



Rep. Daniel J. Burke

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1 AMENDMENT TO SENATE BILL 2216

2 AMENDMENT NO. _____. Amend Senate Bill 2216, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Video Gaming Act is amended by changing
6 Sections 5, 25, 30, 45, and 60 as follows:

7 (230 ILCS 40/5)

8 Sec. 5. Definitions. As used in this Act:

9 "Board" means the Illinois Gaming Board.

10 "Credit" means one, 5, 10, or 25 cents either won or
11 purchased by a player.

12 "Distributor" means an individual, partnership,
13 corporation, or limited liability company licensed under this
14 Act to buy, sell, lease, or distribute video gaming terminals
15 or major components or parts of video gaming terminals to or
16 from terminal operators.

1 "Electronic card" means a card purchased from a licensed
2 establishment, licensed fraternal establishment, licensed
3 veterans establishment, or licensed truck stop establishment
4 for use in that establishment as a substitute for cash in the
5 conduct of gaming on a video gaming terminal.

6 "Electronic voucher" means a voucher printed by an
7 electronic video game machine that is redeemable in the
8 licensed establishment for which it was issued.

9 "Terminal operator" means an individual, partnership,
10 corporation, or limited liability company that is licensed
11 under this Act and that owns, services, and maintains video
12 gaming terminals for placement in licensed establishments,
13 licensed truck stop establishments, licensed fraternal
14 establishments, or licensed veterans establishments.

15 "Licensed technician" means an individual who is licensed
16 under this Act to repair, service, and maintain video gaming
17 terminals.

18 "Licensed terminal handler" means a person, including but
19 not limited to an employee or independent contractor working
20 for a manufacturer, distributor, supplier, technician, or
21 terminal operator, who is licensed under this Act to possess or
22 control a video gaming terminal or to have access to the inner
23 workings of a video gaming terminal. A licensed terminal
24 handler does not include an individual, partnership,
25 corporation, or limited liability company defined as a
26 manufacturer, distributor, supplier, technician, or terminal

1 operator under this Act.

2 "Manufacturer" means an individual, partnership,
3 corporation, or limited liability company that is licensed
4 under this Act and that manufactures or assembles video gaming
5 terminals.

6 "Supplier" means an individual, partnership, corporation,
7 or limited liability company that is licensed under this Act to
8 supply major components or parts to video gaming terminals to
9 licensed terminal operators.

10 "Net terminal income" means money put into a video gaming
11 terminal minus credits paid out to players.

12 "Video gaming terminal" means any electronic video game
13 machine that, upon insertion of cash, electronic cards or
14 vouchers, or any combination thereof, is available to play or
15 simulate the play of a video game, including but not limited to
16 video poker, line up, and blackjack, as authorized by the Board
17 utilizing a video display and microprocessors in which the
18 player may receive free games or credits that can be redeemed
19 for cash. The term does not include a machine that directly
20 dispenses coins, cash, or tokens or is for amusement purposes
21 only.

22 "Licensed establishment" means any licensed retail
23 establishment where alcoholic liquor is drawn, poured, mixed,
24 or otherwise served for consumption on the premises, whether
25 the establishment operates on a nonprofit or for-profit basis.

26 "Licensed establishment" includes any such establishment that

1 has a contractual relationship with an inter-track wagering
2 location licensee licensed under the Illinois Horse Racing Act
3 of 1975, provided any contractual relationship shall not
4 include any transfer or offer of revenue from the operation of
5 video gaming under this Act to any licensee licensed under the
6 Illinois Horse Racing Act of 1975. Provided, however, that the
7 licensed establishment that has such a contractual
8 relationship with an inter-track wagering location licensee
9 may not, itself, be (i) an inter-track wagering location
10 licensee, (ii) the corporate parent or subsidiary of any
11 licensee licensed under the Illinois Horse Racing Act of 1975,
12 or (iii) the corporate subsidiary of a corporation that is also
13 the corporate parent or subsidiary of any licensee licensed
14 under the Illinois Horse Racing Act of 1975. "Licensed
15 establishment" does not include a facility operated by an
16 organization licensee, an inter-track wagering licensee, or an
17 inter-track wagering location licensee licensed under the
18 Illinois Horse Racing Act of 1975 or a riverboat licensed under
19 the Riverboat Gambling Act, except as provided in this
20 paragraph. The changes made to this definition by Public Act
21 98-587 are declarative of existing law.

22 "Licensed fraternal establishment" means the location
23 where a qualified fraternal organization that derives its
24 charter from a national fraternal organization regularly
25 meets.

26 "Licensed veterans establishment" means the location where

1 a qualified veterans organization that derives its charter from
2 a national veterans organization regularly meets.

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

13 "Licensed operator/establishment" means an individual,
14 partnership, corporation, or limited liability company that
15 meets the requirements to be licensed under this Act as a
16 terminal operator and that also wholly owns or operates one or
17 more establishments that meet the requirements to be licensed
18 under this Act as a licensed establishment.

19 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;
20 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; 98-756, eff.
21 7-16-14.)

22 (230 ILCS 40/25)

23 Sec. 25. Restriction of licensees.

24 (a) Manufacturer. A person may not be licensed as a
25 manufacturer of a video gaming terminal in Illinois unless the

1 person has a valid manufacturer's license issued under this
2 Act. A manufacturer may only sell video gaming terminals for
3 use in Illinois to persons having a valid distributor's
4 license.

5 (b) Distributor. A person may not sell, distribute, or
6 lease or market a video gaming terminal in Illinois unless the
7 person has a valid distributor's license issued under this Act.
8 A distributor may only sell video gaming terminals for use in
9 Illinois to persons having a valid distributor's or terminal
10 operator's license.

11 (c) Terminal operator.

12 (1) No person may own, maintain, or place a video gaming
13 terminal unless he or she has a valid terminal operator's
14 license issued under this Act. A terminal operator may only
15 place video gaming terminals for use in Illinois in licensed
16 establishments, licensed truck stop establishments, licensed
17 fraternal establishments, and licensed veterans
18 establishments.

19 (2) No terminal operator or employee or agent of any
20 terminal operator may offer, promise, or tender any property or
21 personal advantage to any employee or agent of any licensed
22 establishment, licensed truck stop establishment, licensed
23 fraternal establishment, or licensed veterans establishment
24 with the intent to influence that person with respect to
25 locating or maintaining any video gaming terminal in that
26 establishment.

1 (3) Of the after-tax profits from a video gaming terminal,
2 50% shall be paid to the terminal operator and 50% shall be
3 paid to the licensed establishment, licensed truck stop
4 establishment, licensed fraternal establishment, or licensed
5 veterans establishment, notwithstanding any agreement to the
6 contrary. Terminal operators and licensed establishments may
7 allocate between them costs related to the operation,
8 promotion, and maintenance of video gaming in any manner that
9 they agree on, provided that (i) all such cost sharing
10 arrangements are properly documented and disclosed to the Board
11 in an existing and valid terminal use agreement contract and
12 (ii) the agreement does not violate paragraph (2) of this
13 subsection (c). It is the duty of the licensees to ensure that
14 all books and records regarding cost sharing agreements are up
15 to date and maintained in a manner that is readily accessible
16 and subject to random audit by the Board. The failure to
17 maintain the books and records in a reasonable manner may
18 subject the licensees to disciplinary measures.

19 (4) Any person or entity that violates one or more
20 provisions of this subsection (c) is guilty of a Class 4 felony
21 and is subject to termination of his or her license by the
22 Board. A person may not own, maintain, or place a video gaming
23 terminal unless he has a valid terminal operator's license
24 issued under this Act. A terminal operator may only place video
25 gaming terminals for use in Illinois in licensed
26 establishments, licensed truck stop establishments, licensed

1 ~~fraternal establishments, and licensed veterans~~
2 ~~establishments. No terminal operator may give anything of~~
3 ~~value, including but not limited to a loan or financing~~
4 ~~arrangement, to a licensed establishment, licensed truck stop~~
5 ~~establishment, licensed fraternal establishment, or licensed~~
6 ~~veterans establishment as any incentive or inducement to locate~~
7 ~~video terminals in that establishment. Of the after tax profits~~
8 ~~from a video gaming terminal, 50% shall be paid to the terminal~~
9 ~~operator and 50% shall be paid to the licensed establishment,~~
10 ~~licensed truck stop establishment, licensed fraternal~~
11 ~~establishment, or licensed veterans establishment,~~
12 ~~notwithstanding any agreement to the contrary. A video terminal~~
13 ~~operator that violates one or more requirements of this~~
14 ~~subsection is guilty of a Class 4 felony and is subject to~~
15 ~~termination of his or her license by the Board.~~

16 (d) Licensed technician. A person may not service,
17 maintain, or repair a video gaming terminal in this State
18 unless he or she (1) has a valid technician's license issued
19 under this Act, (2) is a terminal operator, or (3) is employed
20 by a terminal operator, distributor, or manufacturer.

21 (d-5) Licensed terminal handler. No person, including, but
22 not limited to, an employee or independent contractor working
23 for a manufacturer, distributor, supplier, technician, or
24 terminal operator licensed pursuant to this Act, shall have
25 possession or control of a video gaming terminal, or access to
26 the inner workings of a video gaming terminal, unless that

1 person possesses a valid terminal handler's license issued
2 under this Act.

3 (e) Licensed establishment. No video gaming terminal may be
4 placed in any licensed establishment, licensed veterans
5 establishment, licensed truck stop establishment, or licensed
6 fraternal establishment unless the owner or agent of the owner
7 of the licensed establishment, licensed veterans
8 establishment, licensed truck stop establishment, or licensed
9 fraternal establishment has entered into a written use
10 agreement with the terminal operator for placement of the
11 terminals. A copy of the use agreement shall be on file in the
12 terminal operator's place of business and available for
13 inspection by individuals authorized by the Board. The written
14 use agreement requirement of this subsection (e) does not apply
15 to the placement of terminals in an establishment owned or
16 operated by a licensed operator/establishment. A licensed
17 establishment, licensed truck stop establishment, licensed
18 veterans establishment, ~~or~~ licensed fraternal establishment,
19 or an establishment owned or operated by a licensed
20 operator/establishment may operate up to 5 video gaming
21 terminals on its premises at any time.

22 (e-5) Licensed operator/establishment. No individual,
23 partnership, corporation, or limited liability company may
24 perform the functions of a terminal operator at an
25 establishment that the individual, partnership, corporation,
26 or limited liability company owns or operates unless the

1 individual, partnership, corporation, or limited liability
2 company is licensed as an licensed operator/establishment
3 under this Act. An operator/establishment licensee may not act
4 as a terminal operator for establishments other than that for
5 which the operator/establishment is licensed.

6 (f) (Blank).

7 (g) Financial interest restrictions. As used in this Act,
8 "substantial interest" in a partnership, a corporation, an
9 organization, an association, a business, or a limited
10 liability company means:

11 (A) When, with respect to a sole proprietorship, an
12 individual or his or her spouse owns, operates, manages, or
13 conducts, directly or indirectly, the organization,
14 association, or business, or any part thereof; or

15 (B) When, with respect to a partnership, the individual
16 or his or her spouse shares in any of the profits, or
17 potential profits, of the partnership activities; or

18 (C) When, with respect to a corporation, an individual
19 or his or her spouse is an officer or director, or the
20 individual or his or her spouse is a holder, directly or
21 beneficially, of 5% or more of any class of stock of the
22 corporation; or

23 (D) When, with respect to an organization not covered
24 in (A), (B) or (C) above, an individual or his or her
25 spouse is an officer or manages the business affairs, or
26 the individual or his or her spouse is the owner of or

1 otherwise controls 10% or more of the assets of the
2 organization; or

3 (E) When an individual or his or her spouse furnishes
4 5% or more of the capital, whether in cash, goods, or
5 services, for the operation of any business, association,
6 or organization during any calendar year; or

7 (F) When, with respect to a limited liability company,
8 an individual or his or her spouse is a member, or the
9 individual or his or her spouse is a holder, directly or
10 beneficially, of 5% or more of the membership interest of
11 the limited liability company.

12 For purposes of this subsection (g), "individual" includes
13 all individuals or their spouses whose combined interest would
14 qualify as a substantial interest under this subsection (g) and
15 whose activities with respect to an organization, association,
16 or business are so closely aligned or coordinated as to
17 constitute the activities of a single entity.

18 (h) Location restriction. A licensed establishment,
19 licensed truck stop establishment, licensed fraternal
20 establishment, or licensed veterans establishment that is (i)
21 located within 1,000 feet of a facility operated by an
22 organization licensee licensed under the Illinois Horse Racing
23 Act of 1975 or the home dock of a riverboat licensed under the
24 Riverboat Gambling Act or (ii) located within 100 feet of a
25 school or a place of worship under the Religious Corporation
26 Act, is ineligible to operate a video gaming terminal. The

1 location restrictions in this subsection (h) do not apply if
2 (A) a facility operated by an organization licensee, a school,
3 or a place of worship moves to or is established within the
4 restricted area after a licensed establishment, licensed truck
5 stop establishment, licensed fraternal establishment, or
6 licensed veterans establishment becomes licensed under this
7 Act or (B) a school or place of worship moves to or is
8 established within the restricted area after a licensed
9 establishment, licensed truck stop establishment, licensed
10 fraternal establishment, or licensed veterans establishment
11 obtains its original liquor license. For the purpose of this
12 subsection, "school" means an elementary or secondary public
13 school, or an elementary or secondary private school registered
14 with or recognized by the State Board of Education.

15 Notwithstanding the provisions of this subsection (h), the
16 Board may waive the requirement that a licensed establishment,
17 licensed truck stop establishment, licensed fraternal
18 establishment, or licensed veterans establishment not be
19 located within 1,000 feet from a facility operated by an
20 organization licensee licensed under the Illinois Horse Racing
21 Act of 1975 or the home dock of a riverboat licensed under the
22 Riverboat Gambling Act. The Board shall not grant such waiver
23 if there is any common ownership or control, shared business
24 activity, or contractual arrangement of any type between the
25 establishment and the organization licensee or owners licensee
26 of a riverboat. The Board shall adopt rules to implement the

1 provisions of this paragraph.

2 (i) Undue economic concentration. In addition to
3 considering all other requirements under this Act, in deciding
4 whether to approve the operation of video gaming terminals by a
5 terminal operator in a location, the Board shall consider the
6 impact of any economic concentration of such operation of video
7 gaming terminals. The Board shall not allow a terminal operator
8 to operate video gaming terminals if the Board determines such
9 operation will result in undue economic concentration. For
10 purposes of this Section, "undue economic concentration" means
11 that:

12 (1) there is a substantial risk that such approval
13 would allow a terminal operator, individually or in
14 combination with any other operator, location, person, or
15 entity, including, but not limited to, any owner or
16 operator of any location, facility, or property, to operate
17 multiple locations as a single entity or location or as a
18 related group of entities or locations. In order to
19 determine whether such a risk exists, the Board may
20 consider any factor, including, but not limited to:

21 (A) the physical aspects of any facility or
22 facilities;

23 (B) the ownership, control, or management of any
24 facility or facilities;

25 (C) any arrangements, understandings, or
26 agreements, written or otherwise, among or involving

1 any persons or entities that involve the conducting of
2 any video gaming business or the sharing of costs or
3 revenue; and

4 (D) the manner in which any terminal operator or
5 other related entity markets, advertises, or otherwise
6 describes any location or locations to any other person
7 or entity or to the public; and

8 (2) a terminal operator would have such actual or
9 potential influence over video gaming terminals in
10 Illinois as to: a terminal operator would have such actual
11 or potential influence over video gaming terminals in
12 Illinois as to:

13 (A) ~~(1)~~ substantially impede or suppress
14 competition among terminal operators;

15 (B) ~~(2)~~ adversely impact the economic stability of
16 the video gaming industry in Illinois; or

17 (C) ~~(3)~~ negatively impact the purposes of the Video
18 Gaming Act.

19 The Board shall adopt rules concerning undue economic
20 concentration with respect to the operation of video gaming
21 terminals in Illinois. The rules shall include, but not be
22 limited to, (i) limitations on the number of video gaming
23 terminals operated by any terminal operator within a defined
24 geographic radius and (ii) guidelines on the discontinuation of
25 operation of any such video gaming terminals the Board
26 determines will cause undue economic concentration.

1 (j) The provisions of the Illinois Antitrust Act are fully
2 and equally applicable to the activities of any licensee under
3 this Act.

4 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77,
5 eff. 7-15-13; 98-112, eff. 7-26-13; 98-756, eff. 7-16-14.)

6 (230 ILCS 40/30)

7 Sec. 30. Multiple types of licenses prohibited. A video
8 gaming terminal manufacturer may not be licensed as a video
9 gaming terminal operator or own, manage, or control a licensed
10 establishment, licensed truck stop establishment, licensed
11 fraternal establishment, or licensed veterans establishment,
12 and shall be licensed to sell only to persons having a valid
13 distributor's license or, if the manufacturer also holds a
14 valid distributor's license, to sell, distribute, lease, or
15 market to persons having a valid terminal operator's license. A
16 video gaming terminal distributor may not be licensed as a
17 video gaming terminal operator or own, manage, or control a
18 licensed establishment, licensed truck stop establishment,
19 licensed fraternal establishment, or licensed veterans
20 establishment, and shall only contract with a licensed terminal
21 operator. A video gaming terminal operator may not be licensed
22 as a video gaming terminal manufacturer or distributor or own,
23 manage, or control a licensed establishment, licensed truck
24 stop establishment, licensed fraternal establishment, or
25 licensed veterans establishment, and shall be licensed only to

1 contract with licensed distributors and licensed
2 establishments, licensed truck stop establishments, licensed
3 fraternal establishments, and licensed veterans
4 establishments. An owner or manager of a licensed
5 establishment, licensed truck stop establishment, licensed
6 fraternal establishment, or licensed veterans establishment
7 may not be licensed as a video gaming terminal manufacturer,
8 distributor, or operator, and shall only contract with a
9 licensed operator to place and service this equipment. A
10 terminal operator or a licensed establishment may also be
11 licensed as a licensed operator/establishment. A licensed
12 operator/establishment may not be licensed as a video gaming
13 terminal manufacturer or distributor.

14 (Source: P.A. 96-34, eff. 7-13-09; 96-1410, eff. 7-30-10.)

15 (230 ILCS 40/45)

16 Sec. 45. Issuance of license.

17 (a) The burden is upon each applicant to demonstrate his
18 suitability for licensure. Each video gaming terminal
19 manufacturer, distributor, supplier, operator, handler,
20 licensed establishment, licensed truck stop establishment,
21 licensed fraternal establishment, and licensed veterans
22 establishment shall be licensed by the Board. The Board may
23 issue or deny a license under this Act to any person pursuant
24 to the same criteria set forth in Section 9 of the Riverboat
25 Gambling Act.

1 (a-5) The Board shall not grant a license to a person who
2 has facilitated, enabled, or participated in the use of
3 coin-operated devices for gambling purposes or who is under the
4 significant influence or control of such a person. For the
5 purposes of this Act, "facilitated, enabled, or participated in
6 the use of coin-operated amusement devices for gambling
7 purposes" means that the person has been convicted of any
8 violation of Article 28 of the Criminal Code of 1961 or the
9 Criminal Code of 2012. If there is pending legal action against
10 a person for any such violation, then the Board shall delay the
11 licensure of that person until the legal action is resolved.

12 (b) Each person seeking and possessing a license as a video
13 gaming terminal manufacturer, distributor, supplier, operator,
14 handler, licensed establishment, licensed truck stop
15 establishment, licensed fraternal establishment, or licensed
16 veterans establishment shall submit to a background
17 investigation conducted by the Board with the assistance of the
18 State Police or other law enforcement. To the extent that the
19 corporate structure of the applicant allows, the background
20 investigation shall include any or all of the following as the
21 Board deems appropriate or as provided by rule for each
22 category of licensure: (i) each beneficiary of a trust, (ii)
23 each partner of a partnership, (iii) each member of a limited
24 liability company, (iv) each director and officer of a publicly
25 or non-publicly held corporation, (v) each stockholder of a
26 non-publicly held corporation, (vi) each stockholder of 5% or

1 more of a publicly held corporation, or (vii) each stockholder
2 of 5% or more in a parent or subsidiary corporation.

3 (c) Each person seeking and possessing a license as a video
4 gaming terminal manufacturer, distributor, supplier, operator,
5 handler, licensed establishment, licensed truck stop
6 establishment, licensed fraternal establishment, or licensed
7 veterans establishment shall disclose the identity of every
8 person, association, trust, corporation, or limited liability
9 company having a greater than 1% direct or indirect pecuniary
10 interest in the video gaming terminal operation for which the
11 license is sought. If the disclosed entity is a trust, the
12 application shall disclose the names and addresses of the
13 beneficiaries; if a corporation, the names and addresses of all
14 stockholders and directors; if a limited liability company, the
15 names and addresses of all members; or if a partnership, the
16 names and addresses of all partners, both general and limited.

17 (d) No person may be licensed as a video gaming terminal
18 manufacturer, distributor, supplier, operator, handler,
19 licensed establishment, licensed truck stop establishment,
20 licensed fraternal establishment, or licensed veterans
21 establishment if that person has been found by the Board to:

22 (1) have a background, including a criminal record,
23 reputation, habits, social or business associations, or
24 prior activities that pose a threat to the public interests
25 of the State or to the security and integrity of video
26 gaming;

1 (2) create or enhance the dangers of unsuitable,
2 unfair, or illegal practices, methods, and activities in
3 the conduct of video gaming; or

4 (3) present questionable business practices and
5 financial arrangements incidental to the conduct of video
6 gaming activities.

7 (e) Any applicant for any license under this Act has the
8 burden of proving his or her qualifications to the satisfaction
9 of the Board. The Board may adopt rules to establish additional
10 qualifications and requirements to preserve the integrity and
11 security of video gaming in this State.

12 (f) A non-refundable application fee shall be paid at the
13 time an application for a license is filed with the Board in
14 the following amounts:

- 15 (1) Manufacturer \$5,000
- 16 (2) Distributor..... \$5,000
- 17 (3) Terminal operator..... \$5,000
- 18 (4) Supplier \$2,500
- 19 (5) Technician \$100
- 20 (6) Terminal Handler \$50
- 21 (7) Operator/Establishment \$50,000

22 (g) The Board shall establish an annual fee for each
23 license not to exceed the following:

- 24 (1) Manufacturer \$10,000
- 25 (2) Distributor..... \$10,000
- 26 (3) Terminal operator..... \$5,000

- 1 (4) Supplier \$2,000
- 2 (5) Technician \$100
- 3 (6) Licensed establishment, licensed truck stop
- 4 establishment, licensed fraternal establishment,
- 5 or licensed veterans establishment \$100
- 6 (7) Video gaming terminal..... \$100
- 7 (8) Terminal Handler \$50
- 8 (9) Operator/Establishment \$250,000

9 (h) A terminal operator and a licensed establishment,
 10 licensed truck stop establishment, licensed fraternal
 11 establishment, or licensed veterans establishment shall
 12 equally split the fees specified in item (7) of subsection (g).
 13 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;
 14 98-587, eff. 8-27-13; 98-756, eff. 7-16-14.)

15 (230 ILCS 40/60)

16 Sec. 60. Imposition and distribution of tax.

17 (a) A tax of 30% is imposed on net terminal income and
 18 shall be collected by the Board.

19 (a-5) In addition to the tax imposed under subsection (a)
 20 of this Section, an additional tax of 2.5% is imposed on net
 21 terminal income from video gaming terminals operated by a
 22 licensed operator/establishment and shall be collected by the
 23 Board.

24 (b) Of the tax collected under subsection (a) of this
 25 Section, five-sixths shall be deposited into the Capital

1 Projects Fund and one-sixth shall be deposited into the Local
2 Government Video Gaming Distributive Fund. The tax collected
3 under subsection (a-5) of this Section shall be deposited into
4 the Capital Projects Fund.

5 (c) Revenues generated from the play of video gaming
6 terminals shall be deposited by the terminal operator, who is
7 responsible for tax payments, in a specially created, separate
8 bank account maintained by the video gaming terminal operator
9 to allow for electronic fund transfers of moneys for tax
10 payment.

11 (d) Each licensed establishment, licensed truck stop
12 establishment, licensed fraternal establishment, and licensed
13 veterans establishment shall maintain an adequate video gaming
14 fund, with the amount to be determined by the Board.

15 (e) The State's percentage of net terminal income shall be
16 reported and remitted to the Board within 15 days after the
17 15th day of each month and within 15 days after the end of each
18 month by the video terminal operator. A video terminal operator
19 who falsely reports or fails to report the amount due required
20 by this Section is guilty of a Class 4 felony and is subject to
21 termination of his or her license by the Board. Each video
22 terminal operator shall keep a record of net terminal income in
23 such form as the Board may require. All payments not remitted
24 when due shall be paid together with a penalty assessment on
25 the unpaid balance at a rate of 1.5% per month.

26 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)"