

# HB3607



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB3607

by Rep. Chad Hays

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Riverboat Gambling Act. Includes land-based gambling in the Act. Defines "land-based gambling" and "land-based gambling facility". Changes the short title of the Act to the Riverboat and Land-based Gambling Act. Makes other changes.

LRB099 00324 AMC 20329 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE 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 Alcoholism and Other Drug Abuse and  
5 Dependency Act is amended by changing Section 5-20 as follows:

6 (20 ILCS 301/5-20)

7 Sec. 5-20. Compulsive gambling program.

8 (a) Subject to appropriation, the Department shall  
9 establish a program for public education, research, and  
10 training regarding problem and compulsive gambling and the  
11 treatment and prevention of problem and compulsive gambling.  
12 Subject to specific appropriation for these stated purposes,  
13 the program must include all of the following:

14 (1) Establishment and maintenance of a toll-free "800"  
15 telephone number to provide crisis counseling and referral  
16 services to families experiencing difficulty as a result of  
17 problem or compulsive gambling.

18 (2) Promotion of public awareness regarding the  
19 recognition and prevention of problem and compulsive  
20 gambling.

21 (3) Facilitation, through in-service training and  
22 other means, of the availability of effective assistance  
23 programs for problem and compulsive gamblers.

1           (4) Conducting studies to identify adults and  
2 juveniles in this State who are, or who are at risk of  
3 becoming, problem or compulsive gamblers.

4           (b) Subject to appropriation, the Department shall either  
5 establish and maintain the program or contract with a private  
6 or public entity for the establishment and maintenance of the  
7 program. Subject to appropriation, either the Department or the  
8 private or public entity shall implement the toll-free  
9 telephone number, promote public awareness, and conduct  
10 in-service training concerning problem and compulsive  
11 gambling.

12           (c) Subject to appropriation, the Department shall produce  
13 and supply the signs specified in Section 10.7 of the Illinois  
14 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of  
15 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1  
16 of the Charitable Games Act, and Section 13.1 of the Riverboat  
17 and Land-based Gambling Act.

18           (Source: P.A. 89-374, eff. 1-1-96; 89-626, eff. 8-9-96.)

19           Section 10. The Department of Revenue Law of the Civil  
20 Administrative Code of Illinois is amended by changing Section  
21 2505-305 as follows:

22           (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

23           Sec. 2505-305. Investigators.

24           (a) The Department has the power to appoint investigators

1 to conduct all investigations, searches, seizures, arrests,  
2 and other duties imposed under the provisions of any law  
3 administered by the Department. Except as provided in  
4 subsection (c), these investigators have and may exercise all  
5 the powers of peace officers solely for the purpose of  
6 enforcing taxing measures administered by the Department.

7 (b) The Director must authorize to each investigator  
8 employed under this Section and to any other employee of the  
9 Department exercising the powers of a peace officer a distinct  
10 badge that, on its face, (i) clearly states that the badge is  
11 authorized by the Department and (ii) contains a unique  
12 identifying number. No other badge shall be authorized by the  
13 Department.

14 (c) The Department may enter into agreements with the  
15 Illinois Gaming Board providing that investigators appointed  
16 under this Section shall exercise the peace officer powers set  
17 forth in paragraph (20.6) of subsection (c) of Section 5 of the  
18 Riverboat and Land-based Gambling Act.

19 (Source: P.A. 96-37, eff. 7-13-09.)

20 Section 15. The State Finance Act is amended by changing  
21 Section 6z-45 as follows:

22 (30 ILCS 105/6z-45)

23 Sec. 6z-45. The School Infrastructure Fund.

24 (a) The School Infrastructure Fund is created as a special

1 fund in the State Treasury.

2 In addition to any other deposits authorized by law,  
3 beginning January 1, 2000, on the first day of each month, or  
4 as soon thereafter as may be practical, the State Treasurer and  
5 State Comptroller shall transfer the sum of \$5,000,000 from the  
6 General Revenue Fund to the School Infrastructure Fund, except  
7 that, notwithstanding any other provision of law, and in  
8 addition to any other transfers that may be provided for by  
9 law, before June 30, 2012, the Comptroller and the Treasurer  
10 shall transfer \$45,000,000 from the General Revenue Fund into  
11 the School Infrastructure Fund, and, for fiscal year 2013 only,  
12 the Treasurer and the Comptroller shall transfer \$1,250,000  
13 from the General Revenue Fund to the School Infrastructure Fund  
14 on the first day of each month; provided, however, that no such  
15 transfers shall be made from July 1, 2001 through June 30,  
16 2003.

17 (b) Subject to the transfer provisions set forth below,  
18 money in the School Infrastructure Fund shall, if and when the  
19 State of Illinois incurs any bonded indebtedness for the  
20 construction of school improvements under the School  
21 Construction Law, be set aside and used for the purpose of  
22 paying and discharging annually the principal and interest on  
23 that bonded indebtedness then due and payable, and for no other  
24 purpose.

25 In addition to other transfers to the General Obligation  
26 Bond Retirement and Interest Fund made pursuant to Section 15

1 of the General Obligation Bond Act, upon each delivery of bonds  
2 issued for construction of school improvements under the School  
3 Construction Law, the State Comptroller shall compute and  
4 certify to the State Treasurer the total amount of principal  
5 of, interest on, and premium, if any, on such bonds during the  
6 then current and each succeeding fiscal year. With respect to  
7 the interest payable on variable rate bonds, such  
8 certifications shall be calculated at the maximum rate of  
9 interest that may be payable during the fiscal year, after  
10 taking into account any credits permitted in the related  
11 indenture or other instrument against the amount of such  
12 interest required to be appropriated for that period.

13 On or before the last day of each month, the State  
14 Treasurer and State Comptroller shall transfer from the School  
15 Infrastructure Fund to the General Obligation Bond Retirement  
16 and Interest Fund an amount sufficient to pay the aggregate of  
17 the principal of, interest on, and premium, if any, on the  
18 bonds payable on their next payment date, divided by the number  
19 of monthly transfers occurring between the last previous  
20 payment date (or the delivery date if no payment date has yet  
21 occurred) and the next succeeding payment date. Interest  
22 payable on variable rate bonds shall be calculated at the  
23 maximum rate of interest that may be payable for the relevant  
24 period, after taking into account any credits permitted in the  
25 related indenture or other instrument against the amount of  
26 such interest required to be appropriated for that period.

1 Interest for which moneys have already been deposited into the  
2 capitalized interest account within the General Obligation  
3 Bond Retirement and Interest Fund shall not be included in the  
4 calculation of the amounts to be transferred under this  
5 subsection.

6 (b-5) The money deposited into the School Infrastructure  
7 Fund from transfers pursuant to subsections (c-30) and (c-35)  
8 of Section 13 of the Riverboat and Land-based Gambling Act  
9 shall be applied, without further direction, as provided in  
10 subsection (b-3) of Section 5-35 of the School Construction  
11 Law.

12 (c) The surplus, if any, in the School Infrastructure Fund  
13 after payments made pursuant to subsections (b) and (b-5) of  
14 this Section shall, subject to appropriation, be used as  
15 follows:

16 First - to make 3 payments to the School Technology  
17 Revolving Loan Fund as follows:

18 Transfer of \$30,000,000 in fiscal year 1999;

19 Transfer of \$20,000,000 in fiscal year 2000; and

20 Transfer of \$10,000,000 in fiscal year 2001.

21 Second - to pay the expenses of the State Board of  
22 Education and the Capital Development Board in administering  
23 programs under the School Construction Law, the total expenses  
24 not to exceed \$1,200,000 in any fiscal year.

25 Third - to pay any amounts due for grants for school  
26 construction projects and debt service under the School

1 Construction Law.

2 Fourth - to pay any amounts due for grants for school  
3 maintenance projects under the School Construction Law.

4 (Source: P.A. 97-732, eff. 6-30-12; 98-18, eff. 6-7-13.)

5 Section 20. The Joliet Regional Port District Act is  
6 amended by changing Section 5.1 as follows:

7 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

8 Sec. 5.1. Riverboat gambling. Notwithstanding any other  
9 provision of this Act, the District may not regulate the  
10 operation, conduct, or navigation of any riverboat gambling  
11 casino licensed under the Riverboat and Land-based Gambling  
12 Act, and the District may not license, tax, or otherwise levy  
13 any assessment of any kind on any riverboat gambling casino  
14 licensed under the Riverboat and Land-based Gambling Act. The  
15 General Assembly declares that the powers to regulate the  
16 operation, conduct, and navigation of riverboat gambling  
17 casinos and to license, tax, and levy assessments upon  
18 riverboat gambling casinos are exclusive powers of the State of  
19 Illinois and the Illinois Gaming Board as provided in the  
20 Riverboat and Land-based Gambling Act.

21 (Source: P.A. 87-1175.)

22 Section 25. The Consumer Installment Loan Act is amended by  
23 changing Section 12.5 as follows:



1 (205 ILCS 670/12.5)

2 Sec. 12.5. Limited purpose branch.

3 (a) Upon the written approval of the Director, a licensee  
4 may maintain a limited purpose branch for the sole purpose of  
5 making loans as permitted by this Act. A limited purpose branch  
6 may include an automatic loan machine. No other activity shall  
7 be conducted at the site, including but not limited to,  
8 accepting payments, servicing the accounts, or collections.

9 (b) The licensee must submit an application for a limited  
10 purpose branch to the Director on forms prescribed by the  
11 Director with an application fee of \$300. The approval for the  
12 limited purpose branch must be renewed concurrently with the  
13 renewal of the licensee's license along with a renewal fee of  
14 \$300 for the limited purpose branch.

15 (c) The books, accounts, records, and files of the limited  
16 purpose branch's transactions shall be maintained at the  
17 licensee's licensed location. The licensee shall notify the  
18 Director of the licensed location at which the books, accounts,  
19 records, and files shall be maintained.

20 (d) The licensee shall prominently display at the limited  
21 purpose branch the address and telephone number of the  
22 licensee's licensed location.

23 (e) No other business shall be conducted at the site of the  
24 limited purpose branch unless authorized by the Director.

25 (f) The Director shall make and enforce reasonable rules

1 for the conduct of a limited purpose branch.

2 (g) A limited purpose branch may not be located within  
3 1,000 feet of a facility operated by an inter-track wagering  
4 licensee or an organization licensee subject to the Illinois  
5 Horse Racing Act of 1975, on a riverboat subject to the  
6 Riverboat and Land-based Gambling Act, or within 1,000 feet of  
7 the location at which the riverboat docks.

8 (Source: P.A. 90-437, eff. 1-1-98.)

9 Section 30. The Illinois Horse Racing Act of 1975 is  
10 amended by changing Sections 54 and 54.75 as follows:

11 (230 ILCS 5/54)

12 Sec. 54. Horse Racing Equity Fund.

13 (a) There is created in the State Treasury a Fund to be  
14 known as the Horse Racing Equity Fund. The Fund shall consist  
15 of moneys paid into it pursuant to subsection (c-5) of Section  
16 13 of the Riverboat and Land-based Gambling Act. The Fund shall  
17 be administered by the Racing Board.

18 (b) The moneys deposited into the Fund shall be distributed  
19 by the Racing Board within 10 days after those moneys are  
20 deposited into the Fund as follows:

21 (1) Fifty percent of all moneys distributed under this  
22 subsection shall be distributed to organization licensees  
23 to be distributed at their race meetings as purses.  
24 Fifty-seven percent of the amount distributed under this

1 paragraph (1) shall be distributed for thoroughbred race  
2 meetings and 43% shall be distributed for standardbred race  
3 meetings. Within each breed, moneys shall be allocated to  
4 each organization licensee's purse fund in accordance with  
5 the ratio between the purses generated for that breed by  
6 that licensee during the prior calendar year and the total  
7 purses generated throughout the State for that breed during  
8 the prior calendar year.

9 (2) The remaining 50% of the moneys distributed under  
10 this subsection (b) shall be distributed pro rata according  
11 to the aggregate proportion of state-wide handle at the  
12 racetrack, inter-track, and inter-track wagering locations  
13 that derive their licenses from a racetrack identified in  
14 this paragraph (2) for calendar years 1994, 1996, and 1997  
15 to (i) any person (or its successors or assigns) who had  
16 operating control of a racing facility at which live racing  
17 was conducted in calendar year 1997 and who has operating  
18 control of an organization licensee that conducted racing  
19 in calendar year 1997 and is a licensee in the current  
20 year, or (ii) any person (or its successors or assigns) who  
21 has operating control of a racing facility located in a  
22 county that is bounded by the Mississippi River that has a  
23 population of less than 150,000 according to the 1990  
24 decennial census and conducted an average of 60 days of  
25 racing per year between 1985 and 1993 and has been awarded  
26 an inter-track wagering license in the current year.

1           If any person identified in this paragraph (2) becomes  
2           ineligible to receive moneys from the Fund, such amount  
3           shall be redistributed among the remaining persons in  
4           proportion to their percentages otherwise calculated.

5           (Source: P.A. 98-18, eff. 6-7-13.)

6           (230 ILCS 5/54.75)

7           Sec. 54.75. Horse Racing Equity Trust Fund.

8           (a) There is created a Fund to be known as the Horse Racing  
9           Equity Trust Fund, which is a non-appropriated trust fund held  
10          separate and apart from State moneys. The Fund shall consist of  
11          moneys paid into it by owners licensees under the Riverboat and  
12          Land-based Gambling Act for the purposes described in this  
13          Section. The Fund shall be administered by the Board. Moneys in  
14          the Fund shall be distributed as directed and certified by the  
15          Board in accordance with the provisions of subsection (b).

16          (b) The moneys deposited into the Fund, plus any accrued  
17          interest on those moneys, shall be distributed within 10 days  
18          after those moneys are deposited into the Fund as follows:

19                 (1) Sixty percent of all moneys distributed under this  
20                 subsection shall be distributed to organization licensees  
21                 to be distributed at their race meetings as purses.  
22                 Fifty-seven percent of the amount distributed under this  
23                 paragraph (1) shall be distributed for thoroughbred race  
24                 meetings and 43% shall be distributed for standardbred race  
25                 meetings. Within each breed, moneys shall be allocated to

1 each organization licensee's purse fund in accordance with  
2 the ratio between the purses generated for that breed by  
3 that licensee during the prior calendar year and the total  
4 purses generated throughout the State for that breed during  
5 the prior calendar year by licensees in the current  
6 calendar year.

7 (2) The remaining 40% of the moneys distributed under  
8 this subsection (b) shall be distributed as follows:

9 (A) 11% shall be distributed to any person (or its  
10 successors or assigns) who had operating control of a  
11 racetrack that conducted live racing in 2002 at a  
12 racetrack in a county with at least 230,000 inhabitants  
13 that borders the Mississippi River and is a licensee in  
14 the current year; and

15 (B) the remaining 89% shall be distributed pro rata  
16 according to the aggregate proportion of total handle  
17 from wagering on live races conducted in Illinois  
18 (irrespective of where the wagers are placed) for  
19 calendar years 2004 and 2005 to any person (or its  
20 successors or assigns) who (i) had majority operating  
21 control of a racing facility at which live racing was  
22 conducted in calendar year 2002, (ii) is a licensee in  
23 the current year, and (iii) is not eligible to receive  
24 moneys under subparagraph (A) of this paragraph (2).

25 The moneys received by an organization licensee  
26 under this paragraph (2) shall be used by each

1 organization licensee to improve, maintain, market,  
2 and otherwise operate its racing facilities to conduct  
3 live racing, which shall include backstretch services  
4 and capital improvements related to live racing and the  
5 backstretch. Any organization licensees sharing common  
6 ownership may pool the moneys received and spent at all  
7 racing facilities commonly owned in order to meet these  
8 requirements.

9 If any person identified in this paragraph (2) becomes  
10 ineligible to receive moneys from the Fund, such amount  
11 shall be redistributed among the remaining persons in  
12 proportion to their percentages otherwise calculated.

13 (c) The Board shall monitor organization licensees to  
14 ensure that moneys paid to organization licensees under this  
15 Section are distributed by the organization licensees as  
16 provided in subsection (b).

17 (Source: P.A. 95-1008, eff. 12-15-08.)

18 Section 35. The Riverboat Gambling Act is amended by  
19 changing the title of the Act and Sections 1, 2, 3, 4, 5, 5.1,  
20 6, 7, 7.1, 7.3, 7.4, 8, 9, 11, 11.1, 11.2, 12, 13, 18, 19, 20,  
21 and 24 as follows:

22 (230 ILCS 10/1) (from Ch. 120, par. 2401)

23 Sec. 1. Short title. This Act shall be known and may be  
24 cited as the Riverboat and Land-based Gambling Act.

1 (Source: P.A. 86-1029.)

2 (230 ILCS 10/2) (from Ch. 120, par. 2402)

3 Sec. 2. Legislative Intent.

4 (a) This Act is intended to benefit the people of the State  
5 of Illinois by assisting economic development and promoting  
6 Illinois tourism and by increasing the amount of revenues  
7 available to the State to assist and support education.

8 (b) While authorization of riverboat and land-based  
9 gambling will enhance investment, development and tourism in  
10 Illinois, it is recognized that it will do so successfully only  
11 if public confidence and trust in the credibility and integrity  
12 of the gambling operations and the regulatory process is  
13 maintained. Therefore, regulatory provisions of this Act are  
14 designed to strictly regulate the facilities, persons,  
15 associations and practices related to gambling operations  
16 pursuant to the police powers of the State, including  
17 comprehensive law enforcement supervision.

18 (c) The Illinois Gaming Board established under this Act  
19 should, as soon as possible, inform each applicant for an  
20 owners license of the Board's intent to grant or deny a  
21 license.

22 (Source: P.A. 93-28, eff. 6-20-03.)

23 (230 ILCS 10/3) (from Ch. 120, par. 2403)

24 Sec. 3. Riverboat and land-based gambling authorized

1 ~~Gambling Authorized.~~

2 (a) Riverboat and land-based gambling operations and the  
3 system of wagering incorporated therein, as defined in this  
4 Act, are hereby authorized to the extent that they are carried  
5 out in accordance with the provisions of this Act.

6 (b) This Act does not apply to the pari-mutuel system of  
7 wagering used or intended to be used in connection with the  
8 horse-race meetings as authorized under the Illinois Horse  
9 Racing Act of 1975, lottery games authorized under the Illinois  
10 Lottery Law, bingo authorized under the Bingo License and Tax  
11 Act, charitable games authorized under the Charitable Games Act  
12 or pull tabs and jar games conducted under the Illinois Pull  
13 Tabs and Jar Games Act.

14 (c) Riverboat gambling conducted pursuant to this Act may  
15 be authorized upon any water within the State of Illinois or  
16 any water other than Lake Michigan which constitutes a boundary  
17 of the State of Illinois. A licensee may conduct riverboat  
18 gambling authorized under this Act regardless of whether it  
19 conducts excursion cruises. A licensee may permit the  
20 continuous ingress and egress of passengers for the purpose of  
21 gambling.

22 (Source: P.A. 91-40, eff. 6-25-99.)

23 (230 ILCS 10/4) (from Ch. 120, par. 2404)

24 Sec. 4. Definitions. As used in this Act:

25 (a) "Board" means the Illinois Gaming Board.



1 (b) "Occupational license" means a license issued by the  
2 Board to a person or entity to perform an occupation which the  
3 Board has identified as requiring a license to engage in  
4 riverboat or land-based gambling in Illinois.

5 (c) "Gambling game" includes, but is not limited to,  
6 baccarat, twenty-one, poker, craps, slot machine, video game of  
7 chance, roulette wheel, klondike table, punchboard, faro  
8 layout, keno layout, numbers ticket, push card, jar ticket, or  
9 pull tab which is authorized by the Board as a wagering device  
10 under this Act.

11 (d) "Riverboat" means a self-propelled excursion boat, a  
12 permanently moored barge, or permanently moored barges that are  
13 permanently fixed together to operate as one vessel, on which  
14 lawful gambling is authorized and licensed as provided in this  
15 Act.

16 (d-1) "Land-based gambling facility" means a facility  
17 located on land where lawful gambling is authorized and  
18 licensed by this Act.

19 (d-2) "Land-based gambling" means the conducting of lawful  
20 gambling, as authorized by this Act, in a land-based gambling  
21 facility.

22 (e) "Managers license" means a license issued by the Board  
23 to a person or entity to manage gambling operations conducted  
24 by the State pursuant to Section 7.3.

25 (f) "Dock" means the location where a riverboat moors for  
26 the purpose of embarking passengers for and disembarking

1 passengers from the riverboat.

2 (g) "Gross receipts" means the total amount of money  
3 exchanged for the purchase of chips, tokens or electronic cards  
4 by riverboat or land-based gambling facility patrons.

5 (h) "Adjusted gross receipts" means the gross receipts less  
6 winnings paid to wagerers.

7 (i) "Cheat" means to alter the selection of criteria which  
8 determine the result of a gambling game or the amount or  
9 frequency of payment in a gambling game.

10 (j) (Blank).

11 (k) "Gambling operation" means the conduct of authorized  
12 gambling games upon a riverboat or in a land-based gambling  
13 facility.

14 (l) "License bid" means the lump sum amount of money that  
15 an applicant bids and agrees to pay the State in return for an  
16 owners license that is re-issued on or after July 1, 2003.

17 (m) The terms "minority person", "female", and "person with  
18 a disability" shall have the same meaning as defined in Section  
19 2 of the Business Enterprise for Minorities, Females, and  
20 Persons with Disabilities Act.

21 (Source: P.A. 95-331, eff. 8-21-07; 96-1392, eff. 1-1-11.)

22 (230 ILCS 10/5) (from Ch. 120, par. 2405)

23 Sec. 5. Gaming Board.

24 (a) (1) There is hereby established the Illinois Gaming  
25 Board, which shall have the powers and duties specified in this

1 Act, and all other powers necessary and proper to fully and  
2 effectively execute this Act for the purpose of administering,  
3 regulating, and enforcing the system of riverboat and  
4 land-based gambling established by this Act. Its jurisdiction  
5 shall extend under this Act to every person, association,  
6 corporation, partnership and trust involved in riverboat and  
7 land-based gambling operations in the State of Illinois.

8 (2) The Board shall consist of 5 members to be appointed by  
9 the Governor with the advice and consent of the Senate, one of  
10 whom shall be designated by the Governor to be chairman. Each  
11 member shall have a reasonable knowledge of the practice,  
12 procedure and principles of gambling operations. Each member  
13 shall either be a resident of Illinois or shall certify that he  
14 will become a resident of Illinois before taking office. At  
15 least one member shall be experienced in law enforcement and  
16 criminal investigation, at least one member shall be a  
17 certified public accountant experienced in accounting and  
18 auditing, and at least one member shall be a lawyer licensed to  
19 practice law in Illinois.

20 (3) The terms of office of the Board members shall be 3  
21 years, except that the terms of office of the initial Board  
22 members appointed pursuant to this Act will commence from the  
23 effective date of this Act and run as follows: one for a term  
24 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for  
25 a term ending July 1, 1993. Upon the expiration of the  
26 foregoing terms, the successors of such members shall serve a

1 term for 3 years and until their successors are appointed and  
2 qualified for like terms. Vacancies in the Board shall be  
3 filled for the unexpired term in like manner as original  
4 appointments. Each member of the Board shall be eligible for  
5 reappointment at the discretion of the Governor with the advice  
6 and consent of the Senate.

7 (4) Each member of the Board shall receive \$300 for each  
8 day the Board meets and for each day the member conducts any  
9 hearing pursuant to this Act. Each member of the Board shall  
10 also be reimbursed for all actual and necessary expenses and  
11 disbursements incurred in the execution of official duties.

12 (5) No person shall be appointed a member of the Board or  
13 continue to be a member of the Board who is, or whose spouse,  
14 child or parent is, a member of the board of directors of, or a  
15 person financially interested in, any gambling operation  
16 subject to the jurisdiction of this Board, or any race track,  
17 race meeting, racing association or the operations thereof  
18 subject to the jurisdiction of the Illinois Racing Board. No  
19 Board member shall hold any other public office. No person  
20 shall be a member of the Board who is not of good moral  
21 character or who has been convicted of, or is under indictment  
22 for, a felony under the laws of Illinois or any other state, or  
23 the United States.

24 (5.5) No member of the Board shall engage in any political  
25 activity. For the purposes of this Section, "political" means  
26 any activity in support of or in connection with any campaign

1 for federal, State, or local elective office or any political  
2 organization, but does not include activities (i) relating to  
3 the support or opposition of any executive, legislative, or  
4 administrative action (as those terms are defined in Section 2  
5 of the Lobbyist Registration Act), (ii) relating to collective  
6 bargaining, or (iii) that are otherwise in furtherance of the  
7 person's official State duties or governmental and public  
8 service functions.

9 (6) Any member of the Board may be removed by the Governor  
10 for neglect of duty, misfeasance, malfeasance, or nonfeasance  
11 in office or for engaging in any political activity.

12 (7) Before entering upon the discharge of the duties of his  
13 office, each member of the Board shall take an oath that he  
14 will faithfully execute the duties of his office according to  
15 the laws of the State and the rules and regulations adopted  
16 therewith and shall give bond to the State of Illinois,  
17 approved by the Governor, in the sum of \$25,000. Every such  
18 bond, when duly executed and approved, shall be recorded in the  
19 office of the Secretary of State. Whenever the Governor  
20 determines that the bond of any member of the Board has become  
21 or is likely to become invalid or insufficient, he shall  
22 require such member forthwith to renew his bond, which is to be  
23 approved by the Governor. Any member of the Board who fails to  
24 take oath and give bond within 30 days from the date of his  
25 appointment, or who fails to renew his bond within 30 days  
26 after it is demanded by the Governor, shall be guilty of

1 neglect of duty and may be removed by the Governor. The cost of  
2 any bond given by any member of the Board under this Section  
3 shall be taken to be a part of the necessary expenses of the  
4 Board.

5 (7.5) For the examination of all mechanical,  
6 electromechanical, or electronic table games, slot machines,  
7 slot accounting systems, and other electronic gaming equipment  
8 for compliance with this Act, the Board may utilize the  
9 services of one or more independent outside testing  
10 laboratories that have been accredited by a national  
11 accreditation body and that, in the judgment of the Board, are  
12 qualified to perform such examinations.

13 (8) The Board shall employ such personnel as may be  
14 necessary to carry out its functions and shall determine the  
15 salaries of all personnel, except those personnel whose  
16 salaries are determined under the terms of a collective  
17 bargaining agreement. No person shall be employed to serve the  
18 Board who is, or whose spouse, parent or child is, an official  
19 of, or has a financial interest in or financial relation with,  
20 any operator engaged in gambling operations within this State  
21 or any organization engaged in conducting horse racing within  
22 this State. Any employee violating these prohibitions shall be  
23 subject to termination of employment.

24 (9) An Administrator shall perform any and all duties that  
25 the Board shall assign him. The salary of the Administrator  
26 shall be determined by the Board and, in addition, he shall be

1 reimbursed for all actual and necessary expenses incurred by  
2 him in discharge of his official duties. The Administrator  
3 shall keep records of all proceedings of the Board and shall  
4 preserve all records, books, documents and other papers  
5 belonging to the Board or entrusted to its care. The  
6 Administrator shall devote his full time to the duties of the  
7 office and shall not hold any other office or employment.

8 (b) The Board shall have general responsibility for the  
9 implementation of this Act. Its duties include, without  
10 limitation, the following:

11 (1) To decide promptly and in reasonable order all  
12 license applications. Any party aggrieved by an action of  
13 the Board denying, suspending, revoking, restricting or  
14 refusing to renew a license may request a hearing before  
15 the Board. A request for a hearing must be made to the  
16 Board in writing within 5 days after service of notice of  
17 the action of the Board. Notice of the action of the Board  
18 shall be served either by personal delivery or by certified  
19 mail, postage prepaid, to the aggrieved party. Notice  
20 served by certified mail shall be deemed complete on the  
21 business day following the date of such mailing. The Board  
22 shall conduct all requested hearings promptly and in  
23 reasonable order;

24 (2) To conduct all hearings pertaining to civil  
25 violations of this Act or rules and regulations promulgated  
26 hereunder;

1           (3) To promulgate such rules and regulations as in its  
2 judgment may be necessary to protect or enhance the  
3 credibility and integrity of gambling operations  
4 authorized by this Act and the regulatory process  
5 hereunder;

6           (4) To provide for the establishment and collection of  
7 all license and registration fees and taxes imposed by this  
8 Act and the rules and regulations issued pursuant hereto.  
9 All such fees and taxes shall be deposited into the State  
10 Gaming Fund;

11           (5) To provide for the levy and collection of penalties  
12 and fines for the violation of provisions of this Act and  
13 the rules and regulations promulgated hereunder. All such  
14 fines and penalties shall be deposited into the Education  
15 Assistance Fund, created by Public Act 86-0018, of the  
16 State of Illinois;

17           (6) To be present through its inspectors and agents any  
18 time gambling operations are conducted on any riverboat or  
19 in any land-based gambling facility for the purpose of  
20 certifying the revenue thereof, receiving complaints from  
21 the public, and conducting such other investigations into  
22 the conduct of the gambling games and the maintenance of  
23 the equipment as from time to time the Board may deem  
24 necessary and proper;

25           (7) To review and rule upon any complaint by a licensee  
26 regarding any investigative procedures of the State which



1 are unnecessarily disruptive of gambling operations. The  
2 need to inspect and investigate shall be presumed at all  
3 times. The disruption of a licensee's operations shall be  
4 proved by clear and convincing evidence, and establish  
5 that: (A) the procedures had no reasonable law enforcement  
6 purposes, and (B) the procedures were so disruptive as to  
7 unreasonably inhibit gambling operations;

8 (8) To hold at least one meeting each quarter of the  
9 fiscal year. In addition, special meetings may be called by  
10 the Chairman or any 2 Board members upon 72 hours written  
11 notice to each member. All Board meetings shall be subject  
12 to the Open Meetings Act. Three members of the Board shall  
13 constitute a quorum, and 3 votes shall be required for any  
14 final determination by the Board. The Board shall keep a  
15 complete and accurate record of all its meetings. A  
16 majority of the members of the Board shall constitute a  
17 quorum for the transaction of any business, for the  
18 performance of any duty, or for the exercise of any power  
19 which this Act requires the Board members to transact,  
20 perform or exercise en banc, except that, upon order of the  
21 Board, one of the Board members or an administrative law  
22 judge designated by the Board may conduct any hearing  
23 provided for under this Act or by Board rule and may  
24 recommend findings and decisions to the Board. The Board  
25 member or administrative law judge conducting such hearing  
26 shall have all powers and rights granted to the Board in

1           this Act. The record made at the time of the hearing shall  
2           be reviewed by the Board, or a majority thereof, and the  
3           findings and decision of the majority of the Board shall  
4           constitute the order of the Board in such case;

5           (9) To maintain records which are separate and distinct  
6           from the records of any other State board or commission.  
7           Such records shall be available for public inspection and  
8           shall accurately reflect all Board proceedings;

9           (10) To file a written annual report with the Governor  
10          on or before March 1 each year and such additional reports  
11          as the Governor may request. The annual report shall  
12          include a statement of receipts and disbursements by the  
13          Board, actions taken by the Board, and any additional  
14          information and recommendations which the Board may deem  
15          valuable or which the Governor may request;

16          (11) (Blank);

17          (12) (Blank);

18          (13) To assume responsibility for administration and  
19          enforcement of the Video Gaming Act; and

20          (14) To adopt, by rule, a code of conduct governing  
21          Board members and employees that ensure, to the maximum  
22          extent possible, that persons subject to this Code avoid  
23          situations, relationships, or associations that may  
24          represent or lead to a conflict of interest.

25          (c) The Board shall have jurisdiction over and shall  
26          supervise all gambling operations governed by this Act. The

1 Board shall have all powers necessary and proper to fully and  
2 effectively execute the provisions of this Act, including, but  
3 not limited to, the following:

4 (1) To investigate applicants and determine the  
5 eligibility of applicants for licenses and to select among  
6 competing applicants the applicants which best serve the  
7 interests of the citizens of Illinois.

8 (2) To have jurisdiction and supervision over all  
9 riverboat and land-based gambling operations in this State  
10 and all persons on riverboats and in land-based gambling  
11 facilities where gambling operations are conducted.

12 (3) To promulgate rules and regulations for the purpose  
13 of administering the provisions of this Act and to  
14 prescribe rules, regulations and conditions under which  
15 all riverboat and land-based gambling in the State shall be  
16 conducted. Such rules and regulations are to provide for  
17 the prevention of practices detrimental to the public  
18 interest and for the best interests of riverboat and  
19 land-based gambling, including rules and regulations  
20 regarding the inspection of such riverboats and land-based  
21 gambling facilities and the review of any permits or  
22 licenses necessary to operate a riverboat or land-based  
23 gambling facility under any applicable laws or regulations  
24 ~~applicable to riverboats~~, and to impose penalties for  
25 violations thereof.

26 (4) To enter the office, riverboats and related

1        facilities, facilities, land-based gambling facilities, or  
2        other places of business of a licensee, where evidence of  
3        the compliance or noncompliance with the provisions of this  
4        Act is likely to be found.

5            (5) To investigate alleged violations of this Act or  
6        the rules of the Board and to take appropriate disciplinary  
7        action against a licensee or a holder of an occupational  
8        license for a violation, or institute appropriate legal  
9        action for enforcement, or both.

10           (6) To adopt standards for the licensing of all persons  
11        under this Act, as well as for electronic or mechanical  
12        gambling games, and to establish fees for such licenses.

13           (7) To adopt appropriate standards for all riverboats  
14        and related facilities, and land-based gambling facilities  
15        ~~and facilities.~~

16           (8) To require that the records, including financial or  
17        other statements of any licensee under this Act, shall be  
18        kept in such manner as prescribed by the Board and that any  
19        such licensee involved in the ownership or management of  
20        gambling operations submit to the Board an annual balance  
21        sheet and profit and loss statement, list of the  
22        stockholders or other persons having a 1% or greater  
23        beneficial interest in the gambling activities of each  
24        licensee, and any other information the Board deems  
25        necessary in order to effectively administer this Act and  
26        all rules, regulations, orders and final decisions

1 promulgated under this Act.

2 (9) To conduct hearings, issue subpoenas for the  
3 attendance of witnesses and subpoenas duces tecum for the  
4 production of books, records and other pertinent documents  
5 in accordance with the Illinois Administrative Procedure  
6 Act, and to administer oaths and affirmations to the  
7 witnesses, when, in the judgment of the Board, it is  
8 necessary to administer or enforce this Act or the Board  
9 rules.

10 (10) To prescribe a form to be used by any licensee  
11 involved in the ownership or management of gambling  
12 operations as an application for employment for their  
13 employees.

14 (11) To revoke or suspend licenses, as the Board may  
15 see fit and in compliance with applicable laws of the State  
16 regarding administrative procedures, and to review  
17 applications for the renewal of licenses. The Board may  
18 suspend an owners license, without notice or hearing upon a  
19 determination that the safety or health of patrons or  
20 employees is jeopardized by continuing the operation of a  
21 riverboat or land-based gambling facility ~~a riverboat's~~  
22 ~~operation~~. The suspension may remain in effect until the  
23 Board determines that the cause for suspension has been  
24 abated. The Board may revoke the owners license upon a  
25 determination that the owner has not made satisfactory  
26 progress toward abating the hazard.

1           (12) To eject or exclude or authorize the ejection or  
2 exclusion of, any person from riverboat gambling  
3 facilities or land-based gambling facilities where such  
4 person is in violation of this Act, rules and regulations  
5 thereunder, or final orders of the Board, or where such  
6 person's conduct or reputation is such that his presence  
7 within the riverboat or land-based gambling facility  
8 ~~facilities~~ may, in the opinion of the Board, call into  
9 question the honesty and integrity of the gambling  
10 operations or interfere with orderly conduct thereof;  
11 provided that the propriety of such ejection or exclusion  
12 is subject to subsequent hearing by the Board.

13           (13) To require all licensees of gambling operations to  
14 utilize a cashless wagering system whereby all players'  
15 money is converted to tokens, electronic cards, or chips  
16 which shall be used only for wagering in the gambling  
17 establishment.

18           (14) (Blank).

19           (15) To suspend, revoke or restrict licenses, to  
20 require the removal of a licensee or an employee of a  
21 licensee for a violation of this Act or a Board rule or for  
22 engaging in a fraudulent practice, and to impose civil  
23 penalties of up to \$5,000 against individuals and up to  
24 \$10,000 or an amount equal to the daily gross receipts,  
25 whichever is larger, against licensees for each violation  
26 of any provision of the Act, any rules adopted by the

1 Board, any order of the Board or any other action which, in  
2 the Board's discretion, is a detriment or impediment to  
3 riverboat and land-based gambling operations.

4 (16) To hire employees to gather information, conduct  
5 investigations and carry out any other tasks contemplated  
6 under this Act.

7 (17) To establish minimum levels of insurance to be  
8 maintained by licensees.

9 (18) To authorize a licensee to sell or serve alcoholic  
10 liquors, wine or beer as defined in the Liquor Control Act  
11 of 1934 on board a riverboat or inside a land-based  
12 gambling facility and to have exclusive authority to  
13 establish the hours for sale and consumption of alcoholic  
14 liquor on board a riverboat or inside a land-based gambling  
15 facility, notwithstanding any provision of the Liquor  
16 Control Act of 1934 or any local ordinance, and regardless  
17 of whether the riverboat makes excursions. The  
18 establishment of the hours for sale and consumption of  
19 alcoholic liquor on board a riverboat or inside a  
20 land-based gambling facility is an exclusive power and  
21 function of the State. A home rule unit may not establish  
22 the hours for sale and consumption of alcoholic liquor on  
23 board a riverboat or inside a land-based gambling facility.  
24 This item (18) amendatory Act of 1991 is a denial and  
25 limitation of home rule powers and functions under  
26 subsection (h) of Section 6 of Article VII of the Illinois

1 Constitution.

2 (19) After consultation with the U.S. Army Corps of  
3 Engineers, to establish binding emergency orders upon the  
4 concurrence of a majority of the members of the Board  
5 regarding the navigability of water, relative to  
6 excursions, in the event of extreme weather conditions,  
7 acts of God or other extreme circumstances.

8 (20) To delegate the execution of any of its powers  
9 under this Act for the purpose of administering and  
10 enforcing this Act and its rules and regulations hereunder.

11 (20.5) To approve any contract entered into on its  
12 behalf.

13 (20.6) To appoint investigators to conduct  
14 investigations, searches, seizures, arrests, and other  
15 duties imposed under this Act, as deemed necessary by the  
16 Board. These investigators have and may exercise all of the  
17 rights and powers of peace officers, provided that these  
18 powers shall be limited to offenses or violations occurring  
19 or committed on a riverboat or dock, or at a land-based  
20 gambling facility as defined in subsections (d), (d-1), and  
21 (f) of Section 4, or as otherwise provided by this Act or  
22 any other law.

23 (20.7) To contract with the Department of State Police  
24 for the use of trained and qualified State police officers  
25 and with the Department of Revenue for the use of trained  
26 and qualified Department of Revenue investigators to



1           conduct investigations, searches, seizures, arrests, and  
2           other duties imposed under this Act and to exercise all of  
3           the rights and powers of peace officers, provided that the  
4           powers of Department of Revenue investigators under this  
5           subdivision (20.7) shall be limited to offenses or  
6           violations occurring or committed on a riverboat or dock,  
7           or at a land-based gambling facility as defined in  
8           subsections (d), (d-1), and (f) of Section 4, or as  
9           otherwise provided by this Act or any other law. In the  
10          event the Department of State Police or the Department of  
11          Revenue is unable to fill contracted police or  
12          investigative positions, the Board may appoint  
13          investigators to fill those positions pursuant to  
14          subdivision (20.6).

15                 (21) To take any other action as may be reasonable or  
16                 appropriate to enforce this Act and rules and regulations  
17                 hereunder.

18                 (d) The Board may seek and shall receive the cooperation of  
19                 the Department of State Police in conducting background  
20                 investigations of applicants and in fulfilling its  
21                 responsibilities under this Section. Costs incurred by the  
22                 Department of State Police as a result of such cooperation  
23                 shall be paid by the Board in conformance with the requirements  
24                 of Section 2605-400 of the Department of State Police Law (20  
25                 ILCS 2605/2605-400).

26                 (e) The Board must authorize to each investigator and to

1 any other employee of the Board exercising the powers of a  
2 peace officer a distinct badge that, on its face, (i) clearly  
3 states that the badge is authorized by the Board and (ii)  
4 contains a unique identifying number. No other badge shall be  
5 authorized by the Board.

6 (Source: P.A. 98-377, eff. 1-1-14; 98-582, eff. 8-27-13.)

7 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

8 Sec. 5.1. Disclosure of records.

9 (a) Notwithstanding any applicable statutory provision to  
10 the contrary, the Board shall, on written request from any  
11 person, provide information furnished by an applicant or  
12 licensee concerning the applicant or licensee, his products,  
13 services or gambling enterprises and his business holdings, as  
14 follows:

15 (1) The name, business address and business telephone  
16 number of any applicant or licensee.

17 (2) An identification of any applicant or licensee  
18 including, if an applicant or licensee is not an  
19 individual, the state of incorporation or registration,  
20 the corporate officers, and the identity of all  
21 shareholders or participants. If an applicant or licensee  
22 has a pending registration statement filed with the  
23 Securities and Exchange Commission, only the names of those  
24 persons or entities holding interest of 5% or more must be  
25 provided.

1           (3) An identification of any business, including, if  
2           applicable, the state of incorporation or registration, in  
3           which an applicant or licensee or an applicant's or  
4           licensee's spouse or children has an equity interest of  
5           more than 1%. If an applicant or licensee is a corporation,  
6           partnership or other business entity, the applicant or  
7           licensee shall identify any other corporation, partnership  
8           or business entity in which it has an equity interest of 1%  
9           or more, including, if applicable, the state of  
10          incorporation or registration. This information need not  
11          be provided by a corporation, partnership or other business  
12          entity that has a pending registration statement filed with  
13          the Securities and Exchange Commission.

14          (4) Whether an applicant or licensee has been indicted,  
15          convicted, pleaded guilty or nolo contendere, or forfeited  
16          bail concerning any criminal offense under the laws of any  
17          jurisdiction, either felony or misdemeanor (except for  
18          traffic violations), including the date, the name and  
19          location of the court, arresting agency and prosecuting  
20          agency, the case number, the offense, the disposition and  
21          the location and length of incarceration.

22          (5) Whether an applicant or licensee has had any  
23          license or certificate issued by a licensing authority in  
24          Illinois or any other jurisdiction denied, restricted,  
25          suspended, revoked or not renewed and a statement  
26          describing the facts and circumstances concerning the

1 denial, restriction, suspension, revocation or  
2 non-renewal, including the licensing authority, the date  
3 each such action was taken, and the reason for each such  
4 action.

5 (6) Whether an applicant or licensee has ever filed or  
6 had filed against it a proceeding in bankruptcy or has ever  
7 been involved in any formal process to adjust, defer,  
8 suspend or otherwise work out the payment of any debt  
9 including the date of filing, the name and location of the  
10 court, the case and number of the disposition.

11 (7) Whether an applicant or licensee has filed, or been  
12 served with a complaint or other notice filed with any  
13 public body, regarding the delinquency in the payment of,  
14 or a dispute over the filings concerning the payment of,  
15 any tax required under federal, State or local law,  
16 including the amount, type of tax, the taxing agency and  
17 time periods involved.

18 (8) A statement listing the names and titles of all  
19 public officials or officers of any unit of government, and  
20 relatives of said public officials or officers who,  
21 directly or indirectly, own any financial interest in, have  
22 any beneficial interest in, are the creditors of or hold  
23 any debt instrument issued by, or hold or have any interest  
24 in any contractual or service relationship with, an  
25 applicant or licensee.

26 (9) Whether an applicant or licensee has made, directly

1 or indirectly, any political contribution, or any loans,  
2 donations or other payments, to any candidate or office  
3 holder, within 5 years from the date of filing the  
4 application, including the amount and the method of  
5 payment.

6 (10) The name and business telephone number of the  
7 counsel representing an applicant or licensee in matters  
8 before the Board.

9 (11) A description of any proposed or approved  
10 riverboat gaming or land-based gambling operation,  
11 including the type of boat, home dock or land-based  
12 location, expected economic benefit to the community,  
13 anticipated or actual number of employees, any statement  
14 from an applicant or licensee regarding compliance with  
15 federal and State affirmative action guidelines, projected  
16 or actual admissions and projected or actual adjusted gross  
17 gaming receipts.

18 (12) A description of the product or service to be  
19 supplied by an applicant for a supplier's license.

20 (b) Notwithstanding any applicable statutory provision to  
21 the contrary, the Board shall, on written request from any  
22 person, also provide the following information:

23 (1) The amount of the wagering tax and admission tax  
24 paid daily to the State of Illinois by the holder of an  
25 owner's license.

26 (2) Whenever the Board finds an applicant for an

1 owner's license unsuitable for licensing, a copy of the  
2 written letter outlining the reasons for the denial.

3 (3) Whenever the Board has refused to grant leave for  
4 an applicant to withdraw his application, a copy of the  
5 letter outlining the reasons for the refusal.

6 (c) Subject to the above provisions, the Board shall not  
7 disclose any information which would be barred by:

8 (1) Section 7 of the Freedom of Information Act; or

9 (2) The statutes, rules, regulations or  
10 intergovernmental agreements of any jurisdiction.

11 (d) The Board may assess fees for the copying of  
12 information in accordance with Section 6 of the Freedom of  
13 Information Act.

14 (Source: P.A. 96-1392, eff. 1-1-11.)

15 (230 ILCS 10/6) (from Ch. 120, par. 2406)

16 Sec. 6. Application for Owners License.

17 (a) A qualified person may apply to the Board for an owners  
18 license to conduct a riverboat or land-based gambling operation  
19 as provided in this Act. The application shall be made on forms  
20 provided by the Board and shall contain such information as the  
21 Board prescribes, including but not limited to the identity and  
22 exact location of the riverboat or land-based gambling facility  
23 where ~~on which~~ such gambling operation is to be conducted ~~and~~  
24 ~~the exact location where such riverboat will be docked,~~ a  
25 certification that the riverboat or land-based gambling

1 facility will be registered under this Act at all times during  
2 which gambling operations are conducted ~~on-board~~, detailed  
3 information regarding the ownership and management of the  
4 applicant, and detailed personal information regarding the  
5 applicant. Any application for an owners license to be  
6 re-issued on or after June 1, 2003 shall also include the  
7 applicant's license bid in a form prescribed by the Board.  
8 Information provided on the application shall be used as a  
9 basis for a thorough background investigation which the Board  
10 shall conduct with respect to each applicant. An incomplete  
11 application shall be cause for denial of a license by the  
12 Board.

13 (b) Applicants shall submit with their application all  
14 documents, resolutions, and letters of support from the  
15 governing body that represents the municipality or county  
16 wherein the licensee will dock or be located.

17 (c) Each applicant shall disclose the identity of every  
18 person, association, trust or corporation having a greater than  
19 1% direct or indirect pecuniary interest in the riverboat or  
20 land-based gambling operation with respect to which the license  
21 is sought. If the disclosed entity is a trust, the application  
22 shall disclose the names and addresses of the beneficiaries; if  
23 a corporation, the names and addresses of all stockholders and  
24 directors; if a partnership, the names and addresses of all  
25 partners, both general and limited.

26 (d) An application shall be filed and considered in

1 accordance with the rules of the Board. An application fee of  
2 \$50,000 shall be paid at the time of filing to defray the costs  
3 associated with the background investigation conducted by the  
4 Board. If the costs of the investigation exceed \$50,000, the  
5 applicant shall pay the additional amount to the Board. If the  
6 costs of the investigation are less than \$50,000, the applicant  
7 shall receive a refund of the remaining amount. All  
8 information, records, interviews, reports, statements,  
9 memoranda or other data supplied to or used by the Board in the  
10 course of its review or investigation of an application for a  
11 license or a renewal under this Act shall be privileged,  
12 strictly confidential and shall be used only for the purpose of  
13 evaluating an applicant for a license or a renewal. Such  
14 information, records, interviews, reports, statements,  
15 memoranda or other data shall not be admissible as evidence,  
16 nor discoverable in any action of any kind in any court or  
17 before any tribunal, board, agency or person, except for any  
18 action deemed necessary by the Board.

19 (e) The Board shall charge each applicant a fee set by the  
20 Department of State Police to defray the costs associated with  
21 the search and classification of fingerprints obtained by the  
22 Board with respect to the applicant's application. These fees  
23 shall be paid into the State Police Services Fund.

24 (f) The licensed owner shall be the person primarily  
25 responsible for the boat or land-based gambling facility  
26 itself. Only one riverboat or land-based gambling operation may



1 be authorized by the Board in any riverboat or land-based  
2 gambling facility ~~on any riverboat~~. The applicant must identify  
3 each riverboat or land-based gambling facility it intends to  
4 use and certify that the riverboat or land-based gambling  
5 facility: (1) has the authorized capacity required in this Act;  
6 (2) is accessible to disabled persons; and (3) is fully  
7 registered and licensed in accordance with any applicable laws.

8 (g) A person who knowingly makes a false statement on an  
9 application is guilty of a Class A misdemeanor.

10 (Source: P.A. 96-1392, eff. 1-1-11.)

11 (230 ILCS 10/7) (from Ch. 120, par. 2407)

12 Sec. 7. Owners Licenses.

13 (a) The Board shall issue owners licenses to persons, firms  
14 or corporations which apply for such licenses upon payment to  
15 the Board of the non-refundable license fee set by the Board,  
16 upon payment of a \$25,000 license fee for the first year of  
17 operation and a \$5,000 license fee for each succeeding year and  
18 upon a determination by the Board that the applicant is  
19 eligible for an owners license pursuant to this Act and the  
20 rules of the Board. From the effective date of this amendatory  
21 Act of the 95th General Assembly until (i) 3 years after the  
22 effective date of this amendatory Act of the 95th General  
23 Assembly, (ii) the date any organization licensee begins to  
24 operate a slot machine or video game of chance under the  
25 Illinois Horse Racing Act of 1975 or this Act, (iii) the date

1 that payments begin under subsection (c-5) of Section 13 of the  
2 Act, or (iv) the wagering tax imposed under Section 13 of this  
3 Act is increased by law to reflect a tax rate that is at least  
4 as stringent or more stringent than the tax rate contained in  
5 subsection (a-3) of Section 13, whichever occurs first, as a  
6 condition of licensure and as an alternative source of payment  
7 for those funds payable under subsection (c-5) of Section 13 of  
8 this Act ~~the Riverboat Gambling Act~~, any owners licensee that  
9 holds or receives its owners license on or after the effective  
10 date of this amendatory Act of the 94th General Assembly, other  
11 than an owners licensee operating a riverboat with adjusted  
12 gross receipts in calendar year 2004 of less than \$200,000,000,  
13 must pay into the Horse Racing Equity Trust Fund, in addition  
14 to any other payments required under this Act, an amount equal  
15 to 3% of the adjusted gross receipts received by the owners  
16 licensee. The payments required under this Section shall be  
17 made by the owners licensee to the State Treasurer no later  
18 than 3:00 o'clock p.m. of the day after the day when the  
19 adjusted gross receipts were received by the owners licensee. A  
20 person, firm or corporation is ineligible to receive an owners  
21 license if:

22 (1) the person has been convicted of a felony under the  
23 laws of this State, any other state, or the United States;

24 (2) the person has been convicted of any violation of  
25 Article 28 of the Criminal Code of 1961 or the Criminal  
26 Code of 2012, or substantially similar laws of any other

1 jurisdiction;

2 (3) the person has submitted an application for a  
3 license under this Act which contains false information;

4 (4) the person is a member of the Board;

5 (5) a person defined in (1), (2), (3) or (4) is an  
6 officer, director or managerial employee of the firm or  
7 corporation;

8 (6) the firm or corporation employs a person defined in  
9 (1), (2), (3) or (4) who participates in the management or  
10 operation of gambling operations authorized under this  
11 Act;

12 (7) (blank); or

13 (8) a license of the person, firm or corporation issued  
14 under this Act, or a license to own or operate gambling  
15 facilities in any other jurisdiction, has been revoked.

16 The Board is expressly prohibited from making changes to  
17 the requirement that licensees make payment into the Horse  
18 Racing Equity Trust Fund without the express authority of the  
19 Illinois General Assembly and making any other rule to  
20 implement or interpret this amendatory Act of the 95th General  
21 Assembly. For the purposes of this paragraph, "rules" is given  
22 the meaning given to that term in Section 1-70 of the Illinois  
23 Administrative Procedure Act.

24 (b) In determining whether to grant an owners license to an  
25 applicant, the Board shall consider:

26 (1) the character, reputation, experience and

1 financial integrity of the applicants and of any other or  
2 separate person that either:

3 (A) controls, directly or indirectly, such  
4 applicant, or

5 (B) is controlled, directly or indirectly, by such  
6 applicant or by a person which controls, directly or  
7 indirectly, such applicant;

8 (2) the facilities or proposed facilities for the  
9 conduct of riverboat or land-based gambling;

10 (3) the highest prospective total revenue to be derived  
11 by the State from the conduct of riverboat or land-based  
12 gambling;

13 (4) the extent to which the ownership of the applicant  
14 reflects the diversity of the State by including minority  
15 persons, females, and persons with a disability and the  
16 good faith affirmative action plan of each applicant to  
17 recruit, train and upgrade minority persons, females, and  
18 persons with a disability in all employment  
19 classifications;

20 (5) the financial ability of the applicant to purchase  
21 and maintain adequate liability and casualty insurance;

22 (6) whether the applicant has adequate capitalization  
23 to provide and maintain, for the duration of a license, a  
24 riverboat or land-based gambling operation;

25 (7) the extent to which the applicant exceeds or meets  
26 other standards for the issuance of an owners license which

1 the Board may adopt by rule; and

2 (8) The amount of the applicant's license bid.

3 (c) Each owners license shall specify the place where  
4 riverboats shall operate and dock or where a land-based  
5 gambling facility shall be located.

6 (d) Each applicant shall submit with his application, on  
7 forms provided by the Board, 2 sets of his fingerprints.

8 (e) The Board may issue up to 10 licenses authorizing the  
9 holders of such licenses to own riverboats or land-based  
10 gambling operations. In the application for an owners license,  
11 the applicant shall state the dock at which the riverboat is  
12 based and the water on which the riverboat will be located or  
13 the proposed location of the land-based gambling facility. The  
14 Board shall issue 5 licenses to become effective not earlier  
15 than January 1, 1991. Three of such licenses shall authorize  
16 riverboat gambling on the Mississippi River or land-based  
17 gambling in a municipality that borders on the Mississippi  
18 River or is within 5 miles of the city limits of a municipality  
19 that borders on the Mississippi River, or, with approval by the  
20 municipality in which the riverboat was docked on August 7,  
21 2003 and with Board approval, be authorized to relocate to a  
22 new location, in a municipality that (1) borders on the  
23 Mississippi River or is within 5 miles of the city limits of a  
24 municipality that borders on the Mississippi River and (2), on  
25 August 7, 2003, had a riverboat conducting riverboat gambling  
26 operations pursuant to a license issued under this Act; one of

1 which shall authorize riverboat or land-based gambling from a  
2 home dock or land-based gambling facility in the city of East  
3 St. Louis. One other license shall authorize riverboat gambling  
4 on the Illinois River south of Marshall County or land-based  
5 gambling in a municipality adjacent to the Illinois River south  
6 of Marshall County. The Board shall issue one additional  
7 license to become effective not earlier than March 1, 1992,  
8 which shall authorize riverboat gambling on the Des Plaines  
9 River in Will County or land-based gambling in a municipality  
10 adjacent to the Des Plaines River in Will County. The Board may  
11 issue 4 additional licenses to become effective not earlier  
12 than March 1, 1992. In determining the water upon which  
13 riverboats will operate or the locations where land-based  
14 gambling facilities will be located, the Board shall consider  
15 the economic benefit which riverboat or land-based gambling  
16 confers on the State, and shall seek to assure that all regions  
17 of the State share in the economic benefits of riverboat and  
18 land-based gambling.

19 In granting all licenses, the Board may give favorable  
20 consideration to economically depressed areas of the State, to  
21 applicants presenting plans which provide for significant  
22 economic development over a large geographic area, and to  
23 applicants who currently operate non-gambling riverboats in  
24 Illinois. The Board shall review all applications for owners  
25 licenses, and shall inform each applicant of the Board's  
26 decision. The Board may grant an owners license to an applicant

1 that has not submitted the highest license bid, but if it does  
2 not select the highest bidder, the Board shall issue a written  
3 decision explaining why another applicant was selected and  
4 identifying the factors set forth in this Section that favored  
5 the winning bidder.

6 In addition to any other revocation powers granted to the  
7 Board under this Act, the Board may revoke the owners license  
8 of a licensee which fails to begin conducting gambling within  
9 15 months of receipt of the Board's approval of the application  
10 if the Board determines that license revocation is in the best  
11 interests of the State.

12 (f) The first 10 owners licenses issued under this Act  
13 shall permit the holder to own up to 2 riverboats or land-based  
14 gambling facilities and equipment thereon for a period of 3  
15 years after the effective date of the license. Holders of the  
16 first 10 owners licenses must pay the annual license fee for  
17 each of the 3 years during which they are authorized to own  
18 riverboats.

19 (g) Upon the termination, expiration, or revocation of each  
20 of the first 10 licenses, which shall be issued for a 3 year  
21 period, all licenses are renewable annually upon payment of the  
22 fee and a determination by the Board that the licensee  
23 continues to meet all of the requirements of this Act and the  
24 Board's rules. However, for licenses renewed on or after May 1,  
25 1998, renewal shall be for a period of 4 years, unless the  
26 Board sets a shorter period.

1 (h) An owners license shall entitle the licensee to own up  
2 to 2 gambling operations ~~riverboats~~. A licensee shall limit the  
3 number of gambling participants to 1,200 for any such owners  
4 license. A licensee may operate both of its gambling operations  
5 ~~riverboats~~ concurrently, provided that the total number of  
6 gambling participants for both gambling operations ~~on both~~  
7 ~~riverboats~~ does not exceed 1,200. Riverboats licensed to  
8 operate on the Mississippi River and the Illinois River south  
9 of Marshall County shall have an authorized capacity of at  
10 least 500 persons. Any other riverboat licensed under this Act  
11 shall have an authorized capacity of at least 400 persons.

12 (i) A licensed owner is authorized to apply to the Board  
13 for and, if approved therefor, to receive all licenses from the  
14 Board necessary for the operation of a riverboat or land-based  
15 gambling facility, including a liquor license, a license to  
16 prepare and serve food for human consumption, and other  
17 necessary licenses. All use, occupation and excise taxes which  
18 apply to the sale of food and beverages in this State and all  
19 taxes imposed on the sale or use of tangible personal property  
20 apply to such sales aboard the riverboat or within the  
21 land-based gambling facility.

22 (j) The Board may issue or re-issue a license authorizing a  
23 riverboat to dock in a municipality, authorizing a land-based  
24 gambling facility to be located in a municipality, or approve a  
25 relocation under Section 11.2 only if, prior to the issuance or  
26 re-issuance of the license or approval, the governing body of



1 the municipality in which the riverboat will dock or the  
2 land-based gambling facility will be located has by a majority  
3 vote approved the docking of riverboats or the placement of  
4 land-based gambling facilities in the municipality. The Board  
5 may issue or re-issue a license authorizing a riverboat to dock  
6 or authorizing a land-based gambling facility to be located in  
7 areas of a county outside any municipality or approve a  
8 relocation under Section 11.2 only if, prior to the issuance or  
9 re-issuance of the license or approval, the governing body of  
10 the county has by a majority vote approved of the docking of  
11 riverboats or the placement of land-based gambling facilities  
12 within such areas.

13 (k) The Board may authorize a licensed owner to transfer  
14 its gambling operation from a riverboat to a land-based  
15 gambling facility or from a land-based gambling facility to a  
16 riverboat in compliance with this Act and subject to Board  
17 directives and supervision.

18 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

19 (230 ILCS 10/7.1)

20 Sec. 7.1. Re-issuance of revoked or non-renewed owners  
21 licenses.

22 (a) If an owners license terminates or expires without  
23 renewal or the Board revokes or determines not to renew an  
24 owners license (including, without limitation, an owners  
25 license for a licensee that was not conducting riverboat

1 gambling operations on January 1, 1998) and that revocation or  
2 determination is final, the Board may re-issue such license to  
3 a qualified applicant pursuant to an open and competitive  
4 bidding process, as set forth in Section 7.5, and subject to  
5 the maximum number of authorized licenses set forth in Section  
6 7(e).

7 (b) To be a qualified applicant, a person, firm, or  
8 corporation cannot be ineligible to receive an owners license  
9 under Section 7(a) and must submit an application for an owners  
10 license that complies with Section 6. Each such applicant must  
11 also submit evidence to the Board that minority persons and  
12 females hold ownership interests in the applicant of at least  
13 16% and 4% respectively.

14 (c) Notwithstanding anything to the contrary in Section  
15 7(e), an applicant may apply to the Board for approval of  
16 relocation of a re-issued license to a new home dock or  
17 land-based location authorized under Section 3(c) upon receipt  
18 of the approval from the municipality or county, as the case  
19 may be, pursuant to Section 7(j).

20 (d) In determining whether to grant a re-issued owners  
21 license to an applicant, the Board shall consider all of the  
22 factors set forth in Sections 7(b) and (e) as well as the  
23 amount of the applicant's license bid. The Board may grant the  
24 re-issued owners license to an applicant that has not submitted  
25 the highest license bid, but if it does not select the highest  
26 bidder, the Board shall issue a written decision explaining why

1 another applicant was selected and identifying the factors set  
2 forth in Sections 7(b) and (e) that favored the winning bidder.

3 (e) Re-issued owners licenses shall be subject to annual  
4 license fees as provided for in Section 7(a) and shall be  
5 governed by the provisions of Sections 7(f), (g), (h), and (i).  
6 (Source: P.A. 93-28, eff. 6-20-03.)

7 (230 ILCS 10/7.3)

8 Sec. 7.3. State conduct of gambling operations.

9 (a) If, after reviewing each application for a re-issued  
10 license, the Board determines that the highest prospective  
11 total revenue to the State would be derived from State conduct  
12 of the gambling operation in lieu of re-issuing the license,  
13 the Board shall inform each applicant of its decision. The  
14 Board shall thereafter have the authority, without obtaining an  
15 owners license, to conduct riverboat or land-based gambling  
16 operations as previously authorized by the terminated,  
17 expired, revoked, or nonrenewed license through a licensed  
18 manager selected pursuant to an open and competitive bidding  
19 process as set forth in Section 7.5 and as provided in Section  
20 7.4.

21 (b) The Board may locate any riverboat or land-based  
22 gambling facility containing ~~on which~~ a gambling operation ~~is~~  
23 conducted by the State in any home dock or land-based location  
24 authorized by Section 3(c) upon receipt of approval from a  
25 majority vote of the governing body of the municipality or

1 county, as the case may be, in which the riverboat will dock or  
2 the land-based gambling facility will be located.

3 (c) The Board shall have jurisdiction over and shall  
4 supervise all gambling operations conducted by the State  
5 provided for in this Act and shall have all powers necessary  
6 and proper to fully and effectively execute the provisions of  
7 this Act relating to gambling operations conducted by the  
8 State.

9 (d) The maximum number of owners licenses authorized under  
10 Section 7(e) shall be reduced by one for each instance in which  
11 the Board authorizes the State to conduct a riverboat or  
12 land-based gambling operation under subsection (a) in lieu of  
13 re-issuing a license to an applicant under Section 7.1.

14 (Source: P.A. 93-28, eff. 6-20-03.)

15 (230 ILCS 10/7.4)

16 Sec. 7.4. Managers licenses.

17 (a) A qualified person may apply to the Board for a  
18 managers license to operate and manage any gambling operation  
19 conducted by the State. The application shall be made on forms  
20 provided by the Board and shall contain such information as the  
21 Board prescribes, including but not limited to information  
22 required in Sections 6(a), (b), and (c) and information  
23 relating to the applicant's proposed price to manage State  
24 gambling operations and to provide the riverboat, land-based  
25 gambling facility, gambling equipment, and supplies necessary

1 to conduct State gambling operations.

2 (b) Each applicant must submit evidence to the Board that  
3 minority persons and females hold ownership interests in the  
4 applicant of at least 16% and 4%, respectively.

5 (c) A person, firm, or corporation is ineligible to receive  
6 a managers license if:

7 (1) the person has been convicted of a felony under the  
8 laws of this State, any other state, or the United States;

9 (2) the person has been convicted of any violation of  
10 Article 28 of the Criminal Code of 1961 or the Criminal  
11 Code of 2012, or substantially similar laws of any other  
12 jurisdiction;

13 (3) the person has submitted an application for a  
14 license under this Act which contains false information;

15 (4) the person is a member of the Board;

16 (5) a person defined in (1), (2), (3), or (4) is an  
17 officer, director, or managerial employee of the firm or  
18 corporation;

19 (6) the firm or corporation employs a person defined in  
20 (1), (2), (3), or (4) who participates in the management or  
21 operation of gambling operations authorized under this  
22 Act; or

23 (7) a license of the person, firm, or corporation  
24 issued under this Act, or a license to own or operate  
25 gambling facilities in any other jurisdiction, has been  
26 revoked.

1           (d) Each applicant shall submit with his or her  
2 application, on forms prescribed by the Board, 2 sets of his or  
3 her fingerprints.

4           (e) The Board shall charge each applicant a fee, set by the  
5 Board, to defray the costs associated with the background  
6 investigation conducted by the Board.

7           (f) A person who knowingly makes a false statement on an  
8 application is guilty of a Class A misdemeanor.

9           (g) The managers license shall be for a term not to exceed  
10 10 years, shall be renewable at the Board's option, and shall  
11 contain such terms and provisions as the Board deems necessary  
12 to protect or enhance the credibility and integrity of State  
13 gambling operations, achieve the highest prospective total  
14 revenue to the State, and otherwise serve the interests of the  
15 citizens of Illinois.

16           (h) Issuance of a managers license shall be subject to an  
17 open and competitive bidding process. The Board may select an  
18 applicant other than the lowest bidder by price. If it does not  
19 select the lowest bidder, the Board shall issue a notice of who  
20 the lowest bidder was and a written decision as to why another  
21 bidder was selected.

22           (Source: P.A. 97-1150, eff. 1-25-13.)

23           (230 ILCS 10/8) (from Ch. 120, par. 2408)

24           Sec. 8. Suppliers licenses.

25           (a) The Board may issue a suppliers license to such

1 persons, firms or corporations which apply therefor upon the  
2 payment of a non-refundable application fee set by the Board,  
3 upon a determination by the Board that the applicant is  
4 eligible for a suppliers license and upon payment of a \$5,000  
5 annual license fee.

6 (b) The holder of a suppliers license is authorized to sell  
7 or lease, and to contract to sell or lease, gambling equipment  
8 and supplies to any licensee involved in the ownership or  
9 management of gambling operations.

10 (c) Gambling supplies and equipment may not be distributed  
11 unless supplies and equipment conform to standards adopted by  
12 rules of the Board.

13 (d) A person, firm or corporation is ineligible to receive  
14 a suppliers license if:

15 (1) the person has been convicted of a felony under the  
16 laws of this State, any other state, or the United States;

17 (2) the person has been convicted of any violation of  
18 Article 28 of the Criminal Code of 1961 or the Criminal  
19 Code of 2012, or substantially similar laws of any other  
20 jurisdiction;

21 (3) the person has submitted an application for a  
22 license under this Act which contains false information;

23 (4) the person is a member of the Board;

24 (5) the firm or corporation is one in which a person  
25 defined in (1), (2), (3) or (4), is an officer, director or  
26 managerial employee;

1           (6) the firm or corporation employs a person who  
2           participates in the management or operation of riverboat or  
3           land-based gambling authorized under this Act;

4           (7) the license of the person, firm or corporation  
5           issued under this Act, or a license to own or operate  
6           gambling facilities in any other jurisdiction, has been  
7           revoked.

8           (e) Any person that supplies any equipment, devices, or  
9           supplies to a licensed riverboat or land-based gambling  
10          operation must first obtain a suppliers license. A supplier  
11          shall furnish to the Board a list of all equipment, devices and  
12          supplies offered for sale or lease in connection with gambling  
13          games authorized under this Act. A supplier shall keep books  
14          and records for the furnishing of equipment, devices and  
15          supplies to gambling operations separate and distinct from any  
16          other business that the supplier might operate. A supplier  
17          shall file a quarterly return with the Board listing all sales  
18          and leases. A supplier shall permanently affix its name or a  
19          distinctive logo or other mark or design element identifying  
20          the manufacturer or supplier to all its equipment, devices, and  
21          supplies, except gaming chips without a value impressed,  
22          engraved, or imprinted on it, for gambling operations. The  
23          Board may waive this requirement for any specific product or  
24          products if it determines that the requirement is not necessary  
25          to protect the integrity of the game. Items purchased from a  
26          licensed supplier may continue to be used even though the



1 supplier subsequently changes its name, distinctive logo, or  
2 other mark or design element; undergoes a change in ownership;  
3 or ceases to be licensed as a supplier for any reason. Any  
4 supplier's equipment, devices or supplies which are used by any  
5 person in an unauthorized gambling operation shall be forfeited  
6 to the State. A licensed owner may own its own equipment,  
7 devices and supplies. Each holder of an owners license under  
8 the Act shall file an annual report listing its inventories of  
9 gambling equipment, devices and supplies.

10 (f) Any person who knowingly makes a false statement on an  
11 application is guilty of a Class A misdemeanor.

12 (g) Any gambling equipment, devices and supplies provided  
13 by any licensed supplier may either be repaired on the  
14 riverboat or removed from the riverboat to an on-shore facility  
15 owned by the holder of an owners license for repair.

16 (Source: P.A. 97-1150, eff. 1-25-13; 98-12, eff. 5-10-13;  
17 98-756, eff. 7-16-14.)

18 (230 ILCS 10/9) (from Ch. 120, par. 2409)

19 Sec. 9. Occupational licenses.

20 (a) The Board may issue an occupational license to an  
21 applicant upon the payment of a non-refundable fee set by the  
22 Board, upon a determination by the Board that the applicant is  
23 eligible for an occupational license and upon payment of an  
24 annual license fee in an amount to be established. To be  
25 eligible for an occupational license, an applicant must:

1           (1) be at least 21 years of age if the applicant will  
2 perform any function involved in gaming by patrons. Any  
3 applicant seeking an occupational license for a non-gaming  
4 function shall be at least 18 years of age;

5           (2) not have been convicted of a felony offense, a  
6 violation of Article 28 of the Criminal Code of 1961 or the  
7 Criminal Code of 2012, or a similar statute of any other  
8 jurisdiction;

9           (2.5) not have been convicted of a crime, other than a  
10 crime described in item (2) of this subsection (a),  
11 involving dishonesty or moral turpitude, except that the  
12 Board may, in its discretion, issue an occupational license  
13 to a person who has been convicted of a crime described in  
14 this item (2.5) more than 10 years prior to his or her  
15 application and has not subsequently been convicted of any  
16 other crime;

17           (3) have demonstrated a level of skill or knowledge  
18 which the Board determines to be necessary in order to  
19 operate gambling aboard a riverboat or in a land-based  
20 gambling facility; and

21           (4) have met standards for the holding of an  
22 occupational license as adopted by rules of the Board. Such  
23 rules shall provide that any person or entity seeking an  
24 occupational license to manage gambling operations  
25 hereunder shall be subject to background inquiries and  
26 further requirements similar to those required of

1 applicants for an owners license. Furthermore, such rules  
2 shall provide that each such entity shall be permitted to  
3 manage gambling operations for only one licensed owner.

4 (b) Each application for an occupational license shall be  
5 on forms prescribed by the Board and shall contain all  
6 information required by the Board. The applicant shall set  
7 forth in the application: whether he has been issued prior  
8 gambling related licenses; whether he has been licensed in any  
9 other state under any other name, and, if so, such name and his  
10 age; and whether or not a permit or license issued to him in  
11 any other state has been suspended, restricted or revoked, and,  
12 if so, for what period of time.

13 (c) Each applicant shall submit with his application, on  
14 forms provided by the Board, 2 sets of his fingerprints. The  
15 Board shall charge each applicant a fee set by the Department  
16 of State Police to defray the costs associated with the search  
17 and classification of fingerprints obtained by the Board with  
18 respect to the applicant's application. These fees shall be  
19 paid into the State Police Services Fund.

20 (d) The Board may in its discretion refuse an occupational  
21 license to any person: (1) who is unqualified to perform the  
22 duties required of such applicant; (2) who fails to disclose or  
23 states falsely any information called for in the application;  
24 (3) who has been found guilty of a violation of this Act or  
25 whose prior gambling related license or application therefor  
26 has been suspended, restricted, revoked or denied for just

1 cause in any other state; or (4) for any other just cause.

2 (e) The Board may suspend, revoke or restrict any  
3 occupational licensee: (1) for violation of any provision of  
4 this Act; (2) for violation of any of the rules and regulations  
5 of the Board; (3) for any cause which, if known to the Board,  
6 would have disqualified the applicant from receiving such  
7 license; or (4) for default in the payment of any obligation or  
8 debt due to the State of Illinois; or (5) for any other just  
9 cause.

10 (f) A person who knowingly makes a false statement on an  
11 application is guilty of a Class A misdemeanor.

12 (g) Any license issued pursuant to this Section shall be  
13 valid for a period of one year from the date of issuance.

14 (h) Nothing in this Act shall be interpreted to prohibit a  
15 licensed owner from entering into an agreement with a public  
16 community college or a school approved under the Private  
17 Business and Vocational Schools Act of 2012 for the training of  
18 any occupational licensee. Any training offered by such a  
19 school shall be in accordance with a written agreement between  
20 the licensed owner and the school.

21 (i) Any training provided for occupational licensees may be  
22 conducted either on the riverboat or in the land-based gambling  
23 facility or at a school with which a licensed owner has entered  
24 into an agreement pursuant to subsection (h).

25 (Source: P.A. 96-1392, eff. 1-1-11; 97-650, eff. 2-1-12;  
26 97-1150, eff. 1-25-13.)

1 (230 ILCS 10/11) (from Ch. 120, par. 2411)

2 Sec. 11. Conduct of gambling. Gambling may be conducted by  
3 licensed owners or licensed managers on behalf of the State  
4 aboard riverboats or in land-based gambling facilities,  
5 subject to the following standards:

6 (1) A licensee may conduct riverboat gambling  
7 authorized under this Act regardless of whether it conducts  
8 excursion cruises. A licensee may permit the continuous  
9 ingress and egress of passengers on a riverboat not used  
10 for excursion cruises for the purpose of gambling.  
11 Excursion cruises shall not exceed 4 hours for a round  
12 trip. However, the Board may grant express approval for an  
13 extended cruise on a case-by-case basis.

14 (2) (Blank).

15 (3) Minimum and maximum wagers on games shall be set by  
16 the licensee.

17 (4) Agents of the Board and the Department of State  
18 Police may board and inspect any riverboat at any time for  
19 the purpose of determining whether this Act is being  
20 complied with. Every riverboat, if under way and being  
21 hailed by a law enforcement officer or agent of the Board,  
22 must stop immediately and lay to.

23 (5) Employees of the Board shall have the right to be  
24 present on the riverboat or in the land-based gambling  
25 facility or on adjacent facilities under the control of the

1 licensee.

2 (6) Gambling equipment and supplies customarily used  
3 in conducting riverboat or land-based gambling must be  
4 purchased or leased only from suppliers licensed for such  
5 purpose under this Act. The Board may approve the transfer,  
6 sale, or lease of gambling equipment and supplies by a  
7 licensed owner from or to an affiliate of the licensed  
8 owner as long as the gambling equipment and supplies were  
9 initially acquired from a supplier licensed in Illinois.

10 (7) Persons licensed under this Act shall permit no  
11 form of wagering on gambling games except as permitted by  
12 this Act.

13 (8) Wagers may be received only from a person present  
14 on a licensed riverboat or in a land-based gambling  
15 facility. No person present on a licensed riverboat or in a  
16 land-based gambling facility shall place or attempt to  
17 place a wager on behalf of another person who is not  
18 present on the riverboat or in the land-based gambling  
19 facility.

20 (9) Wagering shall not be conducted with money or other  
21 negotiable currency.

22 (10) A person under age 21 shall not be permitted in ~~on~~  
23 an area of a riverboat or land-based gambling facility  
24 where gambling is being conducted, except for a person at  
25 least 18 years of age who is an employee of the riverboat  
26 or land-based gambling operation. No employee under age 21

1 shall perform any function involved in gambling by the  
2 patrons. No person under age 21 shall be permitted to make  
3 a wager under this Act, and any winnings that are a result  
4 of a wager by a person under age 21, whether or not paid by  
5 a licensee, shall be treated as winnings for the privilege  
6 tax purposes, confiscated, and forfeited to the State and  
7 deposited into the Education Assistance Fund.

8 (11) Gambling excursion cruises are permitted only  
9 when the waterway for which the riverboat is licensed is  
10 navigable, as determined by the Board in consultation with  
11 the U.S. Army Corps of Engineers. This paragraph (11) does  
12 not limit the ability of a licensee to conduct gambling  
13 authorized under this Act when gambling excursion cruises  
14 are not permitted.

15 (12) All tokens, chips or electronic cards used to make  
16 wagers must be purchased from a licensed owner or manager  
17 either aboard a riverboat, ~~or~~ at an onshore facility which  
18 has been approved by the Board and which is located where  
19 the riverboat docks, or inside a land-based gambling  
20 facility. The tokens, chips or electronic cards may be  
21 purchased by means of an agreement under which the owner or  
22 manager extends credit to the patron. Such tokens, chips or  
23 electronic cards may be used while aboard the riverboat or  
24 inside the land-based gambling facility only for the  
25 purpose of making wagers on gambling games.

26 (13) Notwithstanding any other Section of this Act, in

1 addition to the other licenses authorized under this Act,  
2 the Board may issue special event licenses allowing persons  
3 who are not otherwise licensed to conduct riverboat or  
4 land-based gambling to conduct such gambling on a specified  
5 date or series of dates. Riverboat or land-based gambling  
6 under such a license may take place on a riverboat or  
7 inside a land-based gambling facility not normally used for  
8 ~~riverboat~~ gambling. The Board shall establish standards,  
9 fees and fines for, and limitations upon, such licenses,  
10 which may differ from the standards, fees, fines and  
11 limitations otherwise applicable under this Act. All such  
12 fees shall be deposited into the State Gaming Fund. All  
13 such fines shall be deposited into the Education Assistance  
14 Fund, created by Public Act 86-0018, of the State of  
15 Illinois.

16 (14) In addition to the above, gambling must be  
17 conducted in accordance with all rules adopted by the  
18 Board.

19 (Source: P.A. 96-1392, eff. 1-1-11.)

20 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

21 Sec. 11.1. Collection of amounts owing under credit  
22 agreements. Notwithstanding any applicable statutory provision  
23 to the contrary, a licensed owner or manager who extends credit  
24 to a riverboat or land-based gambling patron pursuant to  
25 Section 11 (a) (12) of this Act is expressly authorized to



1 institute a cause of action to collect any amounts due and  
2 owing under the extension of credit, as well as the owner's or  
3 manager's costs, expenses and reasonable attorney's fees  
4 incurred in collection.

5 (Source: P.A. 93-28, eff. 6-20-03.)

6 (230 ILCS 10/11.2)

7 Sec. 11.2. Relocation of riverboat home dock.

8 (a) A licensee that was not conducting riverboat gambling  
9 on January 1, 1998 may apply to the Board for renewal and  
10 approval of relocation to a new home dock or land-based  
11 location authorized under Section 3(c) and the Board shall  
12 grant the application and approval upon receipt by the licensee  
13 of approval from the new municipality or county, as the case  
14 may be, in which the licensee wishes to relocate pursuant to  
15 Section 7(j).

16 (b) Any licensee that relocates its home dock or relocates  
17 to a land-based gambling facility pursuant to this Section  
18 shall attain a level of at least 20% minority person and female  
19 ownership, at least 16% and 4% respectively, within a time  
20 period prescribed by the Board, but not to exceed 12 months  
21 from the date the licensee begins conducting gambling at the  
22 new home dock or land-based location. The 12-month period shall  
23 be extended by the amount of time necessary to conduct a  
24 background investigation pursuant to Section 6. For the  
25 purposes of this Section, the terms "female" and "minority

1 person" have the meanings provided in Section 2 of the Business  
2 Enterprise for Minorities, Females, and Persons with  
3 Disabilities Act.

4 (Source: P.A. 91-40, eff. 6-25-99.)

5 (230 ILCS 10/12) (from Ch. 120, par. 2412)

6 Sec. 12. Admission tax; fees.

7 (a) A tax is hereby imposed upon admissions to riverboats  
8 and land-based gambling facilities operated by licensed owners  
9 authorized pursuant to this Act. Until July 1, 2002, the rate  
10 is \$2 per person admitted. From July 1, 2002 until July 1,  
11 2003, the rate is \$3 per person admitted. From July 1, 2003  
12 until August 23, 2005 (the effective date of Public Act  
13 94-673), for a licensee that admitted 1,000,000 persons or  
14 fewer in the previous calendar year, the rate is \$3 per person  
15 admitted; for a licensee that admitted more than 1,000,000 but  
16 no more than 2,300,000 persons in the previous calendar year,  
17 the rate is \$4 per person admitted; and for a licensee that  
18 admitted more than 2,300,000 persons in the previous calendar  
19 year, the rate is \$5 per person admitted. Beginning on August  
20 23, 2005 (the effective date of Public Act 94-673), for a  
21 licensee that admitted 1,000,000 persons or fewer in calendar  
22 year 2004, the rate is \$2 per person admitted, and for all  
23 other licensees, including licensees that were not conducting  
24 gambling operations in 2004, the rate is \$3 per person  
25 admitted. This admission tax is imposed upon the licensed owner

1 conducting gambling.

2 (1) The admission tax shall be paid for each admission,  
3 except that a person who exits a riverboat gambling  
4 facility or land-based gambling facility and reenters that  
5 riverboat gambling facility or land-based gambling  
6 facility within the same gaming day shall be subject only  
7 to the initial admission tax.

8 (2) (Blank).

9 (3) The riverboat or land-based gambling operation  
10 licensee may issue tax-free passes to actual and necessary  
11 officials and employees of the licensee or other persons  
12 actually working on the riverboat or in the land-based  
13 gambling facility.

14 (4) The number and issuance of tax-free passes is  
15 subject to the rules of the Board, and a list of all  
16 persons to whom the tax-free passes are issued shall be  
17 filed with the Board.

18 (a-5) A fee is hereby imposed upon admissions operated by  
19 licensed managers on behalf of the State pursuant to Section  
20 7.3 at the rates provided in this subsection (a-5). For a  
21 licensee that admitted 1,000,000 persons or fewer in the  
22 previous calendar year, the rate is \$3 per person admitted; for  
23 a licensee that admitted more than 1,000,000 but no more than  
24 2,300,000 persons in the previous calendar year, the rate is \$4  
25 per person admitted; and for a licensee that admitted more than  
26 2,300,000 persons in the previous calendar year, the rate is \$5

1 per person admitted.

2 (1) The admission fee shall be paid for each admission.

3 (2) (Blank).

4 (3) The licensed manager may issue fee-free passes to  
5 actual and necessary officials and employees of the manager  
6 or other persons actually working on the riverboat or in  
7 the land-based gambling facility.

8 (4) The number and issuance of fee-free passes is  
9 subject to the rules of the Board, and a list of all  
10 persons to whom the fee-free passes are issued shall be  
11 filed with the Board.

12 (b) From the tax imposed under subsection (a) and the fee  
13 imposed under subsection (a-5), a municipality shall receive  
14 from the State \$1 for each person embarking on a riverboat  
15 docked within the municipality and for each person entering a  
16 land-based gambling facility within the municipality, and a  
17 county shall receive \$1 for each person embarking on a  
18 riverboat docked within the county but outside the boundaries  
19 of any municipality and for each person entering a land-based  
20 gambling facility within the county but outside the boundaries  
21 of any municipality. The municipality's or county's share shall  
22 be collected by the Board on behalf of the State and remitted  
23 quarterly by the State, subject to appropriation, to the  
24 treasurer of the unit of local government for deposit in the  
25 general fund.

26 (c) The licensed owner shall pay the entire admission tax

1 to the Board and the licensed manager shall pay the entire  
2 admission fee to the Board. Such payments shall be made daily.  
3 Accompanying each payment shall be a return on forms provided  
4 by the Board which shall include other information regarding  
5 admissions as the Board may require. Failure to submit either  
6 the payment or the return within the specified time may result  
7 in suspension or revocation of the owners or managers license.

8 (d) The Board shall administer and collect the admission  
9 tax imposed by this Section, to the extent practicable, in a  
10 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
11 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the  
12 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
13 Penalty and Interest Act.

14 (Source: P.A. 95-663, eff. 10-11-07; 96-1392, eff. 1-1-11.)

15 (230 ILCS 10/13) (from Ch. 120, par. 2413)

16 Sec. 13. Wagering tax; rate; distribution.

17 (a) Until January 1, 1998, a tax is imposed on the adjusted  
18 gross receipts received from gambling games authorized under  
19 this Act at the rate of 20%.

20 (a-1) From January 1, 1998 until July 1, 2002, a privilege  
21 tax is imposed on persons engaged in the business of conducting  
22 riverboat gambling operations, based on the adjusted gross  
23 receipts received by a licensed owner from gambling games  
24 authorized under this Act at the following rates:

25 15% of annual adjusted gross receipts up to and

1 including \$25,000,000;

2 20% of annual adjusted gross receipts in excess of  
3 \$25,000,000 but not exceeding \$50,000,000;

4 25% of annual adjusted gross receipts in excess of  
5 \$50,000,000 but not exceeding \$75,000,000;

6 30% of annual adjusted gross receipts in excess of  
7 \$75,000,000 but not exceeding \$100,000,000;

8 35% of annual adjusted gross receipts in excess of  
9 \$100,000,000.

10 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax  
11 is imposed on persons engaged in the business of conducting  
12 riverboat gambling operations, other than licensed managers  
13 conducting riverboat gambling operations on behalf of the  
14 State, based on the adjusted gross receipts received by a  
15 licensed owner from gambling games authorized under this Act at  
16 the following rates:

17 15% of annual adjusted gross receipts up to and  
18 including \$25,000,000;

19 22.5% of annual adjusted gross receipts in excess of  
20 \$25,000,000 but not exceeding \$50,000,000;

21 27.5% of annual adjusted gross receipts in excess of  
22 \$50,000,000 but not exceeding \$75,000,000;

23 32.5% of annual adjusted gross receipts in excess of  
24 \$75,000,000 but not exceeding \$100,000,000;

25 37.5% of annual adjusted gross receipts in excess of  
26 \$100,000,000 but not exceeding \$150,000,000;

1           45% of annual adjusted gross receipts in excess of  
2           \$150,000,000 but not exceeding \$200,000,000;

3           50% of annual adjusted gross receipts in excess of  
4           \$200,000,000.

5           (a-3) Beginning July 1, 2003, a privilege tax is imposed on  
6 persons engaged in the business of conducting riverboat  
7 gambling operations, other than licensed managers conducting  
8 riverboat gambling operations on behalf of the State, based on  
9 the adjusted gross receipts received by a licensed owner from  
10 gambling games authorized under this Act at the following  
11 rates:

12           15% of annual adjusted gross receipts up to and  
13 including \$25,000,000;

14           27.5% of annual adjusted gross receipts in excess of  
15 \$25,000,000 but not exceeding \$37,500,000;

16           32.5% of annual adjusted gross receipts in excess of  
17 \$37,500,000 but not exceeding \$50,000,000;

18           37.5% of annual adjusted gross receipts in excess of  
19 \$50,000,000 but not exceeding \$75,000,000;

20           45% of annual adjusted gross receipts in excess of  
21 \$75,000,000 but not exceeding \$100,000,000;

22           50% of annual adjusted gross receipts in excess of  
23 \$100,000,000 but not exceeding \$250,000,000;

24           70% of annual adjusted gross receipts in excess of  
25 \$250,000,000.

26           An amount equal to the amount of wagering taxes collected

1 under this subsection (a-3) that are in addition to the amount  
2 of wagering taxes that would have been collected if the  
3 wagering tax rates under subsection (a-2) were in effect shall  
4 be paid into the Common School Fund.

5 The privilege tax imposed under this subsection (a-3) shall  
6 no longer be imposed beginning on the earlier of (i) July 1,  
7 2005; (ii) the first date after June 20, 2003 that riverboat  
8 gambling operations are conducted pursuant to a dormant  
9 license; or (iii) the first day that riverboat gambling  
10 operations are conducted under the authority of an owners  
11 license that is in addition to the 10 owners licenses initially  
12 authorized under this Act. For the purposes of this subsection  
13 (a-3), the term "dormant license" means an owners license that  
14 is authorized by this Act under which no riverboat gambling  
15 operations are being conducted on June 20, 2003.

16 (a-4) Beginning on the first day on which the tax imposed  
17 under subsection (a-3) is no longer imposed, a privilege tax is  
18 imposed on persons engaged in the business of conducting  
19 riverboat or land-based gambling operations, other than  
20 licensed managers conducting riverboat or land-based gambling  
21 operations on behalf of the State, based on the adjusted gross  
22 receipts received by a licensed owner from gambling games  
23 authorized under this Act at the following rates:

24 15% of annual adjusted gross receipts up to and  
25 including \$25,000,000;

26 22.5% of annual adjusted gross receipts in excess of



1           \$25,000,000 but not exceeding \$50,000,000;  
2           27.5% of annual adjusted gross receipts in excess of  
3           \$50,000,000 but not exceeding \$75,000,000;  
4           32.5% of annual adjusted gross receipts in excess of  
5           \$75,000,000 but not exceeding \$100,000,000;  
6           37.5% of annual adjusted gross receipts in excess of  
7           \$100,000,000 but not exceeding \$150,000,000;  
8           45% of annual adjusted gross receipts in excess of  
9           \$150,000,000 but not exceeding \$200,000,000;  
10          50% of annual adjusted gross receipts in excess of  
11          \$200,000,000.

12          (a-8) Riverboat or land-based gambling operations  
13 conducted by a licensed manager on behalf of the State are not  
14 subject to the tax imposed under this Section.

15          (a-10) The taxes imposed by this Section shall be paid by  
16 the licensed owner to the Board not later than 5:00 o'clock  
17 p.m. of the day after the day when the wagers were made.

18          (a-15) If the privilege tax imposed under subsection (a-3)  
19 is no longer imposed pursuant to item (i) of the last paragraph  
20 of subsection (a-3), then by June 15 of each year, each owners  
21 licensee, other than an owners licensee that admitted 1,000,000  
22 persons or fewer in calendar year 2004, must, in addition to  
23 the payment of all amounts otherwise due under this Section,  
24 pay to the Board a reconciliation payment in the amount, if  
25 any, by which the licensed owner's base amount exceeds the  
26 amount of net privilege tax paid by the licensed owner to the

1 Board in the then current State fiscal year. A licensed owner's  
2 net privilege tax obligation due for the balance of the State  
3 fiscal year shall be reduced up to the total of the amount paid  
4 by the licensed owner in its June 15 reconciliation payment.  
5 The obligation imposed by this subsection (a-15) is binding on  
6 any person, firm, corporation, or other entity that acquires an  
7 ownership interest in any such owners license. The obligation  
8 imposed under this subsection (a-15) terminates on the earliest  
9 of: (i) July 1, 2007, (ii) the first day after the effective  
10 date of this amendatory Act of the 94th General Assembly that  
11 riverboat gambling operations are conducted pursuant to a  
12 dormant license, (iii) the first day that riverboat gambling  
13 operations are conducted under the authority of an owners  
14 license that is in addition to the 10 owners licenses initially  
15 authorized under this Act, or (iv) the first day that a  
16 licensee under the Illinois Horse Racing Act of 1975 conducts  
17 gaming operations with slot machines or other electronic gaming  
18 devices. The Board must reduce the obligation imposed under  
19 this subsection (a-15) by an amount the Board deems reasonable  
20 for any of the following reasons: (A) an act or acts of God,  
21 (B) an act of bioterrorism or terrorism or a bioterrorism or  
22 terrorism threat that was investigated by a law enforcement  
23 agency, or (C) a condition beyond the control of the owners  
24 licensee that does not result from any act or omission by the  
25 owners licensee or any of its agents and that poses a hazardous  
26 threat to the health and safety of patrons. If an owners

1 licensee pays an amount in excess of its liability under this  
2 Section, the Board shall apply the overpayment to future  
3 payments required under this Section.

4 For purposes of this subsection (a-15):

5 "Act of God" means an incident caused by the operation of  
6 an extraordinary force that cannot be foreseen, that cannot be  
7 avoided by the exercise of due care, and for which no person  
8 can be held liable.

9 "Base amount" means the following:

10 For a riverboat in Alton, \$31,000,000.

11 For a riverboat in East Peoria, \$43,000,000.

12 For the Empress riverboat in Joliet, \$86,000,000.

13 For a riverboat in Metropolis, \$45,000,000.

14 For the Harrah's riverboat in Joliet, \$114,000,000.

15 For a riverboat in Aurora, \$86,000,000.

16 For a riverboat in East St. Louis, \$48,500,000.

17 For a riverboat in Elgin, \$198,000,000.

18 "Dormant license" has the meaning ascribed to it in  
19 subsection (a-3).

20 "Net privilege tax" means all privilege taxes paid by a  
21 licensed owner to the Board under this Section, less all  
22 payments made from the State Gaming Fund pursuant to subsection  
23 (b) of this Section.

24 The changes made to this subsection (a-15) by Public Act  
25 94-839 are intended to restate and clarify the intent of Public  
26 Act 94-673 with respect to the amount of the payments required

1 to be made under this subsection by an owners licensee to the  
2 Board.

3 (b) Until January 1, 1998, 25% of the tax revenue deposited  
4 in the State Gaming Fund under this Section shall be paid,  
5 subject to appropriation by the General Assembly, to the unit  
6 of local government which is designated as the home dock of the  
7 riverboat. Beginning January 1, 1998, from the tax revenue  
8 deposited in the State Gaming Fund under this Section, an  
9 amount equal to 5% of adjusted gross receipts generated by a  
10 riverboat or land-based gambling facility shall be paid  
11 monthly, subject to appropriation by the General Assembly, to  
12 the unit of local government that is designated as the home  
13 dock of the riverboat or location of the land-based gambling  
14 facility. From the tax revenue deposited in the State Gaming  
15 Fund pursuant to riverboat or land-based gambling operations  
16 conducted by a licensed manager on behalf of the State, an  
17 amount equal to 5% of adjusted gross receipts generated  
18 pursuant to those riverboat or land-based gambling operations  
19 shall be paid monthly, subject to appropriation by the General  
20 Assembly, to the unit of local government that is designated as  
21 the home dock or land-based location of the gambling operation  
22 ~~of the riverboat upon which those riverboat gambling operations~~  
23 ~~are conducted.~~

24 (c) Appropriations, as approved by the General Assembly,  
25 may be made from the State Gaming Fund to the Board (i) for the  
26 administration and enforcement of this Act and the Video Gaming

1 Act, (ii) for distribution to the Department of State Police  
2 and to the Department of Revenue for the enforcement of this  
3 Act, and (iii) to the Department of Human Services for the  
4 administration of programs to treat problem gambling.

5 (c-5) Before May 26, 2006 (the effective date of Public Act  
6 94-804) and beginning on the effective date of this amendatory  
7 Act of the 95th General Assembly, unless any organization  
8 licensee under the Illinois Horse Racing Act of 1975 begins to  
9 operate a slot machine or video game of chance under the  
10 Illinois Horse Racing Act of 1975 or this Act, after the  
11 payments required under subsections (b) and (c) have been made,  
12 an amount equal to 15% of the adjusted gross receipts of (1) an  
13 owners licensee that relocates pursuant to Section 11.2, (2) an  
14 owners licensee conducting riverboat gambling operations  
15 pursuant to an owners license that is initially issued after  
16 June 25, 1999, or (3) the first riverboat gambling operations  
17 conducted by a licensed manager on behalf of the State under  
18 Section 7.3, whichever comes first, shall be paid from the  
19 State Gaming Fund into the Horse Racing Equity Fund.

20 (c-10) Each year the General Assembly shall appropriate  
21 from the General Revenue Fund to the Education Assistance Fund  
22 an amount equal to the amount paid into the Horse Racing Equity  
23 Fund pursuant to subsection (c-5) in the prior calendar year.

24 (c-15) After the payments required under subsections (b),  
25 (c), and (c-5) have been made, an amount equal to 2% of the  
26 adjusted gross receipts of (1) an owners licensee that

1 relocates pursuant to Section 11.2, (2) an owners licensee  
2 conducting riverboat gambling operations pursuant to an owners  
3 license that is initially issued after June 25, 1999, or (3)  
4 the first riverboat gambling operations conducted by a licensed  
5 manager on behalf of the State under Section 7.3, whichever  
6 comes first, shall be paid, subject to appropriation from the  
7 General Assembly, from the State Gaming Fund to each home rule  
8 county with a population of over 3,000,000 inhabitants for the  
9 purpose of enhancing the county's criminal justice system.

10 (c-20) Each year the General Assembly shall appropriate  
11 from the General Revenue Fund to the Education Assistance Fund  
12 an amount equal to the amount paid to each home rule county  
13 with a population of over 3,000,000 inhabitants pursuant to  
14 subsection (c-15) in the prior calendar year.

15 (c-25) On July 1, 2013 and each July 1 thereafter,  
16 \$1,600,000 shall be transferred from the State Gaming Fund to  
17 the Chicago State University Education Improvement Fund.

18 (c-30) On July 1, 2013 or as soon as possible thereafter,  
19 \$92,000,000 shall be transferred from the State Gaming Fund to  
20 the School Infrastructure Fund and \$23,000,000 shall be  
21 transferred from the State Gaming Fund to the Horse Racing  
22 Equity Fund.

23 (c-35) Beginning on July 1, 2013, in addition to any amount  
24 transferred under subsection (c-30) of this Section,  
25 \$5,530,000 shall be transferred monthly from the State Gaming  
26 Fund to the School Infrastructure Fund.

1 (d) From time to time, the Board shall transfer the  
2 remainder of the funds generated by this Act into the Education  
3 Assistance Fund, created by Public Act 86-0018, of the State of  
4 Illinois.

5 (e) Nothing in this Act shall prohibit the unit of local  
6 government designated as the home dock of the riverboat or home  
7 location of the land-based gambling facility from entering into  
8 agreements with other units of local government in this State  
9 or in other states to share its portion of the tax revenue.

10 (f) To the extent practicable, the Board shall administer  
11 and collect the wagering taxes imposed by this Section in a  
12 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
13 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the  
14 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
15 Penalty and Interest Act.

16 (Source: P.A. 98-18, eff. 6-7-13.)

17 (230 ILCS 10/18) (from Ch. 120, par. 2418)

18 Sec. 18. Prohibited Activities - Penalty.

19 (a) A person is guilty of a Class A misdemeanor for doing  
20 any of the following:

21 (1) Conducting gambling where wagering is used or to be  
22 used without a license issued by the Board.

23 (2) Conducting gambling where wagering is permitted  
24 other than in the manner specified by Section 11.

25 (b) A person is guilty of a Class B misdemeanor for doing

1 any of the following:

2 (1) permitting a person under 21 years to make a wager;

3 or

4 (2) violating paragraph (12) of subsection (a) of  
5 Section 11 of this Act.

6 (c) A person wagering or accepting a wager at any location  
7 outside the riverboat or land-based gambling facility is  
8 subject to the penalties in paragraphs (1) or (2) of subsection  
9 (a) of Section 28-1 of the Criminal Code of 2012.

10 (d) A person commits a Class 4 felony and, in addition,  
11 shall be barred for life from riverboats and land-based  
12 gambling facilities under the jurisdiction of the Board, if the  
13 person does any of the following:

14 (1) Offers, promises, or gives anything of value or  
15 benefit to a person who is connected with a riverboat or  
16 land-based gambling facility owner including, but not  
17 limited to, an officer or employee of a licensed owner or  
18 holder of an occupational license pursuant to an agreement  
19 or arrangement or with the intent that the promise or thing  
20 of value or benefit will influence the actions of the  
21 person to whom the offer, promise, or gift was made in  
22 order to affect or attempt to affect the outcome of a  
23 gambling game, or to influence official action of a member  
24 of the Board.

25 (2) Solicits or knowingly accepts or receives a promise  
26 of anything of value or benefit while the person is



1 connected with a riverboat or land-based gambling  
2 facility, including, but not limited to, an officer or  
3 employee of a licensed owner, or holder of an occupational  
4 license, pursuant to an understanding or arrangement or  
5 with the intent that the promise or thing of value or  
6 benefit will influence the actions of the person to affect  
7 or attempt to affect the outcome of a gambling game, or to  
8 influence official action of a member of the Board.

9 (3) Uses or possesses with the intent to use a device  
10 to assist:

11 (i) In projecting the outcome of the game.

12 (ii) In keeping track of the cards played.

13 (iii) In analyzing the probability of the  
14 occurrence of an event relating to the gambling game.

15 (iv) In analyzing the strategy for playing or  
16 betting to be used in the game except as permitted by  
17 the Board.

18 (4) Cheats at a gambling game.

19 (5) Manufactures, sells, or distributes any cards,  
20 chips, dice, game or device which is intended to be used to  
21 violate any provision of this Act.

22 (6) Alters or misrepresents the outcome of a gambling  
23 game on which wagers have been made after the outcome is  
24 made sure but before it is revealed to the players.

25 (7) Places a bet after acquiring knowledge, not  
26 available to all players, of the outcome of the gambling

1 game which is subject of the bet or to aid a person in  
2 acquiring the knowledge for the purpose of placing a bet  
3 contingent on that outcome.

4 (8) Claims, collects, or takes, or attempts to claim,  
5 collect, or take, money or anything of value in or from the  
6 gambling games, with intent to defraud, without having made  
7 a wager contingent on winning a gambling game, or claims,  
8 collects, or takes an amount of money or thing of value of  
9 greater value than the amount won.

10 (9) Uses counterfeit chips or tokens in a gambling  
11 game.

12 (10) Possesses any key or device designed for the  
13 purpose of opening, entering, or affecting the operation of  
14 a gambling game, drop box, or an electronic or mechanical  
15 device connected with the gambling game or for removing  
16 coins, tokens, chips or other contents of a gambling game.  
17 This paragraph (10) does not apply to a gambling licensee  
18 or employee of a gambling licensee acting in furtherance of  
19 the employee's employment.

20 (e) The possession of more than one of the devices  
21 described in subsection (d), paragraphs (3), (5), or (10)  
22 permits a rebuttable presumption that the possessor intended to  
23 use the devices for cheating.

24 (f) A person under the age of 21 who, except as authorized  
25 under paragraph (10) of Section 11, enters ~~upon~~ a riverboat or  
26 land-based gambling facility commits a petty offense and is

1 subject to a fine of not less than \$100 or more than \$250 for a  
2 first offense and of not less than \$200 or more than \$500 for a  
3 second or subsequent offense.

4 An action to prosecute any crime occurring on a riverboat  
5 or in a land-based gambling facility shall be tried in the  
6 county of the dock at which the riverboat is based or in the  
7 county where the land-based gambling facility is located.

8 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

9 (230 ILCS 10/19) (from Ch. 120, par. 2419)

10 Sec. 19. Forfeiture of property.

11 (a) Except as provided in subsection (b), any riverboat or  
12 land-based gambling facility used for the conduct of gambling  
13 games in violation of this Act shall be considered a gambling  
14 place in violation of Section 28-3 of the Criminal Code of  
15 2012. Every gambling device found on a riverboat or in a  
16 land-based gambling facility operating gambling games in  
17 violation of this Act shall be subject to seizure, confiscation  
18 and destruction as provided in Section 28-5 of the Criminal  
19 Code of 2012.

20 (b) It is not a violation of this Act for a riverboat or  
21 other watercraft which is licensed for gaming by a contiguous  
22 state to dock on the shores of this State if the municipality  
23 having jurisdiction of the shores, or the county in the case of  
24 unincorporated areas, has granted permission for docking and no  
25 gaming is conducted on the riverboat or other watercraft while

1 it is docked on the shores of this State. No gambling device  
2 shall be subject to seizure, confiscation or destruction if the  
3 gambling device is located on a riverboat or other watercraft  
4 which is licensed for gaming by a contiguous state and which is  
5 docked on the shores of this State if the municipality having  
6 jurisdiction of the shores, or the county in the case of  
7 unincorporated areas, has granted permission for docking and no  
8 gaming is conducted on the riverboat or other watercraft while  
9 it is docked on the shores of this State.

10 (Source: P.A. 97-1150, eff. 1-25-13.)

11 (230 ILCS 10/20) (from Ch. 120, par. 2420)

12 Sec. 20. Prohibited activities - civil penalties. Any  
13 person who conducts a gambling operation without first  
14 obtaining a license to do so, or who continues to conduct such  
15 games after revocation of his license, or any licensee who  
16 conducts or allows to be conducted any unauthorized gambling  
17 games on a riverboat or in a land-based gambling facility where  
18 it is authorized to conduct its riverboat or land-based  
19 gambling operation, in addition to other penalties provided,  
20 shall be subject to a civil penalty equal to the amount of  
21 gross receipts derived from wagering on the gambling games,  
22 whether unauthorized or authorized, conducted on that day as  
23 well as confiscation and forfeiture of all gambling game  
24 equipment used in the conduct of unauthorized gambling games.

25 (Source: P.A. 86-1029.)

1 (230 ILCS 10/24)

2 Sec. 24. Applicability of this ~~Illinois Riverboat Gambling~~  
3 Act. The provisions of this ~~the Illinois Riverboat Gambling~~  
4 Act, and all rules promulgated thereunder, shall apply to the  
5 Video Gaming Act, except where there is a conflict between the  
6 2 Acts.

7 (Source: P.A. 96-37, eff. 7-13-09.)

8 Section 40. The Video Gaming Act is amended by changing  
9 Sections 5, 25, 45, 79, and 80 as follows:

10 (230 ILCS 40/5)

11 Sec. 5. Definitions. As used in this Act:

12 "Board" means the Illinois Gaming Board.

13 "Credit" means one, 5, 10, or 25 cents either won or  
14 purchased by a player.

15 "Distributor" means an individual, partnership,  
16 corporation, or limited liability company licensed under this  
17 Act to buy, sell, lease, or distribute video gaming terminals  
18 or major components or parts of video gaming terminals to or  
19 from terminal operators.

20 "Electronic card" means a card purchased from a licensed  
21 establishment, licensed fraternal establishment, licensed  
22 veterans establishment, or licensed truck stop establishment  
23 for use in that establishment as a substitute for cash in the

1 conduct of gaming on a video gaming terminal.

2 "Electronic voucher" means a voucher printed by an  
3 electronic video game machine that is redeemable in the  
4 licensed establishment for which it was issued.

5 "Terminal operator" means an individual, partnership,  
6 corporation, or limited liability company that is licensed  
7 under this Act and that owns, services, and maintains video  
8 gaming terminals for placement in licensed establishments,  
9 licensed truck stop establishments, licensed fraternal  
10 establishments, or licensed veterans establishments.

11 "Licensed technician" means an individual who is licensed  
12 under this Act to repair, service, and maintain video gaming  
13 terminals.

14 "Licensed terminal handler" means a person, including but  
15 not limited to an employee or independent contractor working  
16 for a manufacturer, distributor, supplier, technician, or  
17 terminal operator, who is licensed under this Act to possess or  
18 control a video gaming terminal or to have access to the inner  
19 workings of a video gaming terminal. A licensed terminal  
20 handler does not include an individual, partnership,  
21 corporation, or limited liability company defined as a  
22 manufacturer, distributor, supplier, technician, or terminal  
23 operator under this Act.

24 "Manufacturer" means an individual, partnership,  
25 corporation, or limited liability company that is licensed  
26 under this Act and that manufactures or assembles video gaming

1 terminals.

2 "Supplier" means an individual, partnership, corporation,  
3 or limited liability company that is licensed under this Act to  
4 supply major components or parts to video gaming terminals to  
5 licensed terminal operators.

6 "Net terminal income" means money put into a video gaming  
7 terminal minus credits paid out to players.

8 "Video gaming terminal" means any electronic video game  
9 machine that, upon insertion of cash, electronic cards or  
10 vouchers, or any combination thereof, is available to play or  
11 simulate the play of a video game, including but not limited to  
12 video poker, line up, and blackjack, as authorized by the Board  
13 utilizing a video display and microprocessors in which the  
14 player may receive free games or credits that can be redeemed  
15 for cash. The term does not include a machine that directly  
16 dispenses coins, cash, or tokens or is for amusement purposes  
17 only.

18 "Licensed establishment" means any licensed retail  
19 establishment where alcoholic liquor is drawn, poured, mixed,  
20 or otherwise served for consumption on the premises, whether  
21 the establishment operates on a nonprofit or for-profit basis.

22 "Licensed establishment" includes any such establishment that  
23 has a contractual relationship with an inter-track wagering  
24 location licensee licensed under the Illinois Horse Racing Act  
25 of 1975, provided any contractual relationship shall not  
26 include any transfer or offer of revenue from the operation of

1 video gaming under this Act to any licensee licensed under the  
2 Illinois Horse Racing Act of 1975. Provided, however, that the  
3 licensed establishment that has such a contractual  
4 relationship with an inter-track wagering location licensee  
5 may not, itself, be (i) an inter-track wagering location  
6 licensee, (ii) the corporate parent or subsidiary of any  
7 licensee licensed under the Illinois Horse Racing Act of 1975,  
8 or (iii) the corporate subsidiary of a corporation that is also  
9 the corporate parent or subsidiary of any licensee licensed  
10 under the Illinois Horse Racing Act of 1975. "Licensed  
11 establishment" does not include a facility operated by an  
12 organization licensee, an inter-track wagering licensee, or an  
13 inter-track wagering location licensee licensed under the  
14 Illinois Horse Racing Act of 1975 or a gambling operation  
15 ~~riverboat~~ licensed under the Riverboat and Land-based Gambling  
16 Act, except as provided in this paragraph. The changes made to  
17 this definition by Public Act 98-587 are declarative of  
18 existing law.

19 "Licensed fraternal establishment" means the location  
20 where a qualified fraternal organization that derives its  
21 charter from a national fraternal organization regularly  
22 meets.

23 "Licensed veterans establishment" means the location where  
24 a qualified veterans organization that derives its charter from  
25 a national veterans organization regularly meets.

26 "Licensed truck stop establishment" means a facility (i)



1 that is at least a 3-acre facility with a convenience store,  
2 (ii) with separate diesel islands for fueling commercial motor  
3 vehicles, (iii) that sells at retail more than 10,000 gallons  
4 of diesel or biodiesel fuel per month, and (iv) with parking  
5 spaces for commercial motor vehicles. "Commercial motor  
6 vehicles" has the same meaning as defined in Section 18b-101 of  
7 the Illinois Vehicle Code. The requirement of item (iii) of  
8 this paragraph may be met by showing that estimated future  
9 sales or past sales average at least 10,000 gallons per month.

10 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;  
11 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; 98-756, eff.  
12 7-16-14.)

13 (230 ILCS 40/25)

14 Sec. 25. Restriction of licensees.

15 (a) Manufacturer. A person may not be licensed as a  
16 manufacturer of a video gaming terminal in Illinois unless the  
17 person has a valid manufacturer's license issued under this  
18 Act. A manufacturer may only sell video gaming terminals for  
19 use in Illinois to persons having a valid distributor's  
20 license.

21 (b) Distributor. A person may not sell, distribute, or  
22 lease or market a video gaming terminal in Illinois unless the  
23 person has a valid distributor's license issued under this Act.  
24 A distributor may only sell video gaming terminals for use in  
25 Illinois to persons having a valid distributor's or terminal

1 operator's license.

2 (c) Terminal operator. A person may not own, maintain, or  
3 place a video gaming terminal unless he has a valid terminal  
4 operator's license issued under this Act. A terminal operator  
5 may only place video gaming terminals for use in Illinois in  
6 licensed establishments, licensed truck stop establishments,  
7 licensed fraternal establishments, and licensed veterans  
8 establishments. No terminal operator may give anything of  
9 value, including but not limited to a loan or financing  
10 arrangement, to a licensed establishment, licensed truck stop  
11 establishment, licensed fraternal establishment, or licensed  
12 veterans establishment as any incentive or inducement to locate  
13 video terminals in that establishment. Of the after-tax profits  
14 from a video gaming terminal, 50% shall be paid to the terminal  
15 operator and 50% shall be paid to the licensed establishment,  
16 licensed truck stop establishment, licensed fraternal  
17 establishment, or licensed veterans establishment,  
18 notwithstanding any agreement to the contrary. A video terminal  
19 operator that violates one or more requirements of this  
20 subsection is guilty of a Class 4 felony and is subject to  
21 termination of his or her license by the Board.

22 (d) Licensed technician. A person may not service,  
23 maintain, or repair a video gaming terminal in this State  
24 unless he or she (1) has a valid technician's license issued  
25 under this Act, (2) is a terminal operator, or (3) is employed  
26 by a terminal operator, distributor, or manufacturer.

1 (d-5) Licensed terminal handler. No person, including, but  
2 not limited to, an employee or independent contractor working  
3 for a manufacturer, distributor, supplier, technician, or  
4 terminal operator licensed pursuant to this Act, shall have  
5 possession or control of a video gaming terminal, or access to  
6 the inner workings of a video gaming terminal, unless that  
7 person possesses a valid terminal handler's license issued  
8 under this Act.

9 (e) Licensed establishment. No video gaming terminal may be  
10 placed in any licensed establishment, licensed veterans  
11 establishment, licensed truck stop establishment, or licensed  
12 fraternal establishment unless the owner or agent of the owner  
13 of the licensed establishment, licensed veterans  
14 establishment, licensed truck stop establishment, or licensed  
15 fraternal establishment has entered into a written use  
16 agreement with the terminal operator for placement of the  
17 terminals. A copy of the use agreement shall be on file in the  
18 terminal operator's place of business and available for  
19 inspection by individuals authorized by the Board. A licensed  
20 establishment, licensed truck stop establishment, licensed  
21 veterans establishment, or licensed fraternal establishment  
22 may operate up to 5 video gaming terminals on its premises at  
23 any time.

24 (f) (Blank).

25 (g) Financial interest restrictions. As used in this Act,  
26 "substantial interest" in a partnership, a corporation, an

1 organization, an association, a business, or a limited  
2 liability company means:

3 (A) When, with respect to a sole proprietorship, an  
4 individual or his or her spouse owns, operates, manages, or  
5 conducts, directly or indirectly, the organization,  
6 association, or business, or any part thereof; or

7 (B) When, with respect to a partnership, the individual  
8 or his or her spouse shares in any of the profits, or  
9 potential profits, of the partnership activities; or

10 (C) When, with respect to a corporation, an individual  
11 or his or her spouse is an officer or director, or the  
12 individual or his or her spouse is a holder, directly or  
13 beneficially, of 5% or more of any class of stock of the  
14 corporation; or

15 (D) When, with respect to an organization not covered  
16 in (A), (B) or (C) above, an individual or his or her  
17 spouse is an officer or manages the business affairs, or  
18 the individual or his or her spouse is the owner of or  
19 otherwise controls 10% or more of the assets of the  
20 organization; or

21 (E) When an individual or his or her spouse furnishes  
22 5% or more of the capital, whether in cash, goods, or  
23 services, for the operation of any business, association,  
24 or organization during any calendar year; or

25 (F) When, with respect to a limited liability company,  
26 an individual or his or her spouse is a member, or the

1 individual or his or her spouse is a holder, directly or  
2 beneficially, of 5% or more of the membership interest of  
3 the limited liability company.

4 For purposes of this subsection (g), "individual" includes  
5 all individuals or their spouses whose combined interest would  
6 qualify as a substantial interest under this subsection (g) and  
7 whose activities with respect to an organization, association,  
8 or business are so closely aligned or coordinated as to  
9 constitute the activities of a single entity.

10 (h) Location restriction. A licensed establishment,  
11 licensed truck stop establishment, licensed fraternal  
12 establishment, or licensed veterans establishment that is (i)  
13 located within 1,000 feet of a facility operated by an  
14 organization licensee licensed under the Illinois Horse Racing  
15 Act of 1975 or the home dock of a riverboat or location of a  
16 land-based gambling facility licensed under the Riverboat and  
17 Land-based Gambling Act or (ii) located within 100 feet of a  
18 school or a place of worship under the Religious Corporation  
19 Act, is ineligible to operate a video gaming terminal. The  
20 location restrictions in this subsection (h) do not apply if  
21 (A) a facility operated by an organization licensee, a school,  
22 or a place of worship moves to or is established within the  
23 restricted area after a licensed establishment, licensed truck  
24 stop establishment, licensed fraternal establishment, or  
25 licensed veterans establishment becomes licensed under this  
26 Act or (B) a school or place of worship moves to or is

1 established within the restricted area after a licensed  
2 establishment, licensed truck stop establishment, licensed  
3 fraternal establishment, or licensed veterans establishment  
4 obtains its original liquor license. For the purpose of this  
5 subsection, "school" means an elementary or secondary public  
6 school, or an elementary or secondary private school registered  
7 with or recognized by the State Board of Education.

8 Notwithstanding the provisions of this subsection (h), the  
9 Board may waive the requirement that a licensed establishment,  
10 licensed truck stop establishment, licensed fraternal  
11 establishment, or licensed veterans establishment not be  
12 located within 1,000 feet from a facility operated by an  
13 organization licensee licensed under the Illinois Horse Racing  
14 Act of 1975 or the home dock of a riverboat or location of a  
15 land-based gambling facility licensed under the Riverboat and  
16 Land-based Gambling Act. The Board shall not grant such waiver  
17 if there is any common ownership or control, shared business  
18 activity, or contractual arrangement of any type between the  
19 establishment and the organization licensee or owners licensee  
20 of a riverboat or land-based gambling facility. The Board shall  
21 adopt rules to implement the provisions of this paragraph.

22 (i) Undue economic concentration. In addition to  
23 considering all other requirements under this Act, in deciding  
24 whether to approve the operation of video gaming terminals by a  
25 terminal operator in a location, the Board shall consider the  
26 impact of any economic concentration of such operation of video

1 gaming terminals. The Board shall not allow a terminal operator  
2 to operate video gaming terminals if the Board determines such  
3 operation will result in undue economic concentration. For  
4 purposes of this Section, "undue economic concentration" means  
5 that a terminal operator would have such actual or potential  
6 influence over video gaming terminals in Illinois as to:

7 (1) substantially impede or suppress competition among  
8 terminal operators;

9 (2) adversely impact the economic stability of the  
10 video gaming industry in Illinois; or

11 (3) negatively impact the purposes of the Video Gaming  
12 Act.

13 The Board shall adopt rules concerning undue economic  
14 concentration with respect to the operation of video gaming  
15 terminals in Illinois. The rules shall include, but not be  
16 limited to, (i) limitations on the number of video gaming  
17 terminals operated by any terminal operator within a defined  
18 geographic radius and (ii) guidelines on the discontinuation of  
19 operation of any such video gaming terminals the Board  
20 determines will cause undue economic concentration.

21 (j) The provisions of the Illinois Antitrust Act are fully  
22 and equally applicable to the activities of any licensee under  
23 this Act.

24 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77,  
25 eff. 7-15-13; 98-112, eff. 7-26-13; 98-756, eff. 7-16-14.)

1 (230 ILCS 40/45)

2 Sec. 45. Issuance of license.

3 (a) The burden is upon each applicant to demonstrate his  
4 suitability for licensure. Each video gaming terminal  
5 manufacturer, distributor, supplier, operator, handler,  
6 licensed establishment, licensed truck stop establishment,  
7 licensed fraternal establishment, and licensed veterans  
8 establishment shall be licensed by the Board. The Board may  
9 issue or deny a license under this Act to any person pursuant  
10 to the same criteria set forth in Section 9 of the Riverboat  
11 and Land-based Gambling Act.

12 (a-5) The Board shall not grant a license to a person who  
13 has facilitated, enabled, or participated in the use of  
14 coin-operated devices for gambling purposes or who is under the  
15 significant influence or control of such a person. For the  
16 purposes of this Act, "facilitated, enabled, or participated in  
17 the use of coin-operated amusement devices for gambling  
18 purposes" means that the person has been convicted of any  
19 violation of Article 28 of the Criminal Code of 1961 or the  
20 Criminal Code of 2012. If there is pending legal action against  
21 a person for any such violation, then the Board shall delay the  
22 licensure of that person until the legal action is resolved.

23 (b) Each person seeking and possessing a license as a video  
24 gaming terminal manufacturer, distributor, supplier, operator,  
25 handler, licensed establishment, licensed truck stop  
26 establishment, licensed fraternal establishment, or licensed



1 veterans establishment shall submit to a background  
2 investigation conducted by the Board with the assistance of the  
3 State Police or other law enforcement. To the extent that the  
4 corporate structure of the applicant allows, the background  
5 investigation shall include any or all of the following as the  
6 Board deems appropriate or as provided by rule for each  
7 category of licensure: (i) each beneficiary of a trust, (ii)  
8 each partner of a partnership, (iii) each member of a limited  
9 liability company, (iv) each director and officer of a publicly  
10 or non-publicly held corporation, (v) each stockholder of a  
11 non-publicly held corporation, (vi) each stockholder of 5% or  
12 more of a publicly held corporation, or (vii) each stockholder  
13 of 5% or more in a parent or subsidiary corporation.

14 (c) Each person seeking and possessing a license as a video  
15 gaming terminal manufacturer, distributor, supplier, operator,  
16 handler, licensed establishment, licensed truck stop  
17 establishment, licensed fraternal establishment, or licensed  
18 veterans establishment shall disclose the identity of every  
19 person, association, trust, corporation, or limited liability  
20 company having a greater than 1% direct or indirect pecuniary  
21 interest in the video gaming terminal operation for which the  
22 license is sought. If the disclosed entity is a trust, the  
23 application shall disclose the names and addresses of the  
24 beneficiaries; if a corporation, the names and addresses of all  
25 stockholders and directors; if a limited liability company, the  
26 names and addresses of all members; or if a partnership, the

1 names and addresses of all partners, both general and limited.

2 (d) No person may be licensed as a video gaming terminal  
3 manufacturer, distributor, supplier, operator, handler,  
4 licensed establishment, licensed truck stop establishment,  
5 licensed fraternal establishment, or licensed veterans  
6 establishment if that person has been found by the Board to:

7 (1) have a background, including a criminal record,  
8 reputation, habits, social or business associations, or  
9 prior activities that pose a threat to the public interests  
10 of the State or to the security and integrity of video  
11 gaming;

12 (2) create or enhance the dangers of unsuitable,  
13 unfair, or illegal practices, methods, and activities in  
14 the conduct of video gaming; or

15 (3) present questionable business practices and  
16 financial arrangements incidental to the conduct of video  
17 gaming activities.

18 (e) Any applicant for any license under this Act has the  
19 burden of proving his or her qualifications to the satisfaction  
20 of the Board. The Board may adopt rules to establish additional  
21 qualifications and requirements to preserve the integrity and  
22 security of video gaming in this State.

23 (f) A non-refundable application fee shall be paid at the  
24 time an application for a license is filed with the Board in  
25 the following amounts:

26 (1) Manufacturer ..... \$5,000

- 1 (2) Distributor..... \$5,000
- 2 (3) Terminal operator..... \$5,000
- 3 (4) Supplier ..... \$2,500
- 4 (5) Technician ..... \$100
- 5 (6) Terminal Handler ..... \$50

6 (g) The Board shall establish an annual fee for each  
 7 license not to exceed the following:

- 8 (1) Manufacturer ..... \$10,000
- 9 (2) Distributor..... \$10,000
- 10 (3) Terminal operator..... \$5,000
- 11 (4) Supplier ..... \$2,000
- 12 (5) Technician ..... \$100
- 13 (6) Licensed establishment, licensed truck stop  
 14 establishment, licensed fraternal establishment,  
 15 or licensed veterans establishment ..... \$100
- 16 (7) Video gaming terminal..... \$100
- 17 (8) Terminal Handler ..... \$50

18 (h) A terminal operator and a licensed establishment,  
 19 licensed truck stop establishment, licensed fraternal  
 20 establishment, or licensed veterans establishment shall  
 21 equally split the fees specified in item (7) of subsection (g).

22 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;  
 23 98-587, eff. 8-27-13; 98-756, eff. 7-16-14.)

24 (230 ILCS 40/79)

25 Sec. 79. Investigators. Investigators appointed by the

1 Board pursuant to the powers conferred upon the Board by  
2 paragraph (20.6) of subsection (c) of Section 5 of the  
3 Riverboat and Land-based Gambling Act and Section 80 of this  
4 Act shall have authority to conduct investigations, searches,  
5 seizures, arrests, and other duties imposed under this Act and  
6 the Riverboat and Land-based Gambling Act, as deemed necessary  
7 by the Board. These investigators have and may exercise all of  
8 the rights and powers of peace officers, provided that these  
9 powers shall be (1) limited to offenses or violations occurring  
10 or committed in connection with conduct subject to this Act,  
11 including, but not limited to, the manufacture, distribution,  
12 supply, operation, placement, service, maintenance, or play of  
13 video gaming terminals and the distribution of profits and  
14 collection of revenues resulting from such play, and (2)  
15 exercised, to the fullest extent practicable, in cooperation  
16 with the local police department of the applicable municipality  
17 or, if these powers are exercised outside the boundaries of an  
18 incorporated municipality or within a municipality that does  
19 not have its own police department, in cooperation with the  
20 police department whose jurisdiction encompasses the  
21 applicable locality.

22 (Source: P.A. 97-809, eff. 7-13-12.)

23 (230 ILCS 40/80)

24 Sec. 80. Applicability of Illinois Riverboat and  
25 Land-based Gambling Act. The provisions of the Illinois

1 Riverboat and Land-based Gambling Act, and all rules  
2 promulgated thereunder, shall apply to the Video Gaming Act,  
3 except where there is a conflict between the 2 Acts. All  
4 provisions of the Uniform Penalty and Interest Act shall apply,  
5 as far as practicable, to the subject matter of this Act to the  
6 same extent as if such provisions were included herein.

7 (Source: P.A. 96-37, eff. 7-13-09.)

8 Section 45. The Liquor Control Act of 1934 is amended by  
9 changing Sections 5-1 and 6-30 as follows:

10 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

11 Sec. 5-1. Licenses issued by the Illinois Liquor Control  
12 Commission shall be of the following classes:

13 (a) Manufacturer's license - Class 1. Distiller, Class 2.  
14 Rectifier, Class 3. Brewer, Class 4. First Class Wine  
15 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.  
16 First Class Winemaker, Class 7. Second Class Winemaker, Class  
17 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class  
18 10. Craft Brewer,

19 (b) Distributor's license,

20 (c) Importing Distributor's license,

21 (d) Retailer's license,

22 (e) Special Event Retailer's license (not-for-profit),

23 (f) Railroad license,

24 (g) Boat license,

- 1 (h) Non-Beverage User's license,
- 2 (i) Wine-maker's premises license,
- 3 (j) Airplane license,
- 4 (k) Foreign importer's license,
- 5 (l) Broker's license,
- 6 (m) Non-resident dealer's license,
- 7 (n) Brew Pub license,
- 8 (o) Auction liquor license,
- 9 (p) Caterer retailer license,
- 10 (q) Special use permit license,
- 11 (r) Winery shipper's license.

12 No person, firm, partnership, corporation, or other legal  
13 business entity that is engaged in the manufacturing of wine  
14 may concurrently obtain and hold a wine-maker's license and a  
15 wine manufacturer's license.

16 (a) A manufacturer's license shall allow the manufacture,  
17 importation in bulk, storage, distribution and sale of  
18 alcoholic liquor to persons without the State, as may be  
19 permitted by law and to licensees in this State as follows:

20 Class 1. A Distiller may make sales and deliveries of  
21 alcoholic liquor to distillers, rectifiers, importing  
22 distributors, distributors and non-beverage users and to no  
23 other licensees.

24 Class 2. A Rectifier, who is not a distiller, as defined  
25 herein, may make sales and deliveries of alcoholic liquor to  
26 rectifiers, importing distributors, distributors, retailers

1 and non-beverage users and to no other licensees.

2 Class 3. A Brewer may make sales and deliveries of beer to  
3 importing distributors and distributors and may make sales as  
4 authorized under subsection (e) of Section 6-4 of this Act.

5 Class 4. A first class wine-manufacturer may make sales and  
6 deliveries of up to 50,000 gallons of wine to manufacturers,  
7 importing distributors and distributors, and to no other  
8 licensees.

9 Class 5. A second class Wine manufacturer may make sales  
10 and deliveries of more than 50,000 gallons of wine to  
11 manufacturers, importing distributors and distributors and to  
12 no other licensees.

13 Class 6. A first-class wine-maker's license shall allow the  
14 manufacture of up to 50,000 gallons of wine per year, and the  
15 storage and sale of such wine to distributors in the State and  
16 to persons without the State, as may be permitted by law. A  
17 person who, prior to the effective date of this amendatory Act  
18 of the 95th General Assembly, is a holder of a first-class  
19 wine-maker's license and annually produces more than 25,000  
20 gallons of its own wine and who distributes its wine to  
21 licensed retailers shall cease this practice on or before July  
22 1, 2008 in compliance with this amendatory Act of the 95th  
23 General Assembly.

24 Class 7. A second-class wine-maker's license shall allow  
25 the manufacture of between 50,000 and 150,000 gallons of wine  
26 per year, and the storage and sale of such wine to distributors

1 in this State and to persons without the State, as may be  
2 permitted by law. A person who, prior to the effective date of  
3 this amendatory Act of the 95th General Assembly, is a holder  
4 of a second-class wine-maker's license and annually produces  
5 more than 25,000 gallons of its own wine and who distributes  
6 its wine to licensed retailers shall cease this practice on or  
7 before July 1, 2008 in compliance with this amendatory Act of  
8 the 95th General Assembly.

9 Class 8. A limited wine-manufacturer may make sales and  
10 deliveries not to exceed 40,000 gallons of wine per year to  
11 distributors, and to non-licensees in accordance with the  
12 provisions of this Act.

13 Class 9. A craft distiller license shall allow the  
14 manufacture of up to 30,000 gallons of spirits by distillation  
15 for one year after the effective date of this amendatory Act of  
16 the 97th General Assembly and up to 35,000 gallons of spirits  
17 by distillation per year thereafter and the storage of such  
18 spirits. If a craft distiller licensee is not affiliated with  
19 any other manufacturer, then the craft distiller licensee may  
20 sell such spirits to distributors in this State and up to 2,500  
21 gallons of such spirits to non-licensees to the extent  
22 permitted by any exemption approved by the Commission pursuant  
23 to Section 6-4 of this Act.

24 Any craft distiller licensed under this Act who on the  
25 effective date of this amendatory Act of the 96th General  
26 Assembly was licensed as a distiller and manufactured no more



1 spirits than permitted by this Section shall not be required to  
2 pay the initial licensing fee.

3 Class 10. A craft brewer's license, which may only be  
4 issued to a licensed brewer or licensed non-resident dealer,  
5 shall allow the manufacture of up to 930,000 gallons of beer  
6 per year. A craft brewer licensee may make sales and deliveries  
7 to importing distributors and distributors and to retail  
8 licensees in accordance with the conditions set forth in  
9 paragraph (18) of subsection (a) of Section 3-12 of this Act.

10 (a-1) A manufacturer which is licensed in this State to  
11 make sales or deliveries of alcoholic liquor to licensed  
12 distributors or importing distributors and which enlists  
13 agents, representatives, or individuals acting on its behalf  
14 who contact licensed retailers on a regular and continual basis  
15 in this State must register those agents, representatives, or  
16 persons acting on its behalf with the State Commission.

17 Registration of agents, representatives, or persons acting  
18 on behalf of a manufacturer is fulfilled by submitting a form  
19 to the Commission. The form shall be developed by the  
20 Commission and shall include the name and address of the  
21 applicant, the name and address of the manufacturer he or she  
22 represents, the territory or areas assigned to sell to or  
23 discuss pricing terms of alcoholic liquor, and any other  
24 questions deemed appropriate and necessary. All statements in  
25 the forms required to be made by law or by rule shall be deemed  
26 material, and any person who knowingly misstates any material

1 fact under oath in an application is guilty of a Class B  
2 misdemeanor. Fraud, misrepresentation, false statements,  
3 misleading statements, evasions, or suppression of material  
4 facts in the securing of a registration are grounds for  
5 suspension or revocation of the registration. The State  
6 Commission shall post a list of registered agents on the  
7 Commission's website.

8 (b) A distributor's license shall allow the wholesale  
9 purchase and storage of alcoholic liquors and sale of alcoholic  
10 liquors to licensees in this State and to persons without the  
11 State, as may be permitted by law.

12 (c) An importing distributor's license may be issued to and  
13 held by those only who are duly licensed distributors, upon the  
14 filing of an application by a duly licensed distributor, with  
15 the Commission and the Commission shall, without the payment of  
16 any fee, immediately issue such importing distributor's  
17 license to the applicant, which shall allow the importation of  
18 alcoholic liquor by the licensee into this State from any point  
19 in the United States outside this State, and the purchase of  
20 alcoholic liquor in barrels, casks or other bulk containers and  
21 the bottling of such alcoholic liquors before resale thereof,  
22 but all bottles or containers so filled shall be sealed,  
23 labeled, stamped and otherwise made to comply with all  
24 provisions, rules and regulations governing manufacturers in  
25 the preparation and bottling of alcoholic liquors. The  
26 importing distributor's license shall permit such licensee to

1 purchase alcoholic liquor from Illinois licensed non-resident  
2 dealers and foreign importers only.

3 (d) A retailer's license shall allow the licensee to sell  
4 and offer for sale at retail, only in the premises specified in  
5 the license, alcoholic liquor for use or consumption, but not  
6 for resale in any form. Nothing in this amendatory Act of the  
7 95th General Assembly shall deny, limit, remove, or restrict  
8 the ability of a holder of a retailer's license to transfer,  
9 deliver, or ship alcoholic liquor to the purchaser for use or  
10 consumption subject to any applicable local law or ordinance.  
11 Any retail license issued to a manufacturer shall only permit  
12 the manufacturer to sell beer at retail on the premises  
13 actually occupied by the manufacturer. For the purpose of  
14 further describing the type of business conducted at a retail  
15 licensed premises, a retailer's licensee may be designated by  
16 the State Commission as (i) an on premise consumption retailer,  
17 (ii) an off premise sale retailer, or (iii) a combined on  
18 premise consumption and off premise sale retailer.

19 Notwithstanding any other provision of this subsection  
20 (d), a retail licensee may sell alcoholic liquors to a special  
21 event retailer licensee for resale to the extent permitted  
22 under subsection (e).

23 (e) A special event retailer's license (not-for-profit)  
24 shall permit the licensee to purchase alcoholic liquors from an  
25 Illinois licensed distributor (unless the licensee purchases  
26 less than \$500 of alcoholic liquors for the special event, in

1 which case the licensee may purchase the alcoholic liquors from  
2 a licensed retailer) and shall allow the licensee to sell and  
3 offer for sale, at retail, alcoholic liquors for use or  
4 consumption, but not for resale in any form and only at the  
5 location and on the specific dates designated for the special  
6 event in the license. An applicant for a special event retailer  
7 license must (i) furnish with the application: (A) a resale  
8 number issued under Section 2c of the Retailers' Occupation Tax  
9 Act or evidence that the applicant is registered under Section  
10 2a of the Retailers' Occupation Tax Act, (B) a current, valid  
11 exemption identification number issued under Section 1g of the  
12 Retailers' Occupation Tax Act, and a certification to the  
13 Commission that the purchase of alcoholic liquors will be a  
14 tax-exempt purchase, or (C) a statement that the applicant is  
15 not registered under Section 2a of the Retailers' Occupation  
16 Tax Act, does not hold a resale number under Section 2c of the  
17 Retailers' Occupation Tax Act, and does not hold an exemption  
18 number under Section 1g of the Retailers' Occupation Tax Act,  
19 in which event the Commission shall set forth on the special  
20 event retailer's license a statement to that effect; (ii)  
21 submit with the application proof satisfactory to the State  
22 Commission that the applicant will provide dram shop liability  
23 insurance in the maximum limits; and (iii) show proof  
24 satisfactory to the State Commission that the applicant has  
25 obtained local authority approval.

26 (f) A railroad license shall permit the licensee to import

1 alcoholic liquors into this State from any point in the United  
2 States outside this State and to store such alcoholic liquors  
3 in this State; to make wholesale purchases of alcoholic liquors  
4 directly from manufacturers, foreign importers, distributors  
5 and importing distributors from within or outside this State;  
6 and to store such alcoholic liquors in this State; provided  
7 that the above powers may be exercised only in connection with  
8 the importation, purchase or storage of alcoholic liquors to be  
9 sold or dispensed on a club, buffet, lounge or dining car  
10 operated on an electric, gas or steam railway in this State;  
11 and provided further, that railroad licensees exercising the  
12 above powers shall be subject to all provisions of Article VIII  
13 of this Act as applied to importing distributors. A railroad  
14 license shall also permit the licensee to sell or dispense  
15 alcoholic liquors on any club, buffet, lounge or dining car  
16 operated on an electric, gas or steam railway regularly  
17 operated by a common carrier in this State, but shall not  
18 permit the sale for resale of any alcoholic liquors to any  
19 licensee within this State. A license shall be obtained for  
20 each car in which such sales are made.

21 (g) A boat license shall allow the sale of alcoholic liquor  
22 in individual drinks, on any passenger boat regularly operated  
23 as a common carrier on navigable waters in this State or on any  
24 riverboat operated under the Riverboat and Land-based Gambling  
25 Act, which boat or riverboat maintains a public dining room or  
26 restaurant thereon.

1           (h) A non-beverage user's license shall allow the licensee  
 2 to purchase alcoholic liquor from a licensed manufacturer or  
 3 importing distributor, without the imposition of any tax upon  
 4 the business of such licensed manufacturer or importing  
 5 distributor as to such alcoholic liquor to be used by such  
 6 licensee solely for the non-beverage purposes set forth in  
 7 subsection (a) of Section 8-1 of this Act, and such licenses  
 8 shall be divided and classified and shall permit the purchase,  
 9 possession and use of limited and stated quantities of  
 10 alcoholic liquor as follows:

- 11 Class 1, not to exceed ..... 500 gallons
- 12 Class 2, not to exceed ..... 1,000 gallons
- 13 Class 3, not to exceed ..... 5,000 gallons
- 14 Class 4, not to exceed ..... 10,000 gallons
- 15 Class 5, not to exceed ..... 50,000 gallons

16           (i) A wine-maker's premises license shall allow a licensee  
 17 that concurrently holds a first-class wine-maker's license to  
 18 sell and offer for sale at retail in the premises specified in  
 19 such license not more than 50,000 gallons of the first-class  
 20 wine-maker's wine that is made at the first-class wine-maker's  
 21 licensed premises per year for use or consumption, but not for  
 22 resale in any form. A wine-maker's premises license shall allow  
 23 a licensee who concurrently holds a second-class wine-maker's  
 24 license to sell and offer for sale at retail in the premises  
 25 specified in such license up to 100,000 gallons of the  
 26 second-class wine-maker's wine that is made at the second-class

1 wine-maker's licensed premises per year for use or consumption  
2 but not for resale in any form. A wine-maker's premises license  
3 shall allow a licensee that concurrently holds a first-class  
4 wine-maker's license or a second-class wine-maker's license to  
5 sell and offer for sale at retail at the premises specified in  
6 the wine-maker's premises license, for use or consumption but  
7 not for resale in any form, any beer, wine, and spirits  
8 purchased from a licensed distributor. Upon approval from the  
9 State Commission, a wine-maker's premises license shall allow  
10 the licensee to sell and offer for sale at (i) the wine-maker's  
11 licensed premises and (ii) at up to 2 additional locations for  
12 use and consumption and not for resale. Each location shall  
13 require additional licensing per location as specified in  
14 Section 5-3 of this Act. A wine-maker's premises licensee shall  
15 secure liquor liability insurance coverage in an amount at  
16 least equal to the maximum liability amounts set forth in  
17 subsection (a) of Section 6-21 of this Act.

18 (j) An airplane license shall permit the licensee to import  
19 alcoholic liquors into this State from any point in the United  
20 States outside this State and to store such alcoholic liquors  
21 in this State; to make wholesale purchases of alcoholic liquors  
22 directly from manufacturers, foreign importers, distributors  
23 and importing distributors from within or outside this State;  
24 and to store such alcoholic liquors in this State; provided  
25 that the above powers may be exercised only in connection with  
26 the importation, purchase or storage of alcoholic liquors to be

1 sold or dispensed on an airplane; and provided further, that  
2 airplane licensees exercising the above powers shall be subject  
3 to all provisions of Article VIII of this Act as applied to  
4 importing distributors. An airplane licensee shall also permit  
5 the sale or dispensing of alcoholic liquors on any passenger  
6 airplane regularly operated by a common carrier in this State,  
7 but shall not permit the sale for resale of any alcoholic  
8 liquors to any licensee within this State. A single airplane  
9 license shall be required of an airline company if liquor  
10 service is provided on board aircraft in this State. The annual  
11 fee for such license shall be as determined in Section 5-3.

12 (k) A foreign importer's license shall permit such licensee  
13 to purchase alcoholic liquor from Illinois licensed  
14 non-resident dealers only, and to import alcoholic liquor other  
15 than in bulk from any point outside the United States and to  
16 sell such alcoholic liquor to Illinois licensed importing  
17 distributors and to no one else in Illinois; provided that (i)  
18 the foreign importer registers with the State Commission every  
19 brand of alcoholic liquor that it proposes to sell to Illinois  
20 licensees during the license period, (ii) the foreign importer  
21 complies with all of the provisions of Section 6-9 of this Act  
22 with respect to registration of such Illinois licensees as may  
23 be granted the right to sell such brands at wholesale, and  
24 (iii) the foreign importer complies with the provisions of  
25 Sections 6-5 and 6-6 of this Act to the same extent that these  
26 provisions apply to manufacturers.



1           (1) (i) A broker's license shall be required of all persons  
2 who solicit orders for, offer to sell or offer to supply  
3 alcoholic liquor to retailers in the State of Illinois, or who  
4 offer to retailers to ship or cause to be shipped or to make  
5 contact with distillers, rectifiers, brewers or manufacturers  
6 or any other party within or without the State of Illinois in  
7 order that alcoholic liquors be shipped to a distributor,  
8 importing distributor or foreign importer, whether such  
9 solicitation or offer is consummated within or without the  
10 State of Illinois.

11           No holder of a retailer's license issued by the Illinois  
12 Liquor Control Commission shall purchase or receive any  
13 alcoholic liquor, the order for which was solicited or offered  
14 for sale to such retailer by a broker unless the broker is the  
15 holder of a valid broker's license.

16           The broker shall, upon the acceptance by a retailer of the  
17 broker's solicitation of an order or offer to sell or supply or  
18 deliver or have delivered alcoholic liquors, promptly forward  
19 to the Illinois Liquor Control Commission a notification of  
20 said transaction in such form as the Commission may by  
21 regulations prescribe.

22           (ii) A broker's license shall be required of a person  
23 within this State, other than a retail licensee, who, for a fee  
24 or commission, promotes, solicits, or accepts orders for  
25 alcoholic liquor, for use or consumption and not for resale, to  
26 be shipped from this State and delivered to residents outside

1 of this State by an express company, common carrier, or  
2 contract carrier. This Section does not apply to any person who  
3 promotes, solicits, or accepts orders for wine as specifically  
4 authorized in Section 6-29 of this Act.

5 A broker's license under this subsection (1) shall not  
6 entitle the holder to buy or sell any alcoholic liquors for his  
7 own account or to take or deliver title to such alcoholic  
8 liquors.

9 This subsection (1) shall not apply to distributors,  
10 employees of distributors, or employees of a manufacturer who  
11 has registered the trademark, brand or name of the alcoholic  
12 liquor pursuant to Section 6-9 of this Act, and who regularly  
13 sells such alcoholic liquor in the State of Illinois only to  
14 its registrants thereunder.

15 Any agent, representative, or person subject to  
16 registration pursuant to subsection (a-1) of this Section shall  
17 not be eligible to receive a broker's license.

18 (m) A non-resident dealer's license shall permit such  
19 licensee to ship into and warehouse alcoholic liquor into this  
20 State from any point outside of this State, and to sell such  
21 alcoholic liquor to Illinois licensed foreign importers and  
22 importing distributors and to no one else in this State;  
23 provided that (i) said non-resident dealer shall register with  
24 the Illinois Liquor Control Commission each and every brand of  
25 alcoholic liquor which it proposes to sell to Illinois  
26 licensees during the license period, (ii) it shall comply with

1 all of the provisions of Section 6-9 hereof with respect to  
2 registration of such Illinois licensees as may be granted the  
3 right to sell such brands at wholesale, and (iii) the  
4 non-resident dealer shall comply with the provisions of  
5 Sections 6-5 and 6-6 of this Act to the same extent that these  
6 provisions apply to manufacturers.

7 (n) A brew pub license shall allow the licensee (i) to  
8 manufacture beer only on the premises specified in the license,  
9 (ii) to make sales of the beer manufactured on the premises or,  
10 with the approval of the Commission, beer manufactured on  
11 another brew pub licensed premises that is substantially owned  
12 and operated by the same licensee to importing distributors,  
13 distributors, and to non-licensees for use and consumption,  
14 (iii) to store the beer upon the premises, and (iv) to sell and  
15 offer for sale at retail from the licensed premises, provided  
16 that a brew pub licensee shall not sell for off-premises  
17 consumption more than 50,000 gallons per year. A person who  
18 holds a brew pub license may simultaneously hold a craft brewer  
19 license if he or she otherwise qualifies for the craft brewer  
20 license and the craft brewer license is for a location separate  
21 from the brew pub's licensed premises. A brew pub license shall  
22 permit a person who has received prior approval from the  
23 Commission to annually transfer no more than a total of 50,000  
24 gallons of beer manufactured on premises to all other licensed  
25 brew pubs that are substantially owned and operated by the same  
26 person.

1           (o) A caterer retailer license shall allow the holder to  
2           serve alcoholic liquors as an incidental part of a food service  
3           that serves prepared meals which excludes the serving of snacks  
4           as the primary meal, either on or off-site whether licensed or  
5           unlicensed.

6           (p) An auction liquor license shall allow the licensee to  
7           sell and offer for sale at auction wine and spirits for use or  
8           consumption, or for resale by an Illinois liquor licensee in  
9           accordance with provisions of this Act. An auction liquor  
10          license will be issued to a person and it will permit the  
11          auction liquor licensee to hold the auction anywhere in the  
12          State. An auction liquor license must be obtained for each  
13          auction at least 14 days in advance of the auction date.

14          (q) A special use permit license shall allow an Illinois  
15          licensed retailer to transfer a portion of its alcoholic liquor  
16          inventory from its retail licensed premises to the premises  
17          specified in the license hereby created, and to sell or offer  
18          for sale at retail, only in the premises specified in the  
19          license hereby created, the transferred alcoholic liquor for  
20          use or consumption, but not for resale in any form. A special  
21          use permit license may be granted for the following time  
22          periods: one day or less; 2 or more days to a maximum of 15 days  
23          per location in any 12 month period. An applicant for the  
24          special use permit license must also submit with the  
25          application proof satisfactory to the State Commission that the  
26          applicant will provide dram shop liability insurance to the

1 maximum limits and have local authority approval.

2 (r) A winery shipper's license shall allow a person with a  
3 first-class or second-class wine manufacturer's license, a  
4 first-class or second-class wine-maker's license, or a limited  
5 wine manufacturer's license or who is licensed to make wine  
6 under the laws of another state to ship wine made by that  
7 licensee directly to a resident of this State who is 21 years  
8 of age or older for that resident's personal use and not for  
9 resale. Prior to receiving a winery shipper's license, an  
10 applicant for the license must provide the Commission with a  
11 true copy of its current license in any state in which it is  
12 licensed as a manufacturer of wine. An applicant for a winery  
13 shipper's license must also complete an application form that  
14 provides any other information the Commission deems necessary.  
15 The application form shall include an acknowledgement  
16 consenting to the jurisdiction of the Commission, the Illinois  
17 Department of Revenue, and the courts of this State concerning  
18 the enforcement of this Act and any related laws, rules, and  
19 regulations, including authorizing the Department of Revenue  
20 and the Commission to conduct audits for the purpose of  
21 ensuring compliance with this amendatory Act.

22 A winery shipper licensee must pay to the Department of  
23 Revenue the State liquor gallonage tax under Section 8-1 for  
24 all wine that is sold by the licensee and shipped to a person  
25 in this State. For the purposes of Section 8-1, a winery  
26 shipper licensee shall be taxed in the same manner as a

1 manufacturer of wine. A licensee who is not otherwise required  
2 to register under the Retailers' Occupation Tax Act must  
3 register under the Use Tax Act to collect and remit use tax to  
4 the Department of Revenue for all gallons of wine that are sold  
5 by the licensee and shipped to persons in this State. If a  
6 licensee fails to remit the tax imposed under this Act in  
7 accordance with the provisions of Article VIII of this Act, the  
8 winery shipper's license shall be revoked in accordance with  
9 the provisions of Article VII of this Act. If a licensee fails  
10 to properly register and remit tax under the Use Tax Act or the  
11 Retailers' Occupation Tax Act for all wine that is sold by the  
12 winery shipper and shipped to persons in this State, the winery  
13 shipper's license shall be revoked in accordance with the  
14 provisions of Article VII of this Act.

15 A winery shipper licensee must collect, maintain, and  
16 submit to the Commission on a semi-annual basis the total  
17 number of cases per resident of wine shipped to residents of  
18 this State. A winery shipper licensed under this subsection (r)  
19 must comply with the requirements of Section 6-29 of this  
20 amendatory Act.

21 (Source: P.A. 97-5, eff. 6-1-11; 97-455, eff. 8-19-11; 97-813,  
22 eff. 7-13-12; 97-1166, eff. 3-1-13; 98-394, eff. 8-16-13;  
23 98-401, eff. 8-16-13; 98-756, eff. 7-16-14.)

24 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

25 Sec. 6-30. Notwithstanding any other provision of this Act,

1 the Illinois Gaming Board shall have exclusive authority to  
2 establish the hours for sale and consumption of alcoholic  
3 liquor on board a riverboat during riverboat gambling  
4 excursions conducted in accordance with the Riverboat and  
5 Land-based Gambling Act.

6 (Source: P.A. 87-826.)

7 Section 50. The Illinois Public Aid Code is amended by  
8 changing Section 10-17.15 as follows:

9 (305 ILCS 5/10-17.15)

10 Sec. 10-17.15. Certification of information to State  
11 gaming licensees.

12 (a) For purposes of this Section, "State gaming licensee"  
13 means, as applicable, an organization licensee or advance  
14 deposit wagering licensee licensed under the Illinois Horse  
15 Racing Act of 1975, an owners licensee licensed under the  
16 Riverboat and Land-based Gambling Act, or a licensee that  
17 operates, under any law of this State, one or more facilities  
18 or gaming locations at which lawful gambling is authorized and  
19 licensed as provided in the Riverboat and Land-based Gambling  
20 Act.

21 (b) The Department may provide, by rule, for certification  
22 to any State gaming licensee of past due child support owed by  
23 a responsible relative under a support order entered by a court  
24 or administrative body of this or any other State on behalf of

1 a resident or non-resident receiving child support services  
2 under this Article in accordance with the requirements of Title  
3 IV-D, Part D, of the Social Security Act. The State gaming  
4 licensee shall have the ability to withhold from winnings  
5 required to be reported to the Internal Revenue Service on Form  
6 W-2G, up to the full amount of winnings necessary to pay the  
7 winner's past due child support. The rule shall provide for  
8 notice to and an opportunity to be heard by each responsible  
9 relative affected and any final administrative decision  
10 rendered by the Department shall be reviewed only under and in  
11 accordance with the Administrative Review Law.

12 (c) For withholding of winnings, the State gaming licensee  
13 shall be entitled to an administrative fee not to exceed the  
14 lesser of 4% of the total amount of cash winnings paid to the  
15 gambling winner or \$150.

16 (d) In no event may the total amount withheld from the cash  
17 payout, including the administrative fee, exceed the total cash  
18 winnings claimed by the obligor. If the cash payout claimed is  
19 greater than the amount sufficient to satisfy the obligor's  
20 delinquent child support payments, the State gaming licensee  
21 shall pay the obligor the remaining balance of the payout, less  
22 the administrative fee authorized by subsection (c) of this  
23 Section, at the time it is claimed.

24 (e) A State gaming licensee who in good faith complies with  
25 the requirements of this Section shall not be liable to the  
26 gaming winner or any other individual or entity.



1 (Source: P.A. 98-318, eff. 8-12-13.)

2 Section 55. The Firearm Concealed Carry Act is amended by  
3 changing Section 65 as follows:

4 (430 ILCS 66/65)

5 Sec. 65. Prohibited areas.

6 (a) A licensee under this Act shall not knowingly carry a  
7 firearm on or into:

8 (1) Any building, real property, and parking area under  
9 the control of a public or private elementary or secondary  
10 school.

11 (2) Any building, real property, and parking area under  
12 the control of a pre-school or child care facility,  
13 including any room or portion of a building under the  
14 control of a pre-school or child care facility. Nothing in  
15 this paragraph shall prevent the operator of a child care  
16 facility in a family home from owning or possessing a  
17 firearm in the home or license under this Act, if no child  
18 under child care at the home is present in the home or the  
19 firearm in the home is stored in a locked container when a  
20 child under child care at the home is present in the home.

21 (3) Any building, parking area, or portion of a  
22 building under the control of an officer of the executive  
23 or legislative branch of government, provided that nothing  
24 in this paragraph shall prohibit a licensee from carrying a

1           concealed firearm onto the real property, bikeway, or trail  
2           in a park regulated by the Department of Natural Resources  
3           or any other designated public hunting area or building  
4           where firearm possession is permitted as established by the  
5           Department of Natural Resources under Section 1.8 of the  
6           Wildlife Code.

7           (4) Any building designated for matters before a  
8           circuit court, appellate court, or the Supreme Court, or  
9           any building or portion of a building under the control of  
10          the Supreme Court.

11          (5) Any building or portion of a building under the  
12          control of a unit of local government.

13          (6) Any building, real property, and parking area under  
14          the control of an adult or juvenile detention or  
15          correctional institution, prison, or jail.

16          (7) Any building, real property, and parking area under  
17          the control of a public or private hospital or hospital  
18          affiliate, mental health facility, or nursing home.

19          (8) Any bus, train, or form of transportation paid for  
20          in whole or in part with public funds, and any building,  
21          real property, and parking area under the control of a  
22          public transportation facility paid for in whole or in part  
23          with public funds.

24          (9) Any building, real property, and parking area under  
25          the control of an establishment that serves alcohol on its  
26          premises, if more than 50% of the establishment's gross

1 receipts within the prior 3 months is from the sale of  
2 alcohol. The owner of an establishment who knowingly fails  
3 to prohibit concealed firearms on its premises as provided  
4 in this paragraph or who knowingly makes a false statement  
5 or record to avoid the prohibition on concealed firearms  
6 under this paragraph is subject to the penalty under  
7 subsection (c-5) of Section 10-1 of the Liquor Control Act  
8 of 1934.

9 (10) Any public gathering or special event conducted on  
10 property open to the public that requires the issuance of a  
11 permit from the unit of local government, provided this  
12 prohibition shall not apply to a licensee who must walk  
13 through a public gathering in order to access his or her  
14 residence, place of business, or vehicle.

15 (11) Any building or real property that has been issued  
16 a Special Event Retailer's license as defined in Section  
17 1-3.17.1 of the Liquor Control Act during the time  
18 designated for the sale of alcohol by the Special Event  
19 Retailer's license, or a Special use permit license as  
20 defined in subsection (q) of Section 5-1 of the Liquor  
21 Control Act during the time designated for the sale of  
22 alcohol by the Special use permit license.

23 (12) Any public playground.

24 (13) Any public park, athletic area, or athletic  
25 facility under the control of a municipality or park  
26 district, provided nothing in this Section shall prohibit a

1 licensee from carrying a concealed firearm while on a trail  
2 or bikeway if only a portion of the trail or bikeway  
3 includes a public park.

4 (14) Any real property under the control of the Cook  
5 County Forest Preserve District.

6 (15) Any building, classroom, laboratory, medical  
7 clinic, hospital, artistic venue, athletic venue,  
8 entertainment venue, officially recognized  
9 university-related organization property, whether owned or  
10 leased, and any real property, including parking areas,  
11 sidewalks, and common areas under the control of a public  
12 or private community college, college, or university.

13 (16) Any building, real property, or parking area under  
14 the control of a gaming facility licensed under the  
15 Riverboat and Land-based Gambling Act or the Illinois Horse  
16 Racing Act of 1975, including an inter-track wagering  
17 location licensee.

18 (17) Any stadium, arena, or the real property or  
19 parking area under the control of a stadium, arena, or any  
20 collegiate or professional sporting event.

21 (18) Any building, real property, or parking area under  
22 the control of a public library.

23 (19) Any building, real property, or parking area under  
24 the control of an airport.

25 (20) Any building, real property, or parking area under  
26 the control of an amusement park.

1           (21) Any building, real property, or parking area under  
2 the control of a zoo or museum.

3           (22) Any street, driveway, parking area, property,  
4 building, or facility, owned, leased, controlled, or used  
5 by a nuclear energy, storage, weapons, or development site  
6 or facility regulated by the federal Nuclear Regulatory  
7 Commission. The licensee shall not under any circumstance  
8 store a firearm or ammunition in his or her vehicle or in a  
9 compartment or container within a vehicle located anywhere  
10 in or on the street, driveway, parking area, property,  
11 building, or facility described in this paragraph.

12           (23) Any area where firearms are prohibited under  
13 federal law.

14           (a-5) Nothing in this Act shall prohibit a public or  
15 private community college, college, or university from:

16           (1) prohibiting persons from carrying a firearm within  
17 a vehicle owned, leased, or controlled by the college or  
18 university;

19           (2) developing resolutions, regulations, or policies  
20 regarding student, employee, or visitor misconduct and  
21 discipline, including suspension and expulsion;

22           (3) developing resolutions, regulations, or policies  
23 regarding the storage or maintenance of firearms, which  
24 must include designated areas where persons can park  
25 vehicles that carry firearms; and

26           (4) permitting the carrying or use of firearms for the

1           purpose of instruction and curriculum of officially  
2           recognized programs, including but not limited to military  
3           science and law enforcement training programs, or in any  
4           designated area used for hunting purposes or target  
5           shooting.

6           (a-10) The owner of private real property of any type may  
7           prohibit the carrying of concealed firearms on the property  
8           under his or her control. The owner must post a sign in  
9           accordance with subsection (d) of this Section indicating that  
10          firearms are prohibited on the property, unless the property is  
11          a private residence.

12          (b) Notwithstanding subsections (a), (a-5), and (a-10) of  
13          this Section except under paragraph (22) or (23) of subsection  
14          (a), any licensee prohibited from carrying a concealed firearm  
15          into the parking area of a prohibited location specified in  
16          subsection (a), (a-5), or (a-10) of this Section shall be  
17          permitted to carry a concealed firearm on or about his or her  
18          person within a vehicle into the parking area and may store a  
19          firearm or ammunition concealed in a case within a locked  
20          vehicle or locked container out of plain view within the  
21          vehicle in the parking area. A licensee may carry a concealed  
22          firearm in the immediate area surrounding his or her vehicle  
23          within a prohibited parking lot area only for the limited  
24          purpose of storing or retrieving a firearm within the vehicle's  
25          trunk, provided the licensee ensures the concealed firearm is  
26          unloaded prior to exiting the vehicle. For purposes of this

1 subsection, "case" includes a glove compartment or console that  
2 completely encloses the concealed firearm or ammunition, the  
3 trunk of the vehicle, or a firearm carrying box, shipping box,  
4 or other container.

5 (c) A licensee shall not be in violation of this Section  
6 while he or she is traveling along a public right of way that  
7 touches or crosses any of the premises under subsection (a),  
8 (a-5), or (a-10) of this Section if the concealed firearm is  
9 carried on his or her person in accordance with the provisions  
10 of this Act or is being transported in a vehicle by the  
11 licensee in accordance with all other applicable provisions of  
12 law.

13 (d) Signs stating that the carrying of firearms is  
14 prohibited shall be clearly and conspicuously posted at the  
15 entrance of a building, premises, or real property specified in  
16 this Section as a prohibited area, unless the building or  
17 premises is a private residence. Signs shall be of a uniform  
18 design as established by the Department and shall be 4 inches  
19 by 6 inches in size. The Department shall adopt rules for  
20 standardized signs to be used under this subsection.

21 (Source: P.A. 98-63, eff. 7-9-13.)

22 Section 60. The Criminal Code of 2012 is amended by  
23 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as  
24 follows:

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

2 Sec. 28-1. Gambling.

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

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

7 (2) knowingly makes a wager upon the result of any  
8 game, contest, or any political nomination, appointment or  
9 election;

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

13 (4) contracts to have or give himself or herself or  
14 another the option to buy or sell, or contracts to buy or  
15 sell, at a future time, any grain or other commodity  
16 whatsoever, or any stock or security of any company, where  
17 it is at the time of making such contract intended by both  
18 parties thereto that the contract to buy or sell, or the  
19 option, whenever exercised, or the contract resulting  
20 therefrom, shall be settled, not by the receipt or delivery  
21 of such property, but by the payment only of differences in  
22 prices thereof; however, the issuance, purchase, sale,  
23 exercise, endorsement or guarantee, by or through a person  
24 registered with the Secretary of State pursuant to Section  
25 8 of the Illinois Securities Law of 1953, or by or through  
26 a person exempt from such registration under said Section



1           8, of a put, call, or other option to buy or sell  
2 securities which have been registered with the Secretary of  
3 State or which are exempt from such registration under  
4 Section 3 of the Illinois Securities Law of 1953 is not  
5 gambling within the meaning of this paragraph (4);

6           (5) knowingly owns or possesses any book, instrument or  
7 apparatus by means of which bets or wagers have been, or  
8 are, recorded or registered, or knowingly possesses any  
9 money which he has received in the course of a bet or  
10 wager;

11           (6) knowingly sells pools upon the result of any game  
12 or contest of skill or chance, political nomination,  
13 appointment or election;

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

17           (8) knowingly sets up or promotes any policy game or  
18 sells, offers to sell or knowingly possesses or transfers  
19 any policy ticket, slip, record, document or other similar  
20 device;

21           (9) knowingly drafts, prints or publishes any lottery  
22 ticket or share, or any policy ticket, slip, record,  
23 document or similar device, except for such activity  
24 related to lotteries, bingo games and raffles authorized by  
25 and conducted in accordance with the laws of Illinois or  
26 any other state or foreign government;

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

5           (11) knowingly transmits information as to wagers,  
6           betting odds, or changes in betting odds by telephone,  
7           telegraph, radio, semaphore or similar means; or knowingly  
8           installs or maintains equipment for the transmission or  
9           receipt of such information; except that nothing in this  
10          subdivision (11) prohibits transmission or receipt of such  
11          information for use in news reporting of sporting events or  
12          contests; or

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

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

23                 (1) Agreements to compensate for loss caused by the  
24                 happening of chance including without limitation contracts  
25                 of indemnity or guaranty and life or health or accident  
26                 insurance.

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

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

7           (4) Manufacture of gambling devices, including the  
8 acquisition of essential parts therefor and the assembly  
9 thereof, for transportation in interstate or foreign  
10 commerce to any place outside this State when such  
11 transportation is not prohibited by any applicable Federal  
12 law; or the manufacture, distribution, or possession of  
13 video gaming terminals, as defined in the Video Gaming Act,  
14 by manufacturers, distributors, and terminal operators  
15 licensed to do so under the Video Gaming Act.

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

18           (6) Lotteries when conducted by the State of Illinois  
19 in accordance with the Illinois Lottery Law. This exemption  
20 includes any activity conducted by the Department of  
21 Revenue to sell lottery tickets pursuant to the provisions  
22 of the Illinois Lottery Law and its rules.

23           (6.1) The purchase of lottery tickets through the  
24 Internet for a lottery conducted by the State of Illinois  
25 under the program established in Section 7.12 of the  
26 Illinois Lottery Law.

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

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

8           (9) Charitable games when conducted in accordance with  
9 the Charitable Games Act.

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

12          (11) Gambling games conducted on riverboats and in  
13 land-based gambling facilities when authorized by the  
14 Riverboat and Land-based Gambling Act.

15          (12) Video gaming terminal games at a licensed  
16 establishment, licensed truck stop establishment, licensed  
17 fraternal establishment, or licensed veterans  
18 establishment when conducted in accordance with the Video  
19 Gaming Act.

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

23          (c) Sentence.

24          Gambling is a Class A misdemeanor. A second or subsequent  
25 conviction under subsections (a)(3) through (a)(12), is a Class  
26 4 felony.

1 (d) Circumstantial evidence.

2 In prosecutions under this Section circumstantial evidence  
3 shall have the same validity and weight as in any criminal  
4 prosecution.

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

6 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

7 Sec. 28-1.1. Syndicated gambling.

8 (a) Declaration of Purpose. Recognizing the close  
9 relationship between professional gambling and other organized  
10 crime, it is declared to be the policy of the legislature to  
11 restrain persons from engaging in the business of gambling for  
12 profit in this State. This Section shall be liberally construed  
13 and administered with a view to carrying out this policy.

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

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

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

23 (2) written "policy game" records, made or used over  
24 any period of time, from a person other than the bettor or  
25 player whose bets or plays are represented by the written

1 record.

2 (d) A person engages in bookmaking when he or she knowingly  
3 receives or accepts more than five bets or wagers upon the  
4 result of any trials or contests of skill, speed or power of  
5 endurance or upon any lot, chance, casualty, unknown or  
6 contingent event whatsoever, which bets or wagers shall be of  
7 such size that the total of the amounts of money paid or  
8 promised to be paid to the bookmaker on account thereof shall  
9 exceed \$2,000. Bookmaking is the receiving or accepting of bets  
10 or wagers regardless of the form or manner in which the  
11 bookmaker records them.

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

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

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

22 (3) Pari-mutuel betting as authorized by law of this  
23 State;

24 (4) Manufacture of gambling devices, including the  
25 acquisition of essential parts therefor and the assembly  
26 thereof, for transportation in interstate or foreign

1 commerce to any place outside this State when the  
2 transportation is not prohibited by any applicable Federal  
3 law;

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

6 (6) Gambling games conducted on riverboats and in  
7 land-based gambling facilities when authorized by the  
8 Riverboat and Land-based Gambling Act; and

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

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

16 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

17 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is  
18 any real estate, vehicle, boat or any other property whatsoever  
19 used for the purposes of gambling other than gambling conducted  
20 in the manner authorized by the Riverboat and Land-based  
21 Gambling Act or the Video Gaming Act. Any person who knowingly  
22 permits any premises or property owned or occupied by him or  
23 under his control to be used as a gambling place commits a  
24 Class A misdemeanor. Each subsequent offense is a Class 4  
25 felony. When any premises is determined by the circuit court to

1 be a gambling place:

2 (a) Such premises is a public nuisance and may be proceeded  
3 against as such, and

4 (b) All licenses, permits or certificates issued by the  
5 State of Illinois or any subdivision or public agency thereof  
6 authorizing the serving of food or liquor on such premises  
7 shall be void; and no license, permit or certificate so  
8 cancelled shall be reissued for such premises for a period of  
9 60 days thereafter; nor shall any person convicted of keeping a  
10 gambling place be reissued such license for one year from his  
11 conviction and, after a second conviction of keeping a gambling  
12 place, any such person shall not be reissued such license, and

13 (c) Such premises of any person who knowingly permits  
14 thereon a violation of any Section of this Article shall be  
15 held liable for, and may be sold to pay any unsatisfied  
16 judgment that may be recovered and any unsatisfied fine that  
17 may be levied under any Section of this Article.

18 (Source: P.A. 96-34, eff. 7-13-09.)

19 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

20 Sec. 28-5. Seizure of gambling devices and gambling funds.

21 (a) Every device designed for gambling which is incapable  
22 of lawful use or every device used unlawfully for gambling  
23 shall be considered a "gambling device", and shall be subject  
24 to seizure, confiscation and destruction by the Department of  
25 State Police or by any municipal, or other local authority,



1 within whose jurisdiction the same may be found. As used in  
2 this Section, a "gambling device" includes any slot machine,  
3 and includes any machine or device constructed for the  
4 reception of money or other thing of value and so constructed  
5 as to return, or to cause someone to return, on chance to the  
6 player thereof money, property or a right to receive money or  
7 property. With the exception of any device designed for  
8 gambling which is incapable of lawful use, no gambling device  
9 shall be forfeited or destroyed unless an individual with a  
10 property interest in said device knows of the unlawful use of  
11 the device.

12 (b) Every gambling device shall be seized and forfeited to  
13 the county wherein such seizure occurs. Any money or other  
14 thing of value integrally related to acts of gambling shall be  
15 seized and forfeited to the county wherein such seizure occurs.

16 (c) If, within 60 days after any seizure pursuant to  
17 subparagraph (b) of this Section, a person having any property  
18 interest in the seized property is charged with an offense, the  
19 court which renders judgment upon such charge shall, within 30  
20 days after such judgment, conduct a forfeiture hearing to  
21 determine whether such property was a gambling device at the  
22 time of seizure. Such hearing shall be commenced by a written  
23 petition by the State, including material allegations of fact,  
24 the name and address of every person determined by the State to  
25 have any property interest in the seized property, a  
26 representation that written notice of the date, time and place

1 of such hearing has been mailed to every such person by  
2 certified mail at least 10 days before such date, and a request  
3 for forfeiture. Every such person may appear as a party and  
4 present evidence at such hearing. The quantum of proof required  
5 shall be a preponderance of the evidence, and the burden of  
6 proof shall be on the State. If the court determines that the  
7 seized property was a gambling device at the time of seizure,  
8 an order of forfeiture and disposition of the seized property  
9 shall be entered: a gambling device shall be received by the  
10 State's Attorney, who shall effect its destruction, except that  
11 valuable parts thereof may be liquidated and the resultant  
12 money shall be deposited in the general fund of the county  
13 wherein such seizure occurred; money and other things of value  
14 shall be received by the State's Attorney and, upon  
15 liquidation, shall be deposited in the general fund of the  
16 county wherein such seizure occurred. However, in the event  
17 that a defendant raises the defense that the seized slot  
18 machine is an antique slot machine described in subparagraph  
19 (b) (7) of Section 28-1 of this Code and therefore he is exempt  
20 from the charge of a gambling activity participant, the seized  
21 antique slot machine shall not be destroyed or otherwise  
22 altered until a final determination is made by the Court as to  
23 whether it is such an antique slot machine. Upon a final  
24 determination by the Court of this question in favor of the  
25 defendant, such slot machine shall be immediately returned to  
26 the defendant. Such order of forfeiture and disposition shall,

1 for the purposes of appeal, be a final order and judgment in a  
2 civil proceeding.

3 (d) If a seizure pursuant to subparagraph (b) of this  
4 Section is not followed by a charge pursuant to subparagraph  
5 (c) of this Section, or if the prosecution of such charge is  
6 permanently terminated or indefinitely discontinued without  
7 any judgment of conviction or acquittal (1) the State's  
8 Attorney shall commence an in rem proceeding for the forfeiture  
9 and destruction of a gambling device, or for the forfeiture and  
10 deposit in the general fund of the county of any seized money  
11 or other things of value, or both, in the circuit court and (2)  
12 any person having any property interest in such seized gambling  
13 device, money or other thing of value may commence separate  
14 civil proceedings in the manner provided by law.

15 (e) Any gambling device displayed for sale to a riverboat  
16 gambling operation or land-based gambling operation or used to  
17 train occupational licensees of a riverboat gambling operation  
18 or land-based gambling operation as authorized under the  
19 Riverboat and Land-based Gambling Act is exempt from seizure  
20 under this Section.

21 (f) Any gambling equipment, devices and supplies provided  
22 by a licensed supplier in accordance with the Riverboat and  
23 Land-based Gambling Act which are removed from the riverboat or  
24 land-based gambling facility for repair are exempt from seizure  
25 under this Section.

26 (g) The following video gaming terminals are exempt from

1 seizure under this Section:

2 (1) Video gaming terminals for sale to a licensed  
3 distributor or operator under the Video Gaming Act.

4 (2) Video gaming terminals used to train licensed  
5 technicians or licensed terminal handlers.

6 (3) Video gaming terminals that are removed from a  
7 licensed establishment, licensed truck stop establishment,  
8 licensed fraternal establishment, or licensed veterans  
9 establishment for repair.

10 (Source: P.A. 98-31, eff. 6-24-13.)

11 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

12 Sec. 28-7. Gambling contracts void.

13 (a) All promises, notes, bills, bonds, covenants,  
14 contracts, agreements, judgments, mortgages, or other  
15 securities or conveyances made, given, granted, drawn, or  
16 entered into, or executed by any person whatsoever, where the  
17 whole or any part of the consideration thereof is for any money  
18 or thing of value, won or obtained in violation of any Section  
19 of this Article are null and void.

20 (b) Any obligation void under this Section may be set aside  
21 and vacated by any court of competent jurisdiction, upon a  
22 complaint filed for that purpose, by the person so granting,  
23 giving, entering into, or executing the same, or by his  
24 executors or administrators, or by any creditor, heir, legatee,  
25 purchaser or other person interested therein; or if a judgment,

1 the same may be set aside on motion of any person stated above,  
2 on due notice thereof given.

3 (c) No assignment of any obligation void under this Section  
4 may in any manner affect the defense of the person giving,  
5 granting, drawing, entering into or executing such obligation,  
6 or the remedies of any person interested therein.

7 (d) This Section shall not prevent a licensed owner of a  
8 riverboat gambling operation or land-based gambling operation  
9 from instituting a cause of action to collect any amount due  
10 and owing under an extension of credit to a riverboat or  
11 land-based gambling facility ~~gambling~~ patron as authorized  
12 under the Riverboat and Land-based Gambling Act.

13 (Source: P.A. 87-826.)

14 Section 65. The Payday Loan Reform Act is amended by  
15 changing Section 3-5 as follows:

16 (815 ILCS 122/3-5)

17 Sec. 3-5. Licensure.

18 (a) A license to make a payday loan shall state the  
19 address, including city and state, at which the business is to  
20 be conducted and shall state fully the name of the licensee.  
21 The license shall be conspicuously posted in the place of  
22 business of the licensee and shall not be transferable or  
23 assignable.

24 (b) An application for a license shall be in writing and in

1 a form prescribed by the Secretary. The Secretary may not issue  
2 a payday loan license unless and until the following findings  
3 are made:

4 (1) that the financial responsibility, experience,  
5 character, and general fitness of the applicant are such as  
6 to command the confidence of the public and to warrant the  
7 belief that the business will be operated lawfully and  
8 fairly and within the provisions and purposes of this Act;  
9 and

10 (2) that the applicant has submitted such other  
11 information as the Secretary may deem necessary.

12 (c) A license shall be issued for no longer than one year,  
13 and no renewal of a license may be provided if a licensee has  
14 substantially violated this Act and has not cured the violation  
15 to the satisfaction of the Department.

16 (d) A licensee shall appoint, in writing, the Secretary as  
17 attorney-in-fact upon whom all lawful process against the  
18 licensee may be served with the same legal force and validity  
19 as if served on the licensee. A copy of the written  
20 appointment, duly certified, shall be filed in the office of  
21 the Secretary, and a copy thereof certified by the Secretary  
22 shall be sufficient evidence to subject a licensee to  
23 jurisdiction in a court of law. This appointment shall remain  
24 in effect while any liability remains outstanding in this State  
25 against the licensee. When summons is served upon the Secretary  
26 as attorney-in-fact for a licensee, the Secretary shall

1 immediately notify the licensee by registered mail, enclosing  
2 the summons and specifying the hour and day of service.

3 (e) A licensee must pay an annual fee of \$1,000. In  
4 addition to the license fee, the reasonable expense of any  
5 examination or hearing by the Secretary under any provisions of  
6 this Act shall be borne by the licensee. If a licensee fails to  
7 renew its license by December 31, its license shall  
8 automatically expire; however, the Secretary, in his or her  
9 discretion, may reinstate an expired license upon:

10 (1) payment of the annual fee within 30 days of the  
11 date of expiration; and

12 (2) proof of good cause for failure to renew.

13 (f) Not more than one place of business shall be maintained  
14 under the same license, but the Secretary may issue more than  
15 one license to the same licensee upon compliance with all the  
16 provisions of this Act governing issuance of a single license.  
17 The location, except those locations already in existence as of  
18 June 1, 2005, may not be within one mile of a horse race track  
19 subject to the Illinois Horse Racing Act of 1975, within one  
20 mile of a facility at which gambling is conducted under the  
21 Riverboat and Land-based Gambling Act, within one mile of the  
22 location at which a riverboat subject to the Riverboat and  
23 Land-based Gambling Act docks, or within one mile of any State  
24 of Illinois or United States military base or naval  
25 installation.

26 (g) No licensee shall conduct the business of making loans

1 under this Act within any office, suite, room, or place of  
2 business in which (1) any loans are offered or made under the  
3 Consumer Installment Loan Act other than title secured loans as  
4 defined in subsection (a) of Section 15 of the Consumer  
5 Installment Loan Act and governed by Title 38, Section 110.330  
6 of the Illinois Administrative Code or (2) any other business  
7 is solicited or engaged in unless the other business is  
8 licensed by the Department or, in the opinion of the Secretary,  
9 the other business would not be contrary to the best interests  
10 of consumers and is authorized by the Secretary in writing.

11 (g-5) Notwithstanding subsection (g) of this Section, a  
12 licensee may obtain a license under the Consumer Installment  
13 Loan Act (CILA) for the exclusive purpose and use of making  
14 title secured loans, as defined in subsection (a) of Section 15  
15 of CILA and governed by Title 38, Section 110.300 of the  
16 Illinois Administrative Code. A licensee may continue to  
17 service Consumer Installment Loan Act loans that were  
18 outstanding as of the effective date of this amendatory Act of  
19 the 96th General Assembly.

20 (h) The Secretary shall maintain a list of licensees that  
21 shall be available to interested consumers and lenders and the  
22 public. The Secretary shall maintain a toll-free number whereby  
23 consumers may obtain information about licensees. The  
24 Secretary shall also establish a complaint process under which  
25 an aggrieved consumer may file a complaint against a licensee  
26 or non-licensee who violates any provision of this Act.



1 (Source: P.A. 96-936, eff. 3-21-11.)

2 Section 70. The Travel Promotion Consumer Protection Act is  
3 amended by changing Section 2 as follows:

4 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

5 Sec. 2. Definitions.

6 (a) "Travel promoter" means a person, including a tour  
7 operator, who sells, provides, furnishes, contracts for,  
8 arranges or advertises that he or she will arrange wholesale or  
9 retail transportation by air, land, sea or navigable stream,  
10 either separately or in conjunction with other services.  
11 "Travel promoter" does not include (1) an air carrier; (2) a  
12 sea carrier; (3) an officially appointed agent of an air  
13 carrier who is a member in good standing of the Airline  
14 Reporting Corporation; (4) a travel promoter who has in force  
15 \$1,000,000 or more of liability insurance coverage for  
16 professional errors and omissions and a surety bond or  
17 equivalent surety in the amount of \$100,000 or more for the  
18 benefit of consumers in the event of a bankruptcy on the part  
19 of the travel promoter; or (5) a riverboat subject to  
20 regulation under the Riverboat and Land-based Gambling Act.

21 (b) "Advertise" means to make any representation in the  
22 solicitation of passengers and includes communication with  
23 other members of the same partnership, corporation, joint  
24 venture, association, organization, group or other entity.

1           (c) "Passenger" means a person on whose behalf money or  
2 other consideration has been given or is to be given to  
3 another, including another member of the same partnership,  
4 corporation, joint venture, association, organization, group  
5 or other entity, for travel.

6           (d) "Ticket or voucher" means a writing or combination of  
7 writings which is itself good and sufficient to obtain  
8 transportation and other services for which the passenger has  
9 contracted.

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

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2	Statutes amended in order of appearance	
3	20 ILCS 301/5-20	
4	20 ILCS 2505/2505-305	was 20 ILCS 2505/39b15.1
5	30 ILCS 105/6z-45	
6	70 ILCS 1825/5.1	from Ch. 19, par. 255.1
7	205 ILCS 670/12.5	
8	230 ILCS 5/54	
9	230 ILCS 5/54.75	
10	230 ILCS 10/1	from Ch. 120, par. 2401
11	230 ILCS 10/2	from Ch. 120, par. 2402
12	230 ILCS 10/3	from Ch. 120, par. 2403
13	230 ILCS 10/4	from Ch. 120, par. 2404
14	230 ILCS 10/5	from Ch. 120, par. 2405
15	230 ILCS 10/5.1	from Ch. 120, par. 2405.1
16	230 ILCS 10/6	from Ch. 120, par. 2406
17	230 ILCS 10/7	from Ch. 120, par. 2407
18	230 ILCS 10/7.1	
19	230 ILCS 10/7.3	
20	230 ILCS 10/7.4	
21	230 ILCS 10/8	from Ch. 120, par. 2408
22	230 ILCS 10/9	from Ch. 120, par. 2409
23	230 ILCS 10/11	from Ch. 120, par. 2411
24	230 ILCS 10/11.1	from Ch. 120, par. 2411.1
25	230 ILCS 10/11.2	

1	230 ILCS 10/12	from Ch. 120, par. 2412
2	230 ILCS 10/13	from Ch. 120, par. 2413
3	230 ILCS 10/18	from Ch. 120, par. 2418
4	230 ILCS 10/19	from Ch. 120, par. 2419
5	230 ILCS 10/20	from Ch. 120, par. 2420
6	230 ILCS 10/24	
7	230 ILCS 40/5	
8	230 ILCS 40/25	
9	230 ILCS 40/45	
10	230 ILCS 40/79	
11	230 ILCS 40/80	
12	235 ILCS 5/5-1	from Ch. 43, par. 115
13	235 ILCS 5/6-30	from Ch. 43, par. 144f
14	305 ILCS 5/10-17.15	
15	430 ILCS 66/65	
16	720 ILCS 5/28-1	from Ch. 38, par. 28-1
17	720 ILCS 5/28-1.1	from Ch. 38, par. 28-1.1
18	720 ILCS 5/28-3	from Ch. 38, par. 28-3
19	720 ILCS 5/28-5	from Ch. 38, par. 28-5
20	720 ILCS 5/28-7	from Ch. 38, par. 28-7
21	815 ILCS 122/3-5	
22	815 ILCS 420/2	from Ch. 121 1/2, par. 1852