

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 Illinois Pull Tabs and Jar Games Act is
5 amended by changing Sections 1.1, 2, 3, 4, 5, 6, and 7 and by
6 adding Sections 2.1, 3.1, 3.2, 7.1, 7.2, and 7.3 as follows:

7 (230 ILCS 20/1.1) (from Ch. 120, par. 1051.1)

8 Sec. 1.1. Definitions. As used in this Act:

9 "Pull tabs" and "jar games" means a game using
10 single-folded or banded tickets or a card, the face of which is
11 initially covered or otherwise hidden from view in order to
12 conceal a number, symbol or set of symbols, some of which are
13 winners. Players with winning tickets receive a prize stated on
14 a promotional display or "flare". Pull tabs also means a game
15 in which prizes are won by pulling a tab from a board thereby
16 revealing a number which corresponds to the number for a given
17 prize.

18 Each winning pull tab or slip shall be predetermined. ~~The~~
19 ~~right to participate in such games shall not cost more than \$2.~~
20 ~~No single prize shall exceed \$500. There shall be no more than~~
21 ~~6,000 tickets in a game.~~

22 "Pull tabs and jar games", as used in this Act, does not
23 include the following: numbers, policy, bolita or similar

1 games, dice, slot machines, bookmaking and wagering pools with
2 respect to a sporting event, or that game commonly known as
3 punch boards, or any other game or activity not expressly
4 defined in this Section.

5 "Organization" means a corporation, agency, partnership,
6 association, firm or other entity consisting of 2 or more
7 persons joined by a common interest or purpose.

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

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

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

21 "Religious organization" means any church, congregation,
22 society, or organization founded for the purpose of religious
23 worship.

24 "Fraternal organization" means an organization of persons,
25 ~~including but not limited to ethnic organizations,~~ having a
26 common interest that is organized and operated exclusively to

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

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

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

15 "Youth athletic organization" means an organization having
16 as its exclusive purpose the promotion and provision of
17 athletic activities for youth aged 18 and under.

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

23 "Department" means the Department of Revenue.

24 "Person" means any natural individual, corporation,
25 partnership, limited liability company, organization, licensee
26 under this Act, or volunteer.

1 "Special permit" means a permit issued to a licensed
2 organization that allows it to conduct pull tabs and jar games
3 at other premises or on other days not exceeding 5 consecutive
4 days.

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

9 "Volunteer" means a person recruited by the licensed
10 organization who voluntarily performs services at a pull tabs
11 or jar games event, including participation in the management
12 or operation of a game.

13 (Source: P.A. 90-536, eff. 1-1-98.)

14 (230 ILCS 20/2) (from Ch. 120, par. 1052)

15 Sec. 2. The Department of Revenue shall, upon application
16 therefor on forms prescribed by the Department, and upon the
17 payment of a nonrefundable ~~an~~ annual fee of \$500, and upon
18 determination that the applicant meets all the requirements of
19 this Act, issue a license to conduct pull tabs and jar games to
20 any of the following:

21 (i) Any local fraternal mutual benefit organization
22 chartered at least 40 years before it applies for a license
23 under this Act.

24 (ii) Any bona fide religious, charitable, labor,
25 fraternal, youth athletic, senior citizen, educational or

1 veterans' organization organized in Illinois which
2 operates without profit to its members, which has been in
3 existence in Illinois continuously for a period of 5 years
4 immediately before making application for a license and
5 which has had during that entire 5 year period a bona fide
6 membership engaged in carrying out its objects. However,
7 the 5 year requirement shall be reduced to 2 years, as
8 applied to a local organization which is affiliated with
9 and chartered by a national organization which meets the 5
10 year requirement.

11 Each license issued shall be in effect for one year from
12 its date of issuance unless extended, suspended, or revoked by
13 Department action before that date. The Department may provide
14 by rule for an extension of any pull tabs and jar games license
15 issued under this Act. Any extension provided shall not exceed
16 one year. A licensee may hold only one license and that license
17 is valid for only one location unless a special permit, as
18 authorized in subsection (4) of Section 3, is issued. The
19 Department may authorize by rule the filing by electronic means
20 of any application, license, permit, return, or registration
21 required under this Act.

22 All taxes and fees imposed by this Act, unless otherwise
23 specified, shall be paid into the General Revenue Fund of the
24 State Treasury.

25 ~~Each license expires at midnight, June 30, following its~~
26 ~~date of issuance, except that, beginning with applicants whose~~

~~licenses expire on June 30, 1990, the Department shall stagger license expiration dates by dividing the applicants into 4 groups which are substantially equal in number. Licenses issued and license fees charged to applicants in each group shall be in accordance with the following schedule:~~

| Group No. | License Expiration Date | Fee |
|----------------------|------------------------------------|------------------|
| 1 | December 31, 1990 | \$250 |
| 2 | March 31, 1991 | \$375 |
| 3 | June 30, 1991 | \$500 |
| 4 | September 30, 1991 | \$625 |

~~Following expiration under this schedule, each renewed license shall be in effect for one year from its date of issuance unless suspended or revoked by Department action before that date. After June 30, 1990, every new license shall expire one year from the date of issuance unless suspended or revoked. A licensee may hold only one license and that license is valid for only one location.~~

~~The following are ineligible for any license under this Act:~~

~~(a) any person who has been convicted of a felony within 10 years of the date of the application;~~

~~(b) any person who has been convicted of a violation of Article 28 of the "Criminal Code of 1961";~~

~~(c) any person who has had a pull tabs and jar games, bingo or charitable games license revoked by the Department;~~

~~(d) any person who is or has been a professional gambler;~~

1 ~~(e) any firm or corporation in which a person defined in~~
2 ~~(a), (b), (c) or (d) has any proprietary, equitable or credit~~
3 ~~interest, or in which such person is active or employed;~~

4 ~~(f) any organization in which a person defined in (a), (b),~~
5 ~~(c) or (d) is an officer, director, or employee, whether~~
6 ~~compensated or not;~~

7 ~~(g) any organization in which a person defined in (a), (b),~~
8 ~~(c) or (d) is to participate in the management or operation of~~
9 ~~pull tabs and jar games.~~

10 ~~The Department of State Police shall provide the criminal~~
11 ~~background of any supplier as requested by the Department of~~
12 ~~Revenue.~~

13 (Source: P.A. 86-703; 87-1271.)

14 (230 ILCS 20/2.1 new)

15 Sec. 2.1. Ineligibility for a license. The following are
16 ineligible for any license under this Act:

17 (1) Any person who has been convicted of a felony
18 within the last 10 years prior to the date of the
19 application.

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

22 (3) Any person who has had a bingo, pull tabs and jar
23 games, or charitable games license revoked by the
24 Department.

25 (4) Any person who is or has been a professional

1 gambler.

2 (5) Any person found gambling in a manner not
3 authorized by the Illinois Pull Tabs and Jar Games Act, the
4 Bingo License and Tax Act, or the Charitable Games Act,
5 participating in such gambling, or knowingly permitting
6 such gambling on premises where pull tabs and jar games are
7 authorized to be conducted.

8 (6) Any firm or corporation in which a person defined
9 in (1), (2), (3), (4), or (5) has any proprietary,
10 equitable, or credit interest or in which such person is
11 active or employed.

12 (7) Any organization in which a person defined in (1),
13 (2), (3), (4), or (5) is an officer, director, or employee,
14 whether compensated or not.

15 (8) Any organization in which a person defined in (1),
16 (2), (3), (4), or (5) is to participate in the management
17 or operation of pull tabs and jar games.

18 The Department of State Police shall provide the criminal
19 background of any supplier as requested by the Department of
20 Revenue.

21 (230 ILCS 20/3) (from Ch. 120, par. 1053)

22 Sec. 3. Licensing for the conducting of pull tabs and jar
23 games is subject to the following restrictions:

24 (1) The license application, when submitted to the
25 Department of Revenue, shall contain a sworn statement

1 attesting to the not-for-profit character of the prospective
2 licensee organization and shall be signed by a person listed on
3 the application as an owner, officer, or other person in charge
4 of the necessary day-to-day operations ~~the presiding officer~~
5 ~~and the secretary~~ of that organization.

6 (2) The license application shall be prepared in accordance
7 with the rules of the Department of Revenue.

8 (3) The licensee shall prominently display the license in
9 the area where the licensee conducts pull tabs and jar games.
10 The licensee shall likewise display, in the form and manner as
11 prescribed by the Department, the provisions of Section 4 of
12 this Act.

13 (4) Each license shall state the location at which the
14 licensee is permitted to conduct pull tabs and jar games. The
15 Department may, on special application made by a licensed
16 organization, issue a special permit to conduct a single pull
17 tabs or jar games event at another location. A special permit
18 shall be displayed at the site of any pull tabs or jar games
19 authorized by such permit.

20 (4.1) A license is not assignable or transferable.

21 (5) Any organization qualified for a license but not
22 holding one, may upon application and payment of a
23 nonrefundable fee of \$50 receive a limited license ~~special~~
24 ~~permit~~ to conduct pull tabs or jar games at no more than 2
25 indoor or outdoor festivals in a year for a maximum of 5
26 consecutive days on each occasion. No more than 2 limited

1 licenses ~~permits~~ under this subsection may be issued to any
2 organization in any year. The limited license shall be
3 prominently displayed at the site where pull tabs or jar games
4 are sold.

5 (Source: P.A. 86-703.)

6 (230 ILCS 20/3.1 new)

7 Sec. 3.1. Suppliers' license. The Department shall issue a
8 suppliers' license permitting a person, firm or corporation to
9 sell or distribute to any organization licensed to conduct pull
10 tabs and jar games supplies, devices or other equipment
11 designed for use in the playing of pull tabs and jar games. No
12 person, firm or corporation shall sell or distribute pull tabs
13 and jar games supplies without having first obtained a license.
14 Licensed suppliers shall buy pull tabs and jar games only from
15 licensed manufacturers and shall sell pull tabs and jar games
16 only to licensed organizations. Licensed organizations shall
17 buy pull tabs and jar games only from licensed suppliers.
18 Applications for suppliers' licenses shall be made in writing
19 in accordance with Department rules. The Department shall
20 license suppliers of pull tabs and jar games subject to a
21 nonrefundable annual fee of \$5,000, or a nonrefundable
22 triennial supplier's fee of \$15,000. Each suppliers' license is
23 valid for one year from date of issuance, or 3 years from date
24 of issuance for a triennial license, unless extended,
25 suspended, or revoked by Department action before that date.

1 Any extension of a suppliers' license shall not exceed one
2 year. No licensed supplier under this Act shall sell,
3 distribute or allow the use of any supplies, devices or
4 equipment designed for use in the play of pull tabs and jar
5 games for the conducting of anything other than pull tabs and
6 jar games or to any person or organization not otherwise
7 licensed under this Act.

8 The Department shall adopt by rule minimum quality
9 production standards for pull tabs and jar games. In
10 determining those standards, the Department shall consider the
11 standards adopted by the National Association of Gambling
12 Regulatory Agencies and the National Association of
13 Fundraising Ticket Manufacturers. The standards shall include
14 the name of the supplier which shall appear in plain view to
15 the casual observer on the face side of each pull tab ticket
16 and on each jar game ticket. The pull tab ticket shall contain
17 the name of the game, the selling price of the ticket, the
18 amount of the prize and the serial number of the ticket. The
19 back side of a pull tab ticket shall contain a series of
20 perforated tabs marked "open here". The logo of the
21 manufacturer shall be clearly visible on each jar game ticket.

22 (230 ILCS 20/3.2 new)

23 Sec. 3.2. Manufacturers' license. The Department shall
24 issue a manufacturers' license permitting a person, firm or
25 corporation that produces, creates, constructs, assembles or

1 otherwise manufactures pull tab and jar games to sell or
2 distribute to any organization licensed to supply pull tabs and
3 jar games. No person, firm or corporation shall produce,
4 create, construct, assemble or otherwise manufacture pull tab
5 and jar games without having first obtained a license. Licensed
6 manufacturers may sell pull tabs and jar games only to licensed
7 suppliers. Applications for manufacturers' licenses shall be
8 made in writing in accordance with Department rules. The
9 Department of Revenue shall license manufacturers of pull tabs
10 and jar games subject to a nonrefundable annual fee of \$5,000,
11 or a triennial supplier's license fee of \$15,000. Each
12 manufacturers' license is valid for one year from date of
13 issuance, or 3 years from date of issuance for a triennial
14 license, unless extended, suspended, or revoked by Department
15 action before that date. Any extension of a manufacturers'
16 license shall not exceed one year.

17 The Department shall adopt by rule minimum quality
18 production standards for pull tabs and jar games. In
19 determining those standards, the Department shall consider the
20 standards adopted by the National Association of Gambling
21 Regulatory Agencies and the National Association of
22 Fundraising Ticket Manufacturers. The standards shall include
23 the name of the supplier which shall appear in plain view to
24 the casual observer on the face side of each pull tab ticket
25 and on each jar game ticket. The pull tab ticket shall contain
26 the name of the game, the selling price of the ticket, the

1 amount of the prize and the serial number of the ticket. The
2 back side of a pull tab ticket shall contain a series of
3 perforated tabs marked "open here". The logo of the
4 manufacturer shall be clearly visible on each jar game ticket.

5 (230 ILCS 20/4) (from Ch. 120, par. 1054)

6 Sec. 4. The conducting of pull tabs and jar games is
7 subject to the following restrictions:

8 (1) The entire net proceeds of any pull tabs or jar games,
9 except as otherwise approved in this Act, must be exclusively
10 devoted to the lawful purposes of the organization permitted to
11 conduct such drawings.

12 (2) No person except a bona fide member or employee of the
13 sponsoring organization may participate in the management or
14 operation of such pull tabs or jar games; however, nothing
15 herein shall conflict with pull tabs and jar games conducted
16 under the provisions of the Charitable Games Act.

17 (3) No person may receive any remuneration or profit for
18 participating in the management or operation of such pull tabs
19 or jar games; however, nothing herein shall conflict with pull
20 tabs and jar games conducted under the provisions of the
21 Charitable Games Act.

22 (4) The price paid for a single chance or right to
23 participate in a game licensed under this Act shall not exceed
24 \$2. No single prize shall exceed \$500. There shall be no more
25 than 6,000 tickets in a game. The aggregate value of all prizes

1 or merchandise awarded in any single day of pull tabs and jar
2 games shall not exceed \$5,000, ~~except that in adjoining~~
3 ~~counties having 200,000 to 275,000 inhabitants each, and in~~
4 ~~counties which are adjacent to either of such adjoining~~
5 ~~counties and are adjacent to total of not more than 2 counties~~
6 ~~in this State, the value of all prizes or merchandise awarded~~
7 ~~may not exceed \$5,000 in a single day.~~

8 (5) No person under the age of 18 years shall play or
9 participate in games under this Act. A person under the age of
10 18 years may be within the area where pull tabs and jar games
11 are being conducted only when accompanied by his parent or
12 guardian.

13 (6) Pull tabs and jar games shall be conducted only on
14 premises owned or occupied by licensed organizations and used
15 by its members for general activities, or on premises owned or
16 rented for conducting the game of bingo, or as permitted in
17 subsection (4) of Section 3.

18 (Source: P.A. 90-536, eff. 1-1-98; 90-808, eff. 12-1-98.)

19 (230 ILCS 20/5) (from Ch. 120, par. 1055)

20 Sec. 5. There shall be paid to the Department of Revenue 5%
21 of the gross proceeds of any pull tabs and jar games conducted
22 under this Act. Such payments shall be made 4 times per year,
23 between the first and the 20th day of April, July, October and
24 January. ~~Payment must be made by money order or certified~~
25 ~~check.~~ Accompanying each payment shall be a return, on forms

1 ~~prescribed by the Department of Revenue report, on forms~~
2 ~~provided by the Department of Revenue, listing the number of~~
3 ~~drawings conducted, the gross income derived therefrom and such~~
4 ~~other information as the Department of Revenue may require.~~
5 Failure to submit either the payment or the return ~~report~~
6 within the specified time shall result in suspension or
7 ~~automatic~~ revocation of the license. Tax returns filed pursuant
8 to this Act shall not be confidential and shall be available
9 for public inspection. All payments made to the Department of
10 Revenue under this Act shall be deposited as follows:

11 (a) 50% shall be deposited in the Common School Fund; and

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

1 ~~The Department of Revenue shall license suppliers and~~
2 ~~manufacturers of pull tabs and jar games at an annual fee of~~
3 ~~\$5,000. Suppliers and manufacturers shall meet the~~
4 ~~requirements and qualifications established by rule by the~~
5 ~~Department. Licensed manufacturers shall sell pull tabs and jar~~
6 ~~games only to licensed suppliers. Licensed suppliers shall buy~~
7 ~~pull tabs and jar games only from licensed manufacturers and~~
8 ~~shall sell pull tabs and jar games only to licensed~~
9 ~~organizations. Licensed organizations shall buy pull tabs and~~
10 ~~jar games only from licensed suppliers.~~

11 ~~The Department of Revenue shall adopt by rule minimum~~
12 ~~quality production standards for pull tabs and jar games. In~~
13 ~~determining such standards, the Department shall consider the~~
14 ~~standards adopted by the National Association of Gambling~~
15 ~~Regulatory Agencies and the National Association of~~
16 ~~Fundraising Ticket Manufacturers. Such standards shall include~~
17 ~~the name of the supplier which shall appear in plain view to~~
18 ~~the casual observer on the face side of each pull tab ticket~~
19 ~~and on each jar game ticket. The pull tab ticket shall contain~~
20 ~~the name of the game, the selling price of the ticket, the~~
21 ~~amount of the prize and the serial number of the ticket. The~~
22 ~~back side of a pull tab ticket shall contain a series of~~
23 ~~perforated tabs marked "open here". The logo of the~~
24 ~~manufacturer shall be clearly visible on each jar game ticket.~~

25 ~~The Department of Revenue shall adopt rules necessary to~~
26 ~~provide for the proper accounting and control of activities~~

1 ~~under this Act, to ensure that the proper taxes are paid, that~~
2 ~~the proceeds from the activities under this Act are used~~
3 ~~lawfully, and to prevent illegal activity associated with the~~
4 ~~use of pull tabs and jar games.~~

5 ~~The provisions of Section 2a of the Retailers' Occupation~~
6 ~~Tax Act pertaining to the furnishing of a bond or other~~
7 ~~security are incorporated by reference into this Act and are~~
8 ~~applicable to licensees under this Act as a precondition of~~
9 ~~obtaining a license under this Act.~~ The provisions of Sections
10 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 6, 6a, 6b, 6c, 8,
11 9, 10, 11 and 12 of the Retailers' Occupation Tax Act, and
12 Section 3-7 of the Uniform Penalty and Interest Act, which are
13 not inconsistent with this Act shall apply, as far as
14 practicable, to the subject matter of this Act to the same
15 extent as if such provisions were included in this Act. For the
16 purposes of this Act, references in such incorporated Sections
17 of the Retailers' Occupation Tax Act to retailers, sellers or
18 persons engaged in the business of selling tangible personal
19 property means persons engaged in conducting pull tabs and jar
20 games and references in such incorporated Sections of the
21 Retailers' Occupation Tax Act to sales of tangible personal
22 property mean the conducting of pull tabs and jar games and the
23 making of charges for participating in such drawings.

24 (Source: P.A. 87-205; 87-895.)

25 (230 ILCS 20/6) (from Ch. 120, par. 1056)

1 Sec. 6. Each licensee must keep a complete record of pull
2 tabs and jar games conducted within the previous 3 years ~~in~~
3 ~~accordance with rules therefor adopted by the Department of~~
4 ~~Revenue~~. Such record shall be available for inspection by any
5 employee of the Department of Revenue during reasonable
6 business hours. The Department may require that any person,
7 organization, or corporation licensed under this Act obtain
8 from an Illinois certified public accounting firm at its own
9 expense a certified and unqualified financial statement and
10 verification of records of such organization. Failure of a pull
11 tabs and jar games licensee to comply with this requirement
12 within 90 days of receiving notice from the Department may
13 result in suspension or revocation of the licensee's license.

14 The Department of Revenue may, at its discretion, suspend or
15 revoke any license if it finds that the licensee or any person
16 connected therewith has violated or is violating this Act ~~or~~
17 ~~that such drawings are or have been conducted by a person or~~
18 ~~persons of questionable character or affiliation. A suspension~~
19 ~~or revocation shall be in addition to, and not in lieu of, any~~
20 ~~other civil penalties or assessments that are authorized by~~
21 ~~this Act.~~ No licensee under this Act, while pull tabs and jar
22 games chances are being conducted, shall knowingly permit entry
23 to any part of the licensed premises by ~~to~~ any person who has
24 been convicted of a felony or a violation of Article 28 of the
25 Criminal Code of 1961.

26 (Source: P.A. 85-1012.)

1 (230 ILCS 20/7) (from Ch. 120, par. 1057)

2 Sec. 7. Violations.

3 (a) Any person who conducts or knowingly participates in an
4 unlicensed pull tabs and jar game commits the offense of
5 gambling in violation of Section 28-1 of the Criminal Code of
6 1961, as amended. Any person who violates any other provision
7 of this Act, or any person who knowingly fails to file a pull
8 tabs and jar games return or who knowingly files a fraudulent
9 application or return under this Act, or any person who
10 wilfully violates any rule or regulation of the Department for
11 the administration and enforcement of this Act, or any officer
12 or agent of an organization licensed under this Act who signs a
13 fraudulent application or return filed on behalf of such an
14 organization, is guilty of a Class A misdemeanor.

15 (b) Any organization that illegally conducts pull tabs or
16 jar games, in addition to other penalties provided for in this
17 Act, shall be subject to a civil penalty equal to the amount of
18 gross proceeds derived from those unlicensed games, as well as
19 confiscation and forfeiture of all pull tabs and jar games
20 equipment used in the conduct of those unlicensed games.

21 (c) Any organization licensed to conduct pull tabs and jar
22 games which allows any form of illegal gambling to be conducted
23 on the premises where pull tabs and jar games are being
24 conducted, in addition to other penalties provided for in this
25 Act, shall be subject to a civil penalty equal to the amount of

1 gross proceeds derived on that day from pull tabs and jar games
2 and any illegal game that may have been conducted, as well as
3 confiscation and forfeiture of all pull tabs and jar games
4 equipment used in the conduct of any unlicensed or illegal
5 games. ~~Any person who violates this Act, or any person who~~
6 ~~files a fraudulent return under this Act, or any person who~~
7 ~~wilfully violates any rule or regulation of the Department for~~
8 ~~the administration and enforcement of this Act, or any officer~~
9 ~~or agent of a corporation licensed under this Act who signs a~~
10 ~~fraudulent return filed on behalf of such corporation, is~~
11 ~~guilty of a Class A misdemeanor.~~

12 (Source: P.A. 85-1012.)

13 (230 ILCS 20/7.1 new)

14 Sec. 7.1. Law enforcement action. Any law enforcement
15 agency that takes action relating to the operation of pull tabs
16 and jar games shall notify the Department of Revenue and
17 specify the extent of the action taken and the reasons for its
18 action.

19 (230 ILCS 20/7.2 new)

20 Sec. 7.2. Application of the Illinois Administrative
21 Procedure Act. The Illinois Administrative Procedure Act shall
22 apply to all administrative rules and procedures of the
23 Department of Revenue under this Act, except that (1) paragraph
24 (b) of Section 5-10 of the Illinois Administrative Procedure

1 Act does not apply to final orders, decisions and opinions of
2 the Department, (2) subparagraph (a)(ii) of Section 5-10 of the
3 Illinois Administrative Procedure Act does not apply to forms
4 established by the Department for use under this Act, (3) the
5 provisions of Section 10-45 of the Illinois Administrative
6 Procedure Act regarding proposals for decision are excluded and
7 not applicable to the Department under this Act, and (4) the
8 provisions of subsection (d) of Section 10-65 of the Illinois
9 Administrative Procedure Act do not apply so as to prevent
10 summary suspension of any license pending revocation or other
11 action, which suspension shall remain in effect unless modified
12 by the Department or unless the Department's decision is
13 reversed on the merits in proceedings conducted pursuant to the
14 Administrative Review Law.

15 (230 ILCS 20/7.3 new)

16 Sec. 7.3. Severability. If any clause, sentence, Section,
17 provision, or part of this Act, or the application thereof to
18 any person or circumstance, shall be adjudged to be
19 unconstitutional, the remainder of this Act or its application
20 to persons or circumstances other than those to which it is
21 held invalid shall not be affected thereby.

22 Section 10. The Bingo License and Tax Act is amended by
23 changing Sections 1, 2, 3, 4, 5, and 5.1 and by adding Sections
24 1.1, 1.2, 1.3, 1.4, 1.5, and 5.2 as follows:

1 (230 ILCS 25/1) (from Ch. 120, par. 1101)

2 Sec. 1. The Department of Revenue shall, upon application
3 therefor on forms prescribed by the ~~such~~ Department, and upon
4 the payment of a nonrefundable ~~an~~ annual fee of \$200 ~~or a~~
5 ~~triennial fee of \$600,~~ and upon a determination by the
6 Department that the applicant meets all of the qualifications
7 specified in this Act ~~Section~~, issue a bingo license for the
8 conducting of bingo to any of the following: any bona fide
9 religious, charitable, labor, fraternal, youth athletic,
10 senior citizen, educational or veterans' organization
11 organized in Illinois which operates without profit to its
12 members, which has been in existence in Illinois continuously
13 for a period of 5 years immediately before making application
14 for a license and which has had during that entire 5 year
15 period a bona fide membership engaged in carrying out its
16 objects. However, the 5 year requirement shall be reduced to 2
17 years, as applied to a local organization which is affiliated
18 with and chartered by a national organization which meets the 5
19 year requirement. ~~Each annual license expires at midnight, June~~
20 ~~30 following its date of issuance, except that, beginning with~~
21 ~~applicants whose licenses expire on June 30, 1983, the~~
22 ~~Department shall stagger license expiration dates by dividing~~
23 ~~the applicants into 4 groups which are substantially equal in~~
24 ~~number. Licenses issued and license fees charged to applicants~~
25 ~~in each group shall be in accordance with the following~~

1 ~~schedule.~~

| 2 Group No. | License Expiration Date | Fee |
|------------------------|------------------------------------|------------------|
| 3 1 | December 31, 1983 | \$100 |
| 4 2 | March 31, 1984 | \$150 |
| 5 3 | June 30, 1984 | \$200 |
| 6 4 | September 30, 1984 | \$250 |

7 ~~Each~~ Following expiration under this schedule, each renewed
 8 license shall be in effect for one year from its date of
 9 issuance unless extended, suspended, or revoked by Department
 10 action before that date. The Department may provide by rule for
 11 an extension of any bingo license issued under this Act. Any
 12 extension provided shall not exceed one year. A licensee may
 13 hold only one license to conduct bingo and that license is
 14 valid for only one location. The Department may authorize by
 15 rule the filing by electronic means of any application,
 16 license, permit, return, or registration required under this
 17 Act. All taxes and fees imposed by this Act, unless otherwise
 18 specified, shall be paid into the General Revenue Fund of the
 19 State Treasury. After June 30, 1983, every new annual license
 20 shall expire one year from the date of issuance unless
 21 suspended or revoked and every new triennial license issued or
 22 renewed on or after July 1, 2004 shall be in effect for 3 years
 23 from its date of issuance unless suspended or revoked by
 24 Department action before that date. A licensee may hold only
 25 one license and that license is valid for only one location.

26 ~~For purposes of this Act, the following definitions apply:~~

1 ~~"Organization": A corporation, agency, partnership,~~
2 ~~association, firm or other entity consisting of 2 or more~~
3 ~~persons joined by a common interest or purpose. "Non-profit~~
4 ~~organization": An organization or institution organized and~~
5 ~~conducted on a not for profit basis with no personal profit~~
6 ~~inuring to any one as a result of the operation. "Charitable~~
7 ~~organization": An organization or institution organized and~~
8 ~~operated to benefit an indefinite number of the public.~~
9 ~~"Educational organization": An organization or institution~~
10 ~~organized and operated to provide systematic instruction in~~
11 ~~useful branches of learning by methods common to schools and~~
12 ~~institutions of learning which compare favorably in their scope~~
13 ~~and intensity with the course of study presented in~~
14 ~~tax-supported schools. "Religious organization": Any church,~~
15 ~~congregation, society, or organization founded for the purpose~~
16 ~~of religious worship. "Fraternal organization": An~~
17 ~~organization of persons, including but not limited to ethnic~~
18 ~~organizations, having a common interest, organized and~~
19 ~~operated exclusively to promote the welfare of its members and~~
20 ~~to benefit the general public on a continuing and consistent~~
21 ~~basis. "Veterans organization": An organization comprised of~~
22 ~~members of which substantially all are individuals who are~~
23 ~~veterans or spouses, widows, or widowers of veterans, the~~
24 ~~primary purpose of which is to promote the welfare of its~~
25 ~~members and to provide assistance to the general public in such~~
26 ~~a way as to confer a public benefit. "Labor organization": An~~

1 ~~organization composed of labor unions or workers organized with~~
2 ~~the objective of betterment of the conditions of those engaged~~
3 ~~in such pursuit and the development of a higher degree of~~
4 ~~efficiency in their respective occupations. "Youth athletic~~
5 ~~organization": An organization having as its exclusive purpose~~
6 ~~the promotion and provision of athletic activities for youth~~
7 ~~aged 18 and under. "Senior citizens organization": An~~
8 ~~organization or association comprised of members of which~~
9 ~~substantially all are individuals who are senior citizens, as~~
10 ~~defined in Section 3.05 of the Illinois Act on the Aging, the~~
11 ~~primary purpose of which is to promote the welfare of its~~
12 ~~members.~~

13 ~~Licensing for the conducting of bingo is subject to the~~
14 ~~following restrictions:~~

15 ~~(1) The license application, when submitted to the~~
16 ~~Department of Revenue, must contain a sworn statement~~
17 ~~attesting to the not for profit character of the~~
18 ~~prospective licensee organization, signed by the presiding~~
19 ~~officer and the secretary of that organization.~~

20 ~~(2) The application for license shall be prepared in~~
21 ~~accordance with the rules of the Department of Revenue.~~

22 ~~(3) Each license shall state which day of the week and~~
23 ~~at what location the licensee is permitted to conduct~~
24 ~~bingo. The Department may, on special application made by~~
25 ~~any organization having a bingo license, issue a special~~
26 ~~operator's permit for conducting bingo at other premises~~

1 ~~and on other days not exceeding 7 consecutive days, except~~
2 ~~that a licensee may conduct bingo at the Illinois State~~
3 ~~Fair or any county fair held in Illinois during each day~~
4 ~~that the fair is in effect; such bingo games conducted at~~
5 ~~the Illinois State Fair or a county fair shall not require~~
6 ~~a special operator's permit. No more than 2 special~~
7 ~~operator's permits may be issued in one year to any one~~
8 ~~organization. Any organization, qualified for a license~~
9 ~~but not holding one, upon application and payment of a \$50~~
10 ~~fee may receive a limited license to conduct bingo at no~~
11 ~~more than 2 indoor or outdoor festivals in a year for a~~
12 ~~maximum of 5 days on each occasion or, upon application and~~
13 ~~payment of a \$150 fee, may receive a limited license to~~
14 ~~conduct bingo at no more than 2 indoor or outdoor festivals~~
15 ~~in a year for up to 3 years for a maximum of 5 days on each~~
16 ~~occasion. Such limited license shall be prominently~~
17 ~~displayed at the site of the bingo games.~~

18 ~~(4) The licensee shall display a license in a prominent~~
19 ~~place in the area where it is to conduct bingo.~~

20 ~~(5) The proceeds from the license fee imposed by this~~
21 ~~Act shall be paid into the General Revenue Fund of the~~
22 ~~State Treasury.~~

23 ~~(6) A license authorizes the licensee to conduct the~~
24 ~~game commonly known as bingo, in which prizes are awarded~~
25 ~~on the basis of designated numbers or symbols on a card~~
26 ~~conforming to numbers or symbols selected at random.~~

1 ~~(7) The Director has the power to issue or to refuse to~~
2 ~~issue a license permitting a person, firm or corporation to~~
3 ~~provide premises for the conduct of bingo; provided,~~
4 ~~however, that a municipality shall not be required to~~
5 ~~obtain a license to provide such premises. The fee for such~~
6 ~~providers' license is \$200. A person, firm or corporation~~
7 ~~holding such a license may receive reasonable expenses for~~
8 ~~providing premises for conducting bingo. Reasonable~~
9 ~~expenses shall include only those expenses defined as~~
10 ~~reasonable by rules promulgated by the Department.~~

11 ~~(8) The Department may issue restricted licenses to~~
12 ~~senior citizens organizations. The fee for a restricted~~
13 ~~license is \$10 per year or \$30 for 3 years. Restricted~~
14 ~~licenses shall be subject to the following conditions:~~

15 ~~(A) Bingo shall be conducted only at a facility~~
16 ~~which is owned by a unit of local government to which~~
17 ~~the corporate authorities have given their approval~~
18 ~~and which is used to provide social services or a~~
19 ~~meeting place to senior citizens, or in common areas in~~
20 ~~multi-unit federally assisted rental housing~~
21 ~~maintained solely for the elderly and handicapped;~~

22 ~~(B) The price paid for a single card shall not~~
23 ~~exceed 5 cents;~~

24 ~~(C) The aggregate retail value of all prizes or~~
25 ~~merchandise awarded in any one game of bingo shall not~~
26 ~~exceed \$1;~~

1 ~~(D) No person or organization shall participate in~~
2 ~~the management or operation of bingo under a restricted~~
3 ~~license if the person or organization would be~~
4 ~~ineligible for a license under this Section;~~

5 ~~(E) No license is required to provide premises for~~
6 ~~bingo conducted under a restricted license; and~~

7 ~~(F) The Department may, by rule, exempt restricted~~
8 ~~licensees from such requirements of this Act as the~~
9 ~~Department may deem appropriate.~~

10 ~~The Director has the power to issue a license permitting an~~
11 ~~Illinois person, firm or corporation to sell, lease or~~
12 ~~distribute to any organization licensed to conduct bingo games~~
13 ~~or to any licensed bingo supplier all cards, boards, sheets,~~
14 ~~markers, pads and all other supplies, devices and equipment~~
15 ~~designed for use in the play of bingo. No person, firm or~~
16 ~~corporation shall sell, lease or distribute bingo supplies or~~
17 ~~equipment without having first obtained a license therefor upon~~
18 ~~written application made, verified and filed with the~~
19 ~~Department in the form prescribed by the rules and regulations~~
20 ~~of the Department. The fee for such license is \$200.~~

21 ~~Applications for providers' and suppliers' licenses shall~~
22 ~~be made in writing in accordance with Department rules. Each~~
23 ~~providers' or suppliers' license is valid for one year from~~
24 ~~date of issuance, unless suspended or revoked by Department~~
25 ~~action before that date.~~

26 ~~The following are ineligible for any license under this~~

1 ~~Act:~~

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

3 ~~(b) any person who has been convicted of a violation of~~
4 ~~Article 28 of the "Criminal Code of 1961";~~

5 ~~(c) any person found gambling, participating in~~
6 ~~gambling or knowingly permitting gambling on premises~~
7 ~~where bingo is being conducted;~~

8 ~~(d) any firm or corporation in which a person defined~~
9 ~~in (a), (b) or (c) has a proprietary, equitable or credit~~
10 ~~interest, or in which such person is active or employed;~~

11 ~~(e) any organization in which a person defined in (a),~~
12 ~~(b) or (c) is an officer, director, or employee, whether~~
13 ~~compensated or not;~~

14 ~~(f) any organization in which a person defined in (a),~~
15 ~~(b) or (c) is to participate in the management or operation~~
16 ~~of a bingo game.~~

17 (Source: P.A. 93-742, eff. 7-15-04.)

18 (230 ILCS 25/1.1 new)

19 Sec. 1.1. Definitions. For purposes of this Act, the
20 following definitions apply:

21 "Bingo" means a game in which each player has a card or
22 board for which a consideration has been paid, containing 5
23 horizontal rows of spaces, with each row except the central one
24 containing 5 figures. The central row has 4 figures with the
25 word "free" marked in the center space. "Bingo" includes games

1 that otherwise qualify under this paragraph, except for the use
2 of cards where the figures are not preprinted but are filled in
3 by the players. A player wins a game of bingo by completing a
4 preannounced combination of spaces or, in the absence of a
5 preannouncement of a combination of spaces, any combination of
6 5 spaces in a row, vertically, horizontally, or diagonally.

7 "Bingo equipment" means any equipment or machinery
8 designed or used for the play of bingo. "Bingo equipment" does
9 not include electronic equipment.

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

13 "Department" means the Department of Revenue.

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

20 "Fraternal organization" means an organization of persons
21 having a common interest that is organized and operated
22 exclusively to promote the welfare of its members and to
23 benefit the general public on a continuing and consistent
24 basis, including but not limited to ethnic organizations.

25 "Holiday" means any of the holidays listed in Section 17 of
26 the Promissory Note and Bank Holiday Act.

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

6 "Licensed organization" means a qualified organization
7 that has obtained a license to conduct bingo in conformance
8 with the provisions of this Act.

9 "Limited license" means a license issued to an organization
10 that is not a licensed organization, but that is otherwise
11 eligible for a regular license to conduct bingo. A limited
12 license authorizes the conduct of bingo at up to 2 indoor or
13 outdoor festivals during the calendar year for which the
14 license is issued for a maximum of 5 consecutive days on each
15 occasion.

16 "Non-profit organization" means an organization or
17 institution organized and conducted on a not-for-profit basis
18 with no personal profit inuring to anyone as a result of the
19 operation.

20 "Organization" means a corporation, agency, partnership,
21 association, firm, business or other entity consisting of 2 or
22 more persons joined by a common interest or purpose.

23 "Person" means any natural individual, corporation,
24 partnership, limited liability company, organization (as
25 defined in this Section), licensee under this Act, or
26 volunteer.

1 "Provider" means any person or organization, except a city,
2 village, or incorporated town that owns or leases premises to
3 an organization for the conduct of bingo.

4 "Regular license" means a license authorizing its holder to
5 conduct one session of bingo per week on the date and at the
6 time and location stated on the license.

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

10 "Senior citizens organization" means an organization or
11 association comprised of members of which substantially all are
12 individuals who are senior citizens, as defined in the Illinois
13 Act on the Aging, the primary purpose of which is to promote
14 the welfare of its members.

15 "Special games" means bingo games that may be designated as
16 such, played a maximum of 5 times during a bingo session and
17 are distinguished from regular games only by the maximum price
18 that may be charged for the bingo cards used.

19 "Special permit" means the ability of a licensee who
20 currently holds a license to be granted a permit to conduct
21 bingo at other premises or on other days not exceeding 5
22 consecutive days.

23 "Supplier" means any person, firm, or corporation that
24 sells, leases, or distributes to any organization licensed to
25 conduct bingo or to any licensed bingo supplier, cards, boards,
26 sheets, markers, pads and any other supplies, devices and

1 equipment designed for use in the play of bingo.

2 "Veterans' organization" means an organization comprised
3 of members of which substantially all are individuals who are
4 veterans or spouses, widows, or widowers of veterans, the
5 primary purpose of which is to promote the welfare of its
6 members and to provide assistance to the general public in such
7 a way as to confer a public benefit.

8 "Volunteer" means a person recruited by an organization who
9 voluntarily performs services at a bingo event, including
10 participation in the management or operation of a game.

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

14 (230 ILCS 25/1.2 new)

15 Sec. 1.2. Ineligibility for licensure. The following are
16 ineligible for any license under this Act:

17 (1) Any person who has been convicted of a felony
18 within the last 10 years prior to the date of application.

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

21 (3) Any person who has had a bingo, pull tabs and jar
22 games, or charitable games license revoked by the
23 Department.

24 (4) Any person who is or has been a professional
25 gambler.

1 (5) Any person found gambling in a manner not
2 authorized by the Illinois Pull Tabs and Jar Games Act,
3 Bingo License and Tax Act, or the Charitable Games Act,
4 participating in such gambling, or knowingly permitting
5 such gambling on premises where a bingo event is authorized
6 to be conducted or has been conducted.

7 (6) Any organization in which a person defined in (1),
8 (2), (3), (4), or (5) has a proprietary, equitable, or
9 credit interest, or in which such person is active or
10 employed.

11 (7) Any organization in which a person defined in (1),
12 (2), (3), (4), or (5) is an officer, director, or employee,
13 whether compensated or not.

14 (8) Any organization in which a person defined in (1),
15 (2), (3), (4), or (5) is to participate in the management
16 or operation of a bingo game.

17 The Department of State Police shall provide the criminal
18 background of any person requested by the Department of
19 Revenue.

20 (230 ILCS 25/1.3 new)

21 Sec. 1.3. Restrictions on licensure. Licensing for the
22 conducting of bingo is subject to the following restrictions:

23 (1) The license application, when submitted to the
24 Department, must contain a sworn statement attesting to the
25 not-for-profit character of the prospective licensee

1 organization, signed by a person listed on the application
2 as an owner, officer, or other person in charge of the
3 necessary day-to-day operations of that organization.

4 (2) The license application shall be prepared in
5 accordance with the rules of the Department.

6 (3) The licensee shall prominently display the license
7 in the area where the licensee conducts bingo. The licensee
8 shall likewise display, in the form and manner as
9 prescribed by the Department, the provisions of Section 8
10 of this Act.

11 (4) Each license shall state the day of the week, hours
12 and at which location the licensee is permitted to conduct
13 bingo games.

14 (5) A license is not assignable or transferable.

15 (6) A license authorizes the licensee to conduct the
16 game commonly known as bingo, in which prizes are awarded
17 on the basis of designated numbers or symbols on a card
18 conforming to numbers or symbols selected at random.

19 (7) The Department may, on special application made by
20 any organization having a bingo license, issue a special
21 permit for conducting bingo at other premises and on other
22 days not exceeding 5 consecutive days, except that a
23 licensee may conduct bingo at the Illinois State Fair or
24 any county fair held in Illinois during each day that the
25 fair is held, without a fee. Bingo games conducted at the
26 Illinois State Fair or a county fair shall not require a

1 special permit. No more than 2 special permits may be
2 issued in one year to any one organization.

3 (8) Any organization qualified for a license but not
4 holding one may, upon application and payment of a
5 nonrefundable fee of \$50, receive a limited license to
6 conduct bingo games at no more than 2 indoor or outdoor
7 festivals in a year for a maximum of 5 consecutive days on
8 each occasion. No more than 2 limited licenses under this
9 item (7) may be issued to any organization in any year. A
10 limited license must be prominently displayed at the site
11 where the bingo games are conducted.

12 (9) Senior citizens organizations may conduct bingo
13 without a license or fee, subject to the following
14 conditions:

15 (A) bingo shall be conducted only at a facility
16 that is owned by a unit of local government to which
17 the corporate authorities have given their approval
18 and that is used to provide social services or a
19 meeting place to senior citizens, or in common areas in
20 multi-unit federally assisted rental housing
21 maintained solely for the elderly and handicapped;

22 (B) the price paid for a single card shall not
23 exceed 5 cents;

24 (C) the aggregate retail value of all prizes or
25 merchandise awarded in any one game of bingo shall not
26 exceed \$1;

1 (D) no person or organization shall participate in
2 the management or operation of bingo under this item
3 (9) if the person or organization would be ineligible
4 for a license under this Section; and

5 (E) no license is required to provide premises for
6 bingo conducted under this item (9).

7 (10) Bingo equipment shall not be used for any purpose
8 other than for the play of bingo.

9 (230 ILCS 25/1.4 new)

10 Sec. 1.4. Providers' license. The Department shall issue a
11 providers' license permitting a person, firm, or corporation to
12 provide premises for the conduct of bingo. No person, firm or
13 corporation may rent or otherwise provide premises without
14 having first obtained a license. Applications for providers'
15 licenses shall be made in writing in accordance with Department
16 rules. The Department shall license providers of bingo at a
17 nonrefundable annual fee of \$200, or a nonrefundable triennial
18 fee of \$600. Each providers' license is valid for one year from
19 date of issuance, or 3 years from date of issuance for a
20 triennial license, unless extended, suspended, or revoked by
21 Department action before that date. Any extension of a
22 providers' license shall not exceed one year. A municipality
23 shall not be required to obtain a license to provide such
24 premises. A provider may receive reasonable expenses for
25 providing premises for conducting bingo. Reasonable expenses

1 shall include only those expenses defined as reasonable by
2 rules promulgated by the Department.

3 (230 ILCS 25/1.5 new)

4 Sec. 1.5. Suppliers' license. The Department shall issue a
5 suppliers' license permitting a person, firm, or corporation to
6 sell, lease, lend or distribute to any organization licensed to
7 conduct bingo, supplies, devices and other equipment designed
8 for use in the playing of bingo. No person, firm or corporation
9 shall sell, lease, lend or distribute bingo supplies or
10 equipment without having first obtained a license.
11 Applications for suppliers' licenses shall be made in writing
12 in accordance with Department rules. The Department shall
13 license suppliers of bingo subject to a nonrefundable annual
14 fee of \$200, or a nonrefundable triennial fee of \$600. Each
15 suppliers' license is valid for one year from date of issuance,
16 or 3 years from date of issuance for a triennial license,
17 unless extended, suspended, or revoked by Department action
18 before that date. Any extension of a providers' license shall
19 not exceed one year. No licensed supplier under this Act shall
20 sell, lease, lend, distribute or allow the use of any supplies,
21 devices or equipment designed for use in the play of bingo for
22 the conducting of anything other than bingo or to any person or
23 organization not otherwise licensed under this Act.

24 (230 ILCS 25/2) (from Ch. 120, par. 1102)

1 Sec. 2. The conducting of bingo is subject to the following
2 restrictions:

3 (1) The entire net proceeds from bingo play must be
4 exclusively devoted to the lawful purposes of the organization
5 permitted to conduct that game.

6 (2) (Blank).

7 (2.5) No person except a bona fide member or employee of
8 the sponsoring organization may participate in the management
9 or operation of bingo.

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

21 (4) The aggregate retail value of all prizes or merchandise
22 awarded in any single day of bingo may not exceed \$2,250,
23 except that in adjoining counties having 200,000 to 275,000
24 inhabitants each, and in counties which are adjacent to either
25 of such adjoining counties and are adjacent to a total of not
26 more than 2 counties in this State, and in any municipality

1 having 2,500 or more inhabitants and within one mile of such
2 adjoining and adjacent counties having less than 25,000
3 inhabitants, 2 additional bingo games may be conducted after
4 the \$2,250 limit has been reached. The prize awarded for any
5 one game, including any game conducted after reaching the
6 \$2,250 limit as authorized in this paragraph (4), may not
7 exceed \$500 cash or its equivalent.

8 (5) The number of games, including regular and special
9 games, may not exceed 25 in any one day ~~including regular and~~
10 ~~special games~~, except that this restriction on the number of
11 games shall not apply to bingo conducted at the Illinois State
12 Fair or any county fair held in Illinois.

13 (6) The price paid for a single card under the license may
14 not exceed \$1 and such card is valid for all regular games on
15 that day of bingo. A maximum of 5 special games may be held on
16 each bingo day, except that this restriction on the number of
17 special games shall not apply to bingo conducted at the
18 Illinois State Fair or any county fair held in Illinois. The
19 price for a single special game card may not exceed 50 cents.

20 (7) The number of bingo days conducted by a licensee under
21 this Act is limited to one per week, except as follows:

22 (i) Bingo may be conducted in accordance with the terms
23 of a special operator's permit or limited license issued
24 under subdivision (7) or (8) of Section 1.3 ~~(3) of Section~~
25 ~~4~~.

26 (ii) Bingo may be conducted at the Illinois State Fair

1 or any county fair held in Illinois under subdivision (6)
2 of Section 1.3 ~~(3) of Section 1.~~

3 (iii) A licensee which cancels a day of bingo because
4 of inclement weather or because the day is a holiday or the
5 eve of a holiday may, after giving notice to the
6 Department, conduct bingo on an additional date which falls
7 on a day of the week other than the day authorized under
8 the license. ~~As used in this subdivision (iii), "holiday"~~
9 ~~means any of the holidays listed in Section 17 of the~~
10 ~~Promissory Note and Bank Holiday Act.~~

11 (8) A licensee may rent a premises on which to conduct
12 bingo only from an organization which is licensed as a provider
13 of premises or exempt from license requirements under this Act.
14 If the organization providing the premises is a metropolitan
15 exposition, auditorium, and office building authority created
16 by State law, a licensee may enter into a rental agreement with
17 the organization authorizing the licensee and the organization
18 to share the gross proceeds of bingo games; however, the
19 organization shall not receive more than 50% of the gross
20 proceeds.

21 (9) No person under the age of 18 years may play or
22 participate in the conducting of bingo. Any person under the
23 age of 18 years may be within the area where bingo is being
24 played only when accompanied by his parent or guardian.

25 (10) The promoter of bingo games must have a proprietary
26 interest in the game promoted.

1 (11) Raffles or other forms of gambling prohibited by law
2 shall not be conducted on the premises where bingo is being
3 conducted, except that pull tabs and jar games conducted under
4 the Illinois Pull Tabs and Jar Games Act may be conducted on
5 the premises where bingo is being conducted. Prizes awarded in
6 pull tabs and jar games shall not be included in the bingo
7 prize limitation.

8 (12) Organizations may be issued a special permit or
9 limited license no more than 2 times in any year. An
10 organization holding a special operator's permit or a limited
11 license may, as one of the occasions allowed by such permit or
12 license, conduct bingo for a maximum of 2 consecutive days. If
13 an organization conducts bingo pursuant to a limited license or
14 special permit, then, ~~during each day of which~~ the number of
15 games played during each day may exceed 25, and regular game
16 cards need not be valid for all regular games. If only noncash
17 prizes are awarded during such occasions, the prize limits
18 stated in subdivision ~~paragraph~~ (4) of this Section shall not
19 apply, provided that the retail value of noncash prizes for any
20 single game shall not exceed \$150.

21 (Source: P.A. 92-305, eff. 8-9-01.)

22 (230 ILCS 25/3) (from Ch. 120, par. 1103)

23 Sec. 3. There shall be paid to the Department of Revenue,
24 5% of the gross proceeds of any game of bingo conducted under
25 the provision of this Act. Such payments shall be made 4 times

1 per year, between the first and the 20th day of April, July,
2 October and January. ~~Payment must be by money order or~~
3 ~~certified check.~~ Accompanying each payment shall be a return
4 ~~report~~, on forms prescribed ~~provided~~ by the Department of
5 Revenue, ~~listing the number of games conducted, the gross~~
6 ~~income derived and such other information as the Department of~~
7 ~~Revenue may require.~~ Failure to submit either the payment or
8 the return report within the specified time may result in
9 suspension or revocation of the license. Tax returns filed
10 pursuant to this Act shall not be confidential and shall be
11 available for public inspection.

12 All payments made to the Department of Revenue under this
13 Section shall be deposited as follows:

14 (1) 50% shall be deposited in the Mental Health Fund;

15 and

16 (2) 50% shall be deposited in the Common School Fund.

17 ~~The provisions of Section 2a of the Retailers' Occupation~~
18 ~~Tax Act pertaining to the furnishing of a bond or other~~
19 ~~security are incorporated by reference into this Act and are~~
20 ~~applicable to licensees under this Act as a precondition of~~
21 ~~obtaining a license under this Act. The Department shall~~
22 ~~establish by rule the standards and criteria it will use in~~
23 ~~determining whether to require the furnishing of a bond or~~
24 ~~other security, the amount of such bond or other security,~~
25 ~~whether to require the furnishing of an additional bond or~~
26 ~~other security by a licensee, and the amount of such additional~~

1 ~~bond or other security. Such standards and criteria may include~~
2 ~~payment history, general financial condition or other factors~~
3 ~~which may pose risks to insuring the payment to the Department~~
4 ~~of Revenue, of applicable taxes. Such rulemaking is subject to~~
5 ~~the provisions of the Illinois Administrative Procedure Act.~~

6 The provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g,
7 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 11 and 12 of the Retailers'
8 Occupation Tax Act ~~which are not inconsistent with this Act,~~
9 and Section 3-7 of the Uniform Penalty and Interest Act, which
10 are not inconsistent with this Act, shall apply, as far as

11 practicable, to the subject matter of this Act to the same
12 extent as if such provisions were included in this Act. ~~Tax~~
13 ~~returns filed pursuant to this Act shall not be confidential~~
14 ~~and shall be available for public inspection.~~ For the purposes
15 of this Act, references in such incorporated Sections of the
16 Retailers' Occupation Tax Act to retailers, sellers or persons
17 engaged in the business of selling tangible personal property
18 means persons engaged in conducting bingo games, and references
19 in such incorporated Sections of the Retailers' Occupation Tax
20 Act to sales of tangible personal property mean the conducting
21 of bingo games and the making of charges for playing such
22 games.

23 ~~One half of all of the sums collected under this Section~~
24 ~~shall be deposited into the Mental Health Fund and 1/2 of all~~
25 ~~of the sums collected under this Section shall be deposited in~~
26 ~~the Common School Fund.~~

1 (Source: P.A. 87-205; 87-895.)

2 (230 ILCS 25/4) (from Ch. 120, par. 1104)

3 Sec. 4. Each licensee must keep a complete record of bingo
4 games conducted within the previous 3 years. Such record shall
5 be available for ~~open to~~ inspection by any employee of the
6 Department of Revenue during reasonable business hours.

7 The Department ~~Director~~ may require that any person,
8 organization or corporation licensed under this Act obtain from
9 an Illinois certified public accounting firm at its own expense
10 a certified and unqualified financial statement and
11 verification of records of such organization. Failure of a
12 bingo licensee to comply with this requirement within 90 days
13 of receiving notice from the Director may result in suspension
14 or revocation of the licensee's license.

15 The Department of Revenue may, at its discretion, suspend
16 or revoke any license if ~~where~~ it finds that the licensee or
17 any person connected therewith has violated or is violating the
18 provisions of this Act. A suspension or revocation shall be in
19 addition to, and not in lieu of, any other civil penalties or
20 assessments that are authorized by this Act. No licensee under
21 this Act, while a bingo game is being conducted, shall
22 knowingly permit ~~the~~ entry into any part of the licensed
23 premises by any person who has been convicted of a felony or a
24 violation of Article 28 of the "Criminal Code of 1961".

25 (Source: P.A. 82-967.)

1 (230 ILCS 25/5) (from Ch. 120, par. 1105)

2 Sec. 5. Penalties.

3 (a) Any person who conducts or knowingly participates in an
4 unlicensed bingo game commits the offense of gambling in
5 violation of Section 28-1 of the Criminal Code of 1961, as
6 amended. Any person who violates any other provision of this
7 Act, or any person who knowingly fails to file a bingo return
8 or who knowingly files a fraudulent application or return under
9 this Act, or any person who wilfully violates any rule or
10 regulation of the Department for the administration and
11 enforcement of this Act, or any officer or agent of an
12 organization ~~or a corporation~~ licensed under this Act who signs
13 a fraudulent application or return filed on behalf of such an
14 organization ~~or corporation~~, is guilty of a Class A
15 misdemeanor.

16 (b) Any organization ~~In addition to other penalties~~
17 ~~provided for in this Act, organizations or corporations that~~
18 illegally conducts bingo, in addition to other penalties
19 provided for in this Act, play bingo shall be subject to a
20 civil penalty equal to the gross proceeds derived from those
21 unlicensed games, as well as confiscation and forfeiture of all
22 bingo equipment used in the conduct of those unlicensed games.

23 (c) Any organization licensed to conduct bingo which allows
24 any form of illegal gambling to be conducted on the premises
25 where bingo is being conducted, in addition to other penalties

1 provided for in this Act, shall be subject to a civil penalty
2 equal to the amount of gross proceeds derived on that day from
3 bingo and any illegal game that may have been conducted, as
4 well as confiscation and forfeiture of all bingo equipment used
5 in the conduct of any unlicensed or illegal games.

6 (d) Any person or organization, in addition to other
7 penalties provided for in this Act, shall be subject to a civil
8 penalty not to exceed \$5,000 for any of the following
9 violations:

10 (1) Providing premises for the conduct of bingo without
11 first obtaining a license or a special permit to do so.

12 (2) Allowing unlicensed organizations to conduct bingo
13 on its premises.

14 (3) Allowing any form of illegal gambling to be
15 conducted on the premises where bingo is being conducted.

16 (Source: P.A. 84-221.)

17 (230 ILCS 25/5.1) (from Ch. 120, par. 1105.1)

18 Sec. 5.1. The Illinois Administrative Procedure Act is
19 hereby expressly adopted and shall apply to all administrative
20 rules and procedures of the Department of Revenue under this
21 Act, except that (1) paragraph (b) of Section 5-10 of the
22 Illinois Administrative Procedure Act does not apply to final
23 orders, decisions and opinions of the Department, (2)
24 subparagraph (a)(ii) of Section 5-10 of the Illinois
25 Administrative Procedure Act does not apply to forms

1 established by the Department for use under this Act, ~~and~~ (3)
2 the provisions of Section 10-45 of the Illinois Administrative
3 Procedure Act regarding proposals for decision are excluded and
4 not applicable to the Department under this Act, and (4) the
5 provisions of subsection (d) of Section 10-65 of the Illinois
6 Administrative Procedure Act do not apply so as to prevent
7 summary suspension of any license pending revocation or other
8 action, which suspension shall remain in effect unless modified
9 by the Department or unless the Department's decision is
10 reversed on the merits in proceedings conducted pursuant to the
11 Administrative Review Law.

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

13 (230 ILCS 25/5.2 new)

14 Sec. 5.2. Law enforcement action. Any law enforcement
15 agency that takes action relating to the operation of a bingo
16 game shall notify the Department of Revenue and specify the
17 extent of the action taken and the reasons for the action.

18 Section 15. The Charitable Games Act is amended by changing
19 Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12 and by adding
20 Section 14.1 as follows:

21 (230 ILCS 30/2) (from Ch. 120, par. 1122)

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

1 "Charitable games" means the 14 games of chance involving
2 cards, dice, wheels, random selection of numbers, and gambling
3 tickets which may be conducted at charitable games events
4 listed as follows: roulette, blackjack, poker, pull tabs,
5 craps, bang, beat the dealer, big six, gin rummy, five card
6 stud poker, chuck-a-luck, keno, hold-em poker, and merchandise
7 wheel.

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

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

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

18 "Department" means the Department of Revenue.

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

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

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

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

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

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

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

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

24 "Premises" means a distinct parcel of land and the
25 buildings thereon.

26 "Provider" means the person or organization owning,

1 leasing, or controlling premises upon which any charitable
2 games event is to be conducted.

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

6 "Qualified organization" means:

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

14 (b) a veterans organization as defined in Section 1.1 ~~±~~
15 of the "Bingo License and Tax Act", ~~approved July 22, 1971,~~
16 ~~as amended,~~ organized and conducted on a not-for-profit
17 basis with no personal profit inuring to anyone as a result
18 of the operation; or

19 (c) An auxiliary organization of a veterans
20 organization.

21 "Religious organization" means any church, congregation,
22 society, or organization founded for the purpose of religious
23 worship.

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

1 "Supplier" means any person, firm, or corporation that
2 sells, leases, lends, distributes, or otherwise provides to any
3 organization licensed to conduct charitable games events in
4 Illinois any charitable games equipment.

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

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

15 ~~"Fraternal organization": A civic, service or charitable~~
16 ~~organization in this State except a college or high school~~
17 ~~fraternity or sorority, not for pecuniary profit, which is a~~
18 ~~branch, lodge or chapter of a national or State organization~~
19 ~~and exists for the common business, brotherhood, or other~~
20 ~~interest of its members.~~

21 ~~"Veterans organization": An organization comprised of~~
22 ~~members of which substantially all are individuals who are~~
23 ~~veterans or spouses, widows, or widowers of veterans, the~~
24 ~~primary purpose of which is to promote the welfare of its~~
25 ~~members and to provide assistance to the general public in such~~
26 ~~a way as to confer a public benefit.~~

1 ~~"Labor organization": An organization composed of labor~~
2 ~~unions or workers organized with the objective of betterment of~~
3 ~~the conditions of those engaged in such pursuit and the~~
4 ~~development of a higher degree of efficiency in their~~
5 ~~respective occupations.~~

6 ~~"Department": The Department of Revenue.~~

7 ~~"Volunteer": A person recruited by the sponsoring~~
8 ~~organization who voluntarily performs services at a charitable~~
9 ~~games event, including participation in the management or~~
10 ~~operation of a game, as defined in Section 8.~~

11 ~~"Person": Any natural individual, a corporation, a~~
12 ~~partnership, a limited liability company, an organization as~~
13 ~~defined in this Section, a qualified organization, a sponsoring~~
14 ~~organization, any other licensee under this Act, or a~~
15 ~~volunteer.~~

16 (Source: P.A. 94-986, eff. 6-30-06.)

17 (230 ILCS 30/3) (from Ch. 120, par. 1123)

18 Sec. 3. The Department of Revenue shall, upon application
19 therefor on forms prescribed by the ~~such~~ Department, and upon
20 the payment of a nonrefundable ~~an~~ annual fee of \$200, and upon
21 a determination by the Department that the applicant meets all
22 of the qualifications specified in this Act ~~Section~~, issue a
23 charitable games license for the conducting of charitable games
24 to any of the following:

25 (i) Any local fraternal mutual benefit organization

1 chartered at least 40 years before it applies for a license
2 under this Act.

3 (ii) Any qualified organization organized in Illinois
4 which operates without profit to its members, which has
5 been in existence in Illinois continuously for a period of
6 5 years immediately before making application for a license
7 and which has had during that 5 year period a bona fide
8 membership engaged in carrying out its objects. However,
9 the 5 year requirement shall be reduced to 2 years, as
10 applied to a local organization which is affiliated with
11 and chartered by a national organization which meets the 5
12 year requirement. The period of existence specified above
13 shall not apply to a qualified organization, organized for
14 charitable purpose, created by a fraternal organization
15 that meets the existence requirements if the charitable
16 organization has the same officers and directors as the
17 fraternal organization. Only one charitable organization
18 created by a branch lodge or chapter of a fraternal
19 organization may be licensed under this provision.

20 The application shall be signed by a person listed on the
21 application as an owner, officer, or other person in charge of
22 the necessary day-to-day operations of the applicant
23 organization, who shall attest under penalties of perjury that
24 the information contained in the application is true, correct,
25 and complete.

26 Each license shall be in effect for one year from its date

1 of issuance unless extended, suspended, or revoked by
2 Department action before that date. Any extension shall not
3 exceed one year. The Department may by rule authorize the
4 filing by electronic means of any application, license, permit,
5 return, or registration required under this Act. A licensee may
6 hold only one license. Each license must be applied for at
7 least 30 days prior to the night or nights the licensee wishes
8 to conduct such games. The Department may issue a license to a
9 licensee that applies less than 30 days prior to the night or
10 nights the licensee wishes to conduct the games if all other
11 requirements of this Act are met and the Department has
12 sufficient time and resources to issue the license in a timely
13 manner. The Department may provide by rule for an extension of
14 any charitable games license issued under this Act. If a
15 licensee wishes to conduct games at a location other than the
16 locations originally specified in the license, the licensee
17 shall notify the Department of the proposed alternate location
18 at least 30 ~~60~~ days before the night on which the licensee
19 wishes to conduct games at the alternate location. The
20 Department may accept an applicant's change in location with
21 less than 30 days' notice if all other requirements of this Act
22 are met and the Department has sufficient time and resources to
23 process the change in a timely manner.

24 All taxes and fees imposed by this Act, unless otherwise
25 specified, shall be paid into the Illinois Gaming Law
26 Enforcement Fund of the State Treasury.

1 (Source: P.A. 87-758; 87-1271.)

2 (230 ILCS 30/4) (from Ch. 120, par. 1124)

3 Sec. 4. Licensing Restrictions. Licensing for the
4 conducting of charitable games is subject to the following
5 restrictions:

6 (1) The license application, when submitted to the
7 Department of Revenue, must contain a sworn statement
8 attesting to the not-for-profit character of the
9 prospective licensee organization, signed by a person
10 listed on the application as an owner, officer, or other
11 person in charge of the necessary day-to-day operations ~~the~~
12 ~~presiding officer and the secretary of that organization.~~
13 The application shall contain the name of the person in
14 charge of and primarily responsible for the conduct of the
15 charitable games. The person so designated shall be present
16 on the premises continuously during charitable games. ~~Any~~
17 ~~wilful misstatements contained in such application~~
18 ~~constitute perjury.~~

19 (2) The license application ~~for license~~ shall be
20 prepared by the prospective licensee organization or its
21 duly authorized representative in accordance with the
22 rules of the Department of Revenue.

23 (2.1) The organization ~~application for a license~~ shall
24 maintain among its books and records ~~contain~~ a list of the
25 names, addresses, social security numbers, and dates of

1 birth of all persons who will participate in the management
2 or operation of the games, along with a sworn statement
3 made under penalties of perjury, signed by a person listed
4 on the application as an owner, officer, or other person in
5 charge of the necessary day-to-day operations ~~the~~
6 ~~presiding officer and secretary of the applicant~~, that the
7 persons listed as participating in the management or
8 operation of the games are bona fide members, volunteers as
9 defined in Section 2, or employees of the applicant, that
10 these persons have not participated in the management or
11 operation of more than 4 charitable games events conducted
12 by any licensee in the calendar year, and that these
13 persons will receive no remuneration or compensation,
14 directly or indirectly from any source, for participating
15 in the management or operation of the games. Any amendments
16 to this listing must contain an identical sworn statement.

17 (2.2) (Blank). ~~The application shall be signed by the~~
18 ~~presiding officer and the secretary of the applicant~~
19 ~~organization, who shall attest under penalties of perjury~~
20 ~~that the information contained in the application is true,~~
21 ~~correct, and complete.~~

22 (3) Each license shall state the date ~~which day of the~~
23 ~~week~~, hours and at what locations the licensee is permitted
24 to conduct charitable games.

25 (4) Each licensee shall file a copy of the license with
26 each police department or, if in unincorporated areas, each

1 sheriff's office whose jurisdiction includes the premises
2 on which the charitable games are authorized under the
3 license.

4 (5) The licensee shall prominently display the license
5 ~~in a prominent place~~ in the area where the licensee ~~it~~ is
6 to conduct charitable games. The licensee shall likewise
7 display, in the form and manner prescribed by the
8 Department, the provisions of Section 9 of this Act.

9 (6) (Blank). ~~The proceeds from the license fee imposed~~
10 ~~by this Act shall be paid into the Illinois Gaming Law~~
11 ~~Enforcement Fund of the State Treasury.~~

12 (7) Each licensee shall obtain and maintain a bond for
13 the benefit of participants in games conducted by the
14 licensee to insure payment to the winners of such games.
15 Such bond discretionary by the Department and shall be in
16 an amount established by rule by the Department of Revenue.
17 In a county with fewer than 60,000 inhabitants, the
18 Department may waive the bond requirement upon a showing by
19 a licensee that it has sufficient funds on deposit to
20 insure payment to the winners of such games.

21 (8) A license is not assignable or transferable.

22 (9) Unless the premises for conducting charitable
23 games are provided by a municipality, the Department shall
24 not issue a license permitting a person, firm or
25 corporation to sponsor a charitable games night if the
26 premises for the conduct of the charitable games has been

1 previously used for 8 charitable games nights during the
2 previous 12 months.

3 (10) Auxiliary organizations of a licensee shall not be
4 eligible for a license to conduct charitable games, except
5 for auxiliary organizations of veterans organizations as
6 authorized in Section 2.

7 (11) Charitable games must be conducted in accordance
8 with local building and fire code requirements.

9 (12) The licensee shall consent to allowing the
10 Department's employees to be present on the premises
11 wherein the charitable games are conducted and to inspect
12 or test equipment, devices and supplies used in the conduct
13 of the game.

14 Nothing in this Section shall be construed to prohibit a
15 licensee that conducts charitable games on its own premises
16 from also obtaining a providers' license in accordance with
17 Section 5.1. The maximum number of charitable games events that
18 may be held in any one premises is limited to 8 charitable
19 games events per calendar year.

20 (Source: P.A. 94-986, eff. 6-30-06.)

21 (230 ILCS 30/5) (from Ch. 120, par. 1125)

22 Sec. 5. Providers' License. The Department shall issue a
23 providers' license permitting a person, firm or corporation to
24 provide premises for the conduct of charitable games. No
25 person, firm or corporation may rent or otherwise provide

1 premises without having first obtained a license. Applications
2 for providers' licenses shall be made in writing in accordance
3 with Department rules. The Department shall license providers
4 of charitable games at a nonrefundable annual fee of \$50, or
5 nonrefundable triennial license fee of \$150. ~~therefor upon~~
6 ~~written application made, verified and filed with the~~
7 ~~Department in the form prescribed by the rules and regulations~~
8 ~~of the Department.~~ Each providers' license is valid for one
9 year from the date of issuance, or 3 years from date of
10 issuance for a triennial license, unless extended, suspended,
11 or revoked by Department action before that date. Any extension
12 of a providers' license shall not exceed one year. ~~The annual~~
13 ~~fee for such providers' license is \$50.~~ A provider may receive
14 reasonable compensation for the provision of the premises.
15 Reasonable expenses shall include only those expenses defined
16 as reasonable by rules adopted by the Department. ~~The~~
17 ~~compensation shall not be based upon a percentage of the gross~~
18 ~~proceeds from the charitable games.~~ A provider, other than a
19 municipality, may not provide the same premises for conducting
20 more than 8 charitable games nights per year. A provider shall
21 not have any interest in any suppliers' business, either direct
22 or indirect. A municipality may provide the same premises for
23 conducting 16 charitable games nights during a 12-month period.
24 No employee, officer, or owner of a provider may participate in
25 the management or operation of a charitable games event, even
26 if the employee, officer, or owner is also a member, volunteer,

1 or employee of the charitable games licensee. A provider may
2 not promote or solicit a charitable games event on behalf of a
3 charitable games licensee or qualified organization. Any
4 qualified organization licensed to conduct a charitable game
5 need not obtain a providers' license if such games are to be
6 conducted on the organization's premises.

7 (Source: P.A. 94-986, eff. 6-30-06.)

8 (230 ILCS 30/6) (from Ch. 120, par. 1126)

9 Sec. 6. Supplier's license. The Department shall issue a
10 supplier's license permitting a person, firm, or corporation to
11 sell, lease, lend or distribute to any organization licensed to
12 conduct charitable games, supplies, devices, and other
13 equipment designed for use in the playing of charitable games.
14 No person, firm, or corporation shall sell, lease, lend, or
15 distribute charitable games supplies or equipment without
16 having first obtained a license. Applications for suppliers'
17 licenses shall be made in writing in accordance with Department
18 rules. The Department shall license suppliers of charitable
19 games subject to a nonrefundable annual fee of \$500, or a
20 nonrefundable triennial fee of \$1,500. therefor upon written
21 application made, verified and filed with the Department in the
22 form prescribed by the rules and regulations of the Department.
23 Each supplier's license is valid for ~~a period of~~ one year from
24 the date of issuance, or 3 years from date of issuance for a
25 triennial license, unless extended, suspended, or revoked by

1 Department action before that date. Any extension of a
2 supplier's license shall not exceed one year. No licensed
3 supplier under this Act shall lease, lend, or distribute
4 charitable gaming equipment, supplies, or other devices to
5 persons not otherwise licensed to conduct charitable games
6 under this Act. ~~The annual fee for such license is \$500.~~ The
7 Department may require by rule for the provision of surety
8 bonds by suppliers. A supplier shall keep among its books and
9 records and make available for inspection by the Department
10 ~~furnish the Department with~~ a list of all products and
11 equipment offered for sale or lease to any organization
12 licensed to conduct charitable games, and all such products and
13 equipment shall be sold or leased at the prices shown on the
14 books and records ~~on file with the Department.~~ A supplier shall
15 keep all such products and equipment segregated and separate
16 from any other products, materials or equipment that it might
17 own, sell, or lease. A supplier must include in its application
18 for a license the exact location of the storage of the
19 products, materials, or equipment. A supplier, as a condition
20 of licensure, must consent to permitting the Department's
21 employees to enter supplier's premises to inspect and test all
22 equipment and devices. A supplier shall keep books and records
23 for the furnishing of products and equipment to charitable
24 games separate and distinct from any other business the
25 supplier might operate. All products and equipment supplied
26 must be in accord with the Department's rules and regulations.

1 A supplier shall not alter or modify any equipment or supplies,
2 or possess any equipment or supplies so altered or modified, so
3 as to allow the possessor or operator of the equipment to
4 obtain a greater chance of winning a game other than as under
5 normal rules of play of such games. The supplier shall not
6 require an organization to pay a percentage of the proceeds
7 from the charitable games for the use of the products or
8 equipment. The supplier shall file a quarterly return with the
9 Department listing all sales or leases for such quarter and the
10 gross proceeds from such sales or leases. A supplier shall
11 permanently affix his name to all charitable games equipment,
12 supplies and pull tabs. A supplier shall not have any interest
13 in any providers' business, either direct or indirect. If the
14 supplier leases his equipment for use at an unlicensed
15 charitable games or to an unlicensed sponsoring group, all
16 equipment so leased is forfeited to the State.

17 ~~No person, firm or corporation shall sell, lease or~~
18 ~~distribute for compensation within this State, or possess with~~
19 ~~intent to sell, lease or distribute for compensation within~~
20 ~~this State, any chips, representations of money, wheels or any~~
21 ~~devices or equipment designed for use or used in the play of~~
22 ~~charitable games without first having obtained a license to do~~
23 ~~so from the Department of Revenue. Any person, firm or~~
24 ~~corporation which knowingly violates this paragraph shall be~~
25 ~~guilty of a Class A misdemeanor, the fine for which shall not~~
26 ~~exceed \$50,000.~~

1 Organizations licensed to conduct charitable games may own
2 their own equipment. Such organizations must apply to the
3 Department for an ownership permit. Any such application must
4 be accompanied by a one-time, nonrefundable fee of \$50 ~~fee~~.
5 Such organizations shall file an annual report listing their
6 inventory of charitable games equipment. Such organizations
7 may lend such equipment without compensation to other licensed
8 organizations without applying for a suppliers license.

9 No employee, owner, or officer of a supplier may
10 participate in the management or operation of a charitable
11 games event, even if the employee, owner, or officer is also a
12 member, volunteer, or employee of the charitable games
13 licensee. A supplier may not promote or solicit a charitable
14 games event on behalf of a charitable games licensee or
15 qualified organization.

16 (Source: P.A. 94-986, eff. 6-30-06.)

17 (230 ILCS 30/7) (from Ch. 120, par. 1127)

18 Sec. 7. Ineligible Persons. The following are ineligible
19 for any license under this Act:

20 (a) any person who has been convicted of a felony
21 within the last 10 years before ~~of~~ the date of the
22 application;

23 (b) any person who has been convicted of a violation of
24 Article 28 of the Criminal Code of 1961;

25 (c) any person who has had a bingo, pull tabs and jar

1 games, or charitable games license revoked by the
2 Department;

3 (d) any person who is or has been a professional
4 gambler;

5 (d-1) any person found gambling in a manner not
6 authorized by this Act, the Illinois Pull Tabs and Jar
7 Games Act, or the Bingo License and Tax Act participating
8 in such gambling, or knowingly permitting such gambling on
9 premises where an authorized charitable games event is
10 authorized to be conducted ~~being~~ or has been conducted;

11 (e) any ~~business or~~ organization in which a person
12 defined in (a), (b), (c), (d), or (d-1) has a proprietary,
13 equitable, or credit interest, or in which the person is
14 active or employed;

15 (f) any ~~business or~~ organization in which a person
16 defined in (a), (b), (c), (d), or (d-1) is an officer,
17 director, or employee, whether compensated or not;

18 (g) any organization in which a person defined in (a),
19 (b), (c), (d), or (d-1) is to participate in the management
20 or operation of charitable games.

21 The Department of State Police shall provide the criminal
22 background of any person requested by the Department of
23 Revenue.

24 (Source: P.A. 94-986, eff. 6-30-06.)

25 (230 ILCS 30/8) (from Ch. 120, par. 1128)

1 Sec. 8. The conducting of charitable games is subject to
2 the following restrictions:

3 (1) The entire net proceeds from charitable games must
4 be exclusively devoted to the lawful purposes of the
5 organization permitted to conduct that game.

6 (2) No person except a bona fide member or employee of
7 the sponsoring organization, or a volunteer recruited by
8 the sponsoring organization, may participate in the
9 management or operation of the game. A person participates
10 in the management or operation of a charitable game when he
11 or she sells admission tickets at the event; sells,
12 redeems, or in any way assists in the selling or redeeming
13 of chips, scrip, or play money; participates in the
14 conducting of any of the games played during the event, or
15 supervises, directs or instructs anyone conducting a game;
16 or at any time during the hours of the charitable games
17 event counts, handles, or supervises anyone counting or
18 handling any of the proceeds or chips, scrip, or play money
19 at the event. A person who is present to ensure that the
20 games are being conducted in conformance with the rules
21 established by the licensed organization or is present to
22 insure that the equipment is working properly is considered
23 to be participating in the management or operation of a
24 game. Setting up, cleaning up, selling food and drink, or
25 providing security for persons or property at the event
26 does not constitute participation in the management or

1 operation of the game.

2 Only bona fide members, volunteers as defined in
3 Section 2 of this Act, and employees of the sponsoring
4 organization may participate in the management or
5 operation of the games. Participation ~~A person who~~
6 ~~participates~~ in the management or operation of the games is
7 limited to no more than 4 charitable games events, either
8 of the sponsoring organization or any other licensed
9 organization, during a calendar year. ~~and who is not a bona~~
10 ~~fide member, volunteer as defined in Section 2 of this Act,~~
11 ~~or employee of the sponsoring organization, or who receives~~
12 ~~remuneration or other compensation either directly or~~
13 ~~indirectly from any source for participating in the~~
14 ~~management or operation of the games, or who has~~
15 ~~participated in the management or operation of more than 4~~
16 ~~charitable games events in the calendar year, commits a~~
17 ~~violation of this Act. In addition, a licensed organization~~
18 ~~that utilizes any person described in the preceding~~
19 ~~sentence commits a violation of this Act.~~

20 (3) No person may receive any remuneration or
21 compensation either directly or indirectly from any source
22 for participating in the management or operation of the
23 game.

24 (4) No single bet at any game may exceed \$10.

25 (5) A bank shall be established on the premises to
26 convert currency into chips, scrip, or other form of play

1 money which shall then be used to play at games of chance
2 which the participant chooses. Chips, scrip, or play money
3 must be permanently monogrammed with the logo of the
4 licensed organization or of the supplier. Each participant
5 must be issued a receipt indicating the amount of chips,
6 scrip, or play money purchased.

7 (6) At the conclusion of the event or when the
8 participant leaves, he may cash in his chips, scrip, or
9 play money in exchange for currency not to exceed \$250 or
10 noncash prizes. Each participant shall sign for any receipt
11 of prizes. The licensee shall provide the Department of
12 Revenue with a listing of all prizes awarded, including the
13 retail value of all prizes awarded.

14 (7) Each licensee shall be permitted to conduct
15 charitable games on not more than 4 days each year. Nothing
16 in this Section shall be construed to prohibit a licensee
17 that conducts charitable games on its own premises from
18 also obtaining a providers' license in accordance with
19 Section 7 of this Act.

20 (8) Unless the provider of the premises is a
21 municipality, the provider of the premises may not rent or
22 otherwise provide the premises for the conducting of more
23 than 8 charitable games nights per year.

24 (9) A charitable games event is considered to be a
25 one-day event and charitable ~~Charitable~~ games may not be
26 played between the hours of 2:00 a.m. and noon.

1 (10) No person under the age of 18 years may play or
2 participate in the conducting of charitable games. Any
3 person under the age of 18 years may be within the area
4 where charitable games are being played only when
5 accompanied by his parent or guardian.

6 (11) No one other than the sponsoring organization of
7 charitable games must have a proprietary interest in the
8 game promoted.

9 (12) Raffles or other forms of gambling prohibited by
10 law shall not be conducted on the premises where charitable
11 games are being conducted.

12 (13) Such games are not expressly prohibited by county
13 ordinance for charitable games conducted in the
14 unincorporated areas of the county or municipal ordinance
15 for charitable games conducted in the municipality and the
16 ordinance is filed with the Department of Revenue. The
17 Department shall provide each county or municipality with a
18 list of organizations licensed or subsequently authorized
19 by the Department to conduct charitable games in their
20 jurisdiction.

21 (14) The sale of tangible personal property at
22 charitable games is subject to all State and local taxes
23 and obligations.

24 (15) Each licensee may offer or conduct only the games
25 listed below, which must be conducted in accordance with
26 rules posted by the organization. The organization

1 sponsoring charitable games shall promulgate rules, and
2 make printed copies available to participants, for the
3 following games: (a) roulette; (b) blackjack; (c) poker;
4 (d) pull tabs; (e) craps; (f) bang; (g) beat the dealer;
5 (h) big six; (i) gin rummy; (j) five card stud poker; (k)
6 chuck-a-luck; (l) keno; (m) hold-em poker; and (n)
7 merchandise wheel. A licensee need not offer or conduct
8 every game permitted by law. The conducting of games not
9 listed above is prohibited by this Act.

10 (16) No slot machines or coin-in-the-slot-operated
11 devices that allow a participant to play games of chance
12 shall be permitted to be used at the location and during
13 the time at which the charitable games are being conducted
14 ~~based upon cards or dice shall be permitted to be used at~~
15 ~~the location and during the time at which the charitable~~
16 ~~games are being conducted.~~

17 (17) No cards, dice, wheels, or other equipment may be
18 modified or altered so as to give the licensee a greater
19 advantage in winning, other than as provided under the
20 normal rules of play of a particular game.

21 (18) No credit shall be extended to any of the
22 participants.

23 (19) (Blank). ~~No person may participate in the~~
24 ~~management or operation of games at more than 4 charitable~~
25 ~~games events in any calendar year.~~

26 (20) A supplier may have only one representative

1 present at the charitable games event, for the exclusive
2 purpose of ensuring that its equipment is not damaged.

3 (21) No employee, owner, or officer of a consultant
4 service hired by a licensed organization to perform
5 services at the event including, but not limited to,
6 security for persons or property at the event or services
7 before the event including, but not limited to, training
8 for volunteers or advertising may participate in the
9 management or operation of the games.

10 (22) (Blank). ~~Volunteers as defined in Section 2 of~~
11 ~~this Act and bona fide members and employees of a~~
12 ~~sponsoring organization may not receive remuneration or~~
13 ~~compensation, either directly or indirectly from any~~
14 ~~source, for participating in the management or operation of~~
15 ~~games. They may participate in the management or operation~~
16 ~~of no more than 4 charitable games events, either of the~~
17 ~~sponsoring organization or any other licensed~~
18 ~~organization, during a calendar year.~~

19 ~~Nothing in this Section shall be construed to prohibit a~~
20 ~~licensee that conducts charitable games on its own premises~~
21 ~~from also obtaining a providers' license in accordance with~~
22 ~~Section 5.1.~~

23 (Source: P.A. 94-986, eff. 6-30-06.)

24 (230 ILCS 30/9) (from Ch. 120, par. 1129)

25 Sec. 9. There shall be paid to the Department of Revenue,

1 3% of the gross proceeds of charitable games conducted under
2 the provisions of this Act. Such payments shall be made within
3 30 days after the completion of the games. ~~Payment must be by~~
4 ~~money order or certified check.~~ Accompanying each payment shall
5 be a return report, on forms prescribed ~~provided~~ by the
6 Department of Revenue, ~~listing the games conducted, the gross~~
7 ~~income derived and such other information as the Department of~~
8 ~~Revenue may require.~~ Failure to submit either the payment or
9 the return report within the specified time may result in
10 suspension or revocation of the license. Tax returns filed
11 pursuant to this Act shall not be confidential and shall be
12 available for public inspection. ~~and may be used in future~~
13 ~~considerations for renewal of the license.~~

14 ~~The provisions of Section 2a of the Retailers' Occupation~~
15 ~~Tax Act pertaining to the furnishing of a bond or other~~
16 ~~security are incorporated by reference into this Act and are~~
17 ~~applicable to licensees under this Act as a precondition of~~
18 ~~obtaining a license under this Act. For purposes of this Act~~
19 ~~gross proceeds shall be defined as all chips, scrip or other~~
20 ~~form of play money purchased or any fee or donation for~~
21 ~~admission or entry into such games. The Department shall~~
22 ~~establish by rule the standards and criteria it will use in~~
23 ~~determining whether to require the furnishing of a bond or~~
24 ~~other security, the amount of such bond or other security,~~
25 ~~whether to require the furnishing of an additional bond or~~
26 ~~other security by a licensee, and the amount of such additional~~

1 ~~bond or other security. Such standards and criteria may include~~
2 ~~payment history, general financial condition or other factors~~
3 ~~which may pose risks to insuring the payment to the Department~~
4 ~~of Revenue, of applicable taxes. Such rulemaking is subject to~~
5 ~~the provisions of the Illinois Administrative Procedure Act.~~

6 The provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g,
7 5i, 5j, 6, 6a, 6b, 6c, 8, 9, 10, 11 and 12 of the Retailers'
8 Occupation Tax Act, and Section 3-7 of the Uniform Penalty and
9 Interest Act, which are not inconsistent with this Act shall
10 apply, as far as practicable, to the subject matter of this Act
11 to the same extent as if such provisions were included in this
12 Act. ~~Financial reports filed pursuant to this Act shall not be~~
13 ~~confidential and shall be available for public inspection.~~ For
14 the purposes of this Act, references in such incorporated
15 Sections of the Retailers' Occupation Tax Act to retailers,
16 sellers or persons engaged in the business of selling tangible
17 personal property means persons engaged in conducting
18 charitable games, and references in such incorporated Sections
19 of the Retailers' Occupation Tax Act to sales of tangible
20 personal property mean the conducting of charitable games and
21 the making of charges for playing such games.

22 All payments made to the Department of Revenue ~~of the sums~~
23 ~~collected~~ under this Section shall be deposited into the
24 Illinois Gaming Law Enforcement Fund of the State Treasury.

25 (Source: P.A. 87-205; 87-895.)

1 (230 ILCS 30/10) (from Ch. 120, par. 1130)

2 Sec. 10. Each licensee must keep a complete record of
3 charitable games conducted within the previous 3 years. Such
4 record shall be open to inspection by any employee of the
5 Department of Revenue during reasonable business hours. ~~Any~~
6 ~~employee of the Department may visit the premises and inspect~~
7 ~~such record during, and for a reasonable time before and after,~~
8 ~~charitable games. Gross proceeds of charitable games shall be~~
9 ~~segregated from other revenues of the licensee, including bingo~~
10 ~~receipts, and shall be placed in a separate account.~~

11 The Department may require that any person, organization or
12 corporation licensed under this Act obtain from an Illinois
13 certified public accounting firm at its own expense a certified
14 and unqualified financial statement and verification of
15 records of such organization. Failure of a charitable games
16 licensee to comply with this requirement within 90 days of
17 receiving notice from the Department may result in suspension
18 or revocation of the licensee's license ~~and forfeiture of all~~
19 ~~proceeds.~~

20 The Department of Revenue may, at its discretion, suspend
21 or shall revoke any license if when it finds that the licensee
22 or any person connected therewith has violated or is violating
23 the provisions of this Act ~~or any rule promulgated under this~~
24 ~~Act. However, in his or her discretion, the Director may review~~
25 ~~the offenses subjecting the licensee to revocation and may~~
26 ~~issue a suspension. The decision to reduce a revocation to a~~

1 ~~suspension, and the duration of the suspension, shall be made~~
2 ~~by taking into account factors that include, but are not~~
3 ~~limited to, the licensee's previous history of compliance with~~
4 ~~the Act and its rules, the number, seriousness, and duration of~~
5 ~~the violations, and the licensee's cooperation in~~
6 ~~discontinuing and correcting the violations. Violations of~~
7 ~~Sections 4, 5, 6, 7, and subsection (2) of Section 8 of this~~
8 ~~Act are considered to be more serious in nature than other~~
9 ~~violations under this Act.~~ A revocation or suspension shall be
10 in addition to, and not in lieu of, any other civil penalties
11 or assessments that are authorized by this Act. No licensee
12 under this Act, while a charitable game is being conducted,
13 shall knowingly permit the entry into any part of the licensed
14 premises by any person who has been convicted of a violation of
15 Article 28 of the Criminal Code of 1961.

16 (Source: P.A. 94-986, eff. 6-30-06.)

17 (230 ILCS 30/12) (from Ch. 120, par. 1132)

18 Sec. 12. Penalties.

19 (1) Any person who conducts or knowingly participates in an
20 unlicensed charitable game commits the offense of gambling in
21 violation of Section 28-1 of the Criminal Code of 1961, as
22 amended. Any person who violates any provision of this Act, or
23 any person who fails to file a charitable games return or who
24 files a fraudulent return or application under this Act, or any
25 person who willfully ~~knowingly~~ violates any rule or regulation

1 of the Department for the administration and enforcement of
2 this Act, or any officer or agent of an organization ~~or a~~
3 ~~corporation~~ licensed under this Act who signs a fraudulent
4 return or application filed on behalf of such an organization
5 ~~or corporation~~, is guilty of a Class A misdemeanor. Any second
6 or subsequent violation of this Act constitutes a Class 4
7 felony.

8 (2) Any organization that illegally conducts charitable
9 games, in addition to other penalties provided for in this Act,
10 shall be subject to a civil penalty equal to the amount of
11 gross proceeds derived from those unlicensed games, as well as
12 confiscation and forfeiture of all charitable games equipment
13 used in the conduct of those unlicensed games.

14 (3) Any organization licensed to conduct charitable games
15 that allows any form of illegal gambling to be conducted on the
16 premises where charitable games are being conducted, in
17 addition to other penalties provided for in this Act, shall be
18 subject to a civil penalty equal to the amount of gross
19 proceeds derived on that day from charitable games and any
20 illegal game that may have been conducted, as well as
21 confiscation and forfeiture of all charitable games equipment
22 used in the conduct of any unlicensed or illegal games.

23 (4) Any person who violates any provision of this Act or
24 knowingly violates any rule of the Department for the
25 administration of this Act, in addition to other penalties
26 provided, shall be subject to a civil penalty not to exceed

1 \$250 for each separate violation.

2 (5) No person shall sell, lease, or distribute for
3 compensation within this State, or possess with intent to sell,
4 lease, or distribute for compensation within this State, any
5 chips, representations of money, wheels, or any devices or
6 equipment designed for use or used in the play of charitable
7 games without first having obtained a license to do so from the
8 Department of Revenue. Any person that knowingly violates this
9 paragraph is guilty of a Class A misdemeanor, the fine for
10 which shall not exceed \$50,000.

11 (Source: P.A. 94-986, eff. 6-30-06.)

12 (230 ILCS 30/14.1 new)

13 Sec. 14.1. Severability. If any clause, sentence, Section,
14 provision, or part of this Act, or the application thereof to
15 any person or circumstance, shall be adjudged to be
16 unconstitutional, the remainder of this Act or its application
17 to persons or circumstances other than those to which it is
18 held invalid shall not be affected thereby.

19 (230 ILCS 25/4.1 rep.)

20 (230 ILCS 25/4.2 rep.)

21 Section 20. The Bingo License and Tax Act is amended by
22 repealing Sections 4.1 and 4.2.

23 (230 ILCS 30/11 rep.)

1 Section 25. The Charitable Games Act is amended by
2 repealing Section 11.

3 Section 99. Effective date. This Act takes effect July 1,
4 2007.

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