



Rep. Michael J. Zalewski

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1 AMENDMENT TO HOUSE BILL 1260

2 AMENDMENT NO. _____. Amend House Bill 1260 by replacing
3 everything after the enacting clause with the following:

4 "Article 1. Sporting Contest Safety and Integrity Act

5 Section 1-1. Short title. This Article may be cited as the
6 Sporting Contest Safety and Integrity Act. References in this
7 Article to "this Act" mean this Article.

8 Section 1-5. Definitions. As used in this Act:

9 "Athlete" means any current, former, or prospective
10 professional athlete.

11 "Board" means the Illinois Gaming Board.

12 "Covered persons" includes athletes; players (current and
13 former); umpires, referees, and officials; personnel
14 associated with players, clubs, teams, leagues, and athletic
15 associations; medical professionals (including athletic

1 trainers) who provide services to athletes and players;
2 spectators and bystanders at sporting contests and facilities
3 used in connection with sporting contests; other individuals
4 with regular access to sporting contest fields and facilities;
5 and the family members and associates of these persons where
6 required to serve the purposes of this Act.

7 "Person" means any individual, partnership, corporation,
8 association, or other entity.

9 "Personal data" means the personal data (including
10 anonymized data) of athletes and players, including, but not
11 limited to, performance, movement, biometric, health, fitness,
12 and sleep, collected in any manner, including, but not limited
13 to, in-arena, stadium, and training facility ball tracking
14 systems and player tracking systems, whether or not using
15 devices attached to the athlete's person or clothing. "Personal
16 data" does not include personal health information in which the
17 use and disclosure are covered by federal and State laws.

18 "Persons who present sporting contests" includes organized
19 sports leagues and associations, their members and affiliates,
20 and other persons who present sporting contests to the public.

21 "Prohibited conduct" includes any statement, action, and
22 other communication intended to influence, manipulate, or
23 control a betting outcome of a sporting contest or of any
24 individual occurrence or performance in a sporting contest in
25 exchange for financial gain or to avoid financial or physical
26 harm. "Prohibited conduct" includes statements, actions, and

1 communications made to a covered person by a third party, such
2 as a family member or through social media.

3 "Publicity rights" means a person's right to control and to
4 choose whether and how to use his or her identity for
5 commercial purposes.

6 "Sporting contest" means a sports event or game on which
7 the State allows sports wagering to occur under the Sports
8 Wagering Act.

9 Section 1-10. Personal safety and sporting contests.

10 (a) Any person who presents a sporting contest must take
11 all reasonable measures necessary to ensure the safety and
12 security of all involved in or attending the sporting contest,
13 including athletes, players, umpires, referees, officials, and
14 other personnel associated with the athlete, player, club,
15 team, league, or association involved and spectators at the
16 sporting contest and family members and associates of such
17 persons, where required to serve the purposes of this Act.

18 (b) The requirement in subsection (a) applies in all areas
19 where the sporting contest occurs and in associated areas,
20 including areas of entry and egress, seating, adjacent
21 concourses, food vending, restrooms, locker rooms, restricted
22 areas, and parking lots. It also applies at other locations
23 within the control of a person who presents a sporting event,
24 such as training, practice, or strength and conditioning
25 facilities or facilities temporarily utilized for team or club

1 events.

2 (c) Persons who present sporting contests shall establish
3 codes of conduct that forbid all persons associated with the
4 sporting contest from engaging in physical assault or attempted
5 assault, verbal or physical threats, or any other interactions
6 that intimidate others associated with the sporting contest.

7 (d) Persons who present sporting contests are required to
8 hire, train, and equip safety and security personnel to enforce
9 the code of conduct and otherwise address any safety or
10 security concern associated with the sporting contests.

11 (e) Persons who present sporting contests shall have
12 authority to remove spectators and others from any facility for
13 violation of the code of conduct, and, after appropriate
14 procedure, to deny persons access to all facilities they
15 control, to revoke season tickets or comparable licenses, and
16 to share information about such persons with others who present
17 sporting contests and with the appropriate jurisdictions' law
18 enforcement authorities.

19 (f) Persons who present sporting contests shall provide
20 notice to the general public and those who attend sporting
21 contests or visit their facilities of the code of conduct and
22 the potential penalties for its violation. Notice shall be
23 provided in as many forms as required to ensure that the code
24 of conduct is known, including physical posting, website
25 posting, public address announcements, and others.

1 Section 1-15. Reporting prohibited conduct; investigating
2 allegations of gambling related fraud.

3 (a) The Board shall establish a hotline or other method of
4 communication that allows any person to confidentially report
5 information about prohibited conduct to the Board.

6 (b) The Board shall investigate all reasonable allegations
7 of prohibited conduct and refer any allegations it deems
8 credible to the appropriate law enforcement entity.

9 (c) The identity of any reporting person shall remain
10 confidential unless that person authorizes disclosure of his or
11 her identity or until such time as the allegation of prohibited
12 conduct is referred to law enforcement.

13 (d) The Board shall adopt emergency rules to administer
14 this Section in accordance with Section 5-45 of the Illinois
15 Administrative Procedure Act.

16 (e) The Board shall adopt rules governing investigations of
17 prohibited conduct and referrals to law enforcement entities.

18 Section 1-20. Use and sale of personal data.

19 (a) Unless expressly authorized by the player or his or her
20 exclusive bargaining representative, any personal data may not
21 be used by any party without the player's permission.

22 (b) No person who presents sporting contests may separately
23 sell personal data that includes player publicity rights
24 without the player's written consent or the written consent of
25 the player's authorized agent.

1 (c) A licensee under the Sports Wagering Act shall be
2 required to use official league data as provided under Section
3 5-75 of the Sports Wagering Act for tier 2 sports wagers.

4 Article 5. Sports Wagering Act

5 Section 5-1. Short title. This Act may be cited as the
6 Sports Wagering Act. References in this Article to "this Act"
7 mean this Article.

8 Section 5-5. Implementation of this Act. The Board must
9 adopt any rules and take any other actions necessary so that
10 sports wagering licensees and online sports wagering licensees
11 may begin conducting sports wagering under this Act beginning
12 90 days after the effective date of this Act.

13 Section 5-10. Definitions. As used in this Act:

14 "Adjusted gross sports wagering receipts" means a sports
15 wagering licensee's or online sports wagering licensee's gross
16 sports wagering receipts, less winnings paid to wagerers in
17 such games.

18 "Affiliate" means a person who directly or indirectly owns
19 or controls, is owned or controlled by, or is under common
20 ownership or control with or has a material economic interest
21 in another person.

22 "Board" means the Illinois Gaming Board.

1 "Covered asset" means any tangible or intangible asset
2 designed for use in or used in connection with conduct that
3 constitutes illegal gambling under any law of the United
4 States, the State of Illinois, or another state as determined
5 by a final decision of a court of competent jurisdiction or as
6 described in an official opinion or pronouncement of the
7 Attorney General of this State or any other state, including,
8 without limitation:

9 (1) any trademark, trade name, service mark, or similar
10 intellectual property used in connection with such
11 conduct;

12 (2) any information regarding persons through a
13 database, customer list, or any derivative of a database or
14 customer list; and

15 (3) any software or hardware relating to management,
16 administration, development, testing, or control used in
17 connection with such conduct.

18 "Gaming facility" means a riverboat under the Riverboat
19 Gambling Act, a racetrack or inter-track wagering location
20 under the Illinois Horse Racing Act of 1975, or a licensed
21 establishment, licensed truck stop establishment, licensed
22 fraternal establishment, or licensed veterans establishment
23 under the Video Gaming Act.

24 "License" means a license applied for or issued by the
25 Board under this Act, including, but not limited to:

26 (1) a license to act as an agent of the Board in

1 operating sports wagering at a gaming facility or online,
2 including through the use of a sports wagering skin (sports
3 wagering license);

4 (2) a license to act as an agent of the Board in
5 operating sports wagering online, including through the
6 use of a sports wagering skin (online sports wagering
7 license);

8 (3) a license derived from a sports wagering license or
9 an online sports wagering license to act as an agent of the
10 Board in operating sports wagering through a portal,
11 website, or computer or mobile application or app (sports
12 wagering skin license);

13 (4) a license to supply a sports wagering licensee or
14 online sports wagering licensee with sports wagering
15 equipment or services necessary for the operation of sports
16 wagering (supplier license);

17 (5) a license to be employed by a sports wagering
18 licensee when the employee works in a designated gaming
19 area that has sports wagering or performs duties in
20 furtherance of or associated with the operation of sports
21 wagering by the sports wagering licensee (occupational
22 license); and

23 (6) a license to provide management services under a
24 contract to a sports wagering licensee or online sports
25 wagering licensee (management services provider license).

26 "Official league data" means statistics, results,

1 outcomes, and other data relating to a sports event obtained
2 pursuant to an agreement with the relevant sports governing
3 body, or an entity expressly authorized by the sports governing
4 body to provide such information to licensees, which authorizes
5 the use of such data for determining the outcome of tier 2
6 sports wagers.

7 "Online sports wagering licensee" means a winning bidder
8 that has paid the license fee and been issued an online sports
9 wagering license by the Board.

10 "Person" means an individual, partnership, committee,
11 association, corporation or any other organization or group of
12 persons.

13 "Qualified applicant" means an applicant for a license
14 under this Act whose application meets the mandatory minimum
15 qualification criteria as required by the Board.

16 "Sports event" means a professional sport or athletic
17 event, a collegiate sport or athletic event, a motor race
18 event, or any other special event authorized by the Board under
19 this Act.

20 "Sports wagering" means the business of accepting wagers on
21 sports events and other events, the individual performance
22 statistics of athletes in a sports event or other events, or a
23 combination of any of the same by any system or method of
24 wagering approved by the Board, including, but not limited to,
25 mobile applications and other digital platforms that utilize
26 communications technology to accept wagers originating within

1 this State. "Sports wagering" includes, but is not limited to,
2 exchange wagering, parlays, over-under, moneyline, pools, and
3 straight bets. "Sports wagering" does not include:

4 (1) pari-mutuel wagering on the outcome of horse races
5 authorized by the Illinois Horse Racing Act of 1975;

6 (2) lottery games authorized by the Illinois Lottery
7 Law;

8 (3) video gaming authorized by the Video Gaming Act;
9 and

10 (4) gambling games authorized by the Riverboat
11 Gambling Act.

12 "Sports wagering account" means a financial record
13 established by a sports wagering licensee or an online sports
14 wagering licensee for an individual patron in which the patron
15 may deposit and withdraw funds for sports wagering and other
16 authorized purchases and to which the sports wagering licensee
17 or online sports wagering licensee may credit winnings or other
18 amounts due to that patron or authorized by that patron.

19 "Sports wagering licensee" means an organization licensee
20 or inter-track wagering location licensee under the Illinois
21 Horse Racing Act of 1975 or an owners licensee under the
22 Riverboat Gambling Act authorized to conduct sports wagering in
23 its facility or online.

24 "Sports wagering skin" means the brand used by the sports
25 wagering licensee or online sports wagering licensee as
26 presented through a portal, website, or computer or mobile

1 application or app through which authorized sports wagering is
2 made available to authorized participants by a sports wagering
3 licensee or online sports wagering licensee.

4 "Tier 1 sports wager" means a sports wager that is
5 determined solely by the final score or final outcome of the
6 sports event and is placed before the sports event has begun.

7 "Tier 2 sports wager" means a sports wager that is not a
8 tier 1 sports wager.

9 "Wager" means a sum of money or thing of value risked on an
10 uncertain occurrence.

11 "Winning bidder" means a qualified applicant for an online
12 sports wagering license chosen through the competitive
13 selection process under Section 5-30.

14 Section 5-15. State authorization of sports wagering.
15 Notwithstanding any provision of law to the contrary, the
16 operation of sports wagering and ancillary activities are only
17 lawful when conducted in accordance with the provisions of this
18 Act and the rules of the Board.

19 Section 5-20. Board duties and powers.

20 (a) The Board shall have the authority to regulate the
21 conduct of sports wagering under this Act.

22 (b) The Board has the authority to adopt any rules the
23 Board considers necessary for the successful implementation,
24 administration, and enforcement of this Act. Rules proposed by

1 the Board before December 1, 2019 may be adopted as emergency
2 rules pursuant to Section 5-45 of the Illinois Administrative
3 Procedure Act.

4 (c) The Board shall levy and collect all fees, surcharges,
5 civil penalties, and monthly taxes on adjusted gross sports
6 wagering receipts imposed by this Act and deposit all moneys
7 into the Sports Wagering Fund, except as otherwise provided
8 under this Act.

9 (d) The Board may exercise any other powers necessary to
10 enforce the provisions of this Act and the rules of the Board.

11 Section 5-25. Licenses required.

12 (a) No person may engage in any activity in connection with
13 sports wagering in this State unless all necessary licenses
14 have been obtained in accordance with this Act and the rules of
15 the Board. The following licenses shall be issued under this
16 Act:

- 17 (1) sports wagering license;
- 18 (2) online sports wagering license
- 19 (3) sports wagering skin license;
- 20 (4) supplier license;
- 21 (5) management services provider license; and
- 22 (6) occupational license.

23 No person or entity may engage in a sports wagering
24 operation or activity without first obtaining the appropriate
25 license.

1 (b) Except for provisional licenses issued under Sections
2 5-40 and 5-55, the Board may not grant a license until it
3 determines that each person who has control of the applicant
4 meets all qualifications for licensure. The following persons
5 are considered to have control of an applicant:

6 (1) each person associated with a corporate applicant,
7 including a corporate holding company, parent company, or
8 subsidiary company of the applicant who has the ability to
9 control the activities of the corporate applicant or elect
10 a majority of the board of directors of that corporation;
11 this does not include a bank or other licensed lending
12 institution that holds a mortgage or other lien acquired in
13 the ordinary course of business;

14 (2) each person associated with a non-corporate
15 applicant who directly or indirectly holds a beneficial or
16 proprietary interest in the applicant's business operation
17 or who the Board otherwise determines has the ability to
18 control the applicant; and

19 (3) key personnel of an applicant, including an
20 executive, employee, or agent, having the power to exercise
21 significant influence over decisions concerning any part
22 of the applicant's business operation.

23 (c) An applicant for a license issued under this Act shall
24 submit an application to the Board in the form the Board
25 requires and submit fingerprints for a national criminal
26 records check by the Department of State Police and the Federal

1 Bureau of Investigation. The fingerprints shall be furnished by
2 all persons required to be named in the application and shall
3 be accompanied by a signed authorization for the release of
4 information by the Federal Bureau of Investigation. The Board
5 may require additional background checks on licensees when they
6 apply for annual license renewal, and an applicant convicted of
7 a disqualifying offense shall not be licensed.

8 (d) Each sports wagering licensee, licensed supplier, or
9 licensed management services provider shall display the
10 license conspicuously in the licensee's place of business or
11 have the license available for inspection by an agent of the
12 Board or a law enforcement agency.

13 (e) Each holder of an occupational license shall carry the
14 license and have some indicia of licensure prominently
15 displayed on his or her person when present in a gaming
16 facility licensed under this Act at all times, in accordance
17 with the rules of the Board.

18 (f) Each person licensed under this Act shall give the
19 Board written notice within 30 days after a change to
20 information provided in the licensee's application for a
21 license or renewal.

22 (g) No Board employee may be an applicant for a license
23 issued under this Act, nor may an employee of a licensee
24 directly or indirectly hold an ownership or a financial
25 interest in a sports wagering license.

1 Section 5-30. Online sports wagering license.

2 (a) The Board shall issue 3 online sports wagering licenses
3 for a nonrefundable license fee of \$20,000,000 pursuant to an
4 open and competitive selection process. The online sports
5 wagering license may be renewed after 5 years upon payment of a
6 \$100,000 renewal fee. To the extent permitted by federal and
7 State law, the Board shall actively seek to achieve racial,
8 ethnic, and geographic diversity when issuing online sports
9 wagering licenses and encourage businesses owned by
10 minorities, women, veterans, and persons with disabilities to
11 apply for licensure. For purposes of this Section, for a
12 business to be owned by minorities, women, veterans, or persons
13 with disabilities, at least 51% of the ownership of the
14 business must be held by a qualifying person or persons.

15 (b) Applications for the initial competitive selection
16 occurring after the effective date of this Act shall be
17 received by the Board by December 1, 2019 to qualify. The Board
18 shall announce the winning bidders for the initial competitive
19 selection by March 1, 2020.

20 (c) The Board shall provide public notice of its intent to
21 solicit applications for online sports wagering licenses by
22 posting the notice, application instructions, and materials on
23 its website for at least 30 calendar days before the
24 applications are due. Failure by an applicant to submit all
25 required information may result in the application being
26 disqualified. The Board may notify an applicant that its

1 application is incomplete and provide an opportunity to cure by
2 rule. Application instructions shall include a brief overview
3 of the selection process and how applications are scored.

4 (d) To be eligible for an online sports wagering license,
5 an applicant must: (1) be at least 21 years of age; (2) not
6 have been convicted of a felony offense or a violation of
7 Article 28 of the Criminal Code of 1961 or the Criminal Code of
8 2012 or a similar statute of any other jurisdiction; (3) not
9 have been convicted of a crime involving dishonesty or moral
10 turpitude; (4) have demonstrated a level of skill or knowledge
11 that the Board determines to be necessary in order to operate
12 sports wagering; and (5) have met standards for the holding of
13 a license as adopted by rules of the Board.

14 The Board may adopt rules to establish additional
15 qualifications and requirements to preserve the integrity and
16 security of sports wagering in this State and to promote and
17 maintain a competitive sports wagering market. After the close
18 of the application period, the Board shall determine whether
19 the applications meet the mandatory minimum qualification
20 criteria and conduct a comprehensive, fair, and impartial
21 evaluation of all qualified applications.

22 (e) The Board shall open all qualified applications in a
23 public forum and disclose the applicants' names. The Board
24 shall summarize the terms of the proposals and make the
25 summaries available to the public on its website.

26 (f) Not more than 90 days after the publication of the

1 qualified applications, the Board shall identify the winning
2 bidders. In granting the licenses, the Board may give favorable
3 consideration to qualified applicants presenting plans that
4 provide for economic development and community engagement. To
5 the extent permitted by federal and State law, the Board may
6 give favorable consideration to qualified applicants
7 demonstrating commitment to diversity in the workplace.

8 (g) Upon selection of the winning bidders, the Board shall
9 have a reasonable period of time to ensure compliance with all
10 applicable statutory and regulatory criteria before issuing
11 the licenses. If the Board determines a winning bidder does not
12 satisfy all applicable statutory and regulatory criteria, the
13 Board shall select another bidder from the remaining qualified
14 applicants.

15 (h) Nothing in this Section is intended to confer a
16 property or other right, duty, privilege, or interest entitling
17 an applicant to an administrative hearing upon denial of an
18 application.

19 (i) Upon issuance of an online sports wagering license to a
20 winning bidder, the information and plans provided in the
21 application become a condition of the license. Online sports
22 wagering licensees have a duty to disclose any material changes
23 to the application. Failure to comply with the conditions or
24 requirements in the application may subject the online sports
25 wagering licensee to discipline, up to and including suspension
26 or revocation of its license, by the Board.

1 (j) The Board shall disseminate information about the
2 licensing process through media demonstrated to reach large
3 numbers of business owners and entrepreneurs who are
4 minorities, women, veterans, and persons with disabilities.

5 (k) The Department of Commerce and Economic Opportunity, in
6 conjunction with the Board, shall conduct ongoing, thorough,
7 and comprehensive outreach to businesses owned by minorities,
8 women, veterans, and persons with disabilities about
9 contracting and entrepreneurial opportunities in sports
10 wagering. This outreach shall include, but not be limited to:

11 (1) cooperating and collaborating with other State
12 boards, commissions, and agencies; public and private
13 universities and community colleges; and local governments
14 to target outreach efforts; and

15 (2) working with organizations serving minorities,
16 women, and persons with disabilities to establish and
17 conduct training for employment in sports wagering.

18 (l) The Board shall partner with the Department of Labor,
19 the Department of Financial and Professional Regulation, and
20 the Department of Commerce and Economic Opportunity to identify
21 employment opportunities within the sports wagering industry
22 for job seekers and dislocated workers.

23 (m) By December 31, 2019, the Board shall conduct a study
24 of the online sports wagering industry and market to determine
25 whether there is a compelling interest in implementing remedial
26 measures, including the application of the Business Enterprise

1 Program under the Business Enterprise for Minorities, Women,
2 and Persons with Disabilities Act or a similar program to
3 assist minorities, women, and persons with disabilities in the
4 sports wagering industry.

5 As a part of the study, the Board shall evaluate race and
6 gender-neutral programs or other methods that may be used to
7 address the needs of minority and women applicants and
8 minority-owned and women-owned businesses seeking to
9 participate in the sports wagering industry. The Board shall
10 submit to the General Assembly and publish on its website the
11 results of this study by March 1, 2020.

12 If, as a result of the study conducted under this
13 subsection (m), the Board finds that there is a compelling
14 interest in implementing remedial measures, the Board may adopt
15 rules, including emergency rules, to implement remedial
16 measures, if necessary and to the extent permitted by State and
17 federal law, based on the findings of the study conducted under
18 this subsection (m).

19 (n) Each online sports wagering licensee shall be limited
20 to one sports wagering skin to provide sports wagering online.
21 The sports wagering skin must reflect a brand owned by the
22 sports wagering licensee or any affiliate of the sports
23 wagering licensee in the United States.

24 Section 5-35. Sports wagering skin.

25 (a) The Board may issue a sports wagering skin license to

1 an entity that provides a nonrefundable license fee of
2 \$5,000,000. The sports wagering skin license may be renewed
3 after 5 years upon payment of a \$100,000 renewal fee.

4 (b) To be eligible for a sports wagering skin license, an
5 applicant must: (1) be at least 21 years of age; (2) not have
6 been convicted of a felony offense or a violation of Article 28
7 of the Criminal Code of 1961 or the Criminal Code of 2012 or a
8 similar statute of any other jurisdiction; (3) not have been
9 convicted of a crime involving dishonesty or moral turpitude;
10 (4) have demonstrated a level of skill or knowledge that the
11 Board determines to be necessary in order to operate sports
12 wagering; and (5) have met standards for the holding of a
13 license as adopted by rules of the Board.

14 (c) The Board may adopt rules to establish additional
15 qualifications and requirements to preserve the integrity and
16 security of sports wagering in this State and to promote and
17 maintain a competitive sports wagering market.

18 (d) After the close of the application period, the Board
19 shall determine whether the applications meet the mandatory
20 minimum qualification criteria and conduct a comprehensive,
21 fair, and impartial evaluation of all qualified applications.

22 Section 5-37. Additional requirements for online sports
23 wagering and sports wagering skin licenses.

24 (a) Unless otherwise provided, this Section applies to all
25 applicants for online sports wagering licenses and sports

1 wagering skin licenses. The Board shall, at a minimum, apply
2 the same criteria set forth in Section 9 of the Riverboat
3 Gambling Act and Section 45 of the Video Gaming Act when
4 determining whether or not to issue or deny an online sports
5 wagering license and a sports wagering skin license.

6 (b) Applications for online sports wagering licenses and
7 sports wagering skin licenses shall be made on forms provided
8 by the Board and shall contain information the Board
9 prescribes, including, but not limited to, detailed
10 information regarding the ownership and management of the
11 applicant, detailed personal information regarding the
12 applicant, financial information regarding the applicant, and
13 the gaming history and experience of the applicant in the
14 United States and other jurisdictions when it supplies its
15 platform to sports wagering operators who accept wagers without
16 a gambling license or itself accepts wagers without a gambling
17 license. The applicant shall also set forth in the application:
18 whether he or she has been issued prior gambling related
19 licenses; whether he or she has been licensed in any other
20 state under any other name and, if so, the name and his or her
21 age; whether he or she, or any affiliate of the applicant, or
22 any officer or director of the applicant or its affiliate have
23 accepted wagers through the Internet within the last 10 years,
24 including a list of jurisdictions where such wagers were
25 offered or accepted, and the legal authority or circumstances
26 under which such wagers were offered or accepted in each

1 jurisdiction; whether the applicant has been convicted of any
2 felony under federal or State law; whether the applicant is
3 subject to any current prosecution or pending charges in any
4 jurisdiction for any crime involving illegal gambling, public
5 integrity, embezzlement, theft, fraud, or perjury; and whether
6 or not a permit or license issued to the applicant in any other
7 state has been suspended, restricted, or revoked and, if so,
8 for what period of time.

9 (c) Information provided on an application shall be used as
10 a basis for a thorough background investigation that the Board
11 shall conduct with respect to each applicant. An incomplete
12 application shall be cause for denial of a license by the
13 Board. Each applicant shall submit to a background
14 investigation conducted by the Board with the assistance of the
15 State Police or other law enforcement. To the extent that the
16 corporate structure of the applicant allows, the background
17 investigation shall include any or all of the following as the
18 Board deems appropriate or as provided by rule for each
19 category of licensure: (1) each beneficiary of a trust, (2)
20 each partner of a partnership, (3) each member of a limited
21 liability company, (4) each director and officer of a publicly
22 or non-publicly held corporation, (5) each stockholder of a
23 non-publicly held corporation, (6) each stockholder of 5% or
24 more of a publicly held corporation, or (7) each stockholder of
25 5% or more in a parent or subsidiary corporation.

26 (d) Each applicant shall disclose the identity of every

1 person, association, trust, or corporation having a greater
2 than 5% direct or indirect pecuniary interest in the
3 applicant's operation. If the disclosed entity is a trust, the
4 application shall disclose the names and addresses of the
5 beneficiaries; if a corporation, the names and addresses of all
6 stockholders and directors; if a partnership, the names and
7 addresses of all partners, both general and limited.

8 (e) An application shall be filed and considered in
9 accordance with the rules of the Board. All information,
10 records, interviews, reports, statements, memoranda, or other
11 data supplied to or used by the Board in the course of its
12 review or investigation of an application for a license or a
13 renewal under this Act shall be privileged, strictly
14 confidential, and used only for the purpose of evaluating an
15 applicant for a license or a renewal. The information, records,
16 interviews, reports, statements, memoranda, or other data
17 shall not be admissible as evidence nor discoverable in any
18 action of any kind in any court or before any tribunal, board,
19 agency, or person, except for any action deemed necessary by
20 the Board.

21 (f) Each person disclosed under subsection (d) shall submit
22 with his or her application, on forms provided by the Board,
23 sets of his or her fingerprints. The Board shall charge each
24 applicant a fee set by the Department of State Police to defray
25 the costs associated with the search and classification of
26 fingerprints obtained by the Board with respect to the

1 applicant's application. These fees shall be paid into the
2 State Police Services Fund.

3 (g) Applicants shall certify to the Board that all
4 supplies, software, kiosks, and any other related equipment may
5 not be used unless they conform to standards adopted by rules
6 of the Board. Applicants shall furnish to the Board a list of
7 all supplies, software, kiosks, and any other related equipment
8 that will be used.

9 (h) The Board may, subject to notice and an opportunity for
10 hearing, in its discretion refuse a sports wagering skin
11 license to any person: (1) who is unqualified to perform the
12 duties required of the applicant; (2) who fails to prove by
13 clear and convincing evidence that the applicant is qualified
14 in accordance with the provisions of this Act; (3) who fails to
15 disclose or states falsely any information called for in the
16 application; (4) who fails to provide information,
17 documentation, and assurances required by this Act or requested
18 by the Board, or who fails to reveal any fact material to
19 qualification, or who supplies information that is untrue or
20 misleading as to a material fact pertaining to the
21 qualification criteria; (5) who has been convicted of any
22 offense in any jurisdiction that is or would be a felony or
23 other crime involving public integrity, embezzlement, theft,
24 fraud, or perjury; (6) who has committed prior acts that have
25 not been prosecuted, or in which the person was not convicted,
26 but form a pattern of misconduct that makes the applicant

1 unsuitable for a license under this Act; (7) who has affiliates
2 or close associates that would not qualify for a license or
3 whose relationship with the applicant may pose an injurious
4 threat to the interests of the State in awarding a sports
5 wagering skin license to the applicant; (8) who has been
6 convicted of a felony for any offense under federal or State
7 law that indicates that licensure of the person would be
8 inimical to the policy of this Act; (9) who is currently the
9 subject of prosecution or pending charges in any jurisdiction
10 for any of the offenses involving illegal gambling, public
11 integrity, embezzlement, theft, fraud, or perjury; however, at
12 the request of the person, the Board may defer decision upon
13 such application during the pendency of such charge; (10) who
14 has pursued economic gain that is in violation of the criminal
15 or civil public policies of this State, if such pursuit creates
16 a reasonable belief that the participation of such person in
17 gaming operations would be inimical to the policies of this
18 Act; (11) who has committed any offense that would constitute
19 illegal gambling, or a crime involving public integrity,
20 embezzlement, theft, fraud, or perjury, even if such conduct
21 has not been or may not be prosecuted under the criminal laws
22 of this State or any other jurisdiction; (12) who has
23 flagrantly defied any legislative investigatory body or other
24 official investigatory body of any state or of the United
25 States when such body is engaged in the investigation of crimes
26 relating to gaming, official corruption, or organized crime

1 activity; (13) who has been found guilty of a violation of this
2 Act or whose prior gambling related license or application
3 therefor has been suspended, restricted, revoked, or denied for
4 just cause in any other state; (14) who has received an
5 unequivocal official pronouncement from government authorities
6 in any state or foreign country that it has supplied platforms
7 or accepted wagers in violation of that jurisdiction's law;
8 (15) who has a background, including a criminal record,
9 reputation, habits, social or business associations, and prior
10 activities that constituted illegal gambling or pose a threat
11 to the public interests of the State, to the security and
12 integrity of sports wagering, or to the promotion and
13 maintenance of a competitive sports betting market in this
14 State; (16) who presents, creates, or enhances the dangers of
15 unsuitable, unfair, or illegal practices, methods, and
16 activities in the conduct of sports wagering; (17) who presents
17 questionable business practices and financial arrangements
18 incidental to the conduct of sports wagering activities; or
19 (18) for any other just cause.

20 (i) The Board may suspend, revoke, or restrict any sports
21 wagering skin license: (1) for violation of any provision of
22 this Act; (2) for violation of any of the rules of the Board;
23 (3) for any cause which, if known to the Board, would have
24 disqualified the applicant from receiving the license; (4) for
25 default in the payment of any obligation or debt due to the
26 State of Illinois; or (5) for any other just cause.

1 (j) A person who knowingly makes a false statement on an
2 application is guilty of a Class A misdemeanor.

3 (k) To maintain public confidence, trust, and security in
4 the credibility and integrity of sports wagering in this State
5 as a new form of wagering that was previously unauthorized and
6 because the Board must ensure that any applicant has not
7 previously engaged in prohibited or questioned conduct, no
8 online sports wagering license or sports wagering skin license
9 shall be granted for a period of 3 years after the effective
10 date of this Act:

11 (1) to an applicant if the applicant, any affiliate of
12 the applicant, or any officer or director of the applicant
13 or its affiliate engaged in conduct constituting illegal
14 gambling under any law of the United States, the State of
15 Illinois, or another state as determined by a final
16 decision of a court of competent jurisdiction or as
17 described in an official opinion or pronouncement of the
18 Attorney General of this State or any other state and
19 continued to engage in such conduct after that opinion or
20 pronouncement was issued; or

21 (2) to a person who purchases, licenses, contracts for
22 or with respect to, or uses any covered asset, in whole or
23 in part, for the operation of sports wagering or with a
24 purpose of operating sports wagering. Purchasing,
25 licensing, contracting for or with respect to, or using a
26 covered asset is grounds for revocation of an online sports

1 wagering license or a finding of unsuitability by the
2 Board.

3 The provisions of this subsection (k) do not apply to any
4 applicant that can demonstrate to the Board, by clear and
5 convincing evidence, that the conduct was not unlawful under
6 any law of the United States, the State of Illinois, or the
7 state where the conduct occurred, or that, in response to each
8 final court decision or official opinion or pronouncement of
9 the Attorney General of this State or any other state, such
10 conduct was promptly ceased. This subsection (k) does not waive
11 the applicant's burden of proof and obligation to comply with
12 all other applicable licensing and suitability requirements
13 set forth in this Act.

14 (1) No online sports wagering license or sports wagering
15 skin license shall be issued by the Board to any entity unless
16 it has established its financial stability, responsibility,
17 good character, honesty, and integrity.

18 (m) The provisions of this Section are not deemed to be so
19 intertwined with the other provisions, Sections, or
20 applications of this Act that the General Assembly intended
21 this Act to stand or fall as a whole if any provision of this
22 Section or application thereof to any person or circumstance
23 were held invalid or unenforceable by a court of competent
24 jurisdiction. If any provision of this Section or application
25 thereof to any person or circumstance is held invalid or
26 unenforceable, then that invalidity or unenforceability does

1 not affect the other provisions, Sections, or applications of
2 this Act that can be given effect without the invalid or
3 unenforceable application or provision of this Section, and to
4 this end the provisions of this Act that can be given effect
5 are deemed severable.

6 Section 5-40. Sports wagering license.

7 (a) The Board shall issue 7 sports wagering licenses to an
8 organization licensee or inter-track wagering location
9 licensee under the Illinois Horse Racing Act of 1975, an owners
10 licensee under the Riverboat Gambling Act, or a terminal
11 operator under the Video Gaming Act that provides a
12 nonrefundable license fee of \$15,000,000. The sports wagering
13 license may be renewed after 5 years upon payment of a \$250,000
14 renewal fee. If more than 7 eligible applicants apply for a
15 sports wagering license, the licenses shall be granted in the
16 order in which the applications were received. If a license is
17 revoked or not renewed, the Board may begin a new application
18 process and issue a license in the order in which the
19 application was received.

20 (b) Each sports wagering licensee shall be limited to one
21 sports wagering skin to provide sports wagering online. The
22 sports wagering skin must reflect a brand owned by the sports
23 wagering licensee or any affiliate of the sports wagering
24 licensee in the United States.

25 (c) An applicant for a sports wagering license that holds a

1 valid license to conduct sports wagering in another United
2 States jurisdiction shall be issued a provisional license until
3 the sports wagering license is issued or denied by the Board
4 and the provisional license is effective upon issuance.

5 Section 5-45. Management services provider license.

6 (a) The holder of a sports wagering license or online
7 sports wagering license may contract with an entity to conduct
8 that operation in accordance with the rules of the Board. That
9 entity shall obtain a license as a management services provider
10 before the execution of any such contract, and the license
11 shall be issued pursuant to the provisions of this Act and any
12 rules adopted by the Board.

13 (b) Each applicant for a management services provider
14 license shall meet all requirements for licensure and pay a
15 nonrefundable license and application fee of \$250,000. The
16 Board may adopt rules establishing additional requirements for
17 an authorized management services provider. The Board may
18 accept licensing by another jurisdiction that it specifically
19 determines to have similar licensing requirements as evidence
20 the applicant meets authorized management services provider
21 licensing requirements.

22 (c) Management services provider licenses shall be renewed
23 annually to a licensee who continues to be in compliance with
24 all requirements and who pays the annual renewal fee of
25 \$250,000.

1 (d) An entity or individual who shares in revenue,
2 including an affiliate operating under a revenue share
3 agreement, shall be licensed under this Section.

4 Section 5-50. Supplier license.

5 (a) The Board may issue a supplier license to a person to
6 sell or lease sports wagering equipment, systems, or other
7 gaming items necessary to conduct sports wagering, and offer
8 services related to the equipment or other gaming items to a
9 sports wagering licensee and online sports wagering licensee
10 while the license is active.

11 (b) The Board may adopt rules establishing additional
12 requirements for a supplier and any system or other equipment
13 utilized for sports wagering. The Board may accept licensing by
14 another jurisdiction that it specifically determines to have
15 similar licensing requirements as evidence the applicant meets
16 supplier licensing requirements.

17 (c) An applicant for a supplier license shall demonstrate
18 that the equipment, system, or services that the applicant
19 plans to offer to the sports wagering licensee or online sports
20 wagering licensee conforms to standards established by the
21 Board and applicable State law. The Board may accept approval
22 by another jurisdiction that it specifically determines have
23 similar equipment standards as evidence the applicant meets the
24 standards established by the Board and applicable State law.

25 (d) Applicants shall pay to the Board a nonrefundable

1 license and application fee in the amount of \$100,000. After
2 the initial one-year term, the Board shall renew supplier
3 licenses annually thereafter. Renewal of a supplier license
4 shall be granted to a renewal applicant who has continued to
5 comply with all applicable statutory and regulatory
6 requirements, upon submission of the Board-issued renewal form
7 and payment of a \$100,000 renewal fee.

8 (e) A supplier shall submit to the Board a list of all
9 sports wagering equipment and services sold, delivered to, or
10 offered to a sports wagering licensee or online sports wagering
11 licensee in this State, as required by the Board, all of which
12 must be tested and approved by an independent testing
13 laboratory approved by the Board. A sports wagering licensee
14 and online sports wagering licensee may continue to use
15 supplies acquired from a licensed supplier, even if a
16 supplier's supplier license expires or is otherwise canceled,
17 unless the Board finds a defect in the supplies.

18 Section 5-55. Occupational license.

19 (a) All persons employed to be engaged directly in sports
20 wagering-related activities, or otherwise conducting or
21 operating sports wagering, shall be licensed by the Board and
22 maintain a valid occupational license at all times, and the
23 Board shall issue the license to be employed in the operation
24 of sports wagering to a person who meets the requirements of
25 this Section.

1 (b) An occupational license to be employed by a gaming
2 facility authorized to conduct sports wagering permits the
3 licensee to be employed in the capacity designated by the Board
4 while the license is still active. The Board may establish, by
5 rule, job classifications with different requirements to
6 recognize the extent to which a particular job has the ability
7 to impact the proper operation of sports wagering.

8 (c) Applicants shall submit any required application forms
9 established by the Board and pay a nonrefundable application
10 fee of \$100. The fee may be paid on behalf of an applicant by
11 the employer.

12 (d) Each licensed employee shall pay to the Board an annual
13 license fee of \$100 by June 30 of each year. The fee may be paid
14 on behalf of the licensed employee by the employer. In addition
15 to a renewal fee, each licensed employee shall annually submit
16 a renewal application on the form required by the Board.

17 (e) An applicant for an occupational license that holds a
18 valid license to be employed to work in a designated gaming
19 area that has sports wagering or performs duties in furtherance
20 of or associated with the operation of sports wagering in
21 another United States jurisdiction shall be issued a
22 provisional license to be employed to work in a designated
23 gaming area that has sports wagering or performs duties in
24 furtherance of or associated with the operation of sports
25 wagering in the State until issued an occupational license by
26 the Board and may begin employment in a designated gaming area

1 that has sports wagering or performing duties in furtherance of
2 or associated with the operation of sports wagering on the
3 operative date.

4 Section 5-60. Authorization of sports wagering.

5 (a) A person placing a wager with a sports wagering
6 licensee or online sports wagering licensee shall be at least
7 21 years of age.

8 (b) A licensee that offers tier 2 sports wagers must use
9 official league data approved by the Board. If a licensee
10 offers tier 2 sports wagers, it shall remit a royalty as
11 provided under Section 5-80 to the appropriate sports governing
12 body.

13 Section 5-65. Compulsive gambling. Each sports wagering
14 licensee and online sports wagering licensee shall include a
15 statement regarding obtaining assistance with gambling
16 problems, the text of which shall be determined by rule by the
17 Department of Human Services, on the sports wagering licensee's
18 and online sports wagering licensee's portal, Internet
19 website, or computer or mobile application or app.

20 Section 5-70. Sports wagering revenues; Sports Wagering
21 Fund; impact fee.

22 (a) For the privilege of holding a license to operate
23 sports wagering under this Act, this State shall impose and

1 collect 25% of the sports wagering licensee's and online sports
2 wagering licensee's adjusted gross sports wagering receipts
3 from sports wagering. The accrual method of accounting shall be
4 used for purposes of calculating the amount of the tax owed by
5 the licensee.

6 (b) The taxes levied and collected pursuant to subsection
7 (a) are due and payable to the Board no later than the last day
8 of the month following the calendar month in which the adjusted
9 gross sports wagering receipts were received and the tax
10 obligation was accrued.

11 (c) The Sports Wagering Fund is hereby created as a special
12 fund in the State treasury and all moneys collected under this
13 Act by the Board shall be deposited into the Sports Wagering
14 Fund and then transferred in equal amounts to the State
15 Construction Account Fund, the Pension Stabilization Fund, and
16 the Common School Fund.

17 (d) For the privilege of holding a license to operate
18 sports wagering under this Act and to compensate for the impact
19 that sports wagering will have on wagers on horse races, each
20 sports wagering licensee that derives its license from an
21 organization license or inter-track wagering location license
22 under the Illinois Horse Racing Act of 1975 shall monthly remit
23 2% of its adjusted gross sports wagering receipts to the Board.
24 The Board shall deposit the moneys into the Horse Racing Purse
25 Fund.

1 Section 5-75. Official league data. A sports governing body
2 may notify the Board that it desires to supply official league
3 data to licensees for determining the results of tier 2 sports
4 wagers. Such notification shall be made in the form and manner
5 as the Board may require. Within 30 days after such
6 notification by a sports governing body, a sports wagering
7 licensee, online sports wagering licensee, and sports wagering
8 skin licensee shall use only official league data to determine
9 the results of tier 2 sports wagers, unless the sports wagering
10 licensee, online sports wagering licensee, or sports wagering
11 skin licensee can demonstrate to the Board that the sports
12 governing body or its designee cannot provide a feed of
13 official league data to the sports wagering licensee, online
14 sports wagering licensee, or sports wagering skin licensee on
15 commercially reasonable terms.

16 Section 5-80. Royalties to sports governing bodies. Upon
17 use of official league data approved by the Board, licensees
18 shall remit to the Board within 30 days after the end of each
19 calendar quarter a royalty of 0.20% of the amounts wagered on
20 tier 2 sports wagers.

21 (1) The royalty shall be remitted on a form as the
22 Board may require, on which the licensees shall identify
23 the percentage of wagering during the reporting period
24 attributable to each sports governing body's sports
25 events.

1 (2) No later than April 30 of each year, a sports
2 governing body may submit a request for disbursement funds
3 remitted by licensees in the previous calendar year. The
4 Board shall disburse the funds to the sports governing body
5 in pro rata proportion of the total amount wagered on its
6 sports events. No sports governing body is required to
7 obtain a license from the Board in order to lawfully accept
8 the funds provided for in this paragraph (2).

9 (3) The Board shall annually publish a report stating
10 the amount received from licensees in royalties and the
11 amount paid to sports governing bodies.

12 (4) Any unclaimed royalties shall be distributed to the
13 licensees that timely remitted the royalties required
14 under this Section to the Board. Such royalties shall be
15 distributed to the eligible licensees on a pro rata basis.

16 The Board shall cooperate with sports governing bodies and
17 licensees to ensure the timely, efficient, and accurate sharing
18 of information and the remittance of royalties to sports
19 governing bodies or their designees.

20 Section 5-85. Sports wagering license to organization
21 licensee in Madison County. The Board may not issue a sports
22 wagering license to an organization licensee located in Madison
23 County until it receives an executed copy of a contractual
24 agreement between the organization licensee in Madison County
25 and an owners licensee conducting riverboat gambling from a

1 home dock in the City of East St. Louis to operate sports
2 wagering by the organization licensee in Madison County to
3 support the continued viability of the City of East St. Louis'
4 local portion of gaming taxes generated by the owners licensee.

5 Section 5-90. Voluntary self-exclusion program for sports
6 wagering. Any resident, or non-resident if allowed to
7 participate in sports wagering, may voluntarily prohibit
8 himself or herself from establishing a sports wagering account
9 with a licensee under this Act. The Board and Department shall
10 incorporate the voluntary self-exclusion program for sports
11 wagering into any existing self-exclusion program that it
12 operates on the effective date of this Act.

13 Section 5-95. Prohibition on wagering on Illinois
14 collegiate teams within Illinois. No licensee under this Act
15 may accept a wager for a sports event taking place in the State
16 involving an Illinois collegiate team.

17 Section 5-100. Supplier diversity goals.

18 (a) The public policy of this State is to collaboratively
19 work with companies that serve Illinois residents to improve
20 their supplier diversity in a non-antagonistic manner.

21 (b) The Board shall require all licensees under this Act to
22 submit an annual report by April 15, 2020 and every April 15
23 thereafter, in a searchable Adobe PDF format, on all

1 procurement goals and actual spending for female-owned,
2 minority-owned, veteran-owned, and small business enterprises
3 in the previous calendar year. These goals shall be expressed
4 as a percentage of the total work performed by the entity
5 submitting the report, and the actual spending for all
6 female-owned, minority-owned, veteran-owned, and small
7 business enterprises shall also be expressed as a percentage of
8 the total work performed by the entity submitting the report.

9 (c) Each licensee in its annual report shall include the
10 following information:

11 (1) an explanation of the plan for the next year to
12 increase participation;

13 (2) an explanation of the plan to increase the goals;

14 (3) the areas of procurement each licensee shall be
15 actively seeking more participation in the next year;

16 (4) an outline of the plan to alert and encourage
17 potential vendors in that area to seek business from the
18 licensee;

19 (5) an explanation of the challenges faced in finding
20 quality vendors and offer any suggestions for what the
21 Board could do to be helpful to identify those vendors;

22 (6) a list of the certifications the licensee
23 recognizes;

24 (7) the point of contact for any potential vendor who
25 wishes to do business with the licensee and explain the
26 process for a vendor to enroll with the licensee as a

1 minority-owned, women-owned, or veteran-owned company; and

2 (8) any particular success stories to encourage other
3 licensee to emulate best practices.

4 (d) Each annual report shall include as much State-specific
5 data as possible. If the submitting entity does not submit
6 State-specific data, then the licensee shall include any
7 national data it does have and explain why it could not submit
8 State-specific data and how it intends to do so in future
9 reports, if possible.

10 (e) Each annual report shall include the rules,
11 regulations, and definitions used for the procurement goals in
12 the licensee's annual report.

13 (f) The Board and all licensees shall hold an annual
14 workshop open to the public in 2020 and every year thereafter
15 on the state of supplier diversity to collaboratively seek
16 solutions to structural impediments to achieving stated goals,
17 including testimony from each licensee as well as subject
18 matter experts and advocates. The Board shall publish a
19 database on its website of the point of contact for each
20 licensee for supplier diversity, along with a list of
21 certifications each licensee recognizes from the information
22 submitted in each annual report. The Board shall publish each
23 annual report on its website and shall maintain each annual
24 report for at least 5 years.

25 Section 5-105. Report to General Assembly. On or before

1 January 15, 2023, the Board shall provide a report to the
2 General Assembly on sports wagering conducted under this Act
3 during the 3 years following the effective date of this Act.

4 Article 900. Amendatory Provisions

5 Section 900-1. The Illinois Administrative Procedure Act
6 is amended by changing Section 5-45 as follows:

7 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

8 Sec. 5-45. Emergency rulemaking.

9 (a) "Emergency" means the existence of any situation that
10 any agency finds reasonably constitutes a threat to the public
11 interest, safety, or welfare.

12 (b) If any agency finds that an emergency exists that
13 requires adoption of a rule upon fewer days than is required by
14 Section 5-40 and states in writing its reasons for that
15 finding, the agency may adopt an emergency rule without prior
16 notice or hearing upon filing a notice of emergency rulemaking
17 with the Secretary of State under Section 5-70. The notice
18 shall include the text of the emergency rule and shall be
19 published in the Illinois Register. Consent orders or other
20 court orders adopting settlements negotiated by an agency may
21 be adopted under this Section. Subject to applicable
22 constitutional or statutory provisions, an emergency rule
23 becomes effective immediately upon filing under Section 5-65 or

1 at a stated date less than 10 days thereafter. The agency's
2 finding and a statement of the specific reasons for the finding
3 shall be filed with the rule. The agency shall take reasonable
4 and appropriate measures to make emergency rules known to the
5 persons who may be affected by them.

6 (c) An emergency rule may be effective for a period of not
7 longer than 150 days, but the agency's authority to adopt an
8 identical rule under Section 5-40 is not precluded. No
9 emergency rule may be adopted more than once in any 24-month
10 period, except that this limitation on the number of emergency
11 rules that may be adopted in a 24-month period does not apply
12 to (i) emergency rules that make additions to and deletions
13 from the Drug Manual under Section 5-5.16 of the Illinois
14 Public Aid Code or the generic drug formulary under Section
15 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)
16 emergency rules adopted by the Pollution Control Board before
17 July 1, 1997 to implement portions of the Livestock Management
18 Facilities Act, (iii) emergency rules adopted by the Illinois
19 Department of Public Health under subsections (a) through (i)
20 of Section 2 of the Department of Public Health Act when
21 necessary to protect the public's health, (iv) emergency rules
22 adopted pursuant to subsection (n) of this Section, (v)
23 emergency rules adopted pursuant to subsection (o) of this
24 Section, or (vi) emergency rules adopted pursuant to subsection
25 (c-5) of this Section. Two or more emergency rules having
26 substantially the same purpose and effect shall be deemed to be

1 a single rule for purposes of this Section.

2 (c-5) To facilitate the maintenance of the program of group
3 health benefits provided to annuitants, survivors, and retired
4 employees under the State Employees Group Insurance Act of
5 1971, rules to alter the contributions to be paid by the State,
6 annuitants, survivors, retired employees, or any combination
7 of those entities, for that program of group health benefits,
8 shall be adopted as emergency rules. The adoption of those
9 rules shall be considered an emergency and necessary for the
10 public interest, safety, and welfare.

11 (d) In order to provide for the expeditious and timely
12 implementation of the State's fiscal year 1999 budget,
13 emergency rules to implement any provision of Public Act 90-587
14 or 90-588 or any other budget initiative for fiscal year 1999
15 may be adopted in accordance with this Section by the agency
16 charged with administering that provision or initiative,
17 except that the 24-month limitation on the adoption of
18 emergency rules and the provisions of Sections 5-115 and 5-125
19 do not apply to rules adopted under this subsection (d). The
20 adoption of emergency rules authorized by this subsection (d)
21 shall be deemed to be necessary for the public interest,
22 safety, and welfare.

23 (e) In order to provide for the expeditious and timely
24 implementation of the State's fiscal year 2000 budget,
25 emergency rules to implement any provision of Public Act 91-24
26 or any other budget initiative for fiscal year 2000 may be

1 adopted in accordance with this Section by the agency charged
2 with administering that provision or initiative, except that
3 the 24-month limitation on the adoption of emergency rules and
4 the provisions of Sections 5-115 and 5-125 do not apply to
5 rules adopted under this subsection (e). The adoption of
6 emergency rules authorized by this subsection (e) shall be
7 deemed to be necessary for the public interest, safety, and
8 welfare.

9 (f) In order to provide for the expeditious and timely
10 implementation of the State's fiscal year 2001 budget,
11 emergency rules to implement any provision of Public Act 91-712
12 or any other budget initiative for fiscal year 2001 may be
13 adopted in accordance with this Section by the agency charged
14 with administering that provision or initiative, except that
15 the 24-month limitation on the adoption of emergency rules and
16 the provisions of Sections 5-115 and 5-125 do not apply to
17 rules adopted under this subsection (f). The adoption of
18 emergency rules authorized by this subsection (f) shall be
19 deemed to be necessary for the public interest, safety, and
20 welfare.

21 (g) In order to provide for the expeditious and timely
22 implementation of the State's fiscal year 2002 budget,
23 emergency rules to implement any provision of Public Act 92-10
24 or any other budget initiative for fiscal year 2002 may be
25 adopted in accordance with this Section by the agency charged
26 with administering that provision or initiative, except that

1 the 24-month limitation on the adoption of emergency rules and
2 the provisions of Sections 5-115 and 5-125 do not apply to
3 rules adopted under this subsection (g). The adoption of
4 emergency rules authorized by this subsection (g) shall be
5 deemed to be necessary for the public interest, safety, and
6 welfare.

7 (h) In order to provide for the expeditious and timely
8 implementation of the State's fiscal year 2003 budget,
9 emergency rules to implement any provision of Public Act 92-597
10 or any other budget initiative for fiscal year 2003 may be
11 adopted in accordance with this Section by the agency charged
12 with administering that provision or initiative, except that
13 the 24-month limitation on the adoption of emergency rules and
14 the provisions of Sections 5-115 and 5-125 do not apply to
15 rules adopted under this subsection (h). The adoption of
16 emergency rules authorized by this subsection (h) shall be
17 deemed to be necessary for the public interest, safety, and
18 welfare.

19 (i) In order to provide for the expeditious and timely
20 implementation of the State's fiscal year 2004 budget,
21 emergency rules to implement any provision of Public Act 93-20
22 or any other budget initiative for fiscal year 2004 may be
23 adopted in accordance with this Section by the agency charged
24 with administering that provision or initiative, except that
25 the 24-month limitation on the adoption of emergency rules and
26 the provisions of Sections 5-115 and 5-125 do not apply to

1 rules adopted under this subsection (i). The adoption of
2 emergency rules authorized by this subsection (i) shall be
3 deemed to be necessary for the public interest, safety, and
4 welfare.

5 (j) In order to provide for the expeditious and timely
6 implementation of the provisions of the State's fiscal year
7 2005 budget as provided under the Fiscal Year 2005 Budget
8 Implementation (Human Services) Act, emergency rules to
9 implement any provision of the Fiscal Year 2005 Budget
10 Implementation (Human Services) Act may be adopted in
11 accordance with this Section by the agency charged with
12 administering that provision, except that the 24-month
13 limitation on the adoption of emergency rules and the
14 provisions of Sections 5-115 and 5-125 do not apply to rules
15 adopted under this subsection (j). The Department of Public Aid
16 may also adopt rules under this subsection (j) necessary to
17 administer the Illinois Public Aid Code and the Children's
18 Health Insurance Program Act. The adoption of emergency rules
19 authorized by this subsection (j) shall be deemed to be
20 necessary for the public interest, safety, and welfare.

21 (k) In order to provide for the expeditious and timely
22 implementation of the provisions of the State's fiscal year
23 2006 budget, emergency rules to implement any provision of
24 Public Act 94-48 or any other budget initiative for fiscal year
25 2006 may be adopted in accordance with this Section by the
26 agency charged with administering that provision or

1 initiative, except that the 24-month limitation on the adoption
2 of emergency rules and the provisions of Sections 5-115 and
3 5-125 do not apply to rules adopted under this subsection (k).
4 The Department of Healthcare and Family Services may also adopt
5 rules under this subsection (k) necessary to administer the
6 Illinois Public Aid Code, the Senior Citizens and Persons with
7 Disabilities Property Tax Relief Act, the Senior Citizens and
8 Disabled Persons Prescription Drug Discount Program Act (now
9 the Illinois Prescription Drug Discount Program Act), and the
10 Children's Health Insurance Program Act. The adoption of
11 emergency rules authorized by this subsection (k) shall be
12 deemed to be necessary for the public interest, safety, and
13 welfare.

14 (l) In order to provide for the expeditious and timely
15 implementation of the provisions of the State's fiscal year
16 2007 budget, the Department of Healthcare and Family Services
17 may adopt emergency rules during fiscal year 2007, including
18 rules effective July 1, 2007, in accordance with this
19 subsection to the extent necessary to administer the
20 Department's responsibilities with respect to amendments to
21 the State plans and Illinois waivers approved by the federal
22 Centers for Medicare and Medicaid Services necessitated by the
23 requirements of Title XIX and Title XXI of the federal Social
24 Security Act. The adoption of emergency rules authorized by
25 this subsection (l) shall be deemed to be necessary for the
26 public interest, safety, and welfare.

1 (m) In order to provide for the expeditious and timely
2 implementation of the provisions of the State's fiscal year
3 2008 budget, the Department of Healthcare and Family Services
4 may adopt emergency rules during fiscal year 2008, including
5 rules effective July 1, 2008, in accordance with this
6 subsection to the extent necessary to administer the
7 Department's responsibilities with respect to amendments to
8 the State plans and Illinois waivers approved by the federal
9 Centers for Medicare and Medicaid Services necessitated by the
10 requirements of Title XIX and Title XXI of the federal Social
11 Security Act. The adoption of emergency rules authorized by
12 this subsection (m) shall be deemed to be necessary for the
13 public interest, safety, and welfare.

14 (n) In order to provide for the expeditious and timely
15 implementation of the provisions of the State's fiscal year
16 2010 budget, emergency rules to implement any provision of
17 Public Act 96-45 or any other budget initiative authorized by
18 the 96th General Assembly for fiscal year 2010 may be adopted
19 in accordance with this Section by the agency charged with
20 administering that provision or initiative. The adoption of
21 emergency rules authorized by this subsection (n) shall be
22 deemed to be necessary for the public interest, safety, and
23 welfare. The rulemaking authority granted in this subsection
24 (n) shall apply only to rules promulgated during Fiscal Year
25 2010.

26 (o) In order to provide for the expeditious and timely

1 implementation of the provisions of the State's fiscal year
2 2011 budget, emergency rules to implement any provision of
3 Public Act 96-958 or any other budget initiative authorized by
4 the 96th General Assembly for fiscal year 2011 may be adopted
5 in accordance with this Section by the agency charged with
6 administering that provision or initiative. The adoption of
7 emergency rules authorized by this subsection (o) is deemed to
8 be necessary for the public interest, safety, and welfare. The
9 rulemaking authority granted in this subsection (o) applies
10 only to rules promulgated on or after July 1, 2010 (the
11 effective date of Public Act 96-958) through June 30, 2011.

12 (p) In order to provide for the expeditious and timely
13 implementation of the provisions of Public Act 97-689,
14 emergency rules to implement any provision of Public Act 97-689
15 may be adopted in accordance with this subsection (p) by the
16 agency charged with administering that provision or
17 initiative. The 150-day limitation of the effective period of
18 emergency rules does not apply to rules adopted under this
19 subsection (p), and the effective period may continue through
20 June 30, 2013. The 24-month limitation on the adoption of
21 emergency rules does not apply to rules adopted under this
22 subsection (p). The adoption of emergency rules authorized by
23 this subsection (p) is deemed to be necessary for the public
24 interest, safety, and welfare.

25 (q) In order to provide for the expeditious and timely
26 implementation of the provisions of Articles 7, 8, 9, 11, and

1 12 of Public Act 98-104, emergency rules to implement any
2 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104
3 may be adopted in accordance with this subsection (q) by the
4 agency charged with administering that provision or
5 initiative. The 24-month limitation on the adoption of
6 emergency rules does not apply to rules adopted under this
7 subsection (q). The adoption of emergency rules authorized by
8 this subsection (q) is deemed to be necessary for the public
9 interest, safety, and welfare.

10 (r) In order to provide for the expeditious and timely
11 implementation of the provisions of Public Act 98-651,
12 emergency rules to implement Public Act 98-651 may be adopted
13 in accordance with this subsection (r) by the Department of
14 Healthcare and Family Services. The 24-month limitation on the
15 adoption of emergency rules does not apply to rules adopted
16 under this subsection (r). The adoption of emergency rules
17 authorized by this subsection (r) is deemed to be necessary for
18 the public interest, safety, and welfare.

19 (s) In order to provide for the expeditious and timely
20 implementation of the provisions of Sections 5-5b.1 and 5A-2 of
21 the Illinois Public Aid Code, emergency rules to implement any
22 provision of Section 5-5b.1 or Section 5A-2 of the Illinois
23 Public Aid Code may be adopted in accordance with this
24 subsection (s) by the Department of Healthcare and Family
25 Services. The rulemaking authority granted in this subsection
26 (s) shall apply only to those rules adopted prior to July 1,

1 2015. Notwithstanding any other provision of this Section, any
2 emergency rule adopted under this subsection (s) shall only
3 apply to payments made for State fiscal year 2015. The adoption
4 of emergency rules authorized by this subsection (s) is deemed
5 to be necessary for the public interest, safety, and welfare.

6 (t) In order to provide for the expeditious and timely
7 implementation of the provisions of Article II of Public Act
8 99-6, emergency rules to implement the changes made by Article
9 II of Public Act 99-6 to the Emergency Telephone System Act may
10 be adopted in accordance with this subsection (t) by the
11 Department of State Police. The rulemaking authority granted in
12 this subsection (t) shall apply only to those rules adopted
13 prior to July 1, 2016. The 24-month limitation on the adoption
14 of emergency rules does not apply to rules adopted under this
15 subsection (t). The adoption of emergency rules authorized by
16 this subsection (t) is deemed to be necessary for the public
17 interest, safety, and welfare.

18 (u) In order to provide for the expeditious and timely
19 implementation of the provisions of the Burn Victims Relief
20 Act, emergency rules to implement any provision of the Act may
21 be adopted in accordance with this subsection (u) by the
22 Department of Insurance. The rulemaking authority granted in
23 this subsection (u) shall apply only to those rules adopted
24 prior to December 31, 2015. The adoption of emergency rules
25 authorized by this subsection (u) is deemed to be necessary for
26 the public interest, safety, and welfare.

1 (v) In order to provide for the expeditious and timely
2 implementation of the provisions of Public Act 99-516,
3 emergency rules to implement Public Act 99-516 may be adopted
4 in accordance with this subsection (v) by the Department of
5 Healthcare and Family Services. The 24-month limitation on the
6 adoption of emergency rules does not apply to rules adopted
7 under this subsection (v). The adoption of emergency rules
8 authorized by this subsection (v) is deemed to be necessary for
9 the public interest, safety, and welfare.

10 (w) In order to provide for the expeditious and timely
11 implementation of the provisions of Public Act 99-796,
12 emergency rules to implement the changes made by Public Act
13 99-796 may be adopted in accordance with this subsection (w) by
14 the Adjutant General. The adoption of emergency rules
15 authorized by this subsection (w) is deemed to be necessary for
16 the public interest, safety, and welfare.

17 (x) In order to provide for the expeditious and timely
18 implementation of the provisions of Public Act 99-906,
19 emergency rules to implement subsection (i) of Section 16-115D,
20 subsection (g) of Section 16-128A, and subsection (a) of
21 Section 16-128B of the Public Utilities Act may be adopted in
22 accordance with this subsection (x) by the Illinois Commerce
23 Commission. The rulemaking authority granted in this
24 subsection (x) shall apply only to those rules adopted within
25 180 days after June 1, 2017 (the effective date of Public Act
26 99-906). The adoption of emergency rules authorized by this

1 subsection (x) is deemed to be necessary for the public
2 interest, safety, and welfare.

3 (y) In order to provide for the expeditious and timely
4 implementation of the provisions of Public Act 100-23,
5 emergency rules to implement the changes made by Public Act
6 100-23 to Section 4.02 of the Illinois Act on the Aging,
7 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,
8 Section 55-30 of the Alcoholism and Other Drug Abuse and
9 Dependency Act, and Sections 74 and 75 of the Mental Health and
10 Developmental Disabilities Administrative Act may be adopted
11 in accordance with this subsection (y) by the respective
12 Department. The adoption of emergency rules authorized by this
13 subsection (y) is deemed to be necessary for the public
14 interest, safety, and welfare.

15 (z) In order to provide for the expeditious and timely
16 implementation of the provisions of Public Act 100-554,
17 emergency rules to implement the changes made by Public Act
18 100-554 to Section 4.7 of the Lobbyist Registration Act may be
19 adopted in accordance with this subsection (z) by the Secretary
20 of State. The adoption of emergency rules authorized by this
21 subsection (z) is deemed to be necessary for the public
22 interest, safety, and welfare.

23 (aa) In order to provide for the expeditious and timely
24 initial implementation of the changes made to Articles 5, 5A,
25 12, and 14 of the Illinois Public Aid Code under the provisions
26 of Public Act 100-581, the Department of Healthcare and Family

1 Services may adopt emergency rules in accordance with this
2 subsection (aa). The 24-month limitation on the adoption of
3 emergency rules does not apply to rules to initially implement
4 the changes made to Articles 5, 5A, 12, and 14 of the Illinois
5 Public Aid Code adopted under this subsection (aa). The
6 adoption of emergency rules authorized by this subsection (aa)
7 is deemed to be necessary for the public interest, safety, and
8 welfare.

9 (bb) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 100-587,
11 emergency rules to implement the changes made by Public Act
12 100-587 to Section 4.02 of the Illinois Act on the Aging,
13 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,
14 subsection (b) of Section 55-30 of the Alcoholism and Other
15 Drug Abuse and Dependency Act, Section 5-104 of the Specialized
16 Mental Health Rehabilitation Act of 2013, and Section 75 and
17 subsection (b) of Section 74 of the Mental Health and
18 Developmental Disabilities Administrative Act may be adopted
19 in accordance with this subsection (bb) by the respective
20 Department. The adoption of emergency rules authorized by this
21 subsection (bb) is deemed to be necessary for the public
22 interest, safety, and welfare.

23 (cc) In order to provide for the expeditious and timely
24 implementation of the provisions of Public Act 100-587,
25 emergency rules may be adopted in accordance with this
26 subsection (cc) to implement the changes made by Public Act

1 100-587 to: Sections 14-147.5 and 14-147.6 of the Illinois
2 Pension Code by the Board created under Article 14 of the Code;
3 Sections 15-185.5 and 15-185.6 of the Illinois Pension Code by
4 the Board created under Article 15 of the Code; and Sections
5 16-190.5 and 16-190.6 of the Illinois Pension Code by the Board
6 created under Article 16 of the Code. The adoption of emergency
7 rules authorized by this subsection (cc) is deemed to be
8 necessary for the public interest, safety, and welfare.

9 (dd) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 100-864,
11 emergency rules to implement the changes made by Public Act
12 100-864 to Section 3.35 of the Newborn Metabolic Screening Act
13 may be adopted in accordance with this subsection (dd) by the
14 Secretary of State. The adoption of emergency rules authorized
15 by this subsection (dd) is deemed to be necessary for the
16 public interest, safety, and welfare.

17 (ee) In order to provide for the expeditious and timely
18 implementation of the provisions of Public Act 100-1172 ~~this~~
19 ~~amendatory Act of the 100th General Assembly~~, emergency rules
20 implementing the Illinois Underground Natural Gas Storage
21 Safety Act may be adopted in accordance with this subsection by
22 the Department of Natural Resources. The adoption of emergency
23 rules authorized by this subsection is deemed to be necessary
24 for the public interest, safety, and welfare.

25 (ff) ~~(ee)~~ In order to provide for the expeditious and
26 timely initial implementation of the changes made to Articles

1 5A and 14 of the Illinois Public Aid Code under the provisions
2 of Public Act 100-1181 ~~this amendatory Act of the 100th General~~
3 ~~Assembly~~, the Department of Healthcare and Family Services may
4 on a one-time-only basis adopt emergency rules in accordance
5 with this subsection (ff) ~~(ee)~~. The 24-month limitation on the
6 adoption of emergency rules does not apply to rules to
7 initially implement the changes made to Articles 5A and 14 of
8 the Illinois Public Aid Code adopted under this subsection (ff)
9 ~~(ee)~~. The adoption of emergency rules authorized by this
10 subsection (ff) ~~(ee)~~ is deemed to be necessary for the public
11 interest, safety, and welfare.

12 (gg) ~~(ff)~~ In order to provide for the expeditious and
13 timely implementation of the provisions of Public Act 101-1
14 ~~this amendatory Act of the 101st General Assembly~~, emergency
15 rules may be adopted by the Department of Labor in accordance
16 with this subsection (gg) ~~(ff)~~ to implement the changes made by
17 Public Act 101-1 ~~this amendatory Act of the 101st General~~
18 ~~Assembly~~ to the Minimum Wage Law. The adoption of emergency
19 rules authorized by this subsection (gg) ~~(ff)~~ is deemed to be
20 necessary for the public interest, safety, and welfare.

21 (hh) In order to provide for the expeditious and timely
22 implementation of the Sporting Contest Safety and Integrity
23 Act, emergency rules to implement the Sporting Contest Safety
24 and Integrity Act may be adopted in accordance with this
25 subsection (hh) by the Illinois Gaming Board. The adoption of
26 emergency rules authorized by this subsection (hh) is deemed to

1 be necessary for the public interest, safety, and welfare.

2 (ii) In order to provide for the expeditious and timely
3 implementation of the Sports Wagering Act, emergency rules to
4 implement the Sports Wagering Act may be adopted in accordance
5 with this subsection (ii) by the Illinois Gaming Board. The
6 adoption of emergency rules authorized by this subsection (ii)
7 is deemed to be necessary for the public interest, safety, and
8 welfare.

9 (Source: P.A. 100-23, eff. 7-6-17; 100-554, eff. 11-16-17;
10 100-581, eff. 3-12-18; 100-587, Article 95, Section 95-5, eff.
11 6-4-18; 100-587, Article 110, Section 110-5, eff. 6-4-18;
12 100-864, eff. 8-14-18; 100-1172, eff. 1-4-19; 100-1181, eff.
13 3-8-19; 101-1, eff. 2-19-19; revised 4-2-19.)

14 Section 900-5. The State Finance Act is amended by adding
15 Sections 5.891 and 5.893 as follows:

16 (30 ILCS 105/5.891 new)

17 Sec. 5.891. The Sports Wagering Fund.

18 (30 ILCS 105/5.893 new)

19 Sec. 5.893. The Horse Racing Purse Fund.

20 Section 900-10. The Riverboat Gambling Act is amended by
21 changing Section 13 and by adding Section 54.25 as follows:

1 (230 ILCS 10/13) (from Ch. 120, par. 2413)

2 Sec. 13. Wagering tax; rate; distribution.

3 (a) Until January 1, 1998, a tax is imposed on the adjusted
4 gross receipts received from gambling games authorized under
5 this Act at the rate of 20%.

6 (a-1) From January 1, 1998 until July 1, 2002, a privilege
7 tax is imposed on persons engaged in the business of conducting
8 riverboat gambling operations, based on the adjusted gross
9 receipts received by a licensed owner from gambling games
10 authorized under this Act at the following rates:

11 15% of annual adjusted gross receipts up to and
12 including \$25,000,000;

13 20% of annual adjusted gross receipts in excess of
14 \$25,000,000 but not exceeding \$50,000,000;

15 25% of annual adjusted gross receipts in excess of
16 \$50,000,000 but not exceeding \$75,000,000;

17 30% of annual adjusted gross receipts in excess of
18 \$75,000,000 but not exceeding \$100,000,000;

19 35% of annual adjusted gross receipts in excess of
20 \$100,000,000.

21 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
22 is imposed on persons engaged in the business of conducting
23 riverboat gambling operations, other than licensed managers
24 conducting riverboat gambling operations on behalf of the
25 State, based on the adjusted gross receipts received by a
26 licensed owner from gambling games authorized under this Act at

1 the following rates:

2 15% of annual adjusted gross receipts up to and
3 including \$25,000,000;

4 22.5% of annual adjusted gross receipts in excess of
5 \$25,000,000 but not exceeding \$50,000,000;

6 27.5% of annual adjusted gross receipts in excess of
7 \$50,000,000 but not exceeding \$75,000,000;

8 32.5% of annual adjusted gross receipts in excess of
9 \$75,000,000 but not exceeding \$100,000,000;

10 37.5% of annual adjusted gross receipts in excess of
11 \$100,000,000 but not exceeding \$150,000,000;

12 45% of annual adjusted gross receipts in excess of
13 \$150,000,000 but not exceeding \$200,000,000;

14 50% of annual adjusted gross receipts in excess of
15 \$200,000,000.

16 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
17 persons engaged in the business of conducting riverboat
18 gambling operations, other than licensed managers conducting
19 riverboat gambling operations on behalf of the State, based on
20 the adjusted gross receipts received by a licensed owner from
21 gambling games authorized under this Act at the following
22 rates:

23 15% of annual adjusted gross receipts up to and
24 including \$25,000,000;

25 27.5% of annual adjusted gross receipts in excess of
26 \$25,000,000 but not exceeding \$37,500,000;

1 32.5% of annual adjusted gross receipts in excess of
2 \$37,500,000 but not exceeding \$50,000,000;

3 37.5% of annual adjusted gross receipts in excess of
4 \$50,000,000 but not exceeding \$75,000,000;

5 45% of annual adjusted gross receipts in excess of
6 \$75,000,000 but not exceeding \$100,000,000;

7 50% of annual adjusted gross receipts in excess of
8 \$100,000,000 but not exceeding \$250,000,000;

9 70% of annual adjusted gross receipts in excess of
10 \$250,000,000.

11 An amount equal to the amount of wagering taxes collected
12 under this subsection (a-3) that are in addition to the amount
13 of wagering taxes that would have been collected if the
14 wagering tax rates under subsection (a-2) were in effect shall
15 be paid into the Common School Fund.

16 The privilege tax imposed under this subsection (a-3) shall
17 no longer be imposed beginning on the earlier of (i) July 1,
18 2005; (ii) the first date after June 20, 2003 that riverboat
19 gambling operations are conducted pursuant to a dormant
20 license; or (iii) the first day that riverboat gambling
21 operations are conducted under the authority of an owners
22 license that is in addition to the 10 owners licenses initially
23 authorized under this Act. For the purposes of this subsection
24 (a-3), the term "dormant license" means an owners license that
25 is authorized by this Act under which no riverboat gambling
26 operations are being conducted on June 20, 2003.

1 (a-4) Beginning on the first day on which the tax imposed
2 under subsection (a-3) is no longer imposed, a privilege tax is
3 imposed on persons engaged in the business of conducting
4 riverboat gambling operations, other than licensed managers
5 conducting riverboat gambling operations on behalf of the
6 State, based on the adjusted gross receipts received by a
7 licensed owner from gambling games authorized under this Act at
8 the following rates:

9 15% of annual adjusted gross receipts up to and
10 including \$25,000,000;

11 22.5% of annual adjusted gross receipts in excess of
12 \$25,000,000 but not exceeding \$50,000,000;

13 27.5% of annual adjusted gross receipts in excess of
14 \$50,000,000 but not exceeding \$75,000,000;

15 32.5% of annual adjusted gross receipts in excess of
16 \$75,000,000 but not exceeding \$100,000,000;

17 37.5% of annual adjusted gross receipts in excess of
18 \$100,000,000 but not exceeding \$150,000,000;

19 45% of annual adjusted gross receipts in excess of
20 \$150,000,000 but not exceeding \$200,000,000;

21 50% of annual adjusted gross receipts in excess of
22 \$200,000,000.

23 (a-8) Riverboat gambling operations conducted by a
24 licensed manager on behalf of the State are not subject to the
25 tax imposed under this Section.

26 (a-10) The taxes imposed by this Section shall be paid by

1 the licensed owner to the Board not later than 5:00 o'clock
2 p.m. of the day after the day when the wagers were made.

3 (a-15) If the privilege tax imposed under subsection (a-3)
4 is no longer imposed pursuant to item (i) of the last paragraph
5 of subsection (a-3), then by June 15 of each year, each owners
6 licensee, other than an owners licensee that admitted 1,000,000
7 persons or fewer in calendar year 2004, must, in addition to
8 the payment of all amounts otherwise due under this Section,
9 pay to the Board a reconciliation payment in the amount, if
10 any, by which the licensed owner's base amount exceeds the
11 amount of net privilege tax paid by the licensed owner to the
12 Board in the then current State fiscal year. A licensed owner's
13 net privilege tax obligation due for the balance of the State
14 fiscal year shall be reduced up to the total of the amount paid
15 by the licensed owner in its June 15 reconciliation payment.
16 The obligation imposed by this subsection (a-15) is binding on
17 any person, firm, corporation, or other entity that acquires an
18 ownership interest in any such owners license. The obligation
19 imposed under this subsection (a-15) terminates on the earliest
20 of: (i) July 1, 2007, (ii) the first day after the effective
21 date of this amendatory Act of the 94th General Assembly that
22 riverboat gambling operations are conducted pursuant to a
23 dormant license, (iii) the first day that riverboat gambling
24 operations are conducted under the authority of an owners
25 license that is in addition to the 10 owners licenses initially
26 authorized under this Act, or (iv) the first day that a

1 licensee under the Illinois Horse Racing Act of 1975 conducts
2 gaming operations with slot machines or other electronic gaming
3 devices. The Board must reduce the obligation imposed under
4 this subsection (a-15) by an amount the Board deems reasonable
5 for any of the following reasons: (A) an act or acts of God,
6 (B) an act of bioterrorism or terrorism or a bioterrorism or
7 terrorism threat that was investigated by a law enforcement
8 agency, or (C) a condition beyond the control of the owners
9 licensee that does not result from any act or omission by the
10 owners licensee or any of its agents and that poses a hazardous
11 threat to the health and safety of patrons. If an owners
12 licensee pays an amount in excess of its liability under this
13 Section, the Board shall apply the overpayment to future
14 payments required under this Section.

15 For purposes of this subsection (a-15):

16 "Act of God" means an incident caused by the operation of
17 an extraordinary force that cannot be foreseen, that cannot be
18 avoided by the exercise of due care, and for which no person
19 can be held liable.

20 "Base amount" means the following:

21 For a riverboat in Alton, \$31,000,000.

22 For a riverboat in East Peoria, \$43,000,000.

23 For the Empress riverboat in Joliet, \$86,000,000.

24 For a riverboat in Metropolis, \$45,000,000.

25 For the Harrah's riverboat in Joliet, \$114,000,000.

26 For a riverboat in Aurora, \$86,000,000.

1 For a riverboat in East St. Louis, \$48,500,000.

2 For a riverboat in Elgin, \$198,000,000.

3 "Dormant license" has the meaning ascribed to it in
4 subsection (a-3).

5 "Net privilege tax" means all privilege taxes paid by a
6 licensed owner to the Board under this Section, less all
7 payments made from the State Gaming Fund pursuant to subsection
8 (b) of this Section.

9 The changes made to this subsection (a-15) by Public Act
10 94-839 are intended to restate and clarify the intent of Public
11 Act 94-673 with respect to the amount of the payments required
12 to be made under this subsection by an owners licensee to the
13 Board.

14 (b) Until January 1, 1998, 25% of the tax revenue deposited
15 in the State Gaming Fund under this Section shall be paid,
16 subject to appropriation by the General Assembly, to the unit
17 of local government which is designated as the home dock of the
18 riverboat. Beginning January 1, 1998, from the tax revenue
19 deposited in the State Gaming Fund under this Section, an
20 amount equal to 5% of adjusted gross receipts generated by a
21 riverboat shall be paid monthly, subject to appropriation by
22 the General Assembly, to the unit of local government that is
23 designated as the home dock of the riverboat. From the tax
24 revenue deposited in the State Gaming Fund pursuant to
25 riverboat gambling operations conducted by a licensed manager
26 on behalf of the State, an amount equal to 5% of adjusted gross

1 receipts generated pursuant to those riverboat gambling
2 operations shall be paid monthly, subject to appropriation by
3 the General Assembly, to the unit of local government that is
4 designated as the home dock of the riverboat upon which those
5 riverboat gambling operations are conducted.

6 (c) Appropriations, as approved by the General Assembly,
7 may be made from the State Gaming Fund to the Board (i) for the
8 administration and enforcement of this Act and the Video Gaming
9 Act, (ii) for distribution to the Department of State Police
10 and to the Department of Revenue for the enforcement of this
11 Act, and (iii) to the Department of Human Services for the
12 administration of programs to treat problem gambling,
13 including problem gambling from sports wagering.

14 (c-5) Before May 26, 2006 (the effective date of Public Act
15 94-804) and beginning on the effective date of this amendatory
16 Act of the 95th General Assembly, unless any organization
17 licensee under the Illinois Horse Racing Act of 1975 begins to
18 operate a slot machine or video game of chance under the
19 Illinois Horse Racing Act of 1975 or this Act, after the
20 payments required under subsections (b) and (c) have been made,
21 an amount equal to 15% of the adjusted gross receipts of (1) an
22 owners licensee that relocates pursuant to Section 11.2, (2) an
23 owners licensee conducting riverboat gambling operations
24 pursuant to an owners license that is initially issued after
25 June 25, 1999, or (3) the first riverboat gambling operations
26 conducted by a licensed manager on behalf of the State under

1 Section 7.3, whichever comes first, shall be paid from the
2 State Gaming Fund into the Horse Racing Equity Fund.

3 (c-10) Each year the General Assembly shall appropriate
4 from the General Revenue Fund to the Education Assistance Fund
5 an amount equal to the amount paid into the Horse Racing Equity
6 Fund pursuant to subsection (c-5) in the prior calendar year.

7 (c-15) After the payments required under subsections (b),
8 (c), and (c-5) have been made, an amount equal to 2% of the
9 adjusted gross receipts of (1) an owners licensee that
10 relocates pursuant to Section 11.2, (2) an owners licensee
11 conducting riverboat gambling operations pursuant to an owners
12 license that is initially issued after June 25, 1999, or (3)
13 the first riverboat gambling operations conducted by a licensed
14 manager on behalf of the State under Section 7.3, whichever
15 comes first, shall be paid, subject to appropriation from the
16 General Assembly, from the State Gaming Fund to each home rule
17 county with a population of over 3,000,000 inhabitants for the
18 purpose of enhancing the county's criminal justice system.

19 (c-20) Each year the General Assembly shall appropriate
20 from the General Revenue Fund to the Education Assistance Fund
21 an amount equal to the amount paid to each home rule county
22 with a population of over 3,000,000 inhabitants pursuant to
23 subsection (c-15) in the prior calendar year.

24 (c-25) On July 1, 2013 and each July 1 thereafter,
25 \$1,600,000 shall be transferred from the State Gaming Fund to
26 the Chicago State University Education Improvement Fund.

1 (c-30) On July 1, 2013 or as soon as possible thereafter,
2 \$92,000,000 shall be transferred from the State Gaming Fund to
3 the School Infrastructure Fund and \$23,000,000 shall be
4 transferred from the State Gaming Fund to the Horse Racing
5 Equity Fund.

6 (c-35) Beginning on July 1, 2013, in addition to any amount
7 transferred under subsection (c-30) of this Section,
8 \$5,530,000 shall be transferred monthly from the State Gaming
9 Fund to the School Infrastructure Fund.

10 (d) From time to time, the Board shall transfer the
11 remainder of the funds generated by this Act into the Education
12 Assistance Fund, created by Public Act 86-0018, of the State of
13 Illinois.

14 (e) Nothing in this Act shall prohibit the unit of local
15 government designated as the home dock of the riverboat from
16 entering into agreements with other units of local government
17 in this State or in other states to share its portion of the
18 tax revenue.

19 (f) To the extent practicable, the Board shall administer
20 and collect the wagering taxes imposed by this Section in a
21 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
22 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
23 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
24 Penalty and Interest Act.

25 (Source: P.A. 98-18, eff. 6-7-13.)

1 (230 ILCS 10/54.25 new)

2 Sec. 54.25. Horse Racing Purse Fund. There is created a
3 fund to be known as the Horse Racing Purse Fund, which is a
4 non-appropriated trust fund held separate and apart from State
5 moneys. The Fund shall consist of moneys paid into it by sports
6 wagering licensees under subsection (d) of Section 5-70 of the
7 Sports Wagering Act for the purposes described in this Section.
8 The Fund shall be administered by the Board. Moneys in the Fund
9 shall be distributed to organization licensees, based on the
10 percentage of live racing days each organization licensee
11 conducted in the previous year to the total number of live
12 racing days for all organization licensees, for distribution by
13 organization licensees at their race meetings as purses. The
14 moneys distributed shall be certified by the Board.

15 Section 900-15. The Criminal Code of 2012 is amended by
16 changing Sections 28-1, 28-3, and 28-5 as follows:

17 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

18 Sec. 28-1. Gambling.

19 (a) A person commits gambling when he or she:

20 (1) knowingly plays a game of chance or skill for money
21 or other thing of value, unless excepted in subsection (b)
22 of this Section;

23 (2) knowingly makes a wager upon the result of any
24 game, contest, or any political nomination, appointment or

1 election;

2 (3) knowingly operates, keeps, owns, uses, purchases,
3 exhibits, rents, sells, bargains for the sale or lease of,
4 manufactures or distributes any gambling device;

5 (4) contracts to have or give himself or herself or
6 another the option to buy or sell, or contracts to buy or
7 sell, at a future time, any grain or other commodity
8 whatsoever, or any stock or security of any company, where
9 it is at the time of making such contract intended by both
10 parties thereto that the contract to buy or sell, or the
11 option, whenever exercised, or the contract resulting
12 therefrom, shall be settled, not by the receipt or delivery
13 of such property, but by the payment only of differences in
14 prices thereof; however, the issuance, purchase, sale,
15 exercise, endorsement or guarantee, by or through a person
16 registered with the Secretary of State pursuant to Section
17 8 of the Illinois Securities Law of 1953, or by or through
18 a person exempt from such registration under said Section
19 8, of a put, call, or other option to buy or sell
20 securities which have been registered with the Secretary of
21 State or which are exempt from such registration under
22 Section 3 of the Illinois Securities Law of 1953 is not
23 gambling within the meaning of this paragraph (4);

24 (5) knowingly owns or possesses any book, instrument or
25 apparatus by means of which bets or wagers have been, or
26 are, recorded or registered, or knowingly possesses any

1 money which he has received in the course of a bet or
2 wager;

3 (6) knowingly sells pools upon the result of any game
4 or contest of skill or chance, political nomination,
5 appointment or election;

6 (7) knowingly sets up or promotes any lottery or sells,
7 offers to sell or transfers any ticket or share for any
8 lottery;

9 (8) knowingly sets up or promotes any policy game or
10 sells, offers to sell or knowingly possesses or transfers
11 any policy ticket, slip, record, document or other similar
12 device;

13 (9) knowingly drafts, prints or publishes any lottery
14 ticket or share, or any policy ticket, slip, record,
15 document or similar device, except for such activity
16 related to lotteries, bingo games and raffles authorized by
17 and conducted in accordance with the laws of Illinois or
18 any other state or foreign government;

19 (10) knowingly advertises any lottery or policy game,
20 except for such activity related to lotteries, bingo games
21 and raffles authorized by and conducted in accordance with
22 the laws of Illinois or any other state;

23 (11) knowingly transmits information as to wagers,
24 betting odds, or changes in betting odds by telephone,
25 telegraph, radio, semaphore or similar means; or knowingly
26 installs or maintains equipment for the transmission or

1 receipt of such information; except that nothing in this
2 subdivision (11) prohibits transmission or receipt of such
3 information for use in news reporting of sporting events or
4 contests; or

5 (12) knowingly establishes, maintains, or operates an
6 Internet site that permits a person to play a game of
7 chance or skill for money or other thing of value by means
8 of the Internet or to make a wager upon the result of any
9 game, contest, political nomination, appointment, or
10 election by means of the Internet. This item (12) does not
11 apply to activities referenced in items (6), ~~and~~ (6.1), and
12 (15) of subsection (b) of this Section.

13 (b) Participants in any of the following activities shall
14 not be convicted of gambling:

15 (1) Agreements to compensate for loss caused by the
16 happening of chance including without limitation contracts
17 of indemnity or guaranty and life or health or accident
18 insurance.

19 (2) Offers of prizes, award or compensation to the
20 actual contestants in any bona fide contest for the
21 determination of skill, speed, strength or endurance or to
22 the owners of animals or vehicles entered in such contest.

23 (3) Pari-mutuel betting as authorized by the law of
24 this State.

25 (4) Manufacture of gambling devices, including the
26 acquisition of essential parts therefor and the assembly

1 thereof, for transportation in interstate or foreign
2 commerce to any place outside this State when such
3 transportation is not prohibited by any applicable Federal
4 law; or the manufacture, distribution, or possession of
5 video gaming terminals, as defined in the Video Gaming Act,
6 by manufacturers, distributors, and terminal operators
7 licensed to do so under the Video Gaming Act.

8 (5) The game commonly known as "bingo", when conducted
9 in accordance with the Bingo License and Tax Act.

10 (6) Lotteries when conducted by the State of Illinois
11 in accordance with the Illinois Lottery Law. This exemption
12 includes any activity conducted by the Department of
13 Revenue to sell lottery tickets pursuant to the provisions
14 of the Illinois Lottery Law and its rules.

15 (6.1) The purchase of lottery tickets through the
16 Internet for a lottery conducted by the State of Illinois
17 under the program established in Section 7.12 of the
18 Illinois Lottery Law.

19 (7) Possession of an antique slot machine that is
20 neither used nor intended to be used in the operation or
21 promotion of any unlawful gambling activity or enterprise.
22 For the purpose of this subparagraph (b)(7), an antique
23 slot machine is one manufactured 25 years ago or earlier.

24 (8) Raffles and poker runs when conducted in accordance
25 with the Raffles and Poker Runs Act.

26 (9) Charitable games when conducted in accordance with

1 the Charitable Games Act.

2 (10) Pull tabs and jar games when conducted under the
3 Illinois Pull Tabs and Jar Games Act.

4 (11) Gambling games conducted on riverboats when
5 authorized by the Riverboat Gambling Act.

6 (12) Video gaming terminal games at a licensed
7 establishment, licensed truck stop establishment, licensed
8 fraternal establishment, or licensed veterans
9 establishment when conducted in accordance with the Video
10 Gaming Act.

11 (13) Games of skill or chance where money or other
12 things of value can be won but no payment or purchase is
13 required to participate.

14 (14) Savings promotion raffles authorized under
15 Section 5g of the Illinois Banking Act, Section 7008 of the
16 Savings Bank Act, Section 42.7 of the Illinois Credit Union
17 Act, Section 5136B of the National Bank Act (12 U.S.C.
18 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.
19 1463).

20 (15) Sports wagering when conducted in accordance with
21 the Sports Wagering Act.

22 (c) Sentence.

23 Gambling is a Class A misdemeanor. A second or subsequent
24 conviction under subsections (a) (3) through (a) (12), is a Class
25 4 felony.

26 (d) Circumstantial evidence.

1 In prosecutions under this Section circumstantial evidence
2 shall have the same validity and weight as in any criminal
3 prosecution.

4 (Source: P.A. 98-644, eff. 6-10-14; 99-149, eff. 1-1-16.)

5 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

6 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is
7 any real estate, vehicle, boat or any other property whatsoever
8 used for the purposes of gambling other than gambling conducted
9 in the manner authorized by the Riverboat Gambling Act, the
10 Sports Wagering Act, or the Video Gaming Act. Any person who
11 knowingly permits any premises or property owned or occupied by
12 him or under his control to be used as a gambling place commits
13 a Class A misdemeanor. Each subsequent offense is a Class 4
14 felony. When any premises is determined by the circuit court to
15 be a gambling place:

16 (a) Such premises is a public nuisance and may be proceeded
17 against as such, and

18 (b) All licenses, permits or certificates issued by the
19 State of Illinois or any subdivision or public agency thereof
20 authorizing the serving of food or liquor on such premises
21 shall be void; and no license, permit or certificate so
22 cancelled shall be reissued for such premises for a period of
23 60 days thereafter; nor shall any person convicted of keeping a
24 gambling place be reissued such license for one year from his
25 conviction and, after a second conviction of keeping a gambling

1 place, any such person shall not be reissued such license, and

2 (c) Such premises of any person who knowingly permits
3 thereon a violation of any Section of this Article shall be
4 held liable for, and may be sold to pay any unsatisfied
5 judgment that may be recovered and any unsatisfied fine that
6 may be levied under any Section of this Article.

7 (Source: P.A. 96-34, eff. 7-13-09.)

8 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

9 Sec. 28-5. Seizure of gambling devices and gambling funds.

10 (a) Every device designed for gambling which is incapable
11 of lawful use or every device used unlawfully for gambling
12 shall be considered a "gambling device", and shall be subject
13 to seizure, confiscation and destruction by the Department of
14 State Police or by any municipal, or other local authority,
15 within whose jurisdiction the same may be found. As used in
16 this Section, a "gambling device" includes any slot machine,
17 and includes any machine or device constructed for the
18 reception of money or other thing of value and so constructed
19 as to return, or to cause someone to return, on chance to the
20 player thereof money, property or a right to receive money or
21 property. With the exception of any device designed for
22 gambling which is incapable of lawful use, no gambling device
23 shall be forfeited or destroyed unless an individual with a
24 property interest in said device knows of the unlawful use of
25 the device.

1 (b) Every gambling device shall be seized and forfeited to
2 the county wherein such seizure occurs. Any money or other
3 thing of value integrally related to acts of gambling shall be
4 seized and forfeited to the county wherein such seizure occurs.

5 (c) If, within 60 days after any seizure pursuant to
6 subparagraph (b) of this Section, a person having any property
7 interest in the seized property is charged with an offense, the
8 court which renders judgment upon such charge shall, within 30
9 days after such judgment, conduct a forfeiture hearing to
10 determine whether such property was a gambling device at the
11 time of seizure. Such hearing shall be commenced by a written
12 petition by the State, including material allegations of fact,
13 the name and address of every person determined by the State to
14 have any property interest in the seized property, a
15 representation that written notice of the date, time and place
16 of such hearing has been mailed to every such person by
17 certified mail at least 10 days before such date, and a request
18 for forfeiture. Every such person may appear as a party and
19 present evidence at such hearing. The quantum of proof required
20 shall be a preponderance of the evidence, and the burden of
21 proof shall be on the State. If the court determines that the
22 seized property was a gambling device at the time of seizure,
23 an order of forfeiture and disposition of the seized property
24 shall be entered: a gambling device shall be received by the
25 State's Attorney, who shall effect its destruction, except that
26 valuable parts thereof may be liquidated and the resultant

1 money shall be deposited in the general fund of the county
2 wherein such seizure occurred; money and other things of value
3 shall be received by the State's Attorney and, upon
4 liquidation, shall be deposited in the general fund of the
5 county wherein such seizure occurred. However, in the event
6 that a defendant raises the defense that the seized slot
7 machine is an antique slot machine described in subparagraph
8 (b) (7) of Section 28-1 of this Code and therefore he is exempt
9 from the charge of a gambling activity participant, the seized
10 antique slot machine shall not be destroyed or otherwise
11 altered until a final determination is made by the Court as to
12 whether it is such an antique slot machine. Upon a final
13 determination by the Court of this question in favor of the
14 defendant, such slot machine shall be immediately returned to
15 the defendant. Such order of forfeiture and disposition shall,
16 for the purposes of appeal, be a final order and judgment in a
17 civil proceeding.

18 (d) If a seizure pursuant to subparagraph (b) of this
19 Section is not followed by a charge pursuant to subparagraph
20 (c) of this Section, or if the prosecution of such charge is
21 permanently terminated or indefinitely discontinued without
22 any judgment of conviction or acquittal (1) the State's
23 Attorney shall commence an in rem proceeding for the forfeiture
24 and destruction of a gambling device, or for the forfeiture and
25 deposit in the general fund of the county of any seized money
26 or other things of value, or both, in the circuit court and (2)

1 any person having any property interest in such seized gambling
2 device, money or other thing of value may commence separate
3 civil proceedings in the manner provided by law.

4 (e) Any gambling device displayed for sale to a riverboat
5 gambling operation or used to train occupational licensees of a
6 riverboat gambling operation as authorized under the Riverboat
7 Gambling Act is exempt from seizure under this Section.

8 (f) Any gambling equipment, devices and supplies provided
9 by a licensed supplier in accordance with the Riverboat
10 Gambling Act which are removed from the riverboat for repair
11 are exempt from seizure under this Section.

12 (g) The following video gaming terminals are exempt from
13 seizure under this Section:

14 (1) Video gaming terminals for sale to a licensed
15 distributor or operator under the Video Gaming Act.

16 (2) Video gaming terminals used to train licensed
17 technicians or licensed terminal handlers.

18 (3) Video gaming terminals that are removed from a
19 licensed establishment, licensed truck stop establishment,
20 licensed fraternal establishment, or licensed veterans
21 establishment for repair.

22 (h) Property seized or forfeited under this Section is
23 subject to reporting under the Seizure and Forfeiture Reporting
24 Act.

25 (i) Any sports wagering equipment, devices, and supplies
26 provided by a licensed supplier that are removed from a gaming

1 facility for repair under the Sports Wagering Act are exempt
2 from seizure under this Section.

3 (Source: P.A. 100-512, eff. 7-1-18.)

4 Article 999. Severability; Effective Date

5 Section 999-97. Severability. The provisions of this Act
6 are severable under Section 1.31 of the Statute on Statutes.

7 Section 999-99. Effective date. This Act takes effect upon
8 becoming law."