

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 815 Session of  
2017

---

INTRODUCED BY MURT, FREEMAN, KAUFFMAN, LAWRENCE, SCHLOSSBERG,  
SCHWEYER, WARD AND WATSON, MARCH 10, 2017

---

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, MARCH 10, 2017

---

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated  
2 Statutes, in licensees, further providing for Category 1 slot  
3 machine license, for Category 2 slot machine license and for  
4 Category 3 slot machine license.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Sections 1302(b), 1304(b) and 1305(b) of Title 4  
8 of the Pennsylvania Consolidated Statutes are amended to read:  
9 § 1302. Category 1 slot machine license.

10 \* \* \*

11 (b) Location.--A Category 1 license may only be issued to an  
12 eligible person authorizing slot machine operations at the  
13 particular licensed racetrack facility identified in the  
14 application. No Category 1 licensed facility shall be located  
15 within 20 linear miles of another Category 1 licensed  
16 facility[.] or within 10 linear miles of the boundary of a  
17 national military park or a national memorial designated by the  
18 Congress of the United States after September 11, 2001.

19 § 1304. Category 2 slot machine license.

1 \* \* \*

2 (b) Location.--

3 (1) Two Category 2 licensed facilities and no more shall  
4 be located by the board within a city of the first class, and  
5 one Category 2 licensed facility and no more shall be located  
6 by the board within a city of the second class. No Category 2  
7 licensed facility located by the board within a city of the  
8 first class shall be within [ten] 10 linear miles of a  
9 Category 1 licensed facility regardless of the municipality  
10 where the Category 1 licensed facility is located. Except for  
11 any Category 2 licensed facility located by the board within  
12 a city of the first class or a city of the second class, no  
13 Category 2 licensed facility shall be located within 30  
14 linear miles of any Category 1 licensed facility that has  
15 conducted over 200 racing days per year for the two calendar  
16 years immediately preceding the effective date of this part  
17 and not within 20 linear miles of any other Category 1  
18 licensed facility. Except for any Category 2 licensed  
19 facility located by the board within a city of the first  
20 class, no Category 2 licensed facility shall be located  
21 within 20 linear miles of another Category 2 licensed  
22 facility[.] or within 10 linear miles of the boundary of a  
23 national military park or a national memorial designated by  
24 the Congress of the United States after September 11, 2001.

25 (2) Within five days of approving a license for an  
26 applicant with a proposed licensed facility consisting of  
27 land designated a subzone, an expansion subzone or an  
28 improvement subzone under the Keystone Opportunity Zone,  
29 Keystone Opportunity Expansion Zone and Keystone Opportunity  
30 Improvement Zone Act for a slot machine license under this

1 section, the board shall notify the Department of Community  
2 and Economic Development. The notice shall include a  
3 description of the land of the proposed licensed facility  
4 which is designated a subzone, an expansion subzone or an  
5 improvement subzone. Within five days of receiving the notice  
6 required by this paragraph, the Secretary of Community and  
7 Economic Development shall decertify the land of the proposed  
8 licensed facility as being a subzone, an expansion subzone or  
9 an improvement subzone. Upon decertification in accordance  
10 with this paragraph and notwithstanding Chapter 3 of the  
11 Keystone Opportunity Zone, Keystone Opportunity Expansion  
12 Zone and Keystone Opportunity Improvement Zone Act, a  
13 political subdivision may amend the ordinance, resolution or  
14 other required action which granted the exemptions,  
15 deductions, abatements or credits required by the Keystone  
16 Opportunity Zone, Keystone Opportunity Expansion Zone and  
17 Keystone Opportunity Improvement Zone Act to repeal the  
18 exemptions, deductions, abatements or credits for the land  
19 decertified.

20 (3) Notwithstanding any other provision of law, the  
21 governing body of a city of the first class shall not exempt  
22 from real property taxation or provide any real property tax  
23 abatement under the act of December 1, 1977 (P.L.237, No.76),  
24 known as the Local Economic Revitalization Tax Assistance  
25 Act, to a Category 2 licensed facility located within the  
26 city, or any improvements to such facility, unless the owner  
27 of the licensed facility enters into or has entered into a  
28 tax settlement agreement or payment in lieu of taxes  
29 agreement with the city, including any amendments,  
30 supplements or modifications of such agreements.

1 § 1305. Category 3 slot machine license.

2 \* \* \*

3 (b) Location.--The following shall apply:

4 (1) Except as provided in paragraph (1.1), no Category 3  
5 license shall be located by the board within 15 linear miles  
6 of another licensed facility.

7 (1.1) A Category 3 license established on or after July  
8 20, 2017, shall not be located by the board within 30 linear  
9 miles of another licensed facility[.] or within 10 linear  
10 miles of the boundary of a national military park or a  
11 national memorial designated by the Congress of the United  
12 States after September 11, 2001.

13 (2) Within five days of approving a license for an  
14 applicant with a proposed licensed facility consisting of  
15 land designated a subzone, an expansion subzone or an  
16 improvement subzone under the Keystone Opportunity Zone,  
17 Keystone Opportunity Expansion Zone and Keystone Opportunity  
18 Improvement Zone Act for a slot machine license under this  
19 section, the board shall notify the Department of Community  
20 and Economic Development. The notice shall include a  
21 description of the land of the proposed licensed facility  
22 which is designated a subzone, an expansion subzone or an  
23 improvement subzone. Within five days of receiving the notice  
24 required by this paragraph, the Secretary of Community and  
25 Economic Development shall decertify the land of the proposed  
26 license facility as being a subzone, an expansion subzone or  
27 an improvement subzone. Upon decertification in accordance  
28 with this paragraph and notwithstanding Chapter 3 of the  
29 Keystone Opportunity Zone, Keystone Opportunity Expansion  
30 Zone and Keystone Opportunity Improvement Zone Act, a

1 political subdivision may amend the ordinance, resolution or  
2 other required action which granted the exemptions,  
3 deductions, abatements or credits required by the Keystone  
4 Opportunity Zone, Keystone Opportunity Expansion Zone and  
5 Keystone Opportunity Improvement Zone Act to repeal the  
6 exemptions, deductions, abatements or credits for the land  
7 decertified.

8 \* \* \*

9 Section 2. This act shall take effect immediately.