

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 322 Session of 2015

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

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, NOVEMBER 10, 2015

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 OR admission to Accelerated <--

16 Rehabilitative Disposition or other pretrial diversion

17 program of a person for an offense committed under subsection

18 (b) or (b.1), where the person's name is included on a self- <--

1 exclusion list and the offense was committed at a licensed
2 facility, the court may direct that the person be evaluated
3 in a manner deemed appropriate by the court to determine if: <--

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

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

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

12 * * *

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

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

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

23 "School grounds." Any building 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 "Secondary metal." As defined in section 3935 (relating to
30 theft of secondary metal).

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

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