



## 101ST GENERAL ASSEMBLY

### State of Illinois

### 2019 and 2020

### HB3334

by Rep. Robert Rita

#### SYNOPSIS AS INTRODUCED:

230 ILCS 15/1	from Ch. 85, par. 2301
230 ILCS 15/2	from Ch. 85, par. 2302
230 ILCS 15/3	from Ch. 85, par. 2303
230 ILCS 15/4	from Ch. 85, par. 2304
230 ILCS 15/5	from Ch. 85, par. 2305
230 ILCS 15/6	from Ch. 85, par. 2306
230 ILCS 15/8.1	from Ch. 85, par. 2308.1
230 ILCS 15/9 rep.	
720 ILCS 5/28-1	from Ch. 38, par. 28-1

Amends the Raffles and Pokers Runs Act. Provides that raffles shall be governed by the governing body of the municipality or county with jurisdiction over the location where the winning chances in the raffle are determined. Provides that a license shall authorize the holder of such license to sell raffle chances throughout the State, including beyond the borders of the licensing municipality or county. Provides that sponsoring organizations may contract with third parties to provide certain services to the sponsoring organization in connection with the operation of a raffle or poker run and may pay reasonable compensation for such services. Makes changes in provisions concerning licenses, applications, issuance, restrictions, and ineligible persons; conduct of raffles and poker runs; managers and bonds; records; and political committees. Incorporates provisions concerning raffles by law enforcement agencies and statewide associations that represent law enforcement officials into the rest of the Act. Makes corresponding changes in the Criminal Code of 2012. Effective immediately.

LRB101 05697 SMS 50713 b

1 AN ACT concerning gaming.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Raffles and Poker Runs Act is amended by  
5 changing Sections 1, 2, 3, 4, 5, 6, and 8.1 as follows:

6 (230 ILCS 15/1) (from Ch. 85, par. 2301)

7 Sec. 1. Definitions. For the purposes of this Act the terms  
8 defined in this Section have the meanings given them.

9 "Key location" means: (1) For a poker run, the location  
10 where the poker run concludes and the prizes are awarded. (2)  
11 For a raffle, the location where the winning chances in the  
12 raffle are determined.

13 "Law enforcement agency" means an agency of this State or a  
14 unit of local government in this State that is vested by law or  
15 ordinance with the duty to maintain public order and to enforce  
16 criminal laws or ordinances.

17 "Net proceeds" means the gross receipts from the conduct of  
18 a raffle or poker run ~~raffles~~, less reasonable sums expended  
19 for prizes, local license fees and other ~~reasonable~~ operating  
20 expenses incurred as a result of operating a raffle or poker  
21 run.

22 ~~"Key location" means the location where the poker run~~  
23 ~~concludes and the prize or prizes are awarded.~~

1 "Poker run" means a prize-awarding event organized by an  
2 organization licensed under this Act in which participants  
3 travel to multiple predetermined locations, including a key  
4 location, to play a randomized game based on an element of  
5 chance. "Poker run" includes dice runs, marble runs, or other  
6 events where the objective is to build the best hand or highest  
7 score by obtaining an item or playing a randomized game at each  
8 location.

9 "Raffle" means a form of lottery, as defined in subsection  
10 (b) of Section 28-2 ~~28-2(b)~~ of the Criminal Code of 2012,  
11 conducted by an organization licensed under this Act, in which:

12 (1) the player pays or agrees to pay something of value  
13 for a chance, represented and differentiated by a number or  
14 by a combination of numbers or by some other medium, one or  
15 more of which chances is to be designated the winning  
16 chance; and

17 (2) the winning chance is to be determined through a  
18 drawing or by some other method based on an element of  
19 chance by an act or set of acts on the part of persons  
20 conducting or connected with the lottery, except that the  
21 winning chance shall not be determined by the outcome of a  
22 publicly exhibited sporting contest.

23 "Raffle" does not include a savings promotion raffle  
24 authorized under Section 5g of the Illinois Banking Act,  
25 Section 7008 of the Savings Bank Act, Section 42.7 of the  
26 Illinois Credit Union Act, Section 5136B of the National Bank

1 Act ~~(12 U.S.C. 25a)~~, or Section 4 of the Home Owners' Loan Act  
2 ~~(12 U.S.C. 1463)~~.

3 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16;  
4 99-405, eff. 8-19-15; 99-642, eff. 7-28-16.)

5 (230 ILCS 15/2) (from Ch. 85, par. 2302)

6 Sec. 2. Licensing.

7 (a) The governing body of any county or municipality within  
8 this State may establish a system for the licensing of  
9 organizations to operate raffles. The governing bodies of a  
10 county and one or more municipalities may, pursuant to a  
11 written contract, jointly establish a system for the licensing  
12 of organizations to operate raffles within any area of  
13 contiguous territory not contained within the corporate limits  
14 of a municipality which is not a party to such contract. The  
15 governing bodies of two or more adjacent counties or two or  
16 more adjacent municipalities located within a county may,  
17 pursuant to a written contract, jointly establish a system for  
18 the licensing of organizations to operate raffles within the  
19 corporate limits of such counties or municipalities. The  
20 licensing authority may establish special categories of  
21 licenses and promulgate rules relating to the various  
22 categories. The licensing system shall provide for limitations  
23 upon (1) the aggregate retail value of all prizes or  
24 merchandise awarded by a licensee in a single raffle, if any,  
25 (2) the maximum retail value of each prize awarded by a

1 licensee in a single raffle, if any, (3) the maximum price  
2 which may be charged for each raffle chance issued or sold, if  
3 any and (4) the maximum number of days during which chances may  
4 be issued or sold, if any. The licensing system may include a  
5 fee for each license in an amount to be determined by the local  
6 governing body. Licenses issued pursuant to this Act shall be  
7 valid for one raffle or for a specified number of raffles to be  
8 conducted during a specified period not to exceed one year and  
9 may be suspended or revoked for any violation of this Act. A  
10 local governing body shall act on a license application within  
11 30 days from the date of application. ~~A Nothing in this Act~~  
12 ~~shall be construed to prohibit a county or municipality may~~  
13 ~~adopt from adopting~~ rules or ordinances for the operation of  
14 raffles that are consistent with this Act. Raffles shall be  
15 licensed by the governing body of the municipality with  
16 jurisdiction over the key location or, if no municipality has  
17 jurisdiction over the key location, then by the governing body  
18 of the county with jurisdiction over the key location. A  
19 license shall authorize the holder of such license to sell  
20 raffle chances throughout the State, including beyond the  
21 borders of the licensing municipality or county. more  
22 ~~restrictive than provided for in this Act. Except for raffles~~  
23 ~~organized by law enforcement agencies and statewide~~  
24 ~~associations that represent law enforcement officials as~~  
25 ~~provided in Section 9 of this Act, the governing body of a~~  
26 ~~municipality may authorize the sale of raffle chances only~~

1 ~~within the borders of the municipality. Except for raffles~~  
2 ~~organized by law enforcement agencies and statewide~~  
3 ~~associations that represent law enforcement officials as~~  
4 ~~provided in Section 9, the governing body of the county may~~  
5 ~~authorize the sale of raffle chances only in those areas which~~  
6 ~~are both within the borders of the county and outside the~~  
7 ~~borders of any municipality.~~

8 (a-5) The governing body of Cook County may and any other  
9 county within this State shall establish a system for the  
10 licensing of organizations to operate poker runs. The governing  
11 bodies of 2 or more adjacent counties may, pursuant to a  
12 written contract, jointly establish a system for the licensing  
13 of organizations to operate poker runs within the corporate  
14 limits of such counties. The licensing authority may establish  
15 special categories of licenses and adopt rules relating to the  
16 various categories. The licensing system may include a fee not  
17 to exceed \$25 for each license. Licenses issued pursuant to  
18 this Act shall be valid for one poker run or for a specified  
19 number of poker runs to be conducted during a specified period  
20 not to exceed one year and may be suspended or revoked for any  
21 violation of this Act. A local governing body shall act on a  
22 license application within 30 days after the date of  
23 application. Poker runs shall be licensed by the county with  
24 jurisdiction over the key location. The license granted by the  
25 key location shall cover the entire poker run, including  
26 locations other than the key location. Each license issued

1 shall include the name and address of each predetermined  
2 location.

3 (b) Raffle licenses shall be issued only to bona fide  
4 religious, charitable, labor, business, fraternal,  
5 educational, ~~or~~ veterans', or other bona fide not-for-profit  
6 organizations that operate without profit to their members and  
7 which have been in existence continuously for a period of 5  
8 years immediately before making application for a raffle  
9 license and which have ~~had~~ during that entire 5-year period  
10 been a bona fide membership engaged in carrying out their  
11 objects, or to a non-profit fundraising organization that the  
12 licensing authority determines is organized for the sole  
13 purpose of providing financial assistance to an identified  
14 individual or group of individuals suffering extreme financial  
15 hardship as the result of an illness, disability, accident or  
16 disaster, or to any ~~as well as~~ law enforcement agencies and  
17 statewide associations that represent law enforcement  
18 officials ~~as provided for in Section 9 of this Act.~~ Poker run  
19 licenses shall be issued only to bona fide religious,  
20 charitable, labor, business, fraternal, educational,  
21 veterans', or other bona fide not-for-profit organizations  
22 that operate without profit to their members and which have  
23 been in existence continuously for a period of 5 years  
24 immediately before making application for a poker run license  
25 and which have ~~had~~ during that entire 5-year period been a bona  
26 fide membership engaged in carrying out their objects. Licenses

1 for poker runs shall be issued for the following purposes: (i)  
2 providing financial assistance to an identified individual or  
3 group of individuals suffering extreme financial hardship as  
4 the result of an illness, disability, accident, or disaster or  
5 (ii) to maintain the financial stability of the organization. A  
6 licensing authority may waive the 5-year requirement under this  
7 subsection (b) for a bona fide religious, charitable, labor,  
8 business, fraternal, educational, or veterans' organization  
9 that applies for a license to conduct a raffle or a poker run  
10 if the organization is a local organization that is affiliated  
11 with and chartered by a national or State organization that  
12 meets the 5-year requirement.

13 For purposes of this Act, the following definitions apply.  
14 Non-profit: An organization or institution organized and  
15 conducted on a not-for-profit basis with no personal profit  
16 inuring to any one as a result of the operation. Charitable: An  
17 organization or institution organized and operated to benefit  
18 an indefinite number of the public. The service rendered to  
19 those eligible for benefits must also confer some benefit on  
20 the public. Educational: An organization or institution  
21 organized and operated to provide systematic instruction in  
22 useful branches of learning by methods common to schools and  
23 institutions of learning which compare favorably in their scope  
24 and intensity with the course of study presented in  
25 tax-supported schools. Religious: Any church, congregation,  
26 society, or organization founded for the purpose of religious



1 worship. Fraternal: An organization of persons having a common  
2 interest, the primary interest of which is to both promote the  
3 welfare of its members and to provide assistance to the general  
4 public in such a way as to lessen the burdens of government by  
5 caring for those that otherwise would be cared for by the  
6 government. Veterans: An organization or association comprised  
7 of members of which substantially all are individuals who are  
8 veterans or spouses, widows, or widowers of veterans, the  
9 primary purpose of which is to promote the welfare of its  
10 members and to provide assistance to the general public in such  
11 a way as to confer a public benefit. Labor: An organization  
12 composed of workers organized with the objective of betterment  
13 of the conditions of those engaged in such pursuit and the  
14 development of a higher degree of efficiency in their  
15 respective occupations. Business: A voluntary organization  
16 composed of individuals and businesses who have joined together  
17 to advance the commercial, financial, industrial and civic  
18 interests of a community.

19 ~~(c) Poker runs shall be licensed by the county with~~  
20 ~~jurisdiction over the key location. The license granted by the~~  
21 ~~key location shall cover the entire poker run, including~~  
22 ~~locations other than the key location. Each license issued~~  
23 ~~shall include the name and address of each predetermined~~  
24 ~~location.~~

25 (Source: P.A. 99-405, eff. 8-19-15; 99-757, eff. 8-12-16;  
26 100-201, eff. 8-18-17.)

1 (230 ILCS 15/3) (from Ch. 85, par. 2303)

2 Sec. 3. License; application; issuance; restrictions;  
3 persons ineligible ~~Application Issuance Restrictions~~  
4 ~~Persons ineligible~~. Licenses issued by the governing body of  
5 any county or municipality are subject to the following  
6 restrictions:

7 (1) No person, firm or corporation shall conduct  
8 raffles or chances or poker runs without having first  
9 obtained a license therefor pursuant to this Act.

10 (2) The license and application for license must  
11 specify the location or locations at ~~area or areas within~~  
12 ~~the licensing authority in~~ which winning raffle chances in  
13 the raffle will be determined ~~sold or issued or a poker run~~  
14 ~~will be conducted~~, the time period during which raffle  
15 chances will be sold or issued or a poker run will be  
16 conducted, the time or times of determination of winning  
17 chances and the location or locations at which winning  
18 chances will be determined.

19 (3) The license application must contain a sworn  
20 statement attesting to the not-for-profit character of the  
21 prospective licensee organization, signed by the presiding  
22 officer and the secretary of that organization.

23 (4) The application for license shall be prepared in  
24 accordance with the ordinance of the local governmental  
25 unit.

1 (5) A license authorizes the licensee to conduct  
2 raffles or poker runs as defined in this Act.

3 The following are ineligible for any license under this  
4 Act:

5 (a) any person whose felony conviction will impair the  
6 person's ability to engage in the licensed position;

7 (b) any person who is or has been a professional  
8 gambler or professional gambling promoter;

9 (c) any person who is not of good moral character;

10 (d) any organization ~~firm or corporation~~ in which a  
11 person defined in (a), (b) or (c) has a proprietary,  
12 equitable or credit interest, or in which such a person is  
13 active or employed;

14 (e) any organization in which a person defined in (a),  
15 (b) or (c) is an officer, director, or employee, whether  
16 compensated or not; and

17 (f) any organization in which a person defined in (a),  
18 (b) or (c) is to participate in the management or operation  
19 of a raffle as defined in this Act.

20 (Source: P.A. 100-286, eff. 1-1-18.)

21 (230 ILCS 15/4) (from Ch. 85, par. 2304)

22 Sec. 4. Conduct of raffles and poker runs.

23 (a) The conducting of raffles and poker runs is subject to  
24 the following restrictions:

25 (1) The entire net proceeds of any raffle or poker run

1 must be exclusively devoted to the lawful purposes of the  
2 organization permitted to conduct that game.

3 (2) No person except a bona fide director, officer,  
4 employee, or member of the sponsoring organization may  
5 manage or participate in the management ~~or operation~~ of the  
6 raffle or poker run. ~~(3)~~ No person may receive any  
7 remuneration or profit for managing or participating in the  
8 management ~~or operation~~ of the raffle or poker run.  
9 Sponsoring organizations may contract with third parties  
10 who, acting at the direction of and under the supervision  
11 of the sponsoring organization, provide bona fide services  
12 to the sponsoring organization in connection with the  
13 operation of a raffle or poker run and may pay reasonable  
14 compensation for such services. Such services include the  
15 following: (a) advertising, marketing and promotion, (b)  
16 legal, (c) procurement of goods, prizes, wares and  
17 merchandise for the purpose of operating the raffle or  
18 poker run, (d) rent, if the premises upon which the raffle  
19 or poker run will be held is rented, (e) accounting,  
20 auditing and bookkeeping, (f) website hosting, (g) mailing  
21 and delivery, (h) banking and payment processing, and (i)  
22 other services relating to the operation of the raffle or  
23 poker run.

24 (3) ~~(4)~~ A licensee may rent a premises on which to  
25 determine the winning chance or chances in a raffle or at  
26 which to hold a poker run provided that the rent is not

1 determined as a percentage of receipts or profits from the  
2 raffle or poker run. ~~only from an organization which is~~  
3 ~~also licensed under this Act. A premises where a poker run~~  
4 ~~is held is not required to obtain a license if the name and~~  
5 ~~location of the premises is listed as a predetermined~~  
6 ~~location on the license issued for the poker run and the~~  
7 ~~premises does not charge for use of the premises.~~

8 (4) ~~(5)~~ Raffle chances may be sold throughout the  
9 State, including beyond the borders of the licensing  
10 municipality or county. ~~or issued only within the area~~  
11 ~~specified on the license and winning~~ Winning chances may be  
12 determined only at those locations specified on the license  
13 for a raffle.

14 (5) ~~(6)~~ A person under the age of 18 years may  
15 participate in the conducting of raffles or chances or  
16 poker runs only with the permission of a parent or  
17 guardian. A person under the age of 18 years may be within  
18 the area where winning chances in a raffle or winning hands  
19 or scores in a poker run are being determined only when  
20 accompanied by his parent or guardian.

21 (b) If a lessor rents a premises where a winning chance or  
22 chances on a raffle or a winning hand or score in a poker run is  
23 determined, the lessor shall not be criminally liable if the  
24 person who uses the premises for the determining of winning  
25 chances does not hold a license issued by the governing body of  
26 any county or municipality under the provisions of this Act.

1 (Source: P.A. 98-644, eff. 6-10-14.)

2 (230 ILCS 15/5) (from Ch. 85, par. 2305)

3 Sec. 5. Manager; bond. All management, operation, ~~of~~ and  
4 ~~the~~ conduct of raffles shall be under the supervision of a  
5 single manager designated by the organization. The manager  
6 shall give a fidelity bond in an amount determined by the  
7 licensing authority in favor of the organization conditioned  
8 upon his honesty in the performance of his duties. Terms of the  
9 bond shall provide that notice shall be given in writing to the  
10 licensing authority not less than 30 days prior to its  
11 cancellation. The governing body of a local unit of government  
12 may waive this bond requirement by including a waiver provision  
13 in the license issued to an organization under this Act,  
14 provided that a license containing such waiver provision shall  
15 be granted only by the affirmative unanimous vote of the  
16 requisite number of members of the licensed organization or, if  
17 the licensed organization does not have members, of members of  
18 the governing board of the organization, to constitute an  
19 affirmative action of the licensed organization. Nothing in  
20 this Section shall be deemed to apply to poker runs.

21 (Source: P.A. 98-644, eff. 6-10-14; 99-405, eff. 8-19-15.)

22 (230 ILCS 15/6) (from Ch. 85, par. 2306)

23 Sec. 6. Records.

24 (a) Each organization licensed to conduct raffles and

1 chances or poker run events shall keep records of its gross  
2 receipts, expenses and net proceeds for each single gathering  
3 or occasion at which winning chances in a raffle or winning  
4 hands or scores in a poker run are determined. All deductions  
5 from gross receipts for each single gathering or occasion shall  
6 be documented with receipts or other records indicating the  
7 amount, a description of the purchased item or service or other  
8 reason for the deduction, and the recipient. The distribution  
9 of net proceeds shall be itemized as to payee, purpose, amount  
10 and date of payment.

11 (b) Gross receipts from the operation of raffles ~~programs~~  
12 or poker runs shall be segregated from other revenues of the  
13 organization, including bingo gross receipts, if bingo games  
14 are also conducted by the same nonprofit organization pursuant  
15 to license therefor issued by the Department of Revenue of the  
16 State of Illinois, and placed in a separate account. Each  
17 organization shall have separate records of its raffles and  
18 poker runs. The person who accounts for gross receipts,  
19 expenses and net proceeds from the operation of raffles or  
20 poker runs shall not be the same person who accounts for other  
21 revenues of the organization.

22 (c) Each organization licensed to conduct raffles or poker  
23 runs shall report promptly after the conclusion of each raffle  
24 or poker run ~~runs~~ to its membership or, if the organization  
25 does not have members, to its governing board. Each  
26 organization licensed to conduct raffles shall report promptly

1 to the licensing local unit of government its gross receipts,  
2 expenses and net proceeds from the raffle or poker run, and the  
3 distribution of net proceeds itemized as required in this  
4 Section.

5 (d) Records required by this Section shall be preserved for  
6 3 years, and organizations shall make available their records  
7 relating to operation of raffles or poker runs for public  
8 inspection at reasonable times and places.

9 (Source: P.A. 98-644, eff. 6-10-14; 99-405, eff. 8-19-15.)

10 (230 ILCS 15/8.1) (from Ch. 85, par. 2308.1)

11 Sec. 8.1. Political committees.

12 (a) For the purposes of this Section the terms defined in  
13 this subsection have the meanings given them.

14 "Net Proceeds" means the gross receipts from the conduct of  
15 raffles, less reasonable sums expended for prizes, license fees  
16 and other reasonable operating expenses incurred as a result of  
17 operating a raffle.

18 "Raffle" means a form of lottery, as defined in Section  
19 28-2 (b) of the Criminal Code of 2012, conducted by a political  
20 committee licensed under this Section, in which:

21 (1) the player pays or agrees to pay something of value  
22 for a chance, represented and differentiated by a number or  
23 by a combination of numbers or by some other medium, one or  
24 more of which chances is to be designated the winning  
25 chance; and



1           (2) the winning chance is to be determined through a  
2 drawing or by some other method based on an element of  
3 chance by an act or set of acts on the part of persons  
4 conducting or connected with the lottery, except that the  
5 winning chance shall not be determined by the outcome of a  
6 publicly exhibited sporting contest.

7           "Unresolved claim" means a claim for civil penalty under  
8 Sections 9-3, 9-10, and 9-23 of The Election Code which has  
9 been begun by the State Board of Elections, has been disputed  
10 by the political committee under the applicable rules of the  
11 State Board of Elections, and has not been finally decided  
12 either by the State Board of Elections, or, where application  
13 for review has been made to the Courts of Illinois, remains  
14 finally undecided by the Courts.

15           "Owes" means that a political committee has been finally  
16 determined under applicable rules of the State Board of  
17 Elections to be liable for a civil penalty under Sections 9-3,  
18 9-10, and 9-23 of The Election Code.

19           (b) Licenses issued pursuant to this Section shall be valid  
20 for one raffle or for a specified number of raffles to be  
21 conducted during a specified period not to exceed one year and  
22 may be suspended or revoked for any violation of this Section.  
23 The State Board of Elections shall act on a license application  
24 within 30 days from the date of application.

25           (c) Licenses issued by the State Board of Elections are  
26 subject to the following restrictions:

1           (1) No political committee shall conduct raffles or  
2 chances without having first obtained a license therefor  
3 pursuant to this Section.

4           (2) The application for license shall be prepared in  
5 accordance with regulations of the State Board of Elections  
6 and must specify the area or areas within the State in  
7 which raffle chances will be sold or issued, the time  
8 period during which raffle chances will be sold or issued,  
9 the time of determination of winning chances and the  
10 location or locations at which winning chances will be  
11 determined.

12           (3) A license authorizes the licensee to conduct  
13 raffles as defined in this Section.

14           The following are ineligible for any license under this  
15 Section:

16           (i) any political committee which has an officer  
17 who has been convicted of a felony;

18           (ii) any political committee which has an officer  
19 who is or has been a professional gambler or gambling  
20 promoter;

21           (iii) any political committee which has an officer  
22 who is not of good moral character;

23           (iv) any political committee which has an officer  
24 who is also an officer of a firm or corporation in  
25 which a person defined in (i), (ii) or (iii) has a  
26 proprietary, equitable or credit interest, or in which

1 such a person is active or employed;

2 (v) any political committee in which a person  
3 defined in (i), (ii) or (iii) is an officer, director,  
4 or employee, whether compensated or not;

5 (vi) any political committee in which a person  
6 defined in (i), (ii) or (iii) is to participate in the  
7 management or operation of a raffle as defined in this  
8 Section;

9 (vii) any committee which, at the time of its  
10 application for a license to conduct a raffle, owes the  
11 State Board of Elections any unpaid civil penalty  
12 authorized by Sections 9-3, 9-10, and 9-23 of The  
13 Election Code, or is the subject of an unresolved claim  
14 for a civil penalty under Sections 9-3, 9-10, and 9-23  
15 of The Election Code;

16 (viii) any political committee which, at the time  
17 of its application to conduct a raffle, has not  
18 submitted any report or document required to be filed  
19 by Article 9 of The Election Code and such report or  
20 document is more than 10 days overdue.

21 (d) (1) The conducting of raffles is subject to the  
22 following restrictions:

23 (i) The entire net proceeds of any raffle must be  
24 exclusively devoted to the lawful purposes of the  
25 political committee permitted to conduct that game.

26 (ii) No person except a bona fide member of the

1 political committee may participate in the management  
2 or operation of the raffle.

3 (iii) No person may receive any remuneration or  
4 profit for participating in the management or  
5 operation of the raffle.

6 (iv) Raffle chances may be sold or issued only  
7 within the area specified on the license and winning  
8 chances may be determined only at those locations  
9 specified on the license.

10 (v) A person under the age of 18 years may  
11 participate in the conducting of raffles or chances  
12 only with the permission of a parent or guardian. A  
13 person under the age of 18 years may be within the area  
14 where winning chances are being determined only when  
15 accompanied by his parent or guardian.

16 (2) If a lessor rents a premises where a winning chance  
17 or chances on a raffle are determined, the lessor shall not  
18 be criminally liable if the person who uses the premises  
19 for the determining of winning chances does not hold a  
20 license issued under the provisions of this Section.

21 (e) (1) Each political committee licensed to conduct  
22 raffles and chances shall keep records of its gross  
23 receipts, expenses and net proceeds for each single  
24 gathering or occasion at which winning chances are  
25 determined. All deductions from gross receipts for each  
26 single gathering or occasion shall be documented with

1 receipts or other records indicating the amount, a  
2 description of the purchased item or service or other  
3 reason for the deduction, and the recipient. The  
4 distribution of net proceeds shall be itemized as to payee,  
5 purpose, amount and date of payment.

6 (2) Each political committee licensed to conduct  
7 raffles shall report on the next report due to be filed  
8 under Article 9 of The Election Code its gross receipts,  
9 expenses and net proceeds from raffles, and the  
10 distribution of net proceeds itemized as required in this  
11 subsection.

12 Such reports shall be included in the regular reports  
13 required of political committees by Article 9 of The Election  
14 Code.

15 (3) Records required by this subsection shall be  
16 preserved for 3 years, and political committees shall make  
17 available their records relating to operation of raffles  
18 for public inspection at reasonable times and places.

19 (f) Violation of any provision of this Section is a Class C  
20 misdemeanor.

21 (g) Nothing in this Section shall be construed to authorize  
22 the conducting or operating of any gambling scheme, enterprise,  
23 activity or device other than raffles as provided for herein.

24 (Source: P.A. 97-1150, eff. 1-25-13; 98-756, eff. 7-16-14.)

25 (230 ILCS 15/9 rep.)

1           Section 10. The Raffles and Poker Runs Act is amended by  
2           repealing Section 9.

3           Section 15. The Criminal Code of 2012 is amended by  
4           changing Section 28-1 as follows:

5           (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

6           Sec. 28-1. Gambling.

7           (a) A person commits gambling when he or she:

8                 (1) knowingly plays a game of chance or skill for money  
9                 or other thing of value, unless excepted in subsection (b)  
10                of this Section;

11               (2) knowingly makes a wager upon the result of any  
12                game, contest, or any political nomination, appointment or  
13                election;

14               (3) knowingly operates, keeps, owns, uses, purchases,  
15                exhibits, rents, sells, bargains for the sale or lease of,  
16                manufactures or distributes any gambling device;

17               (4) contracts to have or give himself or herself or  
18                another the option to buy or sell, or contracts to buy or  
19                sell, at a future time, any grain or other commodity  
20                whatsoever, or any stock or security of any company, where  
21                it is at the time of making such contract intended by both  
22                parties thereto that the contract to buy or sell, or the  
23                option, whenever exercised, or the contract resulting  
24                therefrom, shall be settled, not by the receipt or delivery

1 of such property, but by the payment only of differences in  
2 prices thereof; however, the issuance, purchase, sale,  
3 exercise, endorsement or guarantee, by or through a person  
4 registered with the Secretary of State pursuant to Section  
5 8 of the Illinois Securities Law of 1953, or by or through  
6 a person exempt from such registration under said Section  
7 8, of a put, call, or other option to buy or sell  
8 securities which have been registered with the Secretary of  
9 State or which are exempt from such registration under  
10 Section 3 of the Illinois Securities Law of 1953 is not  
11 gambling within the meaning of this paragraph (4);

12 (5) knowingly owns or possesses any book, instrument or  
13 apparatus by means of which bets or wagers have been, or  
14 are, recorded or registered, or knowingly possesses any  
15 money which he has received in the course of a bet or  
16 wager;

17 (6) knowingly sells pools upon the result of any game  
18 or contest of skill or chance, political nomination,  
19 appointment or election;

20 (7) knowingly sets up or promotes any lottery or sells,  
21 offers to sell or transfers any ticket or share for any  
22 lottery;

23 (8) knowingly sets up or promotes any policy game or  
24 sells, offers to sell or knowingly possesses or transfers  
25 any policy ticket, slip, record, document or other similar  
26 device;

1           (9) knowingly drafts, prints or publishes any lottery  
2 ticket or share, or any policy ticket, slip, record,  
3 document or similar device, except for such activity  
4 related to lotteries, bingo games and raffles authorized by  
5 and conducted in accordance with the laws of Illinois or  
6 any other state or foreign government;

7           (10) knowingly advertises any lottery or policy game,  
8 except for such activity related to lotteries, bingo games  
9 and raffles authorized by and conducted in accordance with  
10 the laws of Illinois or any other state;

11           (11) knowingly transmits information as to wagers,  
12 betting odds, or changes in betting odds by telephone,  
13 telegraph, radio, semaphore or similar means; or knowingly  
14 installs or maintains equipment for the transmission or  
15 receipt of such information; except that nothing in this  
16 subdivision (11) prohibits transmission or receipt of such  
17 information for use in news reporting of sporting events or  
18 contests; or

19           (12) knowingly establishes, maintains, or operates an  
20 Internet site that permits a person to play a game of  
21 chance or skill for money or other thing of value by means  
22 of the Internet or to make a wager upon the result of any  
23 game, contest, political nomination, appointment, or  
24 election by means of the Internet. This item (12) does not  
25 apply to activities referenced in items (6), ~~and~~ (6.1),  
26 (8), and (8.1) of subsection (b) of this Section.



1 (b) Participants in any of the following activities shall  
2 not be convicted of gambling:

3 (1) Agreements to compensate for loss caused by the  
4 happening of chance including without limitation contracts  
5 of indemnity or guaranty and life or health or accident  
6 insurance.

7 (2) Offers of prizes, award or compensation to the  
8 actual contestants in any bona fide contest for the  
9 determination of skill, speed, strength or endurance or to  
10 the owners of animals or vehicles entered in such contest.

11 (3) Pari-mutuel betting as authorized by the law of  
12 this State.

13 (4) Manufacture of gambling devices, including the  
14 acquisition of essential parts therefor and the assembly  
15 thereof, for transportation in interstate or foreign  
16 commerce to any place outside this State when such  
17 transportation is not prohibited by any applicable Federal  
18 law; or the manufacture, distribution, or possession of  
19 video gaming terminals, as defined in the Video Gaming Act,  
20 by manufacturers, distributors, and terminal operators  
21 licensed to do so under the Video Gaming Act.

22 (5) The game commonly known as "bingo", when conducted  
23 in accordance with the Bingo License and Tax Act.

24 (6) Lotteries when conducted by the State of Illinois  
25 in accordance with the Illinois Lottery Law. This exemption  
26 includes any activity conducted by the Department of

1 Revenue to sell lottery tickets pursuant to the provisions  
2 of the Illinois Lottery Law and its rules.

3 (6.1) The purchase of lottery tickets through the  
4 Internet for a lottery conducted by the State of Illinois  
5 under the program established in Section 7.12 of the  
6 Illinois Lottery Law.

7 (7) Possession of an antique slot machine that is  
8 neither used nor intended to be used in the operation or  
9 promotion of any unlawful gambling activity or enterprise.  
10 For the purpose of this subparagraph (b)(7), an antique  
11 slot machine is one manufactured 25 years ago or earlier.

12 (8) Raffles and poker runs when conducted in accordance  
13 with the Raffles and Poker Runs Act.

14 (8.1) The purchase of raffle chances for a raffle  
15 conducted in accordance with the Raffles and Poker Runs  
16 Act.

17 (9) Charitable games when conducted in accordance with  
18 the Charitable Games Act.

19 (10) Pull tabs and jar games when conducted under the  
20 Illinois Pull Tabs and Jar Games Act.

21 (11) Gambling games conducted on riverboats when  
22 authorized by the Riverboat Gambling Act.

23 (12) Video gaming terminal games at a licensed  
24 establishment, licensed truck stop establishment, licensed  
25 fraternal establishment, or licensed veterans  
26 establishment when conducted in accordance with the Video

1 Gaming Act.

2 (13) Games of skill or chance where money or other  
3 things of value can be won but no payment or purchase is  
4 required to participate.

5 (14) Savings promotion raffles authorized under  
6 Section 5g of the Illinois Banking Act, Section 7008 of the  
7 Savings Bank Act, Section 42.7 of the Illinois Credit Union  
8 Act, Section 5136B of the National Bank Act (12 U.S.C.  
9 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.  
10 1463).

11 (c) Sentence.

12 Gambling is a Class A misdemeanor. A second or subsequent  
13 conviction under subsections (a) (3) through (a) (12), is a Class  
14 4 felony.

15 (d) Circumstantial evidence.

16 In prosecutions under this Section circumstantial evidence  
17 shall have the same validity and weight as in any criminal  
18 prosecution.

19 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.