

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by  
5 changing Section 28-8 as follows:

6 (720 ILCS 5/28-8) (from Ch. 38, par. 28-8)

7 Sec. 28-8. Gambling losses recoverable.

8 (a) Any person who by gambling shall lose to any other  
9 person, any sum of money or thing of value, amounting to the  
10 sum of \$5,000 ~~\$50~~ or more and shall pay or deliver the same or  
11 any part thereof, may sue for and recover the money or other  
12 thing of value, so lost and paid or delivered, in a civil  
13 action against the winner thereof, with costs, in the circuit  
14 court. No person who accepts from another person for  
15 transmission, and transmits, either in his own name or in the  
16 name of such other person, any order for any transaction to be  
17 made upon, or who executes any order given to him by another  
18 person, or who executes any transaction for his own account  
19 on, any regular board of trade or commercial, commodity or  
20 stock exchange, shall, under any circumstances, be deemed a  
21 "winner" of any moneys lost by such other person in or through  
22 any such transactions.

23 (b) (Blank). ~~If within 6 months, such person who under the~~

1 ~~terms of Subsection 28-8(a) is entitled to initiate action to~~  
2 ~~recover his losses does not in fact pursue his remedy, any~~  
3 ~~person may initiate a civil action against the winner. The~~  
4 ~~court or the jury, as the case may be, shall determine the~~  
5 ~~amount of the loss. After such determination, the court shall~~  
6 ~~enter a judgment of triple the amount so determined.~~

7 (c) Gambling losses as a result of gambling conducted on a  
8 video gaming terminal licensed under the Video Gaming Act are  
9 not recoverable under this Section.

10 (d) Losses as a result of participation in any fantasy  
11 contests against a fantasy contest operator, including  
12 single-player fantasy contests, are not recoverable under this  
13 Section. The provisions of this amendatory Act of the 104th  
14 General Assembly are declarative of existing law.

15 (Source: P.A. 98-31, eff. 6-24-13.)

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law.