

SB3443



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3443

Introduced 1/18/2022, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

230 ILCS 40/5

Amends the Video Gaming Act. Provides that the requirement where a facility sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month shall not be considered or relied upon by the Illinois Gaming Board as the basis to deny renewal of a licensed truck stop establishment license and a licensed large truck stop establishment license.

LRB102 23749 AMQ 32939 b

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 Video Gaming Act is amended by changing
5 Section 5 as follows:

6 (230 ILCS 40/5)

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

8 "Board" means the Illinois Gaming Board.

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

11 "Distributor" means an individual, partnership,
12 corporation, or limited liability company licensed under this
13 Act to buy, sell, lease, or distribute video gaming terminals
14 or major components or parts of video gaming terminals to or
15 from terminal operators.

16 "Electronic card" means a card purchased from a licensed
17 establishment, licensed fraternal establishment, licensed
18 veterans establishment, licensed truck stop establishment, or
19 licensed large truck stop establishment for use in that
20 establishment as a substitute for cash in the conduct of
21 gaming on a video gaming terminal.

22 "Electronic voucher" means a voucher printed by an
23 electronic video game machine that is redeemable in the

1 licensed establishment for which it was issued.

2 "In-location bonus jackpot" means one or more video gaming
3 terminals at a single licensed establishment that allows for
4 wagers placed on such video gaming terminals to contribute to
5 a cumulative maximum jackpot of up to \$10,000.

6 "Terminal operator" means an individual, partnership,
7 corporation, or limited liability company that is licensed
8 under this Act and that owns, services, and maintains video
9 gaming terminals for placement in licensed establishments,
10 licensed truck stop establishments, licensed large truck stop
11 establishments, licensed fraternal establishments, or licensed
12 veterans establishments.

13 "Licensed technician" means an individual who is licensed
14 under this Act to repair, service, and maintain video gaming
15 terminals.

16 "Licensed terminal handler" means a person, including but
17 not limited to an employee or independent contractor working
18 for a manufacturer, distributor, supplier, technician, or
19 terminal operator, who is licensed under this Act to possess
20 or control a video gaming terminal or to have access to the
21 inner workings of a video gaming terminal. A licensed terminal
22 handler does not include an individual, partnership,
23 corporation, or limited liability company defined as a
24 manufacturer, distributor, supplier, technician, or terminal
25 operator under this Act.

26 "Manufacturer" means an individual, partnership,

1 corporation, or limited liability company that is licensed
2 under this Act and that manufactures or assembles video gaming
3 terminals.

4 "Supplier" means an individual, partnership, corporation,
5 or limited liability company that is licensed under this Act
6 to supply major components or parts to video gaming terminals
7 to licensed terminal operators.

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

10 "Video gaming terminal" means any electronic video game
11 machine that, upon insertion of cash, electronic cards or
12 vouchers, or any combination thereof, is available to play or
13 simulate the play of a video game, including but not limited to
14 video poker, line up, and blackjack, as authorized by the
15 Board utilizing a video display and microprocessors in which
16 the player may receive free games or credits that can be
17 redeemed for cash. The term does not include a machine that
18 directly dispenses coins, cash, or tokens or is for amusement
19 purposes only.

20 "Licensed establishment" means any licensed retail
21 establishment where alcoholic liquor is drawn, poured, mixed,
22 or otherwise served for consumption on the premises, whether
23 the establishment operates on a nonprofit or for-profit basis.

24 "Licensed establishment" includes any such establishment that
25 has a contractual relationship with an inter-track wagering
26 location licensee licensed under the Illinois Horse Racing Act

1 of 1975, provided any contractual relationship shall not
2 include any transfer or offer of revenue from the operation of
3 video gaming under this Act to any licensee licensed under the
4 Illinois Horse Racing Act of 1975. Provided, however, that the
5 licensed establishment that has such a contractual
6 relationship with an inter-track wagering location licensee
7 may not, itself, be (i) an inter-track wagering location
8 licensee, (ii) the corporate parent or subsidiary of any
9 licensee licensed under the Illinois Horse Racing Act of 1975,
10 or (iii) the corporate subsidiary of a corporation that is
11 also the corporate parent or subsidiary of any licensee
12 licensed under the Illinois Horse Racing Act of 1975.

13 "Licensed establishment" does not include a facility operated
14 by an organization licensee, an inter-track wagering licensee,
15 or an inter-track wagering location licensee licensed under
16 the Illinois Horse Racing Act of 1975 or a riverboat licensed
17 under the Illinois Gambling Act, except as provided in this
18 paragraph. The changes made to this definition by Public Act
19 98-587 are declarative of existing law.

20 "Licensed fraternal establishment" means the location
21 where a qualified fraternal organization that derives its
22 charter from a national fraternal organization regularly
23 meets.

24 "Licensed veterans establishment" means the location where
25 a qualified veterans organization that derives its charter
26 from a national veterans organization regularly meets.

1 "Licensed truck stop establishment" means a facility (i)
2 that is at least a 3-acre facility with a convenience store,
3 (ii) with separate diesel islands for fueling commercial motor
4 vehicles, (iii) that sells at retail more than 10,000 gallons
5 of diesel or biodiesel fuel per month, and (iv) with parking
6 spaces for commercial motor vehicles. "Commercial motor
7 vehicles" has the same meaning as defined in Section 18b-101
8 of the Illinois Vehicle Code. The requirement of item (iii) of
9 this paragraph may be met by showing that estimated future
10 sales or past sales average at least 10,000 gallons per month.
11 However, once met, the requirement of item (iii) of this
12 paragraph shall not be considered or relied upon by the Board
13 as the basis to deny renewal of a licensed truck stop
14 establishment license.

15 "Licensed large truck stop establishment" means a facility
16 located within 3 road miles from a freeway interchange, as
17 measured in accordance with the Department of Transportation's
18 rules regarding the criteria for the installation of business
19 signs: (i) that is at least a 3-acre facility with a
20 convenience store, (ii) with separate diesel islands for
21 fueling commercial motor vehicles, (iii) that sells at retail
22 more than 50,000 gallons of diesel or biodiesel fuel per
23 month, and (iv) with parking spaces for commercial motor
24 vehicles. "Commercial motor vehicles" has the same meaning as
25 defined in Section 18b-101 of the Illinois Vehicle Code. The
26 requirement of item (iii) of this paragraph may be met by

1 showing that estimated future sales or past sales average at
2 least 50,000 gallons per month. However, once met, the
3 requirement of item (iii) of this paragraph shall not be
4 considered or relied upon by the Board as the basis to deny
5 renewal of a licensed large truck stop establishment license.

6 "Sales agent and broker" means an individual, partnership,
7 corporation, limited liability company, or other business
8 entity engaged in the solicitation or receipt of business from
9 current or potential licensed establishments, licensed
10 fraternal establishments, licensed veterans establishments,
11 licensed truck stop establishments, or licensed large truck
12 stop establishments either on an employment or contractual
13 basis.

14 (Source: P.A. 101-31, eff. 6-28-19; 102-689, eff. 12-17-21.)