.~~

5 ~~[(12) The eligible organization has permitted another~~
6 ~~eligible organization to conduct games of chance on its~~
7 ~~licensed premises without suspending its own operation of~~
8 ~~games of chance during the period that the other licensed~~
9 ~~eligible organization is conducting its games on the~~
10 ~~premises.]~~

11 ~~(13) A club licensee has failed to file an accurate~~
12 ~~report under section 501(a).~~

13 ~~(14) A club licensee has failed to comply with section~~
14 ~~502.~~

15 ~~(15) Failure to file reports under section 501.~~

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

25 ~~Section 8. Section 702(b) of the act, amended October 24,~~
26 ~~2012 (P.L.1462, No.184), is amended to read:~~

27 ~~Section 702. Enforcement.~~

28 ~~* * *~~

29 ~~(b) Bureau of Liquor Control Enforcement. The following~~
30 ~~shall apply to enforcement:~~

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

8 ~~(2) Unless the Bureau of Liquor Control Enforcement has~~
9 ~~jurisdiction over a club licensee under section 702(b)(1), the~~
10 ~~Bureau of Liquor Control Enforcement shall have no jurisdiction~~
11 ~~to enforce the provisions of this act on any special occasion~~
12 ~~permit holder under section 408.4 of the act of April 12, 1951~~
13 ~~(P.L.90, No.21), known as the Liquor Code.~~

14 * * *

15 Section 9. The act is amended by adding a chapter to read:

16 CHAPTER 8

17 SOCIAL CARD GAMES

18 Section 801. Definitions.

19 ~~The following words and phrases when used in this chapter~~
20 ~~shall have the meanings given to them in this section unless the~~
21 ~~context clearly indicates otherwise:~~

22 ~~"Nonbanking card game." A card game where players play~~
23 ~~against one another rather than against the house. Nonbanking~~
24 ~~card games may include any of the following:~~

25 ~~(1) Poker games.~~

26 ~~(2) Hearts.~~

27 ~~(3) Rummy.~~

28 ~~(4) Pinochle.~~

29 ~~(5) Bid Whist.~~

30 ~~"Nonbanking card game tournament" or "tournament." A series~~

1 ~~of card games held by a licensed eligible organization during a~~
2 ~~consecutive period of time of not more than 24 hours and not~~
3 ~~held as part of any other games of chance.~~

4 ~~"Pyramid" or "build up." A card game in which a prize must~~
5 ~~be returned in order to play another game or to be eligible for~~
6 ~~another bigger prize, or a game in which the prize must be~~
7 ~~forfeited if a later game is lost.~~

8 ~~"Social card game" or "card game." A nonbanking card game~~
9 ~~that is played by members at the licensed premises of an~~
10 ~~eligible organization.~~

11 ~~Section 802. Authorization to conduct social card games.~~

12 ~~(a) Authorization. Notwithstanding any provision of 18~~
13 ~~Pa.C.S. (relating to crimes and offenses) or of this act or any~~
14 ~~other law or regulation to the contrary, social card games may~~
15 ~~be played at the licensed premises of an eligible organization~~
16 ~~in accordance with the requirements of this chapter.~~

17 ~~(b) Conditions. The following shall apply:~~

18 ~~(1) Card games may only be played by and between members~~
19 ~~of the eligible organization.~~

20 ~~(2) The eligible organization or any other person shall~~
21 ~~not have an interest, financial or otherwise, in the outcome~~
22 ~~of any card game.~~

23 ~~(3) Only nonbanking card games may be played with~~
24 ~~members playing against each other.~~

25 ~~(4) Wagering shall be entirely at the discretion of each~~
26 ~~player.~~

27 ~~(5) The maximum prize or payout for a card game shall be~~
28 ~~limited to \$100.~~

29 ~~(6) The eligible organization shall not charge a fee for~~
30 ~~play.~~

1 ~~(7) Not more than ten members may play at any table in a~~
2 ~~card game.~~

3 ~~(8) Card games may only be played in a room set aside~~
4 ~~for those activities at the licensed premises of the eligible~~
5 ~~organization.~~

6 ~~(9) Not more than five gaming tables may be made~~
7 ~~available for the play of card games by the eligible~~
8 ~~organization.~~

9 ~~(10) No card games may be played between the hours of 1~~
10 ~~a.m. and 1 p.m.~~

11 ~~(11) No eligible organization or any other person shall~~
12 ~~collect, obtain or charge any percentage of or shall collect~~
13 ~~or obtain any portion of any wager or winnings of any player~~
14 ~~in a card game, except a player may collect his winnings.~~

15 ~~(12) No eligible organization or any other person shall~~
16 ~~collect, or obtain any money from or charge or impose any fee~~
17 ~~upon, any person that either enables the person to play or~~
18 ~~results in or from the person playing a card game, except~~
19 ~~that this paragraph shall not preclude the collection of a~~
20 ~~membership fee by the eligible organization that is unrelated~~
21 ~~to participation in the play of a card game authorized under~~
22 ~~this chapter.~~

23 ~~(13) An eligible organization that allows the use of its~~
24 ~~premises for the play of card games by its members in~~
25 ~~accordance with this chapter shall submit a schedule of the~~
26 ~~proposed dates of such card games and any card game~~
27 ~~tournament to the licensing authority.~~

28 ~~(c) Required postings. An eligible organization that~~
29 ~~permits the play of card games at its licensed premises shall~~
30 ~~prominently post the following in close proximity of card game~~

1 ~~tables in the room designated to play card games:~~

2 ~~(1) The wagering limits for each type of card game.~~

3 ~~(2) The rules of play.~~

4 ~~(3) Information on where a person can obtain help for~~
5 ~~problem gambling, including the telephone number for the~~
6 ~~Pennsylvania Compulsive Gambling Hotline.~~

7 ~~(d) Prohibitions.~~

8 ~~(1) It shall be unlawful for an eligible organization~~
9 ~~to:~~

10 ~~(i) Obtain or collect any money or thing of value~~
11 ~~from the conduct of card games at its licensed premises.~~

12 ~~(ii) Knowingly permit a card game to be played in~~
13 ~~violation of this chapter.~~

14 ~~(iii) Fail to comply with the posting requirement in~~
15 ~~accordance with subsection (c).~~

16 ~~(iv) Engage in any act, practice or course of~~
17 ~~conduct that would constitute fraud or deceit upon any~~
18 ~~player in a card game.~~

19 ~~(v) Allow a person under 21 years of age to play a~~
20 ~~card game at its licensed premises.~~

21 ~~(vi) Knowingly allow any person to employ or attempt~~
22 ~~to employ any device, scheme or artifice to cheat or~~
23 ~~defraud any player in a card game.~~

24 ~~(vii) Advertise any card game in violation of~~
25 ~~section 704.~~

26 ~~(2) A licensed organization that violates paragraph (1)~~
27 ~~shall be subject to the penalties imposed under section~~
28 ~~702(d).~~

29 ~~(e) Applicability. The requirements of sections 502 and 503~~
30 ~~shall not apply to social card games authorized under this~~

1 ~~chapter.~~

2 ~~Section 803. Card game tournaments.~~

3 ~~(a) Authorization. Notwithstanding any other provision of~~
4 ~~law or regulation to the contrary, an eligible organization may~~
5 ~~conduct nonbanking card game tournaments. A card game tournament~~
6 ~~conducted by an eligible organization shall comply with all of~~
7 ~~the following:~~

8 ~~(1) Only nonbanking card games shall be played in a card~~
9 ~~game tournament.~~

10 ~~(2) Each card game shall be conducted in a fair and~~
11 ~~honest manner and shall not be operated on a build up or~~
12 ~~pyramid basis.~~

13 ~~(3) Every player in a tournament shall be given the same~~
14 ~~chance of winning the tournament. Second chance entries or~~
15 ~~multiple entries shall be prohibited.~~

16 ~~(4) The eligible organization shall conduct each~~
17 ~~tournament and shall not contract with or permit another~~
18 ~~person to conduct the tournament or any card game during the~~
19 ~~tournament.~~

20 ~~(5) Only the eligible organization may receive or have~~
21 ~~any fixed or contingent right to receive, directly or~~
22 ~~indirectly, any profit, remuneration or compensation from or~~
23 ~~related to a card game in a card game tournament, except any~~
24 ~~amount that a person may win as a player on the same basis as~~
25 ~~the other players.~~

26 ~~(6) The eligible organization shall not hold more than~~
27 ~~five card game tournaments annually.~~

28 ~~(7) The eligible organization shall not hold a card game~~
29 ~~tournament within seven calendar days of another tournament~~
30 ~~conducted by the eligible organization.~~

1 ~~(8) The eligible organization may hold only one card~~
2 ~~game tournament during any period of 24 consecutive hours,~~
3 ~~starting from the time the tournament begins.~~

4 ~~(9) At the conclusion of each tournament, the eligible~~
5 ~~organization conducting the tournament shall announce the~~
6 ~~name of the winning player and the amount of winnings.~~

7 ~~(10) The eligible organization shall limit the number of~~
8 ~~tables used in the tournament to not more than five with not~~
9 ~~more than ten players at each table.~~

10 ~~(11) A card game tournament shall only be held in a room~~
11 ~~at the licensed premises designated by the eligible~~
12 ~~organization for the conduct of card games.~~

13 ~~(12) Players in tournaments shall be limited to the~~
14 ~~members of the eligible organization.~~

15 ~~(13) Players shall be 21 years of age or older.~~

16 ~~(14) The card game tournament shall not provide any~~
17 ~~direct financial benefit to the eligible organization or any~~
18 ~~other person, except winning players in the tournament.~~

19 ~~(15) The value of all prizes awarded for each~~
20 ~~tournament, except for a Texas Hold'em tournament, shall not~~
21 ~~exceed \$200.~~

22 ~~(16) For a tournament involving Texas Hold'em, all of~~
23 ~~the following shall apply:~~

24 ~~(i) The payment of an entry fee or other~~
25 ~~consideration for participating is prohibited.~~

26 ~~(ii) The value of all prizes awarded to an~~
27 ~~individual winner of a tournament or contest at a single~~
28 ~~table shall not exceed \$200 each day.~~

29 ~~(17) The eligible organization shall ensure that~~
30 ~~reasonable accommodations are made for players with~~

1 ~~disabilities.~~

2 ~~(b) Required postings. Notwithstanding subsection (a), the~~
3 ~~eligible organization shall prominently post the tournament~~
4 ~~rules on a sign in the tournament playing room at least 24 hours~~
5 ~~before the tournament begins. The sign shall be at least 30~~
6 ~~inches by 30 inches, and the rules shall be easily readable. The~~
7 ~~sign shall include all of the following:~~

8 ~~(1) In permanent letters three inches high, the words~~
9 ~~"Tournament Rules."~~

10 ~~(2) Card game or games to be played in the tournament~~
11 ~~and the rules of each card game.~~

12 ~~(3) The prize for each card game and tournament.~~

13 ~~(4) How winners will be determined.~~

14 ~~(5) Any other tournament rules.~~

15 ~~(c) Prizes. Cash or merchandise prizes may be awarded for~~
16 ~~each card game tournament. All of the following shall apply:~~

17 ~~(1) The eligible organization shall distribute the~~
18 ~~prizes awarded on the day the prizes are won.~~

19 ~~(2) Donated or merchandise prizes shall not be~~
20 ~~repurchased by the eligible organization.~~

21 ~~(3) Only prizes that can be won shall be displayed in~~
22 ~~the room where the tournament will be held.~~

23 ~~Section 10. The provisions of 61 Pa. Code §§ 901.463(4)~~
24 ~~(relating to raffle records), 901.464(9) (relating to punchboard~~
25 ~~and pull tab records), 901.464a(9) (relating to daily and weekly~~
26 ~~drawing records), 901.466(1) (relating to prize records) and~~
27 ~~901.733(f) (relating to control of prizes) are abrogated.~~

28 ~~Section 11. This act shall take effect immediately.~~

29 SECTION 1. THE DEFINITIONS OF "DAILY DRAWING," "GAMES OF
30 CHANCE," "RAFFLE," "PUBLIC INTEREST PURPOSE" AND "WEEKLY

<--

1 DRAWING" IN SECTION 103 OF THE ACT OF DECEMBER 19, 1988
2 (P.L.1262, NO.156), KNOWN AS THE LOCAL OPTION SMALL GAMES OF
3 CHANCE ACT, AMENDED OR ADDED FEBRUARY 2, 2012 (P.L.7, NO.2) AND
4 OCTOBER 24, 2012 (P.L.1462, NO.184), ARE AMENDED AND THE SECTION
5 IS AMENDED BY ADDING DEFINITIONS TO READ:

6 SECTION 103. DEFINITIONS.

7 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
8 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
9 CONTEXT CLEARLY INDICATES OTHERWISE:

10 * * *

11 "AUXILIARY GROUP." THE TERM SHALL NOT INCLUDE A BRANCH,
12 LODGE OR CHAPTER OF A STATEWIDE ORGANIZATION.

13 * * *

14 "CONSERVATION ORGANIZATION." A LOCAL FEDERATION, CLUB OR
15 CHAPTER OF A NATIONAL OR STATEWIDE NONPROFIT ORGANIZATION WHOSE
16 MISSION INCLUDES ANY OF THE FOLLOWING:

17 (1) ENVIRONMENTAL EDUCATION TO PROMOTE CONSERVATION,
18 MAINTENANCE, ACQUISITION OR IMPROVEMENT OF A NATURAL AREA FOR
19 PUBLIC USE.

20 (2) PROTECTION, PRESERVATION OR MANAGEMENT OF NATURAL
21 RESOURCES.

22 (3) RESTORATION, CONSERVATION OR MAINTENANCE OF
23 WILDLIFE. THIS PARAGRAPH INCLUDES THE CREATION OR
24 PRESERVATION OF WILDLIFE SANCTUARIES OR PRESERVES.

25 "DAILY DRAWING." A GAME OF CHANCE IN WHICH A BONA FIDE
26 MEMBER SELECTS OR IS ASSIGNED A NUMBER FOR A CHANCE AT A PRIZE
27 WITH THE WINNER DETERMINED BY RANDOM DRAWING TO TAKE PLACE ON
28 THE LICENSED ELIGIBLE ORGANIZATION'S LICENSED PREMISES DURING
29 THE SAME OPERATING DAY. THE TERM INCLUDES GAMES OF CHANCE
30 COMMONLY KNOWN AS "MEMBER SIGN-IN LOTTERIES" AND "HALF-AND-HALF

1 LOTTERIES." DAILY DRAWING WINNERS MAY BE DETERMINED WITH THE AID
2 OF A PASSIVE SELECTION DEVICE OR REFERENCE TO DRAWINGS CONDUCTED
3 BY THE DEPARTMENT PURSUANT TO THE ACT OF AUGUST 26, 1971
4 (P.L.351, NO.91), KNOWN AS THE STATE LOTTERY LAW. DAILY DRAWING
5 CHANCES MAY NOT BE SOLD FOR AN AMOUNT IN EXCESS OF \$1, AND NO
6 MORE THAN ONE CHANCE PER INDIVIDUAL MAY BE SOLD PER DRAWING.
7 NOTHING IN THIS DEFINITION SHALL RESTRICT AN ELIGIBLE
8 ORGANIZATION FROM CONDUCTING MORE THAN ONE DRAWING PER DAY.
9 AFTER A DAILY DRAWING IS HELD, A BONA FIDE MEMBER MAY
10 IMMEDIATELY SELECT A NUMBER FOR A CHANCE AT A PRIZE FOR THE NEXT
11 DAY'S DAILY DRAWING.

12 * * *

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

1 * * *

2 "POOL." A GAMBLING ACTIVITY IN WHICH A PERSON WAGERS CASH
3 FOR EACH CHANCE TO WIN CASH OR MERCHANDISE BASED ON THE OUTCOME
4 OF AN EVENT OR SERIES OF EVENTS WHEREIN THE PARTICIPANTS IN THE
5 EVENT OR SERIES OF EVENTS ARE NATURAL PERSONS OR ANIMALS, AND IS
6 A GAMBLING ACTIVITY THAT APPLIES ALL OF THE FOLLOWING:

7 (1) THE MAXIMUM NUMBER OF INDIVIDUALS THAT MAY
8 PARTICIPATE IN A POOL IS 100 PEOPLE.

9 (2) THE MAXIMUM AMOUNT WAGERED FOR EACH INDIVIDUAL ENTRY
10 IN A POOL IS \$20.

11 (3) OTHER THAN THE WAGER NO OTHER MONEY OR THING OF
12 VALUE IS PAID OR GIVEN FOR PARTICIPATION IN A POOL.

13 (4) THERE IS AT LEAST ONE WINNER FROM AMONG THE
14 PARTICIPANTS.

15 (5) ALL WAGERS COLLECTED FOR ENTRY INTO THE POOL ARE
16 PAID AS PRIZES TO ONE OR MORE OF THE PARTICIPANTS IN THE POOL
17 OR TO A CLEARLY IDENTIFIED NONPROFIT ORGANIZATION WITH A
18 PUBLIC INTEREST PURPOSE.

19 (6) NO WAGERS OR PORTIONS THEREOF ARE RETAINED BY THE
20 PERSON OR ELIGIBLE ORGANIZATION OPERATING THE POOL AND
21 COLLECTING WAGERS FOR PARTICIPATION.

22 (7) THE TRANSACTION OF ENTERING THE POOL IS INCIDENT TO
23 A BONA FIDE RELATIONSHIP IN ACCORDANCE WITH THIS ACT.

24 * * *

25 "PUBLIC INTEREST PURPOSE." ONE OR MORE OF THE FOLLOWING:

26 (1) THE ACTIVITIES AND OPERATIONS OF A NONPROFIT
27 BENEVOLENT, CHARITABLE, RELIGIOUS, EDUCATIONAL,
28 PHILANTHROPIC, HUMANE, SCIENTIFIC, PATRIOTIC, SOCIAL WELFARE,
29 SOCIAL ADVOCACY, PUBLIC HEALTH, PUBLIC SAFETY, EMERGENCY
30 RESPONSE, ENVIRONMENTAL OR CIVIC OBJECTIVE.

1 (2) INITIATING, PERFORMING OR FOSTERING WORTHY PUBLIC
2 WORKS OR ENABLING OR FURTHERING THE ERECTION OR MAINTENANCE
3 OF PUBLIC STRUCTURES.

4 (3) LESSENING THE BURDENS BORNE BY GOVERNMENT OR
5 VOLUNTARILY SUPPORTING, AUGMENTING OR SUPPLEMENTING SERVICES
6 WHICH GOVERNMENT WOULD NORMALLY RENDER TO THE PEOPLE.

7 (4) IMPROVING, EXPANDING, MAINTAINING OR REPAIRING REAL
8 PROPERTY OWNED OR LEASED BY AN ELIGIBLE ORGANIZATION AND
9 RELATING OPERATIONAL EXPENSES USED FOR PURPOSES SPECIFIED IN
10 PARAGRAPHS (1), (2) AND (3).

11 (5) NONPROFIT YOUTH SPORTS ACTIVITIES, SERVICES TO
12 SUPPORT OR HONOR VETERANS AND ACTIVITIES RELATING TO THE
13 PROVISION OF VOLUNTEER FIRE AND RESCUE ACTIVITIES.

14 THE TERM DOES NOT INCLUDE THE ERECTION OR ACQUISITION OF ANY
15 REAL PROPERTY, UNLESS THE PROPERTY WILL BE USED EXCLUSIVELY FOR
16 ONE OR MORE OF THE PURPOSES SPECIFIED IN THIS DEFINITION.

17 * * *

18 "RACE NIGHT GAME." A GAME OF CHANCE IN WHICH MULTIPLE
19 PARTICIPANTS PLACE WAGERS ON A PRERECORDED HORSE RACE DISPLAYED
20 ON A SINGLE SCREEN TO MULTIPLE PARTICIPANTS SIMULTANEOUSLY
21 DURING A GAMING SESSION THAT DOES NOT EXCEED EIGHT CONSECUTIVE
22 HOURS AND IS NOT CONDUCTED MORE FREQUENTLY THAN ONCE A MONTH.
23 THIS DEFINITION DOES NOT INCLUDE AN INSTANT RACING MACHINE,
24 HISTORICAL RACING MACHINE OR OTHER SIMILAR PARI-MUTUEL DEVICE.

25 "RAFFLE." A GAME OF CHANCE IN WHICH A PARTICIPANT BUYS A
26 TICKET FOR A CHANCE AT A PRIZE WITH THE WINNER DETERMINED BY [A
27 RANDOM DRAWING] RANDOM DRAWINGS OF CORRESPONDING TICKET STUBS
28 [TO TAKE PLACE AT A]. EXCEPT FOR TICKET SALES BY A CONSERVATION
29 ORGANIZATION, THE LOCATION AND DATE OR DATES SHALL BE PRINTED
30 UPON EACH TICKET. SUCH GAMES OF CHANCE SHALL INCLUDE LOTTERIES

1 BUT NOT DAILY DRAWINGS. RAFFLE WINNERS MAY BE DETERMINED BY
2 REFERENCE TO DRAWINGS CONDUCTED BY THE DEPARTMENT PURSUANT TO
3 THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91), KNOWN AS THE STATE
4 LOTTERY LAW.

5 * * *

6 "WEEKLY DRAWING." A GAME OF CHANCE IN WHICH A BONA FIDE
7 MEMBER SELECTS OR RECEIVES A NUMBER OR NUMBERS FOR A CHANCE AT A
8 PRIZE WITH THE WINNER DETERMINED BY A RANDOM DRAWING TO TAKE
9 PLACE ON THE LICENSED ELIGIBLE ORGANIZATION'S LICENSED PREMISES
10 AT THE END OF A SEVEN-DAY PERIOD. WEEKLY DRAWING WINNERS MAY BE
11 DETERMINED WITH THE AID OF A PASSIVE SELECTION DEVICE OR
12 REFERENCE TO DRAWINGS CONDUCTED BY THE DEPARTMENT OF REVENUE
13 PURSUANT TO THE ACT OF AUGUST 26, 1971 (P.L.351, NO.91), KNOWN
14 AS THE STATE LOTTERY LAW. WEEKLY DRAWING CHANCES MAY NOT BE SOLD
15 FOR AN AMOUNT IN EXCESS OF \$1. AFTER A WEEKLY DRAWING IS HELD, A
16 BONA FIDE MEMBER MAY IMMEDIATELY SELECT A NUMBER FOR A CHANCE AT
17 A PRIZE FOR THE NEXT DAY'S WEEKLY DRAWING.

18 SECTION 2. SECTION 301 OF THE ACT, AMENDED OCTOBER 24, 2012
19 (P.L.1462, NO.184), IS AMENDED TO READ:

20 SECTION 301. GAMES OF CHANCE PERMITTED.

21 EVERY ELIGIBLE ORGANIZATION TO WHICH A LICENSE HAS BEEN
22 ISSUED UNDER THE PROVISIONS OF THIS CHAPTER MAY CONDUCT GAMES OF
23 CHANCE FOR THE PURPOSE OF RAISING FUNDS FOR PUBLIC INTEREST
24 PURPOSES. EXCEPT AS PROVIDED IN CHAPTER 5, ALL PROCEEDS OF A
25 LICENSED ELIGIBLE ORGANIZATION SHALL BE USED EXCLUSIVELY FOR
26 PUBLIC INTEREST PURPOSES, FOR THE PURCHASE OF GAMES OF CHANCE[,]
27 OR FOR THE PAYMENT OF THE LICENSE FEE [OR FOR THE PAYMENT OF THE
28 FEE FOR BACKGROUND CHECKS], AS REQUIRED BY THIS ACT.

29 SECTION 3. SECTION 302(A), (B), (C), (D), (D.1) AND (F) OF
30 THE ACT, AMENDED FEBRUARY 2, 2012 (P.L.7, NO.2), ARE AMENDED AND

1 THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

2 SECTION 302. PRIZE LIMITS.

3 (A) INDIVIDUAL PRIZE LIMIT.--EXCEPT AS PROVIDED UNDER
4 SUBSECTIONS (D) AND (D.1), THE MAXIMUM PRIZE WHICH MAY BE
5 AWARDED FOR ANY SINGLE CHANCE SHALL BE [\$1,000] \$2,000.

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

9 (C) RAFFLE PRIZE LIMIT.--UP TO [\$10,000] \$15,000 IN PRIZES
10 MAY BE AWARDED IN RAFFLES IN ANY CALENDAR MONTH.

11 * * *

12 (D) EXCEPTION FOR RAFFLES.--NOTWITHSTANDING SUBSECTION (B)
13 OR (C), A LICENSED ELIGIBLE ORGANIZATION MAY CONDUCT A RAFFLE
14 AND AWARD A PRIZE OR PRIZES VALUED IN EXCESS OF [\$1,000] \$2,000
15 EACH ONLY UNDER THE FOLLOWING CONDITIONS:

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

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

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

26 (4) EXCEPT AS PROVIDED UNDER SUBSECTION (D.1), THE TOTAL
27 OF ALL PRIZES AWARDED UNDER THIS SUBSECTION SHALL BE NO MORE
28 THAN [\$100,000] \$150,000 PER CALENDAR YEAR.

29 (D.1) ADDITIONAL AWARD.--A VOLUNTEER FIRE, AMBULANCE [OR],
30 RESCUE OR CONSERVATION ORGANIZATION MAY, IN ADDITION TO THE

1 TOTAL UNDER SUBSECTION (D) (4), AWARD UP TO \$50,000 FROM RAFFLES
2 WHICH SHALL NOT BE SUBJECT TO THE AGGREGATE LIMIT UNDER
3 SUBSECTION (B), (C) OR (D).

4 * * *

5 (F) DAILY DRAWING CARRYOVER.--THE PRIZE LIMITATION CONTAINED
6 IN SUBSECTIONS (A) AND (B) MAY BE EXCEEDED BY A DAILY DRAWING
7 UNDER THE FOLLOWING CIRCUMSTANCES: A DAILY DRAWING MAY AWARD A
8 PRIZE IN EXCESS OF [\$1,000] \$2,000 IF SUCH PRIZE IS THE RESULT
9 OF A CARRYOVER OF A DRAWING WHICH RESULTED FROM THE WINNING
10 NUMBER IN SUCH DRAWING NOT BEING AMONG THE ELIGIBLE ENTRANTS IN
11 SUCH DRAWINGS. NOTHING CONTAINED HEREIN SHALL AUTHORIZE THE
12 PRIZE LIMITATION AS CONTAINED IN SUBSECTIONS (A) AND (B) TO BE
13 EXCEEDED AS A RESULT OF A FAILURE TO CONDUCT A DRAWING ON AN
14 OPERATING DAY DURING WHICH CHANCES WERE SOLD FOR A DAILY DRAWING
15 OR FOR A DAILY DRAWING FOR WHICH CHANCES WERE SOLD IN EXCESS OF
16 \$1 OR FOR WHICH MORE THAN ONE CHANCE WAS SOLD TO AN ELIGIBLE
17 PARTICIPANT.

18 * * *

19 (I) CONCURRENT OPERATION.--NOTHING UNDER THIS ACT SHALL
20 PROHIBIT THE CONCURRENT OPERATION OF DAILY OR WEEKLY DRAWINGS.

21 SECTION 3.1. SECTION 303(B) OF THE ACT, AMENDED FEBRUARY 2,
22 2012 (P.L.7, NO.2), IS AMENDED TO READ:

23 SECTION 303. SALES LIMITED.

24 * * *

25 (B) LIMITATION.--NO GAME OF CHANCE, OTHER THAN A RAFFLE
26 UNDER SECTION 302(D), SOLD, OFFERED FOR SALE OR FURNISHED TO A
27 LICENSED ELIGIBLE ORGANIZATION FOR USE WITHIN THIS COMMONWEALTH
28 SHALL CONTAIN, PERMIT, DEPICT OR DESIGNATE A PRIZE HAVING A
29 PRIZE LIMIT IN EXCESS OF [\$1,000] \$2,000.

30 SECTION 4. SECTION 304(G) AND (H) OF THE ACT, AMENDED

1 FEBRUARY 2, 2012 (P.L.7, NO.2), ARE AMENDED AND THE SECTION IS
2 AMENDED BY ADDING A SUBSECTION TO READ:
3 SECTION 304. DISTRIBUTOR LICENSES.

4 * * *

5 (C.1) BACKGROUND.--THE DEPARTMENT SHALL CONDUCT AND ANNUALLY
6 UPDATE A CRIMINAL HISTORY RECORD CHECK ON EACH INDIVIDUAL LISTED
7 UNDER SUBSECTION (B) (6).

8 * * *

9 (G) INELIGIBILITY.--THE DEPARTMENT SHALL NOT ISSUE OR RENEW
10 A DISTRIBUTOR LICENSE FOR THE SALE OF GAMES OF CHANCE TO A
11 PERSON, INCLUDING ANY CORPORATION, FIRM OR PARTNERSHIP WHICH HAS
12 AS AN OFFICER, DIRECTOR OR OTHER PERSON IN A SUPERVISORY OR
13 MANAGEMENT POSITION, OR EMPLOYEE ELIGIBLE TO MAKE SALES ON
14 BEHALF OF THE DISTRIBUTOR, WHO:

15 (1) HAS BEEN CONVICTED OF A FELONY IN A STATE OR FEDERAL
16 COURT WITHIN THE PAST FIVE YEARS; OR

17 (2) HAS BEEN CONVICTED WITHIN TEN YEARS OF THE DATE OF
18 APPLICATION IN A STATE OR FEDERAL COURT OF A VIOLATION OF
19 [THE ACT OF JULY 10, 1981 (P.L.214, NO.67), KNOWN AS THE
20 BINGO LAW, OR OF THIS ACT OR OF A GAMBLING-RELATED OFFENSE
21 UNDER TITLE 18 OF THE PENNSYLVANIA CONSOLIDATED STATUTES
22 (RELATING TO CRIMES AND OFFENSES) OR OTHER COMPARABLE STATE
23 OR FEDERAL LAW.] ANY OF THE FOLLOWING:

24 (I) THIS ACT.

25 (II) THE ACT OF JULY 10, 1981 (P.L.214, NO.67),
26 KNOWN AS THE BINGO LAW.

27 (III) A GAMBLING-RELATED OFFENSE UNDER 4 PA.C.S.
28 (RELATING TO AMUSEMENTS).

29 (IV) A GAMBLING-RELATED OFFENSE UNDER 18 PA.C.S.
30 (RELATING TO CRIMES AND OFFENSES).

1 (V) A FEDERAL OR STATE LAW COMPARABLE TO THE
2 STATUTES LISTED UNDER SUBPARAGRAPHS (I), (II), (III) AND
3 (IV).

4 (H) LICENSE AND RENEWAL FEES.--THE FEE FOR A DISTRIBUTOR
5 LICENSE SHALL BE [\$1,000] \$2,000. LICENSES SHALL BE RENEWABLE ON
6 AN ANNUAL BASIS.

7 * * *

8 SECTION 5. SECTION 306(B) AND (C) OF THE ACT, AMENDED
9 OCTOBER 24, 2012 (P.L.1462, NO.184), ARE AMENDED AND SUBSECTION
10 (A) IS AMENDED BY ADDING A PARAGRAPH TO READ:

11 SECTION 306. REGULATIONS OF DEPARTMENT.

12 (A) AUTHORIZATION.--THE DEPARTMENT SHALL PROMULGATE
13 REGULATIONS TO:

14 * * *

15 (3.1) ESTABLISH PROCEDURES TO ENSURE THAT RACE NIGHT
16 GAMES ARE SECURE, RANDOM AND TOTALLY DEPENDENT UPON CHANCE.

17 * * *

18 (B) LIMITATION ON RECORDKEEPING REQUIREMENTS.--THIS SECTION
19 SHALL NOT BE CONSTRUED TO AUTHORIZE THE DEPARTMENT TO PROMULGATE
20 REGULATIONS PROVIDING FOR RECORDKEEPING REQUIREMENTS FOR
21 LICENSED ELIGIBLE ORGANIZATIONS WHICH REQUIRE UNREASONABLE OR
22 UNNECESSARY INFORMATION OR A REPETITIOUS LISTING OF INFORMATION.
23 THE DEPARTMENT SHALL STRIVE TO KEEP SUCH RECORDKEEPING
24 REQUIREMENTS FROM BEING AN UNDUE HARDSHIP OR BURDEN ON LICENSED
25 ELIGIBLE ORGANIZATIONS. EXCEPT AS PROVIDED UNDER SECTION 701(B),
26 THE DEPARTMENT MAY NOT REQUIRE THE RETENTION OF RECORDS FOR A
27 PERIOD IN EXCESS OF TWO YEARS. IF AN INDIVIDUAL PRIZE IS IN
28 EXCESS OF \$600, THE RECORD SHALL INCLUDE THE NAME AND ADDRESS OF
29 THE WINNER. AN ELIGIBLE ORGANIZATION SHALL DO ALL OF THE
30 FOLLOWING:

1 (1) OBTAIN OR RETAIN A RECEIPT OF A PRIZE THAT IS
2 DONATED.

3 (2) PROVIDE EACH WINNER WITH A RECEIPT OF THE VALUE OF
4 THE PRIZE WON, EXCEPT IF THE PRIZE IS CASH.

5 (C) REPORTING REQUIREMENTS.--EACH ELIGIBLE ORGANIZATION
6 WHICH HAS PROCEEDS IN EXCESS OF [\$2,500] \$30,000 IN A CALENDAR
7 YEAR SHALL SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT INCLUDING:

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

11 (2) AMOUNTS EXPENDED FOR PUBLIC INTEREST PURPOSES.

12 SECTION 6. SECTION 307(A), (B), (B.1), (B.2), (B.3), (D.1)
13 AND (H) OF THE ACT, AMENDED FEBRUARY 2, 2012 (P.L.7, NO.2) AND
14 OCTOBER 24, 2012 (P.L.1482, NO.184), ARE AMENDED TO READ:

15 SECTION 307. LICENSING OF ELIGIBLE ORGANIZATIONS [TO CONDUCT
16 GAMES OF CHANCE].

17 [(A) LICENSE REQUIRED.--NO ELIGIBLE ORGANIZATION SHALL
18 CONDUCT OR OPERATE ANY GAMES OF CHANCE UNLESS SUCH ELIGIBLE
19 ORGANIZATION HAS OBTAINED AND MAINTAINS A VALID LICENSE OR
20 LIMITED OCCASION LICENSE ISSUED PURSUANT TO THIS SECTION. AN
21 AUXILIARY GROUP OF A LICENSED ELIGIBLE ORGANIZATION SHALL BE
22 ELIGIBLE TO CONDUCT GAMES OF CHANCE USING THE LICENSE ISSUED TO
23 THE ELIGIBLE ORGANIZATION PROVIDED THAT THE AUXILIARY GROUP OR
24 GROUPS ARE LISTED ON THE APPLICATION AND LICENSE OF THE ELIGIBLE
25 ORGANIZATION. AN AUXILIARY GROUP IS NOT ELIGIBLE TO OBTAIN A
26 LICENSE OR A LIMITED OCCASION LICENSE. NO ADDITIONAL LICENSING
27 FEE SHALL BE CHARGED FOR AN AUXILIARY GROUP'S ELIGIBILITY UNDER
28 THIS CHAPTER. AUXILIARY GROUPS SHALL NOT INCLUDE BRANCHES,
29 LODGES OR CHAPTERS OF A STATEWIDE ORGANIZATION.

30 (B) ISSUANCE AND FEES.--THE LICENSING AUTHORITY SHALL

1 LICENSE, UPON APPLICATION, WITHIN 30 DAYS ANY ELIGIBLE
2 ORGANIZATION MEETING THE REQUIREMENTS FOR LICENSURE CONTAINED IN
3 THIS CHAPTER TO CONDUCT AND OPERATE GAMES OF CHANCE AT SUCH
4 LOCATIONS WITHIN THE COUNTY OR IN SUCH MANNER AS STATED ON THE
5 APPLICATION AS LIMITED BY SUBSECTION (B.1). THE LICENSE FEE TO
6 BE CHARGED TO EACH ELIGIBLE ORGANIZATION SHALL BE \$100, EXCEPT
7 FOR LIMITED OCCASION LICENSES WHICH SHALL BE \$10. LICENSES SHALL
8 BE RENEWABLE ANNUALLY UPON THE ANNIVERSARY OF THE DATE OF ISSUE.
9 THE LICENSE FEE SHALL BE USED BY THE LICENSING AUTHORITY TO
10 ADMINISTER THIS ACT.

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

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

23 (2) WHERE THERE EXISTS A LOCATION OR PREMISES WHICH IS
24 THE NORMAL BUSINESS OR OPERATING SITE OF THE ELIGIBLE
25 ORGANIZATION AND THE LOCATION OR PREMISES IS OWNED OR LEASED
26 BY THAT ELIGIBLE ORGANIZATION TO CONDUCT ITS NORMAL BUSINESS,
27 THAT SITE SHALL BE THE ELIGIBLE ORGANIZATION'S LICENSED
28 PREMISES. IF THAT LOCATION CONSISTS OF MORE THAN ONE
29 BUILDING, THE ELIGIBLE ORGANIZATION SHALL IDENTIFY THE
30 BUILDING THAT WILL BE DESIGNATED AS THE LICENSED PREMISES.

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

11 (3.1) NOTWITHSTANDING PARAGRAPHS (1), (2) AND (3), IF AN
12 ELIGIBLE ORGANIZATION IS UNABLE TO CONDUCT GAMES OF CHANCE AT
13 THE LOCATION LISTED ON ITS APPLICATION AND LICENSE DUE TO
14 NATURAL DISASTER, FIRE OR OTHER CIRCUMSTANCE THAT RENDERS THE
15 LOCATION UNUSABLE, THE ELIGIBLE ORGANIZATION MAY SUBMIT A
16 WRITTEN REQUEST TO THE DISTRICT ATTORNEY TO CONDUCT GAMES OF
17 CHANCE IN A DIFFERENT LOCATION, INCLUDING THE LICENSED
18 PREMISES OF ANOTHER ELIGIBLE ORGANIZATION. THE REQUEST MUST
19 INCLUDE THE CHANGE IN THE LOCATION AND THE DATES AND TIMES
20 THE GAMES OF CHANCE WILL BE OPERATED AT THE ALTERNATIVE
21 LOCATION. THE DISTRICT ATTORNEY SHALL ESTABLISH A LIMIT ON
22 THE DURATION OF THE AUTHORIZATION TO CONDUCT GAMES OF CHANCE
23 AT THE ALTERNATIVE LOCATION. FOLLOWING THE EXPIRATION OF THE
24 AUTHORIZATION PERIOD, THE ELIGIBLE ORGANIZATION MUST RETURN
25 TO THE LOCATION SPECIFIED IN ITS APPLICATION AND LICENSE OR
26 APPLY TO THE LICENSING AUTHORITY FOR A NEW PERMANENT LOCATION
27 FOR THE CONDUCT OF GAMES OF CHANCE. THE DISTRICT ATTORNEY MAY
28 APPROVE OR DENY THE REQUEST OR STIPULATE ADDITIONAL
29 REQUIREMENTS AS A CONDITION OF APPROVAL. IF AN ELIGIBLE
30 ORGANIZATION PERMITS ANOTHER ELIGIBLE ORGANIZATION TO USE ITS

1 LICENSED PREMISES TO CONDUCT GAMES OF CHANCE UNDER THIS
2 PARAGRAPH, THE ELIGIBLE ORGANIZATION SHALL CEASE ITS
3 OPERATION OF GAMES OF CHANCE DURING THE TIME THE ELIGIBLE
4 ORGANIZATION UTILIZING ITS PREMISES IS CONDUCTING ITS GAMES
5 OF CHANCE.

6 (3.2) NOTWITHSTANDING PARAGRAPHS (1), (2) AND (3), THE
7 FOLLOWING ELIGIBLE ORGANIZATIONS ESTABLISHED TO RAISE FUNDS
8 SHALL NOT BE REQUIRED TO CONDUCT A 50/50 DRAWING OR A RAFFLE
9 AT A LICENSED PREMISES OR TO OWN, LEASE OR ESTABLISH A
10 LICENSED PREMISES:

11 (I) A NONPROFIT SPORTS TEAM.

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

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

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

26 (B.2) OFF-PREMISES GAMES OF CHANCE.--NOTWITHSTANDING ANY
27 OTHER PROVISIONS OF THIS SECTION, ALL OF THE FOLLOWING APPLY:

28 (1) A LICENSED ELIGIBLE ORGANIZATION MAY CONDUCT GAMES
29 OF CHANCE AT A LOCATION OFF ITS PREMISES WHEN THE GAMES OF
30 CHANCE ARE PART OF AN ANNUAL CARNIVAL, FAIR, PICNIC OR

1 BANQUET HELD OR PARTICIPATED IN BY THAT LICENSED ELIGIBLE
2 ORGANIZATION ON A HISTORICAL BASIS. THE LICENSED ELIGIBLE
3 ORGANIZATION MUST NOTIFY, IN WRITING, THE DISTRICT ATTORNEY
4 AND LICENSING AUTHORITY OF THE LOCATION, DATE AND TIMES OF
5 THE EVENT WHERE IT WILL BE CONDUCTING GAMES OF CHANCE.

6 (2) RAFFLE TICKETS MAY BE SOLD OFF THE LICENSED PREMISES
7 IN A MUNICIPALITY WHICH HAS ADOPTED THE PROVISIONS OF THIS
8 ACT BY AN AFFIRMATIVE VOTE IN A MUNICIPAL REFERENDUM. A
9 LICENSED ELIGIBLE ORGANIZATION WHICH PLANS TO SELL RAFFLE
10 TICKETS IN A MUNICIPALITY LOCATED IN A COUNTY OTHER THAN THE
11 COUNTY IN WHICH THE ELIGIBLE ORGANIZATION IS LICENSED SHALL
12 NOTIFY THAT COUNTY'S DISTRICT ATTORNEY AND LICENSING
13 AUTHORITY AS TO THE LOCATION AND THE DATES THAT THE LICENSED
14 ELIGIBLE ORGANIZATION PLANS TO SELL RAFFLE TICKETS.

15 (B.3) LIMITED OCCASION LICENSES.--ELIGIBLE ORGANIZATIONS
16 WHICH DO NOT OWN THEIR OWN PREMISES OR WHICH DO NOT LEASE A
17 SPECIFIC LOCATION TO CONDUCT THEIR NORMAL BUSINESS MAY APPLY FOR
18 A LIMITED OCCASION LICENSE TO CONDUCT GAMES OF CHANCE ON NOT
19 MORE THAN THREE OCCASIONS COVERING A TOTAL OF SEVEN DAYS DURING
20 A LICENSED YEAR. A LIMITED OCCASION LICENSE ENTITLES AN ELIGIBLE
21 ORGANIZATION TO CONDUCT NO MORE THAN TWO RAFFLES DURING A
22 LICENSED YEAR WHERE PRIZES MAY NOT EXCEED THE ESTABLISHED LIMITS
23 FOR REGULAR MONTHLY RAFFLES. HOLDERS OF A LIMITED OCCASION
24 LICENSE MAY NOT APPLY OR BE GRANTED ANY OTHER LICENSE OR SPECIAL
25 PERMIT UNDER THIS ACT. NO HOLDER OF A REGULAR LICENSE OR SPECIAL
26 PERMIT UNDER THIS ACT SHALL APPLY OR BE GRANTED A LIMITED
27 OCCASION LICENSE.] (A) LICENSE REQUIRED.--THE FOLLOWING SHALL

28 APPLY:

29 (1) AN ELIGIBLE ORGANIZATION SHALL NOT CONDUCT OR
30 OPERATE GAMES OF CHANCE UNLESS THE ELIGIBLE ORGANIZATION HAS

1 OBTAINED A VALID LICENSE OR LIMITED OCCASION LICENSE ISSUED
2 UNDER THIS SECTION.

3 (2) AN AUXILIARY GROUP OF A LICENSED ELIGIBLE
4 ORGANIZATION SHALL BE ELIGIBLE TO CONDUCT GAMES OF CHANCE
5 USING THE LICENSE ISSUED TO THE ELIGIBLE ORGANIZATION IF THE
6 AUXILIARY GROUP IS LISTED ON THE APPLICATION AND LICENSE OF
7 THE ELIGIBLE ORGANIZATION. AN AUXILIARY GROUP SHALL NOT BE
8 ELIGIBLE TO OBTAIN A LICENSE. NO ADDITIONAL LICENSING FEE
9 SHALL BE CHARGED FOR AN AUXILIARY GROUP. IF THE ELIGIBLE
10 ORGANIZATION IS A CLUB LICENSEE, THE GAMES OF CHANCE MUST BE
11 HELD ON THE CLUB'S LICENSED PREMISES.

12 (B) ISSUANCE.--THE LICENSING AUTHORITY SHALL ISSUE A LICENSE
13 WITHIN 30 DAYS OF THE SUBMISSION OF AN APPLICATION BY AN
14 ELIGIBLE ORGANIZATION THAT MEETS THE REQUIREMENTS UNDER THIS
15 CHAPTER. THE LICENSEE MAY OPERATE GAMES OF CHANCE AT ANY
16 FACILITY OR LOCATION WITHIN THE COUNTY.

17 (B.1) FEE.--THE LICENSE FEE TO BE CHARGED TO EACH ELIGIBLE
18 ORGANIZATION FOR A REGULAR LICENSE SHALL BE \$150. THE LICENSE
19 FEE TO BE CHARGED FOR A LIMITED OCCASION LICENSE SHALL BE \$10.
20 LICENSES SHALL BE RENEWED ANNUALLY. THE FEE SHALL BE USED BY THE
21 LICENSING AUTHORITY TO ADMINISTER THIS ACT.

22 (B.2) LOCATION.--THE FOLLOWING SHALL APPLY:

23 (1) A CLUB LICENSEE SHALL CONDUCT SMALL GAMES OF CHANCE
24 ONLY AT A LICENSED PREMISES INDICATED ON THE LICENSE
25 APPLICATION. ONLY ONE LICENSE SHALL BE ISSUED TO A CLUB
26 LICENSEE PER LICENSED PREMISES. EXCEPT AS PROVIDED UNDER
27 PARAGRAPH (3), A CLUB LICENSEE MAY NOT SHARE A LICENSED
28 PREMISES WITH ANOTHER CLUB LICENSEE.

29 (2) AN ELIGIBLE ORGANIZATION THAT HOLDS A LICENSE OR
30 LIMITED OCCASION LICENSE THAT IS NOT A CLUB LICENSEE MAY

1 CONDUCT SMALL GAMES OF CHANCE AT A PREMISES OR OTHER LOCATION
2 WHICH IS THE NORMAL BUSINESS OR OPERATING SITE OF THE
3 ELIGIBLE ORGANIZATION OR AT ANY PREMISES OR OTHER LOCATION
4 NOT PROHIBITED BY LOCAL ORDINANCE, INCLUDING THE PREMISES OF
5 A CLUB LICENSEE. A CLUB LICENSEE MAY CONTINUE TO CONDUCT
6 GAMES OF CHANCE SIMULTANEOUSLY WITH THE CONDUCT OF GAMES OF
7 CHANCE BY A LIMITED OCCASION LICENSEE.

8 (3) THE FOLLOWING SHALL APPLY:

9 (I) NOTWITHSTANDING PARAGRAPH (1), IF A CLUB
10 LICENSEE IS UNABLE TO CONDUCT GAMES OF CHANCE AT THE
11 LOCATION LISTED ON ITS APPLICATION AND LICENSE DUE TO
12 NATURAL DISASTER, FIRE OR OTHER CIRCUMSTANCE THAT RENDERS
13 THE LOCATION UNUSABLE, THE ELIGIBLE ORGANIZATION MAY
14 SUBMIT A WRITTEN REQUEST TO THE DISTRICT ATTORNEY TO
15 CONDUCT GAMES OF CHANCE IN A DIFFERENT LOCATION,
16 INCLUDING THE LICENSED PREMISES OF ANOTHER ELIGIBLE
17 ORGANIZATION.

18 (II) A REQUEST UNDER SUBPARAGRAPH (I) MUST INCLUDE
19 THE CHANGE IN THE LOCATION AND THE DATES AND TIMES THE
20 GAMES OF CHANCE WILL BE OPERATED AT THE ALTERNATIVE
21 LOCATION.

22 (III) THE DISTRICT ATTORNEY SHALL ESTABLISH A LIMIT
23 ON THE DURATION OF THE AUTHORIZATION TO CONDUCT GAMES OF
24 CHANCE AT THE ALTERNATIVE LOCATION. FOLLOWING THE
25 EXPIRATION OF THE AUTHORIZATION PERIOD, THE ELIGIBLE
26 ORGANIZATION MUST RETURN TO THE LOCATION SPECIFIED IN ITS
27 APPLICATION AND LICENSE OR APPLY TO THE LICENSING
28 AUTHORITY FOR A NEW PERMANENT LOCATION FOR THE CONDUCT OF
29 GAMES OF CHANCE. THE DISTRICT ATTORNEY MAY APPROVE OR
30 DENY THE REQUEST OR STIPULATE ADDITIONAL REQUIREMENTS AS

1 A CONDITION OF APPROVAL.

2 (IV) IF A CLUB LICENSEE PERMITS ANOTHER ELIGIBLE
3 ORGANIZATION TO USE ITS LICENSED PREMISES UNDER THIS
4 PARAGRAPH TO CONDUCT GAMES OF CHANCE UNDER THIS
5 PARAGRAPH, THE ELIGIBLE ORGANIZATION MUST CEASE ITS
6 OPERATION OF GAMES OF CHANCE DURING THE TIME THE ELIGIBLE
7 ORGANIZATION UTILIZING ITS PREMISES IS CONDUCTING ITS
8 GAMES OF CHANCE.

9 (B.3) LIMITED OCCASION LICENSE.--AN ELIGIBLE ORGANIZATION
10 MAY APPLY FOR A LIMITED OCCASION LICENSE TO CONDUCT GAMES OF
11 CHANCE ON NOT MORE THAN THREE OCCASIONS COVERING A TOTAL OF
12 SEVEN DAYS DURING A LICENSED YEAR. A LIMITED OCCASION LICENSE
13 SHALL ENTITLE AN ELIGIBLE ORGANIZATION TO CONDUCT NO MORE THAN
14 TWO RAFFLES DURING A LICENSED YEAR WHERE PRIZES MAY NOT EXCEED
15 THE ESTABLISHED LIMITS FOR REGULAR RAFFLES. THE HOLDER OF A
16 LIMITED OCCASION LICENSE MAY NOT APPLY FOR OR BE GRANTED ANY
17 OTHER LICENSE UNDER THIS ACT.

18 * * *

19 (D.1) BANK ACCOUNT AND RECORDS.--THE LICENSED ELIGIBLE
20 ORGANIZATION SHALL KEEP A BANK ACCOUNT TO HOLD THE PROCEEDS OF
21 GAMES OF CHANCE THAT EXCEED \$40,000 PER YEAR, WHICH SHALL BE
22 SEPARATE FROM ALL OTHER FUNDS BELONGING TO THE LICENSED ELIGIBLE
23 ORGANIZATION. ACCOUNT RECORDS SHALL SHOW ALL EXPENDITURES AND
24 INCOME AND SHALL BE RETAINED BY THE LICENSED ELIGIBLE
25 ORGANIZATION FOR AT LEAST TWO YEARS.

26 * * *

27 [H] BACKGROUND CHECKS.--EACH APPLICATION FOR A LICENSE
28 SUBMITTED BY AN ELIGIBLE ORGANIZATION WHICH HAS PROCEEDS IN
29 EXCESS OF \$2,500 IN A YEAR SHALL INCLUDE THE RESULTS OF A
30 CRIMINAL HISTORY RECORD INFORMATION CHECK OBTAINED FROM THE

1 PENNSYLVANIA STATE POLICE, AS DEFINED IN 18 PA.C.S. § 9102
2 (RELATING TO DEFINITIONS) AND PERMITTED BY 18 PA.C.S. § 9121(B)
3 (RELATING TO GENERAL REGULATIONS), FOR THE EXECUTIVE OFFICER AND
4 SECRETARY OF THE ELIGIBLE ORGANIZATION MAKING THE APPLICATION
5 FOR A LICENSE OR ANY OTHER PERSON REQUIRED BY THE DEPARTMENT.]

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