

1 AN ACT concerning regulation.

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, 15, 20, 25, 30, 35, 45, 55, 57, and 78 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.

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

16 "Terminal operator" means an individual, partnership, ~~or~~  
17 corporation, or limited liability company that is licensed  
18 under this Act and that owns, services, and maintains video  
19 gaming terminals for placement in licensed establishments,  
20 licensed truck stop establishments, licensed fraternal  
21 establishments, or licensed veterans establishments.

22 "Licensed technician" means an individual who is licensed  
23 under this Act to repair, service, and maintain video gaming

1 terminals.

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

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

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

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

22 "Video gaming terminal" means any electronic video game  
23 machine that, upon insertion of cash, is available to play or  
24 simulate the play of a video game, including but not limited to  
25 video poker, line up, and blackjack, as authorized by the Board  
26 utilizing a video display and microprocessors in which the

1 player may receive free games or credits that can be redeemed  
2 for cash. The term does not include a machine that directly  
3 dispenses coins, cash, or tokens or is for amusement purposes  
4 only.

5 "Licensed establishment" means any licensed retail  
6 establishment where alcoholic liquor is drawn, poured, mixed,  
7 or otherwise served for consumption on the premises. "Licensed  
8 establishment" does not include a facility operated by an  
9 organization licensee, an intertrack wagering licensee, or an  
10 intertrack wagering location licensee licensed under the  
11 Illinois Horse Racing Act of 1975 or a riverboat licensed under  
12 the Riverboat Gambling Act.

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

17 "Licensed veterans establishment" means the location where  
18 a qualified veterans organization that derives its charter from  
19 a national veterans organization regularly meets.

20 "Licensed truck stop establishment" means a facility (i)  
21 that is at least a 3-acre facility with a convenience store,  
22 (ii) and with separate diesel islands for fueling commercial  
23 motor vehicles, (iii) that sells at retail more than 10,000  
24 gallons of diesel or biodiesel fuel per month, and (iv) with  
25 and parking spaces for commercial motor vehicles. "Commercial  
26 motor vehicles" has the same meaning as defined in Section

1 18b-101 of the Illinois Vehicle Code. The requirement of item  
2 (iii) of this paragraph may be met by showing that estimated  
3 future sales or past sales average at least 10,000 gallons per  
4 month.

5 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

6 (230 ILCS 40/15)

7 Sec. 15. Minimum requirements for licensing and  
8 registration. Every video gaming terminal offered for play  
9 shall first be tested and approved pursuant to the rules of the  
10 Board, and each video gaming terminal offered in this State for  
11 play shall conform to an approved model. The Board may utilize  
12 the services of an independent outside testing laboratory for  
13 the examination of video gaming machines and associated  
14 equipment as required by this Section. Every video gaming  
15 terminal offered in this State for play must meet minimum  
16 standards set by an independent outside testing laboratory  
17 approved by the Board. Each approved model shall, at a minimum,  
18 meet the following criteria:

19 (1) It must conform to all requirements of federal law  
20 and regulations, including FCC Class A Emissions  
21 Standards.

22 (2) It must theoretically pay out a mathematically  
23 demonstrable percentage during the expected lifetime of  
24 the machine of all amounts played, which must not be less  
25 than 80%. The Board shall establish a maximum payout

1       percentage for approved models by rule. Video gaming  
2 terminals that may be affected by skill must meet this  
3 standard when using a method of play that will provide the  
4 greatest return to the player over a period of continuous  
5 play.

6           (3) It must use a random selection process to determine  
7 the outcome of each play of a game. The random selection  
8 process must meet 99% confidence limits using a standard  
9 chi-squared test for (randomness) goodness of fit.

10          (4) It must display an accurate representation of the  
11 game outcome.

12          (5) It must not automatically alter pay tables or any  
13 function of the video gaming terminal based on internal  
14 computation of hold percentage or have any means of  
15 manipulation that affects the random selection process or  
16 probabilities of winning a game.

17          (6) It must not be adversely affected by static  
18 discharge or other electromagnetic interference.

19          (7) It must be capable of detecting and displaying the  
20 following conditions during idle states or on demand: power  
21 reset; door open; and door just closed.

22          (8) It must have the capacity to display complete play  
23 history (outcome, intermediate play steps, credits  
24 available, bets placed, credits paid, and credits cashed  
25 out) for the most recent game played and 10 games prior  
26 thereto.

1           (9) The theoretical payback percentage of a video  
2 gaming terminal must not be capable of being changed  
3 without making a hardware or software change in the video  
4 gaming terminal, either on site or via the central  
5 communications system.

6           (10) Video gaming terminals must be designed so that  
7 replacement of parts or modules required for normal  
8 maintenance does not necessitate replacement of the  
9 electromechanical meters.

10          (11) It must have nonresettable meters housed in a  
11 locked area of the terminal that keep a permanent record of  
12 all cash inserted into the machine, all winnings made by  
13 the terminal printer, credits played in for video gaming  
14 terminals, and credits won by video gaming players. The  
15 video gaming terminal must provide the means for on-demand  
16 display of stored information as determined by the Board.

17          (12) Electronically stored meter information required  
18 by this Section must be preserved for a minimum of 180 days  
19 after a power loss to the service.

20          (13) It must have one or more mechanisms that accept  
21 cash in the form of bills. The mechanisms shall be designed  
22 to prevent obtaining credits without paying by stringing,  
23 slamming, drilling, or other means. If such attempts at  
24 physical tampering are made, the video gaming terminal  
25 shall suspend itself from operating until reset.

26          (14) It shall have accounting software that keeps an

1 electronic record which includes, but is not limited to,  
2 the following: total cash inserted into the video gaming  
3 terminal; the value of winning tickets claimed by players;  
4 the total credits played; the total credits awarded by a  
5 video gaming terminal; and pay back percentage credited to  
6 players of each video game.

7 (15) It shall be linked by a central communications  
8 system to provide auditing program information as approved  
9 by the Board. The central communications system shall use a  
10 standard industry protocol, as defined by the Gaming  
11 Standards Association, and shall have the functionality to  
12 enable the Board or its designee to activate or deactivate  
13 individual gaming devices from the central communications  
14 system. In no event may the communications system approved  
15 by the Board limit participation to only one manufacturer  
16 of video gaming terminals by either the cost in  
17 implementing the necessary program modifications to  
18 communicate or the inability to communicate with the  
19 central communications system.

20 (16) The Board, in its discretion, may require video  
21 gaming terminals to display Amber Alert messages if the  
22 Board makes a finding that it would be economically and  
23 technically feasible and pose no risk to the integrity and  
24 security of the central communications system and video  
25 gaming terminals.

26 The Board may adopt rules to establish additional criteria

1 to preserve the integrity and security of video gaming in this  
2 State. The central communications system vendor may not hold  
3 any license issued by the Board under this Act.

4 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

5 (230 ILCS 40/20)

6 Sec. 20. Direct dispensing of receipt tickets only. A video  
7 gaming terminal may not directly dispense coins, cash, tokens,  
8 or any other article of exchange or value except for receipt  
9 tickets. Tickets shall be dispensed by pressing the ticket  
10 dispensing button on the video gaming terminal at the end of  
11 one's turn or play. The ticket shall indicate the total amount  
12 of credits and the cash award, the time of day in a 24-hour  
13 format showing hours and minutes, the date, the terminal serial  
14 number, the sequential number of the ticket, and an encrypted  
15 validation number from which the validity of the prize may be  
16 determined. The player shall turn in this ticket to the  
17 appropriate person at the licensed establishment, licensed  
18 truck stop establishment, licensed fraternal establishment, or  
19 licensed veterans establishment to receive the cash award. The  
20 cost of the credit shall be one cent, 5 cents, 10 cents, or 25  
21 cents, and the maximum wager played per hand shall not exceed  
22 \$2. No cash award for the maximum wager on any individual hand  
23 shall exceed \$500.

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



1 (230 ILCS 40/25)

2 Sec. 25. Restriction of licensees.

3 (a) Manufacturer. A person may not be licensed as a  
4 manufacturer of a video gaming terminal in Illinois unless the  
5 person has a valid manufacturer's license issued under this  
6 Act. A manufacturer may only sell video gaming terminals for  
7 use in Illinois to persons having a valid distributor's  
8 license.

9 (b) Distributor. A person may not sell, distribute, or  
10 lease or market a video gaming terminal in Illinois unless the  
11 person has a valid distributor's license issued under this Act.  
12 A distributor may only sell video gaming terminals for use in  
13 Illinois to persons having a valid distributor's or terminal  
14 operator's license.

15 (c) Terminal operator. A person may not own, maintain, or  
16 place a video gaming terminal unless he has a valid terminal  
17 operator's license issued under this Act. A terminal operator  
18 may only place video gaming terminals for use in Illinois in  
19 licensed establishments, licensed truck stop establishments,  
20 licensed fraternal establishments, and licensed veterans  
21 establishments. No terminal operator may give anything of  
22 value, including but not limited to a loan or financing  
23 arrangement, to a licensed establishment, licensed truck stop  
24 establishment, licensed fraternal establishment, or licensed  
25 veterans establishment as any incentive or inducement to locate  
26 video terminals in that establishment. Of the after-tax profits

1 from a video gaming terminal, 50% shall be paid to the terminal  
2 operator and 50% shall be paid to the licensed establishment,  
3 licensed truck stop establishment, licensed fraternal  
4 establishment, or licensed veterans establishment,  
5 notwithstanding ~~notwithstanding~~ any agreement to the  
6 contrary. ~~No terminal operator may own or have a substantial~~  
7 ~~interest in more than 5% of the video gaming terminals licensed~~  
8 ~~in this State.~~ A video terminal operator that violates one or  
9 more requirements of this subsection is guilty of a Class 4  
10 felony and is subject to termination of his or her license by  
11 the Board.

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

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

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

1 establishment, licensed truck stop establishment, or licensed  
2 fraternal establishment unless the owner or agent of the owner  
3 of the licensed establishment, licensed veterans  
4 establishment, licensed truck stop establishment, or licensed  
5 fraternal establishment has entered into a written use  
6 agreement with the terminal operator for placement of the  
7 terminals. A copy of the use agreement shall be on file in the  
8 terminal operator's place of business and available for  
9 inspection by individuals authorized by the Board. A licensed  
10 establishment, licensed truck stop establishment, licensed  
11 veterans establishment, or licensed fraternal establishment  
12 may operate up to 5 video gaming terminals on its premises at  
13 any time.

14 (f) (Blank).

15 (g) Financial interest restrictions. As used in this Act,  
16 "substantial interest" in a partnership, a corporation, an  
17 organization, an association, ~~or~~ a business, or a limited  
18 liability company means:

19 (A) When, with respect to a sole proprietorship, an  
20 individual or his or her spouse owns, operates, manages, or  
21 conducts, directly or indirectly, the organization,  
22 association, or business, or any part thereof; or

23 (B) When, with respect to a partnership, the individual  
24 or his or her spouse shares in any of the profits, or  
25 potential profits, of the partnership activities; or

26 (C) When, with respect to a corporation, an individual

1 or his or her spouse is an officer or director, or the  
2 individual or his or her spouse is a holder, directly or  
3 beneficially, of 5% or more of any class of stock of the  
4 corporation; or

5 (D) When, with respect to an organization not covered  
6 in (A), (B) or (C) above, an individual or his or her  
7 spouse is an officer or manages the business affairs, or  
8 the individual or his or her spouse is the owner of or  
9 otherwise controls 10% or more of the assets of the  
10 organization; or

11 (E) When an individual or his or her spouse furnishes  
12 5% or more of the capital, whether in cash, goods, or  
13 services, for the operation of any business, association,  
14 or organization during any calendar year; or -

15 (F) When, with respect to a limited liability company,  
16 an individual or his or her spouse is a member, or the  
17 individual or his or her spouse is a holder, directly or  
18 beneficially, of 5% or more of the membership interest of  
19 the limited liability company.

20 For purposes of this subsection (g), "individual" includes  
21 all individuals or their spouses whose combined interest would  
22 qualify as a substantial interest under this subsection (g) and  
23 whose activities with respect to an organization, association,  
24 or business are so closely aligned or coordinated as to  
25 constitute the activities of a single entity.

26 (h) Location restriction. A licensed establishment,

1 licensed truck stop establishment, licensed fraternal  
2 establishment, or licensed veterans establishment that is (i)  
3 located within 1,000 feet of a facility operated by an  
4 organization ~~organizational~~ licensee, an inter-track  
5 ~~intertrack~~ wagering licensee, or an inter-track ~~intertrack~~  
6 wagering location licensee licensed under the Illinois Horse  
7 Racing Act of 1975 or the home dock of a riverboat licensed  
8 under the Riverboat Gambling Act or (ii) located within ~~with a~~  
9 100 feet of a school or a place of worship under the Religious  
10 Corporation Act, is ineligible to operate a video gaming  
11 terminal. The location restrictions in this subsection (h) do  
12 not apply if a facility operated by an organization licensee,  
13 an inter-track wagering licensee, or an inter-track wagering  
14 location licensee, a school, or a place of worship moves to or  
15 is established within the restricted area after a licensed  
16 establishment, licensed truck stop establishment, licensed  
17 fraternal establishment, or licensed veterans establishment  
18 becomes licensed under this Act. For the purpose of this  
19 subsection, "school" means an elementary or secondary public  
20 school, or an elementary or secondary private school registered  
21 with or recognized by the State Board of Education.

22 Notwithstanding the provisions of this subsection (h), the  
23 Board may waive the requirement that a licensed establishment,  
24 licensed truck stop establishment, licensed fraternal  
25 establishment, or licensed veterans establishment not be  
26 located within 1,000 feet from a facility operated by an

1 organization licensee, an inter-track wagering licensee, or an  
2 inter-track wagering location licensee licensed under the  
3 Illinois Horse Racing Act of 1975 or the home dock of a  
4 riverboat licensed under the Riverboat Gambling Act. The Board  
5 shall not grant such waiver if there is any common ownership or  
6 control, shared business activity, or contractual arrangement  
7 of any type between the establishment and the organization  
8 licensee, inter-track wagering licensee, inter-track wagering  
9 location licensee, or owners licensee of a riverboat. The Board  
10 shall adopt rules to implement the provisions of this  
11 paragraph.

12 (i) Undue economic concentration. In addition to  
13 considering all other requirements under this Act, in deciding  
14 whether to approve the operation of video gaming terminals by a  
15 terminal operator in a location, the Board shall consider the  
16 impact of any economic concentration of such operation of video  
17 gaming terminals. The Board shall not allow a terminal operator  
18 to operate video gaming terminals if the Board determines such  
19 operation will result in undue economic concentration. For  
20 purposes of this Section, "undue economic concentration" means  
21 that a terminal operator would have such actual or potential  
22 influence over video gaming terminals in Illinois as to:

23 (1) substantially impede or suppress competition among  
24 terminal operators;

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

1           (3) negatively impact the purposes of the Video Gaming  
2           Act.

3           The Board shall adopt rules concerning undue economic  
4           concentration with respect to the operation of video gaming  
5           terminals in Illinois. The rules shall include, but not be  
6           limited to, (i) limitations on the number of video gaming  
7           terminals operated by any terminal operator within a defined  
8           geographic radius and (ii) guidelines on the discontinuation of  
9           operation of any such video gaming terminals the Board  
10           determines will cause undue economic concentration.

11           (j) ~~(i)~~ The provisions of the Illinois Antitrust Act are  
12 fully and equally applicable to the activities of any licensee  
13 under this Act.

14 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38,  
15 eff. 7-13-09; revised 8-17-09.)

16           (230 ILCS 40/30)

17           Sec. 30. Multiple types of licenses prohibited. A video  
18 gaming terminal manufacturer may not be licensed as a video  
19 gaming terminal operator or own, manage, or control a licensed  
20 establishment, licensed truck stop establishment, licensed  
21 fraternal establishment, or licensed veterans establishment,  
22 and shall be licensed to sell only to persons having a valid  
23 distributor's license or, if the manufacturer also holds a  
24 valid distributor's license, to sell, distribute, lease, or  
25 market to persons having a valid terminal operator's license

1 ~~only to sell to distributors.~~ A video gaming terminal  
2 distributor may not be licensed as a video gaming terminal  
3 operator or own, manage, or control a licensed establishment,  
4 licensed truck stop establishment, licensed fraternal  
5 establishment, or licensed veterans establishment, and shall  
6 only contract with a licensed terminal operator. A video gaming  
7 terminal operator may not be licensed as a video gaming  
8 terminal manufacturer or distributor or own, manage, or control  
9 a licensed establishment, licensed truck stop establishment,  
10 licensed fraternal establishment, or licensed veterans  
11 establishment, and shall be licensed only to contract with  
12 licensed distributors and licensed establishments, licensed  
13 truck stop establishments, licensed fraternal establishments,  
14 and licensed veterans establishments. An owner or manager of a  
15 licensed establishment, licensed truck stop establishment,  
16 licensed fraternal establishment, or licensed veterans  
17 establishment may not be licensed as a video gaming terminal  
18 manufacturer, distributor, or operator, and shall only  
19 contract with a licensed operator to place and service this  
20 equipment.

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

22 (230 ILCS 40/35)

23 Sec. 35. Display of license; confiscation; violation as  
24 felony.

25 (a) Each video gaming terminal shall be licensed by the



1 Board before placement or operation on the premises of a  
2 licensed establishment, licensed truck stop establishment,  
3 licensed fraternal establishment, or licensed veterans  
4 establishment. The license of each video gaming terminal shall  
5 be maintained at the location where the video gaming terminal  
6 is operated. Failure to do so is a petty offense with a fine  
7 not to exceed \$100. Any licensed establishment, licensed truck  
8 stop establishment, licensed fraternal establishment, or  
9 licensed veterans establishment used for the conduct of  
10 gambling games in violation of this Act shall be considered a  
11 gambling place in violation of Section 28-3 of the Criminal  
12 Code of 1961. Every gambling device found in a licensed  
13 establishment, licensed truck stop establishment, licensed  
14 fraternal establishment, or licensed veterans establishment  
15 operating gambling games in violation of this Act shall be  
16 subject to seizure, confiscation, and destruction as provided  
17 in Section 28-5 of the Criminal Code of 1961. Any license  
18 issued under the Liquor Control Act of 1934 to any owner or  
19 operator of a licensed establishment, licensed truck stop  
20 establishment, licensed fraternal establishment, or licensed  
21 veterans establishment that operates or permits the operation  
22 of a video gaming terminal within its establishment in  
23 violation of this Act shall be immediately revoked. No person  
24 may own, operate, have in his or her possession or custody or  
25 under his or her control, or permit to be kept in any place  
26 under his or her possession or control, any device that awards

1 credits and contains a circuit, meter, or switch capable of  
2 removing and recording the removal of credits when the award of  
3 credits is dependent upon chance. A violation of this Section  
4 is a Class 4 felony. All devices that are owned, operated, or  
5 possessed in violation of this Section are hereby declared to  
6 be public nuisances and shall be subject to seizure,  
7 confiscation, and destruction as provided in Section 28-5 of  
8 the Criminal Code of 1961. The provisions of this Section do  
9 not apply to devices or electronic video game terminals  
10 licensed pursuant to this Act. A video gaming terminal operated  
11 for amusement only and bearing a valid amusement tax sticker  
12 ~~issued prior to the effective date of this amendatory Act of~~  
13 ~~the 96th General Assembly~~ shall not be subject to this Section  
14 until ~~the sooner of (i) the expiration of the amusement tax~~  
15 ~~sticker or (ii)~~ 30 days after the Board establishes that the  
16 central communications system is functional.

17 (b) (1) The odds of winning each video game shall be posted  
18 on or near each video gaming terminal. The manner in which the  
19 odds are calculated and how they are posted shall be determined  
20 by the Board by rule.

21 (2) No video gaming terminal licensed under this Act may be  
22 played except during the legal hours of operation allowed for  
23 the consumption of alcoholic beverages at the licensed  
24 establishment, licensed fraternal establishment, or licensed  
25 veterans establishment. A licensed establishment, licensed  
26 fraternal establishment, or licensed veterans establishment

1 that violates this subsection is subject to termination of its  
2 license by the Board.

3 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

4 (230 ILCS 40/45)

5 Sec. 45. Issuance of license.

6 (a) The burden is upon each applicant to demonstrate his  
7 suitability for licensure. Each video gaming terminal  
8 manufacturer, distributor, supplier, operator, handler,  
9 licensed establishment, licensed truck stop establishment,  
10 licensed fraternal establishment, and licensed veterans  
11 establishment shall be licensed by the Board. The Board may  
12 issue or deny a license under this Act to any person pursuant  
13 to the same criteria set forth in Section 9 of the Riverboat  
14 Gambling Act.

15 (a-5) The Board shall not grant a license to a person who  
16 has facilitated, enabled, or participated in the use of  
17 coin-operated devices for gambling purposes or who is under the  
18 significant influence or control of such a person. For the  
19 purposes of this Act, "facilitated, enabled, or participated in  
20 the use of coin-operated amusement devices for gambling  
21 purposes" means that the person has been convicted of any  
22 violation of Article 28 of the Criminal Code of 1961. If there  
23 is pending legal action against a person for any such  
24 violation, then the Board shall delay the licensure of that  
25 person until the legal action is resolved.

1 (b) Each person seeking and possessing a license as a video  
2 gaming terminal manufacturer, distributor, supplier, operator,  
3 handler, licensed establishment, licensed truck stop  
4 establishment, licensed fraternal establishment, or licensed  
5 veterans establishment shall submit to a background  
6 investigation conducted by the Board with the assistance of the  
7 State Police or other law enforcement. The background  
8 investigation shall include each beneficiary of a trust, each  
9 partner of a partnership, and each director and officer and all  
10 stockholders of 5% or more in a parent or subsidiary  
11 corporation of a video gaming terminal manufacturer,  
12 distributor, supplier, operator, or licensed establishment,  
13 licensed truck stop establishment, licensed fraternal  
14 establishment, or licensed veterans establishment.

15 (c) Each person seeking and possessing a license as a video  
16 gaming terminal manufacturer, distributor, supplier, operator,  
17 handler, licensed establishment, licensed truck stop  
18 establishment, licensed fraternal establishment, or licensed  
19 veterans establishment shall disclose the identity of every  
20 person, association, trust, ~~or~~ corporation, or limited  
21 liability company having a greater than 1% direct or indirect  
22 pecuniary interest in the video gaming terminal operation for  
23 ~~to~~ which the license is sought. If the disclosed entity is a  
24 trust, the application shall disclose the names and addresses  
25 of the beneficiaries; if a corporation, the names and addresses  
26 of all stockholders and directors; if a limited liability

1 company, the names and addresses of all members; or if a  
2 partnership, the names and addresses of all partners, both  
3 general and limited.

4 (d) No person may be licensed as a video gaming terminal  
5 manufacturer, distributor, supplier, operator, handler,  
6 licensed establishment, licensed truck stop establishment,  
7 licensed fraternal establishment, or licensed veterans  
8 establishment if that person has been found by the Board to:

9 (1) have a background, including a criminal record,  
10 reputation, habits, social or business associations, or  
11 prior activities that pose a threat to the public interests  
12 of the State or to the security and integrity of video  
13 gaming;

14 (2) create or enhance the dangers of unsuitable,  
15 unfair, or illegal practices, methods, and activities in  
16 the conduct of video gaming; or

17 (3) present questionable business practices and  
18 financial arrangements incidental to the conduct of video  
19 gaming activities.

20 (e) Any applicant for any license under this Act has the  
21 burden of proving his or her qualifications to the satisfaction  
22 of the Board. The Board may adopt rules to establish additional  
23 qualifications and requirements to preserve the integrity and  
24 security of video gaming in this State.

25 (f) A non-refundable application fee shall be paid at the  
26 time an application for a license is filed with the Board in

1 the following amounts:

- 2 (1) Manufacturer ..... \$5,000
- 3 (2) Distributor..... \$5,000
- 4 (3) Terminal operator..... \$5,000
- 5 (4) Supplier ..... \$2,500
- 6 (5) Technician ..... \$100
- 7 (6) Terminal Handler ..... \$50

8 (g) The Board shall establish an annual fee for each  
9 license not to exceed the following:

- 10 (1) Manufacturer ..... \$10,000
- 11 (2) Distributor..... \$10,000
- 12 (3) Terminal operator..... \$5,000
- 13 (4) Supplier ..... \$2,000
- 14 (5) Technician ..... \$100
- 15 (6) Licensed establishment, licensed truck stop  
16 establishment, licensed fraternal establishment,  
17 or licensed veterans establishment ..... \$100
- 18 (7) Video gaming terminal..... \$100
- 19 (8) Terminal Handler ..... \$50

20 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38,  
21 eff. 7-13-09; revised 8-17-09.)

22 (230 ILCS 40/55)

23 Sec. 55. Precondition for licensed location ~~establishment~~.

24 In all cases of application for a licensed location  
25 ~~establishment~~, to operate a video gaming terminal, each

1 licensed establishment ~~licensed truck stop establishment,~~  
2 licensed fraternal establishment, or licensed veterans  
3 establishment shall possess a valid liquor license issued by  
4 the Illinois Liquor Control Commission in effect at the time of  
5 application and at all times thereafter during which a video  
6 gaming terminal is made available to the public for play at  
7 that location. Video gaming terminals in a licensed location  
8 shall be operated only during the same hours of operation  
9 generally permitted to holders of a license under the Liquor  
10 Control Act of 1934 within the unit of local government in  
11 which they are located. A licensed truck stop establishment  
12 that does not hold a liquor license may operate video gaming  
13 terminals on a continuous basis. A licensed fraternal  
14 establishment or licensed veterans establishment that does not  
15 hold a liquor license may operate video gaming terminals if (i)  
16 the establishment is located in a county with a population  
17 between 6,500 and 7,000, based on the 2000 U.S. Census, (ii)  
18 the county prohibits by ordinance the sale of alcohol, and  
19 (iii) the establishment is in a portion of the county where the  
20 sale of alcohol is prohibited.

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

22 (230 ILCS 40/57)

23 Sec. 57. Insurance. Each terminal operator ~~licensed~~  
24 ~~establishment, licensed truck stop establishment, licensed~~  
25 ~~fraternal establishment, and licensed veterans establishment~~

1 shall maintain liability insurance on any gaming device that it  
2 places in a licensed video gaming location ~~on its premises~~ in  
3 an amount set by the Board.

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

5 (230 ILCS 40/78)

6 Sec. 78. Authority of the Illinois Gaming Board.

7 (a) The Board shall have jurisdiction over and shall  
8 supervise all gaming operations governed by this Act. The Board  
9 shall have all powers necessary and proper to fully and  
10 effectively execute the provisions of this Act, including, but  
11 not limited to, the following:

12 (1) To investigate applicants and determine the  
13 eligibility of applicants for licenses and to select among  
14 competing applicants the applicants which best serve the  
15 interests of the citizens of Illinois.

16 (2) To have jurisdiction and supervision over all video  
17 gaming operations in this State and all persons in  
18 establishments where video gaming operations are  
19 conducted.

20 (3) To adopt rules for the purpose of administering the  
21 provisions of this Act and to prescribe rules, regulations,  
22 and conditions under which all video gaming in the State  
23 shall be conducted. Such rules and regulations are to  
24 provide for the prevention of practices detrimental to the  
25 public interest and for the best interests of video gaming,



1 including rules and regulations regarding the inspection  
2 of such establishments and the review of any permits or  
3 licenses necessary to operate an establishment under any  
4 laws or regulations applicable to establishments and to  
5 impose penalties for violations of this Act and its rules.

6 (b) ~~The~~ Within 60 days after the effective date of this  
7 ~~amendatory Act of the 96th General Assembly,~~ the Board shall  
8 adopt emergency rules to administer this Act in accordance with  
9 Section 5-45 of the Illinois Administrative Procedure Act. For  
10 the purposes of the Illinois Administrative Procedure Act, the  
11 General Assembly finds that the adoption of rules to implement  
12 this Act is deemed an emergency and necessary to the public  
13 interest, safety, and welfare.

14 (Source: P.A. 96-38, eff. 7-13-09.)

15 Section 97. Severability. The provisions of this Act are  
16 severable under Section 1.31 of the Statute on Statutes.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.