



Rep. André Thapedi

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LRB101 10689 SMS 58072 a

1 AMENDMENT TO HOUSE BILL 3308

2 AMENDMENT NO. _____. Amend House Bill 3308 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Sports Wagering Act.

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

7 "Board" means the Illinois Gaming Board.

8 "Gaming facility" means a facility in this State that is
9 authorized to conduct gambling operations under the Riverboat
10 Gambling Act and a facility at which inter-track wagering is
11 conducted pursuant to an inter-track wagering license under the
12 Illinois Horse Racing Act of 1975.

13 "Interactive sports wagering platform" means a person or
14 entity licensed to offer sports wagering over the Internet,
15 including on websites and mobile devices.

16 "Official league data" means statistics, results,

1 outcomes, and other data relating to a sporting event obtained
2 pursuant to an agreement with the relevant sports governing
3 body, or an entity expressly authorized by the sports governing
4 body to provide such information to sports wagering operators
5 and interactive sports wagering platforms, which authorizes
6 the use of such data for determining the outcome of tier 2
7 sports wagers.

8 "Sports facility" includes Guaranteed Rate Field, located
9 at 333 West 35th Street in Chicago, Soldier Field, located at
10 1410 Museum Campus Drive in Chicago, United Center, located at
11 1901 West Madison in Chicago, Wrigley Field, located at 1060
12 West Addison in Chicago, and the site of a professional golf
13 tournament conducted by the Professional Golfers' Association
14 of America within the State on a temporary basis during the
15 relevant tournament.

16 "Sports governing body" means the organization that
17 prescribes final rules and enforces codes of conduct with
18 respect to a sporting event and participants therein.

19 "Sports wagering" means accepting wagers on sporting
20 events or portions of sporting events, or on the individual
21 performance statistics of athletes in a sporting event or
22 combination of sporting events, by any system or method of
23 wagering, including, but not limited to, in person or over the
24 Internet through websites and on mobile devices. "Sports
25 wagering" includes, but is not limited to, single-game bets,
26 teaser bets, parlays, over-under, moneyline, pools, exchange

1 wagering, in-game wagering, in-play bets, proposition bets,
2 and straight bets.

3 "Sports wagering operator" means an owners licensee under
4 the Riverboat Gambling Act or an organization licensee under
5 the Illinois Horse Racing Act of 1975 that is licensed to offer
6 sports wagering.

7 "Tier 1 sports wager" means a sports wager that is
8 determined solely by the final score or final outcome of the
9 sporting event and is placed before the sporting event has
10 begun.

11 "Tier 2 sports wager" means a sports wager that is not a
12 tier 1 sports wager.

13 "Wager" or "bet" means the staking or risking by a person
14 of something of value upon an agreement or understanding that
15 the person or another person will receive something of value in
16 the event of a certain outcome. "Wager" or "bet" does not
17 include:

18 (1) any activity governed by the securities laws of the
19 United States or this State;

20 (2) any contract of indemnity or guarantee;

21 (3) any contract for insurance; or

22 (4) participation in any game or contest in which the
23 participants do not stake or risk anything of value other
24 than personal efforts of the participants in playing the
25 game or contest or obtaining access to the Internet, or
26 points or credits that the sponsor of the game or contest

1 provides to participants free of charge and that can be
2 used or redeemed only for participation in games or
3 contests offered by the sponsor.

4 Section 10. Sports wagering by sports wagering operators.

5 (a) Sports wagering may not be offered in this State except
6 by a sports wagering operator in accordance with this Act.

7 (b) A sports wagering operator may offer sports wagering:

8 (1) in person at the gaming facility; and

9 (2) over the Internet through an interactive sports
10 wagering platform to persons physically located in this
11 State.

12 (c) A sports wagering operator may contract with
13 interactive sports wagering platforms to administer sports
14 wagering over the Internet on its behalf.

15 (d) To offer sports wagering, a sports wagering operator
16 shall pay to the Board an initial fee of \$10,000,000. A sports
17 wagering operator shall pay to the Board a renewal fee of
18 \$250,000 every 5 years.

19 Section 15. Sports wagering at a sports facility. No gaming
20 facility may be located at or within a 5-block radius of a
21 sports facility. However, sports wagering may be offered in
22 person at or within a 5-block radius of a sports facility if
23 sports wagering is offered by a sports wagering operator and
24 the sports wagering operator has received written

1 authorization from the Major League Baseball, National
2 Basketball Association, National Football League, or National
3 Hockey League team that plays its home contests at the sports
4 facility or the Professional Golfers' Association of America
5 for a professional golf tournament. If more than one
6 professional sports team plays its home contests at the same
7 sports facility, written authorization is required from all the
8 professional sports teams that play home contests at the sports
9 facility.

10 Section 20. Sports wagering by interactive sports wagering
11 platforms.

12 (a) An interactive sports wagering platform may offer
13 sports wagering only if it holds an interactive sports wagering
14 platform license issued by the Board.

15 (b) An applicant for an interactive sports wagering
16 platform license shall:

17 (1) submit an application to the Board in the manner
18 prescribed by the Board to verify the interactive sports
19 wagering platform's eligibility under this Act; and

20 (2) pay an initial fee of \$10,000,000.

21 (c) Every 5 years on or before the anniversary date of the
22 payment of the initial fee made under paragraph (2) of
23 subsection (b), if an interactive sports wagering platform
24 license has been issued, an interactive sports wagering
25 platform shall pay to the Board a license renewal fee of

1 \$250,000.

2 (d) Notwithstanding any other provision of law, an
3 interactive sports wagering platform license application and
4 all documents, reports, and data submitted by an interactive
5 sports wagering platform to the Board containing proprietary
6 information, trade secrets, financial information, or personal
7 information about any person shall be treated by the Board as
8 closed records and shall not to be disclosed to the public
9 unless required by a court order, this Act, or another law.

10 (e) An interactive sports wagering platform may enter into
11 agreements to offer sports wagering on behalf of one or more
12 sports wagering operators without limitation. Such agreements
13 are not prerequisites to obtaining an interactive sports
14 wagering platform license.

15 (f) No interactive sports wagering platform may offer
16 sports wagering over the Internet on any device, terminal, or
17 other mechanism that is owned by, controlled by, or otherwise
18 affiliated with a terminal operator licensed under the Video
19 Gaming Act.

20 Section 25. Sports wagering; consumer protections.

21 (a) Sports wagering operators and interactive sports
22 wagering platforms shall verify that a person placing a wager,
23 including with respect to online or mobile betting, is of the
24 legal minimum age for placing such a wager.

25 (b) Sports wagering operators and interactive sports

1 wagering platforms shall allow individuals to restrict
2 themselves from placing wagers with the sports wagering
3 operator or interactive sports wagering platform, including
4 limits on the time spent betting and amounts wagered, and take
5 reasonable steps to prevent those individuals from placing such
6 wagers, including upon request of such individual to share the
7 request with the Board for the sole purpose of disseminating
8 the request to other sports wagering operators and interactive
9 sports wagering platforms.

10 (c) The Board shall adopt rules that require sports
11 wagering operators and interactive sports wagering platforms
12 to implement responsible gaming programs that include
13 comprehensive employee training on responding to circumstances
14 in which individuals present signs of a gambling addiction.

15 (d) The Board shall adopt rules to ensure that sports
16 wagering operators' and interactive sports wagering platforms'
17 advertisements for sports wagering:

18 (1) do not target minors or other persons who are
19 ineligible to place wagers, problem gamblers, or other
20 vulnerable persons, which may include limitations on the
21 form, content, quantity, timing, and location of
22 advertisements;

23 (2) disclose the identity of the sports wagering
24 operator or interactive sports wagering platform;

25 (3) provide information about or links to resources
26 relating to gambling addiction; and

1 (4) are not false, misleading, or deceptive to a
2 reasonable consumer.

3 (e) A person placing a wager with sports wagering operators
4 and interactive sports wagering platforms shall be at least 21
5 years of age.

6 Section 30. Integrity requirements.

7 (a) Sports wagering operators and interactive sports
8 wagering platforms shall conduct background checks on newly
9 hired employees and annual background checks on all existing
10 employees. Background checks shall include searches for
11 criminal history and any charges or convictions involving
12 corruption or manipulation of sporting events and association
13 with organized crime.

14 (b) Sports wagering operators and interactive sports
15 wagering platforms shall employ commercially reasonable
16 methods to:

17 (1) prohibit sports wagering operators and interactive
18 sports wagering platforms, directors, officers, owners,
19 and employees of sports wagering operators and interactive
20 sports wagering platforms, and any relative living in the
21 same household as such persons, from placing bets with
22 sports wagering operators and interactive sports wagering
23 platforms;

24 (2) prohibit athletes, coaches, referees, team owners,
25 and employees of a sports governing body or its member

1 teams and player and referee union personnel from wagering
2 on any sporting event overseen by their sport's governing
3 body; in determining which persons are excluded from
4 placing wagers under this paragraph, sports wagering
5 operators and interactive sports wagering platforms shall
6 use publicly available information and any lists of such
7 persons that the sports governing body may provide to the
8 Board;

9 (3) prohibit any individual with access to non-public
10 confidential information held by the sports wagering
11 operator or interactive sports wagering platform from
12 placing wagers with the sports wagering operator or
13 interactive sports wagering platform;

14 (4) prohibit persons from placing wagers as agents or
15 proxies for others; and

16 (5) maintain the security of wagering data, customer
17 data, and other confidential information from unauthorized
18 access and dissemination; however, nothing in this Act
19 shall preclude the use of Internet or cloud-based hosting
20 of such data and information or disclosure as required by a
21 court order, another law, or this Act.

22 (c) A sports governing body may notify the Board that it
23 desires to restrict, limit, or exclude sports wagering on its
24 sporting events by providing notice in the form and manner as
25 the Board may require, including, without limitation,
26 restrictions on the sources of data and associated video upon

1 which a sports wagering operator or interactive sports wagering
2 platform may rely in offering and paying wagers and the bet
3 types that may be offered. Upon receiving such notice, the
4 Board shall only deny a request if it deems such request
5 arbitrary and capricious. If the Board denies a request, the
6 sports governing body shall be afforded notice and the right to
7 be heard and offer proof in opposition to such determination in
8 accordance with the rules of the Board. Offering or taking
9 wagers contrary to restrictions adopted by the Board is a
10 violation of this Section. If a request is submitted in
11 relation to an emergency situation, the chairman of the Board
12 may temporarily grant the request of the sports governing body
13 until the Board makes a final determination as to whether such
14 request is arbitrary and capricious.

15 (d) The Board shall designate a State law enforcement
16 entity to have primary responsibility for conducting or
17 assisting the Board in conducting investigations into abnormal
18 betting activity, match fixing, and other conduct that corrupts
19 a betting outcome of a sporting event or events for purposes of
20 financial gain.

21 (e) The Board, sports wagering operators, and interactive
22 sports wagering platforms shall cooperate with investigations
23 conducted by sports governing bodies or law enforcement
24 agencies, including, but not limited to, providing or
25 facilitating the provision of account-level betting
26 information and audio or video files relating to persons

1 placing wagers.

2 (f) Sports wagering operators and interactive sports
3 wagering platforms shall immediately report to the Board any
4 information relating to:

5 (1) criminal or disciplinary proceedings commenced
6 against the sports wagering operator or interactive sports
7 wagering platform in connection with its operations;

8 (2) abnormal betting activity or patterns that may
9 indicate a concern with the integrity of a sporting event
10 or events;

11 (3) any potential breach of the relevant sports
12 governing body's internal rules and codes of conduct
13 pertaining to sports wagering;

14 (4) any other conduct that corrupts a betting outcome
15 of a sporting event or events for purposes of financial
16 gain, including match fixing; and

17 (5) suspicious or illegal wagering activities,
18 including use of funds derived from illegal activity,
19 wagers to conceal or launder funds derived from illegal
20 activity, using agents to place wagers, and using false
21 identification.

22 Sports wagering operators and interactive sports wagering
23 platforms shall also immediately report information relating
24 to conduct described in paragraphs (1), (2), and (3) to the
25 relevant sports governing body.

26 (g) Sports wagering operators and interactive sports

1 wagering platforms shall maintain the confidentiality of
2 information provided by a sports governing body to sports
3 wagering operators and interactive sports wagering platforms,
4 unless disclosure is required by this Act, the Board, another
5 law, or a court order.

6 (h) The Board, sports wagering operators, and interactive
7 sports wagering platforms shall maintain the confidentiality
8 of all information relating to conduct described in paragraphs
9 (1), (2), and (3) of paragraph (f) unless disclosure is
10 required by this Act, another law, or a court order or
11 authorized by the relevant sports governing body. Nothing in
12 this Section prohibits the Board, a sports wagering operator,
13 or an interactive sports wagering platform from making a
14 confidential disclosure to another sports wagering operator,
15 interactive sports wagering platform, a sports governing body,
16 sports betting regulating entity, law enforcement entity, or
17 other party for the purpose of preventing or investigating
18 conduct that corrupts or could corrupt the outcome of a
19 sporting event, including match fixing.

20 (i) Except as provided in subsection (j), sports wagering
21 operators and interactive sports wagering platforms may use any
22 data source to determine the results of sports wagers if the
23 data is not obtained directly or indirectly from live event
24 attendees who collect the data in violation of the terms of
25 admittance to an event or through automated computer programs
26 that compile data from the Internet in violation of the terms

1 of service of the relevant website or other Internet platform.

2 (j) A sports governing body may notify the Board that it
3 desires to supply official league data to sports wagering
4 operators for determining the results of tier 2 sports wagers.
5 Such notification shall be made in the form and manner as the
6 Board may require. Within 30 days after such notification by a
7 sports governing body, a sports wagering operator or
8 interactive sports wagering platform shall use only official
9 league data to determine the results of tier 2 sports wagers,
10 unless the sports wagering operator or interactive sports
11 wagering platform can demonstrate to the Board that the sports
12 governing body or its designee cannot provide a feed of
13 official league data to the sports wagering operator or
14 interactive sports wagering platform on commercially
15 reasonable terms.

16 (k) Any sports governing body may also enter into
17 commercial agreements with sports wagering operators and
18 interactive sports wagering platforms in which the sports
19 governing body may share in the amount of bets or revenues
20 derived from sports wagering on the sports governing body's
21 sporting events. A sports governing body is not required to
22 obtain a license or any other approval from the Board to
23 lawfully accept such amounts or revenues.

24 Section 35. Recordkeeping; information sharing; sports
25 betting royalty.

1 (a) Sports wagering operators and interactive sports
2 wagering platforms shall maintain records of all bets and
3 wagers placed, including personally identifiable information
4 of the bettor, amount and type of bet, time the bet was placed,
5 location of the bet, including Internet protocol address, if
6 applicable, the outcome of the bet, records of abnormal betting
7 activity, and video camera recordings in the case of in person
8 wagers for at least 3 years after the sporting event occurs and
9 make such data available for inspection upon request of the
10 Board or as required by a court order.

11 (b) If a sports governing body has notified the Board that
12 real-time information sharing for wagers placed on its sporting
13 events is necessary and desirable, sports wagering operators
14 and interactive sports wagering platforms shall share in real
15 time, at the account level and in pseudonymous form, the
16 information required to be retained pursuant to subsection (a)
17 (other than video files) with the sports governing body or its
18 designee with respect to wagers on its sporting events. Such
19 information may be used by a sports governing body solely for
20 integrity purposes.

21 (c) Within 30 days after the end of each calendar quarter,
22 sports wagering operators and interactive sports wagering
23 platforms shall remit to the Board a royalty of 0.25% of the
24 amounts wagered on sporting events.

25 (1) The royalty shall be remitted on a form as the
26 Board may require, on which the sports wagering operator

1 and interactive sports wagering platform shall identify
2 the percentage of wagering during the reporting period
3 attributable to each sports governing body's sporting
4 events.

5 (2) No later than April 30 of each year, a sports
6 governing body may submit a request for disbursement funds
7 remitted by sports wagering operators and interactive
8 sports wagering platforms in the previous calendar year.
9 The Board shall disburse the funds to the sports governing
10 body in pro rata proportion of the total amount wagered on
11 its sporting events. No sports governing body is required
12 to obtain a license from the Board in order to lawfully
13 accept the funds provided for in this paragraph (2).

14 (3) The Board shall annually publish a report stating
15 the amount received from sports wagering operators and
16 interactive sports wagering platforms in royalties and the
17 amount paid to sports governing bodies.

18 (4) Any unclaimed royalties shall be distributed to the
19 sports wagering operators and interactive sports wagering
20 platforms that timely remitted the royalties required
21 under this subsection (c) to the Board. Such royalties
22 shall be distributed to the eligible sports wagering
23 operators and interactive sports wagering platforms on a
24 pro rata basis.

25 (d) The Board shall cooperate with sports governing bodies,
26 sports wagering operators, and interactive sports wagering

1 platforms to ensure the timely, efficient, and accurate sharing
2 of information and the remittance of royalties to sports
3 governing bodies or their designees.

4 Section 40. Privilege tax; State Gaming Fund. For the
5 privilege of offering sports wagering in this State, sports
6 wagering operators and interactive sports wagering platforms
7 shall pay a 12.5% tax on annual adjusted gross receipts to the
8 Board. The Board shall deposit taxes paid under this Section
9 and any fees and penalties collected under this Act into the
10 State Gaming Fund and then transferred in equal amounts to the
11 State Construction Account Fund, the Pension Stabilization
12 Fund, and the Common School Fund.

13 Section 45. Civil penalty. Any person, firm, corporation,
14 association, agent, or employee who knowingly violates any
15 procedure implemented under this Act shall be liable for a
16 civil penalty of not more than \$5,000 for each violation, not
17 to exceed \$50,000 for violations arising out of the same
18 transaction or occurrence, which shall accrue to the State and
19 may be recovered in a civil action brought by the Board.

20 Section 50. Criminal liability.

21 (a) A person shall be guilty of a Class 1 felony if he or
22 she:

23 (1) places, or causes to be placed, a bet or wager on

1 the basis of material nonpublic information relating to
2 that bet or wager, while knowing that the information is
3 material nonpublic information; or

4 (2) knowingly engages in, facilitates, or conceals
5 conduct that intends to improperly influence a betting
6 outcome of a sporting event for purposes of financial gain,
7 in connection with betting or wagering on a sporting event.

8 (b) Any person or sports wagering operator who violates
9 paragraph (2) of subsection (a) shall be liable to the relevant
10 sports governing body, which sports governing body may sue
11 either at law or in equity in any court of competent
12 jurisdiction.

13 (c) As used in this Section, a bet or wager is "on the
14 basis of" material nonpublic information relating to that bet
15 or wager if the person placing the bet or wager, or causing it
16 to be placed, was aware of the material nonpublic information
17 when such person placed the bet or wager or caused it to be
18 placed.

19 Section 90. The Criminal Code of 2012 is amended by
20 changing Sections 28-1 and 28-3 as follows:

21 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

22 Sec. 28-1. Gambling.

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

24 (1) knowingly plays a game of chance or skill for money

1 or other thing of value, unless excepted in subsection (b)
2 of this Section;

3 (2) knowingly makes a wager upon the result of any
4 game, contest, or any political nomination, appointment or
5 election;

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

9 (4) contracts to have or give himself or herself or
10 another the option to buy or sell, or contracts to buy or
11 sell, at a future time, any grain or other commodity
12 whatsoever, or any stock or security of any company, where
13 it is at the time of making such contract intended by both
14 parties thereto that the contract to buy or sell, or the
15 option, whenever exercised, or the contract resulting
16 therefrom, shall be settled, not by the receipt or delivery
17 of such property, but by the payment only of differences in
18 prices thereof; however, the issuance, purchase, sale,
19 exercise, endorsement or guarantee, by or through a person
20 registered with the Secretary of State pursuant to Section
21 8 of the Illinois Securities Law of 1953, or by or through
22 a person exempt from such registration under said Section
23 8, of a put, call, or other option to buy or sell
24 securities which have been registered with the Secretary of
25 State or which are exempt from such registration under
26 Section 3 of the Illinois Securities Law of 1953 is not

1 gambling within the meaning of this paragraph (4);

2 (5) knowingly owns or possesses any book, instrument or
3 apparatus by means of which bets or wagers have been, or
4 are, recorded or registered, or knowingly possesses any
5 money which he has received in the course of a bet or
6 wager;

7 (6) knowingly sells pools upon the result of any game
8 or contest of skill or chance, political nomination,
9 appointment or election;

10 (7) knowingly sets up or promotes any lottery or sells,
11 offers to sell or transfers any ticket or share for any
12 lottery;

13 (8) knowingly sets up or promotes any policy game or
14 sells, offers to sell or knowingly possesses or transfers
15 any policy ticket, slip, record, document or other similar
16 device;

17 (9) knowingly drafts, prints or publishes any lottery
18 ticket or share, or any policy ticket, slip, record,
19 document or similar device, except for such activity
20 related to lotteries, bingo games and raffles authorized by
21 and conducted in accordance with the laws of Illinois or
22 any other state or foreign government;

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

1 (11) knowingly transmits information as to wagers,
2 betting odds, or changes in betting odds by telephone,
3 telegraph, radio, semaphore or similar means; or knowingly
4 installs or maintains equipment for the transmission or
5 receipt of such information; except that nothing in this
6 subdivision (11) prohibits transmission or receipt of such
7 information for use in news reporting of sporting events or
8 contests; or

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

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

19 (1) Agreements to compensate for loss caused by the
20 happening of chance including without limitation contracts
21 of indemnity or guaranty and life or health or accident
22 insurance.

23 (2) Offers of prizes, award or compensation to the
24 actual contestants in any bona fide contest for the
25 determination of skill, speed, strength or endurance or to
26 the owners of animals or vehicles entered in such contest.

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

3 (4) Manufacture of gambling devices, including the
4 acquisition of essential parts therefor and the assembly
5 thereof, for transportation in interstate or foreign
6 commerce to any place outside this State when such
7 transportation is not prohibited by any applicable Federal
8 law; or the manufacture, distribution, or possession of
9 video gaming terminals, as defined in the Video Gaming Act,
10 by manufacturers, distributors, and terminal operators
11 licensed to do so under the Video Gaming Act.

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

14 (6) Lotteries when conducted by the State of Illinois
15 in accordance with the Illinois Lottery Law. This exemption
16 includes any activity conducted by the Department of
17 Revenue to sell lottery tickets pursuant to the provisions
18 of the Illinois Lottery Law and its rules.

19 (6.1) The purchase of lottery tickets through the
20 Internet for a lottery conducted by the State of Illinois
21 under the program established in Section 7.12 of the
22 Illinois Lottery Law.

23 (7) Possession of an antique slot machine that is
24 neither used nor intended to be used in the operation or
25 promotion of any unlawful gambling activity or enterprise.
26 For the purpose of this subparagraph (b) (7), an antique

1 slot machine is one manufactured 25 years ago or earlier.

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

4 (9) Charitable games when conducted in accordance with
5 the Charitable Games Act.

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

8 (11) Gambling games conducted on riverboats when
9 authorized by the Riverboat Gambling Act.

10 (12) Video gaming terminal games at a licensed
11 establishment, licensed truck stop establishment, licensed
12 fraternal establishment, or licensed veterans
13 establishment when conducted in accordance with the Video
14 Gaming Act.

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

18 (14) Savings promotion raffles authorized under
19 Section 5g of the Illinois Banking Act, Section 7008 of the
20 Savings Bank Act, Section 42.7 of the Illinois Credit Union
21 Act, Section 5136B of the National Bank Act (12 U.S.C.
22 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.
23 1463).

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

26 (c) Sentence.

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

4 (d) Circumstantial evidence.

5 In prosecutions under this Section circumstantial evidence
6 shall have the same validity and weight as in any criminal
7 prosecution.

8 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

9 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

10 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is
11 any real estate, vehicle, boat or any other property whatsoever
12 used for the purposes of gambling other than gambling conducted
13 in the manner authorized by the Riverboat Gambling Act, the
14 Sports Wagering Act, or the Video Gaming Act. Any person who
15 knowingly permits any premises or property owned or occupied by
16 him or under his control to be used as a gambling place commits
17 a Class A misdemeanor. Each subsequent offense is a Class 4
18 felony. When any premises is determined by the circuit court to
19 be a gambling place:

20 (a) Such premises is a public nuisance and may be proceeded
21 against as such, and

22 (b) All licenses, permits or certificates issued by the
23 State of Illinois or any subdivision or public agency thereof
24 authorizing the serving of food or liquor on such premises
25 shall be void; and no license, permit or certificate so

1 cancelled shall be reissued for such premises for a period of
2 60 days thereafter; nor shall any person convicted of keeping a
3 gambling place be reissued such license for one year from his
4 conviction and, after a second conviction of keeping a gambling
5 place, any such person shall not be reissued such license, and

6 (c) Such premises of any person who knowingly permits
7 thereon a violation of any Section of this Article shall be
8 held liable for, and may be sold to pay any unsatisfied
9 judgment that may be recovered and any unsatisfied fine that
10 may be levied under any Section of this Article.

11 (Source: P.A. 96-34, eff. 7-13-09.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.".