

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1691 Session of 2021

INTRODUCED BY BOBACK, PISCIOTTANO, HELM, HILL-EVANS, CIRESI, SAINATO, C. WILLIAMS, RYAN, WELBY AND POLINCHOCK, JUNE 24, 2021

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 12, 2022

AN ACT

1 Amending the act of August 26, 1971 (P.L.351, No.91), entitled
2 "An act providing for a State Lottery and administration
3 thereof; authorizing the creation of a State Lottery
4 Commission; prescribing its powers and duties; disposition of
5 funds; violations and penalties therefor; exemption of prizes
6 from State and local taxation and making an appropriation,"
7 in State lottery, further providing for statement of purpose,
8 for powers and duties of secretary and for disposition of
9 funds and providing for instant lottery game to benefit OLDER <--
10 veterans.

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

13 Section 1. Sections 301, 303(a)(11) and 311 of the act of
14 August 26, 1971 (P.L.351, No.91), known as the State Lottery
15 Law, are amended to read:

16 Section 301. Statement of purpose.

17 This chapter is enacted to establish a lottery to be operated
18 by the State, the net proceeds of which are to be used after
19 June 30, 1972, for the purposes of providing property tax relief
20 for the elderly for taxes paid in 1971 and thereafter to persons

1 65 years of age or older and for providing certain free fixed
2 route local transit services to persons 65 years of age or older
3 and reduced fare on group ride transit service to persons 65
4 years of age or older and for establishing an instant lottery
5 game to benefit OLDER veterans. It is further intended to <--
6 provide a means through which to curb illegal gambling
7 operations in Pennsylvania.

8 Section 303. Powers and duties of secretary.

9 (a) Powers and duties enumerated.--In addition to the powers
10 and duties provided by law and the act of April 9, 1929
11 (P.L.177, No.175), known as The Administrative Code of 1929, the
12 secretary shall have the power and it shall be his duty to
13 operate and administer the lottery, and to promulgate rules and
14 regulations governing the establishment and operation thereof,
15 including, but not limited to:

16 * * *

17 (11) The apportionment of the total revenues accruing
18 from the sale of lottery tickets or shares and from all other
19 sources among:

20 (i) [the] The payment of prizes to the holders of
21 winning tickets or shares[;].

22 (ii) [the] The payment of costs incurred in the
23 operation and administration of the lottery, including
24 the expenses of the division and the costs resulting from
25 any contract or contracts entered into for promotional,
26 advertising or operational services or for the purchase
27 or lease of lottery equipment and materials[; and].

28 (iv) [for] For property tax relief and free or
29 reduced fare transit service for the elderly as provided
30 in section 311. For fiscal years beginning before July 1,

1 2014, no less than 27% of the total revenues accruing
2 from the sale of lottery tickets or shares shall be
3 dedicated to this subparagraph. For fiscal years
4 beginning after June 30, 2014, and ending June 30, 2019,
5 no less than 25% of the total revenues accruing from the
6 sale of lottery tickets or shares shall be dedicated to
7 this subparagraph. For fiscal years beginning after June
8 30, 2019, and ending June 30, 2024, no less than 20% of
9 the total revenues accruing from the sale of lottery
10 tickets or shares shall be dedicated to this
11 subparagraph. For fiscal years beginning after June 30,
12 2024, no less than 25% of the total revenues accruing
13 from the sale of lottery tickets or shares shall be
14 dedicated to this subparagraph.

15 (v) The payment to the Veterans' Trust Fund for
16 ~~veterans~~ OLDER VETERANS' services, outreach and benefit <--
17 programs as provided in section 316. All proceeds
18 accruing from the sale of instant lottery games under
19 section 316, after the payment of prizes and operational
20 and administrative costs, shall be dedicated to this
21 subparagraph.

22 * * *

23 Section 311. Disposition of funds.

24 (a) State Lottery Fund.--All moneys received from the
25 operation of the State lottery shall be deposited in a State
26 Lottery Fund which is hereby created. Such moneys shall be used
27 to the extent necessary for the payment of lottery prizes but
28 the amount so used shall not be less than 40% of the amount of
29 which tickets or shares have been sold. All payments of lottery
30 prizes and for expenses of operation of the lottery shall be

1 made as provided by law. All moneys remaining after payment of
2 prizes and operating expenses shall remain in the State Lottery
3 Fund and shall be allocated for the purpose of providing
4 property tax relief for the elderly for taxes paid in 1971 and
5 thereafter pursuant to [the provisions of the act of March 11,
6 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and
7 Assistance Act] Chapter 13 of the act of June 27, 2006 (1st
8 Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, and
9 for the purpose of providing free or reduced fare transit
10 service for the elderly pursuant to Chapter 9 and the act of
11 February 11, 1976 (P.L.14, No.10), known as the Pennsylvania
12 Rural and Intercity Common Carrier Surface Transportation
13 Assistance Act and for ~~veterans~~ OLDER VETERANS' services, <--
14 outreach and benefit programs as provided in section 316. In the
15 event sufficient funds are not available from the lottery
16 receipts to meet the requirements of [the Senior Citizens Rebate
17 and Assistance Act] Chapter 13 of the Taxpayer Relief Act or for
18 providing free or reduced fare transit service for the elderly
19 under Chapter 9 and the Pennsylvania Rural and Intercity Common
20 Carrier Surface Transportation Assistance Act or for ~~veterans~~ <--
21 OLDER VETERANS' services, outreach and benefit programs as <--
22 provided in section 316, additional funds to fulfill these
23 obligations shall be appropriated from the General Fund for this
24 purpose.

25 (b) Appropriations.--The moneys in said State Lottery Fund
26 shall be appropriated only:

27 (1) For the payment of prizes to the holders of winning
28 lottery tickets or shares.

29 (2) For the expenses of the division in its operation of
30 the lottery.

1 (3) For property tax relief and free or reduced fare
2 transit service for the elderly as provided under subsection
3 (a).

4 (4) To the Veterans' Trust Fund for ~~veterans~~ OLDER <--
5 VETERANS' services, outreach and benefit programs as provided
6 in section 316.

7 Section 2. The act is amended by adding a section to read:

8 Section 316. Instant lottery game to benefit OLDER veterans. <--

9 (a) General rule.--The secretary shall operate an instant
10 lottery game to benefit OLDER veterans of the armed forces of <--
11 the United States who reside in this Commonwealth. The game
12 tickets must clearly state that the game proceeds are used to
13 benefit OLDER veterans in this Commonwealth. <--

14 (b) Advertisement.--

15 (1) The secretary shall market and advertise the instant
16 lottery game operated under this section to inform the public
17 that the game tickets are available for purchase daily and
18 that the game proceeds will be used to fund the following:

19 (i) ~~Veterans' day care services~~ LONG-TERM CARE <--
20 SERVICES AND PROGRAMS as established and administered by
21 the Department of Military and Veterans Affairs.

22 (ii) ~~Veterans' benefit programs as provided by the~~ <--
23 Commonwealth.

24 (iii) ~~Veterans' outreach as determined by the~~
25 Department of Military and Veterans Affairs. PROGRAMS AND <--
26 SERVICES TO ASSIST OLDER VETERANS IN NEED OF CARE,
27 ASSISTANCE OR ACCESS TO PROGRAMS AND SERVICES.

28 (2) The secretary shall change the design or theme of
29 the game regularly to ensure that the game remains
30 competitive with all instant lottery games offered by the

1 State lottery.

2 (c) Transfer of funds.--On April 30 of each year, the
3 secretary shall transfer all proceeds from the sale of the
4 instant lottery game tickets as provided under section 303(a)
5 (11)(v) to the Veterans' Trust Fund for purposes specified in 51
6 Pa.C.S. § 1721(c) (relating to Veterans' Trust Fund).

7 Section 3. This act shall take effect in 180 days.