

**102ND GENERAL ASSEMBLY****State of Illinois****2021 and 2022****SB3203**

Introduced 1/14/2022, by Sen. Napoleon Harris, III

**SYNOPSIS AS INTRODUCED:**

See Index

Amends the Charitable Games Act. Requires a licensee seeking to sponsor more than 4 charitable game nights per year to pay an additional nonrefundable fee of \$50 for each additional night to the Department of Revenue at least 30 days prior to the night or nights the licensee wishes to conduct such games. Prohibits a licensee from sponsoring more than 12 charitable game nights per year. Removes provisions that provide that persons in charge of the necessary day-to-day operations of the charitable games have not participated in the operation of more than 12 charitable games and those persons have not received compensation for participating in the operation of the games. Prohibits the Department from issuing a license permitting a person, firm, or corporation to sponsor a charitable games night if the premises for the conduct of the charitable games has been previous used for 48 (instead of 12) charitable games nights during the previous 12 months. Requires the Department to license providers of charitable games at a nonrefundable biennial fee of \$400 (instead of an annual fee of \$50 or a nonrefundable triennial license fee of \$150). Provides that each providers' license is valid for 2 years (instead of one year or 3 years for a triennial license). Provides that the Department shall receive a fee of \$200 for a one year extension. Allows a licensee who conducts charitable games on its own premises to obtain a providers' license to allow the licensee to provide its premises to another licensee for the conducting of an additional 12 (instead of 4) charitable games events. Provides that the maximum number of charitable games events that may be held at any one premises is limited to 48 (instead of 12) charitable games events per calendar year. Removes provisions that provide that: no person except a bona fide member or employee of the sponsoring organization may participate in the management or operation of the game; no person may receive any compensation from any source for participating in the operation of the game; and no employee, owner, or officer of a consultant service hired by a licensed organization to perform services at the event may participate in the operation of the games.

LRB102 23732 AMQ 32921 b

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 Charitable Games Act is amended by changing  
5 Sections 3, 4, 5, 5.1, and 8 as follows:

6 (230 ILCS 30/3) (from Ch. 120, par. 1123)

7 Sec. 3. The Department of Revenue shall, upon application  
8 therefor on forms prescribed by the Department, and upon the  
9 payment of a nonrefundable fee of \$400 due upon application  
10 and each renewal, and upon a determination by the Department  
11 that the applicant meets all of the qualifications specified  
12 in this Act, issue a charitable games license for the  
13 conducting of charitable games to any of the following:

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

17 (ii) Any qualified organization organized in Illinois  
18 which operates without profit to its members, which has  
19 been in existence in Illinois continuously for a period of  
20 5 years immediately before making application for a  
21 license and which has had during that 5 year period a bona  
22 fide membership engaged in carrying out its objects.  
23 However, the 5 year requirement shall be reduced to 2

1 years, as applied to a local organization which is  
2 affiliated with and chartered by a national organization  
3 which meets the 5 year requirement. The period of  
4 existence specified above shall not apply to a qualified  
5 organization, organized for charitable purpose, created by  
6 a fraternal organization that meets the existence  
7 requirements if the charitable organization has the same  
8 officers and directors as the fraternal organization. Only  
9 one charitable organization created by a branch lodge or  
10 chapter of a fraternal organization may be licensed under  
11 this provision.

12 The application shall be signed by a person listed on the  
13 application as an owner, officer, or other person in charge of  
14 the necessary day-to-day operations of the applicant  
15 organization, who shall attest under penalties of perjury that  
16 the information contained in the application is true, correct,  
17 and complete.

18 Each license shall be in effect for 2 years from its date  
19 of issuance unless extended, suspended, or revoked by  
20 Department action before that date. Any extension shall not  
21 exceed one year. The Department may by rule authorize the  
22 filing by electronic means of any application, license,  
23 permit, return, or registration required under this Act. A  
24 licensee may hold only one license. Each license must be  
25 applied for at least 30 days prior to the night or nights the  
26 licensee wishes to conduct such games. A licensee seeking to

1 sponsor more than 4 charitable game nights per year shall pay  
2 an additional nonrefundable fee of \$50 for each additional  
3 night to the Department at least 30 days prior to the night or  
4 nights the licensee wishes to conduct such games. A licensee  
5 shall not sponsor more than 12 charitable game nights per  
6 year. The Department may issue a license to a licensee that  
7 applies less than 30 days prior to the night or nights the  
8 licensee wishes to conduct the games if all other requirements  
9 of this Act are met and the Department has sufficient time and  
10 resources to issue the license in a timely manner. The  
11 Department may provide by rule for an extension of any  
12 charitable games license issued under this Act. If a licensee  
13 wishes to conduct games at a location other than the locations  
14 originally specified in the license, the licensee shall notify  
15 the Department of the proposed alternate location at least 30  
16 days before the night on which the licensee wishes to conduct  
17 games at the alternate location. The Department may accept an  
18 applicant's change in location with less than 30 days' notice  
19 if all other requirements of this Act are met and the  
20 Department has sufficient time and resources to process the  
21 change in a timely manner.

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

25 (Source: P.A. 98-377, eff. 1-1-14.)

1 (230 ILCS 30/4) (from Ch. 120, par. 1124)

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

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

16 (2) The license application shall be prepared by the  
17 prospective licensee organization or its duly authorized  
18 representative in accordance with the rules of the  
19 Department of Revenue.

20 (2.1) The organization shall maintain among its books  
21 and records a list of the names, addresses, social  
22 security numbers, and dates of birth of all persons who  
23 will participate in the management or operation of the  
24 games, along with a sworn statement made under penalties  
25 of perjury, signed by a person listed on the application  
26 as an owner, officer, or other person in charge of the

1 necessary day-to-day operations, that the persons listed  
2 as participating in the management or operation of the  
3 games are bona fide members, volunteers as defined in  
4 Section 2, ~~or~~ employees of the applicant, or are paid in  
5 compliance with the Minimum Wage Law for the management or  
6 operation of the charitable games ~~that these persons have~~  
7 ~~not participated in the management or operation of more~~  
8 ~~than 12 charitable games events conducted by any licensee~~  
9 ~~in the calendar year, and that these persons will receive~~  
10 ~~no remuneration or compensation, directly or indirectly~~  
11 ~~from any source, for participating in the management or~~  
12 ~~operation of the games.~~ Any amendments to this listing  
13 must contain an identical sworn statement.

14 (2.2) (Blank).

15 (3) Each license shall state the date, hours and at  
16 what locations the licensee is permitted to conduct  
17 charitable games.

18 (4) Each licensee shall file a copy of the license  
19 with each police department or, if in unincorporated  
20 areas, each sheriff's office whose jurisdiction includes  
21 the premises on which the charitable games are authorized  
22 under the license.

23 (5) The licensee shall prominently display the license  
24 in the area where the licensee is to conduct charitable  
25 games. The licensee shall likewise display, in the form  
26 and manner prescribed by the Department, the provisions of

1 Section 9 of this Act.

2 (6) (Blank).

3 (7) (Blank).

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

5 (9) ~~The Unless the premises for conducting charitable~~  
6 ~~games are provided by a municipality, the~~ Department shall  
7 not issue a license permitting a person, firm or  
8 corporation to sponsor a charitable games night if the  
9 premises for the conduct of the charitable games has been  
10 previously used for 48 ~~12~~ charitable games nights during  
11 the previous 12 months.

12 (10) Auxiliary organizations of a licensee shall not  
13 be eligible for a license to conduct charitable games,  
14 except for auxiliary organizations of veterans  
15 organizations as authorized in Section 2.

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

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

23 Nothing in this Section shall be construed to prohibit a  
24 licensee that conducts charitable games on its own premises  
25 from also obtaining a providers' license in accordance with  
26 Section 5.1. The maximum number of charitable games events

1 that may be held in any one premises is limited to no more than  
2 48 ~~12~~ charitable games events per calendar year.

3 (Source: P.A. 98-377, eff. 1-1-14; 98-1071, eff. 8-26-14.)

4 (230 ILCS 30/5) (from Ch. 120, par. 1125)

5 Sec. 5. Providers' License. The Department shall issue a  
6 providers' license permitting a person, firm or corporation to  
7 provide premises for the conduct of charitable games. No  
8 person, firm or corporation may rent or otherwise provide  
9 premises without having first obtained a license. Applications  
10 for providers' licenses shall be made in writing in accordance  
11 with Department rules. Beginning on the effective date of this  
12 amendatory Act of the 102nd General Assembly, the ~~The~~  
13 Department shall license providers of charitable games at a  
14 nonrefundable biennial fee of \$400 ~~annual fee of \$50, or~~  
15 ~~nonrefundable triennial license fee of \$150~~. Each providers'  
16 license is valid for 2 years ~~one year~~ from the date of  
17 issuance, ~~or 3 years from date of issuance for a triennial~~  
18 ~~license,~~ unless extended, suspended, or revoked by Department  
19 action before that date. Any extension of a providers' license  
20 shall not exceed one year. The Department shall receive a fee  
21 of \$200 for a one year extension. A license issued before the  
22 effective date of this amendatory Act of the 102nd General  
23 Assembly shall remain valid until its expiration unless  
24 otherwise suspended or revoked by the Department. A provider  
25 may receive reasonable compensation for the provision of the



1 premises. Reasonable expenses shall include only those  
2 expenses defined as reasonable by rules adopted by the  
3 Department. A provider, other than a municipality, may not  
4 provide the same premises for conducting more than 12  
5 charitable games nights per year. A provider shall not have  
6 any interest in any suppliers' business, either direct or  
7 indirect. A municipality may provide the same premises for  
8 conducting 48 charitable games nights during a 12-month  
9 period. No employee, officer, or owner of a provider may  
10 participate in the management or operation of a charitable  
11 games event, even if the employee, officer, or owner is also a  
12 member, volunteer, or employee of the charitable games  
13 licensee. A provider may not promote or solicit a charitable  
14 games event on behalf of a charitable games licensee or  
15 qualified organization. Any qualified organization licensed to  
16 conduct a charitable game need not obtain a providers' license  
17 if such games are to be conducted on the organization's  
18 premises.

19 (Source: P.A. 98-377, eff. 1-1-14.)

20 (230 ILCS 30/5.1) (from Ch. 120, par. 1125.1)

21 Sec. 5.1. If a licensee conducts charitable games on its  
22 own premises, the licensee may also obtain a providers'  
23 license in accordance with Section 5 to allow the licensee to  
24 rent or otherwise provide its premises to another licensee for  
25 the conducting of an additional 12 ~~4~~ charitable games events.

1 The maximum number of charitable games events that may be held  
2 at any one premises is limited to 48 ~~42~~ charitable games events  
3 per calendar year.

4 (Source: P.A. 98-1071, eff. 8-26-14.)

5 (230 ILCS 30/8) (from Ch. 120, par. 1128)

6 Sec. 8. The conducting of charitable games is subject to  
7 the following restrictions:

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

11 (2) (Blank). ~~No person except a bona fide member or~~  
12 ~~employee of the sponsoring organization, or a volunteer~~  
13 ~~recruited by the sponsoring organization, may participate~~  
14 ~~in the management or operation of the game. A person~~  
15 ~~participates in the management or operation of a~~  
16 ~~charitable game when he or she sells admission tickets at~~  
17 ~~the event; sells, redeems, or in any way assists in the~~  
18 ~~selling or redeeming of chips, scrip, or play money;~~  
19 ~~participates in the conducting of any of the games played~~  
20 ~~during the event, or supervises, directs or instructs~~  
21 ~~anyone conducting a game; or at any time during the hours~~  
22 ~~of the charitable games event counts, handles, or~~  
23 ~~supervises anyone counting or handling any of the proceeds~~  
24 ~~or chips, scrip, or play money at the event. A person who~~  
25 ~~is present to ensure that the games are being conducted in~~

1 ~~conformance with the rules established by the licensed~~  
2 ~~organization or is present to insure that the equipment is~~  
3 ~~working properly is considered to be participating in the~~  
4 ~~management or operation of a game. Setting up, cleaning~~  
5 ~~up, selling food and drink, or providing security for~~  
6 ~~persons or property at the event does not constitute~~  
7 ~~participation in the management or operation of the game.~~

8 ~~Only bona fide members, volunteers as defined in~~  
9 ~~Section 2 of this Act, and employees of the sponsoring~~  
10 ~~organization may participate in the management or~~  
11 ~~operation of the games. Participation in the management or~~  
12 ~~operation of the games is limited to no more than 12~~  
13 ~~charitable games events, either of the sponsoring~~  
14 ~~organization or any other licensed organization, during a~~  
15 ~~calendar year.~~

16 (3) (Blank). ~~No person may receive any remuneration or~~  
17 ~~compensation either directly or indirectly from any source~~  
18 ~~for participating in the management or operation of the~~  
19 ~~game.~~

20 (4) No single bet at any house-banked game may exceed  
21 \$20.

22 (5) A bank shall be established on the premises to  
23 convert currency into chips, scrip, or other form of play  
24 money which shall then be used to play at games of chance  
25 which the participant chooses. Chips, scrip, or play money  
26 must be permanently monogrammed with the supplier license

1 number or logo or charitable games license number of a  
2 licensed organization or of the supplier. Each participant  
3 must be issued a receipt indicating the amount of chips,  
4 scrip, or play money purchased.

5 (6) At the conclusion of the event or when the  
6 participant leaves, he or she may cash in his or her chips,  
7 scrip, or play money in exchange for currency not to  
8 exceed \$500 in cash winnings, up to \$5,000 in the form of a  
9 cashier's check, teller's check, or certified check, or  
10 unlimited noncash prizes. Each participant shall sign for  
11 any receipt of prizes. The licensee shall provide the  
12 Department of Revenue with a listing of all prizes  
13 awarded, including the retail value of all prizes awarded.

14 (7) Each licensee shall be permitted to conduct  
15 charitable games on not more than 12 ~~4~~ days each year.  
16 Nothing in this Section shall be construed to prohibit a  
17 licensee that conducts charitable games on its own  
18 premises from also obtaining a providers' license in  
19 accordance with Section 7 of this Act.

20 (8) ~~The 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 48 ~~12~~ charitable games nights per calendar year.

24 (9) A charitable games event is considered to be a  
25 one-day event and charitable games may not be played  
26 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  
11 charitable 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  
18 a list of organizations licensed or subsequently  
19 authorized by the Department to conduct charitable games  
20 in their 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  
14 conducted. However, establishments that have video gaming  
15 terminals licensed under the Video Gaming Act may operate  
16 them along with charitable games under rules adopted by  
17 the Department.

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

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

24 (19) (Blank).

25 (20) A supplier may have only one representative  
26 present at the charitable games event, for the exclusive

1 purpose of ensuring that its equipment is not damaged.

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

9 (22) (Blank).

10 (Source: P.A. 98-377, eff. 1-1-14; 98-1071, eff. 8-26-14.)

1 INDEX

2 Statutes amended in order of appearance

3	230 ILCS 30/3	from Ch. 120, par. 1123
4	230 ILCS 30/4	from Ch. 120, par. 1124
5	230 ILCS 30/5	from Ch. 120, par. 1125
6	230 ILCS 30/5.1	from Ch. 120, par. 1125.1
7	230 ILCS 30/8	from Ch. 120, par. 1128