



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2064

Introduced 2/26/2021, by Sen. Cristina Castro

#### SYNOPSIS AS INTRODUCED:

New Act  
5 ILCS 100/5-45.8 new

Creates the Internet Gaming Act. Authorizes a casino or racetrack to offer Internet gaming or contract with a platform to offer Internet gaming, as regulated by the Illinois Gaming Board. Provides the requirements for Internet gaming platforms, Internet wagering accounts, and licenses issued under the Act. Includes provisions for age verification, location of wagering, responsible gaming, diversity goals in procurement and spending by Internet gaming licensees, the applicability of the Illinois Gambling Act and the Uniform Penalty and Interest Act, acceptance of out-of-state wagers, and limitations on home rule units. Provides that a 15% privilege tax is imposed on Internet gaming to be deposited into the State Gaming Fund. Authorizes the adoption of emergency rules to implement the Act and makes conforming changes in the Illinois Administrative Procedure Act. Repeals the Internet Gaming Act 5 years after becoming law. Effective immediately.

LRB102 15917 SMS 21286 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

1 AN ACT concerning gaming.

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

4 Section 1. Short title. This Act may be cited as the  
5 Internet Gaming Act.

6 Section 5. Definitions. Unless otherwise provided in this  
7 Act, the terms used in this Act have the same meaning given to  
8 those terms in the Illinois Gambling Act. Further, as used in  
9 this Act:

10 "Adjusted gross gaming revenue" means the total of all  
11 sums actually received by an Internet gaming licensee from  
12 Internet gaming operations, excluding free play and  
13 promotional credits, less the total of all sums actually paid  
14 out as winnings to patrons, which includes the cash equivalent  
15 of any merchandise or thing of value awarded as a prize.

16 "Adjusted gross gaming revenue" does not include the dollar  
17 amount of non-cashable vouchers, coupons, or promotions  
18 redeemed by participants on an Internet gaming platform.

19 "Board" means the Illinois Gaming Board.

20 "Internet game" means an Internet-based version or  
21 substantial equivalent of a gambling game, slot machine,  
22 poker, or table game, including, but not limited to,  
23 simulcasted live-dealer versions of casino games in which an

1 individual wagers money or something of monetary value for the  
2 opportunity to win money or something of monetary value, and  
3 which is accessed by an Internet-connected computer or mobile  
4 device. "Internet game" includes gaming tournaments conducted  
5 via the Internet in which players compete against one another  
6 or in one or more of the games authorized in this Act.  
7 "Internet game" does not include sports wagering conducted  
8 pursuant to the Sports Wagering Act or fantasy contests in  
9 which one or more players compete against each other and  
10 winning outcomes reflect the relative knowledge and skill of  
11 the players and are determined predominantly by accumulated  
12 statistical results of the performance of individuals,  
13 including athletes in the case of sporting events.

14 "Internet gaming" means conducting Internet games.

15 "Internet gaming licensee" means the owners licensee or  
16 organization licensee that holds an Internet gaming license  
17 under this Act.

18 "Internet gaming operator" means an Internet gaming  
19 licensee that operates an Internet gaming platform or, if an  
20 Internet management services provider, operates the Internet  
21 gaming platform, the Internet management services provider.

22 "Internet gaming platform" means the combination of  
23 hardware and software or other technology designed and used to  
24 manage, conduct, and record Internet gaming and the wagers  
25 associated with Internet gaming.

26 "Internet gaming skin" means a distinctly branded Internet

1 gaming platform operated by an Internet gaming operator, which  
2 may encompass a website, mobile application, or other portal  
3 to the Internet gaming platform. The brand may be that of the  
4 Internet gaming licensee or its affiliate, the Internet  
5 management service provider, or another brand as agreed upon  
6 by the Internet gaming licensee and its Internet management  
7 service provider.

8 "Internet management service provider" means a licensed  
9 business entity that operates an Internet gaming platform  
10 pursuant to an agreement with an Internet gaming licensee.

11 "Internet wagering" means the placing of wagers with an  
12 Internet gaming operator by persons who are either physically  
13 present in Illinois or in another permissible jurisdiction  
14 whereby the Board has entered a compact, when placing a wager  
15 or otherwise permitted to place a wager by law.

16 "Internet wagering account" means a financial record  
17 established and accessible through an Internet gaming platform  
18 for an individual participant in which the participant may  
19 deposit and withdraw funds for Internet gaming and other  
20 authorized purchases and to which the Internet gaming operator  
21 may credit winnings or other amounts due to that participant  
22 or authorized by that participant.

23 "Organization licensee" has the meaning given to that term  
24 in the Illinois Horse Racing Act of 1975.

25 "Owners licensee" means the holder of an owners license  
26 issued under the Illinois Gambling Act.

1 "Permissible jurisdiction" means another jurisdiction from  
2 which wagers may be accepted pursuant to Section 60.

3 "Prohibited premises" means a riverboat, casino, or any  
4 property or facility owned, maintained, or leased by an  
5 organization licensee, owners licensee, Internet gaming  
6 operator, Internet gaming licensee, or any other facility  
7 where a gambling game, casino game, slot machines, table  
8 games, or other gambling operation occurs.

9 Section 10. Board powers and responsibilities. The Board  
10 has the same powers and responsibilities with respect to the  
11 offering of Internet gaming as it has with respect to  
12 non-Internet gaming pursuant to Section 5 of the Illinois  
13 Gambling Act, except where the exercise of such powers or  
14 responsibilities is incompatible with the offering of gambling  
15 games over the Internet or with this Act.

16 Section 15. Rulemaking.

17 (a) The Board shall adopt emergency rules within 90 days  
18 after the effective date of this Act to administer this Act in  
19 accordance with Section 5-45 of the Illinois Administrative  
20 Procedure Act. For the purposes of the Illinois Administrative  
21 Procedure Act, the General Assembly finds that the adoption of  
22 rules to implement this Act is deemed an emergency and  
23 necessary to the public interest, safety, and welfare.

24 (b) In adopting rules and regulating the conduct of

1 Internet gaming, the Board shall to the greatest extent  
2 possible utilize existing rules adopted under the Illinois  
3 Gambling Act and amend existing rules or adopt new rules or  
4 standards only as reasonably necessary to implement Internet  
5 gaming under this Act. The Board shall look to the Internet  
6 gaming rules of other regulated jurisdictions in the United  
7 States and shall implement consistent rules to the greatest  
8 extent practicable.

9 Section 20. Internet gaming authorized.

10 (a) Notwithstanding any provision of law to the contrary,  
11 Internet gaming is only lawful when conducted by an Internet  
12 gaming operator in accordance with the provisions of this Act  
13 and the rules of the Board.

14 (b) Internet gaming may only be offered by an Internet  
15 gaming licensee or an Internet management services provider  
16 that has contracted with an Internet gaming licensee. An  
17 Internet gaming licensee may offer no more than 3 individually  
18 branded Internet gaming skins. The Internet gaming licensee  
19 may operate the platform and contract with up to 3 Internet  
20 management service providers to conduct Internet gaming in  
21 accordance with the rules of the Board and the provisions of  
22 this Act.

23 (c) The primary servers necessary to the placement or  
24 resolution of wagers on an Internet gaming platform shall be  
25 located within a facility that is secure and inaccessible to

1 the public. The primary servers may be located anywhere in the  
2 United States that is in compliance with federal law for a  
3 period of one year following the effective date of this Act.  
4 Beginning one year after the effective date of this Act, the  
5 primary servers must be located in Illinois. All wagers that  
6 originate in this State are deemed to be placed in this State.  
7 The intermediate routing of electronic data in connection with  
8 Internet gaming, including across State lines, shall not  
9 determine the location or locations in which a wager is  
10 initiated, received, or otherwise made.

11 Section 25. Requirements of Internet gaming platform.

12 (a) An Internet gaming operator may accept wagers on an  
13 Internet gaming platform only as follows: (1) the wager is  
14 placed directly with the Internet gaming operator through an  
15 Internet wagering account; and (2) the Internet gaming  
16 operator has verified that the person placing the wager is the  
17 holder of the Internet wagering account and is physically  
18 located within this State, but not on a prohibited premises,  
19 or a permissible jurisdiction using technological requirements  
20 in compliance with this Section.

21 (b) An Internet gaming platform shall include age and  
22 location verification mechanisms and requirements that are  
23 designed to preclude knowingly accepting wagers from  
24 individuals under 21 years of age, persons not physically  
25 within the State or a permissible jurisdiction, persons

1 located on a prohibited premises, and persons otherwise  
2 excluded from Internet gaming from establishing Internet  
3 wagering accounts or from engaging in Internet gaming under  
4 this Act. The Internet gaming platform's age, location, and  
5 eligibility detection mechanisms shall monitor attempts to  
6 access the system and shall use commercially reasonable  
7 attempts to block unauthorized attempts to access the system.

8 (c) An Internet gaming operator shall implement  
9 appropriate data security standards to prevent unauthorized  
10 access by any person whose identity has not been verified or  
11 cannot be verified, in accordance with rules adopted by the  
12 Board. The Internet gaming platform's identity verification  
13 mechanisms shall monitor attempts to access the system and  
14 shall use commercially reasonable attempts to block  
15 unauthorized attempts to access the system by persons who are  
16 not the wagering account holder.

17 (d) An Internet gaming operator shall implement  
18 appropriate standards to protect the privacy and security of  
19 participants to a reasonable degree of certainty. Internet  
20 gaming operators shall establish and offer participants the  
21 option to protect their accounts with multi-factor  
22 authentication or authentication features such as personal  
23 identification numbers or biometric data.

24 (e) The Internet gaming operator shall establish internal  
25 and accounting controls applicable to Internet gaming and  
26 shall ensure that the security and integrity of all financial



1 transactions in connection with Internet gaming shall comply  
2 with this Act and any rules adopted by the Board.

3 (f) An Internet gaming operator shall collect, report, and  
4 pay all applicable taxes and fees and shall maintain all  
5 books, records, and documents pertaining to the provider's  
6 gaming operations in a manner and location within this State  
7 as approved by the Board.

8 (g) All books, records, and documents concerning Internet  
9 gaming shall be available for inspection upon commercially  
10 reasonable notice by the Board during ordinary business hours  
11 in accordance with the Board's rules and shall be maintained  
12 in a manner and during periods of time as the Board shall  
13 require.

14 (h) Each Internet gaming operator shall maintain a file  
15 containing samples of the types and forms of advertising and  
16 promotional materials that it has used for Internet gaming in  
17 connection with this State. Such advertising samples shall be  
18 made available or produced for inspection upon the Board's  
19 request.

20 Section 30. Internet wagering accounts.

21 (a) Eligible persons seeking to establish Internet  
22 wagering accounts must do so in person at a casino or racetrack  
23 during the first 6 months of operation. After the first 6  
24 months of operation, an account may be established over the  
25 Internet without appearing in person. An Internet gaming

1 operator shall adopt reasonable procedures to ensure that  
2 individuals have no more than one Internet wagering account  
3 with the Internet gaming operator. However, nothing in this  
4 Act prohibits the combination of a sports wagering account  
5 under the Sports Wagering Act and the Internet wagering  
6 account set forth under this Act.

7 (b) Participants may deposit and withdraw funds from their  
8 Internet wagering accounts in person at a casino or racetrack  
9 or over the Internet through electronic means to the extent  
10 allowed by federal law, including debit and credit cards;  
11 automated clearing house transfers; wire transfers; deposits  
12 and withdrawals of cash or gaming chips at cashiering  
13 locations approved by the Board; reliable prepaid cards; cash  
14 complimentary, promotional credits, or bonus credits;  
15 winnings; or other means as approved by the Board.

16 (c) Internet gaming operators shall include, as part of  
17 their internal controls, mechanisms and procedures for  
18 reasonably detecting unauthorized access to Internet wagering  
19 accounts, unauthorized attempts to access Internet wagering  
20 accounts, and suspicious Internet wagering activity  
21 constituting cheating, theft, embezzlement, collusion, money  
22 laundering, and other illegal activity.

23 (d) As permitted by federal law, nothing in this Act  
24 prohibits Internet gaming operators from linking or otherwise  
25 commingling Internet wagering accounts with an eligible  
26 person's Internet wagering account in another jurisdiction.

1 However, an Internet gaming operator must retain records of  
2 all deposits, withdraws, wagers, and wager results that take  
3 place within this State and pursuant to this Act and ensure all  
4 taxes and fees due under this Act are properly documented and  
5 paid.

6 (e) Internet gaming operators shall not permit an  
7 individual to place an Internet wager while the individual is  
8 at a prohibited premises.

9 Section 35. License requirements.

10 (a) No person may offer Internet games in this State  
11 unless all necessary licenses have been obtained in accordance  
12 with this Act and the rules of the Board. The Board may issue  
13 the following licenses to persons, firms, partnerships, or  
14 corporations that apply for licensure upon a determination by  
15 the Board that the applicant is eligible for the license under  
16 this Act and rules adopted by the Board:

- 17 (1) Internet gaming license;  
18 (2) Internet management service provider license;  
19 (3) supplier license; and  
20 (4) occupational license.

21 (b) The Board shall issue an Internet gaming license upon  
22 request to any owners licensee or organization licensee that  
23 meets the conditions of subsection (i). The fee for a license  
24 shall be \$250,000. An Internet gaming license shall be valid  
25 for the same period of time as the requester's owners license

1 or organization license and shall be renewed as a matter of  
2 course upon renewal of the owners license or organization  
3 license and for the same period of time as the owners license  
4 or organization license. The fee for renewal of an Internet  
5 gaming license is \$100,000.

6 (c) An entity may apply for an Internet management service  
7 provider license in the form as may be required by the Board  
8 consistent with the requirements of this Act. The Board shall  
9 provide an abbreviated application for entities that hold or  
10 have a pending application for a management services provider  
11 license under the Sports Wagering Act or other types of gaming  
12 under Illinois law. Before issuance of an Internet management  
13 service provider license under this Act, the applicant shall  
14 pay to the Board a licensing fee of \$100,000 or, for applicants  
15 holding a management service provider license issued under  
16 other Illinois law, a licensing fee of \$50,000. An Internet  
17 management service provider license issued under this Act  
18 shall be valid for 4 years, subject to renewal upon payment of  
19 a fee of \$50,000.

20 (d) An applicant for a supplier license shall apply in the  
21 form as may be required by the Board consistent with the  
22 requirements of this Act. The Board shall provide an  
23 abbreviated application for entities which hold or have a  
24 pending application for a supplier license for s or other  
25 types of gaming under Illinois law. Before issuance of a  
26 supplier license under this Act, the applicant shall pay to

1 the Board a licensing fee of \$100,000 or, for applicants  
2 holding a supplier license issued under other Illinois law, a  
3 licensing fee of \$50,000. A supplier license issued under this  
4 Act shall be valid for 4 years, subject to renewal upon payment  
5 of a fee of \$50,000.

6 (e) An applicant for an occupation license shall apply in  
7 the form as may be required by the Board consistent with the  
8 requirements of this Act for individuals who can directly  
9 change critical components of Internet game system hardware or  
10 software and meet 2 of the following requirements: (1) have  
11 access to wagering account holders' personally identifying  
12 information; (2) have the ability to make adjustments to  
13 Internet wagering accounts; or (3) have direct interaction  
14 with wagering account holders. Before issuance of an  
15 occupational license under this Act, the applicant shall pay  
16 to the Board a licensing fee of \$150 or, for applicants holding  
17 an occupational license issued under other Illinois law, a  
18 licensing fee of \$100. An occupational license issued under  
19 this Act shall be valid for 4 years, subject to renewal upon  
20 payment of a fee of \$100.

21 (f) The Board shall issue any license under this Act upon  
22 payment of the license fee to an applicant that meets the  
23 conditions of subsection (i), if applicable, and a showing  
24 that the applicant holds an equivalent license under the  
25 Illinois Sports Wagering Act or, otherwise, has an equivalent  
26 license to conduct Internet gaming in another U.S.

1 jurisdiction with licensing standards similar to those  
2 established under this Act and accompanying rules.

3 (g) The Board shall issue any license under this Act on a  
4 temporary basis within 3 months of receiving an application to  
5 any applicant that holds an equivalent license or temporary  
6 license under the Sports Wagering Act or, otherwise, has  
7 equivalent licenses in connection with Internet gaming in  
8 another U.S. jurisdiction. The Board shall issue the temporary  
9 license under this subsection within 3 months after receiving  
10 a completed application unless it is aware of credible  
11 information that may prevent the issuance of a license or  
12 require certain conditions on a license to ensure compliance  
13 with Illinois gaming law. The temporary license shall be valid  
14 for a period of one year. The Board may revoke a temporary  
15 license at any time if it becomes aware of credible  
16 information that may prevent the issuance of a license or  
17 require certain conditions on a license to ensure compliance  
18 with Illinois gaming law. A temporary license shall otherwise  
19 be deemed to be the equivalent of a full license for all  
20 purposes.

21 (h) The Board may require background investigations for  
22 any officer, director, or shareholder with 10% or more equity  
23 interests of an applicant for an Internet management service  
24 provider license. The Board may recover the actual costs of an  
25 investigation conducted under this subsection from any license  
26 applicant. The Board may accept a background investigation

1 conducted by another state with licensing standards similar to  
2 those established under this Act and accompanying rules.

3 (i) The Board may not issue an Internet gaming license to  
4 an owners licensee or organization licensee that has reduced  
5 the size of its workforce by 25% or more since February 28,  
6 2020. The Board may not renew the Internet gaming license of  
7 any owners licensee or organization licensee that has reduced  
8 the size of its workforce by 25% since the date its last  
9 Internet gaming license was issued or renewed.

10 Section 40. Age verification; location; responsible  
11 gaming.

12 (a) An Internet gaming platform's internal controls shall  
13 include one or more mechanism to reasonably verify that a  
14 participant is 21 years of age or older, that wagering on  
15 Internet games is limited to transactions that are initiated  
16 and received within the State of Illinois or a permissible  
17 jurisdiction but not on a prohibited premises, and that the  
18 participant is physically located within the State of Illinois  
19 or a permissible jurisdiction but not on a prohibited  
20 premises.

21 (b) The Board shall develop responsible Internet gaming  
22 measures, including a statewide responsible gaming database  
23 identifying individuals who shall be prohibited from  
24 establishing an Internet wagering account or participating in  
25 Internet gaming offered by an Internet gaming operator. The

1 Board shall adopt rules for the establishment and maintenance  
2 of the responsible gaming database, which shall include  
3 allowances for individuals to self-exclude from Internet  
4 wagering, including making self-exclusion elections through an  
5 Internet gaming operator on an Internet gaming platform or in  
6 person at casinos or racetracks. The Board shall maintain the  
7 responsible gaming database in a confidential manner and  
8 Internet gaming operators shall not knowingly accept wagers  
9 from anyone listed on the gaming database. Notwithstanding any  
10 law to the contrary, a self-exclusion election and the  
11 responsible gaming database are not public records subject to  
12 copying and disclosure under the Freedom of Information Act.

13 (c) Each Internet gaming platform shall display the words  
14 "If you or someone you know has a gambling problem, help is  
15 available. Call (toll-free telephone number)" or some  
16 comparable language approved by the Board, which language  
17 shall include the words "gambling problem" and "call  
18 1-800-GAMBLER" to be displayed on the home page accessible to  
19 any person visiting or initially logging into the Internet  
20 gaming platform. Similar information shall be accessible to  
21 account holders when logged onto the Internet gaming platform.

22 (d) Each Internet gaming platform shall include mechanisms  
23 for temporary and permanent self-exclusion through the Board's  
24 statewide responsible gaming database from Internet gaming,  
25 including termination of his or her Internet wagering account;  
26 a deposit limit offered on a daily, weekly, and monthly basis



1 that allows participants to specify the maximum amount of  
2 money they can deposit into the Internet wagering account  
3 during the particular time period; and a spend limit offered  
4 on a daily, weekly, and monthly basis that allows participants  
5 to specify the maximum amount of the deposits that they may put  
6 at risk during the particular time period. Self-imposed  
7 wagering or deposit limits shall take effect immediately but  
8 increases to a previously imposed limit shall not take effect  
9 until the expiration of the limit per the terms of the  
10 participant's original election. A licensee under this Act  
11 shall not knowingly mail or otherwise forward any  
12 gaming-related promotional materials or electronic mail to a  
13 participant during any period in which the participant has  
14 elected to temporarily or permanently suspend or terminate  
15 Internet gaming through the account.

16 (e) A participant shall continue to have access to the  
17 Internet wagering account and the ability to withdraw funds,  
18 notwithstanding any temporary or permanent suspension or  
19 limits placed upon the account pursuant to this Section.

20 Section 45. Tax.

21 (a) A privilege tax is imposed on an Internet gaming  
22 operator based on the adjusted gross gaming revenue wagered on  
23 Internet gaming platforms authorized under this Act at a rate  
24 of 15% of adjusted gross gaming revenue. This privilege tax is  
25 the exclusive tax in relation to Internet gaming. No local

1 government of this State, including home rule municipalities,  
2 may impose or levy taxes on adjusted gross gaming revenue.

3 (b) All moneys collected under this Act by the Board shall  
4 be deposited into the State Gaming Fund. The taxes imposed by  
5 this Section shall be paid by the Internet gaming operator on  
6 the day following the end of the month in which the wagers were  
7 made.

8 (c) If the taxpayer's adjusted gross gaming revenue for a  
9 month is a negative number, the taxpayer may carry over the  
10 negative amount to a return filed for the subsequent month and  
11 deduct such amount from its tax liability for such month,  
12 provided that such amount shall not be carried over and  
13 deducted against tax liability in any month that is more than  
14 12 months later than the month in which such amount was  
15 accrued.

16 (d) The tax revenue deposited into the State Gaming Fund  
17 under this Act shall be distributed according to Section 13 of  
18 the Illinois Gambling Act, wherein the Internet gaming  
19 operator shall be treated as the owners licensee or  
20 organization licensee that holds the Internet gaming license  
21 under this Act.

22 Section 50. Diversity programs.

23 (a) As used in this Section only, "licensee" means an  
24 Internet gaming licensee under this Act.

25 (b) The public policy of this State is to collaboratively

1 work with companies that serve Illinois residents to improve  
2 their supplier diversity in a non-antagonistic manner.

3 (c) The Board shall require all licensees under this Act  
4 to submit an annual report by April 15, 2022 and every April 15  
5 thereafter, in a searchable Adobe PDF format, on all  
6 procurement goals and actual spending for businesses owned by  
7 women, minorities, veterans, and persons with disabilities and  
8 small business enterprises in the previous calendar year.  
9 These goals shall be expressed as a percentage of the total  
10 work performed by the entity submitting the report, and the  
11 actual spending for all businesses owned by women, minorities,  
12 veterans, and persons with disabilities and small business  
13 enterprises shall also be expressed as a percentage of the  
14 total work performed by the entity submitting the report.

15 (d) Each licensee in its annual report shall include the  
16 following information: (1) an explanation of the plan for the  
17 next year to increase participation; (2) an explanation of the  
18 plan to increase the goals; (3) the areas of procurement each  
19 licensee shall be actively seeking more participation in the  
20 next year; (4) an outline of the plan to alert and encourage  
21 potential vendors in that area to seek business from the  
22 licensee; (5) an explanation of the challenges faced in finding  
23 quality vendors and offer any suggestions for what the Board  
24 could do to be helpful to identify those vendors; (6) a list of  
25 the certifications the licensee recognizes; (7) the point of  
26 contact for any potential vendor who wishes to do business

1 with the licensee and explain the process for a vendor to  
2 enroll with the licensee as a businesses owned by women,  
3 minorities, veterans, or persons with disabilities; and (8)  
4 any particular success stories to encourage other licensees to  
5 emulate best practices.

6 (e) Each annual report shall include as much  
7 State-specific data as possible. If the submitting entity does  
8 not submit State-specific data, then the licensee shall  
9 include any national data it does have and explain why it could  
10 not submit State-specific data and how it intends to do so in  
11 future reports, if possible.

12 (f) Each annual report shall include the rules,  
13 regulations, and definitions used for the procurement goals in  
14 the licensee's annual report.

15 (g) The Board and all licensees shall hold an annual  
16 workshop and job fair open to the public in 2022 and every year  
17 thereafter on the state of supplier diversity to  
18 collaboratively seek solutions to structural impediments to  
19 achieving stated goals, including testimony from each licensee  
20 as well as subject matter experts and advocates. The Board  
21 shall publish a database on its website of the point of contact  
22 for licensees it regulates under this Act for supplier  
23 diversity, along with a list of certifications each licensee  
24 recognizes from the information submitted in each annual  
25 report. The Board shall publish each annual report on its  
26 website and shall maintain each annual report for at least 5

1 years.

2 (h) A licensee under this Act that is also subject to the  
3 diversity program requirements of Section 7.6 of the Illinois  
4 Gambling Act shall include its Internet gaming activities  
5 within the supplier diversity goals and accompanying reports.  
6 Compliance with Section 7.6 of the Illinois Gambling Act shall  
7 be in lieu of compliance with the reporting requirements under  
8 this Act.

9 Section 55. Applicability of the Illinois Gambling Act and  
10 the Uniform Penalty and Interest Act. The provisions of the  
11 Illinois Gambling Act, and all rules adopted under that Act,  
12 shall apply to this Act, except where there is a conflict  
13 between the 2 Acts, including the incompatibility of any  
14 provision to the conduct of gaming remotely, without a  
15 brick-and-mortar facility, or over the Internet. All  
16 provisions of the Uniform Penalty and Interest Act shall  
17 apply, as far as practicable, to the subject matter of this Act  
18 to the same extent as if such provisions were included in this  
19 Act.

20 Section 60. Acceptance of out-of-state wagers.  
21 Notwithstanding any other provision of law to the contrary,  
22 wagers may be accepted under this Act from persons who are not  
23 physically present in this State if the Board has determined  
24 that out-of-state wagering is not inconsistent with federal

1 law or the law of the jurisdiction in which the person is  
2 located or if out-of-state wagering is conducted pursuant to a  
3 reciprocal agreement to which this State is a party that is not  
4 inconsistent with federal law. The Board may enter into  
5 agreements with other jurisdictions to facilitate, administer,  
6 and regulate multijurisdictional approved Internet games,  
7 including, but not limited to, poker.

8 Section 65. Home rule. The licensure and conduct of  
9 Internet gaming conducted by a person or entity pursuant to  
10 this Act are exclusive powers and functions of the State. A  
11 home rule unit may not regulate or license Internet gaming.  
12 This Section is a denial and limitation of home rule powers and  
13 functions under subsection (h) of Section 6 of Article VII of  
14 the Illinois Constitution.

15 Section 90. Repeal. This Act is repealed 5 years after the  
16 effective date of this Act.

17 Section 95. The Illinois Administrative Procedure Act is  
18 amended by adding Section 5-45.8 as follows:

19 (5 ILCS 100/5-45.8 new)

20 Sec. 5-45.8. Emergency rulemaking; Internet Gaming Act. To  
21 provide for the expeditious and timely implementation of the  
22 Internet Gaming Act, emergency rules implementing the Internet

1 Gaming Act may be adopted in accordance with Section 5-45 by  
2 the Illinois Gaming Board. The adoption of emergency rules  
3 authorized by Section 5-45 and this Section is deemed to be  
4 necessary for the public interest, safety, and welfare.

5 This Section is repealed on January 1, 2027.

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.