

HB1536



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1536

by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

230 ILCS 40/5

Amends the Video Gaming Act. Includes within the definition of "Licensed establishment" a licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises that is operated by an entity that is incorporated under the General Not For Profit Corporation Act of 1986. Effective immediately.

LRB098 02906 AMC 32918 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Video Gaming Act is amended by changing
5 Section 5 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,
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,
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,
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,
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, corporation,
17 or limited liability company that is licensed under this Act to
18 supply major components or parts to video gaming terminals to
19 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 and
8 includes any such establishment that has a contractual
9 relationship with an inter-track wagering location licensee
10 licensed under the Illinois Horse Racing Act of 1975, provided
11 any contractual relationship shall not include any transfer or
12 offer of revenue from the operation of video gaming under this
13 Act to any licensee licensed under the Illinois Horse Racing
14 Act of 1975. Provided, however, that the licensed establishment
15 that has such a contractual relationship with an inter-track
16 wagering location licensee may not, itself, be (i) an
17 inter-track wagering location licensee, (ii) the corporate
18 parent or subsidiary of any licensee licensed under the
19 Illinois Horse Racing Act of 1975, or (iii) the corporate
20 subsidiary of a corporation that is also the corporate parent
21 or subsidiary of any licensee licensed under the Illinois Horse
22 Racing Act of 1975. "Licensed establishment" also includes a
23 licensed retail establishment where alcoholic liquor is drawn,
24 poured, mixed, or otherwise served for consumption on the
25 premises that is operated by an entity that is incorporated
26 under the General Not For Profit Corporation Act of 1986.

1 "Licensed establishment" does not include a facility operated
2 by an organization licensee, an inter-track wagering licensee,
3 or an inter-track wagering location licensee licensed under the
4 Illinois Horse Racing Act of 1975 or a riverboat licensed under
5 the Riverboat Gambling Act, except as provided in this
6 paragraph.

7 "Licensed fraternal establishment" means the location
8 where a qualified fraternal organization that derives its
9 charter from a national fraternal organization regularly
10 meets.

11 "Licensed veterans establishment" means the location where
12 a qualified veterans organization that derives its charter from
13 a national veterans organization regularly meets.

14 "Licensed truck stop establishment" means a facility (i)
15 that is at least a 3-acre facility with a convenience store,
16 (ii) with separate diesel islands for fueling commercial motor
17 vehicles, (iii) that sells at retail more than 10,000 gallons
18 of diesel or biodiesel fuel per month, and (iv) with parking
19 spaces for commercial motor vehicles. "Commercial motor
20 vehicles" has the same meaning as defined in Section 18b-101 of
21 the Illinois Vehicle Code. The requirement of item (iii) of
22 this paragraph may be met by showing that estimated future
23 sales or past sales average at least 10,000 gallons per month.

24 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09;
25 96-1410, eff. 7-30-10; 96-1479, eff. 8-23-10; 97-333, eff.
26 8-12-11.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.