



Rep. Norine K. Hammond

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10300HB1803ham001

LRB103 28038 BMS 58032 a

1 AMENDMENT TO HOUSE BILL 1803

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1803 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Video Gaming Act is amended by changing  
5 Section 45 as follows:

6 (230 ILCS 40/45)

7 Sec. 45. Issuance of license.

8 (a) The burden is upon each applicant to demonstrate his  
9 suitability for licensure. Each video gaming terminal  
10 manufacturer, distributor, supplier, operator, handler,  
11 licensed establishment, licensed truck stop establishment,  
12 licensed large truck stop establishment, licensed fraternal  
13 establishment, and licensed veterans establishment shall be  
14 licensed by the Board. The Board may issue or deny a license  
15 under this Act to any person pursuant to the same criteria set  
16 forth in Section 9 of the Illinois Gambling Act.

1           (a-5) The Board shall not grant a license to a person who  
2 has facilitated, enabled, or participated in the use of  
3 coin-operated devices for gambling purposes or who is under  
4 the significant influence or control of such a person. For the  
5 purposes of this Act, "facilitated, enabled, or participated  
6 in the use of coin-operated amusement devices for gambling  
7 purposes" means that the person has been convicted of any  
8 violation of Article 28 of the Criminal Code of 1961 or the  
9 Criminal Code of 2012. If there is pending legal action  
10 against a person for any such violation, then the Board shall  
11 delay the licensure of that person until the legal action is  
12 resolved.

13           (b) Each person seeking and possessing a license as a  
14 video gaming terminal manufacturer, distributor, supplier,  
15 operator, handler, licensed establishment, licensed truck stop  
16 establishment, licensed large truck stop establishment,  
17 licensed fraternal establishment, or licensed veterans  
18 establishment shall submit to a background investigation  
19 conducted by the Board with the assistance of the Illinois  
20 State Police or other law enforcement. To the extent that the  
21 corporate structure of the applicant allows, the background  
22 investigation shall include any or all of the following as the  
23 Board deems appropriate or as provided by rule for each  
24 category of licensure: (i) each beneficiary of a trust, (ii)  
25 each partner of a partnership, (iii) each member of a limited  
26 liability company, (iv) each director and officer of a

1 publicly or non-publicly held corporation, (v) each  
2 stockholder of a non-publicly held corporation, (vi) each  
3 stockholder of 5% or more of a publicly held corporation, or  
4 (vii) each stockholder of 5% or more in a parent or subsidiary  
5 corporation.

6 (c) Each person seeking and possessing a license as a  
7 video gaming terminal manufacturer, distributor, supplier,  
8 operator, handler, licensed establishment, licensed truck stop  
9 establishment, licensed large truck stop establishment,  
10 licensed fraternal establishment, or licensed veterans  
11 establishment shall disclose the identity of every person,  
12 association, trust, corporation, or limited liability company  
13 having a greater than 1% direct or indirect pecuniary interest  
14 in the video gaming terminal operation for which the license  
15 is sought. If the disclosed entity is a trust, the application  
16 shall disclose the names and addresses of the beneficiaries;  
17 if a corporation, the names and addresses of all stockholders  
18 and directors; if a limited liability company, the names and  
19 addresses of all members; or if a partnership, the names and  
20 addresses of all partners, both general and limited.

21 (d) No person may be licensed as a video gaming terminal  
22 manufacturer, distributor, supplier, operator, handler,  
23 licensed establishment, licensed truck stop establishment,  
24 licensed large truck stop establishment, licensed fraternal  
25 establishment, or licensed veterans establishment if that  
26 person has been found by the Board to:

1           (1) have a background, including a criminal record,  
 2           reputation, habits, social or business associations, or  
 3           prior activities that pose a threat to the public  
 4           interests of the State or to the security and integrity of  
 5           video gaming;

6           (2) create or enhance the dangers of unsuitable,  
 7           unfair, or illegal practices, methods, and activities in  
 8           the conduct of video gaming; or

9           (3) present questionable business practices and  
 10          financial arrangements incidental to the conduct of video  
 11          gaming activities.

12          (e) Any applicant for any license under this Act has the  
 13          burden of proving his or her qualifications to the  
 14          satisfaction of the Board. The Board may adopt rules to  
 15          establish additional qualifications and requirements to  
 16          preserve the integrity and security of video gaming in this  
 17          State.

18          (f) A non-refundable application fee shall be paid at the  
 19          time an application for a license is filed with the Board in  
 20          the following amounts:

- 21           (1) Manufacturer ..... \$5,000
- 22           (2) Distributor..... \$5,000
- 23           (3) Terminal operator ..... \$5,000
- 24           (4) Supplier ..... \$2,500
- 25           (5) Technician ..... \$100
- 26           (6) Terminal Handler ..... \$100

1           (7) Licensed establishment, licensed truck stop  
 2           establishment, licensed large truck stop establishment,  
 3           licensed fraternal establishment, or licensed  
 4           veterans establishment ..... \$100

5           (8) Sales agent and broker ..... \$100

6           (g) The Board shall establish an annual fee for each  
 7           license not to exceed the following:

8           (1) Manufacturer ..... \$10,000

9           (2) Distributor..... \$10,000

10          (3) Terminal operator ..... \$5,000

11          (4) Supplier ..... \$2,000

12          (5) Technician ..... \$100

13          (6) Licensed establishment, licensed truck stop  
 14          establishment, licensed large truck stop establishment,  
 15          licensed fraternal establishment, or licensed  
 16          veterans establishment ..... \$100

17          (7) Video gaming terminal ..... \$100

18          (8) Terminal Handler ..... \$100

19          (9) Sales agent and broker ..... \$100

20          (h) A terminal operator and a licensed establishment,  
 21          licensed truck stop establishment, licensed large truck stop  
 22          establishment, licensed fraternal establishment, or licensed  
 23          veterans establishment shall equally split the fees specified  
 24          in item (7) of subsection (g).

25           (i) When processing applications for a license and issuing  
 26           licenses to licensed establishments, the Board shall

1 prioritize the issuance of a license to a licensed  
2 establishment with a single location if that establishment's  
3 license application is necessitated by a change of ownership  
4 of the single location establishment.

5 (Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21;  
6 102-689, eff. 12-17-21.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.".