
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1616 Session of
2017

INTRODUCED BY PETRI, MILLARD AND WHEELAND, JUNE 23, 2017

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, JUNE 23, 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 and repealing provisions related to multiple
4 slot machine license prohibition.

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

7 Section 1. Section 1302(a) of Title 4 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 1302. Category 1 slot machine license.

10 (a) Eligibility.--A person may be eligible to apply for a
11 Category 1 license to place and operate slot machines at a
12 licensed racetrack facility if the person:

13 (1) has been issued a license from either the State
14 Horse Racing Commission or the State Harness Racing
15 Commission to conduct thoroughbred or harness race meetings
16 respectively with pari-mutuel wagering and has conducted live
17 horse races for not less than two years immediately preceding
18 the effective date of this part;

19 (2) has been approved or issued a license from either

1 the State Horse Racing Commission or the State Harness Racing
2 Commission to conduct thoroughbred or harness race meetings
3 respectively with pari-mutuel wagering within 18 months
4 immediately preceding the effective date of this part and
5 will successfully conduct live racing pursuant to the
6 requirements of section 1303 (relating to additional Category
7 1 slot machine license requirements);

8 (3) has been approved by the State Harness Racing
9 Commission, after the effective date of this part, to conduct
10 harness race meetings with pari-mutuel wagering and will
11 conduct live racing pursuant to the requirements of section
12 1303; or

13 (4) is a successor in interest to persons eligible under
14 paragraph (1), (2) or (3) who comply with the requirements of
15 section 1328 (relating to change in ownership or control of
16 slot machine licensee) [or is a successor in interest to
17 persons otherwise eligible under paragraph (1), (2) or (3)
18 but precluded from eligibility under the provisions of
19 section 1330].

20 Nothing in this part shall be construed to permit the approval
21 or issuance of more than one slot machine license at a licensed
22 racetrack facility.

23 * * *

24 Section 2. Section 1330 of Title 4 is repealed:

25 [§ 1330. Multiple slot machine license prohibition.

26 No slot machine licensee, its affiliate, intermediary,
27 subsidiary or holding company may possess an ownership or
28 financial interest that is greater than 33.3% of another slot
29 machine licensee or person eligible to apply for a Category 1
30 license, its affiliate, intermediary, subsidiary or holding

1 company. The board shall approve the terms and conditions of any
2 divestiture under this section. Under no circumstances shall any
3 such divestiture be approved by the board if the compensation
4 for the divested interest in a person eligible to apply for a
5 Category 1 license exceeds the greater of the original cost of
6 the interest, the book value of the interest or an independently
7 assessed value of the interest one month prior to the effective
8 date of this part and, in the case of a person eligible to apply
9 for a Category 1 license, unless the person acquiring the
10 divested interest is required to continue conducting live racing
11 at the location where live racing is currently being conducted
12 in accordance with section 1303 (relating to additional Category
13 1 slot machine license requirements) and be approved for a
14 Category 1 slot machine license. No such slot machine license
15 applicant shall be issued a slot machine license until the
16 applicant has completely divested its ownership or financial
17 interest that is in excess of 33.3% in another slot machine
18 licensee or person eligible to apply for a Category 1 license,
19 its affiliate, intermediary, subsidiary or holding company.]

20 Section 3. This act shall take effect immediately.