



Rep. Robert Rita

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1 AMENDMENT TO HOUSE BILL 3308

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3308 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Sports Wagering Act.

6 Section 5. Definitions. As used in this Act:

7 "Board" means the Illinois Gaming Board.

8 "Casino" means a facility at which lawful gambling is  
9 authorized and that is licensed under the Riverboat Gambling  
10 Act.

11 "Gross sports wagering revenue" means the total of cash or  
12 cash equivalents a sports wagering operator receives from  
13 sports wagering, less: (1) cash or cash equivalents paid to  
14 customers as winnings from sports wagering; and (2) the actual  
15 cost paid by the sports wagering operator for any personal  
16 property or services distributed to customers as a prize result

1 of sports wagering.

2 "Internet sports wagering vendor" means any person or  
3 entity that is licensed under Section 20 of this Act to offer  
4 sports wagering over the Internet, including the supply of  
5 gaming platforms and services to operate websites and mobile  
6 devices, on behalf of a sports wagering operator.

7 "Interactive sports wagering skin" means the brand used by  
8 the sports wagering operator as presented through a portal,  
9 Internet website, or computer or mobile application through  
10 which authorized sports wagering is made available to sports  
11 bettors by a sports wagering operator.

12 "Minor" means a person under the age of 21 years.

13 "Qualified applicant" means any person or entity that holds  
14 a valid and unrevoked: (1) owners license issued under the  
15 Riverboat Gambling Act, or any affiliate thereof as defined by  
16 the Board in its administrative rules implementing such Act, or  
17 any person or entity who as of January 1, 2018 was designated  
18 by the Board as a key person of an owners licensee or is  
19 controlled by one or more key persons of an owners licensee or  
20 (2) organization license issued under the Illinois Horse Racing  
21 Act of 1975, but only if the organization licensee conducted  
22 more than 30 days of live racing in calendar year 2018.

23 "Racetrack" means a horse racetrack in Illinois that is  
24 authorized under the Illinois Horse Racing Act of 1975 to  
25 conduct live horse racing. "Racetrack" does not include an  
26 inter-track wagering location.

1 "Sporting event" means a professional, amateur, or  
2 collegiate sports or athletic event, an Olympic or  
3 international sports competition event, a motor race event, a  
4 contest of relative skill involving electronic media, a series  
5 of sporting events, any other special event authorized by the  
6 Board, or any portion thereof. "Sporting event" does not  
7 include youth events or fantasy sports activities.

8 "Sports bettor" means an individual who is physically  
9 present in this State when placing a wager and participates in  
10 sports wagering offered by a sports wagering operator. The  
11 intermediate routing of electronic data in connection with  
12 sports wagering shall not determine the location or locations  
13 in which a wager is initiated. "Sports bettor" does not include  
14 a minor or person who is otherwise prohibited from sports  
15 wagering.

16 "Sports facility" means Guaranteed Rate Field, located at  
17 333 West 35th Street in Chicago, Soldier Field, located at 1410  
18 Museum Campus Drive in Chicago, United Center, located at 1901  
19 West Madison in Chicago, and Wrigley Field, located at 1060  
20 West Addison in Chicago.

21 "Sports governing body" means the organization that  
22 prescribes final rules and enforces codes of conduct with  
23 respect to a sporting event and participants of a sporting  
24 event.

25 "Sports wagering" means wagering on sporting events or  
26 portions of sporting events, or on the performance of athletes

1 in a sporting event or combination of sporting events, by any  
2 system or method of wagering, including, but not limited to,  
3 in-person or over the Internet through websites and on mobile  
4 devices. "Sports wagering" includes, but is not limited to,  
5 single-game bets, teaser bets, parlays, over-under,  
6 moneylines, pools, exchange wagering, in-game wagering,  
7 in-play bets, proposition bets, and straight bets. "Sports  
8 wagering" does not include: (1) fantasy sports, daily fantasy  
9 sports, gaming conducted over an Internet website in which game  
10 winnings are paid to participants based on the outcomes of  
11 games played by virtual teams of real players of a professional  
12 sport, where such teams are assembled by such participants and  
13 the outcomes of games are determined by the statistical  
14 performance of such real players in actual games, or gaming in  
15 which the winning outcome is not based on the score, point  
16 spread, or any performance or performances of any single actual  
17 team or combination of such teams or solely on any single  
18 performance of an individual athlete or player in any single  
19 actual event; or (2) gaming that is authorized in this State  
20 under the Illinois Horse Racing Act of 1975, the Riverboat  
21 Gambling Act, or the Video Gaming Act.

22 "Sports wagering lounge" means an area physically located  
23 in a casino, racetrack, or sports facility in which sports  
24 wagering is operated.

25 "Sports wagering operator" means a qualified applicant  
26 that is licensed under this Act to offer sports wagering in a

1 sports wagering lounge and through an Interactive sports  
2 wagering skin.

3 "Wager" or "bet" means the staking or risking by a person  
4 of something of value, including, but not limited to, any  
5 deposit, cash, entry fee, and contest fee upon an agreement or  
6 understanding that the person or another person will receive  
7 something of value in the event of a certain outcome. "Wager"  
8 or "bet" does not include: (1) any activity governed by the  
9 securities laws of the United States or this State; (2) any  
10 contract of indemnity or guarantee; (3) any contract for  
11 insurance; or (4) participation in any game or contest in which  
12 the participants do not stake or risk anything of value other  
13 than personal efforts of the participants in playing the game  
14 or contest or obtaining access to the Internet or points or  
15 credits that the sponsor of the game or contest provides to  
16 participants free of charge and that can be used or redeemed  
17 only for participation in games or contests offered by the  
18 sponsor.

19 "Youth event" means a sporting event in which the  
20 participants are amateurs and primarily under the age of 18  
21 years.

22 Section 10. Eligibility to conduct sports wagering. Sports  
23 wagering, as defined in this Act, and the system of wagering  
24 incorporated therein are hereby authorized to the extent that  
25 they are carried out in accordance with the provisions of this

1 Act by an Internet sports wagering vendor. A sports wagering  
2 operator may hire an Internet sports wagering vendor to accept  
3 wagers consistent with the provisions of this Act. An Internet  
4 sports wagering vendor may accept wagers under this Act only on  
5 behalf of a sports wagering operator.

6 No sports wagering operator license or Internet sports  
7 wagering vendor license shall be granted to an applicant that  
8 has accepted, that has or had an affiliate that has accepted,  
9 or that has officers or directors who are or have been officers  
10 or directors of another party that accepted wagers through the  
11 Internet in contravention of any United States law, Illinois  
12 law, or any substantially similar laws of any other  
13 jurisdiction before the application date pursuant to a final  
14 determination of a court or an unequivocal official  
15 pronouncement from a government authority or chief law  
16 enforcement officer.

17 Section 15. Licensing of sports wagering operators.

18 (a) The Board shall issue a sports wagering operator  
19 license to a qualified applicant who applies as provided in  
20 this Act. The burden is upon each qualified applicant to  
21 demonstrate his or her suitability for licensure.

22 (b) Each application shall be accompanied by a  
23 nonrefundable application fee of \$250,000. A license fee of  
24 \$10,000,000 shall be paid by a sports wagering operator at the  
25 time of issuance of the license. The license fee imposed by

1 this Section shall constitute an advance payment of the taxes  
2 owed by the sports wagering operator under Section 55. Each  
3 sports wagering operator license shall be renewed by the Board  
4 every 10 years and require a fee of \$100,000 and a  
5 determination by the Board that the licensee continues to meet  
6 all of the requirements of this Act and the Board's rules.

7 (c) A sports wagering operator license issued under this  
8 Act shall be in addition to any other license required to  
9 conduct gambling operations under the Riverboat Gambling Act or  
10 under the Illinois Horse Racing Act of 1975 to conduct horse  
11 racing.

12 (d) No sports wagering operator license shall be issued by  
13 the Board to an entity unless it has established its financial  
14 stability, responsibility, good character, honesty, and  
15 integrity.

16 (e) No sports wagering operator shall accept a wager from  
17 persons who are not physically located in the State of  
18 Illinois.

19 Section 20. Licensing of Internet sports wagering vendors.

20 (a) The Board may issue an Internet sports wagering vendor  
21 license to an applicant who applies as provided in this Act.  
22 The burden is upon each applicant for an Internet sports  
23 wagering vendor license to demonstrate his or her suitability  
24 for licensure. No Internet sports wagering vendor shall have  
25 accepted any bets or wagers itself, or on behalf of a sports

1       wagering operator, before obtaining a license under this Act.

2           (b) Each application shall be accompanied by a  
3 nonrefundable application fee of \$100,000. Each sports  
4 wagering vendor license shall be renewed by the Board every 10  
5 years and require a fee of \$50,000 and a determination by the  
6 Board that the licensee continues to meet all of the  
7 requirements of this Act and the Board's rules.

8           (c) A sports wagering operator may authorize an Internet  
9 sports wagering vendor to accept wagers on its behalf through  
10 the Internet and to perform any other functions that the sports  
11 wagering operator is authorized to perform under this Act. Any  
12 and all agreements between a sports wagering operator and an  
13 Internet sports wagering vendor must be approved by the Board.  
14 The Internet sports wagering vendor must: (1) integrate its  
15 online system with the sports wagering operator's offline  
16 system to ensure responsible gaming requirements are met for  
17 sports bettor accounts and (2) grant the sports wagering  
18 operator access to its player database.

19           (d) An Internet sports wagering vendor may enter into  
20 agreements to offer sports wagering on behalf of one or more  
21 sports wagering operators without limitation. Such agreements  
22 are not prerequisites to obtaining an Internet sports wagering  
23 vendor license.

24           (e) No sports wagering vendor license shall be issued by  
25 the Board to any entity unless it has established its financial  
26 stability, responsibility, good character, honesty, and



1 integrity.

2 (f) An Internet sports wagering vendor that allows its  
3 license to lapse without requesting an extension of time may be  
4 required to resubmit an initial license application and initial  
5 fee. An extension not to exceed 60 days may be granted by the  
6 Board upon receipt of the Internet sports wagering vendor's  
7 written request.

8 Section 25. Application requirements.

9 (a) Unless otherwise provided, this Section applies to all  
10 applicants for a sports wagering operator license or an  
11 Internet sports wagering vendor license.

12 (b) An application for a sports wagering operator license  
13 or an Internet sports wagering vendor license shall be made on  
14 forms provided by the Board and shall contain information the  
15 Board prescribes, including, but not limited to, detailed  
16 information regarding the ownership and management of the  
17 applicant, detailed personal information regarding the  
18 applicant, financial information regarding the applicant, and  
19 the gaming history and experience of the applicant in the  
20 United States and other jurisdictions when it supplies its  
21 platform to sports wagering operators who accept wagers without  
22 a gambling license or itself accepts wagers without a gambling  
23 license. The applicant shall also set forth in the application:  
24 whether he or she has been issued prior gambling related  
25 licenses; whether he or she has been licensed in any other

1 state under any other name and, if so, the name and his or her  
2 age; and whether or not a permit or license issued to him or  
3 her in any other state has been suspended, restricted, or  
4 revoked and, if so, for what period of time.

5 (c) Information provided on an application shall be used as  
6 a basis for a thorough background investigation that the Board  
7 shall conduct with respect to each applicant. An incomplete  
8 application shall be cause for denial of a license by the  
9 Board.

10 (d) Each applicant shall disclose the identity of every  
11 person, association, trust, or corporation having a greater  
12 than 5% direct or indirect pecuniary interest in the  
13 applicant's operation. If the disclosed entity is a trust, the  
14 application shall disclose the names and addresses of the  
15 beneficiaries; if a corporation, the names and addresses of all  
16 stockholders and directors; if a partnership, the names and  
17 addresses of all partners, both general and limited.

18 (e) An application shall be filed and considered in  
19 accordance with the rules of the Board. All information,  
20 records, interviews, reports, statements, memoranda, or other  
21 data supplied to or used by the Board in the course of its  
22 review or investigation of an application for a license or a  
23 renewal under this Act shall be privileged, strictly  
24 confidential, and used only for the purpose of evaluating an  
25 applicant for a license or a renewal. The information, records,  
26 interviews, reports, statements, memoranda, or other data

1 shall not be admissible as evidence nor discoverable in any  
2 action of any kind in any court or before any tribunal, board,  
3 agency, or person, except for any action deemed necessary by  
4 the Board.

5 (f) Each person disclosed under subsection (d) shall submit  
6 with his or her application, on forms provided by the Board, 2  
7 sets of his or her fingerprints. The Board shall charge each  
8 applicant a fee set by the Department of State Police to defray  
9 the costs associated with the search and classification of  
10 fingerprints obtained by the Board with respect to the  
11 applicant's application. These fees shall be paid into the  
12 State Police Services Fund.

13 (g) To be eligible for a sports wagering operator license  
14 or an Internet sports wagering vendor license, an applicant  
15 must:

16 (1) be at least 21 years of age;

17 (2) not have been convicted of a felony offense, a  
18 violation of Article 28 of the Criminal Code of 1961 or the  
19 Criminal Code of 2012, or a similar statute of any other  
20 jurisdiction;

21 (3) not have been convicted of a crime, other than a  
22 crime described in paragraph (2) of this subsection (g),  
23 involving dishonesty or moral turpitude;

24 (4) have demonstrated a level of skill or knowledge  
25 that the Board determines to be necessary in order to  
26 operate sports wagering; and

1           (5) have met standards for the holding of a license as  
2           adopted by rules of the Board. The rules shall provide that  
3           any person or entity seeking a sports wagering operator  
4           license or an Internet sports wagering vendor license shall  
5           be subject to background inquiries.

6           The Board may adopt rules to establish additional  
7           qualifications and requirements to preserve the integrity and  
8           security of sports wagering in this State and to promote and  
9           maintain a competitive sports wagering market.

10          (h) Applicants shall certify to the Board that all  
11          supplies, software, kiosks, and any other related equipment may  
12          not be used unless they conform to standards adopted by rules  
13          of the Board. Applicants shall furnish to the Board a list of  
14          all supplies, software, kiosks, and any other related equipment  
15          that will be used.

16          (i) The Board may in its discretion refuse an Internet  
17          sports wagering vendor license to any person: (1) who is  
18          unqualified to perform the duties required of the applicant;  
19          (2) who fails to disclose or states falsely any information  
20          called for in the application; (3) who has been found guilty of  
21          a violation of this Act or whose prior gambling related license  
22          or application therefor has been suspended, restricted,  
23          revoked or denied for just cause in any other state; (4) who  
24          has received an unequivocal official pronouncement from  
25          government authorities in any state or foreign country that it  
26          has supplied platforms or accepted wagers in violation of that

1 jurisdiction's law; (5) who has a background, including a  
2 criminal record, reputation, habits, social or business  
3 associations, and prior activities that constituted illegal  
4 gambling or pose a threat to the public interests of the State,  
5 to the security and integrity of sports wagering, or to the  
6 promotion and maintenance of a competitive sports betting  
7 market in this State; (6) who presents, creates, or enhances  
8 the dangers of unsuitable, unfair, or illegal practices,  
9 methods, and activities in the conduct of sports wagering; (7)  
10 who presents questionable business practices and financial  
11 arrangements incidental to the conduct of sports wagering  
12 activities; or (8) for any other just cause.

13 (j) The Board may suspend, revoke, or restrict any Internet  
14 sports wagering vendor license: (1) for violation of any  
15 provision of this Act; (2) for violation of any of the rules of  
16 the Board; (3) for any cause which, if known to the Board,  
17 would have disqualified the applicant from receiving the  
18 license; (4) for default in the payment of any obligation or  
19 debt due to the State of Illinois; or (5) for any other just  
20 cause.

21 (k) A person who knowingly makes a false statement on an  
22 application is guilty of a Class A misdemeanor.

23 Section 30. Sports wagering lounge; safeguards and  
24 consumer protections.

25 (a) Sports wagering operators are authorized to accept

1 wagers at a sports wagering lounge and at Board approved kiosks  
2 at the sports wagering operator's casino or racetrack. Sports  
3 wagering operators may accept wagers through the Internet only  
4 after a temporary or permanent bricks and mortar sports  
5 wagering lounge is established and has commenced operation in  
6 the sports wagering operator's casino or racetrack. A qualified  
7 applicant may petition the Board to commence operation of the  
8 sports wagering lounge at a temporary facility during the  
9 pendency of construction of a sports wagering lounge in a  
10 casino or racetrack. The temporary facility may include, at the  
11 discretion of the Board, the utilization of designated windows  
12 at the current casino cage or racetrack betting window for  
13 purposes of placing sports betting wagers and self-service  
14 wagering machines located at the casino or racetrack.

15 (b) Sports wagering operators may accept wagers at a sports  
16 wagering lounge located within a sports facility, or within a  
17 5-block radius of a sports facility, if: (1) the Major League  
18 Baseball, National Hockey League, National Basketball  
19 Association, or National Football League teams that play their  
20 home contests at the applicable sports facility have granted  
21 written authorization for the sports wagering lounge and (2)  
22 the owners of such teams have entered into an agreement with a  
23 sports wagering operator.

24 (c) Sports wagering operators shall adopt procedures to  
25 prevent sports wagering by persons who are prohibited from  
26 placing wagers and shall implement and maintain commercially

1 reasonable measures to verify a person's true identity.

2 (d) Sports wagering operators shall verify that a sports  
3 bettor is not a minor and is of the legal minimum age for  
4 placing the wager. If the sports wagering operator becomes or  
5 is made aware that a minor has created an account for sports  
6 wagering, the sports wagering operator shall promptly refund  
7 any deposit received from the minor, whether or not the minor  
8 has engaged in or attempted to engage in sports wagering;  
9 however, any refund may be offset by any prizes already  
10 awarded.

11 (e) Sports wagering operators shall allow individuals to  
12 restrict themselves from placing wagers with the sports  
13 wagering operator, including player loss limits, and take  
14 reasonable steps to prevent those individuals from placing such  
15 wagers, including, upon request of the individual, to share the  
16 request with the Board for the sole purpose of disseminating  
17 the request to other sports wagering operators.

18 (f) The Board shall adopt rules to ensure that a sports  
19 wagering operator's advertisements for sports wagering: (1) do  
20 not target minors or other persons who are ineligible to place  
21 wagers, problem gamblers, or other vulnerable persons; (2)  
22 disclose the identity of the sports wagering operator; (3)  
23 provide information about or links to resources relating to  
24 gambling addiction; and (4) are not otherwise false,  
25 misleading, or deceptive to a reasonable consumer.

1           Section 35. Sports wagering operators; interactive sports  
2 wagering skins. Each sports wagering operator license shall  
3 authorize the sports wagering operator to use one Internet  
4 gaming skin that shall be owned by the sports wagering operator  
5 or its affiliate. The Internet gaming skin shall prominently  
6 and solely reflect the primary name of the casino or racetrack  
7 that is actively utilized by the sports wagering operator.

8           Section 40. Integrity requirements.

9           (a) Sports wagering operators shall conduct background  
10 checks on newly hired employees and biennial background checks  
11 on all existing employees. Background checks shall search for  
12 criminal history and any charges or convictions involving  
13 corruption or manipulation of sporting events and association  
14 with organized crime.

15           (b) Sports wagering operators shall employ commercially  
16 reasonable methods to: (1) prohibit the sports wagering  
17 operator, directors, officers, and employees of the sports  
18 wagering operator, and any relative living in the same  
19 household as those persons, from placing bets with the sports  
20 wagering operator; (2) use publicly available information and  
21 any lists of employees and affiliates provided to the sports  
22 wagering operator or the Board by a sports governing body,  
23 prohibit wagering by an athlete, coach, referee, team owner,  
24 employee of a sports governing member or one of its member  
25 teams, and player and referee union personnel; (3) prohibit



1     wagering by persons who are under the minimum legal age for  
2     placing wagers; (4) prohibit an individual with access to  
3     non-public confidential information held by the sports  
4     wagering operator from placing wagers with the sports wagering  
5     operator; (5) prohibit persons from placing wagers as agents or  
6     proxies for others; and (6) maintain the security of wagering  
7     data, customer data, and other confidential information from  
8     unauthorized access and dissemination; however, nothing in  
9     this Act shall preclude the use of Internet or cloud-based  
10    hosting of that data and information or disclosure as required  
11    by a court order, another law, or this Act.

12         (c) The Board and sports wagering operators shall cooperate  
13    with investigations conducted by a sports governing body or law  
14    enforcement agencies, including, but not limited to, providing  
15    or facilitating the provision of betting information and audio  
16    or video files relating to persons placing wagers, any other  
17    conduct that corrupts a betting outcome of a sporting event for  
18    purposes of financial gain, or suspicious or illegal wagering  
19    activities, including use of funds derived from illegal  
20    activity, wagers to conceal or launder funds derived from  
21    illegal activity, using agents to place wagers, and using false  
22    identification. Sports wagering operators shall also  
23    immediately report information relating to conduct described  
24    in this subsection (c) to the relevant sports governing body.

25         (d) Sports wagering operators shall maintain the  
26    confidentiality of information provided by a sports governing

1 body to the sports wagering operator, unless disclosure is  
2 required by the Board, a court order, this Act, or any other  
3 provision of law.

4 Section 45. Recordkeeping; information sharing.

5 (a) Sports wagering operators shall maintain records of all  
6 bets and wagers placed, including personally identifiable  
7 information of the bettor, amount and type of bet, time the bet  
8 was placed, location of the bet, including the Internet  
9 protocol address if applicable, the outcome of the bet, records  
10 of abnormal betting activity, and video camera recordings in  
11 the case of in-person wagers for at least one year after the  
12 sporting event occurs and make the data available for  
13 inspection upon request of the Board or as required by a court  
14 order.

15 Section 50. Annual report.

16 (a) Each licensed sports wagering operator shall annually  
17 submit a report to the Board no later than June 30 of each year  
18 that shall include the following information as it shall apply  
19 to accounts held by customers located in this State: (1) the  
20 total number of new accounts established in the preceding year,  
21 as well as the total number of accounts permanently closed in  
22 the preceding year; (2) the total amount of bets received from  
23 customers; (3) the total amount of winnings awarded to  
24 customers; (4) the total amount on hold on each type of bet;

1 (5) the total amount of gross wagering revenue received by the  
2 licensed sports wagering operator; and (6) the total number of  
3 persons that requested to exclude themselves from or otherwise  
4 limit their participation in sports wagering.

5 (b) Upon the submission of the annual report, to such  
6 extent the Board deems it to be in the public interest, the  
7 Board shall be authorized to conduct a financial audit of any  
8 sports wagering operator to ensure compliance with this Act.

9 (c) The Board shall annually publish a report based on the  
10 aggregate information provided by all licensed sports wagering  
11 operators, which shall be published on the Board's website no  
12 later than 180 days after the deadline for the submission of  
13 individual reports as specified in this Act.

14 Section 55. Tax rate and distribution. For the privilege of  
15 offering sports wagering in this State, a tax is hereby imposed  
16 on sports wagering operator licensees, based on the gross  
17 gaming revenue received by sports wagering operator licensees  
18 from sports wagering authorized under this Act, at the rate of  
19 10% of annual gross sports wagering revenue generated within  
20 this State, which shall be paid to the Board not less than once  
21 per month. The Board shall deposit into the State Gaming Fund  
22 all taxes imposed by this Act; any interest and penalties  
23 imposed by the Board relating to those taxes; all penalties  
24 levied and collected by the Board; and the appropriate funds,  
25 cash, or prizes forfeited from sports wagering. Sports wagering

1 operators shall collect and report information to the Board to  
2 reasonably ensure that State taxes on prizes from winning  
3 wagers are collected from or reported by the person placing the  
4 bet or wager, as required by law, at the time of any payment of  
5 the proceeds of the bet or wager.

6 Section 60. Imputation. The performance of any act  
7 required, or the forbearance of any act prohibited, by this Act  
8 by an Internet sports wagering vendor shall be imputed to the  
9 sports wagering operator on behalf of which it is operating,  
10 and vice versa.

11 Section 65. Civil penalty.

12 (a) A person, firm, corporation, association, agent, or  
13 employee who knowingly violates a provision of this Act shall  
14 be liable for a civil penalty of not more than \$5,000 for each  
15 violation, not to exceed \$50,000 for violations arising out of  
16 the same transaction or occurrence that may be recovered in a  
17 civil action brought by the Board.

18 (b) A person, firm, corporation, association, agent, or  
19 employee who operates a sports wagering business in Illinois  
20 without a license shall be liable for a civil penalty of not  
21 more than \$500,000 for each violation, not to exceed \$5,000,000  
22 for violations arising out of the same transaction or  
23 occurrence that may be recovered in a civil action brought by  
24 the Board. Additionally, the Board is authorized to contact

1 Internet services providers or seek judicial action to block  
2 any websites that are conducting sports wagering without a  
3 valid sports wagering operator license under this Act.

4 Section 70. Reconciliation with other State law; no  
5 liability for information sharing.

6 (a) The provisions of the Riverboat Gambling Act, and all  
7 rules adopted thereunder, shall apply to this Act, except where  
8 there is a conflict between the 2 Acts.

9 (b) A sports wagering operator shall not be liable under  
10 the laws of this State to any party, including customers, for  
11 disclosing information as required under this Act or any other  
12 federal or local law and shall not be liable for refusing to  
13 disclose information unless required under this Act.

14 Section 900. The Riverboat Gambling Act is amended by  
15 changing Section 24 as follows:

16 (230 ILCS 10/24)

17 Sec. 24. Applicability of this ~~Illinois Riverboat Gambling~~  
18 Act.

19 (a) The provisions of this ~~the Illinois Riverboat Gambling~~  
20 Act, and all rules adopted ~~promulgated~~ thereunder, shall apply  
21 to the Video Gaming Act, except where there is a conflict  
22 between the 2 Acts.

23 (b) The provisions of this Act, and all rules adopted

1 thereunder, shall apply to the Sports Wagering Act, except  
2 where there is a conflict between the 2 Acts.

3 (Source: P.A. 96-37, eff. 7-13-09.)

4 Section 905. The Criminal Code of 2012 is amended by  
5 changing Section 28-1 and 28-1.1 as follows:

6 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

7 Sec. 28-1. Gambling.

8 (a) A person commits gambling when he or she:

9 (1) knowingly plays a game of chance or skill for money  
10 or other thing of value, unless excepted in subsection (b)  
11 of this Section;

12 (2) knowingly makes a wager upon the result of any  
13 game, contest, or any political nomination, appointment or  
14 election;

15 (3) knowingly operates, keeps, owns, uses, purchases,  
16 exhibits, rents, sells, bargains for the sale or lease of,  
17 manufactures or distributes any gambling device;

18 (4) contracts to have or give himself or herself or  
19 another the option to buy or sell, or contracts to buy or  
20 sell, at a future time, any grain or other commodity  
21 whatsoever, or any stock or security of any company, where  
22 it is at the time of making such contract intended by both  
23 parties thereto that the contract to buy or sell, or the  
24 option, whenever exercised, or the contract resulting

1           therefrom, shall be settled, not by the receipt or delivery  
2           of such property, but by the payment only of differences in  
3           prices thereof; however, the issuance, purchase, sale,  
4           exercise, endorsement or guarantee, by or through a person  
5           registered with the Secretary of State pursuant to Section  
6           8 of the Illinois Securities Law of 1953, or by or through  
7           a person exempt from such registration under said Section  
8           8, of a put, call, or other option to buy or sell  
9           securities which have been registered with the Secretary of  
10          State or which are exempt from such registration under  
11          Section 3 of the Illinois Securities Law of 1953 is not  
12          gambling within the meaning of this paragraph (4);

13           (5) knowingly owns or possesses any book, instrument or  
14          apparatus by means of which bets or wagers have been, or  
15          are, recorded or registered, or knowingly possesses any  
16          money which he has received in the course of a bet or  
17          wager;

18           (6) knowingly sells pools upon the result of any game  
19          or contest of skill or chance, political nomination,  
20          appointment or election;

21           (7) knowingly sets up or promotes any lottery or sells,  
22          offers to sell or transfers any ticket or share for any  
23          lottery;

24           (8) knowingly sets up or promotes any policy game or  
25          sells, offers to sell or knowingly possesses or transfers  
26          any policy ticket, slip, record, document or other similar

1 device;

2 (9) knowingly drafts, prints or publishes any lottery  
3 ticket or share, or any policy ticket, slip, record,  
4 document or similar device, except for such activity  
5 related to lotteries, bingo games and raffles authorized by  
6 and conducted in accordance with the laws of Illinois or  
7 any other state or foreign government;

8 (10) knowingly advertises any lottery or policy game,  
9 except for such activity related to lotteries, bingo games  
10 and raffles authorized by and conducted in accordance with  
11 the laws of Illinois or any other state;

12 (11) knowingly transmits information as to wagers,  
13 betting odds, or changes in betting odds by telephone,  
14 telegraph, radio, semaphore or similar means; or knowingly  
15 installs or maintains equipment for the transmission or  
16 receipt of such information; except that nothing in this  
17 subdivision (11) prohibits transmission or receipt of such  
18 information for use in news reporting of sporting events or  
19 contests; or

20 (12) knowingly establishes, maintains, or operates an  
21 Internet site that permits a person to play a game of  
22 chance or skill for money or other thing of value by means  
23 of the Internet or to make a wager upon the result of any  
24 game, contest, political nomination, appointment, or  
25 election by means of the Internet. This item (12) does not  
26 apply to activities referenced in items (6) and (6.1) of



1 subsection (b) of this Section.

2 (b) Participants in any of the following activities shall  
3 not be convicted of gambling:

4 (1) Agreements to compensate for loss caused by the  
5 happening of chance including without limitation contracts  
6 of indemnity or guaranty and life or health or accident  
7 insurance.

8 (2) Offers of prizes, award or compensation to the  
9 actual contestants in any bona fide contest for the  
10 determination of skill, speed, strength or endurance or to  
11 the owners of animals or vehicles entered in such contest.

12 (3) Pari-mutuel betting as authorized by the law of  
13 this State.

14 (4) Manufacture of gambling devices, including the  
15 acquisition of essential parts therefor and the assembly  
16 thereof, for transportation in interstate or foreign  
17 commerce to any place outside this State when such  
18 transportation is not prohibited by any applicable Federal  
19 law; or the manufacture, distribution, or possession of  
20 video gaming terminals, as defined in the Video Gaming Act,  
21 by manufacturers, distributors, and terminal operators  
22 licensed to do so under the Video Gaming Act.

23 (5) The game commonly known as "bingo", when conducted  
24 in accordance with the Bingo License and Tax Act.

25 (6) Lotteries when conducted by the State of Illinois  
26 in accordance with the Illinois Lottery Law. This exemption

1 includes any activity conducted by the Department of  
2 Revenue to sell lottery tickets pursuant to the provisions  
3 of the Illinois Lottery Law and its rules.

4 (6.1) The purchase of lottery tickets through the  
5 Internet for a lottery conducted by the State of Illinois  
6 under the program established in Section 7.12 of the  
7 Illinois Lottery Law.

8 (7) Possession of an antique slot machine that is  
9 neither used nor intended to be used in the operation or  
10 promotion of any unlawful gambling activity or enterprise.  
11 For the purpose of this subparagraph (b)(7), an antique  
12 slot machine is one manufactured 25 years ago or earlier.

13 (8) Raffles and poker runs when conducted in accordance  
14 with the Raffles and Poker Runs Act.

15 (9) Charitable games when conducted in accordance with  
16 the Charitable Games Act.

17 (10) Pull tabs and jar games when conducted under the  
18 Illinois Pull Tabs and Jar Games Act.

19 (11) Gambling games conducted on riverboats when  
20 authorized by the Riverboat Gambling Act.

21 (12) Video gaming terminal games at a licensed  
22 establishment, licensed truck stop establishment, licensed  
23 fraternal establishment, or licensed veterans  
24 establishment when conducted in accordance with the Video  
25 Gaming Act.

26 (13) Games of skill or chance where money or other

1 things of value can be won but no payment or purchase is  
2 required to participate.

3 (14) Savings promotion raffles authorized under  
4 Section 5g of the Illinois Banking Act, Section 7008 of the  
5 Savings Bank Act, Section 42.7 of the Illinois Credit Union  
6 Act, Section 5136B of the National Bank Act (12 U.S.C.  
7 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.  
8 1463).

9 (15) Sports wagering when conducted in accordance with  
10 the Sports Wagering Act.

11 (c) Sentence.

12 Gambling is a Class A misdemeanor. A second or subsequent  
13 conviction under subsections (a) (3) through (a) (12), is a Class  
14 4 felony.

15 (d) Circumstantial evidence.

16 In prosecutions under this Section circumstantial evidence  
17 shall have the same validity and weight as in any criminal  
18 prosecution.

19 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

20 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

21 Sec. 28-1.1. Syndicated gambling.

22 (a) Declaration of Purpose. Recognizing the close  
23 relationship between professional gambling and other organized  
24 crime, it is declared to be the policy of the legislature to  
25 restrain persons from engaging in the business of gambling for

1 profit in this State. This Section shall be liberally construed  
2 and administered with a view to carrying out this policy.

3 (b) A person commits syndicated gambling when he or she  
4 operates a "policy game" or engages in the business of  
5 bookmaking.

6 (c) A person "operates a policy game" when he or she  
7 knowingly uses any premises or property for the purpose of  
8 receiving or knowingly does receive from what is commonly  
9 called "policy":

10 (1) money from a person other than the bettor or player  
11 whose bets or plays are represented by the money; or

12 (2) written "policy game" records, made or used over  
13 any period of time, from a person other than the bettor or  
14 player whose bets or plays are represented by the written  
15 record.

16 (d) A person engages in bookmaking when he or she knowingly  
17 receives or accepts more than five bets or wagers upon the  
18 result of any trials or contests of skill, speed or power of  
19 endurance or upon any lot, chance, casualty, unknown or  
20 contingent event whatsoever, which bets or wagers shall be of  
21 such size that the total of the amounts of money paid or  
22 promised to be paid to the bookmaker on account thereof shall  
23 exceed \$2,000. Bookmaking is the receiving or accepting of bets  
24 or wagers regardless of the form or manner in which the  
25 bookmaker records them.

26 (e) Participants in any of the following activities shall

1 not be convicted of syndicated gambling:

2 (1) Agreements to compensate for loss caused by the  
3 happening of chance including without limitation contracts  
4 of indemnity or guaranty and life or health or accident  
5 insurance;

6 (2) Offers of prizes, award or compensation to the  
7 actual contestants in any bona fide contest for the  
8 determination of skill, speed, strength or endurance or to  
9 the owners of animals or vehicles entered in the contest;

10 (3) Pari-mutuel betting as authorized by law of this  
11 State;

12 (4) Manufacture of gambling devices, including the  
13 acquisition of essential parts therefor and the assembly  
14 thereof, for transportation in interstate or foreign  
15 commerce to any place outside this State when the  
16 transportation is not prohibited by any applicable Federal  
17 law;

18 (5) Raffles and poker runs when conducted in accordance  
19 with the Raffles and Poker Runs Act;

20 (6) Gambling games conducted on riverboats when  
21 authorized by the Riverboat Gambling Act;

22 (7) Video gaming terminal games at a licensed  
23 establishment, licensed truck stop establishment, licensed  
24 fraternal establishment, or licensed veterans  
25 establishment when conducted in accordance with the Video  
26 Gaming Act; and

1           (8) Savings promotion raffles authorized under Section  
2           5g of the Illinois Banking Act, Section 7008 of the Savings  
3           Bank Act, Section 42.7 of the Illinois Credit Union Act,  
4           Section 5136B of the National Bank Act (12 U.S.C. 25a), or  
5           Section 4 of the Home Owners' Loan Act (12 U.S.C. 1463);  
6           and-

7           (9) Sports wagering when conducted in accordance with  
8           the Sports Wagering Act.

9           (f) Sentence. Syndicated gambling is a Class 3 felony.

10          (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

11          Section 999. Effective date. This Act takes effect upon  
12          becoming law."