

HB2760



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2760

by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

230 ILCS 15/7
230 ILCS 15/8.1

from Ch. 85, par. 2307
from Ch. 85, par. 2308.1

Amends the Raffles and Poker Runs Act. Removes language concerning the ineligibility of certain political committees from receiving a license to conduct raffles. Provides that a violation of provisions concerning political committees is punishable by a specified fine imposed by the State Board of Elections (rather than a Class C misdemeanor). Makes conforming changes.

LRB101 06983 SMS 52016 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The Raffles and Poker Runs Act is amended by
5 changing Sections 7 and 8.1 as follows:

6 (230 ILCS 15/7) (from Ch. 85, par. 2307)

7 Sec. 7. Sentence. ~~→~~ Except as otherwise provided in this
8 Act, violation ~~Violation~~ of any provision of this Act is a
9 Class C misdemeanor.

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

11 (230 ILCS 15/8.1) (from Ch. 85, par. 2308.1)

12 Sec. 8.1. Political committees.

13 (a) For the purposes of this Section the terms defined in
14 this subsection have the meanings given them.

15 "Net Proceeds" means the gross receipts from the conduct of
16 raffles, less reasonable sums expended for prizes, license fees
17 and other reasonable operating expenses incurred as a result of
18 operating a raffle.

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

22 (1) the player pays or agrees to pay something of value

1 for a chance, represented and differentiated by a number or
2 by a combination of numbers or by some other medium, one or
3 more of which chances is to be designated the winning
4 chance;

5 (2) the winning chance is to be determined through a
6 drawing or by some other method based on an element of
7 chance by an act or set of acts on the part of persons
8 conducting or connected with the lottery, except that the
9 winning chance shall not be determined by the outcome of a
10 publicly exhibited sporting contest.

11 "Unresolved claim" means a claim for civil penalty under
12 Sections 9-3, 9-10, and 9-23 of The Election Code which has
13 been begun by the State Board of Elections, has been disputed
14 by the political committee under the applicable rules of the
15 State Board of Elections, and has not been finally decided
16 either by the State Board of Elections, or, where application
17 for review has been made to the Courts of Illinois, remains
18 finally undecided by the Courts.

19 "Owes" means that a political committee has been finally
20 determined under applicable rules of the State Board of
21 Elections to be liable for a civil penalty under Sections 9-3,
22 9-10, and 9-23 of The Election Code.

23 (b) Licenses issued pursuant to this Section shall be valid
24 for one raffle or for a specified number of raffles to be
25 conducted during a specified period not to exceed one year and
26 may be suspended or revoked for any violation of this Section.

1 The State Board of Elections shall act on a license application
2 within 30 days from the date of application.

3 (c) Licenses issued by the State Board of Elections are
4 subject to the following restrictions:

5 (1) No political committee shall conduct raffles or
6 chances without having first obtained a license therefor
7 pursuant to this Section.

8 (2) The application for license shall be prepared in
9 accordance with regulations of the State Board of Elections
10 and must specify the area or areas within the State in
11 which raffle chances will be sold or issued, the time
12 period during which raffle chances will be sold or issued,
13 the time of determination of winning chances and the
14 location or locations at which winning chances will be
15 determined.

16 (3) A license authorizes the licensee to conduct
17 raffles as defined in this Section.

18 The following are ineligible for any license under this
19 Section:

20 ~~(i) any political committee which has an officer~~
21 ~~who has been convicted of a felony;~~

22 ~~(ii) any political committee which has an officer~~
23 ~~who is or has been a professional gambler or gambling~~
24 ~~promoter;~~

25 ~~(iii) any political committee which has an officer~~
26 ~~who is not of good moral character;~~

1 ~~(iv) any political committee which has an officer~~
2 ~~who is also an officer of a firm or corporation in~~
3 ~~which a person defined in (i), (ii) or (iii) has a~~
4 ~~proprietary, equitable or credit interest, or in which~~
5 ~~such a person is active or employed;~~

6 ~~(v) any political committee in which a person~~
7 ~~defined in (i), (ii) or (iii) is an officer, director,~~
8 ~~or employee, whether compensated or not;~~

9 ~~(vi) any political committee in which a person~~
10 ~~defined in (i), (ii) or (iii) is to participate in the~~
11 ~~management or operation of a raffle as defined in this~~
12 ~~Section;~~

13 (i) ~~(vii)~~ any committee which, at the time of its
14 application for a license to conduct a raffle, owes the
15 State Board of Elections any unpaid civil penalty
16 authorized by Sections 9-3, 9-10, and 9-23 of The
17 Election Code, or is the subject of an unresolved claim
18 for a civil penalty under Sections 9-3, 9-10, and 9-23
19 of The Election Code;

20 (ii) ~~(viii)~~ any political committee which, at the
21 time of its application to conduct a raffle, has not
22 submitted any report or document required to be filed
23 by Article 9 of The Election Code and such report or
24 document is more than 10 days overdue.

25 (d) (1) The conducting of raffles is subject to the
26 following restrictions:

1 (i) The entire net proceeds of any raffle must be
2 exclusively devoted to the lawful purposes of the
3 political committee permitted to conduct that game.

4 (ii) No person except a bona fide member of the
5 political committee may participate in the management
6 or operation of the raffle.

7 (iii) No person may receive any remuneration or
8 profit for participating in the management or
9 operation of the raffle.

10 (iv) Raffle chances may be sold or issued only
11 within the area specified on the license and winning
12 chances may be determined only at those locations
13 specified on the license.

14 (v) A person under the age of 18 years may
15 participate in the conducting of raffles or chances
16 only with the permission of a parent or guardian. A
17 person under the age of 18 years may be within the area
18 where winning chances are being determined only when
19 accompanied by his parent or guardian.

20 (2) If a lessor rents premises where a winning chance
21 or chances on a raffle are determined, the lessor shall not
22 be criminally liable if the person who uses the premises
23 for the determining of winning chances does not hold a
24 license issued under the provisions of this Section.

25 (e) (1) Each political committee licensed to conduct
26 raffles and chances shall keep records of its gross

1 receipts, expenses and net proceeds for each single
2 gathering or occasion at which winning chances are
3 determined. All deductions from gross receipts for each
4 single gathering or occasion shall be documented with
5 receipts or other records indicating the amount, a
6 description of the purchased item or service or other
7 reason for the deduction, and the recipient. The
8 distribution of net proceeds shall be itemized as to payee,
9 purpose, amount and date of payment.

10 (2) Each political committee licensed to conduct
11 raffles shall report on the next report due to be filed
12 under Article 9 of The Election Code its gross receipts,
13 expenses and net proceeds from raffles, and the
14 distribution of net proceeds itemized as required in this
15 subsection.

16 Such reports shall be included in the regular reports
17 required of political committees by Article 9 of The Election
18 Code.

19 (3) Records required by this subsection shall be
20 preserved for 3 years, and political committees shall make
21 available their records relating to operation of raffles
22 for public inspection at reasonable times and places.

23 (f) Violation of any provision of this Section is
24 punishable by a tiered fine of \$500 for the first violation,
25 \$1,000 for the second violation, and \$1,500 for the third and
26 subsequent violations to be imposed by the State Board of

1 Elections ~~a Class C misdemeanor.~~

2 (g) Nothing in this Section shall be construed to authorize
3 the conducting or operating of any gambling scheme, enterprise,
4 activity or device other than raffles as provided for herein.

5 (Source: P.A. 97-1150, eff. 1-25-13; 98-756, eff. 7-16-14.)