

**Illinois Department of Revenue  
Regulations**

**Title 86 Part 435 Section 435.110 Definitions**

**TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUE**

**PART 435  
CHARITABLE GAMES ACT**

**Section 435.110 Definitions**

As used in this Part, the terms listed below are defined as follows:

"Act": The Charitable Games Act [230 ILCS 30].

"Charitable games": *The 14 games of chance involving cards, dice, wheels, random selection of numbers, and gambling tickets enumerated in Section 435.160 that may be conducted at charitable games events. Only the following games may be conducted at a charitable games event: roulette, blackjack, poker, pull tabs, craps, bang, beat the dealer, big six, gin rummy, five card stud poker, chuck-a-luck, keno, hold-em poker, and merchandise wheel. (Section 2 of the Act)*

"Charitable games equipment": Any supplies, devices, equipment, products or materials designed for use or used in the playing of charitable games, including, but not limited to, cards, dice, pull tabs and any related type of gambling ticket, chips, representations of money, and wheels.

"Charitable games event" or "event": *The type of fundraising event authorized by the Act at which participants pay to play charitable games for the chance of winning cash or noncash prizes, and which may be conducted only on the date stated on a license issued by the Department (Section 2 of the Act).*

"Charitable games license": A license to conduct charitable games issued under Section 435.120, including any renewed or amended license issued under Section 435.120.

"Charitable organization": *An organization or institution organized and operated to benefit an indefinite number of the public. (Section 2 of the Act)*

"Chips": *Scrip, play money, poker or casino chips, or any other representations of money, used to make wagers on the outcome of any charitable game.* (Section 2 of the Act)

"Consultant company": Any person, as defined in this Section, that is hired by or on behalf of a licensed organization to perform services at the event (other than management or operation of the event), including, but not limited to, security for persons or property at the event (other than for the charitable games equipment and money, chips or scrip used in the conducting of charitable games), or to perform services before the event, including, but not limited to, training for volunteers or advertising.

"Consultant companies" include, for instance, "party planners" who plan an event for a licensed organization by locating and securing qualified suppliers and providers on behalf of the licensed organization, or who assist a licensed organization in planning a hosted casino night that is not open to the public (e.g., an event open to only a corporation and its clients that is hosted by the licensed organization and in return for which a donation is made to the licensed organization) .

"Currency": Coin, checks, marketable securities, or any other similar item that can be readily redeemed or converted into legal tender.

"Department": *The Illinois Department of Revenue* (Section 2 of the Act).

"Educational organization": *An organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning that compare favorably in their scope and intensity with the course of study presented in tax-supported schools* (Section 2 of the Act). For purposes of the Act, a public school or school district is not considered an educational organization.

"Fraternal organization": *An organization of persons, including but not limited to ethnic organizations, having a common interest, organized and operated exclusively to promote the welfare of its members and to benefit the general public on a continuing and consistent basis* (Section 2 of the Act).

"Holiday": Any of the holidays listed in Section 17 of the Promissory Note and Bank Holiday Act [815 ILCS 105].

"Ineligible organization": An organization that is ineligible for any license under the Act and Section 435.150.

*"Labor organization": An organization composed of labor unions or workers organized with the objectives of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations (Section 2 of the Act).*

"License year": The two-year period beginning on the date a charitable games license, or the renewal of a charitable games license, is effective under the Act. The licensure date is stated on the license or renewed license.

*"Licensed organization": A qualified organization that has obtained a charitable games license under Section 435.120 (Section 2 of the Act).*

"Management or operation" of an event includes, but is not limited to:

selling admission tickets or pull tabs at the event; selling or redeeming or in any way assisting in the selling or redeeming of chips; or participating in the conducting of any games played at the event or acting as a supervisor or pit boss of a person conducting the games;

conducting a game, which includes, but is not limited to, dealing cards in poker or other card games, spinning the roulette wheel, turning the chuck-a-luck cage, or acting as a croupier;

counting or handling, or supervising anyone who counts or handles, any of the proceeds or chips at the event;

being present at the event to ensure that the games are being conducted in conformance with the rules established by the licensed organization or to ensure that the equipment is working properly; and

providing security for the charitable games equipment, the chips used in the conducting of charitable games, or money at the event.

"Management or operation" of an event does not include setting up, cleaning up, selling food and drink, or providing security either for persons or property at the event (other than for the charitable games equipment or chips used in the conducting of charitable games).

*"Non-profit organization": An organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation (Section 2 of the Act).*

*"Organization": A corporation, agency, partnership, association, firm, business or other entity consisting of two or more persons joined by a common interest or purpose (Section 2 of the Act).*

*"Person": Any natural individual, corporation, partnership, limited liability company, organization as defined in this Section, qualified organization, sponsoring organization, licensed organization, or volunteer (Section 2 of the Act).*

*"Premises": A distinct parcel of land and the buildings thereon (Section 2 of the Act). Premises may also include a boat upon which charitable games are being played, provided that documentation required by the Department regarding the location and identification of the boat is submitted with the application.*

*"Provider": Any person or organization owning, leasing, or controlling premises upon which any charitable game event is to be conducted (Section 2 of the Act).*

"Qualified organization": An organization that:

is not an ineligible organization;

is a bona fide *charitable, religious, fraternal, veterans, labor or educational organization that is exempt from federal income taxation under sections 501(c)(3), (c)(4), (c)(5), (c)(8), (c)(10) or (c)(19) of the Internal Revenue Code; a veterans organization as defined in Section 1.1 of the Bingo License and Tax Act [230 ILCS 25]; an auxiliary organization of a veterans organization; or a local fraternal mutual benefit organization;*

*is organized in Illinois (Section 2 of the Act);*

is a non-profit organization; and

except in the case of a local fraternal mutual benefit organization, *has been in existence in Illinois continuously for a period of 5 years immediately before making application for a license and which has had during that 5-year period a bona fide membership engaged in carrying out its objects. The 5-year period is reduced to 2 years in the case of a local organization that is affiliated with and chartered by a national organization that meets the 5-year requirement. To be chartered by a national organization, an Illinois organization must have a document issued by the national organization formally authorizing the establishment of the Illinois organization. The period of existence specified in this subparagraph shall not apply to an*

*organization, organized for charitable purposes, created by a fraternal organization that meets the existence requirements if the charitable organization has the same officers and directors as the fraternal organization. Only one charitable organization created by a branch lodge or chapter of a fraternal organization may be licensed under this provision. In the case of a local fraternal mutual benefit organization, the organization must be chartered at least 40 years before it applies for a license under the Act. (Section 3 of the Act)*

*"Religious organization": Any church, congregation, society, or organization founded for the purpose of religious worship (Section 2 of the Act).*

*"Sponsoring organization": A qualified organization that has obtained a license to conduct a charitable games event in conformance with the provisions of the Act (Section 2 of the Act).*

*"Supplier": Any person, firm, or corporation that sells, leases, distributes or otherwise provides to any licensed organization any charitable games equipment (Section 2 of the Act).*

*"Veterans' organization": An organization comprised of members of which substantially all are individuals who are veterans, or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit (Section 2 of the Act).*

*"Volunteer": A person who, without consideration, performs services at a charitable games event for the benefit of a licensed organization, including participation in the management or operation of a game under Section 435.170(b) (Section 2 of the Act).*

(Source: Amended at 39 Ill. Reg. 4454, effective March 10, 2015)