



Sen. Darin M. LaHood

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LRB099 05897 MLM 32562 a

1 AMENDMENT TO SENATE BILL 1794

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1794 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by adding Section  
5 5-1126.5 as follows:

6 (55 ILCS 5/5-1126.5 new)

7 Sec. 5-1126.5. Liquor license with video gaming  
8 authorization. Notwithstanding any provisions in the Liquor  
9 Control Act of 1934 or the Video Gaming Act to the contrary, a  
10 county board shall have the power, by ordinance, to adopt  
11 classifications of liquor licenses, including an authorizing  
12 license that, when issued, may or may not authorize the liquor  
13 license holder to subsequently apply to the Illinois Gaming  
14 Board for a license as a licensed establishment, licensed  
15 fraternal establishment, or licensed veterans establishment  
16 under the Video Gaming Act and to operate as a licensed

1 establishment, licensed fraternal establishment, or licensed  
2 veterans establishment if granted a license by the Illinois  
3 Gaming Board. If such classifications are adopted by a county,  
4 the amount of the license fee for an authorizing license shall  
5 not exceed the amount charged for similar liquor licenses that  
6 are not authorizing licenses. A county that permits video  
7 gaming pursuant to the Video Gaming Act at the time it adopts  
8 such classifications of liquor license shall, upon the  
9 licensee's request, issue an authorizing license to any  
10 establishment already possessing an existing liquor license  
11 for no additional fee. Nothing in this Section shall be  
12 construed to terminate or otherwise affect the rights of a  
13 licensed establishment, licensed fraternal establishment,  
14 licensed veterans establishment, or licensed truck stop  
15 establishment licensed under the Video Gaming Act that is  
16 located in a county that adopts an ordinance under this  
17 Section. A county shall notify the Illinois Gaming Board upon  
18 its adoption of any ordinance under this Section.

19 Section 10. The Illinois Municipal Code is amended by  
20 adding Section 11-42-10.3 as follows:

21 (65 ILCS 5/11-42-10.3 new)

22 Sec. 11-42-10.3. Liquor license with video gaming  
23 authorization. Notwithstanding any provisions in the Liquor  
24 Control Act of 1934 or the Video Gaming Act to the contrary,

1 the corporate authorities of a municipality shall have the  
2 power, by ordinance, to adopt classifications of liquor  
3 licenses, including an authorizing license that, when issued,  
4 may or may not authorize the liquor license holder to  
5 subsequently apply to the Illinois Gaming Board for a license  
6 as a licensed establishment, licensed fraternal establishment,  
7 or licensed veterans establishment under the Video Gaming Act  
8 and to operate as a licensed establishment, licensed fraternal  
9 establishment, or licensed veterans establishment if granted a  
10 license by the Illinois Gaming Board. If such classifications  
11 are adopted by a municipality, the amount of the license fee  
12 for an authorizing license shall not exceed the amount charged  
13 for similar liquor licenses that are not authorizing licenses.  
14 A municipality that permits video gaming pursuant to the Video  
15 Gaming Act at the time it adopts such classifications of liquor  
16 license shall, upon the licensee's request, issue an  
17 authorizing license to any establishment already possessing an  
18 existing liquor license for no additional fee. Nothing in this  
19 Section shall be construed to terminate or otherwise affect the  
20 rights of a licensed establishment, licensed fraternal  
21 establishment, licensed veterans establishment, or licensed  
22 truck stop establishment licensed under the Video Gaming Act  
23 that is located in a municipality that adopts an ordinance  
24 under this Section. A municipality shall notify the Illinois  
25 Gaming Board upon its adoption of any ordinance under this  
26 Section.

1           Section 15. The Video Gaming Act is amended by changing  
2 Section 55 as follows:

3           (230 ILCS 40/55)

4           Sec. 55. Precondition for licensed location. In all cases  
5 of application for a licensed location, to operate a video  
6 gaming terminal, each licensed establishment, licensed  
7 fraternal establishment, or licensed veterans establishment  
8 shall possess a valid liquor license issued by the Illinois  
9 Liquor Control Commission in effect at the time of application  
10 and at all times thereafter during which a video gaming  
11 terminal is made available to the public for play at that  
12 location. If the applicant's liquor license issued by the local  
13 governing body provides that the applicant is not authorized to  
14 apply to the Board for a license as a licensed establishment,  
15 licensed fraternal establishment, or licensed veterans  
16 establishment under this Act, and to operate as a licensed  
17 establishment, licensed fraternal establishment, or licensed  
18 veterans establishment if granted a license by the Board, then  
19 the applicant is ineligible to apply for a license under this  
20 Act. Video gaming terminals in a licensed location shall be  
21 operated only during the same hours of operation generally  
22 permitted to holders of a license under the Liquor Control Act  
23 of 1934 within the unit of local government in which they are  
24 located. A licensed truck stop establishment that does not hold

1 a liquor license may operate video gaming terminals on a  
2 continuous basis. A licensed fraternal establishment or  
3 licensed veterans establishment that does not hold a liquor  
4 license may operate video gaming terminals if (i) the  
5 establishment is located in a county with a population between  
6 6,500 and 7,000, based on the 2000 U.S. Census, (ii) the county  
7 prohibits by ordinance the sale of alcohol, and (iii) the  
8 establishment is in a portion of the county where the sale of  
9 alcohol is prohibited. A licensed fraternal establishment or  
10 licensed veterans establishment that does not hold a liquor  
11 license may operate video gaming terminals if (i) the  
12 establishment is located in a municipality within a county with  
13 a population between 8,500 and 9,000 based on the 2000 U.S.  
14 Census and (ii) the municipality or county prohibits or limits  
15 the sale of alcohol by ordinance in a way that prohibits the  
16 establishment from selling alcohol.

17 (Source: P.A. 96-34, eff. 7-13-09; 96-1410, eff. 7-30-10;  
18 97-594, eff. 8-26-11.)".