

1 AN ACT in relation to gambling.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 ARTICLE 1. INTENT

5 Section 1-1. Short title. This Act may be cited as the
6 Omnibus Charitable Gaming Act.

7 Section 1-5. Legislative findings and intent.

8 (a) The General Assembly finds the following:

9 (1) Not-for-profit charitable organizations provide
10 important and necessary services to the people of the
11 State of Illinois with respect to educational and social
12 services.

13 (2) There is a need to provide methods of fund
14 raising to such not-for-profit organizations to enable
15 them to meet their stated charitable and social purposes.

16 (3) Uniform regulation for the conduct of
17 standardized games of chance is in the best interests of
18 not-for-profit organizations and the people of the State
19 of Illinois.

20 (4) Authorization for such not-for-profit
21 organizations to conduct charitable games as provided in
22 this Act is in the best interests of and will benefit the
23 people of the State of Illinois.

24 (b) It is the purpose and intent of this Act to do the
25 following:

26 (1) Permit not-for-profit organizations to conduct
27 charitable games only in compliance with the provisions
28 of this Act.

29 (2) Reaffirm that gambling in Illinois, unless
30 specifically authorized, is not to be allowed.

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ARTICLE 5. DEFINITIONS

Section 5-5. Definitions. As used in this Act:

"Act" means the Omnibus Charitable Gaming Act.

"Adjusted gross proceeds" means gross proceeds less cash prizes.

"Bingo" means a game where each player has a face or board for which a consideration has been paid containing 5 horizontal rows of spaces, with each row except the central one containing 5 figures. The central row has 4 figures with the word "free" marked in the center space thereof. Bingo also includes games that are as described in this definition including the use of faces where the figures are not preprinted but are filled in by the players. A player wins a game of bingo by completing a preannounced combination of spaces or, in the absence of a preannouncement of a combination of spaces, any combination of 5 spaces in a row, either vertical, horizontal, or diagonal.

"Bingo game" means a game that consists of the calling of numbers or letters or combination of numbers and letters, one at a time without replacement, until one or more winners are determined by the completion of one or more predetermined patterns of numbers or letters or combination of numbers and letters on a bingo face.

"Charitable games" means the games licensed for play under this Act, including bingo, event games, pull tabs, jar ticket games, and tipboards, and the games authorized to be played at Las Vegas Nights events.

"Charitable organization" means an organization or institution that is organized and operated to benefit an indefinite number of the public. In order to benefit the general public, an organization must contribute a minimum of 5% per year of the organization's adjusted gross proceeds from charitable games to benefit the general public.

1 "Deal" means, for purposes of pull tabs, jar ticket
2 games, and tipboards, a separate package, series of packages,
3 card, or tipboard consisting of one game of tickets with the
4 same serial number, purchased from a licensed manufacturer or
5 supplier.

6 "Department" means the Illinois Department of Revenue.

7 "Educational organization" means a not-for-profit
8 organization or institution organized and operated to provide
9 systematic instruction in useful branches of learning by
10 methods common to schools and institutions of learning which
11 compare favorably in their scope and intensity with the
12 course of study presented in tax-supported schools.

13 "Electronic bingo cardminding device" means a device that
14 electronically stores predetermined bingo faces, provides a
15 means for players to input numbers or symbols called by the
16 operator, compares the numbers or symbols input by the player
17 to bingo faces previously stored in an electronic data base,
18 and identifies to the player those stored bingo faces that
19 contain the numbers or symbols input by the player.

20 "Electronic gaming device" means any mechanical,
21 electrical device or machine that, upon payment of
22 consideration, including money, chips, scrip, or play money,
23 is available to play or operate, operation of which, whether
24 by reason of the skill of the operator, or application of the
25 element of chance, or both, may deliver or entitle the person
26 playing or operating the machine to receive money, premiums,
27 merchandise, tokens, redeemable game credits or anything of
28 value other than unredeemable free games whether the payoff
29 is made automatically from the machine or in any other
30 manner. "Electronic gaming device" does not include a
31 machine that dispenses pull tabs or jar game tickets or cards
32 or an electronic bingo cardminding device.

33 "Event game" means a game, excluding bingo, keno,
34 roulette, and poker, where the winner or winners have not

1 been designated in advance by the manufacturer, but rather
2 determined solely by an element of chance not contingent upon
3 the participation in bingo. Blowers, cages, wheels, decks of
4 cards, seal cards, and numeral paper are permitted for use in
5 determining the winning ticket, number, or symbol
6 combinations. Event games shall only be conducted during a
7 licensed organization's own bingo session.

8 "Face value", for purposes of pull tabs, jar ticket
9 games, and tipboards, means the price per pull tab or jar
10 ticket printed on such ticket or flare or both.

11 "Flare" means the posted display setting forth the rules
12 of a particular game of pull tabs, jar ticket games, and
13 tipboards and that is associated with a specific deal of pull
14 tabs, jar ticket games, and tipboards.

15 "Fraternal organization" means a civic, service, or
16 charitable organization in this State, except a college or
17 high school fraternity or sorority, not for pecuniary profit,
18 that is a branch, lodge, or chapter of a national or State
19 organization and that is organized and operated for the
20 common business, brotherhood, or other interest of its
21 members and to benefit the general public on a continuing and
22 consistent basis. In order to benefit the general public on
23 a continuing and consistent basis, such organization must
24 contribute a minimum of 5% per year of the organization's
25 adjusted gross proceeds from charitable games to benefit the
26 general public.

27 "Gross proceeds", for purposes of pull tabs, jar ticket
28 games, and tipboards, means the total receipts, in any form,
29 from the sale of pull tabs, jar ticket games, and tipboards.

30 "Gross proceeds", for purposes of bingo, means the total
31 receipts, in any form, from the sale of bingo faces.

32 "Gross proceeds", for purposes of Las Vegas Nights
33 events, means all chips, scrip, or other form of play money
34 purchased or any fee or donation for admission or entry into

1 such games. If a licensed organization conducts games for a
2 corporate sponsor as provided in Section 30-5, "gross
3 proceeds" shall include the amount paid to the licensed
4 organization for conducting such games as provided by
5 Department rule.

6 "Ideal net proceeds", for purposes of pull tabs, jar
7 ticket games, and tipboards, means the total amount of
8 receipts that would be received if every individual ticket in
9 the pull tab or jar ticket game or tipboard deal was sold at
10 its face value, less cash prizes.

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

16 "Las Vegas Nights games" means and is limited to the
17 following games: (1) roulette; (2) blackjack; (3) craps; (4)
18 bang; (5) beat the dealer; (6) poker; (7) chuck-a-luck; and
19 (8) wheel games. Las Vegas Nights games do not include any
20 of the games listed items in (1) through (8) when played on
21 an electronic gaming device, except as authorized by
22 Department rule.

23 "License term" means the 3-year period for which a
24 license is valid under this Act.

25 "Licensed organization" means any organization holding a
26 valid license from the Department to conduct charitable
27 games.

28 "Licensee" may refer to any of the various persons
29 holding a license under this Act, including organizations
30 licensed to conduct charitable games or suppliers,
31 manufacturers, or providers licensed under this Act.

32 "Non-profit organization" means an organization or
33 institution organized and conducted on a not-for-profit basis
34 with no personal profit inuring to any person as a result of

1 the operation.

2 "Organization" means a corporation, limited liability
3 company, agency, partnership, association, firm, or other
4 entity consisting of 2 or more persons joined by a common
5 interest or purpose.

6 "Participation in the operation and management of
7 charitable games", for purposes of Las Vegas Nights events,
8 means, but is not limited to, (1) selling admission tickets
9 at the event; (2) selling or redeeming or in any way
10 assisting in the selling or redeeming of chips; or (3)
11 participating in the conducting of any games played at the
12 event or acting as a supervisor or pit boss of a person
13 conducting the games. Conducting a game includes, but is not
14 limited to, dealing cards in poker or other card games,
15 spinning a wheel, turning the chuck-a-luck cage, or acting as
16 a croupier. Participation in the management or operation of
17 games also includes persons who, at any time during the hours
18 of a Las Vegas Nights event, count or handle or supervise
19 anyone who counts or handles any of the proceeds or chips at
20 the event. A person who is present to ensure that the games
21 are being conducted in conformance with the rules established
22 by the licensed organization is considered to be
23 participating in the management or operation of the games.
24 Setting up, cleaning up, selling food and drink, and
25 providing security either for persons or property at events
26 (other than for the Las Vegas Nights equipment and money,
27 chips, or scrip used in the conducting of Las Vegas Nights
28 games), do not constitute, in and of themselves,
29 participation in the management and operation of the games.

30 "Participation in the operation and management of
31 charitable games", for purposes of bingo and pull tabs, jar
32 ticket games, and tipboards, includes, but is not limited to,
33 selling bingo faces, drawing and announcing bingo numbers and
34 winners, and selling pull tabs, jar ticket games, and

1 tipboards tickets. Setting up, cleaning up, selling food and
2 drink, and providing security either for persons or property
3 at games, do not constitute, in and of themselves,
4 participation in the management and operation of the games.

5 "Person" means and includes an individual, a trust,
6 estate, partnership, association, firm, company, corporation,
7 limited liability company, fiduciary, or any natural
8 individual. It specifically includes an officer, agent, or
9 employee of a corporation, a member, agent, or employee of a
10 partnership, or a member, manager, employee, officer,
11 director, or agent of a limited liability company.

12 "Progressive event game" means an event game in which a
13 prize value not won during one session of bingo of a licensed
14 organization is carried over and added to the jackpot value
15 of a subsequent session of that same licensed organization
16 until won.

17 "Pull tabs, jar ticket games, and tipboards" means a game
18 using a folded and banded ticket or a multi-ply card with a
19 perforated break-open tab or tabs, made completely of paper
20 or paper products, the face of which is initially covered or
21 otherwise hidden from view in order to conceal a number,
22 symbol or set of symbols, some of which are winners. Each
23 winning pull tab, card or ticket shall be predetermined.
24 Players with winning cards or tickets receive a prize stated
25 on the game's flare. "Pull tabs, jar ticket games, and
26 tipboards" also means a game in which prizes are won by
27 pulling a tab, card, or ticket from a board thereby revealing
28 a number that corresponds to the number for a given prize.

29 "Pull tabs, jar ticket games, and tipboards" does not
30 include the following: numbers, policy, bolita or similar
31 games, dice, slot machines, bookmaking and wagering pools
32 with respect to a sporting event, or that game commonly known
33 as punch boards, or any other game or activity not expressly
34 defined in this Section.

1 "Qualified persons" means the persons who are reported to
2 the Department by a licensed organization as members,
3 employees, or volunteers of the licensed organization who
4 will participate in the management and operation of
5 charitable games.

6 "Qualified organization" means a bona fide charitable,
7 religious, fraternal, veterans', labor, educational, youth
8 athletic, or senior citizens' organization or institution
9 organized and conducted on a not-for-profit basis with no
10 personal profit inuring to anyone as a result of the
11 operation. It also includes a veterans' organization as
12 defined in this Act, organized and operated on a
13 not-for-profit basis with no personal profit inuring to any
14 person as a result of the operation, and an auxiliary
15 organization of a veterans' organization.

16 "Religious organization" means any church, congregation,
17 society, or organization founded for the purpose of religious
18 worship.

19 "Senior citizens' organization" means an organization or
20 association comprised of members of which substantially all
21 are individuals who are senior citizens, as defined in the
22 Illinois Act on the Aging, the primary purpose of which is to
23 promote the welfare of its members.

24 "Sponsoring organization" means a qualified organization
25 that has obtained a license to conduct charitable games in
26 conformance with this Act.

27 "Tipboard" means a board, placard, or other device
28 containing a seal that conceals the winning number or symbol
29 and that serves as the game flare for a tipboard game.

30 "Veterans' organization" means an organization comprised
31 of members of which substantially all are individuals who are
32 veterans or spouses, widows, or widowers of veterans, the
33 primary purpose of which is to promote the welfare of its
34 members and to provide assistance to the general public in

1 such a way as to confer a public benefit. In order to
2 benefit the general public, such organization must contribute
3 a minimum of 5% per year of the organization's adjusted gross
4 proceeds from charitable games to benefit the general public.

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

9 "Youth athletic organization" means an organization
10 having as its exclusive purpose the promotion and provision
11 of athletic activities for youth aged 18 and under.

12 ARTICLE 10. LICENSES

13 Section 10-5. Pull tabs license.

14 (a) The Department of Revenue, upon application made and
15 filed under penalty of perjury on forms prescribed by the
16 Department and upon the payment of a license fee of \$1,500,
17 and upon a determination by the Department that the applicant
18 meets all of the qualifications specified in this Section,
19 shall issue a license to conduct pull tabs, jar ticket games,
20 and tipboards. If the entire fee is not submitted at the
21 time of application, it may be paid in accordance with a
22 payment schedule established by rule by the Department. If
23 the license is surrendered, the license fee shall be refunded
24 only in yearly installments of the license term. The
25 Department is authorized to issue a license to conduct pull
26 tabs, jar ticket games, and tipboards to any of the
27 following:

28 (1) Any local fraternal mutual benefit organization
29 chartered at least 40 years before it applies for a
30 license under this Act.

31 (2) Any qualified organization organized in
32 Illinois that operates without profit to its members,

1 that has been in existence in Illinois continuously for a
2 period of 3 years immediately before making application
3 for a license, and that has had during that 3-year period
4 a bona fide membership engaged in carrying out its
5 objects. However, the 3-year requirement shall be
6 reduced to 2 years, as applied to a local organization
7 that is affiliated with and chartered by a national
8 organization that meets the 3-year requirement. The
9 period of existence specified in this paragraph (2) shall
10 not apply to a qualified organization, organized for
11 charitable purpose, created by a fraternal organization
12 that meets the existence requirements if the charitable
13 organization has the same officers and directors as the
14 fraternal organization. Only one charitable organization
15 created by a branch, lodge, or chapter of a fraternal
16 organization may be licensed under this provision.

17 Each license shall be in effect for 3 years from its date
18 of issuance, unless suspended or revoked by Department action
19 before that date. A licensee may hold only one license to
20 conduct pull tabs, jar ticket games, and tipboards, which is
21 valid only for the locations specified on the license. If a
22 licensee wishes to conduct pull tabs, jar ticket games, and
23 tipboards at a location other than the locations originally
24 specified on the license or if the licensee wishes to change
25 established event dates or times, the licensee shall notify
26 the Department in writing of the proposed alternate location
27 or alternate dates or times at least 20 days in advance of
28 the rescheduled event and shall obtain a license for the
29 alternate location or alternate dates or times before
30 conducting the rescheduled event. Any change to a license,
31 including a change in date, time, or location or any addition
32 of a date, time, or location is subject to a \$25
33 nonrefundable amendment fee.

34 (b) The Department may, upon written request signed by

1 an officer of the applicant organization, issue a special
2 permit to a licensed organization to sell pull tabs or jar
3 ticket games for no more than 7 consecutive days, except that
4 a licensee may sell pull tabs or jar ticket games at the
5 Illinois State Fair or any county fair held in Illinois
6 during each day that the fair is in effect. Pull tabs or jar
7 ticket games sold at the Illinois State Fair or a county fair
8 shall require a fair permit. A special permit shall be
9 displayed at the site of any pull tabs or jar ticket games
10 authorized by such permit. No more than 4 special permits
11 may be issued to any one organization during the pendency of
12 each 12-month period of the organization's regular license
13 term.

14 (c) For purposes of a pull tabs, jar ticket games, and
15 tipboards license, any organization qualified for a license
16 but not holding one may, upon application signed under
17 penalty of perjury and upon payment of a license fee of \$150,
18 receive a limited license to conduct pull tabs or jar ticket
19 games at no more than 4 indoor or outdoor festivals during
20 each 12-month period of the license term for a maximum of 5
21 days on each occasion. If the license is surrendered, the
22 license fee shall be refunded only in yearly installments of
23 the license term. Such limited license shall be prominently
24 displayed at the site of the pull tabs or jar ticket games.

25 (d) The Department shall license suppliers and
26 manufacturers of pull tabs, jar ticket games, and tipboards
27 for a license fee of \$15,000. If the entire fee is not
28 submitted at the time of application, it may be paid in
29 accordance with a payment schedule established by rule by the
30 Department. If the license is surrendered, the license fee
31 shall be refunded only in yearly installments of the license
32 term. Each license shall be in effect for 3 years from its
33 date of issuance, unless suspended or revoked by Department
34 action before that date. License applications shall contain

1 the information required by Department rule and shall be
2 signed by the applicant under penalty of perjury. Suppliers
3 and manufacturers may meet the requirements and
4 qualifications established by Department rule. Licensed
5 manufacturers may sell pull tabs, jar ticket games, and
6 tipboards only to licensed suppliers. Licensed suppliers may
7 buy pull tabs, jar ticket games, and tipboards only from
8 licensed manufacturers and may sell pull tabs, jar ticket
9 games, and tipboards only to licensed organizations. Licensed
10 organizations may buy pull tabs, jar ticket games, and
11 tipboards only from licensed suppliers. When a licensed
12 organization buys pull tabs, jar ticket games, and tipboards
13 from a licensed supplier, the licensed organization shall pay
14 the supplier cash on delivery. On and after January 1, 2005,
15 a person holding a pull tabs, jar ticket games, and tipboards
16 manufacturer's license shall be ineligible to hold a pull
17 tabs, jar ticket games, and tipboards supplier's license. On
18 and after January 1, 2005, a person holding a pull tabs, jar
19 ticket games, and tipboards supplier's license shall be
20 ineligible to hold a pull tabs, jar ticket games, and
21 tipboards manufacturer's license.

22 (e) The Department shall adopt by rule minimum quality
23 production standards for pull tabs, jar ticket games, and
24 tipboards. In determining such standards, the Department
25 shall consider the standards adopted by the North American
26 Gaming Regulators Association and the National Association of
27 Fundraising Ticket Manufacturers. No pull tabs, jar ticket
28 games, and tipboards shall be sold in this State unless they
29 conform to the following standards:

30 (1) Each pull tab ticket, jar game ticket, or
31 tipboard ticket sold shall contain the following minimum
32 information:

33 (A) For tickets measuring less than 1 1/4 inch
34 by 2 1/4 inch, each ticket shall contain the name of

1 the manufacturer (or its Department-registered
2 distinctive logo) and the game serial number.

3 (B) For tickets measuring 1 1/4 inch by 2 1/4
4 inch or more, each ticket shall contain the name of
5 the manufacturer (or its Department-registered
6 distinctive logo), the name of the game, the game
7 form number, the price of the ticket, the game
8 serial number, and the number of winners and
9 respective winning numbers or symbols and the prize
10 amounts.

11 (2) All imprinting of pull tab tickets, jar game
12 tickets, and tipboard tickets must be performed at the
13 manufacturer's premises. Manufacturers or suppliers may
14 not sell pull tab tickets, jar game tickets, or tipboard
15 tickets to any person in Illinois unless the tickets are
16 imprinted as provided for in this Section. Sales of
17 unmarked pull tab tickets or jar game tickets or tipboard
18 tickets by any person in Illinois constitutes a violation
19 of this Act. Each pull tab flare, jar ticket game flare,
20 and tipboard shall be imprinted or affixed by the
21 manufacturer with a State of Illinois logo containing the
22 initials "IL" that has been approved by the Department
23 and with a bar code that provides the following:

- 24 (i) The form number;
- 25 (ii) The serial number of the game; and
- 26 (iii) The name of the manufacturer.

27 (3) Affixed to each pull tabs package, jar games
28 bag, or tipboard that constitutes a deal shall also be a
29 bar code with the information required in items (i),
30 (ii), and (iii) of paragraph (2), which is capable of
31 being removed and attached to the informational report
32 required by Section 35-5(c) of this Act.

33 (4) The serial number included in the bar code must
34 be the same as the serial number of the tickets or cards

1 included in the deal. A manufacturer who manufactures a
2 deal of pull tab tickets, jar game tickets, or tipboard
3 tickets must affix to the outside of the container or
4 wrapper containing that game the same bar code that is
5 imprinted or affixed at the bottom of the flare for that
6 deal.

7 (f) No person may alter the bar code or State of
8 Illinois logo that appears on the outside of the container or
9 wrapper containing a deal of pull tab tickets, jar game
10 tickets, or tipboard tickets. Possession of a container or
11 wrapper containing a deal of pull tab tickets, jar game
12 tickets, or tipboard tickets that has a bar code different
13 from the bar code of the deal inside the container or wrapper
14 shall be reported in writing to the Department by the
15 possessor within 10 days of discovery.

16 (g) A sample of pull tabs, jar ticket games, and
17 tipboards proposed for production and sale by licensed
18 manufacturers must be submitted to the Department prior to
19 sale for approval. The Department shall approve or deny such
20 sales of pull tabs, jar ticket games, and tipboards within 30
21 days of submission. The Department shall establish by rule
22 standards for the submission of and approval of such games.
23 The sale or use or possession of unapproved pull tabs, jar
24 ticket games or tipboards constitutes a violation of this
25 Act. Any pull tabs, jar ticket games, and tipboards
26 trademarked or copyrighted and available for sale in Illinois
27 before the effective date of this amendatory Act of the 91st
28 General Assembly need not be submitted to the Department for
29 such approval.

30 (h) No employee, owner, or officer of a supplier or
31 manufacturer may participate in the management or operation
32 of pull tabs or jar ticket games, even if the employee, owner
33 or officer is also a member, volunteer, or employee of the
34 organization licensed to sell pull tabs, jar ticket games,

1 and tipboards tickets. Suppliers and manufacturers may not
2 promote or solicit pull tabs, jar ticket games, and tipboards
3 on behalf of a licensed organization or organization that is
4 eligible to receive a license.

5 (i) The Department of Revenue shall adopt rules
6 necessary to provide for the proper accounting and control of
7 activities under this Act and to prevent illegal activity
8 associated with the use of pull tabs, jar ticket games, and
9 tipboards.

10 (j) License fees paid to the Department under this
11 Section shall be deposited as follows:

12 (1) 50% shall be deposited in the Common School
13 Fund; and

14 (2) 50% shall be deposited in the Illinois Gaming
15 Law Enforcement Fund. Of the moneys deposited in the
16 Illinois Gaming Law Enforcement Fund under this Section,
17 the General Assembly shall appropriate two-thirds to the
18 Department of Revenue, Department of State Police, and
19 the Office of the Attorney General for State law
20 enforcement purposes, and one-third shall be appropriated
21 to the Department of Revenue for the purpose of
22 distribution in the form of grants to counties or
23 municipalities for law enforcement purposes. The amounts
24 of grants to counties or municipalities shall bear the
25 same ratio as the number of licenses issued in counties
26 or municipalities bears to the total number of licenses
27 issued in the State. In computing the number of licenses
28 issued in a county, licenses issued for locations within
29 a municipality's boundaries shall be excluded.

30 Section 10-10. Bingo license.

31 (a) The Department of Revenue, upon application made and
32 filed under penalty of perjury on forms prescribed by the
33 Department, and upon the payment of a license fee of \$600,

1 and upon a determination by the Department that the applicant
2 meets all of the qualifications specified in this Section,
3 shall issue a license for the conducting of bingo and event
4 games. If the entire fee is not submitted at the time of
5 application, it may be paid in accordance with a payment
6 schedule established by rule by the Department. If the
7 license is surrendered, the license fee shall be refunded
8 only in yearly installments of the license term. The
9 Department is authorized to issue a license to conduct bingo
10 to any of the following:

11 (1) Any local fraternal mutual benefit organization
12 chartered at least 40 years before it applies for a
13 license under this Act.

14 (2) Any qualified organization organized in
15 Illinois that operates without profit to its members,
16 that been in existence in Illinois continuously for a
17 period of 3 years immediately before making application
18 for a license, and that has had during that 3-year period
19 a bona fide membership engaged in carrying out its
20 objects. However, the 3-year requirement shall be
21 reduced to 2 years, as applied to a local organization
22 that is affiliated with and chartered by a national
23 organization which meets the 3-year requirement. The
24 period of existence specified in this paragraph (2) shall
25 not apply to a qualified organization, organized for
26 charitable purpose, created by a fraternal organization
27 that meets the existence requirements if the charitable
28 organization has the same officers and directors as the
29 fraternal organization. Only one charitable organization
30 created by a branch, lodge, or chapter of a fraternal
31 organization may be licensed under this provision.

32 Each license shall be in effect for 3 years from its date
33 of issuance unless suspended or revoked by Department action
34 before that date. A licensee may hold only one license to

1 conduct bingo and that license shall be valid only for the
2 location, dates, and times specified on the license. If a
3 licensee wishes to conduct bingo at a location other than the
4 location originally specified in the license or if the
5 licensee wishes to change established event dates or times,
6 the licensee shall notify the Department in writing of the
7 proposed alternate location or alternate dates or times at
8 least 20 days in advance of the rescheduled event and shall
9 obtain a license for the alternate location or alternate
10 dates or times before conducting the rescheduled event. Any
11 change to a license, including a change in date, time, or
12 location, or any addition of a date, time, or location is
13 subject to a \$25 nonrefundable amendment fee.

14 (b) The Department may, upon written request signed by
15 an officer of the applicant organization, issue a special
16 permit for conducting bingo and on other days not exceeding 7
17 consecutive days, except that a licensee may conduct bingo at
18 the Illinois State Fair or any county fair held in Illinois
19 during each day that the fair is in effect. Bingo games
20 conducted at the Illinois State Fair or a county fair shall
21 require a fair permit. No more than 4 special permits may be
22 issued to any one organization per each 12-month period of
23 the license term.

24 (c) Any organization qualified for a license but not
25 holding one, upon application made under penalty of perjury
26 on forms prescribed by the Department and payment of a
27 license fee of \$150, may receive a limited license to conduct
28 bingo at no more than 4 indoor or outdoor festivals per each
29 12-month period of the license term for a maximum of 5 days
30 on each occasion. If the license is surrendered, the license
31 fee shall be refunded only in yearly installments of the
32 license term. Such limited license shall be prominently
33 displayed at the site of the bingo games.

34 (d) The Department, upon application made under penalty

1 of perjury on forms prescribed by the Department, may issue
2 restricted licenses to senior citizens' organizations. The
3 nonrefundable license fee for a restricted license is \$10 per
4 year. Restricted licenses shall be subject to the following
5 conditions:

6 (1) Bingo shall be conducted only at a facility
7 that is owned by a unit of local government to which the
8 corporate authorities have given their approval and that
9 is used to provide social services or a meeting place to
10 senior citizens, or in common areas in multi-unit
11 federally assisted rental housing maintained solely for
12 the elderly and handicapped.

13 (2) The price paid for a single face shall not
14 exceed 5 cents.

15 (3) The aggregate retail value of all prizes or
16 merchandise awarded in any one game of bingo shall not
17 exceed \$1.

18 (4) No person or organization shall participate in
19 the management or operation of bingo under a restricted
20 license if the person or organization would be ineligible
21 for a license under this Section.

22 (5) No license is required to provide premises for
23 bingo conducted under a restricted license.

24 (6) The Department may, by rule, exempt restricted
25 licensees from such requirements of this Act as the
26 Department may deem appropriate.

27 (e) The Department, upon application made and filed
28 under penalty of perjury on forms prescribed by the
29 Department and upon payment of a license fee of \$600, shall
30 issue a license permitting a person to sell, lease, or
31 distribute all faces, boards, sheets, pads, electronic bingo
32 cardminding devices, and other equipment designed for use in
33 the play of bingo. If the entire fee is not submitted at the
34 time of application, it may be paid in accordance with a

1 payment schedule established by rule by the Department. If
2 the license is surrendered, the license fee shall be refunded
3 only in yearly installments of the license term. Within 30
4 days after the end of each calendar quarter during which a
5 supplier's license was in effect, the supplier shall file a
6 return with the Department listing all sales and leases of
7 bingo supplies and equipment for the quarter and gross
8 proceeds derived from each such sale or lease. Information
9 required by the return shall be filed by submitting
10 appropriate computer-generated magnetic media, unless as
11 provided by rule, the Department grants an exception upon
12 petition of the supplier. The Department shall promulgate
13 rules regarding the format of the computer-generated magnetic
14 media. No person shall sell, lease or distribute bingo
15 supplies or equipment without having first obtained a license
16 therefor. On and after January 1, 2005, persons holding a
17 bingo provider's license are ineligible to hold a bingo
18 supplier's license. However, persons holding a bingo
19 provider's license are authorized to lease or lend blowers
20 and display boards and Department-approved electronic bingo
21 cardminding devices to organizations licensed to conduct
22 bingo games. A supplier's license is valid for 3 years from
23 the date of issuance, unless suspended or revoked by
24 Department action before that date. A bingo supplier's
25 license authorizes a supplier to sell bingo supplies or
26 equipment to any organization licensed to conduct bingo games
27 or to any licensed bingo supplier. Sales of bingo supplies or
28 equipment to nonlicensed persons are authorized, provided
29 that all such sales are reported to the Department and
30 supported by a certification that such supplies and equipment
31 are for use in a manner not subject to this Act and whereby
32 such certification is signed and dated by the nonlicensed
33 person and attached to the supplier's quarterly return
34 listing all sales and leases of bingo supplies and equipment.

1 Organizations licensed to conduct bingo games shall purchase,
2 lease or otherwise obtain bingo supplies or equipment only
3 from licensed suppliers.

4 No employee, owner, or officer of a supplier may
5 participate in the management or operation of a bingo game,
6 even if the employee, owner, or officer is also a member,
7 volunteer, or employee of the licensee. A supplier may not
8 promote or solicit a bingo game on behalf of a licensee or
9 qualified organization.

10 (f) The Department, upon application made and filed
11 under penalty of perjury on forms prescribed by the
12 Department and upon payment of a license fee of \$600, shall
13 issue a provider's license permitting a person to provide
14 premises for the conduct of bingo. If the entire fee is not
15 submitted at the time of application, it may be paid in
16 accordance with a payment schedule established by rule by the
17 Department. If the license is surrendered, the license fee
18 shall be refunded only in yearly installments of the license
19 term. A provider's license is valid for 3 years from the date
20 of issuance, unless suspended or revoked by Department action
21 before that date. Such license also authorizes the provider
22 to lease or lend blowers and display boards and electronic
23 bingo cardminding devices to organizations licensed to
24 conduct bingo games. A municipality or township shall not be
25 required to obtain a license to provide such premises. No
26 license is required to provide premises for bingo conducted
27 under a restricted license. An organization qualified to
28 receive a bingo license need not obtain a provider's license
29 if bingo games will be conducted on the organization's
30 premises. However, if it will rent premises to separately
31 licensed organizations, it must apply for and obtain a
32 provider's license from the Department. On and after January
33 1, 2005, a person holding a bingo supplier's license is
34 ineligible to hold a bingo provider's license.

1 No more than 2 bingo sessions may be conducted on a
2 premises during any day. A person holding a provider's
3 license may receive reasonable expenses for providing
4 premises for conducting bingo. Reasonable expenses shall
5 include only those expenses defined as reasonable by rules
6 promulgated by the Department. Separate rent charged for
7 organizations to sell pull tabs on the same premises is
8 prohibited. A provider shall not prohibit a licensed
9 organization from selling pull tab and jar game tickets
10 during such licensed organization's bingo session.

11 A licensee may rent a premises on which to conduct bingo
12 only from a person licensed as a provider of premises.
13 Licensed providers may rent premises only to organizations
14 that possess valid licenses issued by the Department. If the
15 person providing the premises is a metropolitan exposition,
16 auditorium, and office building authority created by State
17 law, a licensee may enter into a rental agreement with that
18 person authorizing the licensee and that person to share the
19 gross proceeds of bingo games. However, the metropolitan
20 exposition, auditorium, or office building authority created
21 by State law shall not receive more than 50% of the gross
22 proceeds.

23 A provider shall not have any interest in any supplier's
24 business, either direct or indirect. No employee, officer,
25 or owner of a for-profit provider may participate in the
26 management or operation of a bingo session, even if the
27 employee, officer, or owner is also a member, volunteer, or
28 employee of the bingo licensee. A provider may not promote
29 or solicit a bingo game on behalf of a bingo licensee or
30 person qualified to receive a bingo license.

31 (g) The proceeds from the bingo license fees imposed by
32 this Act shall be paid into the General Revenue Fund of the
33 State Treasury.

1 Section 10-15. Las Vegas Nights events license.

2 (a) The Department of Revenue, upon application made and
3 filed under penalty of perjury on forms prescribed by the
4 Department and upon the payment of a license fee of \$600, and
5 upon a determination by the Department that the applicant
6 meets all of the qualifications specified in this Section,
7 shall issue a Las Vegas Nights events license for the
8 conducting of Las Vegas Nights games to any of the following:

9 (1) Any local fraternal mutual benefit organization
10 chartered at least 40 years before it applies for a
11 license under this Act.

12 (2) Any qualified organization organized in
13 Illinois that operates without profit to its members,
14 that has been in existence in Illinois continuously for a
15 period of 3 years immediately before making application
16 for a license, and that has had during that 3-year period
17 a bona fide membership engaged in carrying out its
18 objects. However, the 3-year requirement shall be
19 reduced to 2 years, as applied to a local organization
20 that is affiliated with and chartered by a national
21 organization that meets the 3-year requirement. The
22 period of existence specified in this paragraph (2) shall
23 not apply to a qualified organization, organized for
24 charitable purpose, created by a fraternal organization
25 that meets the existence requirements if the charitable
26 organization has the same officers and directors as the
27 fraternal organization. Only one charitable organization
28 created by a branch, lodge, or chapter of a fraternal
29 organization may be licensed under this provision.

30 If the entire fee is not submitted at the time of
31 application, it may be paid in accordance with a payment
32 schedule established by rule by the Department. If the
33 license is surrendered, the license fee shall be refunded
34 only in yearly installments of the license term. Each license

1 shall be in effect for 3 years from its date of issuance
2 unless suspended or revoked by Department action before that
3 date. A licensee may hold only one license to conduct Las
4 Vegas Nights games.

5 (b) If a licensee wishes to conduct Las Vegas Nights
6 games at a location other than the locations originally
7 specified in the license or if the licensee wishes to change
8 established event dates or times, the licensee shall notify
9 the Department in writing of the proposed alternate location
10 or alternate dates or times at least 20 days in advance of
11 the rescheduled event and shall obtain a license for the
12 alternate location or alternate dates or times before
13 conducting the rescheduled event. Any change to a license,
14 including a change in date, time, or location or any addition
15 of a date, time, or location is subject to a \$25
16 nonrefundable amendment fee.

17 (c) The Department, upon application made and filed
18 under penalty of perjury on forms prescribed by the
19 Department and upon the payment of a license fee of \$1,500,
20 shall issue a supplier's license permitting a person to sell,
21 lease, lend, or distribute to any organization licensed to
22 conduct Las Vegas Nights events, supplies, devices, and other
23 equipment designed for use in the playing of Las Vegas Nights
24 games. If the entire fee is not submitted at the time of
25 application, it may be paid in accordance with a payment
26 schedule established by rule by the Department. If the
27 license is surrendered, the license fee shall be refunded
28 only in yearly installments of the license term. A licensee
29 may hold only one license as a Las Vegas Nights games
30 supplier. No person shall sell, lease, or distribute Las
31 Vegas Nights games supplies or equipment without having first
32 obtained a license from the Department. Each license is
33 valid for a period of 3 years from the date of issuance,
34 unless suspended or revoked by Department action before that

1 date. A licensed supplier may, as authorized by Department
2 rule, lend, lease, or distribute equipment to non-licensed
3 persons solely for promotional or cinematic purposes. A
4 licensed supplier shall obtain written approval from the
5 Department for such use of equipment at least 10 days prior
6 to the promotional or cinematic event.

7 A supplier shall furnish the Department with a list of
8 all products and equipment offered for sale or lease to any
9 organization licensed to conduct charitable games and all
10 such products and equipment shall be sold or leased at the
11 prices on file with the Department. A supplier shall keep
12 all such products and equipment segregated and separate from
13 any other products, materials, or equipment that it might
14 own, sell, or lease. A supplier must include in its
15 application for a license the exact location of the storage
16 of the products, materials, or equipment. A supplier, as a
17 condition of licensure, must consent to permitting the
18 Department's employees to enter supplier's premises to
19 inspect and test all equipment and devices. A supplier shall
20 keep books and records for the furnishing of products and
21 equipment to charitable games separate and distinct from any
22 other business the supplier might operate. All products and
23 equipment supplied must be in accord with the Department's
24 rules. A supplier shall not alter or modify any equipment
25 or supplies or possess any equipment or supplies so altered
26 or modified so as to allow the possessor or operator of the
27 equipment to obtain a greater chance of winning a game other
28 than as under normal rules of play of such games. The
29 supplier shall not receive a percentage of the proceeds from
30 the Las Vegas Nights games for the use of the products or
31 equipment. The supplier shall file a quarterly return with
32 the Department listing all sales or leases for such quarter
33 and the gross proceeds from such sales or leases. A supplier
34 shall permanently affix his name to all Las Vegas Nights

1 events equipment and supplies. On and after January 1, 2005,
2 a person holding a Las Vegas Nights events provider's license
3 is ineligible to hold a Las Vegas Nights events supplier's
4 license. If the supplier leases his or her equipment for use
5 at an unlicensed charitable games or to an unlicensed
6 sponsoring organization, all equipment so leased shall be
7 forfeited to the State.

8 Organizations licensed to conduct Las Vegas Nights events
9 may own their own equipment. Such organizations must apply
10 to the Department for an ownership permit. Application for a
11 permit must be filed under penalty of perjury on forms
12 prescribed by the Department and must be accompanied by a \$50
13 permit fee. Such organizations shall file an annual report
14 listing their inventory of Las Vegas Nights games equipment.
15 Such organizations may lend such equipment without
16 compensation to other licensed organizations without applying
17 for a supplier's license.

18 No employee, owner, or officer of a supplier may
19 participate in the management or operation of a Las Vegas
20 Nights event, even if the employee, owner, or officer is also
21 a member, volunteer, or employee of the Las Vegas Nights
22 licensee. A supplier may not promote or solicit a Las Vegas
23 Nights event on behalf of a Las Vegas Nights licensee or
24 qualified organization.

25 The Department, upon written notification, may grant a
26 special sales permit to a person authorizing the person to
27 sell, on a limited basis, to a supplier or organization
28 licensed under this Act equipment designed for use in the
29 playing of Las Vegas Nights games. A special sales permit
30 may be issued when demand for a particular type of equipment
31 is anticipated to be below the level of economic feasibility
32 of obtaining a license under this Act. The Department may
33 establish by rule standards for the issuance of such special
34 sales permits.

1 (d) The Department, upon application made and filed
2 under penalty of perjury on forms prescribed by the
3 Department and upon payment of a license fee of \$150, shall
4 issue a provider's license permitting a person to provide
5 premises for the conduct of Las Vegas Nights. If the entire
6 fee is not submitted at the time of application, it may be
7 paid in accordance with a payment schedule established by
8 rule by the Department. If the license is surrendered, the
9 license fee shall be refunded only in yearly installments of
10 the license term. A provider must obtain a separate license
11 for each separate premises. No person may rent or otherwise
12 provide premises without having first obtained a license from
13 the Department. Each provider's license is valid for 3 years
14 from the date of issuance, unless suspended or revoked by
15 Department action before that date. A provider may receive
16 reasonable compensation for the provision of the premises.
17 Reasonable expenses shall include only those expenses defined
18 as reasonable by rules promulgated by the Department. The
19 compensation shall not be based upon a percentage of the
20 gross proceeds from the Las Vegas Nights games. A provider,
21 including a municipality or township, may not provide the
22 same premises for conducting more than 12 Las Vegas Nights
23 per each 12-month period of the license term. A provider
24 shall not have any interest in any supplier's business,
25 either direct or indirect. No employee, officer, or owner of
26 a provider may participate in the management or operation of
27 a Las Vegas Night event, even if the employee, officer, or
28 owner is also a member, volunteer, or employee of the Las
29 Vegas Night licensee. A provider may not promote or solicit
30 a Las Vegas Night event on behalf of a Las Vegas Night
31 licensee or qualified organization. Any qualified
32 organization licensed to conduct a Las Vegas Nights event
33 need not obtain a provider's license if such events are to be
34 conducted on the organization's premises. On and after

1 January 1, 2005, a person holding a Las Vegas Nights events
2 supplier's license is ineligible to hold a Las Vegas events
3 provider's license.

4 If a licensee conducts Las Vegas Nights events on its own
5 premises, the licensee may also obtain a provider's license
6 to allow the licensee to rent or otherwise provide its
7 premises to another licensee for the conducting of an
8 additional 4 Las Vegas Nights events. The maximum number of
9 events that may be held at any one premises is limited to 12
10 Las Vegas Nights events per each 12-month period of the
11 license term.

12 (e) The proceeds from the Las Vegas Nights events
13 license and permit fees imposed by this Act shall be paid
14 into the Illinois Gaming Law Enforcement Fund of the State
15 Treasury.

16 ARTICLE 15. INELIGIBLE PERSONS

17 Section 15-5. Ineligible Persons.

18 (a) The following are ineligible for any license under
19 this Act:

20 (1) Any person who has been convicted of a felony
21 within 10 years of the date of the application.

22 (2) Any person who has been convicted of a
23 violation of Article 28 of the Criminal Code of 1961.

24 (3) Any person who has had a license issued under
25 this Act or the Illinois Pull Tabs and Jar Games Act, the
26 Bingo License and Tax Act, or the Charitable Games Act
27 revoked by the Department.

28 (4) Any business or organization in which a person
29 defined in paragraph (1) or (2) of this subsection (a)
30 has a proprietary, equitable, or credit interest or in
31 which the person is active or employed.

32 (5) Any business or organization in which a person

1 defined in paragraph (a)(1), (a)(2), or (a)(3) is an
2 officer, director, or employee, whether compensated or
3 not.

4 (6) Any organization in which a person defined in
5 paragraph (a)(1), (a)(2), or (a)(3) is to participate in
6 the management or operation of Las Vegas Nights events,
7 pull tabs, jar ticket games, or bingo.

8 (7) Any person or organization who has knowingly
9 submitted any application, supporting documentation,
10 return, or report containing statements that the person
11 or organization knows to be false.

12 (8) Any unlicensed organization engaging in any
13 activities required to be licensed under this Act.

14 (b) The ineligibility of an organization under paragraph
15 (a)(4), (a)(5), or (a)(6) of this Section shall continue so
16 long as any person defined in paragraph (a)(1), (a)(2), or
17 (a)(3) maintains with the person or organization a
18 relationship causing ineligibility. The ineligibility of a
19 person under paragraph (a)(3) shall continue for a period of
20 5 years from the date of revocation. The ineligibility of a
21 person or organization under paragraph (a)(7) or (a)(8) shall
22 continue for a period of 5 years from the date of the
23 submission of the application, supporting documentation,
24 return, or report or the date the unlicensed activities were
25 discontinued.

26 (c) The Department of State Police shall provide the
27 criminal background of any person requested by the Department
28 of Revenue.

29 ARTICLE 25. LICENSING RESTRICTIONS

30 Section 25-5. Licensing restrictions.

31 (a) All licenses issued under this Act are subject to
32 the following restrictions.

1 (1) Any change in officers, directors, partners, or
2 stockholders owning at least 10% of the shares of a
3 corporate or partnership licensee must be reported to the
4 Department in writing within 30 days of the change. A
5 new application must be submitted to the Department upon
6 any change in officers, directors, partners, or
7 stockholders or partners owning more than 50% of the
8 shares of a corporate or partnership licensee.

9 (1.5) All license applications, except renewals,
10 must be submitted to the Department at least 30 days
11 before engaging in the activities for which the license
12 is required.

13 (2) A license is not assignable or transferable.

14 (3) A licensee shall consent to allowing the
15 Department's employees to be present on the premises
16 wherein the charitable games are conducted and to inspect
17 or test equipment, devices, and supplies used in the
18 conduct of the games.

19 (4) In addition to the basic license fees, the
20 Department may require payment of such additional license
21 fees as are necessary to defray the costs of background
22 investigations of applicants for whom adequate background
23 information sources are not readily available, including,
24 but not limited to, applicants who have not resided in
25 the State of Illinois for at least one year. The
26 Department may require payment of the estimated
27 additional license fee in advance as a condition
28 precedent to beginning the investigation. The Department
29 shall notify the applicant as soon as possible after it
30 makes a determination that such additional fee is
31 necessary and shall further notify the applicant of the
32 Department's best estimate of what such additional
33 license fee will be, provided, that such estimate shall
34 not be binding upon the Department. Any applicant may

1 then withdraw his or her application if he or she so
2 chooses.

3 (5) The payment of tax or a license fee by a check
4 that, for any reason, is not promptly paid by the drawer
5 bank shall be grounds for immediate denial of a new
6 license, denial of a renewal application, or suspension
7 of any current license issued under this Act. If a
8 license is denied under this paragraph (5), a new
9 application must be submitted with fees payable only by
10 certified check, money order, or cash.

11 (6) The Department shall mail a renewal application
12 at least 4 months prior to the expiration of the license.
13 If a completed renewal application is not received by the
14 Department within 2 months prior to the expiration of the
15 license, the licensee shall not be permitted to continue
16 to operate once the current license has expired.

17 (b) Licenses issued to conduct charitable games are
18 subject to the following restrictions:

19 (1) The license application, when submitted to the
20 Department, must contain a sworn statement attesting to
21 the not-for-profit character of the prospective licensee
22 organization that has been signed by the presiding
23 officer and the secretary of that organization. Any
24 willful misstatements contained in such application
25 constitute perjury.

26 (2) For purposes of a Las Vegas Nights events
27 license, the application shall also contain the name of
28 the person in charge of and primarily responsible for the
29 conduct of the Las Vegas Nights games. The person so
30 designated shall be present on the premises continuously
31 during the games.

32 (3) The application for license shall be prepared
33 by the licensee organization or its duly authorized
34 representative in accordance with the rules of the

1 Department.

2 (4) The application for any license issued under
3 this Act shall contain a list of the names, addresses,
4 social security numbers, and dates of birth of all
5 persons who will participate in the management or
6 operation of the games, along with a sworn statement made
7 under penalty of perjury, signed by the presiding officer
8 and secretary of the applicant, that the persons listed
9 as participating in the management or operation of the
10 games are either bona fide members, volunteers as defined
11 in Section 5-5, or employees of the applicant, will
12 receive no remuneration or compensation, directly or
13 indirectly, from any source for participating in the
14 management or operation of the games, and for purposes of
15 Las Vegas Nights events, that these persons have not
16 participated in the management or operation of more than
17 8 charitable games events in a calendar year. Any
18 amendments to this listing must be submitted on forms
19 prescribed by the Department and must be received by the
20 Department at least 3 business days before the scheduled
21 event and must be verified as received by the Department
22 and contain an identical sworn statement. If not
23 received within this time, the persons listed on such
24 supplemental list shall not be authorized to participate
25 in the management or operation of the charitable games.
26 If, from the information provided, the Department cannot
27 determine with reasonable certainty that a member,
28 volunteer, or employee does not have a criminal record
29 that would make the organization ineligible for a
30 license, the Department may require such member,
31 volunteer, or employee to submit to fingerprinting in
32 order to make a more certain determination as to the lack
33 of a criminal history of the member, volunteer, or
34 employee.

1 (5) For purposes of a pull tabs, jar ticket games,
2 and tipboards license, the licensee organization shall
3 state in the application for a pull tabs, jar ticket
4 games, and tipboards license whether the licensee
5 organization is using mechanical pull tab dispensing
6 machines and, if so, how many are in the possession of
7 the licensee organization and how many are being used.
8 If a licensee organization at the time of application
9 does not possess any such mechanical pull tab dispensing
10 machines but acquires such machines at a later date, the
11 licensee organization shall notify the Department, in
12 writing, within 30 days of obtaining such machines, of
13 the number of machines. The Department may inspect or
14 test such mechanical pull tab dispensing machines during
15 reasonable business hours.

16 (6) The application shall be signed by the
17 presiding officer and the secretary of the prospective
18 licensee organization, who shall attest under penalty of
19 perjury that the information contained in the application
20 is true, correct, and complete.

21 (7) For purposes of a pull tabs, jar ticket games,
22 and tipboards license, each license shall state the
23 locations at which the licensee is permitted to conduct
24 pull tabs, jar ticket games, and tipboards.

25 (8) For purposes of a bingo license, each licensee
26 shall state which hours and day of the week and at what
27 location the licensee is permitted to conduct bingo.

28 (9) For purposes of a Las Vegas Nights events
29 license, each license shall state which day of the week,
30 the hours, and at what locations the licensee is
31 permitted to conduct Las Vegas Nights games.

32 (10) The licensee shall display the license in a
33 prominent place in the area where it is to conduct pull
34 tabs, jar ticket games, and tipboards, bingo, or Las

1 Vegas Nights games.

2 (11) For purposes of a Las Vegas Nights events
3 license, the Department shall not issue a license
4 permitting an organization to sponsor a Las Vegas Nights
5 event if the premises for the conduct of the Las Vegas
6 Nights games has been previously used for 8 Las Vegas
7 Nights events during the current 12-month period of the
8 license term. However, up to 12 Las Vegas Nights events
9 per each 12-month period of the license term may be held
10 in any one premises if an organization licensed to
11 conduct Las Vegas Nights events on its own premises has
12 also obtained a Las Vegas Nights events provider's
13 license in accordance with Section 10-15. In this case,
14 the maximum number of Las Vegas Nights events that may be
15 held in any one premises is limited to 12 Las Vegas
16 Nights events per each 12-month period of the license
17 term.

18 (12) For purposes of a Las Vegas Nights events
19 license, auxiliary organizations of a licensee shall not
20 be eligible for a license to conduct Las Vegas Nights
21 games, except for auxiliary organizations of veterans'
22 organizations as authorized in Section 5-5.

23 (13) Charitable games must be conducted in
24 accordance with local building and fire code
25 requirements.

26 ARTICLE 30. CONDUCTING OF GAMES; RESTRICTIONS

27 Section 30-5. Conducting charitable games; restrictions.
28 The conducting of charitable games is subject to the
29 following restrictions:

30 (1) The entire adjusted gross proceeds of any charitable
31 games, except as otherwise approved in this Act, must be
32 exclusively devoted to the lawful purposes of the

1 organization permitted to conduct such games.

2 (2) No person, except a bona fide member, volunteer, or
3 employee of the sponsoring organization may participate in
4 the management or operation of charitable games. A person
5 who participates in the management or operation of the games
6 and who is not a bona fide member, volunteer, or employee of
7 the sponsoring organization or who receives remuneration or
8 other compensation either directly or indirectly from any
9 source for participating in the management or operation of
10 the games commits a violation of this Act.

11 (3) No person may receive any remuneration or profit for
12 participating in the management or operation of charitable
13 games, except that if an organization licensed under this Act
14 to conduct bingo is associated with a school or other
15 educational institution, the school or institution may reduce
16 tuition or fees for a designated pupil based on participation
17 in the management or operation of the game by any member of
18 the organization. The extent to which tuition and fees are
19 reduced shall relate proportionately to the amount of time
20 volunteered by the member, as determined by the school or
21 other educational institution.

22 (4) No person under the age of 18 years shall play or
23 participate in games under this Act. A person under the age
24 of 18 years may be within the area where charitable games are
25 being conducted only when accompanied by his or her parent or
26 guardian.

27 (5) Use of electronic gaming devices to play charitable
28 games is prohibited.

29 (6) No one other than the sponsoring organization of
30 charitable games shall have a proprietary interest in the
31 game promoted.

32 (7) Las Vegas Nights games may not be played between the
33 hours of 12:00 a.m. and noon.

34 (8) Each organization conducting charitable games shall

1 post signs with a statement regarding obtaining assistance
2 with gambling problems, the text of which shall be determined
3 by rule by the Department of Human Services, at all entrances
4 and exits at the premises at which charitable games are
5 conducted by the organization. The signs shall be provided
6 by the Department of Human Services.

7 (10) For purposes of pull tabs, jar ticket games, and
8 tipboards, the price paid for a single chance or right to
9 participate in a game licensed under this Act shall not
10 exceed \$2. A single prize shall not exceed \$500. There
11 shall be no more than 6,000 tickets in a game.

12 (11) The sale of tangible personal property at
13 charitable games is subject to all State and local taxes and
14 obligations.

15 (12) Gambling prohibited by law shall not be conducted
16 on the premises where charitable games are being conducted.

17 (13) For purposes of pull tabs, jar ticket games, and
18 tipboards, pull tabs, jar ticket games, and tipboards shall
19 be conducted only on a single premises that is owned or
20 occupied by a licensed organization and used by its members
21 as its principle place for general activities and on the
22 premises owned or rented by such organization for conducting
23 its bingo games during the hours licensed for such games or
24 as permitted in subsection (b) of Section 10-5.

25 (14) For purposes of bingo, the aggregate retail value
26 of all prizes or merchandise awarded in any single session of
27 bingo may not exceed \$3,250. The prize awarded for any one
28 game may not exceed \$1,000 cash or its equivalent. Prizes
29 awarded in pull tabs, jar ticket games, and tipboards shall
30 not be included in the bingo prize limitation.

31 (15) For purposes of bingo, there shall be a one-hour
32 period between each bingo session during which no bingo games
33 shall be conducted. "Bingo session" means a series of up to
34 30 bingo games, including the selling of faces, conducted by

1 a licensed organization. A bingo session shall be conducted
2 only during the time stated on the bingo license.

3 (15-5) A bingo license authorizes a licensed
4 organization to conduct event games at a bingo session, and
5 no more than 3 of those event games may be progressive event
6 games and in no event shall the initial prize in a
7 progressive event game exceed \$500.

8 (15-10) The price paid for an event game may not exceed
9 \$5. The aggregate retail value of all prizes or merchandise
10 awarded from event games in any single session may not exceed
11 \$3,250, not including prize values carried forward from
12 progressive event games. The prize awarded for any one game
13 may not exceed \$1,000 cash or its equivalent. Any amounts to
14 be carried over for award during a subsequent session in
15 accordance with a progressive event game may not exceed \$500
16 per session. The prize awarded for any one progressive event
17 game may not exceed \$10,000.

18 (16) For purposes of bingo, the number of games may not
19 exceed 30 in any one session including regular and special
20 games, except that this restriction on the number of games
21 shall not apply to bingo conducted at the Illinois State Fair
22 or any county fair held in Illinois.

23 (17) For purposes of bingo, the price paid for a single
24 face under the license may not exceed \$2 and such face is
25 valid for all regular games during that session of bingo. A
26 maximum of 5 special games may be held on each bingo day,
27 except that this restriction on the number of special games
28 shall not apply to bingo conducted at the Illinois State Fair
29 or any county fair held in Illinois. The price for a single
30 special game face may not exceed \$1.

31 (18) For purposes of bingo, the number of bingo days
32 conducted by a licensee under this Act is limited to one per
33 week, except as follows:

34 (A) Bingo may be conducted in accordance with the

1 terms of a special permit or limited license issued under
2 subsection (b) or (c) of Section 10-10.

3 (B) Bingo may be conducted at the Illinois State
4 Fair or any county fair held in Illinois under subsection
5 (b) of Section 10-10.

6 (C) A licensee that cancels a day of bingo because
7 of inclement weather or because the day is a holiday or
8 the eve of a holiday may conduct bingo on an additional
9 date that occurs within the remaining time of the
10 12-month period of the licensee's license term and that
11 falls on a day of the week other than the day authorized
12 under the license. Licensees canceling a day of bingo
13 shall provide the Department with written verification,
14 signed by an officer of the cancelled event within 10
15 days of the cancellation. "Holiday" means any of the
16 holidays listed in Section 17 of the Promissory Note and
17 Bank Holiday Act.

18 (19) For purposes of bingo, a licensee may rent a
19 premises on which to conduct bingo only from an organization
20 that is licensed as a provider of premises or exempt from
21 license requirements under this Act. If the organization
22 providing the premises is a metropolitan exposition,
23 auditorium, and office building authority created by State
24 law, a licensee may enter into a rental agreement with the
25 organization authorizing the licensee and the organization to
26 share the gross proceeds of bingo games; however, the
27 organization shall not receive more than 50% of the adjusted
28 gross proceeds.

29 (20) For purposes of bingo, an organization holding a
30 special permit or a limited license may, as one of the
31 occasions allowed by the permit or license, conduct bingo for
32 a maximum of 2 consecutive days, during each day of which the
33 number of games may exceed 30, and regular game faces need
34 not be valid for all regular games. If only noncash prizes

1 are awarded during such occasions, the prize limits stated in
2 item (10) of this Section shall not apply, provided that the
3 retail value of noncash prizes for any single game shall not
4 exceed \$150.

5 (21) For purposes of Las Vegas Nights events, bona fide
6 members, volunteers, and employees of the sponsoring
7 organization shall not participate in the management or
8 operation of more than 8 Las Vegas Nights events, either of
9 the sponsoring organization or any other licensed
10 organization, during each calendar year.

11 (22) For purposes of Las Vegas Nights events, no bet at
12 any game may exceed \$10 per any occurrence of chance.

13 (23) For purposes of Las Vegas Nights events, a bank
14 shall be established on the premises to convert currency into
15 chips, scrip, or other form of play money which shall then be
16 used to play at games of chance which the participant
17 chooses. Chips, scrip, or play money must be monogrammed with
18 the Department-registered logo of the licensed organization
19 or of the supplier. Each participant must be issued a
20 single, numbered receipt indicating the amount of chips,
21 scrip, or play money purchased throughout the event.

22 (24) For purposes of Las Vegas Nights events, at the
23 conclusion of the event or when the participant leaves, he or
24 she may cash in his chips, scrip, or play money in exchange
25 for currency not to exceed \$250 above the amount he paid for
26 chips, scrip, or play money. Each participant shall sign for
27 any receipt of prizes. The licensee shall provide the
28 Department of Revenue with a listing of all prizes awarded.

29 (25) For purposes of Las Vegas Nights events, each
30 sponsoring organization shall be permitted to conduct 8 Las
31 Vegas Nights events per each 12-month period of the license
32 term.

33 (26) For purposes of Las Vegas Nights events, the
34 provider of the premises may not rent or otherwise provide

1 the premises for the conducting of more than 12 Las Vegas
2 Nights events per each 12-month period of the license term.

3 (27) For purposes of Las Vegas Nights events, Las Vegas
4 nights games are authorized only if they are not expressly
5 prohibited by county ordinance for Las Vegas Nights games
6 conducted in the unincorporated areas of a county, or by
7 municipal ordinance for Las Vegas Nights games conducted in a
8 municipality.

9 (28) For purposes of Las Vegas Nights events, each
10 licensee may offer or conduct only the games listed in this
11 item (28), which must be conducted in accordance with rules
12 promulgated by the Department and rules posted by the
13 organization. The organization sponsoring a Las Vegas Nights
14 event shall promulgate rules and make printed copies
15 available to participants, for the following games: (a)
16 roulette; (b) blackjack; (c) craps; (d) bang; (e) beat the
17 dealer; (f) poker; (g) chuck-a-luck; and (h) wheel games. A
18 licensee need not offer or conduct every game permitted by
19 law. No games other than those listed in this item (28) are
20 authorized for the purpose of Las Vegas Nights under this
21 Act, and the playing of any other games shall constitute
22 gambling.

23 (29) For purposes of Las Vegas Nights events, no slot
24 machines or coin-in-the-slot-operated devices shall be
25 permitted to be used at the location and during the time at
26 which the Las Vegas Nights games are being conducted.

27 (30) For purposes of Las Vegas Nights events, no cards,
28 dice, wheels, or other equipment may be modified or altered
29 so as to give the licensee a greater advantage in winning,
30 other than as provided under the normal rules of play of a
31 particular game.

32 (31) For purposes of Las Vegas Nights events, no credit
33 shall be extended to any of the participants.

34 (32) For purposes of Las Vegas Nights events, a supplier

1 may have only one representative present at the Las Vegas
2 Nights event for the exclusive purpose of ensuring that its
3 equipment is not damaged.

4 (33) For purposes of Las Vegas Nights events, no
5 employee, owner, or officer of a consultant service hired by
6 a licensed organization to perform services at an event
7 including, but not limited to, security at the event or
8 services before the event including, but not limited to,
9 training for volunteers or advertising, may participate in
10 the management or operation of the games.

11 (34) For purposes of Las Vegas Nights events, card games
12 authorized under this Act shall be played only in the manner
13 established by Department rule. Such card games shall have a
14 dealer who is a qualified person. All other games shall have
15 a game manager who is a qualified person for the purpose of
16 overseeing the conduct of the games.

17 (35) An organization licensed to conduct a Las Vegas
18 Nights event may host an event or events for a corporate
19 sponsor. Such corporate-sponsored events shall be included
20 in calculating the 8 authorized Las Vegas Nights events per
21 each 12-month period of a license term. A corporate sponsor
22 includes games hosted for a corporation, partnership, firm,
23 association, or other business entity consisting of 2 or more
24 persons. Such event is subject to the following
25 restrictions:

26 (A) The event shall not be open to the public and
27 attendance must be restricted to employees, clients, and
28 guests of the corporate sponsor.

29 (B) No chips, scrip, or play money shall be sold at
30 the event.

31 (C) At the conclusion of the event or when the
32 participants leave, they may exchange their chips, scrip,
33 or play money for noncash prizes only. Chips, scrip, or
34 play money may not be exchanged for currency.

1 (D) Licensees conducting a Las Vegas Nights event
2 for a corporate sponsor must comply with all restrictions
3 and conditions to which other Las Vegas Nights events
4 licensees are subject, except that a person who solely
5 provides premises for a licensee who is conducting a Las
6 Vegas Nights event for a corporate sponsor is not
7 required to obtain a license as provided in subsection
8 (d) of Section 10-15 of this Act and except that such
9 licensees need not comply with the requirements of
10 paragraph (4), subsection (b) of Section 25-5 of this
11 Act. The Department shall promulgate rules as may be
12 necessary to administer and enforce this paragraph.

13 (36) An organization licensed under this Act may obtain
14 persons to provide security at events for equipment and
15 money, chips or scrip used in the conducting of Las Vegas
16 Nights games; however, such persons must be private security
17 contractors licensed under the Private Detective, Private
18 Alarm, Private Security, and Locksmith Act of 1993, as
19 amended, or certified Illinois state, county or municipal law
20 enforcement officers.

21 ARTICLE 35. TAXATION; RETURNS

22 Section 35-5. Pull tabs, jar ticket games, and tipboards
23 returns and reports.

24 (a) There shall be paid to the Department of Revenue 5%
25 of the ideal net proceeds of any pull tabs, jar ticket games,
26 and tipboard deal sold by licensed suppliers to licensed
27 organizations under this Act. Such payments shall be made
28 monthly and are due by the 30th day of each month. A
29 supplier filing a return under this Section shall, at the
30 time of filing the return, pay to the Department the amount
31 of tax imposed by this Section less a discount of 1.75%,
32 which is allowed to reimburse the supplier for the expenses

1 incurred in keeping records, preparing and filing returns,
2 and remitting the tax. Accompanying each tax return shall be
3 a report listing the name of the licensee to whom tickets are
4 sold, the serial numbers of the pull tabs sold to the
5 licensee, the date of the sale to the licensee, the name of
6 the manufacturer of the pull tabs, and such other information
7 as the Department of Revenue may by rule require.
8 Information required by the report shall be filed by
9 submitting appropriate computer-generated magnetic media,
10 unless, as provided by rule, the Department grants an
11 exception upon petition of the taxpayer. The Department
12 shall promulgate rules regarding the format of the
13 computer-generated magnetic media. Returns and all required
14 report information shall be filed under penalty of perjury.
15 Failure to submit either the payment or the report within the
16 specified time may result in suspension or revocation of the
17 license. A refund made by a supplier during the preceding
18 return period to a licensed organization on account of pull
19 tabs, jar ticket games, and tipboard tickets returned to the
20 supplier shall be allowed as a deduction on the supplier's
21 monthly return if the supplier had theretofore included the
22 receipts from the sale of such tickets in a return filed by
23 the supplier and had paid the tax imposed by this Act with
24 respect to such receipts.

25 (b) All payments made to the Department of Revenue under
26 this Section shall be deposited as follows:

27 (1) 50% shall be deposited in the Common School
28 Fund; and

29 (2) 50% shall be deposited in the Illinois Gaming
30 Law Enforcement Fund.

31 Of the moneys deposited in the Illinois Gaming Law
32 Enforcement Fund under this Section, the General Assembly
33 shall appropriate two-thirds to the Department of Revenue,
34 the Department of State Police, and the Office of the

1 Attorney General for State law enforcement purposes, and
2 one-third shall be appropriated to the Department of Revenue
3 for the purpose of distribution in the form of grants to
4 counties or municipalities for law enforcement purposes. The
5 amounts of grants to counties or municipalities shall bear
6 the same ratio as the number of licenses issued in counties
7 or municipalities bears to the total number of licenses
8 issued in the State. In computing the number of licenses
9 issued in a county, licenses issued for locations within a
10 municipality's boundaries shall be excluded.

11 (c) Licensed organizations are required to submit a
12 quarterly informational report with the Department. The
13 informational report shall contain the bar code appearing on
14 each deal or flare of pull tabs, jar ticket games, and
15 tipboards that were sold during the immediately preceding
16 calendar quarter and such other information as the Department
17 may by rule require. Such reports shall be submitted to the
18 Department under penalty of perjury. Such reports shall be
19 submitted to the Department 4 times per year, by the 30th day
20 of April, July, October, and January. Failure to submit a
21 complete informational report within the specified time may
22 result in suspension or revocation of the license. The
23 Department shall issue a warning to a licensed organization
24 the first time the licensed organization fails to submit the
25 bar code appearing on each deal or flare of pull tabs, jar
26 ticket games, and tipboards that were sold during the
27 immediately preceding calendar quarter. For each subsequent
28 failure to submit the bar code, the licensed organization
29 shall be subject to a civil penalty equal to the amount of
30 the ideal net proceeds of the deal for which the bar code was
31 not submitted on the report.

32 (d) Licensed manufacturers of pull tabs are required to
33 submit a monthly informational report with the Department.
34 The informational report shall contain the serial numbers of

1 all pull tabs, jar ticket games, and tipboards sold during
2 the preceding calendar month to licensed suppliers and such
3 other information as the Department may by rule require.
4 Such reports are due by the 20th day of the month following
5 the month for which the report is filed. They shall be
6 submitted to the Department under penalty of perjury.
7 Information required by the report shall be filed by
8 submitting appropriate computer-generated magnetic media,
9 unless, as provided by rule, the Department grants an
10 exception upon petition of the taxpayer. The Department
11 shall promulgate rules regarding the format of the
12 computer-generated magnetic media.

13 Section 35-10. Bingo tax.

14 (a) There shall be paid to the Department of Revenue 5%
15 of the adjusted gross proceeds of each bingo session,
16 including adjusted gross proceeds from each game of bingo and
17 each event game conducted under the provisions of this Act.
18 Such payments shall be made 4 times per year, between the
19 first and the 30th day of April, July, October, and January.
20 Accompanying each payment shall be a report, on forms
21 provided by the Department of Revenue, listing the number of
22 games conducted, the gross income derived, the value of
23 prizes awarded, and such other information as the Department
24 of Revenue may require. Failure to submit either the payment
25 or the report within the specified time may result in
26 suspension or revocation of the license.

27 (b) Of the sums collected under this Section, 50% shall
28 be deposited into the Mental Health Fund and 50% of all of
29 the sums collected under this Section shall be deposited into
30 the Common School Fund.

31 Section 35-15. Las Vegas Nights events tax.

32 (a) There shall be paid to the Department of Revenue 5%

1 of the adjusted gross proceeds of Las Vegas Nights games
2 conducted under the provisions of this Act. Such payments
3 shall be made within 30 days after the completion of the
4 games. Accompanying each payment shall be a report, on forms
5 provided by the Department, listing the games conducted, the
6 gross income derived, and such other information as the
7 Department may require. Failure to submit either the payment
8 or the report within the specified time may result in
9 suspension or revocation of the license and may be used in
10 future considerations for renewal of the license.

11 (b) All sums collected under this Section shall be
12 deposited into the Illinois Gaming Law Enforcement Fund.

13 ARTICLE 40. RECORDKEEPING REQUIREMENTS

14 Section 40-5. Recordkeeping requirements.

15 (a) Each licensed organization must keep a complete
16 record of charitable games conducted within the previous 3
17 years. Such records shall be open to inspection by any agent
18 or employee of the Department of Revenue during reasonable
19 business hours. Any agent or employee of the Department may
20 visit the premises and inspect such records during, and for a
21 reasonable time before and after, charitable games. Gross
22 proceeds of charitable games shall be segregated from other
23 revenues of the licensee and shall be placed in a separate
24 account.

25 (b) The Department may establish rules requiring that
26 any person, organization, or corporation licensed under this
27 Act obtain from a certified public accountant at its own
28 expense a certified and unqualified financial statement and
29 verification of records of such organization. Failure of a
30 charitable games licensee to comply with this requirement
31 within 90 days of receiving notice from the Department may
32 result in suspension or revocation of the licensee's license

1 and forfeiture of all proceeds.

2 (c) To ensure that the organization to whom equipment is
3 sold, leased, lent, or distributed or to whom premises are
4 provided is licensed for charitable gaming, suppliers and
5 providers licensed under this Act shall obtain from the
6 licensed organization and retain among their books and
7 records, a copy of the organization's license showing the
8 license number, expiration date, and event date for which the
9 equipment was sold, leased, lent, or distributed or for which
10 premises were provided.

11 ARTICLE 45. SUSPENSION; REVOCATION

12 Section 45-5. Suspension; revocation. The Department of
13 Revenue may revoke or suspend any license when it finds that
14 the licensee or any person connected therewith has violated
15 or is violating the provisions of this Act or any rule
16 promulgated under this Act. The decision to revoke or
17 suspend, and the duration of any suspension, shall be made by
18 taking into account factors that include, but are not limited
19 to, the licensee's previous history of compliance with the
20 Act and rules, the number, seriousness, and duration of the
21 violations, and the licensee's cooperation in discontinuing
22 and correcting the violations. A revocation or suspension
23 shall be in addition to, and not in lieu of, any other civil
24 penalties or assessments that are authorized by this Act.
25 The Department shall promulgate rules for determining the
26 manner in which sanctions shall be imposed.

27 ARTICLE 50. CIVIL AND CRIMINAL PENALTIES

28 Section 50-5. Civil penalties.

29 (a) Any organization that conducts charitable games
30 without first obtaining a license to do so or which continues

1 to conduct such games after revocation of its license or any
2 organization licensed to conduct games that allows any form
3 of illegal gambling to be conducted on the premises where
4 such games are being conducted shall, in addition to other
5 penalties provided, be subject to a civil penalty equal to
6 the amount of adjusted gross proceeds derived on that day
7 from such games and any other illegal game that may have been
8 conducted as well as seizure and forfeiture to the Department
9 of all money or other thing of value integrally related to
10 the playing of such games, including, but not limited to,
11 seizure and forfeiture of all gaming equipment used in the
12 conduct of unlicensed games. Any forfeited property that is
13 incapable of lawful use shall be destroyed.

14 (b) All property used in playing unauthorized Las Vegas
15 Nights games or used in playing authorized Las Vegas Nights
16 games, bingo, event game, pull tabs or jar ticket game, or
17 tipboard when not conducted or managed by a qualified person,
18 together with any money or other thing of value integrally
19 related to the playing of such unauthorized games or
20 authorized games not managed or conducted by a qualified
21 person shall be seized by the Department and forfeited to it.
22 Any forfeited property that is incapable of lawful use shall
23 be destroyed.

24 (c) Any person or organization that provides premises
25 for the conduct of games without first obtaining a license to
26 do so or having a provider's license that allows unlicensed
27 organizations to conduct games on his or her premises or
28 allows any form of illegal gambling to be conducted on the
29 premises where games are being played shall, in addition to
30 other penalties provided, be subject to a civil penalty of
31 \$5,000.

32 (d) Any person who violates any provision of this Act or
33 knowingly violates any rule of the Department for the
34 administration of this Act shall, in addition to other

1 penalties provided, be subject to a civil penalty in the
2 amount of \$250 for each separate violation. Persons subject
3 to this provision include, but are not limited to, sponsoring
4 organizations, volunteers, any licensee under this Act, and
5 any other person or organization.

6 (e) Any agent or employee of the Department may
7 terminate any Las Vegas Nights event, bingo game, event game,
8 pull tabs or jar ticket game, or tipboard that is not
9 conducted in accordance with this Act and rules promulgated
10 thereunder, or at which games not authorized under this Act
11 are being conducted or, where authorized, are not being
12 managed or conducted by qualified persons.

13 (f) Pull tab tickets, jar game tickets, and tipboard
14 tickets that are not imprinted in accordance with this Act
15 and all flares not imprinted or affixed in accordance with
16 this Act shall be seized by the Department and forfeited to
17 it.

18 (g) All civil penalties, all moneys forfeited, and all
19 moneys obtained from the sale of forfeited items listed in
20 this Section shall be paid into the Gaming Enforcement Fund.

21 (h) All civil penalties imposed under this Act shall
22 become final unless the person against whom a civil penalty
23 has been assessed makes a written request for a hearing
24 within 60 days after the date the Department mailed the
25 notice of its action.

26 Section 50-10. Criminal penalties.

27 (a) Any person who knowingly conducts or participates in
28 an unlicensed charitable game commits the offense of gambling
29 in violation of Section 28-1 of the Criminal Code of 1961.

30 (b) Any person who knowingly sells, leases, or
31 distributes for compensation within this State or knowingly
32 possesses any chips, representations of money, wheels, or any
33 devices or equipment designed for use or used in the play of

1 Las Vegas Nights games without first having obtained a
2 license to do so from the Department, is guilty of a Class A
3 misdemeanor.

4 (c) Any person who signs or who submits to the
5 Department an application for any license under this Act that
6 such person knows contains a false statement is guilty of a
7 Class A misdemeanor.

8 (d) Any employee, member, or volunteer of an
9 organization licensed under this Act to conduct charitable
10 games who knowingly allows any person who is not a qualified
11 person to participate in managing or conducting a charitable
12 game is guilty of a Class A misdemeanor.

13 (e) Any person who knowingly participates in the
14 management or conduct of a charitable game who is not a
15 qualified person is guilty of a Class A misdemeanor for the
16 first offense and a Class 4 felony for the second or any
17 subsequent offense.

18 (f) Any person, other than a manufacturer who holds a
19 license from the Department to manufacture pull tabs, jar
20 ticket games, or tipboards, who knowingly possesses any pull
21 tab ticket, jar game ticket, or tipboard ticket that is not
22 imprinted as required by this Act or any person who knowingly
23 possesses any flare that is not imprinted or affixed as
24 required by this Act is guilty of a Class A misdemeanor.

25 (g) Any licensed manufacturer of pull tab tickets, jar
26 game tickets, or tipboard tickets who knowingly sells such
27 pull tab tickets, jar game tickets, or tipboard tickets to
28 any person located in Illinois other than a supplier licensed
29 by the Department or any licensed supplier of pull tab
30 tickets, jar game tickets, or tipboard tickets who knowingly
31 sells pull tab tickets, jar game tickets, or tipboard tickets
32 to any person located in Illinois who is not licensed by the
33 Department to conduct pull tabs, jar ticket games, or
34 tipboards or any organization licensed to conduct pull tabs,

1 jar tickets games, or tipboards or any officer, agent, or
2 employee of such organization who knowingly purchases pull
3 tab tickets, jar game tickets, or tipboards from any person
4 located in Illinois who is not a supplier licensed by the
5 Department shall be guilty of a Class A misdemeanor for the
6 first offense and a Class 4 felony for the second or any
7 subsequent offense.

8 (h) Any employee, member, or volunteer of an
9 organization licensed to conduct Las Vegas Night events who
10 knowingly allows the playing of any games at a Las Vegas
11 Night event other than those authorized in this Act shall be
12 guilty of a Class A misdemeanor.

13 (i) Any person who knowingly fails to file any return or
14 report required to be filed under this Act or any officer,
15 agent, or employee of any corporation, partnership,
16 association, labor organization, or limited liability company
17 who, as such officer, agent, or employee is under a duty from
18 such entity to file any return or report required to be filed
19 by this Act and who knowingly fails to file such return or
20 report on or before the date upon which such return or report
21 is required to be filed is guilty of a Class A misdemeanor if
22 the return or report is an informational return or report or
23 if the amount of tax due is less than \$300.

24 (j) Any person who knowingly fails to file any return or
25 report required to be filed under this Act or any officer,
26 agent, or employee of any corporation, partnership,
27 association, labor organization, or limited liability company
28 who, as such officer, agent, or employee is under a duty from
29 such entity to file any return or report required to be filed
30 by this Act and who knowingly fails to file such return or
31 report on or before that date upon which such return or
32 report is required to be filed is guilty of a Class 4 felony
33 if the amount of tax due is \$300 or more.

34 (k) Any person who files any return, report, or

1 statement with the Department that he or she knows is false
2 as to any material fact is guilty of a Class 3 felony.

3 (l) Any person who knowingly attempts in any manner to
4 evade or defeat any tax imposed by this Act or the payment
5 thereof is guilty of a Class 2 felony.

6 (m) A prosecution for any act in violation of this
7 Section may be commenced at any time within 3 years of the
8 commission of that act. In a prosecution for tax evasion
9 under this Act, the prosecution may be commenced at any time
10 within 3 years of the last act of evasion.

11 (n) A prosecution for failing to file any return or
12 report required to be filed under this Act shall be tried in
13 any county where the return or report could have been filed
14 with the Department. A prosecution for making a false
15 application to the Department or for filing a false return,
16 report, or statement with the Department shall be tried in
17 the county where the Department office that received the
18 false application, return, report or statement is located or
19 the county in which the person signing the application,
20 return, report, or statement resides. A prosecution for tax
21 evasion under this Act may be tried in any county in which
22 any act in furtherance of evasion is committed. A
23 prosecution for any other violation of this Section shall be
24 tried in the county in which the act occurred.

25 ARTICLE 55. HEARINGS

26 Section 55-5. Revocation; suspension; denial hearings.

27 (a) The Department may, after notice and a hearing as
28 provided herein, revoke or suspend the license of any person
29 licensed under this Act who violates any of the provisions of
30 this Act, whose application is found to have contained any
31 false statement, or who has become ineligible for any reason
32 while the license is in effect. The Department shall deny

1 the application, including a renewal application, of any
2 person or organization that does not satisfy all eligibility
3 requirements for the license for which application is made or
4 is otherwise ineligible for a license. Notices of denial,
5 suspension, or revocation shall be sent by certified mail,
6 return receipt requested, to the applicant or licensee at the
7 mailing address stated on the applicant's or licensee's most
8 recent license application. All such notices shall include a
9 statement of the reasons for the Department's action. The
10 effective date of a revocation or suspension shall be not
11 less than 25 days after the date the Department mails notice
12 to the licensee.

13 (b) An applicant or licensee may request a hearing to
14 contest a denial, suspension, or revocation. The request
15 shall be in writing and must be received by the Department
16 within 20 days after the date the Department mailed the
17 notice of its action to the applicant or licensee. If no
18 hearing is requested within 20 days, the Department's
19 revocation, suspension, or denial becomes final and the
20 licensee is barred from operating.

21 (c) Unless the license of the licensee has expired or
22 will expire during the pendency of the hearing, the licensee
23 may continue to operate as long as the licensee continues to
24 file required renewal applications and make payments.
25 However, if the Department determines that a summary
26 suspension or revocation is warranted, as provided in Section
27 1065 of the Illinois Administrative Procedure Act, the
28 licensee shall cease all activities. Hearings on summary
29 suspensions and revocations shall be initiated within 90 days
30 of the revocation date.

31 Section 55-10. Civil penalties; confiscation hearings.

32 (a) In accordance with subsection (d) of Section 50-5 of
33 this Act, the Department is authorized to impose a civil

1 penalty in the amount of \$250 for each violation when a
2 licensee violates the Act or knowingly violates any rule of
3 the Department for the administration of the Act.

4 (b) When charitable games equipment or property
5 integrally related to the operation of charitable games is
6 seized and forfeited to the State under subsection (a), (b),
7 or (f) of Section 50-5 of this Act or a civil penalty is
8 imposed under subsection (c) of Section 50-5 of this Act, the
9 owner or owners of the equipment at the time of seizure or at
10 the time a civil penalty is assessed may, within 60 days of
11 the date of seizure or imposition of the penalty, request, in
12 writing, a hearing. The Department's action shall become
13 final unless such a written request for a hearing has been
14 made. The sole issue at such hearing shall be whether
15 charitable games were conducted without a license or under a
16 suspended or revoked license, whether pull tabs, jar ticket
17 games, and tipboards tickets have not been imprinted in
18 accordance with this Act or flares have not been properly
19 stamped, whether illegal gambling was conducted at an
20 otherwise properly licensed charitable games event, or
21 whether charitable games were managed or operated by someone
22 other than a qualified person.

23 Section 55-15. Conduct of hearings. All hearings held
24 under this Act shall be held in accordance with rules
25 established by the Department. Notice of assessment of a
26 civil penalty shall be sent by certified mail, return receipt
27 requested, to the mailing address stated on the licensee's
28 most recent license application or the person's last known
29 address as indicated by the Department's books and records.
30 All such notices shall include a statement of the reasons for
31 the Department's action.

32 ARTICLE 60. LAW ENFORCEMENT AGENCY ACTION

1 Section 60-5. Law enforcement agency action. Any law
2 enforcement agency that takes action relating to the
3 operation of a charitable game shall notify the Department
4 and specify the extent of the action taken and the reasons
5 for the action.

6 ARTICLE 65. SEVERABILITY

7 Section 65-5. Severability. If any clause, sentence,
8 Section, provision or part of this Act, or the application
9 thereof to any person or circumstance, shall be adjudged to
10 be unconstitutional, the remainder of this Act or its
11 application to persons or circumstances other than those to
12 which it is held invalid shall not be affected thereby.

13 ARTICLE 70. INCORPORATION BY REFERENCE

14 Section 70-5. Incorporation by reference. The
15 provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i,
16 5j, 6, 6a, 6b, 6c, 8, 9, 10, 11 and 12 of the Retailers'
17 Occupation Tax Act that are not inconsistent with this Act
18 and all of the provisions of the Uniform Penalty and Interest
19 Act shall apply, as far as practicable, to the subject matter
20 of this Act to the same extent as if such provisions were
21 included in this Act. Tax returns and reports filed pursuant
22 to this Act shall not be confidential and shall be available
23 for public inspection. For the purposes of this Act,
24 references in such incorporated Sections of the Retailers'
25 Occupation Tax Act to retailers, sellers, or persons engaged
26 in the business of selling tangible personal property means
27 persons engaged in conducting any of the games enumerated in
28 this Act and references in such incorporated Sections of the
29 Retailers' Occupation Tax Act to sales of tangible personal
30 property mean the conducting of such games and the making of

1 charges for playing such games.

2 ARTICLE 72. RULES

3 Section 72-5. Rules. The Department shall promulgate
4 reasonable rules as may be necessary to administer and
5 enforce this Act.

6 ARTICLE 75. ILLINOIS ADMINISTRATIVE PROCEDURE ACT

7 Section 75-5. Illinois Administrative Procedure Act;
8 applications. The Illinois Administrative Procedure Act
9 shall apply to all administrative rules and procedures of the
10 Department of Revenue under this Act, except that (1)
11 subsection (b) of Section 5-10 of the Illinois Administrative
12 Procedure Act does not apply to final orders, decisions, and
13 opinions of the Department, (2) item (ii) of subsection (a)
14 of Section 5-10 of the Illinois Administrative Procedure Act
15 does not apply to forms established by the Department for use
16 under this Act, (3) the provisions of Section 10-45 of the
17 Illinois Administrative Procedure Act regarding proposals for
18 decision are excluded and not applicable to the Department
19 under this Act, and (4) the provisions of subsection (c) of
20 Section 10-65 of the Illinois Administrative Procedure Act do
21 not apply to prevent summary suspension of any license
22 pending revocation or other action, which suspension shall
23 remain in effect unless modified by the Department or unless
24 the Department's decision is reversed on the merits in
25 proceedings conducted pursuant to the Administrative Review
26 Law.

27 ARTICLE 80. AMENDATORY PROVISIONS

28 Section 80-5. The Raffles Act is amended by changing

1 Section 1 as follows:

2 (230 ILCS 15/1) (from Ch. 85, par. 2301)

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

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

9 "Raffle" means a form of lottery, as defined in Section
10 28-2 (b) of the "Criminal Code of 1961", conducted by an
11 organization licensed under this Act, in which:

12 (1) the player pays or agrees to pay something of value
13 for a chance, represented and differentiated by a number or
14 by a combination of numbers printed on a single tear-apart
15 ticket or-by-some-ether-medium, one or more of which chances
16 is to be designated the winning chance; and

17 (2) the winning chance is to be determined through a
18 drawing whereby one portion of the single tear-apart ticket
19 is deposited into a receptacle from which the winning tickets
20 are drawn and the other portion is held by the purchaser to
21 match against those drawn or-by-some-ether-method-based-on-an
22 element-of-chance-by-an-act-or-set-of-acts--on--the--part--of
23 persons-conducting-or-connected-with-the-lottery,-except-that
24 the--winning-chance-shall-not-be-determined-by-the-outcome-of
25 a-publicly-exhibited-sporting-contest.

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

27 Section 80-7. The Illinois Pull Tabs and Jar Games Act
28 is amended by adding Section 1.05 as follows:

29 (230 ILCS 20/1.05 new)

30 Sec. 1.05. On and after January 1, 2002, the tax imposed
31 under this Act and the licensing requirements imposed under

1 this Act shall no longer be imposed; however, all other
2 provisions, including but not limited to collection,
3 remittance, and enforcement provisions shall continue in full
4 force and effect for any liabilities and penalties incurred
5 before January 1, 2002.

6 Section 80-8. The Bingo License and Tax Act is amended
7 by adding Section .05 as follows:

8 (230 ILCS 25/.05 new)

9 Sec. .05. On and after January 1, 2002, the tax imposed
10 under this Act and the licensing requirements imposed under
11 this Act shall no longer be imposed; however, all other
12 provisions, including but not limited to collection,
13 remittance, and enforcement provisions shall continue in full
14 force and effect for any liabilities and penalties incurred
15 before January 1, 2002.

16 Section 80-9. The Charitable Games Act is amended by
17 adding Section .05 as follows:

18 (230 ILCS 30/.05 new)

19 Sec. .05. On and after January 1, 2002, the tax imposed
20 under this Act and the licensing requirements imposed under
21 this Act shall no longer be imposed; however, all other
22 provisions, including but not limited to collection,
23 remittance, and enforcement provisions shall continue in full
24 force and effect for any liabilities and penalties incurred
25 before January 1, 2002.

26 Section 80-10. The Criminal Code of 1961 is amended by
27 changing Section 28-1 as follows:

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

1 Sec. 28-1. Gambling.

2 (a) A person commits gambling when he:

3 (1) Plays a game of chance or skill for money or
4 other thing of value, unless excepted in subsection (b)
5 of this Section; or

6 (2) Makes a wager upon the result of any game,
7 contest, or any political nomination, appointment or
8 election; or

9 (3) Operates, keeps, owns, uses, purchases,
10 exhibits, rents, sells, bargains for the sale or lease
11 of, manufactures or distributes any gambling device; or

12 (4) Contracts to have or give himself or another
13 the option to buy or sell, or contracts to buy or sell,
14 at a future time, any grain or other commodity
15 whatsoever, or any stock or security of any company,
16 where it is at the time of making such contract intended
17 by both parties thereto that the contract to buy or sell,
18 or the option, whenever exercised, or the contract
19 resulting therefrom, shall be settled, not by the receipt
20 or delivery of such property, but by the payment only of
21 differences in prices thereof; however, the issuance,
22 purchase, sale, exercise, endorsement or guarantee, by or
23 through a person registered with the Secretary of State
24 pursuant to Section 8 of the Illinois Securities Law of
25 1953, or by or through a person exempt from such
26 registration under said Section 8, of a put, call, or
27 other option to buy or sell securities which have been
28 registered with the Secretary of State or which are
29 exempt from such registration under Section 3 of the
30 Illinois Securities Law of 1953 is not gambling within
31 the meaning of this paragraph (4); or

32 (5) Knowingly owns or possesses any book,
33 instrument or apparatus by means of which bets or wagers
34 have been, or are, recorded or registered, or knowingly

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

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

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

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

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

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

24 (11) Knowingly transmits information as to wagers,
25 betting odds, or changes in betting odds by telephone,
26 telegraph, radio, semaphore or similar means; or
27 knowingly installs or maintains equipment for the
28 transmission or receipt of such information; except that
29 nothing in this subdivision (11) prohibits transmission
30 or receipt of such information for use in news reporting
31 of sporting events or contests; or

32 (12) Knowingly establishes, maintains, or operates
33 an Internet site that permits a person to play a game of
34 chance or skill for money or other thing of value by

1 means of the Internet or to make a wager upon the result
2 of any game, contest, political nomination, appointment,
3 or election by means of the Internet.

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

6 (1) Agreements to compensate for loss caused by the
7 happening of chance including without limitation
8 contracts of indemnity or guaranty and life or health or
9 accident 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
13 to the owners of animals or vehicles entered in such
14 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
22 Federal law;

23 (5) ~~(Blank) The game commonly known as "bingo",~~
24 ~~when conducted in accordance with the Bingo License and~~
25 ~~Tax Act;~~

26 (6) Lotteries when conducted by the State of
27 Illinois in accordance with the Illinois Lottery Law;

28 (7) Possession of an antique slot machine that is
29 neither used nor intended to be used in the operation or
30 promotion of any unlawful gambling activity or
31 enterprise. For the purpose of this subparagraph (b)(7),
32 an antique slot machine is one manufactured 25 years ago
33 or earlier;

34 (8) Raffles when conducted in accordance with the

1 Raffles Act;

2 (9) Pull tabs, jar ticket games, tipboards, bingo,
3 event games, or Las Vegas Nights events Charitable-games
4 when conducted in accordance with the Omnibus Charitable
5 Gaming Games Act;

6 (10) (Blank) Pull-tabs-and-jar-games-when-conducted
7 under-the-Illinois-Pull-Tabs-and-Jar-Games-Act; or

8 (11) Gambling games conducted on riverboats when
9 authorized by the Riverboat Gambling Act.

10 (c) Sentence.

11 Gambling under subsection (a)(1) or (a)(2) of this
12 Section is a Class A misdemeanor. Gambling under any of
13 subsections (a)(3) through (a)(11) of this Section is a Class
14 A misdemeanor. A second or subsequent conviction under any
15 of subsections (a)(3) through (a)(11), is a Class 4 felony.
16 Gambling under subsection (a)(12) of this Section is a Class
17 A misdemeanor. A second or subsequent conviction under
18 subsection (a)(12) is a Class 4 felony.

19 (d) Circumstantial evidence.

20 In prosecutions under subsection (a)(1) through (a)(12)
21 of this Section circumstantial evidence shall have the same
22 validity and weight as in any criminal prosecution.

23 (Source: P.A. 91-257, eff. 1-1-00.)

24 ARTICLE 99. EFFECTIVE DATE

25 Section 99-5. Effective date. This Act takes effect
26 January 1, 2002.