



Sen. John J. Cullerton

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LRB101 04431 SMS 64685 a

1 AMENDMENT TO SENATE BILL 669

2 AMENDMENT NO. _____. Amend Senate Bill 669 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Gambling Act is amended by
5 changing Sections 7, 7.7, 13, and 22 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 or
9 entities that apply for such licenses upon payment to the Board
10 of the non-refundable license fee as provided in subsection (e)
11 or (e-5) and upon a determination by the Board that the
12 applicant is eligible for an owners license pursuant to this
13 Act and the rules of the Board. From the effective date of this
14 amendatory Act of the 95th General Assembly until (i) 3 years
15 after the effective date of this amendatory Act of the 95th
16 General Assembly, (ii) the date any organization licensee

1 begins to operate a slot machine or video game of chance under
2 the Illinois Horse Racing Act of 1975 or this Act, (iii) the
3 date that payments begin under subsection (c-5) of Section 13
4 of this ~~the~~ Act, (iv) the wagering tax imposed under Section 13
5 of this Act is increased by law to reflect a tax rate that is at
6 least as stringent or more stringent than the tax rate
7 contained in subsection (a-3) of Section 13, or (v) when an
8 owners licensee holding a license issued pursuant to Section
9 7.1 of this Act begins conducting gaming, whichever occurs
10 first, as a condition of licensure and as an alternative source
11 of payment for those funds payable under subsection (c-5) of
12 Section 13 of this Act, any owners licensee that holds or
13 receives its owners license on or after the effective date of
14 this amendatory Act of the 94th General Assembly, other than an
15 owners licensee operating a riverboat with adjusted gross
16 receipts in calendar year 2004 of less than \$200,000,000, must
17 pay into the Horse Racing Equity Trust Fund, in addition to any
18 other payments required under this Act, an amount equal to 3%
19 of the adjusted gross receipts received by the owners licensee.
20 The payments required under this Section shall be made by the
21 owners licensee to the State Treasurer no later than 3:00
22 o'clock p.m. of the day after the day when the adjusted gross
23 receipts were received by the owners licensee. A person or
24 entity is ineligible to receive an owners license if:

- 25 (1) the person has been convicted of a felony under the
26 laws of this State, any other state, or the United States;

1 (2) the person has been convicted of any violation of
2 Article 28 of the Criminal Code of 1961 or the Criminal
3 Code of 2012, or substantially similar laws of any other
4 jurisdiction;

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

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

8 (5) a person defined in (1), (2), (3), or (4) is an
9 officer, director, or managerial employee of the entity;

10 (6) the entity employs a person defined in (1), (2),
11 (3), or (4) who participates in the management or operation
12 of gambling operations authorized under this Act;

13 (7) (blank); or

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

17 The Board is expressly prohibited from making changes to
18 the requirement that licensees make payment into the Horse
19 Racing Equity Trust Fund without the express authority of the
20 Illinois General Assembly and making any other rule to
21 implement or interpret this amendatory Act of the 95th General
22 Assembly. For the purposes of this paragraph, "rules" is given
23 the meaning given to that term in Section 1-70 of the Illinois
24 Administrative Procedure Act.

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

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

4 (A) controls, directly or indirectly, such
5 applicant, or

6 (B) is controlled, directly or indirectly, by such
7 applicant or by a person which controls, directly or
8 indirectly, such applicant;

9 (2) the facilities or proposed facilities for the
10 conduct of gambling;

11 (3) the highest prospective total revenue to be derived
12 by the State from the conduct of gambling;

13 (4) the extent to which the ownership of the applicant
14 reflects the diversity of the State by including minority
15 persons, women, and persons with a disability and the good
16 faith affirmative action plan of each applicant to recruit,
17 train and upgrade minority persons, women, and persons with
18 a disability in all employment classifications; the Board
19 shall further consider granting an owners license and
20 giving preference to an applicant under this Section to
21 applicants in which minority persons and women hold
22 ownership interest of at least 16% and 4%, respectively.

23 (4.5) the extent to which the ownership of the
24 applicant includes veterans of service in the armed forces
25 of the United States, and the good faith affirmative action
26 plan of each applicant to recruit, train, and upgrade

1 veterans of service in the armed forces of the United
2 States in all employment classifications;

3 (5) the financial ability of the applicant to purchase
4 and maintain adequate liability and casualty insurance;

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

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

11 (8) the amount of the applicant's license bid;

12 (9) the extent to which the applicant or the proposed
13 host municipality plans to enter into revenue sharing
14 agreements with communities other than the host
15 municipality; and

16 (10) the extent to which the ownership of an applicant
17 includes the most qualified number of minority persons,
18 women, and persons with a disability.

19 (c) Each owners license shall specify the place where the
20 casino shall operate or the riverboat shall operate and dock.

21 (d) Each applicant shall submit with his or her
22 application, on forms provided by the Board, 2 sets of his or
23 her fingerprints.

24 (e) In addition to any licenses authorized under subsection
25 (e-5) of this Section, the Board may issue up to 10 licenses
26 authorizing the holders of such licenses to own riverboats. In

1 the application for an owners license, the applicant shall
2 state the dock at which the riverboat is based and the water on
3 which the riverboat will be located. The Board shall issue 5
4 licenses to become effective not earlier than January 1, 1991.
5 Three of such licenses shall authorize riverboat gambling on
6 the Mississippi River, or, with approval by the municipality in
7 which the riverboat was docked on August 7, 2003 and with Board
8 approval, be authorized to relocate to a new location, in a
9 municipality that (1) borders on the Mississippi River or is
10 within 5 miles of the city limits of a municipality that
11 borders on the Mississippi River and (2) ~~7~~ on August 7, 2003,
12 had a riverboat conducting riverboat gambling operations
13 pursuant to a license issued under this Act; one of which shall
14 authorize riverboat gambling from a home dock in the city of
15 East St. Louis; and one of which shall authorize riverboat
16 gambling from a home dock in the City of Alton. One other
17 license shall authorize riverboat gambling on the Illinois
18 River in the City of East Peoria or, with Board approval, shall
19 authorize land-based gambling operations anywhere within the
20 corporate limits of the City of Peoria. The Board shall issue
21 one additional license to become effective not earlier than
22 March 1, 1992, which shall authorize riverboat gambling on the
23 Des Plaines River in Will County. The Board may issue 4
24 additional licenses to become effective not earlier than March
25 1, 1992. In determining the water upon which riverboats will
26 operate, the Board shall consider the economic benefit which

1 riverboat gambling confers on the State, and shall seek to
2 assure that all regions of the State share in the economic
3 benefits of riverboat gambling.

4 In granting all licenses, the Board may give favorable
5 consideration to economically depressed areas of the State, to
6 applicants presenting plans which provide for significant
7 economic development over a large geographic area, and to
8 applicants who currently operate non-gambling riverboats in
9 Illinois. The Board shall review all applications for owners
10 licenses, and shall inform each applicant of the Board's
11 decision. The Board may grant an owners license to an applicant
12 that has not submitted the highest license bid, but if it does
13 not select the highest bidder, the Board shall issue a written
14 decision explaining why another applicant was selected and
15 identifying the factors set forth in this Section that favored
16 the winning bidder. The fee for issuance or renewal of a
17 license pursuant to this subsection (e) shall be \$250,000.

18 (e-5) In addition to licenses authorized under subsection
19 (e) of this Section:

20 (1) the Board may issue one owners license authorizing
21 the conduct of casino gambling in the City of Chicago;

22 (2) the Board may issue one owners license authorizing
23 the conduct of riverboat gambling in the City of Danville;

24 (3) the Board may issue one owners license authorizing
25 the conduct of riverboat gambling ~~located~~ in the City of
26 Waukegan;

1 (4) the Board may issue one owners license authorizing
2 the conduct of riverboat gambling in the City of Rockford;

3 (5) the Board may issue one owners license authorizing
4 the conduct of riverboat gambling in a municipality that is
5 wholly or partially located in one of the following
6 townships of Cook County: Bloom, Bremen, Calumet, Rich,
7 Thornton, or Worth Township; and

8 (6) the Board may issue one owners license authorizing
9 the conduct of riverboat gambling in the unincorporated
10 area of Williamson County adjacent to the Big Muddy River.

11 Except for the license authorized under paragraph (1), each
12 application for a license pursuant to this subsection (e-5)
13 shall be submitted to the Board no later than 120 days after
14 June 28, 2019 (the effective date of Public Act 101-31) ~~this~~
15 ~~amendatory Act of the 101st General Assembly~~. All applications
16 for a license under this subsection (e-5) shall include the
17 nonrefundable application fee and the nonrefundable background
18 investigation fee as provided in subsection (d) of Section 6 of
19 this Act. In the event that an applicant submits an application
20 for a license pursuant to this subsection (e-5) prior to June
21 28, 2019 (the effective date of Public Act 101-31) ~~this~~
22 ~~amendatory Act of the 101st General Assembly~~, such applicant
23 shall submit the nonrefundable application fee and background
24 investigation fee as provided in subsection (d) of Section 6 of
25 this Act no later than 6 months after June 28, 2019 (the
26 effective date of Public Act 101-31) ~~this amendatory Act of the~~

1 ~~101st General Assembly.~~

2 The Board shall consider issuing a license pursuant to
3 paragraphs (1) through (6) of this subsection only after the
4 corporate authority of the municipality or the county board of
5 the county in which the riverboat or casino shall be located
6 has certified to the Board the following:

7 (i) that the applicant has negotiated with the
8 corporate authority or county board in good faith;

9 (ii) that the applicant and the corporate authority or
10 county board have mutually agreed on the permanent location
11 of the riverboat or casino;

12 (iii) that the applicant and the corporate authority or
13 county board have mutually agreed on the temporary location
14 of the riverboat or casino;

15 (iv) that the applicant and the corporate authority or
16 the county board have mutually agreed on the percentage of
17 revenues that will be shared with the municipality or
18 county, if any;

19 (v) that the applicant and the corporate authority or
20 county board have mutually agreed on any zoning, licensing,
21 public health, or other issues that are within the
22 jurisdiction of the municipality or county; ~~and~~

23 (vi) that the corporate authority or county board has
24 passed a resolution or ordinance in support of the
25 riverboat or casino in the municipality or county; ~~and~~

26 (vii) the applicant for a license under paragraph (1)

1 has made a public presentation concerning its casino
2 proposal; and

3 (viii) the applicant for a license under paragraph (1)
4 has prepared a summary of its casino proposal and such
5 summary has been posted on a public website of the
6 municipality or the county.

7 At least 7 days before the corporate authority of a
8 municipality or county board of the county submits a
9 certification to the Board concerning items (i) through (viii)
10 ~~(vi)~~ of this subsection, it shall hold a public hearing to
11 discuss items (i) through (viii) ~~(vi)~~, as well as any other
12 details concerning the proposed riverboat or casino in the
13 municipality or county. The corporate authority or county board
14 must subsequently memorialize the details concerning the
15 proposed riverboat or casino in a resolution that must be
16 adopted by a majority of the corporate authority or county
17 board before any certification is sent to the Board. The Board
18 shall not alter, amend, change, or otherwise interfere with any
19 agreement between the applicant and the corporate authority of
20 the municipality or county board of the county regarding the
21 location of any temporary or permanent facility.

22 In addition, within 10 days after June 28, 2019 (the
23 effective date of Public Act 101-31) ~~this amendatory Act of the~~
24 ~~101st General Assembly~~, the Board, with consent and at the
25 expense of the City of Chicago, shall select and retain the
26 services of a nationally recognized casino gaming feasibility

1 consultant. Within 45 days after June 28, 2019 (the effective
2 date of Public Act 101-31) ~~this amendatory Act of the 101st~~
3 ~~General Assembly~~, the consultant shall prepare and deliver to
4 the Board a study concerning the feasibility of, and the
5 ability to finance, a casino in the City of Chicago. The
6 feasibility study shall be delivered to the Mayor of the City
7 of Chicago, the Governor, the President of the Senate, and the
8 Speaker of the House of Representatives. Ninety days after
9 receipt of the feasibility study, the Board shall make a
10 determination, based on the results of the feasibility study,
11 whether to recommend to the General Assembly that the terms of
12 the license under paragraph (1) of this subsection (e-5) should
13 be modified. The Board may begin accepting applications for the
14 owners license under paragraph (1) of this subsection (e-5)
15 upon the determination to issue such an owners license.

16 In addition, prior to the Board issuing the owners license
17 authorized under paragraph (4) of subsection (e-5), an impact
18 study shall be completed to determine what location in the city
19 will provide the greater impact to the region, including the
20 creation of jobs and the generation of tax revenue.

21 (e-10) The licenses authorized under subsection (e-5) of
22 this Section shall be issued within 12 months after the date
23 the license application is submitted. If the Board does not
24 issue the licenses within that time period, then the Board
25 shall give a written explanation to the applicant as to why it
26 has not reached a determination and when it reasonably expects

1 to make a determination. The fee for the issuance or renewal of
2 a license issued pursuant to this subsection (e-10) shall be
3 \$250,000. Additionally, a licensee located outside of Cook
4 County shall pay a minimum initial fee of \$17,500 per gaming
5 position, and a licensee located in Cook County shall pay a
6 minimum initial fee of \$30,000 per gaming position. The initial
7 fees payable under this subsection (e-10) shall be deposited
8 into the Rebuild Illinois Projects Fund.

9 (e-15) Each licensee of a license authorized under
10 subsection (e-5) of this Section shall make a reconciliation
11 payment 6 ~~3~~ years after the date the licensee begins operating
12 in an amount equal to 75% of the adjusted gross receipts for
13 the most lucrative 12-month period of operations, minus an
14 amount equal to the initial payment per gaming position paid by
15 the specific licensee. Each licensee shall pay a \$15,000,000
16 reconciliation fee upon issuance of an owners license. If this
17 calculation results in a negative amount, then the licensee is
18 not entitled to any reimbursement of fees previously paid. This
19 reconciliation payment may be made in installments over a
20 period of no more than 6 ~~2~~ years, ~~subject to Board approval.~~
21 ~~Any installment payments shall include an annual market~~
22 ~~interest rate as determined by the Board.~~ All payments by
23 licensees under this subsection (e-15) shall be deposited into
24 the Rebuild Illinois Projects Fund.

25 (e-20) In addition to any other revocation powers granted
26 to the Board under this Act, the Board may revoke the owners

1 license of a licensee which fails to begin conducting gambling
2 within 15 months of receipt of the Board's approval of the
3 application if the Board determines that license revocation is
4 in the best interests of the State.

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

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

19 (h) An owners license, except for an owners license issued
20 under subsection (e-5) of this Section, shall entitle the
21 licensee to own up to 2 riverboats.

22 An owners licensee of a casino or riverboat that is located
23 in the City of Chicago pursuant to paragraph (1) of subsection
24 (e-5) of this Section shall limit the number of gaming
25 positions to 4,000 for such owner. An owners licensee
26 authorized under subsection (e) or paragraph (2), (3), (4), or

1 (5) of subsection (e-5) of this Section shall limit the number
2 of gaming positions to 2,000 for any such owners license. An
3 owners licensee authorized under paragraph (6) of subsection
4 (e-5) of this Section shall limit the number of gaming
5 positions to 1,200 for such owner. The initial fee for each
6 gaming position obtained on or after June 28, 2019 (the
7 effective date of Public Act 101-31) ~~this amendatory Act of the~~
8 ~~101st General Assembly~~ shall be a minimum of \$17,500 for
9 licensees not located in Cook County and a minimum of \$30,000
10 for licensees located in Cook County, in addition to the
11 reconciliation payment, as set forth in subsection (e-15) of
12 this Section. The fees under this subsection (h) shall be
13 deposited into the Rebuild Illinois Projects Fund. The fees
14 under this subsection (h) that are paid by an owners licensee
15 authorized under subsection (e) shall be paid by July 1, 2020.

16 Each owners licensee under subsection (e) of this Section
17 shall reserve its gaming positions within 30 days after June
18 28, 2019 (the effective date of Public Act 101-31) ~~this~~
19 ~~amendatory Act of the 101st General Assembly~~. The Board may
20 grant an extension to this 30-day period, provided that the
21 owners licensee submits a written request and explanation as to
22 why it is unable to reserve its positions within the 30-day
23 period.

24 Each owners licensee under subsection (e-5) of this Section
25 shall reserve its gaming positions within 30 days after
26 issuance of its owners license. The Board may grant an

1 extension to this 30-day period, provided that the owners
2 licensee submits a written request and explanation as to why it
3 is unable to reserve its positions within the 30-day period.

4 A licensee may operate both of its riverboats concurrently,
5 provided that the total number of gaming positions on both
6 riverboats does not exceed the limit established pursuant to
7 this subsection. Riverboats licensed to operate on the
8 Mississippi River and the Illinois River south of Marshall
9 County shall have an authorized capacity of at least 500
10 persons. Any other riverboat licensed under this Act shall have
11 an authorized capacity of at least 400 persons.

12 (h-5) An owners licensee who conducted gambling operations
13 prior to January 1, 2012 and obtains positions pursuant to
14 Public Act 101-31 ~~this amendatory Act of the 101st General~~
15 ~~Assembly~~ shall make a reconciliation payment 3 years after any
16 additional gaming positions begin operating in an amount equal
17 to 75% of the owners licensee's average gross receipts for the
18 most lucrative 12-month period of operations minus an amount
19 equal to the initial fee that the owners licensee paid per
20 additional gaming position. For purposes of this subsection
21 (h-5), "average gross receipts" means (i) the increase in
22 adjusted gross receipts for the most lucrative 12-month period
23 of operations over the adjusted gross receipts for 2019,
24 multiplied by (ii) the percentage derived by dividing the
25 number of additional gaming positions that an owners licensee
26 had obtained by the total number of gaming positions operated

1 by the owners licensee. If this calculation results in a
2 negative amount, then the owners licensee is not entitled to
3 any reimbursement of fees previously paid. This reconciliation
4 payment may be made in installments over a period of no more
5 than 6 ~~2~~ years, ~~subject to Board approval. Any installment~~
6 ~~payments shall include an annual market interest rate as~~
7 ~~determined by the Board. These reconciliation payments shall be~~
8 ~~deposited into the Rebuild Illinois Projects Fund.~~

9 (i) A licensed owner is authorized to apply to the Board
10 for and, if approved therefor, to receive all licenses from the
11 Board necessary for the operation of a riverboat or casino,
12 including a liquor license, a license to prepare and serve food
13 for human consumption, and other necessary licenses. All use,
14 occupation, and excise taxes which apply to the sale of food
15 and beverages in this State and all taxes imposed on the sale
16 or use of tangible personal property apply to such sales aboard
17 the riverboat or in the casino.

18 (j) The Board may issue or re-issue a license authorizing a
19 riverboat to dock in a municipality or approve a relocation
20 under Section 11.2 only if, prior to the issuance or
21 re-issuance of the license or approval, the governing body of
22 the municipality in which the riverboat will dock has by a
23 majority vote approved the docking of riverboats in the
24 municipality. The Board may issue or re-issue a license
25 authorizing a riverboat to dock in areas of a county outside
26 any municipality or approve a relocation under Section 11.2

1 only if, prior to the issuance or re-issuance of the license or
2 approval, the governing body of the county has by a majority
3 vote approved of the docking of riverboats within such areas.

4 (k) An owners licensee may conduct land-based gambling
5 operations upon approval by the Board and payment of a fee of
6 \$250,000, which shall be deposited into the State Gaming Fund.

7 (l) An owners licensee may conduct gaming at a temporary
8 facility pending the construction of a permanent facility or
9 the remodeling or relocation of an existing facility to
10 accommodate gaming participants for up to 24 months after the
11 temporary facility begins to conduct gaming. Upon request by an
12 owners licensee and upon a showing of good cause by the owners
13 licensee, the Board shall extend the period during which the
14 licensee may conduct gaming at a temporary facility by up to 12
15 months. The Board shall make rules concerning the conduct of
16 gaming from temporary facilities.

17 (Source: P.A. 100-391, eff. 8-25-17; 100-1152, eff. 12-14-18;
18 101-31, eff. 6-28-19; revised 9-20-19.)

19 (230 ILCS 10/7.7)

20 Sec. 7.7. Organization gaming licenses.

21 (a) The Illinois Gaming Board shall award one organization
22 gaming license to each person or entity having operating
23 control of a racetrack that applies under Section 56 of the
24 Illinois Horse Racing Act of 1975, subject to the application
25 and eligibility requirements of this Section. Within 60 days

1 after the effective date of this amendatory Act of the 101st
2 General Assembly, a person or entity having operating control
3 of a racetrack may submit an application for an organization
4 gaming license. The application shall be made on such forms as
5 provided by the Board and shall contain such information as the
6 Board prescribes, including, but not limited to, the identity
7 of any racetrack at which gaming will be conducted pursuant to
8 an organization gaming license, detailed information regarding
9 the ownership and management of the applicant, and detailed
10 personal information regarding the applicant. The application
11 shall specify the number of gaming positions the applicant
12 intends to use and the place where the organization gaming
13 facility will operate. A person who knowingly makes a false
14 statement on an application is guilty of a Class A misdemeanor.

15 Each applicant shall disclose the identity of every person
16 or entity having a direct or indirect pecuniary interest
17 greater than 1% in any racetrack with respect to which the
18 license is sought. If the disclosed entity is a corporation,
19 the applicant shall disclose the names and addresses of all
20 officers, stockholders, and directors. If the disclosed entity
21 is a limited liability company, the applicant shall disclose
22 the names and addresses of all members and managers. If the
23 disclosed entity is a partnership, the applicant shall disclose
24 the names and addresses of all partners, both general and
25 limited. If the disclosed entity is a trust, the applicant
26 shall disclose the names and addresses of all beneficiaries.

1 An application shall be filed and considered in accordance
2 with the rules of the Board. Each application for an
3 organization gaming license shall include a nonrefundable
4 application fee of \$250,000. In addition, a nonrefundable fee
5 of \$50,000 shall be paid at the time of filing to defray the
6 costs associated with background investigations conducted by
7 the Board. If the costs of the background investigation exceed
8 \$50,000, the applicant shall pay the additional amount to the
9 Board within 7 days after a request by the Board. If the costs
10 of the investigation are less than \$50,000, the applicant shall
11 receive a refund of the remaining amount. All information,
12 records, interviews, reports, statements, memoranda, or other
13 data supplied to or used by the Board in the course of this
14 review or investigation of an applicant for an organization
15 gaming license under this Act shall be privileged and strictly
16 confidential and shall be used only for the purpose of
17 evaluating an applicant for an organization gaming license or a
18 renewal. Such information, records, interviews, reports,
19 statements, memoranda, or other data shall not be admissible as
20 evidence nor discoverable in any action of any kind in any
21 court or before any tribunal, board, agency or person, except
22 for any action deemed necessary by the Board. The application
23 fee shall be deposited into the State Gaming Fund.

24 Any applicant or key person, including the applicant's
25 owners, officers, directors (if a corporation), managers and
26 members (if a limited liability company), and partners (if a

1 partnership), for an organization gaming license shall have his
2 or her fingerprints submitted to the Department of State Police
3 in an electronic format that complies with the form and manner
4 for requesting and furnishing criminal history record
5 information as prescribed by the Department of State Police.
6 These fingerprints shall be checked against the Department of
7 State Police and Federal Bureau of Investigation criminal
8 history record databases now and hereafter filed, including,
9 but not limited to, civil, criminal, and latent fingerprint
10 databases. The Department of State Police shall charge
11 applicants a fee for conducting the criminal history records
12 check, which shall be deposited into the State Police Services
13 Fund and shall not exceed the actual cost of the records check.
14 The Department of State Police shall furnish, pursuant to
15 positive identification, records of Illinois criminal history
16 to the Department. Each applicant shall submit with his or her
17 application, on forms provided by the Board, a set of his or
18 her fingerprints. The Board shall charge each applicant a fee
19 set by the Department of State Police to defray the costs
20 associated with the search and classification of fingerprints
21 obtained by the Board with respect to the applicant's
22 application. This fee shall be paid into the State Police
23 Services Fund.

24 (b) The Board shall determine within 120 days after
25 receiving an application for an organization gaming license
26 whether to grant an organization gaming license to the

1 applicant. If the Board does not make a determination within
2 that time period, then the Board shall give a written
3 explanation to the applicant as to why it has not reached a
4 determination and when it reasonably expects to make a
5 determination.

6 The organization gaming licensee shall purchase up to the
7 amount of gaming positions authorized under this Act within 120
8 days after receiving its organization gaming license. If an
9 organization gaming licensee is prepared to purchase the gaming
10 positions, but is temporarily prohibited from doing so by order
11 of a court of competent jurisdiction or the Board, then the
12 120-day period is tolled until a resolution is reached.

13 An organization gaming license shall authorize its holder
14 to conduct gaming under this Act at its racetracks on the same
15 days of the year and hours of the day that owners licenses are
16 allowed to operate under approval of the Board.

17 An organization gaming license and any renewal of an
18 organization gaming license shall authorize gaming pursuant to
19 this Section for a period of 4 years. The fee for the issuance
20 or renewal of an organization gaming license shall be \$250,000.

21 All payments by licensees under this subsection (b) shall
22 be deposited into the Rebuild Illinois Projects Fund.

23 (c) To be eligible to conduct gaming under this Section, a
24 person or entity having operating control of a racetrack must
25 (i) obtain an organization gaming license, (ii) hold an
26 organization license under the Illinois Horse Racing Act of

1 1975, (iii) hold an inter-track wagering license, (iv) pay an
2 initial fee of \$30,000 per gaming position from organization
3 gaming licensees where gaming is conducted in Cook County and,
4 except as provided in subsection (c-5), \$17,500 for
5 organization gaming licensees where gaming is conducted
6 outside of Cook County before beginning to conduct gaming plus
7 make the reconciliation payment required under subsection (k),
8 (v) conduct live racing in accordance with subsections (e-1),
9 (e-2), and (e-3) of Section 20 of the Illinois Horse Racing Act
10 of 1975, (vi) meet the requirements of subsection (a) of
11 Section 56 of the Illinois Horse Racing Act of 1975, (vii) for
12 organization licensees conducting standardbred race meetings,
13 keep backstretch barns and dormitories open and operational
14 year-round unless a lesser schedule is mutually agreed to by
15 the organization licensee and the horsemen association racing
16 at that organization licensee's race meeting, (viii) for
17 organization licensees conducting thoroughbred race meetings,
18 the organization licensee must maintain accident medical
19 expense liability insurance coverage of \$1,000,000 for
20 jockeys, and (ix) meet all other requirements of this Act that
21 apply to owners licensees.

22 An organization gaming licensee may enter into a joint
23 venture with a licensed owner to own, manage, conduct, or
24 otherwise operate the organization gaming licensee's
25 organization gaming facilities, unless the organization gaming
26 licensee has a parent company or other affiliated company that

1 is, directly or indirectly, wholly owned by a parent company
2 that is also licensed to conduct organization gaming, casino
3 gaming, or their equivalent in another state.

4 All payments by licensees under this subsection (c) shall
5 be deposited into the Rebuild Illinois Projects Fund.

6 (c-5) A person or entity having operating control of a
7 racetrack located in Madison County shall only pay the initial
8 fees specified in subsection (c) for 540 of the gaming
9 positions authorized under the license.

10 (d) A person or entity is ineligible to receive an
11 organization gaming license if:

12 (1) the person or entity has been convicted of a felony
13 under the laws of this State, any other state, or the
14 United States, including a conviction under the Racketeer
15 Influenced and Corrupt Organizations Act;

16 (2) the person or entity has been convicted of any
17 violation of Article 28 of the Criminal Code of 2012, or
18 substantially similar laws of any other jurisdiction;

19 (3) the person or entity has submitted an application
20 for a license under this Act that contains false
21 information;

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

23 (5) a person defined in (1), (2), (3), or (4) of this
24 subsection (d) is an officer, director, or managerial
25 employee of the entity;

26 (6) the person or entity employs a person defined in

1 (1), (2), (3), or (4) of this subsection (d) who
2 participates in the management or operation of gambling
3 operations authorized under this Act; or

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

7 (e) The Board may approve gaming positions pursuant to an
8 organization gaming license statewide as provided in this
9 Section. The authority to operate gaming positions under this
10 Section shall be allocated as follows: up to 1,200 gaming
11 positions for any organization gaming licensee in Cook County
12 and up to 900 gaming positions for any organization gaming
13 licensee outside of Cook County.

14 (f) Each applicant for an organization gaming license shall
15 specify in its application for licensure the number of gaming
16 positions it will operate, up to the applicable limitation set
17 forth in subsection (e) of this Section. Any unreserved gaming
18 positions that are not specified shall be forfeited and
19 retained by the Board. For the purposes of this subsection (f),
20 an organization gaming licensee that did not conduct live
21 racing in 2010 and is located within 3 miles of the Mississippi
22 River may reserve up to 900 positions and shall not be
23 penalized under this Section for not operating those positions
24 until it meets the requirements of subsection (e) of this
25 Section, but such licensee shall not request unreserved gaming
26 positions under this subsection (f) until its 900 positions are

1 all operational.

2 Thereafter, the Board shall publish the number of
3 unreserved gaming positions and shall accept requests for
4 additional positions from any organization gaming licensee
5 that initially reserved all of the positions that were offered.
6 The Board shall allocate expeditiously the unreserved gaming
7 positions to requesting organization gaming licensees in a
8 manner that maximizes revenue to the State. The Board may
9 allocate any such unused gaming positions pursuant to an open
10 and competitive bidding process, as provided under Section 7.5
11 of this Act. This process shall continue until all unreserved
12 gaming positions have been purchased. All positions obtained
13 pursuant to this process and all positions the organization
14 gaming licensee specified it would operate in its application
15 must be in operation within 18 months after they were obtained
16 or the organization gaming licensee forfeits the right to
17 operate those positions, but is not entitled to a refund of any
18 fees paid. The Board may, after holding a public hearing, grant
19 extensions so long as the organization gaming licensee is
20 working in good faith to make the positions operational. The
21 extension may be for a period of 6 months. If, after the period
22 of the extension, the organization gaming licensee has not made
23 the positions operational, then another public hearing must be
24 held by the Board before it may grant another extension.

25 Unreserved gaming positions retained from and allocated to
26 organization gaming licensees by the Board pursuant to this

1 subsection (f) shall not be allocated to owners licensees under
2 this Act.

3 For the purpose of this subsection (f), the unreserved
4 gaming positions for each organization gaming licensee shall be
5 the applicable limitation set forth in subsection (e) of this
6 Section, less the number of reserved gaming positions by such
7 organization gaming licensee, and the total unreserved gaming
8 positions shall be the aggregate of the unreserved gaming
9 positions for all organization gaming licensees.

10 (g) An organization gaming licensee is authorized to
11 conduct the following at a racetrack:

12 (1) slot machine gambling;

13 (2) video game of chance gambling;

14 (3) gambling with electronic gambling games as defined
15 in this Act or defined by the Illinois Gaming Board; and

16 (4) table games.

17 (h) Subject to the approval of the Illinois Gaming Board,
18 an organization gaming licensee may make modification or
19 additions to any existing buildings and structures to comply
20 with the requirements of this Act. The Illinois Gaming Board
21 shall make its decision after consulting with the Illinois
22 Racing Board. In no case, however, shall the Illinois Gaming
23 Board approve any modification or addition that alters the
24 grounds of the organization licensee such that the act of live
25 racing is an ancillary activity to gaming authorized under this
26 Section. Gaming authorized under this Section may take place in

1 existing structures where inter-track wagering is conducted at
2 the racetrack or a facility within 300 yards of the racetrack
3 in accordance with the provisions of this Act and the Illinois
4 Horse Racing Act of 1975.

5 (i) An organization gaming licensee may conduct gaming at a
6 temporary facility pending the construction of a permanent
7 facility or the remodeling or relocation of an existing
8 facility to accommodate gaming participants for up to 24 months
9 after the temporary facility begins to conduct gaming
10 authorized under this Section. Upon request by an organization
11 gaming licensee and upon a showing of good cause by the
12 organization gaming licensee, the Board shall extend the period
13 during which the licensee may conduct gaming authorized under
14 this Section at a temporary facility by up to 12 months. The
15 Board shall make rules concerning the conduct of gaming
16 authorized under this Section from temporary facilities.

17 The gaming authorized under this Section may take place in
18 existing structures where inter-track wagering is conducted at
19 the racetrack or a facility within 300 yards of the racetrack
20 in accordance with the provisions of this Act and the Illinois
21 Horse Racing Act of 1975.

22 (i-5) Under no circumstances shall an organization gaming
23 licensee conduct gaming at any State or county fair.

24 (j) The Illinois Gaming Board must adopt emergency rules in
25 accordance with Section 5-45 of the Illinois Administrative
26 Procedure Act as necessary to ensure compliance with the

1 provisions of this amendatory Act of the 101st General Assembly
2 concerning the conduct of gaming by an organization gaming
3 licensee. The adoption of emergency rules authorized by this
4 subsection (j) shall be deemed to be necessary for the public
5 interest, safety, and welfare.

6 (k) Each organization gaming licensee who obtains gaming
7 positions must make a reconciliation payment 3 years after the
8 date the organization gaming licensee begins operating the
9 positions in an amount equal to 75% of the difference between
10 its adjusted gross receipts from gaming authorized under this
11 Section and amounts paid to its purse accounts pursuant to item
12 (1) of subsection (b) of Section 56 of the Illinois Horse
13 Racing Act of 1975 for the 12-month period for which such
14 difference was the largest, minus an amount equal to the
15 initial per position fee paid by the organization gaming
16 licensee. If this calculation results in a negative amount,
17 then the organization gaming licensee is not entitled to any
18 reimbursement of fees previously paid. This reconciliation
19 payment may be made in installments over a period of no more
20 than 2 years, subject to Board approval. Any installment
21 payments shall include an annual market interest rate as
22 determined by the Board.

23 All payments by licensees under this subsection (k) shall
24 be deposited into the Rebuild Illinois Projects Fund.

25 (l) As soon as practical after a request is made by the
26 Illinois Gaming Board, to minimize duplicate submissions by the

1 applicant, the Illinois Racing Board must provide information
2 on an applicant for an organization gaming license to the
3 Illinois Gaming Board.

4 (Source: P.A. 101-31, eff. 6-28-19.)

5 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

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

17 20% of annual adjusted gross receipts in excess of
18 \$25,000,000 but not exceeding \$50,000,000;

19 25% of annual adjusted gross receipts in excess of
20 \$50,000,000 but not exceeding \$75,000,000;

21 30% of annual adjusted gross receipts in excess of
22 \$75,000,000 but not exceeding \$100,000,000;

23 35% of annual adjusted gross receipts in excess of
24 \$100,000,000.

25 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax

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

7 15% of annual adjusted gross receipts up to and
8 including \$25,000,000;

9 22.5% of annual adjusted gross receipts in excess of
10 \$25,000,000 but not exceeding \$50,000,000;

11 27.5% of annual adjusted gross receipts in excess of
12 \$50,000,000 but not exceeding \$75,000,000;

13 32.5% of annual adjusted gross receipts in excess of
14 \$75,000,000 but not exceeding \$100,000,000;

15 37.5% of annual adjusted gross receipts in excess of
16 \$100,000,000 but not exceeding \$150,000,000;

17 45% of annual adjusted gross receipts in excess of
18 \$150,000,000 but not exceeding \$200,000,000;

19 50% of annual adjusted gross receipts in excess of
20 \$200,000,000.

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

1 rates:

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

4 27.5% of annual adjusted gross receipts in excess of
5 \$25,000,000 but not exceeding \$37,500,000;

6 32.5% of annual adjusted gross receipts in excess of
7 \$37,500,000 but not exceeding \$50,000,000;

8 37.5% of annual adjusted gross receipts in excess of
9 \$50,000,000 but not exceeding \$75,000,000;

10 45% of annual adjusted gross receipts in excess of
11 \$75,000,000 but not exceeding \$100,000,000;

12 50% of annual adjusted gross receipts in excess of
13 \$100,000,000 but not exceeding \$250,000,000;

14 70% of annual adjusted gross receipts in excess of
15 \$250,000,000.

16 An amount equal to the amount of wagering taxes collected
17 under this subsection (a-3) that are in addition to the amount
18 of wagering taxes that would have been collected if the
19 wagering tax rates under subsection (a-2) were in effect shall
20 be paid into the Common School Fund.

21 The privilege tax imposed under this subsection (a-3) shall
22 no longer be imposed beginning on the earlier of (i) July 1,
23 2005; (ii) the first date after June 20, 2003 that riverboat
24 gambling operations are conducted pursuant to a dormant
25 license; or (iii) the first day that riverboat gambling
26 operations are conducted under the authority of an owners

1 license that is in addition to the 10 owners licenses initially
2 authorized under this Act. For the purposes of this subsection
3 (a-3), the term "dormant license" means an owners license that
4 is authorized by this Act under which no riverboat gambling
5 operations are being conducted on June 20, 2003.

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

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

17 22.5% of annual adjusted gross receipts in excess of
18 \$25,000,000 but not exceeding \$50,000,000;

19 27.5% of annual adjusted gross receipts in excess of
20 \$50,000,000 but not exceeding \$75,000,000;

21 32.5% of annual adjusted gross receipts in excess of
22 \$75,000,000 but not exceeding \$100,000,000;

23 37.5% of annual adjusted gross receipts in excess of
24 \$100,000,000 but not exceeding \$150,000,000;

25 45% of annual adjusted gross receipts in excess of
26 \$150,000,000 but not exceeding \$200,000,000;

1 50% of annual adjusted gross receipts in excess of
2 \$200,000,000.

3 For the imposition of the privilege tax in this subsection
4 (a-4), amounts paid pursuant to item (1) of subsection (b) of
5 Section 56 of the Illinois Horse Racing Act of 1975 shall not
6 be included in the determination of adjusted gross receipts.

7 (a-5) (1) Beginning on the first day that an owners licensee
8 under paragraph ~~(1)~~ (2), (3), (4), (5), or (6) of subsection
9 (e-5) of Section 7 conducts gambling operations, either in a
10 temporary facility or a permanent facility, a privilege tax is
11 imposed on persons engaged in the business of conducting
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 such licensee from the
15 gambling games authorized under this Act. The privilege tax for
16 all gambling games other than table games, including, but not
17 limited to, slot machines, video game of chance gambling, and
18 electronic gambling games shall be at the following rates:

19 15% of annual adjusted gross receipts up to and
20 including \$25,000,000;

21 22.5% of annual adjusted gross receipts in excess of
22 \$25,000,000 but not exceeding \$50,000,000;

23 27.5% of annual adjusted gross receipts in excess of
24 \$50,000,000 but not exceeding \$75,000,000;

25 32.5% of annual adjusted gross receipts in excess of
26 \$75,000,000 but not exceeding \$100,000,000;

1 37.5% of annual adjusted gross receipts in excess of
2 \$100,000,000 but not exceeding \$150,000,000;

3 45% of annual adjusted gross receipts in excess of
4 \$150,000,000 but not exceeding \$200,000,000;

5 50% of annual adjusted gross receipts in excess of
6 \$200,000,000.

7 The privilege tax for table games shall be at the following
8 rates:

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

11 20% of annual adjusted gross receipts in excess of
12 \$25,000,000.

13 For the imposition of the privilege tax in this subsection
14 (a-5), amounts paid pursuant to item (1) of subsection (b) of
15 Section 56 of the Illinois Horse Racing Act of 1975 shall not
16 be included in the determination of adjusted gross receipts.

17 (2) Beginning on the first day that an owners licensee
18 under paragraph (1) of subsection (e-5) of Section 7 conducts
19 gambling operations, either in a temporary facility or a
20 permanent facility, a privilege tax is imposed on persons
21 engaged in the business of conducting gambling operations,
22 other than licensed managers conducting riverboat gambling
23 operations on behalf of the State, based on the adjusted gross
24 receipts received by such licensee from the gambling games
25 authorized under this Act. The privilege tax for all gambling
26 games other than table games, including, but not limited to,

1 slot machines, video game of chance gambling, and electronic
2 gambling games shall be at the following rates:

3 12% of annual adjusted gross receipts up to and
4 including \$25,000,000 to the State and 10.5% of annual
5 gross receipts up to and including \$25,000,000 to the City
6 of Chicago;

7 16% of annual adjusted gross receipts in excess of
8 \$25,000,000 but not exceeding \$50,000,000 to the State and
9 14% of annual adjusted gross receipts in excess of
10 \$25,000,000 but not exceeding \$50,000,000 to the City of
11 Chicago;

12 20.1% of annual adjusted gross receipts in excess of
13 \$50,000,000 but not exceeding \$75,000,000 to the State and
14 17.4% of annual adjusted gross receipts in excess of
15 \$50,000,000 but not exceeding \$75,000,000 to the City of
16 Chicago;

17 21.4% of annual adjusted gross receipts in excess of
18 \$75,000,000 but not exceeding \$100,000,000 to the State and
19 18.6% of annual adjusted gross receipts in excess of
20 \$75,000,000 but not exceeding \$100,000,000 to the City of
21 Chicago;

22 22.7% of annual adjusted gross receipts in excess of
23 \$100,000,000 but not exceeding \$150,000,000 to the State
24 and 19.8% of annual adjusted gross receipts in excess of
25 \$100,000,000 but not exceeding \$150,000,000 to the City of
26 Chicago;

1 24.1% of annual adjusted gross receipts in excess of
2 \$150,000,000 but not exceeding \$225,000,000 to the State
3 and 20.9% of annual adjusted gross receipts in excess of
4 \$150,000,000 but not exceeding \$225,000,000 to the City of
5 Chicago;

6 26.8% of annual adjusted gross receipts in excess of
7 \$225,000,000 but not exceeding \$1,000,000,000 to the State
8 and 23.2% of annual adjusted gross receipts in excess of
9 \$225,000,000 but not exceeding \$1,000,000,000 to the City
10 of Chicago;

11 40% of annual adjusted gross receipts in excess of
12 \$1,000,000,000 to the State and 34.7% of annual gross
13 receipts in excess of \$1,000,000,000 to the City of
14 Chicago.

15 The privilege tax for table games shall be at the following
16 rates:

17 8.1% of annual adjusted gross receipts up to and
18 including \$25,000,000 to the State and 6.9% of annual
19 adjusted gross receipts up to and including \$25,000,000 to
20 the City of Chicago;

21 10.7% of annual adjusted gross receipts in excess of
22 \$25,000,000 but not exceeding \$75,000,000 to the State and
23 9.3% of annual adjusted gross receipts in excess of
24 \$25,000,000 but not exceeding \$75,000,000 to the City of
25 Chicago;

26 11.2% of annual adjusted gross receipts in excess of

1 \$75,000,000 but not exceeding \$175,000,000 to the State and
2 9.8% of annual adjusted gross receipts in excess of
3 \$75,000,000 but not exceeding \$175,000,000 to the City of
4 Chicago;

5 13.5% of annual adjusted gross receipts in excess of
6 \$175,000,000 but not exceeding \$225,000,000 to the State
7 and 11.5% of annual adjusted gross receipts in excess of
8 \$175,000,000 but not exceeding \$225,000,000 to the City of
9 Chicago;

10 15.1% of annual adjusted gross receipts in excess of
11 \$225,000,000 but not exceeding \$275,000,000 to the State
12 and 12.9% of annual adjusted gross receipts in excess of
13 \$225,000,000 but not exceeding \$275,000,000 to the City of
14 Chicago;

15 16.2% of annual adjusted gross receipts in excess of
16 \$275,000,000 but not exceeding \$375,000,000 to the State
17 and 13.8% of annual adjusted gross receipts in excess of
18 \$275,000,000 but not exceeding \$375,000,000 to the City of
19 Chicago;

20 18.9% of annual adjusted gross receipts in excess of
21 \$375,000,000 to the State and 16.1% of annual gross
22 receipts in excess of \$375,000,000 to the City of Chicago.

23 Notwithstanding the provisions of this subsection (a-5),
24 for the first 10 years that the privilege tax is imposed under
25 this subsection (a-5), the privilege tax shall be imposed on
26 the modified annual adjusted gross receipts of a riverboat or

1 casino conducting gambling operations in the City of East St.
2 Louis, unless:

3 (1) the riverboat or casino fails to employ at least
4 450 people;

5 (2) the riverboat or casino fails to maintain
6 operations in a manner consistent with this Act or is not a
7 viable riverboat or casino subject to the approval of the
8 Board; or

9 (3) the owners licensee is not an entity in which
10 employees participate in an employee stock ownership plan.

11 As used in this subsection (a-5), "modified annual adjusted
12 gross receipts" means:

13 (A) for calendar year 2020, the annual adjusted gross
14 receipts for the current year minus the difference between
15 an amount equal to the average annual adjusted gross
16 receipts from a riverboat or casino conducting gambling
17 operations in the City of East St. Louis for 2014, 2015,
18 2016, 2017, and 2018 and the annual adjusted gross receipts
19 for 2018;

20 (B) for calendar year 2021, the annual adjusted gross
21 receipts for the current year minus the difference between
22 an amount equal to the average annual adjusted gross
23 receipts from a riverboat or casino conducting gambling
24 operations in the City of East St. Louis for 2014, 2015,
25 2016, 2017, and 2018 and the annual adjusted gross receipts
26 for 2019; and

1 (C) for calendar years 2022 through 2029, the annual
2 adjusted gross receipts for the current year minus the
3 difference between an amount equal to the average annual
4 adjusted gross receipts from a riverboat or casino
5 conducting gambling operations in the City of East St.
6 Louis for 3 years preceding the current year and the annual
7 adjusted gross receipts for the immediately preceding
8 year.

9 ~~(a-5.5) In addition to the privilege tax imposed under~~
10 ~~subsection (a-5), a privilege tax is imposed on the owners~~
11 ~~licensee under paragraph (1) of subsection (c-5) of Section 7~~
12 ~~at the rate of one-third of the owners licensee's adjusted~~
13 ~~gross receipts.~~

14 ~~For the imposition of the privilege tax in this subsection~~
15 ~~(a-5.5), amounts paid pursuant to item (1) of subsection (b) of~~
16 ~~Section 56 of the Illinois Horse Racing Act of 1975 shall not~~
17 ~~be included in the determination of adjusted gross receipts.~~

18 (a-6) From June 28, 2019 (the effective date of Public Act
19 101-31) ~~this amendatory Act of the 101st General Assembly~~ until
20 June 30, 2023, an owners licensee that conducted gambling
21 operations prior to January 1, 2011 shall receive a
22 dollar-for-dollar credit against the tax imposed under this
23 Section for any renovation or construction costs paid by the
24 owners licensee, but in no event shall the credit exceed
25 \$2,000,000.

26 Additionally, from June 28, 2019 (the effective date of

1 Public Act 101-31) ~~this amendatory Act of the 101st General~~
2 ~~Assembly~~ until December 31, 2022, an owners licensee that (i)
3 is located within 15 miles of the Missouri border, and (ii) has
4 at least 3 riverboats, casinos, or their equivalent within a
5 45-mile radius, may be authorized to relocate to a new location
6 with the approval of both the unit of local government
7 designated as the home dock and the Board, so long as the new
8 location is within the same unit of local government and no
9 more than 3 miles away from its original location. Such owners
10 licensee shall receive a credit against the tax imposed under
11 this Section equal to 8% of the total project costs, as
12 approved by the Board, for any renovation or construction costs
13 paid by the owners licensee for the construction of the new
14 facility, provided that the new facility is operational by July
15 1, 2022. In determining whether or not to approve a relocation,
16 the Board must consider the extent to which the relocation will
17 diminish the gaming revenues received by other Illinois gaming
18 facilities.

19 (a-7) Beginning in the initial adjustment year and through
20 the final adjustment year, if the total obligation imposed
21 pursuant to either subsection (a-5) or (a-6) will result in an
22 owners licensee receiving less after-tax adjusted gross
23 receipts than it received in calendar year 2018, then the total
24 amount of privilege taxes that the owners licensee is required
25 to pay for that calendar year shall be reduced to the extent
26 necessary so that the after-tax adjusted gross receipts in that

1 calendar year equals the after-tax adjusted gross receipts in
2 calendar year 2018, but the privilege tax reduction shall not
3 exceed the annual adjustment cap. If pursuant to this
4 subsection (a-7), the total obligation imposed pursuant to
5 either subsection (a-5) or (a-6) shall be reduced, then the
6 owners licensee shall not receive a refund from the State at
7 the end of the subject calendar year but instead shall be able
8 to apply that amount as a credit against any payments it owes
9 to the State in the following calendar year to satisfy its
10 total obligation under either subsection (a-5) or (a-6). The
11 credit for the final adjustment year shall occur in the
12 calendar year following the final adjustment year.

13 If an owners licensee that conducted gambling operations
14 prior to January 1, 2019 expands its riverboat or casino,
15 including, but not limited to, with respect to its gaming
16 floor, additional non-gaming amenities such as restaurants,
17 bars, and hotels and other additional facilities, and incurs
18 construction and other costs related to such expansion from
19 June 28, 2019 (the effective date of Public Act 101-31) ~~this~~
20 ~~amendatory Act of the 101st General Assembly~~ until June 28,
21 2024 (the 5th anniversary of the effective date of Public Act
22 101-31) ~~this amendatory Act of the 101st General Assembly~~, then
23 for each \$15,000,000 spent for any such construction or other
24 costs related to expansion paid by the owners licensee, the
25 final adjustment year shall be extended by one year and the
26 annual adjustment cap shall increase by 0.2% of adjusted gross

1 receipts during each calendar year until and including the
2 final adjustment year. No further modifications to the final
3 adjustment year or annual adjustment cap shall be made after
4 \$75,000,000 is incurred in construction or other costs related
5 to expansion so that the final adjustment year shall not extend
6 beyond the 9th calendar year after the initial adjustment year,
7 not including the initial adjustment year, and the annual
8 adjustment cap shall not exceed 4% of adjusted gross receipts
9 in a particular calendar year. Construction and other costs
10 related to expansion shall include all project related costs,
11 including, but not limited to, all hard and soft costs,
12 financing costs, on or off-site ground, road or utility work,
13 cost of gaming equipment and all other personal property,
14 initial fees assessed for each incremental gaming position, and
15 the cost of incremental land acquired for such expansion. Soft
16 costs shall include, but not be limited to, legal fees,
17 architect, engineering and design costs, other consultant
18 costs, insurance cost, permitting costs, and pre-opening costs
19 related to the expansion, including, but not limited to, any of
20 the following: marketing, real estate taxes, personnel,
21 training, travel and out-of-pocket expenses, supply,
22 inventory, and other costs, and any other project related soft
23 costs.

24 To be eligible for the tax credits in subsection (a-6), all
25 construction contracts shall include a requirement that the
26 contractor enter into a project labor agreement with the

1 building and construction trades council with geographic
2 jurisdiction of the location of the proposed gaming facility.

3 Notwithstanding any other provision of this subsection
4 (a-7), this subsection (a-7) does not apply to an owners
5 licensee unless such owners licensee spends at least
6 \$15,000,000 on construction and other costs related to its
7 expansion, excluding the initial fees assessed for each
8 incremental gaming position.

9 This subsection (a-7) does not apply to owners licensees
10 authorized pursuant to subsection (e-5) of Section 7 of this
11 Act.

12 For purposes of this subsection (a-7):

13 "Building and construction trades council" means any
14 organization representing multiple construction entities that
15 are monitoring or attentive to compliance with public or
16 workers' safety laws, wage and hour requirements, or other
17 statutory requirements or that are making or maintaining
18 collective bargaining agreements.

19 "Initial adjustment year" means the year commencing on
20 January 1 of the calendar year immediately following the
21 earlier of the following:

22 (1) the commencement of gambling operations, either in
23 a temporary or permanent facility, with respect to the
24 owners license authorized under paragraph (1) of
25 subsection (e-5) of Section 7 of this Act; or

26 (2) June 28, 2021 (24 months after the effective date

1 of Public Act 101-31); ~~this amendatory Act of the 101st~~
2 ~~General Assembly,~~
3 provided the initial adjustment year shall not commence earlier
4 than June 28, 2020 (12 months after the effective date of
5 Public Act 101-31) ~~this amendatory Act of the 101st General~~
6 ~~Assembly.~~

7 "Final adjustment year" means the 2nd calendar year after
8 the initial adjustment year, not including the initial
9 adjustment year, and as may be extended further as described in
10 this subsection (a-7).

11 "Annual adjustment cap" means 3% of adjusted gross receipts
12 in a particular calendar year, and as may be increased further
13 as otherwise described in this subsection (a-7).

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

17 (a-9) Beginning on January 1, 2020, the calculation of
18 gross receipts or adjusted gross receipts, for the purposes of
19 this Section, for a riverboat, a casino, or an organization
20 gaming facility shall not include the dollar amount of
21 non-cashable vouchers, coupons, and electronic promotions
22 redeemed by wagerers upon the riverboat, in the casino, or in
23 the organization gaming facility up to and including an amount
24 not to exceed 20% of a riverboat's, a casino's, or an
25 organization gaming facility's adjusted gross receipts.

26 The Illinois Gaming Board shall submit to the General

1 Assembly a comprehensive report no later than March 31, 2023
2 detailing, at a minimum, the effect of removing non-cashable
3 vouchers, coupons, and electronic promotions from this
4 calculation on net gaming revenues to the State in calendar
5 years 2020 through 2022, the increase or reduction in wagers
6 as a result of removing non-cashable vouchers, coupons, and
7 electronic promotions from this calculation, the effect of the
8 tax rates in subsection (a-5) on net gaming revenues to this
9 State, and proposed modifications to the calculation.

10 (a-10) The taxes imposed by this Section shall be paid by
11 the licensed owner or the organization gaming licensee to the
12 Board not later than 5:00 o'clock p.m. of the day after the day
13 when the wagers were made.

14 (a-15) If the privilege tax imposed under subsection (a-3)
15 is no longer imposed pursuant to item (i) of the last paragraph
16 of subsection (a-3), then by June 15 of each year, each owners
17 licensee, other than an owners licensee that admitted 1,000,000
18 persons or fewer in calendar year 2004, must, in addition to
19 the payment of all amounts otherwise due under this Section,
20 pay to the Board a reconciliation payment in the amount, if
21 any, by which the licensed owner's base amount exceeds the
22 amount of net privilege tax paid by the licensed owner to the
23 Board in the then current State fiscal year. A licensed owner's
24 net privilege tax obligation due for the balance of the State
25 fiscal year shall be reduced up to the total of the amount paid
26 by the licensed owner in its June 15 reconciliation payment.

1 The obligation imposed by this subsection (a-15) is binding on
2 any person, firm, corporation, or other entity that acquires an
3 ownership interest in any such owners license. The obligation
4 imposed under this subsection (a-15) terminates on the earliest
5 of: (i) July 1, 2007, (ii) the first day after the effective
6 date of this amendatory Act of the 94th General Assembly that
7 riverboat gambling operations are conducted pursuant to a
8 dormant license, (iii) the first day that riverboat gambling
9 operations are conducted under the authority of an owners
10 license that is in addition to the 10 owners licenses initially
11 authorized under this Act, or (iv) the first day that a
12 licensee under the Illinois Horse Racing Act of 1975 conducts
13 gaming operations with slot machines or other electronic gaming
14 devices. The Board must reduce the obligation imposed under
15 this subsection (a-15) by an amount the Board deems reasonable
16 for any of the following reasons: (A) an act or acts of God,
17 (B) an act of bioterrorism or terrorism or a bioterrorism or
18 terrorism threat that was investigated by a law enforcement
19 agency, or (C) a condition beyond the control of the owners
20 licensee that does not result from any act or omission by the
21 owners licensee or any of its agents and that poses a hazardous
22 threat to the health and safety of patrons. If an owners
23 licensee pays an amount in excess of its liability under this
24 Section, the Board shall apply the overpayment to future
25 payments required under this Section.

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

1 "Act of God" means an incident caused by the operation of
2 an extraordinary force that cannot be foreseen, that cannot be
3 avoided by the exercise of due care, and for which no person
4 can be held liable.

5 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

20 The changes made to this subsection (a-15) by Public Act
21 94-839 are intended to restate and clarify the intent of Public
22 Act 94-673 with respect to the amount of the payments required
23 to be made under this subsection by an owners licensee to the
24 Board.

25 (b) From the tax revenue from riverboat or casino gambling
26 deposited in the State Gaming Fund under this Section, an

1 amount equal to 5% of adjusted gross receipts generated by a
2 riverboat or a casino, other than a riverboat or casino
3 designated in paragraph (1), (3), or (4) of subsection (e-5) of
4 Section 7, shall be paid monthly, subject to appropriation by
5 the General Assembly, to the unit of local government in which
6 the casino is located or that is designated as the home dock of
7 the riverboat. Notwithstanding anything to the contrary,
8 beginning on the first day that an owners licensee under
9 paragraph (1), (2), (3), (4), (5), or (6) of subsection (e-5)
10 of Section 7 conducts gambling operations, either in a
11 temporary facility or a permanent facility, and for 2 years
12 thereafter, a unit of local government designated as the home
13 dock of a riverboat whose license was issued before January 1,
14 2019, other than a riverboat conducting gambling operations in
15 the City of East St. Louis, shall not receive less under this
16 subsection (b) than the amount the unit of local government
17 received under this subsection (b) in calendar year 2018.
18 Notwithstanding anything to the contrary and because the City
19 of East St. Louis is a financially distressed city, beginning
20 on the first day that an owners licensee under paragraph (1),
21 (2), (3), (4), (5), or (6) of subsection (e-5) of Section 7
22 conducts gambling operations, either in a temporary facility or
23 a permanent facility, and for 10 years thereafter, a unit of
24 local government designated as the home dock of a riverboat
25 conducting gambling operations in the City of East St. Louis
26 shall not receive less under this subsection (b) than the

1 amount the unit of local government received under this
2 subsection (b) in calendar year 2018.

3 From the tax revenue deposited in the State Gaming Fund
4 pursuant to riverboat or casino gambling operations conducted
5 by a licensed manager on behalf of the State, an amount equal
6 to 5% of adjusted gross receipts generated pursuant to those
7 riverboat or casino gambling operations shall be paid monthly,
8 subject to appropriation by the General Assembly, to the unit
9 of local government that is designated as the home dock of the
10 riverboat upon which those riverboat gambling operations are
11 conducted or in which the casino is located.

12 From the tax revenue from riverboat or casino gambling
13 deposited in the State Gaming Fund under this Section, an
14 amount equal to 5% of the adjusted gross receipts generated by
15 a riverboat designated in paragraph (3) of subsection (e-5) of
16 Section 7 shall be divided and remitted monthly, subject to
17 appropriation, as follows: 70% to Waukegan, 10% to Park City,
18 15% to North Chicago, and 5% to Lake County.

19 From the tax revenue from riverboat or casino gambling
20 deposited in the State Gaming Fund under this Section, an
21 amount equal to 5% of the adjusted gross receipts generated by
22 a riverboat designated in paragraph (4) of subsection (e-5) of
23 Section 7 shall be remitted monthly, subject to appropriation,
24 as follows: 70% to the City of Rockford, 5% to the City of
25 Loves Park, 5% to the Village of Machesney, and 20% to
26 Winnebago County.

1 From the tax revenue from riverboat or casino gambling
2 deposited in the State Gaming Fund under this Section, an
3 amount equal to 5% of the adjusted gross receipts generated by
4 a riverboat designated in paragraph (5) of subsection (e-5) of
5 Section 7 shall be remitted monthly, subject to appropriation,
6 as follows: 2% to the unit of local government in which the
7 riverboat or casino is located, and 3% shall be distributed:
8 (A) in accordance with a regional capital development plan
9 entered into by the following communities: Village of Beecher,
10 City of Blue Island, Village of Burnham, City of Calumet City,
11 Village of Calumet Park, City of Chicago Heights, City of
12 Country Club Hills, Village of Crestwood, Village of Crete,
13 Village of Dixmoor, Village of Dolton, Village of East Hazel
14 Crest, Village of Flossmoor, Village of Ford Heights, Village
15 of Glenwood, City of Harvey, Village of Hazel Crest, Village of
16 Homewood, Village of Lansing, Village of Lynwood, City of
17 Markham, Village of Matteson, Village of Midlothian, Village of
18 Monee, City of Oak Forest, Village of Olympia Fields, Village
19 of Orland Hills, Village of Orland Park, City of Palos Heights,
20 Village of Park Forest, Village of Phoenix, Village of Posen,
21 Village of Richton Park, Village of Riverdale, Village of
22 Robbins, Village of Sauk Village, Village of South Chicago
23 Heights, Village of South Holland, Village of Steger, Village
24 of Thornton, Village of Tinley Park, Village of University Park
25 and Village of Worth; or (B) if no regional capital development
26 plan exists, equally among the communities listed in item (A)

1 to be used for capital expenditures or public pension payments,
2 or both.

3 Units of local government may refund any portion of the
4 payment that they receive pursuant to this subsection (b) to
5 the riverboat or casino.

6 (b-4) Beginning on the first day the licensee under
7 paragraph (5) of subsection (e-5) of Section 7 conducts
8 gambling operations, either in a temporary facility or a
9 permanent facility, and ending on July 31, 2042, from the tax
10 revenue deposited in the State Gaming Fund under this Section,
11 \$5,000,000 shall be paid annually, subject to appropriation, to
12 the host municipality of that owners licensee of a license
13 issued or re-issued pursuant to Section 7.1 of this Act before
14 January 1, 2012. Payments received by the host municipality
15 pursuant to this subsection (b-4) may not be shared with any
16 other unit of local government.

17 (b-5) Beginning on June 28, 2019 (the effective date of
18 Public Act 101-31) ~~this amendatory Act of the 101st General~~
19 ~~Assembly~~, from the tax revenue deposited in the State Gaming
20 Fund under this Section, an amount equal to 3% of adjusted
21 gross receipts generated by each organization gaming facility
22 located outside Madison County shall be paid monthly, subject
23 to appropriation by the General Assembly, to a municipality
24 other than the Village of Stickney in which each organization
25 gaming facility is located or, if the organization gaming
26 facility is not located within a municipality, to the county in

1 which the organization gaming facility is located, except as
2 otherwise provided in this Section. From the tax revenue
3 deposited in the State Gaming Fund under this Section, an
4 amount equal to 3% of adjusted gross receipts generated by an
5 organization gaming facility located in the Village of Stickney
6 shall be paid monthly, subject to appropriation by the General
7 Assembly, as follows: 25% to the Village of Stickney, 5% to the
8 City of Berwyn, 50% to the Town of Cicero, and 20% to the
9 Stickney Public Health District.

10 From the tax revenue deposited in the State Gaming Fund
11 under this Section, an amount equal to 5% of adjusted gross
12 receipts generated by an organization gaming facility located
13 in the City of Collinsville shall be paid monthly, subject to
14 appropriation by the General Assembly, as follows: 30% to the
15 City of Alton, 30% to the City of East St. Louis, and 40% to the
16 City of Collinsville.

17 Municipalities and counties may refund any portion of the
18 payment that they receive pursuant to this subsection (b-5) to
19 the organization gaming facility.

20 (b-6) Beginning on June 28, 2019 (the effective date of
21 Public Act 101-31) ~~this amendatory Act of the 101st General~~
22 ~~Assembly~~, from the tax revenue deposited in the State Gaming
23 Fund under this Section, an amount equal to 2% of adjusted
24 gross receipts generated by an organization gaming facility
25 located outside Madison County shall be paid monthly, subject
26 to appropriation by the General Assembly, to the county in

1 which the organization gaming facility is located for the
2 purposes of its criminal justice system or health care system.

3 Counties may refund any portion of the payment that they
4 receive pursuant to this subsection (b-6) to the organization
5 gaming facility.

6 (b-7) From the tax revenue from the organization gaming
7 licensee located in one of the following townships of Cook
8 County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or
9 Worth, an amount equal to 5% of the adjusted gross receipts
10 generated by that organization gaming licensee shall be
11 remitted monthly, subject to appropriation, as follows: 2% to
12 the unit of local government in which the organization gaming
13 licensee is located, and 3% shall be distributed: (A) in
14 accordance with a regional capital development plan entered
15 into by the following communities: Village of Beecher, City of
16 Blue Island, Village of Burnham, City of Calumet City, Village
17 of Calumet Park, City of Chicago Heights, City of Country Club
18 Hills, Village of Crestwood, Village of Crete, Village of
19 Dixmoor, Village of Dolton, Village of East Hazel Crest,
20 Village of Flossmoor, Village of Ford Heights, Village of
21 Glenwood, City of Harvey, Village of Hazel Crest, Village of
22 Homewood, Village of Lansing, Village of Lynwood, City of
23 Markham, Village of Matteson, Village of Midlothian, Village of
24 Monee, City of Oak Forest, Village of Olympia Fields, Village
25 of Orland Hills, Village of Orland Park, City of Palos Heights,
26 Village of Park Forest, Village of Phoenix, Village of Posen,

1 Village of Richton Park, Village of Riverdale, Village of
2 Robbins, Village of Sauk Village, Village of South Chicago
3 Heights, Village of South Holland, Village of Steger, Village
4 of Thornton, Village of Tinley Park, Village of University
5 Park, and Village of Worth; or (B) if no regional capital
6 development plan exists, equally among the communities listed
7 in item (A) to be used for capital expenditures or public
8 pension payments, or both.

9 (b-8) In lieu of the payments under subsection (b) of this
10 Section, the portion going to the City of Chicago of the tax
11 revenue from the privilege tax imposed by paragraph (2) of
12 subsection (a-5) ~~(a-5.5)~~ shall be paid monthly, subject to
13 appropriation by the General Assembly, ~~to the City of Chicago~~
14 and shall be expended or obligated by the City of Chicago for
15 pension payments in accordance with Public Act 99-506.

16 (c) Appropriations, as approved by the General Assembly,
17 may be made from the State Gaming Fund to the Board (i) for the
18 administration and enforcement of this Act and the Video Gaming
19 Act, (ii) for distribution to the Department of State Police
20 and to the Department of Revenue for the enforcement of this
21 Act, and the Video Gaming Act, and (iii) to the Department of
22 Human Services for the administration of programs to treat
23 problem gambling, including problem gambling from sports
24 wagering. The Board's annual appropriations request must
25 separately state its funding needs for the regulation of gaming
26 authorized under Section 7.7, riverboat gaming, casino gaming,

1 video gaming, and sports wagering.

2 (c-2) An amount equal to an aggregate of 1% ~~2%~~ of the
3 adjusted gross receipts generated by an organization gaming
4 facility located within a home rule county with a population of
5 over 3,000,000 inhabitants shall be paid with 0.5% being paid,
6 subject to appropriation from the General Assembly, from the
7 State Gaming Fund and 0.5% being paid by the City of Chicago
8 from amounts of annual adjusted gross receipts under this Act
9 to the home rule county in which the organization gaming
10 licensee is located for the purpose of enhancing the county's
11 criminal justice system.

12 (c-3) Appropriations, as approved by the General Assembly,
13 may be made from the tax revenue deposited into the State
14 Gaming Fund from organization gaming licensees pursuant to this
15 Section for the administration and enforcement of this Act.

16 (c-4) After payments required under subsections (b),
17 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from
18 the tax revenue from organization gaming licensees deposited
19 into the State Gaming Fund under this Section, all remaining
20 amounts from organization gaming licensees shall be
21 transferred into the Capital Projects Fund.

22 (c-5) (Blank).

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-21) After the payments required under subsections (b),
19 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have
20 been made, an amount equal to 2% of the adjusted gross receipts
21 generated by the owners licensee under paragraph (1) of
22 subsection (e-5) of Section 7 shall be paid, subject to
23 appropriation from the General Assembly, from the State Gaming
24 Fund to the home rule county in which the owners licensee is
25 located for the purpose of enhancing the county's criminal
26 justice system.

1 (c-22) After the payments required under subsections (b),
2 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), (c-4), and
3 (c-21) have been made, an amount equal to 2% of the adjusted
4 gross receipts generated by the owners licensee under paragraph
5 (5) of subsection (e-5) of Section 7 shall be paid, subject to
6 appropriation from the General Assembly, from the State Gaming
7 Fund to the home rule county in which the owners licensee is
8 located for the purpose of enhancing the county's criminal
9 justice system.

10 (c-25) From July 1, 2013 and each July 1 thereafter through
11 July 1, 2019, \$1,600,000 shall be transferred from the State
12 Gaming Fund to the Chicago State University Education
13 Improvement Fund.

14 On July 1, 2020 and each July 1 thereafter, \$3,000,000
15 shall be transferred from the State Gaming Fund to the Chicago
16 State University Education Improvement Fund.

17 (c-30) On July 1, 2013 or as soon as possible thereafter,
18 \$92,000,000 shall be transferred from the State Gaming Fund to
19 the School Infrastructure Fund and \$23,000,000 shall be
20 transferred from the State Gaming Fund to the Horse Racing
21 Equity Fund.

22 (c-35) Beginning on July 1, 2013, in addition to any amount
23 transferred under subsection (c-30) of this Section,
24 \$5,530,000 shall be transferred monthly from the State Gaming
25 Fund to the School Infrastructure Fund.

26 (d) From time to time, the Board shall transfer the

1 remainder of the funds generated by this Act into the Education
2 Assistance Fund, created by Public Act 86-0018, of the State of
3 Illinois.

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

9 (f) To the extent practicable, the Board shall administer
10 and collect the wagering taxes imposed by this Section in a
11 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
12 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
13 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
14 Penalty and Interest Act.

15 (Source: P.A. 101-31, Article 25, Section 25-910, eff. 6-28-19;
16 101-31, Article 35, Section 35-55, eff. 6-28-19; revised
17 8-23-19.)

18 (230 ILCS 10/22) (from Ch. 120, par. 2422)

19 Sec. 22. Criminal history record information. Whenever the
20 Board is authorized or required by law to consider some aspect
21 of criminal history record information for the purpose of
22 carrying out its statutory powers and responsibilities, the
23 Board shall, in the form and manner required by the Department
24 of State Police and the Federal Bureau of Investigation, cause
25 to be conducted a criminal history record investigation to

1 obtain any information currently or thereafter contained in the
2 files of the Department of State Police or the Federal Bureau
3 of Investigation, including, but not limited to, civil,
4 criminal, and latent fingerprint databases. Each applicant for
5 occupational licensing under Section 9 or key person as defined
6 by the Board in administrative rules shall submit his or her
7 fingerprints to the Department of State Police in the form and
8 manner prescribed by the Department of State Police. These
9 fingerprints shall be checked against the fingerprint records
10 now and hereafter filed in the Department of State Police and
11 Federal Bureau of Investigation criminal history records
12 databases, including, but not limited to, civil, criminal, and
13 latent fingerprint databases. The Department of State Police
14 shall charge a fee for conducting the criminal history records
15 check, which shall be deposited in the State Police Services
16 Fund and shall not exceed the actual cost of the records check.
17 The Department of State Police shall provide, on the Board's
18 request, information concerning any criminal charges, and
19 their disposition, currently or thereafter filed against any ~~an~~
20 applicant, key person, ~~for~~ or holder of any ~~an occupational~~
21 license or for determinations of suitability. Information
22 obtained as a result of an investigation under this Section
23 shall be used in determining eligibility for any ~~an~~
24 ~~occupational license under Section 9.~~ Upon request and payment
25 of fees in conformance with the requirements of Section
26 2605-400 of the Department of State Police Law (20 ILCS

1 2605/2605-400), the Department of State Police is authorized to
2 furnish, pursuant to positive identification, such information
3 contained in State files as is necessary to fulfill the
4 request.

5 (Source: P.A. 93-418, eff. 1-1-04.)

6 Section 10. The Sports Wagering Act is amended by changing
7 Section 25-20 and by adding Section 25-107 as follows:

8 (230 ILCS 45/25-20)

9 Sec. 25-20. Licenses required.

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

15 (1) master sports wagering license;

16 (2) occupational license;

17 (3) supplier license;

18 (4) management services provider license;

19 (5) tier 2 official league data provider license; and

20 (6) central system provider license.

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

24 (b) An applicant for a license issued under this Act shall

1 submit an application to the Board in the form the Board
2 requires. The applicant shall submit fingerprints for a
3 national criminal records check by the Department of State
4 Police and the Federal Bureau of Investigation. The
5 fingerprints shall be furnished by the applicant's owners,
6 officers, and directors (if a corporation), managers and
7 members (if a limited liability company), and partners (if a
8 partnership). The fingerprints shall be accompanied by a signed
9 authorization for the release of information by the Federal
10 Bureau of Investigation. The Board may require additional
11 background checks on licensees when they apply for license
12 renewal, and an applicant convicted of a disqualifying offense
13 shall not be licensed.

14 (c) Each master sports wagering licensee shall display the
15 license conspicuously in the licensee's place of business or
16 have the license available for inspection by an agent of the
17 Board or a law enforcement agency.

18 (d) Each holder of an occupational license shall carry the
19 license and have some indicia of licensure prominently
20 displayed on his or her person when present in a gaming
21 facility licensed under this Act at all times, in accordance
22 with the rules of the Board.

23 (e) Each person licensed under this Act shall give the
24 Board written notice within 30 days after a material change to
25 information provided in the licensee's application for a
26 license or renewal.

1 (Source: P.A. 101-31, eff. 6-28-19; revised 9-26-19.)

2 (230 ILCS 45/25-107 new)

3 Sec. 25-107. Applicability of the Illinois Gambling Act.

4 The provisions of the Illinois Gambling Act, and all rules
5 adopted thereunder, shall apply to the Sports Wagering Act,
6 except where there is a conflict between the 2 Acts.

7 Section 99. Effective date. This Act takes effect June 1,
8 2020."