

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 1961 is amended by changing  
5 Section 28-2 as follows:

6 (720 ILCS 5/28-2) (from Ch. 38, par. 28-2)

7 Sec. 28-2. Definitions.

8 (a) A "gambling device" is any clock, tape machine, slot  
9 machine or other machines or device for the reception of money  
10 or other thing of value on chance or skill or upon the action  
11 of which money or other thing of value is staked, hazarded,  
12 bet, won or lost; or any mechanism, furniture, fixture,  
13 equipment or other device designed primarily for use in a  
14 gambling place. A "gambling device" does not include:

15 (1) A coin-in-the-slot operated mechanical device  
16 played for amusement which rewards the player with the  
17 right to replay such mechanical device, which device is so  
18 constructed or devised as to make such result of the  
19 operation thereof depend in part upon the skill of the  
20 player and which returns to the player thereof no money,  
21 property or right to receive money or property.

22 (2) Vending machines by which full and adequate return  
23 is made for the money invested and in which there is no

1 element of chance or hazard.

2 (3) A crane game. For the purposes of this paragraph  
3 (3), a "crane game" is an amusement device involving skill,  
4 if it rewards the player exclusively with merchandise  
5 contained within the amusement device proper and limited to  
6 toys, novelties and prizes other than currency, each having  
7 a wholesale value which is not more than \$25 ~~7 times the~~  
8 ~~cost charged to play the amusement device once or \$5,~~  
9 ~~whichever is less.~~

10 (4) A redemption machine. For the purposes of this  
11 paragraph (4), a "redemption machine" is a single-player or  
12 multi-player amusement device involving a game, the object  
13 of which is throwing, rolling, bowling, shooting, placing,  
14 or propelling a ball or other object into, upon, or against  
15 a hole or other target, provided that all of the following  
16 conditions are met:

17 (A) The outcome of the game is predominantly  
18 determined by the skill of the player.

19 (B) The award of the prize is based solely upon the  
20 player's achieving the object of the game or otherwise  
21 upon the player's score.

22 (C) Only merchandise prizes are awarded.

23 (D) The ~~average~~ wholesale value of prizes awarded  
24 in lieu of tickets or tokens for single play of the  
25 device does not exceed \$25 ~~the lesser of \$5 or 7 times~~  
26 ~~the cost charged for a single play of the device.~~

1           (E) The redemption value of tickets, tokens, and  
2           other representations of value, which may be  
3           accumulated by players to redeem prizes of greater  
4           value, does not exceed the amount charged for a single  
5           play of the device.

6           (a-5) "Internet" means an interactive computer service or  
7           system or an information service, system, or access software  
8           provider that provides or enables computer access by multiple  
9           users to a computer server, and includes, but is not limited  
10          to, an information service, system, or access software provider  
11          that provides access to a network system commonly known as the  
12          Internet, or any comparable system or service and also  
13          includes, but is not limited to, a World Wide Web page,  
14          newsgroup, message board, mailing list, or chat area on any  
15          interactive computer service or system or other online service.

16          (a-6) "Access" and "computer" have the meanings ascribed to  
17          them in Section 16D-2 of this Code.

18          (b) A "lottery" is any scheme or procedure whereby one or  
19          more prizes are distributed by chance among persons who have  
20          paid or promised consideration for a chance to win such prizes,  
21          whether such scheme or procedure is called a lottery, raffle,  
22          gift, sale or some other name.

23          (c) A "policy game" is any scheme or procedure whereby a  
24          person promises or guarantees by any instrument, bill,  
25          certificate, writing, token or other device that any particular  
26          number, character, ticket or certificate shall in the event of

1 any contingency in the nature of a lottery entitle the  
2 purchaser or holder to receive money, property or evidence of  
3 debt.

4 (Source: P.A. 91-257, eff. 1-1-00.)