

No. 1978-103

## AN ACT

SB 976

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, relating to antique slot machines.

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

Section 1. Section 5513 of Title 18, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended by adding a subsection to read:

§ 5513. Gambling devices, gambling, etc.

\* \* \*

**(c) Antique slot machines.—**

**(1) A slot machine shall be established as an antique slot machine if the defendant shows by a preponderance of the evidence that it was manufactured prior to 1941 and that it was not used or attempted to be used for any unlawful purposes. Notwithstanding subsection (b), no antique slot machine seized from any defendant shall be destroyed or otherwise altered until the defendant is given an opportunity to establish that the slot machine is an antique slot machine. After a final court determination that the slot machine is an antique slot machine, the slot machine shall be returned pursuant to the provisions of law providing for the return of property; otherwise, the slot machine shall be destroyed.**

**(2) It is the purpose of this subsection to protect the collection and restoration of antique slot machines not presently utilized for gambling purposes.**

Section 2. This act shall take effect in 30 days.

APPROVED—The 1st day of July, A. D. 1978.

MILTON J. SHAPP