



Rep. Lou Lang

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09800HB1140ham001

LRB098 07314 AMC 40894 a

1 AMENDMENT TO HOUSE BILL 1140

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1140 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Video Gaming Act is amended by changing  
5 Section 35 as follows:

6 (230 ILCS 40/35)

7 Sec. 35. Display of license; confiscation; violation as  
8 felony.

9 (a) Each video gaming terminal shall be licensed by the  
10 Board before placement or operation on the premises of a  
11 licensed establishment, licensed truck stop establishment,  
12 licensed fraternal establishment, or licensed veterans  
13 establishment. The license of each video gaming terminal shall  
14 be maintained at the location where the video gaming terminal  
15 is operated. Failure to do so is a petty offense with a fine  
16 not to exceed \$100. Any licensed establishment, licensed truck

1 stop establishment, licensed fraternal establishment, or  
2 licensed veterans establishment used for the conduct of  
3 gambling games in violation of this Act shall be considered a  
4 gambling place in violation of Section 28-3 of the Criminal  
5 Code of 2012. Every gambling device found in a licensed  
6 establishment, licensed truck stop establishment, licensed  
7 fraternal establishment, or licensed veterans establishment  
8 operating gambling games in violation of this Act shall be  
9 subject to seizure, confiscation, and destruction as provided  
10 in Section 28-5 of the Criminal Code of 2012. Any license  
11 issued under the Liquor Control Act of 1934 to any owner or  
12 operator of a licensed establishment, licensed truck stop  
13 establishment, licensed fraternal establishment, or licensed  
14 veterans establishment that operates or permits the operation  
15 of a video gaming terminal within its establishment in  
16 violation of this Act shall be immediately revoked. No person  
17 may own, operate, have in his or her possession or custody or  
18 under his or her control, or permit to be kept in any place  
19 under his or her possession or control, any device that awards  
20 credits and contains a circuit, meter, or switch capable of  
21 removing and recording the removal of credits when the award of  
22 credits is dependent upon chance.

23 Nothing in this Section shall be deemed to prohibit the use  
24 of a game device only if the game device is used in an activity  
25 that is not gambling under subsection (b) of Section 28-1 of  
26 the Criminal Code of 2012.

1           A violation of this Section is a Class 4 felony. All  
2 devices that are owned, operated, or possessed in violation of  
3 this Section are hereby declared to be public nuisances and  
4 shall be subject to seizure, confiscation, and destruction as  
5 provided in Section 28-5 of the Criminal Code of 2012.

6           The provisions of this Section do not apply to devices or  
7 electronic video game terminals licensed pursuant to this Act.  
8 A video gaming terminal operated for amusement only and bearing  
9 a valid amusement tax sticker shall not be subject to this  
10 Section until 30 days after the Board establishes that the  
11 central communications system is functional.

12           (b) (1) The odds of winning each video game shall be posted  
13 on or near each video gaming terminal. The manner in which the  
14 odds are calculated and how they are posted shall be determined  
15 by the Board by rule.

16           (2) No video gaming terminal licensed under this Act may be  
17 played except during the legal hours of operation allowed for  
18 the consumption of alcoholic beverages at the licensed  
19 establishment, licensed fraternal establishment, or licensed  
20 veterans establishment. A licensed establishment, licensed  
21 fraternal establishment, or licensed veterans establishment  
22 that violates this subsection is subject to termination of its  
23 license by the Board.

24           (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09;  
25 96-1410, eff. 7-30-10; 97-1150, eff. 1-25-13.)".