



Rep. Lou Lang

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09700HB4320ham001

LRB097 15314 MRW 68224 a

1 AMENDMENT TO HOUSE BILL 4320

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4320 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by  
5 changing Section 28-2 as follows:

6 (720 ILCS 5/28-2) (from Ch. 38, par. 28-2)

7 Sec. 28-2. Definitions.

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

15 (1) A coin-in-the-slot operated mechanical device  
16 played for amusement which rewards the player with the

1 right to replay such mechanical device, which device is so  
2 constructed or devised as to make such result of the  
3 operation thereof depend in part upon the skill of the  
4 player and which returns to the player thereof no money,  
5 property or right to receive money or property.

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

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

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

1       physical or computer generated on a display or with lights,  
2       provided that all of the following conditions are met:

3               (A) The outcome of the game is predominantly  
4               determined by the skill of the player.

5               (B) The award of the prize is based solely upon the  
6               player's achieving the object of the game or otherwise  
7               upon the player's score.

8               (C) Only merchandise prizes are awarded.

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

12              (E) The redemption value of tickets, tokens, and  
13              other representations of value, which may be  
14              accumulated by players to redeem prizes of greater  
15              value, for a single play of the device does not exceed  
16              \$25 ~~the amount charged for a single play of the device.~~

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

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

3           (b) A "lottery" is any scheme or procedure whereby one or  
4 more prizes are distributed by chance among persons who have  
5 paid or promised consideration for a chance to win such prizes,  
6 whether such scheme or procedure is called a lottery, raffle,  
7 gift, sale or some other name.

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

15           (Source: P.A. 95-676, eff. 6-1-08.)".