

CHAPTER 513a. UNDERAGE GAMING

Sec.

- 513a.1. Definitions.
- 513a.2. Exclusion requirements.
- 513a.3. Responsibilities of licensees, permittees, registrants and certification holders.
- 513a.4. Signage requirements.
- 513a.5. Enforcement.

Authority

The provisions of this Chapter 513a issued under 4 Pa.C.S. §§ 1202(b)(30), 1207(8), 1514, 1515 and 1518, unless otherwise noted.

Source

The provisions of this Chapter 513a adopted October 26, 2007, effective October 27, 2007, 37 Pa.B. 5785, unless otherwise noted.

Cross References

This chapter cited in 58 Pa. Code § 441a.23 (relating to category 3 slot machine licensees); and 58 Pa. Code § 465a.11 (relating to slot machine licensee's organization; jobs compendium).

§ 513a.1. Definitions.

The following words and phrases, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Fully executed gaming transaction—An activity involving a slot machine, table game or associated equipment which occurs on the gaming floor of a licensed facility or in areas off the gaming floor where contests or tournaments are conducted and which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a slot machine licensee.

OCPG—The Office of Compulsive and Problem Gambling.

Winnings—Any money or thing of value received from, or owed by, a slot machine licensee as a result of a fully executed gaming transaction.

Authority

The provisions of this § 513a.1 amended under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 513a.1 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057. Immediately preceding text appears at serial page (363729).

§ 513a.2. Exclusion requirements.

(a) An individual under 21 years of age may not enter or be on the gaming floor of a licensed facility except that an individual 18 years of age or older who is employed by a slot machine licensee, a gaming service provider, the Board or other regulatory or emergency response agency may enter and remain in that area while engaged in the performance of the individual's employment duties.

(b) An individual under 21 years of age, whether personally or through an agent, may not operate, use, play or place a wager on, a slot machine in a licensed facility.

(c) An individual under 21 years of age may not receive check cashing privileges, be rated as a player, or receive any complimentary service, item or discount as a result of, or in anticipation of, gaming activity.

(d) An individual under 21 years of age may not collect in any manner or in any proceeding, whether personally or through an agent, winnings or recover losses arising as a result of any gaming activity.

(e) Winnings incurred by an individual under 21 years of age shall be remitted to the Board to support compulsive and problem gambling programs of the Board.

(f) For the purposes of this section, winnings issued to, found on or about or redeemed by an individual under 21 years of age shall be presumed to constitute winnings and be subject to remittance to the Board.

Authority

The provisions of this § 513a.2 amended under 4 Pa.C.S. §§ 1308, 1311, 1311.1, 1311.2, 1317.2, 1321 and 1406.

Source

The provisions of this § 513a.2 amended September 14, 2012, effective September 15, 2012, 42 Pa.B. 5857. Immediately preceding text appears at serial pages (362165) to (362166).

Cross References

This section cited in 58 Pa. Code § 513a.3 (relating to responsibilities of licensees, permittees, registrants and certification holders).

§ 513a.3. Responsibilities of licensees, permittees, registrants and certification holders.

(a) A person holding a license, permit, certification or registration issued by the Board is prohibited from permitting or enabling an individual to engage in conduct that violates § 513a.2(a), (b), (c) or (d) (relating to exclusion requirements).

(b) The slot machine licensee shall train its employees and establish procedures to:

(1) Identify and remove individuals who are less than 21 years of age and not otherwise authorized to be in the licensed facility as provided in § 513a.2(a).

(2) Immediately notify the casino compliance representatives at the licensed facility and the Pennsylvania State Police when an individual less than 21 years of age is discovered on the gaming floor, in areas off the gaming floor where gaming activity is conducted or engaging in gaming related activities.

(3) Refuse wagers from and deny gaming privileges to an individual less than 21 years of age.

(4) Deny check cashing privileges, player club memberships, extensions of credit, complementary goods and services, junket participation, and other similar privileges and benefits to an individual less than 21 years of age.

(5) Ensure that individuals less than 21 years of age do not receive, either from the slot machine licensee or an agent thereof, junket solicitations, targeted mailing, telemarketing promotions, player club membership materials or other promotional materials relating to gaming activities.

(c) Slot machine licensees shall establish procedures to prevent violations of this chapter and submit a copy of the procedures to the Director of OCPG 30 days prior to initiation of gaming activities at the licensed facility. A slot machine licensee will be notified in writing of any deficiencies in the plan and may submit revisions to the plan to the Director of OCPG. The slot machine licensee may not commence operations until the Director of OCPG approves its procedures. Amendments to these procedures must be submitted to and approved by the Director of OCPG prior to implementation.

(d) A slot machine licensee may be subject to Board imposed administrative sanctions if a person engages in conduct that violates § 513a.2(a), (b), (c) or (d) at its licensed facility. Under § 513a.2(e), winnings obtained by a slot machine licensee from or held on account of a person under 21 years of age shall be remitted to the Board to support compulsive and problem gambling programs of the Board.

(e) A person holding a license, permit, registration or certification issued by the Board who violates a provision of this chapter may be held jointly or severally liable for the violation.

Authority

The provisions of this § 513a.3 amended under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 513a.3 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057. Immediately preceding text appears at serial page (363730).

Cross References

This section cited in 58 Pa. Code § 501a.2 (relating to compulsive and problem gambling plan); 58 Pa. Code § 513a.4 (relating to signage requirements); and 58 Pa. Code § 814.3 (relating to compulsive and problem gambling plan).

§ 513a.4. Signage requirements.

A slot machine licensee shall post signs that include a statement that is similar to the following: “It is unlawful for any individual under 21 years of age to enter or remain in any area where slot machines or table games are operated. It is unlawful for any individual under the age of 21 to wager, play or attempt to play a slot machine or table game. Individuals violating this prohibition will be removed and may be subject to arrest and criminal prosecution.” The complete text of the sign shall be submitted to and approved by the Director of OCPG as part of the procedures required under § 513a.3(b) (relating to responsibilities of

licensees, permittees, registrants and certification holders). The signs shall be prominently posted within 50 feet of each entrance and exit of the gaming floor.

Authority

The provisions of this § 513a.4 amended under the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §§ 1202(b)(15) and (30), 1207(2), (5), (8) and (9), 1212, 13A02(2), 13A26(c), 1509, 1516, 1518(a)(13) and 1602.

Source

The provisions of this § 513a.4 amended November 7, 2014, effective November 8, 2014, 44 Pa.B. 7057. Immediately preceding text appears at serial page (363731).

§ 513a.5. Enforcement.

In a prosecution or other proceeding against a person for a violation of this chapter, it will not be a defense that the person believed an individual to be 21 years of age or older.

[Next page is 521-1.]