

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1325 Session of 2019

INTRODUCED BY ORTITAY, MURT AND KORTZ, APRIL 25, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 3, 2019

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in burglary and other criminal
3 intrusion, further providing for the offense of criminal
4 trespass.

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

7 Section 1. Section 3503(d) of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended and the section is amended by
9 adding a subsection to read:

10 § 3503. Criminal trespass.

11 * * *

12 (b.4) Evaluation for gambling disorder.--

13 (1) Upon conviction or admission to Accelerated
14 Rehabilitative Disposition or other pretrial diversion
15 program of a person for an offense committed under subsection
16 (b), where the person's name is included on a self-exclusion
17 list and the offense was committed at a licensed facility or
18 a video gaming area, the court may direct that the person be
19 evaluated in a manner deemed appropriate by the court to

1 determine:

2 (i) if the person has a gambling disorder; and

3 (ii) whether there is a need for counseling or
4 treatment as part of the sentence or preadjudication
5 disposition.

6 (2) The evaluation shall be conducted by a single county<--
7 authority for drug and alcohol or its designee CLINICIAN <--
8 APPOINTED BY THE COURT and shall include recommendations for
9 levels of care, continuing care and monitoring.

10 * * *

11 (d) [Definition] Definitions.--As used in this section, the
12 [term "school grounds" means any] following words and phrases
13 shall have the meanings given to them in this subsection:

14 "Establishment licensee." As defined in 4 Pa.C.S. § 3102
15 (relating to definitions).

16 "Evaluation." An assessment performed by a clinician who <--
17 meets the minimum qualifications prescribed by the Department of
18 Drug and Alcohol Programs for the provision of gambling disorder
19 counseling.

20 "Licensed facility." As defined in 4 Pa.C.S. § 1103
21 (relating to definitions).

22 "Licensed gaming entity." As defined in 4 Pa.C.S. § 1103.

23 "School grounds." Any building of or grounds of any
24 elementary or secondary publicly funded educational institution,
25 any elementary or secondary private school licensed by the
26 Department of Education, any elementary or secondary parochial
27 school, any certified day-care center or any licensed preschool
28 program.

29 "Self-exclusion list." The lists established and maintained
30 by the Pennsylvania Gaming Control Board under 4 Pa.C.S. §§ 1516

1 (relating to list of persons self excluded from gaming
2 activities) and 3903 (relating to self-exclusion) or self-
3 exclusion lists maintained by a licensed gaming entity which
4 meets the minimum criteria stated in 4 Pa.C.S. § 1516 or by an
5 establishment licensee which meets the minimum criteria stated
6 in 4 Pa.C.S. § 3903.

7 "Video gaming area." As defined in 4 Pa.C.S. § 3102.

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