

# HB3649



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB3649

Introduced 2/28/2007, by Rep. Bob Biggins

#### SYNOPSIS AS INTRODUCED:

See Index

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. In the Illinois Pull Tabs and Jar Games Act, adds provisions concerning providers' licenses and suppliers' licenses. Makes other changes. Effective July 1, 2007.

LRB095 09703 AMC 32310 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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, 4, 5, 6, and 7 and by  
6 adding Sections 2.1, 3.1, 3.2, 7.1, 7.2, and 7.3 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

1 games, dice, slot machines, bookmaking and wagering pools with  
2 respect to a sporting event, or that game commonly known as  
3 punch boards, or any other game or activity not expressly  
4 defined in this Section.

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

8 "Non-profit organization" means an organization or  
9 institution organized and conducted on a not-for-profit basis  
10 with no personal profit inuring to anyone as a result of the  
11 operation.

12 "Charitable organization" means an organization or  
13 institution organized and operated to benefit an indefinite  
14 number of the public.

15 "Educational organization" means an organization or  
16 institution organized and operated to provide systematic  
17 instruction in useful branches of learning by methods common to  
18 schools and institutions of learning which compare favorably in  
19 their scope and intensity with the course of study presented in  
20 tax-supported schools.

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

24 "Fraternal organization" means an organization of persons,  
25 ~~including but not limited to ethnic organizations,~~ having a  
26 common interest that is organized and operated exclusively to

1 promote the welfare of its members and to benefit the general  
2 public on a continuing and consistent basis, including but not  
3 limited to ethnic organizations.

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

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

18 "Senior citizens organization" means an organization or  
19 association comprised of members of which substantially all are  
20 individuals who are senior citizens, as defined in the Illinois  
21 Act on the Aging, the primary purpose of which is to promote  
22 the welfare of its members.

23 "Department" means the Department of Revenue.

24 "Person" means any natural individual, corporation,  
25 partnership, limited liability company, organization, licensee  
26 under this Act, or volunteer.

1       "Special permit" means a permit issued to a licensed  
2 organization that allows it to conduct pull tabs and jar games  
3 at other premises or on other days not exceeding 5 consecutive  
4 days.

5       "Supplier" means any person, firm, or corporation that  
6 sells, leases, lends, distributes, or otherwise provides any  
7 pull tabs and jar games to any organization licensed to conduct  
8 pull tabs and jar games in Illinois.

9       "Volunteer" means a person recruited by the licensed  
10 organization who voluntarily performs services at a pull tabs  
11 or jar games event, including participation in the management  
12 or operation of a game.

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

14 (230 ILCS 20/2) (from Ch. 120, par. 1052)

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

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

24           (ii) Any bona fide religious, charitable, labor,  
25 fraternal, youth athletic, senior citizen, educational or

1 veterans' organization organized in Illinois which  
2 operates without profit to its members, which has been in  
3 existence in Illinois continuously for a period of 5 years  
4 immediately before making application for a license and  
5 which has had during that entire 5 year period a bona fide  
6 membership engaged in carrying out its objects. However,  
7 the 5 year requirement shall be reduced to 2 years, as  
8 applied to a local organization which is affiliated with  
9 and chartered by a national organization which meets the 5  
10 year requirement.

11 Each license issued shall be in effect for one year from  
12 its date of issuance unless extended, suspended, or revoked by  
13 Department action before that date. The Department may provide  
14 by rule for an extension of any pull tabs and jar games license  
15 issued under this Act. Any extension provided shall not exceed  
16 one year. A licensee may hold only one license and that license  
17 is valid for only one location unless a special permit, as  
18 authorized in subsection (6) of Section 3, is issued. The  
19 Department may authorize by rule the filing by electronic means  
20 of any application, license, permit, return, or registration  
21 required under this Act.

22 All taxes and fees imposed by this Act, unless otherwise  
23 specified, shall be paid into the General Revenue Fund of the  
24 State Treasury.

25 ~~Each license expires at midnight, June 30, following its~~  
26 ~~date of issuance, except that, beginning with applicants whose~~

~~licenses expire on June 30, 1990, the Department shall stagger license expiration dates by dividing the applicants into 4 groups which are substantially equal in number. Licenses issued and license fees charged to applicants in each group shall be in accordance with the following schedule:~~

<del>Group No.</del>	<del>License Expiration Date</del>	<del>Fee</del>
<del>1</del>	<del>December 31, 1990</del>	<del>\$250</del>
<del>2</del>	<del>March 31, 1991</del>	<del>\$375</del>
<del>3</del>	<del>June 30, 1991</del>	<del>\$500</del>
<del>4</del>	<del>September 30, 1991</del>	<del>\$625</del>

~~Following expiration under this schedule, each renewed license shall be in effect for one year from its date of issuance unless suspended or revoked by Department action before that date. After June 30, 1990, every new license shall expire one year from the date of issuance unless suspended or revoked. A licensee may hold only one license and that license is valid for only one location.~~

~~The following are ineligible for any license under this Act:~~

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

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

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

~~(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 20/2.1 new)

15 Sec. 2.1. Ineligibility for a license. The following are  
16 ineligible for any license under this Act:

17 (1) Any person who has been convicted of a felony  
18 within the last 10 years prior to the date of the  
19 application.

20 (2) Any person who has been convicted of a violation of  
21 Article 28 of the Criminal Code of 1961.

22 (3) Any person who has had a bingo, pull tabs and jar  
23 games, or charitable games license revoked by the  
24 Department.

25 (4) Any person who is or has been a professional



1 gambler.

2 (5) Any person found gambling in a manner not  
3 authorized by the Illinois Pull Tabs and Jar Games Act, the  
4 Bingo License and Tax Act, or the Charitable Games Act,  
5 participating in such gambling, or knowingly permitting  
6 such gambling on premises where pull tabs and jar games are  
7 authorized to be conducted.

8 (6) Any firm or corporation in which a person defined  
9 in (1), (2), (3), (4), or (5) has any proprietary,  
10 equitable, or credit interest or in which such person is  
11 active or employed.

12 (7) Any organization in which a person defined in (1),  
13 (2), (3), (4), or (5) is an officer, director, or employee,  
14 whether compensated or not.

15 (8) Any organization in which a person defined in (1),  
16 (2), (3), (4), or (5) is to participate in the management  
17 or operation of pull tabs and jar games.

18 The Department of State Police shall provide the criminal  
19 background of any supplier as requested by the Department of  
20 Revenue.

21 (230 ILCS 20/3) (from Ch. 120, par. 1053)

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

24 (1) The license application, when submitted to the  
25 Department of Revenue, shall contain a sworn statement

1 attesting to the not-for-profit character of the prospective  
2 licensee organization and shall be signed by a person listed on  
3 the application as an owner, officer, or other person in charge  
4 of the necessary day-to-day operations ~~the presiding officer~~  
5 ~~and the secretary~~ of that organization.

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

8 (3) The licensee shall prominently display the license in  
9 the area where the licensee conducts pull tabs and jar games.  
10 The licensee shall likewise display, in the form and manner as  
11 prescribed by the Department, the provisions of Section 4 of  
12 this Act.

13 (4) Each license shall state the location at which the  
14 licensee is permitted to conduct pull tabs and jar games. ~~The~~  
15 ~~Department may, on special application made by a licensed~~  
16 ~~organization, issue a special permit to conduct a single pull~~  
17 ~~tabs or jar games event at another location. A special permit~~  
18 ~~shall be displayed at the site of any pull tabs or jar games~~  
19 ~~authorized by such permit.~~

20 (4.1) A license is not assignable or transferable.

21 (4.2) The Department may, on special application made by  
22 any organization having a pull tabs and jar games license,  
23 issue a special permit for conducting pull tabs and jar games  
24 at other premises and on other days not exceeding 5 consecutive  
25 days, except that a licensee may conduct pull tabs and jar  
26 games at the Illinois State Fair or any county fair held in

1 Illinois during each day that the fair is held, without a fee.  
2 Such pull tabs and jar games conducted at the Illinois State  
3 Fair or a county fair shall not require a special permit. No  
4 more than 2 special permits may be issued in one year to any  
5 one organization.

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

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

17 (230 ILCS 20/3.1 new)

18 Sec. 3.1. Suppliers' license. The Department shall issue a  
19 suppliers' license permitting a person, firm or corporation to  
20 sell or distribute to any organization licensed to conduct pull  
21 tabs and jar games supplies, devices or other equipment  
22 designed for use in the playing of pull tabs and jar games. No  
23 person, firm or corporation shall sell or distribute pull tabs  
24 and jar games supplies without having first obtained a license.  
25 Licensed suppliers shall buy pull tabs and jar games only from

1 licensed manufacturers and shall sell pull tabs and jar games  
2 only to licensed organizations. Licensed organizations shall  
3 buy pull tabs and jar games only from licensed suppliers.  
4 Applications for suppliers' licenses shall be made in writing  
5 in accordance with Department rules. The Department shall  
6 license suppliers of pull tabs and jar games subject to a  
7 nonrefundable annual fee of \$5,000, or a nonrefundable  
8 triennial supplier's fee of \$15,000. Each suppliers' license is  
9 valid for one year from date of issuance, or 3 years from date  
10 of issuance for a triennial license, unless extended,  
11 suspended, or revoked by Department action before that date.  
12 Any extension of a suppliers' license shall not exceed one  
13 year. No licensed supplier under this Act shall sell,  
14 distribute or allow the use of any supplies, devices or  
15 equipment designed for use in the play of pull tabs and jar  
16 games for the conducting of anything other than pull tabs and  
17 jar games or to any person or organization not otherwise  
18 licensed under this Act.

19 The Department shall adopt by rule minimum quality  
20 production standards for pull tabs and jar games. In  
21 determining those standards, the Department shall consider the  
22 standards adopted by the National Association of Gambling  
23 Regulatory Agencies and the National Association of  
24 Fundraising Ticket Manufacturers. The standards shall include  
25 the name of the supplier which shall appear in plain view to  
26 the casual observer on the face side of each pull tab ticket

1 and on each jar game ticket. The pull tab ticket shall contain  
2 the name of the game, the selling price of the ticket, the  
3 amount of the prize and the serial number of the ticket. The  
4 back side of a pull tab ticket shall contain a series of  
5 perforated tabs marked "open here". The logo of the  
6 manufacturer shall be clearly visible on each jar game ticket.

7 (230 ILCS 20/3.2 new)

8 Sec. 3.2. Manufacturers' license. The Department shall  
9 issue a manufacturers' license permitting a person, firm or  
10 corporation that produces, creates, constructs, assembles or  
11 otherwise manufactures pull tab and jar games to sell or  
12 distribute to any organization licensed to supply pull tabs and  
13 jar games. No person, firm or corporation shall produce,  
14 create, construct, assemble or otherwise manufacture pull tab  
15 and jar games without having first obtained a license. Licensed  
16 manufacturers may sell pull tabs and jar games only to licensed  
17 suppliers. Applications for manufacturers' licenses shall be  
18 made in writing in accordance with Department rules. The  
19 Department of Revenue shall license manufacturers of pull tabs  
20 and jar games subject to a nonrefundable annual fee of \$5,000,  
21 or a triennial supplier's license fee of \$15,000. Each  
22 manufacturers' license is valid for one year from date of  
23 issuance, or 3 years from date of issuance for a triennial  
24 license, unless extended, suspended, or revoked by Department  
25 action before that date. Any extension of a manufacturers'

1 license shall not exceed one year.

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

16 (230 ILCS 20/4) (from Ch. 120, par. 1054)

17 Sec. 4. The conducting of pull tabs and jar games is  
18 subject to the following restrictions:

19 (1) The entire net proceeds of any pull tabs or jar games,  
20 except as otherwise approved in this Act, must be exclusively  
21 devoted to the lawful purposes of the organization permitted to  
22 conduct such drawings.

23 (2) No person except a bona fide member or employee of the  
24 sponsoring organization may participate in the management or  
25 operation of such pull tabs or jar games; however, nothing

1 herein shall conflict with pull tabs and jar games conducted  
2 under the provisions of the Charitable Games Act.

3 (3) No person may receive any remuneration or profit for  
4 participating in the management or operation of such pull tabs  
5 or jar games; however, nothing herein shall conflict with pull  
6 tabs and jar games conducted under the provisions of the  
7 Charitable Games Act.

8 (4) The price paid for a single chance or right to  
9 participate in a game licensed under this Act shall not exceed  
10 \$2. No single prize shall exceed \$500. There shall be no more  
11 than 6,000 tickets in a game. The aggregate value of all prizes  
12 or merchandise awarded in any single day of pull tabs and jar  
13 games shall not exceed \$5,000, ~~except that in adjoining~~  
14 ~~counties having 200,000 to 275,000 inhabitants each, and in~~  
15 ~~counties which are adjacent to either of such adjoining~~  
16 ~~counties and are adjacent to total of not more than 2 counties~~  
17 ~~in this State, the value of all prizes or merchandise awarded~~  
18 ~~may not exceed \$5,000 in a single day.~~

19 (5) No person under the age of 18 years shall play or  
20 participate in games under this Act. A person under the age of  
21 18 years may be within the area where pull tabs and jar games  
22 are being conducted only when accompanied by his parent or  
23 guardian.

24 (6) Pull tabs and jar games shall be conducted only on  
25 premises owned or occupied by licensed organizations and used  
26 by its members for general activities, or on premises owned or

1 rented for conducting the game of bingo, or as permitted in  
2 subsection (4) of Section 3.

3 (Source: P.A. 90-536, eff. 1-1-98; 90-808, eff. 12-1-98.)

4 (230 ILCS 20/5) (from Ch. 120, par. 1055)

5 Sec. 5. There shall be paid to the Department of Revenue 5%  
6 of the gross proceeds of any pull tabs and jar games conducted  
7 under this Act. Such payments shall be made 4 times per year,  
8 between the first and the 20th day of April, July, October and  
9 January. ~~Payment must be made by money order or certified~~  
10 ~~check.~~ Accompanying each payment shall be a return, on forms  
11 prescribed by the Department of Revenue report, on forms  
12 ~~provided by the Department of Revenue, listing the number of~~  
13 ~~drawings conducted, the gross income derived therefrom and such~~  
14 ~~other information as the Department of Revenue may require.~~  
15 Failure to submit either the payment or the return report  
16 within the specified time shall result in suspension or  
17 automatic revocation of the license. Tax returns filed pursuant  
18 to this Act shall not be confidential and shall be available  
19 for public inspection. All payments made to the Department of  
20 Revenue under this Act shall be deposited as follows:

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

22 (b) 50% shall be deposited in the Illinois Gaming Law  
23 Enforcement Fund. Of the monies deposited in the Illinois  
24 Gaming Law Enforcement Fund under this Section, the General  
25 Assembly shall appropriate two-thirds to the Department of



1 Revenue, Department of State Police and the Office of the  
2 Attorney General for State law enforcement purposes, and  
3 one-third shall be appropriated to the Department of Revenue  
4 for the purpose of distribution in the form of grants to  
5 counties or municipalities for law enforcement purposes. The  
6 amounts of grants to counties or municipalities shall bear the  
7 same ratio as the number of licenses issued in counties or  
8 municipalities bears to the total number of licenses issued in  
9 the State. In computing the number of licenses issued in a  
10 county, licenses issued for locations within a municipality's  
11 boundaries shall be excluded.

12 ~~The Department of Revenue shall license suppliers and~~  
13 ~~manufacturers of pull tabs and jar games at an annual fee of~~  
14 ~~\$5,000. Suppliers and manufacturers shall meet the~~  
15 ~~requirements and qualifications established by rule by the~~  
16 ~~Department. Licensed manufacturers shall sell pull tabs and jar~~  
17 ~~games only to licensed suppliers. Licensed suppliers shall buy~~  
18 ~~pull tabs and jar games only from licensed manufacturers and~~  
19 ~~shall sell pull tabs and jar games only to licensed~~  
20 ~~organizations. Licensed organizations shall buy pull tabs and~~  
21 ~~jar games only from licensed suppliers.~~

22 ~~The Department of Revenue shall adopt by rule minimum~~  
23 ~~quality production standards for pull tabs and jar games. In~~  
24 ~~determining such standards, the Department shall consider the~~  
25 ~~standards adopted by the National Association of Gambling~~  
26 ~~Regulatory Agencies and the National Association of~~

1 ~~Fundraising Ticket Manufacturers. Such standards shall include~~  
2 ~~the name of the supplier which shall appear in plain view to~~  
3 ~~the casual observer on the face side of each pull tab ticket~~  
4 ~~and on each jar game ticket. The pull tab ticket shall contain~~  
5 ~~the name of the game, the selling price of the ticket, the~~  
6 ~~amount of the prize and the serial number of the ticket. The~~  
7 ~~back side of a pull tab ticket shall contain a series of~~  
8 ~~perforated tabs marked "open here". The logo of the~~  
9 ~~manufacturer shall be clearly visible on each jar game ticket.~~

10 ~~The Department of Revenue shall adopt rules necessary to~~  
11 ~~provide for the proper accounting and control of activities~~  
12 ~~under this Act, to ensure that the proper taxes are paid, that~~  
13 ~~the proceeds from the activities under this Act are used~~  
14 ~~lawfully, and to prevent illegal activity associated with the~~  
15 ~~use of pull tabs and jar games.~~

16 ~~The provisions of Section 2a of the Retailers' Occupation~~  
17 ~~Tax Act pertaining to the furnishing of a bond or other~~  
18 ~~security are incorporated by reference into this Act and are~~  
19 ~~applicable to licensees under this Act as a precondition of~~  
20 ~~obtaining a license under this Act. The provisions of Sections~~  
21 ~~4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a, 6b, 6c, 8,~~  
22 ~~9, 10, 11 and 12 of the Retailers' Occupation Tax Act, and~~  
23 ~~Section 3-7 of the Uniform Penalty and Interest Act, which are~~  
24 ~~not inconsistent with this Act shall apply, as far as~~  
25 ~~practicable, to the subject matter of this Act to the same~~  
26 ~~extent as if such provisions were included in this Act. For the~~

1 purposes of this Act, references in such incorporated Sections  
2 of the Retailers' Occupation Tax Act to retailers, sellers or  
3 persons engaged in the business of selling tangible personal  
4 property means persons engaged in conducting pull tabs and jar  
5 games and references in such incorporated Sections of the  
6 Retailers' Occupation Tax Act to sales of tangible personal  
7 property mean the conducting of pull tabs and jar games and the  
8 making of charges for participating in such drawings.

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

10 (230 ILCS 20/6) (from Ch. 120, par. 1056)

11 Sec. 6. Each licensee must keep a complete record of pull  
12 tabs and jar games conducted within the previous 3 years ~~in~~  
13 ~~accordance with rules therefor adopted by the Department of~~  
14 ~~Revenue~~. Such record shall be available for inspection by any  
15 employee of the Department of Revenue during reasonable  
16 business hours. The Department may require that any person,  
17 organization, or corporation licensed under this Act obtain  
18 from an Illinois certified public accounting firm at its own  
19 expense a certified and unqualified financial statement and  
20 verification of records of such organization. Failure of a pull  
21 tabs and jar games licensee to comply with this requirement  
22 within 90 days of receiving notice from the Department may  
23 result in suspension or revocation of the licensee's license.

24 The Department of Revenue may, at its discretion, suspend or  
25 revoke any license if it finds that the licensee or any person

1 connected therewith has violated or is violating this Act ~~or~~  
2 ~~that such drawings are or have been conducted by a person or~~  
3 ~~persons of questionable character or affiliation. A suspension~~  
4 or revocation shall be in addition to, and not in lieu of, any  
5 other civil penalties or assessments that are authorized by  
6 this Act. No licensee under this Act, while pull tabs and jar  
7 games chances are being conducted, shall knowingly permit entry  
8 to any part of the licensed premises by ~~to~~ any person who has  
9 been convicted of a felony or a violation of Article 28 of the  
10 Criminal Code of 1961.

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

12 (230 ILCS 20/7) (from Ch. 120, par. 1057)

13 Sec. 7. Violations.

14 (a) Any person who conducts or knowingly participates in an  
15 unlicensed pull tabs and jar game commits the offense of  
16 gambling in violation of Section 28 1 of the Criminal Code of  
17 1961, as amended. Any person who violates any other provision  
18 of this Act, or any person who knowingly fails to file a pull  
19 tabs and jar games return or who knowingly files a fraudulent  
20 application or return under this Act, or any person who  
21 wilfully violates any rule or regulation of the Department for  
22 the administration and enforcement of this Act, or any officer  
23 or agent of an organization licensed under this Act who signs a  
24 fraudulent application or return filed on behalf of such an  
25 organization, is guilty of a Class A misdemeanor.

1       (b) Any organization that illegally conducts pull tabs or  
2       jar games, in addition to other penalties provided for in this  
3       Act, shall be subject to a civil penalty equal to the amount of  
4       gross proceeds derived from those unlicensed games, as well as  
5       confiscation and forfeiture of all pull tabs and jar games  
6       equipment used in the conduct of those unlicensed games.

7       (c) Any organization licensed to conduct pull tabs and jar  
8       games which allows any form of illegal gambling to be conducted  
9       on the premises where pull tabs and jar games are being  
10      conducted, in addition to other penalties provided for in this  
11      Act, shall be subject to a civil penalty equal to the amount of  
12      gross proceeds derived on that day from pull tabs and jar games  
13      and any illegal game that may have been conducted, as well as  
14      confiscation and forfeiture of all pull tabs and jar games  
15      equipment used in the conduct of any unlicensed or illegal  
16      games. Any person who violates this Act, or any person who  
17      files a fraudulent return under this Act, or any person who  
18      wilfully violates any rule or regulation of the Department for  
19      the administration and enforcement of this Act, or any officer  
20      or agent of a corporation licensed under this Act who signs a  
21      fraudulent return filed on behalf of such corporation, is  
22      guilty of a Class A misdemeanor.

23      (Source: P.A. 85-1012.)

24           (230 ILCS 20/7.1 new)

25           Sec. 7.1. Law enforcement action. Any law enforcement

1 agency that takes action relating to the operation of pull tabs  
2 and jar games shall notify the Department of Revenue and  
3 specify the extent of the action taken and the reasons for its  
4 action.

5 (230 ILCS 20/7.2 new)

6 Sec. 7.2. Application of the Illinois Administrative  
7 Procedure Act. The Illinois Administrative Procedure Act shall  
8 apply to all administrative rules and procedures of the  
9 Department of Revenue under this Act, except that (1) paragraph  
10 (b) of Section 5-10 of the Illinois Administrative Procedure  
11 Act does not apply to final orders, decisions and opinions of  
12 the Department, (2) subparagraph (a)(ii) of Section 5-10 of the  
13 Illinois Administrative Procedure Act does not apply to forms  
14 established by the Department for use under this Act, (3) the  
15 provisions of Section 10-45 of the Illinois Administrative  
16 Procedure Act regarding proposals for decision are excluded and  
17 not applicable to the Department under this Act, and (4) the  
18 provisions of subsection (d) of Section 10-65 of the Illinois  
19 Administrative Procedure Act do not apply so as to prevent  
20 summary suspension of any license pending revocation or other  
21 action, which suspension shall remain in effect unless modified  
22 by the Department or unless the Department's decision is  
23 reversed on the merits in proceedings conducted pursuant to the  
24 Administrative Review Law.

1 (230 ILCS 20/7.3 new)

2 Sec. 7.3. Severability. If any clause, sentence, Section,  
3 provision, or part of this Act, or the application thereof to  
4 any person or circumstance, shall be adjudged to be  
5 unconstitutional, the remainder of this Act or its application  
6 to persons or circumstances other than those to which it is  
7 held invalid shall not be affected thereby.

8 Section 10. The Bingo License and Tax Act is amended by  
9 changing Sections 1, 2, 3, 4, 5, and 5.1 and by adding Section  
10 1.1, 1.2, 1.3, 1.4, 1.5, and 5.2 as follows:

11 (230 ILCS 25/1) (from Ch. 120, par. 1101)

12 Sec. 1. The Department of Revenue shall, upon application  
13 therefor on forms prescribed by the ~~such~~ Department, and upon  
14 the payment of a nonrefundable ~~an~~ annual fee of \$200 ~~or a~~  
15 ~~triennial fee of \$600,~~ and upon a determination by the  
16 Department that the applicant meets all of the qualifications  
17 specified in this Act Section, issue a bingo license for the  
18 conducting of bingo to any of the following: any bona fide  
19 religious, charitable, labor, fraternal, youth athletic,  
20 senior citizen, educational or veterans' organization  
21 organized in Illinois which operates without profit to its  
22 members, which has been in existence in Illinois continuously  
23 for a period of 5 years immediately before making application  
24 for a license and which has had during that entire 5 year

1 period a bona fide membership engaged in carrying out its  
 2 objects. However, the 5 year requirement shall be reduced to 2  
 3 years, as applied to a local organization which is affiliated  
 4 with and chartered by a national organization which meets the 5  
 5 year requirement. ~~Each annual license expires at midnight, June~~  
 6 ~~30 following its date of issuance, except that, beginning with~~  
 7 ~~applicants whose licenses expire on June 30, 1983, the~~  
 8 ~~Department shall stagger license expiration dates by dividing~~  
 9 ~~the applicants into 4 groups which are substantially equal in~~  
 10 ~~number. Licenses issued and license fees charged to applicants~~  
 11 ~~in each group shall be in accordance with the following~~  
 12 ~~schedule:~~

13 Group No.	License Expiration Date	Fee
14 1	December 31, 1983	\$100
15 2	March 31, 1984	\$150
16 3	June 30, 1984	\$200
17 4	September 30, 1984	\$250

18 Each ~~Following expiration under this schedule, each renewed~~  
 19 license shall be in effect for one year from its date of  
 20 issuance unless extended, suspended, or revoked by Department  
 21 action before that date. The Department may provide by rule for  
 22 an extension of any bingo license issued under this Act. Any  
 23 extension provided shall not exceed one year. A licensee may  
 24 hold only one license to conduct bingo and that license is  
 25 valid for only one location. The Department may authorize by  
 26 rule the filing by electronic means of any application,



1 license, permit, return, or registration required under this  
2 Act. All taxes and fees imposed by this Act, unless otherwise  
3 specified, shall be paid into the General Revenue Fund of the  
4 State Treasury. After June 30, 1983, every new annual license  
5 shall expire one year from the date of issuance unless  
6 suspended or revoked and every new triennial license issued or  
7 renewed on or after July 1, 2004 shall be in effect for 3 years  
8 from its date of issuance unless suspended or revoked by  
9 Department action before that date. A licensee may hold only  
10 one license and that license is valid for only one location.

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

1 ~~of religious worship. "Fraternal organization": An~~  
2 ~~organization of persons, including but not limited to ethnic~~  
3 ~~organizations, having a common interest, organized and~~  
4 ~~operated exclusively to promote the welfare of its members and~~  
5 ~~to benefit the general public on a continuing and consistent~~  
6 ~~basis. "Veterans organization": An organization comprised of~~  
7 ~~members of which substantially all are individuals who are~~  
8 ~~veterans or spouses, widows, or widowers of veterans, the~~  
9 ~~primary purpose of which is to promote the welfare of its~~  
10 ~~members and to provide assistance to the general public in such~~  
11 ~~a way as to confer a public benefit. "Labor organization": An~~  
12 ~~organization composed of labor unions or workers organized with~~  
13 ~~the objective of betterment of the conditions of those engaged~~  
14 ~~in such pursuit and the development of a higher degree of~~  
15 ~~efficiency in their respective occupations. "Youth athletic~~  
16 ~~organization": An organization having as its exclusive purpose~~  
17 ~~the promotion and provision of athletic activities for youth~~  
18 ~~aged 18 and under. "Senior citizens organization": An~~  
19 ~~organization or association comprised of members of which~~  
20 ~~substantially all are individuals who are senior citizens, as~~  
21 ~~defined in Section 3.05 of the Illinois Act on the Aging, the~~  
22 ~~primary purpose of which is to promote the welfare of its~~  
23 ~~members.~~

24 ~~Licensing for the conducting of bingo is subject to the~~  
25 ~~following restrictions:~~

26 ~~(1) The license application, when submitted to the~~

1 ~~Department of Revenue, must contain a sworn statement~~  
2 ~~attesting to the not-for-profit character of the~~  
3 ~~prospective licensee organization, signed by the presiding~~  
4 ~~officer and the secretary of that organization.~~

5 ~~(2) The application for license shall be prepared in~~  
6 ~~accordance with the rules of the Department of Revenue.~~

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

1 ~~occasion. Such limited license shall be prominently~~  
2 ~~displayed at the site of the bingo games.~~

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

5 ~~(5) The proceeds from the license fee imposed by this~~  
6 ~~Act shall be paid into the General Revenue Fund of the~~  
7 ~~State Treasury.~~

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

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

22 ~~(8) The Department may issue restricted licenses to~~  
23 ~~senior citizens organizations. The fee for a restricted~~  
24 ~~license is \$10 per year or \$30 for 3 years. Restricted~~  
25 ~~licenses shall be subject to the following conditions:~~

26 ~~(A) Bingo shall be conducted only at a facility~~

1 ~~which is owned by a unit of local government to which~~  
2 ~~the corporate authorities have given their approval~~  
3 ~~and which is used to provide social services or a~~  
4 ~~meeting place to senior citizens, or in common areas in~~  
5 ~~multi unit federally assisted rental housing~~  
6 ~~maintained solely for the elderly and handicapped;~~

7 ~~(B) The price paid for a single card shall not~~  
8 ~~exceed 5 cents;~~

9 ~~(C) The aggregate retail value of all prizes or~~  
10 ~~merchandise awarded in any one game of bingo shall not~~  
11 ~~exceed \$1;~~

12 ~~(D) No person or organization shall participate in~~  
13 ~~the management or operation of bingo under a restricted~~  
14 ~~license if the person or organization would be~~  
15 ~~ineligible for a license under this Section;~~

16 ~~(E) No license is required to provide premises for~~  
17 ~~bingo conducted under a restricted license; and~~

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

21 ~~The Director has the power to issue a license permitting an~~  
22 ~~Illinois person, firm or corporation to sell, lease or~~  
23 ~~distribute to any organization licensed to conduct bingo games~~  
24 ~~or to any licensed bingo supplier all cards, boards, sheets,~~  
25 ~~markers, pads and all other supplies, devices and equipment~~  
26 ~~designed for use in the play of bingo. No person, firm or~~

1 ~~corporation shall sell, lease or distribute bingo supplies or~~  
2 ~~equipment without having first obtained a license therefor upon~~  
3 ~~written application made, verified and filed with the~~  
4 ~~Department in the form prescribed by the rules and regulations~~  
5 ~~of the Department. The fee for such license is \$200.~~

6 ~~Applications for providers' and suppliers' licenses shall~~  
7 ~~be made in writing in accordance with Department rules. Each~~  
8 ~~providers' or suppliers' license is valid for one year from~~  
9 ~~date of issuance, unless suspended or revoked by Department~~  
10 ~~action before that date.~~

11 ~~The following are ineligible for any license under this~~  
12 ~~Act:~~

13 ~~(a) any person who has been convicted of a felony;~~

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

16 ~~(c) any person found gambling, participating in~~  
17 ~~gambling or knowingly permitting gambling on premises~~  
18 ~~where bingo is being conducted;~~

19 ~~(d) any firm or corporation in which a person defined~~  
20 ~~in (a), (b) or (c) has a proprietary, equitable or credit~~  
21 ~~interest, or in which such person is active or employed;~~

22 ~~(e) any organization in which a person defined in (a),~~  
23 ~~(b) or (c) is an officer, director, or employee, whether~~  
24 ~~compensated or not;~~

25 ~~(f) any organization in which a person defined in (a),~~  
26 ~~(b) or (c) is to participate in the management or operation~~

1 ~~of a bingo game.~~

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

3 (230 ILCS 25/1.1 new)

4 Sec. 1.1. Definitions. For purposes of this Act, the  
5 following definitions apply:

6 "Bingo" means a game in which each player has a card or  
7 board for which a consideration has been paid, containing 5  
8 horizontal rows of spaces, with each row except the central one  
9 containing 5 figures. The central row has 4 figures with the  
10 word "free" marked in the center space. "Bingo" includes games  
11 that otherwise qualify under this paragraph, except for the use  
12 of cards where the figures are not preprinted but are filled in  
13 by the players. A player wins a game of bingo by completing a  
14 preannounced combination of spaces or, in the absence of a  
15 preannouncement of a combination of spaces, any combination of  
16 5 spaces in a row, vertically, horizontally, or diagonally.

17 "Bingo equipment" means any equipment or machinery  
18 designed or used for the play of bingo.

19 "Charitable organization" means an organization or  
20 institution organized and operated to benefit an indefinite  
21 number of the public.

22 "Department" means the Department of Revenue.

23 "Educational organization" means an organization or  
24 institution organized and operated to provide systematic  
25 instruction in useful branches of learning by methods common to

1 schools and institutions of learning which compare favorably in  
2 their scope and intensity with the course of study presented in  
3 tax-supported schools.

4 "Fraternal organization" means an organization of persons  
5 having a common interest that is organized and operated  
6 exclusively to promote the welfare of its members and to  
7 benefit the general public on a continuing and consistent  
8 basis, including but not limited to ethnic organizations.

9 "Holiday" means any of the holidays listed in Section 17 of  
10 the Promissory Note and Bank Holiday Act.

11 "Labor organization" means an organization composed of  
12 labor unions or workers organized with the objectives of  
13 betterment of the conditions of those engaged in such pursuit  
14 and the development of a higher degree of efficiency in their  
15 respective occupations.

16 "Licensed organization" means a qualified organization  
17 that has obtained a license to conduct bingo in conformance  
18 with the provisions of this Act.

19 "Limited license" means a license issued to an organization  
20 that is not a licensed organization, but that is otherwise  
21 eligible for a regular license to conduct bingo. A limited  
22 license authorizes the conduct of bingo at up to 2 indoor or  
23 outdoor festivals during the calendar year for which the  
24 license is issued for a maximum of 5 consecutive days on each  
25 occasion.

26 "Non-profit organization" means an organization or



1 institution organized and conducted on a not-for-profit basis  
2 with no personal profit inuring to anyone as a result of the  
3 operation.

4 "Organization" means a corporation, agency, partnership,  
5 association, firm, business or other entity consisting of 2 or  
6 more persons joined by a common interest or purpose.

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

11 "Provider" means any person or organization, except a city,  
12 village, or incorporated town that owns or leases premises to  
13 an organization for the conduct of bingo.

14 "Regular license" means a license authorizing its holder to  
15 conduct one session of bingo per week on the date and at the  
16 time and location stated on the license.

17 "Religious organization" means any church, congregation,  
18 society, or organization founded for the purpose of religious  
19 worship.

20 "Senior citizens organization" means an organization or  
21 association comprised of members of which substantially all are  
22 individuals who are senior citizens, as defined in the Illinois  
23 Act on the Aging, the primary purpose of which is to promote  
24 the welfare of its members.

25 "Special games" means bingo games that may be designated as  
26 such, played a maximum of 5 times during a bingo session and

1 are distinguished from regular games only by the maximum price  
2 that may be charged for the bingo cards used.

3 "Special permit" means the ability of a licensee who  
4 currently holds a license to be granted a permit to conduct  
5 bingo at other premises or on other days not exceeding 5  
6 consecutive days.

7 "Supplier" means any person, firm, or corporation that  
8 sells, leases, or distributes to any organization licensed to  
9 conduct bingo or to any licensed bingo supplier, cards, boards,  
10 sheets, markers, pads and any other supplies, devices and  
11 equipment designed for use in the play of bingo.

12 "Veterans' organization" means an organization comprised  
13 of members of which substantially all are individuals who are  
14 veterans or spouses, widows, or widowers of veterans, the  
15 primary purpose of which is to promote the welfare of its  
16 members and to provide assistance to the general public in such  
17 a way as to confer a public benefit.

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

21 "Youth athletic organization" means an organization having  
22 as its exclusive purpose the promotion and provision of  
23 athletic activities for youth aged 18 and under.

24 (230 ILCS 25/1.2 new)

25 Sec. 1.2. Ineligibility for licensure. The following are

1 ineligible for any license under this Act:

2 (1) Any person who has been convicted of a felony  
3 within the last 10 years prior to the date of application.

4 (2) Any person who has been convicted of a violation of  
5 Article 28 of the Criminal Code of 1961.

6 (3) Any person who has had a bingo, pull tabs and jar  
7 games, bingo, or charitable games license revoked by the  
8 Department.

9 (4) Any person who is or has been a professional  
10 gambler.

11 (5) Any person found gambling in a manner not  
12 authorized by the Illinois Pull Tabs and Jar Games Act,  
13 Bingo License and Tax Act, or the Charitable Games Act,  
14 participating in such gambling, or knowingly permitting  
15 such gambling on premises where a bingo event is authorized  
16 to be conducted or has been conducted.

17 (6) Any organization in which a person defined in (1),  
18 (2) (3), (4), or (5) has a proprietary, equitable, or  
19 credit interest, or in which such person is active or  
20 employed.

21 (7) Any organization in which a person defined in (1),  
22 (2), (3), (4), or (5) is an officer, director, or employee,  
23 whether compensated or not.

24 (8) Any organization in which a person defined in (1),  
25 (2) (3), (4), or (5) is to participate in the management or  
26 operation of a bingo game.

1       The Department of State Police shall provide the criminal  
2 background of any person requested by the Department of  
3 Revenue.

4           (230 ILCS 25/1.3 new)

5       Sec. 1.3. Restrictions on licensure. Licensing for the  
6 conducting of bingo is subject to the following restrictions:

7           (1) The license application, when submitted to the  
8 Department, must contain a sworn statement attesting to the  
9 not-for-profit character of the prospective licensee  
10 organization, signed by a person listed on the application  
11 as an owner, officer, or other person in charge of the  
12 necessary day-to-day operations of that organization.

13           (2) The license application shall be prepared in  
14 accordance with the rules of the Department.

15           (3) The licensee shall prominently display the license  
16 in the area where the licensee conducts bingo. The licensee  
17 shall likewise display, in the form and manner as  
18 prescribed by the Department, the provisions of Section 8  
19 of this Act.

20           (4) Each license shall state the day of the week, hours  
21 and at which location the licensee is permitted to conduct  
22 bingo games.

23           (5) A license is not assignable or transferable.

24           (6) A license authorizes the licensee to conduct the  
25 game commonly known as bingo, in which prizes are awarded

1 on the basis of designated numbers or symbols on a card  
2 conforming to numbers or symbols selected at random.

3 (7) The Department may, on special application made by  
4 any organization having a bingo license, issue a special  
5 permit for conducting bingo at other premises and on other  
6 days not exceeding 5 consecutive days, except that a  
7 licensee may conduct bingo at the Illinois State Fair or  
8 any county fair held in Illinois during each day that the  
9 fair is held, without a fee. Bingo games conducted at the  
10 Illinois State Fair or a county fair shall not require a  
11 special permit. No more than 2 special permits may be  
12 issued in one year to any one organization.

13 (8) Any organization qualified for a license but not  
14 holding one may, upon application and payment of a  
15 nonrefundable fee of \$50, receive a limited license to  
16 conduct bingo games at no more than 2 indoor or outdoor  
17 festivals in a year for a maximum of 5 consecutive days on  
18 each occasion. No more than 2 limited licenses under this  
19 item (7) may be issued to any organization in any year. A  
20 limited license must be prominently displayed at the site  
21 where the bingo games are conducted.

22 (9) Senior citizens organizations may conduct bingo  
23 without a license or fee, subject to the following  
24 conditions:

25 (A) bingo shall be conducted only at a facility  
26 that is owned by a unit of local government to which

1 the corporate authorities have given their approval  
2 and that is used to provide social services or a  
3 meeting place to senior citizens, or in common areas in  
4 multi-unit federally assisted rental housing  
5 maintained solely for the elderly and handicapped;

6 (B) the price paid for a single card shall not  
7 exceed 5 cents;

8 (C) the aggregate retail value of all prizes or  
9 merchandise awarded in any one game of bingo shall not  
10 exceed \$1;

11 (D) No person or organization shall participate in  
12 the management or operation of bingo under this item  
13 (9) if the person or organization would be ineligible  
14 for a license under this Section; and

15 (E) No license is required to provide premises for  
16 bingo conducted under this item (9).

17 (10) Bingo equipment shall not be used for any purpose  
18 other than for the play of bingo.

19 (230 ILCS 25/1.4 new)

20 Sec. 1.4. Providers' license. The Department shall issue a  
21 providers' license permitting a person, firm, or corporation to  
22 provide premises for the conduct of bingo. No person, firm or  
23 corporation may rent or otherwise provide premises without  
24 having first obtained a license. Applications for providers'  
25 licenses shall be made in writing in accordance with Department

1 rules. The Department shall license providers of bingo at a  
2 nonrefundable annual fee of \$200, or a nonrefundable triennial  
3 fee of \$600. Each providers' license is valid for one year from  
4 date of issuance, or 3 years from date of issuance for a  
5 triennial license, unless extended, suspended, or revoked by  
6 Department action before that date. Any extension of a  
7 providers' license shall not exceed one year. A municipality  
8 shall not be required to obtain a license to provide such  
9 premises. A provider may receive reasonable expenses for  
10 providing premises for conducting bingo. Reasonable expenses  
11 shall include only those expenses defined as reasonable by  
12 rules promulgated by the Department.

13 (230 ILCS 25/1.5 new)

14 Sec. 1.5. Suppliers' license. The Department shall issue a  
15 suppliers' license permitting a person, firm, or corporation to  
16 sell, lease, lend or distribute to any organization licensed to  
17 conduct bingo, supplies, devices and other equipment designed  
18 for use in the playing of bingo. No person, firm or corporation  
19 shall sell, lease, lend or distribute bingo supplies or  
20 equipment without having first obtained a license.  
21 Applications for suppliers' licenses shall be made in writing  
22 in accordance with Department rules. The Department shall  
23 license suppliers of bingo subject to a nonrefundable annual  
24 fee of \$200, or a nonrefundable triennial fee of \$600. Each  
25 suppliers' license is valid for one year from date of issuance,

1 or 3 years from date of issuance for a triennial license,  
2 unless extended, suspended, or revoked by Department action  
3 before that date. Any extension of a providers' license shall  
4 not exceed one year. No licensed supplier under this Act shall  
5 sell, lease, lend, distribute or allow the use of any supplies,  
6 devices or equipment designed for use in the play of bingo for  
7 the conducting of anything other than bingo or to any person or  
8 organization not otherwise licensed under this Act.

9 (230 ILCS 25/2) (from Ch. 120, par. 1102)

10 Sec. 2. The conducting of bingo is subject to the following  
11 restrictions:

12 (1) The entire net proceeds from bingo play must be  
13 exclusively devoted to the lawful purposes of the organization  
14 permitted to conduct that game.

15 (2) (Blank).

16 (2.5) No person except a bona fide member or employee of  
17 the sponsoring organization may participate in the management  
18 or operation of bingo.

19 (3) No person may receive any remuneration or profit for  
20 participating in the management or operation of the game,  
21 except that if an organization licensed under this Act is  
22 associated with a school or other educational institution, that  
23 school or institution may reduce tuition or fees for a  
24 designated pupil based on participation in the management or  
25 operation of the game by any member of the organization. The



1 extent to which tuition and fees are reduced shall relate  
2 proportionately to the amount of time volunteered by the  
3 member, as determined by the school or other educational  
4 institution.

5 (4) The aggregate retail value of all prizes or merchandise  
6 awarded in any single day of bingo may not exceed \$2,250,  
7 except that in adjoining counties having 200,000 to 275,000  
8 inhabitants each, and in counties which are adjacent to either  
9 of such adjoining counties and are adjacent to a total of not  
10 more than 2 counties in this State, and in any municipality  
11 having 2,500 or more inhabitants and within one mile of such  
12 adjoining and adjacent counties having less than 25,000  
13 inhabitants, 2 additional bingo games may be conducted after  
14 the \$2,250 limit has been reached. The prize awarded for any  
15 one game, including any game conducted after reaching the  
16 \$2,250 limit as authorized in this paragraph (4), may not  
17 exceed \$500 cash or its equivalent.

18 (5) The number of games, including regular and special  
19 games, may not exceed 25 in any one day ~~including regular and~~  
20 ~~special games~~, except that this restriction on the number of  
21 games shall not apply to bingo conducted at the Illinois State  
22 Fair or any county fair held in Illinois.

23 (6) The price paid for a single card under the license may  
24 not exceed \$1 and such card is valid for all regular games on  
25 that day of bingo. A maximum of 5 special games may be held on  
26 each bingo day, except that this restriction on the number of

1 special games shall not apply to bingo conducted at the  
2 Illinois State Fair or any county fair held in Illinois. The  
3 price for a single special game card may not exceed 50 cents.

4 (7) The number of bingo days conducted by a licensee under  
5 this Act is limited to one per week, except as follows:

6 (i) Bingo may be conducted in accordance with the terms  
7 of a special operator's permit or limited license issued  
8 under subdivision (6) of Section 1.3 ~~(3) of Section 1.~~

9 (ii) Bingo may be conducted at the Illinois State Fair  
10 or any county fair held in Illinois under subdivision (6)  
11 of Section 1.3 ~~(3) of Section 1.~~

12 (iii) A licensee which cancels a day of bingo because  
13 of inclement weather or because the day is a holiday or the  
14 eve of a holiday may, after giving notice to the  
15 Department, conduct bingo on an additional date which falls  
16 on a day of the week other than the day authorized under  
17 the license. ~~As used in this subdivision (iii), "holiday"~~  
18 ~~means any of the holidays listed in Section 17 of the~~  
19 ~~Promissory Note and Bank Holiday Act.~~

20 (8) A licensee may rent a premises on which to conduct  
21 bingo only from an organization which is licensed as a provider  
22 of premises or exempt from license requirements under this Act.  
23 If the organization providing the premises is a metropolitan  
24 exposition, auditorium, and office building authority created  
25 by State law, a licensee may enter into a rental agreement with  
26 the organization authorizing the licensee and the organization

1 to share the gross proceeds of bingo games; however, the  
2 organization shall not receive more than 50% of the gross  
3 proceeds.

4 (9) No person under the age of 18 years may play or  
5 participate in the conducting of bingo. Any person under the  
6 age of 18 years may be within the area where bingo is being  
7 played only when accompanied by his parent or guardian.

8 (10) The promoter of bingo games must have a proprietary  
9 interest in the game promoted.

10 (11) Raffles or other forms of gambling prohibited by law  
11 shall not be conducted on the premises where bingo is being  
12 conducted, except that pull tabs and jar games conducted under  
13 the Illinois Pull Tabs and Jar Games Act may be conducted on  
14 the premises where bingo is being conducted. Prizes awarded in  
15 pull tabs and jar games shall not be included in the bingo  
16 prize limitation.

17 (12) Organizations may be issued a special permit or  
18 limited license no more than 2 times in any year. An  
19 organization holding a special operator's permit or a limited  
20 license may, as one of the occasions allowed by such permit or  
21 license, conduct bingo for a maximum of 2 consecutive days. If  
22 an organization conducts bingo pursuant to a limited license or  
23 special permit, then, ~~during each day of which~~ the number of  
24 games played during each day may exceed 25, and regular game  
25 cards need not be valid for all regular games. If only noncash  
26 prizes are awarded during such occasions, the prize limits

1 stated in subdivision ~~paragraph~~ (4) of this Section shall not  
2 apply, provided that the retail value of noncash prizes for any  
3 single game shall not exceed \$150.

4 (Source: P.A. 92-305, eff. 8-9-01.)

5 (230 ILCS 25/3) (from Ch. 120, par. 1103)

6 Sec. 3. There shall be paid to the Department of Revenue,  
7 5% of the gross proceeds of any game of bingo conducted under  
8 the provision of this Act. Such payments shall be made 4 times  
9 per year, between the first and the 20th day of April, July,  
10 October and January. ~~Payment must be by money order or~~  
11 ~~certified check.~~ Accompanying each payment shall be a return  
12 ~~report~~, on forms prescribed ~~provided~~ by the Department of  
13 Revenue, ~~listing the number of games conducted, the gross~~  
14 ~~income derived and such other information as the Department of~~  
15 ~~Revenue may require.~~ Failure to submit either the payment or  
16 the return ~~report~~ within the specified time may result in  
17 suspension or revocation of the license. Tax returns filed  
18 pursuant to this Act shall not be confidential and shall be  
19 available for public inspection.

20 All payments made to the Department of Revenue under this  
21 Section shall be deposited as follows:

22 (1) 50% shall be deposited in the Mental Health Fund;

23 and

24 (2) 50% shall be deposited in the Common School Fund.

25 ~~The provisions of Section 2a of the Retailers' Occupation~~

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

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

6 ~~One half of all of the sums collected under this Section~~  
7 ~~shall be deposited into the Mental Health Fund and 1/2 of all~~  
8 ~~of the sums collected under this Section shall be deposited in~~  
9 ~~the Common School Fund.~~

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

11 (230 ILCS 25/4) (from Ch. 120, par. 1104)

12 Sec. 4. Each licensee must keep a complete record of bingo  
13 games conducted within the previous 3 years. Such record shall  
14 be available for ~~open to~~ inspection by any employee of the  
15 Department of Revenue during reasonable business hours.

16 The Department ~~Director~~ may require that any person,  
17 organization or corporation licensed under this Act obtain from  
18 an Illinois certified public accounting firm at its own expense  
19 a certified and unqualified financial statement and  
20 verification of records of such organization. Failure of a  
21 bingo licensee to comply with this requirement within 90 days  
22 of receiving notice from the Director may result in suspension  
23 or revocation of the licensee's license.

24 The Department of Revenue may, at its discretion, suspend  
25 or revoke any license if ~~where~~ it finds that the licensee or

1 any person connected therewith has violated or is violating the  
2 provisions of this Act. A suspension or revocation shall be in  
3 addition to, and not in lieu of, any other civil penalties or  
4 assessments that are authorized by this Act. No licensee under  
5 this Act, while a bingo game is being conducted, shall  
6 knowingly permit ~~the~~ entry into any part of the licensed  
7 premises by any person who has been convicted of a felony or a  
8 violation of Article 28 of the "Criminal Code of 1961".

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

10 (230 ILCS 25/5) (from Ch. 120, par. 1105)

11 Sec. 5. Penalties.

12 (a) Any person who conducts or knowingly participates in an  
13 unlicensed bingo game commits the offense of gambling in  
14 violation of Section 28-1 of the Criminal Code of 1961, as  
15 amended. Any person who violates any other provision of this  
16 Act, or any person who knowingly fails to file a bingo return  
17 or who knowingly files a fraudulent application or return under  
18 this Act, or any person who wilfully violates any rule or  
19 regulation of the Department for the administration and  
20 enforcement of this Act, or any officer or agent of an  
21 organization ~~or a corporation~~ licensed under this Act who signs  
22 a fraudulent application or return filed on behalf of such an  
23 organization ~~or corporation~~, is guilty of a Class A  
24 misdemeanor.

25 (b) Any organization ~~In addition to other penalties~~

1 ~~provided for in this Act, organizations or corporations~~ that  
2 illegally conducts bingo, in addition to other penalties  
3 provided for in this Act, play bingo shall be subject to a  
4 civil penalty equal to the gross proceeds derived from those  
5 unlicensed games, as well as confiscation and forfeiture of all  
6 bingo equipment used in the conduct of those unlicensed games.

7 (c) Any organization licensed to conduct bingo which allows  
8 any form of illegal gambling to be conducted on the premises  
9 where bingo is being conducted, in addition to other penalties  
10 provided for in this Act, shall be subject to a civil penalty  
11 equal to the amount of gross proceeds derived on that day from  
12 bingo and any illegal game that may have been conducted, as  
13 well as confiscation and forfeiture of all bingo equipment used  
14 in the conduct of any unlicensed or illegal games.

15 (d) Any person or organization, in addition to other  
16 penalties provided for in this Act, shall be subject to a civil  
17 penalty not to exceed \$5,000 for any of the following  
18 violations:

19 (1) Providing premises for the conduct of bingo without  
20 first obtaining a license or a special permit to do so.

21 (2) Allowing unlicensed organizations to conduct bingo  
22 on its premises.

23 (3) Allowing any form of illegal gambling to be  
24 conducted on the premises where bingo is being conducted.

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



1 (230 ILCS 25/5.1) (from Ch. 120, par. 1105.1)

2 Sec. 5.1. The Illinois Administrative Procedure Act is  
3 hereby expressly adopted and shall apply to all administrative  
4 rules and procedures of the Department of Revenue under this  
5 Act, except that (1) paragraph (b) of Section 5-10 of the  
6 Illinois Administrative Procedure Act does not apply to final  
7 orders, decisions and opinions of the Department, (2)  
8 subparagraph (a)(ii) of Section 5-10 of the Illinois  
9 Administrative Procedure Act does not apply to forms  
10 established by the Department for use under this Act, ~~and~~ (3)  
11 the provisions of Section 10-45 of the Illinois Administrative  
12 Procedure Act regarding proposals for decision are excluded and  
13 not applicable to the Department under this Act, and (4) the  
14 provisions of subsection (d) of Section 10 65 of the Illinois  
15 Administrative Procedure Act do not apply so as to prevent  
16 summary suspension of any license pending revocation or other  
17 action, which suspension shall remain in effect unless modified  
18 by the Department or unless the Department's decision is  
19 reversed on the merits in proceedings conducted pursuant to the  
20 Administrative Review Law.

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

22 (230 ILCS 25/5.2 new)

23 Sec. 5.2. Law enforcement action. Any law enforcement  
24 agency that takes action relating to the operation of a bingo  
25 game shall notify the Department of Revenue and specify the

1 extent of the action taken and the reasons for the action.

2 Section 15. The Charitable Games Act is amended by changing  
3 Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12 and by adding  
4 Sections 4.1 and 14.1 as follows:

5 (230 ILCS 30/2) (from Ch. 120, par. 1122)

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

8 "Charitable games" means the 14 games of chance involving  
9 cards, dice, wheels, random selection of numbers, and gambling  
10 tickets which may be conducted at charitable games events  
11 listed as follows: roulette, blackjack, poker, pull tabs,  
12 craps, bang, beat the dealer, big six, gin rummy, five card  
13 stud poker, chuck-a-luck, keno, hold-em poker, and merchandise  
14 wheel.

15 "Charitable games event" or "event" means the type of  
16 fundraising event authorized by the Act at which participants  
17 pay to play charitable games for the chance of winning cash or  
18 noncash prizes.

19 "Charitable organization" means an organization or  
20 institution organized and operated to benefit an indefinite  
21 number of the public.

22 "Chips" means scrip, play money, poker or casino chips, or  
23 any other representations of money, used to make wagers on the  
24 outcome of any charitable game.

1       "Department" means the Department of Revenue.

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

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

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

18       "Licensed organization" means a qualified organization  
19 that has obtained a license to conduct a charitable games event  
20 in conformance with the provisions of this Act.

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": A corporation, agency, partnership,  
26 ~~institution,~~ association, firm, business, or other entity

1 consisting of 2 or more persons joined by a common interest or  
2 purpose.

3 "Person" means any natural individual, corporation,  
4 partnership, limited liability company, organization as  
5 defined in this Section, qualified organization, licensed  
6 organization, licensee under this Act, or volunteer.

7 "Premises" means a distinct parcel of land and the  
8 buildings thereon. "Premises" may include a boat upon which  
9 charitable games are being played, provided that documentation  
10 required by the Department regarding the location and  
11 identification of the boat is submitted with the application.

12 "Provider" means the person or organization owning,  
13 leasing, or controlling premises upon which any charitable  
14 games event is to be conducted.

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

18 "Qualified organization" means:

19 (a) a charitable, religious, fraternal, veterans,  
20 labor or educational organization or institution organized  
21 and conducted on a not-for-profit basis with no personal  
22 profit inuring to anyone as a result of the operation and  
23 which is exempt from federal income taxation under Sections  
24 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10) or  
25 501(c)(19) of the Internal Revenue Code;

26 (b) a veterans organization as defined in Section 1.1 †

1 of the "Bingo License and Tax Act", ~~approved July 22, 1971,~~  
2 ~~as amended,~~ organized and conducted on a not-for-profit  
3 basis with no personal profit inuring to anyone as a result  
4 of the operation; or

5 (c) An auxiliary organization of a veterans  
6 organization.

7 "Religious organization" means any church, congregation,  
8 society, or organization founded for the purpose of religious  
9 worship.

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

13 "Supplier" means any person, firm, or corporation that  
14 sells, leases, lends, distributes, or otherwise provides to any  
15 organization licensed to conduct charitable games events in  
16 Illinois any charitable games equipment.

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

23 "Volunteer" means a person recruited by a licensed  
24 organization who voluntarily performs services at a charitable  
25 games event, including participation in the management or  
26 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~~

1 ~~volunteer.~~

2 (Source: P.A. 94-986, eff. 6-30-06.)

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

4 Sec. 3. The Department of Revenue shall, upon application  
5 therefor on forms prescribed by the ~~such~~ Department, and upon  
6 the payment of a nonrefundable ~~an~~ annual fee of \$200, and upon  
7 a determination by the Department that the applicant meets all  
8 of the qualifications specified in this Act ~~Section~~, issue a  
9 charitable games license for the conducting of charitable games  
10 to any of the following:

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

14 (ii) Any qualified organization organized in Illinois  
15 which operates without profit to its members, which has  
16 been in existence in Illinois continuously for a period of  
17 5 years immediately before making application for a license  
18 and which has had during that 5 year period a bona fide  
19 membership engaged in carrying out its objects. However,  
20 the 5 year requirement shall be reduced to 2 years, as  
21 applied to a local organization which is affiliated with  
22 and chartered by a national organization which meets the 5  
23 year requirement. The period of existence specified above  
24 shall not apply to a qualified organization, organized for  
25 charitable purpose, created by a fraternal organization

1           that meets the existence requirements if the charitable  
2           organization has the same officers and directors as the  
3           fraternal organization. Only one charitable organization  
4           created by a branch lodge or chapter of a fraternal  
5           organization may be licensed under this provision.

6           The application shall be signed by a person listed on the  
7           application as an owner, officer, or other person in charge of  
8           the necessary day-to-day operations of the applicant  
9           organization, who shall attest under penalties of perjury that  
10          the information contained in the application is true, correct,  
11          and complete.

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



1 licensee wishes to conduct games at a location other than the  
2 locations originally specified in the license, the licensee  
3 shall notify the Department of the proposed alternate location  
4 at least 30 ~~60~~ days before the night on which the licensee  
5 wishes to conduct games at the alternate location. The  
6 Department may accept an applicant's change in location with  
7 less than 30 days' notice if all other requirements of this Act  
8 are met and the Department has sufficient time and resources to  
9 process the change in a timely manner.

10 All taxes and fees imposed by this Act, unless otherwise  
11 specified, shall be paid into the Illinois Gaming Law  
12 Enforcement Fund of the State Treasury.

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

14 (230 ILCS 30/4) (from Ch. 120, par. 1124)

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

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

25 The application shall contain the name of the person in

1 charge 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 license application ~~for license~~ shall be  
7 prepared by the prospective licensee organization or its  
8 duly authorized representative in accordance with the  
9 rules of the Department of Revenue.

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

1 in the management or operation of the games. Any amendments  
2 to this listing must contain an identical sworn statement.

3 (2.2) (Blank). ~~The application shall be signed by the~~  
4 ~~presiding officer and the secretary of the applicant~~  
5 ~~organization, who shall attest under penalties of perjury~~  
6 ~~that the information contained in the application is true,~~  
7 ~~correct, and complete.~~

8 (3) Each license shall state the date ~~which day of the~~  
9 ~~week~~, hours and at what locations the licensee is permitted  
10 to conduct charitable games.

11 (4) Each licensee shall file a copy of the license with  
12 each police department or, if in unincorporated areas, each  
13 sheriff's office whose jurisdiction includes the premises  
14 on which the charitable games are authorized under the  
15 license.

16 (5) The licensee shall prominently display the license  
17 ~~in a prominent place~~ in the area where the licensee ~~it~~ is  
18 to conduct charitable games. The licensee shall likewise  
19 display, in the form and manner prescribed by the  
20 Department, the provisions of Section 9 of this Act.

21 (6) (Blank). ~~The proceeds from the license fee imposed~~  
22 ~~by this Act shall be paid into the Illinois Gaming Law~~  
23 ~~Enforcement Fund of the State Treasury.~~

24 (7) Each licensee shall obtain and maintain a bond for  
25 the benefit of participants in games conducted by the  
26 licensee to insure payment to the winners of such games.

1       Such bond discretionary by the Department and shall be in  
2       an amount established by rule by the Department of Revenue.  
3       In a county with fewer than 60,000 inhabitants, the  
4       Department may waive the bond requirement upon a showing by  
5       a licensee that it has sufficient funds on deposit to  
6       insure payment to the winners of such games.

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

8               (9) Unless the premises for conducting charitable  
9       games are provided by a municipality, the Department shall  
10      not issue a license permitting a person, firm or  
11      corporation to sponsor a charitable games night if the  
12      premises for the conduct of the charitable games has been  
13      previously used for 8 charitable games nights during the  
14      previous 12 months.

15              (10) Auxiliary organizations of a licensee shall not be  
16      eligible for a license to conduct charitable games, except  
17      for auxiliary organizations of veterans organizations as  
18      authorized in Section 2.

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

21              (12) The licensee shall consent to allowing the  
22      Department's employees to be present on the premises  
23      wherein the charitable games are conducted and to inspect  
24      or test equipment, devices and supplies used in the conduct  
25      of the game.

26      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. 94-986, eff. 6-30-06.)

7 (230 ILCS 30/5) (from Ch. 120, par. 1125)

8 Sec. 5. Providers' License. The Department shall issue a  
9 providers' license permitting a person, firm or corporation to  
10 provide premises for the conduct of charitable games. No  
11 person, firm or corporation may rent or otherwise provide  
12 premises without having first obtained a license. Applications  
13 for providers' licenses shall be made in writing in accordance  
14 with Department rules. The Department shall license providers  
15 of charitable games at a nonrefundable annual fee of \$50, or  
16 nonrefundable triennial license fee of \$150. ~~therefor upon~~  
17 ~~written application made, verified and filed with the~~  
18 ~~Department in the form prescribed by the rules and regulations~~  
19 ~~of the Department.~~ Each providers' license is valid for one  
20 year from the date of issuance, or 3 years from date of  
21 issuance for a triennial license, unless extended, suspended,  
22 or revoked by Department action before that date. Any extension  
23 of a providers' license shall not exceed one year. ~~The annual~~  
24 ~~fee for such providers' license is \$50.~~ A provider may receive  
25 reasonable compensation for the provision of the premises.

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

19 (Source: P.A. 94-986, eff. 6-30-06.)

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.

1 No person, firm, or corporation shall sell, lease, lend, or  
2 distribute charitable games supplies or equipment without  
3 having first obtained a license. Applications for suppliers'  
4 licenses shall be made in writing in accordance with Department  
5 rules. The Department shall license suppliers of charitable  
6 games subject to a nonrefundable annual fee of \$500, or a  
7 nonrefundable triennial fee of \$1,500. ~~therefor upon written~~  
8 ~~application made, verified and filed with the Department in the~~  
9 ~~form prescribed by the rules and regulations of the Department.~~  
10 Each supplier's license is valid for ~~a period of~~ one year from  
11 the date of issuance, or 3 years from date of issuance for a  
12 triennial license, unless extended, suspended, or revoked by  
13 Department action before that date. Any extension of a  
14 providers' license shall not exceed one year. No licensed  
15 supplier under this Act shall lease, lend, or distribute  
16 charitable gaming equipment, supplies, or other devices to  
17 persons not otherwise licensed to conduct charitable games  
18 under this Act. ~~The annual fee for such license is \$500.~~ The  
19 Department may require by rule for the provision of surety  
20 bonds by suppliers. A supplier shall keep among its books and  
21 records and make available for inspection by the Department  
22 ~~furnish the Department with~~ a list of all products and  
23 equipment offered for sale or lease to any organization  
24 licensed to conduct charitable games, and all such products and  
25 equipment shall be sold or leased at the prices shown on the  
26 books and records ~~on file with the Department.~~ A supplier shall

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



1 in any providers' business, either direct or indirect. If the  
2 supplier leases his equipment for use at an unlicensed  
3 charitable games or to an unlicensed sponsoring group, all  
4 equipment so leased is forfeited to the State.

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

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

23 No employee, owner, or officer of a supplier may  
24 participate in the management or operation of a charitable  
25 games event, even if the employee, owner, or officer is also a  
26 member, volunteer, or employee of the charitable games

1 licensee. A supplier may not promote or solicit a charitable  
2 games event on behalf of a charitable games licensee or  
3 qualified organization.

4 (Source: P.A. 94-986, eff. 6-30-06.)

5 (230 ILCS 30/7) (from Ch. 120, par. 1127)

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

8 (a) any person who has been convicted of a felony  
9 within the last 10 years before ~~of~~ the date of the  
10 application;

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

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

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

18 (d-1) any person found gambling in a manner not  
19 authorized by this Act, the Illinois Pull Tabs and Jar  
20 Games Act, or the Bingo License and Tax Act participating  
21 in such gambling, or knowingly permitting such gambling on  
22 premises where an authorized charitable games event is  
23 authorized to be conducted ~~being~~ or has been conducted;

24 (e) any ~~business or~~ organization in which a person  
25 defined in (a), (b), (c), (d), or (d-1) has a proprietary,

1 equitable, or credit interest, or in which the person is  
2 active or employed;

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

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

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

12 (Source: P.A. 94-986, eff. 6-30-06.)

13 (230 ILCS 30/8) (from Ch. 120, par. 1128)

14 Sec. 8. The conducting of charitable games is subject to  
15 the following restrictions:

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

19 (2) No person except a bona fide member or employee of  
20 the sponsoring organization, or a volunteer recruited by  
21 the sponsoring organization, may participate in the  
22 management or operation of the game. A person participates  
23 in the management or operation of a charitable game when he  
24 or she sells admission tickets at the event; sells,  
25 redeems, or in any way assists in the selling or redeeming

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

16 Only bona fide members, volunteers as defined in  
17 Section 2 of this Act, and employees of the sponsoring  
18 organization may participate in the management or  
19 operation of the games. Participation ~~A person who~~  
20 ~~participates~~ in the management or operation of the games is  
21 limited to no more than 4 charitable games events, either  
22 of the sponsoring organization or any other licensed  
23 organization, during a calendar year. ~~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~~

~~1 indirectly from any source for participating in the  
2 management or operation of the games, or who has  
3 participated in the management or operation of more than 4  
4 charitable games events in the calendar year, commits a  
5 violation of this Act. In addition, a licensed organization  
6 that utilizes any person described in the preceding  
7 sentence commits a violation of this Act.~~

8 (3) No person may receive any remuneration or  
9 compensation either directly or indirectly from any source  
10 for participating in the management or operation of the  
11 game.

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

13 (5) A bank shall be established on the premises to  
14 convert currency into chips, scrip, or other form of play  
15 money which shall then be used to play at games of chance  
16 which the participant chooses. Chips, scrip, or play money  
17 must be permanently monogrammed with the logo of the  
18 licensed organization or of the supplier. Each participant  
19 must be issued a receipt indicating the amount of chips,  
20 scrip, or play money purchased.

21 (6) At the conclusion of the event or when the  
22 participant leaves, he may cash in his chips, scrip, or  
23 play money in exchange for currency not to exceed \$250  
24 above the amount required to participate in the charitable  
25 games event or noncash prizes. Each participant shall sign  
26 for any receipt of prizes. The licensee shall provide the

1 Department of Revenue with a listing of all prizes awarded,  
2 including th retail value of all prizes awarded.

3 (7) Each licensee shall be permitted to conduct  
4 charitable games on not more than 4 days each year. Nothing  
5 in this Section shall be construed to prohibit a licensee  
6 that conducts charitable games on its own premises from  
7 also obtaining a providers' license in accordance with  
8 Section 7 of this Act.

9 (8) Unless the provider of the premises is a  
10 municipality, the provider of the premises may not rent or  
11 otherwise provide the premises for the conducting of more  
12 than 8 charitable games nights per year.

13 (9) A charitable games event is considered to be a  
14 one-day event and charitable ~~Charitable~~ games may not be  
15 played between the hours of 2:00 a.m. and noon.

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

21 (11) No one other than the sponsoring organization of  
22 charitable games must have a proprietary interest in the  
23 game promoted.

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

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

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

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

25           (16) No slot machines or coin-in-the-slot-operated  
26 devices that allow a participant to play games of chance

1        shall be permitted to be used at the location and during  
2        the time at which the charitable games are being conducted  
3        ~~based upon cards or dice shall be permitted to be used at~~  
4        ~~the location and during the time at which the charitable~~  
5        ~~games are being conducted.~~

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

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

12           (19) (Blank). ~~No person may participate in the~~  
13        ~~management or operation of games at more than 4 charitable~~  
14        ~~games events in any calendar year.~~

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

18           (21) No employee, owner, or officer of a consultant  
19        service hired by a licensed organization to perform  
20        services at the event including, but not limited to,  
21        security for persons or property at the event or services  
22        before the event including, but not limited to, training  
23        for volunteers or advertising may participate in the  
24        management or operation of the games.

25           (22) (Blank). ~~Volunteers as defined in Section 2 of~~  
26        ~~this Act and bona fide members and employees of a~~



1 ~~sponsoring organization may not receive remuneration or~~  
2 ~~compensation, either directly or indirectly from any~~  
3 ~~source, for participating in the management or operation of~~  
4 ~~games. They may participate in the management or operation~~  
5 ~~of no more than 4 charitable games events, either of the~~  
6 ~~sponsoring organization or any other licensed~~  
7 ~~organization, during a calendar year.~~

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

12 (Source: P.A. 94-986, eff. 6-30-06.)

13 (230 ILCS 30/9) (from Ch. 120, par. 1129)

14 Sec. 9. There shall be paid to the Department of Revenue,  
15 3% of the gross proceeds of charitable games conducted under  
16 the provisions of this Act. Such payments shall be made within  
17 30 days after the completion of the games. ~~Payment must be by~~  
18 ~~money order or certified check.~~ Accompanying each payment shall  
19 be a return report, on forms prescribed ~~provided~~ by the  
20 Department of Revenue, ~~listing the games conducted, the gross~~  
21 ~~income derived and such other information as the Department of~~  
22 ~~Revenue may require.~~ Failure to submit either the payment or  
23 the return report within the specified time may result in  
24 suspension or revocation of the license. Tax returns filed  
25 pursuant to this Act shall not be confidential and shall be

1 available for public inspection. ~~and may be used in future~~  
2 ~~considerations for renewal of the license.~~

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

1 Act. ~~Financial reports filed pursuant to this Act shall not be~~  
2 ~~confidential and shall be available for public inspection.~~ For  
3 the purposes of this Act, references in such incorporated  
4 Sections of the Retailers' Occupation Tax Act to retailers,  
5 sellers or persons engaged in the business of selling tangible  
6 personal property means persons engaged in conducting  
7 charitable games, and references in such incorporated Sections  
8 of the Retailers' Occupation Tax Act to sales of tangible  
9 personal property mean the conducting of charitable games and  
10 the making of charges for playing such games.

11 All payments made to Department of Revenue ~~of the sums~~  
12 ~~collected~~ under this Section shall be deposited into the  
13 Illinois Gaming Law Enforcement Fund of the State Treasury.

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

15 (230 ILCS 30/10) (from Ch. 120, par. 1130)

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

25 The Department may require that any person, organization or

1 corporation licensed under this Act obtain from an Illinois  
2 certified public accounting firm at its own expense a certified  
3 and unqualified financial statement and verification of  
4 records of such organization. Failure of a charitable games  
5 licensee to comply with this requirement within 90 days of  
6 receiving notice from the Department may result in suspension  
7 or revocation of the licensee's license ~~and forfeiture of all~~  
8 ~~proceeds.~~

9 The Department of Revenue may, at its discretion, suspend  
10 or shall revoke any license if ~~when~~ it finds that the licensee  
11 or any person connected therewith has violated or is violating  
12 the provisions of this Act ~~or any rule promulgated under this~~  
13 ~~Act. However, in his or her discretion, the Director may review~~  
14 ~~the offenses subjecting the licensee to revocation and may~~  
15 ~~issue a suspension. The decision to reduce a revocation to a~~  
16 ~~suspension, and the duration of the suspension, shall be made~~  
17 ~~by taking into account factors that include, but are not~~  
18 ~~limited to, the licensee's previous history of compliance with~~  
19 ~~the Act and its rules, the number, seriousness, and duration of~~  
20 ~~the violations, and the licensee's cooperation in~~  
21 ~~discontinuing and correcting the violations. Violations of~~  
22 ~~Sections 4, 5, 6, 7, and subsection (2) of Section 8 of this~~  
23 ~~Act are considered to be more serious in nature than other~~  
24 ~~violations under this Act.~~ A revocation or suspension shall be  
25 in addition to, and not in lieu of, any other civil penalties  
26 or assessments that are authorized by this Act. No licensee

1 under this Act, while a charitable game is being conducted,  
2 shall knowingly permit the entry into any part of the licensed  
3 premises by any person who has been convicted of a violation of  
4 Article 28 of the Criminal Code of 1961.

5 (Source: P.A. 94-986, eff. 6-30-06.)

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

7 Sec. 12. Penalties.

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

22 (2) Any organization that illegally conducts charitable  
23 games, in addition to other penalties provided for in this Act,  
24 shall be subject to a civil penalty equal to the amount of  
25 gross proceeds derived from those unlicensed games, as well as

1 confiscation and forfeiture of all charitable games equipment  
2 used in the conduct of those unlicensed games.

3 (3) Any organization licensed to conduct charitable games  
4 that allows any form of illegal gambling to be conducted on the  
5 premises where charitable games are being conducted, in  
6 addition to other penalties provided for in this Act, shall be  
7 subject to a civil penalty equal to the amount of gross  
8 proceeds derived on that day from charitable games and any  
9 illegal game that may have been conducted, as well as  
10 confiscation and forfeiture of all charitable games equipment  
11 used in the conduct of any unlicensed or illegal games.

12 (4) Any person who violates any provision of this Act or  
13 knowingly violates any rule of the Department for the  
14 administration of this Act, in addition to other penalties  
15 provided, shall be subject to a civil penalty not to exceed  
16 \$250 for each separate violation.

17 (5) No person shall sell, lease, or distribute for  
18 compensation within this State, or possess with intent to sell,  
19 lease, or distribute for compensation within this State, any  
20 chips, representations of money, wheels, or any devices or  
21 equipment designed for use or used in the play of charitable  
22 games without first having obtained a license to do so from the  
23 Department of Revenue. Any person that knowingly violates this  
24 paragraph is guilty of a Class A misdemeanor, the fine for  
25 which shall not exceed \$50,000.

26 (Source: P.A. 94-986, eff. 6-30-06.)

1 (230 ILCS 30/14.1 new)

2 Sec. 14.1. Severability. If any clause, sentence, section,  
3 provision, or part of this Act, or the application thereof to  
4 any person or circumstance, shall be adjudged to be  
5 unconstitutional, the remainder of this Act or its application  
6 to persons or circumstances other than those to which it is  
7 held invalid shall not be affected thereby.

8 (230 ILCS 25/4.1 rep.)

9 (230 ILCS 25/4.2 rep.)

10 Section 20. The Bingo License and Tax Act is amended by  
11 repealing Sections 4.1 and 4.2.

12 (230 ILCS 30/11 rep.)

13 Section 25. The Charitable Games Act is amended by  
14 repealing Section 11.

15 Section 99. Effective date. This Act takes effect July 1,  
16 2007.

1		INDEX
2		Statutes amended in order of appearance
3	230 ILCS 20/1.1	from Ch. 120, par. 1051.1
4	230 ILCS 20/2	from Ch. 120, par. 1052
5	230 ILCS 20/2.1 new	
6	230 ILCS 20/3	from Ch. 120, par. 1053
7	230 ILCS 20/3.1 new	
8	230 ILCS 20/3.2 new	
9	230 ILCS 20/4	from Ch. 120, par. 1054
10	230 ILCS 20/5	from Ch. 120, par. 1055
11	230 ILCS 20/6	from Ch. 120, par. 1056
12	230 ILCS 20/7	from Ch. 120, par. 1057
13	230 ILCS 20/7.1 new	
14	230 ILCS 20/7.2 new	
15	230 ILCS 20/7.3 new	
16	230 ILCS 25/1	from Ch. 120, par. 1101
17	230 ILCS 25/1.1 new	
18	230 ILCS 25/1.2 new	
19	230 ILCS 25/1.3 new	
20	230 ILCS 25/1.4 new	
21	230 ILCS 25/1.5 new	
22	230 ILCS 25/2	from Ch. 120, par. 1102
23	230 ILCS 25/3	from Ch. 120, par. 1103
24	230 ILCS 25/4	from Ch. 120, par. 1104
25	230 ILCS 25/5	from Ch. 120, par. 1105



- 1 230 ILCS 25/5.1 from Ch. 120, par. 1105.1
- 2 230 ILCS 25/5.2 new
- 3 230 ILCS 30/2 from Ch. 120, par. 1122
- 4 230 ILCS 30/3 from Ch. 120, par. 1123
- 5 230 ILCS 30/4 from Ch. 120, par. 1124
- 6 230 ILCS 30/5 from Ch. 120, par. 1125
- 7 230 ILCS 30/6 from Ch. 120, par. 1126
- 8 230 ILCS 30/7 from Ch. 120, par. 1127
- 9 230 ILCS 30/8 from Ch. 120, par. 1128
- 10 230 ILCS 30/9 from Ch. 120, par. 1129
- 11 230 ILCS 30/10 from Ch. 120, par. 1130
- 12 230 ILCS 30/12 from Ch. 120, par. 1132
- 13 230 ILCS 30/14.1 new
- 14 230 ILCS 25/4.1 rep.
- 15 230 ILCS 25/4.2 rep.
- 16 230 ILCS 30/11 rep.