

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 69 Session of 2023

INTRODUCED BY ROAE, ARMANINI, HAMM, JOZWIAK, LEADBETER,
MARSHALL, ROSSI, ROWE AND ZIMMERMAN, MARCH 7, 2023

REFERRED TO COMMITTEE ON GAMING OVERSIGHT, MARCH 7, 2023

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, in Pennsylvania Gaming Control Board, further
3 providing for Pennsylvania Gaming Control Board established
4 and for code of conduct.

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

7 Section 1. Section 1201(b)(1) and (f)(3) of Title 4 of the
8 Pennsylvania Consolidated Statutes are amended and subsection
9 (b) is amended by adding a paragraph to read:

10 § 1201. Pennsylvania Gaming Control Board established.

11 * * *

12 (b) Membership.--The board shall consist of the following
13 members:

14 (1) [Three] Except as provided under paragraph (1.1),
15 three members appointed by the Governor.

16 (1.1) On or after the effective date of this paragraph,
17 upon the expiration of the terms of or creation of vacancies
18 by two of the members appointed under paragraph (1), the
19 following shall apply:

1 (i) The Governor may not appoint individuals to
2 serve as successors or fill vacancies created by the two
3 members.

4 (ii) The Governor shall appoint an individual to
5 serve as a successor or fill a vacancy created by the one
6 remaining member as prescribed under this section.

7 * * *

8 (f) Qualified majority vote.--

9 * * *

10 (3) Notwithstanding any other provision of this part or
11 65 Pa.C.S. § 1103(j) (relating to restricted activities), a
12 member shall disclose the nature of his disqualifying
13 interest, disqualify himself and abstain from voting in a
14 hearing or proceeding under this part in which his
15 objectivity, impartiality, integrity or independence of
16 judgment may be reasonably questioned, as provided in
17 subsection (h) (6) or section 1202.1(c) (3) (relating to code
18 of conduct). If a legislative appointee has disqualified
19 himself, the qualified majority shall consist of all of the
20 remaining legislative appointees and at least two
21 gubernatorial appointees. If a legislative appointee has
22 disqualified himself and the board consists of only one
23 gubernatorial appointee, the qualified majority shall consist
24 of all of the remaining legislative appointees and one
25 gubernatorial appointee.

26 * * *

27 Section 2. Section 1202.1(c.2) (3) (iii) of Title 4 is amended
28 to read:

29 § 1202.1. Code of conduct.

30 * * *

1 (c.2) Procedures relating to ex parte communications.--

2 * * *

3 (3) * * *

4 (iii) If a legislative appointee recuses himself
5 from any hearing or other proceeding under this section,
6 any qualified majority vote required under this part
7 shall consist of all of the remaining legislative
8 appointees and at least two gubernatorial appointees. If
9 a legislative appointee recuses himself from any hearing
10 or other proceeding under this section and only one
11 gubernatorial appointee is on the board, any qualified
12 majority vote required under this part shall consist of
13 all of the remaining legislative appointees and one
14 gubernatorial appointee.

15 * * *

16 Section 3. This act shall take effect in 60 days.