

SB3478



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3478

Introduced 2/14/2014, by Sen. Antonio Muñoz

SYNOPSIS AS INTRODUCED:

720 ILCS 5/28-2

from Ch. 38, par. 28-2

Amends the Criminal Code of 2012. Provides that "gambling device" includes any vending machine that offers a person entry into contest, competition, sweepstakes, scheme, plan, or other selection process that involves an element of chance for which the person may receive a gift, award, or other item or service of value, even if that offer is incidental to the purchase of an item from the vending machine.

LRB098 17265 AMC 52359 b

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 28-2 as follows:

6 (720 ILCS 5/28-2) (from Ch. 38, par. 28-2)

7 Sec. 28-2. Definitions.

8 (a) A "gambling device" is any clock, tape machine, slot
9 machine or other machines or device for the reception of money
10 or other thing of value on chance or skill or upon the action
11 of which money or other thing of value is staked, hazarded,
12 bet, won or lost; or any mechanism, furniture, fixture,
13 equipment or other device designed primarily for use in a
14 gambling place. A "gambling device" does not include:

15 (1) A coin-in-the-slot operated mechanical device
16 played for amusement which rewards the player with the
17 right to replay such mechanical device, which device is so
18 constructed or devised as to make such result of the
19 operation thereof depend in part upon the skill of the
20 player and which returns to the player thereof no money,
21 property or right to receive money or property.

22 (2) Except as otherwise provided in this subsection
23 (a), vending ~~Vending~~ machines by which full and adequate

1 return is made for the money invested and in which there is
2 no element of chance or hazard.

3 (3) A crane game. For the purposes of this paragraph
4 (3), a "crane game" is an amusement device involving skill,
5 if it rewards the player exclusively with merchandise
6 contained within the amusement device proper and limited to
7 toys, novelties and prizes other than currency, each having
8 a wholesale value which is not more than \$25.

9 (4) A redemption machine. For the purposes of this
10 paragraph (4), a "redemption machine" is a single-player or
11 multi-player amusement device involving a game, the object
12 of which is throwing, rolling, bowling, shooting, placing,
13 or propelling a ball or other object that is either
14 physical or computer generated on a display or with lights
15 into, upon, or against a hole or other target that is
16 either physical or computer generated on a display or with
17 lights, or stopping, by physical, mechanical, or
18 electronic means, a moving object that is either physical
19 or computer generated on a display or with lights into,
20 upon, or against a hole or other target that is either
21 physical or computer generated on a display or with lights,
22 provided that all of the following conditions are met:

23 (A) The outcome of the game is predominantly
24 determined by the skill of the player.

25 (B) The award of the prize is based solely upon the
26 player's achieving the object of the game or otherwise

1 upon the player's score.

2 (C) Only merchandise prizes are awarded.

3 (D) The wholesale value of prizes awarded in lieu
4 of tickets or tokens for single play of the device does
5 not exceed \$25.

6 (E) The redemption value of tickets, tokens, and
7 other representations of value, which may be
8 accumulated by players to redeem prizes of greater
9 value, for a single play of the device does not exceed
10 \$25.

11 (5) Video gaming terminals at a licensed
12 establishment, licensed truck stop establishment, licensed
13 fraternal establishment, or licensed veterans
14 establishment licensed in accordance with the Video Gaming
15 Act.

16 "Gambling device" includes any vending machine that offers
17 a person entry into contest, competition, sweepstakes, scheme,
18 plan, or other selection process that involves an element of
19 chance for which the person may receive a gift, award, or other
20 item or service of value, even if that offer is incidental to
21 the purchase of an item from the vending machine.

22 (a-5) "Internet" means an interactive computer service or
23 system or an information service, system, or access software
24 provider that provides or enables computer access by multiple
25 users to a computer server, and includes, but is not limited
26 to, an information service, system, or access software provider

1 that provides access to a network system commonly known as the
2 Internet, or any comparable system or service and also
3 includes, but is not limited to, a World Wide Web page,
4 newsgroup, message board, mailing list, or chat area on any
5 interactive computer service or system or other online service.

6 (a-6) "Access" and "computer" have the meanings ascribed to
7 them in Section 16D-2 of this Code.

8 (b) A "lottery" is any scheme or procedure whereby one or
9 more prizes are distributed by chance among persons who have
10 paid or promised consideration for a chance to win such prizes,
11 whether such scheme or procedure is called a lottery, raffle,
12 gift, sale or some other name.

13 (c) A "policy game" is any scheme or procedure whereby a
14 person promises or guarantees by any instrument, bill,
15 certificate, writing, token or other device that any particular
16 number, character, ticket or certificate shall in the event of
17 any contingency in the nature of a lottery entitle the
18 purchaser or holder to receive money, property or evidence of
19 debt.

20 (Source: P.A. 97-1126, eff. 1-1-13; 98-31, eff. 6-24-13.)