



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB3312

Introduced 2/14/2014, by Sen. Gary Forby

#### SYNOPSIS AS INTRODUCED:

230 ILCS 30/3  
230 ILCS 30/5

from Ch. 120, par. 1123  
from Ch. 120, par. 1125

Amends the Charitable Games Act. Provides that the Department of Revenue shall issue a charitable games license only for the conduct of a poker run to a non-profit organization that the Department determines is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as a result of an illness, disability, accident, or disaster. Further provides that any organization applying for a license to conduct a poker run shall list the name and address of each predetermined location and that any premises that is listed as a predetermined location of a poker run shall not be required to obtain a providers' license for such poker run so long as the provider does not charge any fee or seek any other compensation for the use of the premises. Effective immediately.

LRB098 20188 ZMM 55526 b

1 AN ACT concerning regulation.

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

4 Section 5. The Charitable Games Act is amended by changing  
5 Sections 3 and 5 as follows:

6 (230 ILCS 30/3) (from Ch. 120, par. 1123)

7 Sec. 3. The Department of Revenue shall, upon application  
8 therefor on forms prescribed by the Department, and upon the  
9 payment of a nonrefundable fee of \$400 due upon application and  
10 each renewal, and upon a determination by the Department that  
11 the applicant meets all of the qualifications specified in this  
12 Act, issue a charitable games license for the conducting of  
13 charitable games to any of the following:

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

17 (ii) Any qualified organization organized in Illinois  
18 which operates without profit to its members, which has  
19 been in existence in Illinois continuously for a period of  
20 5 years immediately before making application for a license  
21 and which has had during that 5 year period a bona fide  
22 membership engaged in carrying out its objects. However,  
23 the 5 year requirement shall be reduced to 2 years, as

1 applied to a local organization which is affiliated with  
2 and chartered by a national organization which meets the 5  
3 year requirement. The period of existence specified above  
4 shall not apply to a qualified organization, organized for  
5 charitable purpose, created by a fraternal organization  
6 that meets the existence requirements if the charitable  
7 organization has the same officers and directors as the  
8 fraternal organization. Only one charitable organization  
9 created by a branch lodge or chapter of a fraternal  
10 organization may be licensed under this provision.

11 (iii) A non-profit organization that the Department  
12 determines is organized for the sole purpose of providing  
13 financial assistance to an identified individual or group  
14 of individuals suffering extreme financial hardship as the  
15 result of an illness, disability, accident, or disaster. A  
16 charitable games license issued under this paragraph shall  
17 only be for the conduct of poker runs.

18 The application shall be signed by a person listed on the  
19 application as an owner, officer, or other person in charge of  
20 the necessary day-to-day operations of the applicant  
21 organization, who shall attest under penalties of perjury that  
22 the information contained in the application is true, correct,  
23 and complete. Any organization applying for a license to  
24 conduct a poker run shall list the name and address of each  
25 predetermined location.

26 Each license shall be in effect for 2 years from its date

1 of issuance unless extended, suspended, or revoked by  
2 Department action before that date. Any extension shall not  
3 exceed one year. The Department may by rule authorize the  
4 filing by electronic means of any application, license, permit,  
5 return, or registration required under this Act. A licensee may  
6 hold only one license. Each license must be applied for at  
7 least 30 days prior to the night or nights the licensee wishes  
8 to conduct such games. The Department may issue a license to a  
9 licensee that applies less than 30 days prior to the night or  
10 nights the licensee wishes to conduct the games if all other  
11 requirements of this Act are met and the Department has  
12 sufficient time and resources to issue the license in a timely  
13 manner. The Department may provide by rule for an extension of  
14 any charitable games license issued under this Act. If a  
15 licensee wishes to conduct games at a location other than the  
16 locations originally specified in the license, the licensee  
17 shall notify the Department of the proposed alternate location  
18 at least 30 days before the night on which the licensee wishes  
19 to conduct games at the alternate location. The Department may  
20 accept an applicant's change in location with less than 30  
21 days' notice if all other requirements of this Act are met and  
22 the Department has sufficient time and resources to process the  
23 change in a timely manner.

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

1 (Source: P.A. 98-377, eff. 1-1-14.)

2 (230 ILCS 30/5) (from Ch. 120, par. 1125)

3 Sec. 5. Providers' License. The Department shall issue a  
4 providers' license permitting a person, firm or corporation to  
5 provide premises for the conduct of charitable games. No  
6 person, firm or corporation may rent or otherwise provide  
7 premises without having first obtained a license. Applications  
8 for providers' licenses shall be made in writing in accordance  
9 with Department rules. The Department shall license providers  
10 of charitable games at a nonrefundable annual fee of \$50, or  
11 nonrefundable triennial license fee of \$150. Each providers'  
12 license is valid for one year from the date of issuance, or 3  
13 years from date of issuance for a triennial license, unless  
14 extended, suspended, or revoked by Department action before  
15 that date. Any premises that is listed as a predetermined  
16 location for a poker run shall not be required to obtain a  
17 providers' license for such poker run so long as the provider  
18 of the premises does not charge any fee or seek any other  
19 compensation for the use of the premises. Any extension of a  
20 providers' license shall not exceed one year. A provider may  
21 receive reasonable compensation for the provision of the  
22 premises. Reasonable expenses shall include only those  
23 expenses defined as reasonable by rules adopted by the  
24 Department. A provider, other than a municipality, may not  
25 provide the same premises for conducting more than 12

1 charitable games nights per year. A provider shall not have any  
2 interest in any suppliers' business, either direct or indirect.  
3 A municipality may provide the same premises for conducting 48  
4 charitable games nights during a 12-month period. No employee,  
5 officer, or owner of a provider may participate in the  
6 management or operation of a charitable games event, even if  
7 the employee, officer, or owner is also a member, volunteer, or  
8 employee of the charitable games licensee. A provider may not  
9 promote or solicit a charitable games event on behalf of a  
10 charitable games licensee or qualified organization. Any  
11 qualified organization licensed to conduct a charitable game  
12 need not obtain a providers' license if such games are to be  
13 conducted on the organization's premises.

14 (Source: P.A. 98-377, eff. 1-1-14.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.