

1 strictly regulate the facilities, persons, associations and
2 practices related to gambling operations pursuant to the
3 police powers of the State, including comprehensive law
4 enforcement supervision.

5 (c) The Illinois Gaming Board established under this Act
6 should, as soon as possible, inform each applicant for an
7 owners license of the Board's intent to grant or deny a
8 license.

9 (Source: P.A. 86-1029.)

10 (230 ILCS 10/4) (from Ch. 120, par. 2404)

11 Sec. 4. Definitions. As used in this Act:

12 (a) "Board" means the Illinois Gaming Board.

13 (b) "Occupational license" means a license issued by the
14 Board to a person or entity to perform an occupation which
15 the Board has identified as requiring a license to engage in
16 riverboat gambling in Illinois.

17 (c) "Gambling game" includes, but is not limited to,
18 baccarat, twenty-one, poker, craps, slot machine, video game
19 of chance, roulette wheel, klondike table, punchboard, faro
20 layout, keno layout, numbers ticket, push card, jar ticket,
21 or pull tab which is authorized by the Board as a wagering
22 device under this Act.

23 (d) "Riverboat" means a self-propelled excursion boat, a
24 permanently moored barge, or permanently moored barges that
25 are permanently fixed together to operate as one vessel, on
26 which lawful gambling is authorized and licensed as provided
27 in this Act.

28 (e) "Managers license" means a license issued by the
29 Board to a person or entity to manage gambling operations
30 conducted by the State pursuant to Section 7.2 {Blank}.

31 (f) "Dock" means the location where a riverboat moors
32 for the purpose of embarking passengers for and disembarking
33 passengers from the riverboat.

1 (g) "Gross receipts" means the total amount of money
2 exchanged for the purchase of chips, tokens or electronic
3 cards by riverboat patrons.

4 (h) "Adjusted gross receipts" means the gross receipts
5 less winnings paid to wagerers.

6 (i) "Cheat" means to alter the selection of criteria
7 which determine the result of a gambling game or the amount
8 or frequency of payment in a gambling game.

9 (j) "Department" means the Department of Revenue.

10 (k) "Gambling operation" means the conduct of authorized
11 gambling games upon a riverboat.

12 (l) "License bid" means the lump sum amount of money
13 that an applicant bids and agrees to pay the State in return
14 for an owners license that is re-issued on or after July 1,
15 2003.

16 (m) The terms "minority person" and "female" shall have
17 the same meaning as defined in Section 2 of the Business
18 Enterprise for Minorities, Females, and Persons with
19 Disabilities Act.

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

21 (230 ILCS 10/6) (from Ch. 120, par. 2406)

22 Sec. 6. Application for Owners License.

23 (a) A qualified person may apply to the Board for an
24 owners license to conduct a riverboat gambling operation as
25 provided in this Act. The application shall be made on forms
26 provided by the Board and shall contain such information as
27 the Board prescribes, including but not limited to the
28 identity of the riverboat on which such gambling operation is
29 to be conducted and the exact location where such riverboat
30 will be docked, a certification that the riverboat will be
31 registered under this Act at all times during which gambling
32 operations are conducted on board, detailed information
33 regarding the ownership and management of the applicant, and

1 detailed personal information regarding the applicant. Any
2 application for an owners license to be re-issued on or after
3 June 1, 2003 shall also include the applicant's license bid
4 in a form prescribed by the Board. Information provided on
5 the application shall be used as a basis for a thorough
6 background investigation which the Board shall conduct with
7 respect to each applicant. An incomplete application shall
8 be cause for denial of a license by the Board.

9 (b) Applicants shall submit with their application all
10 documents, resolutions, and letters of support from the
11 governing body that represents the municipality or county
12 wherein the licensee will dock.

13 (c) Each applicant shall disclose the identity of every
14 person, association, trust or corporation having a greater
15 than 1% direct or indirect pecuniary interest in the
16 riverboat gambling operation with respect to which the
17 license is sought. If the disclosed entity is a trust, the
18 application shall disclose the names and addresses of the
19 beneficiaries; if a corporation, the names and addresses of
20 all stockholders and directors; if a partnership, the names
21 and addresses of all partners, both general and limited.

22 (d) An application shall be filed with the Board by
23 January 1 of the year preceding any calendar year for which
24 an applicant seeks an owners license; however, applications
25 for an owners license permitting operations on January 1,
26 1991 shall be filed by July 1, 1990. An application fee of
27 \$50,000 shall be paid at the time of filing to defray the
28 costs associated with the background investigation conducted
29 by the Board. If the costs of the investigation exceed
30 \$50,000, the applicant shall pay the additional amount to the
31 Board. If the costs of the investigation are less than
32 \$50,000, the applicant shall receive a refund of the
33 remaining amount. All information, records, interviews,
34 reports, statements, memoranda or other data supplied to or

1 used by the Board in the course of its review or
2 investigation of an application for a license under this Act
3 shall be privileged, strictly confidential and shall be used
4 only for the purpose of evaluating an applicant. Such
5 information, records, interviews, reports, statements,
6 memoranda or other data shall not be admissible as evidence,
7 nor discoverable in any action of any kind in any court or
8 before any tribunal, board, agency or person, except for any
9 action deemed necessary by the Board.

10 (e) The Board shall charge each applicant a fee set by
11 the Department of State Police to defray the costs associated
12 with the search and classification of fingerprints obtained
13 by the Board with respect to the applicant's application.
14 These fees shall be paid into the State Police Services Fund.

15 (f) The licensed owner shall be the person primarily
16 responsible for the boat itself. Only one riverboat gambling
17 operation may be authorized by the Board on any riverboat.
18 The applicant must identify each riverboat it intends to use
19 and certify that the riverboat: (1) has the authorized
20 capacity required in this Act; (2) is accessible to disabled
21 persons; and (3) is fully registered and licensed in
22 accordance with any applicable laws.

23 (g) A person who knowingly makes a false statement on an
24 application is guilty of a Class A misdemeanor.

25 (Source: P.A. 91-40, eff. 6-25-99.)

26 (230 ILCS 10/7) (from Ch. 120, par. 2407)

27 Sec. 7. Owners Licenses.

28 (a) The Board shall issue owners licenses to persons,
29 firms or corporations which apply for such licenses upon
30 payment to the Board of the non-refundable license fee set by
31 the Board, upon payment of a \$25,000 license fee for the
32 first year of operation and a \$5,000 license fee for each
33 succeeding year and upon a determination by the Board that

1 the applicant is eligible for an owners license pursuant to
2 this Act and the rules of the Board. A person, firm or
3 corporation is ineligible to receive an owners license if:

4 (1) the person has been convicted of a felony under
5 the laws of this State, any other state, or the United
6 States;

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

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

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

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

16 (6) the firm or corporation employs a person
17 defined in (1), (2), (3) or (4) who participates in the
18 management or operation of gambling operations authorized
19 under this Act;

20 (7) (blank); or

21 (8) a license of the person, firm or corporation
22 issued under this Act, or a license to own or operate
23 gambling facilities in any other jurisdiction, has been
24 revoked.

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

27 (1) the character, reputation, experience and
28 financial integrity of the applicants and of any other or
29 separate person that either:

30 (A) controls, directly or indirectly, such
31 applicant, or

32 (B) is controlled, directly or indirectly, by
33 such applicant or by a person which controls,
34 directly or indirectly, such applicant;

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

3 (3) the highest prospective total revenue to be
4 derived by the State from the conduct of riverboat
5 gambling;

6 (4) the extent to which the ownership of the
7 applicant reflects the diversity of the State by
8 including minority persons and females and the good faith
9 affirmative action plan of each applicant to recruit,
10 train and upgrade minority persons and females minorities
11 in all employment classifications;

12 (5) the financial ability of the applicant to
13 purchase and maintain adequate liability and casualty
14 insurance;

15 (6) whether the applicant has adequate
16 capitalization to provide and maintain, for the duration
17 of a license, a riverboat; and

18 (7) the extent to which the applicant exceeds or
19 meets other standards for the issuance of an owners
20 license which the Board may adopt by rule; and

21 (8) The amount of the applicant's license bid.

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

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

26 (e) The Board may issue up to 10 licenses authorizing
27 the holders of such licenses to own riverboats. In the
28 application for an owners license, the applicant shall state
29 the dock at which the riverboat is based and the water on
30 which the riverboat will be located. The Board shall issue 5
31 licenses to become effective not earlier than January 1,
32 1991. Three of such licenses shall authorize riverboat
33 gambling on the Mississippi River, or in a municipality that
34 (1) borders on the Mississippi River or is within 5 miles of

1 the city limits of a municipality that borders on the
2 Mississippi River and (2), on the effective date of this
3 amendatory Act of the 93rd General Assembly, has a riverboat
4 conducting riverboat gambling operations pursuant to a
5 license issued under this Act, one of which shall authorize
6 riverboat gambling from a home dock in the city of East St.
7 Louis, ~~and one of which shall authorize riverboat gambling on~~
8 ~~the Mississippi River or in a municipality that (1) borders~~
9 ~~on the Mississippi River or is within 5 miles of the city~~
10 ~~limits of a municipality that borders on the Mississippi~~
11 ~~River and (2) on the effective date of this amendatory Act of~~
12 ~~the 92nd General Assembly has a riverboat conducting~~
13 ~~riverboat gambling operations pursuant to a license issued~~
14 under this Act. One other license shall authorize riverboat
15 gambling on the Illinois River south of Marshall County. The
16 Board shall issue one additional license to become effective
17 not earlier than March 1, 1992, which shall authorize
18 riverboat gambling on the Des Plaines River in Will County.
19 The Board may issue 4 additional licenses to become effective
20 not earlier than March 1, 1992. In determining the water
21 upon which riverboats will operate, the Board shall consider
22 the economic benefit which riverboat gambling confers on the
23 State, and shall seek to assure that all regions of the State
24 share in the economic benefits of riverboat gambling.

25 In granting all licenses, the Board may give favorable
26 consideration to economically depressed areas of the State,
27 to applicants presenting plans which provide for significant
28 economic development over a large geographic area, and to
29 applicants who currently operate non-gambling riverboats in
30 Illinois. The Board shall review all applications for owners
31 licenses, and shall inform each applicant of the Board's
32 decision. The Board may grant an owners license to an
33 applicant that has not submitted the highest license bid, but
34 if it does not select the highest bidder, the Board shall

1 issue a written decision explaining why another applicant was
2 selected and identifying the factors set forth in this
3 Section that favored the winning bidder.

4 In addition to any other revocation powers granted to the
5 Board under this Act, the Board may revoke the owners license
6 of a licensee which fails to begin conducting gambling within
7 15 months of receipt of the Board's approval of the
8 application if the Board determines that license revocation
9 is in the best interests of the State.

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

16 (g) Upon the termination, expiration, or revocation of
17 each of the first 10 licenses, which shall be issued for a 3
18 year period, all licenses are renewable annually upon payment
19 of the fee and a determination by the Board that the licensee
20 continues to meet all of the requirements of this Act and the
21 Board's rules. However, for licenses renewed on or after May
22 1, 1998, renewal shall be for a period of 4 years, unless the
23 Board sets a shorter period.

24 (h) An owners license shall entitle the licensee to own
25 up to 2 riverboats. A licensee shall limit the number of
26 gambling participants to 1,200 for any such owners license. A
27 licensee may operate both of its riverboats concurrently,
28 provided that the total number of gambling participants on
29 both riverboats does not exceed 1,200. Riverboats licensed to
30 operate on the Mississippi River and the Illinois River south
31 of Marshall County shall have an authorized capacity of at
32 least 500 persons. Any other riverboat licensed under this
33 Act shall have an authorized capacity of at least 400
34 persons.

1 (i) A licensed owner is authorized to apply to the Board
 2 for and, if approved therefor, to receive all licenses from
 3 the Board necessary for the operation of a riverboat,
 4 including a liquor license, a license to prepare and serve
 5 food for human consumption, and other necessary licenses.
 6 All use, occupation and excise taxes which apply to the sale
 7 of food and beverages in this State and all taxes imposed on
 8 the sale or use of tangible personal property apply to such
 9 sales aboard the riverboat.

10 (j) The Board may issue or re-issue a license
 11 authorizing a riverboat to dock in a municipality or approve
 12 a relocation under Section 11.2 only if, prior to the
 13 issuance or re-issuance of the license or approval, the
 14 governing body of the municipality in which the riverboat
 15 will dock has by a majority vote approved the docking of
 16 riverboats in the municipality. The Board may issue or
 17 re-issue a license authorizing a riverboat to dock in areas
 18 of a county outside any municipality or approve a relocation
 19 under Section 11.2 only if, prior to the issuance or
 20 re-issuance of the license or approval, the governing body of
 21 the county has by a majority vote approved of the docking of
 22 riverboats within such areas.

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

24 (230 ILCS 10/7.1 new)

25 Sec. 7.1. Re-issuance of revoked or non-renewed owners
 26 licenses.

27 (a) If an owners license terminates or expires without
 28 renewal or the Board revokes or determines not to renew an
 29 owners license (including, without limitation, an owners
 30 license for a licensee that was not conducting riverboat
 31 gambling operations on January 1, 1998), the Board may
 32 re-issue such license to a qualified applicant pursuant to an
 33 open and competitive bidding process, as set forth in Section

1 7.5, and subject to the maximum number of authorized licenses
2 set forth in Section 7(e).

3 (b) To be a qualified applicant, a person, firm, or
4 corporation cannot be ineligible to receive an owners license
5 under Section 7(a) and must submit an application for an
6 owners license that complies with Section 6. Each such
7 applicant must also submit evidence to the Board that
8 minority persons and females hold ownership interests in the
9 applicant of at least 16% and 4% respectively.

10 (c) Notwithstanding anything to the contrary in Section
11 7(e), an applicant may apply to the Board for approval of
12 relocation of a re-issued license to a new home dock location
13 authorized under Section 3(c) upon receipt of the approval
14 from the municipality or county, as the case may be, pursuant
15 to Section 7(j).

16 (d) In determining whether to grant a re-issued owners
17 license to an applicant, the Board shall consider all of the
18 factors set forth in Sections 7(b) and (e) as well as the
19 amount of the applicant's license bid. The Board may grant
20 the re-issued owners license to an applicant that has not
21 submitted the highest license bid, but if it does not select
22 the highest bidder, the Board shall issue a written decision
23 explaining why another applicant was selected and identifying
24 the factors set forth in Sections 7(b) and (e) that favored
25 the winning bidder.

26 (e) Re-issued owners licenses shall be subject to annual
27 license fees as provided for in Section 7(a) and shall be
28 governed by the provisions of Sections 7(f), (g), (h), and
29 (i).

30 (230 ILCS 10/7.2 new)

31 Sec. 7.2. Temporary operating permits. Any person
32 operating under a temporary operating permit issued pursuant
33 to 86 Ill. Admin. Code 3000.230 shall be deemed to be

1 operating under the authority of an owner's license for
2 purposes of Section 13 of this Act. This Section shall not
3 affect in any way the licensure requirements of this Act.

4 (230 ILCS 10/7.3 new)

5 Sec. 7.3. State conduct of gambling operations.

6 (a) If, after reviewing each application for a re-issued
7 license, the Board determines that the highest prospective
8 total revenue to the State would be derived from State
9 conduct of the gambling operation in lieu of re-issuing the
10 license, the Board shall inform each applicant of its
11 decision. The Board shall thereafter have the authority,
12 without obtaining an owners license, to conduct riverboat
13 gambling operations as previously authorized by the
14 terminated, expired, revoked, or nonrenewed license through a
15 licensed manager selected pursuant to an open and competitive
16 bidding process as set forth in Section 7.5 and as provided
17 in Section 7.4.

18 (b) The Board may locate any riverboat on which a
19 gambling operation is conducted by the State in any home dock
20 location authorized by Section 3(c) upon receipt of approval
21 from a majority vote of the governing body of the
22 municipality or county, as the case may be, in which the
23 riverboat will dock.

24 (c) The Board shall have jurisdiction over and shall
25 supervise all gambling operations conducted by the State
26 provided for in this Act and shall have all powers necessary
27 and proper to fully and effectively execute the provisions of
28 this Act relating to gambling operations conducted by the
29 State.

30 (d) The maximum number of owners licenses authorized
31 under Section 7(e) shall be reduced by one for each instance
32 in which the Board authorizes the State to conduct a
33 riverboat gambling operation under subsection (a) in lieu of

1 re-issuing a license to an applicant under Section 7.1.

2 (230 ILCS 10/7.4 new)

3 Sec. 7.4. Managers licenses.

4 (a) A qualified person may apply to the Board for a
5 managers license to operate and manage any gambling operation
6 conducted by the State. The application shall be made on
7 forms provided by the Board and shall contain such
8 information as the Board prescribes, including but not
9 limited to information required in Sections 6(a), (b), and
10 (c) and information relating to the applicant's proposed
11 price to manage State gambling operations and to provide the
12 riverboat, gambling equipment, and supplies necessary to
13 conduct State gambling operations.

14 (b) Each applicant must submit evidence to the Board
15 that minority persons and females hold ownership interests in
16 the applicant of at least 16% and 4%, respectively.

17 (c) A person, firm, or corporation is ineligible to
18 receive a manager's license if:

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

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

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

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

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

31 (6) the firm or corporation employs a person defined
32 in (1), (2), (3), or (4) who participates in the
33 management or operation of gambling operations authorized

1 under this Act; or

2 (7) a license of the person, firm, or corporation
3 issued under this Act, or a license to own or operate
4 gambling facilities in any other jurisdiction, has been
5 revoked.

6 (d) Each applicant shall submit with his or her
7 application, on forms prescribed by the Board, 2 sets of his
8 or her fingerprints.

9 (e) The Board shall charge each applicant a fee, set by
10 the Board, to defray the costs associated with the background
11 investigation conducted by the Board.

12 (f) A person who knowingly makes a false statement on an
13 application is guilty of a Class A misdemeanor.

14 (g) The managers license shall be for a term not to
15 exceed 10 years, shall be renewable at the Board's option,
16 and shall contain such terms and provisions as the Board
17 deems necessary to protect or enhance the credibility and
18 integrity of State gambling operations, achieve the highest
19 prospective total revenue to the State, and otherwise serve
20 the interests of the citizens of Illinois.

21 (h) Issuance of a managers license shall be subject to an
22 open and competitive bidding process. The Board may select an
23 applicant other than the lowest bidder by price. If it does
24 not select the lowest bidder, the Board shall issue a notice
25 of who the lowest bidder was and a written decision as to why
26 another bidder was selected.

27 (230 ILCS 10/7.5 new)

28 Sec. 7.5 Competitive Bidding. When the Board determines
29 that it will re-issue an owners license pursuant to an open
30 and competitive bidding process, as set forth in Section 7.1,
31 or that it will issue a managers license pursuant to an open
32 and competitive bidding process, as set forth in Section 7.4,
33 the open and competitive bidding process shall adhere to the

1 following procedures:

2 (1) The Board shall make applications for owners and
3 managers licenses available to the public and allow a
4 reasonable time for applicants to submit applications to the
5 Board.

6 (2) During the filing period for owners or managers
7 license applications, the Board may retain the services of an
8 investment banking firm to assist the Board in conducting the
9 open and competitive bidding process.

10 (3) After receiving all of the bid proposals, the Board
11 shall open all of the proposals in a public forum and
12 disclose the prospective owners or managers names, venture
13 partners, if any, and, in the case of applicants for owners
14 licenses, the locations of the proposed development sites.

15 (4) The Board shall summarize the terms of the proposals
16 and may make this summary available to the public.

17 (5) The Board shall evaluate the proposals within a
18 reasonable time and select no more than 3 final applicants to
19 make presentations of their proposals to the Board.

20 (6) The final applicants shall make their presentations
21 to the Board on the same day during an open session of the
22 Board.

23 (7) As soon as practicable after the public
24 presentations by the final applicants, the Board, in its
25 discretion, may conduct further negotiations among the 3
26 final applicants. During such negotiations, each final
27 applicant may increase its license bid or otherwise enhance
28 its bid proposal. At the conclusion of such negotiations, the
29 Board shall select the winning proposal. In the case of
30 negotiations for an owners license, the Board may, at the
31 conclusion of such negotiations, make the determination
32 allowed under Section 7.3(a).

33 (8) Upon selection of a winning bid, the Board shall
34 evaluate the winning bid within a reasonable period of time

1 for licensee suitability in accordance with all applicable
2 statutory and regulatory criteria.

3 (9) If the winning bidder is unable or otherwise fails
4 to consummate the transaction, (including if the Board
5 determines that the winning bidder does not satisfy the
6 suitability requirements), the Board may, on the same
7 criteria, select from the remaining bidders or make the
8 determination allowed under Section 7.3(a).

9 (230 ILCS 10/10) (from Ch. 120, par. 2410)

10 Sec. 10. Bond of licensee. Before an owners license is
11 issued or re-issued or a managers license is issued, the
12 licensee shall post a bond in the sum of \$200,000 to the
13 State of Illinois. The bond shall be used to guarantee that
14 the licensee faithfully makes the payments, keeps his books
15 and records and makes reports, and conducts his games of
16 chance in conformity with this Act and the rules adopted by
17 the Board. The bond shall not be canceled by a surety on
18 less than 30 days notice in writing to the Board. If a bond
19 is canceled and the licensee fails to file a new bond with
20 the Board in the required amount on or before the effective
21 date of cancellation, the licensee's license shall be
22 revoked. The total and aggregate liability of the surety on
23 the bond is limited to the amount specified in the bond.

24 (Source: P.A. 86-1029.)

25 (230 ILCS 10/11) (from Ch. 120, par. 2411)

26 Sec. 11. Conduct of gambling. Gambling may be conducted
27 by licensed owners or licensed managers on behalf of the
28 State aboard riverboats, subject to the following standards:

29 (1) A licensee may conduct riverboat gambling
30 authorized under this Act regardless of whether it
31 conducts excursion cruises. A licensee may permit the
32 continuous ingress and egress of passengers for the

1 purpose of gambling.

2 (2) (Blank).

3 (3) Minimum and maximum wagers on games shall be
4 set by the licensee.

5 (4) Agents of the Board and the Department of State
6 Police may board and inspect any riverboat at any time
7 for the purpose of determining whether this Act is being
8 complied with. Every riverboat, if under way and being
9 hailed by a law enforcement officer or agent of the
10 Board, must stop immediately and lay to.

11 (5) Employees of the Board shall have the right to
12 be present on the riverboat or on adjacent facilities
13 under the control of the licensee.

14 (6) Gambling equipment and supplies customarily
15 used in conducting riverboat gambling must be purchased
16 or leased only from suppliers licensed for such purpose
17 under this Act.

18 (7) Persons licensed under this Act shall permit no
19 form of wagering on gambling games except as permitted by
20 this Act.

21 (8) Wagers may be received only from a person
22 present on a licensed riverboat. No person present on a
23 licensed riverboat shall place or attempt to place a
24 wager on behalf of another person who is not present on
25 the riverboat.

26 (9) Wagering shall not be conducted with money or
27 other negotiable currency.

28 (10) A person under age 21 shall not be permitted
29 on an area of a riverboat where gambling is being
30 conducted, except for a person at least 18 years of age
31 who is an employee of the riverboat gambling operation.
32 No employee under age 21 shall perform any function
33 involved in gambling by the patrons. No person under age
34 21 shall be permitted to make a wager under this Act.

1 (11) Gambling excursion cruises are permitted only
2 when the waterway for which the riverboat is licensed is
3 navigable, as determined by the Board in consultation
4 with the U.S. Army Corps of Engineers. This paragraph
5 (11) does not limit the ability of a licensee to conduct
6 gambling authorized under this Act when gambling
7 excursion cruises are not permitted.

8 (12) All tokens, chips or electronic cards used to
9 make wagers must be purchased from a licensed owner or
10 manager either aboard a riverboat or at an onshore
11 facility which has been approved by the Board and which
12 is located where the riverboat docks. The tokens, chips
13 or electronic cards may be purchased by means of an
14 agreement under which the owner or manager extends credit
15 to the patron. Such tokens, chips or electronic cards
16 may be used while aboard the riverboat only for the
17 purpose of making wagers on gambling games.

18 (13) Notwithstanding any other Section of this Act,
19 in addition to the other licenses authorized under this
20 Act, the Board may issue special event licenses allowing
21 persons who are not otherwise licensed to conduct
22 riverboat gambling to conduct such gambling on a
23 specified date or series of dates. Riverboat gambling
24 under such a license may take place on a riverboat not
25 normally used for riverboat gambling. The Board shall
26 establish standards, fees and fines for, and limitations
27 upon, such licenses, which may differ from the standards,
28 fees, fines and limitations otherwise applicable under
29 this Act. All such fees shall be deposited into the
30 State Gaming Fund. All such fines shall be deposited
31 into the Education Assistance Fund, created by Public Act
32 86-0018, of the State of Illinois.

33 (14) In addition to the above, gambling must be
34 conducted in accordance with all rules adopted by the

1 Board.

2 (Source: P.A. 91-40, eff. 6-25-99.)

3 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

4 Sec. 11.1. Collection of amounts owing under credit
5 agreements. Notwithstanding any applicable statutory
6 provision to the contrary, a licensed owner or manager who
7 extends credit to a riverboat gambling patron pursuant to
8 Section 11 (a) (12) of this Act is expressly authorized to
9 institute a cause of action to collect any amounts due and
10 owing under the extension of credit, as well as the owner's
11 or manager's costs, expenses and reasonable attorney's fees
12 incurred in collection.

13 (Source: P.A. 86-1029; 86-1389; 87-826.)

14 (230 ILCS 10/12) (from Ch. 120, par. 2412)

15 Sec. 12. Admission tax; fees.

16 (a) A tax is hereby imposed upon admissions to
17 riverboats operated by licensed owners authorized pursuant to
18 this Act. Until July 1, 2002, the rate is \$2 per person
19 admitted. From Beginning July 1, 2002 until July 1, 2003,
20 the rate is \$3 per person admitted. Beginning July 1, 2003,
21 for a licensee that admitted 1,000,000 persons or fewer in
22 the previous calendar year, the rate is \$3 per person
23 admitted; for a licensee that admitted more than 1,000,000
24 but no more than 2,300,000 persons in the previous calendar
25 year, the rate is \$4 per person admitted; and for a licensee
26 that admitted more than 2,300,000 persons in the previous
27 calendar year, the rate is \$5 per person admitted. This
28 admission tax is imposed upon the licensed owner conducting
29 gambling.

30 (1) The admission tax shall be paid for each
31 admission.

32 (2) (Blank).

1 (3) The riverboat licensee may issue tax-free
2 passes to actual and necessary officials and employees of
3 the licensee or other persons actually working on the
4 riverboat.

5 (4) The number and issuance of tax-free passes is
6 subject to the rules of the Board, and a list of all
7 persons to whom the tax-free passes are issued shall be
8 filed with the Board.

9 (a-5) A fee is hereby imposed upon admissions operated
10 by licensed managers on behalf of the State pursuant to
11 Section 7.3 at the rates provided in this subsection (a-5).
12 For a licensee that admitted 1,000,000 persons or fewer in
13 the previous calendar year, the rate is \$3 per person
14 admitted; for a licensee that admitted more than 1,000,000
15 but no more than 2,300,000 persons in the previous calendar
16 year, the rate is \$4 per person admitted; and for a licensee
17 that admitted more than 2,300,000 persons in the previous
18 calendar year, the rate is \$5 per person admitted.

19 (1) The admission fee shall be paid for each
20 admission.

21 (2) (Blank).

22 (3) The licensed manager may issue fee-free passes
23 to actual and necessary officials and employees of the
24 manager or other persons actually working on the
25 riverboat.

26 (4) The number and issuance of fee-free passes is
27 subject to the rules of the Board, and a list of all
28 persons to whom the fee-free passes are issued shall be
29 filed with the Board.

30 (b) From the tax imposed under subsection (a) and the
31 fee imposed under subsection (a-5), a municipality shall
32 receive from the State \$1 for each person embarking on a
33 riverboat docked within the municipality, and a county shall
34 receive \$1 for each person embarking on a riverboat docked

1 within the county but outside the boundaries of any
2 municipality. The municipality's or county's share shall be
3 collected by the Board on behalf of the State and remitted
4 quarterly by the State, subject to appropriation, to the
5 treasurer of the unit of local government for deposit in the
6 general fund.

7 (c) The licensed owner shall pay the entire admission
8 tax to the Board and the licensed manager shall pay the
9 entire admission fee to the Board. Such payments shall be
10 made daily. Accompanying each payment shall be a return on
11 forms provided by the Board which shall include other
12 information regarding admissions as the Board may require.
13 Failure to submit either the payment or the return within the
14 specified time may result in suspension or revocation of the
15 owners or managers license.

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

22 (Source: P.A. 91-40, eff. 6-25-99; 92-595, eff. 6-28-02.)

23 (230 ILCS 10/13) (from Ch. 120, par. 2413)
24 Sec. 13. Wagering tax; rate; distribution.

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

28 From January 1, 1998 until July 1, 2002, a privilege tax
29 is imposed on persons engaged in the business of conducting
30 riverboat gambling operations, based on the adjusted gross
31 receipts received by a licensed owner from gambling games
32 authorized under this Act at the following rates:

33 15% of annual adjusted gross receipts up to and

1 including \$25,000,000;

2 20% of annual adjusted gross receipts in excess of
3 \$25,000,000 but not exceeding \$50,000,000;

4 25% of annual adjusted gross receipts in excess of
5 \$50,000,000 but not exceeding \$75,000,000;

6 30% of annual adjusted gross receipts in excess of
7 \$75,000,000 but not exceeding \$100,000,000;

8 35% of annual adjusted gross receipts in excess of
9 \$100,000,000.

10 Beginning July 1, 2002, 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
14 on the adjusted gross receipts received by a licensed owner
15 from gambling games authorized under this Act at the
16 following rates:

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

19 22.5% of annual adjusted gross receipts in excess of
20 \$25,000,000 but not exceeding \$50,000,000;

21 27.5% of annual adjusted gross receipts in excess of
22 \$50,000,000 but not exceeding \$75,000,000;

23 32.5% of annual adjusted gross receipts in excess of
24 \$75,000,000 but not exceeding \$100,000,000;

25 37.5% of annual adjusted gross receipts in excess of
26 \$100,000,000 but not exceeding \$150,000,000;

27 45% of annual adjusted gross receipts in excess of
28 \$150,000,000 but not exceeding \$200,000,000;

29 50% of annual adjusted gross receipts in excess of
30 \$200,000,000.

31 Riverboat gambling operations conducted by a licensed manager
32 on behalf of the State are not subject to the tax imposed
33 under this Section.

34 The taxes imposed by this Section shall be paid by the

1 licensed owner to the Board not later than 3:00 o'clock p.m.
2 of the day after the day when the wagers were made.

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

22 (c) Appropriations, as approved by the General Assembly,
23 may be made from the State Gaming Fund to the Department of
24 Revenue and the Department of State Police for the
25 administration and enforcement of this Act.

26 (c-5) After the payments required under subsections (b)
27 and (c) have been made, an amount equal to 15% of the
28 adjusted gross receipts of (1) an owners licensee a-riverboat
29 (1) that relocates pursuant to Section 11.2, or (2) an owners
30 license conducting riverboat gambling operations pursuant to
31 for-which an owners license that is initially issued after
32 June 25, the-effective-date-of-this-amendatory-Act-of 1999,
33 or (3) the first riverboat gambling operations conducted by a
34 licensed manager on behalf of the State under Section 7.2,

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

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

8 (c-15) After the payments required under subsections
9 (b), (c), and (c-5) have been made, an amount equal to 2% of
10 the adjusted gross receipts of (1) an owners licensee a
11 ~~riverboat-(1)~~ that relocates pursuant to Section 11.2, ~~or~~ (2)
12 an owners licensee conducting riverboat gambling operations
13 pursuant to for-which an owners license that is initially
14 issued after June 25, the-effective-date-of-this-amendatory
15 ~~Act-of~~ 1999, or (3) the first riverboat gambling operations
16 conducted by a licensed manager on behalf of the State under
17 Section 7.2, whichever comes first, shall be paid, subject to
18 appropriation from the General Assembly, from the State
19 Gaming Fund to each home rule county with a population of
20 over 3,000,000 inhabitants for the purpose of enhancing the
21 county's criminal justice system.

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

27 (c-25) After the payments required under subsections
28 (b), (c), (c-5) and (c-15) have been made, an amount equal to
29 2% of the adjusted gross receipts of (1) an owners license a
30 ~~riverboat-(1)~~ that relocates pursuant to Section 11.2, ~~or~~ (2)
31 an owners license conducting riverboat gambling operations
32 pursuant to for--which an owners license that is initially
33 issued after June 25, the-effective-date-of--this--amendatory
34 ~~Act--of~~ 1999, or (3) the first riverboat gambling operations

1 conducted by a licensed manager on behalf of the State under
2 Section 7.2, whichever comes first, shall be paid from the
3 State Gaming Fund to Chicago State University into the--State
4 Universities-Athletic-Capital-Improvement-Fund.

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

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

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

20 (Source: P.A. 91-40, eff. 6-25-99; 92-595, eff. 6-28-02.)

21 (230 ILCS 10/15) (from Ch. 120, par. 2415)

22 Sec. 15. Audit of Licensee Operations. Within 90 days
23 after the end of each quarter of each fiscal year, the
24 licensed owner or manager shall transmit to the Board an
25 audit of the financial transactions and condition of the
26 licensee's total operations. All audits shall be conducted
27 by certified public accountants selected by the Board. Each
28 certified public accountant must be registered in the State
29 of Illinois under the Illinois Public Accounting Act. The
30 compensation for each certified public accountant shall be
31 paid directly by the licensed owner or manager to the
32 certified public accountant.

33 (Source: P.A. 86-1029; 86-1389.)

1 (230 ILCS 10/23) (from Ch. 120, par. 2423)

2 Sec. 23. The State Gaming Fund. On or after the
3 effective date of this Act, all of the fees and taxes
4 collected pursuant to subsections of this Act shall be
5 deposited into the State Gaming Fund, a special fund in the
6 State Treasury, which is hereby created. The adjusted gross
7 receipts of any riverboat gambling operations conducted by a
8 licensed manager on behalf of the State remaining after the
9 payment of the fees and expenses of the licensed manager
10 shall be deposited into the State Gaming Fund. Fines and
11 penalties collected pursuant to this Act shall be deposited
12 into the Education Assistance Fund, created by Public Act
13 86-0018, of the State of Illinois.

14 (Source: P.A. 86-1029.)

15 Section 97. Severability. In accordance with Section
16 1.31 of the Statute on Statutes, the provisions of this Act
17 are severable. If any provision of this amendatory Act, or
18 the application of any provision of this amendatory Act to
19 any person or circumstance, is held invalid, such invalidity
20 shall not affect other provisions or applications of this
21 amendatory Act which can be given effect without the invalid
22 provision or application, and the application of this
23 amendatory Act to persons or circumstances other than those
24 as to which it is held invalid shall not be affected thereby.

25 Section 99. Effective date. This Act takes effect upon
26 becoming law."