

ILLINOIS REGISTER

ILLINOIS GAMING BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3) Section Number: 1800.2070 Adopted Action: New Section
- 4) Statutory Authority: Implementing and authorized by Sections 78 (a) (3) of the Video Gaming Act [230 ILCS 40/78 (a) (3)], which provides that the Illinois Gaming Board (Board) shall “adopt rules for the purpose of administering the provisions of this Act.”
- 5) Effective Date of Rule:
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain an incorporation by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the principal office and is available for public inspection.
- 9) Notice of proposal published in Illinois Register: 46 Ill. Reg. 3939; March 11, 2022
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: As published on First Notice, the proposal restricted progressive jackpot play to standalone progressive meters linked to individual video gaming terminals (VGTs). The final version also authorizes progressive jackpot play on VGTs linked within a location for that purpose.

The final version adds a definition of “stored value,” defining this term as “a progressive jackpot amount that has accumulated in the central communications system but has not been awarded as a prize.”

The final version omits subsection (h) of the proposal, which provided that new Section 1800.2070 would not become effective until the Administrator certified that the central communications system was capable of meeting all requirements to implement the stored value function.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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13) Will this rulemaking replace any emergency rulemaking currently in effect? No

14) Are there any rulemakings pending on this part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
1800.110	Amendment	46 Ill. Reg. 14742, September 2, 2022
1800.250	Amendment	46 Ill. Reg. 14742, September 2, 2022
1800.265	New Section	46 Ill. Reg. 14742, September 2, 2022
1800.321	New Section	46 Ill. Reg. 14742, September 2, 2022
1800.330	Amendment	46 Ill. Reg. 14742, September 2, 2022
1800.530	Repealed	46 Ill. Reg. 14742, September 2, 2022
1800.540	Repealed	46 Ill. Reg. 14742, September 2, 2022
1800.570	Amendment	46 Ill. Reg. 14742, September 2, 2022
1800.595	New Section	46 Ill. Reg. 14742, September 2, 2022

15) Summary and Purpose of Rulemaking: Amendments to the Video Gaming Act (VGA) contained in P.A. 101-031, effective June 28, 2019, expressly authorize “in-location progressive games” paying jackpots of up to \$10,000, including but not limited to progressive jackpots [230 ILCS 40/20 (b)]. A progressive jackpot increases in value each time the game is played but the jackpot is not won. Each time a jackpot is not won, a meter within the video gaming terminal (VGT) tracks the increasing value of the jackpot. Upon the winning of the jackpot, the progressive meter resets to a predetermined base value.

P.A. 101-0031 required the Illinois Gaming Board (Board) to implement rules governing the payout of jackpots by terminal operators [230 ILCS 40/20 (c)]. The Board did so, adopting Subpart T of the Video Gaming Rules [11 Ill. Adm. Code 2010 through 2060]. In fulfillment of the statutory mandate, these rules prescribe how licensees will pay out jackpots to patrons. To ensure the integrity of video gaming as it relates to progressive jackpots, the present rulemaking adds a new Section 1800.2070 that standardizes the functions of progressive meters as well as specifying how terminal operators shall track and maintain the values stored on those meters.

The rulemaking authorizes progressive jackpot play either on individual VGTs or on VGTs linked within a location for that purpose. This flexibility is consistent with the definition of “in-location bonus jackpot” in Section 5 of the Video Gaming Act [230 ILCS 40/5], as explained above.

Additional provisions of the rulemaking are designed to ensure that values recorded on the progressive meters are not “lost,” thus providing patrons the opportunity to win them in the future. These provisions include requirements that:

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Values recorded on any VGT's progressive meter at a location shall be transferred to another VGT at the same location if a VGT that has value on its progressive meter is removed from the location; and

The Central Communications System shall have capability to track the stored value of any progressive meter that has been removed from play but cannot be immediately added to other VGTs.

- 16) Information and Questions regarding this adopted rulemaking may be addressed to:

Daniel Gerber
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Illinois Gaming Board
160 North LaSalle Street
Chicago, Illinois 60601

IGB.RuleComments@igb.illinois.gov

The full text of the Adopted Amendment begins on the next page.

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TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING
SUBTITLE D: VIDEO GAMING
CHAPTER I: ILLINOIS GAMING BOARD

PART 1800
VIDEO GAMING (GENERAL)

SUBPART A: GENERAL PROVISIONS

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1800.110	Definitions
1800.115	Gender
1800.120	Inspection
1800.130	Board Meetings
1800.140	Service Via E-mail

SUBPART B: DUTIES OF LICENSEES

Section	
1800.210	General Duties of All Video Gaming Licensees
1800.220	Continuing Duty to Report Information
1800.230	Duties of Licensed Manufacturers
1800.240	Duties of Licensed Distributors
1800.250	Duties of Terminal Operators
1800.260	Duties of Licensed Technicians and Licensed Terminal Handlers
1800.270	Duties of Licensed Video Gaming Locations

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

Section	
1800.310	Grounds for Disciplinary Actions
1800.320	Minimum Standards for Use Agreements
1800.330	Economic Disassociation
1800.340	Change in Ownership of Terminal Operators and Assets Held by Terminal Operators
1800.350	Inducements
1800.360	Terminal Operator Record Retention

SUBPART D: LICENSING QUALIFICATIONS

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Section

- 1800.410 Coverage of Subpart
- 1800.420 Qualifications for Licensure
- 1800.430 Persons with Significant Influence or Control
- 1800.440 Undue Economic Concentration

SUBPART E: LICENSING PROCEDURES

Section

- 1800.510 Coverage of Subpart
- 1800.520 Applications
- 1800.530 Submission of Application
- 1800.540 Application Fees
- 1800.550 Consideration of Applications by the Board
- 1800.555 Withdrawal of Applications and Surrender of Licenses
- 1800.560 Issuance of License
- 1800.570 Renewal of License
- 1800.580 Annual Fees
- 1800.590 Death and Change of Ownership of Video Gaming Licensee

SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

Section

- 1800.610 Coverage of Subpart
- 1800.615 Requests for Hearing
- 1800.620 Appearances
- 1800.625 Appointment of Administrative Law Judge
- 1800.630 Discovery
- 1800.635 Subpoenas
- 1800.640 Motions for Summary Judgment
- 1800.650 Proceedings
- 1800.660 Evidence
- 1800.670 Prohibition on Ex Parte Communication
- 1800.680 Sanctions and Penalties
- 1800.690 Transmittal of Record and Recommendation to the Board
- 1800.695 Status of Applicant for Licensure Upon Filing Request for Hearing

SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

Section

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1800.710	Coverage of Subpart
1800.715	Notice of Proposed Disciplinary Action Against Licensees
1800.720	Hearings in Disciplinary Actions
1800.725	Appearances
1800.730	Appointment of Administrative Law Judge
1800.735	Discovery
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1800.745	Motions for Summary Judgment
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1800.760	Evidence
1800.770	Prohibition on Ex Parte Communication
1800.780	Sanctions and Penalties
1800.790	Transmittal of Record and Recommendation to the Board
1800.795	Persons Subject to Proposed Orders of Economic Disassociation

SUBPART H: LOCATION OF VIDEO GAMING TERMINALS IN
LICENSED VIDEO GAMING LOCATIONS

Section	
1800.810	Location and Placement of Video Gaming Terminals
1800.815	Licensed Video Gaming Locations Within Malls
1800.820	Measurement of Distances from Locations
1800.830	Waivers of Location Restrictions

SUBPART I: SECURITY INTERESTS

Section	
1800.910	Approvals Required, Applicability, Scope of Approval
1800.920	Notice of Enforcement of a Security Interest
1800.930	Prior Registration

SUBPART J: TRANSPORTATION, REGISTRATION,
AND DISTRIBUTION OF VIDEO GAMING TERMINALS

Section	
1800.1010	Restriction on Sale, Distribution, Transfer, Supply and Operation of Video Gaming Terminals
1800.1020	Transportation of Video Gaming Terminals into the State
1800.1030	Receipt of Video Gaming Terminals in the State
1800.1040	Transportation of Video Gaming Terminals Between Locations in the State

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- 1800.1050 Approval to Transport Video Gaming Terminals Outside of the State
- 1800.1060 Placement of Video Gaming Terminals
- 1800.1065 Registration of Video Gaming Terminals
- 1800.1070 Disposal of Video Gaming Terminals

SUBPART K: STATE-LOCAL RELATIONS

Section

- 1800.1110 State-Local Relations

SUBPART L: FINGERPRINTING OF APPLICANTS

Section

- 1800.1210 Definitions
- 1800.1220 Entities Authorized to Perform Fingerprinting
- 1800.1230 Qualification as a Livescan Vendor
- 1800.1240 Fingerprinting Requirements
- 1800.1250 Fees for Fingerprinting
- 1800.1260 Grounds for Revocation, Suspension and Denial of Contract

SUBPART M: PUBLIC ACCESS TO INFORMATION

Section

- 1800.1310 Public Requests for Information

SUBPART N: PAYOUT DEVICES AND REQUIREMENTS

Section

- 1800.1410 Ticket Payout Devices
- 1800.1420 Redemption of Tickets Following Removal or Unavailability of Ticket Payout Devices
- 1800.1421 Redemption of Video Gaming Tickets During a Coin Shortage

SUBPART O: NON-PAYMENT OF TAXES

Section

- 1800.1510 Non-Payment of Taxes

SUBPART P: CENTRAL COMMUNICATIONS SYSTEM

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Section
1800.1610 Use of Gaming Device or Individual Game Performance Data

SUBPART Q: RESPONSIBLE GAMING

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1800.1710 Conversations About Responsible Gaming
1800.1720 Responsible Gaming Education Programs
1800.1730 Problem Gambling Registry
1800.1740 Utilization of Technology to Prevent Problem Gambling

SUBPART R: IMPLEMENTATION OF TECHNOLOGY

Section
1800.1810 Implementation of Technology

SUBPART S: INDEPENDENT TESTING LABORATORIES

Section
1800.1910 Independent Outside Testing Laboratories
1800.1920 Minimum Duties of an Independent Outside Testing Laboratory
1800.1930 Testing of Video Gaming Equipment
1800.1940 Approval of Video Gaming Equipment

SUBPART T: IN-LOCATION PROGRESSIVE GAMES

Section
1800.2010 In-location Progressive Games
1800.2020 Optional Nature of In-location Progressive Games
1800.2030 Procedures Within Licensed Video Gaming Locations
1800.2040 Payments of Progressive Jackpot Amount
1800.2050 Deductions from Progressive Jackpots
1800.2060 Progressive Jackpot Coordinator
1800.2070 Progressive Meters

SUBPART U: UNDERAGE GAMBLING COMPLIANCE

Section
1800.2110 Statement of Purpose
1800.2120 Program Considerations

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1800.2130 Utilization of Confidential Sources
1800.2140 Provision of Funds
1800.2150 Operational Procedures
1800.2160 Reporting and Evidence
1800.2170 Cooperation with Local Law Enforcement Agencies

1800.EXHIBIT A Youth Participant Consent Form
1800.EXHIBIT B Underage Gambling Participant Acknowledgment

AUTHORITY: Implementing and authorized by the Video Gaming Act [230 ILCS 40].

SOURCE: Adopted by emergency rulemaking at 33 Ill. Reg. 14793, effective October 19, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 2893, effective February 22, 2010; emergency amendment at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days; emergency expired November 11, 2010; amended at 35 Ill. Reg. 1369, effective January 5, 2011; emergency amendment at 35 Ill. Reg. 13949, effective July 29, 2011, for a maximum of 150 days; emergency expired December 25, 2011; amended at 36 Ill. Reg. 840, effective January 6, 2012; amended by emergency rulemaking at 36 Ill. Reg. 4150, effective February 29, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 5455, effective March 21, 2012; amended at 36 Ill. Reg. 10029, effective June 28, 2012; emergency amendment at 36 Ill. Reg. 11492, effective July 6, 2012, for a maximum of 150 days; emergency expired December 2, 2012; emergency amendment at 36 Ill. Reg. 12895, effective July 24, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 13178, effective July 30, 2012; amended at 36 Ill. Reg. 15112, effective October 1, 2012; amended at 36 Ill. Reg. 17033, effective November 21, 2012; expedited correction at 39 Ill. Reg. 8183, effective November 21, 2012; amended at 36 Ill. Reg. 18550, effective December 14, 2012; amended at 37 Ill. Reg. 810, effective January 11, 2013; amended at 37 Ill. Reg. 4892, effective April 1, 2013; amended at 37 Ill. Reg. 7750, effective May 23, 2013; amended at 37 Ill. Reg. 18843, effective November 8, 2013; emergency amendment at 37 Ill. Reg. 19882, effective November 26, 2013, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 38 Ill. Reg. 3384, effective January 14, 2014; suspension withdrawn at 38 Ill. Reg. 5897; emergency repeal of emergency amendment at 38 Ill. Reg. 7337, effective March 12, 2014, for the remainder of the 150 days; amended at 38 Ill. Reg. 849, effective December 27, 2013; amended at 38 Ill. Reg. 14275, effective June 30, 2014; amended at 38 Ill. Reg. 19919, effective October 2, 2014; amended at 39 Ill. Reg. 5401, effective March 27, 2015; amended at 39 Ill. Reg. 5593, effective April 1, 2015; amended at 40 Ill. Reg. 2952, effective January 27, 2016; amended at 40 Ill. Reg. 8760, effective June 14, 2016; amended at 40 Ill. Reg. 12762, effective August 19, 2016; amended at 40 Ill. Reg. 15131, effective October 18, 2016; emergency amendment at 41 Ill. Reg. 2696, effective February 7, 2017, for a maximum of 150 days; amended at 41 Ill. Reg. 2939, effective February 24, 2017; amended at 41 Ill. Reg. 4499, effective April 14, 2017; amended at 41 Ill. Reg. 10300, effective July 13, 2017; amended

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at 42 Ill. Reg. 3126, effective February 2, 2018; amended at 42 Ill. Reg. 3735, effective February 6, 2018; emergency amendment at 43 Ill. Reg. 9261, effective August 13, 2019, for a maximum of 150 days; emergency amendment, except for the definition of "in-location bonus jackpot game" or "in-location progressive game" and the definition of "progressive jackpot" in Section 1800.110 and except for Section 1800.250(x), suspended at 43 Ill. Reg. 11061, effective September 18, 2019; amended at 44 Ill. Reg. 489, effective December 27, 2019; emergency amendment at 43 Ill. Reg. 9788, effective August 19, 2019, for a maximum of 150 days; amended at 44 Ill. Reg. 1961, effective December 31, 2019; emergency amendment at 43 Ill. Reg. 11688, effective September 26, 2019, for a maximum of 150 days; amended at 44 Ill. Reg. 3205, effective February 7, 2020; emergency amendment at 43 Ill. Reg. 13464, effective November 8, 2019, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 43 Ill. Reg. 13479, effective November 12, 2019; suspension withdrawn at 44 Ill. Reg. 3583; emergency amendment to emergency rule at 44 Ill. Reg. 3568, effective February 21, 2020, for the remainder of the 150 days; amended at 44 Ill. Reg. 10891, effective June 10, 2020; amended at 43 Ill. Reg. 14099, effective November 21, 2019; emergency amendment at 44 Ill. Reg. 10193, effective May 27, 2020, for a maximum of 150 days; amended at 44 Ill. Reg. 16454, effective September 25, 2020; emergency amendment at 44 Ill. Reg. 11104, effective June 15, 2020, for a maximum of 150 days; emergency expired November 11, 2020; amended at 44 Ill. Reg. 11134, effective June 22, 2020; emergency amendment at 44 Ill. Reg. 13463, effective July 28, 2020, for a maximum of 150 days; emergency expired December 24, 2020; amended at 45 Ill. Reg. 3424, effective March 8, 2021; amended at 45 Ill. Reg. 5375, effective April 12, 2021; amended at 45 Ill. Reg. 9971, effective July 20, 2021; emergency amendment at 45 Ill. Reg. 10074, effective July 26, 2021, for a maximum of 150 days; emergency expired December 22, 2021; amended at 46 Ill. Reg. 5530, effective March 16, 2022; amended at 46 Ill. Reg. 6916, effective April 25, 2022; amended at 46 Ill. Reg. 17107, effective September 28, 2022; amended at 46 Ill. Reg. _____, effective _____.

SUBPART T: IN-LOCATION PROGRESSIVE GAMES

Section 1800.2070 Progressive Meters

- a) Any video gaming terminal featuring progressive jackpots that does not comply with the Act and this Section shall not be deployed or offered for patron play. All provisions of this Section apply to both progressive meters within individual video gaming terminals and progressive meters within linked progressive jackpot controllers.
- b) No video gaming terminal progressive meter shall be manually set for any reason except as permitted or required by this Section.

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- c) The central communications system shall provide for recording stored value. Stored value is a progressive jackpot amount that has accumulated in the central communications system but has not been awarded as a prize. Stored value amounts shall be associated with a specific, single video gaming location license. Stored value shall not be transferrable between video gaming location licenses.
- d) Upon initial installation of a video gaming terminal at a location, all progressive meters shall be at their minimum default value, except in the case where the location has stored value. Any stored value shall be applied to a newly installed video gaming terminal progressive meter to the maximum permitted by the video gaming terminal, and deducted from the stored value amount.
- e) Upon removal of a video gaming terminal from a location when that video gaming terminal has greater than the minimum default value on its progressive meters, that value shall be transferred to one or more video gaming terminal progressive meters at the same location. If the amount of the progressive meter value exceeds the maximum capacity of all video gaming terminal progressive meters at the location, the remaining value shall be added to the location's stored value amount.
- f) On at least a quarterly basis, each terminal operator shall identify any active video gaming locations it serves with a non-zero stored value. For each identified location, the terminal operator shall transfer the maximum possible stored value to one or more video gaming terminal progressive meters at that location.
- g) A video gaming terminal progressive meter may only be manually set in the following circumstances:
- 1) To restore a meter to its previous value prior to a system failure or maintenance which required clearing the meter;
 - 2) To move a meter value from a video gaming terminal which is being removed from a location to another video gaming terminal at the same location;
 - 3) To apply stored meter value to a video gaming terminal;
 - 4) To clear the progressive meter of any video gaming terminal being removed from a location; or

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- 5) For any other cause not expressly prohibited by this Section after prior approval by the Administrator.

(Source: Added at 46 Ill. Reg. _____, effective _____)