

SB1723



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1723

Introduced 2/20/2015, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

230 ILCS 40/5

Amends the Video Gaming Act. Provides that after the effective date of the Act, "licensed truck stop establishment" means a facility capable of supporting 25 18-wheel tractor-trailers that sells at retail more than 50,000 gallons of diesel or biodiesel fuel per month, which meets at least 4 of the following criteria: (A) a separate truckers' television lounge; (B) a full-service laundry facility located in a convenient area for truckers' use; (C) private showers for men and women not located in an area open to the general public; (D) a convenience store with supplies commonly used only by commercial motor vehicle drivers, commonly referred to as truckers' supplies; (E) truck scales; (F) separate truckers' telephones; and (G) permanent storage facilities for fuel.

LRB099 09282 MLM 29486 b

FISCAL 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 Video Gaming Act is amended by changing
5 Section 5 as follows:

6 (230 ILCS 40/5)

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

8 "Board" means the Illinois Gaming Board.

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

11 "Commercial motor vehicles" has the same meaning as defined
12 in Section 18b-101 of the Illinois Vehicle Code.

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

18 "Electronic card" means a card purchased from a licensed
19 establishment, licensed fraternal establishment, licensed
20 veterans establishment, or licensed truck stop establishment
21 for use in that establishment as a substitute for cash in the
22 conduct of gaming on a video gaming terminal.

23 "Electronic voucher" means a voucher printed by an

1 electronic video game machine that is redeemable in the
2 licensed establishment for which it was issued.

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

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

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

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

26 "Supplier" means an individual, partnership, corporation,

1 or limited liability company that is licensed under this Act to
2 supply major components or parts to video gaming terminals to
3 licensed terminal operators.

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

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

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

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

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

16 "Licensed fraternal establishment" means the location
17 where a qualified fraternal organization that derives its
18 charter from a national fraternal organization regularly
19 meets.

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

23 "Licensed truck stop establishment" means: (1) for
24 licenses issued or renewed on or before the effective date of
25 the 99th General Assembly, a facility (i) that is at least a
26 3-acre facility with a convenience store, (ii) with separate

1 diesel islands for fueling commercial motor vehicles, (iii)
2 that sells at retail more than 10,000 gallons of diesel or
3 biodiesel fuel per month, and (iv) with parking spaces for
4 commercial motor vehicles; and (2) for licenses issued or
5 renewed after the effective date of this amendatory Act of the
6 99th General Assembly, "licensed truck stop establishment"
7 means a facility (i) that is at least a 3-acre facility with a
8 convenience store, (ii) with separate diesel islands for
9 fueling commercial motor vehicles located in a separate fueling
10 area that is accessible through a dedicated entrance, (iii)
11 that sells at retail more than 50,000 gallons of diesel or
12 biodiesel fuel per month, (iv) with a parking area for 25 or
13 more 18-wheel tractor-trailer motor vehicles that is paved with
14 asphalt or concrete or gravelled in order to support 18-wheel
15 tractor-trailer motor vehicles and their loads, constructed
16 according to industry specifications, which does not include
17 parking areas for other vehicles around business entrance ways
18 and exits, and (v) which meets at least 4 of the following
19 criteria: (A) a separate truckers' television lounge; (B) a
20 full-service laundry facility located in a convenient area for
21 truckers' use; (C) private showers for men and women not
22 located in an area open to the general public; (D) a
23 convenience store with supplies commonly used only by
24 commercial motor vehicle drivers, commonly referred to as
25 truckers' supplies; (E) truck scales; (F) separate truckers'
26 telephones; and (G) permanent storage facilities for fuel. The

1 requirement of demonstrating sales volume may be met by showing
2 estimated future sales or past sales averages per month.

3 ~~"Commercial motor vehicles" has the same meaning as defined~~
4 ~~in Section 18b-101 of the Illinois Vehicle Code.~~

5 ~~The requirement of item (iii) of this paragraph may be met~~
6 ~~by showing that estimated future sales or past sales average at~~
7 ~~least 10,000 gallons per month.~~

8 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;
9 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; 98-756, eff.
10 7-16-14.)