

Procedure for Applying for a Local Option Small Games of Chance License

General Information:

The Pennsylvania Crimes Code provides that all forms of gambling are illegal unless the Pennsylvania Legislature specifically authorizes the activity. The elements of gambling are: 1) the payment of a consideration or fee, 2) for the chance to win a prize, 3) the winner of which is determined by chance. If these three elements are present the activity is “gambling” and is illegal unless legislatively sanctioned.

The Local Option Small Games of Chance Act permits only those forms of gambling specifically sanctioned by 10 P.S. §§311-327 conducted by certain non-profit organizations known as “eligible organizations”. The Act declares that it is the policy of the General Assembly that all phases of licensing, operation and regulation of small games of chance be strictly controlled, and that all laws and regulations with respect thereto as well as all gambling laws should be strictly construed and rigidly enforced. Further, the General Assembly recognizes the possibility of association between commercial gambling and organized crime, and wishes to discourage commercialization of small games of chance, prevent participation by organized crime and prevent the diversion of funds from the purposes authorized by the Act.

The Pennsylvania Department of Revenue has prepared a Small Games of Chance Primer that provides an explanation of the types of gambling permitted by the Local Option Small Games of Chance Act, and what constitutes an eligible organization as well as an explanation of other provisions of the Act. The Primer can be viewed or downloaded from this site.

Eligible organizations may only be licensed and games played in those municipalities that by voter referendum have approved the issuance of licenses to conduct small games of chance within their municipality. A list of municipalities that have approved the issuance of small games of chance licenses as well as those that have not is available for viewing or downloading from this site.

There are limitations on prizes, how proceeds may be used, specific regulations as to locations where games are played, how games are played, how games are advertised and other rules and regulations that licensees must be familiar with. Licensees should become familiar with the Local Option Small Games of Chance Act, 10 P.S. §§311-327, and review the Small Games of Chance Primer prepared by the Pennsylvania Department of Revenue. Both documents can be viewed or downloaded from this site.

Application for Initial Regular License:

An application for a **Local Option Small Games of Chance License** along with instructions is available from the Lancaster County Treasurer's Office, or it can be downloaded from this site. The application must be completed in its entirety, notarized and then brought to the Office of the District Attorney, along with the documentation listed on page 2 of the application. A County Detective will review the application and the accompanying documentation for compliance with the Act. If in compliance, the Detective will provide the applicant with a letter of authorization that must be taken to the Treasurer's Office where the license will be issued. All licenses are issued by and fees paid to the Lancaster County Treasurer.

Renewal of Regular License:

An application for a **Local Option Small Games of Chance License** that includes instructions is available from the Lancaster County Treasurer's Office, or it can be downloaded from this site. The application must be completed in its entirety, notarized and then brought to the Office of the District Attorney, along with the records eligible organizations are required to maintain by the Act, and the current rental or lease agreement for the premises upon which the games will be played if a premise is rented or leased. The records that an eligible organization is required to keep can be found in The Pennsylvania Department of Revenue Small Games of Chance Primer. The Primer can be viewed or downloaded from this site. A County Detective will review the application and the records for compliance with the Act. If in compliance, the Detective will provide the applicant with a letter of authorization that must be taken to the Treasurer's Office where the license will be issued. All licenses are issued by and fees paid to the Lancaster County Treasurer.

The fee for a Regular License renewal is \$100.00 and the license is valid for one year from date of issue.

Limited Occasion License:

An eligible organization that does not own or lease its own premise or specific meeting place is eligible to apply for a Limited Occasion License. A Limited Occasion License permits an eligible organization to conduct small games of chance on not more than three occasions covering a total of seven days during a license year and to conduct not more than two raffles during a license year. The holder of a Limited Occasion License may not apply for or be granted any other license or special permit under the Act. The holder of a Regular License may not apply for or be granted a Limited Occasion License. Application for a Limited Occasion License is made on the same application as that used for a Regular License and the application procedure is the same as for a Regular License.

The fee for a Limited Occasion License is \$10.00 and the license is valid for one year from date of issue.

Special Raffle Permit:

A Special Raffle Permit is needed for any raffle with a cash prize or a prize value in excess of \$500.00. Only the holder of a Regular License is eligible to apply for and be granted a Special Permit. Each licensee is permitted to apply for and be granted no more than two (2) Special Permits in a license year, except volunteer fire, ambulance or rescue organizations may apply for and be granted no more than three (3) Special Permits per license year.

An application for a **Special Raffle Permit** is available from the Lancaster County Treasurer's Office, or it can be downloaded from this site. A Special Permit need not be notarized. Application for a Special Permit can be made directly to the Treasurer's Office. It is not necessary to have the application reviewed by a County Detective.

The fee for a Special Raffle Permit is \$25.00.