



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

File #: 21-1378, **Version:** 1

PROPOSED ORDINANCE AMENDMENT

ARTICLE XIV. - VIDEO GAMING

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 54 - Licenses, Permits and Miscellaneous Business Regulations, Article XIV. Video Gaming, Section 54-433 of the Cook County Code is hereby amended as Follows:

Sec. 54-424. - Short title.

This Article shall be known and may be cited as the "Video Gaming Ordinance."

Sec. 54-433. - Licensing procedures.

(a) Applications.

- (1) *Application Forms.* Applications for licensure or renewal shall be submitted on applications and forms provided by the County.
- (2) *Additional Materials.* An applicant or its affiliate may be required to submit forms or materials in addition to an application as required by subsection (a)(1) of this section.
- (3) *Number of video gaming terminals sought.* Applicants must include on their application the number of video gaming terminals it will have in the licensed video gaming location. A separate license fee is applicable to each video gaming terminal. This fee is not applicable to a specific video gaming terminal but allows for placement of that number of terminals in the licensed video gaming location. It shall be a violation of this Article for any licensee to have more video gaming terminals than the number included on the application and for which a license is issued.

(4) Institutional investor.

- (A) A business entity that qualifies as an institutional investor may submit a video gaming institutional investor disclosure form in lieu of a video gaming business entity disclosure form as instructed in an application if the institutional investor:
 - (i) Submits a video gaming institutional investor disclosure form to the Illinois Gaming Board and the County within 45 days after the institutional investor individually or jointly with others cumulatively acquires, directly or indirectly, five percent or more but less than 20 percent of any class of publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee; and
 - (ii) Holds or controls the publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee in the ordinary course of business for investment purposes only; and

- (iii) Does not exercise or intend to exercise influence or control over the affairs of the issuer of the publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee or their affiliates.
- (B) An institutional investor's exercise in voting privileges on matters put to the vote of the outstanding security holders shall not be deemed the exercise or intent to exercise influence or control over the affairs of the issuer of those securities.
- (C) If an institutional investor exempt from filing a video gaming business entity disclosure form as allowed in subsection (a)(3)(A)(iii) of this section subsequently determines to exercise influence or control over the affairs of the issuer of the publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee or their affiliates, the institutional investor shall provide not less than 30 days' notice of the intent and shall file with the Illinois Gaming Board and the County a video gaming business entity disclosure form before taking any action that may influence or control the affairs of the issuer of those securities or their affiliates.
- (D) The video gaming institutional investor disclosure form shall not be construed to preclude the County from requiring an institutional investor to submit a video gaming business entity disclosure form if the County determines that the submission is proper and in furtherance of the Act and this Article.
- (E) An institutional investor exempt from filing a video gaming business entity disclosure form as allowed in subsection (a)(3)(A)(iii) of this section shall certify in writing to be bound by and comply with the Video Gaming Act and this section.

(5) Application procedures.

- (A) An applicant is seeking a privilege and assumes and accepts any and all risk of adverse publicity, notoriety, embarrassment, criticism or other action, or financial loss that may occur in connection with the application process.
- (B) Any misrepresentation or omission made with respect to an application may be grounds for denial of the application.
- (C) Individuals required to submit video gaming personal disclosure forms shall be photographed and fingerprinted by the Illinois Gaming Board.
- (D) An application shall be deemed filed when the completed application form, including all required documents and materials, and the application fee have been submitted.

(6) Amendments and incorporation by reference.

- (A) An application may be amended with approval by the Liquor Control Commissioner.
- (B) The Liquor Control Commissioner may allow information, documents, or other materials submitted by an applicant to be incorporated by reference into a subsequent application.
- (b) *Submission of application.* All applications shall be submitted to the Liquor Control Commissioner in any method designated by the liquor commission, including electronically.

(c) *Fees.* All applicants for a license issued by the Liquor Control Commissioner shall pay application and license fees as specified in Section 32-1 of this Code, as applicable, at the time of filing their application. However, due to the COVID-19 pandemic, the application fee for any application submitted during the 2021 calendar year shall be \$250.00

and the licensing fee for any license issued pursuant to an application filed during the 2021 calendar year shall be \$500.00 per video gaming terminal.

(d) *Consideration of applications.* Only complete applications will be considered for licensure. Applications are complete when the applicant has submitted:

- (1) All information required by this Article;
- (2) All information required or requested by the County; and
- (3) Payment of the application and license fees.

(e) *Withdrawal of applications.*

- (1) An application for licensure under this Article may be withdrawn unless the intended withdrawal is objected to by the Liquor Control Commissioner.
- (2) If an application for licensure is withdrawn, the applicant may not reapply for a license within one year from the date withdrawal is granted, without leave of the Liquor Control Commissioner.

(f) *Issuance of license.*

- (1) The Liquor Control Commissioner may only issue a license after the Illinois Gaming Board background investigation is complete, the Illinois Gaming Board determines the applicant is suitable for licensure, and the applicant has filed a completed application and paid the required fees.
- (2) If an applicant is denied a license, the applicant may not reapply for a license within one year from the date on which the final order of denial was made.

(g) *Renewal of license.*

- (1) All licenses issued by the County under this Article shall expire at the end of the 12-month period as designated by the Liquor Control Commissioner and are renewable annually unless sooner canceled or terminated. No license issued under this Article is transferable or assignable.
- (2) The Liquor Control Commissioner may only renew a license upon receipt of a copy of the current state license, the applicable renewal fees and any renewal forms provided by the Liquor Control Commissioner.
- (3) The Liquor Control Commissioner may only renew a license if the licensee continues to meet all qualifications for licensure set forth in the Video Gaming Act, the regulations promulgated pursuant to the Video Gaming Act and this Article.

(h) *Renewal fees.* A licensee shall pay application and license fees annually, as specified in subsection (c) of this section and Section 32-1 of this Code.

Effective date: This ordinance shall be in effect upon passage