

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2041 Session of 2018

INTRODUCED BY WHEELAND, EVERETT, READSHAW, SAINATO, NEILSON,
KEEFER, MILLARD, A. HARRIS, PICKETT, ROTHMAN, SAYLOR, FRITZ
AND J. McNEILL, JANUARY 29, 2018

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, JANUARY 29, 2018

AN ACT

1 Amending the act of December 19, 1988 (P.L.1262, No.156),
2 entitled "An act providing for the licensing of eligible
3 organizations to conduct games of chance, for the licensing
4 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," in games of chance,
9 further providing for regulations of department; in club
10 licensees, further providing for records; and, in
11 enforcement, further providing for revocation of licenses.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 306(b) of the act of December 19, 1988
15 (P.L.1262, No.156), known as the Local Option Small Games of
16 Chance Act, is amended to read:

17 Section 306. Regulations of department.

18 * * *

19 (b) Limitation on recordkeeping requirements.--This section
20 shall not be construed to authorize the department to promulgate
21 regulations providing for recordkeeping requirements for
22 licensed eligible organizations which require unreasonable or

1 unnecessary information or a repetitious listing of information.
2 The department shall strive to keep such recordkeeping
3 requirements from being an undue hardship or burden on licensed
4 eligible organizations. [Except as provided under section
5 701(b), the] The department may not require the retention of
6 records for a period in excess of [two years] one year. If an
7 individual prize is in excess of \$600, the record shall include
8 the name and address of the winner. An eligible organization
9 shall provide each winner with a receipt of the value of the
10 prize when the prize exceeds \$600.

11 * * *

12 Section 2. Section 503 of the act is amended and the section
13 is amended by adding a subsection to read:

14 Section 503. Records.

15 (a) General rule.--A club licensee shall maintain records as
16 required by this act or by the department, including invoices
17 for games of chance purchased. Records necessary to enforce this
18 act or to conduct random audits shall be made available to the
19 Bureau of Liquor Control Enforcement, the department or any
20 other entity authorized to enforce or conduct audits under this
21 act.

22 (b) Alternative storage.--A club licensee may store records
23 required by subsection (a) at a location outside of the club
24 licensee's licensed premises provided that:

25 (1) Records stored at the location outside of the
26 licensed premises shall be made available to the Bureau of
27 Liquor Control Enforcement, the department or any other
28 entity authorized to enforce or conduct audits under this act
29 within one hour of the request for records being made.

30 (2) The club licensee maintains a record of the

1 location's address on its licensed premises at all times.

2 Section 3. Section 701(b) of the act is amended to read:

3 Section 701. Revocation of licenses.

4 * * *

5 (b) Production of records.--The district attorney may
6 require licensees to produce their books, accounts and records
7 relating to the conduct of games of chance in order to determine
8 if a violation of this act has occurred. Licensees shall also be
9 required, upon request, to provide their license, books,
10 accounts and records relating to the conduct of games of chance
11 to the licensing authority, the Bureau of Liquor Control
12 Enforcement or to a law enforcement agency or official. [A club
13 licensee shall retain records for a period of five years.]

14 Section 4. This act shall take effect in 60 days.