

1 AN ACT in relation to gambling.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Criminal Code of 1961 is amended by
5 changing Section 28-7 and adding Sections 28-10 and 28-11 as
6 follows:

7 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

8 Sec. 28-7. Gambling contracts void.

9 (a) All promises, notes, bills, bonds, covenants,
10 contracts, agreements, judgments, mortgages, or other
11 securities or conveyances made, given, granted, drawn, or
12 entered into, or executed by any person whatsoever, where the
13 whole or any part of the consideration thereof is for any
14 money or thing of value, won or obtained in violation of any
15 Section of this Article are null and void.

16 (b) Any obligation void under this Section may be set
17 aside and vacated by any court of competent jurisdiction,
18 upon a complaint filed for that purpose, by the person so
19 granting, giving, entering into, or executing the same, or by
20 his executors or administrators, or by any creditor, heir,
21 legatee, purchaser or other person interested therein; or if
22 a judgment, the same may be set aside on motion of any person
23 stated above, on due notice thereof given.

24 (c) No assignment of any obligation void under this
25 Section may in any manner affect the defense of the person
26 giving, granting, drawing, entering into or executing such
27 obligation, or the remedies of any person interested therein.

28 (d) This Section shall not prevent a licensed owner of a
29 riverboat gambling operation from instituting a cause of
30 action to collect any amount due and owing under an extension
31 of credit to a riverboat gambling patron that was made prior

1 to the effective date of this amendatory Act of the 92nd
2 General Assembly as authorized under the Riverboat Gambling
3 Act.

4 (Source: P.A. 87-826.)

5 (720 ILCS 5/28-10 new)

6 Sec. 28-10. Internet gambling.

7 (a) No person shall make a wire transfer of money if the
8 money so transferred is to be used as part of an
9 internet-based gambling transaction. Any person who violates
10 this subsection (a) commits a petty offense. A person
11 convicted of a petty offense for a violation of this
12 subsection (a) shall be punished by a fine of \$1,000. Each
13 wire transfer constitutes a separate violation.

14 (b) No financial institution shall make a wire transfer
15 of money for any person if the financial institution knows
16 that the money is to be used as a part of an internet-based
17 gambling transaction. Any financial institution that
18 violates this subsection (b) commits a petty offense. A
19 financial institution convicted of a petty offense for a
20 violation of this subsection (b) shall be punished by a fine
21 of \$1,000 for each violation. Each wire transfer constitutes
22 a separate violation.

23 For the purpose of this Section, the term "financial
24 institution" means any bank; saving and loan association;
25 trust company; agency or branch of a foreign bank in the
26 United States; currency exchange; credit union; mortgage
27 banking institution; pawnbroker; loan or finance company;
28 operator of a credit card system; issuer, redeemer, or
29 cashier of travelers checks, checks, or money orders; dealer
30 in precious metals, stones, or jewels; broker or dealer in
31 securities or commodities; investment banker; or investment
32 company.

1 (720 ILCS 5/28-11 new)

2 Sec. 28-11. Internet gambling transactions void. All
3 credit card debts incurred as a result of an internet-based
4 gambling transaction by any person are null and void. Any
5 debt that is void under this Section may be set aside by a
6 court of competent jurisdiction, upon a complaint filed for
7 that purpose, by the person who incurred the debt or by his
8 or her executors or administrators, or by any creditor,
9 heir, legatee, purchaser, or any other person stated in this
10 Section, on due notice thereof given. This Section shall not
11 prevent a licensed owner of a riverboat gambling operation
12 from instituting a cause of action to collect any amount due
13 and owing under an extension of credit to a riverboat
14 gambling patron that was made prior to the effective date of
15 this amendatory Act of the 92nd General Assembly as
16 authorized under the Riverboat Gambling Act.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.