



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB4042

Introduced 2/6/2026, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

230 ILCS 40/5
230 ILCS 40/20
230 ILCS 40/25
230 ILCS 40/79.3 new

Amends the Video Gaming Act. Provides that each licensed establishment, licensed truck stop establishment, licensed large truck stop establishment, licensed fraternal establishment, or licensed veterans establishment at which video gaming terminals are available shall have a payout device approved by the Illinois Gaming Board. Provides that no cash award for the maximum wager on any individual hand shall exceed the W-2G reporting requirements set by the Internal Revenue Service (rather than \$1,199). Provides that cash awards shall be awarded in denominations rounded to the nearest 5 cent credit, with rounding conducted upward or downward as applicable. Sets forth circumstances under which a sales agent or broker may not be compensated. Provides, with exceptions, 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. Sets forth prohibitions for sales agents and brokers in relation to current or potential licensed establishments, licensed truck stop establishments, licensed large truck stop establishments, licensed fraternal establishments, and licensed veterans establishments. Provides that no current or potential licensed establishments, licensed truck stop establishments, licensed large truck stop establishments, licensed fraternal establishments, and licensed veterans establishments shall accept 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, licensed truck stop establishments, licensed large truck stop establishments, licensed fraternal establishments, and licensed veterans establishments. Provides that no public officer may be granted a license under the Act. Sets forth investigation provisions. Makes other changes.

LRB104 20774 LNS 34280 b

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, 20, and 25 and by adding Section 79.3 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 or 5, 10, or 25 cents cash award won by a
11 player.

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

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

23 "Electronic voucher" means a voucher printed by an

1 electronic video game machine that is redeemable in the
2 licensed establishment for which it was issued.

3 "Immediate family" means a spouse, other than a spouse who
4 is legally separated from the individual under a decree of
5 divorce or separate maintenance, parent, grandparent, sibling,
6 child whether by blood, marriage, or adoption, grandchild, and
7 step-child, whether by blood, marriage, or adoption.

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

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

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

1 "Licensed technician" means an individual who is licensed
2 under this Act to repair, service, and maintain video gaming
3 terminals.

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

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

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

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

24 "Video gaming terminal" means any electronic video game
25 machine that, upon insertion of cash, electronic cards or
26 vouchers, or any combination thereof, is available to play or

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

8 "Licensed establishment" means any licensed retail
9 establishment where alcoholic liquor is drawn, poured, mixed,
10 or otherwise served for consumption on the premises, whether
11 the establishment operates on a nonprofit or for-profit basis.
12 "Licensed establishment" includes any such establishment that
13 has a contractual relationship with an inter-track wagering
14 location licensee licensed under the Illinois Horse Racing Act
15 of 1975, provided any contractual relationship shall not
16 include any transfer or offer of revenue from the operation of
17 video gaming under this Act to any licensee licensed under the
18 Illinois Horse Racing Act of 1975. Provided, however, that the
19 licensed establishment that has such a contractual
20 relationship with an inter-track wagering location licensee
21 may not, itself, be (i) an inter-track wagering location
22 licensee, (ii) the corporate parent or subsidiary of any
23 licensee licensed under the Illinois Horse Racing Act of 1975,
24 or (iii) the corporate subsidiary of a corporation that is
25 also the corporate parent or subsidiary of any licensee
26 licensed under the Illinois Horse Racing Act of 1975.

1 "Licensed establishment" does not include a facility operated
2 by an organization licensee, an inter-track wagering licensee,
3 or an inter-track wagering location licensee licensed under
4 the Illinois Horse Racing Act of 1975 or a riverboat licensed
5 under the Illinois Gambling Act, except as provided in this
6 paragraph. The changes made to this definition by Public Act
7 98-587 are declarative of existing law.

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

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

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

25 "Licensed large truck stop establishment" means a facility
26 located within 3 road miles from a freeway interchange, as

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

13 "Person" means any individual or business entity.

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

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

23 (230 ILCS 40/20)

24 Sec. 20. Video gaming terminal payouts.

25 (a) A video gaming terminal may not directly dispense

1 coins, cash, tokens, or any other article of exchange or value
2 except for receipt tickets. Tickets shall be dispensed by
3 pressing the ticket dispensing button on the video gaming
4 terminal at the end of one's turn or play. The ticket shall
5 indicate the total amount of credits and the cash award, the
6 time of day in a 24-hour format showing hours and minutes, the
7 date, the terminal serial number, the sequential number of the
8 ticket, and an encrypted validation number from which the
9 validity of the prize may be determined. Each licensed
10 establishment, licensed truck stop establishment, licensed
11 large truck stop establishment, licensed fraternal
12 establishment, or licensed veterans establishment at which
13 video gaming terminals are available shall have a payout
14 device approved by the Board. ~~The player shall turn in this~~
15 ~~ticket to the appropriate person at the licensed~~
16 ~~establishment, licensed truck stop establishment, licensed~~
17 ~~large truck stop establishment, licensed fraternal~~
18 ~~establishment, or licensed veterans establishment to receive~~
19 ~~the cash award.~~

20 (b) The cost of the credit shall be one cent, 5 cents, 10
21 cents, 25 cents, or \$1, and the maximum wager played per hand
22 shall not exceed \$4. No cash award for the maximum wager on any
23 individual hand shall exceed the W-2G reporting requirements
24 set by the Internal Revenue Service. Cash awards shall be
25 awarded in denominations rounded to the nearest 5 cent credit,
26 with rounding conducted upward or downward as applicable

1 ~~\$1,199~~. No cash award for the maximum wager on a jackpot,
2 progressive or otherwise, shall exceed \$10,000.

3 (c) In-location bonus jackpot games are hereby authorized.
4 The Board shall adopt emergency rules pursuant to Section 5-45
5 of the Illinois Administrative Procedure Act to implement this
6 subsection (c) within 90 days after the effective date of this
7 amendatory Act of the 101st General Assembly. Jackpot winnings
8 from in-location progressive games shall be paid by the
9 terminal operator to the player not later than 3 days after
10 winning such a jackpot.

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

12 (230 ILCS 40/25)

13 Sec. 25. Restriction of licensees.

14 (a) Manufacturer. A person may not be licensed as a
15 manufacturer of a video gaming terminal in Illinois unless the
16 person has a valid manufacturer's license issued under this
17 Act. A manufacturer may only sell video gaming terminals for
18 use in Illinois to persons having a valid distributor's
19 license.

20 (b) Distributor. A person may not sell, distribute, or
21 lease or market a video gaming terminal in Illinois unless the
22 person has a valid distributor's license issued under this
23 Act. A distributor may only sell video gaming terminals for
24 use in Illinois to persons having a valid distributor's or
25 terminal operator's license.

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

20 (1) No terminal operator shall compensate a sales
21 agent and broker based on a (i) percentage of the
22 after-tax profits from a video gaming terminal, (ii) the
23 net terminal income from a video gaming terminal or
24 attributed to licensed establishments, licensed truck stop
25 establishments, licensed large truck stop establishments,
26 licensed fraternal establishments, and licensed veterans

1 establishments, or (iii) any other compensation metric
2 based upon the performance of a video gaming terminal in a
3 single, or series of, licensed establishments, licensed
4 truck stop establishments, licensed large truck stop
5 establishments, licensed fraternal establishments, and
6 licensed veterans establishments that such sales agent or
7 broker has procured on behalf of the terminal operator.

8 (2) A terminal operator shall not enter into any
9 contract or agreement for the sharing, splitting, or
10 payment of net terminal income with any other person,
11 except as stated in paragraph (4). Any contract or
12 agreement for the sharing, splitting, or payment of net
13 terminal income with any other person executed before
14 January 1, 2025 shall not be amended, modified, or
15 extended.

16 (3) No terminal operator shall compensate any person
17 other than its owner based on a (i) percentage of the
18 after-tax profits from a video gaming terminal, (ii) the
19 net terminal income from a video gaming terminal or
20 attributed to licensed establishments, licensed truck stop
21 establishments, licensed large truck stop establishments,
22 licensed fraternal establishments, and licensed veterans
23 establishments, or (iii) any other compensation metric
24 based upon the performance of a video gaming terminal in a
25 single, or series of, licensed establishments, licensed
26 truck stop establishments, licensed large truck stop

1 establishments, licensed fraternal establishments, and
2 licensed veterans establishments, except as stated in
3 paragraph (4).

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

9 (5) A video terminal operator that violates one or
10 more requirements of this subsection is guilty of a Class
11 4 felony and is subject to termination of his or her
12 license by the Board.

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

18 (d-5) Licensed terminal handler. No person, including, but
19 not limited to, an employee or independent contractor working
20 for a manufacturer, distributor, supplier, technician, or
21 terminal operator licensed pursuant to this Act, shall have
22 possession or control of a video gaming terminal, or access to
23 the inner workings of a video gaming terminal, unless that
24 person possesses a valid terminal handler's license issued
25 under this Act.

26 (d-10) Solicitation of use agreements.

1 (1) A person may not solicit the signing of a use
2 agreement on behalf of a terminal operator or enter into a
3 use agreement as agent of a terminal operator unless that
4 person either has a valid sales agent and broker license
5 issued under this Act or owns, manages, or significantly
6 influences or controls the terminal operator.

7 (2) No sales agent and broker may give anything of
8 value, including, but not limited to, a loan or financing
9 arrangement, to a current or potential licensed
10 establishments, licensed truck stop establishments,
11 licensed large truck stop establishments, licensed
12 fraternal establishments, and licensed veterans
13 establishments as any incentive or inducement to locate
14 video terminals in that licensed establishments, licensed
15 truck stop establishments, licensed large truck stop
16 establishments, licensed fraternal establishments, and
17 licensed veterans establishments. No sales agent and
18 broker shall be compensated based on a (i) percentage of
19 the after-tax profits from a video gaming terminal, (ii)
20 the net terminal income from a video gaming terminal or
21 attributed to licensed establishments, licensed truck stop
22 establishments, licensed large truck stop establishments,
23 licensed fraternal establishments, and licensed veterans
24 establishments, or (iii) any other compensation metric
25 based upon the performance of a video gaming terminal in a
26 single, or series of, licensed establishments, licensed

1 truck stop establishments, licensed large truck stop
2 establishments, licensed fraternal establishments, and
3 licensed veterans establishments that such sales agent or
4 broker has procured on behalf of a terminal operator. A
5 sales agent and broker that violates this paragraph is
6 guilty of a Class 4 felony and is subject to termination of
7 his or her license by the Board.

8 (3) No sales agent and broker may solicit or procure a
9 use agreement or any other contract or agreement that
10 purports to control or authorize the placement or
11 operation of a video gaming terminal on behalf of a
12 terminal operator from a current or potential licensed
13 establishments, licensed truck stop establishments,
14 licensed large truck stop establishments, licensed
15 fraternal establishments, and licensed veterans
16 establishments if that person is an immediate family
17 member of (i) a direct or indirect owner, (ii) officer,
18 (iii) director, (iv) manager, (v) employee, or (vi) a
19 person who otherwise significantly influences or controls
20 the licensed establishments, licensed truck stop
21 establishments, licensed large truck stop establishments,
22 licensed fraternal establishments, and licensed veterans
23 establishments. Any use agreement that does not comply
24 with this paragraph shall be null and void.

25 (e) Licensed establishment. No video gaming terminal may
26 be placed in any licensed establishment, licensed veterans

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

1 felony and is subject to revocation of his or her license by
2 the Board.

3 (f) (Blank).

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

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

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

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

21 (D) When, with respect to an organization not covered
22 in (A), (B) or (C) above, an individual or his or her
23 spouse is an officer or manages the business affairs, or
24 the individual or his or her spouse is the owner of or
25 otherwise controls 10% or more of the assets of the
26 organization; or

1 (E) When an individual or his or her spouse furnishes
2 5% or more of the capital, whether in cash, goods, or
3 services, for the operation of any business, association,
4 or organization during any calendar year; or

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

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

16 (h) Location restriction. A licensed establishment,
17 licensed truck stop establishment, licensed large truck stop
18 establishment, licensed fraternal establishment, or licensed
19 veterans establishment that is (i) located within 1,000 feet
20 of a facility operated by an organization licensee licensed
21 under the Illinois Horse Racing Act of 1975 or the home dock of
22 a riverboat licensed under the Illinois Gambling Act or (ii)
23 located within 100 feet of a school or a place of worship under
24 the Religious Corporation Act, is ineligible to operate a
25 video gaming terminal. The location restrictions in this
26 subsection (h) do not apply if (A) a facility operated by an

1 organization licensee, a school, or a place of worship moves
2 to or is established within the restricted area after a
3 licensed establishment, licensed truck stop establishment,
4 licensed large truck stop establishment, licensed fraternal
5 establishment, or licensed veterans establishment becomes
6 licensed under this Act or (B) a school or place of worship
7 moves to or is established within the restricted area after a
8 licensed establishment, licensed truck stop establishment,
9 licensed large truck stop establishment, licensed fraternal
10 establishment, or licensed veterans establishment obtains its
11 original liquor license. For the purpose of this subsection,
12 "school" means an elementary or secondary public school, or an
13 elementary or secondary private school registered with or
14 recognized by the State Board of Education.

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

1 adopt rules to implement the provisions of this paragraph.

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

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

13 (A) the physical aspects of the location;

14 (B) the ownership, control, or management of the
15 location;

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

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

25 (2) The Board shall presume, subject to rebuttal, that
26 the granting of an application to become a licensed video

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

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

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

11 "Video gaming operation" means the conducting of video
12 gaming and all related activities.

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

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

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

24 (h-10) Public officer restriction. No public officer may
25 be granted a license under this Act. For purposes of this
26 subsection (h-10), "public officer" means a State, county, or

1 municipality officer.

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

14 (1) substantially impede or suppress competition among
15 terminal operators;

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

18 (3) negatively impact the purposes of the Video Gaming
19 Act.

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

1 determines will cause undue economic concentration.

2 (j) The provisions of the Illinois Antitrust Act are fully
3 and equally applicable to the activities of any licensee under
4 this Act.

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

6 (230 ILCS 40/79.3 new)

7 Sec. 79.3. Investigation. The Board, upon receipt of a
8 complaint or upon having knowledge that any person is engaged
9 in operating a video gaming terminal in this State without a
10 license, shall conduct an investigation. If, after conducting
11 an investigation, the Board is satisfied that the alleged
12 conduct occurred or is occurring, it may issue a cease and
13 desist notice, issue civil penalties, notify the Department of
14 Revenue, or file a complaint with the State's Attorney's
15 Office of the county where the incident occurred or with the
16 Attorney General.