

AN ACT in relation to gaming.

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

Section 5. The Bingo License and Tax Act is amended by changing Section 1 as follows:

(230 ILCS 25/1) (from Ch. 120, par. 1101)

Sec. 1. The Department of Revenue shall, upon application therefor on forms prescribed by such Department, and upon the payment of an annual fee of \$200 or a triennial fee of \$600, and upon a determination by the Department that the applicant meets all of the qualifications specified in this Section, issue a license for the conducting of bingo to any bona fide religious, charitable, labor, fraternal, youth athletic, senior citizen, educational or veterans' organization organized in Illinois which operates without profit to its members, which has been in existence in Illinois continuously for a period of 5 years immediately before making application for a license and which has had during that entire 5 year period a bona fide membership engaged in carrying out its objects. However, the 5 year requirement shall be reduced to 2 years, as applied to a local organization which is affiliated with and chartered by a national organization which meets the 5 year requirement. Each annual license expires at midnight, June 30 following its date of issuance, except that, beginning with applicants whose licenses expire on June 30, 1983, the Department shall stagger license expiration dates by dividing the applicants into 4 groups which are substantially equal in number. Licenses issued and license fees charged to applicants in each group shall be in accordance with the following schedule:

Group No.	License Expiration Date	Fee
1	December 31, 1983	\$100

2	March 31, 1984	\$150
3	June 30, 1984	\$200
4	September 30, 1984	\$250

Following expiration under this schedule, each renewed license shall be in effect for one year from its date of issuance unless suspended or revoked by Department action before that date. After June 30, 1983, every new annual license shall expire one year from the date of issuance unless suspended or revoked and every new triennial license issued or renewed on or after July 1, 2004 shall be in effect for 3 years from its date of issuance unless suspended or revoked by Department action before that date. A licensee may hold only one license and that license is valid for only one location.

For purposes of this Act, the following definitions apply:
"Organization": A corporation, agency, partnership, association, firm or other entity consisting of 2 or more persons joined by a common interest or purpose. "Non-profit organization": An organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to any one as a result of the operation. "Charitable organization": An organization or institution organized and operated to benefit an indefinite number of the public. "Educational organization": An organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools. "Religious organization": Any church, congregation, society, or organization founded for the purpose of religious worship. "Fraternal organization": An organization of persons, including but not limited to ethnic organizations, having a common interest, organized and operated exclusively to promote the welfare of its members and to benefit the general public on a continuing and consistent basis. "Veterans organization": An organization comprised of members of which substantially all are individuals who are

veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit. "Labor organization": An organization composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations. "Youth athletic organization": An organization having as its exclusive purpose the promotion and provision of athletic activities for youth aged 18 and under. "Senior citizens organization": An organization or association comprised of members of which substantially all are individuals who are senior citizens, as defined in Section 3.05 of the Illinois Act on the Aging, the primary purpose of which is to promote the welfare of its members.

Licensing for the conducting of bingo is subject to the following restrictions:

(1) The license application, when submitted to the Department of Revenue, must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by the presiding officer and the secretary of that organization.

(2) The application for license shall be prepared in accordance with the rules of the Department of Revenue.

(3) Each license shall state which day of the week and at what location the licensee is permitted to conduct bingo. The Department may, on special application made by any organization having a bingo license, issue a special operator's permit for conducting bingo at other premises and on other days not exceeding 7 consecutive days, except that a licensee may conduct bingo at the Illinois State Fair or any county fair held in Illinois during each day that the fair is in effect; such bingo games conducted at the Illinois State Fair or a county fair shall not require a special operator's permit. No more than 2 special

operator's permits may be issued in one year to any one organization. Any organization, qualified for a license but not holding one, upon application and payment of a \$50 fee may receive a limited license to conduct bingo at no more than 2 indoor or outdoor festivals in a year for a maximum of 5 days on each occasion or, upon application and payment of a \$150 fee, may receive a limited license to conduct bingo at no more than 2 indoor or outdoor festivals in a year for up to 3 years for a maximum of 5 days on each occasion. Such limited license shall be prominently displayed at the site of the bingo games.

(4) The licensee shall display a license in a prominent place in the area where it is to conduct bingo.

(5) The proceeds from the license fee imposed by this Act shall be paid into the General Revenue Fund of the State Treasury.

(6) A license authorizes the licensee to conduct the game commonly known as bingo, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random.

(7) The Director has the power to issue or to refuse to issue a license permitting a person, firm or corporation to provide premises for the conduct of bingo; provided, however, that a municipality shall not be required to obtain a license to provide such premises. The fee for such providers' license is \$200. A person, firm or corporation holding such a license may receive reasonable expenses for providing premises for conducting bingo. Reasonable expenses shall include only those expenses defined as reasonable by rules promulgated by the Department.

(8) The Department may issue restricted licenses to senior citizens organizations. The fee for a restricted license is \$10 per year or \$30 for 3 years. Restricted licenses shall be subject to the following conditions:

(A) Bingo shall be conducted only at a facility which is owned by a unit of local government to which

the corporate authorities have given their approval and which is used to provide social services or a meeting place to senior citizens, or in common areas in multi-unit federally assisted rental housing maintained solely for the elderly and handicapped;

(B) The price paid for a single card shall not exceed 5 cents;

(C) The aggregate retail value of all prizes or merchandise awarded in any one game of bingo shall not exceed \$1;

(D) No person or organization shall participate in the management or operation of bingo under a restricted license if the person or organization would be ineligible for a license under this Section;

(E) No license is required to provide premises for bingo conducted under a restricted license; and

(F) The Department may, by rule, exempt restricted licensees from such requirements of this Act as the Department may deem appropriate.

The Director has the power to issue a license permitting an Illinois person, firm or corporation to sell, lease or distribute to any organization licensed to conduct bingo games or to any licensed bingo supplier all cards, boards, sheets, markers, pads and all other supplies, devices and equipment designed for use in the play of bingo. No person, firm or corporation shall sell, lease or distribute bingo supplies or equipment without having first obtained a license therefor upon written application made, verified and filed with the Department in the form prescribed by the rules and regulations of the Department. The fee for such license is \$200.

Applications for providers' and suppliers' licenses shall be made in writing in accordance with Department rules. Each providers' or suppliers' license is valid for one year from date of issuance, unless suspended or revoked by Department action before that date.

The following are ineligible for any license under this

Act:

(a) any person who has been convicted of a felony;

(b) any person who has been convicted of a violation of Article 28 of the "Criminal Code of 1961";

(c) any person found gambling, participating in gambling or knowingly permitting gambling on premises where bingo is being conducted;

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

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

(f) any organization in which a person defined in (a), (b) or (c) is to participate in the management or operation of a bingo game.

(Source: P.A. 87-758.)

Section 99. Effective date. This Act takes effect July 1, 2004.