

**The following regulation will impact video gaming licensees and shopping mall owners:**

The Illinois Gaming Board proposed amendments to Video Gaming (General) (11 IAC 1800; 40 Ill. Reg. 13299) adding a new section that regulates video gaming locations within malls. The rulemaking defines "mall" and establishes factors to be considered when the Board makes determinations on whether a gaming location can be located in a mall.

**Bottom Line:** The proposed rulemaking adds a new Section 1800.815 to the Video Gaming (General) Part, entitled "Video Gaming Locations Within Malls." Subsection (a) of the new section provides that the Board shall not grant an application to become a licensed video gaming location within a mall if the Board determines that granting the application will more likely than not cause a terminal operator, individually or in combination with other terminal operators, licensed video gaming locations, or other persons or entities, to operate the video gaming terminals in two or more locations as a single video gaming operation. In making determinations under this subparagraph, factors to be considered by the Board include, but are not limited to, the physical aspects of the location; its ownership, control, and management; any arrangements for the conducting of video gaming business; and the manner in which any terminal operator or other related entity markets, advertises or otherwise describes any location to another person or entity or to the public.

Under subsection (b) of the new section, the Board shall presume, subject to rebuttal, that the granting of a video gaming location license will cause a terminal operator, individually or in combination with other terminal operators, licensed video gaming locations, or other persons or entities, to operate the video gaming terminals in two or more licensed video gaming locations as a single video gaming operation, if the Board determines that granting the license would create a "local concentration of licensed video gaming locations." "Local concentration of video gaming locations" is defined to mean that the combined number of licensed video gaming locations within a mall exceeds half of the separate locations within the mall. A "location" for purposes of the new section is defined as a space within a mall containing a separate business, a place for a separate business, or a place subject to a separate leasing arrangement by the mall owner.

Subsection (c) of the new section defines a "mall" as a building, or adjoining or connected buildings, containing four or more locations.

The granting of location licenses to multiple establishments within malls has the potential to turn them into full-fledged casinos housing dozens or even hundreds of video gaming terminals. Unlike riverboat casinos in which Board agents are constantly present, and which are subject to round-the-clock, on-site surveillance, the licensed video gaming locations within malls will receive only occasional visits from the Board's limited numbers of field agents. Instead, the locations will be primarily monitored remotely through the Board's Central Communications System. This type of remote monitoring falls short of the comprehensive law enforcement supervision required by statute, and will not be sufficient to ensure the adequate regulation, integrity and security of video gaming. As a consequence, public confidence and trust in the credibility and integrity of video gaming will be diminished. Effective regulation of video gaming operations within malls can only be achieved by placing reasonable restrictions on the numbers of licensed video gaming locations which they can contain.

For questions or to submit comments, contact Agostino Lorenzini, General Counsel, Illinois Gaming Board, at [Agostino.Lorenzini@igb.illinois.gov](mailto:Agostino.Lorenzini@igb.illinois.gov).

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**The Office of the Treasurer proposed an amendment that will impact small businesses that claim or report unclaimed property:**

The Office of the Treasurer proposed an amendment to the Part titled Uniform Disposition of Unclaimed Property Act (74 IAC 760; 40 Ill. Reg. 13538) that simplifies and expedites the claims process for unclaimed property turned over to the State. The rule allows claims to be filed online or via a written form prescribed by the Treasurer; requires claimants to prove ownership of the claimed property by a

preponderance of the evidence; and requires claimant signatures to be notarized or guaranteed when the claimed property is valued at more than \$500 (currently, more than \$100). A claim is considered complete when all information and documentation requested by the Treasurer has been received and entered into the Treasurer's unclaimed property system; once a claim is complete the Treasurer must issue a decision within 90 days. Claims for two-party checks will no longer require a surety bond if the check amount is \$500 or less, the original check is missing or destroyed, and the issuer no longer has sufficient records to identify the owner. Finally, no person or company may claim a fee for discovering abandoned property unless it has been in the Treasurer's custody for at least 24 months.

**Bottom Line:** The changes are intended to simplify and expedite the claims process to account for new technologies and allow online claims by apparent owners for smaller value properties. Authorization of online claims will significantly reduce required paperwork, postage, and other costs for claimants. For questions or to submit comments, contact Allen Mayer at (217) 557-2673 or email [AMayer@illinoistreasurer.gov](mailto:AMayer@illinoistreasurer.gov).