



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB2700

by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

| | |
|-----------------------|--------------------------|
| 205 ILCS 305/42.7 new | |
| 230 ILCS 15/1 | from Ch. 85, par. 2301 |
| 720 ILCS 5/28-1 | from Ch. 38, par. 28-1 |
| 720 ILCS 5/28-1.1 | from Ch. 38, par. 28-1.1 |
| 720 ILCS 5/28-2 | from Ch. 38, par. 28-2 |

Amends the Illinois Credit Union Act. Provides that a credit union's board of directors may authorize a savings promotion raffle. Defines a "savings promotion raffle" to mean a raffle conducted by a credit union where the sole consideration required for a chance of winning designated prizes is the deposit of at least a specified amount of money in a savings account or other savings program offered by the credit union. Makes conforming changes in the Raffles and Poker Runs Act and the Criminal Code of 2012.

LRB099 05194 MLM 25225 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 Illinois Credit Union Act is amended by
5 adding Section 42.7 as follows:

6 (205 ILCS 305/42.7 new)

7 Sec. 42.7. Savings promotion raffle.

8 (a) As used in this Section, "savings promotion raffle"
9 means a raffle conducted by a credit union where the sole
10 consideration required for a chance of winning designated
11 prizes is the deposit of at least a specified amount of money
12 in a savings account or other savings program offered by the
13 credit union.

14 (b) If authorized by its board of directors, a credit union
15 may conduct a savings promotion raffle. The raffle shall be
16 conducted so that each token or ticket representing an entry in
17 the raffle has an equal chance of being drawn. A credit union
18 shall not conduct a savings promotion raffle in a manner that
19 jeopardizes the credit union's safety and soundness or mislead
20 its members.

21 (c) The Secretary may examine the conduct of a savings
22 promotion raffle and may issue cease and desist order for a
23 violation of this Section.

1 (d) A credit union shall maintain records sufficient to
2 facilitate an audit of the savings promotion raffle.

3 Section 10. The Raffles and Poker Runs Act is amended by
4 changing Section 1 as follows:

5 (230 ILCS 15/1) (from Ch. 85, par. 2301)

6 Sec. 1. Definitions. For the purposes of this Act the terms
7 defined in this Section have the meanings given them.

8 "Net proceeds" means the gross receipts from the conduct of
9 raffles, less reasonable sums expended for prizes, local
10 license fees and other reasonable operating expenses incurred
11 as a result of operating a raffle or poker run.

12 "Key location" means the location where the poker run
13 concludes and the prize or prizes are awarded.

14 "Poker run" means an event organized by an organization
15 licensed under this Act in which participants travel to
16 multiple predetermined locations, including a key location,
17 drawing a playing card or equivalent item at each location, in
18 order to assemble a facsimile of a poker hand or other numeric
19 score. "Poker run" includes dice runs, marble runs, or other
20 events where the objective is to build the best hand or highest
21 score by obtaining an item at each location.

22 "Raffle" means a form of lottery, as defined in Section
23 28-2(b) of the Criminal Code of 2012, conducted by an
24 organization licensed under this Act, in which:

1 (1) the player pays or agrees to pay something of value
2 for a chance, represented and differentiated by a number or
3 by a combination of numbers or by some other medium, one or
4 more of which chances is to be designated the winning
5 chance;

6 (2) the winning chance is to be determined through a
7 drawing or by some other method based on an element of
8 chance by an act or set of acts on the part of persons
9 conducting or connected with the lottery, except that the
10 winning chance shall not be determined by the outcome of a
11 publicly exhibited sporting contest.

12 "Raffle" shall not mean a savings promotion raffle as
13 authorized under Section 42.7 of the Illinois Credit Union Act.

14 (Source: P.A. 97-1150, eff. 1-25-13; 98-644, eff. 6-10-14.)

15 Section 15. The Criminal Code of 2012 is amended by
16 changing Sections 28-1, 28-1.1, and 28-2 as follows:

17 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

18 Sec. 28-1. Gambling.

19 (a) A person commits gambling when he or she:

20 (1) knowingly plays a game of chance or skill for money
21 or other thing of value, unless excepted in subsection (b)
22 of this Section;

23 (2) knowingly makes a wager upon the result of any
24 game, contest, or any political nomination, appointment or

1 election;

2 (3) knowingly operates, keeps, owns, uses, purchases,
3 exhibits, rents, sells, bargains for the sale or lease of,
4 manufactures or distributes any gambling device;

5 (4) contracts to have or give himself or herself or
6 another the option to buy or sell, or contracts to buy or
7 sell, at a future time, any grain or other commodity
8 whatsoever, or any stock or security of any company, where
9 it is at the time of making such contract intended by both
10 parties thereto that the contract to buy or sell, or the
11 option, whenever exercised, or the contract resulting
12 therefrom, shall be settled, not by the receipt or delivery
13 of such property, but by the payment only of differences in
14 prices thereof; however, the issuance, purchase, sale,
15 exercise, endorsement or guarantee, by or through a person
16 registered with the Secretary of State pursuant to Section
17 8 of the Illinois Securities Law of 1953, or by or through
18 a person exempt from such registration under said Section
19 8, of a put, call, or other option to buy or sell
20 securities which have been registered with the Secretary of
21 State or which are exempt from such registration under
22 Section 3 of the Illinois Securities Law of 1953 is not
23 gambling within the meaning of this paragraph (4);

24 (5) knowingly owns or possesses any book, instrument or
25 apparatus by means of which bets or wagers have been, or
26 are, recorded or registered, or knowingly possesses any

1 money which he has received in the course of a bet or
2 wager;

3 (6) knowingly sells pools upon the result of any game
4 or contest of skill or chance, political nomination,
5 appointment or election;

6 (7) knowingly sets up or promotes any lottery or sells,
7 offers to sell or transfers any ticket or share for any
8 lottery;

9 (8) knowingly sets up or promotes any policy game or
10 sells, offers to sell or knowingly possesses or transfers
11 any policy ticket, slip, record, document or other similar
12 device;

13 (9) knowingly drafts, prints or publishes any lottery
14 ticket or share, or any policy ticket, slip, record,
15 document or similar device, except for such activity
16 related to lotteries, bingo games and raffles authorized by
17 and conducted in accordance with the laws of Illinois or
18 any other state or foreign government;

19 (10) knowingly advertises any lottery or policy game,
20 except for such activity related to lotteries, bingo games
21 and raffles authorized by and conducted in accordance with
22 the laws of Illinois or any other state;

23 (11) knowingly transmits information as to wagers,
24 betting odds, or changes in betting odds by telephone,
25 telegraph, radio, semaphore or similar means; or knowingly
26 installs or maintains equipment for the transmission or

1 receipt of such information; except that nothing in this
2 subdivision (11) prohibits transmission or receipt of such
3 information for use in news reporting of sporting events or
4 contests; or

5 (12) knowingly establishes, maintains, or operates an
6 Internet site that permits a person to play a game of
7 chance or skill for money or other thing of value by means
8 of the Internet or to make a wager upon the result of any
9 game, contest, political nomination, appointment, or
10 election by means of the Internet. This item (12) does not
11 apply to activities referenced in items (6) and (6.1) of
12 subsection (b) of this Section.

13 (b) Participants in any of the following activities shall
14 not be convicted of gambling:

15 (1) Agreements to compensate for loss caused by the
16 happening of chance including without limitation contracts
17 of indemnity or guaranty and life or health or accident
18 insurance.

19 (2) Offers of prizes, award or compensation to the
20 actual contestants in any bona fide contest for the
21 determination of skill, speed, strength or endurance or to
22 the owners of animals or vehicles entered in such contest.

23 (3) Pari-mutuel betting as authorized by the law of
24 this State.

25 (4) Manufacture of gambling devices, including the
26 acquisition of essential parts therefor and the assembly

1 thereof, for transportation in interstate or foreign
2 commerce to any place outside this State when such
3 transportation is not prohibited by any applicable Federal
4 law; or the manufacture, distribution, or possession of
5 video gaming terminals, as defined in the Video Gaming Act,
6 by manufacturers, distributors, and terminal operators
7 licensed to do so under the Video Gaming Act.

8 (5) The game commonly known as "bingo", when conducted
9 in accordance with the Bingo License and Tax Act.

10 (6) Lotteries when conducted by the State of Illinois
11 in accordance with the Illinois Lottery Law. This exemption
12 includes any activity conducted by the Department of
13 Revenue to sell lottery tickets pursuant to the provisions
14 of the Illinois Lottery Law and its rules.

15 (6.1) The purchase of lottery tickets through the
16 Internet for a lottery conducted by the State of Illinois
17 under the program established in Section 7.12 of the
18 Illinois Lottery Law.

19 (7) Possession of an antique slot machine that is
20 neither used nor intended to be used in the operation or
21 promotion of any unlawful gambling activity or enterprise.
22 For the purpose of this subparagraph (b)(7), an antique
23 slot machine is one manufactured 25 years ago or earlier.

24 (8) Raffles and poker runs when conducted in accordance
25 with the Raffles and Poker Runs Act.

26 (9) Charitable games when conducted in accordance with

1 the Charitable Games Act.

2 (10) Pull tabs and jar games when conducted under the
3 Illinois Pull Tabs and Jar Games Act.

4 (11) Gambling games conducted on riverboats when
5 authorized by the Riverboat Gambling Act.

6 (12) Video gaming terminal games at a licensed
7 establishment, licensed truck stop establishment, licensed
8 fraternal establishment, or licensed veterans
9 establishment when conducted in accordance with the Video
10 Gaming Act.

11 (13) Games of skill or chance where money or other
12 things of value can be won but no payment or purchase is
13 required to participate.

14 (14) Savings promotion raffles as authorized under
15 Section 42.7 of the Illinois Credit Union Act.

16 (c) Sentence.

17 Gambling is a Class A misdemeanor. A second or subsequent
18 conviction under subsections (a)(3) through (a)(12), is a Class
19 4 felony.

20 (d) Circumstantial evidence.

21 In prosecutions under this Section circumstantial evidence
22 shall have the same validity and weight as in any criminal
23 prosecution.

24 (Source: P.A. 97-1108, eff. 1-1-13; 98-644, eff. 6-10-14.)

25 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

1 Sec. 28-1.1. Syndicated gambling.

2 (a) Declaration of Purpose. Recognizing the close
3 relationship between professional gambling and other organized
4 crime, it is declared to be the policy of the legislature to
5 restrain persons from engaging in the business of gambling for
6 profit in this State. This Section shall be liberally construed
7 and administered with a view to carrying out this policy.

8 (b) A person commits syndicated gambling when he or she
9 operates a "policy game" or engages in the business of
10 bookmaking.

11 (c) A person "operates a policy game" when he or she
12 knowingly uses any premises or property for the purpose of
13 receiving or knowingly does receive from what is commonly
14 called "policy":

15 (1) money from a person other than the bettor or player
16 whose bets or plays are represented by the money; or

17 (2) written "policy game" records, made or used over
18 any period of time, from a person other than the bettor or
19 player whose bets or plays are represented by the written
20 record.

21 (d) A person engages in bookmaking when he or she knowingly
22 receives or accepts more than five bets or wagers upon the
23 result of any trials or contests of skill, speed or power of
24 endurance or upon any lot, chance, casualty, unknown or
25 contingent event whatsoever, which bets or wagers shall be of
26 such size that the total of the amounts of money paid or

1 promised to be paid to the bookmaker on account thereof shall
2 exceed \$2,000. Bookmaking is the receiving or accepting of bets
3 or wagers regardless of the form or manner in which the
4 bookmaker records them.

5 (e) Participants in any of the following activities shall
6 not be convicted of syndicated gambling:

7 (1) Agreements to compensate for loss caused by the
8 happening of chance including without limitation contracts
9 of indemnity or guaranty and life or health or accident
10 insurance;

11 (2) Offers of prizes, award or compensation to the
12 actual contestants in any bona fide contest for the
13 determination of skill, speed, strength or endurance or to
14 the owners of animals or vehicles entered in the contest;

15 (3) Pari-mutuel betting as authorized by law of this
16 State;

17 (4) Manufacture of gambling devices, including the
18 acquisition of essential parts therefor and the assembly
19 thereof, for transportation in interstate or foreign
20 commerce to any place outside this State when the
21 transportation is not prohibited by any applicable Federal
22 law;

23 (5) Raffles and poker runs when conducted in accordance
24 with the Raffles and Poker Runs Act;

25 (6) Gambling games conducted on riverboats when
26 authorized by the Riverboat Gambling Act; and

1 (7) Video gaming terminal games at a licensed
2 establishment, licensed truck stop establishment, licensed
3 fraternal establishment, or licensed veterans
4 establishment when conducted in accordance with the Video
5 Gaming Act.

6 (8) Savings promotion raffles as authorized under
7 Section 42.7 of the Illinois Credit Union Act.

8 (f) Sentence. Syndicated gambling is a Class 3 felony.
9 (Source: P.A. 97-1108, eff. 1-1-13; 98-644, eff. 6-10-14.)

10 (720 ILCS 5/28-2) (from Ch. 38, par. 28-2)
11 Sec. 28-2. Definitions.

12 (a) A "gambling device" is any clock, tape machine, slot
13 machine or other machines or device for the reception of money
14 or other thing of value on chance or skill or upon the action
15 of which money or other thing of value is staked, hazarded,
16 bet, won or lost; or any mechanism, furniture, fixture,
17 equipment or other device designed primarily for use in a
18 gambling place. A "gambling device" does not include:

19 (1) A coin-in-the-slot operated mechanical device
20 played for amusement which rewards the player with the
21 right to replay such mechanical device, which device is so
22 constructed or devised as to make such result of the
23 operation thereof depend in part upon the skill of the
24 player and which returns to the player thereof no money,
25 property or right to receive money or property.

1 (2) Vending machines by which full and adequate return
2 is made for the money invested and in which there is no
3 element of chance or hazard.

4 (3) A crane game. For the purposes of this paragraph
5 (3), a "crane game" is an amusement device involving skill,
6 if it rewards the player exclusively with merchandise
7 contained within the amusement device proper and limited to
8 toys, novelties and prizes other than currency, each having
9 a wholesale value which is not more than \$25.

10 (4) A redemption machine. For the purposes of this
11 paragraph (4), a "redemption machine" is a single-player or
12 multi-player amusement device involving a game, the object
13 of which is throwing, rolling, bowling, shooting, placing,
14 or propelling a ball or other object that is either
15 physical or computer generated on a display or with lights
16 into, upon, or against a hole or other target that is
17 either physical or computer generated on a display or with
18 lights, or stopping, by physical, mechanical, or
19 electronic means, a moving object that is either physical
20 or computer generated on a display or with lights into,
21 upon, or against a hole or other target that is either
22 physical or computer generated on a display or with lights,
23 provided that all of the following conditions are met:

24 (A) The outcome of the game is predominantly
25 determined by the skill of the player.

26 (B) The award of the prize is based solely upon the

1 player's achieving the object of the game or otherwise
2 upon the player's score.

3 (C) Only merchandise prizes are awarded.

4 (D) The wholesale value of prizes awarded in lieu
5 of tickets or tokens for single play of the device does
6 not exceed \$25.

7 (E) The redemption value of tickets, tokens, and
8 other representations of value, which may be
9 accumulated by players to redeem prizes of greater
10 value, for a single play of the device does not exceed
11 \$25.

12 (5) Video gaming terminals at a licensed
13 establishment, licensed truck stop establishment, licensed
14 fraternal establishment, or licensed veterans
15 establishment licensed in accordance with the Video Gaming
16 Act.

17 (a-5) "Internet" means an interactive computer service or
18 system or an information service, system, or access software
19 provider that provides or enables computer access by multiple
20 users to a computer server, and includes, but is not limited
21 to, an information service, system, or access software provider
22 that provides access to a network system commonly known as the
23 Internet, or any comparable system or service and also
24 includes, but is not limited to, a World Wide Web page,
25 newsgroup, message board, mailing list, or chat area on any
26 interactive computer service or system or other online service.

1 (a-6) "Access" and "computer" have the meanings ascribed to
2 them in Section 16D-2 of this Code.

3 (b) A "lottery" is any scheme or procedure whereby one or
4 more prizes are distributed by chance among persons who have
5 paid or promised consideration for a chance to win such prizes,
6 whether such scheme or procedure is called a lottery, raffle,
7 gift, sale or some other name, including savings promotion
8 raffles as authorized under Section 42.7 of the Illinois Credit
9 Union Act.

10 (c) A "policy game" is any scheme or procedure whereby a
11 person promises or guarantees by any instrument, bill,
12 certificate, writing, token or other device that any particular
13 number, character, ticket or certificate shall in the event of
14 any contingency in the nature of a lottery entitle the
15 purchaser or holder to receive money, property or evidence of
16 debt.

17 (Source: P.A. 97-1126, eff. 1-1-13; 98-31, eff. 6-24-13.)