



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 02/05/04, by Donald L. Moffitt

**SYNOPSIS AS INTRODUCED:**

230 ILCS 5/34.2 new  
230 ILCS 10/13.2 new  
230 ILCS 10/18 from Ch. 120, par. 2418

Amends the Illinois Horse Racing Act of 1975 and the Riverboat Gambling Act. Provides that organization licensees and owners licensees that use a system to track bettors for the purpose of granting rewards to those bettors must transmit a monthly statement to those bettors showing their net winnings or losses for the previous month. Failure of a licensee to transmit a statement is a Class B misdemeanor. Effective immediately.

LRB093 14725 LRD 40270 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL 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 5. The Illinois Horse Racing Act of 1975 is amended  
5 by adding Section 34.2 as follows:

6 (230 ILCS 5/34.2 new)

7 Sec. 34.2. Statement of winnings and losses. Beginning  
8 September 1, 2005, any organization licensee that uses a casino  
9 identification system to track a person's betting record at any  
10 wagering facility operated by the organization licensee must  
11 prepare a statement showing the person's net winnings or losses  
12 at the organization licensee's facilities. The organization  
13 licensee must transmit a copy of the statement to the person,  
14 either by mail or by electronic means, on or before October 5,  
15 2005 and monthly thereafter. The statement must contain a  
16 spreadsheet document that shows the person's net winnings or  
17 losses at the organization licensee's facility during the  
18 previous month. Failure by an organization licensee to transmit  
19 a statement required under this Section is a Class B  
20 misdemeanor.

21 For the purposes of this Section 34.2, the term "casino  
22 identification system" means a system to identify certain  
23 bettors at an organization licensee's wagering facilities for  
24 the purpose of granting rewards to those bettors that include,  
25 but are not limited to, discounts, gifts, or anything else of  
26 value.

27 Section 10. The Riverboat Gambling Act is amended by adding  
28 Section 13.2 and changing Section 18 as follows:

29 (230 ILCS 10/13.2 new)

30 Sec. 13.2. Statement of winnings and losses. Beginning

1 September 1, 2005, any owners licensee that uses a casino  
2 identification system to track a person's betting record at any  
3 riverboat operated by the owners licensee must prepare a  
4 statement showing the person's net winnings or losses at the  
5 owners licensee's riverboats. The owners licensee must  
6 transmit a copy of the statement to the person, either by mail  
7 or by electronic means, on or before October 5, 2005 and  
8 monthly thereafter. The statement must contain a spreadsheet  
9 document that shows the person's net winnings or losses at the  
10 owners licensee's riverboats during the previous month.

11 For the purposes of this Section 13.2, the term "casino  
12 identification system" means a system to identify certain  
13 bettors at an owners licensee's riverboats for the purpose of  
14 granting rewards to those bettors that include, but are not  
15 limited to, discounts, gifts, or anything else of value.

16 (230 ILCS 10/18) (from Ch. 120, par. 2418)

17 Sec. 18. Prohibited Activities - Penalty.

18 (a) A person is guilty of a Class A misdemeanor for doing  
19 any of the following:

20 (1) Conducting gambling where wagering is used or to be  
21 used without a license issued by the Board.

22 (2) Conducting gambling where wagering is permitted  
23 other than in the manner specified by Section 11.

24 (b) A person is guilty of a Class B misdemeanor for doing  
25 any of the following:

26 (1) permitting a person under 21 years to make a wager;

27 ~~or~~

28 (2) violating paragraph (12) of subsection (a) of  
29 Section 11 of this Act; or

30 (3) violating Section 13.2 of this Act.

31 (c) A person wagering or accepting a wager at any location  
32 outside the riverboat is subject to the penalties in paragraphs  
33 (1) or (2) of subsection (a) of Section 28-1 of the Criminal  
34 Code of 1961.

35 (d) A person commits a Class 4 felony and, in addition,

1 shall be barred for life from riverboats under the jurisdiction  
2 of the Board, if the person does any of the following:

3 (1) Offers, promises, or gives anything of value or  
4 benefit to a person who is connected with a riverboat owner  
5 including, but not limited to, an officer or employee of a  
6 licensed owner or holder of an occupational license  
7 pursuant to an agreement or arrangement or with the intent  
8 that the promise or thing of value or benefit will  
9 influence the actions of the person to whom the offer,  
10 promise, or gift was made in order to affect or attempt to  
11 affect the outcome of a gambling game, or to influence  
12 official action of a member of the Board.

13 (2) Solicits or knowingly accepts or receives a promise  
14 of anything of value or benefit while the person is  
15 connected with a riverboat including, but not limited to,  
16 an officer or employee of a licensed owner, or holder of an  
17 occupational license, pursuant to an understanding or  
18 arrangement or with the intent that the promise or thing of  
19 value or benefit will influence the actions of the person  
20 to affect or attempt to affect the outcome of a gambling  
21 game, or to influence official action of a member of the  
22 Board.

23 (3) Uses or possesses with the intent to use a device  
24 to assist:

25 (i) In projecting the outcome of the game.

26 (ii) In keeping track of the cards played.

27 (iii) In analyzing the probability of the  
28 occurrence of an event relating to the gambling game.

29 (iv) In analyzing the strategy for playing or  
30 betting to be used in the game except as permitted by  
31 the Board.

32 (4) Cheats at a gambling game.

33 (5) Manufactures, sells, or distributes any cards,  
34 chips, dice, game or device which is intended to be used to  
35 violate any provision of this Act.

36 (6) Alters or misrepresents the outcome of a gambling

1 game on which wagers have been made after the outcome is  
2 made sure but before it is revealed to the players.

3 (7) Places a bet after acquiring knowledge, not  
4 available to all players, of the outcome of the gambling  
5 game which is subject of the bet or to aid a person in  
6 acquiring the knowledge for the purpose of placing a bet  
7 contingent on that outcome.

8 (8) Claims, collects, or takes, or attempts to claim,  
9 collect, or take, money or anything of value in or from the  
10 gambling games, with intent to defraud, without having made  
11 a wager contingent on winning a gambling game, or claims,  
12 collects, or takes an amount of money or thing of value of  
13 greater value than the amount won.

14 (9) Uses counterfeit chips or tokens in a gambling  
15 game.

16 (10) Possesses any key or device designed for the  
17 purpose of opening, entering, or affecting the operation of  
18 a gambling game, drop box, or an electronic or mechanical  
19 device connected with the gambling game or for removing  
20 coins, tokens, chips or other contents of a gambling game.  
21 This paragraph (10) does not apply to a gambling licensee  
22 or employee of a gambling licensee acting in furtherance of  
23 the employee's employment.

24 (e) The possession of more than one of the devices  
25 described in subsection (d), paragraphs (3), (5) or (10)  
26 permits a rebuttable presumption that the possessor intended to  
27 use the devices for cheating.

28 An action to prosecute any crime occurring on a riverboat  
29 shall be tried in the county of the dock at which the riverboat  
30 is based.

31 (Source: P.A. 91-40, eff. 6-25-99.)

32 Section 99. Effective date. This Act takes effect upon  
33 becoming law.