



Rep. Ed Sullivan, Jr.

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09800HB5017ham001

LRB098 16514 ZMM 55593 a

1 AMENDMENT TO HOUSE BILL 5017

2 AMENDMENT NO. _____. Amend House Bill 5017 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Charitable Games Act is amended by changing
5 Sections 4, 5.1, and 8 as follows:

6 (230 ILCS 30/4) (from Ch. 120, par. 1124)

7 Sec. 4. Licensing Restrictions. Licensing for the
8 conducting of charitable games is subject to the following
9 restrictions:

10 (1) The license application, when submitted to the
11 Department of Revenue, must contain a sworn statement
12 attesting to the not-for-profit character of the
13 prospective licensee organization, signed by a person
14 listed on the application as an owner, officer, or other
15 person in charge of the necessary day-to-day operations.
16 The application shall contain the name of the person in

1 charge of and primarily responsible for the conduct of the
2 charitable games. The person so designated shall be present
3 on the premises continuously during charitable games.

4 (2) The license application shall be prepared by the
5 prospective licensee organization or its duly authorized
6 representative in accordance with the rules of the
7 Department of Revenue.

8 (2.1) The organization shall maintain among its books
9 and records a list of the names, addresses, social security
10 numbers, and dates of birth of all persons who will
11 participate in the management or operation of the games,
12 along with a sworn statement made under penalties of
13 perjury, signed by a person listed on the application as an
14 owner, officer, or other person in charge of the necessary
15 day-to-day operations, that the persons listed as
16 participating in the management or operation of the games
17 are bona fide members, volunteers as defined in Section 2,
18 or employees of the applicant, that these persons have not
19 participated in the management or operation of more than 12
20 charitable games events conducted by any licensee in the
21 calendar year, and that these persons will receive no
22 remuneration or compensation, directly or indirectly from
23 any source, for participating in the management or
24 operation of the games. Any amendments to this listing must
25 contain an identical sworn statement.

26 (2.2) (Blank).

1 (3) Each license shall state the date, hours and at
2 what locations the licensee is permitted to conduct
3 charitable games.

4 (4) Each licensee shall file a copy of the license with
5 each police department or, if in unincorporated areas, each
6 sheriff's office whose jurisdiction includes the premises
7 on which the charitable games are authorized under the
8 license.

9 (5) The licensee shall prominently display the license
10 in the area where the licensee is to conduct charitable
11 games. The licensee shall likewise display, in the form and
12 manner prescribed by the Department, the provisions of
13 Section 9 of this Act.

14 (6) (Blank).

15 (7) (Blank).

16 (8) A license is not assignable or transferable.

17 (9) Unless the premises for conducting charitable
18 games are provided by a municipality, the Department shall
19 not issue a license permitting a person, firm or
20 corporation to sponsor a charitable games night if the
21 premises for the conduct of the charitable games has been
22 previously used for 12 charitable games nights during the
23 previous 12 months.

24 (10) Auxiliary organizations of a licensee shall not be
25 eligible for a license to conduct charitable games, except
26 for auxiliary organizations of veterans organizations as

1 authorized in Section 2.

2 (11) Charitable games must be conducted in accordance
3 with local building and fire code requirements.

4 (12) The licensee shall consent to allowing the
5 Department's employees to be present on the premises
6 wherein the charitable games are conducted and to inspect
7 or test equipment, devices and supplies used in the conduct
8 of the game.

9 Nothing in this Section shall be construed to prohibit a
10 licensee that conducts charitable games on its own premises
11 from also obtaining a providers' license in accordance with
12 Section 5.1. The maximum number of charitable games events that
13 may be held in any one premises is limited to no more than 12
14 charitable games events per calendar year ~~one charitable games~~
15 ~~event per month.~~

16 (Source: P.A. 98-377, eff. 1-1-14.)

17 (230 ILCS 30/5.1) (from Ch. 120, par. 1125.1)

18 Sec. 5.1. If a licensee conducts charitable games on its
19 own premises, the licensee may also obtain a providers' license
20 in accordance with Section 5 to allow the licensee to rent or
21 otherwise provide its premises to another licensee for the
22 conducting of an additional 4 charitable games events. The
23 maximum number of charitable games events that may be held at
24 any one premises is limited to 12 ~~4~~ charitable games events per
25 calendar year.

1 (Source: P.A. 94-986, eff. 6-30-06.)

2 (230 ILCS 30/8) (from Ch. 120, par. 1128)

3 Sec. 8. The conducting of charitable games is subject to
4 the following restrictions:

5 (1) The entire net proceeds from charitable games must
6 be exclusively devoted to the lawful purposes of the
7 organization permitted to conduct that game.

8 (2) No person except a bona fide member or employee of
9 the sponsoring organization, or a volunteer recruited by
10 the sponsoring organization, may participate in the
11 management or operation of the game. A person participates
12 in the management or operation of a charitable game when he
13 or she sells admission tickets at the event; sells,
14 redeems, or in any way assists in the selling or redeeming
15 of chips, scrip, or play money; participates in the
16 conducting of any of the games played during the event, or
17 supervises, directs or instructs anyone conducting a game;
18 or at any time during the hours of the charitable games
19 event counts, handles, or supervises anyone counting or
20 handling any of the proceeds or chips, scrip, or play money
21 at the event. A person who is present to ensure that the
22 games are being conducted in conformance with the rules
23 established by the licensed organization or is present to
24 insure that the equipment is working properly is considered
25 to be participating in the management or operation of a

1 game. Setting up, cleaning up, selling food and drink, or
2 providing security for persons or property at the event
3 does not constitute participation in the management or
4 operation of the game.

5 Only bona fide members, volunteers as defined in
6 Section 2 of this Act, and employees of the sponsoring
7 organization may participate in the management or
8 operation of the games. Participation in the management or
9 operation of the games is limited to no more than 12
10 charitable games events, either of the sponsoring
11 organization or any other licensed organization, during a
12 calendar year.

13 (3) No person may receive any remuneration or
14 compensation either directly or indirectly from any source
15 for participating in the management or operation of the
16 game.

17 (4) No single bet at any house-banked game may exceed
18 \$20.

19 (5) A bank shall be established on the premises to
20 convert currency into chips, scrip, or other form of play
21 money which shall then be used to play at games of chance
22 which the participant chooses. Chips, scrip, or play money
23 must be permanently monogrammed with the supplier license
24 number or logo or charitable games license number of a
25 licensed organization or of the supplier. Each participant
26 must be issued a receipt indicating the amount of chips,

1 scrip, or play money purchased.

2 (6) At the conclusion of the event or when the
3 participant leaves, he or she may cash in his or her chips,
4 scrip, or play money in exchange for currency not to exceed
5 \$500 in cash winnings or unlimited noncash prizes. Each
6 participant shall sign for any receipt of prizes. The
7 licensee shall provide the Department of Revenue with a
8 listing of all prizes awarded, including the retail value
9 of all prizes awarded.

10 (7) Each licensee shall be permitted to conduct
11 charitable games on not more than 4 days each year. Nothing
12 in this Section shall be construed to prohibit a licensee
13 that conducts charitable games on its own premises from
14 also obtaining a providers' license in accordance with
15 Section 7 of this Act.

16 (8) Unless the provider of the premises is a
17 municipality, the provider of the premises may not rent or
18 otherwise provide the premises for the conducting of more
19 than 12 charitable games nights per calendar year ~~one~~
20 ~~charitable games night per month.~~

21 (9) A charitable games event is considered to be a
22 one-day event and charitable games may not be played
23 between the hours of 2:00 a.m. and noon.

24 (10) No person under the age of 18 years may play or
25 participate in the conducting of charitable games. Any
26 person under the age of 18 years may be within the area

1 where charitable games are being played only when
2 accompanied by his parent or guardian.

3 (11) No one other than the sponsoring organization of
4 charitable games must have a proprietary interest in the
5 game promoted.

6 (12) Raffles or other forms of gambling prohibited by
7 law shall not be conducted on the premises where charitable
8 games are being conducted.

9 (13) Such games are not expressly prohibited by county
10 ordinance for charitable games conducted in the
11 unincorporated areas of the county or municipal ordinance
12 for charitable games conducted in the municipality and the
13 ordinance is filed with the Department of Revenue. The
14 Department shall provide each county or municipality with a
15 list of organizations licensed or subsequently authorized
16 by the Department to conduct charitable games in their
17 jurisdiction.

18 (14) The sale of tangible personal property at
19 charitable games is subject to all State and local taxes
20 and obligations.

21 (15) Each licensee may offer or conduct only the games
22 listed below, which must be conducted in accordance with
23 rules posted by the organization. The organization
24 sponsoring charitable games shall promulgate rules, and
25 make printed copies available to participants, for the
26 following games: (a) roulette; (b) blackjack; (c) poker;

1 (d) pull tabs; (e) craps; (f) bang; (g) beat the dealer;
2 (h) big six; (i) gin rummy; (j) five card stud poker; (k)
3 chuck-a-luck; (l) keno; (m) hold-em poker; and (n)
4 merchandise wheel. A licensee need not offer or conduct
5 every game permitted by law. The conducting of games not
6 listed above is prohibited by this Act.

7 (16) No slot machines or coin-in-the-slot-operated
8 devices that allow a participant to play games of chance
9 shall be permitted to be used at the location and during
10 the time at which the charitable games are being conducted.
11 However, establishments that have video gaming terminals
12 licensed under the Video Gaming Act may operate them along
13 with charitable games under rules adopted by the
14 Department.

15 (17) No cards, dice, wheels, or other equipment may be
16 modified or altered so as to give the licensee a greater
17 advantage in winning, other than as provided under the
18 normal rules of play of a particular game.

19 (18) No credit shall be extended to any of the
20 participants.

21 (19) (Blank).

22 (20) A supplier may have only one representative
23 present at the charitable games event, for the exclusive
24 purpose of ensuring that its equipment is not damaged.

25 (21) No employee, owner, or officer of a consultant
26 service hired by a licensed organization to perform

1 services at the event including, but not limited to,
2 security for persons or property at the event or services
3 before the event including, but not limited to, training
4 for volunteers or advertising may participate in the
5 management or operation of the games.

6 (22) (Blank).

7 (Source: P.A. 98-377, eff. 1-1-14.)".