

1 AN ACT in relation to gambling.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Consumer Installment Loan Act is amended
5 by changing Section 12.5 as follows:

6 (205 ILCS 670/12.5)

7 Sec. 12.5. Limited purpose branch.

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

15 (b) The licensee must submit an application for a
16 limited purpose branch to the Director on forms prescribed by
17 the Director with an application fee of \$300. The approval
18 for the limited purpose branch must be renewed concurrently
19 with the renewal of the licensee's license along with a
20 renewal fee of \$300 for the limited purpose branch.

21 (c) The books, accounts, records, and files of the
22 limited purpose branch's transactions shall be maintained at
23 the licensee's licensed location. The licensee shall notify
24 the Director of the licensed location at which the books,
25 accounts, records, and files shall be maintained.

26 (d) The licensee shall prominently display at the
27 limited purpose branch the address and telephone number of
28 the licensee's licensed location.

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

31 (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 Gambling Act, or within 1,000 feet of the location
7 at which the riverboat docks or at or within 1,000 feet of an
8 O'Hare gambling facility subject to the Riverboat Gambling
9 Act.

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

11 Section 10. The Riverboat Gambling Act is amended by
12 changing Sections 3, 4, 5, 5.1, 6, 7, 8, 9, 10, 11, 11.1,
13 11.2, 12, 13, 13.1, 14, 15, 17.1, 18, and 20 and adding
14 Section 7.1 as follows:

15 (230 ILCS 10/3) (from Ch. 120, par. 2403)

16 Sec. 3. Riverboat gambling and O'Hare gambling facility
17 authorized.

18 (a) Riverboat gambling operations and O'Hare gambling
19 facility operations and the system of wagering incorporated
20 therein, as defined in this Act, are hereby authorized to the
21 extent that they are carried out in accordance with the
22 provisions of this Act.

23 (b) This Act does not apply to the pari-mutuel system of
24 wagering used or intended to be used in connection with the
25 horse-race meetings as authorized under the Illinois Horse
26 Racing Act of 1975, lottery games authorized under the
27 Illinois Lottery Law, bingo authorized under the Bingo
28 License and Tax Act, charitable games authorized under the
29 Charitable Games Act or pull tabs and jar games conducted
30 under the Illinois Pull Tabs and Jar Games Act.

31 (c) Riverboat gambling conducted pursuant to this Act
32 may be authorized upon any water within the State of Illinois

1 or any water other than Lake Michigan which constitutes a
2 boundary of the State of Illinois and, subject to the
3 provisions of Section 7.1, O'Hare gambling facility
4 operations in designated areas at O'Hare International
5 Airport in Chicago that are restricted to ticketed customers.

6 A licensee may conduct riverboat gambling authorized under
7 this Act regardless of whether it conducts excursion cruises.

8 A licensee may permit the continuous ingress and egress of
9 passengers for the purpose of gambling, subject to the
10 limitations of Section 7.1.

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

12 (230 ILCS 10/4) (from Ch. 120, par. 2404)

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

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

15 (b) "Occupational license" means a license issued by the
16 Board to a person or entity to perform an occupation which
17 the Board has identified as requiring a license to engage in
18 riverboat gambling or O'Hare gambling facility gambling in
19 Illinois.

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

26 (d) "Riverboat" means a self-propelled excursion boat or
27 a permanently moored barge on which lawful gambling is
28 authorized and licensed as provided in this Act.

29 (e) (Blank).

30 (f) "Dock" means the location where a riverboat moors
31 for the purpose of embarking passengers for and disembarking
32 passengers from the riverboat.

33 (g) "Gross receipts" means the total amount of money

1 exchanged for the purchase of chips, tokens or electronic
2 cards by riverboat or O'Hare gambling facility patrons.

3 (h) "Adjusted gross receipts" means the gross receipts
4 less winnings paid to wagerers.

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

8 (j) "Department" means the Department of Revenue.

9 (k) "Gambling operation" means the conduct of authorized
10 gambling games upon a riverboat or in a designated portion of
11 O'Hare International Airport in Chicago.

12 (l) "O'Hare gambling facility" means any gambling
13 facility licensed pursuant to Section 7.1.

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

15 (230 ILCS 10/5) (from Ch. 120, par. 2405)

16 Sec. 5. Gaming Board.

17 (a) (1) There is hereby established within the
18 Department of Revenue an Illinois Gaming Board which shall
19 have the powers and duties specified in this Act, and all
20 other powers necessary and proper to fully and effectively
21 execute this Act for the purpose of administering,
22 regulating, and enforcing the system of ~~riverboat~~ gambling
23 established by this Act. Its jurisdiction shall extend under
24 this Act to every person, association, corporation,
25 partnership and trust involved in ~~riverboat~~ gambling
26 operations in the State of Illinois.

27 (2) The Board shall consist of 5 members to be appointed
28 by the Governor with the advice and consent of the Senate,
29 one of whom shall be designated by the Governor to be
30 chairman. Each member shall have a reasonable knowledge of
31 the practice, procedure and principles of gambling
32 operations. Each member shall either be a resident of

1 Illinois or shall certify that he will become a resident of
2 Illinois before taking office. At least one member shall be
3 experienced in law enforcement and criminal investigation, at
4 least one member shall be a certified public accountant
5 experienced in accounting and auditing, and at least one
6 member shall be a lawyer licensed to practice law in
7 Illinois.

8 (3) The terms of office of the Board members shall be 3
9 years, except that the terms of office of the initial Board
10 members appointed pursuant to this Act will commence from the
11 effective date of this Act and run as follows: one for a
12 term ending July 1, 1991, 2 for a term ending July 1, 1992,
13 and 2 for a term ending July 1, 1993. Upon the expiration of
14 the foregoing terms, the successors of such members shall
15 serve a term for 3 years and until their successors are
16 appointed and qualified for like terms. Vacancies in the
17 Board shall be filled for the unexpired term in like manner
18 as original appointments. Each member of the Board shall be
19 eligible for reappointment at the discretion of the Governor
20 with the advice and consent of the Senate.

21 (4) Each member of the Board shall receive \$300 for each
22 day the Board meets and for each day the member conducts any
23 hearing pursuant to this Act. Each member of the Board shall
24 also be reimbursed for all actual and necessary expenses and
25 disbursements incurred in the execution of official duties.

26 (5) No person shall be appointed a member of the Board
27 or continue to be a member of the Board who is, or whose
28 spouse, child or parent is, a member of the board of
29 directors of, or a person financially interested in, any
30 gambling operation subject to the jurisdiction of this Board,
31 or any race track, race meeting, racing association or the
32 operations thereof subject to the jurisdiction of the
33 Illinois Racing Board. No Board member shall hold any other
34 public office for which he shall receive compensation other

1 than necessary travel or other incidental expenses. No
2 person shall be a member of the Board who is not of good
3 moral character or who has been convicted of, or is under
4 indictment for, a felony under the laws of Illinois or any
5 other state, or the United States.

6 (6) Any member of the Board may be removed by the
7 Governor for neglect of duty, misfeasance, malfeasance, or
8 nonfeasance in office.

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

28 (8) Upon the request of the Board, the Department shall
29 employ such personnel as may be necessary to carry out the
30 functions of the Board. No person shall be employed to serve
31 the Board who is, or whose spouse, parent or child is, an
32 official of, or has a financial interest in or financial
33 relation with, any operator engaged in gambling operations
34 within this State or any organization engaged in conducting

1 horse racing within this State. Any employee violating these
2 prohibitions shall be subject to termination of employment.

3 (9) An Administrator shall perform any and all duties
4 that the Board shall assign him. The salary of the
5 Administrator shall be determined by the Board and approved
6 by the Director of the Department and, in addition, he shall
7 be reimbursed for all actual and necessary expenses incurred
8 by him in discharge of his official duties. The
9 Administrator shall keep records of all proceedings of the
10 Board and shall preserve all records, books, documents and
11 other papers belonging to the Board or entrusted to its care.
12 The Administrator shall devote his full time to the duties of
13 the office and shall not hold any other office or employment.

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

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

30 (2) To conduct all hearings pertaining to civil
31 violations of this Act or rules and regulations
32 promulgated hereunder;

33 (3) To promulgate such rules and regulations as in
34 its judgment may be necessary to protect or enhance the

1 credibility and integrity of gambling operations
2 authorized by this Act and the regulatory process
3 hereunder;

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

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

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

23 (7) To review and rule upon any complaint by a
24 licensee regarding any investigative procedures of the
25 State which are unnecessarily disruptive of gambling
26 operations. The need to inspect and investigate shall be
27 presumed at all times. The disruption of a licensee's
28 operations shall be proved by clear and convincing
29 evidence, and establish that: (A) the procedures had no
30 reasonable law enforcement purposes, and (B) the
31 procedures were so disruptive as to unreasonably inhibit
32 gambling operations;

33 (8) To hold at least one meeting each quarter of
34 the fiscal year. In addition, special meetings may be

1 called by the Chairman or any 2 Board members upon 72
2 hours written notice to each member. All Board meetings
3 shall be subject to the Open Meetings Act. Three members
4 of the Board shall constitute a quorum, and 3 votes shall
5 be required for any final determination by the Board.
6 The Board shall keep a complete and accurate record of
7 all its meetings. A majority of the members of the Board
8 shall constitute a quorum for the transaction of any
9 business, for the performance of any duty, or for the
10 exercise of any power which this Act requires the Board
11 members to transact, perform or exercise en banc, except
12 that, upon order of the Board, one of the Board members
13 or an administrative law judge designated by the Board
14 may conduct any hearing provided for under this Act or by
15 Board rule and may recommend findings and decisions to
16 the Board. The Board member or administrative law judge
17 conducting such hearing shall have all powers and rights
18 granted to the Board in this Act. The record made at the
19 time of the hearing shall be reviewed by the Board, or a
20 majority thereof, and the findings and decision of the
21 majority of the Board shall constitute the order of the
22 Board in such case;

23 (9) To maintain records which are separate and
24 distinct from the records of any other State board or
25 commission. Such records shall be available for public
26 inspection and shall accurately reflect all Board
27 proceedings;

28 (10) To file a written annual report with the
29 Governor on or before March 1 each year and such
30 additional reports as the Governor may request. The
31 annual report shall include a statement of receipts and
32 disbursements by the Board, actions taken by the Board,
33 and any additional information and recommendations which
34 the Board may deem valuable or which the Governor may

1 request;

2 (11) (Blank); and

3 (12) To assume responsibility for the
4 administration and enforcement of the Bingo License and
5 Tax Act, the Charitable Games Act, and the Pull Tabs and
6 Jar Games Act if such responsibility is delegated to it
7 by the Director of Revenue.

8 (c) The Board shall have jurisdiction over and shall
9 supervise all gambling operations governed by this Act. The
10 Board shall have all powers necessary and proper to fully and
11 effectively execute the provisions of this Act, including,
12 but not limited to, the following:

13 (1) To investigate applicants and determine the
14 eligibility of applicants for licenses and to select
15 among competing applicants the applicants which best
16 serve the interests of the citizens of Illinois.

17 (2) To have jurisdiction and supervision over all
18 riverboat and O'Hare gambling facility gambling
19 operations in this State and all persons on riverboats
20 and O'Hare gambling facilities where gambling operations
21 are conducted.

22 (3) To promulgate rules and regulations for the
23 purpose of administering the provisions of this Act and
24 to prescribe rules, regulations and conditions under
25 which all riverboat and O'Hare gambling facility gambling
26 in the State shall be conducted. Such rules and
27 regulations are to provide for the prevention of
28 practices detrimental to the public interest and for the
29 best interests of riverboat and O'Hare gambling facility
30 gambling, including rules and regulations regarding the
31 inspection of such riverboats and O'Hare gambling
32 facilities and the review of any permits or licenses
33 necessary to operate a riverboat under any laws or
34 regulations applicable to riverboats, and to impose

1 penalties for violations thereof.

2 (4) To enter the office, riverboats, O'Hare
3 gambling facilities, other facilities, or other places of
4 business of an owners licensee or O'Hare gambling
5 facility a licensee, where evidence of the compliance or
6 noncompliance with the provisions of this Act is likely
7 to be found.

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

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

17 (7) To adopt appropriate standards for all
18 riverboats, O'Hare gambling facilities, and other
19 facilities.

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

33 (9) To conduct hearings, issue subpoenas for the
34 attendance of witnesses and subpoenas duces tecum for the

1 production of books, records and other pertinent
2 documents in accordance with the Illinois Administrative
3 Procedure Act, and to administer oaths and affirmations
4 to the witnesses, when, in the judgment of the Board, it
5 is necessary to administer or enforce this Act or the
6 Board rules.

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

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

24 (12) To eject or exclude or authorize the ejection
25 or exclusion of, any person from ~~riverboat~~ gambling
26 facilities where such person is in violation of this Act,
27 rules and regulations thereunder, or final orders of the
28 Board, or where such person's conduct or reputation is
29 such that his presence within the ~~riverboat~~ gambling
30 facilities may, in the opinion of the Board, call into
31 question the honesty and integrity of the gambling
32 operations or interfere with orderly conduct thereof;
33 provided that the propriety of such ejection or exclusion
34 is subject to subsequent hearing by the Board.

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

6 (14) (Blank).

7 (15) To suspend, revoke or restrict licenses, to
8 require the removal of a licensee or an employee of a
9 licensee for a violation of this Act or a Board rule or
10 for engaging in a fraudulent practice, and to impose
11 civil penalties of up to \$5,000 against individuals and
12 up to \$10,000 or an amount equal to the daily gross
13 receipts, whichever is larger, against licensees for each
14 violation of any provision of the Act, any rules adopted
15 by the Board, any order of the Board or any other action
16 which, in the Board's discretion, is a detriment or
17 impediment to riverboat gambling operations.

18 (16) To hire employees to gather information,
19 conduct investigations and carry out any other tasks
20 contemplated under this Act.

21 (17) To establish minimum levels of insurance to be
22 maintained by licensees.

23 (18) To authorize a licensee to sell or serve
24 alcoholic liquors, wine or beer as defined in the Liquor
25 Control Act of 1934 on board a riverboat and to have
26 exclusive authority to establish the hours for sale and
27 consumption of alcoholic liquor on board a riverboat,
28 notwithstanding any provision of the Liquor Control Act
29 of 1934 or any local ordinance, and regardless of whether
30 the riverboat makes excursions. The establishment of the
31 hours for sale and consumption of alcoholic liquor on
32 board a riverboat is an exclusive power and function of
33 the State. A home rule unit may not establish the hours
34 for sale and consumption of alcoholic liquor on board a

1 riverboat. Public Act 87-826 ~~this-amendatory-Act-of~~ 1991
2 is a denial and limitation of home rule powers and
3 functions under subsection (h) of Section 6 of Article
4 VII of the Illinois Constitution.

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

11 (20) To delegate the execution of any of its powers
12 under this Act for the purpose of administering and
13 enforcing this Act and its rules and regulations
14 hereunder.

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

18 (d) The Board may seek and shall receive the cooperation
19 of 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
24 requirements of Section 2605-400 of the Department of State
25 Police Law (20 ILCS 2605/2605-400).

26 (e) The Board must authorize to each investigator and to
27 any other employee of the Board exercising the powers of a
28 peace officer a distinct badge that, on its face, (i) clearly
29 states that the badge is authorized by the Board and (ii)
30 contains a unique identifying number. No other badge shall
31 be authorized by the Board.

32 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00;
33 91-883, eff. 1-1-01.)

1 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)
2 Sec. 5.1. Disclosure of records.

3 (a) Notwithstanding any applicable statutory provision
4 to the contrary, the Board shall, on written request from any
5 person, provide information furnished by an applicant or
6 licensee concerning the applicant or licensee, his products,
7 services or gambling enterprises and his business holdings,
8 as follows:

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

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

20 (3) An identification of any business, including,
21 if applicable, the state of incorporation or
22 registration, in which an applicant or licensee or an
23 applicant's or licensee's spouse or children has an
24 equity interest of more than 5%. If an applicant or
25 licensee is a corporation, partnership or other business
26 entity, the applicant or licensee shall identify any
27 other corporation, partnership or business entity in
28 which it has an equity interest of 5% or more, including,
29 if applicable, the state of incorporation or
30 registration. This information need not be provided by a
31 corporation, partnership or other business entity that
32 has a pending registration statement filed with the
33 Securities and Exchange Commission.

34 (4) Whether an applicant or licensee has been

1 indicted, convicted, pleaded guilty or nolo contendere,
2 or forfeited bail concerning any criminal offense under
3 the laws of any jurisdiction, either felony or
4 misdemeanor (except for traffic violations), including
5 the date, the name and location of the court, arresting
6 agency and prosecuting agency, the case number, the
7 offense, the disposition and the location and length of
8 incarceration.

9 (5) Whether an applicant or licensee has had any
10 license or certificate issued by a licensing authority in
11 Illinois or any other jurisdiction denied, restricted,
12 suspended, revoked or not renewed and a statement
13 describing the facts and circumstances concerning the
14 denial, restriction, suspension, revocation or
15 non-renewal, including the licensing authority, the date
16 each such action was taken, and the reason for each such
17 action.

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

24 (7) Whether an applicant or licensee has filed, or
25 been served with a complaint or other notice filed with
26 any public body, regarding the delinquency in the payment
27 of, or a dispute over the filings concerning the payment
28 of, any tax required under federal, State or local law,
29 including the amount, type of tax, the taxing agency and
30 time periods involved.

31 (8) A statement listing the names and titles of all
32 public officials or officers of any unit of government,
33 and relatives of said public officials or officers who,
34 directly or indirectly, own any financial interest in,

1 have any beneficial interest in, are the creditors of or
2 hold any debt instrument issued by, or hold or have any
3 interest in any contractual or service relationship with,
4 an applicant or licensee.

5 (9) Whether an applicant or licensee has made,
6 directly or indirectly, any political contribution, or
7 any loans, donations or other payments, to any candidate
8 or office holder, within 5 years from the date of filing
9 the application, including the amount and the method of
10 payment.

11 (10) The name and business telephone number of the
12 counsel representing an applicant or licensee in matters
13 before the Board.

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

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

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

27 (1) The amount of the wagering tax and admission
28 tax paid daily to the State of Illinois by the holder of
29 an owner's license or an O'Hare gambling facility
30 license.

31 (2) Whenever the Board finds an applicant for an
32 owner's license or O'Hare gambling facility license
33 unsuitable for licensing, a copy of the written letter
34 outlining the reasons for the denial.

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

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

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

7 (2) The statutes, rules, regulations or
8 intergovernmental agreements of any jurisdiction.

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

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

13 (230 ILCS 10/6) (from Ch. 120, par. 2406)

14 Sec. 6. Application for Owners License or O'Hare
15 gambling facility license.

16 (a) A qualified person may apply to the Board for an
17 owners license to conduct a riverboat gambling operation or
18 an O'Hare gambling facility license to operate an O'Hare
19 gambling facility as provided in this Act. The application
20 shall be made on forms provided by the Board and shall
21 contain such information as the Board prescribes. In the
22 case of an application for an owners license, the information
23 shall include, but shall not be limited to:~~7--including--but~~
24 ~~not--limited--to~~ the identity of the riverboat on which such
25 gambling operation is to be conducted and the exact location
26 where such riverboat will be docked, a certification that the
27 riverboat will be registered under this Act at all times
28 during which gambling operations are conducted on board,
29 detailed information regarding the ownership and management
30 of the applicant, and detailed personal information regarding
31 the applicant. In the case of an application for an O'Hare
32 gambling facility license, the information shall include, but
33 shall not be limited to: the location where the gambling

1 operation is to be conducted, a certification that the
2 facility will be registered under this Act at all times
3 during which gambling operations are conducted, detailed
4 information regarding the ownership and management of the
5 applicant, and detailed personal information regarding the
6 applicant. Information provided on an the application shall
7 be used as a basis for a thorough background investigation
8 which the Board shall conduct with respect to each applicant.
9 An incomplete application shall be cause for denial of a
10 license by the Board.

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

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

24 (d) An application shall be filed with the Board by
25 January 1 of the year preceding any calendar year for which
26 an applicant seeks an owners license or an O'Hare gambling
27 facility license; however, applications for an owners license
28 permitting operations on January 1, 1991 shall be filed by
29 July 1, 1990. An application fee of \$50,000 shall be paid at
30 the time of filing to defray the costs associated with the
31 background investigation conducted by the Board. If the
32 costs of the investigation exceed \$50,000, the applicant
33 shall pay the additional amount to the Board. If the costs
34 of the investigation are less than \$50,000, the applicant

1 shall receive a refund of the remaining amount. All
2 information, records, interviews, reports, statements,
3 memoranda or other data supplied to or used by the Board in
4 the course of its review or investigation of an application
5 for a license under this Act shall be privileged, strictly
6 confidential and shall be used only for the purpose of
7 evaluating an applicant. Such information, records,
8 interviews, reports, statements, memoranda or other data
9 shall not be admissible as evidence, nor discoverable in any
10 action of any kind in any court or before any tribunal,
11 board, agency or person, except for any action deemed
12 necessary by the Board.

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

18 (f) The licensed owner shall be the person primarily
19 responsible for the facility where gambling operations are
20 conducted ~~boat-itself~~. Only one riverboat gambling operation
21 may be authorized by the Board on any riverboat. The
22 applicant for an owners license must identify each riverboat
23 it intends to use and certify that the riverboat: (1) has the
24 authorized capacity required in this Act; (2) is accessible
25 to disabled persons; and (3) is fully registered and licensed
26 in accordance with any applicable laws. An applicant for an
27 O'Hare gambling facility license must identify the facility
28 that it intends to use for the conduct of gambling operations
29 and certify that the facility: (1) has the authorized
30 capacity required under this Act; (2) is accessible to
31 disabled persons; and (3) is fully licensed and registered in
32 accordance with any applicable laws.

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

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

2 (230 ILCS 10/7) (from Ch. 120, par. 2407)

3 Sec. 7. Owners Licenses.

4 (a) The Board shall issue owners licenses to persons,
5 firms or corporations which apply for such licenses upon
6 payment to the Board of the non-refundable license fee set by
7 the Board, upon payment of a \$25,000 license fee for the
8 first year of operation and a \$5,000 license fee for each
9 succeeding year and upon a determination by the Board that
10 the applicant is eligible for an owners license pursuant to
11 this Act and the rules of the Board. A person, firm or
12 corporation is ineligible to receive an owners license if:

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

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

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

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

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

25 (6) the firm or corporation employs a person
26 defined in (1), (2), (3) or (4) who participates in the
27 management or operation of gambling operations authorized
28 under this Act;

29 (7) (blank); or

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

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

3 (1) the character, reputation, experience and
4 financial integrity of the applicants and of any other or
5 separate person that either:

6 (A) controls, directly or indirectly, such
7 applicant, or

8 (B) is controlled, directly or indirectly, by
9 such applicant or by a person which controls,
10 directly or indirectly, such applicant;

11 (2) the facilities or proposed facilities for the
12 conduct of riverboat gambling;

13 (3) the highest prospective total revenue to be
14 derived by the State from the conduct of riverboat
15 gambling;

16 (4) the good faith affirmative action plan of each
17 applicant to recruit, train and upgrade minorities in all
18 employment classifications;

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

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

25 (7) the extent to which the applicant exceeds or
26 meets other standards for the issuance of an owners
27 license which the Board may adopt by rule.

28 (c) Each owners license shall specify the place where
29 riverboats shall operate and dock.

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

32 (e) The Board may issue up to 10 owners licenses
33 authorizing the holders of such licenses to own riverboats.
34 In the application for an owners license, the applicant shall

1 state the dock at which the riverboat is based and the water
2 on which the riverboat will be located. The Board shall issue
3 5 licenses to become effective not earlier than January 1,
4 1991. Three of such owners licenses shall authorize
5 riverboat gambling on the Mississippi River, one of which
6 shall authorize riverboat gambling from a home dock in the
7 city of East St. Louis. One other owners license shall
8 authorize riverboat gambling on the Illinois River south of
9 Marshall County. The Board shall issue 1 additional owners
10 license to become effective not earlier than March 1, 1992,
11 which shall authorize riverboat gambling on the Des Plaines
12 River in Will County. The Board may issue 4 additional owners
13 licenses to become effective not earlier than March 1, 1992.
14 In determining the water upon which riverboats will operate,
15 the Board shall consider the economic benefit which riverboat
16 gambling confers on the State, and shall seek to assure that
17 all regions of the State share in the economic benefits of
18 riverboat gambling.

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

27 The Board may revoke the owners license of a licensee
28 which fails to begin conducting gambling within 15 months of
29 receipt of the Board's approval of the application if the
30 Board determines that license revocation is in the best
31 interests of the State.

32 (f) The first 10 owners licenses issued under this Act
33 shall permit the holder to own up to 2 riverboats and
34 equipment thereon for a period of 3 years after the effective

1 date of the license. Holders of the first 10 owners licenses
2 must pay the annual license fee for each of the 3 years
3 during which they are authorized to own riverboats.

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

12 (h) An owners license shall entitle the licensee to own
13 up to 2 riverboats. An owners A licensee shall limit the
14 number of gambling participants to 1,200 for any such owners
15 license. An owners A licensee may operate both of its
16 riverboats concurrently, provided that the total number of
17 gambling participants on both riverboats does not exceed
18 1,200. Riverboats licensed to operate on the Mississippi
19 River and the Illinois River south of Marshall County shall
20 have an authorized capacity of at least 500 persons. Any
21 other riverboat licensed under this Act shall have an
22 authorized capacity of at least 400 persons.

23 (i) An owners licensee A-licensed-owner is authorized to
24 apply to the Board for and, if approved therefor, to receive
25 all licenses from the Board necessary for the operation of a
26 riverboat, including a liquor license, a license to prepare
27 and serve food for human consumption, and other necessary
28 licenses. All use, occupation and excise taxes which apply
29 to the sale of food and beverages in this State and all taxes
30 imposed on the sale or use of tangible personal property
31 apply to such sales aboard the riverboat.

32 (j) The Board may issue a license authorizing a
33 riverboat to dock in a municipality or approve a relocation
34 under Section 11.2 only if, prior to the issuance of the

1 license or approval, the governing body of the municipality
 2 in which the riverboat will dock has by a majority vote
 3 approved the docking of riverboats in the municipality. The
 4 Board may issue an owners a license authorizing a riverboat
 5 to dock in areas of a county outside any municipality or
 6 approve a relocation under Section 11.2 only if, prior to the
 7 issuance of the owners license or approval, the governing
 8 body of the county has by a majority vote approved of the
 9 docking of riverboats within such areas.
 10 (Source: P.A. 91-40, eff. 6-25-99.)

11 (230 ILCS 10/7.1 new)

12 Sec. 7.1. O'Hare gambling facility licenses.

13 (a) The Board shall issue O'Hare gambling facility
 14 licenses to persons, firms, or corporations that apply for
 15 such licenses upon payment to the Board of the non-refundable
 16 license fee set by the Board, upon payment of a \$25,000
 17 license fee for the first year of operation and a \$5,000
 18 license fee for each succeeding year and upon a determination
 19 by the Board that the applicant is eligible for an O'Hare
 20 gambling facility license pursuant to this Act and the rules
 21 of the Board. A person, firm, or corporation is ineligible
 22 to receive an O'Hare gambling facility license if:

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

26 (2) the person has been convicted of any violation
 27 of Article 28 of the Criminal Code of 1961, or
 28 substantially similar laws of any other jurisdiction;

29 (3) the person has submitted an application for a
 30 license under this Act that contains false information;

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

32 (5) a person defined under paragraph (1), (2), (3),
 33 or (4) is an officer, director, or managerial employee of

1 the firm or corporation;

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

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

10 (b) In determining whether to grant an O'Hare gambling
11 facility license to an applicant, the Board shall consider:

12 (1) the character, reputation, experience, and
13 financial integrity of the applicant and of any other or
14 separate person that either:

15 (A) controls, directly or indirectly, the
16 applicant, or

17 (B) is controlled, directly or indirectly, by
18 the applicant or by a person who controls, directly
19 or indirectly, the applicant;

20 (2) the facilities or proposed facilities for the
21 conduct of gambling operations;

22 (3) the highest prospective total revenue to be
23 derived by the State from the conduct of gambling;

24 (4) the good faith affirmative action plan of each
25 applicant to recruit, train, and upgrade minorities in
26 all employment classifications;

27 (5) the financial ability of the applicant to
28 purchase and maintain adequate liability and casualty
29 insurance;

30 (6) whether the applicant has adequate
31 capitalization to provide and maintain, for the duration
32 of a license, an O'Hare gambling facility; and

33 (7) the extent to which the applicant exceeds or
34 meets other standards for the issuance of an O'Hare

1 gambling facility license that the Board may adopt by
2 rule.

3 (c) Each O'Hare gambling facility license shall specify
4 the place where the facility will be located.

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

8 (e) The Board may issue up to 4 O'Hare gambling facility
9 licenses authorizing the holder of such a license to own an
10 O'Hare gambling facility. In the application for an O'Hare
11 gambling facility license, the applicant shall state where
12 the facility will be located. A license issued under this
13 Section shall authorize the operation of slot machines in a
14 portion of O'Hare International Airport that is restricted to
15 persons who have an airplane ticket to fly into or out of
16 O'Hare International Airport. The Board shall review all
17 applications for O'Hare gambling facility licenses and shall
18 inform each applicant of the Board's decision. The Board may
19 revoke the O'Hare gambling facility license of a licensee
20 that fails to begin conducting gambling within 15 months of
21 receipt of the Board's approval of the application if the
22 Board determines that license revocation is in the best
23 interests of the State.

24 (f) An O'Hare gambling facility license shall entitle
25 the licensee to own or operate a slot machine gambling
26 facility in a portion of O'Hare International Airport that is
27 restricted to ticketed customers. A holder of a license
28 issued under this Section may operate the number of slot
29 machines that is authorized by the Board for that license.
30 An O'Hare gambling facility licensee shall limit the number
31 of gambling participants to the number set by the Board for
32 that licensee. The holder of a license issued under this
33 Section shall pay the annual license fee for each of the
34 years that it is authorized to conduct O'Hare gambling

1 facility gambling operations.

2 (g) Upon the termination, expiration, or revocation of a
3 license issued under this Section, the license is renewable
4 for a period of 4 years, unless the Board sets a shorter
5 period, upon payment of the fee and a determination by the
6 Board that the licensee continues to meet all of the
7 requirements of this Act and the Board's rules.

8 (h) The authorization of the conduct of gambling
9 operations at an O'Hare gambling facility is an exclusive
10 power and function of the State. The provision of this
11 Section authorizing the conduct of gambling operations at an
12 O'Hare gambling facility is a denial and limitation of home
13 rule powers and functions under subsection (h) of Section 6
14 of Article VII of the Illinois Constitution.

15 (230 ILCS 10/8) (from Ch. 120, par. 2408)

16 Sec. 8. Suppliers licenses.

17 (a) The Board may issue a suppliers license to such
18 persons, firms or corporations which apply therefor upon the
19 payment of a non-refundable application fee set by the Board,
20 upon a determination by the Board that the applicant is
21 eligible for a suppliers license and upon payment of a \$5,000
22 annual license fee.

23 (b) The holder of a suppliers license is authorized to
24 sell or lease, and to contract to sell or lease, gambling
25 equipment and supplies to any licensee involved in the
26 ownership or management of gambling operations.

27 (c) Gambling supplies and equipment may not be
28 distributed unless supplies and equipment conform to
29 standards adopted by rules of the Board.

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

32 (1) the person has been convicted of a felony under
33 the laws of this State, any other state, or the United

1 States;

2 (2) the person has been convicted of any violation
3 of Article 28 of the Criminal Code of 1961, or
4 substantially similar laws of any other jurisdiction;

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

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

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

11 (6) the firm or corporation employs a person who
12 participates in the management or operation of ~~riverboat~~
13 gambling operations authorized under this Act;

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

18 (e) Any person that supplies any equipment, devices, or
19 supplies to a licensed riverboat gambling operation or
20 licensed O'Hare gambling facility must first obtain a
21 suppliers license. A supplier shall furnish to the Board a
22 list of all equipment, devices and supplies offered for sale
23 or lease in connection with gambling games authorized under
24 this Act. A supplier shall keep books and records for the
25 furnishing of equipment, devices and supplies to gambling
26 operations separate and distinct from any other business that
27 the supplier might operate. A supplier shall file a
28 quarterly return with the Board listing all sales and leases.
29 A supplier shall permanently affix its name to all its
30 equipment, devices, and supplies for gambling operations. Any
31 supplier's equipment, devices or supplies which are used by
32 any person in an unauthorized gambling operation shall be
33 forfeited to the State. A licensed owner may own its own
34 equipment, devices and supplies. Each holder of an owners

1 license under the Act shall file an annual report listing its
2 inventories of gambling equipment, devices and supplies.

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

5 (g) Any gambling equipment, devices and supplies
6 provided by any licensed supplier may either be repaired at
7 the location where gambling operations are conducted or
8 removed to a ~~en-the-riverboat-or-removed-from--the--riverboat~~
9 ~~to--an--en-shore~~ facility owned by the holder of an owners
10 license or O'Hare gambling facility license for repair.

11 (Source: P.A. 86-1029; 87-826.)

12 (230 ILCS 10/9) (from Ch. 120, par. 2409)

13 Sec. 9. Occupational licenses.

14 (a) The Board may issue an occupational license to an
15 applicant upon the payment of a non-refundable fee set by the
16 Board, upon a determination by the Board that the applicant
17 is eligible for an occupational license and upon payment of
18 an annual license fee in an amount to be established. To be
19 eligible for an occupational license, an applicant must:

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

24 (2) not have been convicted of a felony offense, a
25 violation of Article 28 of the Criminal Code of 1961, or
26 a similar statute of any other jurisdiction, or a crime
27 involving dishonesty or moral turpitude;

28 (3) have demonstrated a level of skill or knowledge
29 which the Board determines to be necessary in order to
30 operate gambling aboard a riverboat or in an O'Hare
31 gambling facility; and

32 (4) have met standards for the holding of an
33 occupational license as adopted by rules of the Board.

1 Such rules shall provide that any person or entity
2 seeking an occupational license to manage gambling
3 operations hereunder shall be subject to background
4 inquiries and further requirements similar to those
5 required of applicants for an owners license.
6 Furthermore, such rules shall provide that each such
7 entity shall be permitted to manage gambling operations
8 for only one owners licensee or O'Hare gambling facility
9 licensee licensed-owner.

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

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

26 (d) The Board may in its discretion refuse an
27 occupational license to any person: (1) who is unqualified to
28 perform the duties required of such applicant; (2) who fails
29 to disclose or states falsely any information called for in
30 the application; (3) who has been found guilty of a violation
31 of this Act or whose prior gambling related license or
32 application therefor has been suspended, restricted, revoked
33 or denied for just cause in any other state; or (4) for any
34 other just cause.

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

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

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

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

21 (i) Any training provided for occupational licensees may
 22 be conducted either: (1) on a the riverboat, (2) at an O'Hare
 23 gambling facility, or (3) at a school with which an owners
 24 licensee or O'Hare gambling licensee a--~~licensed--owner~~ has
 25 entered into an agreement pursuant to subsection (h).

26 (Source: P.A. 86-1029; 87-826.)

27 (230 ILCS 10/10) (from Ch. 120, par. 2410)

28 Sec. 10. Bond of licensee. Before an owners license or
 29 O'Hare gambling facility license is issued, the licensee
 30 shall post a bond in the sum of \$200,000 to the State of
 31 Illinois. The bond shall be used to guarantee that the
 32 licensee faithfully makes the payments, keeps his books and
 33 records and makes reports, and conducts his games of chance

1 in conformity with this Act and the rules adopted by the
 2 Board. The bond shall not be canceled by a surety on less
 3 than 30 days notice in writing to the Board. If a bond is
 4 canceled and the licensee fails to file a new bond with the
 5 Board in the required amount on or before the effective date
 6 of cancellation, the licensee's license shall be revoked.
 7 The total and aggregate liability of the surety on the bond
 8 is limited to the amount specified in the bond.

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

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

11 Sec. 11. Conduct of gambling. Gambling may be conducted
 12 by owners licensees licensed-owners aboard riverboats and by
 13 O'Hare gambling facility licensees at O'Hare gambling
 14 facilities, subject to the following standards:

15 (1) An owners A licensee may conduct riverboat
 16 gambling authorized under this Act regardless of whether
 17 it conducts excursion cruises. An owners A licensee may
 18 permit the continuous ingress and egress of passengers
 19 for the purpose of gambling.

20 (1.1) An O'Hare gambling facility licensee may
 21 conduct slot machine gambling operations authorized under
 22 this Act pursuant to Section 7.1. An O'Hare gambling
 23 facility licensee shall not authorize an O'Hare gambling
 24 facility licensee to conduct any other form of gambling.

25 (2) (Blank).

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

28 (4) Agents of the Board and the Department of State
 29 Police may board and inspect any riverboat and any O'Hare
 30 gambling facility at any time for the purpose of
 31 determining whether this Act is being complied with.
 32 Every riverboat, if under way and being hailed by a law
 33 enforcement officer or agent of the Board, must stop

1 immediately and lay to.

2 (5) Employees of the Board shall have the right to
3 be present on the riverboat or on adjacent facilities
4 under the control of the licensee and in any O'Hare
5 gambling facility or related facilities.

6 (6) Gambling equipment and supplies customarily
7 used in conducting ~~riverboat~~ gambling operations must be
8 purchased or leased only from suppliers licensed for such
9 purpose under this Act.

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
14 present on a licensed riverboat or in a licensed O'Hare
15 gambling facility. No person present on a licensed
16 riverboat or in a licensed O'Hare gambling facility shall
17 place or attempt to place a wager on behalf of another
18 person who is not present on the riverboat or in the
19 O'Hare gambling facility.

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

22 (10) A person under age 21 shall not be permitted
23 on an area of a riverboat or in an area of an O'Hare
24 gambling facility where gambling is being conducted,
25 except for a person at least 18 years of age who is an
26 employee of the ~~riverboat~~ gambling operation. No
27 employee under age 21 shall perform any function involved
28 in gambling by the patrons. No person under age 21 shall
29 be permitted to make a wager under this Act.

30 (11) Riverboat gambling excursion cruises are
31 permitted only when the waterway for which the riverboat
32 is licensed is navigable, as determined by the Board in
33 consultation with the U.S. Army Corps of Engineers. This
34 paragraph (11) does not limit the ability of a licensee

1 to conduct gambling authorized under this Act when
2 gambling excursion cruises are not permitted.

3 (12) All tokens, chips or electronic cards used to
4 make wagers must be purchased from an owners licensee a
5 ~~licensed-owner~~ either aboard a riverboat or at an onshore
6 facility which has been approved by the Board and which
7 is located where the riverboat docks or from an O'Hare
8 gambling facility licensee at that facility. The tokens,
9 chips or electronic cards may be purchased by means of an
10 agreement under which the licensee ~~owner~~ extends credit
11 to the patron. Such tokens, chips or electronic cards
12 may be used while aboard the riverboat or in the O'Hare
13 gambling facility only for the purpose of making wagers
14 on gambling games.

15 (13) Notwithstanding any other Section of this Act,
16 in addition to the other licenses authorized under this
17 Act, the Board may issue special event licenses allowing
18 persons who are not otherwise licensed to conduct
19 riverboat gambling to conduct such gambling on a
20 specified date or series of dates. Riverboat gambling
21 under such a license may take place on a riverboat not
22 normally used for riverboat gambling. The Board shall
23 establish standards, fees and fines for, and limitations
24 upon, such licenses, which may differ from the standards,
25 fees, fines and limitations otherwise applicable under
26 this Act. All such fees shall be deposited into the
27 State Gaming Fund. All such fines shall be deposited
28 into the Education Assistance Fund, created by Public Act
29 86-0018, of the State of Illinois.

30 (14) In addition to the above, gambling must be
31 conducted in accordance with all rules adopted by the
32 Board.

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

1 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

2 Sec. 11.1. Collection of amounts owing under credit
3 agreements. Notwithstanding any applicable statutory
4 provision to the contrary, an owners licensee or O'Hare
5 gambling facility licensee a--~~licensed--owner~~ who extends
6 credit to a ~~riverboat~~ gambling patron pursuant to Section 11
7 (a) (12) of this Act is expressly authorized to institute a
8 cause of action to collect any amounts due and owing under
9 the extension of credit, as well as the ~~owner's~~ costs,
10 expenses and reasonable attorney's fees incurred in
11 collection.

12 (Source: P.A. 86-1029; 86-1389; 87-826.)

13 (230 ILCS 10/11.2)

14 Sec. 11.2. Relocation of riverboat home dock.

15 (a) An owners A licensee that was not conducting
16 riverboat gambling on January 1, 1998 may apply to the Board
17 for renewal and approval of relocation to a new home dock
18 location authorized under Section 3(c) and the Board shall
19 grant the application and approval upon receipt by the
20 licensee of approval from the new municipality or county, as
21 the case may be, in which the licensee wishes to relocate
22 pursuant to Section 7(j).

23 (b) Any licensee that relocates its home dock pursuant
24 to this Section shall attain a level of at least 20% minority
25 person and female ownership, at least 16% and 4%
26 respectively, within a time period prescribed by the Board,
27 but not to exceed 12 months from the date the licensee begins
28 conducting gambling at the new home dock location. The
29 12-month period shall be extended by the amount of time
30 necessary to conduct a background investigation pursuant to
31 Section 6. For the purposes of this Section, the terms
32 "female" and "minority person" have the meanings provided in
33 Section 2 of the Business Enterprise for Minorities, Females,

1 and Persons with Disabilities Act.

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

3 (230 ILCS 10/12) (from Ch. 120, par. 2412)

4 Sec. 12. Admission tax; fees.

5 (a) A tax is hereby imposed upon admissions authorized
6 pursuant to this Act at a rate of \$2 per person admitted.
7 This admission tax is imposed upon the owners licensee or
8 O'Hare gambling facility licensee licensed owner conducting
9 gambling.

10 (1) The admission tax shall be paid for each
11 admission.

12 (2) (Blank).

13 (3) An owners licensee or an O'Hare gambling
14 facility ~~The-riverboat~~ licensee may issue tax-free passes
15 to actual and necessary officials and employees of the
16 licensee or other persons actually working on the
17 riverboat or in the O'Hare gambling facility.

18 (4) The number and issuance of tax-free passes is
19 subject to the rules of the Board, and a list of all
20 persons to whom the tax-free passes are issued shall be
21 filed with the Board.

22 (b) From the \$2 tax imposed upon an owners licensee
23 under subsection (a), a municipality shall receive from the
24 State \$1 for each person embarking on a riverboat docked
25 within the municipality, and a county shall receive \$1 for
26 each person embarking on a riverboat docked within the county
27 but outside the boundaries of any municipality. The
28 municipality's or county's share shall be collected by the
29 Board on behalf of the State and remitted quarterly by the
30 State, subject to appropriation, to the treasurer of the unit
31 of local government for deposit in the general fund.

32 (b-5) From the \$2 tax imposed upon an O'Hare gambling
33 facility licensee under subsection (a), the City of Chicago

1 shall receive \$1 for each person who enters the facility and
 2 \$1 shall be paid into the Education Assistance Fund. The tax
 3 shall be collected by the Board on behalf of the State and
 4 remitted quarterly by the State, subject to appropriation, to
 5 the treasurer of Chicago for deposit in the general fund.

6 (c) An owners licensee or O'Hare gambling facility
 7 licensee ~~The licensed-owner~~ shall pay the entire admission
 8 tax to the Board. Such payments shall be made daily.
 9 Accompanying each payment shall be a return on forms provided
 10 by the Board which shall include other information regarding
 11 admissions as the Board may require. Failure to submit
 12 either the payment or the return within the specified time
 13 may result in suspension or revocation of the owners license
 14 or O'Hare gambling facility license.

15 (d) The Board shall administer and collect the admission
 16 tax imposed by this Section, to the extent practicable, in a
 17 manner consistent with the provisions of Sections 4, 5, 5a,
 18 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of
 19 the Retailers' Occupation Tax Act and Section 3-7 of the
 20 Uniform Penalty and Interest Act.

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

22 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

27 Beginning January 1, 1998, a privilege tax is imposed on
 28 persons engaged in the business of conducting riverboat
 29 gambling operations, based on the adjusted gross receipts
 30 received by an owners licensee ~~a licensed-owner~~ from gambling
 31 games authorized under this Act at the following rates:

32 15% of annual adjusted gross receipts up to and
 33 including \$25,000,000;

1 20% of annual adjusted gross receipts in excess of
2 \$25,000,000 but not exceeding \$50,000,000;

3 25% of annual adjusted gross receipts in excess of
4 \$50,000,000 but not exceeding \$75,000,000;

5 30% of annual adjusted gross receipts in excess of
6 \$75,000,000 but not exceeding \$100,000,000;

7 35% of annual adjusted gross receipts in excess of
8 \$100,000,000.

9 The taxes imposed under by this subsection (a) Section
10 shall be paid by the licensed owner to the Board not later
11 than 3:00 o'clock p.m. of the day after the day when the
12 wagers were made.

13 (a-5) A privilege tax is imposed on persons engaged in
14 the business of conducting O'Hare gambling operations, based
15 on the adjusted gross receipts received by an O'Hare gambling
16 facility licensee from gambling games authorized under this
17 Act at the following rates:

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

20 20% of annual adjusted gross receipts in excess of
21 \$25,000,000 but not exceeding \$50,000,000;

22 25% of annual adjusted gross receipts in excess of
23 \$50,000,000 but not exceeding \$75,000,000;

24 30% of annual adjusted gross receipts in excess of
25 \$75,000,000 but not exceeding \$100,000,000; and

26 35% of annual adjusted gross receipts in excess of
27 \$100,000,000.

28 The taxes imposed under this subsection (a-5) shall be
29 paid by the O'Hare gambling facility licensee to the Board
30 not later than 3:00 o'clock p.m. of the day after the day
31 when the wagers were made.

32 (b) Until January 1, 1998, 25% of the tax revenue
33 deposited in the State Gaming Fund under this Section shall
34 be paid, subject to appropriation by the General Assembly, to

1 the unit of local government which is designated as the home
2 dock of the riverboat. Beginning January 1, 1998, from the
3 tax revenue collected pursuant to subsection (a) and
4 deposited in the State Gaming Fund under this Section, an
5 amount equal to 5% of adjusted gross receipts generated by a
6 riverboat shall be paid monthly, subject to appropriation by
7 the General Assembly, to the unit of local government that is
8 designated as the home dock of the riverboat.

9 (c) Appropriations, as approved by the General Assembly,
10 may be made from the State Gaming Fund to the Department of
11 Revenue and the Department of State Police for the
12 administration and enforcement of this Act.

13 (c-5) After the payments required under subsections (b)
14 and (c) have been made, an amount equal to 15% of the
15 adjusted gross receipts of a riverboat (1) that relocates
16 pursuant to Section 11.2, or (2) for which an owners license
17 is initially issued after the effective date of this
18 amendatory Act of 1999, whichever comes first, shall be paid
19 from the 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
22 Fund an amount equal to the amount paid into the Horse Racing
23 Equity Fund pursuant to subsection (c-5) in the prior
24 calendar year.

25 (c-15) After the payments required under subsections
26 (b), (c), and (c-5) have been made, an amount equal to 2% of
27 the adjusted gross receipts of a riverboat (1) that relocates
28 pursuant to Section 11.2, or (2) for which an owners license
29 is initially issued after the effective date of this
30 amendatory Act of 1999, whichever comes first, shall be paid,
31 subject to appropriation from the General Assembly, from the
32 State Gaming Fund to each home rule county with a population
33 of over 3,000,000 inhabitants for the purpose of enhancing
34 the county's criminal justice system.

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

6 (c-25) After the payments required under subsections
7 (b), (c), (c-5) and (c-15) have been made, an amount equal to
8 2% of the adjusted gross receipts of a riverboat (1) that
9 relocates pursuant to Section 11.2, or (2) for which an
10 owners license is initially issued after the effective date
11 of this amendatory Act of 1999, whichever comes first, shall
12 be paid from the State Gaming Fund into the State
13 Universities Athletic Capital Improvement Fund.

14 (c-30) From the tax revenue paid to the Board pursuant
15 to subsection (a-5), 50% shall be paid to the City of Chicago
16 and 50% shall be paid into the Education Assistance Fund.

17 (d) From time to time, the Board shall transfer the
18 remainder of the funds generated by this Act, except funds
19 generated pursuant to subsection (a-5), into the Education
20 Assistance Fund, created by Public Act 86-0018, of the State
21 of Illinois.

22 (e) Nothing in this Act shall prohibit the unit of local
23 government designated as the home dock of the riverboat from
24 entering into agreements with other units of local government
25 in this State or in other states to share its portion of the
26 tax revenue.

27 (f) To the extent practicable, the Board shall
28 administer and collect the wagering taxes imposed by this
29 Section in a manner consistent with the provisions of
30 Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b,
31 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and
32 Section 3-7 of the Uniform Penalty and Interest Act.

33 (Source: P.A. 90-548, eff. 12-4-97; 91-40, eff. 6-25-99.)

1 (230 ILCS 10/13.1)

2 Sec. 13.1. Compulsive gambling.

3 (a) Each owners licensee and each O'Hare gambling
4 facility licensee ~~licensed--owner~~ shall post signs with a
5 statement regarding obtaining assistance with gambling
6 problems, the text of which shall be determined by rule by
7 the Department of Human Services, at the following locations
8 in each facility at which gambling is conducted by the
9 licensee ~~licensed-owner~~:

10 (i) Each entrance and exit.

11 (ii) Near each credit location.

12 The signs shall be provided by the Department of Human
13 Services.

14 (b) Each owners licensee and O'Hare gambling facility
15 licensee ~~licensed-owner~~ shall print a statement regarding
16 obtaining assistance with gambling problems, the text of
17 which shall be determined by rule by the Department of Human
18 Services, on all paper stock that the licensee ~~licensed-owner~~
19 provides to the general public.

20 (Source: P.A. 89-374, eff. 1-1-96; 89-507, eff. 7-1-97.)

21 (230 ILCS 10/14) (from Ch. 120, par. 2414)

22 Sec. 14. Licensees - Records - Reports - Supervision.

23 (a) Each owners licensee and each O'Hare gambling
24 facility licensee ~~A-licensed-owner~~ shall keep his books and
25 records so as to clearly show the following:

26 (1) The amount received daily from admission fees.

27 (2) The total amount of gross receipts.

28 (3) The total amount of the adjusted gross receipts.

29 (b) Each owners licensee and each O'Hare gambling
30 facility licensee ~~The-licensed-owner~~ shall furnish to the
31 Board reports and information as the Board may require with
32 respect to its activities on forms designed and supplied for
33 such purpose by the Board.

1 (c) The books and records kept by an owners licensee or
 2 O'Hare gambling facility licensee a--~~licensed--owner~~ as
 3 provided by this Section are public records and the
 4 examination, publication, and dissemination of the books and
 5 records are governed by the provisions of The Freedom of
 6 Information Act.

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

8 (230 ILCS 10/15) (from Ch. 120, par. 2415)

9 Sec. 15. Audit of Licensee Operations. Within 90 days
 10 after the end of each quarter of each fiscal year, each
 11 owners licensee and each O'Hare gambling facility licensee
 12 ~~the--licensed--owner~~ shall transmit to the Board an audit of
 13 the financial transactions and condition of the licensee's
 14 total operations. All audits shall be conducted by certified
 15 public accountants selected by the Board. Each certified
 16 public accountant must be registered in the State of Illinois
 17 under the Illinois Public Accounting Act. The compensation
 18 for each certified public accountant shall be paid directly
 19 by the licensee ~~licensed--owner~~ to the certified public
 20 accountant.

21 (Source: P.A. 86-1029; 86-1389.)

22 (230 ILCS 10/17.1) (from Ch. 120, par. 2417.1)

23 Sec. 17.1. Judicial Review.

24 (a) Jurisdiction and venue for the judicial review of a
 25 final order of the Board relating to owners, O'Hare gambling
 26 facility, suppliers, or special event licenses is vested in
 27 the Appellate Court of the judicial district in which
 28 Sangamon County is located. A petition for judicial review
 29 of a final order of the Board must be filed in the Appellate
 30 Court, within 35 days from the date that a copy of the
 31 decision sought to be reviewed was served upon the party
 32 affected by the decision.

1 (b) Judicial review of all other final orders of the
2 Board shall be conducted in accordance with the
3 Administrative Review Law.

4 (Source: P.A. 88-1.)

5 (230 ILCS 10/18) (from Ch. 120, par. 2418)

6 Sec. 18. Prohibited Activities - Penalty.

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

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

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

13 (b) A person is guilty of a Class B misdemeanor for
14 doing any of the following:

15 (1) permitting a person under 21 years to make a
16 wager; or

17 (2) violating paragraph (12) of subsection (a) of
18 Section 11 of this Act.

19 (c) A person wagering or accepting a wager at any
20 location outside a the riverboat or O'Hare gambling facility
21 is subject to the penalties in paragraphs (1) or (2) of
22 subsection (a) of Section 28-1 of the Criminal Code of 1961.

23 (d) A person commits a Class 4 felony and, in addition,
24 shall be barred for life from riverboats and O'Hare gambling
25 facilities under the jurisdiction of the Board, if the person
26 does any of the following:

27 (1) Offers, promises, or gives anything of value or
28 benefit to a person who is connected with a riverboat
29 owner or O'Hare gambling facility including, but not
30 limited to, an officer or employee of an owners licensee
31 or O'Hare gambling facility licensee ~~a licensed-owner~~ or
32 holder of an occupational license pursuant to an
33 agreement or arrangement or with the intent that the

1 promise or thing of value or benefit will influence the
2 actions of the person to whom the offer, promise, or gift
3 was made in order to affect or attempt to affect the
4 outcome of a gambling game, or to influence official
5 action of a member of the Board.

6 (2) Solicits or knowingly accepts or receives a
7 promise of anything of value or benefit while the person
8 is connected with a riverboat or O'Hare gambling facility
9 including, but not limited to, an officer or employee of
10 an owners licensee or O'Hare gambling facility licensee a
11 ~~licensed--owner~~, or holder of an occupational license,
12 pursuant to an understanding or arrangement or with the
13 intent that the promise or thing of value or benefit will
14 influence the actions of the person to affect or attempt
15 to affect the outcome of a gambling game, or to influence
16 official action of a member of the Board.

17 (3) Uses or possesses with the intent to use a
18 device to assist:

- 19 (i) In projecting the outcome of the game.
- 20 (ii) In keeping track of the cards played.
- 21 (iii) In analyzing the probability of the
22 occurrence of an event relating to the gambling
23 game.
- 24 (iv) In analyzing the strategy for playing or
25 betting to be used in the game except as permitted
26 by the Board.

27 (4) Cheats at a gambling game.

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

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

1 (7) Places a bet after acquiring knowledge, not
2 available to all players, of the outcome of the gambling
3 game which is subject of the bet or to aid a person in
4 acquiring the knowledge for the purpose of placing a bet
5 contingent on that outcome.

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

12 (9) Uses counterfeit chips or tokens in a gambling
13 game.

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

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

26 An action to prosecute any crime occurring on a riverboat
27 shall be tried in the county of the dock at which the
28 riverboat is based. An action to prosecute any crime
29 occurring at an O'Hare gambling facility shall be tried in
30 Cook County.

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

32 (230 ILCS 10/20) (from Ch. 120, par. 2420)

33 Sec. 20. Prohibited activities - civil penalties. Any

1 person who conducts a gambling operation without first
 2 obtaining a license to do so, or who continues to conduct
 3 such games after revocation of his license, or any licensee
 4 who conducts or allows to be conducted any unauthorized
 5 gambling games on a riverboat where it is authorized to
 6 conduct its riverboat gambling operation or in an O'Hare
 7 gambling facility where it is authorized to conduct its
 8 gambling operation, in addition to other penalties provided,
 9 shall be subject to a civil penalty equal to the amount of
 10 gross receipts derived from wagering on the gambling games,
 11 whether unauthorized or authorized, conducted on that day as
 12 well as confiscation and forfeiture of all gambling game
 13 equipment used in the conduct of unauthorized gambling games.
 14 (Source: P.A. 86-1029.)

15 Section 20. The Criminal Code of 1961 is amended by
 16 changing Sections 28-1, 28-1.1, 28-5, and 28-7 as follows:

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

18 Sec. 28-1. Gambling.

19 (a) A person commits gambling when he:

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

23 (2) Makes a wager upon the result of any game,
 24 contest, or any political nomination, appointment or
 25 election; or

26 (3) Operates, keeps, owns, uses, purchases,
 27 exhibits, rents, sells, bargains for the sale or lease
 28 of, manufactures or distributes any gambling device; or

29 (4) Contracts to have or give himself or another
 30 the option to buy or sell, or contracts to buy or sell,
 31 at a future time, any grain or other commodity
 32 whatsoever, or any stock or security of any company,

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

17 (5) Knowingly owns or possesses any book,
18 instrument or apparatus by means of which bets or wagers
19 have been, or are, recorded or registered, or knowingly
20 possesses any money which he has received in the course
21 of a bet or wager; or

22 (6) Sells pools upon the result of any game or
23 contest of skill or chance, political nomination,
24 appointment or election; or

25 (7) Sets up or promotes any lottery or sells,
26 offers to sell or transfers any ticket or share for any
27 lottery; or

28 (8) Sets up or promotes any policy game or sells,
29 offers to sell or knowingly possesses or transfers any
30 policy ticket, slip, record, document or other similar
31 device; or

32 (9) Knowingly drafts, prints or publishes any
33 lottery ticket or share, or any policy ticket, slip,
34 record, document or similar device, except for such

1 activity related to lotteries, bingo games and raffles
2 authorized by and conducted in accordance with the laws
3 of Illinois or any other state or foreign government; or

4 (10) Knowingly advertises any lottery or policy
5 game, except for such activity related to lotteries,
6 bingo games and raffles authorized by and conducted in
7 accordance with the laws of Illinois or any other state;
8 or

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

17 (12) Knowingly establishes, maintains, or operates
18 an Internet site that permits a person to play a game of
19 chance or skill for money or other thing of value by
20 means of the Internet or to make a wager upon the result
21 of any game, contest, political nomination, appointment,
22 or election by means of the Internet.

23 (b) Participants in any of the following activities
24 shall not be convicted of gambling therefor:

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

29 (2) Offers of prizes, award or compensation to the
30 actual contestants in any bona fide contest for the
31 determination of skill, speed, strength or endurance or
32 to the owners of animals or vehicles entered in such
33 contest;

34 (3) Pari-mutuel betting as authorized by the law of

1 this State;

2 (4) Manufacture of gambling devices, including the
3 acquisition of essential parts therefor and the assembly
4 thereof, for transportation in interstate or foreign
5 commerce to any place outside this State when such
6 transportation is not prohibited by any applicable
7 Federal law;

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

11 (6) Lotteries when conducted by the State of
12 Illinois in accordance with the Illinois Lottery Law;

13 (7) Possession of an antique slot machine that is
14 neither used nor intended to be used in the operation or
15 promotion of any unlawful gambling activity or
16 enterprise. For the purpose of this subparagraph (b)(7),
17 an antique slot machine is one manufactured 25 years ago
18 or earlier;

19 (8) Raffles when conducted in accordance with the
20 Raffles Act;

21 (9) Charitable games when conducted in accordance
22 with the Charitable Games Act;

23 (10) Pull tabs and jar games when conducted under
24 the Illinois Pull Tabs and Jar Games Act; or

25 (11) Gambling games conducted on riverboats or in
26 O'Hare gambling facilities when authorized by the
27 Riverboat Gambling Act.

28 (c) Sentence.

29 Gambling under subsection (a)(1) or (a)(2) of this
30 Section is a Class A misdemeanor. Gambling under any of
31 subsections (a)(3) through (a)(11) of this Section is a Class
32 A misdemeanor. A second or subsequent conviction under any
33 of subsections (a)(3) through (a)(11), is a Class 4 felony.
34 Gambling under subsection (a)(12) of this Section is a Class

1 A misdemeanor. A second or subsequent conviction under
2 subsection (a)(12) is a Class 4 felony.

3 (d) Circumstantial evidence.

4 In prosecutions under subsection (a)(1) through (a)(12)
5 of this Section circumstantial evidence shall have the same
6 validity and weight as in any criminal prosecution.

7 (Source: P.A. 91-257, eff. 1-1-00.)

8 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

9 Sec. 28-1.1. Syndicated gambling.

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

17 (b) A person commits syndicated gambling when he
18 operates a "policy game" or engages in the business of
19 bookmaking.

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

23 (1) money from a person other than the better or
24 player whose bets or plays are represented by such money;
25 or

26 (2) written "policy game" records, made or used
27 over any period of time, from a person other than the
28 better or player whose bets or plays are represented by
29 such written record.

30 (d) A person engages in bookmaking when he receives or
31 accepts more than five bets or wagers upon the result of any
32 trials or contests of skill, speed or power of endurance or
33 upon any lot, chance, casualty, unknown or contingent event

1 whatsoever, which bets or wagers shall be of such size that
2 the total of the amounts of money paid or promised to be paid
3 to such bookmaker on account thereof shall exceed \$2,000.
4 Bookmaking is the receiving or accepting of such bets or
5 wagers regardless of the form or manner in which the
6 bookmaker records them.

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

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

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

18 (3) Pari-mutuel betting as authorized by law of
19 this State; and

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

26 (5) Raffles when conducted in accordance with the
27 Raffles Act; and

28 (6) Gambling games conducted on riverboats or in
29 O'Hare gambling facilities when authorized by the
30 Riverboat Gambling Act.

31 (f) Sentence. Syndicated gambling is a Class 3 felony.

32 (Source: P.A. 86-1029; 87-435.)

33 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

1 Sec. 28-5. Seizure of gambling devices and gambling
2 funds.

3 (a) Every device designed for gambling which is
4 incapable of lawful use or every device used unlawfully for
5 gambling shall be considered a "gambling device", and shall
6 be subject to seizure, confiscation and destruction by the
7 Department of State Police or by any municipal, or other
8 local authority, within whose jurisdiction the same may be
9 found. As used in this Section, a "gambling device" includes
10 any slot machine, and includes any machine or device
11 constructed for the reception of money or other thing of
12 value and so constructed as to return, or to cause someone to
13 return, on chance to the player thereof money, property or a
14 right to receive money or property. With the exception of
15 any device designed for gambling which is incapable of lawful
16 use, no gambling device shall be forfeited or destroyed
17 unless an individual with a property interest in said device
18 knows of the unlawful use of the device.

19 (b) Every gambling device shall be seized and forfeited
20 to the county wherein such seizure occurs. Any money or
21 other thing of value integrally related to acts of gambling
22 shall be seized and forfeited to the county wherein such
23 seizure occurs.

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

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

30 (d) If a seizure pursuant to subparagraph (b) of this
31 Section is not followed by a charge pursuant to subparagraph
32 (c) of this Section, or if the prosecution of such charge is
33 permanently terminated or indefinitely discontinued without
34 any judgment of conviction or acquittal (1) the State's

1 Attorney shall commence an in rem proceeding for the
 2 forfeiture and destruction of a gambling device, or for the
 3 forfeiture and deposit in the general fund of the county of
 4 any seized money or other things of value, or both, in the
 5 circuit court and (2) any person having any property interest
 6 in such seized gambling device, money or other thing of value
 7 may commence separate civil proceedings in the manner
 8 provided by law.

9 (e) Any gambling device displayed for sale to a
 10 riverboat gambling operation or O'Hare gambling facility
 11 operation or used to train occupational licensees of a
 12 riverboat gambling operation or O'Hare gambling facility
 13 operation as authorized under the Riverboat Gambling Act is
 14 exempt from seizure under this Section.

15 (f) Any gambling equipment, devices and supplies
 16 provided by a licensed supplier in accordance with the
 17 Riverboat Gambling Act which are removed from the riverboat
 18 or O'Hare gambling facility for repair are exempt from
 19 seizure under this Section.

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

21 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)
 22 Sec. 28-7. Gambling contracts void.

23 (a) All promises, notes, bills, bonds, covenants,
 24 contracts, agreements, judgments, mortgages, or other
 25 securities or conveyances made, given, granted, drawn, or
 26 entered into, or executed by any person whatsoever, where the
 27 whole or any part of the consideration thereof is for any
 28 money or thing of value, won or obtained in violation of any
 29 Section of this Article are null and void.

30 (b) Any obligation void under this Section may be set
 31 aside and vacated by any court of competent jurisdiction,
 32 upon a complaint filed for that purpose, by the person so
 33 granting, giving, entering into, or executing the same, or by

1 his executors or administrators, or by any creditor, heir,
2 legatee, purchaser or other person interested therein; or if
3 a judgment, the same may be set aside on motion of any person
4 stated above, on due notice thereof given.

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

9 (d) This Section shall not prevent a licensed owner of a
10 riverboat gambling operation or an O'Hare gambling facility
11 operation from instituting a cause of action to collect any
12 amount due and owing under an extension of credit to a
13 riverboat gambling patron or O'Hare gambling facility patron
14 as authorized under the Riverboat Gambling Act.

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