

No. 1993-8

AN ACT

HB 559

Amending the act of August 26, 1971 (P.L.351, No.91), entitled "An act providing for a State Lottery and administration thereof; authorizing the creation of a State Lottery Commission; prescribing its powers and duties; disposition of funds; violations and penalties therefor; exemption of prizes from State and local taxation and making an appropriation," further providing for lottery sales agents; and providing for certain applications for lottery machines and for a compact to sell tickets.

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

Section 1. Section 7 of the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, is amended by adding a subsection to read:

Section 7. Lottery Sales Agents; Qualifications; Prohibitions.—* * *

(e) Any person who has a pending application for a lottery machine and is currently engaged in the sale of out-of-State lottery tickets may submit a written request to the Department of Revenue for a resurvey. This resurvey shall be completed by the department within ninety days of receipt of the request.

Section 2. Section 9 of the act, amended December 15, 1982 (P.L.1288, No.291), is amended to read:

Section 9. Sales of Tickets in Excess of Regulated Price; Sales by Non-licensed Persons; Penalties.—(a) No person shall sell [a ticket or share], *resell or engage in the business of reselling lottery tickets or shares* at a price greater than that fixed by rule or regulation of the department. *Price shall include any fee associated with the acquisition or transportation of lottery tickets or shares.*

(b) No person other than a licensed lottery sales agent shall sell lottery tickets or shares, except that nothing in this section shall be construed to prevent any person from giving lottery tickets or shares to another as a gift.

(c) Except as provided in this act, no person shall engage in the sale or offering for sale within this Commonwealth of any interest in a lottery of another state or government whether or not such interest is an actual lottery ticket, receipt, contingent promise to pay, order to purchase or other record of such interest.

(d) Any person convicted of violating this section shall be guilty of a misdemeanor and upon conviction thereof, shall be sentenced to pay a fine not exceeding [five hundred dollars (\$500).] two thousand dollars (\$2,000).

Section 3. The act is amended by adding a section to read:

Section 9.1. Compact to Sell Tickets.—The secretary shall enter into a compact with any other states that permit sale of Pennsylvania lottery

tickets within their borders to sell those states' lottery tickets within this Commonwealth.

Section 4. This act shall take effect as follows:

- (1) The amendment of section 7 of the act shall take effect immediately.
- (2) The remainder of this act shall take effect in 60 days.

APPROVED—The 20th day of May, A.D. 1993.

ROBERT P. CASEY