



Sen. Gary Forby

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1 AMENDMENT TO SENATE BILL 3312

2 AMENDMENT NO. _____. Amend Senate Bill 3312, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

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

8 Sec. 9-7. Records and accounts.

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

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

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

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

1 of the committee;

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

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

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

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

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

18 Section 10. The Raffles Act is amended by changing Sections
19 0.01, 1, 2, 3, 4, 5, 6, and 8 as follows:

20 (230 ILCS 15/0.01) (from Ch. 85, par. 2300)

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

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

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

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

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

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

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

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

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

26 (2) the winning chance is to be determined through a

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

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

7 (230 ILCS 15/2) (from Ch. 85, par. 2302)

8 Sec. 2. Licensing.

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

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

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

1 runs within the corporate limits of such counties. The
2 licensing authority may establish special categories of
3 licenses and adopt rules relating to the various categories.
4 The licensing system shall provide for limitations upon (1) the
5 aggregate retail value of all prizes or merchandise awarded by
6 a licensee in a poker run, (2) the maximum retail value of each
7 prize awarded by a licensee in a poker run, (3) the maximum
8 price that may be charged for each poker run, and (4) the
9 maximum number of days during which poker runs may be
10 conducted. The licensing system may include a fee not to exceed
11 \$25 for each license. Licenses issued pursuant to this Act
12 shall be valid for one poker run or for a specified number of
13 poker runs to be conducted during a specified period not to
14 exceed one year and may be suspended or revoked for any
15 violation of this Act. A local governing body shall act on a
16 license application within 30 days after the date of
17 application.

18 (b) Licenses shall be issued only to bona fide religious,
19 charitable, labor, business, fraternal, educational or
20 veterans' organizations that operate without profit to their
21 members and which have been in existence continuously for a
22 period of 5 years immediately before making application for a
23 license and which have had during that entire 5 year period a
24 bona fide membership engaged in carrying out their objects, or
25 to a non-profit fundraising organization that the licensing
26 authority determines is organized for the sole purpose of

1 providing financial assistance to an identified individual or
2 group of individuals suffering extreme financial hardship as
3 the result of an illness, disability, accident or disaster.

4 For purposes of this Act, the following definitions apply.

5 Non-profit: An organization or institution organized and
6 conducted on a not-for-profit basis with no personal profit
7 inuring to any one as a result of the operation. Charitable: An

8 organization or institution organized and operated to benefit
9 an indefinite number of the public. The service rendered to

10 those eligible for benefits must also confer some benefit on
11 the public. Educational: An organization or institution

12 organized and operated to provide systematic instruction in
13 useful branches of learning by methods common to schools and

14 institutions of learning which compare favorably in their scope
15 and intensity with the course of study presented in

16 tax-supported schools. Religious: Any church, congregation,
17 society, or organization founded for the purpose of religious

18 worship. Fraternal: An organization of persons having a common
19 interest, the primary interest of which is to both promote the

20 welfare of its members and to provide assistance to the general
21 public in such a way as to lessen the burdens of government by

22 caring for those that otherwise would be cared for by the
23 government. Veterans: An organization or association comprised

24 of members of which substantially all are individuals who are
25 veterans or spouses, widows, or widowers of veterans, the

26 primary purpose of which is to promote the welfare of its

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

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

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

17 (230 ILCS 15/3) (from Ch. 85, par. 2303)

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

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

25 (2) The license and application for license must specify

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

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

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

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

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

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

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

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

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

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

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

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

5 (230 ILCS 15/4) (from Ch. 85, par. 2304)

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

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

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

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

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

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

1 (5) Raffle chances may be sold or issued only within
2 the area specified on the license and winning chances may
3 be determined only at those locations specified on the
4 license for a raffle.

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

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

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

19 (230 ILCS 15/5) (from Ch. 85, par. 2305)

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

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

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

10 (230 ILCS 15/6) (from Ch. 85, par. 2306)

11 Sec. 6. Records.†

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

23 (b) Gross receipts from the operation of raffles programs
24 or poker runs shall be segregated from other revenues of the
25 organization, including bingo gross receipts, if bingo games

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

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

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

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

20 (230 ILCS 15/8) (from Ch. 85, par. 2308)

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

25 (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.

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

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

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

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

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

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

1 purpose.

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

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

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

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

19 "Qualified organization" means:

20 (a) a charitable, religious, fraternal, veterans,
21 labor, educational organization, or other institution
22 organized and conducted on a not-for-profit basis with no
23 personal profit inuring to anyone as a result of the
24 operation and which is exempt from federal income taxation
25 under Sections 501(c) (3), 501(c) (4), 501(c) (5), 501(c) (8),
26 501(c) (10) or 501(c) (19) of the Internal Revenue Code;

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

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

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

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

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

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

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

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

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

4 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

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

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

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

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

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

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

24 (5) A person who has been convicted of keeping a place

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

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

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

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

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

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

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

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

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

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

25 (14) Any law enforcing public official, including
26 members of local liquor control commissions, any mayor,

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

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

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

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

1 replaced by any of the aforesaid statutory provisions.

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

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

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

1 of business enterprise licensed as a manufacturer of beer.

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

26 (b) A criminal conviction of a corporation is not grounds

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

13 (Source: P.A. 97-1059, eff. 8-24-12; 97-1150, eff. 1-25-13;
14 98-10, eff. 5-6-13; 98-21, eff. 6-13-13, revised 9-24-13.)

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

17 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

18 Sec. 28-1. Gambling.

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

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

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

1 election;

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

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

24 (5) knowingly owns or possesses any book, instrument or
25 apparatus by means of which bets or wagers have been, or
26 are, recorded or registered, or knowingly possesses any

1 money which he has received in the course of a bet or
2 wager;

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

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

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

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

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

23 (11) knowingly transmits information as to wagers,
24 betting odds, or changes in betting odds by telephone,
25 telegraph, radio, semaphore or similar means; or knowingly
26 installs or maintains equipment for the transmission or

1 receipt of such information; except that nothing in this
2 subdivision (11) prohibits transmission or receipt of such
3 information for use in news reporting of sporting events or
4 contests; or

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

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

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

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

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

25 (4) Manufacture of gambling devices, including the
26 acquisition of essential parts therefor and the assembly

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

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

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

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

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

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

26 (9) Charitable games when conducted in accordance with

1 the Charitable Games Act.

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

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

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

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

14 (c) Sentence.

15 Gambling is a Class A misdemeanor. A second or subsequent
16 conviction under subsections (a) (3) through (a) (12), is a Class
17 4 felony.

18 (d) Circumstantial evidence.

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

22 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09;
23 96-1203, eff. 7-22-10; 97-1108, eff. 1-1-13.)

24 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

25 Sec. 28-1.1. Syndicated gambling.

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

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

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

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

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

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

1 exceed \$2,000. Bookmaking is the receiving or accepting of bets
2 or wagers regardless of the form or manner in which the
3 bookmaker records them.

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

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

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

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

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

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

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

26 (7) Video gaming terminal games at a licensed

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

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

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

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