

HB0385



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0385

by Rep. David Harris

SYNOPSIS AS INTRODUCED:

See Index

Amends the Riverboat Gambling Act. Changes the short title to the Riverboat and Casino Gambling Act and changes corresponding references to the Act throughout the statutes. Authorizes license owners to conduct gambling operations on a riverboat or in a land-based casino.

LRB100 05884 MJP 15910 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Alcoholism and Other Drug Abuse and
5 Dependency Act is amended by changing Section 5-20 as follows:

6 (20 ILCS 301/5-20)

7 Sec. 5-20. Compulsive gambling program.

8 (a) Subject to appropriation, the Department shall
9 establish a program for public education, research, and
10 training regarding problem and compulsive gambling and the
11 treatment and prevention of problem and compulsive gambling.
12 Subject to specific appropriation for these stated purposes,
13 the program must include all of the following:

14 (1) Establishment and maintenance of a toll-free "800"
15 telephone number to provide crisis counseling and referral
16 services to families experiencing difficulty as a result of
17 problem or compulsive gambling.

18 (2) Promotion of public awareness regarding the
19 recognition and prevention of problem and compulsive
20 gambling.

21 (3) Facilitation, through in-service training and
22 other means, of the availability of effective assistance
23 programs for problem and compulsive gamblers.

1 (4) Conducting studies to identify adults and
2 juveniles in this State who are, or who are at risk of
3 becoming, problem or compulsive gamblers.

4 (b) Subject to appropriation, the Department shall either
5 establish and maintain the program or contract with a private
6 or public entity for the establishment and maintenance of the
7 program. Subject to appropriation, either the Department or the
8 private or public entity shall implement the toll-free
9 telephone number, promote public awareness, and conduct
10 in-service training concerning problem and compulsive
11 gambling.

12 (c) Subject to appropriation, the Department shall produce
13 and supply the signs specified in Section 10.7 of the Illinois
14 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of
15 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1
16 of the Charitable Games Act, and Section 13.1 of the Riverboat
17 and Casino Gambling Act.

18 (Source: P.A. 89-374, eff. 1-1-96; 89-626, eff. 8-9-96.)

19 Section 10. The Department of Revenue Law of the Civil
20 Administrative Code of Illinois is amended by changing Section
21 2505-305 as follows:

22 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

23 Sec. 2505-305. Investigators.

24 (a) The Department has the power to appoint investigators

1 to conduct all investigations, searches, seizures, arrests,
2 and other duties imposed under the provisions of any law
3 administered by the Department. Except as provided in
4 subsection (c), these investigators have and may exercise all
5 the powers of peace officers solely for the purpose of
6 enforcing taxing measures administered by the Department.

7 (b) The Director must authorize to each investigator
8 employed under this Section and to any other employee of the
9 Department exercising the powers of a peace officer a distinct
10 badge that, on its face, (i) clearly states that the badge is
11 authorized by the Department and (ii) contains a unique
12 identifying number. No other badge shall be authorized by the
13 Department.

14 (c) The Department may enter into agreements with the
15 Illinois Gaming Board providing that investigators appointed
16 under this Section shall exercise the peace officer powers set
17 forth in paragraph (20.6) of subsection (c) of Section 5 of the
18 Riverboat and Casino Gambling Act.

19 (Source: P.A. 96-37, eff. 7-13-09.)

20 Section 15. The State Finance Act is amended by changing
21 Section 6z-45 as follows:

22 (30 ILCS 105/6z-45)

23 Sec. 6z-45. The School Infrastructure Fund.

24 (a) The School Infrastructure Fund is created as a special

1 fund in the State Treasury.

2 In addition to any other deposits authorized by law,
3 beginning January 1, 2000, on the first day of each month, or
4 as soon thereafter as may be practical, the State Treasurer and
5 State Comptroller shall transfer the sum of \$5,000,000 from the
6 General Revenue Fund to the School Infrastructure Fund, except
7 that, notwithstanding any other provision of law, and in
8 addition to any other transfers that may be provided for by
9 law, before June 30, 2012, the Comptroller and the Treasurer
10 shall transfer \$45,000,000 from the General Revenue Fund into
11 the School Infrastructure Fund, and, for fiscal year 2013 only,
12 the Treasurer and the Comptroller shall transfer \$1,250,000
13 from the General Revenue Fund to the School Infrastructure Fund
14 on the first day of each month; provided, however, that no such
15 transfers shall be made from July 1, 2001 through June 30,
16 2003.

17 (b) Subject to the transfer provisions set forth below,
18 money in the School Infrastructure Fund shall, if and when the
19 State of Illinois incurs any bonded indebtedness for the
20 construction of school improvements under the School
21 Construction Law, be set aside and used for the purpose of
22 paying and discharging annually the principal and interest on
23 that bonded indebtedness then due and payable, and for no other
24 purpose.

25 In addition to other transfers to the General Obligation
26 Bond Retirement and Interest Fund made pursuant to Section 15

1 of the General Obligation Bond Act, upon each delivery of bonds
2 issued for construction of school improvements under the School
3 Construction Law, the State Comptroller shall compute and
4 certify to the State Treasurer the total amount of principal
5 of, interest on, and premium, if any, on such bonds during the
6 then current and each succeeding fiscal year. With respect to
7 the interest payable on variable rate bonds, such
8 certifications shall be calculated at the maximum rate of
9 interest that may be payable during the fiscal year, after
10 taking into account any credits permitted in the related
11 indenture or other instrument against the amount of such
12 interest required to be appropriated for that period.

13 On or before the last day of each month, the State
14 Treasurer and State Comptroller shall transfer from the School
15 Infrastructure Fund to the General Obligation Bond Retirement
16 and Interest Fund an amount sufficient to pay the aggregate of
17 the principal of, interest on, and premium, if any, on the
18 bonds payable on their next payment date, divided by the number
19 of monthly transfers occurring between the last previous
20 payment date (or the delivery date if no payment date has yet
21 occurred) and the next succeeding payment date. Interest
22 payable on variable rate bonds shall be calculated at the
23 maximum rate of interest that may be payable for the relevant
24 period, after taking into account any credits permitted in the
25 related indenture or other instrument against the amount of
26 such interest required to be appropriated for that period.

1 Interest for which moneys have already been deposited into the
2 capitalized interest account within the General Obligation
3 Bond Retirement and Interest Fund shall not be included in the
4 calculation of the amounts to be transferred under this
5 subsection.

6 (b-5) The money deposited into the School Infrastructure
7 Fund from transfers pursuant to subsections (c-30) and (c-35)
8 of Section 13 of the Riverboat and Casino Gambling Act shall be
9 applied, without further direction, as provided in subsection
10 (b-3) of Section 5-35 of the School Construction Law.

11 (c) The surplus, if any, in the School Infrastructure Fund
12 after payments made pursuant to subsections (b) and (b-5) of
13 this Section shall, subject to appropriation, be used as
14 follows:

15 First - to make 3 payments to the School Technology
16 Revolving Loan Fund as follows:

17 Transfer of \$30,000,000 in fiscal year 1999;

18 Transfer of \$20,000,000 in fiscal year 2000; and

19 Transfer of \$10,000,000 in fiscal year 2001.

20 Second - to pay the expenses of the State Board of
21 Education and the Capital Development Board in administering
22 programs under the School Construction Law, the total expenses
23 not to exceed \$1,200,000 in any fiscal year.

24 Third - to pay any amounts due for grants for school
25 construction projects and debt service under the School
26 Construction Law.

1 Fourth - to pay any amounts due for grants for school
2 maintenance projects under the School Construction Law.

3 (Source: P.A. 97-732, eff. 6-30-12; 98-18, eff. 6-7-13.)

4 Section 20. The Joliet Regional Port District Act is
5 amended by changing Section 5.1 as follows:

6 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

7 Sec. 5.1. Riverboat and Casino gambling. Notwithstanding
8 any other provision of this Act, the District may not regulate
9 the operation, conduct, or navigation of any riverboat gambling
10 casino licensed under the Riverboat and Casino Gambling Act,
11 and the District may not license, tax, or otherwise levy any
12 assessment of any kind on any riverboat gambling casino
13 licensed under the Riverboat and Casino Gambling Act. The
14 General Assembly declares that the powers to regulate the
15 operation, conduct, and navigation of riverboat gambling
16 casinos and to license, tax, and levy assessments upon
17 riverboat gambling casinos are exclusive powers of the State of
18 Illinois and the Illinois Gaming Board as provided in the
19 Riverboat and Casino Gambling Act.

20 (Source: P.A. 87-1175.)

21 Section 25. The Consumer Installment Loan Act is amended by
22 changing Section 12.5 as follows:

1 (205 ILCS 670/12.5)

2 Sec. 12.5. Limited purpose branch.

3 (a) Upon the written approval of the Director, a licensee
4 may maintain a limited purpose branch for the sole purpose of
5 making loans as permitted by this Act. A limited purpose branch
6 may include an automatic loan machine. No other activity shall
7 be conducted at the site, including but not limited to,
8 accepting payments, servicing the accounts, or collections.

9 (b) The licensee must submit an application for a limited
10 purpose branch to the Director on forms prescribed by the
11 Director with an application fee of \$300. The approval for the
12 limited purpose branch must be renewed concurrently with the
13 renewal of the licensee's license along with a renewal fee of
14 \$300 for the limited purpose branch.

15 (c) The books, accounts, records, and files of the limited
16 purpose branch's transactions shall be maintained at the
17 licensee's licensed location. The licensee shall notify the
18 Director of the licensed location at which the books, accounts,
19 records, and files shall be maintained.

20 (d) The licensee shall prominently display at the limited
21 purpose branch the address and telephone number of the
22 licensee's licensed location.

23 (e) No other business shall be conducted at the site of the
24 limited purpose branch unless authorized by the Director.

25 (f) The Director shall make and enforce reasonable rules
26 for the conduct of a limited purpose branch.

1 (g) A limited purpose branch may not be located within
2 1,000 feet of a facility operated by an inter-track wagering
3 licensee or an organization licensee subject to the Illinois
4 Horse Racing Act of 1975, on a riverboat or in a casino subject
5 to the Riverboat and Casino Gambling Act, or within 1,000 feet
6 of the location at which the riverboat docks or within 1,000
7 feet of a casino.

8 (Source: P.A. 90-437, eff. 1-1-98.)

9 Section 30. The Illinois Horse Racing Act of 1975 is
10 amended by changing Sections 54 and 54.75 as follows:

11 (230 ILCS 5/54)

12 Sec. 54. Horse Racing Equity Fund.

13 (a) There is created in the State Treasury a Fund to be
14 known as the Horse Racing Equity Fund. The Fund shall consist
15 of moneys paid into it pursuant to subsection (c-5) of Section
16 13 of the Riverboat and Casino Gambling Act. The Fund shall be
17 administered by the Racing Board.

18 (b) The moneys deposited into the Fund shall be distributed
19 by the Racing Board within 10 days after those moneys are
20 deposited into the Fund as follows:

21 (1) Fifty percent of all moneys distributed under this
22 subsection shall be distributed to organization licensees
23 to be distributed at their race meetings as purses.
24 Fifty-seven percent of the amount distributed under this

1 paragraph (1) shall be distributed for thoroughbred race
2 meetings and 43% shall be distributed for standardbred race
3 meetings. Within each breed, moneys shall be allocated to
4 each organization licensee's purse fund in accordance with
5 the ratio between the purses generated for that breed by
6 that licensee during the prior calendar year and the total
7 purses generated throughout the State for that breed during
8 the prior calendar year.

9 (2) The remaining 50% of the moneys distributed under
10 this subsection (b) shall be distributed pro rata according
11 to the aggregate proportion of state-wide handle at the
12 racetrack, inter-track, and inter-track wagering locations
13 that derive their licenses from a racetrack identified in
14 this paragraph (2) for calendar years 1994, 1996, and 1997
15 to (i) any person (or its successors or assigns) who had
16 operating control of a racing facility at which live racing
17 was conducted in calendar year 1997 and who has operating
18 control of an organization licensee that conducted racing
19 in calendar year 1997 and is a licensee in the current
20 year, or (ii) any person (or its successors or assigns) who
21 has operating control of a racing facility located in a
22 county that is bounded by the Mississippi River that has a
23 population of less than 150,000 according to the 1990
24 decennial census and conducted an average of 60 days of
25 racing per year between 1985 and 1993 and has been awarded
26 an inter-track wagering license in the current year.

1 If any person identified in this paragraph (2) becomes
2 ineligible to receive moneys from the Fund, such amount
3 shall be redistributed among the remaining persons in
4 proportion to their percentages otherwise calculated.

5 (Source: P.A. 98-18, eff. 6-7-13.)

6 (230 ILCS 5/54.75)

7 Sec. 54.75. Horse Racing Equity Trust Fund.

8 (a) There is created a Fund to be known as the Horse Racing
9 Equity Trust Fund, which is a non-appropriated trust fund held
10 separate and apart from State moneys. The Fund shall consist of
11 moneys paid into it by owners licensees under the Riverboat and
12 Casino Gambling Act for the purposes described in this Section.
13 The Fund shall be administered by the Board. Moneys in the Fund
14 shall be distributed as directed and certified by the Board in
15 accordance with the provisions of subsection (b).

16 (b) The moneys deposited into the Fund, plus any accrued
17 interest on those moneys, shall be distributed within 10 days
18 after those moneys are deposited into the Fund as follows:

19 (1) Sixty percent of all moneys distributed under this
20 subsection shall be distributed to organization licensees
21 to be distributed at their race meetings as purses.
22 Fifty-seven percent of the amount distributed under this
23 paragraph (1) shall be distributed for thoroughbred race
24 meetings and 43% shall be distributed for standardbred race
25 meetings. Within each breed, moneys shall be allocated to

1 each organization licensee's purse fund in accordance with
2 the ratio between the purses generated for that breed by
3 that licensee during the prior calendar year and the total
4 purses generated throughout the State for that breed during
5 the prior calendar year by licensees in the current
6 calendar year.

7 (2) The remaining 40% of the moneys distributed under
8 this subsection (b) shall be distributed as follows:

9 (A) 11% shall be distributed to any person (or its
10 successors or assigns) who had operating control of a
11 racetrack that conducted live racing in 2002 at a
12 racetrack in a county with at least 230,000 inhabitants
13 that borders the Mississippi River and is a licensee in
14 the current year; and

15 (B) the remaining 89% shall be distributed pro rata
16 according to the aggregate proportion of total handle
17 from wagering on live races conducted in Illinois
18 (irrespective of where the wagers are placed) for
19 calendar years 2004 and 2005 to any person (or its
20 successors or assigns) who (i) had majority operating
21 control of a racing facility at which live racing was
22 conducted in calendar year 2002, (ii) is a licensee in
23 the current year, and (iii) is not eligible to receive
24 moneys under subparagraph (A) of this paragraph (2).

25 The moneys received by an organization licensee
26 under this paragraph (2) shall be used by each

1 organization licensee to improve, maintain, market,
2 and otherwise operate its racing facilities to conduct
3 live racing, which shall include backstretch services
4 and capital improvements related to live racing and the
5 backstretch. Any organization licensees sharing common
6 ownership may pool the moneys received and spent at all
7 racing facilities commonly owned in order to meet these
8 requirements.

9 If any person identified in this paragraph (2) becomes
10 ineligible to receive moneys from the Fund, such amount
11 shall be redistributed among the remaining persons in
12 proportion to their percentages otherwise calculated.

13 (c) The Board shall monitor organization licensees to
14 ensure that moneys paid to organization licensees under this
15 Section are distributed by the organization licensees as
16 provided in subsection (b).

17 (Source: P.A. 95-1008, eff. 12-15-08.)

18 Section 35. The Riverboat Gambling Act is amended by
19 changing Sections 1, 3, 4, 5, 5.1, 6, 7, 7.3, 7.4, 8, 9, 11,
20 11.1, 12, 13, 18, 18.1, 19, 20, and 24 as follows:

21 (230 ILCS 10/1) (from Ch. 120, par. 2401)

22 Sec. 1. Short title. This Act shall be known and may be
23 cited as the Riverboat and Casino Gambling Act.

24 (Source: P.A. 86-1029.)

1 (230 ILCS 10/3) (from Ch. 120, par. 2403)

2 Sec. 3. ~~Riverboat~~ Gambling Authorized.

3 (a) Riverboat and casino gambling operations and the system
4 of wagering incorporated therein, as defined in this Act, are
5 hereby authorized to the extent that they are carried out in
6 accordance with the provisions of this Act.

7 (b) This Act does not apply to the pari-mutuel system of
8 wagering used or intended to be used in connection with the
9 horse-race meetings as authorized under the Illinois Horse
10 Racing Act of 1975, lottery games authorized under the Illinois
11 Lottery Law, bingo authorized under the Bingo License and Tax
12 Act, charitable games authorized under the Charitable Games Act
13 or pull tabs and jar games conducted under the Illinois Pull
14 Tabs and Jar Games Act.

15 (c) Riverboat gambling conducted pursuant to this Act may
16 be authorized upon any water within the State of Illinois or
17 any water other than Lake Michigan which constitutes a boundary
18 of the State of Illinois. A licensee may conduct riverboat
19 gambling authorized under this Act regardless of whether it
20 conducts excursion cruises. A licensee may permit the
21 continuous ingress and egress of passengers for the purpose of
22 gambling.

23 (Source: P.A. 91-40, eff. 6-25-99.)

24 (230 ILCS 10/4) (from Ch. 120, par. 2404)

1 Sec. 4. Definitions. As used in this Act:

2 ~~(a)~~ "Board" means the Illinois Gaming Board.

3 ~~(b)~~ "Occupational license" means a license issued by the
4 Board to a person or entity to perform an occupation which the
5 Board has identified as requiring a license to engage in
6 riverboat gambling or casino gambling in Illinois.

7 ~~(c)~~ "Gambling game" includes, but is not limited to,
8 baccarat, twenty-one, poker, craps, slot machine, video game of
9 chance, roulette wheel, klondike table, punchboard, faro
10 layout, keno layout, numbers ticket, push card, jar ticket, or
11 pull tab which is authorized by the Board as a wagering device
12 under this Act.

13 ~~(d)~~ "Riverboat" means a self-propelled excursion boat, a
14 permanently moored barge, or permanently moored barges that are
15 permanently fixed together to operate as one vessel, on which
16 lawful gambling is authorized and licensed as provided in this
17 Act.

18 ~~(e)~~ "Managers license" means a license issued by the Board
19 to a person or entity to manage gambling operations conducted
20 by the State pursuant to Section 7.3.

21 ~~(f)~~ "Dock" means the location where a riverboat moors for
22 the purpose of embarking passengers for and disembarking
23 passengers from the riverboat.

24 ~~(g)~~ "Gross receipts" means the total amount of money
25 exchanged for the purchase of chips, tokens, or electronic
26 cards by riverboat patrons.

1 ~~(h)~~ "Adjusted gross receipts" means the gross receipts less
2 winnings paid to wagerers.

3 ~~(i)~~ "Cheat" means to alter the selection of criteria which
4 determine the result of a gambling game or the amount or
5 frequency of payment in a gambling game.

6 ~~(j)~~ ~~(Blank)~~.

7 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~
8 gambling games authorized under this Act upon a riverboat or in
9 a casino.

10 ~~(l)~~ "License bid" means the lump sum amount of money that
11 an applicant bids and agrees to pay the State in return for an
12 owners license that is re-issued on or after July 1, 2003.

13 ~~(m)~~ The terms "minority person", "female", and "person with
14 a disability" shall have the same meaning as defined in Section
15 2 of the Business Enterprise for Minorities, Females, and
16 Persons with Disabilities Act.

17 "Casino" means a facility at which lawful gambling is
18 authorized as provided in this Act.

19 "Owners license" means a license to conduct riverboat or
20 casino gambling operations.

21 "Licensed owner" means a person or entity who holds an
22 owners license.

23 (Source: P.A. 95-331, eff. 8-21-07; 96-1392, eff. 1-1-11.)

24 (230 ILCS 10/5) (from Ch. 120, par. 2405)

25 Sec. 5. Gaming Board.

1 (a) (1) There is hereby established the Illinois Gaming
2 Board, which shall have the powers and duties specified in this
3 Act, and all other powers necessary and proper to fully and
4 effectively execute this Act for the purpose of administering,
5 regulating, and enforcing the system of riverboat and casino
6 gambling established by this Act. Its jurisdiction shall extend
7 under this Act to every person, association, corporation,
8 partnership and trust involved in riverboat and casino gambling
9 operations in the State of Illinois.

10 (2) The Board shall consist of 5 members to be appointed by
11 the Governor with the advice and consent of the Senate, one of
12 whom shall be designated by the Governor to be chairperson
13 ~~chairman~~. Each member shall have a reasonable knowledge of the
14 practice, procedure and principles of gambling operations.
15 Each member shall either be a resident of Illinois or shall
16 certify that he or she will become a resident of Illinois
17 before taking office.

18 At least one member shall be experienced in law enforcement
19 and criminal investigation, at least one member shall be a
20 certified public accountant experienced in accounting and
21 auditing, and at least one member shall be a lawyer licensed to
22 practice law in Illinois.

23 (3) The terms of office of the Board members shall be 3
24 years, except that the terms of office of the initial Board
25 members appointed pursuant to this Act will commence from the
26 effective date of this Act and run as follows: one for a term

1 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for
2 a term ending July 1, 1993. Upon the expiration of the
3 foregoing terms, the successors of such members shall serve a
4 term for 3 years and until their successors are appointed and
5 qualified for like terms. Vacancies in the Board shall be
6 filled for the unexpired term in like manner as original
7 appointments. Each member of the Board shall be eligible for
8 reappointment at the discretion of the Governor with the advice
9 and consent of the Senate.

10 (4) Each member of the Board shall receive \$300 for each
11 day the Board meets and for each day the member conducts any
12 hearing pursuant to this Act. Each member of the Board shall
13 also be reimbursed for all actual and necessary expenses and
14 disbursements incurred in the execution of official duties.

15 (5) No person shall be appointed a member of the Board or
16 continue to be a member of the Board who is, or whose spouse,
17 child or parent is, a member of the board of directors of, or a
18 person financially interested in, any gambling operation
19 subject to the jurisdiction of this Board, or any race track,
20 race meeting, racing association or the operations thereof
21 subject to the jurisdiction of the Illinois Racing Board. No
22 Board member shall hold any other public office. No person
23 shall be a member of the Board who is not of good moral
24 character or who has been convicted of, or is under indictment
25 for, a felony under the laws of Illinois or any other state, or
26 the United States.

1 (5.5) No member of the Board shall engage in any political
2 activity. For the purposes of this Section, "political" means
3 any activity in support of or in connection with any campaign
4 for federal, State, or local elective office or any political
5 organization, but does not include activities (i) relating to
6 the support or opposition of any executive, legislative, or
7 administrative action (as those terms are defined in Section 2
8 of the Lobbyist Registration Act), (ii) relating to collective
9 bargaining, or (iii) that are otherwise in furtherance of the
10 person's official State duties or governmental and public
11 service functions.

12 (6) Any member of the Board may be removed by the Governor
13 for neglect of duty, misfeasance, malfeasance, or nonfeasance
14 in office or for engaging in any political activity.

15 (7) Before entering upon the discharge of the duties of his
16 office, each member of the Board shall take an oath that he
17 will faithfully execute the duties of his office according to
18 the laws of the State and the rules and regulations adopted
19 therewith and shall give bond to the State of Illinois,
20 approved by the Governor, in the sum of \$25,000. Every such
21 bond, when duly executed and approved, shall be recorded in the
22 office of the Secretary of State. Whenever the Governor
23 determines that the bond of any member of the Board has become
24 or is likely to become invalid or insufficient, he shall
25 require such member forthwith to renew his bond, which is to be
26 approved by the Governor. Any member of the Board who fails to

1 take oath and give bond within 30 days from the date of his
2 appointment, or who fails to renew his bond within 30 days
3 after it is demanded by the Governor, shall be guilty of
4 neglect of duty and may be removed by the Governor. The cost of
5 any bond given by any member of the Board under this Section
6 shall be taken to be a part of the necessary expenses of the
7 Board.

8 (7.5) For the examination of all mechanical,
9 electromechanical, or electronic table games, slot machines,
10 slot accounting systems, and other electronic gaming equipment
11 for compliance with this Act, the Board may utilize the
12 services of one or more independent outside testing
13 laboratories that have been accredited by a national
14 accreditation body and that, in the judgment of the Board, are
15 qualified to perform such examinations.

16 (8) The Board shall employ such personnel as may be
17 necessary to carry out its functions and shall determine the
18 salaries of all personnel, except those personnel whose
19 salaries are determined under the terms of a collective
20 bargaining agreement. No person shall be employed to serve the
21 Board who is, or whose spouse, parent or child is, an official
22 of, or has a financial interest in or financial relation with,
23 any operator engaged in gambling operations within this State
24 or any organization engaged in conducting horse racing within
25 this State. Any employee violating these prohibitions shall be
26 subject to termination of employment.

1 (9) An Administrator shall perform any and all duties that
2 the Board shall assign him. The salary of the Administrator
3 shall be determined by the Board and, in addition, he shall be
4 reimbursed for all actual and necessary expenses incurred by
5 him in discharge of his official duties. The Administrator
6 shall keep records of all proceedings of the Board and shall
7 preserve all records, books, documents and other papers
8 belonging to the Board or entrusted to its care. The
9 Administrator shall devote his full time to the duties of the
10 office and shall not hold any other office or employment.

11 (b) The Board shall have general responsibility for the
12 implementation of this Act. Its duties include, without
13 limitation, the following:

14 (1) To decide promptly and in reasonable order all
15 license applications. Any party aggrieved by an action of
16 the Board denying, suspending, revoking, restricting or
17 refusing to renew a license may request a hearing before
18 the Board. A request for a hearing must be made to the
19 Board in writing within 5 days after service of notice of
20 the action of the Board. Notice of the action of the Board
21 shall be served either by personal delivery or by certified
22 mail, postage prepaid, to the aggrieved party. Notice
23 served by certified mail shall be deemed complete on the
24 business day following the date of such mailing. The Board
25 shall conduct all requested hearings promptly and in
26 reasonable order;

1 (2) To conduct all hearings pertaining to civil
2 violations of this Act or rules and regulations promulgated
3 hereunder;

4 (3) To promulgate such rules and regulations as in its
5 judgment may be necessary to protect or enhance the
6 credibility and integrity of gambling operations
7 authorized by this Act and the regulatory process
8 hereunder;

9 (4) To provide for the establishment and collection of
10 all license and registration fees and taxes imposed by this
11 Act and the rules and regulations issued pursuant hereto.
12 All such fees and taxes shall be deposited into the State
13 Gaming Fund;

14 (5) To provide for the levy and collection of penalties
15 and fines for the violation of provisions of this Act and
16 the rules and regulations promulgated hereunder. All such
17 fines and penalties shall be deposited into the Education
18 Assistance Fund, created by Public Act 86-0018, of the
19 State of Illinois;

20 (6) To be present through its inspectors and agents any
21 time gambling operations are conducted on any riverboat or
22 in any casino for the purpose of certifying the revenue
23 thereof, receiving complaints from the public, and
24 conducting such other investigations into the conduct of
25 the gambling games and the maintenance of the equipment as
26 from time to time the Board may deem necessary and proper;

1 (7) To review and rule upon any complaint by a licensee
2 regarding any investigative procedures of the State which
3 are unnecessarily disruptive of gambling operations. The
4 need to inspect and investigate shall be presumed at all
5 times. The disruption of a licensee's operations shall be
6 proved by clear and convincing evidence, and establish
7 that: (A) the procedures had no reasonable law enforcement
8 purposes, and (B) the procedures were so disruptive as to
9 unreasonably inhibit gambling operations;

10 (8) To hold at least one meeting each quarter of the
11 fiscal year. In addition, special meetings may be called by
12 the Chairman or any 2 Board members upon 72 hours written
13 notice to each member. All Board meetings shall be subject
14 to the Open Meetings Act. Three members of the Board shall
15 constitute a quorum, and 3 votes shall be required for any
16 final determination by the Board. The Board shall keep a
17 complete and accurate record of all its meetings. A
18 majority of the members of the Board shall constitute a
19 quorum for the transaction of any business, for the
20 performance of any duty, or for the exercise of any power
21 which this Act requires the Board members to transact,
22 perform or exercise en banc, except that, upon order of the
23 Board, one of the Board members or an administrative law
24 judge designated by the Board may conduct any hearing
25 provided for under this Act or by Board rule and may
26 recommend findings and decisions to the Board. The Board

1 member or administrative law judge conducting such hearing
2 shall have all powers and rights granted to the Board in
3 this Act. The record made at the time of the hearing shall
4 be reviewed by the Board, or a majority thereof, and the
5 findings and decision of the majority of the Board shall
6 constitute the order of the Board in such case;

7 (9) To maintain records which are separate and distinct
8 from the records of any other State board or commission.
9 Such records shall be available for public inspection and
10 shall accurately reflect all Board proceedings;

11 (10) To file a written annual report with the Governor
12 on or before March 1 each year and such additional reports
13 as the Governor may request. The annual report shall
14 include a statement of receipts and disbursements by the
15 Board, actions taken by the Board, and any additional
16 information and recommendations which the Board may deem
17 valuable or which the Governor may request;

18 (11) (Blank);

19 (12) (Blank);

20 (13) To assume responsibility for administration and
21 enforcement of the Video Gaming Act; and

22 (14) To adopt, by rule, a code of conduct governing
23 Board members and employees that ensures ~~ensure~~, to the
24 maximum extent possible, that persons subject to this Code
25 avoid situations, relationships, or associations that may
26 represent or lead to a conflict of interest.

1 (c) The Board shall have jurisdiction over and shall
2 supervise all gambling operations governed by this Act. The
3 Board shall have all powers necessary and proper to fully and
4 effectively execute the provisions of this Act, including, but
5 not limited to, the following:

6 (1) To investigate applicants and determine the
7 eligibility of applicants for licenses and to select among
8 competing applicants the applicants which best serve the
9 interests of the citizens of Illinois.

10 (2) To have jurisdiction and supervision over all
11 ~~riverboat~~ gambling operations authorized under this Act in
12 ~~this State~~ and all persons in places ~~on riverboats~~ where
13 gambling operations are conducted.

14 (3) To promulgate rules and regulations for the purpose
15 of administering the provisions of this Act and to
16 prescribe rules, regulations and conditions under which
17 all ~~riverboat~~ gambling operations subject to this Act in
18 ~~the State~~ shall be conducted. Such rules and regulations
19 are to provide for the prevention of practices detrimental
20 to the public interest and for the best interests of
21 ~~riverboat~~ gambling, including rules and regulations
22 regarding the inspection of casinos and ~~such~~ riverboats,
23 and the review of any permits or licenses necessary to
24 operate a riverboat or casino under any laws or regulations
25 applicable to riverboats or casinos, and to impose
26 penalties for violations thereof.

1 (4) To enter the office, riverboats, casinos, and other
2 facilities, or other places of business of a licensee,
3 where evidence of the compliance or noncompliance with the
4 provisions of this Act is likely to be found.

5 (5) To investigate alleged violations of this Act or
6 the rules of the Board and to take appropriate disciplinary
7 action against a licensee or a holder of an occupational
8 license for a violation, or institute appropriate legal
9 action for enforcement, or both.

10 (6) To adopt standards for the licensing of all persons
11 and entities under Section 7 of this Act, as well as for
12 electronic or mechanical gambling games, and to establish
13 fees for such licenses.

14 (7) To adopt appropriate standards for all riverboats,
15 casinos, and other facilities authorized under this Act.

16 (8) To require that the records, including financial or
17 other statements of any licensee under this Act, shall be
18 kept in such manner as prescribed by the Board and that any
19 such licensee involved in the ownership or management of
20 gambling operations submit to the Board an annual balance
21 sheet and profit and loss statement, list of the
22 stockholders or other persons having a 1% or greater
23 beneficial interest in the gambling activities of each
24 licensee, and any other information the Board deems
25 necessary in order to effectively administer this Act and
26 all rules, regulations, orders and final decisions

1 promulgated under this Act.

2 (9) To conduct hearings, issue subpoenas for the
3 attendance of witnesses and subpoenas duces tecum for the
4 production of books, records and other pertinent documents
5 in accordance with the Illinois Administrative Procedure
6 Act, and to administer oaths and affirmations to the
7 witnesses, when, in the judgment of the Board, it is
8 necessary to administer or enforce this Act or the Board
9 rules.

10 (10) To prescribe a form to be used by any licensee
11 involved in the ownership or management of gambling
12 operations as an application for employment for their
13 employees.

14 (11) To revoke or suspend licenses, as the Board may
15 see fit and in compliance with applicable laws of the State
16 regarding administrative procedures, and to review
17 applications for the renewal of licenses. The Board may
18 suspend an owners license, without notice or hearing, upon
19 a determination that the safety or health of patrons or
20 employees is jeopardized by continuing a gambling
21 operation conducted under that license ~~riverboat's~~
22 ~~operation~~. The suspension may remain in effect until the
23 Board determines that the cause for suspension has been
24 abated. The Board may revoke an ~~the~~ owners license upon a
25 determination that the licensee ~~owner~~ has not made
26 satisfactory progress toward abating the hazard.

1 (12) To eject or exclude or authorize the ejection or
2 exclusion of, any person from ~~riverboat~~ gambling
3 facilities where that ~~such~~ person is in violation of this
4 Act, rules and regulations thereunder, or final orders of
5 the Board, or where such person's conduct or reputation is
6 such that his or her presence within the ~~riverboat~~ gambling
7 facilities may, in the opinion of the Board, call into
8 question the honesty and integrity of the gambling
9 operations or interfere with the orderly conduct thereof;
10 provided that the propriety of such ejection or exclusion
11 is subject to subsequent hearing by the Board.

12 (13) To require all licensees of gambling operations to
13 utilize a cashless wagering system whereby all players'
14 money is converted to tokens, electronic cards, or chips
15 which shall be used only for wagering in the gambling
16 establishment.

17 (14) (Blank).

18 (15) To suspend, revoke, or restrict licenses, to
19 require the removal of a licensee or an employee of a
20 licensee for a violation of this Act or a Board rule or for
21 engaging in a fraudulent practice, and to impose civil
22 penalties of up to \$5,000 against individuals and up to
23 \$10,000 or an amount equal to the daily gross receipts,
24 whichever is larger, against licensees for each violation
25 of any provision of the Act, any rules adopted by the
26 Board, any order of the Board or any other action which, in

1 the Board's discretion, is a detriment or impediment to
2 riverboat gambling operations.

3 (16) To hire employees to gather information, conduct
4 investigations and carry out any other tasks contemplated
5 under this Act.

6 (17) To establish minimum levels of insurance to be
7 maintained by licensees.

8 (18) To authorize a licensee to sell or serve alcoholic
9 liquors, wine or beer as defined in the Liquor Control Act
10 of 1934 on board a riverboat or in a casino and to have
11 exclusive authority to establish the hours for sale and
12 consumption of alcoholic liquor on board a riverboat or in
13 a casino, notwithstanding any provision of the Liquor
14 Control Act of 1934 or any local ordinance, and regardless
15 of whether the riverboat makes excursions. The
16 establishment of the hours for sale and consumption of
17 alcoholic liquor on board a riverboat or in a casino is an
18 exclusive power and function of the State. A home rule unit
19 may not establish the hours for sale and consumption of
20 alcoholic liquor on board a riverboat or in a casino. This
21 paragraph (18) amendatory Act of 1991 is a denial and
22 limitation of home rule powers and functions under
23 subsection (h) of Section 6 of Article VII of the Illinois
24 Constitution.

25 (19) After consultation with the U.S. Army Corps of
26 Engineers, to establish binding emergency orders upon the

1 concurrence of a majority of the members of the Board
2 regarding the navigability of water, relative to
3 excursions, in the event of extreme weather conditions,
4 acts of God or other extreme circumstances.

5 (20) To delegate the execution of any of its powers
6 under this Act for the purpose of administering and
7 enforcing this Act and the ~~its~~ rules adopted by the Board
8 under this Act and regulations hereunder.

9 (20.5) To approve any contract entered into on its
10 behalf.

11 (20.6) To appoint investigators to conduct
12 investigations, searches, seizures, arrests, and other
13 duties imposed under this Act, as deemed necessary by the
14 Board. These investigators have and may exercise all of the
15 rights and powers of peace officers, provided that these
16 powers shall be limited to offenses or violations occurring
17 or committed in a casino or on a riverboat or dock, as
18 defined in subsections (d) and (f) of Section 4, or as
19 otherwise provided by this Act or any other law.

20 (20.7) To contract with the Department of State Police
21 for the use of trained and qualified State police officers
22 and with the Department of Revenue for the use of trained
23 and qualified Department of Revenue investigators to
24 conduct investigations, searches, seizures, arrests, and
25 other duties imposed under this Act and to exercise all of
26 the rights and powers of peace officers, provided that the

1 powers of Department of Revenue investigators under this
2 paragraph subdivision (20.7) shall be limited to offenses
3 or violations occurring or committed in a casino or on a
4 riverboat or dock, as defined in subsections (d) and (f) of
5 Section 4, or as otherwise provided by this Act or any
6 other law. In the event the Department of State Police or
7 the Department of Revenue is unable to fill contracted
8 police or investigative positions, the Board may appoint
9 investigators to fill those positions pursuant to
10 paragraph subdivision (20.6).

11 (21) To take any other action as may be reasonable or
12 appropriate to enforce this Act and the rules adopted by
13 the Board under this Act ~~and regulations hereunder~~.

14 (d) The Board may seek and shall receive the cooperation of
15 the Department of State Police in conducting background
16 investigations of applicants and in fulfilling its
17 responsibilities under this Section. Costs incurred by the
18 Department of State Police as a result of such cooperation
19 shall be paid by the Board in conformance with the requirements
20 of Section 2605-400 of the Department of State Police Law (20
21 ILCS 2605/2605-400).

22 (e) The Board must authorize to each investigator and to
23 any other employee of the Board exercising the powers of a
24 peace officer a distinct badge that, on its face, (i) clearly
25 states that the badge is authorized by the Board and (ii)
26 contains a unique identifying number. No other badge shall be

1 authorized by the Board.

2 (Source: P.A. 98-377, eff. 1-1-14; 98-582, eff. 8-27-13.)

3 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

4 Sec. 5.1. Disclosure of records.

5 (a) Notwithstanding any applicable statutory provision to
6 the contrary, the Board shall, on written request from any
7 person, provide information furnished by an applicant or
8 licensee concerning the applicant or licensee, his products,
9 services or gambling enterprises and his business holdings, as
10 follows:

11 (1) The name, business address and business telephone
12 number of any applicant or licensee.

13 (2) An identification of any applicant or licensee
14 including, if an applicant or licensee is not an
15 individual, the state of incorporation or registration,
16 the corporate officers, and the identity of all
17 shareholders or participants. If an applicant or licensee
18 has a pending registration statement filed with the
19 Securities and Exchange Commission, only the names of those
20 persons or entities holding interest of 5% or more must be
21 provided.

22 (3) An identification of any business, including, if
23 applicable, the state of incorporation or registration, in
24 which an applicant or licensee or an applicant's or
25 licensee's spouse or children has an equity interest of

1 more than 1%. If an applicant or licensee is a corporation,
2 partnership or other business entity, the applicant or
3 licensee shall identify any other corporation, partnership
4 or business entity in which it has an equity interest of 1%
5 or more, including, if applicable, the state of
6 incorporation or registration. This information need not
7 be provided by a corporation, partnership or other business
8 entity that has a pending registration statement filed with
9 the Securities and Exchange Commission.

10 (4) Whether an applicant or licensee has been indicted,
11 convicted, pleaded guilty or nolo contendere, or forfeited
12 bail concerning any criminal offense under the laws of any
13 jurisdiction, either felony or misdemeanor (except for
14 traffic violations), including the date, the name and
15 location of the court, arresting agency and prosecuting
16 agency, the case number, the offense, the disposition and
17 the location and length of incarceration.

18 (5) Whether an applicant or licensee has had any
19 license or certificate issued by a licensing authority in
20 Illinois or any other jurisdiction denied, restricted,
21 suspended, revoked or not renewed and a statement
22 describing the facts and circumstances concerning the
23 denial, restriction, suspension, revocation or
24 non-renewal, including the licensing authority, the date
25 each such action was taken, and the reason for each such
26 action.

1 (6) Whether an applicant or licensee has ever filed or
2 had filed against it a proceeding in bankruptcy or has ever
3 been involved in any formal process to adjust, defer,
4 suspend or otherwise work out the payment of any debt
5 including the date of filing, the name and location of the
6 court, the case and number of the disposition.

7 (7) Whether an applicant or licensee has filed, or been
8 served with a complaint or other notice filed with any
9 public body, regarding the delinquency in the payment of,
10 or a dispute over the filings concerning the payment of,
11 any tax required under federal, State or local law,
12 including the amount, type of tax, the taxing agency and
13 time periods involved.

14 (8) A statement listing the names and titles of all
15 public officials or officers of any unit of government, and
16 relatives of said public officials or officers who,
17 directly or indirectly, own any financial interest in, have
18 any beneficial interest in, are the creditors of or hold
19 any debt instrument issued by, or hold or have any interest
20 in any contractual or service relationship with, an
21 applicant or licensee.

22 (9) Whether an applicant or licensee has made, directly
23 or indirectly, any political contribution, or any loans,
24 donations or other payments, to any candidate or office
25 holder, within 5 years from the date of filing the
26 application, including the amount and the method of

1 payment.

2 (10) The name and business telephone number of the
3 counsel representing an applicant or licensee in matters
4 before the Board.

5 (11) A description of any proposed or approved
6 riverboat or casino gaming operation, including the type of
7 boat, home dock or casino location, expected economic
8 benefit to the community, anticipated or actual number of
9 employees, any statement from an applicant or licensee
10 regarding compliance with federal and State affirmative
11 action guidelines, projected or actual admissions and
12 projected or actual adjusted gross gaming receipts.

13 (12) A description of the product or service to be
14 supplied by an applicant for a supplier's license.

15 (b) Notwithstanding any applicable statutory provision to
16 the contrary, the Board shall, on written request from any
17 person, also provide the following information:

18 (1) The amount of the wagering tax and admission tax
19 paid daily to the State of Illinois by the holder of an
20 owner's license.

21 (2) Whenever the Board finds an applicant for an
22 owner's license unsuitable for licensing, a copy of the
23 written letter outlining the reasons for the denial.

24 (3) Whenever the Board has refused to grant leave for
25 an applicant to withdraw his application, a copy of the
26 letter outlining the reasons for the refusal.

1 (c) Subject to the above provisions, the Board shall not
2 disclose any information which would be barred by:

3 (1) Section 7 of the Freedom of Information Act; or

4 (2) The statutes, rules, regulations or
5 intergovernmental agreements of any jurisdiction.

6 (d) The Board may assess fees for the copying of
7 information in accordance with Section 6 of the Freedom of
8 Information Act.

9 (Source: P.A. 96-1392, eff. 1-1-11.)

10 (230 ILCS 10/6) (from Ch. 120, par. 2406)

11 Sec. 6. Application for Owners License.

12 (a) A qualified person may apply to the Board for an owners
13 license to conduct a ~~riverboat~~ gambling operation as provided
14 in Section 7 of this Act. The application shall be made on
15 forms provided by the Board and shall contain such information
16 as the Board prescribes, including but not limited to the
17 identity of the riverboat on which such gambling operation is
18 to be conducted, if applicable, and the exact location where
19 such riverboat or casino will be located ~~docked~~, a
20 certification that the riverboat or casino will be registered
21 under this Act at all times during which gambling operations
22 are conducted within ~~on-board~~, detailed information regarding
23 the ownership and management of the applicant, and detailed
24 personal information regarding the applicant. Any application
25 for an owners license to be re-issued on or after June 1, 2003

1 shall also include the applicant's license bid in a form
2 prescribed by the Board. Information provided on the
3 application shall be used as a basis for a thorough background
4 investigation which the Board shall conduct with respect to
5 each applicant. An incomplete application shall be cause for
6 denial of a license by the Board.

7 (b) Applicants shall submit with their application all
8 documents, resolutions, and letters of support from the
9 governing body that represents the municipality or county
10 wherein the licensee will be located ~~dock~~.

11 (c) Each applicant shall disclose the identity of every
12 person, association, trust or corporation having a greater than
13 1% direct or indirect pecuniary interest in the ~~riverboat~~
14 gambling operation with respect to which the license is sought.
15 If the disclosed entity is a trust, the application shall
16 disclose the names and addresses of the beneficiaries; if a
17 corporation, the names and addresses of all stockholders and
18 directors; if a partnership, the names and addresses of all
19 partners, both general and limited.

20 (d) An application shall be filed and considered in
21 accordance with the rules of the Board. An application fee of
22 \$50,000 shall be paid at the time of filing to defray the costs
23 associated with the background investigation conducted by the
24 Board. If the costs of the investigation exceed \$50,000, the
25 applicant shall pay the additional amount to the Board. If the
26 costs of the investigation are less than \$50,000, the applicant

1 shall receive a refund of the remaining amount. All
2 information, records, interviews, reports, statements,
3 memoranda or other data supplied to or used by the Board in the
4 course of its review or investigation of an application for a
5 license or a renewal under this Act shall be privileged,
6 strictly confidential and shall be used only for the purpose of
7 evaluating an applicant for a license or a renewal. Such
8 information, records, interviews, reports, statements,
9 memoranda or other data shall not be admissible as evidence,
10 nor discoverable in any action of any kind in any court or
11 before any tribunal, board, agency or person, except for any
12 action deemed necessary by the Board.

13 (e) The Board shall charge each applicant a fee set by the
14 Department of State Police to defray the costs associated with
15 the search and classification of fingerprints obtained by the
16 Board with respect to the applicant's application. These fees
17 shall be paid into the State Police Services Fund.

18 (f) The licensed owner shall be the person primarily
19 responsible for the boat or casino itself. Only one ~~riverboat~~
20 gambling operation may be authorized by the Board on any
21 riverboat or in any casino. The applicant must identify each
22 riverboat or premises it intends to use and certify that the
23 riverboat or premises: (1) has the authorized capacity required
24 in this Act; (2) is accessible to persons with disabilities;
25 and (3) is fully registered and licensed in accordance with any
26 applicable laws.

1 (g) A person who knowingly makes a false statement on an
2 application is guilty of a Class A misdemeanor.

3 (Source: P.A. 99-143, eff. 7-27-15.)

4 (230 ILCS 10/7) (from Ch. 120, par. 2407)

5 Sec. 7. Owners Licenses.

6 (a) The Board shall issue owners licenses to persons, firms
7 or corporations which apply for such licenses upon payment to
8 the Board of the non-refundable license fee set by the Board,
9 upon payment of a \$25,000 license fee for the first year of
10 operation and a \$5,000 license fee for each succeeding year and
11 upon a determination by the Board that the applicant is
12 eligible for an owners license pursuant to this Act and the
13 rules of the Board. From the effective date of this amendatory
14 Act of the 95th General Assembly until (i) 3 years after the
15 effective date of this amendatory Act of the 95th General
16 Assembly, (ii) the date any organization licensee begins to
17 operate a slot machine or video game of chance under the
18 Illinois Horse Racing Act of 1975 or this Act, (iii) the date
19 that payments begin under subsection (c-5) of Section 13 of the
20 Act, or (iv) the wagering tax imposed under Section 13 of this
21 Act is increased by law to reflect a tax rate that is at least
22 as stringent or more stringent than the tax rate contained in
23 subsection (a-3) of Section 13, whichever occurs first, as a
24 condition of licensure and as an alternative source of payment
25 for those funds payable under subsection (c-5) of Section 13 of

1 ~~this the Riverboat Gambling~~ Act, any owners licensee that holds
2 or receives its owners license on or after the effective date
3 of this amendatory Act of the 94th General Assembly, other than
4 an owners licensee operating a gambling operation ~~riverboat~~
5 with adjusted gross receipts in calendar year 2004 of less than
6 \$200,000,000, must pay into the Horse Racing Equity Trust Fund,
7 in addition to any other payments required under this Act, an
8 amount equal to 3% of the adjusted gross receipts received by
9 the owners licensee. The payments required under this Section
10 shall be made by the owners licensee to the State Treasurer no
11 later than 3:00 o'clock p.m. of the day after the day when the
12 adjusted gross receipts were received by the owners licensee. A
13 person, firm or corporation is ineligible to receive an owners
14 license if:

15 (1) the person has been convicted of a felony under the
16 laws of this State, any other state, or the United States;

17 (2) the person has been convicted of any violation of
18 Article 28 of the Criminal Code of 1961 or the Criminal
19 Code of 2012, or substantially similar laws of any other
20 jurisdiction;

21 (3) the person has submitted an application for a
22 license under this Act which contains false information;

23 (4) the person is a member of the Board;

24 (5) a person defined in (1), (2), (3), 4 or (4) is an
25 officer, director or managerial employee of the firm or
26 corporation;

1 (6) the firm or corporation employs a person defined in
2 (1), (2), (3) or (4) who participates in the management or
3 operation of gambling operations authorized under this
4 Act;

5 (7) (blank); or

6 (8) a license of the person, firm or corporation issued
7 under this Act, or a license to own or operate gambling
8 facilities in any other jurisdiction, has been revoked.

9 The Board is expressly prohibited from making changes to
10 the requirement that licensees make payment into the Horse
11 Racing Equity Trust Fund without the express authority of the
12 Illinois General Assembly and making any other rule to
13 implement or interpret this amendatory Act of the 95th General
14 Assembly. For the purposes of this paragraph, "rules" is given
15 the meaning given to that term in Section 1-70 of the Illinois
16 Administrative Procedure Act.

17 (b) In determining whether to grant an owners license to an
18 applicant, the Board shall consider:

19 (1) the character, reputation, experience and
20 financial integrity of the applicants and of any other or
21 separate person that either:

22 (A) controls, directly or indirectly, such
23 applicant, or

24 (B) is controlled, directly or indirectly, by such
25 applicant or by a person which controls, directly or
26 indirectly, such applicant;

1 (2) the facilities or proposed facilities for the
2 conduct of ~~riverboat~~ gambling;

3 (3) the highest prospective total revenue to be derived
4 by the State from the conduct of ~~riverboat~~ gambling;

5 (4) the extent to which the ownership of the applicant
6 reflects the diversity of the State by including minority
7 persons, females, and persons with a disability and the
8 good faith affirmative action plan of each applicant to
9 recruit, train and upgrade minority persons, females, and
10 persons with a disability in all employment
11 classifications;

12 (5) the financial ability of the applicant to purchase
13 and maintain adequate liability and casualty insurance;

14 (6) whether the applicant has adequate capitalization
15 to provide and maintain, for the duration of a license, a
16 riverboat or casino;

17 (7) the extent to which the applicant exceeds or meets
18 other standards for the issuance of an owners license which
19 the Board may adopt by rule; and

20 (8) the ~~The~~ amount of the applicant's license bid.

21 (c) Each owners license shall specify the place where the
22 casino ~~riverboats~~ shall operate or the riverboat shall operate
23 and dock.

24 (d) Each applicant shall submit with his application, on
25 forms provided by the Board, 2 sets of his fingerprints.

26 (e) The Board may issue up to 10 licenses authorizing the

1 holders of such licenses to own riverboats. In the application
2 for an owners license, the applicant shall state the dock at
3 which the riverboat is based and the water on which the
4 riverboat will be located. The Board shall issue 5 licenses to
5 become effective not earlier than January 1, 1991. Three of
6 such licenses shall authorize riverboat gambling on the
7 Mississippi River, or, with approval by the municipality in
8 which the riverboat was docked on August 7, 2003 and with Board
9 approval, be authorized to relocate to a new location, in a
10 municipality that (1) borders on the Mississippi River or is
11 within 5 miles of the city limits of a municipality that
12 borders on the Mississippi River and (2), on August 7, 2003,
13 had a riverboat conducting riverboat gambling operations
14 pursuant to a license issued under this Act; one of which shall
15 authorize riverboat gambling from a home dock in the city of
16 East St. Louis. One other license shall authorize riverboat
17 gambling on the Illinois River south of Marshall County. The
18 Board shall issue one additional license to become effective
19 not earlier than March 1, 1992, which shall authorize riverboat
20 gambling on the Des Plaines River in Will County. The Board may
21 issue 4 additional licenses to become effective not earlier
22 than March 1, 1992. In determining the water upon which
23 riverboats will operate, the Board shall consider the economic
24 benefit which riverboat gambling confers on the State, and
25 shall seek to assure that all regions of the State share in the
26 economic benefits of riverboat gambling.

1 In granting all licenses, the Board may give favorable
2 consideration to economically depressed areas of the State, to
3 applicants presenting plans which provide for significant
4 economic development over a large geographic area, and to
5 applicants who currently operate non-gambling riverboats in
6 Illinois. The Board shall review all applications for owners
7 licenses, and shall inform each applicant of the Board's
8 decision. The Board may grant an owners license to an applicant
9 that has not submitted the highest license bid, but if it does
10 not select the highest bidder, the Board shall issue a written
11 decision explaining why another applicant was selected and
12 identifying the factors set forth in this Section that favored
13 the winning bidder.

14 In addition to any other revocation powers granted to the
15 Board under this Act, the Board may revoke the owners license
16 of a licensee which fails to begin conducting gambling within
17 15 months of receipt of the Board's approval of the application
18 if the Board determines that license revocation is in the best
19 interests of the State.

20 (f) The first 10 owners licenses issued under this Act
21 shall permit the holder to own up to 2 riverboats and equipment
22 thereon for a period of 3 years after the effective date of the
23 license. Holders of the first 10 owners licenses must pay the
24 annual license fee for each of the 3 years during which they
25 are authorized to own riverboats.

26 (g) Upon the termination, expiration, or revocation of each

1 of the first 10 licenses, which shall be issued for a 3 year
2 period, all licenses are renewable annually upon payment of the
3 fee and a determination by the Board that the licensee
4 continues to meet all of the requirements of this Act and the
5 Board's rules. However, for licenses renewed on or after May 1,
6 1998, renewal shall be for a period of 4 years, unless the
7 Board sets a shorter period.

8 (h) An owners license shall entitle the licensee to own up
9 to 2 riverboats.

10 A licensee shall limit the number of gambling participants
11 to 1,200 for any such owners license.

12 A licensee may operate both of its riverboats concurrently,
13 provided that the total number of gambling participants on both
14 riverboats does not exceed 1,200. Riverboats licensed to
15 operate on the Mississippi River and the Illinois River south
16 of Marshall County shall have an authorized capacity of at
17 least 500 persons. Any other riverboat licensed under this Act
18 shall have an authorized capacity of at least 400 persons.

19 (i) A licensed owner is authorized to apply to the Board
20 for and, if approved therefor, to receive all licenses from the
21 Board necessary for the operation of a riverboat, including a
22 liquor license, a license to prepare and serve food for human
23 consumption, and other necessary licenses. All use, occupation
24 and excise taxes which apply to the sale of food and beverages
25 in this State and all taxes imposed on the sale or use of
26 tangible personal property apply to such sales aboard the

1 riverboat.

2 (j) The Board may issue or re-issue a license authorizing a
3 riverboat to dock in a municipality or approve a relocation
4 under Section 11.2 only if, prior to the issuance or
5 re-issuance of the license or approval, the governing body of
6 the municipality in which the riverboat will dock has by a
7 majority vote approved the docking of riverboats in the
8 municipality. The Board may issue or re-issue a license
9 authorizing a riverboat to dock in areas of a county outside
10 any municipality or approve a relocation under Section 11.2
11 only if, prior to the issuance or re-issuance of the license or
12 approval, the governing body of the county has by a majority
13 vote approved of the docking of riverboats within such areas.

14 (k) An owners licensee may conduct land-based gambling
15 operations upon approval by the Board.

16 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

17 (230 ILCS 10/7.3)

18 Sec. 7.3. State conduct of gambling operations.

19 (a) If, after reviewing each application for a re-issued
20 license, the Board determines that the highest prospective
21 total revenue to the State would be derived from State conduct
22 of the gambling operation in lieu of re-issuing the license,
23 the Board shall inform each applicant of its decision. The
24 Board shall thereafter have the authority, without obtaining an
25 owners license, to conduct casino or riverboat gambling

1 operations as previously authorized by the terminated,
2 expired, revoked, or nonrenewed license through a licensed
3 manager selected pursuant to an open and competitive bidding
4 process as set forth in Section 7.5 and as provided in Section
5 7.4.

6 (b) The Board may locate any casino or riverboat on which a
7 gambling operation is conducted by the State in any home dock
8 or other location authorized by Section 3(c) upon receipt of
9 approval from a majority vote of the governing body of the
10 municipality or county, as the case may be, in which the
11 riverboat will dock.

12 (c) The Board shall have jurisdiction over and shall
13 supervise all gambling operations conducted by the State
14 provided for in this Act and shall have all powers necessary
15 and proper to fully and effectively execute the provisions of
16 this Act relating to gambling operations conducted by the
17 State.

18 (d) The maximum number of owners licenses authorized under
19 Section 7(e) shall be reduced by one for each instance in which
20 the Board authorizes the State to conduct a casino or riverboat
21 gambling operation under subsection (a) in lieu of re-issuing a
22 license to an applicant under Section 7.1.

23 (Source: P.A. 93-28, eff. 6-20-03.)

24 (230 ILCS 10/7.4)

25 Sec. 7.4. Managers licenses.

1 (a) A qualified person may apply to the Board for a
2 managers license to operate and manage any gambling operation
3 conducted by the State. The application shall be made on forms
4 provided by the Board and shall contain such information as the
5 Board prescribes, including but not limited to information
6 required in Sections 6(a), (b), and (c) and information
7 relating to the applicant's proposed price to manage State
8 gambling operations and to provide the riverboat, gambling
9 equipment, and supplies necessary to conduct State gambling
10 operations.

11 (b) Each applicant must submit evidence to the Board that
12 minority persons and females hold ownership interests in the
13 applicant of at least 16% and 4%, respectively.

14 (c) A person, firm, or corporation is ineligible to receive
15 a managers license if:

16 (1) the person has been convicted of a felony under the
17 laws of this State, any other state, or the United States;

18 (2) the person has been convicted of any violation of
19 Article 28 of the Criminal Code of 1961 or the Criminal
20 Code of 2012, or substantially similar laws of any other
21 jurisdiction;

22 (3) the person has submitted an application for a
23 license under this Act which contains false information;

24 (4) the person is a member of the Board;

25 (5) a person defined in paragraph (1), (2), (3), or (4)
26 is an officer, director, or managerial employee of the firm

1 or corporation;

2 (6) the firm or corporation employs a person defined in
3 paragraph (1), (2), (3), or (4) who participates in the
4 management or operation of gambling operations authorized
5 under this Act; or

6 (7) a license of the person, firm, or corporation
7 issued under this Act, or a license to own or operate
8 gambling facilities in any other jurisdiction, has been
9 revoked.

10 (d) Each applicant shall submit with his or her
11 application, on forms prescribed by the Board, 2 sets of his or
12 her fingerprints.

13 (e) The Board shall charge each applicant a fee, set by the
14 Board, to defray the costs associated with the background
15 investigation conducted by the Board.

16 (f) A person who knowingly makes a false statement on an
17 application is guilty of a Class A misdemeanor.

18 (g) The managers license shall be for a term not to exceed
19 10 years, shall be renewable at the Board's option, and shall
20 contain such terms and provisions as the Board deems necessary
21 to protect or enhance the credibility and integrity of State
22 gambling operations, achieve the highest prospective total
23 revenue to the State, and otherwise serve the interests of the
24 citizens of Illinois.

25 (h) Issuance of a managers license shall be subject to an
26 open and competitive bidding process. The Board may select an

1 applicant other than the lowest bidder by price. If it does not
2 select the lowest bidder, the Board shall issue a notice of who
3 the lowest bidder was and a written decision as to why another
4 bidder was selected.

5 (Source: P.A. 97-1150, eff. 1-25-13.)

6 (230 ILCS 10/8) (from Ch. 120, par. 2408)

7 Sec. 8. Suppliers licenses.

8 (a) The Board may issue a suppliers license to such
9 persons, firms or corporations which apply therefor upon the
10 payment of a non-refundable application fee set by the Board,
11 upon a determination by the Board that the applicant is
12 eligible for a suppliers license and upon payment of a \$5,000
13 annual license fee.

14 (b) The holder of a suppliers license is authorized to sell
15 or lease, and to contract to sell or lease, gambling equipment
16 and supplies to any licensee involved in the ownership or
17 management of gambling operations.

18 (c) Gambling supplies and equipment may not be distributed
19 unless supplies and equipment conform to standards adopted by
20 rules of the Board.

21 (d) A person, firm or corporation is ineligible to receive
22 a suppliers license if:

23 (1) the person has been convicted of a felony under the
24 laws of this State, any other state, or the United States;

25 (2) the person has been convicted of any violation of

1 Article 28 of the Criminal Code of 1961 or the Criminal
2 Code of 2012, or substantially similar laws of any other
3 jurisdiction;

4 (3) the person has submitted an application for a
5 license under this Act which contains false information;

6 (4) the person is a member of the Board;

7 (5) the firm or corporation is one in which a person
8 defined in paragraph (1), (2), (3),l or (4)r is an officer,
9 director,l or managerial employee;

10 (6) the firm or corporation employs a person who
11 participates in the management or operation of riverboat
12 gambling authorized under this Act;

13 (7) the license of the person, firm,l or corporation
14 issued under this Act, or a license to own or operate
15 gambling facilities in any other jurisdiction, has been
16 revoked.

17 (e) Any person that supplies any equipment, devices, or
18 supplies to a licensed riverboat gambling operation or casino
19 gambling operation must first obtain a suppliers license. A
20 supplier shall furnish to the Board a list of all equipment,
21 devices and supplies offered for sale or lease in connection
22 with gambling games authorized under this Act. A supplier shall
23 keep books and records for the furnishing of equipment, devices
24 and supplies to gambling operations separate and distinct from
25 any other business that the supplier might operate. A supplier
26 shall file a quarterly return with the Board listing all sales

1 and leases. A supplier shall permanently affix its name or a
2 distinctive logo or other mark or design element identifying
3 the manufacturer or supplier to all its equipment, devices, and
4 supplies, except gaming chips without a value impressed,
5 engraved, or imprinted on it, for gambling operations. The
6 Board may waive this requirement for any specific product or
7 products if it determines that the requirement is not necessary
8 to protect the integrity of the game. Items purchased from a
9 licensed supplier may continue to be used even though the
10 supplier subsequently changes its name, distinctive logo, or
11 other mark or design element; undergoes a change in ownership;
12 or ceases to be licensed as a supplier for any reason. Any
13 supplier's equipment, devices or supplies which are used by any
14 person in an unauthorized gambling operation shall be forfeited
15 to the State. A licensed owner may own its own equipment,
16 devices, and supplies. Each holder of an owners license under
17 this ~~the~~ Act shall file an annual report listing its
18 inventories of gambling equipment, devices and supplies.

19 (f) Any person who knowingly makes a false statement on an
20 application is guilty of a Class A misdemeanor.

21 (g) Any gambling equipment, devices, and supplies provided
22 by any licensed supplier may either be repaired on the
23 riverboat or in the casino or removed from the riverboat or
24 casino to a ~~an on-shore~~ facility owned by the holder of an
25 owners license for repair.

26 (Source: P.A. 97-1150, eff. 1-25-13; 98-12, eff. 5-10-13;

1 98-756, eff. 7-16-14.)

2 (230 ILCS 10/9) (from Ch. 120, par. 2409)

3 Sec. 9. Occupational licenses.

4 (a) The Board may issue an occupational license to an
5 applicant upon the payment of a non-refundable fee set by the
6 Board, upon a determination by the Board that the applicant is
7 eligible for an occupational license and upon payment of an
8 annual license fee in an amount to be established. To be
9 eligible for an occupational license, an applicant must:

10 (1) be at least 21 years of age if the applicant will
11 perform any function involved in gaming by patrons. Any
12 applicant seeking an occupational license for a non-gaming
13 function shall be at least 18 years of age;

14 (2) not have been convicted of a felony offense, a
15 violation of Article 28 of the Criminal Code of 1961 or the
16 Criminal Code of 2012, or a similar statute of any other
17 jurisdiction;

18 (2.5) not have been convicted of a crime, other than a
19 crime described in item (2) of this subsection (a),
20 involving dishonesty or moral turpitude, except that the
21 Board may, in its discretion, issue an occupational license
22 to a person who has been convicted of a crime described in
23 this item (2.5) more than 10 years prior to his or her
24 application and has not subsequently been convicted of any
25 other crime;

1 (3) have demonstrated a level of skill or knowledge
2 which the Board determines to be necessary in order to
3 operate gambling aboard a riverboat or in a casino; and

4 (4) have met standards for the holding of an
5 occupational license as adopted by rules of the Board. Such
6 rules shall provide that any person or entity seeking an
7 occupational license to manage gambling operations under
8 this Act ~~hereunder~~ shall be subject to background inquiries
9 and further requirements similar to those required of
10 applicants for an owners license. Furthermore, such rules
11 shall provide that each such entity shall be permitted to
12 manage gambling operations for only one licensed owner.

13 (b) Each application for an occupational license shall be
14 on forms prescribed by the Board and shall contain all
15 information required by the Board. The applicant shall set
16 forth in the application: whether he has been issued prior
17 gambling related licenses; whether he has been licensed in any
18 other state under any other name, and, if so, such name and his
19 age; and whether or not a permit or license issued to him in
20 any other state has been suspended, restricted or revoked, and,
21 if so, for what period of time.

22 (c) Each applicant shall submit with his application, on
23 forms provided by the Board, 2 sets of his fingerprints. The
24 Board shall charge each applicant a fee set by the Department
25 of State Police to defray the costs associated with the search
26 and classification of fingerprints obtained by the Board with

1 respect to the applicant's application. These fees shall be
2 paid into the State Police Services Fund.

3 (d) The Board may in its discretion refuse an occupational
4 license to any person: (1) who is unqualified to perform the
5 duties required of such applicant; (2) who fails to disclose or
6 states falsely any information called for in the application;
7 (3) who has been found guilty of a violation of this Act or
8 whose prior gambling related license or application therefor
9 has been suspended, restricted, revoked or denied for just
10 cause in any other state; or (4) for any other just cause.

11 (e) The Board may suspend, revoke or restrict any
12 occupational licensee: (1) for violation of any provision of
13 this Act; (2) for violation of any of the rules and regulations
14 of the Board; (3) for any cause which, if known to the Board,
15 would have disqualified the applicant from receiving such
16 license; or (4) for default in the payment of any obligation or
17 debt due to the State of Illinois; or (5) for any other just
18 cause.

19 (f) A person who knowingly makes a false statement on an
20 application is guilty of a Class A misdemeanor.

21 (g) Any license issued pursuant to this Section shall be
22 valid for a period of one year from the date of issuance.

23 (h) Nothing in this Act shall be interpreted to prohibit a
24 licensed owner from entering into an agreement with a public
25 community college or a school approved under the Private
26 Business and Vocational Schools Act of 2012 for the training of

1 any occupational licensee. Any training offered by such a
2 school shall be in accordance with a written agreement between
3 the licensed owner and the school.

4 (i) Any training provided for occupational licensees may be
5 conducted either at the site of the gambling facility ~~on the~~
6 ~~riverboat~~ or at a school with which a licensed owner has
7 entered into an agreement pursuant to subsection (h).

8 (Source: P.A. 96-1392, eff. 1-1-11; 97-650, eff. 2-1-12;
9 97-1150, eff. 1-25-13.)

10 (230 ILCS 10/11) (from Ch. 120, par. 2411)

11 Sec. 11. Conduct of gambling. Gambling may be conducted by
12 licensed owners or licensed managers on behalf of the State
13 aboard riverboats or in a casino. Gambling authorized under
14 this Section is subject to the following standards:

15 (1) A licensee may conduct riverboat gambling
16 authorized under this Act regardless of whether it conducts
17 excursion cruises. A licensee may permit the continuous
18 ingress and egress of patrons ~~passengers~~ on a riverboat not
19 used for excursion cruises for the purpose of gambling.
20 Excursion cruises shall not exceed 4 hours for a round
21 trip. However, the Board may grant express approval for an
22 extended cruise on a case-by-case basis.

23 (2) (Blank).

24 (3) Minimum and maximum wagers on games shall be set by
25 the licensee.

1 (4) Agents of the Board and the Department of State
2 Police may board and inspect any riverboat or enter and
3 inspect any portion of a casino at any time for the purpose
4 of determining whether this Act is being complied with.
5 Every riverboat, if under way and being hailed by a law
6 enforcement officer or agent of the Board, must stop
7 immediately and lay to.

8 (5) Employees of the Board shall have the right to be
9 present on the riverboat or in the casino or on adjacent
10 facilities under the control of the licensee.

11 (6) Gambling equipment and supplies customarily used
12 in conducting riverboat or casino gambling must be
13 purchased or leased only from suppliers licensed for such
14 purpose under this Act. The Board may approve the transfer,
15 sale, or lease of gambling equipment and supplies by a
16 licensed owner from or to an affiliate of the licensed
17 owner as long as the gambling equipment and supplies were
18 initially acquired from a supplier licensed in Illinois.

19 (7) Persons licensed under this Act shall permit no
20 form of wagering on gambling games except as permitted by
21 this Act.

22 (8) Wagers may be received only from a person present
23 on a licensed riverboat or in a casino. No person present
24 on a licensed riverboat or in a casino shall place or
25 attempt to place a wager on behalf of another person who is
26 not present on the riverboat or in a casino.

1 (9) Wagering shall not be conducted with money or other
2 negotiable currency.

3 (10) A person under age 21 shall not be permitted on an
4 area of a riverboat or casino where gambling is being
5 conducted, except for a person at least 18 years of age who
6 is an employee of the riverboat or casino gambling
7 operation. No employee under age 21 shall perform any
8 function involved in gambling by the patrons. No person
9 under age 21 shall be permitted to make a wager under this
10 Act, and any winnings that are a result of a wager by a
11 person under age 21, whether or not paid by a licensee,
12 shall be treated as winnings for the privilege tax
13 purposes, confiscated, and forfeited to the State and
14 deposited into the Education Assistance Fund.

15 (11) Gambling excursion cruises are permitted only
16 when the waterway for which the riverboat is licensed is
17 navigable, as determined by the Board in consultation with
18 the U.S. Army Corps of Engineers. This paragraph (11) does
19 not limit the ability of a licensee to conduct gambling
20 authorized under this Act when gambling excursion cruises
21 are not permitted.

22 (12) All tokens, chips, or electronic cards used to
23 make wagers must be purchased (i) from a licensed owner or
24 manager, in the case of a riverboat, either aboard a
25 riverboat or at an onshore facility which has been approved
26 by the Board and which is located where the riverboat docks

1 or (ii) in the case of a casino, from a licensed owner or
2 manager at the casino. The tokens, chips or electronic
3 cards may be purchased by means of an agreement under which
4 the owner or manager extends credit to the patron. Such
5 tokens, chips or electronic cards may be used while aboard
6 the riverboat or in the casino only for the purpose of
7 making wagers on gambling games.

8 (13) Notwithstanding any other Section of this Act, in
9 addition to the other licenses authorized under this Act,
10 the Board may issue special event licenses allowing persons
11 who are not otherwise licensed to conduct riverboat
12 gambling to conduct such gambling on a specified date or
13 series of dates. Riverboat gambling under such a license
14 may take place on a riverboat not normally used for
15 riverboat gambling. The Board shall establish standards,
16 fees and fines for, and limitations upon, such licenses,
17 which may differ from the standards, fees, fines and
18 limitations otherwise applicable under this Act. All such
19 fees shall be deposited into the State Gaming Fund. All
20 such fines shall be deposited into the Education Assistance
21 Fund, created by Public Act 86-0018, of the State of
22 Illinois.

23 (14) In addition to the above, gambling must be
24 conducted in accordance with all rules adopted by the
25 Board.

26 (Source: P.A. 96-1392, eff. 1-1-11.)

1 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

2 Sec. 11.1. Collection of amounts owing under credit
3 agreements. Notwithstanding any applicable statutory provision
4 to the contrary, a licensed owner or manager who extends credit
5 to a ~~riverboat~~ gambling patron pursuant to Section 11 (a) (12)
6 of this Act is expressly authorized to institute a cause of
7 action to collect any amounts due and owing under the extension
8 of credit, as well as the licensed owner's or manager's costs,
9 expenses and reasonable attorney's fees incurred in
10 collection.

11 (Source: P.A. 93-28, eff. 6-20-03.)

12 (230 ILCS 10/12) (from Ch. 120, par. 2412)

13 Sec. 12. Admission tax; fees.

14 (a) A tax is hereby imposed upon admissions to riverboat
15 and casino gambling facilities ~~riverboats~~ operated by licensed
16 owners authorized pursuant to this Act. Until July 1, 2002, the
17 rate is \$2 per person admitted. From July 1, 2002 until July 1,
18 2003, the rate is \$3 per person admitted. From July 1, 2003
19 until August 23, 2005 (the effective date of Public Act
20 94-673), for a licensee that admitted 1,000,000 persons or
21 fewer in the previous calendar year, the rate is \$3 per person
22 admitted; for a licensee that admitted more than 1,000,000 but
23 no more than 2,300,000 persons in the previous calendar year,
24 the rate is \$4 per person admitted; and for a licensee that

1 admitted more than 2,300,000 persons in the previous calendar
2 year, the rate is \$5 per person admitted. Beginning on August
3 23, 2005 (the effective date of Public Act 94-673), for a
4 licensee that admitted 1,000,000 persons or fewer in calendar
5 year 2004, the rate is \$2 per person admitted, and for all
6 other licensees, including licensees that were not conducting
7 gambling operations in 2004, the rate is \$3 per person
8 admitted. This admission tax is imposed upon the licensed owner
9 conducting gambling.

10 (1) The admission tax shall be paid for each admission,
11 except that a person who exits a ~~riverboat~~ gambling
12 facility and reenters that ~~riverboat~~ gambling facility
13 within the same gaming day shall be subject only to the
14 initial admission tax.

15 (2) (Blank).

16 (3) The ~~riverboat~~ licensee may issue tax-free passes to
17 actual and necessary officials and employees of the
18 licensee or other persons actually working on the riverboat
19 or casino.

20 (4) The number and issuance of tax-free passes is
21 subject to the rules of the Board, and a list of all
22 persons to whom the tax-free passes are issued shall be
23 filed with the Board.

24 (a-5) A fee is hereby imposed upon admissions to gambling
25 operations operated by licensed managers on behalf of the State
26 pursuant to Section 7.3 at the rates provided in this

1 subsection (a-5). For a licensee that admitted 1,000,000
2 persons or fewer in the previous calendar year, the rate is \$3
3 per person admitted; for a licensee that admitted more than
4 1,000,000 but no more than 2,300,000 persons in the previous
5 calendar year, the rate is \$4 per person admitted; and for a
6 licensee that admitted more than 2,300,000 persons in the
7 previous calendar year, the rate is \$5 per person admitted.

8 (1) The admission fee shall be paid for each admission.

9 (2) (Blank).

10 (3) The licensed manager may issue fee-free passes to
11 actual and necessary officials and employees of the manager
12 or other persons actually working on the riverboat.

13 (4) The number and issuance of fee-free passes is
14 subject to the rules of the Board, and a list of all
15 persons to whom the fee-free passes are issued shall be
16 filed with the Board.

17 (b) From the tax imposed under subsection (a) and the fee
18 imposed under subsection (a-5), a municipality shall receive
19 from the State \$1 for each person embarking on a riverboat
20 docked within the municipality or entering a casino located
21 within the municipality, and a county shall receive \$1 for each
22 person entering a casino or embarking on a riverboat docked
23 within the county but outside the boundaries of any
24 municipality. The municipality's or county's share shall be
25 collected by the Board on behalf of the State and remitted
26 quarterly by the State, subject to appropriation, to the

1 treasurer of the unit of local government for deposit in the
2 general fund.

3 (c) The licensed owner shall pay the entire admission tax
4 to the Board and the licensed manager shall pay the entire
5 admission fee to the Board. Such payments shall be made daily.
6 Accompanying each payment shall be a return on forms provided
7 by the Board which shall include other information regarding
8 admissions as the Board may require. Failure to submit either
9 the payment or the return within the specified time may result
10 in suspension or revocation of the owners or managers license.

11 (d) The Board shall administer and collect the admission
12 tax imposed by this Section, to the extent practicable, in a
13 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
14 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the
15 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
16 Penalty and Interest Act.

17 (Source: P.A. 95-663, eff. 10-11-07; 96-1392, eff. 1-1-11.)

18 (230 ILCS 10/13) (from Ch. 120, par. 2413)

19 Sec. 13. Wagering tax; rate; distribution.

20 (a) Until January 1, 1998, a tax is imposed on the adjusted
21 gross receipts received from gambling games authorized under
22 this Act at the rate of 20%.

23 (a-1) From January 1, 1998 until July 1, 2002, a privilege
24 tax is imposed on persons engaged in the business of conducting
25 riverboat gambling operations, based on the adjusted gross

1 receipts received by a licensed owner from gambling games
2 authorized under this Act at the following rates:

3 15% of annual adjusted gross receipts up to and
4 including \$25,000,000;

5 20% of annual adjusted gross receipts in excess of
6 \$25,000,000 but not exceeding \$50,000,000;

7 25% of annual adjusted gross receipts in excess of
8 \$50,000,000 but not exceeding \$75,000,000;

9 30% of annual adjusted gross receipts in excess of
10 \$75,000,000 but not exceeding \$100,000,000;

11 35% of annual adjusted gross receipts in excess of
12 \$100,000,000.

13 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
14 is imposed on persons engaged in the business of conducting
15 riverboat gambling operations, other than licensed managers
16 conducting riverboat gambling operations on behalf of the
17 State, based on the adjusted gross receipts received by a
18 licensed owner from gambling games authorized under this Act at
19 the following rates:

20 15% of annual adjusted gross receipts up to and
21 including \$25,000,000;

22 22.5% of annual adjusted gross receipts in excess of
23 \$25,000,000 but not exceeding \$50,000,000;

24 27.5% of annual adjusted gross receipts in excess of
25 \$50,000,000 but not exceeding \$75,000,000;

26 32.5% of annual adjusted gross receipts in excess of

1 \$75,000,000 but not exceeding \$100,000,000;
2 37.5% of annual adjusted gross receipts in excess of
3 \$100,000,000 but not exceeding \$150,000,000;
4 45% of annual adjusted gross receipts in excess of
5 \$150,000,000 but not exceeding \$200,000,000;
6 50% of annual adjusted gross receipts in excess of
7 \$200,000,000.

8 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
9 persons engaged in the business of conducting riverboat
10 gambling operations, other than licensed managers conducting
11 riverboat gambling operations on behalf of the State, based on
12 the adjusted gross receipts received by a licensed owner from
13 gambling games authorized under this Act at the following
14 rates:

15 15% of annual adjusted gross receipts up to and
16 including \$25,000,000;
17 27.5% of annual adjusted gross receipts in excess of
18 \$25,000,000 but not exceeding \$37,500,000;
19 32.5% of annual adjusted gross receipts in excess of
20 \$37,500,000 but not exceeding \$50,000,000;
21 37.5% of annual adjusted gross receipts in excess of
22 \$50,000,000 but not exceeding \$75,000,000;
23 45% of annual adjusted gross receipts in excess of
24 \$75,000,000 but not exceeding \$100,000,000;
25 50% of annual adjusted gross receipts in excess of
26 \$100,000,000 but not exceeding \$250,000,000;

1 70% of annual adjusted gross receipts in excess of
2 \$250,000,000.

3 An amount equal to the amount of wagering taxes collected
4 under this subsection (a-3) that are in addition to the amount
5 of wagering taxes that would have been collected if the
6 wagering tax rates under subsection (a-2) were in effect shall
7 be paid into the Common School Fund.

8 The privilege tax imposed under this subsection (a-3) shall
9 no longer be imposed beginning on the earlier of (i) July 1,
10 2005; (ii) the first date after June 20, 2003 that riverboat
11 gambling operations are conducted pursuant to a dormant
12 license; or (iii) the first day that riverboat gambling
13 operations are conducted under the authority of an owners
14 license that is in addition to the 10 owners licenses initially
15 authorized under this Act. For the purposes of this subsection
16 (a-3), the term "dormant license" means an owners license that
17 is authorized by this Act under which no riverboat gambling
18 operations are being conducted on June 20, 2003.

19 (a-4) Beginning on the first day on which the tax imposed
20 under subsection (a-3) is no longer imposed, a privilege tax is
21 imposed on persons engaged in the business of conducting
22 riverboat or casino gambling operations, other than licensed
23 managers conducting riverboat gambling operations on behalf of
24 the State, based on the adjusted gross receipts received by a
25 licensed owner from gambling games authorized under this Act at
26 the following rates:

1 15% of annual adjusted gross receipts up to and
2 including \$25,000,000;

3 22.5% of annual adjusted gross receipts in excess of
4 \$25,000,000 but not exceeding \$50,000,000;

5 27.5% of annual adjusted gross receipts in excess of
6 \$50,000,000 but not exceeding \$75,000,000;

7 32.5% of annual adjusted gross receipts in excess of
8 \$75,000,000 but not exceeding \$100,000,000;

9 37.5% of annual adjusted gross receipts in excess of
10 \$100,000,000 but not exceeding \$150,000,000;

11 45% of annual adjusted gross receipts in excess of
12 \$150,000,000 but not exceeding \$200,000,000;

13 50% of annual adjusted gross receipts in excess of
14 \$200,000,000.

15 (a-8) Gambling ~~Riverboat gambling~~ operations conducted by
16 a licensed manager on behalf of the State are not subject to
17 the tax imposed under this Section.

18 (a-10) The taxes imposed by this Section shall be paid by
19 the licensed owner to the Board not later than 5:00 o'clock
20 p.m. of the day after the day when the wagers were made.

21 (a-15) If the privilege tax imposed under subsection (a-3)
22 is no longer imposed pursuant to item (i) of the last paragraph
23 of subsection (a-3), then by June 15 of each year, each owners
24 licensee, other than an owners licensee that admitted 1,000,000
25 persons or fewer in calendar year 2004, must, in addition to
26 the payment of all amounts otherwise due under this Section,

1 pay to the Board a reconciliation payment in the amount, if
2 any, by which the licensed owner's base amount exceeds the
3 amount of net privilege tax paid by the licensed owner to the
4 Board in the then current State fiscal year. A licensed owner's
5 net privilege tax obligation due for the balance of the State
6 fiscal year shall be reduced up to the total of the amount paid
7 by the licensed owner in its June 15 reconciliation payment.
8 The obligation imposed by this subsection (a-15) is binding on
9 any person, firm, corporation, or other entity that acquires an
10 ownership interest in any such owners license. The obligation
11 imposed under this subsection (a-15) terminates on the earliest
12 of: (i) July 1, 2007, (ii) the first day after the effective
13 date of this amendatory Act of the 94th General Assembly that
14 riverboat gambling operations are conducted pursuant to a
15 dormant license, (iii) the first day that riverboat gambling
16 operations are conducted under the authority of an owners
17 license that is in addition to the 10 owners licenses initially
18 authorized under this Act, or (iv) the first day that a
19 licensee under the Illinois Horse Racing Act of 1975 conducts
20 gaming operations with slot machines or other electronic gaming
21 devices. The Board must reduce the obligation imposed under
22 this subsection (a-15) by an amount the Board deems reasonable
23 for any of the following reasons: (A) an act or acts of God,
24 (B) an act of bioterrorism or terrorism or a bioterrorism or
25 terrorism threat that was investigated by a law enforcement
26 agency, or (C) a condition beyond the control of the owners

1 licensee that does not result from any act or omission by the
2 owners licensee or any of its agents and that poses a hazardous
3 threat to the health and safety of patrons. If an owners
4 licensee pays an amount in excess of its liability under this
5 Section, the Board shall apply the overpayment to future
6 payments required under this Section.

7 For purposes of this subsection (a-15):

8 "Act of God" means an incident caused by the operation of
9 an extraordinary force that cannot be foreseen, that cannot be
10 avoided by the exercise of due care, and for which no person
11 can be held liable.

12 "Base amount" means the following:

13 For a riverboat in Alton, \$31,000,000.

14 For a riverboat in East Peoria, \$43,000,000.

15 For the Empress riverboat in Joliet, \$86,000,000.

16 For a riverboat in Metropolis, \$45,000,000.

17 For the Harrah's riverboat in Joliet, \$114,000,000.

18 For a riverboat in Aurora, \$86,000,000.

19 For a riverboat in East St. Louis, \$48,500,000.

20 For a riverboat in Elgin, \$198,000,000.

21 "Dormant license" has the meaning ascribed to it in
22 subsection (a-3).

23 "Net privilege tax" means all privilege taxes paid by a
24 licensed owner to the Board under this Section, less all
25 payments made from the State Gaming Fund pursuant to subsection
26 (b) of this Section.

1 The changes made to this subsection (a-15) by Public Act
2 94-839 are intended to restate and clarify the intent of Public
3 Act 94-673 with respect to the amount of the payments required
4 to be made under this subsection by an owners licensee to the
5 Board.

6 (b) ~~From Until January 1, 1998, 25% of the tax revenue~~
7 ~~deposited in the State Gaming Fund under this Section shall be~~
8 ~~paid, subject to appropriation by the General Assembly, to the~~
9 ~~unit of local government which is designated as the home dock~~
10 ~~of the riverboat. Beginning January 1, 1998, from the tax~~
11 ~~revenue from owners licenses issued under Section 7 of this Act~~
12 ~~deposited in the State Gaming Fund under this Section, an~~
13 ~~amount equal to 5% of adjusted gross receipts generated by a~~
14 ~~riverboat or casino shall be paid monthly, subject to~~
15 ~~appropriation by the General Assembly, to the unit of local~~
16 ~~government in which the casino is located or that is designated~~
17 ~~as the home dock of the riverboat. From the tax revenue~~
18 ~~deposited in the State Gaming Fund pursuant to riverboat or~~
19 ~~casino gambling operations conducted by a licensed manager on~~
20 ~~behalf of the State under Section 7.3 of this Act, an amount~~
21 ~~equal to 5% of adjusted gross receipts generated pursuant to~~
22 ~~those riverboat or casino gambling operations shall be paid~~
23 ~~monthly, subject to appropriation by the General Assembly, to~~
24 ~~the unit of local government that is designated as the home~~
25 ~~dock of the riverboat upon which those riverboat gambling~~
26 ~~operations are conducted or in which the casino is located.~~

1 (c) Appropriations, as approved by the General Assembly,
2 may be made from the State Gaming Fund to the Board (i) for the
3 administration and enforcement of this Act and the Video Gaming
4 Act, (ii) for distribution to the Department of State Police
5 and to the Department of Revenue for the enforcement of this
6 Act, and (iii) to the Department of Human Services for the
7 administration of programs to treat problem gambling.

8 (c-5) Before May 26, 2006 (the effective date of Public Act
9 94-804) and beginning on the effective date of this amendatory
10 Act of the 95th General Assembly, unless any organization
11 licensee under the Illinois Horse Racing Act of 1975 begins to
12 operate a slot machine or video game of chance under the
13 Illinois Horse Racing Act of 1975 or this Act, after the
14 payments required under subsections (b) and (c) have been made,
15 an amount equal to 15% of the adjusted gross receipts of (1) an
16 owners licensee that relocates pursuant to Section 11.2, (2) an
17 owners licensee conducting riverboat gambling operations
18 pursuant to an owners license that is initially issued after
19 June 25, 1999, or (3) the first riverboat gambling operations
20 conducted by a licensed manager on behalf of the State under
21 Section 7.3, whichever comes first, shall be paid from the
22 State Gaming Fund into the Horse Racing Equity Fund.

23 (c-10) Each year the General Assembly shall appropriate
24 from the General Revenue Fund to the Education Assistance Fund
25 an amount equal to the amount paid into the Horse Racing Equity
26 Fund pursuant to subsection (c-5) in the prior calendar year.

1 (c-15) After the payments required under subsections (b),
2 (c), and (c-5) have been made, an amount equal to 2% of the
3 adjusted gross receipts of (1) an owners licensee that
4 relocates pursuant to Section 11.2, (2) an owners licensee
5 conducting riverboat gambling operations pursuant to an owners
6 license that is initially issued after June 25, 1999, or (3)
7 the first riverboat gambling operations conducted by a licensed
8 manager on behalf of the State under Section 7.3, whichever
9 comes first, shall be paid, subject to appropriation from the
10 General Assembly, from the State Gaming Fund to each home rule
11 county with a population of over 3,000,000 inhabitants for the
12 purpose of enhancing the county's criminal justice system.

13 (c-20) Each year the General Assembly shall appropriate
14 from the General Revenue Fund to the Education Assistance Fund
15 an amount equal to the amount paid to each home rule county
16 with a population of over 3,000,000 inhabitants pursuant to
17 subsection (c-15) in the prior calendar year.

18 (c-25) On July 1, 2013 and each July 1 thereafter,
19 \$1,600,000 shall be transferred from the State Gaming Fund to
20 the Chicago State University Education Improvement Fund.

21 (c-30) On July 1, 2013 or as soon as possible thereafter,
22 \$92,000,000 shall be transferred from the State Gaming Fund to
23 the School Infrastructure Fund and \$23,000,000 shall be
24 transferred from the State Gaming Fund to the Horse Racing
25 Equity Fund.

26 (c-35) Beginning on July 1, 2013, in addition to any amount

1 transferred under subsection (c-30) of this Section,
2 \$5,530,000 shall be transferred monthly from the State Gaming
3 Fund to the School Infrastructure Fund.

4 (d) From time to time, the Board shall transfer the
5 remainder of the funds generated by this Act into the Education
6 Assistance Fund, created by Public Act 86-0018, of the State of
7 Illinois.

8 (e) Nothing in this Act shall prohibit the unit of local
9 government designated as the home dock of the riverboat from
10 entering into agreements with other units of local government
11 in this State or in other states to share its portion of the
12 tax revenue.

13 (f) To the extent practicable, the Board shall administer
14 and collect the wagering taxes imposed by this Section in a
15 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
16 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
17 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
18 Penalty and Interest Act.

19 (Source: P.A. 98-18, eff. 6-7-13.)

20 (230 ILCS 10/18) (from Ch. 120, par. 2418)

21 Sec. 18. Prohibited Activities - Penalty.

22 (a) A person is guilty of a Class A misdemeanor for doing
23 any of the following:

24 (1) Conducting gambling where wagering is used or to be
25 used without a license issued by the Board.

1 (2) Conducting gambling where wagering is permitted
2 other than in the manner specified by Section 11.

3 (b) A person is guilty of a Class B misdemeanor for doing
4 any of the following:

5 (1) permitting a person under 21 years to make a wager;

6 or

7 (2) violating paragraph (12) of subsection (a) of
8 Section 11 of this Act.

9 (c) A person wagering or accepting a wager at any location
10 outside the riverboat or casino in violation of paragraph ~~is~~
11 ~~subject to the penalties in paragraphs~~ (1) or (2) of subsection
12 (a) of Section 28-1 of the Criminal Code of 2012 is subject to
13 the penalties provided in that Section.

14 (d) A person commits a Class 4 felony and, in addition,
15 shall be barred for life from gambling operations ~~riverboats~~
16 under the jurisdiction of the Board, if the person does any of
17 the following:

18 (1) Offers, promises, or gives anything of value or
19 benefit to a person who is connected with a riverboat or
20 casino owner including, but not limited to, an officer or
21 employee of a licensed owner or holder of an occupational
22 license pursuant to an agreement or arrangement or with the
23 intent that the promise or thing of value or benefit will
24 influence the actions of the person to whom the offer,
25 promise, or gift was made in order to affect or attempt to
26 affect the outcome of a gambling game, or to influence

1 official action of a member of the Board.

2 (2) Solicits or knowingly accepts or receives a promise
3 of anything of value or benefit while the person is
4 connected with a riverboat or casino, including, but not
5 limited to, an officer or employee of a licensed owner, or
6 the holder of an occupational license, pursuant to an
7 understanding or arrangement or with the intent that the
8 promise or thing of value or benefit will influence the
9 actions of the person to affect or attempt to affect the
10 outcome of a gambling game, or to influence official action
11 of a member of the Board.

12 (3) Uses or possesses with the intent to use a device
13 to assist:

14 (i) In projecting the outcome of the game.

15 (ii) In keeping track of the cards played.

16 (iii) In analyzing the probability of the
17 occurrence of an event relating to the gambling game.

18 (iv) In analyzing the strategy for playing or
19 betting to be used in the game except as permitted by
20 the Board.

21 (4) Cheats at a gambling game.

22 (5) Manufactures, sells, or distributes any cards,
23 chips, dice, game or device which is intended to be used to
24 violate any provision of this Act.

25 (6) Alters or misrepresents the outcome of a gambling
26 game on which wagers have been made after the outcome is

1 made sure but before it is revealed to the players.

2 (7) Places a bet after acquiring knowledge, not
3 available to all players, of the outcome of the gambling
4 game which is subject of the bet or to aid a person in
5 acquiring the knowledge for the purpose of placing a bet
6 contingent on that outcome.

7 (8) Claims, collects, or takes, or attempts to claim,
8 collect, or take, money or anything of value in or from the
9 gambling games, with intent to defraud, without having made
10 a wager contingent on winning a gambling game, or claims,
11 collects, or takes an amount of money or thing of value of
12 greater value than the amount won.

13 (9) Uses counterfeit chips or tokens in a gambling
14 game.

15 (10) Possesses any key or device designed for the
16 purpose of opening, entering, or affecting the operation of
17 a gambling game, drop box, or an electronic or mechanical
18 device connected with the gambling game or for removing
19 coins, tokens, chips or other contents of a gambling game.
20 This paragraph (10) does not apply to a gambling licensee
21 or employee of a gambling licensee acting in furtherance of
22 the employee's employment.

23 (e) The possession of more than one of the devices
24 described in subsection (d), paragraphs (3), (5), or (10)
25 permits a rebuttable presumption that the possessor intended to
26 use the devices for cheating.

1 (f) A person under the age of 21 who, except as authorized
2 under paragraph (10) of Section 11, enters upon a riverboat or
3 in a casino commits a petty offense and is subject to a fine of
4 not less than \$100 or more than \$250 for a first offense and of
5 not less than \$200 or more than \$500 for a second or subsequent
6 offense.

7 An action to prosecute any crime occurring on a riverboat
8 shall be tried in the county of the dock at which the riverboat
9 is based. An action to prosecute any crime occurring in a
10 casino shall be tried in the county in which the casino is
11 located.

12 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

13 (230 ILCS 10/18.1)

14 Sec. 18.1. Distribution of certain fines. If a fine is
15 imposed on an owner licensee for knowingly sending marketing or
16 promotional materials to any person placed on the
17 self-exclusion list, then the Board shall distribute an amount
18 equal to 15% of the fine imposed to the unit of local
19 government in which the riverboat or casino is located for the
20 purpose of awarding grants to non-profit entities that assist
21 gambling addicts.

22 (Source: P.A. 96-224, eff. 8-11-09.)

23 (230 ILCS 10/19) (from Ch. 120, par. 2419)

24 Sec. 19. Forfeiture of property.

1 (a) Except as provided in subsection (b), any riverboat or
2 casino used for the conduct of gambling games in violation of
3 this Act shall be considered a gambling place in violation of
4 Section 28-3 of the Criminal Code of 2012. Every gambling
5 device found on a riverboat or in a casino operating gambling
6 games in violation of this Act shall be subject to seizure,
7 confiscation and destruction as provided in Section 28-5 of the
8 Criminal Code of 2012.

9 (b) It is not a violation of this Act for a riverboat or
10 other watercraft which is licensed for gaming by a contiguous
11 state to dock on the shores of this State if the municipality
12 having jurisdiction of the shores, or the county in the case of
13 unincorporated areas, has granted permission for docking and no
14 gaming is conducted on the riverboat or other watercraft while
15 it is docked on the shores of this State. No gambling device
16 shall be subject to seizure, confiscation or destruction if the
17 gambling device is located on a riverboat or other watercraft
18 which is licensed for gaming by a contiguous state and which is
19 docked on the shores of this State if the municipality having
20 jurisdiction of the shores, or the county in the case of
21 unincorporated areas, has granted permission for docking and no
22 gaming is conducted on the riverboat or other watercraft while
23 it is docked on the shores of this State.

24 (Source: P.A. 97-1150, eff. 1-25-13.)

25 (230 ILCS 10/20) (from Ch. 120, par. 2420)

1 Sec. 20. Prohibited activities - civil penalties. Any
2 person who conducts a gambling operation without first
3 obtaining a license to do so, or who continues to conduct such
4 games after revocation of his license, or any licensee who
5 conducts or allows to be conducted any unauthorized gambling
6 games on a riverboat or in a casino where it is authorized to
7 conduct its ~~riverboat~~ gambling operation, in addition to other
8 penalties provided, shall be subject to a civil penalty equal
9 to the amount of gross receipts derived from wagering on the
10 gambling games, whether unauthorized or authorized, conducted
11 on that day as well as confiscation and forfeiture of all
12 gambling game equipment used in the conduct of unauthorized
13 gambling games.

14 (Source: P.A. 86-1029.)

15 (230 ILCS 10/24)

16 Sec. 24. Applicability of this ~~Illinois Riverboat Gambling~~
17 Act. The provisions of the this ~~Illinois Riverboat Gambling~~
18 Act, and all rules promulgated thereunder, shall apply to the
19 Video Gaming Act, except where there is a conflict between the
20 2 Acts.

21 (Source: P.A. 96-37, eff. 7-13-09.)

22 Section 40. The Video Gaming Act is amended by changing
23 Sections 5, 25, 45, 79, and 80 as follows:

1 (230 ILCS 40/5)

2 Sec. 5. Definitions. As used in this Act:

3 "Board" means the Illinois Gaming Board.

4 "Credit" means one, 5, 10, or 25 cents either won or
5 purchased by a player.

6 "Distributor" means an individual, partnership,
7 corporation, or limited liability company licensed under this
8 Act to buy, sell, lease, or distribute video gaming terminals
9 or major components or parts of video gaming terminals to or
10 from terminal operators.

11 "Electronic card" means a card purchased from a licensed
12 establishment, licensed fraternal establishment, licensed
13 veterans establishment, or licensed truck stop establishment
14 for use in that establishment as a substitute for cash in the
15 conduct of gaming on a video gaming terminal.

16 "Electronic voucher" means a voucher printed by an
17 electronic video game machine that is redeemable in the
18 licensed establishment for which it was issued.

19 "Terminal operator" means an individual, partnership,
20 corporation, or limited liability company that is licensed
21 under this Act and that owns, services, and maintains video
22 gaming terminals for placement in licensed establishments,
23 licensed truck stop establishments, licensed fraternal
24 establishments, or licensed veterans establishments.

25 "Licensed technician" means an individual who is licensed
26 under this Act to repair, service, and maintain video gaming

1 terminals.

2 "Licensed terminal handler" means a person, including but
3 not limited to an employee or independent contractor working
4 for a manufacturer, distributor, supplier, technician, or
5 terminal operator, who is licensed under this Act to possess or
6 control a video gaming terminal or to have access to the inner
7 workings of a video gaming terminal. A licensed terminal
8 handler does not include an individual, partnership,
9 corporation, or limited liability company defined as a
10 manufacturer, distributor, supplier, technician, or terminal
11 operator under this Act.

12 "Manufacturer" means an individual, partnership,
13 corporation, or limited liability company that is licensed
14 under this Act and that manufactures or assembles video gaming
15 terminals.

16 "Supplier" means an individual, partnership, corporation,
17 or limited liability company that is licensed under this Act to
18 supply major components or parts to video gaming terminals to
19 licensed terminal operators.

20 "Net terminal income" means money put into a video gaming
21 terminal minus credits paid out to players.

22 "Video gaming terminal" means any electronic video game
23 machine that, upon insertion of cash, electronic cards or
24 vouchers, or any combination thereof, is available to play or
25 simulate the play of a video game, including but not limited to
26 video poker, line up, and blackjack, as authorized by the Board

1 utilizing a video display and microprocessors in which the
2 player may receive free games or credits that can be redeemed
3 for cash. The term does not include a machine that directly
4 dispenses coins, cash, or tokens or is for amusement purposes
5 only.

6 "Licensed establishment" means any licensed retail
7 establishment where alcoholic liquor is drawn, poured, mixed,
8 or otherwise served for consumption on the premises, whether
9 the establishment operates on a nonprofit or for-profit basis.

10 "Licensed establishment" includes any such establishment that
11 has a contractual relationship with an inter-track wagering
12 location licensee licensed under the Illinois Horse Racing Act
13 of 1975, provided any contractual relationship shall not
14 include any transfer or offer of revenue from the operation of
15 video gaming under this Act to any licensee licensed under the
16 Illinois Horse Racing Act of 1975. Provided, however, that the
17 licensed establishment that has such a contractual
18 relationship with an inter-track wagering location licensee
19 may not, itself, be (i) an inter-track wagering location
20 licensee, (ii) the corporate parent or subsidiary of any
21 licensee licensed under the Illinois Horse Racing Act of 1975,
22 or (iii) the corporate subsidiary of a corporation that is also
23 the corporate parent or subsidiary of any licensee licensed
24 under the Illinois Horse Racing Act of 1975. "Licensed
25 establishment" does not include a facility operated by an
26 organization licensee, an inter-track wagering licensee, or an

1 inter-track wagering location licensee licensed under the
2 Illinois Horse Racing Act of 1975 or a riverboat licensed under
3 the Riverboat and Casino Gambling Act, except as provided in
4 this paragraph. The changes made to this definition by Public
5 Act 98-587 are declarative of existing law.

6 "Licensed fraternal establishment" means the location
7 where a qualified fraternal organization that derives its
8 charter from a national fraternal organization regularly
9 meets.

10 "Licensed veterans establishment" means the location where
11 a qualified veterans organization that derives its charter from
12 a national veterans organization regularly meets.

13 "Licensed truck stop establishment" means a facility (i)
14 that is at least a 3-acre facility with a convenience store,
15 (ii) with separate diesel islands for fueling commercial motor
16 vehicles, (iii) that sells at retail more than 10,000 gallons
17 of diesel or biodiesel fuel per month, and (iv) with parking
18 spaces for commercial motor vehicles. "Commercial motor
19 vehicles" has the same meaning as defined in Section 18b-101 of
20 the Illinois Vehicle Code. The requirement of item (iii) of
21 this paragraph may be met by showing that estimated future
22 sales or past sales average at least 10,000 gallons per month.

23 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;
24 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; 98-756, eff.
25 7-16-14.)

1 (230 ILCS 40/25)

2 Sec. 25. Restriction of licensees.

3 (a) Manufacturer. A person may not be licensed as a
4 manufacturer of a video gaming terminal in Illinois unless the
5 person has a valid manufacturer's license issued under this
6 Act. A manufacturer may only sell video gaming terminals for
7 use in Illinois to persons having a valid distributor's
8 license.

9 (b) Distributor. A person may not sell, distribute, or
10 lease or market a video gaming terminal in Illinois unless the
11 person has a valid distributor's license issued under this Act.
12 A distributor may only sell video gaming terminals for use in
13 Illinois to persons having a valid distributor's or terminal
14 operator's license.

15 (c) Terminal operator. A person may not own, maintain, or
16 place a video gaming terminal unless he has a valid terminal
17 operator's license issued under this Act. A terminal operator
18 may only place video gaming terminals for use in Illinois in
19 licensed establishments, licensed truck stop establishments,
20 licensed fraternal establishments, and licensed veterans
21 establishments. No terminal operator may give anything of
22 value, including but not limited to a loan or financing
23 arrangement, to a licensed establishment, licensed truck stop
24 establishment, licensed fraternal establishment, or licensed
25 veterans establishment as any incentive or inducement to locate
26 video terminals in that establishment. Of the after-tax profits

1 from a video gaming terminal, 50% shall be paid to the terminal
2 operator and 50% shall be paid to the licensed establishment,
3 licensed truck stop establishment, licensed fraternal
4 establishment, or licensed veterans establishment,
5 notwithstanding any agreement to the contrary. A video terminal
6 operator that violates one or more requirements of this
7 subsection is guilty of a Class 4 felony and is subject to
8 termination of his or her license by the Board.

9 (d) Licensed technician. A person may not service,
10 maintain, or repair a video gaming terminal in this State
11 unless he or she (1) has a valid technician's license issued
12 under this Act, (2) is a terminal operator, or (3) is employed
13 by a terminal operator, distributor, or manufacturer.

14 (d-5) Licensed terminal handler. No person, including, but
15 not limited to, an employee or independent contractor working
16 for a manufacturer, distributor, supplier, technician, or
17 terminal operator licensed pursuant to this Act, shall have
18 possession or control of a video gaming terminal, or access to
19 the inner workings of a video gaming terminal, unless that
20 person possesses a valid terminal handler's license issued
21 under this Act.

22 (e) Licensed establishment. No video gaming terminal may be
23 placed in any licensed establishment, licensed veterans
24 establishment, licensed truck stop establishment, or licensed
25 fraternal establishment unless the owner or agent of the owner
26 of the licensed establishment, licensed veterans

1 establishment, licensed truck stop establishment, or licensed
2 fraternal establishment has entered into a written use
3 agreement with the terminal operator for placement of the
4 terminals. A copy of the use agreement shall be on file in the
5 terminal operator's place of business and available for
6 inspection by individuals authorized by the Board. A licensed
7 establishment, licensed truck stop establishment, licensed
8 veterans establishment, or licensed fraternal establishment
9 may operate up to 5 video gaming terminals on its premises at
10 any time.

11 (f) (Blank).

12 (g) Financial interest restrictions. As used in this Act,
13 "substantial interest" in a partnership, a corporation, an
14 organization, an association, a business, or a limited
15 liability company means:

16 (A) When, with respect to a sole proprietorship, an
17 individual or his or her spouse owns, operates, manages, or
18 conducts, directly or indirectly, the organization,
19 association, or business, or any part thereof; or

20 (B) When, with respect to a partnership, the individual
21 or his or her spouse shares in any of the profits, or
22 potential profits, of the partnership activities; or

23 (C) When, with respect to a corporation, an individual
24 or his or her spouse is an officer or director, or the
25 individual or his or her spouse is a holder, directly or
26 beneficially, of 5% or more of any class of stock of the

1 corporation; or

2 (D) When, with respect to an organization not covered
3 in (A), (B) or (C) above, an individual or his or her
4 spouse is an officer or manages the business affairs, or
5 the individual or his or her spouse is the owner of or
6 otherwise controls 10% or more of the assets of the
7 organization; or

8 (E) When an individual or his or her spouse furnishes
9 5% or more of the capital, whether in cash, goods, or
10 services, for the operation of any business, association,
11 or organization during any calendar year; or

12 (F) When, with respect to a limited liability company,
13 an individual or his or her spouse is a member, or the
14 individual or his or her spouse is a holder, directly or
15 beneficially, of 5% or more of the membership interest of
16 the limited liability company.

17 For purposes of this subsection (g), "individual" includes
18 all individuals or their spouses whose combined interest would
19 qualify as a substantial interest under this subsection (g) and
20 whose activities with respect to an organization, association,
21 or business are so closely aligned or coordinated as to
22 constitute the activities of a single entity.

23 (h) Location restriction. A licensed establishment,
24 licensed truck stop establishment, licensed fraternal
25 establishment, or licensed veterans establishment that is (i)
26 located within 1,000 feet of a facility operated by an

1 organization licensee licensed under the Illinois Horse Racing
2 Act of 1975 or a casino or the home dock of a riverboat
3 licensed under the Riverboat and Casino Gambling Act or (ii)
4 located within 100 feet of a school or a place of worship under
5 the Religious Corporation Act, is ineligible to operate a video
6 gaming terminal. The location restrictions in this subsection
7 (h) do not apply if (A) a facility operated by an organization
8 licensee, a school, or a place of worship moves to or is
9 established within the restricted area after a licensed
10 establishment, licensed truck stop establishment, licensed
11 fraternal establishment, or licensed veterans establishment
12 becomes licensed under this Act or (B) a school or place of
13 worship moves to or is established within the restricted area
14 after a licensed establishment, licensed truck stop
15 establishment, licensed fraternal establishment, or licensed
16 veterans establishment obtains its original liquor license.
17 For the purpose of this subsection, "school" means an
18 elementary or secondary public school, or an elementary or
19 secondary private school registered with or recognized by the
20 State Board of Education.

21 Notwithstanding the provisions of this subsection (h), the
22 Board may waive the requirement that a licensed establishment,
23 licensed truck stop establishment, licensed fraternal
24 establishment, or licensed veterans establishment not be
25 located within 1,000 feet from a facility operated by an
26 organization licensee licensed under the Illinois Horse Racing

1 Act of 1975 or a casino or the home dock of a riverboat
2 licensed under the Riverboat and Casino Gambling Act. The Board
3 shall not grant such waiver if there is any common ownership or
4 control, shared business activity, or contractual arrangement
5 of any type between the establishment and the organization
6 licensee or owners licensee of a riverboat. The Board shall
7 adopt rules to implement the provisions of this paragraph.

8 (i) Undue economic concentration. In addition to
9 considering all other requirements under this Act, in deciding
10 whether to approve the operation of video gaming terminals by a
11 terminal operator in a location, the Board shall consider the
12 impact of any economic concentration of such operation of video
13 gaming terminals. The Board shall not allow a terminal operator
14 to operate video gaming terminals if the Board determines such
15 operation will result in undue economic concentration. For
16 purposes of this Section, "undue economic concentration" means
17 that a terminal operator would have such actual or potential
18 influence over video gaming terminals in Illinois as to:

19 (1) substantially impede or suppress competition among
20 terminal operators;

21 (2) adversely impact the economic stability of the
22 video gaming industry in Illinois; or

23 (3) negatively impact the purposes of the Video Gaming
24 Act.

25 The Board shall adopt rules concerning undue economic
26 concentration with respect to the operation of video gaming

1 terminals in Illinois. The rules shall include, but not be
2 limited to, (i) limitations on the number of video gaming
3 terminals operated by any terminal operator within a defined
4 geographic radius and (ii) guidelines on the discontinuation of
5 operation of any such video gaming terminals the Board
6 determines will cause undue economic concentration.

7 (j) The provisions of the Illinois Antitrust Act are fully
8 and equally applicable to the activities of any licensee under
9 this Act.

10 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77,
11 eff. 7-15-13; 98-112, eff. 7-26-13; 98-756, eff. 7-16-14.)

12 (230 ILCS 40/45)

13 Sec. 45. Issuance of license.

14 (a) The burden is upon each applicant to demonstrate his
15 suitability for licensure. Each video gaming terminal
16 manufacturer, distributor, supplier, operator, handler,
17 licensed establishment, licensed truck stop establishment,
18 licensed fraternal establishment, and licensed veterans
19 establishment shall be licensed by the Board. The Board may
20 issue or deny a license under this Act to any person pursuant
21 to the same criteria set forth in Section 9 of the Riverboat
22 and Casino Gambling Act.

23 (a-5) The Board shall not grant a license to a person who
24 has facilitated, enabled, or participated in the use of
25 coin-operated devices for gambling purposes or who is under the

1 significant influence or control of such a person. For the
2 purposes of this Act, "facilitated, enabled, or participated in
3 the use of coin-operated amusement devices for gambling
4 purposes" means that the person has been convicted of any
5 violation of Article 28 of the Criminal Code of 1961 or the
6 Criminal Code of 2012. If there is pending legal action against
7 a person for any such violation, then the Board shall delay the
8 licensure of that person until the legal action is resolved.

9 (b) Each person seeking and possessing a license as a video
10 gaming terminal manufacturer, distributor, supplier, operator,
11 handler, licensed establishment, licensed truck stop
12 establishment, licensed fraternal establishment, or licensed
13 veterans establishment shall submit to a background
14 investigation conducted by the Board with the assistance of the
15 State Police or other law enforcement. To the extent that the
16 corporate structure of the applicant allows, the background
17 investigation shall include any or all of the following as the
18 Board deems appropriate or as provided by rule for each
19 category of licensure: (i) each beneficiary of a trust, (ii)
20 each partner of a partnership, (iii) each member of a limited
21 liability company, (iv) each director and officer of a publicly
22 or non-publicly held corporation, (v) each stockholder of a
23 non-publicly held corporation, (vi) each stockholder of 5% or
24 more of a publicly held corporation, or (vii) each stockholder
25 of 5% or more in a parent or subsidiary corporation.

26 (c) Each person seeking and possessing a license as a video

1 gaming terminal manufacturer, distributor, supplier, operator,
2 handler, licensed establishment, licensed truck stop
3 establishment, licensed fraternal establishment, or licensed
4 veterans establishment shall disclose the identity of every
5 person, association, trust, corporation, or limited liability
6 company having a greater than 1% direct or indirect pecuniary
7 interest in the video gaming terminal operation for which the
8 license is sought. If the disclosed entity is a trust, the
9 application shall disclose the names and addresses of the
10 beneficiaries; if a corporation, the names and addresses of all
11 stockholders and directors; if a limited liability company, the
12 names and addresses of all members; or if a partnership, the
13 names and addresses of all partners, both general and limited.

14 (d) No person may be licensed as a video gaming terminal
15 manufacturer, distributor, supplier, operator, handler,
16 licensed establishment, licensed truck stop establishment,
17 licensed fraternal establishment, or licensed veterans
18 establishment if that person has been found by the Board to:

19 (1) have a background, including a criminal record,
20 reputation, habits, social or business associations, or
21 prior activities that pose a threat to the public interests
22 of the State or to the security and integrity of video
23 gaming;

24 (2) create or enhance the dangers of unsuitable,
25 unfair, or illegal practices, methods, and activities in
26 the conduct of video gaming; or

1 (3) present questionable business practices and
 2 financial arrangements incidental to the conduct of video
 3 gaming activities.

4 (e) Any applicant for any license under this Act has the
 5 burden of proving his or her qualifications to the satisfaction
 6 of the Board. The Board may adopt rules to establish additional
 7 qualifications and requirements to preserve the integrity and
 8 security of video gaming in this State.

9 (f) A non-refundable application fee shall be paid at the
 10 time an application for a license is filed with the Board in
 11 the following amounts:

- 12 (1) Manufacturer \$5,000
- 13 (2) Distributor..... \$5,000
- 14 (3) Terminal operator..... \$5,000
- 15 (4) Supplier \$2,500
- 16 (5) Technician \$100
- 17 (6) Terminal Handler \$50

18 (g) The Board shall establish an annual fee for each
 19 license not to exceed the following:

- 20 (1) Manufacturer \$10,000
- 21 (2) Distributor..... \$10,000
- 22 (3) Terminal operator..... \$5,000
- 23 (4) Supplier \$2,000
- 24 (5) Technician \$100
- 25 (6) Licensed establishment, licensed truck stop
 26 establishment, licensed fraternal establishment,

1 or licensed veterans establishment \$100

2 (7) Video gaming terminal..... \$100

3 (8) Terminal Handler \$50

4 (h) A terminal operator and a licensed establishment,
5 licensed truck stop establishment, licensed fraternal
6 establishment, or licensed veterans establishment shall
7 equally split the fees specified in item (7) of subsection (g).

8 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;
9 98-587, eff. 8-27-13; 98-756, eff. 7-16-14.)

10 (230 ILCS 40/79)

11 Sec. 79. Investigators. Investigators appointed by the
12 Board pursuant to the powers conferred upon the Board by
13 paragraph (20.6) of subsection (c) of Section 5 of the
14 Riverboat and Casino Gambling Act and Section 80 of this Act
15 shall have authority to conduct investigations, searches,
16 seizures, arrests, and other duties imposed under this Act and
17 the Riverboat and Casino Gambling Act, as deemed necessary by
18 the Board. These investigators have and may exercise all of the
19 rights and powers of peace officers, provided that these powers
20 shall be (1) limited to offenses or violations occurring or
21 committed in connection with conduct subject to this Act,
22 including, but not limited to, the manufacture, distribution,
23 supply, operation, placement, service, maintenance, or play of
24 video gaming terminals and the distribution of profits and
25 collection of revenues resulting from such play, and (2)

1 exercised, to the fullest extent practicable, in cooperation
2 with the local police department of the applicable municipality
3 or, if these powers are exercised outside the boundaries of an
4 incorporated municipality or within a municipality that does
5 not have its own police department, in cooperation with the
6 police department whose jurisdiction encompasses the
7 applicable locality.

8 (Source: P.A. 97-809, eff. 7-13-12.)

9 (230 ILCS 40/80)

10 Sec. 80. Applicability of ~~Illinois~~ Riverboat and Casino
11 Gambling Act. The provisions of the ~~Illinois~~ Riverboat and
12 Casino Gambling Act, and all rules promulgated thereunder,
13 shall apply to the Video Gaming Act, except where there is a
14 conflict between the 2 Acts. All provisions of the Uniform
15 Penalty and Interest Act shall apply, as far as practicable, to
16 the subject matter of this Act to the same extent as if such
17 provisions were included herein.

18 (Source: P.A. 96-37, eff. 7-13-09.)

19 Section 45. The Liquor Control Act of 1934 is amended by
20 changing Sections 5-1 and 6-30 as follows:

21 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

22 Sec. 5-1. Licenses issued by the Illinois Liquor Control
23 Commission shall be of the following classes:

1 (a) Manufacturer's license - Class 1. Distiller, Class 2.
2 Rectifier, Class 3. Brewer, Class 4. First Class Wine
3 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.
4 First Class Winemaker, Class 7. Second Class Winemaker, Class
5 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class
6 10. Class 1 Brewer, Class 11. Class 2 Brewer,

7 (b) Distributor's license,

8 (c) Importing Distributor's license,

9 (d) Retailer's license,

10 (e) Special Event Retailer's license (not-for-profit),

11 (f) Railroad license,

12 (g) Boat license,

13 (h) Non-Beverage User's license,

14 (i) Wine-maker's premises license,

15 (j) Airplane license,

16 (k) Foreign importer's license,

17 (l) Broker's license,

18 (m) Non-resident dealer's license,

19 (n) Brew Pub license,

20 (o) Auction liquor license,

21 (p) Caterer retailer license,

22 (q) Special use permit license,

23 (r) Winery shipper's license,

24 (s) Craft distiller tasting permit.

25 No person, firm, partnership, corporation, or other legal
26 business entity that is engaged in the manufacturing of wine

1 may concurrently obtain and hold a wine-maker's license and a
2 wine manufacturer's license.

3 (a) A manufacturer's license shall allow the manufacture,
4 importation in bulk, storage, distribution and sale of
5 alcoholic liquor to persons without the State, as may be
6 permitted by law and to licensees in this State as follows:

7 Class 1. A Distiller may make sales and deliveries of
8 alcoholic liquor to distillers, rectifiers, importing
9 distributors, distributors and non-beverage users and to no
10 other licensees.

11 Class 2. A Rectifier, who is not a distiller, as defined
12 herein, may make sales and deliveries of alcoholic liquor to
13 rectifiers, importing distributors, distributors, retailers
14 and non-beverage users and to no other licensees.

15 Class 3. A Brewer may make sales and deliveries of beer to
16 importing distributors and distributors and may make sales as
17 authorized under subsection (e) of Section 6-4 of this Act.

18 Class 4. A first class wine-manufacturer may make sales and
19 deliveries of up to 50,000 gallons of wine to manufacturers,
20 importing distributors and distributors, and to no other
21 licensees.

22 Class 5. A second class Wine manufacturer may make sales
23 and deliveries of more than 50,000 gallons of wine to
24 manufacturers, importing distributors and distributors and to
25 no other licensees.

26 Class 6. A first-class wine-maker's license shall allow the

1 manufacture of up to 50,000 gallons of wine per year, and the
2 storage and sale of such wine to distributors in the State and
3 to persons without the State, as may be permitted by law. A
4 person who, prior to June 1, 2008 (the effective date of Public
5 Act 95-634), is a holder of a first-class wine-maker's license
6 and annually produces more than 25,000 gallons of its own wine
7 and who distributes its wine to licensed retailers shall cease
8 this practice on or before July 1, 2008 in compliance with
9 Public Act 95-634.

10 Class 7. A second-class wine-maker's license shall allow
11 the manufacture of between 50,000 and 150,000 gallons of wine
12 per year, and the storage and sale of such wine to distributors
13 in this State and to persons without the State, as may be
14 permitted by law. A person who, prior to June 1, 2008 (the
15 effective date of Public Act 95-634), is a holder of a
16 second-class wine-maker's license and annually produces more
17 than 25,000 gallons of its own wine and who distributes its
18 wine to licensed retailers shall cease this practice on or
19 before July 1, 2008 in compliance with Public Act 95-634.

20 Class 8. A limited wine-manufacturer may make sales and
21 deliveries not to exceed 40,000 gallons of wine per year to
22 distributors, and to non-licensees in accordance with the
23 provisions of this Act.

24 Class 9. A craft distiller license shall allow the
25 manufacture of up to 100,000 ~~March 1, 2013 (Public Act 97-1166)~~
26 gallons of spirits by distillation per year and the storage of

1 such spirits. If a craft distiller licensee, including a craft
2 distiller licensee who holds more than one craft distiller
3 license, is not affiliated with any other manufacturer of
4 spirits, then the craft distiller licensee may sell such
5 spirits to distributors in this State and up to 2,500 gallons
6 of such spirits to non-licensees to the extent permitted by any
7 exemption approved by the Commission pursuant to Section 6-4 of
8 this Act. A craft distiller license holder may store such
9 spirits at a non-contiguous licensed location, but at no time
10 shall a craft distiller license holder directly or indirectly
11 produce in the aggregate more than 100,000 gallons of spirits
12 per year.

13 A craft distiller licensee may hold more than one craft
14 distiller's license. However, a craft distiller that holds more
15 than one craft distiller license shall not manufacture, in the
16 aggregate, more than 100,000 gallons of spirits by distillation
17 per year and shall not sell, in the aggregate, more than 2,500
18 gallons of such spirits to non-licensees in accordance with an
19 exemption approved by the State Commission pursuant to Section
20 6-4 of this Act.

21 Any craft distiller licensed under this Act who on July 28,
22 2010 (the effective date of Public Act 96-1367) was licensed as
23 a distiller and manufactured no more spirits than permitted by
24 this Section shall not be required to pay the initial licensing
25 fee.

26 Class 10. A class 1 brewer license, which may only be

1 issued to a licensed brewer or licensed non-resident dealer,
2 shall allow the manufacture of up to 930,000 gallons of beer
3 per year provided that the class 1 brewer licensee does not
4 manufacture more than a combined 930,000 gallons of beer per
5 year and is not a member of or affiliated with, directly or
6 indirectly, a manufacturer that produces more than 930,000
7 gallons of beer per year or any other alcoholic liquor. A class
8 1 brewer licensee may make sales and deliveries to importing
9 distributors and distributors and to retail licensees in
10 accordance with the conditions set forth in paragraph (18) of
11 subsection (a) of Section 3-12 of this Act.

12 Class 11. A class 2 brewer license, which may only be
13 issued to a licensed brewer or licensed non-resident dealer,
14 shall allow the manufacture of up to 3,720,000 gallons of beer
15 per year provided that the class 2 brewer licensee does not
16 manufacture more than a combined 3,720,000 gallons of beer per
17 year and is not a member of or affiliated with, directly or
18 indirectly, a manufacturer that produces more than 3,720,000
19 gallons of beer per year or any other alcoholic liquor. A class
20 2 brewer licensee may make sales and deliveries to importing
21 distributors and distributors, but shall not make sales or
22 deliveries to any other licensee. If the State Commission
23 provides prior approval, a class 2 brewer licensee may annually
24 transfer up to 3,720,000 gallons of beer manufactured by that
25 class 2 brewer licensee to the premises of a licensed class 2
26 brewer wholly owned and operated by the same licensee.

1 (a-1) A manufacturer which is licensed in this State to
2 make sales or deliveries of alcoholic liquor to licensed
3 distributors or importing distributors and which enlists
4 agents, representatives, or individuals acting on its behalf
5 who contact licensed retailers on a regular and continual basis
6 in this State must register those agents, representatives, or
7 persons acting on its behalf with the State Commission.

8 Registration of agents, representatives, or persons acting
9 on behalf of a manufacturer is fulfilled by submitting a form
10 to the Commission. The form shall be developed by the
11 Commission and shall include the name and address of the
12 applicant, the name and address of the manufacturer he or she
13 represents, the territory or areas assigned to sell to or
14 discuss pricing terms of alcoholic liquor, and any other
15 questions deemed appropriate and necessary. All statements in
16 the forms required to be made by law or by rule shall be deemed
17 material, and any person who knowingly misstates any material
18 fact under oath in an application is guilty of a Class B
19 misdemeanor. Fraud, misrepresentation, false statements,
20 misleading statements, evasions, or suppression of material
21 facts in the securing of a registration are grounds for
22 suspension or revocation of the registration. The State
23 Commission shall post a list of registered agents on the
24 Commission's website.

25 (b) A distributor's license shall allow the wholesale
26 purchase and storage of alcoholic liquors and sale of alcoholic

1 liquors to licensees in this State and to persons without the
2 State, as may be permitted by law. No person licensed as a
3 distributor shall be granted a non-resident dealer's license.

4 (c) An importing distributor's license may be issued to and
5 held by those only who are duly licensed distributors, upon the
6 filing of an application by a duly licensed distributor, with
7 the Commission and the Commission shall, without the payment of
8 any fee, immediately issue such importing distributor's
9 license to the applicant, which shall allow the importation of
10 alcoholic liquor by the licensee into this State from any point
11 in the United States outside this State, and the purchase of
12 alcoholic liquor in barrels, casks or other bulk containers and
13 the bottling of such alcoholic liquors before resale thereof,
14 but all bottles or containers so filled shall be sealed,
15 labeled, stamped and otherwise made to comply with all
16 provisions, rules and regulations governing manufacturers in
17 the preparation and bottling of alcoholic liquors. The
18 importing distributor's license shall permit such licensee to
19 purchase alcoholic liquor from Illinois licensed non-resident
20 dealers and foreign importers only. No person licensed as an
21 importing distributor shall be granted a non-resident dealer's
22 license.

23 (d) A retailer's license shall allow the licensee to sell
24 and offer for sale at retail, only in the premises specified in
25 the license, alcoholic liquor for use or consumption, but not
26 for resale in any form. Nothing in Public Act 95-634 shall

1 deny, limit, remove, or restrict the ability of a holder of a
2 retailer's license to transfer, deliver, or ship alcoholic
3 liquor to the purchaser for use or consumption subject to any
4 applicable local law or ordinance. Any retail license issued to
5 a manufacturer shall only permit the manufacturer to sell beer
6 at retail on the premises actually occupied by the
7 manufacturer. For the purpose of further describing the type of
8 business conducted at a retail licensed premises, a retailer's
9 licensee may be designated by the State Commission as (i) an on
10 premise consumption retailer, (ii) an off premise sale
11 retailer, or (iii) a combined on premise consumption and off
12 premise sale retailer.

13 Notwithstanding any other provision of this subsection
14 (d), a retail licensee may sell alcoholic liquors to a special
15 event retailer licensee for resale to the extent permitted
16 under subsection (e).

17 (e) A special event retailer's license (not-for-profit)
18 shall permit the licensee to purchase alcoholic liquors from an
19 Illinois licensed distributor (unless the licensee purchases
20 less than \$500 of alcoholic liquors for the special event, in
21 which case the licensee may purchase the alcoholic liquors from
22 a licensed retailer) and shall allow the licensee to sell and
23 offer for sale, at retail, alcoholic liquors for use or
24 consumption, but not for resale in any form and only at the
25 location and on the specific dates designated for the special
26 event in the license. An applicant for a special event retailer

1 license must (i) furnish with the application: (A) a resale
2 number issued under Section 2c of the Retailers' Occupation Tax
3 Act or evidence that the applicant is registered under Section
4 2a of the Retailers' Occupation Tax Act, (B) a current, valid
5 exemption identification number issued under Section 1g of the
6 Retailers' Occupation Tax Act, and a certification to the
7 Commission that the purchase of alcoholic liquors will be a
8 tax-exempt purchase, or (C) a statement that the applicant is
9 not registered under Section 2a of the Retailers' Occupation
10 Tax Act, does not hold a resale number under Section 2c of the
11 Retailers' Occupation Tax Act, and does not hold an exemption
12 number under Section 1g of the Retailers' Occupation Tax Act,
13 in which event the Commission shall set forth on the special
14 event retailer's license a statement to that effect; (ii)
15 submit with the application proof satisfactory to the State
16 Commission that the applicant will provide dram shop liability
17 insurance in the maximum limits; and (iii) show proof
18 satisfactory to the State Commission that the applicant has
19 obtained local authority approval.

20 (f) A railroad license shall permit the licensee to import
21 alcoholic liquors into this State from any point in the United
22 States outside this State and to store such alcoholic liquors
23 in this State; to make wholesale purchases of alcoholic liquors
24 directly from manufacturers, foreign importers, distributors
25 and importing distributors from within or outside this State;
26 and to store such alcoholic liquors in this State; provided

1 that the above powers may be exercised only in connection with
2 the importation, purchase or storage of alcoholic liquors to be
3 sold or dispensed on a club, buffet, lounge or dining car
4 operated on an electric, gas or steam railway in this State;
5 and provided further, that railroad licensees exercising the
6 above powers shall be subject to all provisions of Article VIII
7 of this Act as applied to importing distributors. A railroad
8 license shall also permit the licensee to sell or dispense
9 alcoholic liquors on any club, buffet, lounge or dining car
10 operated on an electric, gas or steam railway regularly
11 operated by a common carrier in this State, but shall not
12 permit the sale for resale of any alcoholic liquors to any
13 licensee within this State. A license shall be obtained for
14 each car in which such sales are made.

15 (g) A boat license shall allow the sale of alcoholic liquor
16 in individual drinks, on any passenger boat regularly operated
17 as a common carrier on navigable waters in this State or on any
18 riverboat operated under the Riverboat and Casino Gambling Act,
19 which boat or riverboat maintains a public dining room or
20 restaurant thereon.

21 (h) A non-beverage user's license shall allow the licensee
22 to purchase alcoholic liquor from a licensed manufacturer or
23 importing distributor, without the imposition of any tax upon
24 the business of such licensed manufacturer or importing
25 distributor as to such alcoholic liquor to be used by such
26 licensee solely for the non-beverage purposes set forth in

1 subsection (a) of Section 8-1 of this Act, and such licenses
 2 shall be divided and classified and shall permit the purchase,
 3 possession and use of limited and stated quantities of
 4 alcoholic liquor as follows:

- 5 Class 1, not to exceed 500 gallons
- 6 Class 2, not to exceed 1,000 gallons
- 7 Class 3, not to exceed 5,000 gallons
- 8 Class 4, not to exceed 10,000 gallons
- 9 Class 5, not to exceed 50,000 gallons

10 (i) A wine-maker's premises license shall allow a licensee
 11 that concurrently holds a first-class wine-maker's license to
 12 sell and offer for sale at retail in the premises specified in
 13 such license not more than 50,000 gallons of the first-class
 14 wine-maker's wine that is made at the first-class wine-maker's
 15 licensed premises per year for use or consumption, but not for
 16 resale in any form. A wine-maker's premises license shall allow
 17 a licensee who concurrently holds a second-class wine-maker's
 18 license to sell and offer for sale at retail in the premises
 19 specified in such license up to 100,000 gallons of the
 20 second-class wine-maker's wine that is made at the second-class
 21 wine-maker's licensed premises per year for use or consumption
 22 but not for resale in any form. A wine-maker's premises license
 23 shall allow a licensee that concurrently holds a first-class
 24 wine-maker's license or a second-class wine-maker's license to
 25 sell and offer for sale at retail at the premises specified in
 26 the wine-maker's premises license, for use or consumption but

1 not for resale in any form, any beer, wine, and spirits
2 purchased from a licensed distributor. Upon approval from the
3 State Commission, a wine-maker's premises license shall allow
4 the licensee to sell and offer for sale at (i) the wine-maker's
5 licensed premises and (ii) at up to 2 additional locations for
6 use and consumption and not for resale. Each location shall
7 require additional licensing per location as specified in
8 Section 5-3 of this Act. A wine-maker's premises licensee shall
9 secure liquor liability insurance coverage in an amount at
10 least equal to the maximum liability amounts set forth in
11 subsection (a) of Section 6-21 of this Act.

12 (j) An airplane license shall permit the licensee to import
13 alcoholic liquors into this State from any point in the United
14 States outside this State and to store such alcoholic liquors
15 in this State; to make wholesale purchases of alcoholic liquors
16 directly from manufacturers, foreign importers, distributors
17 and importing distributors from within or outside this State;
18 and to store such alcoholic liquors in this State; provided
19 that the above powers may be exercised only in connection with
20 the importation, purchase or storage of alcoholic liquors to be
21 sold or dispensed on an airplane; and provided further, that
22 airplane licensees exercising the above powers shall be subject
23 to all provisions of Article VIII of this Act as applied to
24 importing distributors. An airplane licensee shall also permit
25 the sale or dispensing of alcoholic liquors on any passenger
26 airplane regularly operated by a common carrier in this State,

1 but shall not permit the sale for resale of any alcoholic
2 liquors to any licensee within this State. A single airplane
3 license shall be required of an airline company if liquor
4 service is provided on board aircraft in this State. The annual
5 fee for such license shall be as determined in Section 5-3.

6 (k) A foreign importer's license shall permit such licensee
7 to purchase alcoholic liquor from Illinois licensed
8 non-resident dealers only, and to import alcoholic liquor other
9 than in bulk from any point outside the United States and to
10 sell such alcoholic liquor to Illinois licensed importing
11 distributors and to no one else in Illinois; provided that (i)
12 the foreign importer registers with the State Commission every
13 brand of alcoholic liquor that it proposes to sell to Illinois
14 licensees during the license period, (ii) the foreign importer
15 complies with all of the provisions of Section 6-9 of this Act
16 with respect to registration of such Illinois licensees as may
17 be granted the right to sell such brands at wholesale, and
18 (iii) the foreign importer complies with the provisions of
19 Sections 6-5 and 6-6 of this Act to the same extent that these
20 provisions apply to manufacturers.

21 (l) (i) A broker's license shall be required of all persons
22 who solicit orders for, offer to sell or offer to supply
23 alcoholic liquor to retailers in the State of Illinois, or who
24 offer to retailers to ship or cause to be shipped or to make
25 contact with distillers, rectifiers, brewers or manufacturers
26 or any other party within or without the State of Illinois in

1 order that alcoholic liquors be shipped to a distributor,
2 importing distributor or foreign importer, whether such
3 solicitation or offer is consummated within or without the
4 State of Illinois.

5 No holder of a retailer's license issued by the Illinois
6 Liquor Control Commission shall purchase or receive any
7 alcoholic liquor, the order for which was solicited or offered
8 for sale to such retailer by a broker unless the broker is the
9 holder of a valid broker's license.

10 The broker shall, upon the acceptance by a retailer of the
11 broker's solicitation of an order or offer to sell or supply or
12 deliver or have delivered alcoholic liquors, promptly forward
13 to the Illinois Liquor Control Commission a notification of
14 said transaction in such form as the Commission may by
15 regulations prescribe.

16 (ii) A broker's license shall be required of a person
17 within this State, other than a retail licensee, who, for a fee
18 or commission, promotes, solicits, or accepts orders for
19 alcoholic liquor, for use or consumption and not for resale, to
20 be shipped from this State and delivered to residents outside
21 of this State by an express company, common carrier, or
22 contract carrier. This Section does not apply to any person who
23 promotes, solicits, or accepts orders for wine as specifically
24 authorized in Section 6-29 of this Act.

25 A broker's license under this subsection (1) shall not
26 entitle the holder to buy or sell any alcoholic liquors for his

1 own account or to take or deliver title to such alcoholic
2 liquors.

3 This subsection (1) shall not apply to distributors,
4 employees of distributors, or employees of a manufacturer who
5 has registered the trademark, brand or name of the alcoholic
6 liquor pursuant to Section 6-9 of this Act, and who regularly
7 sells such alcoholic liquor in the State of Illinois only to
8 its registrants thereunder.

9 Any agent, representative, or person subject to
10 registration pursuant to subsection (a-1) of this Section shall
11 not be eligible to receive a broker's license.

12 (m) A non-resident dealer's license shall permit such
13 licensee to ship into and warehouse alcoholic liquor into this
14 State from any point outside of this State, and to sell such
15 alcoholic liquor to Illinois licensed foreign importers and
16 importing distributors and to no one else in this State;
17 provided that (i) said non-resident dealer shall register with
18 the Illinois Liquor Control Commission each and every brand of
19 alcoholic liquor which it proposes to sell to Illinois
20 licensees during the license period, (ii) it shall comply with
21 all of the provisions of Section 6-9 hereof with respect to
22 registration of such Illinois licensees as may be granted the
23 right to sell such brands at wholesale, and (iii) the
24 non-resident dealer shall comply with the provisions of
25 Sections 6-5 and 6-6 of this Act to the same extent that these
26 provisions apply to manufacturers. No person licensed as a

1 non-resident dealer shall be granted a distributor's or
2 importing distributor's license.

3 (n) A brew pub license shall allow the licensee to only (i)
4 manufacture up to 155,000 gallons of beer per year only on the
5 premises specified in the license, (ii) make sales of the beer
6 manufactured on the premises or, with the approval of the
7 Commission, beer manufactured on another brew pub licensed
8 premises that is wholly owned and operated by the same licensee
9 to importing distributors, distributors, and to non-licensees
10 for use and consumption, (iii) store the beer upon the
11 premises, (iv) sell and offer for sale at retail from the
12 licensed premises for off-premises consumption no more than
13 155,000 gallons per year so long as such sales are only made
14 in-person, (v) sell and offer for sale at retail for use and
15 consumption on the premises specified in the license any form
16 of alcoholic liquor purchased from a licensed distributor or
17 importing distributor, and (vi) with the prior approval of the
18 Commission, annually transfer no more than 155,000 gallons of
19 beer manufactured on the premises to a licensed brew pub wholly
20 owned and operated by the same licensee.

21 A brew pub licensee shall not under any circumstance sell
22 or offer for sale beer manufactured by the brew pub licensee to
23 retail licensees.

24 A person who holds a class 2 brewer license may
25 simultaneously hold a brew pub license if the class 2 brewer
26 (i) does not, under any circumstance, sell or offer for sale

1 beer manufactured by the class 2 brewer to retail licensees;
2 (ii) does not hold more than 3 brew pub licenses in this State;
3 (iii) does not manufacture more than a combined 3,720,000
4 gallons of beer per year, including the beer manufactured at
5 the brew pub; and (iv) is not a member of or affiliated with,
6 directly or indirectly, a manufacturer that produces more than
7 3,720,000 gallons of beer per year or any other alcoholic
8 liquor.

9 Notwithstanding any other provision of this Act, a licensed
10 brewer, class 2 brewer, or non-resident dealer who before July
11 1, 2015 manufactured less than 3,720,000 gallons of beer per
12 year and held a brew pub license on or before July 1, 2015 may
13 (i) continue to qualify for and hold that brew pub license for
14 the licensed premises and (ii) manufacture more than 3,720,000
15 gallons of beer per year and continue to qualify for and hold
16 that brew pub license if that brewer, class 2 brewer, or
17 non-resident dealer does not simultaneously hold a class 1
18 brewer license and is not a member of or affiliated with,
19 directly or indirectly, a manufacturer that produces more than
20 3,720,000 gallons of beer per year or that produces any other
21 alcoholic liquor.

22 (o) A caterer retailer license shall allow the holder to
23 serve alcoholic liquors as an incidental part of a food service
24 that serves prepared meals which excludes the serving of snacks
25 as the primary meal, either on or off-site whether licensed or
26 unlicensed.

1 (p) An auction liquor license shall allow the licensee to
2 sell and offer for sale at auction wine and spirits for use or
3 consumption, or for resale by an Illinois liquor licensee in
4 accordance with provisions of this Act. An auction liquor
5 license will be issued to a person and it will permit the
6 auction liquor licensee to hold the auction anywhere in the
7 State. An auction liquor license must be obtained for each
8 auction at least 14 days in advance of the auction date.

9 (q) A special use permit license shall allow an Illinois
10 licensed retailer to transfer a portion of its alcoholic liquor
11 inventory from its retail licensed premises to the premises
12 specified in the license hereby created, and to sell or offer
13 for sale at retail, only in the premises specified in the
14 license hereby created, the transferred alcoholic liquor for
15 use or consumption, but not for resale in any form. A special
16 use permit license may be granted for the following time
17 periods: one day or less; 2 or more days to a maximum of 15 days
18 per location in any 12-month ~~12-month~~ period. An applicant for
19 the special use permit license must also submit with the
20 application proof satisfactory to the State Commission that the
21 applicant will provide dram shop liability insurance to the
22 maximum limits and have local authority approval.

23 (r) A winery shipper's license shall allow a person with a
24 first-class or second-class wine manufacturer's license, a
25 first-class or second-class wine-maker's license, or a limited
26 wine manufacturer's license or who is licensed to make wine

1 under the laws of another state to ship wine made by that
2 licensee directly to a resident of this State who is 21 years
3 of age or older for that resident's personal use and not for
4 resale. Prior to receiving a winery shipper's license, an
5 applicant for the license must provide the Commission with a
6 true copy of its current license in any state in which it is
7 licensed as a manufacturer of wine. An applicant for a winery
8 shipper's license must also complete an application form that
9 provides any other information the Commission deems necessary.
10 The application form shall include all addresses from which the
11 applicant for a winery shipper's license intends to ship wine,
12 including the name and address of any third party, except for a
13 common carrier, authorized to ship wine on behalf of the
14 manufacturer. The application form shall include an
15 acknowledgement consenting to the jurisdiction of the
16 Commission, the Illinois Department of Revenue, and the courts
17 of this State concerning the enforcement of this Act and any
18 related laws, rules, and regulations, including authorizing
19 the Department of Revenue and the Commission to conduct audits
20 for the purpose of ensuring compliance with Public Act 95-634,
21 and an acknowledgement that the wine manufacturer is in
22 compliance with Section 6-2 of this Act. Any third party,
23 except for a common carrier, authorized to ship wine on behalf
24 of a first-class or second-class wine manufacturer's licensee,
25 a first-class or second-class wine-maker's licensee, a limited
26 wine manufacturer's licensee, or a person who is licensed to

1 make wine under the laws of another state shall also be
2 disclosed by the winery shipper's licensee, and a copy of the
3 written appointment of the third-party wine provider, except
4 for a common carrier, to the wine manufacturer shall be filed
5 with the State Commission as a supplement to the winery
6 shipper's license application or any renewal thereof. The
7 winery shipper's license holder shall affirm under penalty of
8 perjury, as part of the winery shipper's license application or
9 renewal, that he or she only ships wine, either directly or
10 indirectly through a third-party provider, from the licensee's
11 own production.

12 Except for a common carrier, a third-party provider
13 shipping wine on behalf of a winery shipper's license holder is
14 the agent of the winery shipper's license holder and, as such,
15 a winery shipper's license holder is responsible for the acts
16 and omissions of the third-party provider acting on behalf of
17 the license holder. A third-party provider, except for a common
18 carrier, that engages in shipping wine into Illinois on behalf
19 of a winery shipper's license holder shall consent to the
20 jurisdiction of the State Commission and the State. Any
21 third-party, except for a common carrier, holding such an
22 appointment shall, by February 1 of each calendar year, file
23 with the State Commission a statement detailing each shipment
24 made to an Illinois resident. The State Commission shall adopt
25 rules as soon as practicable to implement the requirements of
26 Public Act 99-904 ~~this amendatory Act of the 99th General~~

1 ~~Assembly~~ and shall adopt rules prohibiting any such third-party
2 appointment of a third-party provider, except for a common
3 carrier, that has been deemed by the State Commission to have
4 violated the provisions of this Act with regard to any winery
5 shipper licensee.

6 A winery shipper licensee must pay to the Department of
7 Revenue the State liquor gallonage tax under Section 8-1 for
8 all wine that is sold by the licensee and shipped to a person
9 in this State. For the purposes of Section 8-1, a winery
10 shipper licensee shall be taxed in the same manner as a
11 manufacturer of wine. A licensee who is not otherwise required
12 to register under the Retailers' Occupation Tax Act must
13 register under the Use Tax Act to collect and remit use tax to
14 the Department of Revenue for all gallons of wine that are sold
15 by the licensee and shipped to persons in this State. If a
16 licensee fails to remit the tax imposed under this Act in
17 accordance with the provisions of Article VIII of this Act, the
18 winery shipper's license shall be revoked in accordance with
19 the provisions of Article VII of this Act. If a licensee fails
20 to properly register and remit tax under the Use Tax Act or the
21 Retailers' Occupation Tax Act for all wine that is sold by the
22 winery shipper and shipped to persons in this State, the winery
23 shipper's license shall be revoked in accordance with the
24 provisions of Article VII of this Act.

25 A winery shipper licensee must collect, maintain, and
26 submit to the Commission on a semi-annual basis the total

1 number of cases per resident of wine shipped to residents of
2 this State. A winery shipper licensed under this subsection (r)
3 must comply with the requirements of Section 6-29 of this Act.

4 Pursuant to paragraph (5.1) or (5.3) of subsection (a) of
5 Section 3-12, the State Commission may receive, respond to, and
6 investigate any complaint and impose any of the remedies
7 specified in paragraph (1) of subsection (a) of Section 3-12.

8 (s) A craft distiller tasting permit license shall allow an
9 Illinois licensed craft distiller to transfer a portion of its
10 alcoholic liquor inventory from its craft distiller licensed
11 premises to the premises specified in the license hereby
12 created and to conduct a sampling, only in the premises
13 specified in the license hereby created, of the transferred
14 alcoholic liquor in accordance with subsection (c) of Section
15 6-31 of this Act. The transferred alcoholic liquor may not be
16 sold or resold in any form. An applicant for the craft
17 distiller tasting permit license must also submit with the
18 application proof satisfactory to the State Commission that the
19 applicant will provide dram shop liability insurance to the
20 maximum limits and have local authority approval.

21 (Source: P.A. 98-394, eff. 8-16-13; 98-401, eff. 8-16-13;
22 98-756, eff. 7-16-14; 99-448, eff. 8-24-15; 99-642, eff.
23 7-28-16; 99-800, eff. 8-12-16; 99-902, eff. 8-26-16; 99-904,
24 eff. 1-1-17; revised 9-15-16.)

25 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

1 Sec. 6-30. Notwithstanding any other provision of this Act,
2 the Illinois Gaming Board shall have exclusive authority to
3 establish the hours for sale and consumption of alcoholic
4 liquor on board a riverboat during riverboat gambling
5 excursions and in a casino conducted in accordance with the
6 Riverboat and Casino Gambling Act.

7 (Source: P.A. 87-826.)

8 Section 50. The Illinois Public Aid Code is amended by
9 changing Section 10-17.15 as follows:

10 (305 ILCS 5/10-17.15)

11 Sec. 10-17.15. Certification of information to State
12 gaming licensees.

13 (a) For purposes of this Section, "State gaming licensee"
14 means, as applicable, an organization licensee or advance
15 deposit wagering licensee licensed under the Illinois Horse
16 Racing Act of 1975, an owners licensee licensed under the
17 Riverboat and Casino Gambling Act, or a licensee that operates,
18 under any law of this State, one or more facilities or gaming
19 locations at which lawful gambling is authorized and licensed
20 as provided in the Riverboat and Casino Gambling Act.

21 (b) The Department may provide, by rule, for certification
22 to any State gaming licensee of past due child support owed by
23 a responsible relative under a support order entered by a court
24 or administrative body of this or any other State on behalf of

1 a resident or non-resident receiving child support services
2 under this Article in accordance with the requirements of Title
3 IV-D, Part D, of the Social Security Act. The State gaming
4 licensee shall have the ability to withhold from winnings
5 required to be reported to the Internal Revenue Service on Form
6 W-2G, up to the full amount of winnings necessary to pay the
7 winner's past due child support. The rule shall provide for
8 notice to and an opportunity to be heard by each responsible
9 relative affected and any final administrative decision
10 rendered by the Department shall be reviewed only under and in
11 accordance with the Administrative Review Law.

12 (c) For withholding of winnings, the State gaming licensee
13 shall be entitled to an administrative fee not to exceed the
14 lesser of 4% of the total amount of cash winnings paid to the
15 gambling winner or \$150.

16 (d) In no event may the total amount withheld from the cash
17 payout, including the administrative fee, exceed the total cash
18 winnings claimed by the obligor. If the cash payout claimed is
19 greater than the amount sufficient to satisfy the obligor's
20 delinquent child support payments, the State gaming licensee
21 shall pay the obligor the remaining balance of the payout, less
22 the administrative fee authorized by subsection (c) of this
23 Section, at the time it is claimed.

24 (e) A State gaming licensee who in good faith complies with
25 the requirements of this Section shall not be liable to the
26 gaming winner or any other individual or entity.

1 (Source: P.A. 98-318, eff. 8-12-13.)

2 Section 55. The Firearm Concealed Carry Act is amended by
3 changing Section 65 as follows:

4 (430 ILCS 66/65)

5 Sec. 65. Prohibited areas.

6 (a) A licensee under this Act shall not knowingly carry a
7 firearm on or into:

8 (1) Any building, real property, and parking area under
9 the control of a public or private elementary or secondary
10 school.

11 (2) Any building, real property, and parking area under
12 the control of a pre-school or child care facility,
13 including any room or portion of a building under the
14 control of a pre-school or child care facility. Nothing in
15 this paragraph shall prevent the operator of a child care
16 facility in a family home from owning or possessing a
17 firearm in the home or license under this Act, if no child
18 under child care at the home is present in the home or the
19 firearm in the home is stored in a locked container when a
20 child under child care at the home is present in the home.

21 (3) Any building, parking area, or portion of a
22 building under the control of an officer of the executive
23 or legislative branch of government, provided that nothing
24 in this paragraph shall prohibit a licensee from carrying a

1 concealed firearm onto the real property, bikeway, or trail
2 in a park regulated by the Department of Natural Resources
3 or any other designated public hunting area or building
4 where firearm possession is permitted as established by the
5 Department of Natural Resources under Section 1.8 of the
6 Wildlife Code.

7 (4) Any building designated for matters before a
8 circuit court, appellate court, or the Supreme Court, or
9 any building or portion of a building under the control of
10 the Supreme Court.

11 (5) Any building or portion of a building under the
12 control of a unit of local government.

13 (6) Any building, real property, and parking area under
14 the control of an adult or juvenile detention or
15 correctional institution, prison, or jail.

16 (7) Any building, real property, and parking area under
17 the control of a public or private hospital or hospital
18 affiliate, mental health facility, or nursing home.

19 (8) Any bus, train, or form of transportation paid for
20 in whole or in part with public funds, and any building,
21 real property, and parking area under the control of a
22 public transportation facility paid for in whole or in part
23 with public funds.

24 (9) Any building, real property, and parking area under
25 the control of an establishment that serves alcohol on its
26 premises, if more than 50% of the establishment's gross

1 receipts within the prior 3 months is from the sale of
2 alcohol. The owner of an establishment who knowingly fails
3 to prohibit concealed firearms on its premises as provided
4 in this paragraph or who knowingly makes a false statement
5 or record to avoid the prohibition on concealed firearms
6 under this paragraph is subject to the penalty under
7 subsection (c-5) of Section 10-1 of the Liquor Control Act
8 of 1934.

9 (10) Any public gathering or special event conducted on
10 property open to the public that requires the issuance of a
11 permit from the unit of local government, provided this
12 prohibition shall not apply to a licensee who must walk
13 through a public gathering in order to access his or her
14 residence, place of business, or vehicle.

15 (11) Any building or real property that has been issued
16 a Special Event Retailer's license as defined in Section
17 1-3.17.1 of the Liquor Control Act during the time
18 designated for the sale of alcohol by the Special Event
19 Retailer's license, or a Special use permit license as
20 defined in subsection (q) of Section 5-1 of the Liquor
21 Control Act during the time designated for the sale of
22 alcohol by the Special use permit license.

23 (12) Any public playground.

24 (13) Any public park, athletic area, or athletic
25 facility under the control of a municipality or park
26 district, provided nothing in this Section shall prohibit a

1 licensee from carrying a concealed firearm while on a trail
2 or bikeway if only a portion of the trail or bikeway
3 includes a public park.

4 (14) Any real property under the control of the Cook
5 County Forest Preserve District.

6 (15) Any building, classroom, laboratory, medical
7 clinic, hospital, artistic venue, athletic venue,
8 entertainment venue, officially recognized
9 university-related organization property, whether owned or
10 leased, and any real property, including parking areas,
11 sidewalks, and common areas under the control of a public
12 or private community college, college, or university.

13 (16) Any building, real property, or parking area under
14 the control of a gaming facility licensed under the
15 Riverboat and Casino Gambling Act or the Illinois Horse
16 Racing Act of 1975, including an inter-track wagering
17 location licensee.

18 (17) Any stadium, arena, or the real property or
19 parking area under the control of a stadium, arena, or any
20 collegiate or professional sporting event.

21 (18) Any building, real property, or parking area under
22 the control of a public library.

23 (19) Any building, real property, or parking area under
24 the control of an airport.

25 (20) Any building, real property, or parking area under
26 the control of an amusement park.

1 (21) Any building, real property, or parking area under
2 the control of a zoo or museum.

3 (22) Any street, driveway, parking area, property,
4 building, or facility, owned, leased, controlled, or used
5 by a nuclear energy, storage, weapons, or development site
6 or facility regulated by the federal Nuclear Regulatory
7 Commission. The licensee shall not under any circumstance
8 store a firearm or ammunition in his or her vehicle or in a
9 compartment or container within a vehicle located anywhere
10 in or on the street, driveway, parking area, property,
11 building, or facility described in this paragraph.

12 (23) Any area where firearms are prohibited under
13 federal law.

14 (a-5) Nothing in this Act shall prohibit a public or
15 private community college, college, or university from:

16 (1) prohibiting persons from carrying a firearm within
17 a vehicle owned, leased, or controlled by the college or
18 university;

19 (2) developing resolutions, regulations, or policies
20 regarding student, employee, or visitor misconduct and
21 discipline, including suspension and expulsion;

22 (3) developing resolutions, regulations, or policies
23 regarding the storage or maintenance of firearms, which
24 must include designated areas where persons can park
25 vehicles that carry firearms; and

26 (4) permitting the carrying or use of firearms for the

1 purpose of instruction and curriculum of officially
2 recognized programs, including but not limited to military
3 science and law enforcement training programs, or in any
4 designated area used for hunting purposes or target
5 shooting.

6 (a-10) The owner of private real property of any type may
7 prohibit the carrying of concealed firearms on the property
8 under his or her control. The owner must post a sign in
9 accordance with subsection (d) of this Section indicating that
10 firearms are prohibited on the property, unless the property is
11 a private residence.

12 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
13 this Section except under paragraph (22) or (23) of subsection
14 (a), any licensee prohibited from carrying a concealed firearm
15 into the parking area of a prohibited location specified in
16 subsection (a), (a-5), or (a-10) of this Section shall be
17 permitted to carry a concealed firearm on or about his or her
18 person within a vehicle into the parking area and may store a
19 firearm or ammunition concealed in a case within a locked
20 vehicle or locked container out of plain view within the
21 vehicle in the parking area. A licensee may carry a concealed
22 firearm in the immediate area surrounding his or her vehicle
23 within a prohibited parking lot area only for the limited
24 purpose of storing or retrieving a firearm within the vehicle's
25 trunk. For purposes of this subsection, "case" includes a glove
26 compartment or console that completely encloses the concealed

1 firearm or ammunition, the trunk of the vehicle, or a firearm
2 carrying box, shipping box, or other container.

3 (c) A licensee shall not be in violation of this Section
4 while he or she is traveling along a public right of way that
5 touches or crosses any of the premises under subsection (a),
6 (a-5), or (a-10) of this Section if the concealed firearm is
7 carried on his or her person in accordance with the provisions
8 of this Act or is being transported in a vehicle by the
9 licensee in accordance with all other applicable provisions of
10 law.

11 (d) Signs stating that the carrying of firearms is
12 prohibited shall be clearly and conspicuously posted at the
13 entrance of a building, premises, or real property specified in
14 this Section as a prohibited area, unless the building or
15 premises is a private residence. Signs shall be of a uniform
16 design as established by the Department and shall be 4 inches
17 by 6 inches in size. The Department shall adopt rules for
18 standardized signs to be used under this subsection.

19 (Source: P.A. 98-63, eff. 7-9-13; 99-29, eff. 7-10-15.)

20 Section 60. The Criminal Code of 2012 is amended by
21 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as
22 follows:

23 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

24 Sec. 28-1. Gambling.

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

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

5 (2) knowingly makes a wager upon the result of any
6 game, contest, or any political nomination, appointment or
7 election;

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

11 (4) contracts to have or give himself or herself or
12 another the option to buy or sell, or contracts to buy or
13 sell, at a future time, any grain or other commodity
14 whatsoever, or any stock or security of any company, where
15 it is at the time of making such contract intended by both
16 parties thereto that the contract to buy or sell, or the
17 option, whenever exercised, or the contract resulting
18 therefrom, shall be settled, not by the receipt or delivery
19 of such property, but by the payment only of differences in
20 prices thereof; however, the issuance, purchase, sale,
21 exercise, endorsement or guarantee, by or through a person
22 registered with the Secretary of State pursuant to Section
23 8 of the Illinois Securities Law of 1953, or by or through
24 a person exempt from such registration under said Section
25 8, of a put, call, or other option to buy or sell
26 securities which have been registered with the Secretary of

1 State or which are exempt from such registration under
2 Section 3 of the Illinois Securities Law of 1953 is not
3 gambling within the meaning of this paragraph (4);

4 (5) knowingly owns or possesses any book, instrument or
5 apparatus by means of which bets or wagers have been, or
6 are, recorded or registered, or knowingly possesses any
7 money which he has received in the course of a bet or
8 wager;

9 (6) knowingly sells pools upon the result of any game
10 or contest of skill or chance, political nomination,
11 appointment or election;

12 (7) knowingly sets up or promotes any lottery or sells,
13 offers to sell or transfers any ticket or share for any
14 lottery;

15 (8) knowingly sets up or promotes any policy game or
16 sells, offers to sell or knowingly possesses or transfers
17 any policy ticket, slip, record, document or other similar
18 device;

19 (9) knowingly drafts, prints or publishes any lottery
20 ticket or share, or any policy ticket, slip, record,
21 document or similar device, except for such activity
22 related to lotteries, bingo games and raffles authorized by
23 and conducted in accordance with the laws of Illinois or
24 any other state or foreign government;

25 (10) knowingly advertises any lottery or policy game,
26 except for such activity related to lotteries, bingo games

1 and raffles authorized by and conducted in accordance with
2 the laws of Illinois or any other state;

3 (11) knowingly transmits information as to wagers,
4 betting odds, or changes in betting odds by telephone,
5 telegraph, radio, semaphore or similar means; or knowingly
6 installs or maintains equipment for the transmission or
7 receipt of such information; except that nothing in this
8 subdivision (11) prohibits transmission or receipt of such
9 information for use in news reporting of sporting events or
10 contests; or

11 (12) knowingly establishes, maintains, or operates an
12 Internet site that permits a person to play a game of
13 chance or skill for money or other thing of value by means
14 of the Internet or to make a wager upon the result of any
15 game, contest, political nomination, appointment, or
16 election by means of the Internet. This item (12) does not
17 apply to activities referenced in items (6) and (6.1) of
18 subsection (b) of this Section.

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

21 (1) Agreements to compensate for loss caused by the
22 happening of chance including without limitation contracts
23 of indemnity or guaranty and life or health or accident
24 insurance.

25 (2) Offers of prizes, award or compensation to the
26 actual contestants in any bona fide contest for the

1 determination of skill, speed, strength or endurance or to
2 the owners of animals or vehicles entered in such contest.

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

5 (4) Manufacture of gambling devices, including the
6 acquisition of essential parts therefor and the assembly
7 thereof, for transportation in interstate or foreign
8 commerce to any place outside this State when such
9 transportation is not prohibited by any applicable Federal
10 law; or the manufacture, distribution, or possession of
11 video gaming terminals, as defined in the Video Gaming Act,
12 by manufacturers, distributors, and terminal operators
13 licensed to do so under the Video Gaming Act.

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

16 (6) Lotteries when conducted by the State of Illinois
17 in accordance with the Illinois Lottery Law. This exemption
18 includes any activity conducted by the Department of
19 Revenue to sell lottery tickets pursuant to the provisions
20 of the Illinois Lottery Law and its rules.

21 (6.1) The purchase of lottery tickets through the
22 Internet for a lottery conducted by the State of Illinois
23 under the program established in Section 7.12 of the
24 Illinois Lottery Law.

25 (7) Possession of an antique slot machine that is
26 neither used nor intended to be used in the operation or

1 promotion of any unlawful gambling activity or enterprise.
2 For the purpose of this subparagraph (b)(7), an antique
3 slot machine is one manufactured 25 years ago or earlier.

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

6 (9) Charitable games when conducted in accordance with
7 the Charitable Games Act.

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

10 (11) Gambling games ~~conducted on riverboats~~ when
11 authorized by the Riverboat and Casino Gambling Act.

12 (12) Video gaming terminal games at a licensed
13 establishment, licensed truck stop establishment, licensed
14 fraternal establishment, or licensed veterans
15 establishment when conducted in accordance with the Video
16 Gaming Act.

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

20 (14) Savings promotion raffles authorized under
21 Section 5g of the Illinois Banking Act, Section 7008 of the
22 Savings Bank Act, Section 42.7 of the Illinois Credit Union
23 Act, Section 5136B of the National Bank Act (12 U.S.C.
24 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.
25 1463).

26 (c) Sentence.

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

4 (d) Circumstantial evidence.

5 In prosecutions under this Section circumstantial evidence
6 shall have the same validity and weight as in any criminal
7 prosecution.

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

9 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

10 Sec. 28-1.1. Syndicated gambling.

11 (a) Declaration of Purpose. Recognizing the close
12 relationship between professional gambling and other organized
13 crime, it is declared to be the policy of the legislature to
14 restrain persons from engaging in the business of gambling for
15 profit in this State. This Section shall be liberally construed
16 and administered with a view to carrying out this policy.

17 (b) A person commits syndicated gambling when he or she
18 operates a "policy game" or engages in the business of
19 bookmaking.

20 (c) A person "operates a policy game" when he or she
21 knowingly uses any premises or property for the purpose of
22 receiving or knowingly does receive from what is commonly
23 called "policy":

24 (1) money from a person other than the bettor or player
25 whose bets or plays are represented by the money; or

1 (2) written "policy game" records, made or used over
2 any period of time, from a person other than the bettor or
3 player whose bets or plays are represented by the written
4 record.

5 (d) A person engages in bookmaking when he or she knowingly
6 receives or accepts more than five bets or wagers upon the
7 result of any trials or contests of skill, speed or power of
8 endurance or upon any lot, chance, casualty, unknown or
9 contingent event whatsoever, which bets or wagers shall be of
10 such size that the total of the amounts of money paid or
11 promised to be paid to the bookmaker on account thereof shall
12 exceed \$2,000. Bookmaking is the receiving or accepting of bets
13 or wagers regardless of the form or manner in which the
14 bookmaker records them.

15 (e) Participants in any of the following activities shall
16 not be convicted of syndicated gambling:

17 (1) Agreements to compensate for loss caused by the
18 happening of chance including without limitation contracts
19 of indemnity or guaranty and life or health or accident
20 insurance;

21 (2) Offers of prizes, award or compensation to the
22 actual contestants in any bona fide contest for the
23 determination of skill, speed, strength or endurance or to
24 the owners of animals or vehicles entered in the contest;

25 (3) Pari-mutuel betting as authorized by law of this
26 State;

1 (4) Manufacture of gambling devices, including the
2 acquisition of essential parts therefor and the assembly
3 thereof, for transportation in interstate or foreign
4 commerce to any place outside this State when the
5 transportation is not prohibited by any applicable Federal
6 law;

7 (5) Raffles and poker runs when conducted in accordance
8 with the Raffles and Poker Runs Act;

9 (6) Gambling games conducted on riverboats or in
10 casinos when authorized by the Riverboat and Casino
11 Gambling Act;

12 (7) Video gaming terminal games at a licensed
13 establishment, licensed truck stop establishment, licensed
14 fraternal establishment, or licensed veterans
15 establishment when conducted in accordance with the Video
16 Gaming Act; and

17 (8) Savings promotion raffles authorized under Section
18 5g of the Illinois Banking Act, Section 7008 of the Savings
19 Bank Act, Section 42.7 of the Illinois Credit Union Act,
20 Section 5136B of the National Bank Act (12 U.S.C. 25a), or
21 Section 4 of the Home Owners' Loan Act (12 U.S.C. 1463).

22 (f) Sentence. Syndicated gambling is a Class 3 felony.
23 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

24 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

25 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is

1 any real estate, vehicle, boat or any other property whatsoever
2 used for the purposes of gambling other than gambling conducted
3 in the manner authorized by the Riverboat and Casino Gambling
4 Act or the Video Gaming Act. Any person who knowingly permits
5 any premises or property owned or occupied by him or under his
6 control to be used as a gambling place commits a Class A
7 misdemeanor. Each subsequent offense is a Class 4 felony. When
8 any premises is determined by the circuit court to be a
9 gambling place:

10 (a) Such premises is a public nuisance and may be proceeded
11 against as such, and

12 (b) All licenses, permits or certificates issued by the
13 State of Illinois or any subdivision or public agency thereof
14 authorizing the serving of food or liquor on such premises
15 shall be void; and no license, permit or certificate so
16 cancelled shall be reissued for such premises for a period of
17 60 days thereafter; nor shall any person convicted of keeping a
18 gambling place be reissued such license for one year from his
19 conviction and, after a second conviction of keeping a gambling
20 place, any such person shall not be reissued such license, and

21 (c) Such premises of any person who knowingly permits
22 thereon a violation of any Section of this Article shall be
23 held liable for, and may be sold to pay any unsatisfied
24 judgment that may be recovered and any unsatisfied fine that
25 may be levied under any Section of this Article.

26 (Source: P.A. 96-34, eff. 7-13-09.)

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

2 Sec. 28-5. Seizure of gambling devices and gambling funds.

3 (a) Every device designed for gambling which is incapable
4 of lawful use or every device used unlawfully for gambling
5 shall be considered a "gambling device", and shall be subject
6 to seizure, confiscation and destruction by the Department of
7 State Police or by any municipal, or other local authority,
8 within whose jurisdiction the same may be found. As used in
9 this Section, a "gambling device" includes any slot machine,
10 and includes any machine or device constructed for the
11 reception of money or other thing of value and so constructed
12 as to return, or to cause someone to return, on chance to the
13 player thereof money, property or a right to receive money or
14 property. With the exception of any device designed for
15 gambling which is incapable of lawful use, no gambling device
16 shall be forfeited or destroyed unless an individual with a
17 property interest in said device knows of the unlawful use of
18 the device.

19 (b) Every gambling device shall be seized and forfeited to
20 the county wherein such seizure occurs. Any money or other
21 thing of value integrally related to acts of gambling shall be
22 seized and forfeited to the county wherein such seizure occurs.

23 (c) If, within 60 days after any seizure pursuant to
24 subparagraph (b) of this Section, a person having any property
25 interest in the seized property is charged with an offense, the

1 court which renders judgment upon such charge shall, within 30
2 days after such judgment, conduct a forfeiture hearing to
3 determine whether such property was a gambling device at the
4 time of seizure. Such hearing shall be commenced by a written
5 petition by the State, including material allegations of fact,
6 the name and address of every person determined by the State to
7 have any property interest in the seized property, a
8 representation that written notice of the date, time and place
9 of such hearing has been mailed to every such person by
10 certified mail at least 10 days before such date, and a request
11 for forfeiture. Every such person may appear as a party and
12 present evidence at such hearing. The quantum of proof required
13 shall be a preponderance of the evidence, and the burden of
14 proof shall be on the State. If the court determines that the
15 seized property was a gambling device at the time of seizure,
16 an order of forfeiture and disposition of the seized property
17 shall be entered: a gambling device shall be received by the
18 State's Attorney, who shall effect its destruction, except that
19 valuable parts thereof may be liquidated and the resultant
20 money shall be deposited in the general fund of the county
21 wherein such seizure occurred; money and other things of value
22 shall be received by the State's Attorney and, upon
23 liquidation, shall be deposited in the general fund of the
24 county wherein such seizure occurred. However, in the event
25 that a defendant raises the defense that the seized slot
26 machine is an antique slot machine described in subparagraph

1 (b) (7) of Section 28-1 of this Code and therefore he is exempt
2 from the charge of a gambling activity participant, the seized
3 antique slot machine shall not be destroyed or otherwise
4 altered until a final determination is made by the Court as to
5 whether it is such an antique slot machine. Upon a final
6 determination by the Court of this question in favor of the
7 defendant, such slot machine shall be immediately returned to
8 the defendant. Such order of forfeiture and disposition shall,
9 for the purposes of appeal, be a final order and judgment in a
10 civil proceeding.

11 (d) If a seizure pursuant to subparagraph (b) of this
12 Section is not followed by a charge pursuant to subparagraph
13 (c) of this Section, or if the prosecution of such charge is
14 permanently terminated or indefinitely discontinued without
15 any judgment of conviction or acquittal (1) the State's
16 Attorney shall commence an in rem proceeding for the forfeiture
17 and destruction of a gambling device, or for the forfeiture and
18 deposit in the general fund of the county of any seized money
19 or other things of value, or both, in the circuit court and (2)
20 any person having any property interest in such seized gambling
21 device, money or other thing of value may commence separate
22 civil proceedings in the manner provided by law.

23 (e) Any gambling device displayed for sale to a riverboat
24 gambling operation or casino gambling operation or used to
25 train occupational licensees of a riverboat gambling operation
26 or casino gambling operation as authorized under the Riverboat

1 and Casino Gambling Act is exempt from seizure under this
2 Section.

3 (f) Any gambling equipment, devices and supplies provided
4 by a licensed supplier in accordance with the Riverboat and
5 Casino Gambling Act which are removed from a ~~the~~ riverboat or
6 casino for repair are exempt from seizure under this Section.

7 (g) The following video gaming terminals are exempt from
8 seizure under this Section:

9 (1) Video gaming terminals for sale to a licensed
10 distributor or operator under the Video Gaming Act.

11 (2) Video gaming terminals used to train licensed
12 technicians or licensed terminal handlers.

13 (3) Video gaming terminals that are removed from a
14 licensed establishment, licensed truck stop establishment,
15 licensed fraternal establishment, or licensed veterans
16 establishment for repair.

17 (Source: P.A. 98-31, eff. 6-24-13.)

18 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

19 Sec. 28-7. Gambling contracts void.

20 (a) All promises, notes, bills, bonds, covenants,
21 contracts, agreements, judgments, mortgages, or other
22 securities or conveyances made, given, granted, drawn, or
23 entered into, or executed by any person whatsoever, where the
24 whole or any part of the consideration thereof is for any money
25 or thing of value, won or obtained in violation of any Section

1 of this Article are null and void.

2 (b) Any obligation void under this Section may be set aside
3 and vacated by any court of competent jurisdiction, upon a
4 complaint filed for that purpose, by the person so granting,
5 giving, entering into, or executing the same, or by his
6 executors or administrators, or by any creditor, heir, legatee,
7 purchaser or other person interested therein; or if a judgment,
8 the same may be set aside on motion of any person stated above,
9 on due notice thereof given.

10 (c) No assignment of any obligation void under this Section
11 may in any manner affect the defense of the person giving,
12 granting, drawing, entering into or executing such obligation,
13 or the remedies of any person interested therein.

14 (d) This Section shall not prevent a licensed owner or
15 licensed manager of a riverboat gambling operation or casino
16 gambling operation from instituting a cause of action to
17 collect any amount due and owing under an extension of credit
18 to a ~~riverboat~~ gambling patron as authorized under Section 11.1
19 of the Riverboat and Casino Gambling Act.

20 (Source: P.A. 87-826.)

21 Section 65. The Payday Loan Reform Act is amended by
22 changing Section 3-5 as follows:

23 (815 ILCS 122/3-5)

24 Sec. 3-5. Licensure.

1 (a) A license to make a payday loan shall state the
2 address, including city and state, at which the business is to
3 be conducted and shall state fully the name of the licensee.
4 The license shall be conspicuously posted in the place of
5 business of the licensee and shall not be transferable or
6 assignable.

7 (b) An application for a license shall be in writing and in
8 a form prescribed by the Secretary. The Secretary may not issue
9 a payday loan license unless and until the following findings
10 are made:

11 (1) that the financial responsibility, experience,
12 character, and general fitness of the applicant are such as
13 to command the confidence of the public and to warrant the
14 belief that the business will be operated lawfully and
15 fairly and within the provisions and purposes of this Act;
16 and

17 (2) that the applicant has submitted such other
18 information as the Secretary may deem necessary.

19 (c) A license shall be issued for no longer than one year,
20 and no renewal of a license may be provided if a licensee has
21 substantially violated this Act and has not cured the violation
22 to the satisfaction of the Department.

23 (d) A licensee shall appoint, in writing, the Secretary as
24 attorney-in-fact upon whom all lawful process against the
25 licensee may be served with the same legal force and validity
26 as if served on the licensee. A copy of the written

1 appointment, duly certified, shall be filed in the office of
2 the Secretary, and a copy thereof certified by the Secretary
3 shall be sufficient evidence to subject a licensee to
4 jurisdiction in a court of law. This appointment shall remain
5 in effect while any liability remains outstanding in this State
6 against the licensee. When summons is served upon the Secretary
7 as attorney-in-fact for a licensee, the Secretary shall
8 immediately notify the licensee by registered mail, enclosing
9 the summons and specifying the hour and day of service.

10 (e) A licensee must pay an annual fee of \$1,000. In
11 addition to the license fee, the reasonable expense of any
12 examination or hearing by the Secretary under any provisions of
13 this Act shall be borne by the licensee. If a licensee fails to
14 renew its license by December 31, its license shall
15 automatically expire; however, the Secretary, in his or her
16 discretion, may reinstate an expired license upon:

17 (1) payment of the annual fee within 30 days of the
18 date of expiration; and

19 (2) proof of good cause for failure to renew.

20 (f) Not more than one place of business shall be maintained
21 under the same license, but the Secretary may issue more than
22 one license to the same licensee upon compliance with all the
23 provisions of this Act governing issuance of a single license.
24 The location, except those locations already in existence as of
25 June 1, 2005, may not be within one mile of a horse race track
26 subject to the Illinois Horse Racing Act of 1975, within one

1 mile of a facility at which gambling is conducted under the
2 Riverboat and Casino Gambling Act, within one mile of the
3 location at which a riverboat subject to the Riverboat and
4 Casino Gambling Act docks, or within one mile of any State of
5 Illinois or United States military base or naval installation.

6 (g) No licensee shall conduct the business of making loans
7 under this Act within any office, suite, room, or place of
8 business in which (1) any loans are offered or made under the
9 Consumer Installment Loan Act other than title secured loans as
10 defined in subsection (a) of Section 15 of the Consumer
11 Installment Loan Act and governed by Title 38, Section 110.330
12 of the Illinois Administrative Code or (2) any other business
13 is solicited or engaged in unless the other business is
14 licensed by the Department or, in the opinion of the Secretary,
15 the other business would not be contrary to the best interests
16 of consumers and is authorized by the Secretary in writing.

17 (g-5) Notwithstanding subsection (g) of this Section, a
18 licensee may obtain a license under the Consumer Installment
19 Loan Act (CILA) for the exclusive purpose and use of making
20 title secured loans, as defined in subsection (a) of Section 15
21 of CILA and governed by Title 38, Section 110.300 of the
22 Illinois Administrative Code. A licensee may continue to
23 service Consumer Installment Loan Act loans that were
24 outstanding as of the effective date of this amendatory Act of
25 the 96th General Assembly.

26 (h) The Secretary shall maintain a list of licensees that

1 shall be available to interested consumers and lenders and the
2 public. The Secretary shall maintain a toll-free number whereby
3 consumers may obtain information about licensees. The
4 Secretary shall also establish a complaint process under which
5 an aggrieved consumer may file a complaint against a licensee
6 or non-licensee who violates any provision of this Act.

7 (Source: P.A. 96-936, eff. 3-21-11.)

8 Section 70. The Travel Promotion Consumer Protection Act is
9 amended by changing Section 2 as follows:

10 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

11 Sec. 2. Definitions.

12 (a) "Travel promoter" means a person, including a tour
13 operator, who sells, provides, furnishes, contracts for,
14 arranges or advertises that he or she will arrange wholesale or
15 retail transportation by air, land, sea or navigable stream,
16 either separately or in conjunction with other services.
17 "Travel promoter" does not include (1) an air carrier; (2) a
18 sea carrier; (3) an officially appointed agent of an air
19 carrier who is a member in good standing of the Airline
20 Reporting Corporation; (4) a travel promoter who has in force
21 \$1,000,000 or more of liability insurance coverage for
22 professional errors and omissions and a surety bond or
23 equivalent surety in the amount of \$100,000 or more for the
24 benefit of consumers in the event of a bankruptcy on the part

1 of the travel promoter; or (5) a riverboat subject to
2 regulation under the Riverboat and Casino Gambling Act.

3 (b) "Advertise" means to make any representation in the
4 solicitation of passengers and includes communication with
5 other members of the same partnership, corporation, joint
6 venture, association, organization, group or other entity.

7 (c) "Passenger" means a person on whose behalf money or
8 other consideration has been given or is to be given to
9 another, including another member of the same partnership,
10 corporation, joint venture, association, organization, group
11 or other entity, for travel.

12 (d) "Ticket or voucher" means a writing or combination of
13 writings which is itself good and sufficient to obtain
14 transportation and other services for which the passenger has
15 contracted.

16 (Source: P.A. 91-357, eff. 7-29-99.)

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