



Sen. Dave Syverson

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10000SB1804sam005

LRB100 09208 MJP 23871 a

1 AMENDMENT TO SENATE BILL 1804

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1804, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Video Gaming Act is amended by changing  
6 Section 45 and by adding Section 78.5 as follows:

7 (230 ILCS 40/45)

8 Sec. 45. Issuance of license.

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

1 Gambling Act.

2 (a-5) The Board shall not grant a license to a person who  
3 has facilitated, enabled, or participated in the use of  
4 coin-operated devices for gambling purposes or who is under the  
5 significant influence or control of such a person. For the  
6 purposes of this Act, "facilitated, enabled, or participated in  
7 the use of coin-operated amusement devices for gambling  
8 purposes" means that the person has been convicted of any  
9 violation of Article 28 of the Criminal Code of 1961 or the  
10 Criminal Code of 2012. If there is pending legal action against  
11 a person for any such violation, then the Board shall delay the  
12 licensure of that person until the legal action is resolved.

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

1 non-publicly held corporation, (vi) each stockholder of 5% or  
2 more of a publicly held corporation, or (vii) each stockholder  
3 of 5% or more in a parent or subsidiary corporation.

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

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

23 (1) have a background, including a criminal record,  
24 reputation, habits, social or business associations, or  
25 prior activities that pose a threat to the public interests  
26 of the State or to the security and integrity of video

1 gaming;

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

5 (3) present questionable business practices and  
6 financial arrangements incidental to the conduct of video  
7 gaming activities.

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

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

- 16 (1) Manufacturer ..... \$5,000
- 17 (2) Distributor..... \$5,000
- 18 (3) Terminal operator..... \$5,000
- 19 (4) Supplier ..... \$2,500
- 20 (5) Technician ..... \$100
- 21 (6) Terminal Handler ..... \$100 ~~\$50~~
- 22 (7) Licensed establishment, licensed truck stop
- 23 establishment, licensed fraternal establishment,
- 24 or licensed veterans establishment ..... \$250

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

- 1 (1) Manufacturer ..... \$10,000
- 2 (2) Distributor..... \$10,000
- 3 (3) Terminal operator..... \$5,000
- 4 (4) Supplier ..... \$2,000
- 5 (5) Technician ..... \$100
- 6 (6) Licensed establishment, licensed truck stop
- 7 establishment, licensed fraternal establishment,
- 8 or licensed veterans establishment ..... \$100
- 9 (7) Video gaming terminal..... \$100
- 10 (8) Terminal Handler ..... \$100 ~~\$50~~

11 (h) A terminal operator and a licensed establishment,  
 12 licensed truck stop establishment, licensed fraternal  
 13 establishment, or licensed veterans establishment shall  
 14 equally split the fees specified in item (7) of subsection (g).  
 15 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;  
 16 98-587, eff. 8-27-13; 98-756, eff. 7-16-14.)

17 (230 ILCS 40/78.5 new)

18 Sec. 78.5. Civil penalties. Notwithstanding paragraph (15)  
 19 of subsection (c) of Section 5 of the Riverboat Gambling Act,  
 20 monetary civil penalties under this Act shall not exceed  
 21 \$25,000 for individuals and \$50,000 for licensees per  
 22 violation."