
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 399 Session of
2021

INTRODUCED BY ORTITAY, FEBRUARY 4, 2021

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 4, 2021

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in burglary and other criminal
3 intrusion, further providing for the offense of criminal
4 trespass.

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

7 Section 1. Section 3503(d) of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended and the section is amended by
9 adding a subsection to read:

10 § 3503. Criminal trespass.

11 * * *

12 (b.4) Evaluation for gambling disorder.--

13 (1) Upon conviction or admission to Accelerated
14 Rehabilitative Disposition or other pretrial diversion
15 program of a person for an offense committed under subsection
16 (b), where the person's name is included on a self-exclusion
17 list and the offense was committed at a licensed facility or
18 a video gaming area, the court may direct that the person be
19 evaluated in a manner deemed appropriate by the court to

1 determine:

2 (i) if the person has a gambling disorder; and

3 (ii) whether there is a need for counseling or

4 treatment as part of the sentence or preadjudication

5 disposition.

6 (2) The evaluation shall be conducted by a clinician

7 appointed by the court and shall include recommendations for

8 levels of care, continuing care and monitoring.

9 * * *

10 (d) [Definition] Definitions.--As used in this section, the

11 [term "school grounds" means any] following words and phrases

12 shall have the meanings given to them in this subsection:

13 "Establishment licensee." As defined in 4 Pa.C.S. § 3102

14 (relating to definitions).

15 "Licensed facility." As defined in 4 Pa.C.S. § 1103

16 (relating to definitions).

17 "Licensed gaming entity." As defined in 4 Pa.C.S. § 1103.

18 "School grounds." Any building of or grounds of any

19 elementary or secondary publicly funded educational institution,

20 any elementary or secondary private school licensed by the

21 Department of Education, any elementary or secondary parochial

22 school, any certified day-care center or any licensed preschool

23 program.

24 "Self-exclusion list." The lists established and maintained

25 by the Pennsylvania Gaming Control Board under 4 Pa.C.S. §§ 1516

26 (relating to list of persons self excluded from gaming

27 activities) and 3903 (relating to self-exclusion) or self-

28 exclusion lists maintained by a licensed gaming entity which

29 meets the minimum criteria stated in 4 Pa.C.S. § 1516 or by an

30 establishment licensee which meets the minimum criteria stated

1 in 4 Pa.C.S. § 3903.

2 "Video gaming area." As defined in 4 Pa.C.S. § 3102.

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