

1 AN ACT concerning gaming.

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

4 Section 1. Short title. This Act may be cited as the Family
5 Amusement Wagering Prohibition Act.

6 Section 5. Definitions. As used in this Act:

7 "Advertise" means to engage in promotional activities,
8 including, but not limited to, newspaper, radio, Internet and
9 electronic media, and television advertising, the distribution
10 of fliers and circulars, billboard advertising, and the
11 display of window and interior signs.

12 "Amusement device" means a game or machine which a person
13 activates by inserting or using currency or a coin, card,
14 coupon, slug, token, or similar device, and the person playing
15 or operating the game or machine impacts the outcome of the
16 game. "Amusement device" includes games of skill, games of
17 chance, and games of a combination of skill and chance.
18 "Amusement device" does not include a device certified by the
19 Illinois Gaming Board to be operated by an Illinois Gaming
20 Board licensee.

21 "Crane game" means an amusement device involving skill, if
22 it rewards the player exclusively with merchandise contained
23 within the amusement device proper and limited to toys,

1 novelties, and prizes other than currency, each having a
2 wholesale value which is not more than \$25.

3 "Facilitate" means the aiding, abetting, assisting,
4 inciting, or inducing the wagering on the outcome of any game
5 or contest on any amusement devices by any person.

6 "Family amusement establishment" means a place of business
7 with amusement devices on the premises.

8 "Merchandise" means noncash prizes maintained on the
9 premises by the family amusement establishment, including toys
10 and novelties. "Merchandise" does not include any prize or
11 other item, if the exchange or conversion to cash or a cash
12 equivalent is facilitated or permitted by the family amusement
13 establishment.

14 "Redemption machine" means a single-player or multi-player
15 amusement device involving a game, the object of which is
16 throwing, rolling, bowling, shooting, placing, or propelling a
17 ball or other object that is either physical or computer
18 generated on a display or with lights into, upon, or against a
19 hole or other target that is either physical or computer
20 generated on a display or with lights, or stopping, by
21 physical, mechanical, or electronic means, a moving object
22 that is either physical or computer generated on a display or
23 with lights into, upon, or against a hole or other target that
24 is either physical or computer generated on a display or with
25 lights, if all of the following conditions are met:

26 (1) The outcome of the game is predominantly

1 determined by the skill of the player.

2 (2) The award of the prize is based solely upon the
3 player's achieving the object of the game or otherwise
4 upon the player's score.

5 (3) Only merchandise prizes are awarded.

6 (4) The wholesale value of prizes awarded in lieu of
7 tickets or tokens for single play of the device does not
8 exceed \$25.

9 (5) The redemption value of tickets, tokens, and other
10 representations of value, which may be accumulated by
11 players to redeem prizes of greater value, for a single
12 play of the device does not exceed \$25.

13 "Wager" means a sum of money or thing of value risked on an
14 uncertain outcome.

15 Section 10. Wagering facilitation prohibited. No owner or
16 operator of a family amusement establishment shall facilitate
17 wagering on amusement devices. Facilitating wagering on
18 amusement devices includes, but is not limited to, taking any
19 action that knowingly allows any entity to facilitate wagering
20 on amusement devices on the family amusement establishment's
21 premises.

22 Section 15. Wagering advertising prohibited. No owner or
23 operator of a family amusement establishment shall engage in
24 advertising that promotes wagering on amusement devices.

1 Section 20. Exemptions. Nothing in this Act shall prohibit
2 a family amusement establishment from offering:

3 (1) a coin-in-the-slot operated mechanical device
4 played for amusement which rewards the player with the
5 right to replay such mechanical device, which device is so
6 constructed or devised as to make such result of the
7 operation thereof depend in part upon the skill of the
8 player and which returns to the player thereof no money,
9 property, or right to receive money or property;

10 (2) a vending machine by which full and adequate
11 return is made for the money invested and in which there is
12 no element of chance or hazard;

13 (3) a crane game;

14 (4) a redemption machine; or

15 (5) a bona fide game or contest where the participants
16 pay a fixed entry fee to enter and engage in a game or
17 contest at a scheduled date and time that predominantly
18 involves skill, speed, accuracy, strength, or endurance of
19 the persons entering and participating in the game or
20 contest and one or more of the participants may win a
21 prize, award, or compensation to be paid from the entry
22 fees collected to the actual contestants in the game or
23 contest.

24 Section 25. The Criminal Code of 2012 is amended by

1 changing Sections 28-1 and 28-1.1 as follows:

2 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

3 Sec. 28-1. Gambling.

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

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

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

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

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

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

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

14 (6) knowingly sells pools upon the result of any game
15 or contest of skill or chance, political nomination,
16 appointment, or election;

17 (7) knowingly sets up or promotes any lottery or
18 sells, offers to sell, or transfers any ticket or share
19 for any lottery;

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

24 (9) knowingly drafts, prints, or publishes any lottery
25 ticket or share, or any policy ticket, slip, record,
26 document, or similar device, except for such activity

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

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

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

16 (12) knowingly establishes, maintains, or operates an
17 Internet site that permits a person to play a game of
18 chance or skill for money or other thing of value by means
19 of the Internet or to make a wager upon the result of any
20 game, contest, political nomination, appointment, or
21 election by means of the Internet. This item (12) does not
22 apply to activities referenced in items (6), (6.1), (8),
23 (8.1), and (15) of subsection (b) of this Section; or ~~or~~

24 (13) knowingly facilitates wagering on amusement
25 devices or knowingly engages in advertising that promotes
26 wagering on amusement devices in violation of the Family

1 Amusement Wagering Prohibition Act.

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

4 (1) Agreements to compensate for loss caused by the
5 happening of chance including without limitation contracts
6 of indemnity or guaranty and life or health or accident
7 insurance.

8 (2) Unless prohibited by the Family Amusement Wagering
9 Prohibition Act, offers ~~Offers~~ of prizes, award, or
10 compensation to the actual contestants in any bona fide
11 contest for the determination of skill, speed, strength,
12 or endurance or to the owners of animals or vehicles
13 entered in such contest.

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

16 (4) Manufacture of gambling devices, including the
17 acquisition of essential parts therefor and the assembly
18 thereof, for transportation in interstate or foreign
19 commerce to any place outside this State when such
20 transportation is not prohibited by any applicable Federal
21 law; or the manufacture, distribution, or possession of
22 video gaming terminals, as defined in the Video Gaming
23 Act, by manufacturers, distributors, and terminal
24 operators licensed to do so under the Video Gaming Act.

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

1 (6) Lotteries when conducted by the State of Illinois
2 in accordance with the Illinois Lottery Law. This
3 exemption includes any activity conducted by the
4 Department of Revenue to sell lottery tickets pursuant to
5 the provisions of the Illinois Lottery Law and its rules.

6 (6.1) The purchase of lottery tickets through the
7 Internet for a lottery conducted by the State of Illinois
8 under the program established in Section 7.12 of the
9 Illinois Lottery Law.

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

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

17 (8.1) The purchase of raffle chances for a raffle
18 conducted in accordance with the Raffles and Poker Runs
19 Act.

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

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

24 (11) Gambling games when authorized by the Illinois
25 Gambling Act.

26 (12) Video gaming terminal games at a licensed

1 establishment, licensed truck stop establishment, licensed
2 large truck stop establishment, licensed fraternal
3 establishment, or licensed veterans establishment when
4 conducted in accordance with the Video Gaming Act.

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

8 (14) Savings promotion raffles authorized under
9 Section 5g of the Illinois Banking Act, Section 7008 of
10 the Savings Bank Act, Section 42.7 of the Illinois Credit
11 Union Act, Section 5136B of the National Bank Act (12
12 U.S.C. 25a), or Section 4 of the Home Owners' Loan Act (12
13 U.S.C. 1463).

14 (15) Sports wagering when conducted in accordance with
15 the Sports Wagering Act.

16 (c) Sentence.

17 Gambling is a Class A misdemeanor. A second or subsequent
18 conviction under subsections (a)(3) through (a)(12), is a
19 Class 4 felony.

20 (d) Circumstantial evidence.

21 In prosecutions under this Section circumstantial evidence
22 shall have the same validity and weight as in any criminal
23 prosecution.

24 (Source: P.A. 101-31, Article 25, Section 25-915, eff.
25 6-28-19; 101-31, Article 35, Section 35-80, eff. 6-28-19;
26 101-109, eff. 7-19-19; 102-558, eff. 8-20-21.)

1 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

2 Sec. 28-1.1. Syndicated gambling.

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

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

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

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

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

24 (d) A person engages in bookmaking when he or she
25 knowingly receives or accepts more than 5 ~~five~~ bets or wagers

1 upon the result of any trials or contests of skill, speed, or
2 power of endurance or upon any lot, chance, casualty, unknown,
3 or contingent event whatsoever, which bets or wagers shall be
4 of such size that the total of the amounts of money paid or
5 promised to be paid to the bookmaker on account thereof shall
6 exceed \$2,000. Bookmaking is the receiving or accepting of
7 bets or wagers regardless of the form or manner in which the
8 bookmaker records them.

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

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

15 (2) Offers of prizes, award, or compensation to the
16 actual contestants in any bona fide contest for the
17 determination of skill, speed, strength, or endurance or
18 to the owners of animals or vehicles entered in the
19 contest, except as prohibited under the Family Amusement
20 Wagering Prohibition Act;

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

23 (4) Manufacture of gambling devices, including the
24 acquisition of essential parts therefor and the assembly
25 thereof, for transportation in interstate or foreign
26 commerce to any place outside this State when the

1 transportation is not prohibited by any applicable Federal
2 law;

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

5 (6) Gambling games conducted on riverboats, in
6 casinos, or at organization gaming facilities when
7 authorized by the Illinois Gambling Act;

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

13 (8) Savings promotion raffles authorized under Section
14 5g of the Illinois Banking Act, Section 7008 of the
15 Savings Bank Act, Section 42.7 of the Illinois Credit
16 Union Act, Section 5136B of the National Bank Act (12
17 U.S.C. 25a), or Section 4 of the Home Owners' Loan Act (12
18 U.S.C. 1463).

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

20 (Source: P.A. 101-31, eff. 6-28-19.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.