



Sen. Gary Forby

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LRB098 16841 ZMM 58848 a

1 AMENDMENT TO HOUSE BILL 4223

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4223 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Section 9-7 as follows:

6 (10 ILCS 5/9-7) (from Ch. 46, par. 9-7)

7 Sec. 9-7. Records and accounts.

8 (1) Except as provided in subsection (2), the treasurer of  
9 a political committee shall keep a detailed and exact account  
10 of-

11 (a) the total of all contributions made to or for the  
12 committee;

13 (b) the full name and mailing address of every person  
14 making a contribution and the date and amount thereof;

15 (c) the total of all expenditures made by or on behalf  
16 of the committee;

1 (d) the full name and mailing address of every person  
2 to whom any expenditure is made, and the date and amount  
3 thereof;

4 (e) proof of payment, stating the particulars, for  
5 every expenditure made by or on behalf of the committee.

6 The treasurer shall preserve all records and accounts  
7 required by this section for a period of 2 years.

8 (2) The treasurer of a political committee shall keep a  
9 detailed and exact account of the total amount of contributions  
10 made to or for a committee at an event licensed under Section  
11 8.1 of the Raffles and Poker Runs Act. For an event licensed  
12 under Section 8.1, the treasurer is not required to keep a  
13 detailed and exact account of the full name and mailing address  
14 of a person who purchases tickets at the event in an amount  
15 that does not exceed \$150.

16 (Source: P.A. 96-832, eff. 1-1-11; 97-766, eff. 7-6-12.)

17 Section 10. The Raffles Act is amended by changing Sections  
18 0.01, 1, 2, 3, 4, 5, 6, and 8 as follows:

19 (230 ILCS 15/0.01) (from Ch. 85, par. 2300)

20 Sec. 0.01. Short title. This Act may be cited as the  
21 Raffles and Poker Runs Act.

22 (Source: P.A. 86-1324.)

23 (230 ILCS 15/1) (from Ch. 85, par. 2301)

1           Sec. 1. Definitions. For the purposes of this Act the  
2 terms defined in this Section have the meanings given them.

3           "Net Proceeds" means the gross receipts from the conduct of  
4 raffles, less reasonable sums expended for prizes, local  
5 license fees and other reasonable operating expenses incurred  
6 as a result of operating a raffle or poker run.

7           "Key location" means the location where the poker run  
8 concludes and the prize or prizes are awarded.

9           "Poker run" means an event organized by an organization  
10 licensed under this Act in which participants travel to  
11 multiple predetermined locations, including a key location,  
12 drawing a playing card or equivalent item at each location, in  
13 order to assemble a facsimile of a poker hand or other numeric  
14 score. "Poker run" includes dice runs, marble runs, or other  
15 events where the objective is to build the best hand or highest  
16 score by obtaining an item at each location.

17           "Raffle" means a form of lottery, as defined in Section  
18 28-2(b) of the Criminal Code of 2012, conducted by an  
19 organization licensed under this Act, in which:

20           (1) the player pays or agrees to pay something of value  
21 for a chance, represented and differentiated by a number or  
22 by a combination of numbers or by some other medium, one or  
23 more of which chances is to be designated the winning  
24 chance;

25           (2) the winning chance is to be determined through a  
26 drawing or by some other method based on an element of

1 chance by an act or set of acts on the part of persons  
2 conducting or connected with the lottery, except that the  
3 winning chance shall not be determined by the outcome of a  
4 publicly exhibited sporting contest.

5 (Source: P.A. 97-1150, eff. 1-25-13.)

6 (230 ILCS 15/2) (from Ch. 85, par. 2302)

7 Sec. 2. Licensing.

8 (a) The governing body of any county or municipality within  
9 this State may establish a system for the licensing of  
10 organizations to operate raffles. The governing bodies of a  
11 county and one or more municipalities may, pursuant to a  
12 written contract, jointly establish a system for the licensing  
13 of organizations to operate raffles within any area of  
14 contiguous territory not contained within the corporate limits  
15 of a municipality which is not a party to such contract. The  
16 governing bodies of two or more adjacent counties or two or  
17 more adjacent municipalities located within a county may,  
18 pursuant to a written contract, jointly establish a system for  
19 the licensing of organizations to operate raffles within the  
20 corporate limits of such counties or municipalities. The  
21 licensing authority may establish special categories of  
22 licenses and promulgate rules relating to the various  
23 categories. The licensing system shall provide for limitations  
24 upon (1) the aggregate retail value of all prizes or  
25 merchandise awarded by a licensee in a single raffle, (2) the

1 maximum retail value of each prize awarded by a licensee in a  
2 single raffle, (3) the maximum price which may be charged for  
3 each raffle chance issued or sold and (4) the maximum number of  
4 days during which chances may be issued or sold. The licensing  
5 system may include a fee for each license in an amount to be  
6 determined by the local governing body. Licenses issued  
7 pursuant to this Act shall be valid for one raffle or for a  
8 specified number of raffles to be conducted during a specified  
9 period not to exceed one year and may be suspended or revoked  
10 for any violation of this Act. A local governing body shall act  
11 on a license application within 30 days from the date of  
12 application. Nothing in this Act shall be construed to prohibit  
13 a county or municipality from adopting rules or ordinances for  
14 the operation of raffles that are more restrictive than  
15 provided for in this Act. The governing body of a municipality  
16 may authorize the sale of raffle chances only within the  
17 borders of the municipality. The governing body of the county  
18 may authorize the sale of raffle chances only in those areas  
19 which are both within the borders of the county and outside the  
20 borders of any municipality.

21 (a-5) The governing body of any county within this State  
22 may establish a system for the licensing of organizations to  
23 operate poker runs. The governing bodies of 2 or more adjacent  
24 counties may, pursuant to a written contract, jointly establish  
25 a system for the licensing of organizations to operate poker  
26 runs within the corporate limits of such counties. The

1 licensing authority may establish special categories of  
2 licenses and adopt rules relating to the various categories.  
3 The licensing system may include a fee not to exceed \$25 for  
4 each license. Licenses issued pursuant to this Act shall be  
5 valid for one poker run or for a specified number of poker runs  
6 to be conducted during a specified period not to exceed one  
7 year and may be suspended or revoked for any violation of this  
8 Act. A local governing body shall act on a license application  
9 within 30 days after the date of application.

10 (b) Licenses shall be issued only to bona fide religious,  
11 charitable, labor, business, fraternal, educational or  
12 veterans' organizations that operate without profit to their  
13 members and which have been in existence continuously for a  
14 period of 5 years immediately before making application for a  
15 license and which have had during that entire 5 year period a  
16 bona fide membership engaged in carrying out their objects, or  
17 to a non-profit fundraising organization that the licensing  
18 authority determines is organized for the sole purpose of  
19 providing financial assistance to an identified individual or  
20 group of individuals suffering extreme financial hardship as  
21 the result of an illness, disability, accident or disaster. A  
22 licensing authority may waive the 5-year requirement under this  
23 subsection (b) for a bona fide religious, charitable, labor,  
24 business, fraternal, educational, or veterans' organization  
25 that applies for a license to conduct a poker run if the  
26 organization is a local organization that is affiliated with

1 and chartered by a national or State organization that meets  
2 the 5-year requirement.

3 For purposes of this Act, the following definitions apply.  
4 Non-profit: An organization or institution organized and  
5 conducted on a not-for-profit basis with no personal profit  
6 inuring to any one as a result of the operation. Charitable: An  
7 organization or institution organized and operated to benefit  
8 an indefinite number of the public. The service rendered to  
9 those eligible for benefits must also confer some benefit on  
10 the public. Educational: An organization or institution  
11 organized and operated to provide systematic instruction in  
12 useful branches of learning by methods common to schools and  
13 institutions of learning which compare favorably in their scope  
14 and intensity with the course of study presented in  
15 tax-supported schools. Religious: Any church, congregation,  
16 society, or organization founded for the purpose of religious  
17 worship. Fraternal: An organization of persons having a common  
18 interest, the primary interest of which is to both promote the  
19 welfare of its members and to provide assistance to the general  
20 public in such a way as to lessen the burdens of government by  
21 caring for those that otherwise would be cared for by the  
22 government. Veterans: An organization or association comprised  
23 of members of which substantially all are individuals who are  
24 veterans or spouses, widows, or widowers of veterans, the  
25 primary purpose of which is to promote the welfare of its  
26 members and to provide assistance to the general public in such

1 a way as to confer a public benefit. Labor: An organization  
2 composed of workers organized with the objective of betterment  
3 of the conditions of those engaged in such pursuit and the  
4 development of a higher degree of efficiency in their  
5 respective occupations. Business: A voluntary organization  
6 composed of individuals and businesses who have joined together  
7 to advance the commercial, financial, industrial and civic  
8 interests of a community.

9 (c) Poker runs shall be licensed by the governing body with  
10 jurisdiction over the key location. The license granted by the  
11 key location shall cover the entire poker run, including  
12 locations other than the key location. Each license issued  
13 shall include the name and address of each predetermined  
14 location.

15 (Source: P.A. 86-820.)

16 (230 ILCS 15/3) (from Ch. 85, par. 2303)

17 Sec. 3. License - Application - Issuance - Restrictions -  
18 Persons ineligible. Licenses issued by the governing body of  
19 any county or municipality are subject to the following  
20 restrictions:

21 (1) No person, firm or corporation shall conduct raffles or  
22 chances or poker runs without having first obtained a license  
23 therefor pursuant to this Act.

24 (2) The license and application for license must specify  
25 the area or areas within the licensing authority in which



1 raffle chances will be sold or issued or a poker run will be  
2 conducted, the time period during which raffle chances will be  
3 sold or issued or a poker run will be conducted, the time of  
4 determination of winning chances and the location or locations  
5 at which winning chances will be determined.

6 (3) The license application must contain a sworn statement  
7 attesting to the not-for-profit character of the prospective  
8 licensee organization, signed by the presiding officer and the  
9 secretary of that organization.

10 (4) The application for license shall be prepared in  
11 accordance with the ordinance of the local governmental unit.

12 (5) A license authorizes the licensee to conduct raffles or  
13 poker runs as defined in this Act.

14 The following are ineligible for any license under this  
15 Act:

16 (a) any person who has been convicted of a felony;

17 (b) any person who is or has been a professional gambler or  
18 gambling promoter;

19 (c) any person who is not of good moral character;

20 (d) any firm or corporation in which a person defined in  
21 (a), (b) or (c) has a proprietary, equitable or credit  
22 interest, or in which such a person is active or employed;

23 (e) any organization in which a person defined in (a), (b)  
24 or (c) is an officer, director, or employee, whether  
25 compensated or not;

26 (f) any organization in which a person defined in (a), (b)

1 or (c) is to participate in the management or operation of a  
2 raffle as defined in this Act.

3 (Source: P.A. 85-160.)

4 (230 ILCS 15/4) (from Ch. 85, par. 2304)

5 Sec. 4. Conduct of raffles and poker runs.

6 (a) The conducting of raffles and poker runs is subject to  
7 the following restrictions:

8 (1) The entire net proceeds of any raffle or poker run  
9 must be exclusively devoted to the lawful purposes of the  
10 organization permitted to conduct that game.

11 (2) No person except a bona fide member of the  
12 sponsoring organization may participate in the management  
13 or operation of the raffle or poker run.

14 (3) No person may receive any remuneration or profit  
15 for participating in the management or operation of the  
16 raffle or poker run.

17 (4) A licensee may rent a premises on which to  
18 determine the winning chance or chances in a raffle only  
19 from an organization which is also licensed under this Act.  
20 A premises where a poker run is held is not required to  
21 obtain a license if the name and location of the premises  
22 is listed as a predetermined location on the license issued  
23 for the poker run and the premises does not charge for use  
24 of the premises.

25 (5) Raffle chances may be sold or issued only within

1 the area specified on the license and winning chances may  
2 be determined only at those locations specified on the  
3 license for a raffle.

4 (6) A person under the age of 18 years may participate  
5 in the conducting of raffles or chances or poker runs only  
6 with the permission of a parent or guardian. A person under  
7 the age of 18 years may be within the area where winning  
8 chances in a raffle or winning hands or scores in a poker  
9 run are being determined only when accompanied by his  
10 parent or guardian.

11 (b) If a lessor rents premises where a winning chance or  
12 chances on a raffle or a winning hand or score in a poker run is  
13 ~~are~~ determined, the lessor shall not be criminally liable if  
14 the person who uses the premises for the determining of winning  
15 chances does not hold a license issued by the governing body of  
16 any county or municipality under the provisions of this Act.

17 (Source: P.A. 87-1271.)

18 (230 ILCS 15/5) (from Ch. 85, par. 2305)

19 Sec. 5. Manager; bond ~~Raffles — manager — bond~~. All  
20 operation of and the conduct of raffles and poker runs shall be  
21 under the supervision of a single ~~raffles~~ manager designated by  
22 the organization. The manager shall give a fidelity bond in an  
23 amount determined by the licensing authority in favor of the  
24 organization conditioned upon his honesty in the performance of  
25 his duties. Terms of the bond shall provide that notice shall

1 be given in writing to the licensing authority not less than 30  
2 days prior to its cancellation. The governing body of a local  
3 unit of government may waive this bond requirement by including  
4 a waiver provision in the license issued to an organization  
5 under this Act, provided that a license containing such waiver  
6 provision shall be granted only by unanimous vote of the  
7 members of the licensed organization.

8 (Source: P.A. 91-357, eff. 7-29-99.)

9 (230 ILCS 15/6) (from Ch. 85, par. 2306)

10 Sec. 6. Records.†

11 (a) Each organization licensed to conduct raffles and  
12 chances or poker run events shall keep records of its gross  
13 receipts, expenses and net proceeds for each single gathering  
14 or occasion at which winning chances in a raffle or winning  
15 hands or scores in a poker run are determined. All deductions  
16 from gross receipts for each single gathering or occasion shall  
17 be documented with receipts or other records indicating the  
18 amount, a description of the purchased item or service or other  
19 reason for the deduction, and the recipient. The distribution  
20 of net proceeds shall be itemized as to payee, purpose, amount  
21 and date of payment.

22 (b) Gross receipts from the operation of raffles programs  
23 or poker runs shall be segregated from other revenues of the  
24 organization, including bingo gross receipts, if bingo games  
25 are also conducted by the same nonprofit organization pursuant

1 to license therefor issued by the Department of Revenue of the  
2 State of Illinois, and placed in a separate account. Each  
3 organization shall have separate records of its raffles and  
4 poker runs. The person who accounts for gross receipts,  
5 expenses and net proceeds from the operation of raffles or  
6 poker runs shall not be the same person who accounts for other  
7 revenues of the organization.

8 (c) Each organization licensed to conduct raffles or poker  
9 runs shall report promptly after the conclusion of each raffle  
10 or poker run to its membership, and to the licensing local unit  
11 of government, its gross receipts, expenses and net proceeds  
12 from raffles or poker runs, and the distribution of net  
13 proceeds itemized as required in this Section.

14 (d) Records required by this Section shall be preserved for  
15 3 years, and organizations shall make available their records  
16 relating to operation of raffles or poker runs for public  
17 inspection at reasonable times and places.

18 (Source: P.A. 82-711.)

19 (230 ILCS 15/8) (from Ch. 85, par. 2308)

20 Sec. 8. Nothing in this Act shall be construed to authorize  
21 the conducting or operating of any gambling scheme, enterprise,  
22 activity or device other than raffles or poker runs as provided  
23 for herein.

24 (Source: P.A. 81-1365.)

1           Section 15. The Charitable Games Act is amended by changing  
2 Section 2 as follows:

3           (230 ILCS 30/2) (from Ch. 120, par. 1122)

4           Sec. 2. Definitions. For purposes of this Act, the  
5 following definitions apply:

6           "Charitable games" means the 14 games of chance involving  
7 cards, dice, wheels, random selection of numbers, and gambling  
8 tickets which may be conducted at charitable games events  
9 listed as follows: roulette, blackjack, poker, pull tabs,  
10 craps, bang, beat the dealer, big six, gin rummy, five card  
11 stud poker, chuck-a-luck, keno, hold-em poker, and merchandise  
12 wheel.

13           "Charitable games event" or "event" means the type of  
14 fundraising event authorized by the Act at which participants  
15 pay to play charitable games for the chance of winning cash or  
16 noncash prizes. ~~"Charitable games event" or "event" includes a  
17 poker run.~~

18           "Charitable organization" means an organization or  
19 institution organized and operated to benefit an indefinite  
20 number of the public.

21           "Chips" means scrip, play money, poker or casino chips, or  
22 any other representations of money, used to make wagers on the  
23 outcome of any charitable game.

24           "Department" means the Department of Revenue.

25           "Educational organization" means an organization or

1 institution organized and operated to provide systematic  
2 instruction in useful branches of learning by methods common to  
3 schools and institutions of learning which compare favorably in  
4 their scope and intensity with the course of study presented in  
5 tax-supported schools.

6 "Fraternal organization" means an organization of persons  
7 having a common interest that is organized and operated  
8 exclusively to promote the welfare of its members and to  
9 benefit the general public on a continuing and consistent  
10 basis, including but not limited to ethnic organizations.

11 "Labor organization" means an organization composed of  
12 labor unions or workers organized with the objective of  
13 betterment of the conditions of those engaged in such pursuit  
14 and the development of a higher degree of efficiency in their  
15 respective occupations.

16 "Licensed organization" means a qualified organization  
17 that has obtained a license to conduct a charitable games event  
18 in conformance with the provisions of this Act.

19 "Non-profit organization" means an organization or  
20 institution organized and conducted on a not-for-profit basis  
21 with no personal profit inuring to anyone as a result of the  
22 operation.

23 "Organization" means a:~~—A~~ corporation, agency,  
24 partnership, association, firm, business, or other entity  
25 consisting of 2 or more persons joined by a common interest or  
26 purpose.

1 "Person" means any natural individual, corporation,  
2 partnership, limited liability company, organization as  
3 defined in this Section, qualified organization, licensed  
4 organization, licensee under this Act, or volunteer.

5 ~~"Poker run" means an event organized by a sponsoring~~  
6 ~~organization in which participants travel to 5 or more~~  
7 ~~predetermined locations, drawing a playing card or equivalent~~  
8 ~~item at each location, in order to assemble a facsimile of a~~  
9 ~~poker hand or other numeric score. "Poker run" includes dice~~  
10 ~~runs, marble runs, or other events where the objective is to~~  
11 ~~build the best hand or highest score by obtaining an item at~~  
12 ~~each location.~~

13 "Premises" means a distinct parcel of land and the  
14 buildings thereon.

15 "Provider" means the person or organization owning,  
16 leasing, or controlling premises upon which any charitable  
17 games event is to be conducted.

18 "Qualified organization" means:

19 (a) a charitable, religious, fraternal, veterans,  
20 labor, educational organization, or other institution  
21 organized and conducted on a not-for-profit basis with no  
22 personal profit inuring to anyone as a result of the  
23 operation and which is exempt from federal income taxation  
24 under Sections 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8),  
25 501(c)(10) or 501(c)(19) of the Internal Revenue Code;

26 (b) a veterans organization as defined in Section 1.1



1 of the "Bingo License and Tax Act" organized and conducted  
2 on a not-for-profit basis with no personal profit inuring  
3 to anyone as a result of the operation; or

4 (c) An auxiliary organization of a veterans  
5 organization.

6 "Religious organization" means any church, congregation,  
7 society, or organization founded for the purpose of religious  
8 worship.

9 "Sponsoring organization" means a qualified organization  
10 that has obtained a license to conduct a charitable games event  
11 in conformance with the provisions of this Act.

12 "Supplier" means any person, firm, or corporation that  
13 sells, leases, lends, distributes, or otherwise provides to any  
14 organization licensed to conduct charitable games events in  
15 Illinois any charitable games equipment.

16 "Veterans' organization" means an organization comprised  
17 of members of which substantially all are individuals who are  
18 veterans or spouses, widows, or widowers of veterans, the  
19 primary purpose of which is to promote the welfare of its  
20 members and to provide assistance to the general public in such  
21 a way as to confer a public benefit.

22 "Volunteer" means a person recruited by a licensed  
23 organization who voluntarily performs services at a charitable  
24 games event, including participation in the management or  
25 operation of a game, as defined in Section 8.

26 (Source: P.A. 98-426, eff. 8-16-13.)

1 Section 20. The Liquor Control Act of 1934 is amended by  
2 changing Section 6-2 as follows:

3 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

4 Sec. 6-2. Issuance of licenses to certain persons  
5 prohibited.

6 (a) Except as otherwise provided in subsection (b) of this  
7 Section and in paragraph (1) of subsection (a) of Section 3-12,  
8 no license of any kind issued by the State Commission or any  
9 local commission shall be issued to:

10 (1) A person who is not a resident of any city, village  
11 or county in which the premises covered by the license are  
12 located; except in case of railroad or boat licenses.

13 (2) A person who is not of good character and  
14 reputation in the community in which he resides.

15 (3) A person who is not a citizen of the United States.

16 (4) A person who has been convicted of a felony under  
17 any Federal or State law, unless the Commission determines  
18 that such person has been sufficiently rehabilitated to  
19 warrant the public trust after considering matters set  
20 forth in such person's application and the Commission's  
21 investigation. The burden of proof of sufficient  
22 rehabilitation shall be on the applicant.

23 (5) A person who has been convicted of keeping a place  
24 of prostitution or keeping a place of juvenile

1 prostitution, promoting prostitution that involves keeping  
2 a place of prostitution, or promoting juvenile  
3 prostitution that involves keeping a place of juvenile  
4 prostitution.

5 (6) A person who has been convicted of pandering or  
6 other crime or misdemeanor opposed to decency and morality.

7 (7) A person whose license issued under this Act has  
8 been revoked for cause.

9 (8) A person who at the time of application for renewal  
10 of any license issued hereunder would not be eligible for  
11 such license upon a first application.

12 (9) A copartnership, if any general partnership  
13 thereof, or any limited partnership thereof, owning more  
14 than 5% of the aggregate limited partner interest in such  
15 copartnership would not be eligible to receive a license  
16 hereunder for any reason other than residence within the  
17 political subdivision, unless residency is required by  
18 local ordinance.

19 (10) A corporation or limited liability company, if any  
20 member, officer, manager or director thereof, or any  
21 stockholder or stockholders owning in the aggregate more  
22 than 5% of the stock of such corporation, would not be  
23 eligible to receive a license hereunder for any reason  
24 other than citizenship and residence within the political  
25 subdivision.

26 (10a) A corporation or limited liability company

1 unless it is incorporated or organized in Illinois, or  
2 unless it is a foreign corporation or foreign limited  
3 liability company which is qualified under the Business  
4 Corporation Act of 1983 or the Limited Liability Company  
5 Act to transact business in Illinois. The Commission shall  
6 permit and accept from an applicant for a license under  
7 this Act proof prepared from the Secretary of State's  
8 website that the corporation or limited liability company  
9 is in good standing and is qualified under the Business  
10 Corporation Act of 1983 or the Limited Liability Company  
11 Act to transact business in Illinois.

12 (11) A person whose place of business is conducted by a  
13 manager or agent unless the manager or agent possesses the  
14 same qualifications required by the licensee.

15 (12) A person who has been convicted of a violation of  
16 any Federal or State law concerning the manufacture,  
17 possession or sale of alcoholic liquor, subsequent to the  
18 passage of this Act or has forfeited his bond to appear in  
19 court to answer charges for any such violation.

20 (13) A person who does not beneficially own the  
21 premises for which a license is sought, or does not have a  
22 lease thereon for the full period for which the license is  
23 to be issued.

24 (14) Any law enforcing public official, including  
25 members of local liquor control commissions, any mayor,  
26 alderman, or member of the city council or commission, any

1 president of the village board of trustees, any member of a  
2 village board of trustees, or any president or member of a  
3 county board; and no such official shall have a direct  
4 interest in the manufacture, sale, or distribution of  
5 alcoholic liquor, except that a license may be granted to  
6 such official in relation to premises that are not located  
7 within the territory subject to the jurisdiction of that  
8 official if the issuance of such license is approved by the  
9 State Liquor Control Commission and except that a license  
10 may be granted, in a city or village with a population of  
11 55,000 or less, to any alderman, member of a city council,  
12 or member of a village board of trustees in relation to  
13 premises that are located within the territory subject to  
14 the jurisdiction of that official if (i) the sale of  
15 alcoholic liquor pursuant to the license is incidental to  
16 the selling of food, (ii) the issuance of the license is  
17 approved by the State Commission, (iii) the issuance of the  
18 license is in accordance with all applicable local  
19 ordinances in effect where the premises are located, and  
20 (iv) the official granted a license does not vote on  
21 alcoholic liquor issues pending before the board or council  
22 to which the license holder is elected. Notwithstanding any  
23 provision of this paragraph (14) to the contrary, an  
24 alderman or member of a city council or commission, a  
25 member of a village board of trustees other than the  
26 president of the village board of trustees, or a member of

1 a county board other than the president of a county board  
2 may have a direct interest in the manufacture, sale, or  
3 distribution of alcoholic liquor as long as he or she is  
4 not a law enforcing public official, a mayor, a village  
5 board president, or president of a county board. To prevent  
6 any conflict of interest, the elected official with the  
7 direct interest in the manufacture, sale, or distribution  
8 of alcoholic liquor shall not participate in any meetings,  
9 hearings, or decisions on matters impacting the  
10 manufacture, sale, or distribution of alcoholic liquor.  
11 Furthermore, the mayor of a city with a population of  
12 55,000 or less or the president of a village with a  
13 population of 55,000 or less may have an interest in the  
14 manufacture, sale, or distribution of alcoholic liquor as  
15 long as the council or board over which he or she presides  
16 has made a local liquor control commissioner appointment  
17 that complies with the requirements of Section 4-2 of this  
18 Act.

19 (15) A person who is not a beneficial owner of the  
20 business to be operated by the licensee.

21 (16) A person who has been convicted of a gambling  
22 offense as proscribed by any of subsections (a) (3) through  
23 (a) (11) of Section 28-1 of, or as proscribed by Section  
24 28-1.1 or 28-3 of, the Criminal Code of 1961 or the  
25 Criminal Code of 2012, or as proscribed by a statute  
26 replaced by any of the aforesaid statutory provisions.

1           (17) A person or entity to whom a federal wagering  
2 stamp has been issued by the federal government, unless the  
3 person or entity is eligible to be issued a license under  
4 the Raffles and Poker Runs Act or the Illinois Pull Tabs  
5 and Jar Games Act.

6           (18) A person who intends to sell alcoholic liquors for  
7 use or consumption on his or her licensed retail premises  
8 who does not have liquor liability insurance coverage for  
9 that premises in an amount that is at least equal to the  
10 maximum liability amounts set out in subsection (a) of  
11 Section 6-21.

12           (19) A person who is licensed by any licensing  
13 authority as a manufacturer of beer, or any partnership,  
14 corporation, limited liability company, or trust or any  
15 subsidiary, affiliate, or agent thereof, or any other form  
16 of business enterprise licensed as a manufacturer of beer,  
17 having any legal, equitable, or beneficial interest,  
18 directly or indirectly, in a person licensed in this State  
19 as a distributor or importing distributor. For purposes of  
20 this paragraph (19), a person who is licensed by any  
21 licensing authority as a "manufacturer of beer" shall also  
22 mean a brewer and a non-resident dealer who is also a  
23 manufacturer of beer, including a partnership,  
24 corporation, limited liability company, or trust or any  
25 subsidiary, affiliate, or agent thereof, or any other form  
26 of business enterprise licensed as a manufacturer of beer.

1           (20) A person who is licensed in this State as a  
2 distributor or importing distributor, or any partnership,  
3 corporation, limited liability company, or trust or any  
4 subsidiary, affiliate, or agent thereof, or any other form  
5 of business enterprise licensed in this State as a  
6 distributor or importing distributor having any legal,  
7 equitable, or beneficial interest, directly or indirectly,  
8 in a person licensed as a manufacturer of beer by any  
9 licensing authority, or any partnership, corporation,  
10 limited liability company, or trust or any subsidiary,  
11 affiliate, or agent thereof, or any other form of business  
12 enterprise, except for a person who owns, on or after the  
13 effective date of this amendatory Act of the 98th General  
14 Assembly, no more than 5% of the outstanding shares of a  
15 manufacturer of beer whose shares are publicly traded on an  
16 exchange within the meaning of the Securities Exchange Act  
17 of 1934. For the purposes of this paragraph (20), a person  
18 who is licensed by any licensing authority as a  
19 "manufacturer of beer" shall also mean a brewer and a  
20 non-resident dealer who is also a manufacturer of beer,  
21 including a partnership, corporation, limited liability  
22 company, or trust or any subsidiary, affiliate, or agent  
23 thereof, or any other form of business enterprise licensed  
24 as a manufacturer of beer.

25           (b) A criminal conviction of a corporation is not grounds  
26 for the denial, suspension, or revocation of a license applied



1 for or held by the corporation if the criminal conviction was  
2 not the result of a violation of any federal or State law  
3 concerning the manufacture, possession or sale of alcoholic  
4 liquor, the offense that led to the conviction did not result  
5 in any financial gain to the corporation and the corporation  
6 has terminated its relationship with each director, officer,  
7 employee, or controlling shareholder whose actions directly  
8 contributed to the conviction of the corporation. The  
9 Commission shall determine if all provisions of this subsection  
10 (b) have been met before any action on the corporation's  
11 license is initiated.

12 (Source: P.A. 97-1059, eff. 8-24-12; 97-1150, eff. 1-25-13;  
13 98-10, eff. 5-6-13; 98-21, eff. 6-13-13, revised 9-24-13.)

14 Section 25. The Criminal Code of 2012 is amended by  
15 changing Sections 28-1 and 28-1.1 as follows:

16 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

17 Sec. 28-1. Gambling.

18 (a) A person commits gambling when he or she:

19 (1) knowingly plays a game of chance or skill for money  
20 or other thing of value, unless excepted in subsection (b)  
21 of this Section;

22 (2) knowingly makes a wager upon the result of any  
23 game, contest, or any political nomination, appointment or  
24 election;

1           (3) knowingly operates, keeps, owns, uses, purchases,  
2 exhibits, rents, sells, bargains for the sale or lease of,  
3 manufactures or distributes any gambling device;

4           (4) contracts to have or give himself or herself or  
5 another the option to buy or sell, or contracts to buy or  
6 sell, at a future time, any grain or other commodity  
7 whatsoever, or any stock or security of any company, where  
8 it is at the time of making such contract intended by both  
9 parties thereto that the contract to buy or sell, or the  
10 option, whenever exercised, or the contract resulting  
11 therefrom, shall be settled, not by the receipt or delivery  
12 of such property, but by the payment only of differences in  
13 prices thereof; however, the issuance, purchase, sale,  
14 exercise, endorsement or guarantee, by or through a person  
15 registered with the Secretary of State pursuant to Section  
16 8 of the Illinois Securities Law of 1953, or by or through  
17 a person exempt from such registration under said Section  
18 8, of a put, call, or other option to buy or sell  
19 securities which have been registered with the Secretary of  
20 State or which are exempt from such registration under  
21 Section 3 of the Illinois Securities Law of 1953 is not  
22 gambling within the meaning of this paragraph (4);

23           (5) knowingly owns or possesses any book, instrument or  
24 apparatus by means of which bets or wagers have been, or  
25 are, recorded or registered, or knowingly possesses any  
26 money which he has received in the course of a bet or

1 wager;

2 (6) knowingly sells pools upon the result of any game  
3 or contest of skill or chance, political nomination,  
4 appointment or election;

5 (7) knowingly sets up or promotes any lottery or sells,  
6 offers to sell or transfers any ticket or share for any  
7 lottery;

8 (8) knowingly sets up or promotes any policy game or  
9 sells, offers to sell or knowingly possesses or transfers  
10 any policy ticket, slip, record, document or other similar  
11 device;

12 (9) knowingly drafts, prints or publishes any lottery  
13 ticket or share, or any policy ticket, slip, record,  
14 document or similar device, except for such activity  
15 related to lotteries, bingo games and raffles authorized by  
16 and conducted in accordance with the laws of Illinois or  
17 any other state or foreign government;

18 (10) knowingly advertises any lottery or policy game,  
19 except for such activity related to lotteries, bingo games  
20 and raffles authorized by and conducted in accordance with  
21 the laws of Illinois or any other state;

22 (11) knowingly transmits information as to wagers,  
23 betting odds, or changes in betting odds by telephone,  
24 telegraph, radio, semaphore or similar means; or knowingly  
25 installs or maintains equipment for the transmission or  
26 receipt of such information; except that nothing in this

1 subdivision (11) prohibits transmission or receipt of such  
2 information for use in news reporting of sporting events or  
3 contests; or

4 (12) knowingly establishes, maintains, or operates an  
5 Internet site that permits a person to play a game of  
6 chance or skill for money or other thing of value by means  
7 of the Internet or to make a wager upon the result of any  
8 game, contest, political nomination, appointment, or  
9 election by means of the Internet. This item (12) does not  
10 apply to activities referenced in items (6) and (6.1) of  
11 subsection (b) of this Section.

12 (b) Participants in any of the following activities shall  
13 not be convicted of gambling:

14 (1) Agreements to compensate for loss caused by the  
15 happening of chance including without limitation contracts  
16 of indemnity or guaranty and life or health or accident  
17 insurance.

18 (2) Offers of prizes, award or compensation to the  
19 actual contestants in any bona fide contest for the  
20 determination of skill, speed, strength or endurance or to  
21 the owners of animals or vehicles entered in such contest.

22 (3) Pari-mutuel betting as authorized by the law of  
23 this State.

24 (4) Manufacture of gambling devices, including the  
25 acquisition of essential parts therefor and the assembly  
26 thereof, for transportation in interstate or foreign

1 commerce to any place outside this State when such  
2 transportation is not prohibited by any applicable Federal  
3 law; or the manufacture, distribution, or possession of  
4 video gaming terminals, as defined in the Video Gaming Act,  
5 by manufacturers, distributors, and terminal operators  
6 licensed to do so under the Video Gaming Act.

7 (5) The game commonly known as "bingo", when conducted  
8 in accordance with the Bingo License and Tax Act.

9 (6) Lotteries when conducted by the State of Illinois  
10 in accordance with the Illinois Lottery Law. This exemption  
11 includes any activity conducted by the Department of  
12 Revenue to sell lottery tickets pursuant to the provisions  
13 of the Illinois Lottery Law and its rules.

14 (6.1) The purchase of lottery tickets through the  
15 Internet for a lottery conducted by the State of Illinois  
16 under the program established in Section 7.12 of the  
17 Illinois Lottery Law.

18 (7) Possession of an antique slot machine that is  
19 neither used nor intended to be used in the operation or  
20 promotion of any unlawful gambling activity or enterprise.  
21 For the purpose of this subparagraph (b)(7), an antique  
22 slot machine is one manufactured 25 years ago or earlier.

23 (8) Raffles and poker runs when conducted in accordance  
24 with the Raffles and Poker Runs Act.

25 (9) Charitable games when conducted in accordance with  
26 the Charitable Games Act.

1           (10) Pull tabs and jar games when conducted under the  
2 Illinois Pull Tabs and Jar Games Act.

3           (11) Gambling games conducted on riverboats when  
4 authorized by the Riverboat Gambling Act.

5           (12) Video gaming terminal games at a licensed  
6 establishment, licensed truck stop establishment, licensed  
7 fraternal establishment, or licensed veterans  
8 establishment when conducted in accordance with the Video  
9 Gaming Act.

10          (13) Games of skill or chance where money or other  
11 things of value can be won but no payment or purchase is  
12 required to participate.

13          (c) Sentence.

14          Gambling is a Class A misdemeanor. A second or subsequent  
15 conviction under subsections (a) (3) through (a) (12), is a Class  
16 4 felony.

17          (d) Circumstantial evidence.

18          In prosecutions under this Section circumstantial evidence  
19 shall have the same validity and weight as in any criminal  
20 prosecution.

21          (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09;  
22 96-1203, eff. 7-22-10; 97-1108, eff. 1-1-13.)

23          (720 ILCS 5/28-1.1)   (from Ch. 38, par. 28-1.1)

24          Sec. 28-1.1. Syndicated gambling.

25          (a) Declaration of Purpose. Recognizing the close

1 relationship between professional gambling and other organized  
2 crime, it is declared to be the policy of the legislature to  
3 restrain persons from engaging in the business of gambling for  
4 profit in this State. This Section shall be liberally construed  
5 and administered with a view to carrying out this policy.

6 (b) A person commits syndicated gambling when he or she  
7 operates a "policy game" or engages in the business of  
8 bookmaking.

9 (c) A person "operates a policy game" when he or she  
10 knowingly uses any premises or property for the purpose of  
11 receiving or knowingly does receive from what is commonly  
12 called "policy":

13 (1) money from a person other than the bettor or player  
14 whose bets or plays are represented by the money; or

15 (2) written "policy game" records, made or used over  
16 any period of time, from a person other than the bettor or  
17 player whose bets or plays are represented by the written  
18 record.

19 (d) A person engages in bookmaking when he or she knowingly  
20 receives or accepts more than five bets or wagers upon the  
21 result of any trials or contests of skill, speed or power of  
22 endurance or upon any lot, chance, casualty, unknown or  
23 contingent event whatsoever, which bets or wagers shall be of  
24 such size that the total of the amounts of money paid or  
25 promised to be paid to the bookmaker on account thereof shall  
26 exceed \$2,000. Bookmaking is the receiving or accepting of bets

1 or wagers regardless of the form or manner in which the  
2 bookmaker records them.

3 (e) Participants in any of the following activities shall  
4 not be convicted of syndicated gambling:

5 (1) Agreements to compensate for loss caused by the  
6 happening of chance including without limitation contracts  
7 of indemnity or guaranty and life or health or accident  
8 insurance;

9 (2) Offers of prizes, award or compensation to the  
10 actual contestants in any bona fide contest for the  
11 determination of skill, speed, strength or endurance or to  
12 the owners of animals or vehicles entered in the contest;

13 (3) Pari-mutuel betting as authorized by law of this  
14 State;

15 (4) Manufacture of gambling devices, including the  
16 acquisition of essential parts therefor and the assembly  
17 thereof, for transportation in interstate or foreign  
18 commerce to any place outside this State when the  
19 transportation is not prohibited by any applicable Federal  
20 law;

21 (5) Raffles and poker runs when conducted in accordance  
22 with the Raffles and Poker Runs Act;

23 (6) Gambling games conducted on riverboats when  
24 authorized by the Riverboat Gambling Act; and

25 (7) Video gaming terminal games at a licensed  
26 establishment, licensed truck stop establishment, licensed



1 fraternal establishment, or licensed veterans  
2 establishment when conducted in accordance with the Video  
3 Gaming Act.

4 (f) Sentence. Syndicated gambling is a Class 3 felony.

5 (Source: P.A. 96-34, eff. 7-13-09; 97-1108, eff. 1-1-13.)

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