

## AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated  
2 Statutes, providing for relocation of Category 2 licensed  
3 facilities within cities of the first class.

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

6 Section 1. Title 4 of the Pennsylvania Consolidated Statutes  
7 is amended by adding sections to read:

8 § 1304.1. Relocation of Category 2 licensed facilities within  
9 cities of the first class.

10 (a) Petition.--Eighteen months following the board's initial  
11 approval of the applications for a Category 2 slot machine  
12 license to be located within a city of the first class pursuant  
13 to section 1301 (relating to authorized slot machine licenses),  
14 any person may file a petition with the board seeking a  
15 determination by the board that local community and governmental  
16 opposition and concerns have delayed or will likely delay the  
17 timely commencement of operations of slot machines at either or  
18 both originally approved locations within a city of the first

1 class. The board shall conduct a hearing within 20 days of the  
2 filing of the petition and issue a finding determining whether  
3 or not either or both licensed facilities will timely commence  
4 slot operations.

5 (b) Proceeding.--Upon a finding that local community and  
6 governmental opposition and concerns have delayed or will likely  
7 delay the timely commencement of operations of slot machines at  
8 either originally approved location, the board shall initiate a  
9 proceeding to consider, evaluate, identify and order the  
10 relocation of each licensed facility to be located within the  
11 city of the first class.

12 (1) The board shall solicit the participation and input  
13 of each slot machine licensee within the city of the first  
14 class that has not commenced slot machine operations,  
15 neighborhood civic associations, as well as local and State  
16 officials representing the city of the first class,  
17 including, but not limited to, the mayor, members of city  
18 council and members of the General Assembly.

19 (2) Upon the commencement of relocation proceedings, the  
20 board shall issue an order to each slot machine licensee  
21 within the city of the first class prohibiting each licensee  
22 from taking any further action to develop or construct a  
23 licensed facility. The board may also temporarily suspend the  
24 provisions of section 1316 (relating to bond for issuance of  
25 slot machine license).

26 (c) Recommendation.--Within 120 days following the date of  
27 commencement by the board of relocation proceedings, the board  
28 shall publicly issue a recommendation of alternative licensed  
29 facility locations report which shall include, without  
30 limitation:

1           (1) An account of the public policy concerns implicated  
2 by each existing licensed facility location.

3           (2) An account of the delays encountered to date, and  
4 the likelihood of future delays associated with the  
5 commencement of slot operations within the city of the first  
6 class.

7           (3) A comprehensive list of alternative locations within  
8 the city of the first class for each licensed facility.

9           (4) An account of the advantages and public policy  
10 benefits associated with each listed alternative location.

11       (d) Responsive comments.--Within 30 days following the  
12 board's publication of its alternative licensed facility  
13 locations report, each of the two slot machine licensees within  
14 the city of the first class shall submit to the board responsive  
15 comments addressing the financial feasibility of relocating the  
16 licensed facilities.

17       (e) Final order.--Within 30 days following the submission of  
18 responsive comments from the slot machine licensees within the  
19 city of the first class, the board shall issue a final order  
20 either approving alternative locations for the slot machine  
21 licensees within the city of the first class, impose additional  
22 conditions requiring the location of the licensed facilities or  
23 revoke the licenses as being impracticable to completely develop  
24 as originally represented to the board and initiate a proceeding  
25 to accept applications for the reissuance of the revoked  
26 Category 2 slot machine license to be located within the city of  
27 the first class.

28       § 1304.2. Category 2 licensed facilities within cities of the  
29 first class.

30       Notwithstanding the provisions of section 1304(b)(1)

1 (relating to Category 2 slot machine license) which provide that  
2 no Category 2 facility located within a city of the first class  
3 shall be within ten linear miles of a Category 1 facility, the  
4 board, on its own or upon petition, may consider, order and  
5 approve the relocation of either or both Category 2 facilities  
6 to a physical location that is within ten linear miles of a  
7 Category 1 facility at which harness race meetings are  
8 conducted.

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