

No. 2012-81

AN ACT

HB 1893

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for gambling devices, gambling, etc.

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

Section 1. Section 5513(f) of Title 18 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding subsections to read:

§ 5513. Gambling devices, gambling, etc.

* * *

(a.1) Electronic video monitor.—A person commits a misdemeanor of the first degree if he owns, operates, maintains, places into operation or has a financial interest in an electronic video monitor or business that owns, operates, maintains or places into operation or has a financial interest in an electronic video monitor:

(1) which is offered or made available to persons to play or participate in a simulated gambling program for direct or indirect consideration, including consideration associated with a related product, service or activity; and

(2) for which the person playing the simulated gambling program may become eligible for a cash or cash-equivalent prize, whether or not the eligibility for or value of the cash or cash-equivalent prize is determined by or has any relationship to the outcome of or play of the simulated gambling program.

* * *

(e.1) Construction.—Nothing in this section shall be construed to prohibit any activity that is lawfully conducted under any of the following:

(1) The act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law.

(2) The act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law.

(3) The act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act.

(4) 4 Pa.C.S. (relating to amusements).

(f) Definitions.—[As used in this section, the term "gambling place" does not include a vessel that is in the process of construction, delivery, conversion or repair by a shipbuilding business that complies with subsection (d).] The following words and phrases when used in this section shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Consideration associated with a related product, service or activity." Money or other value collected for a product, service or activity which is offered in any direct or indirect relationship to playing or participating in

the simulated gambling program. The term includes consideration paid for computer time, Internet time, telephone calling cards and a sweepstakes entry.

"Electronic video monitor." An electronic device capable of showing moving or still images.

"Simulated gambling program." Any method intended to be used by a person interacting with an electronic video monitor in a business establishment that directly or indirectly implements the predetermination of sweepstakes cash or cash-equivalent prizes or otherwise connects the sweepstakes player or participant with the cash or cash-equivalent prize.

Section 2. This act shall take effect immediately.

APPROVED—The 30th day of June, A.D. 2012

TOM CORBETT