

ILLINOIS REGISTER

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

TITLE 86: REVENUE
CHAPTER IV: ILLINOIS GAMING BOARD

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AUTHORITY: Implementing and authorized by the Riverboat Gambling Act [230 ILCS 10].

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Ill. Reg. 15296, effective October 11, 2002; amended at 26 Ill. Reg. 17408, effective November 22, 2002; emergency amendment at 27 Ill. Reg. 10503, effective June 30, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 15793, effective September 25, 2003; amended at 27 Ill. Reg. 18595, effective November 25, 2003; amended at 28 Ill. Reg. 12824, effective August 31, 2004; amended at 31 Ill. Reg. 8098, effective June 14, 2007; amended at 32 Ill. Reg. 2967, effective February 15, 2008; amended at 32 Ill. Reg. 3275, effective February 19, 2008; amended at 32 Ill. Reg. 7357, effective April 28, 2008; amended at 32 Ill. Reg. 8592, effective May 29, 2008; amended at 32 Ill. Reg. 8931, effective June 4, 2008; amended at 32 Ill. Reg. 13200, effective July 22, 2008; amended at 32 Ill. Reg. 17418, effective October 23, 2008; amended at 32 Ill. Reg. 17759, effective October 28, 2008; amended at 32 Ill. Reg. 17946, effective November 5, 2008; amended at 34 Ill. Reg. 3285, effective February 26, 2010; amended at 34 Ill. Reg. 3748, effective March 11, 2010; amended at 34 Ill. Reg. 4768, effective March 16, 2010; amended at 34 Ill. Reg. 5200, effective March 24, 2010; amended at 34 Ill. Reg. 15386, effective September 23, 2010; amended at 36 Ill. Reg. 13199, effective July 31, 2012; amended at 37 Ill. Reg. 12050, effective July 9, 2013; amended at 37 Ill. Reg. 18255, effective November 1, 2013; amended at 38 Ill. Reg. 2808, effective January 8, 2014; amended at 38 Ill. Reg. 21471, effective October 29, 2014; amended at 39 Ill. Reg. 4362, effective March 10, 2015; amended at 39 Ill. Reg. 12312, effective August 18, 2015; amended at 40 Ill. Reg. 12776, effective August 19, 2016; amended at 41 Ill. Reg. 380, effective December 29, 2016; amended at 41 Ill. Reg. 12840, effective September 28, 2017; emergency amendment at 43 Ill. Reg. 9801, effective August 23, 2019, for a maximum of 150 days; emergency amendment at 43 Ill. Reg. _____, effective September 5, 2019 for a maximum of 150 days; emergency amendment at 43 Ill. Reg. _____, effective _____, for a maximum of 150 days.

SUBPART A: GENERAL PROVISIONS

Section 3000.100 Definitions

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For purposes of this Part the following terms shall have the following meanings:

"Act": The ~~Illinois Riverboat~~ Gambling Act [230 ILCS 10].

"Adjusted Gross Receipts": The gross receipts less winnings paid to wagerers. The value of expired vouchers shall be included in computing adjusted gross receipts.

"Affiliate": An "Affiliate of", or person "Affiliated with", a specified person shall mean a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, such person.

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"Alcoholic Liquors": Includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being.

"Attributed Interest": A direct or indirect interest in a Business Entity deemed to be held by a person not through the person's actual holdings but either through the holdings of the person's relatives or through a third party or parties on behalf of the person pursuant to a plan, arrangement or agreement.

"Bill Validator": Any electro-mechanical device attached either on or into an Electronic Gaming Device which accepts and analyzes the legitimacy of United States currency and/or Vouchers, validates the currency and/or Vouchers, stores the currency and/or Vouchers, and issues Electronic Credits equal to the value of currency and/or Vouchers inserted into the device.

"Board": The Illinois Gaming Board.

"Business Entity": A partnership, incorporated or unincorporated association or group, firm, corporation, limited liability company, partnership for shares, trust, sole proprietorship or other business enterprise.

"Chip": A non-metal or partly metal representative of value, redeemable for cash, and issued and sold by a holder of an owners~~Owner's~~ license or organization gaming license for use in Gaming other than in Electronic Gaming Devices on such holder's Gaming Operation~~Riverboat or Riverboats~~.

"Chip Float": The difference between the total face value of Chips received from vendors and the total face value of Chips accounted for through an inventory conducted by the ~~Riverboat~~ Gaming Operation.

"Computer Monitoring System": The gaming related system used to provide on-line, real-time monitoring of Electronic Gaming Devices and data acquisition capability in the format and media approved by the Administrator.

"Dependent": Any individual who received over half of his support in a calendar year from any other individual.

"Electronic Card": A card purchased from a holder of an owners~~Owner's~~ license or organization gaming license for use at~~on~~ that holder's ~~Riverboat~~ Gaming Operation as a substitute for Tokens in the conduct of gaming on an Electronic

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Gaming Device.

"Electronic Credit": A value owed to a patron on an Electronic Gaming Device.

"Electronic Gaming Device": Includes as approved Games under Section 3000.605 Single- and Multiple-Position Reel-Type, Single- and Multiple-Position Single-Game Video and Single- and Multiple-Position Multi-Game Video Electronic Gaming Devices.

"Electronic Gaming Device Drop": The total face value of Tokens or representations of Tokens (including without limitation foreign Tokens and slugs) collected from the drop bucket and United States currency and/or Vouchers collected from the Bill Validator drop box.

"Electronic Gaming Device Win": The Electronic Gaming Device Drop minus hand-paid jackpots minus hopper fills minus Vouchers issued.

"EPROM": An acronym for Erasable, Programmable, Read Only Memory, which is a microprocessor component that stores memory and affects payout percentage and/or contains a random number generator that selects the outcome of a Game on an Electronic Gaming Device.

"Excluded Person": Any person whose name appears on any Exclusion List, or any person whose name does not appear on an Exclusion List but who is excluded or ejected pursuant to Section 5(c)(12) of the Act or as a result of meeting one or more of the criteria in Section 3000.720 of this Part.

"Exclusion List": A list or lists which contain the identities of persons who are to be excluded or ejected from any licensed Gaming operation in any jurisdiction. The list may include any person whose reputation or conduct is such that his presence within a ~~Riverboat~~ Gaming Operation may, in the opinion of the Board or the Administrator, call into question the honesty or integrity of the Gaming ~~Operation~~operation or pose a threat to the interests of the State of Illinois.

"Expiration Date": The one-year period, starting on the day of issuance, during which Vouchers may be redeemed for United States currency at a cashier cage of a ~~Riverboat~~ Gaming Operation.

"Game": A gambling activity which is played for money, property, or anything of value, including without limitation those played with cards, Chips, Tokens, dice,

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implements, or electronic, electrical, or mechanical devices or machines.

"Gaming": The dealing, operating, carrying on, conducting, maintaining or exposing for play of any Game.

"Gaming Equipment/Supplies": A machine, mechanism, device, or implement which is integral to the operation of a Game or affects the result of a Game by determining win or loss, including without limitation: electronic, electrical, or mechanical devices or machines; cards or dice; layouts for Live Gaming Devices; any representative of value used with any Game, including without limitation Chips, Tokens, or Electronic Cards; Voucher Systems; Voucher Printers; Voucher Validation Terminals; Computer Monitoring Systems; and hardware and software related to any item described herein.

"Gaming Operation:" The owners licensee, organization gaming licensee or, as the context requires, the conducting of gaming and all related activities, including without limitation the purveying of food, beverages, retail goods and services, and transportation, either at a casino, an Organization Gaming Facility or on a Riverboat and at its Support Facilities.

"Gaming Operations Manager": A person or business entity other than the holder of an owners~~Owner's~~ license or organization gaming license who has the ultimate responsibility to manage, direct or administer the conducting of Gaming.

"Hand": Either one Game in a series, one deal in a card Game, or the cards held by a player.

"Indirect Interest": An interest in a Business Entity that is deemed to be held by the holder of an owners~~Owner's~~ license or organization gaming license not through the holder's actual holdings in the business entity but through the holder's holdings in other business entities.

"Institutional Investor": A "qualified institutional buyer" as defined by Securities and Exchange Commission Rule 144A (17 CFR 230.144A) under the Securities Act of 1933, as amended.

"Internal Control System": Proprietary internal procedures and administration and accounting controls designed by the holder of an owners~~Owner's~~ license or organization gaming license for the purpose of exercising control over the ~~Riverboat~~-Gaming Operation.

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"Junketeer": A person or entity that facilitates a patron's participation in gaming at a ~~Riverboat~~ Gaming Operation and is compensated, not as an employee but as an independent contractor, by that Operation based upon how much the patron actually wagers or loses.

"Key Person": A Person identified by the Board under Section 3000.222 as subject to regulatory approval as a Person able to control, or exercise significant influence over, the management, assets, or operating policies of an owners, organization gaming owner or supplier licensee.

"Live Gaming Device": Any apparatus, other than an Electronic Gaming Device, upon which Gaming is conducted or which determines an outcome which is the object of a wager. This definition includes but is not limited to roulette wheels, keno machines, punchboard tickets and tables with layouts utilized in Games approved by the Board.

"Marketing Agent": A person or entity, other than a junketeer or an employee of a ~~Riverboat~~ Gaming Operation, who is compensated by the ~~Riverboat~~ Gaming Operation in excess of \$100 per patron per trip for identifying and recruiting patrons.

"Non-Alterable Storage Media": An electronic storage medium that contains the program files that operate the game, which medium cannot be altered through the use of the circuitry or programming of the gaming device.

"Non-Value Chip": A Chip, clearly and permanently impressed, engraved or imprinted with the name of the ~~Riverboat~~ Gaming Operation, but bearing no value designation.

"Notice of Board Action": A Notice of Denial, Restriction, Suspension, Revocation, Nonrenewal, Fine, Exclusion or other action issued by the Board.

"Organization Gaming Facility": That portion of an organization licensee's racetrack facilities at which gaming authorized under Section 7.7 of the Illinois Gambling Act is conducted, including both the publicly accessible gaming area and restricted access areas including but not limited to cashier cages, count rooms, surveillance rooms, and gaming equipment storage and repair areas.

"Parent Company": A "parent company" of a specified person is an affiliate controlling such person directly, or indirectly through one or more intermediaries.

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"Payout": Winnings earned on a wager.

"Person": "Person" includes both individuals and Business Entities.

"Petitioner": An applicant, licensee or Excluded Person who requests a hearing upon issuance of a Notice of Board Action.

"Progressive Controller": The hardware and software that controls all communications among the machines within a progressive Electronic Gaming Device link and its associated progressive meter.

"Progressive Jackpot": An award for winning play in a Game, the value of which is determined by the contribution of a portion of each Wager placed into play or the combined amount of several wagers linked to a common jackpot award.

"Redemption Period": The 120-day period during which a Voucher may be used to acquire electronic credits from an Electronic Gaming Device or to obtain United States currency from a Voucher Validation Terminal. After their Redemption dates and prior to their Expiration dates, Vouchers may be redeemed for United States currency only at a cashier cage of a ~~Riverboat~~ Gaming Operation.

"Relative": Spouse, parents, grandparents, children, siblings, uncles, aunts, nephews, nieces, fathers-in-law, mothers-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law, whether by the whole or half blood, by marriage, adoption or natural relationship, and Dependents.

"Remote Access": Communication with an electronic information system from a remote location or facility through a data link.

"Riverboat": A navigable vessel or a permanently moored vessel comprised of one or more barges that are permanently attached to operate as one barge.

"Riverboat Gaming Operation": The owner licensee, Gaming Operations Manager, or, as the context requires, the conducting of Gaming and all related activities, including without limitation the purveying of food, beverages, retail goods and services, and transportation, on a Riverboat and at its Support Facilities.

"Signature": The definitive identity of an individual specific EPROM chip or

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other non-alterable storage media, determined by electronic analysis and reflective of the EPROM chip's game behavior capability.

"Substantial Owner": A person who has an ownership interest of 25% or more in a Business Entity.

"Supplier": A provider of Gaming Equipment/Supplies, Gaming Equipment maintenance or repair services, security services or a lessor of a Riverboat, ~~or dock, casino or Organization Gaming Facility~~ facility.

"Support Facility": A place of business which is part of, or operates in conjunction with, a ~~Riverboat~~ Gaming Operation of an owners licensee and is owned in whole or in part by a holder of an Owner's or Supplier's license or any of their Key Persons, including without limitation Riverboats, offices, docking facilities, casinos, parking facilities and land-based hotels or restaurants.

"Table Drop": The total amount of cash or cash equivalents contained in the drop box for Chips purchased at a Live Gaming Device.

"Table Win": The dollar amount won by the holder of an Owner's license through play at a live Game which is the total of the Table Drop plus ending Chip inventory plus credits minus opening Chip inventory minus fills.

"Theoretical Payout Percentage": The percentage of Tokens or Electronic Credits from amounts wagered that will be returned to players by an Electronic Gaming Device.

"Token": A metal representative of value, redeemable for cash only at the issuing ~~Riverboat~~ Gaming Operation, and issued and sold by a holder of an owners license or organizational gaming ~~Owner's license~~ for use in Gaming.

"Token Dispenser": Any mechanical or electrical device designed for the purpose of dispensing an amount of Tokens equal to the amount of currency inserted into the device.

"Token Float": The difference between the total face value of Tokens received from vendors and the total face value of Tokens accounted for through an inventory conducted by the ~~Riverboat~~ Gaming Operation.

"Tournament EPROM": A specially designed EPROM with a mode of play that

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provides for a mathematically demonstrable payout of more than 100 percent.

"Value Chip": A Chip, clearly and permanently impressed, engraved or imprinted with the name of the ~~Riverboat~~-Gaming Operation and the specific value of the Chip.

"Video Game of Chance": As used in the Illinois Gambling Act means an Electronic Gaming Device.

"Voucher": A printed paper scrip representing the value in United States currency stated on the face of the scrip that is issued by a Voucher Printer connected to an Electronic Gaming Device or at a cashier cage at a ~~Riverboat~~-Gaming Operation and which scrip is redeemable for electronic credits or United States currency and is not a coupon or other promotional item.

"Voucher Float": The difference between the total face value of unexpired Vouchers issued by a ~~Riverboat~~-Gaming Operation and the total face value of Vouchers accounted for by the ~~Riverboat~~-Gaming Operation as redeemed or expired.

"Voucher Printer": A device designed for the purpose of issuing Vouchers at Electronic Gaming Devices or at a cashier cage at a ~~Riverboat~~-Gaming Operation.

"Voucher System": The hardware and software used to issue and validate Vouchers, record redemptions and account for Vouchers.

"Voucher Validation Terminal": A hard-wired and interfaced device that accepts Vouchers and communicates the Voucher information to the Voucher System for the System to validate the information. If the System confirms that the Voucher is valid, the terminal then stores the Voucher and issues United States currency equal to the value of the Voucher.

"Wager": A sum of money or thing of value risked.

(Source: Amended by emergency rulemaking at 43 Ill. Reg. _____, effective _____, for a maximum of 150 days)

SUBPART B: LICENSES

Section 3000.200 Classification of Licenses

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The Board may classify an activity to be licensed in addition to, different from, or at a different level than the classifications set forth in this Subpart.

- a) ~~Owners license~~Owner's License. An owner of a casino or Riverboat Gaming Operation is required to hold an Owner's license.

- b) ~~Suppliers license~~Supplier's License. The following persons or entities are required to hold a ~~suppliers~~Supplier's license:
 - 1) Supplier of Gaming Equipment/Supplies, including a manufacturer, distributor, wholesaler, or retailer. All manufacturers of Electronic Gaming Devices, Chips, Tokens, Voucher Systems, Voucher Validation Terminals, Voucher Printers, and Computer Monitoring Systems must be licensed as a Supplier regardless of whether the manufacturer uses an independent distributor or wholesaler to distribute its Equipment/Supplies.
 - 2) Supplier of Gaming Equipment maintenance or repair services.
 - 3) Supplier of security services.
 - 4) Lessors of Riverboat and/or dock facilities.
 - 5) Junketeers.
 - 6) Any other purveyor of goods or services to a ~~Riverboat~~-Gaming Operation, as deemed necessary by the Board.

- c) ~~Occupational license~~Occupation License. A person employed at a ~~Riverboat~~ Gaming Operation ~~by the Owner licensee or by a Gaming Operations Manager~~ is required to hold an occupational~~Occupation~~ license. An occupational~~Occupation~~ licensee may perform any activity included within the licensee's level of occupational~~Occupation~~ license or any lower level of occupational~~Occupation~~ license.
 - 1) Occupational~~Occupation~~ license, Level 1, includes the following positions, or their equivalent:
 - A) Audit Manager;

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- B) Casino Manager;
 - C) Chief of Security;
 - D) Chief of Surveillance;
 - E) Chief Financial Officer and/or Controller;
 - F) EDP Manager;
 - G) Electronic Gaming Device Manager;
 - H) General Manager;
 - I) Table Games Manager; and
 - J) Any other individual who, upon review of the applicant's or licensee's Table of Organization, Ownership and Control submitted under Section 3000.223, the Board determines holds a position or a level of ownership, control or influence that is material to the regulatory concerns and obligation of the Board for the specified licensee or applicant.
- 2) ~~Occupational license~~~~Occupation License~~, Level 2. A Gaming or security/surveillance employee not required to hold an ~~occupational~~~~Occupation~~ license, Level 1 under subsection (c)(1) of this Section.
- 3) ~~Occupational license~~~~Occupation License~~, Level 3. An employee not required to hold an ~~occupational~~~~Occupation~~ license, Level 1 or Level 2 under subsections (c)(1) and (c)(2) of this Section.

(Source: Amended by emergency rulemaking at 43 Ill. Reg. _____, effective _____, for a maximum of 150 days)

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- a) All obligations and duties imposed upon owners licensees and applicants for owners licenses by the Act and this Part are also imposed upon organization gaming licensees and applicants for organization gaming licenses.
- b) All references to Riverboat Gambling Operations in this Part apply to all Gaming Operations, except as appropriate by context.
- c) All references to riverboats in this Part apply to casinos and Organization Gaming Facilities, except as appropriate by context.

(Source: Added by emergency rulemaking at 43 Ill. Reg. _____, effective _____, for a maximum of 150 days)

SUBPART F: CONDUCT OF GAMING

Section 3000.606 Gaming Positions

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- a) Each holder of an owners license or organization gaming license shall limit the number of gaming positions concurrently available for play to the maximum permitted by its license under the Act.
- b) Gaming positions shall be counted as follows:
 - 1) Positions for Games utilizing Electronic Gaming Devices shall be determined as 90 percent of the total number of devices available for play.
 - 2) Positions for Games available for play that do not utilize an Electronic Gaming Device shall be determined by the Administrator. The Administrator shall make this determination at the time the internal controls for the Game are approved.
 - A) Any Game with internal controls approved before September 1, 2019, shall count as 5 positions, except craps which shall count as 10 positions.
 - B) In determining the number of gaming positions for a Game, the Administrator shall consider the following:

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- i) The number of positions assigned to the same Game in other approved internal controls of any owners licensee or organization gaming licensee;
 - ii) The nature and scope of differences between the internal controls of the Game and those other instances of the same or similar games operated by any owners licensee or organization gaming licensee; and
 - iii) The possible maximum number of concurrent players.
- c) The total gaming positions shall not include:
 - 1) Any Electronic Gaming Device which is disabled or otherwise not operational for play by a patron.
 - 2) Any live gaming device that is not currently operational and available to play.
 - 3) Any promotional give-away or tournament for which there is no entry fee required for any participant.
 - 4) Sports wagering conducted pursuant to the Sports Wagering Act.
 - 5) Pari-mutuel wagering conducted pursuant to the Illinois Horse Racing Act of 1975.
- d) Licensees may reallocate gaming positions at any time with prior written notice to the Board.
- e) Owners licensees and organization gaming licensees shall adopt internal controls regarding the allocation of gaming positions and logging of any reallocation.
- f) Owners licensees and organization gaming licensees shall provide to Board agents an accounting of the current allocation of gaming positions immediately upon request.
- g) Logs of gaming position allocation must be retained for at least as long as prescribed by the published Records Retention Schedule, or longer upon written notice by the Administrator or his or her designee.

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~~The holder of an Owner's License shall limit the number of Gaming participants to 1,200 for any such license [230 ILCS 10/7(h)]. The number of Gaming participants will be determined by the number of Gaming positions available and such positions will be counted as follows:~~

- ~~a) — Positions for Games utilizing Electronic Gaming Devices will be determined as 90 percent of the total number of devices available for play;~~
- ~~b) — Craps tables will be counted as having ten Gaming positions;~~
- ~~e) — Games utilizing Live Gaming Devices, except as provided in subsection (b) will be counted as having five Gaming positions.~~

~~(Source: Amended by emergency rulemaking at 43 Ill. Reg. _____, effective _____, for a maximum of 150 days)~~

SUBPART I: LIQUOR LICENSES

Section 3000.930 Hours of Sale

~~A holder of an ownersOwner's license may sell alcoholic beverages or furnish or permit the same to be consumed on the Riverboat between the hours of 9:30 a.m. and 4:00 a.m. each Gaming Day. Any owners licenseeOwner Licensee that does not conduct gambling operations 24 hours a day ending a Gaming Day at or before 4:00 a.m. may sell alcoholic beverages or furnish or permit the same to be consumed on the Riverboat or casino from 9:30 a.m. until one hour prior to that licensee'sLicensee's close of Gaming Operations that Gaming Day. A Gaming Day may begin on one calendar day and end the next calendar day, provided that the Gaming Day does not extend beyond the uniform 24-hour period selected in advance by the Licensee.~~

~~(Source: Amended by emergency rulemaking at 43 Ill. Reg. _____, effective _____, for a maximum of 150 days)~~