



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2393

Introduced 2/13/2019, by Rep. Charles Meier

SYNOPSIS AS INTRODUCED:

230 ILCS 15/2
230 ILCS 15/3

from Ch. 85, par. 2302
from Ch. 85, par. 2303

Amends the Raffles and Poker Runs Act. Provides that a county may pass an ordinance prohibiting the conduct of poker runs within the county's boundaries. Provides that a county that has prohibited poker runs is not required to establish a system for the licensing of organizations to operate poker runs. Provides that a license for a poker run authorizes the licensee to conduct the poker run at locations within the county with jurisdiction over the key location and at locations within any other county that licenses poker runs. Provides that a poker run conducted at locations in multiple counties is only required to be licensed by the county with jurisdiction over the key location. Removes provisions providing that the governing bodies of 2 or more adjacent counties may contract to jointly establish a licensing system for organizations to operate poker runs. Effective immediately.

LRB101 06070 SMS 51091 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The Raffles and Poker Runs Act is amended by
5 changing Sections 2 and 3 as follows:

6 (230 ILCS 15/2) (from Ch. 85, par. 2302)

7 Sec. 2. Licensing.

8 (a) The governing body of any county or municipality within
9 this State may establish a system for the licensing of
10 organizations to operate raffles. The governing bodies of a
11 county and one or more municipalities may, pursuant to a
12 written contract, jointly establish a system for the licensing
13 of organizations to operate raffles within any area of
14 contiguous territory not contained within the corporate limits
15 of a municipality which is not a party to such contract. The
16 governing bodies of two or more adjacent counties or two or
17 more adjacent municipalities located within a county may,
18 pursuant to a written contract, jointly establish a system for
19 the licensing of organizations to operate raffles within the
20 corporate limits of such counties or municipalities. The
21 licensing authority may establish special categories of
22 licenses and promulgate rules relating to the various
23 categories. The licensing system shall provide for limitations

1 upon (1) the aggregate retail value of all prizes or
2 merchandise awarded by a licensee in a single raffle, (2) the
3 maximum retail value of each prize awarded by a licensee in a
4 single raffle, (3) the maximum price which may be charged for
5 each raffle chance issued or sold and (4) the maximum number of
6 days during which chances may be issued or sold. The licensing
7 system may include a fee for each license in an amount to be
8 determined by the local governing body. Licenses issued
9 pursuant to this Act shall be valid for one raffle or for a
10 specified number of raffles to be conducted during a specified
11 period not to exceed one year and may be suspended or revoked
12 for any violation of this Act. A local governing body shall act
13 on a license application within 30 days from the date of
14 application. Nothing in this Act shall be construed to prohibit
15 a county or municipality from adopting rules or ordinances for
16 the operation of raffles that are more restrictive than
17 provided for in this Act. Except for raffles organized by law
18 enforcement agencies and statewide associations that represent
19 law enforcement officials as provided in Section 9 of this Act,
20 the governing body of a municipality may authorize the sale of
21 raffle chances only within the borders of the municipality.
22 Except for raffles organized by law enforcement agencies and
23 statewide associations that represent law enforcement
24 officials as provided in Section 9, the governing body of the
25 county may authorize the sale of raffle chances only in those
26 areas which are both within the borders of the county and

1 outside the borders of any municipality.

2 (a-5) The governing body of Cook County may and any other
3 county within this State shall establish a system for the
4 licensing of organizations to operate poker runs, unless the
5 county has prohibited poker runs under this subsection. ~~The~~
6 ~~governing bodies of 2 or more adjacent counties may, pursuant~~
7 ~~to a written contract, jointly establish a system for the~~
8 ~~licensing of organizations to operate poker runs within the~~
9 ~~corporate limits of such counties.~~ The licensing authority may
10 establish special categories of licenses and adopt rules
11 relating to the various categories. The licensing system may
12 include a fee not to exceed \$25 for each license. Licenses
13 issued pursuant to this Act shall be valid for one poker run or
14 for a specified number of poker runs to be conducted during a
15 specified period not to exceed one year and may be suspended or
16 revoked for any violation of this Act. A local governing body
17 shall act on a license application within 30 days after the
18 date of application. A county may pass an ordinance prohibiting
19 the conduct of poker runs within the county's boundaries.

20 (b) Raffle licenses shall be issued only to bona fide
21 religious, charitable, labor, business, fraternal, educational
22 or veterans' organizations that operate without profit to their
23 members and which have been in existence continuously for a
24 period of 5 years immediately before making application for a
25 raffle license and which have had during that entire 5-year
26 period a bona fide membership engaged in carrying out their

1 objects, or to a non-profit fundraising organization that the
2 licensing authority determines is organized for the sole
3 purpose of providing financial assistance to an identified
4 individual or group of individuals suffering extreme financial
5 hardship as the result of an illness, disability, accident or
6 disaster, as well as law enforcement agencies and statewide
7 associations that represent law enforcement officials as
8 provided for in Section 9 of this Act. Poker run licenses shall
9 be issued only to bona fide religious, charitable, labor,
10 business, fraternal, educational, veterans', or other bona
11 fide not-for-profit organizations that operate without profit
12 to their members and which have been in existence continuously
13 for a period of 5 years immediately before making application
14 for a poker run license and which have had during that entire
15 5-year period a bona fide membership engaged in carrying out
16 their objects. Licenses for poker runs shall be issued for the
17 following purposes: (i) providing financial assistance to an
18 identified individual or group of individuals suffering
19 extreme financial hardship as the result of an illness,
20 disability, accident, or disaster or (ii) to maintain the
21 financial stability of the organization. A licensing authority
22 may waive the 5-year requirement under this subsection (b) for
23 a bona fide religious, charitable, labor, business, fraternal,
24 educational, or veterans' organization that applies for a
25 license to conduct a poker run if the organization is a local
26 organization that is affiliated with and chartered by a

1 national or State organization that meets the 5-year
2 requirement.

3 For purposes of this Act, the following definitions apply.

4 Non-profit: 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: An
7 organization or institution organized and operated to benefit
8 an indefinite number of the public. The service rendered to
9 those eligible for benefits must also confer some benefit on
10 the public. Educational: An organization or institution
11 organized and operated to provide systematic instruction in
12 useful branches of learning by methods common to schools and
13 institutions of learning which compare favorably in their scope
14 and intensity with the course of study presented in
15 tax-supported schools. Religious: Any church, congregation,
16 society, or organization founded for the purpose of religious
17 worship. Fraternal: An organization of persons having a common
18 interest, the primary interest of which is to both promote the
19 welfare of its members and to provide assistance to the general
20 public in such a way as to lessen the burdens of government by
21 caring for those that otherwise would be cared for by the
22 government. Veterans: An organization or association comprised
23 of members of which substantially all are individuals who are
24 veterans or spouses, widows, or widowers of veterans, the
25 primary purpose of which is to promote the welfare of its
26 members and to provide assistance to the general public in such

1 a way as to confer a public benefit. Labor: An organization
2 composed of workers organized with the objective of betterment
3 of the conditions of those engaged in such pursuit and the
4 development of a higher degree of efficiency in their
5 respective occupations. Business: A voluntary organization
6 composed of individuals and businesses who have joined together
7 to advance the commercial, financial, industrial and civic
8 interests of a community.

9 (c) Poker runs shall be licensed by the county with
10 jurisdiction over the key location. A poker run conducted at
11 locations in multiple counties is only required to be licensed
12 by the county with jurisdiction over the key location. The
13 license granted by the key location shall cover the entire
14 poker run, including locations other than the key location.
15 Each license issued shall include the name and address of each
16 predetermined location.

17 (Source: P.A. 99-405, eff. 8-19-15; 99-757, eff. 8-12-16;
18 100-201, eff. 8-18-17.)

19 (230 ILCS 15/3) (from Ch. 85, par. 2303)

20 Sec. 3. License - Application - Issuance - Restrictions -
21 Persons ineligible. Licenses issued by the governing body of
22 any county or municipality are subject to the following
23 restrictions:

24 (1) No person, firm or corporation shall conduct
25 raffles or chances or poker runs without having first

1 obtained a license therefor pursuant to this Act.

2 (2) The license and application for license must
3 specify the area or areas within the licensing authority in
4 which raffle chances will be sold or issued or a poker run
5 will be conducted, the time period during which raffle
6 chances will be sold or issued or a poker run will be
7 conducted, the time of determination of winning chances and
8 the location or locations at which winning chances will be
9 determined.

10 (3) The license application must contain a sworn
11 statement attesting to the not-for-profit character of the
12 prospective licensee organization, signed by the presiding
13 officer and the secretary of that organization.

14 (4) The application for license shall be prepared in
15 accordance with the ordinance of the local governmental
16 unit.

17 (5) A license authorizes the licensee to conduct
18 raffles or poker runs as defined in this Act.

19 The following are ineligible for any license under this
20 Act:

21 (a) any person whose felony conviction will impair the
22 person's ability to engage in the licensed position;

23 (b) any person who is or has been a professional
24 gambler or gambling promoter;

25 (c) any person who is not of good moral character;

26 (d) any firm or corporation in which a person defined

1 in (a), (b) or (c) has a proprietary, equitable or credit
2 interest, or in which such a person is active or employed;

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

6 (f) any organization in which a person defined in (a),
7 (b) or (c) is to participate in the management or operation
8 of a raffle as defined in this Act.

9 (6) A license for a poker run authorizes the licensee
10 to conduct the poker run at locations within the county
11 with jurisdiction over the key location and at locations
12 within any other county that licenses poker runs.

13 (Source: P.A. 100-286, eff. 1-1-18.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.