

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1552 Session of
2017

INTRODUCED BY DELOZIER, PICKETT, MILLARD, A. HARRIS, DeLUCA AND
MOUL, JUNE 14, 2017

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, JUNE 14, 2017

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," providing for social
9 card games.

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

12 Section 1. The act of December 19, 1988 (P.L.1262, No.156),
13 known as the Local Option Small Games of Chance Act, is amended
14 by adding a chapter to read:

15 CHAPTER 8

16 SOCIAL CARD GAMES

17 Section 801. Definitions.

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

21 "Nonbanking card game." A card game where players play

against one another rather than against the house. Nonbanking card games may include any of the following:

(1) Poker games.

(2) Hearts.

(3) Rummy.

(4) Pinochle.

(5) Bid Whist.

"Nonbanking card game tournament" or "tournament." A series of card games held by a licensed eligible organization during a consecutive period of time of not more than 24 hours and not held as part of any other games of chance.

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

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

Section 802. Authorization to conduct social card games.

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

(b) Conditions.--The following shall apply:

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

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

1 (3) Only nonbanking card games may be played with
2 members playing against each other.

3 (4) Wagering shall be entirely at the discretion of each
4 player.

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

7 (6) The eligible organization shall not charge a fee for
8 play.

9 (7) Not more than 10 members may play at a table in a
10 card game.

11 (8) Card games may only be played in a room set aside
12 for those activities at the licensed premises of the eligible
13 organization.

14 (9) Not more than five gaming tables may be made
15 available for the play of card games by the eligible
16 organization.

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

19 (11) No eligible organization or other person shall
20 collect, obtain or charge a percentage of or shall collect or
21 obtain a portion of a wager or winnings of a player in a card
22 game, except a player may collect his winnings.

23 (12) No eligible organization or other person shall
24 collect, or obtain any money from or charge or impose a fee
25 upon, a person that either enables the person to play or
26 results in or from the person playing a card game, except
27 that this paragraph shall not preclude the collection of a
28 membership fee by the eligible organization that is unrelated
29 to participation in the play of a card game authorized under
30 this chapter.

1 (13) An eligible organization that allows the use of its
2 premises for the play of card games by its members in
3 accordance with this chapter shall submit a schedule of the
4 proposed dates of the card games and any card game
5 tournaments to the licensing authority.

6 (c) Required postings.--An eligible organization that
7 permits the play of card games at its licensed premises shall
8 prominently post the following in close proximity of card game
9 tables in the room designated to play card games:

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

11 (2) The rules of play.

12 (3) Information on where a person can obtain help for
13 problem gambling, including the telephone number for the
14 Pennsylvania Compulsive Gambling Hotline.

15 (d) Prohibitions.--

16 (1) It shall be unlawful for an eligible organization
17 to:

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

20 (ii) Knowingly permit a card game to be played in
21 violation of this chapter.

22 (iii) Fail to comply with the posting requirement in
23 accordance with subsection (c).

24 (iv) Engage in any act, practice or course of
25 conduct that would constitute fraud or deceit upon a
26 player in a card game.

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

29 (vi) Knowingly allow a person to employ or attempt
30 to employ a device, scheme or artifice to cheat or

1 defraud a player in a card game.

2 (vii) Advertise a card game in violation of section
3 704.

4 (2) A licensed organization that violates paragraph (1)
5 shall be subject to the penalties imposed under section
6 702(d).

7 (e) Applicability.--The requirements of sections 502 and 503
8 shall not apply to social card games authorized under this
9 chapter.

10 Section 803. Card game tournaments.

11 (a) Authorization.--Notwithstanding any other provision of
12 law or regulation to the contrary, an eligible organization may
13 conduct nonbanking card game tournaments. A card game tournament
14 conducted by an eligible organization shall comply with all of
15 the following:

16 (1) Only nonbanking card games shall be played in a card
17 game tournament.

18 (2) Each card game shall be conducted in a fair and
19 honest manner and shall not be operated on a build-up or
20 pyramid basis.

21 (3) Every player in a tournament shall be given the same
22 chance of winning the tournament. Second-chance entries or
23 multiple entries shall be prohibited.

24 (4) The eligible organization shall conduct each
25 tournament and shall not contract with or permit another
26 person to conduct the tournament or a card game during the
27 tournament.

28 (5) Only the eligible organization may receive or have a
29 fixed or contingent right to receive, directly or indirectly,
30 any profit, remuneration or compensation from or related to a

1 card game in a card game tournament, except an amount that a
2 person may win as a player on the same basis as the other
3 players.

4 (6) The eligible organization shall not hold more than
5 five card game tournaments annually.

6 (7) The eligible organization shall not hold a card game
7 tournament within seven calendar days of another tournament
8 conducted by the eligible organization.

9 (8) The eligible organization may hold only one card
10 game tournament during a period of 24 consecutive hours,
11 starting from the time the tournament begins.

12 (9) At the conclusion of each tournament, the eligible
13 organization conducting the tournament shall announce the
14 name of the winning player and the amount of winnings.

15 (10) The eligible organization shall limit the number of
16 tables used in the tournament to not more than five with not
17 more than 10 players at each table.

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

21 (12) Players in tournaments shall be limited to the
22 members of the eligible organization.

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

24 (14) The card game tournament shall not provide a direct
25 financial benefit to the eligible organization or other
26 person, except winning players in the tournament.

27 (15) The value of all prizes awarded for each
28 tournament, except for a Texas Hold'em tournament, shall not
29 exceed \$200.

30 (16) For a tournament involving Texas Hold'em, all of

1 the following shall apply:

2 (i) The payment of an entry fee or other
3 consideration for participating is prohibited.

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

7 (17) The eligible organization shall ensure that
8 reasonable accommodations are made for players with
9 disabilities.

10 (b) Required postings.--Notwithstanding subsection (a), the
11 eligible organization shall prominently post the tournament
12 rules on a sign in the tournament playing room at least 24 hours
13 before the tournament begins. The sign shall be at least 30
14 inches by 30 inches, and the rules shall be easily readable. The
15 sign shall include all of the following:

16 (1) In permanent letters three inches high, the words
17 "Tournament Rules."

18 (2) Card game or games to be played in the tournament
19 and the rules of each card game.

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

21 (4) How winners will be determined.

22 (5) Any other tournament rules.

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

25 (1) The eligible organization shall distribute the
26 prizes awarded on the day the prizes are won.

27 (2) Donated or merchandise prizes shall not be
28 repurchased by the eligible organization.

29 (3) Only prizes that can be won shall be displayed in
30 the room where the tournament will be held.

1 Section 2. This act shall take effect immediately.