



Rep. André Thapedi

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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. Social equity in the sports wagering
18 industry.

19 (a) In the interest of establishing a legal sports wagering
20 industry that is equitable and accessible to all business
21 owners in the State, including economically and socially
22 disadvantaged business owners, the General Assembly finds and
23 declares that:

1 (1) a social equity program in legal sports wagering
2 should be established;

3 (2) disadvantaged business owners in Illinois have
4 disproportionately not participated in the gambling
5 industry;

6 (3) as a result of the lack of participation in the
7 gambling industry, many disadvantaged business owners have
8 suffered negative consequences, including financial loss,
9 lack of access to capital, community disinvestment, and
10 business failure;

11 (4) a significant portion of gambling revenues have
12 been generated by economically and socially vulnerable
13 people living in disproportionately impacted areas;

14 (5) economically and socially vulnerable people have
15 also disproportionately suffered the harms associated with
16 gambling, including addiction, illegal betting penalties,
17 community disinvestment, and financial loss;

18 (6) economically and socially vulnerable people living
19 in disproportionately impacted areas suffer the harms
20 associated with unemployment, poverty, and violence;

21 (7) as a result of the harms suffered from gambling,
22 many economically and socially disadvantaged people have
23 suffered negative consequences, including barriers to
24 employment, business ownership, housing, health, and
25 long-term financial well-being; and

26 (8) promotion of business ownership by disadvantaged

1 business owners and individuals who have suffered negative
2 consequences of gambling furthers an equitable legal
3 sports wagering industry.

4 Therefore, in the interest of addressing the harms
5 resulting from the exclusion of disadvantaged business owners
6 in gambling, and ensuring that economically and socially
7 vulnerable individuals have an equitable opportunity for
8 healthy participation in the sports wagering industry, the
9 General Assembly finds and declares that a social equity
10 program should offer, among other things, funding to addiction
11 programs, create access to jobs as well as offer financial
12 assistance and license application benefits to disadvantaged
13 business owners who are interested in obtaining licenses, and
14 capital to operate within the legal sports wagering industry.

15 (b) In this Section:

16 "Disadvantaged business owners" include minority-owned and
17 women-owned owned businesses.

18 "Disproportionately Impacted Area" means a census tract or
19 comparable geographic area that satisfies the following
20 criteria as determined by the Department of Commerce and
21 Economic Opportunity, that meets at least one of the following
22 criteria:

23 (1) the area has a poverty rate of at least 20%
24 according to the latest federal decennial census;

25 (2) 5% or more of the children in the area participate
26 in the federal free lunch program according to reported

1 statistics from the State Board of Education;

2 (3) at least 20% of the households in the area receive
3 assistance under the Supplemental Nutrition Assistance
4 Program; or

5 (4) the area has an average unemployment rate, as
6 determined by the Illinois Department of Employment
7 Security, that is more than 120% of the national
8 unemployment average, as determined by the United States
9 Department of Labor, for a period of at least 2 consecutive
10 calendar years preceding the date of the application.

11 "Ownership and control" means ownership of at least 51% of
12 the business, including corporate stock if a corporation, and
13 control over the management and day-to-day operations of the
14 business and an interest in the capital, assets, and profits
15 and losses of the business proportionate to percentage of
16 ownership.

17 "Principal officer" includes a sports wagering business
18 establishment applicant or registered sports wagering business
19 establishment's board member, owner with more than 1% interest
20 of the total sports wagering business establishment or more
21 than 5% interest of the total sports wagering business
22 establishment of a publicly traded company, president, vice
23 president, secretary, treasurer, partner, officer, member,
24 manager member, or person with a profit sharing, financial
25 interest, or revenue sharing arrangement. The definition
26 includes a person with authority to control the sports wagering

1 business establishment, a person who assumes responsibility
2 for the debts of the sports wagering business establishment and
3 who is further defined in this Act.

4 "Social Equity Applicant" means an applicant that is an
5 Illinois resident that meets one of the following criteria:

6 (1) an applicant with at least 51% ownership and
7 control by one or more individuals who have resided for at
8 least 5 of the preceding 10 years in a Disproportionately
9 Impacted Area; or

10 (2) for applicants with a minimum of 10 full-time
11 employees, an applicant with at least 51% of current
12 employees who currently reside in a Disproportionately
13 Impacted Area.

14 (c) The Department of Commerce and Economic Opportunity has
15 the power to:

16 (1) provide social equity loans and grants from
17 appropriations from the General Revenue Fund to assist
18 Social Equity Applicants in gaining entry to, and
19 successfully operating in, the State's regulated sports
20 wagering industry;

21 (2) enter into agreements that set forth terms and
22 conditions of the financial assistance, accept funds, or
23 grants, and engage in cooperation with private entities and
24 agencies of State or local government to carry out the
25 purposes of this Section;

26 (3) fix, determine, charge, and collect any premiums,

1 fees, charges, costs and expenses, including application
2 fees, commitment fees, program fees, financing charges,
3 and publication fees in connection with its activities
4 under this Section;

5 (4) coordinate assistance under this program with
6 activities of the Department of Financial and Professional
7 Regulation, the Board, and other agencies as needed to
8 maximize the effectiveness and efficiency of this Act;

9 (5) provide staff, administration, and related support
10 required to administer this Section;

11 (6) take whatever actions are necessary or appropriate
12 to protect the State's interest in the event of bankruptcy,
13 default, foreclosure, or noncompliance with the terms and
14 conditions of financial assistance provided under this
15 Section, including the ability to recapture funds if the
16 recipient is found to be noncompliant with the terms and
17 conditions of the financial assistance agreement;

18 (7) establish application, notification, contract, and
19 other forms, procedures, or rules deemed necessary and
20 appropriate; and

21 (8) utilize vendors or contract work to carry out the
22 purposes of this Act.

23 Loans made under this Section:

24 (A) shall only be made if, in the Department of
25 Commerce and Economic Opportunity's judgment, the project
26 furthers the goals set forth in this Act; and

1 (B) shall be in such principal amount and form and
2 contain such terms and provisions with respect to security,
3 insurance, reporting, delinquency charges, default
4 remedies, and other matters as the Department of Commerce
5 and Economic Opportunity shall determine appropriate to
6 protect the public interest and to be consistent with the
7 purposes of this Section. The terms and provisions may be
8 less than required for similar loans not covered by this
9 Section.

10 Grants made under this Section shall be awarded on a
11 competitive and annual basis under the Grant Accountability and
12 Transparency Act. Grants made under this Section shall further
13 and promote the goals of this Act, including promotion of
14 Social Equity Applicants, job training and workforce
15 development, and technical assistance to Social Equity
16 Applicants.

17 Beginning January 1, 2021 and each year thereafter, the
18 Department of Commerce and Economic Opportunity shall annually
19 report to the Governor and the General Assembly on the outcomes
20 and effectiveness of this action. The report shall include the
21 following:

22 (i) the number of persons or businesses receiving
23 financial assistance under this Section;

24 (ii) the amount in financial assistance awarded in the
25 aggregate, in addition to the amount in loans made that are
26 outstanding and the amount of grants awarded;

1 (iii) the location of the project engaged in by the
2 person or business; and

3 (iv) if applicable, the number of new jobs and other
4 forms of economic output created as a result of the
5 financial assistance.

6 The Department of Commerce and Economic Opportunity shall
7 include engagement with individuals with limited English
8 proficiency as part of its outreach provided or targeted to
9 attract and support Social Equity Applicants.

10 (e) The Department of Financial and Professional
11 Regulation and other appropriate State agencies shall waive 50%
12 of any nonrefundable license application fees, any
13 nonrefundable fees associated with applying for a license to
14 operate a business establishment, and any surety bond or other
15 financial requirements, provided a Social Equity Applicant
16 meets the following qualifications at the time the payment is
17 due:

18 (1) the applicant, including all individuals and
19 entities with 10% or greater ownership and all parent
20 companies, subsidiaries, and affiliates, has less than a
21 total of \$750,000 of income in the previous calendar year;
22 and

23 (2) the applicant, including all individuals and
24 entities with 10% or greater ownership and all parent
25 companies, subsidiaries, and affiliates, has no more than 2
26 other licenses for business establishments in the State of

1 Illinois.

2 The Department of Financial and Professional Regulation
3 and the Board may require Social Equity Applicants to attest
4 that they meet the requirements for a fee waiver as provided in
5 this subsection and to provide evidence of annual total income
6 in the previous calendar year.

7 The Department of Financial and Professional Regulation
8 and the Board shall be compensated at an equal amount to any
9 fees waived under this subsection from moneys in the General
10 Revenue Fund.

11 If the Department of Financial and Professional Regulation
12 or the Board determines that an applicant who applied as a
13 Social Equity Applicant is not eligible for such status, the
14 applicant shall be provided an additional 10 days to provide
15 alternative evidence that he or she qualifies as a Social
16 Equity Applicant. Alternatively, the applicant may pay the
17 remainder of the waived fee and be considered as a non-Social
18 Equity Applicant. If the applicant cannot do either, then the
19 Department of Financial and Professional Responsibility or
20 Board may keep the initial application fee and the application
21 shall not be graded.

22 (f) In the event a Social Equity Applicant seeks to
23 transfer, sell, or grant a business establishment license
24 within 5 years after it was issued to a person or entity that
25 does not qualify as a Social Equity Applicant, the transfer
26 agreement shall require the new license holder to pay the

1 General Revenue Fund an amount equal to:

2 (1) any fees that were waived by any State agency based
3 on the applicant's status as a Social Equity Applicant, if
4 applicable;

5 (2) any outstanding amount owed by the qualified Social
6 Equity Applicant for a loan through the General Revenue
7 Fund, if applicable; and

8 (3) the full amount of any grants that the qualified
9 Social Equity Applicant received from the Department of
10 Commerce and Economic Opportunity, if applicable.

11 Transfers of establishment licenses awarded to a Social
12 Equity Applicant are subject to all other provisions of this
13 Act and rules regarding transfers.

14 (g) By January 1, 2021 and on January 1 of every year
15 thereafter, or upon request by the Board, each business
16 establishment licensed under this Act shall report to the
17 Board, on a form to be provided by the Board, information that
18 will allow it to assess the extent of diversity in the sports
19 wagering industry and methods for reducing or eliminating any
20 identified barriers to entry, including access to capital. The
21 information shall include:

22 (1) the number and percentage of licenses provided to
23 businesses owned by minorities, women, veterans, and
24 people with disabilities;

25 (2) the total number and percentage of employees in the
26 sports wagering industry who are minorities, women,

1 veterans, or people with disabilities; and

2 (3) recommendations on reducing or eliminating any
3 identified barriers to entry, including access to capital,
4 in the sports wagering industry.

5 (h) A sports wagering licensee shall identify one of the
6 following Social Equity Inclusion Plans to be completed by
7 March 31, 2021:

8 (1) make a contribution of 3% of total sales from June
9 1, 2018 to June 1, 2019, or \$100,000, whichever is less, to
10 the Business Development Fund;

11 (2) make a grant of 3% of total sales from June 1, 2018
12 to June 1, 2019, or \$100,000, whichever is less, to a
13 sports wagering industry training or education program at
14 an Illinois community college as defined in the Public
15 Community College Act;

16 (3) make a donation of \$100,000 or more to a program
17 that provides job training services to persons recently
18 incarcerated or that operates in a Disproportionately
19 Impacted Area;

20 (4) participate as a host in a business incubator
21 program approved by the Department of Commerce and Economic
22 Opportunity, and in which a sports wagering licensee agrees
23 to provide a loan of at least \$100,000 and mentorship to
24 incubate a licensee that qualifies as a Social Equity
25 Applicant for at least a year. As used in this paragraph
26 (4), "incubate" means providing direct financial

1 assistance and training necessary to engage in licensed
2 sports wagering activity similar to that of the host
3 licensee. The sports wagering licensee or the same entity
4 holding any other licenses issued pursuant to this Act
5 shall not take an ownership stake of greater than 10% in
6 any business receiving incubation services to comply with
7 this subsection. If a sports wagering licensee fails to
8 find a business to incubate to comply with this subsection
9 before its license expires, it may opt to meet the
10 requirement of this subsection by completing another item
11 from this subsection; or

12 (5) participate in a sponsorship program approved by
13 the Department of Commerce and Economic Opportunity in
14 which a sports wagering licensee agrees to provide an
15 interest-free loan of at least \$200,000 to a Social Equity
16 Applicant for at least 2 years. The sponsor shall not take
17 an ownership stake in a business establishment receiving
18 sponsorship services to comply with this subsection.

19 Section 5-105. Community program.

20 (a) The General Assembly finds that in order to address the
21 disparities described below, aggressive approaches and
22 targeted resources to support local design and control of
23 community-based responses to these outcomes are required,
24 which requires identification and support of community assets
25 that address components of the social determinants of health.

1 To carry out this intent, a program is created for the
2 following purposes:

3 (1) to directly address the impact of economic
4 disinvestment by providing resources to support local
5 design and control of community-based responses to these
6 impacts;

7 (2) to substantially reduce concentrated poverty in
8 this State;

9 (3) to protect communities through targeted
10 investments and intervention programs, including economic
11 growth and public health prevention activities;

12 (4) to promote employment infrastructure and capacity
13 building related to the social determinants of health in
14 the eligible community areas.

15 (b) In this Section, "Authority" means the Illinois
16 Criminal Justice Information Authority.

17 (c) Eligibility of Qualified Areas. Within 60 days after
18 the effective date of this Act, the Authority shall identify
19 eligible areas in this State by way of historically recognized
20 geographic boundaries, to be designated by the program board as
21 Qualified Areas and therefore eligible to apply for program
22 funding. Local groups within Qualified Areas will be eligible
23 to apply for State funding through the program board.
24 Qualifications for designation as a Qualified Area are as
25 follows:

26 (1) Based on an analysis of data, communities in this

1 State that are high need, underserved, disproportionately
2 impacted by historical economic disinvestment,
3 unemployment, child poverty rates, and commitments to and
4 returns from the Department of Corrections.

5 (2) The Authority shall send to the Legislative Audit
6 Commission and make publicly available its analysis and
7 identification of eligible Qualified Areas and shall
8 recalculate the eligibility data every 4 years. On an
9 annual basis, the Authority shall analyze data and indicate
10 if data covering any Qualified Area or portion of a
11 Qualified Area has, for 4 consecutive years, substantially
12 deviated from the average of statewide data on which the
13 original calculation was made to determine the Qualified
14 Areas, including disinvestment, unemployment, child
15 poverty rates, or commitments to or returns from the
16 Department of Corrections.

17 (d) The program board shall encourage collaborative
18 partnerships within each Qualified Area to minimize multiple
19 partnerships per Qualified Area.

20 (e) The program board is created and shall reflect the
21 diversity of the State of Illinois, including geographic,
22 racial, and ethnic diversity. Using the data provided by the
23 Authority, the program board shall be responsible for
24 designating the Qualified Area boundaries and for the selection
25 and oversight of Qualified Area grantees. The following program
26 board co-chairs and members shall, within 4 months after the

1 effective date of this Act, convene the program board to
2 appoint a full program board and oversee, provide guidance to,
3 and develop an administrative structure for the program:

4 (1) The Governor, or his or her designee, who shall
5 serve as co-chair.

6 (2) The Attorney General, or his or her designee, who
7 shall serve as co-chair.

8 (3) The Director of Commerce and Economic Opportunity,
9 or his or her designee.

10 (4) The Chairman of the Illinois Gaming Board, or his
11 or her designee.

12 (5) The Director of Corrections, or his or her
13 designee.

14 (6) The Executive Director of the Illinois Criminal
15 Justice Information Authority, or his or her designee.

16 (7) The Director of Employment Security, or his or her
17 designee.

18 (8) The Secretary of Human Services, or his or her
19 designee.

20 (9) A member of the Senate, designated by the President
21 of the Senate.

22 (10) A member of the House of Representatives,
23 designated by the Speaker of the House of Representatives.

24 (11) A member of the Senate, designated by the Minority
25 Leader of the Senate.

26 (12) A member of the House of Representatives,

1 designated by the Minority Leader of the House of
2 Representatives.

3 Within 60 days after the Qualified Areas have been
4 designated by the program board, the following members shall be
5 appointed to the program board by the members identified in
6 paragraphs (1) through (12) of this subsection (e):

7 (i) The highest elected public officials of municipal
8 geographic jurisdictions in the State that include a
9 Qualified Area, or their designees;

10 (ii) Four community-based providers or community
11 development organization representatives who provide
12 services to treat violence and address the social
13 determinants of health, or promote community investment,
14 including, but not limited to, services such as job
15 placement and training, educational services, workforce
16 development programming, and wealth building. The
17 community-based organization representatives shall work
18 primarily in jurisdictions that include a Qualified Area
19 and no more than 2 representatives shall work primarily in
20 Cook County. At least one of the community-based providers
21 shall have expertise in providing services to an immigrant
22 population;

23 (iii) Two experts in the field of violence reduction;

24 (iv) One male who has previously been incarcerated over
25 the age of 24 at time of appointment;

26 (v) One female who has previously been incarcerated

1 over the age of 24 at time of appointment;

2 (vi) Two individuals who have previously been
3 incarcerated between the ages of 17 and 24 at time of
4 appointment.

5 As used in this subsection (e), "an individual who has been
6 previously incarcerated" means a person who has been convicted
7 of or pled guilty to one or more felonies, who was sentenced to
8 a term of imprisonment, and who has completed his or her
9 sentence.

10 Program board members shall serve without compensation and
11 may be reimbursed for reasonable expenses incurred in the
12 performance of their duties from funds appropriated for that
13 purpose. Once all its members have been appointed as outlined
14 in paragraphs (i) through (vi) of this subsection (e), the
15 program board may exercise any power, perform any function,
16 take any action, or do anything in furtherance of its purposes
17 and goals upon the appointment of a quorum of its members. The
18 terms of the members identified in paragraphs (i) through (vi)
19 of this subsection (e) and General Assembly Board members shall
20 be 4 years.

21 (f) Within 12 months after the effective date of this Act,
22 the program board shall:

23 (1) develop a process to solicit applications from
24 eligible Qualified Areas;

25 (2) develop a standard template for both planning and
26 implementation activities to be submitted by Qualified

1 Areas to the State;

2 (3) identify resources sufficient to support the full
3 administration and evaluation of the program, including
4 building and sustaining core program capacity at the
5 community and State levels;

6 (4) review Qualified Area grant applications and
7 proposed agreements and approve the distribution of
8 resources;

9 (5) identify and fund an organization or organizations
10 to provide training and technical assistance to Qualified
11 Area applicants or grantees who may need capacity building
12 support, including data collection support. The identified
13 organization or organizations may serve as a fiscal agent
14 for the purpose of ensuring that potential applicants in
15 eligible Qualified Areas are not deemed ineligible;

16 (6) develop a performance measurement system that
17 focuses on positive outcomes and includes, but is not
18 limited to: key performance indicators related to: the
19 social determinants of health; the root causes of violence;
20 outreach, intervention, and support for individuals at
21 highest risk of violence; and decreasing the use of and
22 impacts of a historical overuse of criminal justice
23 responses, incarceration, and correctional control;

24 (7) develop a process to support ongoing monitoring and
25 evaluation of the program; and

26 (8) deliver an annual report to the General Assembly

1 and to the Governor to be posted on the Governor's Office
2 and General Assembly websites and provide to the public an
3 annual report on its progress.

4 (g) Qualified Area grants.

5 (1) Grant funds shall be awarded by the program board
6 based on the likelihood that the plan will achieve the
7 outcomes outlined in subsection (a) and consistent with the
8 requirements of the Grant Accountability and Transparency
9 Act. The program shall also facilitate the provision of
10 training and technical assistance for capacity building
11 within and among Qualified Areas.

12 (2) Recipients of program board grants shall, within
13 the first 3 to 6 months of operation:

14 (A) use data analysis and community input to
15 assess: the needs and assets of the community and
16 identify the issue or problems to be addressed related
17 to the social determinants of health; the root causes
18 of violence; and outreach, intervention, and support
19 for individuals at highest risk of violence;

20 (B) identify and use models, programs, and
21 interventions that have a basis in evidence or best
22 practice research for addressing needs and supporting
23 assets related to: the social determinants of health;
24 the root causes of violence; and outreach,
25 intervention, and support for individuals at highest
26 risk of violence;

1 (C) develop programming that will reduce the use of
2 the criminal justice system to reduce violence and
3 increase public safety; and

4 (D) develop performance measures that track the
5 outcomes to be achieved.

6 (3) The program board and the Qualified Area grantees
7 shall, within a period of no more than 2 months from the
8 completion of planning activities described in this
9 Section, finalize an agreement on the plan for
10 implementation. Implementation activities shall:

11 (A) have a basis in evidence or best practice
12 research or have evaluations demonstrating the
13 capacity to address: needs and support assets related
14 to the social determinants of health; the root causes
15 of violence; and outreach, intervention, and support
16 for individuals at highest risk of violence; to produce
17 desired outcomes;

18 (B) include collection of data from the inception
19 of planning activities through implementation, with
20 data collection technical assistance when needed,
21 including cost data and data related to identified
22 meaningful short-term, mid-term, and long-term goals
23 and metrics;

24 (C) include reporting data to the program board
25 biannually; and

26 (D) set aside a percentage of the total grant for

1 core program capacity to support effective
2 implementation to include:

3 (i) Dedicated staff at the community level to
4 administer and coordinate the program.

5 (ii) Data collection technology and staff to
6 facilitate feedback between the State and local
7 stakeholders.

8 (iii) Monitoring and evaluation.

9 (iv) Engagement in training and technical
10 assistance with other Qualified Area grantees from
11 the State and other sources, including peer
12 learning and cross training from other programs.

13 Section 5-110. Supplier diversity goals.

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

17 (b) The Board shall require all licensees under this Act to
18 submit an annual report by April 15, 2020 and every April 15
19 thereafter, in a searchable Adobe PDF format, on all
20 procurement goals and actual spending for female-owned,
21 minority-owned, veteran-owned, and small business enterprises
22 in the previous calendar year. These goals shall be expressed
23 as a percentage of the total work performed by the entity
24 submitting the report, and the actual spending for all
25 female-owned, minority-owned, veteran-owned, and small

1 business enterprises shall also be expressed as a percentage of
2 the total work performed by the entity submitting the report.

3 (c) Each licensee in its annual report shall include the
4 following information:

5 (1) an explanation of the plan for the next year to
6 increase participation;

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

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

10 (4) an outline of the plan to alert and encourage
11 potential vendors in that area to seek business from the
12 licensee;

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

16 (6) a list of the certifications the licensee
17 recognizes;

18 (7) the point of contact for any potential vendor who
19 wishes to do business with the licensee and explain the
20 process for a vendor to enroll with the licensee as a
21 minority-owned, women-owned, or veteran-owned company; and

22 (8) any particular success stories to encourage other
23 licensee to emulate best practices.

24 (d) Each annual report shall include as much State-specific
25 data as possible. If the submitting entity does not submit
26 State-specific data, then the licensee shall include any

1 national data it does have and explain why it could not submit
2 State-specific data and how it intends to do so in future
3 reports, if possible.

4 (e) Each annual report shall include the rules,
5 regulations, and definitions used for the procurement goals in
6 the licensee's annual report.

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

19 Section 5-115. Report to General Assembly. On or before
20 January 15, 2023, the Board shall provide a report to the
21 General Assembly on sports wagering conducted under this Act
22 during the 3 years following the effective date of this Act.

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

3 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

4 Sec. 5-45. Emergency rulemaking.

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

8 (b) If any agency finds that an emergency exists that
9 requires adoption of a rule upon fewer days than is required by
10 Section 5-40 and states in writing its reasons for that
11 finding, the agency may adopt an emergency rule without prior
12 notice or hearing upon filing a notice of emergency rulemaking
13 with the Secretary of State under Section 5-70. The notice
14 shall include the text of the emergency rule and shall be
15 published in the Illinois Register. Consent orders or other
16 court orders adopting settlements negotiated by an agency may
17 be adopted under this Section. Subject to applicable
18 constitutional or statutory provisions, an emergency rule
19 becomes effective immediately upon filing under Section 5-65 or
20 at a stated date less than 10 days thereafter. The agency's
21 finding and a statement of the specific reasons for the finding
22 shall be filed with the rule. The agency shall take reasonable
23 and appropriate measures to make emergency rules known to the
24 persons who may be affected by them.

25 (c) An emergency rule may be effective for a period of not

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

22 (c-5) To facilitate the maintenance of the program of group
23 health benefits provided to annuitants, survivors, and retired
24 employees under the State Employees Group Insurance Act of
25 1971, rules to alter the contributions to be paid by the State,
26 annuitants, survivors, retired employees, or any combination

1 of those entities, for that program of group health benefits,
2 shall be adopted as emergency rules. The adoption of those
3 rules shall be considered an emergency and necessary for the
4 public interest, safety, and welfare.

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

17 (e) In order to provide for the expeditious and timely
18 implementation of the State's fiscal year 2000 budget,
19 emergency rules to implement any provision of Public Act 91-24
20 or any other budget initiative for fiscal year 2000 may be
21 adopted in accordance with this Section by the agency charged
22 with administering that provision or initiative, except that
23 the 24-month limitation on the adoption of emergency rules and
24 the provisions of Sections 5-115 and 5-125 do not apply to
25 rules adopted under this subsection (e). The adoption of
26 emergency rules authorized by this subsection (e) shall be

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

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

15 (g) In order to provide for the expeditious and timely
16 implementation of the State's fiscal year 2002 budget,
17 emergency rules to implement any provision of Public Act 92-10
18 or any other budget initiative for fiscal year 2002 may be
19 adopted in accordance with this Section by the agency charged
20 with administering that provision or initiative, except that
21 the 24-month limitation on the adoption of emergency rules and
22 the provisions of Sections 5-115 and 5-125 do not apply to
23 rules adopted under this subsection (g). The adoption of
24 emergency rules authorized by this subsection (g) shall be
25 deemed to be necessary for the public interest, safety, and
26 welfare.

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

13 (i) In order to provide for the expeditious and timely
14 implementation of the State's fiscal year 2004 budget,
15 emergency rules to implement any provision of Public Act 93-20
16 or any other budget initiative for fiscal year 2004 may be
17 adopted in accordance with this Section by the agency charged
18 with administering that provision or initiative, except that
19 the 24-month limitation on the adoption of emergency rules and
20 the provisions of Sections 5-115 and 5-125 do not apply to
21 rules adopted under this subsection (i). The adoption of
22 emergency rules authorized by this subsection (i) shall be
23 deemed to be necessary for the public interest, safety, and
24 welfare.

25 (j) In order to provide for the expeditious and timely
26 implementation of the provisions of the State's fiscal year

1 2005 budget as provided under the Fiscal Year 2005 Budget
2 Implementation (Human Services) Act, emergency rules to
3 implement any provision of the Fiscal Year 2005 Budget
4 Implementation (Human Services) Act may be adopted in
5 accordance with this Section by the agency charged with
6 administering that provision, except that the 24-month
7 limitation on the adoption of emergency rules and the
8 provisions of Sections 5-115 and 5-125 do not apply to rules
9 adopted under this subsection (j). The Department of Public Aid
10 may also adopt rules under this subsection (j) necessary to
11 administer the Illinois Public Aid Code and the Children's
12 Health Insurance Program Act. The adoption of emergency rules
13 authorized by this subsection (j) shall be deemed to be
14 necessary for the public interest, safety, and welfare.

15 (k) In order to provide for the expeditious and timely
16 implementation of the provisions of the State's fiscal year
17 2006 budget, emergency rules to implement any provision of
18 Public Act 94-48 or any other budget initiative for fiscal year
19 2006 may be adopted in accordance with this Section by the
20 agency charged with administering that provision or
21 initiative, except that the 24-month limitation on the adoption
22 of emergency rules and the provisions of Sections 5-115 and
23 5-125 do not apply to rules adopted under this subsection (k).
24 The Department of Healthcare and Family Services may also adopt
25 rules under this subsection (k) necessary to administer the
26 Illinois Public Aid Code, the Senior Citizens and Persons with

1 Disabilities Property Tax Relief Act, the Senior Citizens and
2 Disabled Persons Prescription Drug Discount Program Act (now
3 the Illinois Prescription Drug Discount Program Act), and the
4 Children's Health Insurance Program Act. The adoption of
5 emergency rules authorized by this subsection (k) shall be
6 deemed to be necessary for the public interest, safety, and
7 welfare.

8 (l) In order to provide for the expeditious and timely
9 implementation of the provisions of the State's fiscal year
10 2007 budget, the Department of Healthcare and Family Services
11 may adopt emergency rules during fiscal year 2007, including
12 rules effective July 1, 2007, in accordance with this
13 subsection to the extent necessary to administer the
14 Department's responsibilities with respect to amendments to
15 the State plans and Illinois waivers approved by the federal
16 Centers for Medicare and Medicaid Services necessitated by the
17 requirements of Title XIX and Title XXI of the federal Social
18 Security Act. The adoption of emergency rules authorized by
19 this subsection (l) shall be deemed to be necessary for the
20 public interest, safety, and welfare.

21 (m) In order to provide for the expeditious and timely
22 implementation of the provisions of the State's fiscal year
23 2008 budget, the Department of Healthcare and Family Services
24 may adopt emergency rules during fiscal year 2008, including
25 rules effective July 1, 2008, in accordance with this
26 subsection to the extent necessary to administer the

1 Department's responsibilities with respect to amendments to
2 the State plans and Illinois waivers approved by the federal
3 Centers for Medicare and Medicaid Services necessitated by the
4 requirements of Title XIX and Title XXI of the federal Social
5 Security Act. The adoption of emergency rules authorized by
6 this subsection (m) shall be deemed to be necessary for the
7 public interest, safety, and welfare.

8 (n) In order to provide for the expeditious and timely
9 implementation of the provisions of the State's fiscal year
10 2010 budget, emergency rules to implement any provision of
11 Public Act 96-45 or any other budget initiative authorized by
12 the 96th General Assembly for fiscal year 2010 may be adopted
13 in accordance with this Section by the agency charged with
14 administering that provision or initiative. The adoption of
15 emergency rules authorized by this subsection (n) shall be
16 deemed to be necessary for the public interest, safety, and
17 welfare. The rulemaking authority granted in this subsection
18 (n) shall apply only to rules promulgated during Fiscal Year
19 2010.

20 (o) In order to provide for the expeditious and timely
21 implementation of the provisions of the State's fiscal year
22 2011 budget, emergency rules to implement any provision of
23 Public Act 96-958 or any other budget initiative authorized by
24 the 96th General Assembly for fiscal year 2011 may be adopted
25 in accordance with this Section by the agency charged with
26 administering that provision or initiative. The adoption of

1 emergency rules authorized by this subsection (o) is deemed to
2 be necessary for the public interest, safety, and welfare. The
3 rulemaking authority granted in this subsection (o) applies
4 only to rules promulgated on or after July 1, 2010 (the
5 effective date of Public Act 96-958) through June 30, 2011.

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

19 (q) In order to provide for the expeditious and timely
20 implementation of the provisions of Articles 7, 8, 9, 11, and
21 12 of Public Act 98-104, emergency rules to implement any
22 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104
23 may be adopted in accordance with this subsection (q) by the
24 agency charged with administering that provision or
25 initiative. The 24-month limitation on the adoption of
26 emergency rules does not apply to rules adopted under this

1 subsection (q). The adoption of emergency rules authorized by
2 this subsection (q) is deemed to be necessary for the public
3 interest, safety, and welfare.

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

13 (s) In order to provide for the expeditious and timely
14 implementation of the provisions of Sections 5-5b.1 and 5A-2 of
15 the Illinois Public Aid Code, emergency rules to implement any
16 provision of Section 5-5b.1 or Section 5A-2 of the Illinois
17 Public Aid Code may be adopted in accordance with this
18 subsection (s) by the Department of Healthcare and Family
19 Services. The rulemaking authority granted in this subsection
20 (s) shall apply only to those rules adopted prior to July 1,
21 2015. Notwithstanding any other provision of this Section, any
22 emergency rule adopted under this subsection (s) shall only
23 apply to payments made for State fiscal year 2015. The adoption
24 of emergency rules authorized by this subsection (s) is deemed
25 to be necessary for the public interest, safety, and welfare.

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

1 implementation of the provisions of Article II of Public Act
2 99-6, emergency rules to implement the changes made by Article
3 II of Public Act 99-6 to the Emergency Telephone System Act may
4 be adopted in accordance with this subsection (t) by the
5 Department of State Police. The rulemaking authority granted in
6 this subsection (t) shall apply only to those rules adopted
7 prior to July 1, 2016. The 24-month limitation on the adoption
8 of emergency rules does not apply to rules adopted under this
9 subsection (t). The adoption of emergency rules authorized by
10 this subsection (t) is deemed to be necessary for the public
11 interest, safety, and welfare.

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

21 (v) In order to provide for the expeditious and timely
22 implementation of the provisions of Public Act 99-516,
23 emergency rules to implement Public Act 99-516 may be adopted
24 in accordance with this subsection (v) by the Department of
25 Healthcare and Family Services. The 24-month limitation on the
26 adoption of emergency rules does not apply to rules adopted

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

4 (w) In order to provide for the expeditious and timely
5 implementation of the provisions of Public Act 99-796,
6 emergency rules to implement the changes made by Public Act
7 99-796 may be adopted in accordance with this subsection (w) by
8 the Adjutant General. The adoption of emergency rules
9 authorized by this subsection (w) is deemed to be necessary for
10 the public interest, safety, and welfare.

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

23 (y) In order to provide for the expeditious and timely
24 implementation of the provisions of Public Act 100-23,
25 emergency rules to implement the changes made by Public Act
26 100-23 to Section 4.02 of the Illinois Act on the Aging,

1 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,
2 Section 55-30 of the Alcoholism and Other Drug Abuse and
3 Dependency Act, and Sections 74 and 75 of the Mental Health and
4 Developmental Disabilities Administrative Act may be adopted
5 in accordance with this subsection (y) by the respective
6 Department. The adoption of emergency rules authorized by this
7 subsection (y) is deemed to be necessary for the public
8 interest, safety, and welfare.

9 (z) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 100-554,
11 emergency rules to implement the changes made by Public Act
12 100-554 to Section 4.7 of the Lobbyist Registration Act may be
13 adopted in accordance with this subsection (z) by the Secretary
14 of State. The adoption of emergency rules authorized by this
15 subsection (z) is deemed to be necessary for the public
16 interest, safety, and welfare.

17 (aa) In order to provide for the expeditious and timely
18 initial implementation of the changes made to Articles 5, 5A,
19 12, and 14 of the Illinois Public Aid Code under the provisions
20 of Public Act 100-581, the Department of Healthcare and Family
21 Services may adopt emergency rules in accordance with this
22 subsection (aa). The 24-month limitation on the adoption of
23 emergency rules does not apply to rules to initially implement
24 the changes made to Articles 5, 5A, 12, and 14 of the Illinois
25 Public Aid Code adopted under this subsection (aa). The
26 adoption of emergency rules authorized by this subsection (aa)

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

3 (bb) In order to provide for the expeditious and timely
4 implementation of the provisions of Public Act 100-587,
5 emergency rules to implement the changes made by Public Act
6 100-587 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 subsection (b) of Section 55-30 of the Alcoholism and Other
9 Drug Abuse and Dependency Act, Section 5-104 of the Specialized
10 Mental Health Rehabilitation Act of 2013, and Section 75 and
11 subsection (b) of Section 74 of the Mental Health and
12 Developmental Disabilities Administrative Act may be adopted
13 in accordance with this subsection (bb) by the respective
14 Department. The adoption of emergency rules authorized by this
15 subsection (bb) is deemed to be necessary for the public
16 interest, safety, and welfare.

17 (cc) In order to provide for the expeditious and timely
18 implementation of the provisions of Public Act 100-587,
19 emergency rules may be adopted in accordance with this
20 subsection (cc) to implement the changes made by Public Act
21 100-587 to: Sections 14-147.5 and 14-147.6 of the Illinois
22 Pension Code by the Board created under Article 14 of the Code;
23 Sections 15-185.5 and 15-185.6 of the Illinois Pension Code by
24 the Board created under Article 15 of the Code; and Sections
25 16-190.5 and 16-190.6 of the Illinois Pension Code by the Board
26 created under Article 16 of the Code. The adoption of emergency

1 rules authorized by this subsection (cc) is deemed to be
2 necessary for the public interest, safety, and welfare.

3 (dd) In order to provide for the expeditious and timely
4 implementation of the provisions of Public Act 100-864,
5 emergency rules to implement the changes made by Public Act
6 100-864 to Section 3.35 of the Newborn Metabolic Screening Act
7 may be adopted in accordance with this subsection (dd) by the
8 Secretary of State. The adoption of emergency rules authorized
9 by this subsection (dd) is deemed to be necessary for the
10 public interest, safety, and welfare.

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

19 (ff) ~~(ee)~~ In order to provide for the expeditious and
20 timely initial implementation of the changes made to Articles
21 5A and 14 of the Illinois Public Aid Code under the provisions
22 of Public Act 100-1181 ~~this amendatory Act of the 100th General~~
23 ~~Assembly~~, the Department of Healthcare and Family Services may
24 on a one-time-only basis adopt emergency rules in accordance
25 with this subsection (ff) ~~(ee)~~. The 24-month limitation on the
26 adoption of emergency rules does not apply to rules to

1 initially implement the changes made to Articles 5A and 14 of
2 the Illinois Public Aid Code adopted under this subsection (ff)
3 ~~(ee)~~. The adoption of emergency rules authorized by this
4 subsection (ff) ~~(ee)~~ is deemed to be necessary for the public
5 interest, safety, and welfare.

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

15 (hh) In order to provide for the expeditious and timely
16 implementation of the Sporting Contest Safety and Integrity
17 Act, emergency rules to implement the Sporting Contest Safety
18 and Integrity Act may be adopted in accordance with this
19 subsection (hh) by the Illinois Gaming Board. The adoption of
20 emergency rules authorized by this subsection (hh) is deemed to
21 be necessary for the public interest, safety, and welfare.

22 (ii) In order to provide for the expeditious and timely
23 implementation of the Sports Wagering Act, emergency rules to
24 implement the Sports Wagering Act may be adopted in accordance
25 with this subsection (ii) by the Illinois Gaming Board. The
26 adoption of emergency rules authorized by this subsection (ii)

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

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

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

10 (30 ILCS 105/5.891 new)

11 Sec. 5.891. The Sports Wagering Fund.

12 (30 ILCS 105/5.893 new)

13 Sec. 5.893. The Horse Racing Purse Fund.

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

16 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

21 (a-1) From January 1, 1998 until July 1, 2002, a privilege

1 tax is imposed on persons engaged in the business of conducting
2 riverboat gambling operations, based on the adjusted gross
3 receipts received by a licensed owner from gambling games
4 authorized under this Act at the following rates:

5 15% of annual adjusted gross receipts up to and
6 including \$25,000,000;

7 20% of annual adjusted gross receipts in excess of
8 \$25,000,000 but not exceeding \$50,000,000;

9 25% of annual adjusted gross receipts in excess of
10 \$50,000,000 but not exceeding \$75,000,000;

11 30% of annual adjusted gross receipts in excess of
12 \$75,000,000 but not exceeding \$100,000,000;

13 35% of annual adjusted gross receipts in excess of
14 \$100,000,000.

15 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
16 is imposed on persons engaged in the business of conducting
17 riverboat gambling operations, other than licensed managers
18 conducting riverboat gambling operations on behalf of the
19 State, based on the adjusted gross receipts received by a
20 licensed owner from gambling games authorized under this Act at
21 the following rates:

22 15% of annual adjusted gross receipts up to and
23 including \$25,000,000;

24 22.5% of annual adjusted gross receipts in excess of
25 \$25,000,000 but not exceeding \$50,000,000;

26 27.5% of annual adjusted gross receipts in excess of

1 \$50,000,000 but not exceeding \$75,000,000;

2 32.5% of annual adjusted gross receipts in excess of
3 \$75,000,000 but not exceeding \$100,000,000;

4 37.5% of annual adjusted gross receipts in excess of
5 \$100,000,000 but not exceeding \$150,000,000;

6 45% of annual adjusted gross receipts in excess of
7 \$150,000,000 but not exceeding \$200,000,000;

8 50% of annual adjusted gross receipts in excess of
9 \$200,000,000.

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

17 15% of annual adjusted gross receipts up to and
18 including \$25,000,000;

19 27.5% of annual adjusted gross receipts in excess of
20 \$25,000,000 but not exceeding \$37,500,000;

21 32.5% of annual adjusted gross receipts in excess of
22 \$37,500,000 but not exceeding \$50,000,000;

23 37.5% of annual adjusted gross receipts in excess of
24 \$50,000,000 but not exceeding \$75,000,000;

25 45% of annual adjusted gross receipts in excess of
26 \$75,000,000 but not exceeding \$100,000,000;

1 50% of annual adjusted gross receipts in excess of
2 \$100,000,000 but not exceeding \$250,000,000;

3 70% of annual adjusted gross receipts in excess of
4 \$250,000,000.

5 An amount equal to the amount of wagering taxes collected
6 under this subsection (a-3) that are in addition to the amount
7 of wagering taxes that would have been collected if the
8 wagering tax rates under subsection (a-2) were in effect shall
9 be paid into the Common School Fund.

10 The privilege tax imposed under this subsection (a-3) shall
11 no longer be imposed beginning on the earlier of (i) July 1,
12 2005; (ii) the first date after June 20, 2003 that riverboat
13 gambling operations are conducted pursuant to a dormant
14 license; or (iii) the first day that riverboat gambling
15 operations are conducted under the authority of an owners
16 license that is in addition to the 10 owners licenses initially
17 authorized under this Act. For the purposes of this subsection
18 (a-3), the term "dormant license" means an owners license that
19 is authorized by this Act under which no riverboat gambling
20 operations are being conducted on June 20, 2003.

21 (a-4) Beginning on the first day on which the tax imposed
22 under subsection (a-3) is no longer imposed, a privilege tax is
23 imposed on persons engaged in the business of conducting
24 riverboat gambling operations, other than licensed managers
25 conducting riverboat gambling operations on behalf of the
26 State, based on the adjusted gross receipts received by a

1 licensed owner from gambling games authorized under this Act at
2 the following rates:

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

5 22.5% of annual adjusted gross receipts in excess of
6 \$25,000,000 but not exceeding \$50,000,000;

7 27.5% of annual adjusted gross receipts in excess of
8 \$50,000,000 but not exceeding \$75,000,000;

9 32.5% of annual adjusted gross receipts in excess of
10 \$75,000,000 but not exceeding \$100,000,000;

11 37.5% of annual adjusted gross receipts in excess of
12 \$100,000,000 but not exceeding \$150,000,000;

13 45% of annual adjusted gross receipts in excess of
14 \$150,000,000 but not exceeding \$200,000,000;

15 50% of annual adjusted gross receipts in excess of
16 \$200,000,000.

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

20 (a-10) The taxes imposed by this Section shall be paid by
21 the licensed owner to the Board not later than 5:00 o'clock
22 p.m. of the day after the day when the wagers were made.

23 (a-15) If the privilege tax imposed under subsection (a-3)
24 is no longer imposed pursuant to item (i) of the last paragraph
25 of subsection (a-3), then by June 15 of each year, each owners
26 licensee, other than an owners licensee that admitted 1,000,000

1 persons or fewer in calendar year 2004, must, in addition to
2 the payment of all amounts otherwise due under this Section,
3 pay to the Board a reconciliation payment in the amount, if
4 any, by which the licensed owner's base amount exceeds the
5 amount of net privilege tax paid by the licensed owner to the
6 Board in the then current State fiscal year. A licensed owner's
7 net privilege tax obligation due for the balance of the State
8 fiscal year shall be reduced up to the total of the amount paid
9 by the licensed owner in its June 15 reconciliation payment.
10 The obligation imposed by this subsection (a-15) is binding on
11 any person, firm, corporation, or other entity that acquires an
12 ownership interest in any such owners license. The obligation
13 imposed under this subsection (a-15) terminates on the earliest
14 of: (i) July 1, 2007, (ii) the first day after the effective
15 date of this amendatory Act of the 94th General Assembly that
16 riverboat gambling operations are conducted pursuant to a
17 dormant license, (iii) the first day that riverboat gambling
18 operations are conducted under the authority of an owners
19 license that is in addition to the 10 owners licenses initially
20 authorized under this Act, or (iv) the first day that a
21 licensee under the Illinois Horse Racing Act of 1975 conducts
22 gaming operations with slot machines or other electronic gaming
23 devices. The Board must reduce the obligation imposed under
24 this subsection (a-15) by an amount the Board deems reasonable
25 for any of the following reasons: (A) an act or acts of God,
26 (B) an act of bioterrorism or terrorism or a bioterrorism or

1 terrorism threat that was investigated by a law enforcement
2 agency, or (C) a condition beyond the control of the owners
3 licensee that does not result from any act or omission by the
4 owners licensee or any of its agents and that poses a hazardous
5 threat to the health and safety of patrons. If an owners
6 licensee pays an amount in excess of its liability under this
7 Section, the Board shall apply the overpayment to future
8 payments required under this Section.

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

10 "Act of God" means an incident caused by the operation of
11 an extraordinary force that cannot be foreseen, that cannot be
12 avoided by the exercise of due care, and for which no person
13 can be held liable.

14 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

25 "Net privilege tax" means all privilege taxes paid by a
26 licensed owner to the Board under this Section, less all

1 payments made from the State Gaming Fund pursuant to subsection
2 (b) of this Section.

3 The changes made to this subsection (a-15) by Public Act
4 94-839 are intended to restate and clarify the intent of Public
5 Act 94-673 with respect to the amount of the payments required
6 to be made under this subsection by an owners licensee to the
7 Board.

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

26 (c) Appropriations, as approved by the General Assembly,

1 may be made from the State Gaming Fund to the Board (i) for the
2 administration and enforcement of this Act and the Video Gaming
3 Act, (ii) for distribution to the Department of State Police
4 and to the Department of Revenue for the enforcement of this
5 Act, and (iii) to the Department of Human Services for the
6 administration of programs to treat problem gambling,
7 including problem gambling from sports wagering.

8 (c-5) Before May 26, 2006 (the effective date of Public Act
9 94-804) and beginning on the effective date of this amendatory
10 Act of the 95th General Assembly, unless any organization
11 licensee under the Illinois Horse Racing Act of 1975 begins to
12 operate a slot machine or video game of chance under the
13 Illinois Horse Racing Act of 1975 or this Act, after the
14 payments required under subsections (b) and (c) have been made,
15 an amount equal to 15% of the adjusted gross receipts of (1) an
16 owners licensee that relocates pursuant to Section 11.2, (2) an
17 owners licensee conducting riverboat gambling operations
18 pursuant to an owners license that is initially issued after
19 June 25, 1999, or (3) the first riverboat gambling operations
20 conducted by a licensed manager on behalf of the State under
21 Section 7.3, whichever comes first, shall be paid from the
22 State Gaming Fund into the Horse Racing Equity Fund.

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

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

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

18 (c-25) On July 1, 2013 and each July 1 thereafter,
19 \$1,600,000 shall be transferred from the State Gaming Fund to
20 the Chicago State University Education Improvement Fund.

21 (c-30) On July 1, 2013 or as soon as possible thereafter,
22 \$92,000,000 shall be transferred from the State Gaming Fund to
23 the School Infrastructure Fund and \$23,000,000 shall be
24 transferred from the State Gaming Fund to the Horse Racing
25 Equity Fund.

26 (c-35) Beginning on July 1, 2013, in addition to any amount

1 transferred under subsection (c-30) of this Section,
2 \$5,530,000 shall be transferred monthly from the State Gaming
3 Fund to the School Infrastructure Fund.

4 (d) From time to time, the Board shall transfer the
5 remainder of the funds generated by this Act into the Education
6 Assistance Fund, created by Public Act 86-0018, of the State of
7 Illinois.

8 (e) Nothing in this Act shall prohibit the unit of local
9 government designated as the home dock of the riverboat from
10 entering into agreements with other units of local government
11 in this State or in other states to share its portion of the
12 tax revenue.

13 (f) To the extent practicable, the Board shall administer
14 and collect the wagering taxes imposed by this Section in a
15 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
16 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
17 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
18 Penalty and Interest Act.

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

20 (230 ILCS 10/54.25 new)

21 Sec. 54.25. Horse Racing Purse Fund. There is created a
22 fund to be known as the Horse Racing Purse Fund, which is a
23 non-appropriated trust fund held separate and apart from State
24 moneys. The Fund shall consist of moneys paid into it by sports
25 wagering licensees under subsection (d) of Section 5-70 of the

1 Sports Wagering Act for the purposes described in this Section.
2 The Fund shall be administered by the Board. Moneys in the Fund
3 shall be distributed to organization licensees, based on the
4 percentage of live racing days each organization licensee
5 conducted in the previous year to the total number of live
6 racing days for all organization licensees, for distribution by
7 organization licensees at their race meetings as purses. The
8 moneys distributed shall be certified by the Board.

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

11 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

12 Sec. 28-1. Gambling.

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

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

17 (2) knowingly makes a wager upon the result of any
18 game, contest, or any political nomination, appointment or
19 election;

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

23 (4) contracts to have or give himself or herself or
24 another the option to buy or sell, or contracts to buy or

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

18 (5) knowingly owns or possesses any book, instrument or
19 apparatus by means of which bets or wagers have been, or
20 are, recorded or registered, or knowingly possesses any
21 money which he has received in the course of a bet or
22 wager;

23 (6) knowingly sells pools upon the result of any game
24 or contest of skill or chance, political nomination,
25 appointment or election;

26 (7) knowingly sets up or promotes any lottery or sells,

1 offers to sell or transfers any ticket or share for any
2 lottery;

3 (8) knowingly sets up or promotes any policy game or
4 sells, offers to sell or knowingly possesses or transfers
5 any policy ticket, slip, record, document or other similar
6 device;

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

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

17 (11) knowingly transmits information as to wagers,
18 betting odds, or changes in betting odds by telephone,
19 telegraph, radio, semaphore or similar means; or knowingly
20 installs or maintains equipment for the transmission or
21 receipt of such information; except that nothing in this
22 subdivision (11) prohibits transmission or receipt of such
23 information for use in news reporting of sporting events or
24 contests; or

25 (12) knowingly establishes, maintains, or operates an
26 Internet site that permits a person to play a game of

1 chance or skill for money or other thing of value by means
2 of the Internet or to make a wager upon the result of any
3 game, contest, political nomination, appointment, or
4 election by means of the Internet. This item (12) does not
5 apply to activities referenced in items (6), ~~and (6.1)~~, and
6 (15) of subsection (b) of this Section.

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

9 (1) Agreements to compensate for loss caused by the
10 happening of chance including without limitation contracts
11 of indemnity or guaranty and life or health or accident
12 insurance.

13 (2) Offers of prizes, award or compensation to the
14 actual contestants in any bona fide contest for the
15 determination of skill, speed, strength or endurance or to
16 the owners of animals or vehicles entered in such contest.

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

19 (4) Manufacture of gambling devices, including the
20 acquisition of essential parts therefor and the assembly
21 thereof, for transportation in interstate or foreign
22 commerce to any place outside this State when such
23 transportation is not prohibited by any applicable Federal
24 law; or the manufacture, distribution, or possession of
25 video gaming terminals, as defined in the Video Gaming Act,
26 by manufacturers, distributors, and terminal operators

1 licensed to do so under the Video Gaming Act.

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

4 (6) Lotteries when conducted by the State of Illinois
5 in accordance with the Illinois Lottery Law. This exemption
6 includes any activity conducted by the Department of
7 Revenue to sell lottery tickets pursuant to the provisions
8 of the Illinois Lottery Law and its rules.

9 (6.1) The purchase of lottery tickets through the
10 Internet for a lottery conducted by the State of Illinois
11 under the program established in Section 7.12 of the
12 Illinois Lottery Law.

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

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

20 (9) Charitable games when conducted in accordance with
21 the Charitable Games Act.

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

24 (11) Gambling games conducted on riverboats when
25 authorized by the Riverboat Gambling Act.

26 (12) Video gaming terminal games at a licensed

1 establishment, licensed truck stop establishment, licensed
2 fraternal establishment, or licensed veterans
3 establishment when conducted in accordance with the Video
4 Gaming Act.

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

8 (14) Savings promotion raffles authorized under
9 Section 5g of the Illinois Banking Act, Section 7008 of the
10 Savings Bank Act, Section 42.7 of the Illinois Credit Union
11 Act, Section 5136B of the National Bank Act (12 U.S.C.
12 25a), or Section 4 of the Home Owners' Loan Act (12 U.S.C.
13 1463).

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

16 (c) Sentence.

17 Gambling is a Class A misdemeanor. A second or subsequent
18 conviction under subsections (a) (3) through (a) (12), is a Class
19 4 felony.

20 (d) Circumstantial evidence.

21 In prosecutions under this Section circumstantial evidence
22 shall have the same validity and weight as in any criminal
23 prosecution.

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

25 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

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

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

13 (b) All licenses, permits or certificates issued by the
14 State of Illinois or any subdivision or public agency thereof
15 authorizing the serving of food or liquor on such premises
16 shall be void; and no license, permit or certificate so
17 cancelled shall be reissued for such premises for a period of
18 60 days thereafter; nor shall any person convicted of keeping a
19 gambling place be reissued such license for one year from his
20 conviction and, after a second conviction of keeping a gambling
21 place, any such person shall not be reissued such license, and

22 (c) Such premises of any person who knowingly permits
23 thereon a violation of any Section of this Article shall be
24 held liable for, and may be sold to pay any unsatisfied
25 judgment that may be recovered and any unsatisfied fine that
26 may be levied under any Section of this Article.

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

2 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

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

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

20 (b) Every gambling device shall be seized and forfeited to
21 the county wherein such seizure occurs. Any money or other
22 thing of value integrally related to acts of gambling shall be
23 seized and forfeited to the county wherein such seizure occurs.

24 (c) If, within 60 days after any seizure pursuant to
25 subparagraph (b) of this Section, a person having any property

1 interest in the seized property is charged with an offense, the
2 court which renders judgment upon such charge shall, within 30
3 days after such judgment, conduct a forfeiture hearing to
4 determine whether such property was a gambling device at the
5 time of seizure. Such hearing shall be commenced by a written
6 petition by the State, including material allegations of fact,
7 the name and address of every person determined by the State to
8 have any property interest in the seized property, a
9 representation that written notice of the date, time and place
10 of such hearing has been mailed to every such person by
11 certified mail at least 10 days before such date, and a request
12 for forfeiture. Every such person may appear as a party and
13 present evidence at such hearing. The quantum of proof required
14 shall be a preponderance of the evidence, and the burden of
15 proof shall be on the State. If the court determines that the
16 seized property was a gambling device at the time of seizure,
17 an order of forfeiture and disposition of the seized property
18 shall be entered: a gambling device shall be received by the
19 State's Attorney, who shall effect its destruction, except that
20 valuable parts thereof may be liquidated and the resultant
21 money shall be deposited in the general fund of the county
22 wherein such seizure occurred; money and other things of value
23 shall be received by the State's Attorney and, upon
24 liquidation, shall be deposited in the general fund of the
25 county wherein such seizure occurred. However, in the event
26 that a defendant raises the defense that the seized slot

1 machine is an antique slot machine described in subparagraph
2 (b) (7) of Section 28-1 of this Code and therefore he is exempt
3 from the charge of a gambling activity participant, the seized
4 antique slot machine shall not be destroyed or otherwise
5 altered until a final determination is made by the Court as to
6 whether it is such an antique slot machine. Upon a final
7 determination by the Court of this question in favor of the
8 defendant, such slot machine shall be immediately returned to
9 the defendant. Such order of forfeiture and disposition shall,
10 for the purposes of appeal, be a final order and judgment in a
11 civil proceeding.

12 (d) If a seizure pursuant to subparagraph (b) of this
13 Section is not followed by a charge pursuant to subparagraph
14 (c) of this Section, or if the prosecution of such charge is
15 permanently terminated or indefinitely discontinued without
16 any judgment of conviction or acquittal (1) the State's
17 Attorney shall commence an in rem proceeding for the forfeiture
18 and destruction of a gambling device, or for the forfeiture and
19 deposit in the general fund of the county of any seized money
20 or other things of value, or both, in the circuit court and (2)
21 any person having any property interest in such seized gambling
22 device, money or other thing of value may commence separate
23 civil proceedings in the manner provided by law.

24 (e) Any gambling device displayed for sale to a riverboat
25 gambling operation or used to train occupational licensees of a
26 riverboat gambling operation as authorized under the Riverboat

1 Gambling Act is exempt from seizure under this Section.

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

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

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

10 (2) Video gaming terminals used to train licensed
11 technicians or licensed terminal handlers.

12 (3) Video gaming terminals that are removed from a
13 licensed establishment, licensed truck stop establishment,
14 licensed fraternal establishment, or licensed veterans
15 establishment for repair.

16 (h) Property seized or forfeited under this Section is
17 subject to reporting under the Seizure and Forfeiture Reporting
18 Act.

19 (i) Any sports wagering equipment, devices, and supplies
20 provided by a licensed supplier that are removed from a gaming
21 facility for repair under the Sports Wagering Act are exempt
22 from seizure under this Section.

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

24 Article 999. Severability; Effective Date

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

3 Section 999-99. Effective date. This Act takes effect upon
4 becoming law.".