



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2998

Introduced 1/20/2006, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

230 ILCS 30/2	from Ch. 120, par. 1122
230 ILCS 30/4	from Ch. 120, par. 1124
230 ILCS 30/5	from Ch. 120, par. 1125
230 ILCS 30/5.1	from Ch. 120, par. 1125.1
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 30/10	from Ch. 120, par. 1130
230 ILCS 30/11	from Ch. 120, par. 1131
230 ILCS 30/12	from Ch. 120, par. 1132

Amends the Charitable Games Act. Re-enacts provisions of that Act affected by Public Act 88-669, which has been held to be unconstitutional as a violation of the single subject clause of the Illinois Constitution. Includes validation provisions. Effective immediately.

LRB094 19082 EFG 54590 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT in relation to charitable games.

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

4 Section 1. Findings; purpose; validation.

5 (a) The General Assembly finds and declares that:

6 (1) Public Act 88-669, effective November 29, 1994,
7 contained provisions amending the Charitable Games Act.
8 Public Act 88-669 also contained other provisions.

9 (2) The Illinois Supreme Court declared Public Act
10 88-669 to be unconstitutional as a violation of the single
11 subject clause of the Illinois Constitution in *People v.*
12 *Olender*, Docket No. 98932, opinion filed December 15, 2005.

13 (b) The purpose of this Act is to re-enact the provisions
14 of the Charitable Games Act affected by Public Act 88-669 and
15 to minimize or prevent any problems concerning those provisions
16 that may arise from the unconstitutionality of Public Act
17 88-669. This re-enactment is intended to remove any question as
18 to the validity and content of those provisions; it is not
19 intended to supersede any other Public Act that amends the
20 provisions re-enacted in this Act. The re-enacted material is
21 shown in this Act as existing text (i.e., without underscoring)
22 and may include changes made by subsequent amendments.

23 (c) This re-enactment of provisions of the Charitable Games
24 Act by this Act is not intended, and shall not be construed, to
25 impair any legal argument concerning whether those provisions
26 were substantially re-enacted by any other Public Act.

27 (d) All otherwise lawful actions taken before the effective
28 date of this Act in reliance on or pursuant to the provisions
29 re-enacted by this Act, as those provisions were set forth in
30 Public Act 88-669 or as subsequently amended, by any officer,
31 employee, or agency of State government or by any other person
32 or entity, are hereby validated, except to the extent
33 prohibited under the Illinois or United States Constitution.

1 (e) This Act applies, without limitation, to actions
2 pending on or after the effective date of this Act, except to
3 the extent prohibited under the Illinois or United States
4 Constitution.

5 Section 5. The Charitable Games Act is amended by
6 re-enacting Sections 2, 4, 5, 5.1, 6, 7, 8, 10, 11, and 12 as
7 follows:

8 (230 ILCS 30/2) (from Ch. 120, par. 1122)

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

11 "Organization": A corporation, agency, partnership,
12 institution, association, firm or other entity consisting of 2
13 or more persons joined by a common interest or purpose.

14 "Sponsoring organization": A qualified organization that
15 has obtained a license to conduct a charitable games event in
16 conformance with the provisions of this Act.

17 "Qualified organization":

18 (a) a charitable, religious, fraternal, veterans,
19 labor or educational organization or institution organized
20 and conducted on a not-for-profit basis with no personal
21 profit inuring to anyone as a result of the operation and
22 which is exempt from federal income taxation under Sections
23 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10) or
24 501(c)(19) of the Internal Revenue Code;

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

30 (c) An auxiliary organization of a veterans
31 organization.

32 "Fraternal organization": A civic, service or charitable
33 organization in this State except a college or high school
34 fraternity or sorority, not for pecuniary profit, which is a

1 branch, lodge or chapter of a national or State organization
2 and exists for the common business, brotherhood, or other
3 interest of its members.

4 "Veterans organization": An organization comprised of
5 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 "Labor organization": An organization composed of labor
11 unions or workers organized with the objective of betterment of
12 the conditions of those engaged in such pursuit and the
13 development of a higher degree of efficiency in their
14 respective occupations.

15 "Department": The Department of Revenue.

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

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

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

26 (230 ILCS 30/4) (from Ch. 120, par. 1124)

27 Sec. 4. Licensing Restrictions. Licensing for the
28 conducting of charitable games is subject to the following
29 restrictions:

30 (1) The license application, when submitted to the
31 Department of Revenue, must contain a sworn statement
32 attesting to the not-for-profit character of the
33 prospective licensee organization, signed by the presiding
34 officer and the secretary of that organization. The
35 application shall contain the name of the person in charge

1 of and primarily responsible for the conduct of the
2 charitable games. The person so designated shall be present
3 on the premises continuously during charitable games. Any
4 wilful misstatements contained in such application
5 constitute perjury.

6 (2) The application for license shall be prepared by
7 the prospective licensee organization or its duly
8 authorized representative in accordance with the rules of
9 the Department of Revenue.

10 (2.1) The application for a license shall contain a
11 list of the names, addresses, social security numbers, and
12 dates of birth of all persons who will participate in the
13 management or operation of the games, along with a sworn
14 statement made under penalties of perjury, signed by the
15 presiding officer and secretary of the applicant, that the
16 persons listed as participating in the management or
17 operation of the games are bona fide members, volunteers as
18 defined in Section 2, or employees of the applicant, that
19 these persons have not participated in the management or
20 operation of more than 4 charitable games events conducted
21 by any licensee in the calendar year, and that these
22 persons will receive no remuneration or compensation,
23 directly or indirectly from any source, for participating
24 in the management or operation of the games. Any amendments
25 to this listing must contain an identical sworn statement.

26 (2.2) The application shall be signed by the presiding
27 officer and the secretary of the applicant organization,
28 who shall attest under penalties of perjury that the
29 information contained in the application is true, correct,
30 and complete.

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

34 (4) Each licensee shall file a copy of the license with
35 each police department or, if in unincorporated areas, each
36 sheriff's office whose jurisdiction includes the premises

1 on which the charitable games are authorized under the
2 license.

3 (5) The licensee shall display the license in a
4 prominent place in the area where it is to conduct
5 charitable games.

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

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

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

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

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

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

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

36 Nothing in this Section shall be construed to prohibit a

1 licensee that conducts charitable games on its own premises
2 from also obtaining a providers' license in accordance with
3 Section 5.1. The maximum number of charitable games events that
4 may be held in any one premises is limited to 8 charitable
5 games events per calendar year.

6 (Source: P.A. 87-758; 88-563, eff. 1-1-95; 88-669, eff.
7 11-29-94.)

8 (230 ILCS 30/5) (from Ch. 120, par. 1125)

9 Sec. 5. Providers' License. The Department shall issue a
10 providers' license permitting a person, firm or corporation to
11 provide premises for the conduct of charitable games. No
12 person, firm or corporation may rent or otherwise provide
13 premises without having first obtained a license therefor upon
14 written application made, verified and filed with the
15 Department in the form prescribed by the rules and regulations
16 of the Department. Each providers' license is valid for one
17 year from the date of issuance, unless suspended or revoked by
18 Department action before that date. The annual fee for such
19 providers' license is \$50. A provider may receive reasonable
20 compensation for the provision of the premises. The
21 compensation shall not be based upon a percentage of the gross
22 proceeds from the charitable games. A provider, other than a
23 municipality, may not provide the same premises for conducting
24 more than 8 charitable games nights per year. A provider shall
25 not have any interest in any suppliers' business, either direct
26 or indirect. A municipality may provide the same premises for
27 conducting 16 charitable games nights during a 12-month period.
28 No employee, officer, or owner of a provider may participate in
29 the management or operation of a charitable games event, even
30 if the employee, officer, or owner is also a member, volunteer,
31 or employee of the charitable games licensee. A provider may
32 not promote or solicit a charitable games event on behalf of a
33 charitable games licensee or qualified organization. Any
34 qualified organization licensed to conduct a charitable game
35 need not obtain a providers' license if such games are to be

1 conducted on the organization's premises.

2 (Source: P.A. 85-1412; 88-563, eff. 1-1-95; 88-669, eff.
3 11-29-94.)

4 (230 ILCS 30/5.1) (from Ch. 120, par. 1125.1)

5 Sec. 5.1. If a licensee conducts charitable games on its
6 own premises, the licensee may also obtain a providers' license
7 in accordance with Section 5 to allow the licensee to rent or
8 otherwise provide its premises to another licensee for the
9 conducting of an additional 4 charitable games events. The
10 maximum number of charitable games events that may be held at
11 any one premises is limited to 8 charitable games events per
12 calendar year.

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

14 (230 ILCS 30/6) (from Ch. 120, par. 1126)

15 Sec. 6. Supplier's license. The Department shall issue a
16 supplier's license permitting a person, firm or corporation to
17 sell, lease, lend or distribute to any organization licensed to
18 conduct charitable games, supplies, devices and other
19 equipment designed for use in the playing of charitable games.
20 No person, firm or corporation shall sell, lease or distribute
21 charitable games supplies or equipment without having first
22 obtained a license therefor upon written application made,
23 verified and filed with the Department in the form prescribed
24 by the rules and regulations of the Department. Each supplier's
25 license is valid for a period of one year from the date of
26 issuance, unless suspended or revoked by Department action
27 before that date. The annual fee for such license is \$500. The
28 Department may require by rule for the provision of surety
29 bonds by suppliers. A supplier shall furnish the Department
30 with a list of all products and equipment offered for sale or
31 lease to any organization licensed to conduct charitable games,
32 and all such products and equipment shall be sold or leased at
33 the prices on file with the Department. A supplier shall keep
34 all such products and equipment segregated and separate from

1 any other products, materials or equipment that it might own,
2 sell or lease. A supplier must include in its application for a
3 license the exact location of the storage of the products,
4 materials or equipment. A supplier, as a condition of
5 licensure, must consent to permitting the Department's
6 employees to enter supplier's premises to inspect and test all
7 equipment and devices. A supplier shall keep books and records
8 for the furnishing of products and equipment to charitable
9 games separate and distinct from any other business the
10 supplier might operate. All products and equipment supplied
11 must be in accord with the Department's rules and regulations.
12 A supplier shall not alter or modify any equipment or supplies,
13 or possess any equipment or supplies so altered or modified, so
14 as to allow the possessor or operator of the equipment to
15 obtain a greater chance of winning a game other than as under
16 normal rules of play of such games. The supplier shall not
17 require an organization to pay a percentage of the proceeds
18 from the charitable games for the use of the products or
19 equipment. The supplier shall file a quarterly return with the
20 Department listing all sales or leases for such quarter and the
21 gross proceeds from such sales or leases. A supplier shall
22 permanently affix his name to all charitable games equipment,
23 supplies and pull tabs. A supplier shall not have any interest
24 in any providers' business, either direct or indirect. If the
25 supplier leases his equipment for use at an unlicensed
26 charitable games or to an unlicensed sponsoring group, all
27 equipment so leased is forfeited to the State.

28 No person, firm or corporation shall sell, lease or
29 distribute for compensation within this State, or possess with
30 intent to sell, lease or distribute for compensation within
31 this State, any chips, representations of money, wheels or any
32 devices or equipment designed for use or used in the play of
33 charitable games without first having obtained a license to do
34 so from the Department of Revenue. Any person, firm or
35 corporation which knowingly violates this paragraph shall be
36 guilty of a Class A misdemeanor, the fine for which shall not

1 exceed \$50,000.

2 Organizations licensed to conduct charitable games may own
3 their own equipment. Such organizations must apply to the
4 Department for an ownership permit. Any such application must
5 be accompanied by a \$50 fee. Such organizations shall file an
6 annual report listing their inventory of charitable games
7 equipment. Such organizations may lend such equipment without
8 compensation to other licensed organizations without applying
9 for a suppliers license.

10 No employee, owner, or officer of a supplier may
11 participate in the management or operation of a charitable
12 games event, even if the employee, owner, or officer is also a
13 member, volunteer, or employee of the charitable games
14 licensee. A supplier may not promote or solicit a charitable
15 games event on behalf of a charitable games licensee or
16 qualified organization.

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

18 (230 ILCS 30/7) (from Ch. 120, par. 1127)

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

21 (a) any person who has been convicted of a felony within 10
22 years of the date of the application;

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

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

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

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

32 (e) any business or organization in which a person defined
33 in (a), (b), (c), (d), or (d-1) has a proprietary, equitable,
34 or credit interest, or in which the person is active or
35 employed;

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

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

7 The Department of State Police shall provide the criminal
8 background of any person requested by the Department of
9 Revenue.

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

11 (230 ILCS 30/8) (from Ch. 120, par. 1128)

12 Sec. 8. The conducting of charitable games is subject to
13 the following restrictions:

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

17 (2) No person except a bona fide member or employee of
18 the sponsoring organization, or a volunteer recruited by
19 the sponsoring organization, may participate in the
20 management or operation of the game. A person participates
21 in the management or operation of a charitable game when he
22 or she sells admission tickets at the event; sells,
23 redeems, or in any way assists in the selling or redeeming
24 of chips, scrip, or play money; participates in the
25 conducting of any of the games played during the event, or
26 supervises, directs or instructs anyone conducting a game;
27 or at any time during the hours of the charitable games
28 event counts, handles, or supervises anyone counting or
29 handling any of the proceeds or chips, scrip, or play money
30 at the event. A person who is present to ensure that the
31 games are being conducted in conformance with the rules
32 established by the licensed organization or is present to
33 insure that the equipment is working properly is considered
34 to be participating in the management or operation of a
35 game. Setting up, cleaning up, selling food and drink, or

1 providing security for persons or property at the event
2 does not constitute participation in the management or
3 operation of the game.

4 Only bona fide members, volunteers as defined in
5 Section 2 of this Act, and employees of the sponsoring
6 organization may participate in the management or
7 operation of the games. A person who participates in the
8 management or operation of the games and who is not a bona
9 fide member, volunteer as defined in Section 2 of this Act,
10 or employee of the sponsoring organization, or who receives
11 remuneration or other compensation either directly or
12 indirectly from any source for participating in the
13 management or operation of the games, or who has
14 participated in the management or operation of more than 4
15 charitable games events in the calendar year, commits a
16 violation of this Act. In addition, a licensed organization
17 that utilizes any person described in the preceding
18 sentence commits a violation of this Act.

19 (3) No person may receive any remuneration or
20 compensation either directly or indirectly from any source
21 for participating in the management or operation of the
22 game.

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

24 (5) A bank shall be established on the premises to
25 convert currency into chips, scrip, or other form of play
26 money which shall then be used to play at games of chance
27 which the participant chooses. Chips, scrip, or play money
28 must be monogrammed with the logo of the licensed
29 organization or of the supplier. Each participant must be
30 issued a receipt indicating the amount of chips, scrip, or
31 play money purchased.

32 (6) At the conclusion of the event or when the
33 participant leaves, he may cash in his chips, scrip, or
34 play money in exchange for currency not to exceed \$250 or
35 noncash prizes. Each participant shall sign for any receipt
36 of prizes. The licensee shall provide the Department of

1 Revenue with a listing of all prizes awarded.

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

4 (8) Unless the provider of the premises is a
5 municipality, the provider of the premises may not rent or
6 otherwise provide the premises for the conducting of more
7 than 8 charitable games nights per year.

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

10 (10) No person under the age of 18 years may play or
11 participate in the conducting of charitable games. Any
12 person under the age of 18 years may be within the area
13 where charitable games are being played only when
14 accompanied by his parent or guardian.

15 (11) No one other than the sponsoring organization of
16 charitable games must have a proprietary interest in the
17 game promoted.

18 (12) Raffles or other forms of gambling prohibited by
19 law shall not be conducted on the premises where charitable
20 games are being conducted.

21 (13) Such games are not expressly prohibited by county
22 ordinance for charitable games conducted in the
23 unincorporated areas of the county or municipal ordinance
24 for charitable games conducted in the municipality and the
25 ordinance is filed with the Department of Revenue. The
26 Department shall provide each county or municipality with a
27 list of organizations licensed or subsequently authorized
28 by the Department to conduct charitable games in their
29 jurisdiction.

30 (14) The sale of tangible personal property at
31 charitable games is subject to all State and local taxes
32 and obligations.

33 (15) Each licensee may offer or conduct only the games
34 listed below, which must be conducted in accordance with
35 rules posted by the organization. The organization
36 sponsoring charitable games shall promulgate rules, and

1 make printed copies available to participants, for the
2 following games: (a) roulette; (b) blackjack; (c) poker;
3 (d) pull tabs; (e) craps; (f) bang; (g) beat the dealer;
4 (h) big six; (i) gin rummy; (j) five card stud poker; (k)
5 chuck-a-luck; (l) keno; (m) hold-em poker; and (n)
6 merchandise wheel. A licensee need not offer or conduct
7 every game permitted by law. The conducting of games not
8 listed above is prohibited by this Act.

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

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

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

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

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

26 (21) No employee, owner, or officer of a consultant
27 service hired by a licensed organization to perform
28 services at the event including, but not limited to,
29 security for persons or property at the event or services
30 before the event including, but not limited to, training
31 for volunteers or advertising may participate in the
32 management or operation of the games.

33 (22) Volunteers as defined in Section 2 of this Act and
34 bona fide members and employees of a sponsoring
35 organization may not receive remuneration or compensation,
36 either directly or indirectly from any source, for

1 participating in the management or operation of games. They
2 may participate in the management or operation of no more
3 than 4 charitable games events, either of the sponsoring
4 organization or any other licensed organization, during a
5 calendar year.

6 Nothing in this Section shall be construed to prohibit a
7 licensee that conducts charitable games on its own premises
8 from also obtaining a providers' license in accordance with
9 Section 5.1.

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

12 (230 ILCS 30/10) (from Ch. 120, par. 1130)

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

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

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

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

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

18 (230 ILCS 30/11) (from Ch. 120, par. 1131)

19 Sec. 11. Any organization which conducts charitable games
20 without first obtaining a license to do so, or which continues
21 to conduct such games after revocation of its charitable games
22 license, or any organization licensed to conduct charitable
23 games which allows any form of illegal gambling to be conducted
24 on the premises where charitable games are being conducted
25 shall, in addition to other penalties provided, be subject to a
26 civil penalty equal to the amount of gross proceeds derived on
27 that day from charitable games and any other illegal game that
28 may have been conducted as well as confiscation and forfeiture
29 of the gross proceeds derived from such games and any other
30 illegal games and confiscation and forfeiture of all charitable
31 games equipment used in the conduct of unlicensed games.

32 Any person who violates any provision of this Act or
33 knowingly violates any rule of the Department for the
34 administration of this Act, shall, in addition to other
35 penalties provided, be subject to a civil penalty in the amount

1 of \$250 for each separate violation. Persons subject to this
2 provision include, but are not limited to, sponsoring
3 organizations, volunteers, any licensee under this Act, or any
4 other person or organization.

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

6 (230 ILCS 30/12) (from Ch. 120, par. 1132)

7 Sec. 12. Any person who conducts or knowingly participates
8 in an unlicensed charitable game commits the offense of
9 gambling in violation of Section 28-1 of the Criminal Code of
10 1961, as amended. Any person who violates any provision of this
11 Act, or any person who fails to file a charitable games return
12 or who files a fraudulent return or application under this Act,
13 or any person who knowingly violates any rule or regulation of
14 the Department for the administration and enforcement of this
15 Act, or any officer or agent of an organization or a
16 corporation licensed under this Act who signs a fraudulent
17 return or application filed on behalf of such an organization
18 or corporation, is guilty of a Class A misdemeanor. Any second
19 or subsequent violation of this Act constitutes a Class 4
20 felony.

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

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