



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3729

Introduced 2/18/2025, by Rep. Robert "Bob" Rita

#### SYNOPSIS AS INTRODUCED:

230 ILCS 40/5  
230 ILCS 40/25

Amends the Video Gaming Act. Prohibits a terminal operator from compensating a sales agent and broker based on a percentage of the after-tax profits from a video gaming terminal, the net terminal income from a video gaming terminal or attributed to licensed establishments, or any other compensation metric based upon the performance of a video gaming terminal in various licensed establishments. Provides that a terminal operator shall not enter into any contract or agreement for the sharing, splitting, or payment of net terminal income with any other person. Prohibits any contract or agreement for the sharing, splitting, or payment of net terminal income with any other person executed before January 1, 2025 from being amended, modified, or extended. Allows a terminal operator to enter into a contract or agreement for the sharing, splitting, or payment of net terminal income with any other person if such contract is approved by the Illinois Gaming Board. Prohibits a sales agent and broker from giving anything of value to a current or potential licensed establishment. Prohibits a sales agent and broker that is not an owner of a terminal operator to solicit or procure a use agreement or any other contract or agreement that purports to control or authorize the placement or operation of a video gaming terminal on behalf of a terminal operator from a current or potential licensed establishment if that person is an immediate family member of a direct or indirect owner, officer, director, manager, employee, or a person who otherwise significantly influences or controls the licensed establishment. Provides that any use agreement currently authorizing the placement and operation of video gaming may continue as a valid and enforceable use agreement through the end of the current use agreement term, but shall not be amended, modified, extended, or renewed after the effective date of the amendatory Act. Prohibits a current or potential licensed establishment from accepting anything of value from a terminal operator or sales agent and broker as any incentive or inducement to locate video gaming terminals in that establishment and licensed establishments. Makes other changes.

LRB104 10960 LNS 21042 b

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The Video Gaming Act is amended by changing  
5 Sections 5 and 25 as follows:

6 (230 ILCS 40/5)

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

8 "Board" means the Illinois Gaming Board.

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

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

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

22 "Electronic voucher" means a voucher printed by an  
23 electronic video game machine that is redeemable in the

1 licensed establishment for which it was issued.

2 "In-location bonus jackpot" means one or more video gaming  
3 terminals at a single licensed establishment that allows for  
4 wagers placed on such video gaming terminals to contribute to  
5 a cumulative maximum jackpot of up to \$10,000.

6 "Full-time basis" means an individual who is employed for  
7 a basic wage for at least 35 hours each week or who renders any  
8 other standard of service generally accepted by industry  
9 customs or practice as full-time employment. "Full-time basis"  
10 includes an individual for whom a W-2 is issued by a  
11 professional employer organization and is a full-time employee  
12 if he or she is employed in the service of the applicant for a  
13 basic wage for at least 35 hours each week.

14 "Immediate family" means a spouse, other than a spouse who  
15 is legally separated from the individual under a decree of  
16 divorce or separate maintenance, parent, grandparent, sibling,  
17 child, by blood, marriage, or adoption, grandchild, and  
18 stepchild, by blood, marriage, or adoption.

19 "Terminal operator" means an individual, partnership,  
20 corporation, or limited liability company that is licensed  
21 under this Act and that owns, services, and maintains video  
22 gaming terminals for placement in licensed establishments,  
23 licensed truck stop establishments, licensed large truck stop  
24 establishments, licensed fraternal establishments, or licensed  
25 veterans establishments.

26 "Licensed technician" means an individual who is licensed

1 under this Act to repair, service, and maintain video gaming  
2 terminals.

3 "Licensed terminal handler" means a person, including but  
4 not limited to an employee or independent contractor working  
5 for a manufacturer, distributor, supplier, technician, or  
6 terminal operator, who is licensed under this Act to possess  
7 or control a video gaming terminal or to have access to the  
8 inner workings of a video gaming terminal. A licensed terminal  
9 handler does not include an individual, partnership,  
10 corporation, or limited liability company defined as a  
11 manufacturer, distributor, supplier, technician, or terminal  
12 operator under this Act.

13 "Manufacturer" means an individual, partnership,  
14 corporation, or limited liability company that is licensed  
15 under this Act and that manufactures or assembles video gaming  
16 terminals.

17 "Supplier" means an individual, partnership, corporation,  
18 or limited liability company that is licensed under this Act  
19 to supply major components or parts to video gaming terminals  
20 to licensed terminal operators.

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

23 "Video gaming terminal" means any electronic video game  
24 machine that, upon insertion of cash, electronic cards or  
25 vouchers, or any combination thereof, is available to play or  
26 simulate the play of a video game, including but not limited to

1 video poker, line up, and blackjack, as authorized by the  
2 Board utilizing a video display and microprocessors in which  
3 the player may receive free games or credits that can be  
4 redeemed for cash. The term does not include a machine that  
5 directly dispenses coins, cash, or tokens or is for amusement  
6 purposes only.

7 "Licensed establishment" means any licensed retail  
8 establishment where alcoholic liquor is drawn, poured, mixed,  
9 or otherwise served for consumption on the premises, whether  
10 the establishment operates on a nonprofit or for-profit basis.

11 "Licensed establishment" includes any such establishment that  
12 has a contractual relationship with an inter-track wagering  
13 location licensee licensed under the Illinois Horse Racing Act  
14 of 1975, provided any contractual relationship shall not  
15 include any transfer or offer of revenue from the operation of  
16 video gaming under this Act to any licensee licensed under the  
17 Illinois Horse Racing Act of 1975. Provided, however, that the  
18 licensed establishment that has such a contractual  
19 relationship with an inter-track wagering location licensee  
20 may not, itself, be (i) an inter-track wagering location  
21 licensee, (ii) the corporate parent or subsidiary of any  
22 licensee licensed under the Illinois Horse Racing Act of 1975,  
23 or (iii) the corporate subsidiary of a corporation that is  
24 also the corporate parent or subsidiary of any licensee  
25 licensed under the Illinois Horse Racing Act of 1975.

26 "Licensed establishment" does not include a facility operated

1 by an organization licensee, an inter-track wagering licensee,  
2 or an inter-track wagering location licensee licensed under  
3 the Illinois Horse Racing Act of 1975 or a riverboat licensed  
4 under the Illinois Gambling Act, except as provided in this  
5 paragraph. The changes made to this definition by Public Act  
6 98-587 are declarative of existing law.

7 "Licensed fraternal establishment" means the location  
8 where a qualified fraternal organization that derives its  
9 charter from a national fraternal organization regularly  
10 meets.

11 "Licensed veterans establishment" means the location where  
12 a qualified veterans organization that derives its charter  
13 from a national veterans organization regularly meets.

14 "Licensed truck stop establishment" means a facility (i)  
15 that is at least a 3-acre facility with a convenience store,  
16 (ii) with separate diesel islands for fueling commercial motor  
17 vehicles, (iii) that sells at retail more than 10,000 gallons  
18 of diesel or biodiesel fuel per month, and (iv) with parking  
19 spaces for commercial motor vehicles. "Commercial motor  
20 vehicles" has the same meaning as defined in Section 18b-101  
21 of the Illinois Vehicle Code. The requirement of item (iii) of  
22 this paragraph may be met by showing that estimated future  
23 sales or past sales average at least 10,000 gallons per month.

24 "Licensed large truck stop establishment" means a facility  
25 located within 3 road miles from a freeway interchange, as  
26 measured in accordance with the Department of Transportation's

1 rules regarding the criteria for the installation of business  
2 signs: (i) that is at least a 3-acre facility with a  
3 convenience store, (ii) with separate diesel islands for  
4 fueling commercial motor vehicles, (iii) that sells at retail  
5 more than 50,000 gallons of diesel or biodiesel fuel per  
6 month, and (iv) with parking spaces for commercial motor  
7 vehicles. "Commercial motor vehicles" has the same meaning as  
8 defined in Section 18b-101 of the Illinois Vehicle Code. The  
9 requirement of item (iii) of this paragraph may be met by  
10 showing that estimated future sales or past sales average at  
11 least 50,000 gallons per month.

12 "Sales agent and broker" means an individual, ~~partnership,~~  
13 ~~corporation, limited liability company, or other business~~  
14 ~~entity~~ engaged in the solicitation or receipt of business from  
15 current or potential licensed establishments, licensed  
16 fraternal establishments, licensed veterans establishments,  
17 licensed truck stop establishments, or licensed large truck  
18 stop establishments employed by a terminal operator on a  
19 full-time basis ~~either on an employment or contractual basis.~~

20 (Source: P.A. 101-31, eff. 6-28-19; 102-689, eff. 12-17-21.)

21 (230 ILCS 40/25)

22 Sec. 25. Restriction of licensees.

23 (a) Manufacturer. A person may not be licensed as a  
24 manufacturer of a video gaming terminal in Illinois unless the  
25 person has a valid manufacturer's license issued under this

1 Act. A manufacturer may only sell video gaming terminals for  
2 use in Illinois to persons having a valid distributor's  
3 license.

4 (b) Distributor. A person may not sell, distribute, or  
5 lease or market a video gaming terminal in Illinois unless the  
6 person has a valid distributor's license issued under this  
7 Act. A distributor may only sell video gaming terminals for  
8 use in Illinois to persons having a valid distributor's or  
9 terminal operator's license.

10 (c) Terminal operator. A person may not own, maintain, or  
11 place a video gaming terminal unless he has a valid terminal  
12 operator's license issued under this Act. A terminal operator  
13 may only place video gaming terminals for use in Illinois in  
14 licensed establishments, licensed truck stop establishments,  
15 licensed large truck stop establishments, licensed fraternal  
16 establishments, and licensed veterans establishments. No  
17 terminal operator may give anything of value, including but  
18 not limited to a loan or financing arrangement, to a licensed  
19 establishment, licensed truck stop establishment, licensed  
20 large truck stop establishment, licensed fraternal  
21 establishment, or licensed veterans establishment as any  
22 incentive or inducement to locate video terminals in that  
23 establishment. Of the after-tax profits from a video gaming  
24 terminal, 50% shall be paid to the terminal operator and 50%  
25 shall be paid to the licensed establishment, licensed truck  
26 stop establishment, licensed large truck stop establishment,

1 licensed fraternal establishment, or licensed veterans  
2 establishment, notwithstanding any agreement to the contrary.

3 (1) No terminal operator shall compensate a sales  
4 agent and broker based on a (i) percentage of the  
5 after-tax profits from a video gaming terminal, (ii) the  
6 net terminal income from a video gaming terminal or  
7 attributed to licensed establishments, licensed truck stop  
8 establishments, licensed large truck stop establishments,  
9 licensed fraternal establishments, and licensed veterans  
10 establishments, or (iii) any other compensation metric  
11 based upon the performance of a video gaming terminal in a  
12 single, or series of, licensed establishments, licensed  
13 truck stop establishments, licensed large truck stop  
14 establishments, licensed fraternal establishments, and  
15 licensed veterans establishments that such sales agent or  
16 broker has procured on behalf of the terminal operator.

17 (2) A terminal operator shall not enter into any  
18 contract or agreement for the sharing, splitting, or  
19 payment of net terminal income with any other person,  
20 except as stated in paragraph (4). Any contract or  
21 agreement for the sharing, splitting, or payment of net  
22 terminal income with any other person executed before  
23 January 1, 2025 shall not be amended, modified, or  
24 extended.

25 (3) No terminal operator shall compensate any person  
26 other than its owner based on a (i) percentage of the

1 after-tax profits from a video gaming terminal, (ii) the  
2 net terminal income from a video gaming terminal or  
3 attributed to licensed establishments, licensed truck stop  
4 establishments, licensed large truck stop establishments,  
5 licensed fraternal establishments, and licensed veterans  
6 establishments, or (iii) any other compensation metric  
7 based upon the performance of a video gaming terminal in a  
8 single, or series of, licensed establishments, licensed  
9 truck stop establishments, licensed large truck stop  
10 establishments, licensed fraternal establishments, and  
11 licensed veterans establishments, except as stated in  
12 paragraph (4).

13 (4) A terminal operator may enter into a contract or  
14 agreement for the sharing, splitting, or payment of net  
15 terminal income with any other person if such contract is  
16 approved by the Board pursuant to rules adopted by the  
17 Board.

18 (5) A video terminal operator that violates one or  
19 more requirements of this subsection is guilty of a Class  
20 4 felony and is subject to termination of his or her  
21 license by the Board.

22 (d) Licensed technician. A person may not service,  
23 maintain, or repair a video gaming terminal in this State  
24 unless he or she (1) has a valid technician's license issued  
25 under this Act, (2) is a terminal operator, or (3) is employed  
26 by a terminal operator, distributor, or manufacturer.

1 (d-5) Licensed terminal handler. No person, including, but  
2 not limited to, an employee or independent contractor working  
3 for a manufacturer, distributor, supplier, technician, or  
4 terminal operator licensed pursuant to this Act, shall have  
5 possession or control of a video gaming terminal, or access to  
6 the inner workings of a video gaming terminal, unless that  
7 person possesses a valid terminal handler's license issued  
8 under this Act.

9 (d-10) Solicitation of use agreements.

10 (1) A person may not solicit the signing of a use  
11 agreement on behalf of a terminal operator or enter into a  
12 use agreement as agent of a terminal operator unless that  
13 person either has a valid sales agent and broker license  
14 issued under this Act or owns, manages, or significantly  
15 influences or controls the terminal operator. Any  
16 compensation paid to a sales agent and broker by a  
17 terminal operator must be pursuant to a written agreement  
18 or written policy and submitted to the Board.

19 (2) No sales agent and broker may give anything of  
20 value, including, but not limited to, a loan or financing  
21 arrangement, to a current or potential licensed  
22 establishments, licensed truck stop establishments,  
23 licensed large truck stop establishments, licensed  
24 fraternal establishments, and licensed veterans  
25 establishments as any incentive or inducement to locate  
26 video terminals in that licensed establishments, licensed

1 truck stop establishments, licensed large truck stop  
2 establishments, licensed fraternal establishments, and  
3 licensed veterans establishments. No sales agent and  
4 broker shall be compensated based on a (i) percentage of  
5 the after-tax profits from a video gaming terminal, (ii)  
6 the net terminal income from a video gaming terminal or  
7 attributed to licensed establishments, licensed truck stop  
8 establishments, licensed large truck stop establishments,  
9 licensed fraternal establishments, and licensed veterans  
10 establishments, or (iii) any other compensation metric  
11 based upon the performance of a video gaming terminal in a  
12 single, or series of, licensed establishments, licensed  
13 truck stop establishments, licensed large truck stop  
14 establishments, licensed fraternal establishments, and  
15 licensed veterans establishments that such sales agent or  
16 broker has procured on behalf of a terminal operator. A  
17 sales agent and broker that violates this paragraph is  
18 guilty of a Class 4 felony and is subject to termination of  
19 his or her license by the Board.

20 (3) No sales agent and broker that is not otherwise an  
21 owner of a terminal operator may solicit or procure a use  
22 agreement or any other contract or agreement that purports  
23 to control or authorize the placement or operation of a  
24 video gaming terminal on behalf of a terminal operator  
25 from a current or potential licensed establishments,  
26 licensed truck stop establishments, licensed large truck

1 stop establishments, licensed fraternal establishments,  
2 and licensed veterans establishments if that person is an  
3 immediate family member of (i) a direct or indirect owner,  
4 (ii) officer, (iii) director, (iv) manager, (v) employee,  
5 or (vi) a person who otherwise significantly influences or  
6 controls the licensed establishments, licensed truck stop  
7 establishments, licensed large truck stop establishments,  
8 licensed fraternal establishments, and licensed veterans  
9 establishments. Any use agreement that does not comply  
10 with this paragraph shall be null and void.

11 (4) Any use agreement currently authorizing the  
12 placement and operation of video gaming may continue as a  
13 valid and enforceable use agreement through the end of the  
14 current use agreement term, but shall not be amended,  
15 modified, extended, or renewed after the effective date of  
16 this amendatory Act of the 104th General Assembly;  
17 however, if the licensed establishments, licensed truck  
18 stop establishments, licensed large truck stop  
19 establishments, licensed fraternal establishments, and  
20 licensed veterans establishments that is subject to an  
21 agreement for the sharing, splitting, or payment of net  
22 terminal income has not been authorized to go live with  
23 video gaming by the Board or transitioned to a new  
24 terminal operator to go live with video gaming by January  
25 1, 2025, then that agreement with the sales agent shall be  
26 void ab initio.

1 (e) Licensed establishment. No video gaming terminal may  
2 be placed in any licensed establishment, licensed veterans  
3 establishment, licensed truck stop establishment, licensed  
4 large truck stop establishment, or licensed fraternal  
5 establishment unless the owner or agent of the owner of the  
6 licensed establishment, licensed veterans establishment,  
7 licensed truck stop establishment, licensed large truck stop  
8 establishment, or licensed fraternal establishment has entered  
9 into a written use agreement with the terminal operator for  
10 placement of the terminals. A copy of the use agreement shall  
11 be on file in the terminal operator's place of business and  
12 available for inspection by individuals authorized by the  
13 Board. A licensed establishment, licensed truck stop  
14 establishment, licensed veterans establishment, or licensed  
15 fraternal establishment may operate up to 6 video gaming  
16 terminals on its premises at any time. A licensed large truck  
17 stop establishment may operate up to 10 video gaming terminals  
18 on its premises at any time. No current or potential licensed  
19 establishments, licensed truck stop establishments, licensed  
20 large truck stop establishments, licensed fraternal  
21 establishments, and licensed veterans establishments shall  
22 accept anything of value from a terminal operator or sales  
23 agent and broker, as any incentive or inducement to locate  
24 video gaming terminals in that establishment and licensed  
25 establishments, licensed truck stop establishments, licensed  
26 large truck stop establishments, licensed fraternal

1 establishments, and licensed veterans establishments. Any  
2 person who violates such prohibition is guilty of a Class 4  
3 felony and is subject to termination of his or her license by  
4 the Board.

5 (f) (Blank).

6 (g) Financial interest restrictions. As used in this Act,  
7 "substantial interest" in a partnership, a corporation, an  
8 organization, an association, a business, or a limited  
9 liability company means:

10 (A) When, with respect to a sole proprietorship, an  
11 individual or his or her spouse owns, operates, manages,  
12 or conducts, directly or indirectly, the organization,  
13 association, or business, or any part thereof; or

14 (B) When, with respect to a partnership, the  
15 individual or his or her spouse shares in any of the  
16 profits, or potential profits, of the partnership  
17 activities; or

18 (C) When, with respect to a corporation, an individual  
19 or his or her spouse is an officer or director, or the  
20 individual or his or her spouse is a holder, directly or  
21 beneficially, of 5% or more of any class of stock of the  
22 corporation; or

23 (D) When, with respect to an organization not covered  
24 in (A), (B) or (C) above, an individual or his or her  
25 spouse is an officer or manages the business affairs, or  
26 the individual or his or her spouse is the owner of or

1 otherwise controls 10% or more of the assets of the  
2 organization; or

3 (E) When an individual or his or her spouse furnishes  
4 5% or more of the capital, whether in cash, goods, or  
5 services, for the operation of any business, association,  
6 or organization during any calendar year; or

7 (F) When, with respect to a limited liability company,  
8 an individual or his or her spouse is a member, or the  
9 individual or his or her spouse is a holder, directly or  
10 beneficially, of 5% or more of the membership interest of  
11 the limited liability company.

12 For purposes of this subsection (g), "individual" includes  
13 all individuals or their spouses whose combined interest would  
14 qualify as a substantial interest under this subsection (g)  
15 and whose activities with respect to an organization,  
16 association, or business are so closely aligned or coordinated  
17 as to constitute the activities of a single entity.

18 (h) Location restriction. A licensed establishment,  
19 licensed truck stop establishment, licensed large truck stop  
20 establishment, licensed fraternal establishment, or licensed  
21 veterans establishment that is (i) located within 1,000 feet  
22 of a facility operated by an organization licensee licensed  
23 under the Illinois Horse Racing Act of 1975 or the home dock of  
24 a riverboat licensed under the Illinois Gambling Act or (ii)  
25 located within 100 feet of a school or a place of worship under  
26 the Religious Corporation Act, is ineligible to operate a

1 video gaming terminal. The location restrictions in this  
2 subsection (h) do not apply if (A) a facility operated by an  
3 organization licensee, a school, or a place of worship moves  
4 to or is established within the restricted area after a  
5 licensed establishment, licensed truck stop establishment,  
6 licensed large truck stop establishment, licensed fraternal  
7 establishment, or licensed veterans establishment becomes  
8 licensed under this Act or (B) a school or place of worship  
9 moves to or is established within the restricted area after a  
10 licensed establishment, licensed truck stop establishment,  
11 licensed large truck stop establishment, licensed fraternal  
12 establishment, or licensed veterans establishment obtains its  
13 original liquor license. For the purpose of this subsection,  
14 "school" means an elementary or secondary public school, or an  
15 elementary or secondary private school registered with or  
16 recognized by the State Board of Education.

17 Notwithstanding the provisions of this subsection (h), the  
18 Board may waive the requirement that a licensed establishment,  
19 licensed truck stop establishment, licensed large truck stop  
20 establishment, licensed fraternal establishment, or licensed  
21 veterans establishment not be located within 1,000 feet from a  
22 facility operated by an organization licensee licensed under  
23 the Illinois Horse Racing Act of 1975 or the home dock of a  
24 riverboat licensed under the Illinois Gambling Act. The Board  
25 shall not grant such waiver if there is any common ownership or  
26 control, shared business activity, or contractual arrangement

1 of any type between the establishment and the organization  
2 licensee or owners licensee of a riverboat. The Board shall  
3 adopt rules to implement the provisions of this paragraph.

4 (h-5) Restrictions on licenses in malls. The Board shall  
5 not grant an application to become a licensed video gaming  
6 location if the Board determines that granting the application  
7 would more likely than not cause a terminal operator,  
8 individually or in combination with other terminal operators,  
9 licensed video gaming location, or other person or entity, to  
10 operate the video gaming terminals in 2 or more licensed video  
11 gaming locations as a single video gaming operation.

12 (1) In making determinations under this subsection  
13 (h-5), factors to be considered by the Board shall  
14 include, but not be limited to, the following:

15 (A) the physical aspects of the location;

16 (B) the ownership, control, or management of the  
17 location;

18 (C) any arrangements, understandings, or  
19 agreements, written or otherwise, among or involving  
20 any persons or entities that involve the conducting of  
21 any video gaming business or the sharing of costs or  
22 revenues; and

23 (D) the manner in which any terminal operator or  
24 other related entity markets, advertises, or otherwise  
25 describes any location or locations to any other  
26 person or entity or to the public.

1           (2) The Board shall presume, subject to rebuttal, that  
2           the granting of an application to become a licensed video  
3           gaming location within a mall will cause a terminal  
4           operator, individually or in combination with other  
5           persons or entities, to operate the video gaming terminals  
6           in 2 or more licensed video gaming locations as a single  
7           video gaming operation if the Board determines that  
8           granting the license would create a local concentration of  
9           licensed video gaming locations.

10          For the purposes of this subsection (h-5):

11          "Mall" means a building, or adjoining or connected  
12          buildings, containing 4 or more separate locations.

13          "Video gaming operation" means the conducting of video  
14          gaming and all related activities.

15          "Location" means a space within a mall containing a  
16          separate business, a place for a separate business, or a place  
17          subject to a separate leasing arrangement by the mall owner.

18          "Licensed video gaming location" means a licensed  
19          establishment, licensed fraternal establishment, licensed  
20          veterans establishment, licensed truck stop establishment, or  
21          licensed large truck stop.

22          "Local concentration of licensed video gaming locations"  
23          means that the combined number of licensed video gaming  
24          locations within a mall exceed half of the separate locations  
25          within the mall.

26          (i) Undue economic concentration. In addition to

1 considering all other requirements under this Act, in deciding  
2 whether to approve the operation of video gaming terminals by  
3 a terminal operator in a location, the Board shall consider  
4 the impact of any economic concentration of such operation of  
5 video gaming terminals. The Board shall not allow a terminal  
6 operator to operate video gaming terminals if the Board  
7 determines such operation will result in undue economic  
8 concentration. For purposes of this Section, "undue economic  
9 concentration" means that a terminal operator would have such  
10 actual or potential influence over video gaming terminals in  
11 Illinois as to:

12 (1) substantially impede or suppress competition among  
13 terminal operators;

14 (2) adversely impact the economic stability of the  
15 video gaming industry in Illinois; or

16 (3) negatively impact the purposes of the Video Gaming  
17 Act.

18 The Board shall adopt rules concerning undue economic  
19 concentration with respect to the operation of video gaming  
20 terminals in Illinois. The rules shall include, but not be  
21 limited to, (i) limitations on the number of video gaming  
22 terminals operated by any terminal operator within a defined  
23 geographic radius and (ii) guidelines on the discontinuation  
24 of operation of any such video gaming terminals the Board  
25 determines will cause undue economic concentration.

26 (j) The provisions of the Illinois Antitrust Act are fully

1 and equally applicable to the activities of any licensee under  
2 this Act.

3 (Source: P.A. 101-31, eff. 6-28-19; 102-689, eff. 12-17-21.)