

1 AMENDMENT TO HOUSE BILL 1070

2 AMENDMENT NO. _____. Amend House Bill 1070 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Riverboat Gambling Act is amended by
5 changing Section 7 as follows:

6 (230 ILCS 10/7) (from Ch. 120, par. 2407)

7 Sec. 7. Owners Licenses.

8 (a) The Board shall issue owners licenses to persons,
9 firms or corporations which apply for such licenses upon
10 payment to the Board of the non-refundable license fee set by
11 the Board, upon payment of a \$25,000 license fee for the
12 first year of operation and a \$5,000 license fee for each
13 succeeding year and upon a determination by the Board that
14 the applicant is eligible for an owners license pursuant to
15 this Act and the rules of the Board. A person, firm or
16 corporation is ineligible to receive an owners license if:

17 (1) the person has been convicted of a felony under
18 the laws of this State, any other state, or the United
19 States;

20 (2) the person has been convicted of any violation
21 of Article 28 of the Criminal Code of 1961, or
22 substantially similar laws of any other jurisdiction;

1 (3) the person has submitted an application for a
2 license under this Act which contains false information;

3 (4) the person is a member of the Board;

4 (5) a person defined in (1), (2), (3) or (4) is an
5 officer, director or managerial employee of the firm or
6 corporation;

7 (6) the firm or corporation employs a person
8 defined in (1), (2), (3) or (4) who participates in the
9 management or operation of gambling operations authorized
10 under this Act;

11 (7) (blank); or

12 (8) a license of the person, firm or corporation
13 issued under this Act, or a license to own or operate
14 gambling facilities in any other jurisdiction, has been
15 revoked.

16 (b) In determining whether to grant an owners license to
17 an applicant, the Board shall consider:

18 (1) the character, reputation, experience and
19 financial integrity of the applicants and of any other or
20 separate person that either:

21 (A) controls, directly or indirectly, such
22 applicant, or

23 (B) is controlled, directly or indirectly, by
24 such applicant or by a person which controls,
25 directly or indirectly, such applicant;

26 (2) the facilities or proposed facilities for the
27 conduct of riverboat gambling;

28 (3) the highest prospective total revenue to be
29 derived by the State from the conduct of riverboat
30 gambling;

31 (4) the good faith affirmative action plan of each
32 applicant to recruit, train and upgrade minorities in all
33 employment classifications;

34 (5) the financial ability of the applicant to

1 purchase and maintain adequate liability and casualty
2 insurance;

3 (6) whether the applicant has adequate
4 capitalization to provide and maintain, for the duration
5 of a license, a riverboat; and

6 (7) the extent to which the applicant exceeds or
7 meets other standards for the issuance of an owners
8 license which the Board may adopt by rule.

9 (c) Each owners license shall specify the place where
10 riverboats shall operate and dock.

11 (d) Each applicant shall submit with his application, on
12 forms provided by the Board, 2 sets of his fingerprints.

13 (e) The Board may issue up to 10 licenses authorizing
14 the holders of such licenses to own riverboats. In the
15 application for an owners license, the applicant shall state
16 the dock at which the riverboat is based and the water on
17 which the riverboat will be located. The Board shall issue 5
18 licenses to become effective not earlier than January 1,
19 1991. Three of such licenses shall authorize riverboat
20 gambling on the Mississippi River, or, with approval by the
21 municipality in which the riverboat is docked on the
22 effective date of this amendatory Act of the 93rd Assembly,
23 in a municipality that (1) borders on the Mississippi River
24 or is within 5 miles of the city limits of a municipality
25 that borders on the Mississippi River and (2), on the
26 effective date of this amendatory Act of the 93rd General
27 Assembly, has a riverboat conducting riverboat gambling
28 operations pursuant to a license issued under this Act; one
29 of which shall authorize riverboat gambling from a home dock
30 in the city of East St. Louis, ~~and one of which shall~~
31 ~~authorize riverboat gambling on the Mississippi River or in a~~
32 ~~municipality that (1) borders on the Mississippi River or is~~
33 ~~within 5 miles of the city limits of a municipality that~~
34 ~~borders on the Mississippi River and (2) on the effective~~

1 ~~date--of-this-amendatory-Act-of-the-92nd-General-Assembly-has~~
2 ~~a-riverboat-conducting-riverboat-gambling-operations-pursuant~~
3 ~~to-a-license-issued-under-this-Act.~~ One other license shall
4 authorize riverboat gambling on the Illinois River south of
5 Marshall County. The Board shall issue one additional
6 license to become effective not earlier than March 1, 1992,
7 which shall authorize riverboat gambling on the Des Plaines
8 River in Will County. The Board may issue 4 additional
9 licenses to become effective not earlier than March 1, 1992.
10 In determining the water upon which riverboats will operate,
11 the Board shall consider the economic benefit which riverboat
12 gambling confers on the State, and shall seek to assure that
13 all regions of the State share in the economic benefits of
14 riverboat gambling.

15 In granting all licenses, the Board may give favorable
16 consideration to economically depressed areas of the State,
17 to applicants presenting plans which provide for significant
18 economic development over a large geographic area, and to
19 applicants who currently operate non-gambling riverboats in
20 Illinois. The Board shall review all applications for owners
21 licenses, and shall inform each applicant of the Board's
22 decision.

23 The Board may revoke the owners license of a licensee
24 which fails to begin conducting gambling within 15 months of
25 receipt of the Board's approval of the application if the
26 Board determines that license revocation is in the best
27 interests of the State.

28 (f) The first 10 owners licenses issued under this Act
29 shall permit the holder to own up to 2 riverboats and
30 equipment thereon for a period of 3 years after the effective
31 date of the license. Holders of the first 10 owners licenses
32 must pay the annual license fee for each of the 3 years
33 during which they are authorized to own riverboats.

34 (g) Upon the termination, expiration, or revocation of

1 each of the first 10 licenses, which shall be issued for a 3
2 year period, all licenses are renewable annually upon payment
3 of the fee and a determination by the Board that the licensee
4 continues to meet all of the requirements of this Act and the
5 Board's rules. However, for licenses renewed on or after May
6 1, 1998, renewal shall be for a period of 4 years, unless the
7 Board sets a shorter period.

8 (h) An owners license shall entitle the licensee to own
9 up to 2 riverboats. A licensee shall limit the number of
10 gambling participants to 1,200 for any such owners license. A
11 licensee may operate both of its riverboats concurrently,
12 provided that the total number of gambling participants on
13 both riverboats does not exceed 1,200. Riverboats licensed to
14 operate on the Mississippi River and the Illinois River south
15 of Marshall County shall have an authorized capacity of at
16 least 500 persons. Any other riverboat licensed under this
17 Act shall have an authorized capacity of at least 400
18 persons.

19 (i) A licensed owner is authorized to apply to the Board
20 for and, if approved therefor, to receive all licenses from
21 the Board necessary for the operation of a riverboat,
22 including a liquor license, a license to prepare and serve
23 food for human consumption, and other necessary licenses.
24 All use, occupation and excise taxes which apply to the sale
25 of food and beverages in this State and all taxes imposed on
26 the sale or use of tangible personal property apply to such
27 sales aboard the riverboat.

28 (j) The Board may issue a license authorizing a
29 riverboat to dock in a municipality or approve a relocation
30 under Section 11.2 only if, prior to the issuance of the
31 license or approval, the governing body of the municipality
32 in which the riverboat will dock has by a majority vote
33 approved the docking of riverboats in the municipality. The
34 Board may issue a license authorizing a riverboat to dock in

1 areas of a county outside any municipality or approve a
2 relocation under Section 11.2 only if, prior to the issuance
3 of the license or approval, the governing body of the county
4 has by a majority vote approved of the docking of riverboats
5 within such areas.

6 (Source: P.A. 91-40, eff. 6-25-99; 92-600, eff. 6-28-02.)

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