

SB3479



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3479

Introduced 2/14/2014, by Sen. Antonio Muñoz

SYNOPSIS AS INTRODUCED:

230 ILCS 40/35

Amends the Video Gaming Act. Removes a provision allowing for the use of a game device without a license if the game device is used in an activity that is not gambling under the Criminal Code of 2012.

LRB098 16839 ZMM 51910 b

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 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
17 stop establishment, licensed fraternal establishment, or
18 licensed veterans establishment used for the conduct of
19 gambling games in violation of this Act shall be considered a
20 gambling place in violation of Section 28-3 of the Criminal
21 Code of 2012. Every gambling device found in a licensed
22 establishment, licensed truck stop establishment, licensed
23 fraternal establishment, or licensed veterans establishment

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

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

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

25 The provisions of this Section do not apply to devices or
26 electronic video game terminals licensed pursuant to this Act.

1 A video gaming terminal operated for amusement only and bearing
2 a valid amusement tax sticker shall not be subject to this
3 Section until 30 days after the Board establishes that the
4 central communications system is functional.

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

9 (2) No video gaming terminal licensed under this Act may be
10 played except during the legal hours of operation allowed for
11 the consumption of alcoholic beverages at the licensed
12 establishment, licensed fraternal establishment, or licensed
13 veterans establishment. A licensed establishment, licensed
14 fraternal establishment, or licensed veterans establishment
15 that violates this subsection is subject to termination of its
16 license by the Board.

17 (Source: P.A. 97-1150, eff. 1-25-13; 98-111, eff. 1-1-14.)