
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1205 Session of
2013

INTRODUCED BY BARRAR, SAINATO, KORTZ, V. BROWN, CALTAGIRONE,
COHEN, HARHART, HARKINS, C. HARRIS, MURT, READSHAW AND
SACCONI, APRIL 16, 2013

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, APRIL 16, 2013

AN ACT

1 Amending the act of August 26, 1971 (P.L.351, No.91), entitled
2 "An act providing for a State Lottery and administration
3 thereof; authorizing the creation of a State Lottery
4 Commission; prescribing its powers and duties; disposition of
5 funds; violations and penalties therefor; exemption of prizes
6 from State and local taxation and making an appropriation,"
7 further providing for statement of purpose, for powers and
8 duties of secretary and for disposition of funds; and
9 providing for instant lottery game to benefit veterans.

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

12 Section 1. Section 301 of the act of August 26, 1971
13 (P.L.351, No.91), known as the State Lottery Law, amended
14 November 21, 1996 (P.L.741, No.134), is amended to read:

15 Section 301. Statement of purpose.

16 This chapter is enacted to establish a lottery to be operated
17 by the State, the net proceeds of which are to be used after
18 June 30, 1972, for the purposes of providing property tax relief
19 for the elderly for taxes paid in 1971 and thereafter to persons
20 65 years of age or older and for providing certain free fixed

1 route local transit services to persons 65 years of age or older
2 and reduced fare on group ride transit service to persons 65
3 years of age or older and for establishing an instant lottery
4 game to benefit veterans. It is further intended to provide a
5 means through which to curb illegal gambling operations in
6 Pennsylvania.

7 Section 2. Section 303(a)(11) of the act, amended June 30,
8 2011 (P.L.110, No.23), is amended to read:

9 Section 303. Powers and duties of secretary.

10 (a) Powers and duties enumerated.--In addition to the powers
11 and duties provided by law and the act of April 9, 1929
12 (P.L.177, No.175), known as The Administrative Code of 1929, the
13 secretary shall have the power and it shall be his duty to
14 operate and administer the lottery, and to promulgate rules and
15 regulations governing the establishment and operation thereof,
16 including, but not limited to:

17 * * *

18 (11) The apportionment of the total revenues accruing
19 from the sale of lottery tickets or shares and from all other
20 sources among:

21 (i) [the] The payment of prizes to the holders of
22 winning tickets or shares[;].

23 (ii) [the] The payment of costs incurred in the
24 operation and administration of the lottery, including
25 the expenses of the division and the costs resulting from
26 any contract or contracts entered into for promotional,
27 advertising or operational services or for the purchase
28 or lease of lottery equipment and materials[; and].

29 (iv) [for] For property tax relief and free or
30 reduced fare transit service for the elderly as provided

1 in section 311. For fiscal years beginning before July 1,
2 2015, no less than 27% of the total revenues accruing
3 from the sale of lottery tickets or shares shall be
4 dedicated to this subparagraph. For fiscal years
5 beginning after June 30, 2015, no less than 30% of the
6 total revenues accruing from the sale of lottery tickets
7 or shares shall be dedicated to this subparagraph.

8 (v) The payment to the Veterans' Trust Fund for
9 veterans outreach services and benefit programs as
10 provided in section 316. All proceeds accruing from the
11 sale of instant lottery games under section 316, after
12 the payment of prizes and operational and administrative
13 costs, shall be dedicated to this subparagraph.

14 * * *

15 Section 3. Section 311 of the act, amended November 21, 1996
16 (P.L.741, No.134), is amended to read:

17 Section 311. Disposition of funds.

18 (a) State Lottery Fund.--All moneys received from the
19 operation of the State lottery shall be deposited in a State
20 Lottery Fund which is hereby created. Such moneys shall be used
21 to the extent necessary for the payment of lottery prizes but
22 the amount so used shall not be less than 40% of the amount of
23 which tickets or shares have been sold. All payments of lottery
24 prizes and for expenses of operation of the lottery shall be
25 made as provided by law. All moneys remaining after payment of
26 prizes and operating expenses shall remain in the State Lottery
27 Fund and shall be allocated for the purpose of providing
28 property tax relief for the elderly for taxes paid in 1971 and
29 thereafter pursuant to [the provisions of the act of March 11,
30 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and

1 Assistance Act] Chapter 13 of the act of June 27, 2006 (1st
2 Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, and
3 for the purpose of providing free or reduced fare transit
4 service for the elderly pursuant to Chapter 9 and the act of
5 February 11, 1976 (P.L.14, No.10), known as the Pennsylvania
6 Rural and Intercity Common Carrier Surface Transportation
7 Assistance Act and for veterans outreach services and benefit
8 programs as provided in section 316. In the event sufficient
9 funds are not available from the lottery receipts to meet the
10 requirements of the Senior Citizens Rebate and Assistance Act or
11 for providing free or reduced fare transit service for the
12 elderly under Chapter 9 and the Pennsylvania Rural and Intercity
13 Common Carrier Surface Transportation Assistance Act or for
14 veterans outreach services and benefit programs as provided in
15 section 316, additional funds to fulfill these obligations shall
16 be appropriated from the General Fund for this purpose.

17 (b) Appropriations.--The moneys in said State Lottery Fund
18 shall be appropriated only:

19 (1) For the payment of prizes to the holders of winning
20 lottery tickets or shares.

21 (2) For the expenses of the division in its operation of
22 the lottery.

23 (3) For property tax relief and free or reduced fare
24 transit service for the elderly as provided under subsection
25 (a).

26 (4) To the Veterans' Trust Fund for veterans outreach
27 services and benefit programs as provided in section 316.

28 Section 4. The act is amended by adding a section to read:
29 Section 316. Instant lottery game to benefit veterans.

30 (a) General rule.--The secretary shall operate an instant

1 lottery game to benefit veterans of the armed forces of the
2 United States who reside in this Commonwealth. The game tickets
3 must clearly state that the game proceeds are used to benefit
4 veterans in this Commonwealth.

5 (b) Advertisement.--The secretary shall market and advertise
6 the instant lottery game operated under this section to inform
7 the public that the game tickets are available for purchase and
8 that the game proceeds will be used to fund veterans' outreach
9 services and benefit programs in this Commonwealth. The
10 secretary shall change the design or theme of the game regularly
11 to ensure that the game remains competitive with other instant
12 lottery games offered by the State lottery.

13 (c) Transfer of funds.--On April 30th of each year the
14 secretary shall transfer all proceeds from the sale of the
15 instant lottery game tickets as provided under section 303(a)
16 (11)(v) to the Veterans' Trust Fund for purposes specified in 51
17 Pa.C.S. § 1721(c) (relating to veterans' trust fund).

18 Section 5. This act shall take effect in 180 days.