

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1181 Session of  
2013INTRODUCED BY VOGEL, PILEGGI, SCARNATI, TOMLINSON, MCILHINNEY,  
VULAKOVICH, YAW AND HUGHES, NOVEMBER 18, 2013

AS AMENDED ON THIRD CONSIDERATION, DECEMBER 10, 2013

## AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,  
2 as amended, "An act relating to the finances of the State  
3 government; providing for the settlement, assessment,  
4 collection, and lien of taxes, bonus, and all other accounts  
5 due the Commonwealth, the collection and recovery of fees and  
6 other money or property due or belonging to the Commonwealth,  
7 or any agency thereof, including escheated property and the  
8 proceeds of its sale, the custody and disbursement or other  
9 disposition of funds and securities belonging to or in the  
10 possession of the Commonwealth, and the settlement of claims  
11 against the Commonwealth, the resettlement of accounts and  
12 appeals to the courts, refunds of moneys erroneously paid to  
13 the Commonwealth, auditing the accounts of the Commonwealth  
14 and all agencies thereof, of all public officers collecting  
15 moneys payable to the Commonwealth, or any agency thereof,  
16 and all receipts of appropriations from the Commonwealth,  
17 authorizing the Commonwealth to issue tax anticipation notes  
18 to defray current expenses, implementing the provisions of  
19 section 7(a) of Article VIII of the Constitution of  
20 Pennsylvania authorizing and restricting the incurring of  
21 certain debt and imposing penalties; affecting every  
22 department, board, commission, and officer of the State  
23 government, every political subdivision of the State, and  
24 certain officers of such subdivisions, every person,  
25 association, and corporation required to pay, assess, or  
26 collect taxes, or to make returns or reports under the laws  
27 imposing taxes for State purposes, or to pay license fees or  
28 other moneys to the Commonwealth, or any agency thereof,  
29 every State depository and every debtor or creditor of the  
30 Commonwealth," in additional special funds, further providing  
31 for the Pennsylvania Race Horse Development Fund; IN 2013- <--  
32 2014 BUDGET IMPLEMENTATION, FURTHER PROVIDING FOR EXECUTIVE  
33 OFFICES; LAPSING CERTAIN FUNDS; AND MAKING AN APPROPRIATION.

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

3 Section 1. Section 1723-A.1(2) of the act of April 9, 1929  
4 (P.L.343, No.176), known as The Fiscal Code, added July 18, 2013  
5 (P.L.574, No.71), is amended to read:

6 Section 1723-A.1. Distributions from Pennsylvania Race Horse  
7 Development Fund.

8 Funds in the fund are appropriated to the department on a  
9 continuing basis for the purposes set forth in this subsection  
10 and shall be distributed to each active and operating Category 1  
11 licensee conducting live racing as follows:

12 \* \* \*

13 (2) For fiscal year 2013-2014, distributions from the  
14 fund shall be allocated as follows:

15 (i) Each week, \$802,682 in the fund shall be  
16 transferred to the account. This transfer shall not  
17 exceed \$17,659,000 annually.

18 (i.1) After December 31, 2013, and before July 1,  
19 2014, the following apply:

20 (A) Subject to clause (B), each week, \$250,000  
21 in the fund shall be transferred to the State Racing  
22 Fund to be used EXCLUSIVELY for the enforcement of <--  
23 the act of December 17, 1981 (P.L.435, No.135), known  
24 as the Race Horse Industry Reform Act. MONEYS <--  
25 TRANSFERRED PURSUANT TO THIS CLAUSE SHALL NOT BE  
26 TRANSFERRED SUBSEQUENTLY TO ANY OTHER STATE FUND OR  
27 ACCOUNT FOR ANY PURPOSE.

28 (B) The total transfer under this subparagraph  
29 shall not exceed \$5,000,000.

30 ~~(C) Notwithstanding any other provision of law~~ <--

~~to the contrary, the balance remaining in the State  
Racing Fund as of June 30, 2014, after all transfers  
and payments have been made from the State Racing  
Fund, shall remain in the State Racing Fund.~~

(ii) Each week, the money remaining in the fund after any transfer under [subparagraph (i)] subparagraphs (i) and (i.1) shall be distributed to each active and operating Category 1 licensee conducting live racing in accordance with the following formula:

(A) Divide:

(I) the total daily assessments paid, by each active and operating Category 1 licensee conducting live racing, into the fund for that week; by

(II) the total daily assessments paid, by all active and operating Category 1 licensees conducting live racing, into the fund for that week.

(B) Multiply the quotient under clause (A) by the amount to be distributed under this subparagraph.

(iii) The distribution under subparagraph (ii) shall be allocated as follows:

(A) The greater of 4% of the amount to be distributed under subparagraph (ii) or \$220,000 shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at the racetrack at which the licensed racing entity operates for the benefit of the organization's members, their families, employees and others in accordance with the rules and

1 eligibility requirements of the organization, as  
2 approved by the State Horse Racing Commission or the  
3 State Harness Racing Commission. This amount shall be  
4 deposited within five business days of the end of  
5 each week into a separate account to be established  
6 by each respective horsemen's organization at a  
7 banking institution of its choice. Of this amount, a  
8 minimum of \$250,000 shall be paid annually by the  
9 horsemen's organization to the thoroughbred jockeys  
10 or standardbred drivers organization at the racetrack  
11 at which the licensed racing entity operates for  
12 health insurance, life insurance or other benefits to  
13 active and disabled thoroughbred jockeys or  
14 standardbred drivers in accordance with the rules and  
15 eligibility requirements of that organization. The  
16 total distribution under this clause in any fiscal  
17 year shall not exceed \$11,400,000.

18 (B) Of the money remaining to be distributed  
19 under subparagraph (ii) after application of clause  
20 (A), the following disbursements shall be made:

21 (I) Eighty-three and one-third percent of  
22 the money to be distributed under this clause  
23 shall be deposited on a weekly basis into a  
24 separate, interest-bearing purse account to be  
25 established by and for the benefit of the  
26 horsemen. The earned interest on the account  
27 shall be credited to the purse account. Licensees  
28 shall combine these funds with revenues from  
29 existing purse agreements to fund purses for live  
30 races consistent with those agreements with the

1 advice and consent of the horsemen.

2 (II) For thoroughbred tracks, 16 and 2/3% of  
3 the money to be distributed under this clause  
4 shall be deposited on a weekly basis into the  
5 Pennsylvania Breeding Fund established in section  
6 223 of the Race Horse Industry Reform Act. For  
7 standardbred tracks, 8 and 1/3% of the money to  
8 be distributed under this clause shall be  
9 deposited on a weekly basis into the Pennsylvania  
10 Sire Stakes Fund as defined in section 224 of the  
11 Race Horse Industry Reform Act; and 8 and 1/3% of  
12 the money to be distributed under this clause  
13 shall be deposited on a weekly basis into a  
14 restricted account in the State Racing Fund to be  
15 known as the Pennsylvania Standardbred Breeders  
16 Development Fund. The State Harness Racing  
17 Commission shall, in consultation with the  
18 Secretary of Agriculture, promulgate regulations  
19 adopting a standardbred breeders program that  
20 will include the administration of the  
21 Pennsylvania Stallion Award, the Pennsylvania  
22 Bred Award and the Pennsylvania Sired and Bred  
23 Award.

24 SECTION 2. SECTION 1712-H OF THE ACT, REPEALED AND ADDED <--  
25 JULY 18, 2013 (P.L.574, NO.71), IS AMENDED TO READ:  
26 SECTION 1712-H. EXECUTIVE OFFICES.

27 (1) FUNDS APPROPRIATED TO THE PENNSYLVANIA COMMISSION ON  
28 CRIME AND DELINQUENCY FOR INTERMEDIATE PUNISHMENT TREATMENT  
29 PROGRAMS SHALL BE DISTRIBUTED COMPETITIVELY TO COUNTIES FOR  
30 OFFENDERS SENTENCED TO INTERMEDIATE PUNISHMENT PROGRAMS. THE

1 PORTION OF FUNDS FOR DRUG AND ALCOHOL TREATMENT SHALL BE  
2 BASED ON NATIONAL STATISTICS THAT IDENTIFY THE PERCENTAGE OF  
3 INCARCERATED INDIVIDUALS THAT ARE IN NEED OF TREATMENT FOR  
4 SUBSTANCE ISSUES BUT IN NO CASE SHALL BE LESS THAN 80% OF THE  
5 AMOUNT APPROPRIATED.

6 (2) FROM FUNDS APPROPRIATED TO THE COMMISSION, AT LEAST  
7 \$285,000 SHALL BE USED TO SUPPORT THE STATEWIDE AUTOMATED  
8 VICTIM INFORMATION AND NOTIFICATION SYSTEM (SAVIN) TO PROVIDE  
9 OFFENDER INFORMATION THROUGH COUNTY JAILS AND \$200,000 SHALL  
10 BE USED FOR A RESIDENTIAL TREATMENT COMMUNITY FACILITY FOR  
11 AT-RISK YOUTH LOCATED IN A COUNTY OF THE FIFTH CLASS.

12 (3) FROM FUNDS APPROPRIATED FOR VIOLENCE PREVENTION  
13 PROGRAMS, AT LEAST \$250,000 SHALL BE USED FOR PROGRAMS IN A  
14 CITY OF THE SECOND CLASS, AND AT LEAST \$450,000 SHALL BE USED  
15 FOR PROGRAMS IN A CITY OF THE FIRST CLASS.

16 (4) FROM FUNDS APPROPRIATED TO THE OFFICE OF  
17 ADMINISTRATION FOR A PILOT PROGRAM TO ALLOW FOR THE PURCHASE  
18 OF TECHNOLOGY AND RELATED EQUIPMENT WHICH SHALL PRIMARILY BE  
19 USED AT OUTDOOR EVENTS TO ENSURE THE PUBLIC'S SAFETY, THE  
20 OFFICE OF ADMINISTRATION SHALL ENTER INTO AN INTERAGENCY  
21 AGREEMENT OR MEMORANDUM OF UNDERSTANDING WITH THE  
22 PENNSYLVANIA STATE POLICE, THE OFFICE OF HOMELAND SECURITY  
23 WITHIN THE GOVERNOR'S OFFICE OR THE PENNSYLVANIA NATIONAL  
24 GUARD, OR ANY COMBINATION THEREOF, FOR THE PURPOSE OF SUCH  
25 PILOT PROGRAM.

26 SECTION 3. THE ALLOCATION OF \$1,500,000 APPROPRIATED TO THE  
27 PENNSYLVANIA STATE POLICE IN SECTION 224 OF THE ACT OF JUNE 30,  
28 2013 (P.L. , NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT  
29 OF 2013, FOR THE PURPOSE OF A PILOT PROGRAM TO ALLOW FOR THE  
30 PURCHASE OF TECHNOLOGY AND RELATED EQUIPMENT WHICH SHALL

1 PRIMARILY BE USED AT OUTDOOR EVENTS TO ENSURE THE PUBLIC'S  
2 SAFETY, SHALL LAPSE IMMEDIATELY.

3 SECTION 4. THE SUM OF \$1,500,000 IS HEREBY APPROPRIATED FROM  
4 THE GENERAL FUND TO THE OFFICE OF ADMINISTRATION FOR THE PURPOSE  
5 OF A PILOT PROGRAM TO ALLOW FOR THE PURCHASE OF TECHNOLOGY AND  
6 RELATED EQUIPMENT WHICH SHALL PRIMARILY BE USED AT OUTDOOR  
7 EVENTS TO ENSURE THE PUBLIC'S SAFETY.

8 Section ~~2~~ 5. If this section takes effect after January 1, <--  
9 2014, the amendment of section 1723-A.1(2) of the act shall  
10 apply retroactively to January 1, 2014.

11 Section ~~3~~ 6. This act shall take effect immediately. <--