

1                                    AMENDMENT TO HOUSE BILL 147

2            AMENDMENT NO. \_\_\_\_\_. Amend House Bill 147 by replacing  
3 the title with the following:

4            "AN ACT in relation to gambling."; and

5 by replacing everything after the enacting clause with the  
6 following:

7            "Section 1. Short title. This Act may be cited as the  
8 Video Gaming Act.

9            Section 5. Definitions. As used in this Act:

10           "Board" means the Illinois Gaming Board.

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

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

18           "Terminal operator" means an individual, partnership or  
19 corporation that is licensed under this Act and that owns,  
20 services, and maintains video gaming terminals for placement  
21 in licensed establishments, licensed fraternal

1 establishments, or licensed veterans establishments.

2 "Licensed technician" means an individual who is licensed  
3 under this Act to repair, service, and maintain video gaming  
4 terminals.

5 "Manufacturer" means an individual, partnership, or  
6 corporation that is licensed under this Act and that  
7 manufactures or assembles video gaming terminals.

8 "Supplier" means an individual, partnership, or  
9 corporation that is licensed under this Act to supply major  
10 components or parts to video gaming terminals to licensed  
11 terminal operators.

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

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

23 "Licensed establishment" means any licensed retail  
24 establishment where alcoholic liquor is drawn, poured, mixed,  
25 or otherwise served for consumption on the premises.

26 "Licensed fraternal establishment" means the location  
27 where a qualified fraternal organization that derives its  
28 charter from a national fraternal organization regularly  
29 meets.

30 "Licensed veterans establishment" means the location  
31 where a qualified veterans organization that derives its  
32 charter from a national veterans organization regularly  
33 meets.

34 "Licensed truck stop establishment" means a facility that

1 is at least a 3-acre facility with a convenience store and  
2 with separate diesel islands for fueling commercial motor  
3 vehicles and parking spaces for commercial motor vehicles as  
4 defined in Section 18b-101 of the Illinois Vehicle Code.

5 Section 15. Minimum requirements for licensing and  
6 registration. Every video gaming terminal offered for play  
7 shall first be tested and approved pursuant to the rules of  
8 the Board, and each video gaming terminal offered in this  
9 State for play shall conform to an approved model. The Board  
10 may contract with an independent outside vendor for the  
11 examination of video gaming machines and associated equipment  
12 as required by this Section. Each approved model shall, at a  
13 minimum, meet the following criteria:

14 (1) It must conform to all requirements of federal  
15 law and regulations, including FCC Class A Emissions  
16 Standards.

17 (2) It must theoretically pay out a mathematically  
18 demonstrable percentage during the expected lifetime of  
19 the machine of all amounts played, which must not be less  
20 than 80%. Video gaming terminals that may be affected by  
21 skill must meet this standard when using a method of play  
22 that will provide the greatest return to the player over  
23 a period of continuous play.

24 (3) It must use a random selection process to  
25 determine the outcome of each play of a game. The random  
26 selection process must meet 99% confidence limits using a  
27 standard chi-squared test for (randomness) goodness of  
28 fit.

29 (4) It must display an accurate representation of  
30 the game outcome.

31 (5) It must not automatically alter pay tables or  
32 any function of the video gaming terminal based on  
33 internal computation of hold percentage or have any means

1 of manipulation that affects the random selection process  
2 or probabilities of winning a game.

3 (6) It must not be adversely affected by static  
4 discharge or other electromagnetic interference.

5 (7) It must be capable of detecting and displaying  
6 the following conditions during idle states or on demand:  
7 power reset; door open; and door just closed.

8 (8) It must have the capacity to display complete  
9 play history (outcome, intermediate play steps, credits  
10 available, bets placed, credits paid, and credits cashed  
11 out) for the most recent game played and 10 games prior  
12 thereto.

13 (9) The theoretical payback percentage of a video  
14 gaming terminal must not be capable of being changed  
15 without making a hardware or software change in the video  
16 gaming terminal.

17 (10) Video gaming terminals must be designed so  
18 that replacement of parts or modules required for normal  
19 maintenance does not necessitate replacement of the  
20 electromechanical meters.

21 (11) It must have nonresettable meters housed in a  
22 locked area of the terminal that keep a permanent record  
23 of all cash inserted into the machine, all winnings made  
24 by the terminal printer, credits played in for video  
25 gaming terminals, and credits won by video gaming  
26 players. The video gaming terminal must provide the  
27 means for on-demand display of stored information as  
28 determined by the Board.

29 (12) Electronically stored meter information  
30 required by this Section must be preserved for a minimum  
31 of 180 days after a power loss to the service.

32 (13) It must have one or more mechanisms that  
33 accept coins or cash in the form of bills. The  
34 mechanisms shall be designed to prevent obtaining credits

1 without paying by stringing, slamming, drilling, or other  
2 means.

3 (14) It shall have accounting software that keeps  
4 an electronic record which includes, but is not limited  
5 to, the following: total cash inserted into the video  
6 gaming terminal; the value of winning tickets claimed by  
7 players; the total credits played; and the total credits  
8 awarded by a video gaming terminal.

9 (15) It shall be linked by a central communications  
10 system to provide auditing program information as  
11 approved by the Board. In no event may the communications  
12 system approved by the Board limit participation to only  
13 one manufacturer of video gaming terminals by either the  
14 cost in implementing the necessary program modifications  
15 to communicate or the inability to communicate with the  
16 central communications system.

17 (16) It shall be able to receive and broadcast  
18 amber alert messages.

19 Section 20. Direct dispensing of receipt tickets only.  
20 A video gaming terminal may not directly dispense coins,  
21 cash, tokens, or any other article of exchange or value  
22 except for receipt tickets. Tickets shall be dispensed by  
23 pressing the ticket dispensing button on the video gaming  
24 terminal at the end of one's turn or play. The ticket shall  
25 indicate the total amount of credits and the cash award, the  
26 time of day in a 24-hour format showing hours and minutes,  
27 the date, the terminal serial number, the sequential number  
28 of the ticket, and an encrypted validation number from which  
29 the validity of the prize may be determined. The player shall  
30 turn in this ticket to the appropriate person at the licensed  
31 establishment, licensed truck stop establishment, licensed  
32 fraternal establishment, or licensed veterans establishment  
33 to receive the cash award. The cost of the credit shall be 5

1 cents, 10 cents, or 25 cents, and the maximum wager played  
2 per hand shall not exceed \$2. No cash award for the maximum  
3 wager on any individual hand shall exceed \$500.

4 Section 25. Restriction of licensees.

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

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

17 (c) Terminal operator. A person may not own, service,  
18 maintain, lease, or place a video gaming terminal unless he  
19 has a valid terminal operator's license issued under this  
20 Act. A terminal operator may only place video gaming  
21 terminals for use in Illinois in licensed establishments,  
22 licensed truck stop establishments, licensed fraternal  
23 establishments, and licensed veterans establishments. No  
24 terminal operator may give anything of value, including but  
25 not limited to a loan or financing arrangement, to a licensed  
26 establishment, licensed truck stop establishment, licensed  
27 fraternal establishment, or licensed veterans establishment  
28 as any incentive or inducement to locate video terminals in  
29 that establishment. Of the after-tax profits from a video  
30 gaming terminal, 50% shall be paid to the terminal operator  
31 and 50% shall be paid to the licensed establishment, licensed  
32 truck stop establishment, licensed fraternal establishment,  
33 or licensed veterans establishment. A terminal operator shall

1 be entitled to access all information recorded by the  
2 operator's machines pursuant to item (17) of Section 15. No  
3 terminal operator may own or have a substantial interest in  
4 more than 5% of the video gaming terminals licensed in this  
5 State.

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

12 (e) Licensed establishment. A valid liquor license  
13 shall be prima facie evidence of compliance with the  
14 licensing requirements of this Act to operate video gaming  
15 terminals. No video gaming terminal may be placed in any  
16 licensed veterans establishment or licensed fraternal  
17 establishment unless the owner or agent of the owner of the  
18 licensed veterans establishment or licensed fraternal  
19 establishment has entered into a written use agreement with  
20 the terminal operator for placement of the terminals. A copy  
21 of the use agreement shall be on file in the terminal  
22 operator's place of business and available for inspection by  
23 individuals authorized by the Board. A licensed  
24 establishment may operate up to 3 video gaming terminals on  
25 its premises at any time, unless the Board authorizes a  
26 greater number. A licensed truck stop establishment, licensed  
27 veterans establishment, or licensed fraternal establishment  
28 may operate up to 5 video gaming terminals on its premises at  
29 any time, unless the Board authorizes a greater number.

30 (f) Residency requirement. Each licensed distributor  
31 and terminal operator must be an Illinois resident. However,  
32 if an out of state distributor or terminal operator has  
33 performed its respective business within Illinois for at  
34 least 48 months prior to the effective date of this Act, the

1 out of state person may be eligible for licensing under this  
2 Act, upon application to and approval of the Board.

3 (g) Financial interest restrictions. As used in this  
4 Act, "substantial interest" in an organization, association,  
5 or business means:

6 (A) When, with respect to a sole  
7 proprietorship, an individual or his or her marital  
8 community owns, operates, manages, or conducts,  
9 directly or indirectly, the organization,  
10 association, or business, or any part thereof; or

11 (B) When, with respect to a partnership, the  
12 individual or his or her marital community shares in  
13 any of the profits, or potential profits, of the  
14 partnership activities; or

15 (C) When, with respect to a corporation, an  
16 individual or his or her spouse is an officer or  
17 director, or the individual or his or her marital  
18 community is a holder, directly or beneficially, of  
19 5% or more of any class of stock of the corporation;  
20 or

21 (D) When, with respect to an organization not  
22 covered in (A), (B) or (C) above, an individual or  
23 his or her spouse is an officer or manages the  
24 business affairs, or the individual or his or her  
25 marital community is the owner of or otherwise  
26 controls 10% or more of the assets of the  
27 organization; or

28 (E) When an individual or his or her marital  
29 community furnishes 5% or more of the capital,  
30 whether in cash, goods, or services, for the  
31 operation of any business, association, or  
32 organization during any calendar year.

33 (h) Location restriction. A licensed establishment,  
34 licensed truck stop establishment, licensed fraternal



1 establishment, or licensed veterans establishment that is  
2 located within 500 feet of a race track licensed under the  
3 Illinois Horse Racing Act of 1975 or within 1,000 feet of the  
4 home dock of a riverboat licensed under the Riverboat  
5 Gambling Act is ineligible to operate a video gaming  
6 terminal.

7 Section 27. Prohibition of video gaming by political  
8 subdivision. A municipality may pass an ordinance  
9 prohibiting video gaming within the corporate limits of the  
10 municipality. A county board may, for the unincorporated area  
11 of the county, pass an ordinance prohibiting video gaming  
12 within the unincorporated area of the county.

13 Section 30. Multiple types of licenses prohibited. A  
14 video gaming terminal manufacturer may not be licensed as a  
15 video gaming terminal distributor or operator or own,  
16 manage, or control a licensed establishment, licensed truck  
17 stop establishment, licensed fraternal establishment, or  
18 licensed veterans establishment, and shall be licensed only  
19 to sell to distributors. A video gaming terminal distributor  
20 may not be licensed as a video gaming terminal manufacturer  
21 or operator or own, manage, or control a licensed  
22 establishment, licensed truck stop establishment, licensed  
23 fraternal establishment, or licensed veterans establishment,  
24 and shall only contract with a licensed terminal operator. A  
25 video gaming terminal operator may not be licensed as a video  
26 gaming terminal manufacturer or distributor or own, manage,  
27 or control a licensed establishment, licensed truck stop  
28 establishment, licensed fraternal establishment, or licensed  
29 veterans establishment, and shall be licensed only to  
30 contract with licensed distributors and licensed  
31 establishments, licensed truck stop establishments, licensed  
32 fraternal establishments, and licensed veterans

1 establishments. An owner or manager of a licensed  
2 establishment, licensed truck stop establishment, licensed  
3 fraternal establishment, or licensed veterans establishment  
4 may not be licensed as a video gaming terminal manufacturer,  
5 distributor, or operator, and shall only contract with a  
6 licensed operator to place and service this equipment.

7 Section 35. Display of license; confiscation; violation  
8 as felony. Each video gaming terminal shall be licensed by  
9 the Board before placement or operation on the premises of a  
10 licensed establishment, licensed truck stop establishment,  
11 licensed fraternal establishment, or licensed veterans  
12 establishment. The license of each video gaming terminal  
13 shall be maintained at the location where the video gaming  
14 terminal is operated. Failure to do so is a petty offense  
15 with a fine not to exceed \$100. Any licensed establishment,  
16 licensed truck stop establishment, licensed fraternal  
17 establishment, or licensed veterans establishment used for  
18 the conduct of gambling games in violation of this Act shall  
19 be considered a gambling place in violation of Section 28-3  
20 of the Criminal Code of 1961. Every gambling device found in  
21 a licensed establishment, licensed truck stop establishment,  
22 licensed fraternal establishment, or licensed veterans  
23 establishment operating gambling games in violation of this  
24 Act shall be subject to seizure, confiscation, and  
25 destruction as provided in Section 28-5 of the Criminal Code  
26 of 1961. Any license issued under the Liquor Control Act of  
27 1934 to any owner or operator of a licensed establishment,  
28 licensed truck stop establishment, licensed fraternal  
29 establishment, or licensed veterans establishment that  
30 operates or permits the operation of a video gaming terminal  
31 within its establishment in violation of this Act shall be  
32 immediately revoked. No person may own, operate, have in his  
33 or her possession or custody or under his or her control, or

1 permit to be kept in any place under his or her possession or  
2 control, any device that awards credits and contains a  
3 circuit, meter, or switch capable of removing and recording  
4 the removal of credits when the award of credits is dependent  
5 upon chance. A violation of this Section is a Class 4  
6 felony. All devices that are owned, operated, or possessed  
7 in violation of this Section are hereby declared to be public  
8 nuisances and shall be subject to seizure, confiscation, and  
9 destruction as provided in Section 28-5 of the Criminal Code  
10 of 1961. The provisions of this Section do not apply to  
11 devices or electronic video game terminals licensed pursuant  
12 to this Act.

13 Section 40. Video gaming terminal use by minors  
14 prohibited. No licensee shall cause or permit any person  
15 under the age of 21 years to use or play a video gaming  
16 terminal. Any licensee who knowingly permits a person under  
17 the age of 21 years to use or play a video gaming terminal is  
18 guilty of a business offense and shall be fined an amount not  
19 to exceed \$5,000.

20 Section 45. Issuance of license.

21 (a) The burden is upon each applicant to demonstrate his  
22 suitability for licensure. Each video gaming terminal  
23 manufacturer, distributor, operator, licensed establishment,  
24 licensed truck stop establishment, licensed fraternal  
25 establishment, and licensed veterans establishment shall be  
26 licensed by the Board. The Board may not issue a license  
27 under this Act to any person who, within 10 years of the date  
28 of the application, has been convicted of a felony under the  
29 laws of this State, any other state, or the United States, or  
30 to any firm or corporation in which such a person is an  
31 officer, director, or managerial employee.

32 (b) A non-refundable application fee shall be paid at

1 the time an application for a license is filed with the Board  
2 in the following amounts:

- 3 (1) Manufacturer..... \$ 5,000
- 4 (2) Distributor..... \$ 5,000
- 5 (3) Terminal operator..... \$ 5,000
- 6 (4) Supplier..... \$ 2,500
- 7 (5) Technician..... \$ 100

8 (c) Any application not approved within 90 days of  
9 receipt by the Board shall be deemed approved.

10 (d) Each licensed distributor, terminal operator, or  
11 person with a substantial interest in a distributor or  
12 terminal operator must have resided in Illinois for at least  
13 24 months prior to application unless he or she has performed  
14 his or her respective business in Illinois for at least 48  
15 months prior to the effective date of this Act.

16 The Board shall establish an annual fee for each license  
17 not to exceed the following:

- 18 (1) Manufacturer..... \$10,000
- 19 (2) Distributor..... \$10,000
- 20 (3) Terminal operator..... \$ 5,000
- 21 (4) Supplier..... \$ 2,000
- 22 (5) Technician..... \$ 100
- 23 (6) Licensed establishment, licensed truck  
24 stop establishment, licensed fraternal  
25 establishment, or licensed veterans  
26 establishment..... \$ 100
- 27 (7) Video gaming terminal..... \$ 100

28 Section 50. Distribution of license fees.

29 (a) All fees collected under Section 45 shall be  
30 deposited in the General Revenue Fund.

31 (b) Fees collected under Section 45 shall be used as  
32 follows:

- 33 (1) Twenty-five percent shall be paid to programs

1 for the treatment of compulsive gambling.

2 (2) Seventy-five percent shall be used for the  
3 administration of this Act.

4 (c) All licenses issued by the Board under this Act are  
5 renewable annually unless sooner cancelled or terminated. No  
6 license issued under this Act is transferable or assignable.

7 Section 55. Precondition for licensed establishment. In  
8 all cases of application for a licensed establishment, to  
9 operate a video gaming terminal, each licensed truck stop  
10 establishment, licensed fraternal establishment, or licensed  
11 veterans establishment shall possess a valid liquor license  
12 issued by the Illinois Liquor Control Commission in effect at  
13 the time of application and at all times thereafter during  
14 which a video gaming terminal is made available to the public  
15 for play at that location.

16 Section 57. Insurance. Each licensed establishment,  
17 licensed truck stop establishment, licensed fraternal  
18 establishment, and licensed veterans establishment shall  
19 maintain insurance on any gaming device on its premises in an  
20 amount set by the Board.

21 Section 58. Location of terminals. Video gaming  
22 terminals must be located in an area that is within the view  
23 of at least one employee of the establishment in which they  
24 are located.

25 Section 60. Imposition and distribution of tax.

26 (a) A tax of 25% is imposed on net terminal income and  
27 shall be collected by the Board.

28 (b) Of the tax collected under this Section, 80% shall  
29 be deposited in the State Gaming Fund and 20% shall be  
30 deposited into the Local Government Video Gaming Distributive

1 Fund.

2 (c) Revenues generated from the play of video gaming  
3 terminals shall be deposited by the terminal operator, who is  
4 responsible for tax payments, in a specially created,  
5 separate bank account maintained by the video gaming terminal  
6 operator to allow for electronic fund transfers of moneys for  
7 tax payment.

8 (d) Each licensed establishment, licensed truck stop  
9 establishment, licensed fraternal establishment, and licensed  
10 veterans establishment shall maintain an adequate video  
11 gaming fund, with the amount to be determined by the Board.

12 Section 65. Fees. A non-home rule unit of government  
13 may not impose any fee for the operation of a video gaming  
14 terminal in excess of \$25 per year.

15 Section 70. Referendum. Upon the filing in the office of  
16 the clerk, at least 90 days before an election in any  
17 municipality or county, as the case may be, of a petition  
18 directed to such clerk, containing the signatures of not less  
19 than 25% of the legal voters of that municipality or county,  
20 the clerk shall certify such proposition to the proper  
21 election officials, who shall submit the proposition at such  
22 election to the voters of such municipality or county. The  
23 proposition shall be in the following form:

24 -----  
25 Shall video gaming YES  
26 be prohibited in -----  
27 .....? NO  
28 -----

29 If a majority of the voters voting upon such last mentioned  
30 proposition in any municipality or county vote "YES", such  
31 video gaming shall be prohibited in such municipality or  
32 county. The petition mentioned in this Section shall be a

1 public document and shall be subject to inspection by the  
2 public.

3 Section 75. Revenue sharing; Local Government Video  
4 Gaming Distributive Fund.

5 (a) Beginning July 1, 2003, as soon as may be after the  
6 first day of each month, the Department of Revenue shall  
7 certify to the Treasurer an amount equal to 25% of the net  
8 revenue realized from the tax imposed by Section 60 during  
9 the preceding month. Net revenue realized for a month shall  
10 be defined as the revenue from the tax imposed by Section 60  
11 during the month. Upon receipt of such certification, the  
12 Treasurer shall transfer from the General Revenue Fund to a  
13 special fund in the State treasury, to be known as the Local  
14 Government Video Gaming Distributive Fund, the amount shown  
15 on such certification.

16 All amounts paid into the Local Government Video Gaming  
17 Distributive Fund and allocated in accordance with this  
18 Section are appropriated on a continuing basis.

19 (b) As soon as may be after the first day of each month,  
20 the Department of Revenue shall allocate among those  
21 municipalities and counties of this State that have not  
22 prohibited video gaming pursuant to Section 27 the amount  
23 available in the Local Government Video Gaming Distributive  
24 Fund, as provided in Section 60. The Department shall then  
25 certify such allocations to the State Comptroller, who shall  
26 pay over to those eligible municipalities and counties the  
27 respective amounts allocated to them. The amount of such  
28 funds allocable to each such municipality and county shall be  
29 in proportion to the number of individual residents of such  
30 municipality or county to the total population of those  
31 eligible municipalities and counties determined in each case  
32 on the basis of the latest census of the municipality or  
33 county conducted by the federal government and certified by

1 the Secretary of State and for annexations to municipalities,  
2 the latest federal, State, or municipal census of the annexed  
3 area which has been certified by the Department of Revenue.  
4 For the purpose of this Section, the number of individual  
5 residents of a county shall be reduced by the number of  
6 individuals residing therein in municipalities, but the  
7 number of individual residents of the municipality shall  
8 reflect the latest census of the municipality.

9 (c) The amounts allocated and paid to a municipality or  
10 county of this State pursuant to the provisions of this  
11 Section may be used for any general corporate purpose  
12 authorized for that municipality or county.

13 (d) Upon determination by the Department that an amount  
14 has been paid pursuant to this Section in excess of the  
15 amount to which the county or municipality receiving such  
16 payment was entitled, the county or municipality shall, upon  
17 demand by the Department, repay such amount. If such  
18 repayment is not made within a reasonable time, the  
19 Department shall withhold from future payments an amount  
20 equal to such overpayment. The Department shall redistribute  
21 the amount of such payment to the county or municipality  
22 entitled thereto.

23 Section 185. The Riverboat Gambling Act is amended by  
24 changing Section 5 as follows:

25 (230 ILCS 10/5) (from Ch. 120, par. 2405)

26 Sec. 5. Gaming Board.

27 (a) (1) There is hereby established within the  
28 Department of Revenue an Illinois Gaming Board which shall  
29 have the powers and duties specified in this Act, and all  
30 other powers necessary and proper to fully and effectively  
31 execute this Act for the purpose of administering,  
32 regulating, and enforcing the system of riverboat gambling



1 established by this Act. Its jurisdiction shall extend under  
2 this Act to every person, association, corporation,  
3 partnership and trust involved in riverboat gambling  
4 operations in the State of Illinois.

5 (2) The Board shall consist of 5 members to be appointed  
6 by the Governor with the advice and consent of the Senate,  
7 one of whom shall be designated by the Governor to be  
8 chairman. Each member shall have a reasonable knowledge of  
9 the practice, procedure and principles of gambling  
10 operations. Each member shall either be a resident of  
11 Illinois or shall certify that he will become a resident of  
12 Illinois before taking office. At least one member shall be  
13 experienced in law enforcement and criminal investigation, at  
14 least one member shall be a certified public accountant  
15 experienced in accounting and auditing, and at least one  
16 member shall be a lawyer licensed to practice law in  
17 Illinois.

18 (3) The terms of office of the Board members shall be 3  
19 years, except that the terms of office of the initial Board  
20 members appointed pursuant to this Act will commence from the  
21 effective date of this Act and run as follows: one for a  
22 term ending July 1, 1991, 2 for a term ending July 1, 1992,  
23 and 2 for a term ending July 1, 1993. Upon the expiration of  
24 the foregoing terms, the successors of such members shall  
25 serve a term for 3 years and until their successors are  
26 appointed and qualified for like terms. Vacancies in the  
27 Board shall be filled for the unexpired term in like manner  
28 as original appointments. Each member of the Board shall be  
29 eligible for reappointment at the discretion of the Governor  
30 with the advice and consent of the Senate.

31 (4) Each member of the Board shall receive \$300 for each  
32 day the Board meets and for each day the member conducts any  
33 hearing pursuant to this Act. Each member of the Board shall  
34 also be reimbursed for all actual and necessary expenses and

1 disbursements incurred in the execution of official duties.

2 (5) No person shall be appointed a member of the Board  
3 or continue to be a member of the Board who is, or whose  
4 spouse, child or parent is, a member of the board of  
5 directors of, or a person financially interested in, any  
6 gambling operation subject to the jurisdiction of this Board,  
7 or any race track, race meeting, racing association or the  
8 operations thereof subject to the jurisdiction of the  
9 Illinois Racing Board. No Board member shall hold any other  
10 public office for which he shall receive compensation other  
11 than necessary travel or other incidental expenses. No  
12 person shall be a member of the Board who is not of good  
13 moral character or who has been convicted of, or is under  
14 indictment for, a felony under the laws of Illinois or any  
15 other state, or the United States.

16 (6) Any member of the Board may be removed by the  
17 Governor for neglect of duty, misfeasance, malfeasance, or  
18 nonfeasance in office.

19 (7) Before entering upon the discharge of the duties of  
20 his office, each member of the Board shall take an oath that  
21 he will faithfully execute the duties of his office according  
22 to the laws of the State and the rules and regulations  
23 adopted therewith and shall give bond to the State of  
24 Illinois, approved by the Governor, in the sum of \$25,000.  
25 Every such bond, when duly executed and approved, shall be  
26 recorded in the office of the Secretary of State. Whenever  
27 the Governor determines that the bond of any member of the  
28 Board has become or is likely to become invalid or  
29 insufficient, he shall require such member forthwith to renew  
30 his bond, which is to be approved by the Governor. Any  
31 member of the Board who fails to take oath and give bond  
32 within 30 days from the date of his appointment, or who fails  
33 to renew his bond within 30 days after it is demanded by the  
34 Governor, shall be guilty of neglect of duty and may be

1 removed by the Governor. The cost of any bond given by any  
2 member of the Board under this Section shall be taken to be a  
3 part of the necessary expenses of the Board.

4 (8) Upon the request of the Board, the Department shall  
5 employ such personnel as may be necessary to carry out the  
6 functions of the Board. No person shall be employed to serve  
7 the Board who is, or whose spouse, parent or child is, an  
8 official of, or has a financial interest in or financial  
9 relation with, any operator engaged in gambling operations  
10 within this State or any organization engaged in conducting  
11 horse racing within this State. Any employee violating these  
12 prohibitions shall be subject to termination of employment.

13 (9) An Administrator shall perform any and all duties  
14 that the Board shall assign him. The salary of the  
15 Administrator shall be determined by the Board and approved  
16 by the Director of the Department and, in addition, he shall  
17 be reimbursed for all actual and necessary expenses incurred  
18 by him in discharge of his official duties. The  
19 Administrator shall keep records of all proceedings of the  
20 Board and shall preserve all records, books, documents and  
21 other papers belonging to the Board or entrusted to its care.  
22 The Administrator shall devote his full time to the duties of  
23 the office and shall not hold any other office or employment.

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

27 (1) To decide promptly and in reasonable order all  
28 license applications. Any party aggrieved by an action of  
29 the Board denying, suspending, revoking, restricting or  
30 refusing to renew a license may request a hearing before  
31 the Board. A request for a hearing must be made to the  
32 Board in writing within 5 days after service of notice of  
33 the action of the Board. Notice of the action of the  
34 Board shall be served either by personal delivery or by

1 certified mail, postage prepaid, to the aggrieved party.  
2 Notice served by certified mail shall be deemed complete  
3 on the business day following the date of such mailing.  
4 The Board shall conduct all requested hearings promptly  
5 and in reasonable order;

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

9 (3) To promulgate such rules and regulations as in  
10 its judgment may be necessary to protect or enhance the  
11 credibility and integrity of gambling operations  
12 authorized by this Act and the regulatory process  
13 hereunder;

14 (4) To provide for the establishment and collection  
15 of all license and registration fees and taxes imposed by  
16 this Act and the rules and regulations issued pursuant  
17 hereto. All such fees and taxes shall be deposited into  
18 the State Gaming Fund;

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

25 (6) To be present through its inspectors and agents  
26 any time gambling operations are conducted on any  
27 riverboat for the purpose of certifying the revenue  
28 thereof, receiving complaints from the public, and  
29 conducting such other investigations into the conduct of  
30 the gambling games and the maintenance of the equipment  
31 as from time to time the Board may deem necessary and  
32 proper;

33 (7) To review and rule upon any complaint by a  
34 licensee regarding any investigative procedures of the

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

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

33 (9) To maintain records which are separate and  
34 distinct from the records of any other State board or

1 commission. Such records shall be available for public  
2 inspection and shall accurately reflect all Board  
3 proceedings;

4 (10) To file a written annual report with the  
5 Governor on or before March 1 each year and such  
6 additional reports as the Governor may request. The  
7 annual report shall include a statement of receipts and  
8 disbursements by the Board, actions taken by the Board,  
9 and any additional information and recommendations which  
10 the Board may deem valuable or which the Governor may  
11 request;

12 (11) (Blank); and

13 (12) To assume responsibility for the  
14 administration and enforcement of the Bingo License and  
15 Tax Act, the Charitable Games Act, and the Pull Tabs and  
16 Jar Games Act if such responsibility is delegated to it  
17 by the Director of Revenue; and-

18 (13) To assume responsibility for administration  
19 and enforcement of the Video Gaming Act.

20 (c) The Board shall have jurisdiction over and shall  
21 supervise all gambling operations governed by this Act. The  
22 Board shall have all powers necessary and proper to fully and  
23 effectively execute the provisions of this Act, including,  
24 but not limited to, the following:

25 (1) To investigate applicants and determine the  
26 eligibility of applicants for licenses and to select  
27 among competing applicants the applicants which best  
28 serve the interests of the citizens of Illinois.

29 (2) To have jurisdiction and supervision over all  
30 riverboat gambling operations in this State and all  
31 persons on riverboats where gambling operations are  
32 conducted.

33 (3) To promulgate rules and regulations for the  
34 purpose of administering the provisions of this Act and

1 to prescribe rules, regulations and conditions under  
2 which all riverboat gambling in the State shall be  
3 conducted. Such rules and regulations are to provide for  
4 the prevention of practices detrimental to the public  
5 interest and for the best interests of riverboat  
6 gambling, including rules and regulations regarding the  
7 inspection of such riverboats and the review of any  
8 permits or licenses necessary to operate a riverboat  
9 under any laws or regulations applicable to riverboats,  
10 and to impose penalties for violations thereof.

11 (4) To enter the office, riverboats, facilities, or  
12 other places of business of a licensee, where evidence of  
13 the compliance or noncompliance with the provisions of  
14 this Act is likely to be found.

15 (5) To investigate alleged violations of this Act  
16 or the rules of the Board and to take appropriate  
17 disciplinary action against a licensee or a holder of an  
18 occupational license for a violation, or institute  
19 appropriate legal action for enforcement, or both.

20 (6) To adopt standards for the licensing of all  
21 persons under this Act, as well as for electronic or  
22 mechanical gambling games, and to establish fees for such  
23 licenses.

24 (7) To adopt appropriate standards for all  
25 riverboats and facilities.

26 (8) To require that the records, including  
27 financial or other statements of any licensee under this  
28 Act, shall be kept in such manner as prescribed by the  
29 Board and that any such licensee involved in the  
30 ownership or management of gambling operations submit to  
31 the Board an annual balance sheet and profit and loss  
32 statement, list of the stockholders or other persons  
33 having a 1% or greater beneficial interest in the  
34 gambling activities of each licensee, and any other

1 information the Board deems necessary in order to  
2 effectively administer this Act and all rules,  
3 regulations, orders and final decisions promulgated under  
4 this Act.

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

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

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

29 (12) To eject or exclude or authorize the ejection  
30 or exclusion of, any person from riverboat gambling  
31 facilities where such person is in violation of this Act,  
32 rules and regulations thereunder, or final orders of the  
33 Board, or where such person's conduct or reputation is  
34 such that his presence within the riverboat gambling



1 facilities may, in the opinion of the Board, call into  
2 question the honesty and integrity of the gambling  
3 operations or interfere with orderly conduct thereof;  
4 provided that the propriety of such ejection or exclusion  
5 is subject to subsequent hearing by the Board.

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

11 (14) (Blank).

12 (15) To suspend, revoke or restrict licenses, to  
13 require the removal of a licensee or an employee of a  
14 licensee for a violation of this Act or a Board rule or  
15 for engaging in a fraudulent practice, and to impose  
16 civil penalties of up to \$5,000 against individuals and  
17 up to \$10,000 or an amount equal to the daily gross  
18 receipts, whichever is larger, against licensees for each  
19 violation of any provision of the Act, any rules adopted  
20 by the Board, any order of the Board or any other action  
21 which, in the Board's discretion, is a detriment or  
22 impediment to riverboat gambling operations.

23 (16) To hire employees to gather information,  
24 conduct investigations and carry out any other tasks  
25 contemplated under this Act.

26 (17) To establish minimum levels of insurance to be  
27 maintained by licensees.

28 (18) To authorize a licensee to sell or serve  
29 alcoholic liquors, wine or beer as defined in the Liquor  
30 Control Act of 1934 on board a riverboat and to have  
31 exclusive authority to establish the hours for sale and  
32 consumption of alcoholic liquor on board a riverboat,  
33 notwithstanding any provision of the Liquor Control Act  
34 of 1934 or any local ordinance, and regardless of whether

1 the riverboat makes excursions. The establishment of the  
2 hours for sale and consumption of alcoholic liquor on  
3 board a riverboat is an exclusive power and function of  
4 the State. A home rule unit may not establish the hours  
5 for sale and consumption of alcoholic liquor on board a  
6 riverboat. This amendatory Act of 1991 is a denial and  
7 limitation of home rule powers and functions under  
8 subsection (h) of Section 6 of Article VII of the  
9 Illinois Constitution.

10 (19) After consultation with the U.S. Army Corps of  
11 Engineers, to establish binding emergency orders upon the  
12 concurrence of a majority of the members of the Board  
13 regarding the navigability of water, relative to  
14 excursions, in the event of extreme weather conditions,  
15 acts of God or other extreme circumstances.

16 (20) To delegate the execution of any of its powers  
17 under this Act for the purpose of administering and  
18 enforcing this Act and its rules and regulations  
19 hereunder.

20 (21) To take any other action as may be reasonable  
21 or appropriate to enforce this Act and rules and  
22 regulations hereunder.

23 (d) The Board may seek and shall receive the cooperation  
24 of the Department of State Police in conducting background  
25 investigations of applicants and in fulfilling its  
26 responsibilities under this Section. Costs incurred by the  
27 Department of State Police as a result of such cooperation  
28 shall be paid by the Board in conformance with the  
29 requirements of Section 2605-400 of the Department of State  
30 Police Law (20 ILCS 2605/2605-400).

31 (e) The Board must authorize to each investigator and to  
32 any other employee of the Board exercising the powers of a  
33 peace officer a distinct badge that, on its face, (i) clearly  
34 states that the badge is authorized by the Board and (ii)

1 contains a unique identifying number. No other badge shall  
2 be authorized by the Board.

3 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00;  
4 91-883, eff. 1-1-01.)

5 Section 190. The Criminal Code of 1961 is amended by  
6 changing Sections 28-1, 28-1.1, and 28-3 as follows:

7 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

8 Sec. 28-1. Gambling.

9 (a) A person commits gambling when he:

10 (1) Plays a game of chance or skill for money or  
11 other thing of value, unless excepted in subsection (b)  
12 of this Section; or

13 (2) Makes a wager upon the result of any game,  
14 contest, or any political nomination, appointment or  
15 election; or

16 (3) Operates, keeps, owns, uses, purchases,  
17 exhibits, rents, sells, bargains for the sale or lease  
18 of, manufactures or distributes any gambling device; or

19 (4) Contracts to have or give himself or another  
20 the option to buy or sell, or contracts to buy or sell,  
21 at a future time, any grain or other commodity  
22 whatsoever, or any stock or security of any company,  
23 where it is at the time of making such contract intended  
24 by both parties thereto that the contract to buy or sell,  
25 or the option, whenever exercised, or the contract  
26 resulting therefrom, shall be settled, not by the receipt  
27 or delivery of such property, but by the payment only of  
28 differences in prices thereof; however, the issuance,  
29 purchase, sale, exercise, endorsement or guarantee, by or  
30 through a person registered with the Secretary of State  
31 pursuant to Section 8 of the Illinois Securities Law of  
32 1953, or by or through a person exempt from such

1 registration under said Section 8, of a put, call, or  
2 other option to buy or sell securities which have been  
3 registered with the Secretary of State or which are  
4 exempt from such registration under Section 3 of the  
5 Illinois Securities Law of 1953 is not gambling within  
6 the meaning of this paragraph (4); or

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

12 (6) Sells pools upon the result of any game or  
13 contest of skill or chance, political nomination,  
14 appointment or election; or

15 (7) Sets up or promotes any lottery or sells,  
16 offers to sell or transfers any ticket or share for any  
17 lottery; or

18 (8) Sets up or promotes any policy game or sells,  
19 offers to sell or knowingly possesses or transfers any  
20 policy ticket, slip, record, document or other similar  
21 device; or

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

28 (10) Knowingly advertises any lottery or policy  
29 game, except for such activity related to lotteries,  
30 bingo games and raffles authorized by and conducted in  
31 accordance with the laws of Illinois or any other state;  
32 or

33 (11) Knowingly transmits information as to wagers,  
34 betting odds, or changes in betting odds by telephone,

1 telegraph, radio, semaphore or similar means; or  
2 knowingly installs or maintains equipment for the  
3 transmission or receipt of such information; except that  
4 nothing in this subdivision (11) prohibits transmission  
5 or receipt of such information for use in news reporting  
6 of sporting events or contests; or

7 (12) Knowingly establishes, maintains, or operates  
8 an Internet site that permits a person to play a game of  
9 chance or skill for money or other thing of value by  
10 means of the Internet or to make a wager upon the result  
11 of any game, contest, political nomination, appointment,  
12 or election by means of the Internet.

13 (b) Participants in any of the following activities  
14 shall not be convicted of gambling therefor:

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

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

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

26 (4) Manufacture of gambling devices, including the  
27 acquisition of essential parts therefor and the assembly  
28 thereof, for transportation in interstate or foreign  
29 commerce to any place outside this State when such  
30 transportation is not prohibited by any applicable  
31 Federal law; or the manufacture, distribution, or  
32 possession of video gaming terminals, as defined in the  
33 Video Gaming Act, by manufacturers, distributors, and  
34 terminal operators licensed to do so under the Video

1 Gaming Act;

2 (5) The game commonly known as "bingo", when  
3 conducted in accordance with the Bingo License and Tax  
4 Act;

5 (6) Lotteries when conducted by the State of  
6 Illinois in accordance with the Illinois Lottery Law;

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

13 (8) Raffles when conducted in accordance with the  
14 Raffles Act;

15 (9) Charitable games when conducted in accordance  
16 with the Charitable Games Act;

17 (10) Pull tabs and jar games when conducted under  
18 the Illinois Pull Tabs and Jar Games Act; or

19 (11) Gambling games conducted on riverboats when  
20 authorized by the Riverboat Gambling Act; or;

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

26 (c) Sentence.

27 Gambling under subsection (a)(1) or (a)(2) of this  
28 Section is a Class A misdemeanor. Gambling under any of  
29 subsections (a)(3) through (a)(11) of this Section is a Class  
30 A misdemeanor. A second or subsequent conviction under any  
31 of subsections (a)(3) through (a)(11), is a Class 4 felony.  
32 Gambling under subsection (a)(12) of this Section is a Class  
33 A misdemeanor. A second or subsequent conviction under  
34 subsection (a)(12) is a Class 4 felony.

1 (d) Circumstantial evidence.

2 In prosecutions under subsection (a)(1) through (a)(12)  
3 of this Section circumstantial evidence shall have the same  
4 validity and weight as in any criminal prosecution.

5 (Source: P.A. 91-257, eff. 1-1-00.)

6 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

7 Sec. 28-1.1. Syndicated gambling.

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

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

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

21 (1) money from a person other than the better or  
22 player whose bets or plays are represented by such money;  
23 or

24 (2) written "policy game" records, made or used  
25 over any period of time, from a person other than the  
26 better or player whose bets or plays are represented by  
27 such written record.

28 (d) A person engages in bookmaking when he receives or  
29 accepts more than five bets or wagers upon the result of any  
30 trials or contests of skill, speed or power of endurance or  
31 upon any lot, chance, casualty, unknown or contingent event  
32 whatsoever, which bets or wagers shall be of such size that  
33 the total of the amounts of money paid or promised to be paid

1 to such bookmaker on account thereof shall exceed \$2,000.  
2 Bookmaking is the receiving or accepting of such bets or  
3 wagers regardless of the form or manner in which the  
4 bookmaker records them.

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

7 (1) Agreements to compensate for loss caused by the  
8 happening of chance including without limitation  
9 contracts of indemnity or guaranty and life or health or  
10 accident insurance; and

11 (2) Offers of prizes, award or compensation to the  
12 actual contestants in any bona fide contest for the  
13 determination of skill, speed, strength or endurance or  
14 to the owners of animals or vehicles entered in such  
15 contest; and

16 (3) Pari-mutuel betting as authorized by law of  
17 this State; and

18 (4) Manufacture of gambling devices, including the  
19 acquisition of essential parts therefor and the assembly  
20 thereof, for transportation in interstate or foreign  
21 commerce to any place outside this State when such  
22 transportation is not prohibited by any applicable  
23 Federal law; and

24 (5) Raffles when conducted in accordance with the  
25 Raffles Act; and

26 (6) Gambling games conducted on riverboats when  
27 authorized by the Riverboat Gambling Act; and

28 (7) Video gaming terminal games at a licensed  
29 establishment, licensed truck stop establishment,  
30 licensed fraternal establishment, or licensed veterans  
31 establishment when conducted in accordance with the Video  
32 Gaming Act.

33 (f) Sentence. Syndicated gambling is a Class 3 felony.

34 (Source: P.A. 86-1029; 87-435.)



1 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

2 Sec. 28-3. Keeping a Gambling Place. A "gambling place"  
3 is any real estate, vehicle, boat or any other property  
4 whatsoever used for the purposes of gambling other than  
5 gambling conducted in the manner authorized by the Riverboat  
6 Gambling Act or the Video Gaming Act. Any person who  
7 knowingly permits any premises or property owned or occupied  
8 by him or under his control to be used as a gambling place  
9 commits a Class A misdemeanor. Each subsequent offense is a  
10 Class 4 felony. When any premises is determined by the  
11 circuit court to be a gambling place:

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

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

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

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

30 Section 195. The State Finance Act is amended by adding  
31 Section 5.595 as follows:

32 (30 ILCS 105/5.595 new)

1        Sec. 5.595. The Local Government Video Gaming  
2        Distributive Fund.

3        Section 999. Effective date. This Act takes effect upon  
4        becoming law."