

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 790 Session of 2015

INTRODUCED BY HENNESSEY, McNEILL, CAUSER, SAYLOR, TALLMAN,
JAMES, MILLARD, MENTZER, KILLION, WATSON, COHEN, KORTZ,
BAKER, KAUFFMAN, A. HARRIS, MARSICO, GINGRICH, TRUITT, ROSS,
McCARTER AND MOUL, MARCH 13, 2015

REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,
MARCH 13, 2015

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 in State Lottery, further providing for disposition of funds.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 311 of the act of August 26, 1971
11 (P.L.351, No.91), known as the State Lottery Law, amended
12 November 21, 1996 (P.L.741, No.134), is amended to read:

13 Section 311. Disposition of funds.

14 (a) State Lottery Fund.--All moneys received from the
15 operation of the State lottery shall be deposited in a State
16 Lottery Fund which is hereby created. Such moneys shall be used
17 to the extent necessary for the payment of lottery prizes but
18 the amount so used shall not be less than 40% of the amount of
19 which tickets or shares have been sold. All payments of lottery

1 prizes and for expenses of operation of the lottery shall be
2 made as provided by law. All moneys remaining after payment of
3 prizes and operating expenses shall remain in the State Lottery
4 Fund and shall be allocated for the [purpose of providing
5 property tax relief for the elderly for taxes paid in 1971 and
6 thereafter pursuant to the provisions of the act of March 11,
7 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and
8 Assistance Act, and for the purpose of providing free or reduced
9 fare transit service for the elderly pursuant to Chapter 9 and
10 the act of February 11, 1976 (P.L.14, No.10), known as the
11 Pennsylvania Rural and Intercity Common Carrier Surface
12 Transportation Assistance Act. In the event sufficient funds are
13 not available from the lottery receipts to meet the requirements
14 of the Senior Citizens Rebate and Assistance Act or for
15 providing free or reduced fare transit service for the elderly
16 under Chapter 9 and the Pennsylvania Rural and Intercity Common
17 Carrier Surface Transportation Assistance Act, additional funds
18 to fulfill these obligations shall be appropriated from the
19 General Fund for this purpose] purposes specified in subsection
20 (b).

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

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

25 (2) For the expenses of the division in its operation of
26 the lottery.

27 (3) For property tax relief and free or reduced fare
28 transit service for the elderly as provided under subsection
29 (a).

30 (4) For pharmaceutical assistance for the elderly

1 pursuant to this act under the PACE and PACENET programs.

2 (5) For funding to the Department of Aging for
3 distribution to local area agencies on aging and senior
4 community centers.

5 (6) For programs or services for individuals 60 years of
6 age or older, which programs and services are otherwise
7 legislatively authorized.

8 (c) Restrictions.--Except as otherwise specifically
9 authorized under subsection (b)(2) as it relates to expenses of
10 the division in its operation of the lottery and subsection (b)
11 (3) as it relates to property tax relief, no moneys in the State
12 Lottery Fund shall be used:

13 (1) To provide any benefit or service to any individual
14 under 60 years of age.

15 (2) To pay the operating expenses of any Commonwealth
16 agency, including expenses incurred in the administration of
17 any program or service funded by the State Lottery.

18 (3) For any appropriation or loan to prepare for,
19 implement or administer any program or service for
20 individuals under 60 years of age.

21 Section 2. This act shall take effect in 60 days.