



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4403

Introduced 01/05/06, by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

20 ILCS 301/5-20	
20 ILCS 2505/2505-305	was 20 ILCS 2505/39b15.1
35 ILCS 143/99-99	
70 ILCS 1825/5.1	from Ch. 19, par. 255.1
205 ILCS 670/12.5	
230 ILCS 10/1	from Ch. 120, par. 2401
230 ILCS 10/2	from Ch. 120, par. 2402
230 ILCS 10/3	from Ch. 120, par. 2403
230 ILCS 10/4	from Ch. 120, par. 2404
230 ILCS 10/5	from Ch. 120, par. 2405
230 ILCS 10/7	from Ch. 120, par. 2407
230 ILCS 10/7.1	
230 ILCS 10/7.3	
230 ILCS 10/8	from Ch. 120, par. 2408
230 ILCS 10/9	from Ch. 120, par. 2409
230 ILCS 10/11	from Ch. 120, par. 2411
230 ILCS 10/11.1	from Ch. 120, par. 2411.1
230 ILCS 10/12	from Ch. 120, par. 2412
230 ILCS 10/13	from Ch. 120, par. 2413
230 ILCS 10/13.2 new	
230 ILCS 10/18	from Ch. 120, par. 2418
230 ILCS 10/20	from Ch. 120, par. 2420
235 ILCS 5/5-1	from Ch. 43, par. 115
235 ILCS 5/6-30	from Ch. 43, par. 144f
720 ILCS 5/28-1	from Ch. 38, par. 28-1
720 ILCS 5/28-1.1	from Ch. 38, par. 28-1.1
720 ILCS 5/28-3	from Ch. 38, par. 28-3
720 ILCS 5/28-5	from Ch. 38, par. 28-5
720 ILCS 5/28-7	from Ch. 38, par. 28-7
815 ILCS 420/2	from Ch. 121 1/2, par. 1852

Amends the Riverboat Gambling Act. Changes the name of the Act to the Riverboat and Casino Gambling Act. Provides that the Board may issue an owners license authorizing the conduct of gambling operations in a casino located in a municipality with a population of more than 500,000 inhabitants pursuant to a process of competitive bidding. Provides that the casino shall be limited to 4,000 gaming positions. Provides for distribution of the proceeds from the casino to the 5 State-funded pension funds and certain pension funds established for the City of Chicago. Makes other changes. Amends various other Acts to make conforming changes. Effective immediately.

LRB094 16842 AMC 52120 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

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.

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

27 (b) Subject to appropriation, the Department shall either
28 establish and maintain the program or contract with a private
29 or public entity for the establishment and maintenance of the
30 program. Subject to appropriation, either the Department or the
31 private or public entity shall implement the toll-free
32 telephone number, promote public awareness, and conduct

1 in-service training concerning problem and compulsive
2 gambling.

3 (c) Subject to appropriation, the Department shall produce
4 and supply the signs specified in Section 10.7 of the Illinois
5 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of
6 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1
7 of the Charitable Games Act, and Section 13.1 of the Riverboat
8 and Casino Gambling Act.

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

10 Section 10. The Department of Revenue Law of the Civil
11 Administrative Code of Illinois is amended by changing Section
12 2505-305 as follows:

13 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

14 Sec. 2505-305. Investigators.

15 (a) The Department has the power to appoint investigators
16 to conduct all investigations, searches, seizures, arrests,
17 and other duties imposed under the provisions of any law
18 administered by the Department or the Illinois Gaming Board.
19 Except as provided in subsection (c), these investigators have
20 and may exercise all the powers of peace officers solely for
21 the purpose of enforcing taxing measures administered by the
22 Department or the Illinois Gaming Board.

23 (b) The Director must authorize to each investigator
24 employed under this Section and to any other employee of the
25 Department exercising the powers of a peace officer a distinct
26 badge that, on its face, (i) clearly states that the badge is
27 authorized by the Department and (ii) contains a unique
28 identifying number. No other badge shall be authorized by the
29 Department.

30 (c) Investigators appointed under this Section who are
31 assigned to the Illinois Gaming Board have and may exercise all
32 the rights and powers of peace officers, provided that these
33 powers shall be limited to offenses or violations occurring or
34 committed on a riverboat or dock or in a casino, as defined in

1 ~~subsections (d) and (f) of~~ Section 4 of the Riverboat and
2 Casino Gambling Act.

3 (Source: P.A. 91-239, eff. 1-1-00; 91-883, eff. 1-1-01; 92-493,
4 eff. 1-1-02.)

5 Section 15. The Tobacco Products Tax Act of 1995 is amended
6 by changing Section 99-99 as follows:

7 (35 ILCS 143/99-99)

8 Sec. 99-99. Effective date. This Section, Sections 10-1
9 through 10-90 of this Act, the changes to the Illinois
10 Administrative Procedure Act, the changes to the State
11 Employees Group Insurance Act of 1971, the changes to Sec. 5 of
12 the Children and Family Services Act, the changes to Sec. 8.27
13 of the State Finance Act, the changes to Secs. 16-136.2,
14 16-153.2, and 17-156.3 of the Illinois Pension Code, Sec. 8.19
15 of the State Mandates Act, the changes to Sec. 8.2 of the
16 Abused and Neglected Child Reporting Act, and the changes to
17 the Unemployment Insurance Act take effect upon becoming law.

18 The following provisions take effect July 1, 1995: the
19 changes to the Illinois Act on the Aging and the Civil
20 Administrative Code of Illinois; the changes to Secs. 7 and
21 8a-13 of the Children and Family Services Act; the changes to
22 the Disabled Persons Rehabilitation Act; Secs. 5.408, 5.409,
23 6z-39, and 6z-40 and the changes to Sec. 8.16 of the State
24 Finance Act; the changes to the State Prompt Payment Act, the
25 Illinois Income Tax Act, and Sec. 16-133.3 of the Illinois
26 Pension Code; Sec. 2-3.117 and the changes to Secs. 14-7.02 and
27 14-15.01 of the School Code; Sec. 2-201.5 of the Nursing Home
28 Care Act; the changes to the Child Care Act of 1969 and the
29 Riverboat and Casino Gambling Act; the changes to Secs. 3-1,
30 3-1a, 3-3, 3-4, 3-13, 5-2.1, 5-5, 5-5.02, 5-5.4, 5-13, 5-16.3,
31 5-16.5, 5A-2, 5A-3, 5C-2, 5C-7, 5D-1, 5E-10, 6-8, 6-11, 9-11,
32 12-4.4, 12-10.2, and 14-8 and the repeal of Sec. 9-11 of the
33 Illinois Public Aid Code; the changes to Sec. 3 of the Abused
34 and Neglected Child Reporting Act; and the changes to the

1 Juvenile Court Act of 1987, the Adoption Act, and the Probate
2 Act of 1975.

3 The remaining provisions of this Act take effect on the
4 uniform effective date as provided in the Effective Date of
5 Laws Act.

6 (Source: P.A. 89-21, eff. 6-6-95.)

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

9 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

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

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

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

26 (205 ILCS 670/12.5)

27 Sec. 12.5. Limited purpose branch.

28 (a) Upon the written approval of the Director, a licensee
29 may maintain a limited purpose branch for the sole purpose of
30 making loans as permitted by this Act. A limited purpose branch
31 may include an automatic loan machine. No other activity shall
32 be conducted at the site, including but not limited to,

1 accepting payments, servicing the accounts, or collections.

2 (b) The licensee must submit an application for a limited
3 purpose branch to the Director on forms prescribed by the
4 Director with an application fee of \$300. The approval for the
5 limited purpose branch must be renewed concurrently with the
6 renewal of the licensee's license along with a renewal fee of
7 \$300 for the limited purpose branch.

8 (c) The books, accounts, records, and files of the limited
9 purpose branch's transactions shall be maintained at the
10 licensee's licensed location. The licensee shall notify the
11 Director of the licensed location at which the books, accounts,
12 records, and files shall be maintained.

13 (d) The licensee shall prominently display at the limited
14 purpose branch the address and telephone number of the
15 licensee's licensed location.

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

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

20 (g) A limited purpose branch may not be located within
21 1,000 feet of a facility operated by an inter-track wagering
22 licensee or an organization licensee subject to the Illinois
23 Horse Racing Act of 1975, on a riverboat or in a casino subject
24 to the Riverboat and Casino Gambling Act, or within 1,000 feet
25 of the location at which the riverboat docks or within 1,000
26 feet of a casino.

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

28 Section 30. The Riverboat Gambling Act is amended by
29 changing Sections 1, 2, 3, 4, 5, 7, 7.1, 7.3, 8, 9, 11, 11.1,
30 12, 13, 18, and 20 and by adding Section 13.2 as follows:

31 (230 ILCS 10/1) (from Ch. 120, par. 2401)

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

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

1 (230 ILCS 10/2) (from Ch. 120, par. 2402)

2 Sec. 2. Legislative Intent.

3 (a) This Act is intended to benefit the people of the State
4 of Illinois by assisting economic development and promoting
5 Illinois tourism and by increasing the amount of revenues
6 available to the State to assist and support education.

7 (b) While authorization of riverboat and casino gambling
8 will enhance investment, development and tourism in Illinois,
9 it is recognized that it will do so successfully only if public
10 confidence and trust in the credibility and integrity of the
11 gambling operations and the regulatory process is maintained.
12 Therefore, regulatory provisions of this Act are designed to
13 strictly regulate the facilities, persons, associations and
14 practices related to gambling operations pursuant to the police
15 powers of the State, including comprehensive law enforcement
16 supervision.

17 (c) The Illinois Gaming Board established under this Act
18 should, as soon as possible, inform each applicant for an
19 owners license of the Board's intent to grant or deny a
20 license.

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

22 (230 ILCS 10/3) (from Ch. 120, par. 2403)

23 Sec. 3. ~~Riverboat~~ Gambling Authorized.

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

28 (b) This Act does not apply to the pari-mutuel system of
29 wagering used or intended to be used in connection with the
30 horse-race meetings as authorized under the Illinois Horse
31 Racing Act of 1975, lottery games authorized under the Illinois
32 Lottery Law, bingo authorized under the Bingo License and Tax
33 Act, charitable games authorized under the Charitable Games Act
34 or pull tabs and jar games conducted under the Illinois Pull

1 Tabs and Jar Games Act.

2 (c) Riverboat gambling conducted pursuant to this Act may
3 be authorized upon any water within the State of Illinois or
4 any water other than Lake Michigan which constitutes a boundary
5 of the State of Illinois. A licensee may conduct riverboat
6 gambling authorized under this Act regardless of whether it
7 conducts excursion cruises. A licensee may permit the
8 continuous ingress and egress of passengers for the purpose of
9 gambling.

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

11 (230 ILCS 10/4) (from Ch. 120, par. 2404)

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

13 (a) "Board" means the Illinois Gaming Board.

14 (b) "Occupational license" means a license issued by the
15 Board to a person or entity to perform an occupation which the
16 Board has identified as requiring a license to engage in
17 riverboat or casino gambling in Illinois.

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

24 (d) "Riverboat" means a self-propelled excursion boat, a
25 permanently moored barge, or permanently moored barges that are
26 permanently fixed together to operate as one vessel, on which
27 lawful gambling is authorized and licensed as provided in this
28 Act.

29 (e) "Managers license" means a license issued by the Board
30 to a person or entity to manage gambling operations conducted
31 by the State pursuant to Section 7.3 ~~7.2~~.

32 (f) "Dock" means the location where a riverboat moors for
33 the purpose of embarking passengers for and disembarking
34 passengers from the riverboat.

35 (g) "Gross receipts" means the total amount of money

1 exchanged for the purchase of chips, tokens or electronic cards
2 by riverboat or casino patrons.

3 (h) "Adjusted gross receipts" means the gross receipts less
4 winnings paid to wagerers.

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

8 (j) "Department" means the Department of Revenue.

9 (k) "Gambling operation" means the conduct of authorized
10 gambling games upon a riverboat or in a casino.

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

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

17 (n) "Casino" means a land-based facility at which lawful
18 gambling is authorized as provided in this Act.

19 (Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03;
20 revised 1-28-04.)

21 (230 ILCS 10/5) (from Ch. 120, par. 2405)

22 Sec. 5. Gaming Board.

23 (a) (1) There is hereby established within the Department
24 of Revenue an Illinois Gaming Board which shall have the powers
25 and duties specified in this Act, and all other powers
26 necessary and proper to fully and effectively execute this Act
27 for the purpose of administering, regulating, and enforcing the
28 system of riverboat and casino gambling established by this
29 Act. Its jurisdiction shall extend under this Act to every
30 person, association, corporation, partnership and trust
31 involved in riverboat and casino gambling operations in the
32 State of Illinois.

33 (2) The Board shall consist of 5 members to be appointed by
34 the Governor with the advice and consent of the Senate, one of
35 whom shall be designated by the Governor to be chairman. Each

1 member shall have a reasonable knowledge of the practice,
2 procedure and principles of gambling operations. Each member
3 shall either be a resident of Illinois or shall certify that he
4 will become a resident of Illinois before taking office. At
5 least one member shall be experienced in law enforcement and
6 criminal investigation, at least one member shall be a
7 certified public accountant experienced in accounting and
8 auditing, and at least one member shall be a lawyer licensed to
9 practice law in Illinois.

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

23 (4) Each member of the Board shall receive \$300 for each
24 day the Board meets and for each day the member conducts any
25 hearing pursuant to this Act. Each member of the Board shall
26 also be reimbursed for all actual and necessary expenses and
27 disbursements incurred in the execution of official duties.

28 (5) No person shall be appointed a member of the Board or
29 continue to be a member of the Board who is, or whose spouse,
30 child or parent is, a member of the board of directors of, or a
31 person financially interested in, any gambling operation
32 subject to the jurisdiction of this Board, or any race track,
33 race meeting, racing association or the operations thereof
34 subject to the jurisdiction of the Illinois Racing Board. No
35 Board member shall hold any other public office for which he
36 shall receive compensation other than necessary travel or other

1 incidental expenses. No person shall be a member of the Board
2 who is not of good moral character or who has been convicted
3 of, or is under indictment for, a felony under the laws of
4 Illinois or any other state, or the United States.

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

8 (7) Before entering upon the discharge of the duties of his
9 office, each member of the Board shall take an oath that he
10 will faithfully execute the duties of his office according to
11 the laws of the State and the rules and regulations adopted
12 therewith and shall give bond to the State of Illinois,
13 approved by the Governor, in the sum of \$25,000. Every such
14 bond, when duly executed and approved, shall be recorded in the
15 office of the Secretary of State. Whenever the Governor
16 determines that the bond of any member of the Board has become
17 or is likely to become invalid or insufficient, he shall
18 require such member forthwith to renew his bond, which is to be
19 approved by the Governor. Any member of the Board who fails to
20 take oath and give bond within 30 days from the date of his
21 appointment, or who fails to renew his bond within 30 days
22 after it is demanded by the Governor, shall be guilty of
23 neglect of duty and may be removed by the Governor. The cost of
24 any bond given by any member of the Board under this Section
25 shall be taken to be a part of the necessary expenses of the
26 Board.

27 (8) Upon the request of the Board, the Department shall
28 employ such personnel as may be necessary to carry out the
29 functions of the Board. No person shall be employed to serve
30 the Board who is, or whose spouse, parent or child is, an
31 official of, or has a financial interest in or financial
32 relation with, any operator engaged in gambling operations
33 within this State or any organization engaged in conducting
34 horse racing within this State. Any employee violating these
35 prohibitions shall be subject to termination of employment.

36 (9) An Administrator shall perform any and all duties that

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

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

30 (3) To promulgate such rules and regulations as in its
31 judgment may be necessary to protect or enhance the
32 credibility and integrity of gambling operations
33 authorized by this Act and the regulatory process
34 hereunder;

35 (4) To provide for the establishment and collection of
36 all license and registration fees and taxes imposed by this

1 Act and the rules and regulations issued pursuant hereto.
2 All such fees and taxes shall be deposited into the State
3 Gaming Fund;

4 (5) To provide for the levy and collection of penalties
5 and fines for the violation of provisions of this Act and
6 the rules and regulations promulgated hereunder. All such
7 fines and penalties shall be deposited into the Education
8 Assistance Fund, created by Public Act 86-0018, of the
9 State of Illinois;

10 (6) To be present through its inspectors and agents any
11 time gambling operations are conducted on any riverboat or
12 in any casino for the purpose of certifying the revenue
13 thereof, receiving complaints from the public, and
14 conducting such other investigations into the conduct of
15 the gambling games and the maintenance of the equipment as
16 from time to time the Board may deem necessary and proper;

17 (7) To review and rule upon any complaint by a licensee
18 regarding any investigative procedures of the State which
19 are unnecessarily disruptive of gambling operations. The
20 need to inspect and investigate shall be presumed at all
21 times. The disruption of a licensee's operations shall be
22 proved by clear and convincing evidence, and establish
23 that: (A) the procedures had no reasonable law enforcement
24 purposes, and (B) the procedures were so disruptive as to
25 unreasonably inhibit gambling operations;

26 (8) To hold at least one meeting each quarter of the
27 fiscal year. In addition, special meetings may be called by
28 the Chairman or any 2 Board members upon 72 hours written
29 notice to each member. All Board meetings shall be subject
30 to the Open Meetings Act. Three members of the Board shall
31 constitute a quorum, and 3 votes shall be required for any
32 final determination by the Board. The Board shall keep a
33 complete and accurate record of all its meetings. A
34 majority of the members of the Board shall constitute a
35 quorum for the transaction of any business, for the
36 performance of any duty, or for the exercise of any power

1 which this Act requires the Board members to transact,
2 perform or exercise en banc, except that, upon order of the
3 Board, one of the Board members or an administrative law
4 judge designated by the Board may conduct any hearing
5 provided for under this Act or by Board rule and may
6 recommend findings and decisions to the Board. The Board
7 member or administrative law judge conducting such hearing
8 shall have all powers and rights granted to the Board in
9 this Act. The record made at the time of the hearing shall
10 be reviewed by the Board, or a majority thereof, and the
11 findings and decision of the majority of the Board shall
12 constitute the order of the Board in such case;

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

17 (10) To file a written annual report with the Governor
18 on or before March 1 each year and such additional reports
19 as the Governor may request. The annual report shall
20 include a statement of receipts and disbursements by the
21 Board, actions taken by the Board, and any additional
22 information and recommendations which the Board may deem
23 valuable or which the Governor may request;

24 (11) (Blank); and

25 (12) To assume responsibility for the administration
26 and enforcement of the Bingo License and Tax Act, the
27 Charitable Games Act, and the Pull Tabs and Jar Games Act
28 if such responsibility is delegated to it by the Director
29 of Revenue.

30 (c) The Board shall have jurisdiction over and shall
31 supervise all gambling operations governed by this Act. The
32 Board shall have all powers necessary and proper to fully and
33 effectively execute the provisions of this Act, including, but
34 not limited to, the following:

35 (1) To investigate applicants and determine the
36 eligibility of applicants for licenses and to select among

1 competing applicants the applicants which best serve the
2 interests of the citizens of Illinois.

3 (2) To have jurisdiction and supervision over all
4 ~~riverboat~~ gambling operations authorized under this Act in
5 this State and all persons in places ~~on riverboats~~ where
6 gambling operations are conducted.

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

20 (4) To enter the office, riverboats, facilities, or
21 other places of business of a licensee, where evidence of
22 the compliance or noncompliance with the provisions of this
23 Act is likely to be found.

24 (5) To investigate alleged violations of this Act or
25 the rules of the Board and to take appropriate disciplinary
26 action against a licensee or a holder of an occupational
27 license for a violation, or institute appropriate legal
28 action for enforcement, or both.

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

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

34 (8) To require that the records, including financial or
35 other statements of any licensee under this Act, shall be
36 kept in such manner as prescribed by the Board and that any

1 such licensee involved in the ownership or management of
2 gambling operations submit to the Board an annual balance
3 sheet and profit and loss statement, list of the
4 stockholders or other persons having a 1% or greater
5 beneficial interest in the gambling activities of each
6 licensee, and any other information the Board deems
7 necessary in order to effectively administer this Act and
8 all rules, regulations, orders and final decisions
9 promulgated under this Act.

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

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

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

35 (12) To eject or exclude or authorize the ejection or
36 exclusion of, any person from ~~riverboat~~ gambling

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

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

15 (14) (Blank).

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

27 (16) To hire employees to gather information, conduct
28 investigations and carry out any other tasks contemplated
29 under this Act.

30 (17) To establish minimum levels of insurance to be
31 maintained by licensees.

32 (18) To authorize a licensee to sell or serve alcoholic
33 liquors, wine or beer as defined in the Liquor Control Act
34 of 1934 on board a riverboat or in a casino and to have
35 exclusive authority to establish the hours for sale and
36 consumption of alcoholic liquor on board a riverboat or in

1 a casino, notwithstanding any provision of the Liquor
2 Control Act of 1934 or any local ordinance, and regardless
3 of whether the riverboat makes excursions. The
4 establishment of the hours for sale and consumption of
5 alcoholic liquor on board a riverboat or in a casino is an
6 exclusive power and function of the State. A home rule unit
7 may not establish the hours for sale and consumption of
8 alcoholic liquor on board a riverboat or in a casino. This
9 amendatory Act of 1991 is a denial and limitation of home
10 rule powers and functions under subsection (h) of Section 6
11 of Article VII of the Illinois Constitution.

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

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

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

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

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

1 authorized by the Board.

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

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. A person, firm or corporation is ineligible
14 to receive an owners 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 substantially
19 similar laws of any other jurisdiction;

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

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

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

26 (6) the firm or corporation employs a person defined in
27 (1), (2), (3) or (4) who participates in the management or
28 operation of gambling operations authorized under this
29 Act;

30 (7) (blank); or

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

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

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

4 (A) controls, directly or indirectly, such
5 applicant, or

6 (B) is controlled, directly or indirectly, by such
7 applicant or by a person which controls, directly or
8 indirectly, such applicant;

9 (2) the facilities or proposed facilities for the
10 conduct of riverboat gambling;

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

13 (4) the extent to which the ownership of the applicant
14 reflects the diversity of the State by including minority
15 persons and females and the good faith affirmative action
16 plan of each applicant to recruit, train and upgrade
17 minority persons and females in all employment
18 classifications;

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

21 (6) whether the applicant has adequate capitalization
22 to provide and maintain, for the duration of a license, a
23 riverboat;

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

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

28 (c) Each owners license shall specify the place where
29 riverboats shall operate and dock.

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

32 (e) The Board may issue up to 10 licenses authorizing the
33 holders of such licenses to own riverboats. In the application
34 for an owners license, the applicant shall state the dock at
35 which the riverboat is based and the water on which the
36 riverboat will be located. The Board shall issue 5 licenses to

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

23 (e-5) In addition to the licenses authorized under
24 subsection (e), the Board may issue an owners license
25 authorizing the conduct of gambling operations in a casino
26 located in a municipality with a population of more than
27 500,000 inhabitants.

28 The license authorized under this subsection (e-5) shall be
29 awarded pursuant to a process of competitive bidding to the
30 highest bidder that is eligible to hold an owners license under
31 this Act. The proceeds of the sale of this license shall be
32 distributed as provided in Section 13.2.

33 The licensee that receives its license under this
34 subsection (e-5) shall attain a level of at least 20% minority
35 person and female ownership, at least 16% and 4% respectively,
36 within a time period prescribed by the Board, but not to exceed

1 12 months from the date the licensee begins conducting
2 riverboat gambling. The 12-month period shall be extended by
3 the amount of time necessary to conduct a background
4 investigation pursuant to Section 6. For the purposes of this
5 Section, the terms "female" and "minority person" have the
6 meanings provided in Section 2 of the Business Enterprise for
7 Minorities, Females, and Persons with Disabilities Act.

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

21 (e-15) In addition to any other revocation powers granted
22 to the Board under this Act, the Board may revoke the owners
23 license of a licensee which fails to begin conducting gambling
24 within 15 months of receipt of the Board's approval of the
25 application if the Board determines that license revocation is
26 in the best interests of the State.

27 (f) Owners ~~The first 10 owners~~ licenses issued under this
28 Act shall permit the holder to own up to 2 riverboats and
29 equipment thereon for a period of 3 years after the effective
30 date of the license. Holders of ~~the first 10~~ owners licenses
31 must pay the annual license fee for each of the 3 years during
32 which they are authorized to own riverboats.

33 (g) Upon the termination, expiration, or revocation of each
34 owners license ~~of the first 10 licenses~~, which shall be issued
35 for a 3 year period, all licenses are renewable annually upon
36 payment of the fee and a determination by the Board that the

1 licensee continues to meet all of the requirements of this Act
2 and the Board's rules. However, for licenses renewed on or
3 after May 1, 1998, renewal shall be for a period of 4 years,
4 unless the Board sets a shorter period.

5 (h) A licensee, other than a licensee receiving a license
6 under subsection (e-5), shall limit the number of gaming
7 participants to 1,200 for any such license. A licensee
8 receiving a license under subsection (e-5) shall limit the
9 number of gaming participants to 4,000 for any such license. An
10 ~~owners license shall entitle the licensee to own up to 2~~
11 ~~riverboats. A licensee shall limit the number of gambling~~
12 ~~participants to 1,200 for any such owners license. A licensee~~
13 ~~may operate both of its riverboats concurrently, provided that~~
14 ~~the total number of gambling participants on both riverboats~~
15 ~~does not exceed 1,200.~~ Riverboats licensed to operate on the
16 Mississippi River and the Illinois River south of Marshall
17 County shall have an authorized capacity of at least 500
18 persons. Any other riverboat licensed under this Act shall have
19 an authorized capacity of at least 400 persons.

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

29 (j) The Board may issue or re-issue a license authorizing a
30 riverboat to dock in a municipality or approve a relocation
31 under Section 11.2 only if, prior to the issuance or
32 re-issuance of the license or approval, the governing body of
33 the municipality in which the riverboat will dock has by a
34 majority vote approved the docking of riverboats in the
35 municipality. The Board may issue or re-issue a license
36 authorizing a riverboat to dock in areas of a county outside

1 any municipality or approve a relocation under Section 11.2
2 only if, prior to the issuance or re-issuance of the license or
3 approval, the governing body of the county has by a majority
4 vote approved of the docking of riverboats within such areas.

5 (Source: P.A. 93-28, eff. 6-20-03; 93-453, eff. 8-7-03; 94-667,
6 eff. 8-23-05.)

7 (230 ILCS 10/7.1)

8 Sec. 7.1. Re-issuance of revoked or non-renewed owners
9 licenses.

10 (a) If an owners license terminates or expires without
11 renewal or the Board revokes or determines not to renew an
12 owners license (including, without limitation, an owners
13 license for a licensee that was not conducting riverboat
14 gambling operations on January 1, 1998) and that revocation or
15 determination is final, the Board may re-issue such license to
16 a qualified applicant pursuant to an open and competitive
17 bidding process, as set forth in Section 7.5, and subject to
18 the maximum number of authorized licenses set forth in
19 subsections (e) and (e-5) of Section 7 ~~Section 7(e)~~.

20 (b) To be a qualified applicant, a person, firm, or
21 corporation cannot be ineligible to receive an owners license
22 under Section 7(a) and must submit an application for an owners
23 license that complies with Section 6. Each such applicant must
24 also submit evidence to the Board that minority persons and
25 females hold ownership interests in the applicant of at least
26 16% and 4% respectively.

27 (c) Notwithstanding anything to the contrary in Section
28 7(e), an applicant may apply to the Board for approval of
29 relocation of a re-issued license to a new home dock location
30 authorized under Section 3(c) upon receipt of the approval from
31 the municipality or county, as the case may be, pursuant to
32 Section 7(j).

33 (d) In determining whether to grant a re-issued owners
34 license to an applicant, the Board shall consider all of the
35 factors set forth in Section ~~Sections~~ 7(b) and in Section 7(e)

1 or (e-5), whichever is applicable, ~~(e)~~ as well as the amount of
2 the applicant's license bid. The Board may grant the re-issued
3 owners license to an applicant that has not submitted the
4 highest license bid, but if it does not select the highest
5 bidder, the Board shall issue a written decision explaining why
6 another applicant was selected and identifying the factors set
7 forth in Section ~~Sections~~ 7(b) and in Section 7(e) or (e-5),
8 whichever is applicable, ~~(e)~~ that favored the winning bidder.

9 (e) Re-issued owners licenses shall be subject to annual
10 license fees as provided for in Section 7(a) and shall be
11 governed by the provisions of Sections 7(f), (g), (h), and (i).
12 (Source: P.A. 93-28, eff. 6-20-03.)

13 (230 ILCS 10/7.3)

14 Sec. 7.3. State conduct of gambling operations.

15 (a) If, after reviewing each application for a re-issued
16 license, the Board determines that the highest prospective
17 total revenue to the State would be derived from State conduct
18 of the gambling operation in lieu of re-issuing the license,
19 the Board shall inform each applicant of its decision. The
20 Board shall thereafter have the authority, without obtaining an
21 owners license, to conduct riverboat gambling operations as
22 previously authorized by the terminated, expired, revoked, or
23 nonrenewed license through a licensed manager selected
24 pursuant to an open and competitive bidding process as set
25 forth in Section 7.5 and as provided in Section 7.4.

26 (b) The Board may locate any riverboat on which a gambling
27 operation is conducted by the State in any home dock location
28 authorized by Section 3(c) upon receipt of approval from a
29 majority vote of the governing body of the municipality or
30 county, as the case may be, in which the riverboat will dock.

31 (c) The Board shall have jurisdiction over and shall
32 supervise all gambling operations conducted by the State
33 provided for in this Act and shall have all powers necessary
34 and proper to fully and effectively execute the provisions of
35 this Act relating to gambling operations conducted by the

1 State.

2 (d) The maximum number of owners licenses authorized under
3 Section 7 ~~7(e)~~ shall be reduced by one for each instance in
4 which the Board authorizes the State to conduct a riverboat
5 gambling operation under subsection (a) in lieu of re-issuing a
6 license to an applicant under Section 7.1.

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

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

9 Sec. 8. Suppliers licenses.

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

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

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

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

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

27 (2) the person has been convicted of any violation of
28 Article 28 of the Criminal Code of 1961, or substantially
29 similar laws of any other jurisdiction;

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

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

33 (5) the firm or corporation is one in which a person
34 defined in (1), (2), (3) or (4), is an officer, director or
35 managerial employee;

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

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

8 (e) Any person that supplies any equipment, devices, or
9 supplies to a licensed riverboat or casino gambling operation
10 must first obtain a suppliers license. A supplier shall furnish
11 to the Board a list of all equipment, devices and supplies
12 offered for sale or lease in connection with gambling games
13 authorized under this Act. A supplier shall keep books and
14 records for the furnishing of equipment, devices and supplies
15 to gambling operations separate and distinct from any other
16 business that the supplier might operate. A supplier shall file
17 a quarterly return with the Board listing all sales and leases.
18 A supplier shall permanently affix its name to all its
19 equipment, devices, and supplies for gambling operations. Any
20 supplier's equipment, devices or supplies which are used by any
21 person in an unauthorized gambling operation shall be forfeited
22 to the State. A licensed owner may own its own equipment,
23 devices and supplies. Each holder of an owners license under
24 the Act shall file an annual report listing its inventories of
25 gambling equipment, devices and supplies.

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

28 (g) Any gambling equipment, devices and supplies provided
29 by any licensed supplier may either be repaired on the
30 riverboat or at the casino or removed from the riverboat or
31 casino to an on-shore facility owned by the holder of an owners
32 license for repair.

33 (Source: P.A. 86-1029; 87-826.)

34 (230 ILCS 10/9) (from Ch. 120, par. 2409)

35 Sec. 9. Occupational licenses.

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

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

11 (2) not have been convicted of a felony offense, a
12 violation of Article 28 of the Criminal Code of 1961, or a
13 similar statute of any other jurisdiction, or a crime
14 involving dishonesty or moral turpitude;

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

18 (4) have met standards for the holding of an
19 occupational license as adopted by rules of the Board. Such
20 rules shall provide that any person or entity seeking an
21 occupational license to manage gambling operations
22 hereunder shall be subject to background inquiries and
23 further requirements similar to those required of
24 applicants for an owners license. Furthermore, such rules
25 shall provide that each such entity shall be permitted to
26 manage gambling operations for only one licensed owner.

27 (b) Each application for an occupational license shall be
28 on forms prescribed by the Board and shall contain all
29 information required by the Board. The applicant shall set
30 forth in the application: whether he has been issued prior
31 gambling related licenses; whether he has been licensed in any
32 other state under any other name, and, if so, such name and his
33 age; and whether or not a permit or license issued to him in
34 any other state has been suspended, restricted or revoked, and,
35 if so, for what period of time.

36 (c) Each applicant shall submit with his application, on

1 forms provided by the Board, 2 sets of his fingerprints. The
2 Board shall charge each applicant a fee set by the Department
3 of State Police to defray the costs associated with the search
4 and classification of fingerprints obtained by the Board with
5 respect to the applicant's application. These fees shall be
6 paid into the State Police Services Fund.

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

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

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

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

27 (h) Nothing in this Act shall be interpreted to prohibit a
28 licensed owner from entering into an agreement with a school
29 approved under the Private Business and Vocational Schools Act
30 for the training of any occupational licensee. Any training
31 offered by such a school shall be in accordance with a written
32 agreement between the licensed owner and the school.

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

1 (Source: P.A. 86-1029; 87-826.)

2 (230 ILCS 10/11) (from Ch. 120, par. 2411)

3 Sec. 11. Conduct of gambling. Gambling may be conducted by
4 licensed owners or licensed managers on behalf of the State
5 aboard riverboats or by licensed owners in a casino, subject to
6 the following standards:

7 (1) A licensee may conduct riverboat gambling
8 authorized under this Act regardless of whether it conducts
9 excursion cruises. A licensee may permit the continuous
10 ingress and egress of passengers for the purpose of
11 gambling.

12 (2) (Blank).

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

15 (4) Agents of the Board and the Department of State
16 Police may board and inspect any riverboat or enter and
17 inspect any portion of a casino at any time for the purpose
18 of determining whether this Act is being complied with.
19 Every riverboat, if under way and being hailed by a law
20 enforcement officer or agent of the Board, must stop
21 immediately and lay to.

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

25 (6) Gambling equipment and supplies customarily used
26 in conducting riverboat gambling or casino gambling must be
27 purchased or leased only from suppliers licensed for such
28 purpose under this Act.

29 (7) Persons licensed under this Act shall permit no
30 form of wagering on gambling games except as permitted by
31 this Act.

32 (8) Wagers may be received only from a person present
33 on a licensed riverboat or in a casino. No person present
34 on a licensed riverboat or in a casino shall place or
35 attempt to place a wager on behalf of another person who is

1 not present on the riverboat or in the casino.

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

4 (10) A person under age 21 shall not be permitted on an
5 area of a riverboat or casino where gambling is being
6 conducted, except for a person at least 18 years of age who
7 is an employee of the riverboat or casino gambling
8 operation. No employee under age 21 shall perform any
9 function involved in gambling by the patrons. No person
10 under age 21 shall be permitted to make a wager under this
11 Act.

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

19 (12) All tokens, chips or electronic cards used to make
20 wagers must be purchased from (i) in the case of a
21 riverboat, a licensed owner or manager either aboard the a
22 riverboat or at an onshore facility which has been approved
23 by the Board and which is located where the riverboat docks
24 or (ii) in the case of a casino, a licensed owner at the
25 casino. The tokens, chips or electronic cards may be
26 purchased by means of an agreement under which the owner or
27 manager extends credit to the patron. Such tokens, chips or
28 electronic cards may be used while aboard the riverboat or
29 in the casino only for the purpose of making wagers on
30 gambling games.

31 (13) Notwithstanding any other Section of this Act, in
32 addition to the other licenses authorized under this Act,
33 the Board may issue special event licenses allowing persons
34 who are not otherwise licensed to conduct riverboat
35 gambling to conduct such gambling on a specified date or
36 series of dates. Riverboat gambling under such a license

1 may take place on a riverboat not normally used for
2 riverboat gambling. The Board shall establish standards,
3 fees and fines for, and limitations upon, such licenses,
4 which may differ from the standards, fees, fines and
5 limitations otherwise applicable under this Act. All such
6 fees shall be deposited into the State Gaming Fund. All
7 such fines shall be deposited into the Education Assistance
8 Fund, created by Public Act 86-0018, of the State of
9 Illinois.

10 (14) In addition to the above, gambling must be
11 conducted in accordance with all rules adopted by the
12 Board.

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

14 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

15 Sec. 11.1. Collection of amounts owing under credit
16 agreements. Notwithstanding any applicable statutory provision
17 to the contrary, a licensed owner or manager who extends credit
18 to a riverboat or casino gambling patron pursuant to Section 11
19 (a) (12) of this Act is expressly authorized to institute a
20 cause of action to collect any amounts due and owing under the
21 extension of credit, as well as the owner's or manager's costs,
22 expenses and reasonable attorney's fees incurred in
23 collection.

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

25 (230 ILCS 10/12) (from Ch. 120, par. 2412)

26 Sec. 12. Admission tax; fees.

27 (a) A tax is hereby imposed upon admissions to riverboats
28 or casinos operated by licensed owners authorized pursuant to
29 this Act. Until July 1, 2002, the rate is \$2 per person
30 admitted. From July 1, 2002 until July 1, 2003, the rate is \$3
31 per person admitted. From July 1, 2003 until the effective date
32 of this amendatory Act of the 94th General Assembly, for a
33 licensee that admitted 1,000,000 persons or fewer in the
34 previous calendar year, the rate is \$3 per person admitted; for

1 a licensee that admitted more than 1,000,000 but no more than
2 2,300,000 persons in the previous calendar year, the rate is \$4
3 per person admitted; and for a licensee that admitted more than
4 2,300,000 persons in the previous calendar year, the rate is \$5
5 per person admitted. Beginning on the effective date of this
6 amendatory Act of the 94th General Assembly, for a licensee
7 that admitted 1,000,000 persons or fewer in calendar year 2004,
8 the rate is \$2 per person admitted, and for all other licensees
9 the rate is \$3 per person admitted. This admission tax is
10 imposed upon the licensed owner conducting gambling.

11 (1) The admission tax shall be paid for each admission.

12 (2) (Blank).

13 (3) The owner ~~riverboat~~ licensee may issue tax-free
14 passes to actual and necessary officials and employees of
15 the licensee or other persons actually working on the
16 riverboat or in the casino.

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

21 (a-5) A fee is hereby imposed upon admissions operated by
22 licensed managers on behalf of the State pursuant to Section
23 7.3 at the rates provided in this subsection (a-5). For a
24 licensee that admitted 1,000,000 persons or fewer in the
25 previous calendar year, the rate is \$3 per person admitted; for
26 a licensee that admitted more than 1,000,000 but no more than
27 2,300,000 persons in the previous calendar year, the rate is \$4
28 per person admitted; and for a licensee that admitted more than
29 2,300,000 persons in the previous calendar year, the rate is \$5
30 per person admitted.

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

32 (2) (Blank).

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

36 (4) The number and issuance of fee-free passes is

1 subject to the rules of the Board, and a list of all
2 persons to whom the fee-free passes are issued shall be
3 filed with the Board.

4 (b) From the tax imposed under subsection (a) and the fee
5 imposed under subsection (a-5), a municipality shall receive
6 from the State \$1 for each person embarking on a riverboat
7 docked within the municipality or entering a casino located
8 within the municipality, and a county shall receive \$1 for each
9 person entering a casino or embarking on a riverboat docked
10 within the county but outside the boundaries of any
11 municipality. The municipality's or county's share shall be
12 collected by the Board on behalf of the State and remitted
13 quarterly by the State, subject to appropriation, to the
14 treasurer of the unit of local government for deposit in the
15 general fund.

16 (c) The licensed owner shall pay the entire admission tax
17 to the Board and the licensed manager shall pay the entire
18 admission fee to the Board. Such payments shall be made daily.
19 Accompanying each payment shall be a return on forms provided
20 by the Board which shall include other information regarding
21 admissions as the Board may require. Failure to submit either
22 the payment or the return within the specified time may result
23 in suspension or revocation of the owners or managers license.

24 (d) The Board shall administer and collect the admission
25 tax imposed by this Section, to the extent practicable, in a
26 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
27 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the
28 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
29 Penalty and Interest Act.

30 (Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673,
31 eff. 8-23-05.)

32 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

34 (a) Until January 1, 1998, a tax is imposed on the adjusted
35 gross receipts received from gambling games authorized under

1 this Act at the rate of 20%.

2 (a-1) From January 1, 1998 until July 1, 2002, a privilege
3 tax is imposed on persons engaged in the business of conducting
4 riverboat gambling operations, based on the adjusted gross
5 receipts received by a licensed owner from gambling games
6 authorized under this Act at the following rates:

7 15% of annual adjusted gross receipts up to and
8 including \$25,000,000;

9 20% of annual adjusted gross receipts in excess of
10 \$25,000,000 but not exceeding \$50,000,000;

11 25% of annual adjusted gross receipts in excess of
12 \$50,000,000 but not exceeding \$75,000,000;

13 30% of annual adjusted gross receipts in excess of
14 \$75,000,000 but not exceeding \$100,000,000;

15 35% of annual adjusted gross receipts in excess of
16 \$100,000,000.

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

24 15% of annual adjusted gross receipts up to and
25 including \$25,000,000;

26 22.5% of annual adjusted gross receipts in excess of
27 \$25,000,000 but not exceeding \$50,000,000;

28 27.5% of annual adjusted gross receipts in excess of
29 \$50,000,000 but not exceeding \$75,000,000;

30 32.5% of annual adjusted gross receipts in excess of
31 \$75,000,000 but not exceeding \$100,000,000;

32 37.5% of annual adjusted gross receipts in excess of
33 \$100,000,000 but not exceeding \$150,000,000;

34 45% of annual adjusted gross receipts in excess of
35 \$150,000,000 but not exceeding \$200,000,000;

36 50% of annual adjusted gross receipts in excess of

1 \$200,000,000.

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

9 15% of annual adjusted gross receipts up to and
10 including \$25,000,000;

11 27.5% of annual adjusted gross receipts in excess of
12 \$25,000,000 but not exceeding \$37,500,000;

13 32.5% of annual adjusted gross receipts in excess of
14 \$37,500,000 but not exceeding \$50,000,000;

15 37.5% of annual adjusted gross receipts in excess of
16 \$50,000,000 but not exceeding \$75,000,000;

17 45% of annual adjusted gross receipts in excess of
18 \$75,000,000 but not exceeding \$100,000,000;

19 50% of annual adjusted gross receipts in excess of
20 \$100,000,000 but not exceeding \$250,000,000;

21 70% of annual adjusted gross receipts in excess of
22 \$250,000,000.

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

28 The privilege tax imposed under this subsection (a-3) shall
29 no longer be imposed beginning on the earlier of (i) July 1,
30 2005; (ii) the first date after June 20, 2003 that riverboat
31 gambling operations are conducted pursuant to a dormant
32 license; or (iii) the first day that riverboat gambling
33 operations are conducted under the authority of an owners
34 license that is in addition to the 10 owners licenses initially
35 authorized under this Act. For the purposes of this subsection
36 (a-3), the term "dormant license" means an owners license that

1 is authorized by this Act under which no riverboat gambling
2 operations are being conducted on June 20, 2003.

3 (a-4) Beginning on the first day on which the tax imposed
4 under subsection (a-3) is no longer imposed, a privilege tax is
5 imposed on persons engaged in the business of conducting
6 riverboat gambling operations, other than licensed managers
7 conducting riverboat gambling operations on behalf of the
8 State, based on the adjusted gross receipts received by a
9 licensed owner from gambling games authorized under this Act at
10 the following rates:

11 15% of annual adjusted gross receipts up to and
12 including \$25,000,000;

13 22.5% of annual adjusted gross receipts in excess of
14 \$25,000,000 but not exceeding \$50,000,000;

15 27.5% of annual adjusted gross receipts in excess of
16 \$50,000,000 but not exceeding \$75,000,000;

17 32.5% of annual adjusted gross receipts in excess of
18 \$75,000,000 but not exceeding \$100,000,000;

19 37.5% of annual adjusted gross receipts in excess of
20 \$100,000,000 but not exceeding \$150,000,000;

21 45% of annual adjusted gross receipts in excess of
22 \$150,000,000 but not exceeding \$200,000,000;

23 50% of annual adjusted gross receipts in excess of
24 \$200,000,000.

25 (a-8) Riverboat gambling operations conducted by a
26 licensed manager on behalf of the State are not subject to the
27 tax imposed under this Section.

28 (a-10) The taxes imposed by this Section shall be paid by
29 the licensed owner to the Board not later than 3:00 o'clock
30 p.m. of the day after the day when the wagers were made.

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

1 pay to the Board the amount, if any, by which the base amount
2 for the licensed owner exceeds the amount of tax paid under
3 this Section by the licensed owner in the then current State
4 fiscal year. The obligation imposed by this subsection (a-15)
5 is binding on any person, firm, corporation, or other entity
6 that acquires an ownership interest in any such owners license.
7 The obligation imposed under this subsection (a-15) terminates
8 on the earliest of: (i) July 1, 2007, (ii) the first day after
9 the effective date of this amendatory Act of the 94th General
10 Assembly that riverboat gambling operations are conducted
11 pursuant to a dormant license, (iii) the first day that
12 riverboat gambling operations are conducted under the
13 authority of an owners license that is in addition to the 10
14 owners licenses initially authorized under this Act, or (iv)
15 the first day that a licensee under the Illinois Horse Racing
16 Act of 1975 conducts gaming operations with slot machines or
17 other electronic gaming devices. The Board must reduce the
18 obligation imposed under this subsection (a-15) by an amount
19 the Board deems reasonable for any of the following reasons:
20 (A) an act or acts of God, (B) an act of bioterrorism or
21 terrorism or a bioterrorism or terrorism threat that was
22 investigated by a law enforcement agency, or (C) a condition
23 beyond the control of the owners licensee that does not result
24 from any act or omission by the owners licensee or any of its
25 agents and that poses a hazardous threat to the health and
26 safety of patrons. If an owners licensee pays an amount in
27 excess of its liability under this Section, the Board shall
28 apply the overpayment to future payments required under this
29 Section.

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

31 "Act of God" means an incident caused by the operation of
32 an extraordinary force that cannot be foreseen, that cannot be
33 avoided by the exercise of due care, and for which no person
34 can be held liable.

35 "Base amount" means the following:

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

1 For a riverboat in East Peoria, \$43,000,000.
2 For the Empress riverboat in Joliet, \$86,000,000.
3 For a riverboat in Metropolis, \$45,000,000.
4 For the Harrah's riverboat in Joliet, \$114,000,000.
5 For a riverboat in Aurora, \$86,000,000.
6 For a riverboat in East St. Louis, \$48,500,000.
7 For a riverboat in Elgin, \$198,000,000.

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

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

28 (b-5) The tax revenue deposited into the State Gaming Fund
29 pursuant to subsection (a-4) from a casino operating pursuant
30 to a license issued under subsection (e-5) of Section 7 shall
31 be distributed as provided in Section 13.2.

32 (c) Appropriations, as approved by the General Assembly,
33 may be made from the State Gaming Fund to the Department of
34 Revenue and the Department of State Police for the
35 administration and enforcement of this Act, or to the
36 Department of Human Services for the administration of programs

1 to treat problem gambling.

2 (c-5) After the payments required under subsections (b),
3 (b-5), and (c) have been made, an amount equal to 15% of the
4 adjusted gross receipts of (1) an owners licensee that
5 relocates pursuant to Section 11.2, (2) an owners licensee
6 conducting riverboat gambling operations pursuant to an owners
7 license that is initially issued after June 25, 1999, or (3)
8 the first riverboat gambling operations conducted by a licensed
9 manager on behalf of the State under Section 7.3, whichever
10 comes first, shall be paid from the State Gaming Fund into the
11 Horse Racing Equity Fund.

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

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

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

33 (c-25) After the payments required under subsections (b),
34 (c), (c-5) and (c-15) have been made, an amount equal to 2% of
35 the adjusted gross receipts of (1) an owners licensee that
36 relocates pursuant to Section 11.2, (2) an owners licensee

1 conducting riverboat gambling operations pursuant to an owners
2 license that is initially issued after June 25, 1999, or (3)
3 the first riverboat gambling operations conducted by a licensed
4 manager on behalf of the State under Section 7.3, whichever
5 comes first, shall be paid from the State Gaming Fund to
6 Chicago State University.

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

11 (e) Nothing in this Act shall prohibit the unit of local
12 government designated as the home dock of the riverboat or the
13 municipality in which a casino is located from entering into
14 agreements with other units of local government in this State
15 or in other states to share its portion of the tax revenue.

16 (f) To the extent practicable, the Board shall administer
17 and collect the wagering taxes imposed by this Section in a
18 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
19 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
20 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
21 Penalty and Interest Act.

22 (Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673,
23 eff. 8-23-05.)

24 (230 ILCS 10/13.2 new)

25 Sec. 13.2. Distribution of proceeds from Chicago casino.

26 (a) Notwithstanding any other provision of law to the
27 contrary, the proceeds from the sale of the license under
28 subsection (e-5) of Section 7 and the admissions tax and
29 wagering tax imposed on that licensee shall be deposited into
30 the State Gaming Fund and, subject to appropriation, the Board
31 shall distribute the moneys monthly as follows:

32 (1) 80% shall be split equally among the pension funds
33 established under Articles 2, 14, 15, 16, and 18 of the
34 Illinois Pension Code.

35 (2) 20% shall be split equally among the pension funds

1 established under Articles 5, 6, 8, 11, 12, and 17 of the
2 Illinois Pension Code for the City of Chicago.

3 (b) When a pension fund described in subsection (a) attains
4 a funding level of 90% or more, the board of the pension fund
5 shall certify the funding level to the Illinois Gaming Board
6 and the moneys that would have been distributed to the fund
7 under this Section shall be distributed as otherwise provided
8 in this Act.

9 (230 ILCS 10/18) (from Ch. 120, par. 2418)

10 Sec. 18. Prohibited Activities - Penalty.

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

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

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

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

19 (1) permitting a person under 21 years to make a wager;
20 or

21 (2) violating paragraph (12) of subsection (a) of
22 Section 11 of this Act.

23 (c) A person wagering or accepting a wager at any location
24 outside the riverboat or casino in violation of paragraph ~~is~~
25 subject to the penalties in paragraphs (1) or (2) of subsection
26 (a) of Section 28-1 of the Criminal Code of 1961 is subject to
27 the penalties provided in that Section.

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

32 (1) Offers, promises, or gives anything of value or
33 benefit to a person who is connected with a riverboat or
34 casino owner including, but not limited to, an officer or
35 employee of a licensed owner or holder of an occupational

1 license pursuant to an agreement or arrangement or with the
2 intent that the promise or thing of value or benefit will
3 influence the actions of the person to whom the offer,
4 promise, or gift was made in order to affect or attempt to
5 affect the outcome of a gambling game, or to influence
6 official action of a member of the Board.

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

17 (3) Uses or possesses with the intent to use a device
18 to assist:

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

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

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

23 (iv) In analyzing the strategy for playing or
24 betting to be used in the game except as permitted by
25 the Board.

26 (4) Cheats at a gambling game.

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

30 (6) Alters or misrepresents the outcome of a gambling
31 game on which wagers have been made after the outcome is
32 made sure but before it is revealed to the players.

33 (7) Places a bet after acquiring knowledge, not
34 available to all players, of the outcome of the gambling
35 game which is subject of the bet or to aid a person in
36 acquiring the knowledge for the purpose of placing a bet

1 contingent on that outcome.

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

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

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

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

22 An action to prosecute any crime occurring on a riverboat
23 or in a casino shall be tried in the county of the dock at which
24 the riverboat is based or in the county in which the casino is
25 located.

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

27 (230 ILCS 10/20) (from Ch. 120, par. 2420)

28 Sec. 20. Prohibited activities - civil penalties. Any
29 person who conducts a gambling operation without first
30 obtaining a license to do so, or who continues to conduct such
31 games after revocation of his license, or any licensee who
32 conducts or allows to be conducted any unauthorized gambling
33 games on a riverboat or in a casino where it is authorized to
34 conduct its ~~riverboat~~ gambling operation, in addition to other
35 penalties provided, shall be subject to a civil penalty equal

1 to the amount of gross receipts derived from wagering on the
2 gambling games, whether unauthorized or authorized, conducted
3 on that day as well as confiscation and forfeiture of all
4 gambling game equipment used in the conduct of unauthorized
5 gambling games.

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

7 Section 35. The Liquor Control Act of 1934 is amended by
8 changing Sections 5-1 and 6-30 as follows:

9 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

12 (a) Manufacturer's license - Class 1. Distiller, Class 2.
13 Rectifier, Class 3. Brewer, Class 4. First Class Wine
14 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.
15 First Class Winemaker, Class 7. Second Class Winemaker, Class
16 8. Limited Wine Manufacturer,

17 (b) Distributor's license,

18 (c) Importing Distributor's license,

19 (d) Retailer's license,

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

21 (f) Railroad license,

22 (g) Boat license,

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

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

25 (j) Airplane license,

26 (k) Foreign importer's license,

27 (l) Broker's license,

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

29 (n) Brew Pub license,

30 (o) Auction liquor license,

31 (p) Caterer retailer license,

32 (q) Special use permit license.

33 No person, firm, partnership, corporation, or other legal
34 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, distributors, and to non-licensees,
17 and to retailers provided the brewer obtains an importing
18 distributor's license or distributor's license in accordance
19 with the provisions of this Act.

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

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

28 Class 6. A first-class wine-maker's license shall allow the
29 manufacture of up to 50,000 gallons of wine per year, and the
30 storage and sale of such wine to distributors in the State and
31 to persons without the State, as may be permitted by law. A
32 first-class wine-maker's license shall allow the sale of no
33 more than 5,000 gallons of the licensee's wine to retailers.
34 The State Commission shall issue only one first-class
35 wine-maker's license to any person, firm, partnership,
36 corporation, or other legal business entity that is engaged in

1 the making of less than 50,000 gallons of wine annually that
2 applies for a first-class wine-maker's license. No subsidiary
3 or affiliate thereof, nor any officer, associate, member,
4 partner, representative, employee, agent, or shareholder may
5 be issued an additional wine-maker's license by the State
6 Commission.

7 Class 7. A second-class wine-maker's license shall allow
8 the manufacture of between 50,000 and 100,000 gallons of wine
9 per year, and the storage and sale of such wine to distributors
10 in this State and to persons without the State, as may be
11 permitted by law. A second-class wine-maker's license shall
12 allow the sale of no more than 10,000 gallons of the licensee's
13 wine directly to retailers. The State Commission shall issue
14 only one second-class wine-maker's license to any person, firm,
15 partnership, corporation, or other legal business entity that
16 is engaged in the making of less than 100,000 gallons of wine
17 annually that applies for a second-class wine-maker's license.
18 No subsidiary or affiliate thereof, or any officer, associate,
19 member, partner, representative, employee, agent, or
20 shareholder may be issued an additional wine-maker's license by
21 the State Commission.

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

26 (a-1) A manufacturer which is licensed in this State to
27 make sales or deliveries of alcoholic liquor and which enlists
28 agents, representatives, or individuals acting on its behalf
29 who contact licensed retailers on a regular and continual basis
30 in this State must register those agents, representatives, or
31 persons acting on its behalf with the State Commission.

32 Registration of agents, representatives, or persons acting
33 on behalf of a manufacturer is fulfilled by submitting a form
34 to the Commission. The form shall be developed by the
35 Commission and shall include the name and address of the
36 applicant, the name and address of the manufacturer he or she

1 represents, the territory or areas assigned to sell to or
2 discuss pricing terms of alcoholic liquor, and any other
3 questions deemed appropriate and necessary. All statements in
4 the forms required to be made by law or by rule shall be deemed
5 material, and any person who knowingly misstates any material
6 fact under oath in an application is guilty of a Class B
7 misdemeanor. Fraud, misrepresentation, false statements,
8 misleading statements, evasions, or suppression of material
9 facts in the securing of a registration are grounds for
10 suspension or revocation of the registration.

11 (b) A distributor's license shall allow the wholesale
12 purchase and storage of alcoholic liquors and sale of alcoholic
13 liquors to licensees in this State and to persons without the
14 State, as may be permitted by law.

15 (c) An importing distributor's license may be issued to and
16 held by those only who are duly licensed distributors, upon the
17 filing of an application by a duly licensed distributor, with
18 the Commission and the Commission shall, without the payment of
19 any fee, immediately issue such importing distributor's
20 license to the applicant, which shall allow the importation of
21 alcoholic liquor by the licensee into this State from any point
22 in the United States outside this State, and the purchase of
23 alcoholic liquor in barrels, casks or other bulk containers and
24 the bottling of such alcoholic liquors before resale thereof,
25 but all bottles or containers so filled shall be sealed,
26 labeled, stamped and otherwise made to comply with all
27 provisions, rules and regulations governing manufacturers in
28 the preparation and bottling of alcoholic liquors. The
29 importing distributor's license shall permit such licensee to
30 purchase alcoholic liquor from Illinois licensed non-resident
31 dealers and foreign importers only.

32 (d) A retailer's license shall allow the licensee to sell
33 and offer for sale at retail, only in the premises specified in
34 the license, alcoholic liquor for use or consumption, but not
35 for resale in any form: Provided that any retail license issued
36 to a manufacturer shall only permit the manufacturer to sell

1 beer at retail on the premises actually occupied by the
2 manufacturer. For the purpose of further describing the type of
3 business conducted at a retail licensed premises, a retailer's
4 licensee may be designated by the State Commission as (i) an on
5 premise consumption retailer, (ii) an off premise sale
6 retailer, or (iii) a combined on premise consumption and off
7 premise sale retailer.

8 Notwithstanding any other provision of this subsection
9 (d), a retail licensee may sell alcoholic liquors to a special
10 event retailer licensee for resale to the extent permitted
11 under subsection (e).

12 (e) A special event retailer's license (not-for-profit)
13 shall permit the licensee to purchase alcoholic liquors from an
14 Illinois licensed distributor (unless the licensee purchases
15 less than \$500 of alcoholic liquors for the special event, in
16 which case the licensee may purchase the alcoholic liquors from
17 a licensed retailer) and shall allow the licensee to sell and
18 offer for sale, at retail, alcoholic liquors for use or
19 consumption, but not for resale in any form and only at the
20 location and on the specific dates designated for the special
21 event in the license. An applicant for a special event retailer
22 license must (i) furnish with the application: (A) a resale
23 number issued under Section 2c of the Retailers' Occupation Tax
24 Act or evidence that the applicant is registered under Section
25 2a of the Retailers' Occupation Tax Act, (B) a current, valid
26 exemption identification number issued under Section 1g of the
27 Retailers' Occupation Tax Act, and a certification to the
28 Commission that the purchase of alcoholic liquors will be a
29 tax-exempt purchase, or (C) a statement that the applicant is
30 not registered under Section 2a of the Retailers' Occupation
31 Tax Act, does not hold a resale number under Section 2c of the
32 Retailers' Occupation Tax Act, and does not hold an exemption
33 number under Section 1g of the Retailers' Occupation Tax Act,
34 in which event the Commission shall set forth on the special
35 event retailer's license a statement to that effect; (ii)
36 submit with the application proof satisfactory to the State

1 Commission that the applicant will provide dram shop liability
2 insurance in the maximum limits; and (iii) show proof
3 satisfactory to the State Commission that the applicant has
4 obtained local authority approval.

5 (f) A railroad license shall permit the licensee to import
6 alcoholic liquors into this State from any point in the United
7 States outside this State and to store such alcoholic liquors
8 in this State; to make wholesale purchases of alcoholic liquors
9 directly from manufacturers, foreign importers, distributors
10 and importing distributors from within or outside this State;
11 and to store such alcoholic liquors in this State; provided
12 that the above powers may be exercised only in connection with
13 the importation, purchase or storage of alcoholic liquors to be
14 sold or dispensed on a club, buffet, lounge or dining car
15 operated on an electric, gas or steam railway in this State;
16 and provided further, that railroad licensees exercising the
17 above powers shall be subject to all provisions of Article VIII
18 of this Act as applied to importing distributors. A railroad
19 license shall also permit the licensee to sell or dispense
20 alcoholic liquors on any club, buffet, lounge or dining car
21 operated on an electric, gas or steam railway regularly
22 operated by a common carrier in this State, but shall not
23 permit the sale for resale of any alcoholic liquors to any
24 licensee within this State. A license shall be obtained for
25 each car in which such sales are made.

26 (g) A boat license shall allow the sale of alcoholic liquor
27 in individual drinks, on any passenger boat regularly operated
28 as a common carrier on navigable waters in this State or on any
29 riverboat operated under the Riverboat and Casino Gambling Act,
30 which boat or riverboat maintains a public dining room or
31 restaurant thereon.

32 (h) A non-beverage user's license shall allow the licensee
33 to purchase alcoholic liquor from a licensed manufacturer or
34 importing distributor, without the imposition of any tax upon
35 the business of such licensed manufacturer or importing
36 distributor as to such alcoholic liquor to be used by such

1 licensee solely for the non-beverage purposes set forth in
2 subsection (a) of Section 8-1 of this Act, and such licenses
3 shall be divided and classified and shall permit the purchase,
4 possession and use of limited and stated quantities of
5 alcoholic liquor as follows:

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

11 (i) A wine-maker's premises license shall allow a licensee
12 that concurrently holds a first-class wine-maker's license to
13 sell and offer for sale at retail in the premises specified in
14 such license not more than 50,000 gallons of the first-class
15 wine-maker's wine that is made at the first-class wine-maker's
16 licensed premises per year for use or consumption, but not for
17 resale in any form. A wine-maker's premises license shall allow
18 a licensee who concurrently holds a second-class wine-maker's
19 license to sell and offer for sale at retail in the premises
20 specified in such license up to 100,000 gallons of the
21 second-class wine-maker's wine that is made at the second-class
22 wine-maker's licensed premises per year for use or consumption
23 but not for resale in any form. A wine-maker's premises license
24 shall allow a licensee that concurrently holds a first-class
25 wine-maker's license or a second-class wine-maker's license to
26 sell and offer for sale at retail at the premises specified in
27 the wine-maker's premises license, for use or consumption but
28 not for resale in any form, any beer, wine, and spirits
29 purchased from a licensed distributor. Upon approval from the
30 State Commission, a wine-maker's premises license shall allow
31 the licensee to sell and offer for sale at (i) the wine-maker's
32 licensed premises and (ii) at up to 2 additional locations for
33 use and consumption and not for resale. Each location shall
34 require additional licensing per location as specified in
35 Section 5-3 of this Act.

36 (j) An airplane license shall permit the licensee to import

1 alcoholic liquors into this State from any point in the United
2 States outside this State and to store such alcoholic liquors
3 in this State; to make wholesale purchases of alcoholic liquors
4 directly from manufacturers, foreign importers, distributors
5 and importing distributors from within or outside this State;
6 and to store such alcoholic liquors in this State; provided
7 that the above powers may be exercised only in connection with
8 the importation, purchase or storage of alcoholic liquors to be
9 sold or dispensed on an airplane; and provided further, that
10 airplane licensees exercising the above powers shall be subject
11 to all provisions of Article VIII of this Act as applied to
12 importing distributors. An airplane licensee shall also permit
13 the sale or dispensing of alcoholic liquors on any passenger
14 airplane regularly operated by a common carrier in this State,
15 but shall not permit the sale for resale of any alcoholic
16 liquors to any licensee within this State. A single airplane
17 license shall be required of an airline company if liquor
18 service is provided on board aircraft in this State. The annual
19 fee for such license shall be as determined in Section 5-3.

20 (k) A foreign importer's license shall permit such licensee
21 to purchase alcoholic liquor from Illinois licensed
22 non-resident dealers only, and to import alcoholic liquor other
23 than in bulk from any point outside the United States and to
24 sell such alcoholic liquor to Illinois licensed importing
25 distributors and to no one else in Illinois; provided that the
26 foreign importer registers with the State Commission every
27 brand of alcoholic liquor that it proposes to sell to Illinois
28 licensees during the license period and provided further that
29 the foreign importer complies with all of the provisions of
30 Section 6-9 of this Act with respect to registration of such
31 Illinois licensees as may be granted the right to sell such
32 brands at wholesale.

33 (l) (i) A broker's license shall be required of all persons
34 who solicit orders for, offer to sell or offer to supply
35 alcoholic liquor to retailers in the State of Illinois, or who
36 offer to retailers to ship or cause to be shipped or to make

1 contact with distillers, rectifiers, brewers or manufacturers
2 or any other party within or without the State of Illinois in
3 order that alcoholic liquors be shipped to a distributor,
4 importing distributor or foreign importer, whether such
5 solicitation or offer is consummated within or without the
6 State of Illinois.

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

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

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

27 A broker's license under this subsection (1) shall not
28 entitle the holder to buy or sell any alcoholic liquors for his
29 own account or to take or deliver title to such alcoholic
30 liquors.

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

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

4 (m) A non-resident dealer's license shall permit such
5 licensee to ship into and warehouse alcoholic liquor into this
6 State from any point outside of this State, and to sell such
7 alcoholic liquor to Illinois licensed foreign importers and
8 importing distributors and to no one else in this State;
9 provided that said non-resident dealer shall register with the
10 Illinois Liquor Control Commission each and every brand of
11 alcoholic liquor which it proposes to sell to Illinois
12 licensees during the license period; and further provided that
13 it shall comply with all of the provisions of Section 6-9
14 hereof with respect to registration of such Illinois licensees
15 as may be granted the right to sell such brands at wholesale.

16 (n) A brew pub license shall allow the licensee to
17 manufacture beer only on the premises specified in the license,
18 to make sales of the beer manufactured on the premises to
19 importing distributors, distributors, and to non-licensees for
20 use and consumption, to store the beer upon the premises, and
21 to sell and offer for sale at retail from the licensed
22 premises, provided that a brew pub licensee shall not sell for
23 off-premises consumption more than 50,000 gallons per year.

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

29 (p) An auction liquor license shall allow the licensee to
30 sell and offer for sale at auction wine and spirits for use or
31 consumption, or for resale by an Illinois liquor licensee in
32 accordance with provisions of this Act. An auction liquor
33 license will be issued to a person and it will permit the
34 auction liquor licensee to hold the auction anywhere in the
35 State. An auction liquor license must be obtained for each
36 auction at least 14 days in advance of the auction date.

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

15 (Source: P.A. 92-105, eff. 1-1-02; 92-378, eff. 8-16-01;
16 92-651, eff. 7-11-02; 92-672, eff. 7-16-02; 93-923, eff.
17 8-12-04; 93-1057, eff. 12-2-04; revised 12-6-04.)

18 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

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

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

26 Section 40. The Criminal Code of 1961 is amended by
27 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as
28 follows:

29 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

30 Sec. 28-1. Gambling.

31 (a) A person commits gambling when he:

32 (1) Plays a game of chance or skill for money or other
33 thing of value, unless excepted in subsection (b) of this

1 Section; or

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

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

7 (4) Contracts to have or give himself or another the
8 option to buy or sell, or contracts to buy or sell, at a
9 future time, any grain or other commodity whatsoever, or
10 any stock or security of any company, where it is at the
11 time of making such contract intended by both parties
12 thereto that the contract to buy or sell, or the option,
13 whenever exercised, or the contract resulting therefrom,
14 shall be settled, not by the receipt or delivery of such
15 property, but by the payment only of differences in prices
16 thereof; however, the issuance, purchase, sale, exercise,
17 endorsement or guarantee, by or through a person registered
18 with the Secretary of State pursuant to Section 8 of the
19 Illinois Securities Law of 1953, or by or through a person
20 exempt from such registration under said Section 8, of a
21 put, call, or other option to buy or sell securities which
22 have been registered with the Secretary of State or which
23 are exempt from such registration under Section 3 of the
24 Illinois Securities Law of 1953 is not gambling within the
25 meaning of this paragraph (4); or

26 (5) Knowingly owns or possesses any book, instrument or
27 apparatus by means of which bets or wagers have been, or
28 are, recorded or registered, or knowingly possesses any
29 money which he has received in the course of a bet or
30 wager; or

31 (6) Sells pools upon the result of any game or contest
32 of skill or chance, political nomination, appointment or
33 election; or

34 (7) Sets up or promotes any lottery or sells, offers to
35 sell or transfers any ticket or share for any lottery; or

36 (8) Sets up or promotes any policy game or sells,

1 offers to sell or knowingly possesses or transfers any
2 policy ticket, slip, record, document or other similar
3 device; or

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

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

14 (11) Knowingly transmits information as to wagers,
15 betting odds, or changes in betting odds by telephone,
16 telegraph, radio, semaphore or similar means; or knowingly
17 installs or maintains equipment for the transmission or
18 receipt of such information; except that nothing in this
19 subdivision (11) prohibits transmission or receipt of such
20 information for use in news reporting of sporting events or
21 contests; or

22 (12) Knowingly establishes, maintains, or operates an
23 Internet site that permits a person to play a game of
24 chance or skill for money or other thing of value by means
25 of the Internet or to make a wager upon the result of any
26 game, contest, political nomination, appointment, or
27 election by means of the Internet.

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

30 (1) Agreements to compensate for loss caused by the
31 happening of chance including without limitation contracts
32 of indemnity or guaranty and life or health or accident
33 insurance;

34 (2) Offers of prizes, award or compensation to the
35 actual contestants in any bona fide contest for the
36 determination of skill, speed, strength or endurance or to

1 the owners of animals or vehicles entered in such contest;

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

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

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

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

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

19 (8) Raffles when conducted in accordance with the
20 Raffles Act;

21 (9) Charitable games when conducted in accordance with
22 the Charitable Games Act;

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

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

27 (c) Sentence.

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

36 (d) Circumstantial evidence.

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

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

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

6 Sec. 28-1.1. Syndicated gambling.

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

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

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

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

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

24 (d) A person engages in bookmaking when he receives or
25 accepts more than five bets or wagers upon the result of any
26 trials or contests of skill, speed or power of endurance or
27 upon any lot, chance, casualty, unknown or contingent event
28 whatsoever, which bets or wagers shall be of such size that the
29 total of the amounts of money paid or promised to be paid to
30 such bookmaker on account thereof shall exceed \$2,000.
31 Bookmaking is the receiving or accepting of such bets or wagers
32 regardless of the form or manner in which the bookmaker records
33 them.

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

1 (1) Agreements to compensate for loss caused by the
2 happening of chance including without limitation contracts
3 of indemnity or guaranty and life or health or accident
4 insurance; and

5 (2) Offers of prizes, award or compensation to the
6 actual contestants in any bona fide contest for the
7 determination of skill, speed, strength or endurance or to
8 the owners of animals or vehicles entered in such contest;
9 and

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

12 (4) Manufacture of gambling devices, including the
13 acquisition of essential parts therefor and the assembly
14 thereof, for transportation in interstate or foreign
15 commerce to any place outside this State when such
16 transportation is not prohibited by any applicable Federal
17 law; and

18 (5) Raffles when conducted in accordance with the
19 Raffles Act; and

20 (6) Gambling games conducted on riverboats or in
21 casinos when authorized by the Riverboat and Casino
22 Gambling Act.

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

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

25 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

26 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is
27 any real estate, vehicle, boat or any other property whatsoever
28 used for the purposes of gambling other than gambling conducted
29 in the manner authorized by the Riverboat and Casino Gambling
30 Act. Any person who knowingly permits any premises or property
31 owned or occupied by him or under his control to be used as a
32 gambling place commits a Class A misdemeanor. Each subsequent
33 offense is a Class 4 felony. When any premises is determined by
34 the circuit court to be a gambling place:

35 (a) Such premises is a public nuisance and may be proceeded

1 against as such, and

2 (b) All licenses, permits or certificates issued by the
3 State of Illinois or any subdivision or public agency thereof
4 authorizing the serving of food or liquor on such premises
5 shall be void; and no license, permit or certificate so
6 cancelled shall be reissued for such premises for a period of
7 60 days thereafter; nor shall any person convicted of keeping a
8 gambling place be reissued such license for one year from his
9 conviction and, after a second conviction of keeping a gambling
10 place, any such person shall not be reissued such license, and

11 (c) Such premises of any person who knowingly permits
12 thereon a violation of any Section of this Article shall be
13 held liable for, and may be sold to pay any unsatisfied
14 judgment that may be recovered and any unsatisfied fine that
15 may be levied under any Section of this Article.

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

17 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

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

19 (a) Every device designed for gambling which is incapable
20 of lawful use or every device used unlawfully for gambling
21 shall be considered a "gambling device", and shall be subject
22 to seizure, confiscation and destruction by the Department of
23 State Police or by any municipal, or other local authority,
24 within whose jurisdiction the same may be found. As used in
25 this Section, a "gambling device" includes any slot machine,
26 and includes any machine or device constructed for the
27 reception of money or other thing of value and so constructed
28 as to return, or to cause someone to return, on chance to the
29 player thereof money, property or a right to receive money or
30 property. With the exception of any device designed for
31 gambling which is incapable of lawful use, no gambling device
32 shall be forfeited or destroyed unless an individual with a
33 property interest in said device knows of the unlawful use of
34 the device.

35 (b) Every gambling device shall be seized and forfeited to

1 the county wherein such seizure occurs. Any money or other
2 thing of value integrally related to acts of gambling shall be
3 seized and forfeited to the county wherein such seizure occurs.

4 (c) If, within 60 days after any seizure pursuant to
5 subparagraph (b) of this Section, a person having any property
6 interest in the seized property is charged with an offense, the
7 court which renders judgment upon such charge shall, within 30
8 days after such judgment, conduct a forfeiture hearing to
9 determine whether such property was a gambling device at the
10 time of seizure. Such hearing shall be commenced by a written
11 petition by the State, including material allegations of fact,
12 the name and address of every person determined by the State to
13 have any property interest in the seized property, a
14 representation that written notice of the date, time and place
15 of such hearing has been mailed to every such person by
16 certified mail at least 10 days before such date, and a request
17 for forfeiture. Every such person may appear as a party and
18 present evidence at such hearing. The quantum of proof required
19 shall be a preponderance of the evidence, and the burden of
20 proof shall be on the State. If the court determines that the
21 seized property was a gambling device at the time of seizure,
22 an order of forfeiture and disposition of the seized property
23 shall be entered: a gambling device shall be received by the
24 State's Attorney, who shall effect its destruction, except that
25 valuable parts thereof may be liquidated and the resultant
26 money shall be deposited in the general fund of the county
27 wherein such seizure occurred; money and other things of value
28 shall be received by the State's Attorney and, upon
29 liquidation, shall be deposited in the general fund of the
30 county wherein such seizure occurred. However, in the event
31 that a defendant raises the defense that the seized slot
32 machine is an antique slot machine described in subparagraph
33 (b) (7) of Section 28-1 of this Code and therefore he is exempt
34 from the charge of a gambling activity participant, the seized
35 antique slot machine shall not be destroyed or otherwise
36 altered until a final determination is made by the Court as to

1 whether it is such an antique slot machine. Upon a final
2 determination by the Court of this question in favor of the
3 defendant, such slot machine shall be immediately returned to
4 the defendant. Such order of forfeiture and disposition shall,
5 for the purposes of appeal, be a final order and judgment in a
6 civil proceeding.

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

19 (e) Any gambling device displayed for sale to a riverboat
20 gambling operation or a casino gambling operation or used to
21 train occupational licensees of a riverboat gambling operation
22 or a casino gambling operation as authorized under the
23 Riverboat and Casino Gambling Act is exempt from seizure under
24 this Section.

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

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

30 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

31 Sec. 28-7. Gambling contracts void.

32 (a) All promises, notes, bills, bonds, covenants,
33 contracts, agreements, judgments, mortgages, or other
34 securities or conveyances made, given, granted, drawn, or
35 entered into, or executed by any person whatsoever, where the

1 whole or any part of the consideration thereof is for any money
2 or thing of value, won or obtained in violation of any Section
3 of this Article are null and void.

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

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

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

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

23 Section 45. The Travel Promotion Consumer Protection Act is
24 amended by changing Section 2 as follows:

25 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

26 Sec. 2. Definitions.

27 (a) "Travel promoter" means a person, including a tour
28 operator, who sells, provides, furnishes, contracts for,
29 arranges or advertises that he or she will arrange wholesale or
30 retail transportation by air, land, sea or navigable stream,
31 either separately or in conjunction with other services.
32 "Travel promoter" does not include (1) an air carrier; (2) a
33 sea carrier; (3) an officially appointed agent of an air
34 carrier who is a member in good standing of the Airline

1 Reporting Corporation; (4) a travel promoter who has in force
2 \$1,000,000 or more of liability insurance coverage for
3 professional errors and omissions and a surety bond or
4 equivalent surety in the amount of \$100,000 or more for the
5 benefit of consumers in the event of a bankruptcy on the part
6 of the travel promoter; or (5) a riverboat subject to
7 regulation under the Riverboat and Casino Gambling Act.

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

12 (c) "Passenger" means a person on whose behalf money or
13 other consideration has been given or is to be given to
14 another, including another member of the same partnership,
15 corporation, joint venture, association, organization, group
16 or other entity, for travel.

17 (d) "Ticket or voucher" means a writing or combination of
18 writings which is itself good and sufficient to obtain
19 transportation and other services for which the passenger has
20 contracted.

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

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.