

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 Election Code is amended by changing Section
5 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;

17 (d) the full name and mailing address of every person
18 to whom any expenditure is made, and the date and amount
19 thereof;

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

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

1 (2) The treasurer of a political committee shall keep a
2 detailed and exact account of the total amount of contributions
3 made to or for a committee at an event licensed under Section
4 8.1 of the Raffles and Poker Runs Act. For an event licensed
5 under Section 8.1, the treasurer is not required to keep a
6 detailed and exact account of the full name and mailing address
7 of a person who purchases tickets at the event in an amount
8 that does not exceed \$150.

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

10 Section 10. The Raffles Act is amended by changing Sections
11 0.01, 1, 2, 3, 4, 5, 6, and 8 as follows:

12 (230 ILCS 15/0.01) (from Ch. 85, par. 2300)

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

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

16 (230 ILCS 15/1) (from Ch. 85, par. 2301)

17 Sec. 1. Definitions.~~‡~~ For the purposes of this Act the
18 terms defined in this Section have the meanings given them.

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

23 "Key location" means the location where the poker run

1 concludes and the prize or prizes are awarded.

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

10 "Raffle" means a form of lottery, as defined in Section
11 28-2(b) of the Criminal Code of 2012, conducted by an
12 organization licensed under this Act, in which:

13 (1) the player pays or agrees to pay something of value
14 for a chance, represented and differentiated by a number or
15 by a combination of numbers or by some other medium, one or
16 more of which chances is to be designated the winning
17 chance;

18 (2) the winning chance is to be determined through a
19 drawing or by some other method based on an element of
20 chance by an act or set of acts on the part of persons
21 conducting or connected with the lottery, except that the
22 winning chance shall not be determined by the outcome of a
23 publicly exhibited sporting contest.

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

25 (230 ILCS 15/2) (from Ch. 85, par. 2302)

1 Sec. 2. Licensing.

2 (a) The governing body of any county or municipality within
3 this State may establish a system for the licensing of
4 organizations to operate raffles. The governing bodies of a
5 county and one or more municipalities may, pursuant to a
6 written contract, jointly establish a system for the licensing
7 of organizations to operate raffles within any area of
8 contiguous territory not contained within the corporate limits
9 of a municipality which is not a party to such contract. The
10 governing bodies of two or more adjacent counties or two or
11 more adjacent municipalities located within a county may,
12 pursuant to a written contract, jointly establish a system for
13 the licensing of organizations to operate raffles within the
14 corporate limits of such counties or municipalities. The
15 licensing authority may establish special categories of
16 licenses and promulgate rules relating to the various
17 categories. The licensing system shall provide for limitations
18 upon (1) the aggregate retail value of all prizes or
19 merchandise awarded by a licensee in a single raffle, (2) the
20 maximum retail value of each prize awarded by a licensee in a
21 single raffle, (3) the maximum price which may be charged for
22 each raffle chance issued or sold and (4) the maximum number of
23 days during which chances may be issued or sold. The licensing
24 system may include a fee for each license in an amount to be
25 determined by the local governing body. Licenses issued
26 pursuant to this Act shall be valid for one raffle or for a

1 specified number of raffles to be conducted during a specified
2 period not to exceed one year and may be suspended or revoked
3 for any violation of this Act. A local governing body shall act
4 on a license application within 30 days from the date of
5 application. Nothing in this Act shall be construed to prohibit
6 a county or municipality from adopting rules or ordinances for
7 the operation of raffles that are more restrictive than
8 provided for in this Act. The governing body of a municipality
9 may authorize the sale of raffle chances only within the
10 borders of the municipality. The governing body of the county
11 may authorize the sale of raffle chances only in those areas
12 which are both within the borders of the county and outside the
13 borders of any municipality.

14 (a-5) The governing body of any county within this State
15 may establish a system for the licensing of organizations to
16 operate poker runs. The governing bodies of 2 or more adjacent
17 counties may, pursuant to a written contract, jointly establish
18 a system for the licensing of organizations to operate poker
19 runs within the corporate limits of such counties. The
20 licensing authority may establish special categories of
21 licenses and adopt rules relating to the various categories.
22 The licensing system may include a fee not to exceed \$25 for
23 each license. Licenses issued pursuant to this Act shall be
24 valid for one poker run or for a specified number of poker runs
25 to be conducted during a specified period not to exceed one
26 year and may be suspended or revoked for any violation of this

1 Act. A local governing body shall act on a license application
2 within 30 days after the date of application.

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

22 For purposes of this Act, the following definitions apply.
23 Non-profit: An organization or institution organized and
24 conducted on a not-for-profit basis with no personal profit
25 inuring to any one as a result of the operation. Charitable: An
26 organization or institution organized and operated to benefit

1 an indefinite number of the public. The service rendered to
2 those eligible for benefits must also confer some benefit on
3 the public. Educational: An organization or institution
4 organized and operated to provide systematic instruction in
5 useful branches of learning by methods common to schools and
6 institutions of learning which compare favorably in their scope
7 and intensity with the course of study presented in
8 tax-supported schools. Religious: Any church, congregation,
9 society, or organization founded for the purpose of religious
10 worship. Fraternal: An organization of persons having a common
11 interest, the primary interest of which is to both promote the
12 welfare of its members and to provide assistance to the general
13 public in such a way as to lessen the burdens of government by
14 caring for those that otherwise would be cared for by the
15 government. Veterans: An organization or association comprised
16 of members of which substantially all are individuals who are
17 veterans or spouses, widows, or widowers of veterans, the
18 primary purpose of which is to promote the welfare of its
19 members and to provide assistance to the general public in such
20 a way as to confer a public benefit. Labor: An organization
21 composed of workers organized with the objective of betterment
22 of the conditions of those engaged in such pursuit and the
23 development of a higher degree of efficiency in their
24 respective occupations. Business: A voluntary organization
25 composed of individuals and businesses who have joined together
26 to advance the commercial, financial, industrial and civic

1 interests of a community.

2 (c) Poker runs shall be licensed by the governing body with
3 jurisdiction over the key location. The license granted by the
4 key location shall cover the entire poker run, including
5 locations other than the key location. Each license issued
6 shall include the name and address of each predetermined
7 location.

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

9 (230 ILCS 15/3) (from Ch. 85, par. 2303)

10 Sec. 3. License - Application - Issuance - Restrictions -
11 Persons ineligible. Licenses issued by the governing body of
12 any county or municipality are subject to the following
13 restrictions:

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

17 (2) The license and application for license must specify
18 the area or areas within the licensing authority in which
19 raffle chances will be sold or issued or a poker run will be
20 conducted, the time period during which raffle chances will be
21 sold or issued or a poker run will be conducted, the time of
22 determination of winning chances and the location or locations
23 at which winning chances will be determined.

24 (3) The license application must contain a sworn statement
25 attesting to the not-for-profit character of the prospective

1 licensee organization, signed by the presiding officer and the
2 secretary of that organization.

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

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

7 The following are ineligible for any license under this
8 Act:

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

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

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

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

16 (e) any organization in which a person defined in (a), (b)
17 or (c) is an officer, director, or employee, whether
18 compensated or not;

19 (f) any organization in which a person defined in (a), (b)
20 or (c) is to participate in the management or operation of a
21 raffle as defined in this Act.

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

23 (230 ILCS 15/4) (from Ch. 85, par. 2304)

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

25 (a) The conducting of raffles and poker runs is subject to

1 the following restrictions:

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

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

8 (3) No person may receive any remuneration or profit
9 for participating in the management or operation of the
10 raffle or poker run.

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

19 (5) Raffle chances may be sold or issued only within
20 the area specified on the license and winning chances may
21 be determined only at those locations specified on the
22 license for a raffle.

23 (6) A person under the age of 18 years may participate
24 in the conducting of raffles or chances or poker runs only
25 with the permission of a parent or guardian. A person under
26 the age of 18 years may be within the area where winning

1 chances in a raffle or winning hands or scores in a poker
2 run are being determined only when accompanied by his
3 parent or guardian.

4 (b) If a lessor rents premises where a winning chance or
5 chances on a raffle or a winning hand or score in a poker run is
6 ~~are~~ determined, the lessor shall not be criminally liable if
7 the person who uses the premises for the determining of winning
8 chances does not hold a license issued by the governing body of
9 any county or municipality under the provisions of this Act.
10 (Source: P.A. 87-1271.)

11 (230 ILCS 15/5) (from Ch. 85, par. 2305)

12 Sec. 5. Manager; bond ~~Raffles — manager — bond~~. All
13 operation of and the conduct of raffles and poker runs shall be
14 under the supervision of a single ~~raffles~~ manager designated by
15 the organization. The manager shall give a fidelity bond in an
16 amount determined by the licensing authority in favor of the
17 organization conditioned upon his honesty in the performance of
18 his duties. Terms of the bond shall provide that notice shall
19 be given in writing to the licensing authority not less than 30
20 days prior to its cancellation. The governing body of a local
21 unit of government may waive this bond requirement by including
22 a waiver provision in the license issued to an organization
23 under this Act, provided that a license containing such waiver
24 provision shall be granted only by unanimous vote of the
25 members of the licensed organization.

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

2 (230 ILCS 15/6) (from Ch. 85, par. 2306)

3 Sec. 6. Records.†

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

15 (b) Gross receipts from the operation of raffles programs
16 or poker runs shall be segregated from other revenues of the
17 organization, including bingo gross receipts, if bingo games
18 are also conducted by the same nonprofit organization pursuant
19 to license therefor issued by the Department of Revenue of the
20 State of Illinois, and placed in a separate account. Each
21 organization shall have separate records of its raffles and
22 poker runs. The person who accounts for gross receipts,
23 expenses and net proceeds from the operation of raffles or
24 poker runs shall not be the same person who accounts for other
25 revenues of the organization.

1 (c) Each organization licensed to conduct raffles or poker
2 runs shall report promptly after the conclusion of each raffle
3 or poker run to its membership, and to the licensing local unit
4 of government, its gross receipts, expenses and net proceeds
5 from raffles or poker runs, and the distribution of net
6 proceeds itemized as required in this Section.

7 (d) Records required by this Section shall be preserved for
8 3 years, and organizations shall make available their records
9 relating to operation of raffles or poker runs for public
10 inspection at reasonable times and places.

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

12 (230 ILCS 15/8) (from Ch. 85, par. 2308)

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

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

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

20 (230 ILCS 30/2) (from Ch. 120, par. 1122)

21 Sec. 2. Definitions. For purposes of this Act, the
22 following definitions apply:

23 "Charitable games" means the 14 games of chance involving

1 cards, dice, wheels, random selection of numbers, and gambling
2 tickets which may be conducted at charitable games events
3 listed as follows: roulette, blackjack, poker, pull tabs,
4 craps, bang, beat the dealer, big six, gin rummy, five card
5 stud poker, chuck-a-luck, keno, hold-em poker, and merchandise
6 wheel.

7 "Charitable games event" or "event" means the type of
8 fundraising event authorized by the Act at which participants
9 pay to play charitable games for the chance of winning cash or
10 noncash prizes. ~~"Charitable games event" or "event" includes a
11 poker run.~~

12 "Charitable organization" means an organization or
13 institution organized and operated to benefit an indefinite
14 number of the public.

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

18 "Department" means the Department of Revenue.

19 "Educational organization" means an organization or
20 institution organized and operated to provide systematic
21 instruction in useful branches of learning by methods common to
22 schools and institutions of learning which compare favorably in
23 their scope and intensity with the course of study presented in
24 tax-supported schools.

25 "Fraternal organization" means an organization of persons
26 having a common interest that is organized and operated

1 exclusively to promote the welfare of its members and to
2 benefit the general public on a continuing and consistent
3 basis, including but not limited to ethnic organizations.

4 "Labor organization" means an organization composed of
5 labor unions or workers organized with the objective of
6 betterment of the conditions of those engaged in such pursuit
7 and the development of a higher degree of efficiency in their
8 respective occupations.

9 "Licensed 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 "Non-profit organization" means an organization or
13 institution organized and conducted on a not-for-profit basis
14 with no personal profit inuring to anyone as a result of the
15 operation.

16 "Organization" means a:—A corporation, agency,
17 partnership, association, firm, business, or other entity
18 consisting of 2 or more persons joined by a common interest or
19 purpose.

20 "Person" means any natural individual, corporation,
21 partnership, limited liability company, organization as
22 defined in this Section, qualified organization, licensed
23 organization, licensee under this Act, or volunteer.

24 ~~"Poker run" means an event organized by a sponsoring~~
25 ~~organization in which participants travel to 5 or more~~
26 ~~predetermined locations, drawing a playing card or equivalent~~

1 ~~item at each location, in order to assemble a facsimile of a~~
2 ~~poker hand or other numeric score. "Poker run" includes dice~~
3 ~~runs, marble runs, or other events where the objective is to~~
4 ~~build the best hand or highest score by obtaining an item at~~
5 ~~each location.~~

6 "Premises" means a distinct parcel of land and the
7 buildings thereon.

8 "Provider" means the person or organization owning,
9 leasing, or controlling premises upon which any charitable
10 games event is to be conducted.

11 "Qualified organization" means:

12 (a) a charitable, religious, fraternal, veterans,
13 labor, educational organization, or other institution
14 organized and conducted on a not-for-profit basis with no
15 personal profit inuring to anyone as a result of the
16 operation and which is exempt from federal income taxation
17 under Sections 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8),
18 501(c)(10) or 501(c)(19) of the Internal Revenue Code;

19 (b) a veterans organization as defined in Section 1.1
20 of the "Bingo License and Tax Act" organized and conducted
21 on a not-for-profit basis with no personal profit inuring
22 to anyone as a result of the operation; or

23 (c) An auxiliary organization of a veterans
24 organization.

25 "Religious organization" means any church, congregation,
26 society, or organization founded for the purpose of religious

1 worship.

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

5 "Supplier" means any person, firm, or corporation that
6 sells, leases, lends, distributes, or otherwise provides to any
7 organization licensed to conduct charitable games events in
8 Illinois any charitable games equipment.

9 "Veterans' organization" means an organization comprised
10 of members of which substantially all are individuals who are
11 veterans or spouses, widows, or widowers of veterans, the
12 primary purpose of which is to promote the welfare of its
13 members and to provide assistance to the general public in such
14 a way as to confer a public benefit.

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

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

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

22 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

23 Sec. 6-2. Issuance of licenses to certain persons
24 prohibited.

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

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

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

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

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

18 (5) A person who has been convicted of keeping a place
19 of prostitution or keeping a place of juvenile
20 prostitution, promoting prostitution that involves keeping
21 a place of prostitution, or promoting juvenile
22 prostitution that involves keeping a place of juvenile
23 prostitution.

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

26 (7) A person whose license issued under this Act has

1 been revoked for cause.

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

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

12 (10) A corporation or limited liability company, if any
13 member, officer, manager or director thereof, or any
14 stockholder or stockholders owning in the aggregate more
15 than 5% of the stock of such corporation, would not be
16 eligible to receive a license hereunder for any reason
17 other than citizenship and residence within the political
18 subdivision.

19 (10a) A corporation or limited liability company
20 unless it is incorporated or organized in Illinois, or
21 unless it is a foreign corporation or foreign limited
22 liability company which is qualified under the Business
23 Corporation Act of 1983 or the Limited Liability Company
24 Act to transact business in Illinois. The Commission shall
25 permit and accept from an applicant for a license under
26 this Act proof prepared from the Secretary of State's

1 website that the corporation or limited liability company
2 is in good standing and is qualified under the Business
3 Corporation Act of 1983 or the Limited Liability Company
4 Act to transact business in Illinois.

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

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

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

17 (14) Any law enforcing public official, including
18 members of local liquor control commissions, any mayor,
19 alderman, or member of the city council or commission, any
20 president of the village board of trustees, any member of a
21 village board of trustees, or any president or member of a
22 county board; and no such official shall have a direct
23 interest in the manufacture, sale, or distribution of
24 alcoholic liquor, except that a license may be granted to
25 such official in relation to premises that are not located
26 within the territory subject to the jurisdiction of that

1 official if the issuance of such license is approved by the
2 State Liquor Control Commission and except that a license
3 may be granted, in a city or village with a population of
4 55,000 or less, to any alderman, member of a city council,
5 or member of a village board of trustees in relation to
6 premises that are located within the territory subject to
7 the jurisdiction of that official if (i) the sale of
8 alcoholic liquor pursuant to the license is incidental to
9 the selling of food, (ii) the issuance of the license is
10 approved by the State Commission, (iii) the issuance of the
11 license is in accordance with all applicable local
12 ordinances in effect where the premises are located, and
13 (iv) the official granted a license does not vote on
14 alcoholic liquor issues pending before the board or council
15 to which the license holder is elected. Notwithstanding any
16 provision of this paragraph (14) to the contrary, an
17 alderman or member of a city council or commission, a
18 member of a village board of trustees other than the
19 president of the village board of trustees, or a member of
20 a county board other than the president of a county board
21 may have a direct interest in the manufacture, sale, or
22 distribution of alcoholic liquor as long as he or she is
23 not a law enforcing public official, a mayor, a village
24 board president, or president of a county board. To prevent
25 any conflict of interest, the elected official with the
26 direct interest in the manufacture, sale, or distribution

1 of alcoholic liquor shall not participate in any meetings,
2 hearings, or decisions on matters impacting the
3 manufacture, sale, or distribution of alcoholic liquor.
4 Furthermore, the mayor of a city with a population of
5 55,000 or less or the president of a village with a
6 population of 55,000 or less may have an interest in the
7 manufacture, sale, or distribution of alcoholic liquor as
8 long as the council or board over which he or she presides
9 has made a local liquor control commissioner appointment
10 that complies with the requirements of Section 4-2 of this
11 Act.

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

14 (16) A person who has been convicted of a gambling
15 offense as proscribed by any of subsections (a) (3) through
16 (a) (11) of Section 28-1 of, or as proscribed by Section
17 28-1.1 or 28-3 of, the Criminal Code of 1961 or the
18 Criminal Code of 2012, or as proscribed by a statute
19 replaced by any of the aforesaid statutory provisions.

20 (17) A person or entity to whom a federal wagering
21 stamp has been issued by the federal government, unless the
22 person or entity is eligible to be issued a license under
23 the Raffles and Poker Runs Act or the Illinois Pull Tabs
24 and Jar Games Act.

25 (18) A person who intends to sell alcoholic liquors for
26 use or consumption on his or her licensed retail premises

1 who does not have liquor liability insurance coverage for
2 that premises in an amount that is at least equal to the
3 maximum liability amounts set out in subsection (a) of
4 Section 6-21.

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

20 (20) A person who is licensed in this State as a
21 distributor or importing distributor, or any partnership,
22 corporation, limited liability company, or trust or any
23 subsidiary, affiliate, or agent thereof, or any other form
24 of business enterprise licensed in this State as a
25 distributor or importing distributor having any legal,
26 equitable, or beneficial interest, directly or indirectly,

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

18 (b) A criminal conviction of a corporation is not grounds
19 for the denial, suspension, or revocation of a license applied
20 for or held by the corporation if the criminal conviction was
21 not the result of a violation of any federal or State law
22 concerning the manufacture, possession or sale of alcoholic
23 liquor, the offense that led to the conviction did not result
24 in any financial gain to the corporation and the corporation
25 has terminated its relationship with each director, officer,
26 employee, or controlling shareholder whose actions directly

1 contributed to the conviction of the corporation. The
2 Commission shall determine if all provisions of this subsection
3 (b) have been met before any action on the corporation's
4 license is initiated.

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

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

9 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

10 Sec. 28-1. Gambling.

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

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

15 (2) knowingly makes a wager upon the result of any
16 game, contest, or any political nomination, appointment or
17 election;

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

21 (4) contracts to have or give himself or herself or
22 another the option to buy or sell, or contracts to buy or
23 sell, at a future time, any grain or other commodity
24 whatsoever, or any stock or security of any company, where

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

16 (5) knowingly owns or possesses any book, instrument or
17 apparatus by means of which bets or wagers have been, or
18 are, recorded or registered, or knowingly possesses any
19 money which he has received in the course of a bet or
20 wager;

21 (6) knowingly sells pools upon the result of any game
22 or contest of skill or chance, political nomination,
23 appointment or election;

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

1 (8) knowingly sets up or promotes any policy game or
2 sells, offers to sell or knowingly possesses or transfers
3 any policy ticket, slip, record, document or other similar
4 device;

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

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

15 (11) knowingly transmits information as to wagers,
16 betting odds, or changes in betting odds by telephone,
17 telegraph, radio, semaphore or similar means; or knowingly
18 installs or maintains equipment for the transmission or
19 receipt of such information; except that nothing in this
20 subdivision (11) prohibits transmission or receipt of such
21 information for use in news reporting of sporting events or
22 contests; or

23 (12) knowingly establishes, maintains, or operates an
24 Internet site that permits a person to play a game of
25 chance or skill for money or other thing of value by means
26 of the Internet or to make a wager upon the result of any

1 game, contest, political nomination, appointment, or
2 election by means of the Internet. This item (12) does not
3 apply to activities referenced in items (6) and (6.1) of
4 subsection (b) of this Section.

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

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

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

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

17 (4) Manufacture of gambling devices, including the
18 acquisition of essential parts therefor and the assembly
19 thereof, for transportation in interstate or foreign
20 commerce to any place outside this State when such
21 transportation is not prohibited by any applicable Federal
22 law; or the manufacture, distribution, or possession of
23 video gaming terminals, as defined in the Video Gaming Act,
24 by manufacturers, distributors, and terminal operators
25 licensed to do so under the Video Gaming Act.

26 (5) The game commonly known as "bingo", when conducted

1 in accordance with the Bingo License and Tax Act.

2 (6) Lotteries when conducted by the State of Illinois
3 in accordance with the Illinois Lottery Law. This exemption
4 includes any activity conducted by the Department of
5 Revenue to sell lottery tickets pursuant to the provisions
6 of the Illinois Lottery Law and its rules.

7 (6.1) The purchase of lottery tickets through the
8 Internet for a lottery conducted by the State of Illinois
9 under the program established in Section 7.12 of the
10 Illinois Lottery Law.

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

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

18 (9) Charitable games when conducted in accordance with
19 the Charitable Games Act.

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

22 (11) Gambling games conducted on riverboats when
23 authorized by the Riverboat Gambling Act.

24 (12) Video gaming terminal games at a licensed
25 establishment, licensed truck stop establishment, licensed
26 fraternal establishment, or licensed veterans

1 establishment when conducted in accordance with the Video
2 Gaming Act.

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

6 (c) Sentence.

7 Gambling is a Class A misdemeanor. A second or subsequent
8 conviction under subsections (a) (3) through (a) (12), is a Class
9 4 felony.

10 (d) Circumstantial evidence.

11 In prosecutions under this Section circumstantial evidence
12 shall have the same validity and weight as in any criminal
13 prosecution.

14 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09;
15 96-1203, eff. 7-22-10; 97-1108, eff. 1-1-13.)

16 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

17 Sec. 28-1.1. Syndicated gambling.

18 (a) Declaration of Purpose. Recognizing the close
19 relationship between professional gambling and other organized
20 crime, it is declared to be the policy of the legislature to
21 restrain persons from engaging in the business of gambling for
22 profit in this State. This Section shall be liberally construed
23 and administered with a view to carrying out this policy.

24 (b) A person commits syndicated gambling when he or she
25 operates a "policy game" or engages in the business of

1 bookmaking.

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

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

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

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

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

24 (1) Agreements to compensate for loss caused by the
25 happening of chance including without limitation contracts
26 of indemnity or guaranty and life or health or accident

1 insurance;

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

6 (3) Pari-mutuel betting as authorized by law of this
7 State;

8 (4) Manufacture of gambling devices, including the
9 acquisition of essential parts therefor and the assembly
10 thereof, for transportation in interstate or foreign
11 commerce to any place outside this State when the
12 transportation is not prohibited by any applicable Federal
13 law;

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

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

18 (7) Video gaming terminal games at a licensed
19 establishment, licensed truck stop establishment, licensed
20 fraternal establishment, or licensed veterans
21 establishment when conducted in accordance with the Video
22 Gaming Act.

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

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

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.