



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4945

Introduced 1/19/2006, by Rep. Gary Hannig

SYNOPSIS AS INTRODUCED:

230 ILCS 20/1.1	from Ch. 120, par. 1051.1
230 ILCS 20/2	from Ch. 120, par. 1052
230 ILCS 20/3	from Ch. 120, par. 1053
230 ILCS 20/4.1 new	
230 ILCS 20/5	from Ch. 120, par. 1055
230 ILCS 20/6	from Ch. 120, par. 1056
230 ILCS 25/1	from Ch. 120, par. 1101
230 ILCS 25/1.1 new	
230 ILCS 25/3	from Ch. 120, par. 1103
230 ILCS 25/4	from Ch. 120, par. 1104
230 ILCS 25/4.1	from Ch. 120, par. 1104.01
230 ILCS 30/2	from Ch. 120, par. 1122
230 ILCS 30/3	from Ch. 120, par. 1123
230 ILCS 30/4	from Ch. 120, par. 1124
230 ILCS 30/4.1 new	
230 ILCS 30/5	from Ch. 120, par. 1125
230 ILCS 30/6	from Ch. 120, par. 1126
230 ILCS 30/7	from Ch. 120, par. 1127
230 ILCS 30/8	from Ch. 120, par. 1128
230 ILCS 30/9	from Ch. 120, par. 1129
230 ILCS 30/10	from Ch. 120, par. 1130

Amends the Illinois Pull Tabs and Jar Games Act, the Bingo License and Tax Act, and the Charitable Games Act. Makes changes in provisions concerning definitions, licenses to conduct games, restrictions, payment of taxes and fees, and recordkeeping. Adds provisions concerning extension of licenses and imposition of civil penalties.

LRB094 16311 AMC 54542 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pull Tabs and Jar Games Act is
5 amended by changing Sections 1.1, 2, 3, 5, and 6 and by adding
6 Section 4.1 as follows:

7 (230 ILCS 20/1.1) (from Ch. 120, par. 1051.1)

8 Sec. 1.1. Definitions. As used in this Act:

9 "Pull tabs" and "jar games" means a game using
10 single-folded or banded tickets or a card, the face of which is
11 initially covered or otherwise hidden from view in order to
12 conceal a number, symbol or set of symbols, some of which are
13 winners. Players with winning tickets receive a prize stated on
14 a promotional display or "flare". Pull tabs also means a game
15 in which prizes are won by pulling a tab from a board thereby
16 revealing a number which corresponds to the number for a given
17 prize.

18 Each winning pull tab or slip shall be predetermined. The
19 right to participate in such games shall not cost more than \$2.
20 No single prize shall exceed \$500. There shall be no more than
21 6,000 tickets in a game.

22 "Pull tabs and jar games", as used in this Act, does not
23 include the following: numbers, policy, bolita or similar
24 games, dice, slot machines, bookmaking and wagering pools with
25 respect to a sporting event, or that game commonly known as
26 punch boards, or any other game or activity not expressly
27 defined in this Section.

28 "Organization" means a corporation, agency, partnership,
29 association, firm or other entity consisting of 2 or more
30 persons joined by a common interest or purpose.

31 "Non-profit organization" means an organization or
32 institution organized and conducted on a not-for-profit basis

1 with no personal profit inuring to anyone as a result of the
2 operation.

3 "Charitable organization" means an organization or
4 institution organized and operated to benefit an indefinite
5 number of the public.

6 "Educational organization" means an organization or
7 institution organized and operated to provide systematic
8 instruction in useful branches of learning by methods common to
9 schools and institutions of learning which compare favorably in
10 their scope and intensity with the course of study presented in
11 tax-supported schools.

12 "Religious organization" means any church, congregation,
13 society, or organization founded for the purpose of religious
14 worship.

15 "Fraternal organization" means an organization of persons,
16 including but not limited to ethnic organizations, having a
17 common interest, organized and operated exclusively to promote
18 the welfare of its members and to benefit the general public on
19 a continuing and consistent basis.

20 "Veterans' organization" means an organization comprised
21 of members of which substantially all are individuals who are
22 veterans or spouses, widows, or widowers of veterans, the
23 primary purpose of which is to promote the welfare of its
24 members and to provide assistance to the general public in such
25 a way as to confer a public benefit.

26 "Labor organization" means an organization composed of
27 labor unions or workers organized with the objective of
28 betterment of the conditions of those engaged in such pursuit
29 and the development of a higher degree of efficiency in their
30 respective occupations.

31 "Youth athletic organization" means an organization having
32 as its exclusive purpose the promotion and provision of
33 athletic activities for youth aged 18 and under.

34 "Senior citizens organization" means an organization or
35 association comprised of members of which substantially all are
36 individuals who are senior citizens, as defined in the Illinois

1 Act on the Aging, the primary purpose of which is to promote
2 the welfare of its members.

3 "Department" means the Department of Revenue.

4 "Volunteer" means a person recruited by the sponsoring
5 organization who voluntarily performs services at a pull tabs
6 or jar games event, including participation in the management
7 or operation of a game.

8 "Person" means any natural individual, corporation,
9 partnership, limited liability company, organization (as
10 defined in this Section), licensee under this Act, or
11 volunteer.

12 (Source: P.A. 90-536, eff. 1-1-98.)

13 (230 ILCS 20/2) (from Ch. 120, par. 1052)

14 Sec. 2. The Department of Revenue shall, upon application
15 therefor on forms prescribed by the Department, and upon the
16 payment of a nonrefundable ~~an~~ annual processing fee of \$500,
17 and upon determination that the applicant meets all the
18 requirements of this Act, issue a license to conduct pull tabs
19 and jar games to any of the following:

20 (i) Any local fraternal mutual benefit organization
21 chartered at least 40 years before it applies for a license
22 under this Act.

23 (ii) Any bona fide religious, charitable, labor,
24 fraternal, youth athletic, senior citizen, educational or
25 veterans' organization organized in Illinois which
26 operates without profit to its members, which has been in
27 existence in Illinois continuously for a period of 5 years
28 immediately before making application for a license and
29 which has had during that entire 5 year period a bona fide
30 membership engaged in carrying out its objects. However,
31 the 5 year requirement shall be reduced to 2 years, as
32 applied to a local organization which is affiliated with
33 and chartered by a national organization which meets the 5
34 year requirement.

35 Each license expires at midnight, June 30, following its

1 date of issuance, except that, beginning with applicants whose
 2 licenses expire on June 30, 1990, the Department shall stagger
 3 license expiration dates by dividing the applicants into 4
 4 groups which are substantially equal in number. Licenses issued
 5 and license fees charged to applicants in each group shall be
 6 in accordance with the following schedule:

7	Group No.	License Expiration Date	Fee
8	1	December 31, 1990	\$250
9	2	March 31, 1991	\$375
10	3	June 30, 1991	\$500
11	4	September 30, 1991	\$625

12 Following expiration under this schedule, each renewed
 13 license shall be in effect for one year from its date of
 14 issuance unless suspended or revoked by Department action
 15 before that date. After June 30, 1990, every new license shall
 16 expire one year from the date of issuance unless extended,
 17 suspended, or revoked. The Department may provide by rule for
 18 an extension of any pull tabs and jar games license issued
 19 under this Act in order to allow applicants to coordinate their
 20 pull tabs and jar games license renewal with any license held
 21 under the Bingo License and Tax Act or the Charitable Games
 22 Act. Any extension provided shall not exceed one year. A
 23 licensee may hold only one license and that license is valid
 24 for only one location. The Department may authorize by rule the
 25 filing by electronic means of any application, license, permit,
 26 return, or registration required under this Act.

27 The following are ineligible for any license under this
 28 Act:

29 (a) any person who has been convicted of a felony within
 30 the last 10 years prior to the date of application ~~within 10~~
 31 ~~years of the date of the application;~~

32 (b) any person who has been convicted of a violation of
 33 Article 28 of the "Criminal Code of 1961";

34 (c) any person who has had a pull tabs and jar games, bingo
 35 or charitable games license revoked by the Department;

36 (d) any person who is or has been a professional gambler;

1 (e) any firm or corporation in which a person defined in
2 (a), (b), (c) or (d) has any proprietary, equitable or credit
3 interest, or in which such person is active or employed;

4 (f) any organization in which a person defined in (a), (b),
5 (c) or (d) is an officer, director, or employee, whether
6 compensated or not;

7 (g) any organization in which a person defined in (a), (b),
8 (c) or (d) is to participate in the management or operation of
9 pull tabs and jar games.

10 The Department of State Police shall provide the criminal
11 background of any supplier as requested by the Department of
12 Revenue.

13 (Source: P.A. 86-703; 87-1271.)

14 (230 ILCS 20/3) (from Ch. 120, par. 1053)

15 Sec. 3. Licensing for the conducting of pull tabs and jar
16 games is subject to the following restrictions:

17 (1) The license application, when submitted to the
18 Department of Revenue, shall contain a sworn statement
19 attesting to the not-for-profit character of the prospective
20 licensee organization and shall be signed by a person listed on
21 the application as an owner, officer, or other person in charge
22 of the necessary day-to-day operations ~~the presiding officer~~
23 ~~and the secretary~~ of that organization.

24 (2) The license application shall be prepared in accordance
25 with the rules of the Department of Revenue.

26 (3) The licensee shall prominently display the license in
27 the area where the licensee conducts pull tabs and jar games.

28 (4) Each license shall state the location at which the
29 licensee is permitted to conduct pull tabs and jar games. The
30 Department may, on special application made by any organization
31 having a pull tabs and jar games license ~~a licensed~~
32 ~~organization~~, issue a special operator's permit for conducting
33 pull tabs and jar games ~~to conduct a single pull tabs or jar~~
34 ~~games event~~ at other premises and on other days not exceeding 7
35 consecutive days, except that a licensee may conduct pull tabs

1 and jar games at the Illinois State Fair or any county fair
2 held in Illinois during each day that the fair is held, without
3 a processing fee. Such pull tabs and jar games conducted at the
4 Illinois State Fair or a county fair shall not require a
5 special operator's permit. No more than 2 special operator's
6 permits may be issued in one year to any one organization
7 ~~another location. A special permit shall be displayed at the~~
8 ~~site of any pull tabs or jar games authorized by such permit.~~

9 (5) Any organization qualified for a license but not
10 holding one, may upon application and payment of a
11 nonrefundable processing fee of \$50 receive a limited license
12 ~~special permit~~ to conduct pull tabs or jar games at no more
13 than 2 indoor or outdoor festivals in a year for a maximum of 7
14 consecutive ~~5~~ days on each occasion. No more than 2 limited
15 licenses ~~permits~~ under this subsection may be issued to any
16 organization in any year. Such limited license shall be
17 prominently displayed at the site where pull tabs or jar games
18 are sold.

19 (Source: P.A. 86-703.)

20 (230 ILCS 20/4.1 new)

21 Sec. 4.1. Civil penalties. Any organization that conducts
22 pull tabs or jar games without first obtaining a license to do
23 so, or that continues to conduct pull tabs or jar games after
24 revocation or suspension of its pull tabs and jar games
25 license, or after receipt of a cease and desist order issued by
26 the Department, or any organization licensed to conduct pull
27 tabs and jar games that allows any form of illegal gambling to
28 be conducted on the premises where pull tabs or jar games are
29 being conducted shall, in addition to other penalties provided,
30 be subject to a civil penalty equal to the amount of gross
31 proceeds derived on that day from pull tabs and jar games and
32 any other illegal game that may have been conducted as well as
33 confiscation and forfeiture of the gross proceeds derived from
34 such pull tabs and jar games and any other illegal game.

1 (230 ILCS 20/5) (from Ch. 120, par. 1055)

2 Sec. 5. There shall be paid to the Department of Revenue 5%
3 of the gross proceeds of any pull tabs and jar games conducted
4 under this Act. Such payments shall be made 4 times per year,
5 between the first and the 20th day of April, July, October and
6 January. Payment must be made by money order or ~~certified~~
7 check. Accompanying each payment shall be a report, on forms
8 provided by the Department of Revenue, listing the number of
9 drawings conducted, the gross income derived therefrom and such
10 other information as the Department of Revenue may require.
11 Failure to submit either the payment or the report within the
12 specified time shall result in automatic revocation of the
13 license. The Department may authorize the payment of taxes and
14 fees imposed under this Act by electronic funds transfer. All
15 payments made to the Department of Revenue under this Act shall
16 be deposited as follows:

17 (a) 50% shall be deposited in the Common School Fund; and

18 (b) 50% shall be deposited in the Illinois Gaming Law
19 Enforcement Fund. Of the monies deposited in the Illinois
20 Gaming Law Enforcement Fund under this Section, the General
21 Assembly shall appropriate two-thirds to the Department of
22 Revenue, Department of State Police and the Office of the
23 Attorney General for State law enforcement purposes, and
24 one-third shall be appropriated to the Department of Revenue
25 for the purpose of distribution in the form of grants to
26 counties or municipalities for law enforcement purposes. The
27 amounts of grants to counties or municipalities shall bear the
28 same ratio as the number of licenses issued in counties or
29 municipalities bears to the total number of licenses issued in
30 the State. In computing the number of licenses issued in a
31 county, licenses issued for locations within a municipality's
32 boundaries shall be excluded.

33 The Department of Revenue shall license suppliers and
34 manufacturers of pull tabs and jar games at a nonrefundable ~~an~~
35 annual processing fee of \$5,000, or a triennial supplier's
36 license fee of \$15,000. Suppliers and manufacturers shall meet

1 the requirements and qualifications established by rule by the
2 Department. Licensed manufacturers shall sell pull tabs and jar
3 games only to licensed suppliers. Licensed suppliers shall buy
4 pull tabs and jar games only from licensed manufacturers and
5 shall sell pull tabs and jar games only to licensed
6 organizations. Licensed organizations shall buy pull tabs and
7 jar games only from licensed suppliers.

8 The Department of Revenue shall adopt by rule minimum
9 quality production standards for pull tabs and jar games. In
10 determining such standards, the Department shall consider the
11 standards adopted by the National Association of Gambling
12 Regulatory Agencies and the National Association of
13 Fundraising Ticket Manufacturers. Such standards shall include
14 the name of the supplier which shall appear in plain view to
15 the casual observer on the face side of each pull tab ticket
16 and on each jar game ticket. The pull tab ticket shall contain
17 the name of the game, the selling price of the ticket, the
18 amount of the prize and the serial number of the ticket. The
19 back side of a pull tab ticket shall contain a series of
20 perforated tabs marked "open here". The logo of the
21 manufacturer shall be clearly visible on each jar game ticket.

22 The Department of Revenue shall adopt rules necessary to
23 provide for the proper accounting and control of activities
24 under this Act, to ensure that the proper taxes are paid, that
25 the proceeds from the activities under this Act are used
26 lawfully, and to prevent illegal activity associated with the
27 use of pull tabs and jar games.

28 The provisions of Section 2a of the Retailers' Occupation
29 Tax Act pertaining to the furnishing of a bond or other
30 security are incorporated by reference into this Act and are
31 applicable to licensees under this Act as a precondition of
32 obtaining a license under this Act. The provisions of Sections
33 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a, 6b, 6c, 8,
34 9, 10, 11 and 12 of the Retailers' Occupation Tax Act, and
35 Sections ~~Section~~ 3-7 and 3-7.5 of the Uniform Penalty and
36 Interest Act, which are not inconsistent with this Act shall

1 apply, as far as practicable, to the subject matter of this Act
2 to the same extent as if such provisions were included in this
3 Act. For the purposes of this Act, references in such
4 incorporated Sections of the Retailers' Occupation Tax Act to
5 retailers, sellers or persons engaged in the business of
6 selling tangible personal property means persons engaged in
7 conducting pull tabs and jar games and references in such
8 incorporated Sections of the Retailers' Occupation Tax Act to
9 sales of tangible personal property mean the conducting of pull
10 tabs and jar games and the making of charges for participating
11 in such drawings.

12 (Source: P.A. 87-205; 87-895.)

13 (230 ILCS 20/6) (from Ch. 120, par. 1056)

14 Sec. 6. Each licensee must keep a record of pull tabs and
15 jar games conducted within the previous 5 ~~3~~ years in accordance
16 with rules therefor adopted by the Department of Revenue. Such
17 record shall be available for inspection by any employee of the
18 Department of Revenue during reasonable business hours. The
19 Department of Revenue may, at its discretion, revoke any
20 license if it finds that the licensee or any person connected
21 therewith has violated or is violating this Act or that such
22 drawings are or have been conducted by a person or persons of
23 questionable character or affiliation. No licensee under this
24 Act, while pull tabs and jar games chances are being conducted,
25 shall knowingly permit entry to any part of the licensed
26 premises to any person who has been convicted of a felony or a
27 violation of Article 28 of the Criminal Code of 1961.

28 (Source: P.A. 85-1012.)

29 Section 10. The Bingo License and Tax Act is amended by
30 changing Sections 1, 3, 4, and 4.1 and by adding Section 1.1 as
31 follows:

32 (230 ILCS 25/1) (from Ch. 120, par. 1101)

33 Sec. 1. The Department of Revenue shall, upon application

1 therefor on forms prescribed by such Department, and upon the
 2 payment of a nonrefundable ~~an~~ annual processing fee of \$200 ~~or~~
 3 ~~a triennial fee of \$600,~~ and upon a determination by the
 4 Department that the applicant meets all of the qualifications
 5 specified in this Section, issue a license for the conducting
 6 of bingo to any bona fide religious, charitable, labor,
 7 fraternal, youth athletic, senior citizen, educational or
 8 veterans' organization organized in Illinois which operates
 9 without profit to its members, which has been in existence in
 10 Illinois continuously for a period of 5 years immediately
 11 before making application for a license and which has had
 12 during that entire 5 year period a bona fide membership engaged
 13 in carrying out its objects. However, the 5 year requirement
 14 shall be reduced to 2 years, as applied to a local organization
 15 which is affiliated with and chartered by a national
 16 organization which meets the 5 year requirement. Each annual
 17 license expires at midnight, June 30 following its date of
 18 issuance, except that, beginning with applicants whose
 19 licenses expire on June 30, 1983, the Department shall stagger
 20 license expiration dates by dividing the applicants into 4
 21 groups which are substantially equal in number. Licenses issued
 22 and license fees charged to applicants in each group shall be
 23 in accordance with the following schedule:

24	Group No.	License Expiration Date	Fee
25	1	December 31, 1983	\$100
26	2	March 31, 1984	\$150
27	3	June 30, 1984	\$200
28	4	September 30, 1984	\$250

29 Following expiration under this schedule, each renewed license
 30 shall be in effect for one year from its date of issuance
 31 unless extended, suspended, or revoked by Department action
 32 before that date. After June 30, 1983, every new annual license
 33 shall expire one year from the date of issuance unless
 34 extended, suspended, or revoked ~~and every new triennial license~~
 35 ~~issued or renewed on or after July 1, 2004 shall be in effect~~
 36 ~~for 3 years from its date of issuance unless suspended or~~

1 ~~revoked~~ by Department action before that date. The Department
2 may provide by rule for an extension of any bingo license
3 issued under this Act in order to allow applicants to
4 coordinate their bingo license renewal with any licenses held
5 under the Pull Tabs and Jar Games Act or the Charitable Games
6 Act. Any extension provided shall not exceed one year. A
7 licensee may hold only one license and that license is valid
8 for only one location. The Department may authorize by rule the
9 filing by electronic means of any application, license, permit,
10 return, or registration required under this Act.

11 For purposes of this Act, the following definitions apply:
12 ~~"Organization": A corporation, agency, partnership,~~
13 ~~association, firm or other entity consisting of 2 or more~~
14 ~~persons joined by a common interest or purpose. "Non profit~~
15 ~~organization": An organization or institution organized and~~
16 ~~conducted on a not for profit basis with no personal profit~~
17 ~~inuring to any one as a result of the operation. "Charitable~~
18 ~~organization": An organization or institution organized and~~
19 ~~operated to benefit an indefinite number of the public.~~
20 ~~"Educational organization": An organization or institution~~
21 ~~organized and operated to provide systematic instruction in~~
22 ~~useful branches of learning by methods common to schools and~~
23 ~~institutions of learning which compare favorably in their scope~~
24 ~~and intensity with the course of study presented in~~
25 ~~tax supported schools. "Religious organization": Any church,~~
26 ~~congregation, society, or organization founded for the purpose~~
27 ~~of religious worship. "Fraternal organization": An~~
28 ~~organization of persons, including but not limited to ethnic~~
29 ~~organizations, having a common interest, organized and~~
30 ~~operated exclusively to promote the welfare of its members and~~
31 ~~to benefit the general public on a continuing and consistent~~
32 ~~basis. "Veterans organization": An organization comprised of~~
33 ~~members of which substantially all are individuals who are~~
34 ~~veterans or spouses, widows, or widowers of veterans, the~~
35 ~~primary purpose of which is to promote the welfare of its~~
36 ~~members and to provide assistance to the general public in such~~

1 ~~a way as to confer a public benefit. "Labor organization": An~~
2 ~~organization composed of labor unions or workers organized with~~
3 ~~the objective of betterment of the conditions of those engaged~~
4 ~~in such pursuit and the development of a higher degree of~~
5 ~~efficiency in their respective occupations. "Youth athletic~~
6 ~~organization": An organization having as its exclusive purpose~~
7 ~~the promotion and provision of athletic activities for youth~~
8 ~~aged 18 and under. "Senior citizens organization": An~~
9 ~~organization or association comprised of members of which~~
10 ~~substantially all are individuals who are senior citizens, as~~
11 ~~defined in Section 3.05 of the Illinois Act on the Aging, the~~
12 ~~primary purpose of which is to promote the welfare of its~~
13 ~~members.~~

14 Licensing for the conducting of bingo is subject to the
15 following restrictions:

16 (1) The license application, when submitted to the
17 Department of Revenue, must contain a sworn statement
18 attesting to the not-for-profit character of the
19 prospective licensee organization, signed by a person
20 listed on the application as an owner, officer, or other
21 person in charge of the necessary day-to-day operations of
22 that organization ~~the presiding officer and the secretary~~
23 ~~of that organization.~~

24 (2) The application for license shall be prepared in
25 accordance with the rules of the Department of Revenue.

26 (3) Each license shall state the day of the week and at
27 which location the licensee is permitted to conduct bingo
28 games. The Department may, on special application made by
29 any organization having a bingo license, issue a special
30 operator's permit for conducting bingo at other premises
31 and on other days not exceeding 7 consecutive days, except
32 that a licensee may conduct bingo at the Illinois State
33 Fair or any county fair held in Illinois during each day
34 that the fair is held, without a processing fee. Such bingo
35 games conducted at the Illinois State Fair or a county fair
36 shall not require a special operator's permit. No more than

1 2 special operator's permits may be issued in one year to
2 any one organization.

3 (3.1) Any organization qualified for a license but not
4 holding one may, upon application and payment of a
5 nonrefundable processing fee of \$50, receive a limited
6 license to conduct bingo games at no more than 2 indoor or
7 outdoor festivals in a year for a maximum of 7 consecutive
8 days on each occasion. No more than 2 limited licenses
9 under this item (3.1) may be issued to any organization in
10 any year. A limited license shall be prominently displayed
11 at the site where the bingo games are conducted. Each
12 license shall state which day of the week and at what
13 location the licensee is permitted to conduct bingo. The
14 Department may, on special application made by any
15 organization having a bingo license, issue a special
16 operator's permit for conducting bingo at other premises
17 and on other days not exceeding 7 consecutive days, except
18 that a licensee may conduct bingo at the Illinois State
19 Fair or any county fair held in Illinois during each day
20 that the fair is in effect; such bingo games conducted at
21 the Illinois State Fair or a county fair shall not require
22 a special operator's permit. No more than 2 special
23 operator's permits may be issued in one year to any one
24 organization. Any organization, qualified for a license
25 but not holding one, upon application and payment of a \$50
26 fee may receive a limited license to conduct bingo at no
27 more than 2 indoor or outdoor festivals in a year for a
28 maximum of 5 days on each occasion or, upon application and
29 payment of a \$150 fee, may receive a limited license to
30 conduct bingo at no more than 2 indoor or outdoor festivals
31 in a year for up to 3 years for a maximum of 5 days on each
32 occasion. Such limited license shall be prominently
33 displayed at the site of the bingo games.

34 (4) The licensee shall display a license in a prominent
35 place in the area where it is to conduct bingo.

36 (5) The proceeds from the license fee imposed by this

1 Act shall be paid into the General Revenue Fund of the
2 State Treasury.

3 (6) A license authorizes the licensee to conduct the
4 game commonly known as bingo, in which prizes are awarded
5 on the basis of designated numbers or symbols on a card
6 conforming to numbers or symbols selected at random.

7 (7) The Director has the power to issue or to refuse to
8 issue a license permitting a person, firm or corporation to
9 provide premises for the conduct of bingo; provided,
10 however, that a municipality shall not be required to
11 obtain a license to provide such premises. The
12 nonrefundable processing fee for such providers' license
13 is \$200. A person, firm or corporation holding such a
14 license may receive reasonable expenses for providing
15 premises for conducting bingo. Reasonable expenses shall
16 include only those expenses defined as reasonable by rules
17 promulgated by the Department.

18 (8) Senior citizens organizations may conduct bingo
19 without a license or processing fee, ~~The Department may~~
20 ~~issue restricted licenses to senior citizens~~
21 ~~organizations. The fee for a restricted license is \$10 per~~
22 ~~year or \$30 for 3 years. Restricted licenses shall be~~
23 subject to the following conditions:

24 (A) Bingo shall be conducted only at a facility
25 which is owned by a unit of local government to which
26 the corporate authorities have given their approval
27 and which is used to provide social services or a
28 meeting place to senior citizens, or in common areas in
29 multi-unit federally assisted rental housing
30 maintained solely for the elderly and handicapped;

31 (B) The price paid for a single card shall not
32 exceed 5 cents;

33 (C) The aggregate retail value of all prizes or
34 merchandise awarded in any one game of bingo shall not
35 exceed \$1;

36 (D) No person or organization shall participate in

1 the management or operation of bingo under this item
2 (8) ~~a restricted license~~ if the person or organization
3 would be ineligible for a license under this Section;
4 and

5 (E) No license is required to provide premises for
6 bingo conducted under this item (8). ~~a restricted~~
7 ~~license; and~~

8 ~~(F) The Department may, by rule, exempt restricted~~
9 ~~licensees from such requirements of this Act as the~~
10 ~~Department may deem appropriate.~~

11 (9) Bingo equipment shall not be used for any purpose
12 other than for the play of bingo.

13 The Director has the power to issue an annual or triennial
14 ~~a~~ license permitting an Illinois person, firm or corporation to
15 sell, lease or distribute to any organization licensed to
16 conduct bingo games or to any licensed bingo supplier all
17 cards, boards, sheets, markers, pads and all other supplies,
18 devices and equipment designed for use in the play of bingo. No
19 person, firm or corporation shall sell, lease or distribute
20 bingo supplies or equipment without having first obtained a
21 license therefor upon written application made, verified and
22 filed with the Department in the form prescribed by the rules
23 and regulations of the Department. The nonrefundable
24 processing fee for such license is \$200 for an annual license
25 or \$600 for a triennial license.

26 Applications for providers' and suppliers' licenses shall
27 be made in writing in accordance with Department rules. Each
28 providers' or suppliers' license is valid for one year from
29 date of issuance, and 3 years from date of issuance for a
30 triennial license, unless extended, suspended, or revoked by
31 Department action before that date. Any extension of a
32 providers' or a suppliers' license shall not exceed one year.
33 No licensed supplier under this Act shall lend, sell, lease,
34 distribute, or allow the use of any supplies, devices, or
35 equipment designed for use in the play of bingo for the
36 conducting of anything other than bingo or to any person or

1 organization not otherwise licensed under this Act.

2 The following are ineligible for any license under this
3 Act:

4 (a) any person who has been convicted of a felony
5 within the last 10 years prior to the date of application;

6 (b) any person who has been convicted of a violation of
7 Article 28 of the "Criminal Code of 1961";

8 (c) any person found gambling, participating in
9 gambling or knowingly permitting gambling on premises
10 where bingo is being conducted;

11 (d) any firm or corporation in which a person defined
12 in (a), (b) or (c) has a proprietary, equitable or credit
13 interest, or in which such person is active or employed;

14 (e) any organization in which a person defined in (a),
15 (b) or (c) is an officer, director, or employee, whether
16 compensated or not;

17 (f) any organization in which a person defined in (a),
18 (b) or (c) is to participate in the management or operation
19 of a bingo game.

20 (Source: P.A. 93-742, eff. 7-15-04.)

21 (230 ILCS 25/1.1 new)

22 Sec. 1.1. Definitions. As used in this Act:

23 "Bingo" means a game in which each player has a card or
24 board for which a consideration has been paid, containing 5
25 horizontal rows of spaces, with each row except the central one
26 containing 5 figures. The central row has 4 figures with the
27 word "free" marked in the center space. "Bingo" includes games
28 that otherwise qualify under this paragraph, except for the use
29 of cards where the figures are not preprinted but are filled in
30 by the players. A player wins a game of bingo by completing a
31 preannounced combination of spaces or, in the absence of a
32 preannouncement of a combination of spaces, any combination of
33 5 spaces in a row, vertically, horizontally, or diagonally.

34 "Bingo equipment" means any equipment or machinery
35 designed or used for the play of bingo.

1 "Charitable organization" means an organization or
2 institution organized and operated to benefit an indefinite
3 number of the public.

4 "Department" means the Department of Revenue.

5 "Educational organization" means an organization or
6 institution organized and operated to provide systematic
7 instruction in useful branches of learning by methods common to
8 schools and institutions of learning which compare favorably in
9 their scope and intensity with the course of study presented in
10 tax-supported schools.

11 "Fraternal organization" means an organization of persons
12 having a common interest that is organized and operated
13 exclusively to promote the welfare of its members and to
14 benefit the general public on a continuing and consistent
15 basis, including but not limited to ethnic organizations.

16 "Labor organization" means an organization composed of
17 labor unions or workers organized with the objectives of
18 betterment of the conditions of those engaged in such pursuit
19 and the development of a higher degree of efficiency in their
20 respective occupations.

21 "Non-profit organization" means an organization or
22 institution organized and conducted on a not-for-profit basis
23 with no personal profit inuring to anyone as a result of the
24 operation.

25 "Organization" means a corporation, agency, partnership,
26 association, firm or other entity consisting of 2 or more
27 persons joined by a common interest or purpose.

28 "Person" means any natural individual, corporation,
29 partnership, limited liability company, organization (as
30 defined in this Section), licensee under this Act, or
31 volunteer.

32 "Religious organization" means any church, congregation,
33 society, or organization founded for the purpose of religious
34 worship.

35 "Senior citizens organization" means an organization or
36 association comprised of members of which substantially all are

1 individuals who are senior citizens, as defined in the Illinois
2 Act on the Aging, the primary purpose of which is to promote
3 the welfare of its members.

4 "Veterans' organization" means an organization comprised
5 of members of which substantially all are individuals who are
6 veterans or spouses, widows, or widowers of veterans, the
7 primary purpose of which is to promote the welfare of its
8 members and to provide assistance to the general public in such
9 a way as to confer a public benefit.

10 "Volunteer" means a person recruited by an organization who
11 voluntarily performs services at a bingo event, including
12 participation in the management or operation of a game.

13 "Youth athletic organization" means an organization having
14 as its exclusive purpose the promotion and provision of
15 athletic activities for youth aged 18 and under.

16 (230 ILCS 25/3) (from Ch. 120, par. 1103)

17 Sec. 3. There shall be paid to the Department of Revenue,
18 5% of the gross proceeds of any game of bingo conducted under
19 the provision of this Act. Such payments shall be made 4 times
20 per year, between the first and the 20th day of April, July,
21 October and January. Payment must be by money order or
22 ~~certified~~ check. Accompanying each payment shall be a report,
23 on forms provided by the Department of Revenue, listing the
24 number of games conducted, the gross income derived and such
25 other information as the Department of Revenue may require. The
26 Department may authorize the payment of taxes and fees imposed
27 under this Act by electronic funds transfer. Failure to submit
28 either the payment or the report within the specified time may
29 result in suspension or revocation of the license.

30 The provisions of Section 2a of the Retailers' Occupation
31 Tax Act pertaining to the furnishing of a bond or other
32 security are incorporated by reference into this Act and are
33 applicable to licensees under this Act as a precondition of
34 obtaining a license under this Act. The Department shall
35 establish by rule the standards and criteria it will use in

1 determining whether to require the furnishing of a bond or
2 other security, the amount of such bond or other security,
3 whether to require the furnishing of an additional bond or
4 other security by a licensee, and the amount of such additional
5 bond or other security. Such standards and criteria may include
6 payment history, general financial condition or other factors
7 which may pose risks to insuring the payment to the Department
8 of Revenue, of applicable taxes. Such rulemaking is subject to
9 the provisions of the Illinois Administrative Procedure Act.
10 The provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g,
11 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 11 and 12 of the Retailers'
12 Occupation Tax Act which are not inconsistent with this Act,
13 and Sections ~~Section~~ 3-7 and 3-7.5 of the Uniform Penalty and
14 Interest Act shall apply, as far as practicable, to the subject
15 matter of this Act to the same extent as if such provisions
16 were included in this Act. Tax returns filed pursuant to this
17 Act shall not be confidential and shall be available for public
18 inspection. For the purposes of this Act, references in such
19 incorporated Sections of the Retailers' Occupation Tax Act to
20 retailers, sellers or persons engaged in the business of
21 selling tangible personal property means persons engaged in
22 conducting bingo games, and references in such incorporated
23 Sections of the Retailers' Occupation Tax Act to sales of
24 tangible personal property mean the conducting of bingo games
25 and the making of charges for playing such games.

26 One-half of all of the sums collected under this Section
27 shall be deposited into the Mental Health Fund and 1/2 of all
28 of the sums collected under this Section shall be deposited in
29 the Common School Fund.

30 (Source: P.A. 87-205; 87-895.)

31 (230 ILCS 25/4) (from Ch. 120, par. 1104)

32 Sec. 4. Each licensee must keep a complete record of bingo
33 games conducted within the previous 5 ~~3~~ years. Such record
34 shall be open to inspection by any employee of the Department
35 of Revenue during reasonable business hours.

1 The Director may require that any person, organization or
2 corporation licensed under this Act obtain from an Illinois
3 certified public accounting firm at its own expense a certified
4 and unqualified financial statement and verification of
5 records of such organization. Failure of a bingo licensee to
6 comply with this requirement within 90 days of receiving notice
7 from the Director may result in suspension or revocation of the
8 licensee's license.

9 The Department of Revenue may, at its discretion, suspend
10 or revoke any license where it finds that the licensee or any
11 person connected therewith has violated or is violating the
12 provisions of this Act. No licensee under this Act, while a
13 bingo game is being conducted, shall knowingly permit the entry
14 into any part of the licensed premises by any person who has
15 been convicted of a felony or a violation of Article 28 of the
16 "Criminal Code of 1961".

17 (Source: P.A. 82-967.)

18 (230 ILCS 25/4.1) (from Ch. 120, par. 1104.01)

19 Sec. 4.1. Any organization which conducts bingo without
20 first obtaining a license to do so, or which continues to
21 conduct bingo after revocation or suspension of its bingo
22 license, or after receipt of a cease and desist order issued by
23 the Department, or any organization licensed to conduct bingo
24 which allows any form of illegal gambling to be conducted on
25 the premises where bingo is being conducted shall, in addition
26 to other penalties provided, be subject to a civil penalty
27 equal to the amount of gross proceeds derived on that day from
28 bingo and any other illegal game that may have been conducted
29 as well as confiscation and forfeiture of the gross proceeds
30 derived from such bingo and any other illegal game.

31 (Source: P.A. 84-221.)

32 Section 15. The Charitable Games Act is amended by changing
33 Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10 and by adding Section
34 4.1 as follows:

1 (230 ILCS 30/2) (from Ch. 120, par. 1122)

2 Sec. 2. Definitions. For purposes of this Act, the
3 following definitions apply:

4 "Charitable organization" means an organization or
5 institution organized and operated to benefit an indefinite
6 number of the public.

7 "Department" means the Department of Revenue.

8 "Educational organization" means an organization or
9 institution organized and operated to provide systematic
10 instruction in useful branches of learning by methods common to
11 schools and institutions of learning which compare favorably in
12 their scope and intensity with the course of study presented in
13 tax-supported schools.

14 "Fraternal organization" means an organization of persons
15 having a common interest that is organized and operated
16 exclusively to promote the welfare of its members and to
17 benefit the general public on a continuing and consistent
18 basis, including but not limited to ethnic organizations.

19 "Labor organization" means an organization composed of
20 labor unions or workers organized with the objective of
21 betterment of the conditions of those engaged in such pursuit
22 and the development of a higher degree of efficiency in their
23 respective occupations.

24 "Non-profit organization" means an organization or
25 institution organized and conducted on a not-for-profit basis
26 with no personal profit inuring to anyone as a result of the
27 operation.

28 "Organization" means a corporation, agency, partnership,
29 association, firm or other entity consisting of 2 or more
30 persons joined by a common interest or purpose.

31 "Person" means any natural individual, corporation,
32 partnership, limited liability company, organization (as
33 defined in this Section), qualified organization, sponsoring
34 organization, licensee under this Act, or volunteer.

35 "Organization": A corporation, agency, partnership,

1 ~~institution, association, firm or other entity consisting of 2~~
2 ~~or more persons joined by a common interest or purpose.~~

3 ~~"Sponsoring organization": A qualified organization that~~
4 ~~has obtained a license to conduct a charitable games event in~~
5 ~~conformance with the provisions of this Act.~~

6 "Qualified organization" means:

7 (a) a charitable, religious, fraternal, veterans,
8 labor or educational organization or institution organized
9 and conducted on a not-for-profit basis with no personal
10 profit inuring to anyone as a result of the operation and
11 which is exempt from federal income taxation under Sections
12 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10) or
13 501(c)(19) of the Internal Revenue Code;

14 (b) a veterans organization as defined in Section 1 of
15 the "Bingo License and Tax Act", approved July 22, 1971, as
16 amended, organized and conducted on a not-for-profit basis
17 with no personal profit inuring to anyone as a result of
18 the operation; or

19 (c) An auxiliary organization of a veterans
20 organization.

21 "Religious organization" means any church, congregation,
22 society, or organization founded for the purpose of religious
23 worship.

24 "Sponsoring organization" means a qualified organization
25 that has obtained a license to conduct a charitable games event
26 in conformance with the provisions of this Act.

27 "Veterans' organization" means an organization comprised
28 of members of which substantially all are individuals who are
29 veterans or spouses, widows, or widowers of veterans, the
30 primary purpose of which is to promote the welfare of its
31 members and to provide assistance to the general public in such
32 a way as to confer a public benefit.

33 "Volunteer" means a person recruited by a sponsoring
34 organization who voluntarily performs services at a charitable
35 games event, including participation in the management or
36 operation of a game, as defined in Section 8.

1 ~~"Fraternal organization": A civic, service or charitable~~
2 ~~organization in this State except a college or high school~~
3 ~~fraternity or sorority, not for pecuniary profit, which is a~~
4 ~~branch, lodge or chapter of a national or State organization~~
5 ~~and exists for the common business, brotherhood, or other~~
6 ~~interest of its members.~~

7 ~~"Veterans organization": An organization comprised of~~
8 ~~members of which substantially all are individuals who are~~
9 ~~veterans or spouses, widows, or widowers of veterans, the~~
10 ~~primary purpose of which is to promote the welfare of its~~
11 ~~members and to provide assistance to the general public in such~~
12 ~~a way as to confer a public benefit.~~

13 ~~"Labor organization": An organization composed of labor~~
14 ~~unions or workers organized with the objective of betterment of~~
15 ~~the conditions of those engaged in such pursuit and the~~
16 ~~development of a higher degree of efficiency in their~~
17 ~~respective occupations.~~

18 ~~"Department": The Department of Revenue.~~

19 ~~"Volunteer": A person recruited by the sponsoring~~
20 ~~organization who voluntarily performs services at a charitable~~
21 ~~games event, including participation in the management or~~
22 ~~operation of a game, as defined in Section 8.~~

23 ~~"Person": Any natural individual, a corporation, a~~
24 ~~partnership, a limited liability company, an organization as~~
25 ~~defined in this Section, a qualified organization, a sponsoring~~
26 ~~organization, any other licensee under this Act, or a~~
27 ~~volunteer.~~

28 (Source: P.A. 87-758; 88-669, eff. 11-29-94.)

29 (230 ILCS 30/3) (from Ch. 120, par. 1123)

30 Sec. 3. The Department of Revenue shall, upon application
31 therefor on forms prescribed by such Department, and upon the
32 payment of a nonrefundable ~~an~~ annual processing fee of \$200,
33 and upon a determination by the Department that the applicant
34 meets all of the qualifications specified in this Section,
35 issue a charitable games license for the conducting of

1 charitable games to any of the following:

2 (i) Any local fraternal mutual benefit organization
3 chartered at least 40 years before it applies for a license
4 under this Act.

5 (ii) Any qualified organization organized in Illinois
6 which operates without profit to its members, which has
7 been in existence in Illinois continuously for a period of
8 5 years immediately before making application for a license
9 and which has had during that 5 year period a bona fide
10 membership engaged in carrying out its objects. However,
11 the 5 year requirement shall be reduced to 2 years, as
12 applied to a local organization which is affiliated with
13 and chartered by a national organization which meets the 5
14 year requirement. The period of existence specified above
15 shall not apply to a qualified organization, organized for
16 charitable purpose, created by a fraternal organization
17 that meets the existence requirements if the charitable
18 organization has the same officers and directors as the
19 fraternal organization. Only one charitable organization
20 created by a branch lodge or chapter of a fraternal
21 organization may be licensed under this provision.

22 Each license shall be in effect for one year from its date
23 of issuance unless extended, suspended, or revoked by
24 Department action before that date. Any extension shall not
25 exceed one year. The Department may by rule authorize the
26 filing by electronic means of any application, license, permit,
27 return, or registration required under this Act. A licensee may
28 hold only one license. Each license shall ~~must~~ be applied for
29 at least 30 days prior to the night or nights the licensee
30 wishes to conduct such games. The Department may issue a
31 license to a licensee that applies less than 30 days prior to
32 the night or nights the licensee wishes to conduct the games if
33 all other requirements of this Act are met and the Department
34 has sufficient time and resources to issue the license in a
35 timely manner. The Department may provide by rule for an
36 extension of any charitable games license issued under this Act

1 in order to allow applicants to coordinate their charitable
2 games license renewal with any licenses held under the Bingo
3 License and Tax Act and the Pull Tab and Jar Games Act. Any
4 extension provided shall not exceed one year. If a licensee
5 wishes to conduct games at a location other than the locations
6 originally specified in the license, the licensee shall notify
7 the Department of the proposed alternate location at least 30
8 ~~60~~ days before the night on which the licensee wishes to
9 conduct games at the alternate location. The Department may
10 accept an applicant's change in location with less than 30
11 days' notice if all other requirements of this Act are met and
12 the Department has sufficient time and resources to process the
13 change in a timely manner.

14 (Source: P.A. 87-758; 87-1271.)

15 (230 ILCS 30/4) (from Ch. 120, par. 1124)

16 Sec. 4. Licensing Restrictions. Licensing for the
17 conducting of charitable games is subject to the following
18 restrictions:

19 (1) The license application, when submitted to the
20 Department of Revenue, must contain a sworn statement
21 attesting to the not-for-profit character of the
22 prospective licensee organization, signed by a person
23 listed on the application as an owner, officer, or other
24 person in charge of the necessary day-to-day operations ~~the~~
25 ~~presiding officer and the secretary~~ of that organization.
26 The application shall contain the name of the person in
27 charge of and primarily responsible for the conduct of the
28 charitable games. The person so designated shall be present
29 on the premises continuously during charitable games. Any
30 wilful misstatements contained in such application
31 constitute perjury.

32 (2) The application for license shall be prepared by
33 the prospective licensee organization or its duly
34 authorized representative in accordance with the rules of
35 the Department of Revenue.

1 (2.1) The organization ~~application for a license~~ shall
2 maintain among its books and records ~~contain~~ a list of the
3 names, addresses, social security numbers, and dates of
4 birth of all persons who will participate in the management
5 or operation of the games, along with a sworn statement
6 made under penalties of perjury, signed by a person listed
7 on the application as an owner, officer, or other person in
8 charge of the necessary day-to-day operations ~~the~~
9 ~~presiding officer and secretary of the applicant~~, that the
10 persons listed as participating in the management or
11 operation of the games are bona fide members, volunteers as
12 defined in Section 2, or employees of the applicant, that
13 these persons have not participated in the management or
14 operation of more than 4 charitable games events conducted
15 by any licensee in the calendar year, and that these
16 persons will receive no remuneration or compensation,
17 directly or indirectly from any source, for participating
18 in the management or operation of the games. Any amendments
19 to this listing must contain an identical sworn statement.

20 (2.2) The application shall be signed by a person
21 listed on the application as an owner, officer, or other
22 person in charge of the necessary day-to-day operations ~~the~~
23 ~~presiding officer and the secretary~~ of the applicant
24 organization, who shall attest under penalties of perjury
25 that the information contained in the application is true,
26 correct, and complete.

27 (3) Each license shall state which day of the week,
28 hours and at what locations the licensee is permitted to
29 conduct charitable games.

30 (4) Each licensee shall file a copy of the license with
31 each police department or, if in unincorporated areas, each
32 sheriff's office whose jurisdiction includes the premises
33 on which the charitable games are authorized under the
34 license.

35 (5) The licensee shall display the license in a
36 prominent place in the area where it is to conduct

1 charitable games.

2 (6) The proceeds from the license fee imposed by this
3 Act shall be paid into the Illinois Gaming Law Enforcement
4 Fund of the State Treasury.

5 (7) Each licensee shall obtain and maintain a bond for
6 the benefit of participants in games conducted by the
7 licensee to insure payment to the winners of such games.
8 Such bond requirement shall be discretionary by the
9 Department and shall be in an amount established by rule by
10 the Department of Revenue. In a county with fewer than
11 60,000 inhabitants, the Department may waive the bond
12 requirement upon a showing by a licensee that it has
13 sufficient funds on deposit to insure payment to the
14 winners of such games.

15 (8) A license is not assignable or transferable.

16 (9) Unless the premises for conducting charitable
17 games are provided by a municipality, the Department shall
18 not issue a license permitting a person, firm or
19 corporation to sponsor a charitable games night if the
20 premises for the conduct of the charitable games has been
21 previously used for 8 charitable games nights during the
22 previous 12 months.

23 (10) Auxiliary organizations of a licensee shall not be
24 eligible for a license to conduct charitable games, except
25 for auxiliary organizations of veterans organizations as
26 authorized in Section 2.

27 (11) Charitable games must be conducted in accordance
28 with local building and fire code requirements.

29 (12) The licensee shall consent to allowing the
30 Department's employees to be present on the premises
31 wherein the charitable games are conducted and to inspect
32 or test equipment, devices and supplies used in the conduct
33 of the game.

34 Nothing in this Section shall be construed to prohibit a
35 licensee that conducts charitable games on its own premises
36 from also obtaining a providers' license in accordance with

1 Section 5.1. The maximum number of charitable games events that
2 may be held in any one premises is limited to 8 charitable
3 games events per calendar year.

4 (Source: P.A. 87-758; 88-563, eff. 1-1-95; 88-669, eff.
5 11-29-94.)

6 (230 ILCS 30/4.1 new)

7 Sec. 4.1. Civil penalties. Any organization that conducts
8 charitable games without first obtaining a license to do so, or
9 that continues to conduct charitable games after revocation or
10 suspension of its charitable games license, or after receipt of
11 a cease and desist order issued by the Department, or any
12 organization licensed to conduct charitable games that allows
13 any form of illegal gambling to be conducted on the premises
14 where charitable games is being conducted shall, in addition to
15 other penalties provided, be subject to a civil penalty equal
16 to the amount of gross proceeds derived on that day from
17 charitable games and any other illegal game that may have been
18 conducted as well as confiscation and forfeiture of the gross
19 proceeds derived from such charitable games and any other
20 illegal game.

21 (230 ILCS 30/5) (from Ch. 120, par. 1125)

22 Sec. 5. Providers' License. The Department shall issue a
23 providers' license permitting a person, firm or corporation to
24 provide premises for the conduct of charitable games. No
25 person, firm or corporation may rent or otherwise provide
26 premises without having first obtained a license therefor upon
27 written application made, verified and filed with the
28 Department in the form prescribed by the rules and regulations
29 of the Department. Each providers' license is valid for one
30 year from the date of issuance, unless suspended or revoked by
31 Department action before that date. The nonrefundable
32 processing annual fee for an annual ~~such~~ providers' license is
33 \$50, or \$150 for a triennial provider's license. A provider may
34 receive reasonable compensation for the provision of the

1 premises. The compensation shall not be based upon a percentage
2 of the gross proceeds from the charitable games. A provider,
3 other than a municipality, may not provide the same premises
4 for conducting more than 8 charitable games nights per year. A
5 provider shall not have any interest in any suppliers'
6 business, either direct or indirect. A municipality may provide
7 the same premises for conducting 16 charitable games nights
8 during a 12-month period. No employee, officer, or owner of a
9 provider may participate in the management or operation of a
10 charitable games event, even if the employee, officer, or owner
11 is also a member, volunteer, or employee of the charitable
12 games licensee. A provider may not promote or solicit a
13 charitable games event on behalf of a charitable games licensee
14 or qualified organization. Any qualified organization licensed
15 to conduct a charitable game need not obtain a providers'
16 license if such games are to be conducted on the organization's
17 premises.

18 (Source: P.A. 85-1412; 88-563, eff. 1-1-95; 88-669, eff.
19 11-29-94.)

20 (230 ILCS 30/6) (from Ch. 120, par. 1126)

21 Sec. 6. Supplier's license. The Department shall issue a
22 supplier's license permitting a person, firm or corporation to
23 sell, lease, lend or distribute to any organization licensed to
24 conduct charitable games, supplies, devices and other
25 equipment designed for use in the playing of charitable games.
26 No person, firm or corporation shall sell, lease or distribute
27 charitable games supplies or equipment without having first
28 obtained a license therefor upon written application made,
29 verified and filed with the Department in the form prescribed
30 by the rules and regulations of the Department. No licensed
31 supplier under this Act shall lease, lend, or distribute
32 charitable gaming equipment, supplies, or other devices to
33 persons not otherwise licensed to conduct charitable games
34 under this Act. Each supplier's license is valid for a period
35 of one year from the date of issuance, unless suspended or

1 revoked by Department action before that date. The
2 nonrefundable processing annual fee for an annual supplier's
3 ~~such~~ license is \$500, or \$1,500 for a triennial supplier's
4 license. The Department may require by rule for the provision
5 of surety bonds by suppliers. A supplier shall keep among its
6 books and records and make available for inspection by the
7 Department ~~furnish the Department with~~ a list of all products
8 and equipment offered for sale or lease to any organization
9 licensed to conduct charitable games, and all such products and
10 equipment shall be sold or leased at the prices shown on the
11 books and records ~~on file with the Department~~. A supplier shall
12 keep all such products and equipment segregated and separate
13 from any other products, materials or equipment that it might
14 own, sell or lease. A supplier must include in its application
15 for a license the exact location of the storage of the
16 products, materials or equipment. A supplier, as a condition of
17 licensure, must consent to permitting the Department's
18 employees to enter supplier's premises to inspect and test all
19 equipment and devices. A supplier shall keep books and records
20 for the furnishing of products and equipment to charitable
21 games separate and distinct from any other business the
22 supplier might operate. All products and equipment supplied
23 must be in accord with the Department's rules and regulations.
24 A supplier shall not alter or modify any equipment or supplies,
25 or possess any equipment or supplies so altered or modified, so
26 as to allow the possessor or operator of the equipment to
27 obtain a greater chance of winning a game other than as under
28 normal rules of play of such games. The supplier shall not
29 require an organization to pay a percentage of the proceeds
30 from the charitable games for the use of the products or
31 equipment. The supplier shall keep among its books and records,
32 make available for immediate inspection by the Department, and
33 produce upon Department request a ~~file a quarterly return with~~
34 ~~the Department~~ listing of all sales or leases for such quarter
35 and the gross proceeds from such sales or leases. A supplier
36 shall permanently affix his name to all charitable games

1 equipment, supplies and pull tabs. A supplier shall not have
2 any interest in any providers' business, either direct or
3 indirect. If the supplier leases his equipment for use at an
4 unlicensed charitable games or to an unlicensed sponsoring
5 group, all equipment so leased is forfeited to the State.

6 No person, firm or corporation shall sell, lease or
7 distribute for compensation within this State, or possess with
8 intent to sell, lease or distribute for compensation within
9 this State, any chips, representations of money, wheels or any
10 devices or equipment designed for use or used in the play of
11 charitable games without first having obtained a license to do
12 so from the Department of Revenue. Any person, firm or
13 corporation which knowingly violates this paragraph shall be
14 guilty of a Class A misdemeanor, the fine for which shall not
15 exceed \$50,000.

16 Organizations licensed to conduct charitable games may own
17 their own equipment. Such organizations must apply to the
18 Department for an ownership permit. Any such application must
19 be accompanied by a nonrefundable processing fee of \$50 fee.
20 Such organizations shall file an annual report listing their
21 inventory of charitable games equipment. Such organizations
22 may lend such equipment without compensation to other licensed
23 organizations without applying for a suppliers license.

24 No employee, owner, or officer of a supplier may
25 participate in the management or operation of a charitable
26 games event, even if the employee, owner, or officer is also a
27 member, volunteer, or employee of the charitable games
28 licensee. A supplier may not promote or solicit a charitable
29 games event on behalf of a charitable games licensee or
30 qualified organization.

31 (Source: P.A. 88-669, eff. 11-29-94.)

32 (230 ILCS 30/7) (from Ch. 120, par. 1127)

33 Sec. 7. Ineligible Persons. The following are ineligible
34 for any license under this Act:

35 (a) any person who has been convicted of a felony within

1 the last 10 years prior to the date of application ~~within 10~~
2 ~~years of the date of the application;~~

3 (b) any person who has been convicted of a violation of
4 Article 28 of the Criminal Code of 1961;

5 (c) any person who has had a bingo, pull tabs, or
6 charitable games license revoked by the Department;

7 (d) any person who is or has been a professional gambler;

8 (d-1) any person found gambling in a manner not authorized
9 by this Act, participating in such gambling, or knowingly
10 permitting such gambling on premises where an authorized
11 charitable games event is being or has been conducted;

12 (e) any business or organization in which a person defined
13 in (a), (b), (c), (d), or (d-1) has a proprietary, equitable,
14 or credit interest, or in which the person is active or
15 employed;

16 (f) any business or organization in which a person defined
17 in (a), (b), (c), (d), or (d-1) is an officer, director, or
18 employee, whether compensated or not;

19 (g) any organization in which a person defined in (a), (b),
20 (c), (d), or (d-1) is to participate in the management or
21 operation of charitable games.

22 The Department of State Police shall provide the criminal
23 background of any person requested by the Department of
24 Revenue.

25 (Source: P.A. 88-669, eff. 11-29-94.)

26 (230 ILCS 30/8) (from Ch. 120, par. 1128)

27 Sec. 8. The conducting of charitable games is subject to
28 the following restrictions:

29 (1) The entire net proceeds from charitable games must
30 be exclusively devoted to the lawful purposes of the
31 organization permitted to conduct that game.

32 (2) No person except a bona fide member or employee of
33 the sponsoring organization, or a volunteer recruited by
34 the sponsoring organization, may participate in the
35 management or operation of the game. A person participates

1 in the management or operation of a charitable game when he
2 or she sells admission tickets at the event; sells,
3 redeems, or in any way assists in the selling or redeeming
4 of chips, scrip, or play money; participates in the
5 conducting of any of the games played during the event, or
6 supervises, directs or instructs anyone conducting a game;
7 or at any time during the hours of the charitable games
8 event counts, handles, or supervises anyone counting or
9 handling any of the proceeds or chips, scrip, or play money
10 at the event. A person who is present to ensure that the
11 games are being conducted in conformance with the rules
12 established by the licensed organization or is present to
13 insure that the equipment is working properly is considered
14 to be participating in the management or operation of a
15 game. Setting up, cleaning up, selling food and drink, or
16 providing security for persons or property at the event
17 does not constitute participation in the management or
18 operation of the game.

19 Only bona fide members, volunteers as defined in
20 Section 2 of this Act, and employees of the sponsoring
21 organization may participate in the management or
22 operation of the games. A person who participates in the
23 management or operation of the games and who is not a bona
24 fide member, volunteer as defined in Section 2 of this Act,
25 or employee of the sponsoring organization, or who receives
26 remuneration or other compensation either directly or
27 indirectly from any source for participating in the
28 management or operation of the games, or who has
29 participated in the management or operation of more than 4
30 charitable games events in the calendar year, commits a
31 violation of this Act. In addition, a licensed organization
32 that utilizes any person described in the preceding
33 sentence commits a violation of this Act.

34 (3) No person may receive any remuneration or
35 compensation either directly or indirectly from any source
36 for participating in the management or operation of the

1 game.

2 (4) No single bet at any game may exceed \$10.

3 (5) A bank shall be established on the premises to
4 convert currency into chips, scrip, or other form of play
5 money which shall then be used to play at games of chance
6 which the participant chooses. Chips, scrip, or play money
7 must be permanently monogrammed with the logo of the
8 licensed organization or of the supplier. Each participant
9 must be issued a receipt indicating the amount of chips,
10 scrip, or play money purchased.

11 (6) At the conclusion of the event or when the
12 participant leaves, he may cash in his chips, scrip, or
13 play money in exchange for currency not to exceed \$250
14 above the amount required to participate in the charitable
15 games event or noncash prizes. Each participant shall sign
16 for any receipt of prizes. The licensee shall provide the
17 Department of Revenue with a listing of all prizes awarded,
18 including the retail value of all prizes awarded.

19 (7) Each licensee shall be permitted to conduct
20 charitable games on not more than 4 days each year.

21 (8) Unless the provider of the premises is a
22 municipality, the provider of the premises may not rent or
23 otherwise provide the premises for the conducting of more
24 than 8 charitable games nights per year.

25 (9) Charitable games may not be played between the
26 hours of 2:00 a.m. and noon.

27 (10) No person under the age of 18 years may play or
28 participate in the conducting of charitable games. Any
29 person under the age of 18 years may be within the area
30 where charitable games are being played only when
31 accompanied by his parent or guardian.

32 (11) No one other than the sponsoring organization of
33 charitable games must have a proprietary interest in the
34 game promoted.

35 (12) Raffles or other forms of gambling prohibited by
36 law shall not be conducted on the premises where charitable

1 games are being conducted.

2 (13) Such games are not expressly prohibited by county
3 ordinance for charitable games conducted in the
4 unincorporated areas of the county or municipal ordinance
5 for charitable games conducted in the municipality and the
6 ordinance is filed with the Department of Revenue. The
7 Department shall provide each county or municipality with a
8 list of organizations licensed or subsequently authorized
9 by the Department to conduct charitable games in their
10 jurisdiction.

11 (14) The sale of tangible personal property at
12 charitable games is subject to all State and local taxes
13 and obligations.

14 (15) Each licensee may offer or conduct only the games
15 listed below, which must be conducted in accordance with
16 rules posted by the organization. The organization
17 sponsoring charitable games shall promulgate rules, and
18 make printed copies available to participants, for the
19 following games: (a) roulette; (b) blackjack; (c) poker;
20 (d) pull tabs; (e) craps; (f) bang; (g) beat the dealer;
21 (h) big six; (i) gin rummy; (j) five card stud poker; (k)
22 chuck-a-luck; (l) keno; (m) hold-em poker; and (n)
23 merchandise wheel. A licensee need not offer or conduct
24 every game permitted by law. The conducting of games not
25 listed above is prohibited by this Act.

26 (16) No slot machines or coin-in-the-slot-operated
27 devices that allow a participant to play games of chance
28 based upon cards or dice shall be permitted to be used at
29 the location and during the time at which the charitable
30 games are being conducted.

31 (17) No cards, dice, wheels, or other equipment may be
32 modified or altered so as to give the licensee a greater
33 advantage in winning, other than as provided under the
34 normal rules of play of a particular game.

35 (18) No credit shall be extended to any of the
36 participants.

1 (19) No person may participate in the management or
2 operation of games at more than 4 charitable games events
3 in any calendar year.

4 (20) A supplier may have only one representative
5 present at the charitable games event, for the exclusive
6 purpose of ensuring that its equipment is not damaged.

7 (21) No employee, owner, or officer of a consultant
8 service hired by a licensed organization to perform
9 services at the event including, but not limited to,
10 security for persons or property at the event or services
11 before the event including, but not limited to, training
12 for volunteers or advertising may participate in the
13 management or operation of the games.

14 (22) Volunteers as defined in Section 2 of this Act and
15 bona fide members and employees of a sponsoring
16 organization may not receive remuneration or compensation,
17 either directly or indirectly from any source, for
18 participating in the management or operation of games. They
19 may participate in the management or operation of no more
20 than 4 charitable games events, either of the sponsoring
21 organization or any other licensed organization, during a
22 calendar year.

23 Nothing in this Section shall be construed to prohibit a
24 licensee that conducts charitable games on its own premises
25 from also obtaining a providers' license in accordance with
26 Section 5.1.

27 (Source: P.A. 87-758; 87-1271; 88-480; 88-563, eff. 1-1-95;
28 88-669, eff. 11-29-94; 88-670, eff. 12-2-94.)

29 (230 ILCS 30/9) (from Ch. 120, par. 1129)

30 Sec. 9. There shall be paid to the Department of Revenue,
31 3% of the gross proceeds of charitable games conducted under
32 the provisions of this Act. Such payments shall be made within
33 30 days after the completion of the games. Payment must be by
34 money order or ~~certified~~ check. Accompanying each payment shall
35 be a report, on forms provided by the Department of Revenue,

1 listing the games conducted, the gross income derived and such
2 other information as the Department of Revenue may require.
3 Failure to submit either the payment or the report within the
4 specified time may result in suspension or revocation of the
5 license and may be used in future considerations for renewal of
6 the license. The Department may authorize the payment of taxes
7 and fees imposed under this Act by electronic funds transfer.

8 The provisions of Section 2a of the Retailers' Occupation
9 Tax Act pertaining to the furnishing of a bond or other
10 security are incorporated by reference into this Act and are
11 applicable to licensees under this Act as a precondition of
12 obtaining a license under this Act. For purposes of this Act
13 gross proceeds shall be defined as all chips, scrip or other
14 form of play money purchased or any fee or donation for
15 admission or entry into such games. The Department shall
16 establish by rule the standards and criteria it will use in
17 determining whether to require the furnishing of a bond or
18 other security, the amount of such bond or other security,
19 whether to require the furnishing of an additional bond or
20 other security by a licensee, and the amount of such additional
21 bond or other security. Such standards and criteria may include
22 payment history, general financial condition or other factors
23 which may pose risks to insuring the payment to the Department
24 of Revenue, of applicable taxes. Such rulemaking is subject to
25 the provisions of the Illinois Administrative Procedure Act.
26 The provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g,
27 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 11 and 12 of the Retailers'
28 Occupation Tax Act, and Sections ~~Section~~ 3-7 and 3-7.5 of the
29 Uniform Penalty and Interest Act, which are not inconsistent
30 with this Act shall apply, as far as practicable, to the
31 subject matter of this Act to the same extent as if such
32 provisions were included in this Act. Financial reports filed
33 pursuant to this Act shall not be confidential and shall be
34 available for public inspection. For the purposes of this Act,
35 references in such incorporated Sections of the Retailers'
36 Occupation Tax Act to retailers, sellers or persons engaged in

1 the business of selling tangible personal property means
2 persons engaged in conducting charitable games, and references
3 in such incorporated Sections of the Retailers' Occupation Tax
4 Act to sales of tangible personal property mean the conducting
5 of charitable games and the making of charges for playing such
6 games.

7 All of the sums collected under this Section shall be
8 deposited into the Illinois Gaming Law Enforcement Fund of the
9 State Treasury.

10 (Source: P.A. 87-205; 87-895.)

11 (230 ILCS 30/10) (from Ch. 120, par. 1130)

12 Sec. 10. Each licensee must keep a complete record of
13 charitable games conducted within the previous 5 ~~3~~ years. Such
14 record shall be open to inspection by any employee of the
15 Department of Revenue during reasonable business hours. Any
16 employee of the Department may visit the premises and inspect
17 such record during, and for a reasonable time before and after,
18 charitable games. Gross proceeds of charitable games shall be
19 segregated from other revenues of the licensee, including bingo
20 receipts, and shall be placed in a separate account.

21 The Department may require that any person, organization or
22 corporation licensed under this Act obtain from an Illinois
23 certified public accounting firm at its own expense a certified
24 and unqualified financial statement and verification of
25 records of such organization. Failure of a charitable games
26 licensee to comply with this requirement within 90 days of
27 receiving notice from the Department may result in suspension
28 or revocation of the licensee's license and forfeiture of all
29 proceeds.

30 The Department of Revenue shall revoke any license when it
31 finds that the licensee or any person connected therewith has
32 violated or is violating the provisions of this Act or any rule
33 promulgated under this Act. However, in his or her discretion,
34 the Director may review the offenses subjecting the licensee to
35 revocation and may issue a suspension. The decision to reduce a

1 revocation to a suspension, and the duration of the suspension,
2 shall be made by taking into account factors that include, but
3 are not limited to, the licensee's previous history of
4 compliance with the Act and its rules, the number, seriousness,
5 and duration of the violations, and the licensee's cooperation
6 in discontinuing and correcting the violations. Violations of
7 Sections 4, 5, 6, 7, and subsection (2) of Section 8 of this
8 Act are considered to be more serious in nature than other
9 violations under this Act. A revocation or suspension shall be
10 in addition to, and not in lieu of, any other civil penalties
11 or assessments that are authorized by this Act. No licensee
12 under this Act, while a charitable game is being conducted,
13 shall knowingly permit the entry into any part of the licensed
14 premises by any person who has been convicted of a violation of
15 Article 28 of the Criminal Code of 1961.

16 (Source: P.A. 88-669, eff. 11-29-94.)