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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 322 Session of  
2015

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INTRODUCED BY GINGRICH, DAY, COHEN, YOUNGBLOOD, BOBACK, MURT,  
KAUFFMAN, D. COSTA AND GRELL, FEBRUARY 4, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 4, 2015

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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, amended November 6, 2014 (P.L.2921,  
9 No.192), is amended and the section is amended by adding a  
10 subsection to read:

11 § 3503. Criminal trespass.

12 \* \* \*

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

14 (1) Upon conviction, adjudication or plea of nolo  
15 contendere, including admission to Accelerated Rehabilitative  
16 Disposition or other pretrial diversion program of a person  
17 for an offense committed under subsection (b) or (b.1), where  
18 the person's name is included on a self-exclusion list and  
19 the offense was committed at a licensed facility, the court

1 may direct that the person be evaluated in a manner deemed  
2 appropriate by the court to determine if:

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

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

7 (2) The evaluation shall be conducted by a single county  
8 authority for drug and alcohol or its designee and shall  
9 include recommendations for levels of care, continuing care  
10 and monitoring.

11 \* \* \*

12 (d) Definitions.--As used in this section, the following  
13 words and phrases shall have the meanings given to them in this  
14 subsection:

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

19 "Licensed gaming entity." As defined in 4 Pa.C.S. § 1103  
20 (relating to definitions).

21 "Licensed facility." As defined in 4 Pa.C.S. § 1103.

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

28 "Secondary metal." As defined in section 3935 (relating to  
29 theft of secondary metal).

30 "Self-exclusion list." The list established and maintained

1 by the Pennsylvania Gaming Control Board under 4 Pa.C.S. § 1516  
2 (relating to list of persons self excluded from gaming  
3 activities) or a self-exclusion list maintained by a licensed  
4 gaming entity which meets the minimum criteria stated in 4  
5 Pa.C.S. § 1516.

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