



Sen. Ira I. Silverstein

Filed: 2/15/2006

09400SB2998sam001

LRB094 19082 AMC 56053 a

1 AMENDMENT TO SENATE BILL 2998

2 AMENDMENT NO. _____. Amend Senate Bill 2998, on page 1, by
3 replacing line 1 with the following:

4 "AN ACT concerning gaming."; and

5 on page one, immediately below line 3, by inserting the
6 following:

7 "Article 5"; and

8 on page 1, line 4, by replacing "Section 1." with "Section
9 5-1."; and

10 on page 2, line 5, by replacing "Section 5." with "Section
11 5-5."; and

12 on page 16, by replacing lines 22 and 23 with the following:

13 "Article 10

14 Section 10-5. The Illinois Pull Tabs and Jar Games Act is
15 amended by changing Sections 1.1, 2, 3, 5, and 6 and by adding
16 Section 4.1 as follows:

17 (230 ILCS 20/1.1) (from Ch. 120, par. 1051.1)

18 Sec. 1.1. Definitions. As used in this Act:

1 "Pull tabs" and "jar games" means a game using
2 single-folded or banded tickets or a card, the face of which is
3 initially covered or otherwise hidden from view in order to
4 conceal a number, symbol or set of symbols, some of which are
5 winners. Players with winning tickets receive a prize stated on
6 a promotional display or "flare". Pull tabs also means a game
7 in which prizes are won by pulling a tab from a board thereby
8 revealing a number which corresponds to the number for a given
9 prize.

10 Each winning pull tab or slip shall be predetermined. The
11 right to participate in such games shall not cost more than \$2.
12 No single prize shall exceed \$500. There shall be no more than
13 6,000 tickets in a game.

14 "Pull tabs and jar games", as used in this Act, does not
15 include the following: numbers, policy, bolita or similar
16 games, dice, slot machines, bookmaking and wagering pools with
17 respect to a sporting event, or that game commonly known as
18 punch boards, or any other game or activity not expressly
19 defined in this Section.

20 "Organization" means a corporation, agency, partnership,
21 association, firm or other entity consisting of 2 or more
22 persons joined by a common interest or purpose.

23 "Non-profit organization" means an organization or
24 institution organized and conducted on a not-for-profit basis
25 with no personal profit inuring to anyone as a result of the
26 operation.

27 "Charitable organization" means an organization or
28 institution organized and operated to benefit an indefinite
29 number of the public.

30 "Educational organization" means an organization or
31 institution organized and operated to provide systematic
32 instruction in useful branches of learning by methods common to
33 schools and institutions of learning which compare favorably in
34 their scope and intensity with the course of study presented in

1 tax-supported schools.

2 "Religious organization" means any church, congregation,
3 society, or organization founded for the purpose of religious
4 worship.

5 "Fraternal organization" means an organization of persons,
6 including but not limited to ethnic organizations, having a
7 common interest, organized and operated exclusively to promote
8 the welfare of its members and to benefit the general public on
9 a continuing and consistent basis.

10 "Veterans' organization" means an organization comprised
11 of members of which substantially all are individuals who are
12 veterans or spouses, widows, or widowers of veterans, the
13 primary purpose of which is to promote the welfare of its
14 members and to provide assistance to the general public in such
15 a way as to confer a public benefit.

16 "Labor organization" means an organization composed of
17 labor unions or workers organized with the objective of
18 betterment of the conditions of those engaged in such pursuit
19 and the development of a higher degree of efficiency in their
20 respective occupations.

21 "Youth athletic organization" means an organization having
22 as its exclusive purpose the promotion and provision of
23 athletic activities for youth aged 18 and under.

24 "Senior citizens organization" means an organization or
25 association comprised of members of which substantially all are
26 individuals who are senior citizens, as defined in the Illinois
27 Act on the Aging, the primary purpose of which is to promote
28 the welfare of its members.

29 "Department" means the Department of Revenue.

30 "Volunteer" means a person recruited by the sponsoring
31 organization who voluntarily performs services at a pull tabs
32 or jar games event, including participation in the management
33 or operation of a game.

34 "Person" means any natural individual, corporation,

1 partnership, limited liability company, organization (as
2 defined in this Section), licensee under this Act, or
3 volunteer.

4 (Source: P.A. 90-536, eff. 1-1-98.)

5 (230 ILCS 20/2) (from Ch. 120, par. 1052)

6 Sec. 2. The Department of Revenue shall, upon application
7 therefor on forms prescribed by the Department, and upon the
8 payment of a nonrefundable ~~an~~ annual processing fee of \$500,
9 and upon determination that the applicant meets all the
10 requirements of this Act, issue a license to conduct pull tabs
11 and jar games to any of the following:

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

15 (ii) Any bona fide religious, charitable, labor,
16 fraternal, youth athletic, senior citizen, educational or
17 veterans' organization organized in Illinois which
18 operates without profit to its members, which has been in
19 existence in Illinois continuously for a period of 5 years
20 immediately before making application for a license and
21 which has had during that entire 5 year period a bona fide
22 membership engaged in carrying out its objects. However,
23 the 5 year requirement shall be reduced to 2 years, as
24 applied to a local organization which is affiliated with
25 and chartered by a national organization which meets the 5
26 year requirement.

27 Each license expires at midnight, June 30, following its
28 date of issuance, except that, beginning with applicants whose
29 licenses expire on June 30, 1990, the Department shall stagger
30 license expiration dates by dividing the applicants into 4
31 groups which are substantially equal in number. Licenses issued
32 and license fees charged to applicants in each group shall be
33 in accordance with the following schedule:

1	Group No.	License Expiration Date	Fee
2	1	December 31, 1990	\$250
3	2	March 31, 1991	\$375
4	3	June 30, 1991	\$500
5	4	September 30, 1991	\$625

6 Following expiration under this schedule, each renewed
7 license shall be in effect for one year from its date of
8 issuance unless suspended or revoked by Department action
9 before that date. After June 30, 1990, every new license shall
10 expire one year from the date of issuance unless extended,
11 suspended, or revoked. The Department may provide by rule for
12 an extension of any pull tabs and jar games license issued
13 under this Act in order to allow applicants to coordinate their
14 pull tabs and jar games license renewal with any license held
15 under the Bingo License and Tax Act or the Charitable Games
16 Act. Any extension provided shall not exceed one year. A
17 licensee may hold only one license and that license is valid
18 for only one location. The Department may authorize by rule the
19 filing by electronic means of any application, license, permit,
20 return, or registration required under this Act.

21 The following are ineligible for any license under this
22 Act:

23 (a) any person who has been convicted of a felony within
24 the last 10 years prior to the date of application ~~within 10~~
25 ~~years of the date of the application;~~

26 (b) any person who has been convicted of a violation of
27 Article 28 of the "Criminal Code of 1961";

28 (c) any person who has had a pull tabs and jar games, bingo
29 or charitable games license revoked by the Department;

30 (d) any person who is or has been a professional gambler;

31 (e) any firm or corporation in which a person defined in
32 (a), (b), (c) or (d) has any proprietary, equitable or credit
33 interest, or in which such person is active or employed;

34 (f) any organization in which a person defined in (a), (b),

1 (c) or (d) is an officer, director, or employee, whether
2 compensated or not;

3 (g) any organization in which a person defined in (a), (b),
4 (c) or (d) is to participate in the management or operation of
5 pull tabs and jar games.

6 The Department of State Police shall provide the criminal
7 background of any supplier as requested by the Department of
8 Revenue.

9 (Source: P.A. 86-703; 87-1271.)

10 (230 ILCS 20/3) (from Ch. 120, par. 1053)

11 Sec. 3. Licensing for the conducting of pull tabs and jar
12 games is subject to the following restrictions:

13 (1) The license application, when submitted to the
14 Department of Revenue, shall contain a sworn statement
15 attesting to the not-for-profit character of the prospective
16 licensee organization and shall be signed by a person listed on
17 the application as an owner, officer, or other person in charge
18 of the necessary day-to-day operations ~~the presiding officer~~
19 ~~and the secretary~~ of that organization.

20 (2) The license application shall be prepared in accordance
21 with the rules of the Department of Revenue.

22 (3) The licensee shall prominently display the license in
23 the area where the licensee conducts pull tabs and jar games.

24 (4) Each license shall state the location at which the
25 licensee is permitted to conduct pull tabs and jar games. The
26 Department may, on special application made by any organization
27 having a pull tabs and jar games license ~~a licensed~~
28 ~~organization~~, issue a special operator's permit for conducting
29 pull tabs and jar games ~~to conduct a single pull tabs or jar~~
30 ~~games event~~ at another location. A special permit shall be
31 displayed at the site of any pull tabs or jar games authorized
32 by such permit.

33 (5) Any organization qualified for a license but not

1 holding one, may upon application and payment of a
2 nonrefundable processing fee of \$50 receive a limited license
3 ~~special permit~~ to conduct pull tabs or jar games at no more
4 than 2 indoor or outdoor festivals in a year for a maximum of 5
5 days on each occasion. No more than 2 limited licenses ~~permits~~
6 under this subsection may be issued to any organization in any
7 year. Such limited license shall be prominently displayed at
8 the site where pull tabs or jar games are sold.

9 (Source: P.A. 86-703.)

10 (230 ILCS 20/4.1 new)

11 Sec. 4.1. Civil penalties. Any organization that conducts
12 pull tabs or jar games without first obtaining a license to do
13 so, or that continues to conduct pull tabs or jar games after
14 revocation or suspension of its pull tabs and jar games
15 license, or after receipt of a cease and desist order issued by
16 the Department, or any organization licensed to conduct pull
17 tabs and jar games that allows any form of illegal gambling to
18 be conducted on the premises where pull tabs or jar games are
19 being conducted shall, in addition to other penalties provided,
20 be subject to a civil penalty equal to the amount of gross
21 proceeds derived on that day from pull tabs and jar games and
22 any other illegal game that may have been conducted as well as
23 confiscation and forfeiture of the gross proceeds derived from
24 such pull tabs and jar games and any other illegal game.

25 (230 ILCS 20/5) (from Ch. 120, par. 1055)

26 Sec. 5. There shall be paid to the Department of Revenue 5%
27 of the gross proceeds of any pull tabs and jar games conducted
28 under this Act. Such payments shall be made 4 times per year,
29 between the first and the 20th day of April, July, October and
30 January. Payment must be made by money order or ~~certified~~
31 check. Accompanying each payment shall be a report, on forms
32 provided by the Department of Revenue, listing the number of

1 drawings conducted, the gross income derived therefrom and such
2 other information as the Department of Revenue may require.
3 Failure to submit either the payment or the report within the
4 specified time shall result in automatic revocation of the
5 license. The Department may authorize the payment of taxes and
6 fees imposed under this Act by electronic funds transfer. All
7 payments made to the Department of Revenue under this Act shall
8 be deposited as follows:

9 (a) 50% shall be deposited in the Common School Fund; and

10 (b) 50% shall be deposited in the Illinois Gaming Law
11 Enforcement Fund. Of the monies deposited in the Illinois
12 Gaming Law Enforcement Fund under this Section, the General
13 Assembly shall appropriate two-thirds to the Department of
14 Revenue, Department of State Police and the Office of the
15 Attorney General for State law enforcement purposes, and
16 one-third shall be appropriated to the Department of Revenue
17 for the purpose of distribution in the form of grants to
18 counties or municipalities for law enforcement purposes. The
19 amounts of grants to counties or municipalities shall bear the
20 same ratio as the number of licenses issued in counties or
21 municipalities bears to the total number of licenses issued in
22 the State. In computing the number of licenses issued in a
23 county, licenses issued for locations within a municipality's
24 boundaries shall be excluded.

25 The Department of Revenue shall license suppliers and
26 manufacturers of pull tabs and jar games at a nonrefundable ~~an~~
27 annual processing fee of \$5,000, or a triennial supplier's
28 license fee of \$15,000. Suppliers and manufacturers shall meet
29 the requirements and qualifications established by rule by the
30 Department. Licensed manufacturers shall sell pull tabs and jar
31 games only to licensed suppliers. Licensed suppliers shall buy
32 pull tabs and jar games only from licensed manufacturers and
33 shall sell pull tabs and jar games only to licensed
34 organizations. Licensed organizations shall buy pull tabs and

1 jar games only from licensed suppliers.

2 The Department of Revenue shall adopt by rule minimum
3 quality production standards for pull tabs and jar games. In
4 determining such standards, the Department shall consider the
5 standards adopted by the National Association of Gambling
6 Regulatory Agencies and the National Association of
7 Fundraising Ticket Manufacturers. Such standards shall include
8 the name of the supplier which shall appear in plain view to
9 the casual observer on the face side of each pull tab ticket
10 and on each jar game ticket. The pull tab ticket shall contain
11 the name of the game, the selling price of the ticket, the
12 amount of the prize and the serial number of the ticket. The
13 back side of a pull tab ticket shall contain a series of
14 perforated tabs marked "open here". The logo of the
15 manufacturer shall be clearly visible on each jar game ticket.

16 The Department of Revenue shall adopt rules necessary to
17 provide for the proper accounting and control of activities
18 under this Act, to ensure that the proper taxes are paid, that
19 the proceeds from the activities under this Act are used
20 lawfully, and to prevent illegal activity associated with the
21 use of pull tabs and jar games.

22 The provisions of Section 2a of the Retailers' Occupation
23 Tax Act pertaining to the furnishing of a bond or other
24 security are incorporated by reference into this Act and are
25 applicable to licensees under this Act as a precondition of
26 obtaining a license under this Act. The provisions of Sections
27 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a, 6b, 6c, 8,
28 9, 10, 11 and 12 of the Retailers' Occupation Tax Act, and
29 Sections ~~Section~~ 3-7 and 3-7.5 of the Uniform Penalty and
30 Interest Act, which are not inconsistent with this Act shall
31 apply, as far as practicable, to the subject matter of this Act
32 to the same extent as if such provisions were included in this
33 Act. For the purposes of this Act, references in such
34 incorporated Sections of the Retailers' Occupation Tax Act to

1 retailers, sellers or persons engaged in the business of
2 selling tangible personal property means persons engaged in
3 conducting pull tabs and jar games and references in such
4 incorporated Sections of the Retailers' Occupation Tax Act to
5 sales of tangible personal property mean the conducting of pull
6 tabs and jar games and the making of charges for participating
7 in such drawings.

8 (Source: P.A. 87-205; 87-895.)

9 (230 ILCS 20/6) (from Ch. 120, par. 1056)

10 Sec. 6. Each licensee must keep a record of pull tabs and
11 jar games conducted within the previous 5 ~~3~~ years in accordance
12 with rules therefor adopted by the Department of Revenue. Such
13 record shall be available for inspection by any employee of the
14 Department of Revenue during reasonable business hours. The
15 Department of Revenue may, at its discretion, revoke any
16 license if it finds that the licensee or any person connected
17 therewith has violated or is violating this Act or that such
18 drawings are or have been conducted by a person or persons of
19 questionable character or affiliation. No licensee under this
20 Act, while pull tabs and jar games chances are being conducted,
21 shall knowingly permit entry to any part of the licensed
22 premises to any person who has been convicted of a felony or a
23 violation of Article 28 of the Criminal Code of 1961.

24 (Source: P.A. 85-1012.)

25 Section 10-10. The Bingo License and Tax Act is amended by
26 changing Sections 1, 3, 4, and 4.1 and by adding Section 1.1 as
27 follows:

28 (230 ILCS 25/1) (from Ch. 120, par. 1101)

29 Sec. 1. The Department of Revenue shall, upon application
30 therefor on forms prescribed by such Department, and upon the
31 payment of a nonrefundable ~~an~~ annual processing fee of \$200 ~~or~~

1 ~~a triennial fee of \$600~~, and upon a determination by the
 2 Department that the applicant meets all of the qualifications
 3 specified in this Section, issue a license for the conducting
 4 of bingo to any bona fide religious, charitable, labor,
 5 fraternal, youth athletic, senior citizen, educational or
 6 veterans' organization organized in Illinois which operates
 7 without profit to its members, which has been in existence in
 8 Illinois continuously for a period of 5 years immediately
 9 before making application for a license and which has had
 10 during that entire 5 year period a bona fide membership engaged
 11 in carrying out its objects. However, the 5 year requirement
 12 shall be reduced to 2 years, as applied to a local organization
 13 which is affiliated with and chartered by a national
 14 organization which meets the 5 year requirement. Each annual
 15 license expires at midnight, June 30 following its date of
 16 issuance, except that, beginning with applicants whose
 17 licenses expire on June 30, 1983, the Department shall stagger
 18 license expiration dates by dividing the applicants into 4
 19 groups which are substantially equal in number. Licenses issued
 20 and license fees charged to applicants in each group shall be
 21 in accordance with the following schedule:

22 Group No.	License Expiration Date	Fee
23 1	December 31, 1983	\$100
24 2	March 31, 1984	\$150
25 3	June 30, 1984	\$200
26 4	September 30, 1984	\$250

27 Following expiration under this schedule, each renewed license
 28 shall be in effect for one year from its date of issuance
 29 unless extended, suspended, or revoked by Department action
 30 before that date. After June 30, 1983, every new annual license
 31 shall expire one year from the date of issuance unless
 32 extended, suspended, or revoked ~~and every new triennial license~~
 33 ~~issued or renewed on or after July 1, 2004 shall be in effect~~
 34 ~~for 3 years from its date of issuance unless suspended or~~

1 ~~revoked~~ by Department action before that date. The Department
2 may provide by rule for an extension of any bingo license
3 issued under this Act in order to allow applicants to
4 coordinate their bingo license renewal with any licenses held
5 under the Pull Tabs and Jar Games Act or the Charitable Games
6 Act. Any extension provided shall not exceed one year. A
7 licensee may hold only one license and that license is valid
8 for only one location. The Department may authorize by rule the
9 filing by electronic means of any application, license, permit,
10 return, or registration required under this Act.

11 ~~For purposes of this Act, the following definitions apply:~~
12 ~~"Organization": A corporation, agency, partnership,~~
13 ~~association, firm or other entity consisting of 2 or more~~
14 ~~persons joined by a common interest or purpose. "Non profit~~
15 ~~organization": An organization or institution organized and~~
16 ~~conducted on a not for profit basis with no personal profit~~
17 ~~inuring to any one as a result of the operation. "Charitable~~
18 ~~organization": An organization or institution organized and~~
19 ~~operated to benefit an indefinite number of the public.~~
20 ~~"Educational organization": An organization or institution~~
21 ~~organized and operated to provide systematic instruction in~~
22 ~~useful branches of learning by methods common to schools and~~
23 ~~institutions of learning which compare favorably in their scope~~
24 ~~and intensity with the course of study presented in~~
25 ~~tax supported schools. "Religious organization": Any church,~~
26 ~~congregation, society, or organization founded for the purpose~~
27 ~~of religious worship. "Fraternal organization": An~~
28 ~~organization of persons, including but not limited to ethnic~~
29 ~~organizations, having a common interest, organized and~~
30 ~~operated exclusively to promote the welfare of its members and~~
31 ~~to benefit the general public on a continuing and consistent~~
32 ~~basis. "Veterans organization": An organization comprised of~~
33 ~~members of which substantially all are individuals who are~~
34 ~~veterans or spouses, widows, or widowers of veterans, the~~

1 ~~primary purpose of which is to promote the welfare of its~~
2 ~~members and to provide assistance to the general public in such~~
3 ~~a way as to confer a public benefit. "Labor organization": An~~
4 ~~organization composed of labor unions or workers organized with~~
5 ~~the objective of betterment of the conditions of those engaged~~
6 ~~in such pursuit and the development of a higher degree of~~
7 ~~efficiency in their respective occupations. "Youth athletic~~
8 ~~organization": An organization having as its exclusive purpose~~
9 ~~the promotion and provision of athletic activities for youth~~
10 ~~aged 18 and under. "Senior citizens organization": An~~
11 ~~organization or association comprised of members of which~~
12 ~~substantially all are individuals who are senior citizens, as~~
13 ~~defined in Section 3.05 of the Illinois Act on the Aging, the~~
14 ~~primary purpose of which is to promote the welfare of its~~
15 ~~members.~~

16 Licensing for the conducting of bingo is subject to the
17 following restrictions:

18 (1) The license application, when submitted to the
19 Department of Revenue, must contain a sworn statement
20 attesting to the not-for-profit character of the
21 prospective licensee organization, signed by a person
22 listed on the application as an owner, officer, or other
23 person in charge of the necessary day-to-day operations of
24 that organization ~~the presiding officer and the secretary~~
25 ~~of that organization.~~

26 (2) The application for license shall be prepared in
27 accordance with the rules of the Department of Revenue.

28 (3) Each license shall state the day of the week and at
29 which location the licensee is permitted to conduct bingo
30 games. The Department may, on special application made by
31 any organization having a bingo license, issue a special
32 operator's permit for conducting bingo at other premises
33 and on other days not exceeding 7 consecutive days, except
34 that a licensee may conduct bingo at the Illinois State

1 Fair or any county fair held in Illinois during each day
2 that the fair is held, without a processing fee. Such bingo
3 games conducted at the Illinois State Fair or a county fair
4 shall not require a special operator's permit. No more than
5 2 special operator's permits may be issued in one year to
6 any one organization.

7 (3.1) Any organization qualified for a license but not
8 holding one may, upon application and payment of a
9 nonrefundable processing fee of \$50, receive a limited
10 license to conduct bingo games at no more than 2 indoor or
11 outdoor festivals in a year for a maximum of 7 consecutive
12 days on each occasion. No more than 2 limited licenses
13 under this item (3.1) may be issued to any organization in
14 any year. A limited license shall be prominently displayed
15 at the site where the bingo games are conducted. Each
16 license shall state which day of the week and at what
17 location the licensee is permitted to conduct bingo. The
18 Department may, on special application made by any
19 organization having a bingo license, issue a special
20 operator's permit for conducting bingo at other premises
21 and on other days not exceeding 7 consecutive days, except
22 that a licensee may conduct bingo at the Illinois State
23 Fair or any county fair held in Illinois during each day
24 that the fair is in effect; such bingo games conducted at
25 the Illinois State Fair or a county fair shall not require
26 a special operator's permit. No more than 2 special
27 operator's permits may be issued in one year to any one
28 organization. Any organization, qualified for a license
29 but not holding one, upon application and payment of a \$50
30 fee may receive a limited license to conduct bingo at no
31 more than 2 indoor or outdoor festivals in a year for a
32 maximum of 5 days on each occasion or, upon application and
33 payment of a \$150 fee, may receive a limited license to
34 conduct bingo at no more than 2 indoor or outdoor festivals

1 ~~in a year for up to 3 years for a maximum of 5 days on each~~
2 ~~occasion. Such limited license shall be prominently~~
3 ~~displayed at the site of the bingo games.~~

4 (4) The licensee shall display a license in a prominent
5 place in the area where it is to conduct bingo.

6 (5) The proceeds from the license fee imposed by this
7 Act shall be paid into the General Revenue Fund of the
8 State Treasury.

9 (6) A license authorizes the licensee to conduct the
10 game commonly known as bingo, in which prizes are awarded
11 on the basis of designated numbers or symbols on a card
12 conforming to numbers or symbols selected at random.

13 (7) The Director has the power to issue or to refuse to
14 issue a license permitting a person, firm or corporation to
15 provide premises for the conduct of bingo; provided,
16 however, that a municipality shall not be required to
17 obtain a license to provide such premises. The
18 nonrefundable processing fee for such providers' license
19 is \$200. A person, firm or corporation holding such a
20 license may receive reasonable expenses for providing
21 premises for conducting bingo. Reasonable expenses shall
22 include only those expenses defined as reasonable by rules
23 promulgated by the Department.

24 (8) Senior citizens organizations may conduct bingo
25 without a license or processing fee, ~~The Department may~~
26 ~~issue restricted licenses to senior citizens~~
27 ~~organizations. The fee for a restricted license is \$10 per~~
28 ~~year or \$30 for 3 years. Restricted licenses shall be~~
29 subject to the following conditions:

30 (A) Bingo shall be conducted only at a facility
31 which is owned by a unit of local government to which
32 the corporate authorities have given their approval
33 and which is used to provide social services or a
34 meeting place to senior citizens, or in common areas in

1 multi-unit federally assisted rental housing
2 maintained solely for the elderly and handicapped;

3 (B) The price paid for a single card shall not
4 exceed 5 cents;

5 (C) The aggregate retail value of all prizes or
6 merchandise awarded in any one game of bingo shall not
7 exceed \$1;

8 (D) No person or organization shall participate in
9 the management or operation of bingo under this item
10 (8) ~~a restricted license~~ if the person or organization
11 would be ineligible for a license under this Section;
12 and

13 (E) No license is required to provide premises for
14 bingo conducted under this item (8). ~~a restricted~~
15 ~~license; and~~

16 ~~(F) The Department may, by rule, exempt restricted~~
17 ~~licensees from such requirements of this Act as the~~
18 ~~Department may deem appropriate.~~

19 (9) Bingo equipment shall not be used for any purpose
20 other than for the play of bingo.

21 The Director has the power to issue an annual or triennial
22 ~~a~~ license permitting an Illinois person, firm or corporation to
23 sell, lease or distribute to any organization licensed to
24 conduct bingo games or to any licensed bingo supplier all
25 cards, boards, sheets, markers, pads and all other supplies,
26 devices and equipment designed for use in the play of bingo. No
27 person, firm or corporation shall sell, lease or distribute
28 bingo supplies or equipment without having first obtained a
29 license therefor upon written application made, verified and
30 filed with the Department in the form prescribed by the rules
31 and regulations of the Department. The nonrefundable
32 processing fee for such license is \$200 for an annual license
33 or \$600 for a triennial license.

34 Applications for providers' and suppliers' licenses shall

1 be made in writing in accordance with Department rules. Each
2 providers' or suppliers' license is valid for one year from
3 date of issuance, and 3 years from date of issuance for a
4 triennial license, unless extended, suspended, or revoked by
5 Department action before that date. Any extension of a
6 providers' or a suppliers' license shall not exceed one year.
7 No licensed supplier under this Act shall lend, sell, lease,
8 distribute, or allow the use of any supplies, devices, or
9 equipment designed for use in the play of bingo for the
10 conducting of anything other than bingo or to any person or
11 organization not otherwise licensed under this Act.

12 The following are ineligible for any license under this
13 Act:

14 (a) any person who has been convicted of a felony
15 within the last 10 years prior to the date of application;

16 (b) any person who has been convicted of a violation of
17 Article 28 of the "Criminal Code of 1961";

18 (c) any person found gambling, participating in
19 gambling or knowingly permitting gambling on premises
20 where bingo is being conducted;

21 (d) any firm or corporation in which a person defined
22 in (a), (b) or (c) has a proprietary, equitable or credit
23 interest, or in which such person is active or employed;

24 (e) any organization in which a person defined in (a),
25 (b) or (c) is an officer, director, or employee, whether
26 compensated or not;

27 (f) any organization in which a person defined in (a),
28 (b) or (c) is to participate in the management or operation
29 of a bingo game.

30 (Source: P.A. 93-742, eff. 7-15-04.)

31 (230 ILCS 25/1.1 new)

32 Sec. 1.1. Definitions. As used in this Act:

33 "Bingo" means a game in which each player has a card or

1 board for which a consideration has been paid, containing 5
2 horizontal rows of spaces, with each row except the central one
3 containing 5 figures. The central row has 4 figures with the
4 word "free" marked in the center space. "Bingo" includes games
5 that otherwise qualify under this paragraph, except for the use
6 of cards where the figures are not preprinted but are filled in
7 by the players. A player wins a game of bingo by completing a
8 preannounced combination of spaces or, in the absence of a
9 preannouncement of a combination of spaces, any combination of
10 5 spaces in a row, vertically, horizontally, or diagonally.

11 "Bingo equipment" means any equipment or machinery
12 designed or used for the play of bingo.

13 "Charitable organization" means an organization or
14 institution organized and operated to benefit an indefinite
15 number of the public.

16 "Department" means the Department of Revenue.

17 "Educational organization" means an organization or
18 institution organized and operated to provide systematic
19 instruction in useful branches of learning by methods common to
20 schools and institutions of learning which compare favorably in
21 their scope and intensity with the course of study presented in
22 tax-supported schools.

23 "Fraternal organization" means an organization of persons
24 having a common interest that is organized and operated
25 exclusively to promote the welfare of its members and to
26 benefit the general public on a continuing and consistent
27 basis, including but not limited to ethnic organizations.

28 "Labor organization" means an organization composed of
29 labor unions or workers organized with the objectives of
30 betterment of the conditions of those engaged in such pursuit
31 and the development of a higher degree of efficiency in their
32 respective occupations.

33 "Non-profit organization" means an organization or
34 institution organized and conducted on a not-for-profit basis

1 with no personal profit inuring to anyone as a result of the
2 operation.

3 "Organization" means a corporation, agency, partnership,
4 association, firm or other entity consisting of 2 or more
5 persons joined by a common interest or purpose.

6 "Person" means any natural individual, corporation,
7 partnership, limited liability company, organization (as
8 defined in this Section), licensee under this Act, or
9 volunteer.

10 "Religious organization" means any church, congregation,
11 society, or organization founded for the purpose of religious
12 worship.

13 "Senior citizens organization" means an organization or
14 association comprised of members of which substantially all are
15 individuals who are senior citizens, as defined in the Illinois
16 Act on the Aging, the primary purpose of which is to promote
17 the welfare of its members.

18 "Veterans' organization" means an organization comprised
19 of members of which substantially all are individuals who are
20 veterans or spouses, widows, or widowers of veterans, the
21 primary purpose of which is to promote the welfare of its
22 members and to provide assistance to the general public in such
23 a way as to confer a public benefit.

24 "Volunteer" means a person recruited by an organization who
25 voluntarily performs services at a bingo event, including
26 participation in the management or operation of a game.

27 "Youth athletic organization" means an organization having
28 as its exclusive purpose the promotion and provision of
29 athletic activities for youth aged 18 and under.

30 (230 ILCS 25/3) (from Ch. 120, par. 1103)

31 Sec. 3. There shall be paid to the Department of Revenue,
32 5% of the gross proceeds of any game of bingo conducted under
33 the provision of this Act. Such payments shall be made 4 times

1 per year, between the first and the 20th day of April, July,
2 October and January. Payment must be by money order or
3 ~~certified~~ check. Accompanying each payment shall be a report,
4 on forms provided by the Department of Revenue, listing the
5 number of games conducted, the gross income derived and such
6 other information as the Department of Revenue may require. The
7 Department may authorize the payment of taxes and fees imposed
8 under this Act by electronic funds transfer. Failure to submit
9 either the payment or the report within the specified time may
10 result in suspension or revocation of the license.

11 The provisions of Section 2a of the Retailers' Occupation
12 Tax Act pertaining to the furnishing of a bond or other
13 security are incorporated by reference into this Act and are
14 applicable to licensees under this Act as a precondition of
15 obtaining a license under this Act. The Department shall
16 establish by rule the standards and criteria it will use in
17 determining whether to require the furnishing of a bond or
18 other security, the amount of such bond or other security,
19 whether to require the furnishing of an additional bond or
20 other security by a licensee, and the amount of such additional
21 bond or other security. Such standards and criteria may include
22 payment history, general financial condition or other factors
23 which may pose risks to insuring the payment to the Department
24 of Revenue, of applicable taxes. Such rulemaking is subject to
25 the provisions of the Illinois Administrative Procedure Act.
26 The provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g,
27 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 11 and 12 of the Retailers'
28 Occupation Tax Act which are not inconsistent with this Act,
29 and Sections ~~Section~~ 3-7 and 3-7.5 of the Uniform Penalty and
30 Interest Act shall apply, as far as practicable, to the subject
31 matter of this Act to the same extent as if such provisions
32 were included in this Act. Tax returns filed pursuant to this
33 Act shall not be confidential and shall be available for public
34 inspection. For the purposes of this Act, references in such

1 incorporated Sections of the Retailers' Occupation Tax Act to
2 retailers, sellers or persons engaged in the business of
3 selling tangible personal property means persons engaged in
4 conducting bingo games, and references in such incorporated
5 Sections of the Retailers' Occupation Tax Act to sales of
6 tangible personal property mean the conducting of bingo games
7 and the making of charges for playing such games.

8 One-half of all of the sums collected under this Section
9 shall be deposited into the Mental Health Fund and 1/2 of all
10 of the sums collected under this Section shall be deposited in
11 the Common School Fund.

12 (Source: P.A. 87-205; 87-895.)

13 (230 ILCS 25/4) (from Ch. 120, par. 1104)

14 Sec. 4. Each licensee must keep a complete record of bingo
15 games conducted within the previous 5 ~~3~~ years. Such record
16 shall be open to inspection by any employee of the Department
17 of Revenue during reasonable business hours.

18 The Director may require that any person, organization or
19 corporation licensed under this Act obtain from an Illinois
20 certified public accounting firm at its own expense a certified
21 and unqualified financial statement and verification of
22 records of such organization. Failure of a bingo licensee to
23 comply with this requirement within 90 days of receiving notice
24 from the Director may result in suspension or revocation of the
25 licensee's license.

26 The Department of Revenue may, at its discretion, suspend
27 or revoke any license where it finds that the licensee or any
28 person connected therewith has violated or is violating the
29 provisions of this Act. No licensee under this Act, while a
30 bingo game is being conducted, shall knowingly permit the entry
31 into any part of the licensed premises by any person who has
32 been convicted of a felony or a violation of Article 28 of the
33 "Criminal Code of 1961".

1 (Source: P.A. 82-967.)

2 (230 ILCS 25/4.1) (from Ch. 120, par. 1104.01)

3 Sec. 4.1. Any organization which conducts bingo without
4 first obtaining a license to do so, or which continues to
5 conduct bingo after revocation or suspension of its bingo
6 license, or after receipt of a cease and desist order issued by
7 the Department, or any organization licensed to conduct bingo
8 which allows any form of illegal gambling to be conducted on
9 the premises where bingo is being conducted shall, in addition
10 to other penalties provided, be subject to a civil penalty
11 equal to the amount of gross proceeds derived on that day from
12 bingo and any other illegal game that may have been conducted
13 as well as confiscation and forfeiture of the gross proceeds
14 derived from such bingo and any other illegal game.

15 (Source: P.A. 84-221.)

16 Section 10-15. The Charitable Games Act is amended by
17 changing Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10 and by adding
18 Section 4.1 as follows:

19 (230 ILCS 30/2) (from Ch. 120, par. 1122)

20 Sec. 2. Definitions. For purposes of this Act, the
21 following definitions apply:

22 "Charitable organization" means an organization or
23 institution organized and operated to benefit an indefinite
24 number of the public.

25 "Department" means the Department of Revenue.

26 "Educational organization" means an organization or
27 institution organized and operated to provide systematic
28 instruction in useful branches of learning by methods common to
29 schools and institutions of learning which compare favorably in
30 their scope and intensity with the course of study presented in
31 tax-supported schools.

1 "Fraternal organization" means an organization of persons
2 having a common interest that is organized and operated
3 exclusively to promote the welfare of its members and to
4 benefit the general public on a continuing and consistent
5 basis, including but not limited to ethnic organizations.

6 "Labor organization" means an organization composed of
7 labor unions or workers organized with the objective of
8 betterment of the conditions of those engaged in such pursuit
9 and the development of a higher degree of efficiency in their
10 respective occupations.

11 "Non-profit organization" means an organization or
12 institution organized and conducted on a not-for-profit basis
13 with no personal profit inuring to anyone as a result of the
14 operation.

15 "Organization" means a corporation, agency, partnership,
16 association, firm or other entity consisting of 2 or more
17 persons joined by a common interest or purpose.

18 "Person" means any natural individual, corporation,
19 partnership, limited liability company, organization (as
20 defined in this Section), qualified organization, sponsoring
21 organization, licensee under this Act, or volunteer.

22 ~~"Organization": A corporation, agency, partnership,~~
23 ~~institution, association, firm or other entity consisting of 2~~
24 ~~or more persons joined by a common interest or purpose.~~

25 ~~"Sponsoring organization": A qualified organization that~~
26 ~~has obtained a license to conduct a charitable games event in~~
27 ~~conformance with the provisions of this Act.~~

28 "Qualified organization" means:

29 (a) a charitable, religious, fraternal, veterans,
30 labor or educational organization or institution organized
31 and conducted on a not-for-profit basis with no personal
32 profit inuring to anyone as a result of the operation and
33 which is exempt from federal income taxation under Sections
34 501(c) (3), 501(c) (4), 501(c) (5), 501(c) (8), 501(c) (10) or

1 501(c)(19) of the Internal Revenue Code;

2 (b) a veterans organization as defined in Section 1 of
3 the "Bingo License and Tax Act", approved July 22, 1971, as
4 amended, organized and conducted on a not-for-profit basis
5 with no personal profit inuring to anyone as a result of
6 the operation; or

7 (c) An auxiliary organization of a veterans
8 organization.

9 "Religious organization" means any church, congregation,
10 society, or organization founded for the purpose of religious
11 worship.

12 "Sponsoring organization" means a qualified organization
13 that has obtained a license to conduct a charitable games event
14 in conformance with the provisions of this Act.

15 "Veterans' organization" means an organization comprised
16 of members of which substantially all are individuals who are
17 veterans or spouses, widows, or widowers of veterans, the
18 primary purpose of which is to promote the welfare of its
19 members and to provide assistance to the general public in such
20 a way as to confer a public benefit.

21 "Volunteer" means a person recruited by a sponsoring
22 organization who voluntarily performs services at a charitable
23 games event, including participation in the management or
24 operation of a game, as defined in Section 8.

25 ~~"Fraternal organization": A civic, service or charitable~~
26 ~~organization in this State except a college or high school~~
27 ~~fraternity or sorority, not for pecuniary profit, which is a~~
28 ~~branch, lodge or chapter of a national or State organization~~
29 ~~and exists for the common business, brotherhood, or other~~
30 ~~interest of its members.~~

31 ~~"Veterans organization": An organization comprised of~~
32 ~~members of which substantially all are individuals who are~~
33 ~~veterans or spouses, widows, or widowers of veterans, the~~
34 ~~primary purpose of which is to promote the welfare of its~~

1 ~~members and to provide assistance to the general public in such~~
2 ~~a way as to confer a public benefit.~~

3 ~~"Labor organization": An organization composed of labor~~
4 ~~unions or workers organized with the objective of betterment of~~
5 ~~the conditions of those engaged in such pursuit and the~~
6 ~~development of a higher degree of efficiency in their~~
7 ~~respective occupations.~~

8 ~~"Department": The Department of Revenue.~~

9 ~~"Volunteer": A person recruited by the sponsoring~~
10 ~~organization who voluntarily performs services at a charitable~~
11 ~~games event, including participation in the management or~~
12 ~~operation of a game, as defined in Section 8.~~

13 ~~"Person": Any natural individual, a corporation, a~~
14 ~~partnership, a limited liability company, an organization as~~
15 ~~defined in this Section, a qualified organization, a sponsoring~~
16 ~~organization, any other licensee under this Act, or a~~
17 ~~volunteer.~~

18 (Source: P.A. 87-758; 88-669, eff. 11-29-94.)

19 (230 ILCS 30/3) (from Ch. 120, par. 1123)

20 Sec. 3. The Department of Revenue shall, upon application
21 therefor on forms prescribed by such Department, and upon the
22 payment of a nonrefundable ~~an~~ annual processing fee of \$200,
23 and upon a determination by the Department that the applicant
24 meets all of the qualifications specified in this Section,
25 issue a charitable games license for the conducting of
26 charitable games to any of the following:

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

30 (ii) Any qualified organization organized in Illinois
31 which operates without profit to its members, which has
32 been in existence in Illinois continuously for a period of
33 5 years immediately before making application for a license

1 and which has had during that 5 year period a bona fide
2 membership engaged in carrying out its objects. However,
3 the 5 year requirement shall be reduced to 2 years, as
4 applied to a local organization which is affiliated with
5 and chartered by a national organization which meets the 5
6 year requirement. The period of existence specified above
7 shall not apply to a qualified organization, organized for
8 charitable purpose, created by a fraternal organization
9 that meets the existence requirements if the charitable
10 organization has the same officers and directors as the
11 fraternal organization. Only one charitable organization
12 created by a branch lodge or chapter of a fraternal
13 organization may be licensed under this provision.

14 Each license shall be in effect for one year from its date
15 of issuance unless extended, suspended, or revoked by
16 Department action before that date. Any extension shall not
17 exceed one year. The Department may by rule authorize the
18 filing by electronic means of any application, license, permit,
19 return, or registration required under this Act. A licensee may
20 hold only one license. Each license shall ~~must~~ be applied for
21 at least 30 days prior to the night or nights the licensee
22 wishes to conduct such games. The Department may issue a
23 license to a licensee that applies less than 30 days prior to
24 the night or nights the licensee wishes to conduct the games if
25 all other requirements of this Act are met and the Department
26 has sufficient time and resources to issue the license in a
27 timely manner. The Department may provide by rule for an
28 extension of any charitable games license issued under this Act
29 in order to allow applicants to coordinate their charitable
30 games license renewal with any licenses held under the Bingo
31 License and Tax Act and the Pull Tab and Jar Games Act. Any
32 extension provided shall not exceed one year. If a licensee
33 wishes to conduct games at a location other than the locations
34 originally specified in the license, the licensee shall notify

1 the Department of the proposed alternate location at least 30
2 ~~60~~ days before the night on which the licensee wishes to
3 conduct games at the alternate location. The Department may
4 accept an applicant's change in location with less than 30
5 days' notice if all other requirements of this Act are met and
6 the Department has sufficient time and resources to process the
7 change in a timely manner.

8 (Source: P.A. 87-758; 87-1271.)

9 (230 ILCS 30/4) (from Ch. 120, par. 1124)

10 Sec. 4. Licensing Restrictions. Licensing for the
11 conducting of charitable games is subject to the following
12 restrictions:

13 (1) The license application, when submitted to the
14 Department of Revenue, must contain a sworn statement
15 attesting to the not-for-profit character of the
16 prospective licensee organization, signed by a person
17 listed on the application as an owner, officer, or other
18 person in charge of the necessary day-to-day operations ~~the~~
19 ~~presiding officer and the secretary~~ of that organization.
20 The application shall contain the name of the person in
21 charge of and primarily responsible for the conduct of the
22 charitable games. The person so designated shall be present
23 on the premises continuously during charitable games. Any
24 wilful misstatements contained in such application
25 constitute perjury.

26 (2) The application for license shall be prepared by
27 the prospective licensee organization or its duly
28 authorized representative in accordance with the rules of
29 the Department of Revenue.

30 (2.1) The organization application for a license shall
31 maintain among its books and records ~~contain~~ a list of the
32 names, addresses, social security numbers, and dates of
33 birth of all persons who will participate in the management

1 or operation of the games, along with a sworn statement
2 made under penalties of perjury, signed by a person listed
3 on the application as an owner, officer, or other person in
4 charge of the necessary day-to-day operations ~~the~~
5 ~~presiding officer and secretary of the applicant~~, that the
6 persons listed as participating in the management or
7 operation of the games are bona fide members, volunteers as
8 defined in Section 2, or employees of the applicant, that
9 these persons have not participated in the management or
10 operation of more than 4 charitable games events conducted
11 by any licensee in the calendar year, and that these
12 persons will receive no remuneration or compensation,
13 directly or indirectly from any source, for participating
14 in the management or operation of the games. Any amendments
15 to this listing must contain an identical sworn statement.

16 (2.2) The application shall be signed by a person
17 listed on the application as an owner, officer, or other
18 person in charge of the necessary day-to-day operations ~~the~~
19 ~~presiding officer and the secretary~~ of the applicant
20 organization, who shall attest under penalties of perjury
21 that the information contained in the application is true,
22 correct, and complete.

23 (3) Each license shall state which day of the week,
24 hours and at what locations the licensee is permitted to
25 conduct charitable games.

26 (4) Each licensee shall file a copy of the license with
27 each police department or, if in unincorporated areas, each
28 sheriff's office whose jurisdiction includes the premises
29 on which the charitable games are authorized under the
30 license.

31 (5) The licensee shall display the license in a
32 prominent place in the area where it is to conduct
33 charitable games.

34 (6) The proceeds from the license fee imposed by this

1 Act shall be paid into the Illinois Gaming Law Enforcement
2 Fund of the State Treasury.

3 (7) Each licensee shall obtain and maintain a bond for
4 the benefit of participants in games conducted by the
5 licensee to insure payment to the winners of such games.
6 Such bond requirement shall be discretionary by the
7 Department and shall be in an amount established by rule by
8 the Department of Revenue. In a county with fewer than
9 60,000 inhabitants, the Department may waive the bond
10 requirement upon a showing by a licensee that it has
11 sufficient funds on deposit to insure payment to the
12 winners of such games.

13 (8) A license is not assignable or transferable.

14 (9) Unless the premises for conducting charitable
15 games are provided by a municipality, the Department shall
16 not issue a license permitting a person, firm or
17 corporation to sponsor a charitable games night if the
18 premises for the conduct of the charitable games has been
19 previously used for 8 charitable games nights during the
20 previous 12 months.

21 (10) Auxiliary organizations of a licensee shall not be
22 eligible for a license to conduct charitable games, except
23 for auxiliary organizations of veterans organizations as
24 authorized in Section 2.

25 (11) Charitable games must be conducted in accordance
26 with local building and fire code requirements.

27 (12) The licensee shall consent to allowing the
28 Department's employees to be present on the premises
29 wherein the charitable games are conducted and to inspect
30 or test equipment, devices and supplies used in the conduct
31 of the game.

32 Nothing in this Section shall be construed to prohibit a
33 licensee that conducts charitable games on its own premises
34 from also obtaining a providers' license in accordance with

1 Section 5.1. The maximum number of charitable games events that
2 may be held in any one premises is limited to 8 charitable
3 games events per calendar year.

4 (Source: P.A. 87-758; 88-563, eff. 1-1-95; 88-669, eff.
5 11-29-94.)

6 (230 ILCS 30/4.1 new)

7 Sec. 4.1. Civil penalties. Any organization that conducts
8 charitable games without first obtaining a license to do so, or
9 that continues to conduct charitable games after revocation or
10 suspension of its charitable games license, or after receipt of
11 a cease and desist order issued by the Department, or any
12 organization licensed to conduct charitable games that allows
13 any form of illegal gambling to be conducted on the premises
14 where charitable games is being conducted shall, in addition to
15 other penalties provided, be subject to a civil penalty equal
16 to the amount of gross proceeds derived on that day from
17 charitable games and any other illegal game that may have been
18 conducted as well as confiscation and forfeiture of the gross
19 proceeds derived from such charitable games and any other
20 illegal game.

21 (230 ILCS 30/5) (from Ch. 120, par. 1125)

22 Sec. 5. Providers' License. The Department shall issue a
23 providers' license permitting a person, firm or corporation to
24 provide premises for the conduct of charitable games. No
25 person, firm or corporation may rent or otherwise provide
26 premises without having first obtained a license therefor upon
27 written application made, verified and filed with the
28 Department in the form prescribed by the rules and regulations
29 of the Department. Each providers' license is valid for one
30 year from the date of issuance, unless suspended or revoked by
31 Department action before that date. The nonrefundable
32 processing annual fee for an annual ~~such~~ providers' license is

1 \$50, or \$150 for a triennial provider's license. A provider may
2 receive reasonable compensation for the provision of the
3 premises. The compensation shall not be based upon a percentage
4 of the gross proceeds from the charitable games. A provider,
5 other than a municipality, may not provide the same premises
6 for conducting more than 8 charitable games nights per year. A
7 provider shall not have any interest in any suppliers'
8 business, either direct or indirect. A municipality may provide
9 the same premises for conducting 16 charitable games nights
10 during a 12-month period. No employee, officer, or owner of a
11 provider may participate in the management or operation of a
12 charitable games event, even if the employee, officer, or owner
13 is also a member, volunteer, or employee of the charitable
14 games licensee. A provider may not promote or solicit a
15 charitable games event on behalf of a charitable games licensee
16 or qualified organization. Any qualified organization licensed
17 to conduct a charitable game need not obtain a providers'
18 license if such games are to be conducted on the organization's
19 premises.

20 (Source: P.A. 85-1412; 88-563, eff. 1-1-95; 88-669, eff.
21 11-29-94.)

22 (230 ILCS 30/6) (from Ch. 120, par. 1126)

23 Sec. 6. Supplier's license. The Department shall issue a
24 supplier's license permitting a person, firm or corporation to
25 sell, lease, lend or distribute to any organization licensed to
26 conduct charitable games, supplies, devices and other
27 equipment designed for use in the playing of charitable games.
28 No person, firm or corporation shall sell, lease or distribute
29 charitable games supplies or equipment without having first
30 obtained a license therefor upon written application made,
31 verified and filed with the Department in the form prescribed
32 by the rules and regulations of the Department. No licensed
33 supplier under this Act shall lease, lend, or distribute

1 charitable gaming equipment, supplies, or other devices to
2 persons not otherwise licensed to conduct charitable games
3 under this Act. Each supplier's license is valid for a period
4 of one year from the date of issuance, unless suspended or
5 revoked by Department action before that date. The
6 nonrefundable processing ~~annual~~ fee for an annual supplier's
7 ~~such~~ license is \$500, or \$1,500 for a triennial supplier's
8 license. The Department may require by rule for the provision
9 of surety bonds by suppliers. A supplier shall keep among its
10 books and records and make available for inspection by the
11 Department ~~furnish the Department with~~ a list of all products
12 and equipment offered for sale or lease to any organization
13 licensed to conduct charitable games, and all such products and
14 equipment shall be sold or leased at the prices shown on the
15 books and records ~~on file with the Department.~~ A supplier shall
16 keep all such products and equipment segregated and separate
17 from any other products, materials or equipment that it might
18 own, sell or lease. A supplier must include in its application
19 for a license the exact location of the storage of the
20 products, materials or equipment. A supplier, as a condition of
21 licensure, must consent to permitting the Department's
22 employees to enter supplier's premises to inspect and test all
23 equipment and devices. A supplier shall keep books and records
24 for the furnishing of products and equipment to charitable
25 games separate and distinct from any other business the
26 supplier might operate. All products and equipment supplied
27 must be in accord with the Department's rules and regulations.
28 A supplier shall not alter or modify any equipment or supplies,
29 or possess any equipment or supplies so altered or modified, so
30 as to allow the possessor or operator of the equipment to
31 obtain a greater chance of winning a game other than as under
32 normal rules of play of such games. The supplier shall not
33 require an organization to pay a percentage of the proceeds
34 from the charitable games for the use of the products or

1 equipment. The supplier shall keep among its books and records,
2 make available for immediate inspection by the Department, and
3 produce upon Department request a ~~file a quarterly return with~~
4 ~~the Department~~ listing of all sales or leases for such quarter
5 and the gross proceeds from such sales or leases. A supplier
6 shall permanently affix his name to all charitable games
7 equipment, supplies and pull tabs. A supplier shall not have
8 any interest in any providers' business, either direct or
9 indirect. If the supplier leases his equipment for use at an
10 unlicensed charitable games or to an unlicensed sponsoring
11 group, all equipment so leased is forfeited to the State.

12 No person, firm or corporation shall sell, lease or
13 distribute for compensation within this State, or possess with
14 intent to sell, lease or distribute for compensation within
15 this State, any chips, representations of money, wheels or any
16 devices or equipment designed for use or used in the play of
17 charitable games without first having obtained a license to do
18 so from the Department of Revenue. Any person, firm or
19 corporation which knowingly violates this paragraph shall be
20 guilty of a Class A misdemeanor, the fine for which shall not
21 exceed \$50,000.

22 Organizations licensed to conduct charitable games may own
23 their own equipment. Such organizations must apply to the
24 Department for an ownership permit. Any such application must
25 be accompanied by a nonrefundable processing fee of \$50 fee.
26 Such organizations shall file an annual report listing their
27 inventory of charitable games equipment. Such organizations
28 may lend such equipment without compensation to other licensed
29 organizations without applying for a suppliers license.

30 No employee, owner, or officer of a supplier may
31 participate in the management or operation of a charitable
32 games event, even if the employee, owner, or officer is also a
33 member, volunteer, or employee of the charitable games
34 licensee. A supplier may not promote or solicit a charitable

1 games event on behalf of a charitable games licensee or
2 qualified organization.

3 (Source: P.A. 88-669, eff. 11-29-94.)

4 (230 ILCS 30/7) (from Ch. 120, par. 1127)

5 Sec. 7. Ineligible Persons. The following are ineligible
6 for any license under this Act:

7 (a) any person who has been convicted of a felony within
8 the last 10 years prior to the date of application ~~within 10~~
9 ~~years of the date of the application;~~

10 (b) any person who has been convicted of a violation of
11 Article 28 of the Criminal Code of 1961;

12 (c) any person who has had a bingo, pull tabs, or
13 charitable games license revoked by the Department;

14 (d) any person who is or has been a professional gambler;

15 (d-1) any person found gambling in a manner not authorized
16 by this Act, participating in such gambling, or knowingly
17 permitting such gambling on premises where an authorized
18 charitable games event is being or has been conducted;

19 (e) any business or organization in which a person defined
20 in (a), (b), (c), (d), or (d-1) has a proprietary, equitable,
21 or credit interest, or in which the person is active or
22 employed;

23 (f) any business or organization in which a person defined
24 in (a), (b), (c), (d), or (d-1) is an officer, director, or
25 employee, whether compensated or not;

26 (g) any organization in which a person defined in (a), (b),
27 (c), (d), or (d-1) is to participate in the management or
28 operation of charitable games.

29 The Department of State Police shall provide the criminal
30 background of any person requested by the Department of
31 Revenue.

32 (Source: P.A. 88-669, eff. 11-29-94.)

1 (230 ILCS 30/8) (from Ch. 120, par. 1128)

2 Sec. 8. The conducting of charitable games is subject to
3 the following restrictions:

4 (1) The entire net proceeds from charitable games must
5 be exclusively devoted to the lawful purposes of the
6 organization permitted to conduct that game.

7 (2) No person except a bona fide member or employee of
8 the sponsoring organization, or a volunteer recruited by
9 the sponsoring organization, may participate in the
10 management or operation of the game. A person participates
11 in the management or operation of a charitable game when he
12 or she sells admission tickets at the event; sells,
13 redeems, or in any way assists in the selling or redeeming
14 of chips, scrip, or play money; participates in the
15 conducting of any of the games played during the event, or
16 supervises, directs or instructs anyone conducting a game;
17 or at any time during the hours of the charitable games
18 event counts, handles, or supervises anyone counting or
19 handling any of the proceeds or chips, scrip, or play money
20 at the event. A person who is present to ensure that the
21 games are being conducted in conformance with the rules
22 established by the licensed organization or is present to
23 insure that the equipment is working properly is considered
24 to be participating in the management or operation of a
25 game. Setting up, cleaning up, selling food and drink, or
26 providing security for persons or property at the event
27 does not constitute participation in the management or
28 operation of the game.

29 Only bona fide members, volunteers as defined in
30 Section 2 of this Act, and employees of the sponsoring
31 organization may participate in the management or
32 operation of the games. A person who participates in the
33 management or operation of the games and who is not a bona
34 fide member, volunteer as defined in Section 2 of this Act,

1 or employee of the sponsoring organization, or who receives
2 remuneration or other compensation either directly or
3 indirectly from any source for participating in the
4 management or operation of the games, or who has
5 participated in the management or operation of more than 4
6 charitable games events in the calendar year, commits a
7 violation of this Act. In addition, a licensed organization
8 that utilizes any person described in the preceding
9 sentence commits a violation of this Act.

10 (3) No person may receive any remuneration or
11 compensation either directly or indirectly from any source
12 for participating in the management or operation of the
13 game.

14 (4) No single bet at any game may exceed \$10.

15 (5) A bank shall be established on the premises to
16 convert currency into chips, scrip, or other form of play
17 money which shall then be used to play at games of chance
18 which the participant chooses. Chips, scrip, or play money
19 must be permanently monogrammed with the logo of the
20 licensed organization or of the supplier. Each participant
21 must be issued a receipt indicating the amount of chips,
22 scrip, or play money purchased.

23 (6) At the conclusion of the event or when the
24 participant leaves, he may cash in his chips, scrip, or
25 play money in exchange for currency not to exceed \$250
26 above the amount required to participate in the charitable
27 games event or noncash prizes. Each participant shall sign
28 for any receipt of prizes. The licensee shall provide the
29 Department of Revenue with a listing of all prizes awarded,
30 including the retail value of all prizes awarded.

31 (7) Each licensee shall be permitted to conduct
32 charitable games on not more than 4 days each year.

33 (8) Unless the provider of the premises is a
34 municipality, the provider of the premises may not rent or

1 otherwise provide the premises for the conducting of more
2 than 8 charitable games nights per year.

3 (9) Charitable games may not be played between the
4 hours of 2:00 a.m. and noon.

5 (10) No person under the age of 18 years may play or
6 participate in the conducting of charitable games. Any
7 person under the age of 18 years may be within the area
8 where charitable games are being played only when
9 accompanied by his parent or guardian.

10 (11) No one other than the sponsoring organization of
11 charitable games must have a proprietary interest in the
12 game promoted.

13 (12) Raffles or other forms of gambling prohibited by
14 law shall not be conducted on the premises where charitable
15 games are being conducted.

16 (13) Such games are not expressly prohibited by county
17 ordinance for charitable games conducted in the
18 unincorporated areas of the county or municipal ordinance
19 for charitable games conducted in the municipality and the
20 ordinance is filed with the Department of Revenue. The
21 Department shall provide each county or municipality with a
22 list of organizations licensed or subsequently authorized
23 by the Department to conduct charitable games in their
24 jurisdiction.

25 (14) The sale of tangible personal property at
26 charitable games is subject to all State and local taxes
27 and obligations.

28 (15) Each licensee may offer or conduct only the games
29 listed below, which must be conducted in accordance with
30 rules posted by the organization. The organization
31 sponsoring charitable games shall promulgate rules, and
32 make printed copies available to participants, for the
33 following games: (a) roulette; (b) blackjack; (c) poker;
34 (d) pull tabs; (e) craps; (f) bang; (g) beat the dealer;

1 (h) big six; (i) gin rummy; (j) five card stud poker; (k)
2 chuck-a-luck; (l) keno; (m) hold-em poker; and (n)
3 merchandise wheel. A licensee need not offer or conduct
4 every game permitted by law. The conducting of games not
5 listed above is prohibited by this Act.

6 (16) No slot machines or coin-in-the-slot-operated
7 devices that allow a participant to play games of chance
8 based upon cards or dice shall be permitted to be used at
9 the location and during the time at which the charitable
10 games are being conducted.

11 (17) No cards, dice, wheels, or other equipment may be
12 modified or altered so as to give the licensee a greater
13 advantage in winning, other than as provided under the
14 normal rules of play of a particular game.

15 (18) No credit shall be extended to any of the
16 participants.

17 (19) No person may participate in the management or
18 operation of games at more than 4 charitable games events
19 in any calendar year.

20 (20) A supplier may have only one representative
21 present at the charitable games event, for the exclusive
22 purpose of ensuring that its equipment is not damaged.

23 (21) No employee, owner, or officer of a consultant
24 service hired by a licensed organization to perform
25 services at the event including, but not limited to,
26 security for persons or property at the event or services
27 before the event including, but not limited to, training
28 for volunteers or advertising may participate in the
29 management or operation of the games.

30 (22) Volunteers as defined in Section 2 of this Act and
31 bona fide members and employees of a sponsoring
32 organization may not receive remuneration or compensation,
33 either directly or indirectly from any source, for
34 participating in the management or operation of games. They

1 may participate in the management or operation of no more
2 than 4 charitable games events, either of the sponsoring
3 organization or any other licensed organization, during a
4 calendar year.

5 Nothing in this Section shall be construed to prohibit a
6 licensee that conducts charitable games on its own premises
7 from also obtaining a providers' license in accordance with
8 Section 5.1.

9 (Source: P.A. 87-758; 87-1271; 88-480; 88-563, eff. 1-1-95;
10 88-669, eff. 11-29-94; 88-670, eff. 12-2-94.)

11 (230 ILCS 30/9) (from Ch. 120, par. 1129)

12 Sec. 9. There shall be paid to the Department of Revenue,
13 3% of the gross proceeds of charitable games conducted under
14 the provisions of this Act. Such payments shall be made within
15 30 days after the completion of the games. Payment must be by
16 money order or ~~certified~~ check. Accompanying each payment shall
17 be a report, on forms provided by the Department of Revenue,
18 listing the games conducted, the gross income derived and such
19 other information as the Department of Revenue may require.
20 Failure to submit either the payment or the report within the
21 specified time may result in suspension or revocation of the
22 license and may be used in future considerations for renewal of
23 the license. The Department may authorize the payment of taxes
24 and fees imposed under this Act by electronic funds transfer.

25 The provisions of Section 2a of the Retailers' Occupation
26 Tax Act pertaining to the furnishing of a bond or other
27 security are incorporated by reference into this Act and are
28 applicable to licensees under this Act as a precondition of
29 obtaining a license under this Act. For purposes of this Act
30 gross proceeds shall be defined as all chips, scrip or other
31 form of play money purchased or any fee or donation for
32 admission or entry into such games. The Department shall
33 establish by rule the standards and criteria it will use in

1 determining whether to require the furnishing of a bond or
2 other security, the amount of such bond or other security,
3 whether to require the furnishing of an additional bond or
4 other security by a licensee, and the amount of such additional
5 bond or other security. Such standards and criteria may include
6 payment history, general financial condition or other factors
7 which may pose risks to insuring the payment to the Department
8 of Revenue, of applicable taxes. Such rulemaking is subject to
9 the provisions of the Illinois Administrative Procedure Act.
10 The provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g,
11 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 11 and 12 of the Retailers'
12 Occupation Tax Act, and Sections ~~Section~~ 3-7 and 3-7.5 of the
13 Uniform Penalty and Interest Act, which are not inconsistent
14 with this Act shall apply, as far as practicable, to the
15 subject matter of this Act to the same extent as if such
16 provisions were included in this Act. Financial reports filed
17 pursuant to this Act shall not be confidential and shall be
18 available for public inspection. For the purposes of this Act,
19 references in such incorporated Sections of the Retailers'
20 Occupation Tax Act to retailers, sellers or persons engaged in
21 the business of selling tangible personal property means
22 persons engaged in conducting charitable games, and references
23 in such incorporated Sections of the Retailers' Occupation Tax
24 Act to sales of tangible personal property mean the conducting
25 of charitable games and the making of charges for playing such
26 games.

27 All of the sums collected under this Section shall be
28 deposited into the Illinois Gaming Law Enforcement Fund of the
29 State Treasury.

30 (Source: P.A. 87-205; 87-895.)

31 (230 ILCS 30/10) (from Ch. 120, par. 1130)

32 Sec. 10. Each licensee must keep a complete record of
33 charitable games conducted within the previous 5 ~~3~~ years. Such

1 record shall be open to inspection by any employee of the
2 Department of Revenue during reasonable business hours. Any
3 employee of the Department may visit the premises and inspect
4 such record during, and for a reasonable time before and after,
5 charitable games. Gross proceeds of charitable games shall be
6 segregated from other revenues of the licensee, including bingo
7 receipts, and shall be placed in a separate account.

8 The Department may require that any person, organization or
9 corporation licensed under this Act obtain from an Illinois
10 certified public accounting firm at its own expense a certified
11 and unqualified financial statement and verification of
12 records of such organization. Failure of a charitable games
13 licensee to comply with this requirement within 90 days of
14 receiving notice from the Department may result in suspension
15 or revocation of the licensee's license and forfeiture of all
16 proceeds.

17 The Department of Revenue shall revoke any license when it
18 finds that the licensee or any person connected therewith has
19 violated or is violating the provisions of this Act or any rule
20 promulgated under this Act. However, in his or her discretion,
21 the Director may review the offenses subjecting the licensee to
22 revocation and may issue a suspension. The decision to reduce a
23 revocation to a suspension, and the duration of the suspension,
24 shall be made by taking into account factors that include, but
25 are not limited to, the licensee's previous history of
26 compliance with the Act and its rules, the number, seriousness,
27 and duration of the violations, and the licensee's cooperation
28 in discontinuing and correcting the violations. Violations of
29 Sections 4, 5, 6, 7, and subsection (2) of Section 8 of this
30 Act are considered to be more serious in nature than other
31 violations under this Act. A revocation or suspension shall be
32 in addition to, and not in lieu of, any other civil penalties
33 or assessments that are authorized by this Act. No licensee
34 under this Act, while a charitable game is being conducted,

1 shall knowingly permit the entry into any part of the licensed
2 premises by any person who has been convicted of a violation of
3 Article 28 of the Criminal Code of 1961.

4 (Source: P.A. 88-669, eff. 11-29-94.)

5 Article 99

6 Section 99-99. Effective date. This Act takes effect upon
7 becoming law, except that Article 10 takes effect on August 1,
8 2006.".