



Sen. Bill Cunningham

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10200HB3136sam002

LRB102 14595 AMC 30243 a

1 AMENDMENT TO HOUSE BILL 3136

2 AMENDMENT NO. _____. Amend House Bill 3136, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Horse Racing Act of 1975 is
6 amended by changing Sections 19.5, 21, and 31 as follows:

7 (230 ILCS 5/19.5)

8 Sec. 19.5. Standardbred racetrack in Cook County.
9 Notwithstanding anything in this Act to the contrary, in
10 addition to organization licenses issued by the Board on the
11 effective date of this amendatory Act of the 101st General
12 Assembly, the Board shall issue an organization license
13 limited to standardbred racing to a racetrack located in one
14 of the following townships of Cook County: Bloom, Bremen,
15 Calumet, Orland, Rich, Thornton, or Worth. This additional
16 organization license shall not be issued within a 35-mile

1 radius of another organization license issued by the Board on
2 the effective date of this amendatory Act of the 101st General
3 Assembly, unless the person having operating control of such
4 racetrack has given written consent to the organization
5 licensee applicant, which consent must be filed with the Board
6 at or prior to the time application is made. The organization
7 license application shall be submitted to the Board and the
8 Board may grant the organization license at any meeting of the
9 Board. The Board shall examine the application within 21 days
10 after receipt of the application with respect to its
11 conformity with this Act and the rules adopted by the Board. If
12 the application does not comply with this Act or the rules
13 adopted by the Board, the application may be rejected and an
14 organization license refused to the applicant, or the Board
15 may, within 21 days after receipt of the application, advise
16 the applicant of the deficiencies of the application under the
17 Act or the rules of the Board and require the submittal of an
18 amended application within a reasonable time determined by the
19 Board; upon submittal of the amended application by the
20 applicant, the Board may consider the application consistent
21 with the process described in subsection (e-5) of Section 20.
22 If the application is found to be in compliance with this Act
23 and the rules of the Board, the Board shall then issue an
24 organization license to the applicant. Once the organization
25 license is granted, ~~shall be granted upon application, and the~~
26 licensee shall have all of the current and future rights of

1 existing Illinois racetracks, including, but not limited to,
2 the ability to obtain an inter-track wagering license, the
3 ability to obtain inter-track wagering location licenses, the
4 ability to obtain an organization gaming license pursuant to
5 the Illinois Gambling Act with 1,200 gaming positions, and the
6 ability to offer Internet wagering on horse racing.

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

8 (230 ILCS 5/21) (from Ch. 8, par. 37-21)

9 Sec. 21. (a) Applications for organization licenses must
10 be filed with the Board at a time and place prescribed by the
11 rules and regulations of the Board. The Board shall examine
12 the applications within 21 days after the date allowed for
13 filing with respect to their conformity with this Act and such
14 rules and regulations as may be prescribed by the Board. If any
15 application does not comply with this Act or the rules and
16 regulations prescribed by the Board, such application may be
17 rejected and an organization license refused to the applicant,
18 or the Board may, within 21 days of the receipt of such
19 application, advise the applicant of the deficiencies of the
20 application under the Act or the rules and regulations of the
21 Board, and require the submittal of an amended application
22 within a reasonable time determined by the Board; and upon
23 submittal of the amended application by the applicant, the
24 Board may consider the application consistent with the process
25 described in subsection (e-5) of Section 20 of this Act. If it

1 is found to be in compliance with this Act and the rules and
2 regulations of the Board, the Board may then issue an
3 organization license to such applicant.

4 (b) The Board may exercise discretion in granting racing
5 dates to qualified applicants different from those requested
6 by the applicants in their applications. However, if all
7 eligible applicants for organization licenses whose tracks are
8 located within 100 miles of each other execute and submit to
9 the Board a written agreement among such applicants as to the
10 award of racing dates, including where applicable racing
11 programs, for up to 3 consecutive years, then subject to
12 annual review of each applicant's compliance with Board rules
13 and regulations, provisions of this Act and conditions
14 contained in annual dates orders issued by the Board, the
15 Board may grant such dates and programs to such applicants as
16 so agreed by them if the Board determines that the grant of
17 these racing dates is in the best interests of racing. The
18 Board shall treat any such agreement as the agreement
19 signatories' joint and several application for racing dates
20 during the term of the agreement.

21 (c) Where 2 or more applicants propose to conduct horse
22 race meetings within 35 miles of each other, as certified to
23 the Board under Section 19 (a) (1) of this Act, on conflicting
24 dates, the Board may determine and grant the number of racing
25 days to be awarded to the several applicants in accordance
26 with the provisions of subsection (e-5) of Section 20 of this

1 Act.

2 (d) (Blank).

3 (e) Prior to the issuance of an organization license, the
4 applicant shall file with the Board the bond required in
5 subsection (d) of Section 27 ~~a bond~~ payable to the State of
6 Illinois ~~in the sum of \$200,000,~~ executed by the applicant and
7 a surety company or companies authorized to do business in
8 this State, and conditioned upon the payment by the
9 organization licensee of all taxes due under Section 27, other
10 monies due and payable under this Act, all purses due and
11 payable, and that the organization licensee will upon
12 presentation of the winning ticket or tickets distribute all
13 sums due to the patrons of pari-mutuel pools. ~~Beginning on the~~
14 ~~date when any organization licensee begins conducting gaming~~
15 ~~pursuant to an organization gaming license issued under the~~
16 ~~Illinois Gambling Act, the amount of the bond required under~~
17 ~~this subsection (e) shall be \$500,000.~~

18 (f) Each organization license shall specify the person to
19 whom it is issued, the dates upon which horse racing is
20 permitted, and the location, place, track, or enclosure where
21 the horse race meeting is to be held.

22 (g) Any person who owns one or more race tracks within the
23 State may seek, in its own name, a separate organization
24 license for each race track.

25 (h) All racing conducted under such organization license
26 is subject to this Act and to the rules and regulations from

1 time to time prescribed by the Board, and every such
2 organization license issued by the Board shall contain a
3 recital to that effect.

4 (i) Each such organization licensee may provide that at
5 least one race per day may be devoted to the racing of quarter
6 horses, appaloosas, arabians, or paints.

7 (j) In acting on applications for organization licenses,
8 the Board shall give weight to an organization license which
9 has implemented a good faith affirmative action effort to
10 recruit, train and upgrade minorities in all classifications
11 within the organization license.

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

13 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

14 Sec. 31. (a) The General Assembly declares that it is the
15 policy of this State to encourage the breeding of standardbred
16 horses in this State and the ownership of such horses by
17 residents of this State in order to provide for: sufficient
18 numbers of high quality standardbred horses to participate in
19 harness racing meetings in this State, and to establish and
20 preserve the agricultural and commercial benefits of such
21 breeding and racing industries to the State of Illinois. It is
22 the intent of the General Assembly to further this policy by
23 the provisions of this Section of this Act.

24 (b) Each organization licensee conducting a harness racing
25 meeting pursuant to this Act shall provide for at least two

1 races each race program limited to Illinois conceived and
2 foaled horses. A minimum of 6 races shall be conducted each
3 week limited to Illinois conceived and foaled horses. No
4 horses shall be permitted to start in such races unless duly
5 registered under the rules of the Department of Agriculture.

6 (b-5) Organization licensees, not including the Illinois
7 State Fair or the DuQuoin State Fair, shall provide stake
8 races and early closer races for Illinois conceived and foaled
9 horses so that purses distributed for such races shall be no
10 less than 17% of total purses distributed for harness racing
11 in that calendar year in addition to any stakes payments and
12 starting fees contributed by horse owners.

13 (b-10) Each organization licensee conducting a harness
14 racing meeting pursuant to this Act shall provide an owner
15 award to be paid from the purse account equal to 12% of the
16 amount earned by Illinois conceived and foaled horses
17 finishing in the first 3 positions in races that are not
18 restricted to Illinois conceived and foaled horses. The owner
19 awards shall not be paid on races below the \$10,000 claiming
20 class.

21 (c) Conditions of races under subsection (b) shall be
22 commensurate with past performance, quality and class of
23 Illinois conceived and foaled horses available. If, however,
24 sufficient competition cannot be had among horses of that
25 class on any day, the races may, with consent of the Board, be
26 eliminated for that day and substitute races provided.

1 (d) There is hereby created a special fund of the State
2 Treasury to be known as the Illinois Standardbred Breeders
3 Fund. Beginning on June 28, 2019 (the effective date of Public
4 Act 101-31), the Illinois Standardbred Breeders Fund shall
5 become a non-appropriated trust fund held separate and apart
6 from State moneys. Expenditures from this Fund shall no longer
7 be subject to appropriation.

8 During the calendar year 1981, and each year thereafter,
9 except as provided in subsection (g) of Section 27 of this Act,
10 eight and one-half per cent of all the monies received by the
11 State as privilege taxes on harness racing meetings shall be
12 paid into the Illinois Standardbred Breeders Fund.

13 (e) Notwithstanding any provision of law to the contrary,
14 amounts deposited into the Illinois Standardbred Breeders Fund
15 from revenues generated by gaming pursuant to an organization
16 gaming license issued under the Illinois Gambling Act after
17 June 28, 2019 (the effective date of Public Act 101-31) shall
18 be in addition to tax and fee amounts paid under this Section
19 for calendar year 2019 and thereafter. The Illinois
20 Standardbred Breeders Fund shall be administered by the
21 Department of Agriculture with the assistance and advice of
22 the Advisory Board created in subsection (f) of this Section.

23 (f) The Illinois Standardbred Breeders Fund Advisory Board
24 is hereby created. The Advisory Board shall consist of the
25 Director of the Department of Agriculture, who shall serve as
26 Chairman; the Superintendent of the Illinois State Fair; a

1 member of the Illinois Racing Board, designated by it; a
2 representative of the largest association of Illinois
3 standardbred owners and breeders, recommended by it; a
4 representative of a statewide association representing
5 agricultural fairs in Illinois, recommended by it, such
6 representative to be from a fair at which Illinois conceived
7 and foaled racing is conducted; a representative of the
8 organization licensees conducting harness racing meetings,
9 recommended by them; a representative of the Breeder's
10 Committee of the association representing the largest number
11 of standardbred owners, breeders, trainers, caretakers, and
12 drivers, recommended by it; and a representative of the
13 association representing the largest number of standardbred
14 owners, breeders, trainers, caretakers, and drivers,
15 recommended by it. Advisory Board members shall serve for 2
16 years commencing January 1 of each odd numbered year. If
17 representatives of the largest association of Illinois
18 standardbred owners and breeders, a statewide association of
19 agricultural fairs in Illinois, the association representing
20 the largest number of standardbred owners, breeders, trainers,
21 caretakers, and drivers, a member of the Breeder's Committee
22 of the association representing the largest number of
23 standardbred owners, breeders, trainers, caretakers, and
24 drivers, and the organization licensees conducting harness
25 racing meetings have not been recommended by January 1 of each
26 odd numbered year, the Director of the Department of

1 Agriculture shall make an appointment for the organization
2 failing to so recommend a member of the Advisory Board.
3 Advisory Board members shall receive no compensation for their
4 services as members but shall be reimbursed for all actual and
5 necessary expenses and disbursements incurred in the execution
6 of their official duties.

7 (g) Monies expended from the Illinois Standardbred
8 Breeders Fund shall be expended by the Department of
9 Agriculture, with the assistance and advice of the Illinois
10 Standardbred Breeders Fund Advisory Board for the following
11 purposes only:

12 1. To provide purses for races limited to Illinois
13 conceived and foaled horses at the State Fair and the
14 DuQuoin State Fair.

15 2. To provide purses for races limited to Illinois
16 conceived and foaled horses at county fairs.

17 3. To provide purse supplements for races limited to
18 Illinois conceived and foaled horses conducted by
19 associations conducting harness racing meetings.

20 4. No less than 75% of all monies in the Illinois
21 Standardbred Breeders Fund shall be expended for purses in
22 1, 2, and 3 as shown above.

23 5. In the discretion of the Department of Agriculture
24 to provide awards to harness breeders of Illinois
25 conceived and foaled horses which win races conducted by
26 organization licensees conducting harness racing meetings.

1 A breeder is the owner of a mare at the time of conception.
2 No more than 10% of all monies appropriated from the
3 Illinois Standardbred Breeders Fund shall be expended for
4 such harness breeders awards. No more than 25% of the
5 amount expended for harness breeders awards shall be
6 expended for expenses incurred in the administration of
7 such harness breeders awards.

8 6. To pay for the improvement of racing facilities
9 located at the State Fair and County fairs.

10 7. To pay the expenses incurred in the administration
11 of the Illinois Standardbred Breeders Fund.

12 8. To promote the sport of harness racing, including
13 grants up to a maximum of \$7,500 per fair per year for
14 conducting pari-mutuel wagering during the advertised
15 dates of a county fair.

16 9. To pay up to \$50,000 annually for the Department of
17 Agriculture to conduct drug testing at county fairs racing
18 standardbred horses.

19 (h) The Illinois Standardbred Breeders Fund is not subject
20 to administrative charges or chargebacks, including, but not
21 limited to, those authorized under Section 8h of the State
22 Finance Act.

23 (i) A sum equal to 13% of the first prize money of the
24 gross purse won by an Illinois conceived and foaled horse
25 shall be paid 50% by the organization licensee conducting the
26 horse race meeting to the breeder of such winning horse from

1 the organization licensee's account and 50% from the purse
2 account of the licensee. Such payment shall not reduce any
3 award to the owner of the horse or reduce the taxes payable
4 under this Act. Such payment shall be delivered by the
5 organization licensee at the end of each quarter.

6 (j) The Department of Agriculture shall, by rule, with the
7 assistance and advice of the Illinois Standardbred Breeders
8 Fund Advisory Board:

9 1. Qualify stallions for Illinois Standardbred
10 Breeders Fund breeding; ~~such stallion shall be owned by a~~
11 ~~resident of the State of Illinois or by an Illinois~~
12 ~~corporation all of whose shareholders, directors, officers~~
13 ~~and incorporators are residents of the State of Illinois.~~

14 Such stallion shall stand for service at and within the
15 State of Illinois at the time of a foal's conception, and
16 such stallion must not stand for service at any place, ~~nor~~
17 ~~may semen from such stallion be transported,~~ outside the
18 State of Illinois during that calendar year in which the
19 foal is conceived ~~and that the owner of the stallion was~~
20 ~~for the 12 months prior, a resident of Illinois.~~ However,
21 on and after ~~from~~ January 1, 2018, until January 1, 2022,
22 semen from an Illinois stallion may be transported outside
23 the State of Illinois. ~~The articles of agreement of any~~
24 ~~partnership, joint venture, limited partnership,~~
25 ~~syndicate, association or corporation and any bylaws and~~
26 ~~stock certificates must contain a restriction that~~

1 ~~provides that the ownership or transfer of interest by any~~
2 ~~one of the persons a party to the agreement can only be~~
3 ~~made to a person who qualifies as an Illinois resident.~~

4 2. Provide for the registration of Illinois conceived
5 and foaled horses and no such horse shall compete in the
6 races limited to Illinois conceived and foaled horses
7 unless registered with the Department of Agriculture. The
8 Department of Agriculture may prescribe such forms as may
9 be necessary to determine the eligibility of such horses.
10 No person shall knowingly prepare or cause preparation of
11 an application for registration of such foals containing
12 false information. A mare (dam) must be in the State at
13 least 30 days prior to foaling or remain in the State at
14 least 30 days at the time of foaling. However, the
15 requirement that a mare (dam) must be in the State at least
16 30 days before foaling or remain in the State at least 30
17 days at the time of foaling shall not be in effect from
18 January 1, 2018 until January 1, 2022. Beginning with the
19 1996 breeding season and for foals of 1997 and thereafter,
20 a foal conceived by transported semen may be eligible for
21 Illinois conceived and foaled registration provided all
22 breeding and foaling requirements are met. The stallion
23 must be qualified for Illinois Standardbred Breeders Fund
24 breeding at the time of conception ~~and the mare must be~~
25 ~~inseminated within the State of Illinois.~~ The foal must be
26 dropped in Illinois and properly registered with the

1 Department of Agriculture in accordance with this Act.
2 However, from January 1, 2018 until January 1, 2022, the
3 requirement for a mare to be inseminated within the State
4 of Illinois and the requirement for a foal to be dropped in
5 Illinois are inapplicable.

6 3. Provide that at least a 5-day racing program shall
7 be conducted at the State Fair each year, unless an
8 alternate racing program is requested by the Illinois
9 Standardbred Breeders Fund Advisory Board, which program
10 shall include at least the following races limited to
11 Illinois conceived and foaled horses: (a) a 2-year-old
12 Trot and Pace, and Filly Division of each; (b) a
13 3-year-old Trot and Pace, and Filly Division of each; (c)
14 an aged Trot and Pace, and Mare Division of each.

15 4. Provide for the payment of nominating, sustaining
16 and starting fees for races promoting the sport of harness
17 racing and for the races to be conducted at the State Fair
18 as provided in subsection (j) 3 of this Section provided
19 that the nominating, sustaining and starting payment
20 required from an entrant shall not exceed 2% of the purse
21 of such race. All nominating, sustaining and starting
22 payments shall be held for the benefit of entrants and
23 shall be paid out as part of the respective purses for such
24 races. Nominating, sustaining and starting fees shall be
25 held in trust accounts for the purposes as set forth in
26 this Act and in accordance with Section 205-15 of the

1 Department of Agriculture Law.

2 5. Provide for the registration with the Department of
3 Agriculture of Colt Associations or county fairs desiring
4 to sponsor races at county fairs.

5 6. Provide for the promotion of producing standardbred
6 racehorses by providing a bonus award program for owners
7 of 2-year-old horses that win multiple major stakes races
8 that are limited to Illinois conceived and foaled horses.

9 (k) The Department of Agriculture, with the advice and
10 assistance of the Illinois Standardbred Breeders Fund Advisory
11 Board, may allocate monies for purse supplements for such
12 races. In determining whether to allocate money and the
13 amount, the Department of Agriculture shall consider factors,
14 including, but not limited to, the amount of money
15 appropriated for the Illinois Standardbred Breeders Fund
16 program, the number of races that may occur, and an
17 organization licensee's purse structure. The organization
18 licensee shall notify the Department of Agriculture of the
19 conditions and minimum purses for races limited to Illinois
20 conceived and foaled horses to be conducted by each
21 organization licensee conducting a harness racing meeting for
22 which purse supplements have been negotiated.

23 (l) All races held at county fairs and the State Fair which
24 receive funds from the Illinois Standardbred Breeders Fund
25 shall be conducted in accordance with the rules of the United
26 States Trotting Association unless otherwise modified by the

1 Department of Agriculture.

2 (m) At all standardbred race meetings held or conducted
3 under authority of a license granted by the Board, and at all
4 standardbred races held at county fairs which are approved by
5 the Department of Agriculture or at the Illinois or DuQuoin
6 State Fairs, no one shall jog, train, warm up or drive a
7 standardbred horse unless he or she is wearing a protective
8 safety helmet, with the chin strap fastened and in place,
9 which meets the standards and requirements as set forth in the
10 1984 Standard for Protective Headgear for Use in Harness
11 Racing and Other Equestrian Sports published by the Snell
12 Memorial Foundation, or any standards and requirements for
13 headgear the Illinois Racing Board may approve. Any other
14 standards and requirements so approved by the Board shall
15 equal or exceed those published by the Snell Memorial
16 Foundation. Any equestrian helmet bearing the Snell label
17 shall be deemed to have met those standards and requirements.

18 (Source: P.A. 101-31, eff. 6-28-19; 101-157, eff. 7-26-19;
19 102-558, eff. 8-20-21.)

20 Section 15. The Illinois Gambling Act is amended by
21 changing Sections 8 and 13 and by adding Section 8.1 as
22 follows:

23 (230 ILCS 10/8) (from Ch. 120, par. 2408)

24 Sec. 8. Suppliers licenses.

1 (a) The Board may issue a suppliers license to such
2 persons, firms or corporations which apply therefor upon the
3 payment of a non-refundable application fee set by the Board,
4 upon a determination by the Board that the applicant is
5 eligible for a suppliers license and upon payment of a \$5,000
6 annual license fee. At the time of application for a supplier
7 license under this Act, a person that holds a license as a
8 manufacturer, distributor, or supplier under the Video Gaming
9 Act or a supplier license under the Sports Wagering Act shall
10 be entitled to licensure under this Act as a supplier without
11 additional Board investigation or approval, except by vote of
12 the Board; however, the applicant shall pay all fees required
13 for a suppliers license under this Act.

14 (a-5) Except as provided by Section 8.1, the initial
15 suppliers license shall be issued for 4 years. Thereafter, the
16 license may be renewed for additional 4-year periods unless
17 sooner canceled or terminated.

18 (b) The holder of a suppliers license is authorized to
19 sell or lease, and to contract to sell or lease, gambling
20 equipment and supplies to any licensee involved in the
21 ownership or management of gambling operations.

22 (c) Gambling supplies and equipment may not be distributed
23 unless supplies and equipment conform to standards adopted by
24 rules of the Board.

25 (d) A person, firm or corporation is ineligible to receive
26 a suppliers license if:

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

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

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

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

11 (5) the entity is one in which a person defined in (1),
12 (2), (3) or (4), is an officer, director or managerial
13 employee;

14 (6) the firm or corporation employs a person who
15 participates in the management or operation of gambling
16 authorized under this Act;

17 (7) the license of the person, firm or corporation
18 issued under this Act, or a license to own or operate
19 gambling facilities in any other jurisdiction, has been
20 revoked.

21 (e) Any person that supplies any equipment, devices, or
22 supplies to a licensed gambling operation must first obtain a
23 suppliers license. A supplier shall furnish to the Board a
24 list of all equipment, devices and supplies offered for sale
25 or lease in connection with gambling games authorized under
26 this Act. A supplier shall keep books and records for the

1 furnishing of equipment, devices and supplies to gambling
2 operations separate and distinct from any other business that
3 the supplier might operate. A supplier shall file a quarterly
4 return with the Board listing all sales and leases. A supplier
5 shall permanently affix its name or a distinctive logo or
6 other mark or design element identifying the manufacturer or
7 supplier to all its equipment, devices, and supplies, except
8 gaming chips without a value impressed, engraved, or imprinted
9 on it, for gambling operations. The Board may waive this
10 requirement for any specific product or products if it
11 determines that the requirement is not necessary to protect
12 the integrity of the game. Items purchased from a licensed
13 supplier may continue to be used even though the supplier
14 subsequently changes its name, distinctive logo, or other mark
15 or design element; undergoes a change in ownership; or ceases
16 to be licensed as a supplier for any reason. Any supplier's
17 equipment, devices or supplies which are used by any person in
18 an unauthorized gambling operation shall be forfeited to the
19 State. A holder of an owners license or an organization gaming
20 license may own its own equipment, devices and supplies. Each
21 holder of an owners license or an organization gaming license
22 under the Act shall file an annual report listing its
23 inventories of gambling equipment, devices and supplies.

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

26 (g) Any gambling equipment, devices and supplies provided

1 by any licensed supplier may either be repaired on the
2 riverboat, in the casino, or at the organization gaming
3 facility or removed from the riverboat, casino, or
4 organization gaming facility to a facility owned by the holder
5 of an owners license, organization gaming license, or
6 suppliers license for repair.

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

8 (230 ILCS 10/8.1 new)

9 Sec. 8.1. Harmonization of supplier category licenses.

10 (a) As used in this Section, "supplier category license"
11 means a suppliers license issued under this Act, a supplier
12 license issued under the Sports Wagering Act, or a
13 manufacturer, distributor, or supplier license issued under
14 the Video Gaming Act.

15 (b) If a holder of any supplier category license is
16 granted an additional supplier category license, the initial
17 period of the new supplier category license shall expire at
18 the earliest expiration date of any other supplier category
19 license held by the licensee. If a licensee holds multiple
20 supplier category licenses on the effective date of this
21 amendatory Act of the 102nd General Assembly, all supplier
22 category licenses shall expire at the earliest expiration date
23 of any of the supplier category licenses held by the licensee.

24 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

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

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

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

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

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

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

1 at the following rates:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 2003.

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

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

13 22.5% of annual adjusted gross receipts in excess of
14 \$25,000,000 but not exceeding \$50,000,000;

15 27.5% of annual adjusted gross receipts in excess of
16 \$50,000,000 but not exceeding \$75,000,000;

17 32.5% of annual adjusted gross receipts in excess of
18 \$75,000,000 but not exceeding \$100,000,000;

19 37.5% of annual adjusted gross receipts in excess of
20 \$100,000,000 but not exceeding \$150,000,000;

21 45% of annual adjusted gross receipts in excess of
22 \$150,000,000 but not exceeding \$200,000,000;

23 50% of annual adjusted gross receipts in excess of
24 \$200,000,000.

25 For the imposition of the privilege tax in this subsection
26 (a-4), amounts paid pursuant to item (1) of subsection (b) of

1 Section 56 of the Illinois Horse Racing Act of 1975 shall not
2 be included in the determination of adjusted gross receipts.

3 (a-5)(1) Beginning on July 1, 2020, a privilege tax is
4 imposed on persons engaged in the business of conducting
5 gambling operations, other than the owners licensee under
6 paragraph (1) of subsection (e-5) of Section 7 and licensed
7 managers conducting riverboat gambling operations on behalf of
8 the State, based on the adjusted gross receipts received by
9 such licensee from the gambling games authorized under this
10 Act. The privilege tax for all gambling games other than table
11 games, including, but not limited to, slot machines, video
12 game of chance gambling, and electronic gambling games shall
13 be at the following rates:

14 15% of annual adjusted gross receipts up to and
15 including \$25,000,000;

16 22.5% of annual adjusted gross receipts in excess of
17 \$25,000,000 but not exceeding \$50,000,000;

18 27.5% of annual adjusted gross receipts in excess of
19 \$50,000,000 but not exceeding \$75,000,000;

20 32.5% of annual adjusted gross receipts in excess of
21 \$75,000,000 but not exceeding \$100,000,000;

22 37.5% of annual adjusted gross receipts in excess of
23 \$100,000,000 but not exceeding \$150,000,000;

24 45% of annual adjusted gross receipts in excess of
25 \$150,000,000 but not exceeding \$200,000,000;

26 50% of annual adjusted gross receipts in excess of

1 \$200,000,000.

2 The privilege tax for table games shall be at the
3 following rates:

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

6 20% of annual adjusted gross receipts in excess of
7 \$25,000,000.

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

12 (2) Beginning on the first day that an owners licensee
13 under paragraph (1) of subsection (e-5) of Section 7 conducts
14 gambling operations, either in a temporary facility or a
15 permanent facility, a privilege tax is imposed on persons
16 engaged in the business of conducting gambling operations
17 under paragraph (1) of subsection (e-5) of Section 7, other
18 than licensed managers conducting riverboat gambling
19 operations on behalf of the State, based on the adjusted gross
20 receipts received by such licensee from the gambling games
21 authorized under this Act. The privilege tax for all gambling
22 games other than table games, including, but not limited to,
23 slot machines, video game of chance gambling, and electronic
24 gambling games shall be at the following rates:

25 12% of annual adjusted gross receipts up to and
26 including \$25,000,000 to the State and 10.5% of annual

1 adjusted gross receipts up to and including \$25,000,000 to
2 the City of Chicago;

3 16% of annual adjusted gross receipts in excess of
4 \$25,000,000 but not exceeding \$50,000,000 to the State and
5 14% of annual adjusted gross receipts in excess of
6 \$25,000,000 but not exceeding \$50,000,000 to the City of
7 Chicago;

8 20.1% of annual adjusted gross receipts in excess of
9 \$50,000,000 but not exceeding \$75,000,000 to the State and
10 17.4% of annual adjusted gross receipts in excess of
11 \$50,000,000 but not exceeding \$75,000,000 to the City of
12 Chicago;

13 21.4% of annual adjusted gross receipts in excess of
14 \$75,000,000 but not exceeding \$100,000,000 to the State
15 and 18.6% of annual adjusted gross receipts in excess of
16 \$75,000,000 but not exceeding \$100,000,000 to the City of
17 Chicago;

18 22.7% of annual adjusted gross receipts in excess of
19 \$100,000,000 but not exceeding \$150,000,000 to the State
20 and 19.8% of annual adjusted gross receipts in excess of
21 \$100,000,000 but not exceeding \$150,000,000 to the City of
22 Chicago;

23 24.1% of annual adjusted gross receipts in excess of
24 \$150,000,000 but not exceeding \$225,000,000 to the State
25 and 20.9% of annual adjusted gross receipts in excess of
26 \$150,000,000 but not exceeding \$225,000,000 to the City of

1 Chicago;

2 26.8% of annual adjusted gross receipts in excess of
3 \$225,000,000 but not exceeding \$1,000,000,000 to the State
4 and 23.2% of annual adjusted gross receipts in excess of
5 \$225,000,000 but not exceeding \$1,000,000,000 to the City
6 of Chicago;

7 40% of annual adjusted gross receipts in excess of
8 \$1,000,000,000 to the State and 34.7% of annual gross
9 receipts in excess of \$1,000,000,000 to the City of
10 Chicago.

11 The privilege tax for table games shall be at the
12 following rates:

13 8.1% of annual adjusted gross receipts up to and
14 including \$25,000,000 to the State and 6.9% of annual
15 adjusted gross receipts up to and including \$25,000,000 to
16 the City of Chicago;

17 10.7% of annual adjusted gross receipts in excess of
18 \$25,000,000 but not exceeding \$75,000,000 to the State and
19 9.3% of annual adjusted gross receipts in excess of
20 \$25,000,000 but not exceeding \$75,000,000 to the City of
21 Chicago;

22 11.2% of annual adjusted gross receipts in excess of
23 \$75,000,000 but not exceeding \$175,000,000 to the State
24 and 9.8% of annual adjusted gross receipts in excess of
25 \$75,000,000 but not exceeding \$175,000,000 to the City of
26 Chicago;

1 13.5% of annual adjusted gross receipts in excess of
2 \$175,000,000 but not exceeding \$225,000,000 to the State
3 and 11.5% of annual adjusted gross receipts in excess of
4 \$175,000,000 but not exceeding \$225,000,000 to the City of
5 Chicago;

6 15.1% of annual adjusted gross receipts in excess of
7 \$225,000,000 but not exceeding \$275,000,000 to the State
8 and 12.9% of annual adjusted gross receipts in excess of
9 \$225,000,000 but not exceeding \$275,000,000 to the City of
10 Chicago;

11 16.2% of annual adjusted gross receipts in excess of
12 \$275,000,000 but not exceeding \$375,000,000 to the State
13 and 13.8% of annual adjusted gross receipts in excess of
14 \$275,000,000 but not exceeding \$375,000,000 to the City of
15 Chicago;

16 18.9% of annual adjusted gross receipts in excess of
17 \$375,000,000 to the State and 16.1% of annual gross
18 receipts in excess of \$375,000,000 to the City of Chicago.

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

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, except no minimum employment shall be required
5 during 2020 and 2021 or during periods that the riverboat
6 or casino is closed on orders of State officials for
7 public health emergencies or other emergencies not caused
8 by the riverboat or casino;

9 (2) the riverboat or casino fails to maintain
10 operations in a manner consistent with this Act or is not a
11 viable riverboat or casino subject to the approval of the
12 Board; or

13 (3) the owners licensee is not an entity in which
14 employees participate in an employee stock ownership plan
15 or in which the owners licensee sponsors a 401(k)
16 retirement plan and makes a matching employer contribution
17 equal to at least one-quarter of the first 12% or one-half
18 of the first 6% of each participating employee's
19 contribution, not to exceed any limitations under federal
20 laws and regulations.

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

23 (A) for calendar year 2020, the annual adjusted gross
24 receipts for the current year minus the difference between
25 an amount equal to the average annual adjusted gross
26 receipts from a riverboat or casino conducting gambling

1 operations in the City of East St. Louis for 2014, 2015,
2 2016, 2017, and 2018 and the annual adjusted gross
3 receipts for 2018;

4 (B) for calendar year 2021, the annual adjusted gross
5 receipts for the current year minus the difference between
6 an amount equal to the average annual adjusted gross
7 receipts from a riverboat or casino conducting gambling
8 operations in the City of East St. Louis for 2014, 2015,
9 2016, 2017, and 2018 and the annual adjusted gross
10 receipts for 2019; and

11 (C) for calendar years 2022 through 2029, the annual
12 adjusted gross receipts for the current year minus the
13 difference between an amount equal to the average annual
14 adjusted gross receipts from a riverboat or casino
15 conducting gambling operations in the City of East St.
16 Louis for 3 years preceding the current year and the
17 annual adjusted gross receipts for the immediately
18 preceding year.

19 (a-6) From June 28, 2019 (the effective date of Public Act
20 101-31) until June 30, 2023, an owners licensee that conducted
21 gambling 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) until December 31, 2022, an owners licensee
2 that (i) is located within 15 miles of the Missouri border, and
3 (ii) has at least 3 riverboats, casinos, or their equivalent
4 within a 45-mile radius, may be authorized to relocate to a new
5 location with the approval of both the unit of local
6 government designated as the home dock and the Board, so long
7 as the new location is within the same unit of local government
8 and no more than 3 miles away from its original location. Such
9 owners licensee shall receive a credit against the tax imposed
10 under this Section equal to 8% of the total project costs, as
11 approved by the Board, for any renovation or construction
12 costs paid by the owners licensee for the construction of the
13 new facility, provided that the new facility is operational by
14 July 1, 2022. In determining whether or not to approve a
15 relocation, the Board must consider the extent to which the
16 relocation will diminish the gaming revenues received by other
17 Illinois gaming facilities.

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

1 receipts in calendar year 2018, but the privilege tax
2 reduction shall not exceed the annual adjustment cap. If
3 pursuant to this subsection (a-7), the total obligation
4 imposed pursuant to either subsection (a-5) or (a-6) shall be
5 reduced, then the owners licensee shall not receive a refund
6 from the State at the end of the subject calendar year but
7 instead shall be able to apply that amount as a credit against
8 any payments it owes to the State in the following calendar
9 year to satisfy its total obligation under either subsection
10 (a-5) or (a-6). The credit for the final adjustment year shall
11 occur in the calendar year following the final adjustment
12 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) until
20 June 28, 2024 (the 5th anniversary of the effective date of
21 Public Act 101-31), then for each \$15,000,000 spent for any
22 such construction or other costs related to expansion paid by
23 the owners licensee, the final adjustment year shall be
24 extended by one year and the annual adjustment cap shall
25 increase by 0.2% of adjusted gross receipts during each
26 calendar year until and including the final adjustment year.

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

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

1 jurisdiction of the location of the proposed gaming facility.

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

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

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

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

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

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

25 (2) June 28, 2021 (24 months after the effective date
26 of Public Act 101-31);

1 provided the initial adjustment year shall not commence
2 earlier than June 28, 2020 (12 months after the effective date
3 of Public Act 101-31).

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

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

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

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

24 The Illinois Gaming Board shall submit to the General
25 Assembly a comprehensive report no later than March 31, 2023
26 detailing, at a minimum, the effect of removing non-cashable

1 vouchers, coupons, and electronic promotions from this
2 calculation on net gaming revenues to the State in calendar
3 years 2020 through 2022, the increase or reduction in wagers
4 as a result of removing non-cashable vouchers, coupons, and
5 electronic promotions from this calculation, the effect of the
6 tax rates in subsection (a-5) on net gaming revenues to this
7 State, and proposed modifications to the calculation.

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

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

1 or other entity that acquires an ownership interest in any
2 such owners license. The obligation imposed under this
3 subsection (a-15) terminates on the earliest of: (i) July 1,
4 2007, (ii) the first day after the effective date of this
5 amendatory Act of the 94th General Assembly that riverboat
6 gambling operations are conducted pursuant to a dormant
7 license, (iii) the first day that riverboat gambling
8 operations are conducted under the authority of an owners
9 license that is in addition to the 10 owners licenses
10 initially authorized under this Act, or (iv) the first day
11 that a licensee under the Illinois Horse Racing Act of 1975
12 conducts gaming operations with slot machines or other
13 electronic gaming devices. The Board must reduce the
14 obligation imposed under this subsection (a-15) by an amount
15 the Board deems reasonable for any of the following reasons:
16 (A) an act or acts of God, (B) an act of bioterrorism or
17 terrorism or a bioterrorism or terrorism threat that was
18 investigated by a law enforcement agency, or (C) a condition
19 beyond the control of the owners licensee that does not result
20 from any act or omission by the owners licensee or any of its
21 agents and that poses a hazardous threat to the health and
22 safety of patrons. If an owners licensee pays an amount in
23 excess of its liability under this Section, the Board shall
24 apply the overpayment to future payments required under this
25 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
19 subsection (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
22 Public Act 94-673 with respect to the amount of the payments
23 required to be made under this subsection by an owners
24 licensee to the 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)
4 of Section 7, shall be paid monthly, subject to appropriation
5 by the General Assembly, to the unit of local government in
6 which the casino is located or that is designated as the home
7 dock of the riverboat. Notwithstanding anything to the
8 contrary, beginning on the first day that an owners licensee
9 under paragraph (1), (2), (3), (4), (5), or (6) of subsection
10 (e-5) 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
23 or 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
16 of Homewood, Village of Lansing, Village of Lynwood, City of
17 Markham, Village of Matteson, Village of Midlothian, Village
18 of Monee, City of Oak Forest, Village of Olympia Fields,
19 Village of Orland Hills, Village of Orland Park, City of Palos
20 Heights, Village of Park Forest, Village of Phoenix, Village
21 of Posen, Village of Richton Park, Village of Riverdale,
22 Village of Robbins, Village of Sauk Village, Village of South
23 Chicago Heights, Village of South Holland, Village of Steger,
24 Village of Thornton, Village of Tinley Park, Village of
25 University Park and Village of Worth; or (B) if no regional
26 capital development plan exists, equally among the communities

1 listed in item (A) to be used for capital expenditures or
2 public pension payments, 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,
12 to 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), from the tax revenue deposited in the
19 State Gaming Fund under this Section, an amount equal to 3% of
20 adjusted gross receipts generated by each organization gaming
21 facility located outside Madison County shall be paid monthly,
22 subject to appropriation by the General Assembly, to a
23 municipality other than the Village of Stickney in which each
24 organization gaming facility is located or, if the
25 organization gaming facility is not located within a
26 municipality, to the county in which the organization gaming

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

1 for the purposes of its criminal justice system or health care
2 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
24 of Monee, City of Oak Forest, Village of Olympia Fields,
25 Village of Orland Hills, Village of Orland Park, City of Palos
26 Heights, Village of Park Forest, Village of Phoenix, Village

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

9 (b-8) In lieu of the payments under subsection (b) of this
10 Section, from the tax revenue deposited in the State Gaming
11 Fund pursuant to riverboat or casino gambling operations
12 conducted by an owners licensee under paragraph (1) of
13 subsection (e-5) of Section 7, an amount equal to the tax
14 revenue generated from the privilege tax imposed by paragraph
15 (2) of subsection (a-5) that is to be paid to the City of
16 Chicago shall be paid monthly, subject to appropriation by the
17 General Assembly, as follows: (1) an amount equal to 0.5% of
18 the annual adjusted gross receipts generated by the owners
19 licensee under paragraph (1) of subsection (e-5) of Section 7
20 to the home rule county in which the owners licensee is located
21 for the purpose of enhancing the county's criminal justice
22 system; and (2) the balance to the City of Chicago and shall be
23 expended or obligated by the City of Chicago for pension
24 payments in accordance with Public Act 99-506.

25 (c) Appropriations, as approved by the General Assembly,
26 may be made from the State Gaming Fund to the Board (i) for the

1 administration and enforcement of this Act and the Video
2 Gaming Act, (ii) for distribution to the Department of State
3 Police and to the Department of Revenue for the enforcement of
4 this Act and the Video Gaming Act, and (iii) to the Department
5 of Human Services for the administration of programs to treat
6 problem gambling, including problem gambling from sports
7 wagering. The Board's annual appropriations request must
8 separately state its funding needs for the regulation of
9 gaming authorized under Section 7.7, riverboat gaming, casino
10 gaming, video gaming, and sports wagering.

11 (c-2) An amount equal to 2% of the adjusted gross receipts
12 generated by an organization gaming facility located within a
13 home rule county with a population of over 3,000,000
14 inhabitants shall be paid, subject to appropriation from the
15 General Assembly, from the State Gaming Fund to the home rule
16 county in which the organization gaming licensee is located
17 for the purpose of enhancing the county's criminal justice
18 system.

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

24 (c-4) After payments required under subsections (b),
25 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from
26 the tax revenue from organization gaming licensees deposited

1 into the State Gaming Fund under this Section, all remaining
2 amounts from organization gaming licensees shall be
3 transferred into the Capital Projects Fund.

4 (c-5) (Blank).

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

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

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

1 (c-21) After the payments required under subsections (b),
2 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have
3 been made, an amount equal to 0.5% of the adjusted gross
4 receipts generated by the owners licensee under paragraph (1)
5 of subsection (e-5) of Section 7 shall be paid monthly,
6 subject to appropriation from the General Assembly, from the
7 State Gaming Fund to the home rule county in which the owners
8 licensee is located for the purpose of enhancing the county's
9 criminal justice system.

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

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

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

26 (c-30) On July 1, 2013 or as soon as possible thereafter,

1 \$92,000,000 shall be transferred from the State Gaming Fund to
2 the School Infrastructure Fund and \$23,000,000 shall be
3 transferred from the State Gaming Fund to the Horse Racing
4 Equity Fund.

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

9 (d) From time to time, through June 30, 2022, the Board
10 shall transfer the remainder of the funds generated by this
11 Act into the Education Assistance Fund, ~~created by Public Act~~
12 ~~86-0018, of the State of Illinois.~~

13 (d-5) Beginning on July 1, 2022, on the last day of each
14 month, or as soon thereafter as possible, after all the
15 required expenditures, distributions and transfers have been
16 made from the State Gaming Fund for the month pursuant to
17 subsections (b) through (c-35), the Board shall transfer
18 \$22,500,000, along with any deficiencies in such amounts from
19 prior months, from the State Gaming Fund to the Education
20 Assistance Fund; then the Board shall transfer the remainder
21 of the funds generated by this Act, if any, from the State
22 Gaming Fund to the Capital Projects Fund.

23 (e) Nothing in this Act shall prohibit the unit of local
24 government designated as the home dock of the riverboat from
25 entering into agreements with other units of local government
26 in this State or in other states to share its portion of the

1 tax revenue.

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

8 (Source: P.A. 101-31, Article 25, Section 25-910, eff.
9 6-28-19; 101-31, Article 35, Section 35-55, eff. 6-28-19;
10 101-648, eff. 6-30-20.)

11 Section 20. The Raffles and Poker Runs Act is amended by
12 changing Sections 1 and 2 as follows:

13 (230 ILCS 15/1) (from Ch. 85, par. 2301)

14 Sec. 1. Definitions. For the purposes of this Act the
15 terms defined in this Section have the meanings given them.

16 "Fire protection agency" means: (1) an agency of this
17 State, unit of local government, or intergovernmental mutual
18 aid entity that is vested by law or intergovernmental
19 agreement with the duty and authority to provide public fire
20 suppression, rescue, or emergency medical services; or (2) an
21 organization that provides support or assistance to an agency
22 of this State, unit of local government, or intergovernmental
23 mutual aid entity that is vested by law or intergovernmental
24 agreement with the duty and authority to provide public fire

1 suppression, rescue, or emergency medical services.

2 "Key location" means:

3 (1) For a poker run, the location where the poker run
4 concludes and the prizes are awarded.

5 (2) For a raffle, the location where the winning
6 chances in the raffle are determined.

7 "Law enforcement agency" means an agency of this State or
8 a unit of local government in this State that is vested by law
9 or ordinance with the duty to maintain public order and to
10 enforce criminal laws or ordinances.

11 "Net proceeds" means the gross receipts from the conduct
12 of raffles, less reasonable sums expended for prizes, local
13 license fees and other operating expenses incurred as a result
14 of operating a raffle or poker run.

15 "Poker run" means a prize-awarding event organized by an
16 organization licensed under this Act in which participants
17 travel to multiple predetermined locations, including a key
18 location, to play a randomized game based on an element of
19 chance. "Poker run" includes dice runs, marble runs, or other
20 events where the objective is to build the best hand or highest
21 score by obtaining an item or playing a randomized game at each
22 location.

23 "Raffle" means a form of lottery, as defined in subsection
24 (b) of Section 28-2 of the Criminal Code of 2012, conducted by
25 an organization licensed under this Act, in which:

26 (1) the player pays or agrees to pay something of

1 value for a chance, represented and differentiated by a
2 number or by a combination of numbers or by some other
3 medium, one or more of which chances is to be designated
4 the winning chance; and

5 (2) the winning chance is to be determined through a
6 drawing or by some other method based on an element of
7 chance by an act or set of acts on the part of persons
8 conducting or connected with the lottery, except that the
9 winning chance shall not be determined by the outcome of a
10 publicly exhibited sporting contest.

11 "Raffle" does not include any game designed to simulate:
12 (1) gambling games as defined in the Illinois Gambling Act,
13 (2) any casino game approved for play by the Illinois Gaming
14 Board, (3) any games provided by a video gaming terminal, as
15 defined in the Video Gaming Act, or (4) a savings promotion
16 raffle authorized under Section 5g of the Illinois Banking
17 Act, Section 7008 of the Savings Bank Act, Section 42.7 of the
18 Illinois Credit Union Act, Section 5136B of the National Bank
19 Act, or Section 4 of the Home Owners' Loan Act.

20 (Source: P.A. 101-109, eff. 7-19-19; 102-558, eff. 8-20-21.)

21 (230 ILCS 15/2) (from Ch. 85, par. 2302)

22 Sec. 2. Licensing.

23 (a) The governing body of any county or municipality
24 within this State may establish a system for the licensing of
25 organizations to operate raffles. The governing bodies of a

1 county and one or more municipalities may, pursuant to a
2 written contract, jointly establish a system for the licensing
3 of organizations to operate raffles within any area of
4 contiguous territory not contained within the corporate limits
5 of a municipality which is not a party to such contract. The
6 governing bodies of two or more adjacent counties or two or
7 more adjacent municipalities located within a county may,
8 pursuant to a written contract, jointly establish a system for
9 the licensing of organizations to operate raffles within the
10 corporate limits of such counties or municipalities. The
11 licensing authority may establish special categories of
12 licenses and promulgate rules relating to the various
13 categories. The licensing system shall provide for limitations
14 upon (1) the aggregate retail value of all prizes or
15 merchandise awarded by a licensee in a single raffle, if any,
16 (2) the maximum retail value of each prize awarded by a
17 licensee in a single raffle, if any, (3) the maximum price
18 which may be charged for each raffle chance issued or sold, if
19 any, and (4) the maximum number of days during which chances
20 may be issued or sold, if any. The licensing system may include
21 a fee for each license in an amount to be determined by the
22 local governing body. Licenses issued pursuant to this Act
23 shall be valid for one raffle or for a specified number of
24 raffles to be conducted during a specified period not to
25 exceed one year and may be suspended or revoked for any
26 violation of this Act. A local governing body shall act on a

1 license application within 30 days from the date of
2 application. A county or municipality may adopt rules or
3 ordinances for the operation of raffles that are consistent
4 with this Act. Raffles shall be licensed by the governing body
5 of the municipality with jurisdiction over the key location
6 or, if no municipality has jurisdiction over the key location,
7 then by the governing body of the county with jurisdiction
8 over the key location. A license shall authorize the holder of
9 such license to sell raffle chances throughout the State,
10 including beyond the borders of the licensing municipality or
11 county.

12 (a-5) The governing body of Cook County may and any other
13 county within this State shall establish a system for the
14 licensing of organizations to operate poker runs. The
15 governing bodies of 2 or more adjacent counties may, pursuant
16 to a written contract, jointly establish a system for the
17 licensing of organizations to operate poker runs within the
18 corporate limits of such counties. The licensing authority may
19 establish special categories of licenses and adopt rules
20 relating to the various categories. The licensing system may
21 include a fee not to exceed \$25 for each license. Licenses
22 issued pursuant to this Act shall be valid for one poker run or
23 for a specified number of poker runs to be conducted during a
24 specified period not to exceed one year and may be suspended or
25 revoked for any violation of this Act. A local governing body
26 shall act on a license application within 30 days after the

1 date of application.

2 (b) Raffle licenses shall be issued only: (1) to bona fide
3 religious, charitable, labor, business, fraternal,
4 educational, veterans', or other bona fide not-for-profit
5 organizations that operate without profit to their members and
6 which have been in existence continuously for a period of 5
7 years immediately before making application for a raffle
8 license and which have during that entire 5-year period been
9 engaged in carrying out their objects, (2) ~~or~~ to a non-profit
10 fundraising organization that the licensing authority
11 determines is organized for the sole purpose of providing
12 financial assistance to an identified individual or group of
13 individuals suffering extreme financial hardship as the result
14 of an illness, disability, accident, or disaster, (3) ~~or~~ to
15 any law enforcement agencies and associations that represent
16 law enforcement officials, or (4) to any fire protection
17 agencies and associations that represent fire protection
18 officials. Poker run licenses shall be issued only to bona
19 fide religious, charitable, labor, business, fraternal,
20 educational, veterans', or other bona fide not-for-profit
21 organizations that operate without profit to their members and
22 which have been in existence continuously for a period of 5
23 years immediately before making application for a poker run
24 license and which have during that entire 5-year period been
25 engaged in carrying out their objects. Licenses for poker runs
26 shall be issued for the following purposes: (i) providing

1 financial assistance to an identified individual or group of
2 individuals suffering extreme financial hardship as the result
3 of an illness, disability, accident, or disaster or (ii) to
4 maintain the financial stability of the organization. A
5 licensing authority may waive the 5-year requirement under
6 this subsection (b) for a bona fide religious, charitable,
7 labor, business, fraternal, educational, or veterans'
8 organization that applies for a license to conduct a raffle or
9 a poker run if the organization is a local organization that is
10 affiliated with and chartered by a national or State
11 organization that meets the 5-year requirement.

12 For purposes of this Act, the following definitions apply.
13 Non-profit: An organization or institution organized and
14 conducted on a not-for-profit basis with no personal profit
15 inuring to any one as a result of the operation. Charitable: An
16 organization or institution organized and operated to benefit
17 an indefinite number of the public. The service rendered to
18 those eligible for benefits must also confer some benefit on
19 the public. Educational: An organization or institution
20 organized and operated to provide systematic instruction in
21 useful branches of learning by methods common to schools and
22 institutions of learning which compare favorably in their
23 scope and intensity with the course of study presented in
24 tax-supported schools. Religious: Any church, congregation,
25 society, or organization founded for the purpose of religious
26 worship. Fraternal: An organization of persons having a common

1 interest, the primary interest of which is to both promote the
2 welfare of its members and to provide assistance to the
3 general public in such a way as to lessen the burdens of
4 government by caring for those that otherwise would be cared
5 for by the government. Veterans: An organization or
6 association comprised of members of which substantially all
7 are individuals who are veterans or spouses, widows, or
8 widowers of veterans, the primary purpose of which is to
9 promote the welfare of its members and to provide assistance
10 to the general public in such a way as to confer a public
11 benefit. Labor: An organization composed of workers organized
12 with the objective of betterment of the conditions of those
13 engaged in such pursuit and the development of a higher degree
14 of efficiency in their respective occupations. Business: A
15 voluntary organization composed of individuals and businesses
16 who have joined together to advance the commercial, financial,
17 industrial and civic interests of a community.

18 (Source: P.A. 101-109, eff. 7-19-19; 101-360, eff. 1-1-20;
19 102-558, eff. 8-20-21.)

20 Section 30. The Video Gaming Act is amended by changing
21 Sections 5, 25, 27, 30, 45, 50, and 65 and by adding Section 90
22 as follows:

23 (230 ILCS 40/5)

24 Sec. 5. Definitions. As used in this Act:

1 "Board" means the Illinois Gaming Board.

2 "Credit" means one, 5, 10, or 25 cents either won or
3 purchased by a player.

4 "Distributor" means an individual, partnership,
5 corporation, or limited liability company licensed under this
6 Act to buy, sell, lease, or distribute video gaming terminals
7 or major components or parts of video gaming terminals to or
8 from terminal operators.

9 "Electronic card" means a card purchased from a licensed
10 establishment, licensed fraternal establishment, licensed
11 veterans establishment, licensed truck stop establishment, or
12 licensed large truck stop establishment for use in that
13 establishment as a substitute for cash in the conduct of
14 gaming on a video gaming terminal.

15 "Electronic voucher" means a voucher printed by an
16 electronic video game machine that is redeemable in the
17 licensed establishment for which it was issued.

18 "In-location bonus jackpot" means one or more video gaming
19 terminals at a single licensed establishment that allows for
20 wagers placed on such video gaming terminals to contribute to
21 a cumulative maximum jackpot of up to \$10,000.

22 "Terminal operator" means an individual, partnership,
23 corporation, or limited liability company that is licensed
24 under this Act and that owns, services, and maintains video
25 gaming terminals for placement in licensed establishments,
26 licensed truck stop establishments, licensed large truck stop

1 establishments, licensed fraternal establishments, or licensed
2 veterans establishments.

3 "Licensed technician" means an individual who is licensed
4 under this Act to repair, service, and maintain video gaming
5 terminals.

6 "Licensed terminal handler" means a person, including but
7 not limited to an employee or independent contractor working
8 for a manufacturer, distributor, supplier, technician, or
9 terminal operator, who is licensed under this Act to possess
10 or control a video gaming terminal or to have access to the
11 inner workings of a video gaming terminal. A licensed terminal
12 handler does not include an individual, partnership,
13 corporation, or limited liability company defined as a
14 manufacturer, distributor, supplier, technician, or terminal
15 operator under this Act.

16 "Manufacturer" means an individual, partnership,
17 corporation, or limited liability company that is licensed
18 under this Act and that manufactures or assembles video gaming
19 terminals.

20 "Supplier" means an individual, partnership, corporation,
21 or limited liability company that is licensed under this Act
22 to supply major components or parts to video gaming terminals
23 to licensed terminal operators.

24 "Net terminal income" means money put into a video gaming
25 terminal minus credits paid out to players.

26 "Video gaming terminal" means any electronic video game

1 machine that, upon insertion of cash, electronic cards or
2 vouchers, or any combination thereof, is available to play or
3 simulate the play of a video game, including but not limited to
4 video poker, line up, and blackjack, as authorized by the
5 Board utilizing a video display and microprocessors in which
6 the player may receive free games or credits that can be
7 redeemed for cash. The term does not include a machine that
8 directly dispenses coins, cash, or tokens or is for amusement
9 purposes only.

10 "Licensed establishment" means any licensed retail
11 establishment where alcoholic liquor is drawn, poured, mixed,
12 or otherwise served for consumption on the premises, whether
13 the establishment operates on a nonprofit or for-profit basis.

14 "Licensed establishment" includes any such establishment that
15 has a contractual relationship with an inter-track wagering
16 location licensee licensed under the Illinois Horse Racing Act
17 of 1975, provided any contractual relationship shall not
18 include any transfer or offer of revenue from the operation of
19 video gaming under this Act to any licensee licensed under the
20 Illinois Horse Racing Act of 1975. Provided, however, that the
21 licensed establishment that has such a contractual
22 relationship with an inter-track wagering location licensee
23 may not, itself, be (i) an inter-track wagering location
24 licensee, (ii) the corporate parent or subsidiary of any
25 licensee licensed under the Illinois Horse Racing Act of 1975,
26 or (iii) the corporate subsidiary of a corporation that is

1 also the corporate parent or subsidiary of any licensee
2 licensed under the Illinois Horse Racing Act of 1975.
3 "Licensed establishment" does not include a facility operated
4 by an organization licensee, an inter-track wagering licensee,
5 or an inter-track wagering location licensee licensed under
6 the Illinois Horse Racing Act of 1975 or a riverboat licensed
7 under the Illinois Gambling Act, except as provided in this
8 paragraph. The changes made to this definition by Public Act
9 98-587 are declarative of existing law.

10 "Licensed fraternal establishment" means the location
11 where a qualified fraternal organization that derives its
12 charter from a national fraternal organization regularly
13 meets.

14 "Licensed veterans establishment" means the location where
15 a qualified veterans organization that derives its charter
16 from a national veterans organization regularly meets.

17 "Licensed truck stop establishment" means a facility (i)
18 that is at least a 3-acre facility with a convenience store,
19 (ii) with separate diesel islands for fueling commercial motor
20 vehicles, (iii) that sells at retail more than 10,000 gallons
21 of diesel or biodiesel fuel per month, and (iv) with parking
22 spaces for commercial motor vehicles. "Commercial motor
23 vehicles" has the same meaning as defined in Section 18b-101
24 of the Illinois Vehicle Code. The requirement of item (iii) of
25 this paragraph may be met by showing that estimated future
26 sales or past sales average at least 10,000 gallons per month.

1 "Licensed large truck stop establishment" means a facility
2 located within 3 road miles from a freeway interchange, as
3 measured in accordance with the Department of Transportation's
4 rules regarding the criteria for the installation of business
5 signs: (i) that is at least a 3-acre facility with a
6 convenience store, (ii) with separate diesel islands for
7 fueling commercial motor vehicles, (iii) that sells at retail
8 more than 50,000 gallons of diesel or biodiesel fuel per
9 month, and (iv) with parking spaces for commercial motor
10 vehicles. "Commercial motor vehicles" has the same meaning as
11 defined in Section 18b-101 of the Illinois Vehicle Code. The
12 requirement of item (iii) of this paragraph may be met by
13 showing that estimated future sales or past sales average at
14 least 50,000 gallons per month.

15 "Sales agent and broker" means an individual, partnership,
16 corporation, limited liability company, or other business
17 entity engaged in the solicitation or receipt of business from
18 current or potential licensed establishments, licensed
19 fraternal establishments, licensed veterans establishments,
20 licensed truck stop establishments, or licensed large truck
21 stop establishments either on an employment or contractual
22 basis.

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

24 (230 ILCS 40/25)

25 Sec. 25. Restriction of licensees.

1 (a) Manufacturer. A person may not be licensed as a
2 manufacturer of a video gaming terminal in Illinois unless the
3 person has a valid manufacturer's license issued under this
4 Act. A manufacturer may only sell video gaming terminals for
5 use in Illinois to persons having a valid distributor's
6 license.

7 (b) Distributor. A person may not sell, distribute, or
8 lease or market a video gaming terminal in Illinois unless the
9 person has a valid distributor's license issued under this
10 Act. A distributor may only sell video gaming terminals for
11 use in Illinois to persons having a valid distributor's or
12 terminal operator's license.

13 (c) Terminal operator. A person may not own, maintain, or
14 place a video gaming terminal unless he has a valid terminal
15 operator's license issued under this Act. A terminal operator
16 may only place video gaming terminals for use in Illinois in
17 licensed establishments, licensed truck stop establishments,
18 licensed large truck stop establishments, licensed fraternal
19 establishments, and licensed veterans establishments. No
20 terminal operator may give anything of value, including but
21 not limited to a loan or financing arrangement, to a licensed
22 establishment, licensed truck stop establishment, licensed
23 large truck stop establishment, licensed fraternal
24 establishment, or licensed veterans establishment as any
25 incentive or inducement to locate video terminals in that
26 establishment. Of the after-tax profits from a video gaming

1 terminal, 50% shall be paid to the terminal operator and 50%
2 shall be paid to the licensed establishment, licensed truck
3 stop establishment, licensed large truck stop establishment,
4 licensed fraternal establishment, or licensed veterans
5 establishment, notwithstanding any agreement to the contrary.
6 A video terminal operator that violates one or more
7 requirements of this subsection is guilty of a Class 4 felony
8 and is subject to termination of his or her license by the
9 Board.

10 (d) Licensed technician. A person may not service,
11 maintain, or repair a video gaming terminal in this State
12 unless he or she (1) has a valid technician's license issued
13 under this Act, (2) is a terminal operator, or (3) is employed
14 by a terminal operator, distributor, or manufacturer.

15 (d-5) Licensed terminal handler. No person, including, but
16 not limited to, an employee or independent contractor working
17 for a manufacturer, distributor, supplier, technician, or
18 terminal operator licensed pursuant to this Act, shall have
19 possession or control of a video gaming terminal, or access to
20 the inner workings of a video gaming terminal, unless that
21 person possesses a valid terminal handler's license issued
22 under this Act.

23 (d-10) Solicitation of use agreements. A person may not
24 solicit the signing of a use agreement on behalf of a terminal
25 operator or enter into a use agreement as agent of a terminal
26 operator unless that person either has a valid sales agent and

1 broker license issued under this Act or owns, manages, or
2 significantly influences or controls the terminal operator.

3 (e) Licensed establishment. No video gaming terminal may
4 be placed in any licensed establishment, licensed veterans
5 establishment, licensed truck stop establishment, licensed
6 large truck stop establishment, or licensed fraternal
7 establishment unless the owner or agent of the owner of the
8 licensed establishment, licensed veterans establishment,
9 licensed truck stop establishment, licensed large truck stop
10 establishment, or licensed fraternal establishment has entered
11 into a written use agreement with the terminal operator for
12 placement of the terminals. A copy of the use agreement shall
13 be on file in the terminal operator's place of business and
14 available for inspection by individuals authorized by the
15 Board. A licensed establishment, licensed truck stop
16 establishment, licensed veterans establishment, or licensed
17 fraternal establishment may operate up to 6 video gaming
18 terminals on its premises at any time. A licensed large truck
19 stop establishment may operate up to 10 video gaming terminals
20 on its premises at any time.

21 (f) (Blank).

22 (g) Financial interest restrictions. As used in this Act,
23 "substantial interest" in a partnership, a corporation, an
24 organization, an association, a business, or a limited
25 liability company means:

26 (A) When, with respect to a sole proprietorship, an

1 individual or his or her spouse owns, operates, manages,
2 or conducts, directly or indirectly, the organization,
3 association, or business, or any part thereof; or

4 (B) When, with respect to a partnership, the
5 individual or his or her spouse shares in any of the
6 profits, or potential profits, of the partnership
7 activities; or

8 (C) When, with respect to a corporation, an individual
9 or his or her spouse is an officer or director, or the
10 individual or his or her spouse is a holder, directly or
11 beneficially, of 5% or more of any class of stock of the
12 corporation; or

13 (D) When, with respect to an organization not covered
14 in (A), (B) or (C) above, an individual or his or her
15 spouse is an officer or manages the business affairs, or
16 the individual or his or her spouse is the owner of or
17 otherwise controls 10% or more of the assets of the
18 organization; or

19 (E) When an individual or his or her spouse furnishes
20 5% or more of the capital, whether in cash, goods, or
21 services, for the operation of any business, association,
22 or organization during any calendar year; or

23 (F) When, with respect to a limited liability company,
24 an individual or his or her spouse is a member, or the
25 individual or his or her spouse is a holder, directly or
26 beneficially, of 5% or more of the membership interest of

1 the limited liability company.

2 For purposes of this subsection (g), "individual" includes
3 all individuals or their spouses whose combined interest would
4 qualify as a substantial interest under this subsection (g)
5 and whose activities with respect to an organization,
6 association, or business are so closely aligned or coordinated
7 as to constitute the activities of a single entity.

8 (h) Location restriction. A licensed establishment,
9 licensed truck stop establishment, licensed large truck stop
10 establishment, licensed fraternal establishment, or licensed
11 veterans establishment that is (i) located within 1,000 feet
12 of a facility operated by an organization licensee licensed
13 under the Illinois Horse Racing Act of 1975 or the home dock of
14 a riverboat licensed under the Illinois Gambling Act or (ii)
15 located within 100 feet of a school or a place of worship under
16 the Religious Corporation Act, is ineligible to operate a
17 video gaming terminal. The location restrictions in this
18 subsection (h) do not apply if (A) a facility operated by an
19 organization licensee, a school, or a place of worship moves
20 to or is established within the restricted area after a
21 licensed establishment, licensed truck stop establishment,
22 licensed large truck stop establishment, licensed fraternal
23 establishment, or licensed veterans establishment becomes
24 licensed under this Act or (B) a school or place of worship
25 moves to or is established within the restricted area after a
26 licensed establishment, licensed truck stop establishment,

1 licensed large truck stop establishment, licensed fraternal
2 establishment, or licensed veterans establishment obtains its
3 original liquor license. For the purpose of this subsection,
4 "school" means an elementary or secondary public school, or an
5 elementary or secondary private school registered with or
6 recognized by the State Board of Education.

7 Notwithstanding the provisions of this subsection (h), the
8 Board may waive the requirement that a licensed establishment,
9 licensed truck stop establishment, licensed large truck stop
10 establishment, licensed fraternal establishment, or licensed
11 veterans establishment not be located within 1,000 feet from a
12 facility operated by an organization licensee licensed under
13 the Illinois Horse Racing Act of 1975 or the home dock of a
14 riverboat licensed under the Illinois Gambling Act. The Board
15 shall not grant such waiver if there is any common ownership or
16 control, shared business activity, or contractual arrangement
17 of any type between the establishment and the organization
18 licensee or owners licensee of a riverboat. The Board shall
19 adopt rules to implement the provisions of this paragraph.

20 (h-5) Restrictions on licenses in malls. The Board shall
21 not grant an application to become a licensed video gaming
22 location if the Board determines that granting the application
23 would more likely than not cause a terminal operator,
24 individually or in combination with other terminal operators,
25 licensed video gaming location, or other person or entity, to
26 operate the video gaming terminals in 2 or more licensed video

1 gaming locations as a single video gaming operation.

2 (1) In making determinations under this subsection
3 (h-5), factors to be considered by the Board shall
4 include, but not be limited to, the following:

5 (A) the physical aspects of the location;

6 (B) the ownership, control, or management of the
7 location;

8 (C) any arrangements, understandings, or
9 agreements, written or otherwise, among or involving
10 any persons or entities that involve the conducting of
11 any video gaming business or the sharing of costs or
12 revenues; and

13 (D) the manner in which any terminal operator or
14 other related entity markets, advertises, or otherwise
15 describes any location or locations to any other
16 person or entity or to the public.

17 (2) The Board shall presume, subject to rebuttal, that
18 the granting of an application to become a licensed video
19 gaming location within a mall will cause a terminal
20 operator, individually or in combination with other
21 persons or entities, to operate the video gaming terminals
22 in 2 or more licensed video gaming locations as a single
23 video gaming operation if the Board determines that
24 granting the license would create a local concentration of
25 licensed video gaming locations.

26 For the purposes of this subsection (h-5):

1 "Mall" means a building, or adjoining or connected
2 buildings, containing 4 or more separate locations.

3 "Video gaming operation" means the conducting of video
4 gaming and all related activities.

5 "Location" means a space within a mall containing a
6 separate business, a place for a separate business, or a place
7 subject to a separate leasing arrangement by the mall owner.

8 "Licensed video gaming location" means a licensed
9 establishment, licensed fraternal establishment, licensed
10 veterans establishment, licensed truck stop establishment, or
11 licensed large truck stop.

12 "Local concentration of licensed video gaming locations"
13 means that the combined number of licensed video gaming
14 locations within a mall exceed half of the separate locations
15 within the mall.

16 (i) Undue economic concentration. In addition to
17 considering all other requirements under this Act, in deciding
18 whether to approve the operation of video gaming terminals by
19 a terminal operator in a location, the Board shall consider
20 the impact of any economic concentration of such operation of
21 video gaming terminals. The Board shall not allow a terminal
22 operator to operate video gaming terminals if the Board
23 determines such operation will result in undue economic
24 concentration. For purposes of this Section, "undue economic
25 concentration" means that a terminal operator would have such
26 actual or potential influence over video gaming terminals in

1 Illinois as to:

2 (1) substantially impede or suppress competition among
3 terminal operators;

4 (2) adversely impact the economic stability of the
5 video gaming industry in Illinois; or

6 (3) negatively impact the purposes of the Video Gaming
7 Act.

8 The Board shall adopt rules concerning undue economic
9 concentration with respect to the operation of video gaming
10 terminals in Illinois. The rules shall include, but not be
11 limited to, (i) limitations on the number of video gaming
12 terminals operated by any terminal operator within a defined
13 geographic radius and (ii) guidelines on the discontinuation
14 of operation of any such video gaming terminals the Board
15 determines will cause undue economic concentration.

16 (j) The provisions of the Illinois Antitrust Act are fully
17 and equally applicable to the activities of any licensee under
18 this Act.

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

20 (230 ILCS 40/27)

21 Sec. 27. Prohibition of video gaming by political
22 subdivision.

23 (a) A municipality may pass an ordinance prohibiting video
24 gaming within the corporate limits of the municipality. A
25 county board may, for the unincorporated area of the county,

1 pass an ordinance prohibiting video gaming within the
2 unincorporated area of the county.

3 (b) On and after July 1, 2022, a qualified fraternal
4 organization that derives its charter from a national
5 fraternal organization and a qualified veterans organization
6 that derives its charter from a national veterans organization
7 shall be eligible to apply to the Board for a license allowing
8 video gaming as a licensed fraternal establishment or a
9 licensed veterans establishment if the proposed fraternal
10 establishment or veterans establishment is located in:

11 (1) a municipality having a population of not more
12 than 1,000,000 that has enacted an ordinance prohibiting
13 video gaming within the corporate limits; or

14 (2) a county having a population of not more than
15 1,000,000 that has enacted an ordinance prohibiting video
16 gaming within the unincorporated area of the county.

17 If the license is granted by the Board, then the licensed
18 fraternal establishment or licensed veterans establishment may
19 operate video gaming terminals pursuant to this Act.

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

21 (230 ILCS 40/30)

22 Sec. 30. Multiple types of licenses prohibited. A video
23 gaming terminal manufacturer may not be licensed as a video
24 gaming terminal operator or own, manage, or control a licensed
25 establishment, licensed truck stop establishment, licensed

1 large truck stop establishment, licensed fraternal
2 establishment, or licensed veterans establishment, and shall
3 be licensed to sell only to persons having a valid
4 distributor's license or, if the manufacturer also holds a
5 valid distributor's license, to sell, distribute, lease, or
6 market to persons having a valid terminal operator's license.
7 A video gaming terminal distributor may not be licensed as a
8 video gaming terminal operator or own, manage, or control a
9 licensed establishment, licensed truck stop establishment,
10 licensed large truck stop establishment, licensed fraternal
11 establishment, or licensed veterans establishment, and shall
12 only contract with a licensed terminal operator. A video
13 gaming terminal operator may not be licensed as a video gaming
14 terminal manufacturer or distributor or own, manage, or
15 control a licensed establishment, licensed truck stop
16 establishment, licensed large truck stop establishment,
17 licensed fraternal establishment, or licensed veterans
18 establishment, and shall be licensed only to contract with
19 licensed distributors and licensed establishments, licensed
20 truck stop establishments, licensed large truck stop
21 establishments, licensed fraternal establishments, and
22 licensed veterans establishments. An owner or manager of a
23 licensed establishment, licensed truck stop establishment,
24 licensed large truck stop establishment, licensed fraternal
25 establishment, or licensed veterans establishment may not be
26 licensed as a video gaming terminal manufacturer, distributor,

1 or operator, and shall only contract with a licensed operator
2 to place and service this equipment. A sales agent and broker
3 may not be licensed as a manufacturer, distributor, supplier,
4 licensed establishment, licensed fraternal establishment,
5 licensed veterans establishment, licensed truck stop
6 establishment, or licensed large truck stop establishment.

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

8 (230 ILCS 40/45)

9 Sec. 45. Issuance of license.

10 (a) The burden is upon each applicant to demonstrate his
11 suitability for licensure. Each video gaming terminal
12 manufacturer, distributor, supplier, operator, handler,
13 licensed establishment, licensed truck stop establishment,
14 licensed large truck stop establishment, licensed fraternal
15 establishment, and licensed veterans establishment shall be
16 licensed by the Board. The Board may issue or deny a license
17 under this Act to any person pursuant to the same criteria set
18 forth in Section 9 of the Illinois Gambling Act.

19 (a-5) The Board shall not grant a license to a person who
20 has facilitated, enabled, or participated in the use of
21 coin-operated devices for gambling purposes or who is under
22 the significant influence or control of such a person. For the
23 purposes of this Act, "facilitated, enabled, or participated
24 in the use of coin-operated amusement devices for gambling
25 purposes" means that the person has been convicted of any

1 violation of Article 28 of the Criminal Code of 1961 or the
2 Criminal Code of 2012. If there is pending legal action
3 against a person for any such violation, then the Board shall
4 delay the licensure of that person until the legal action is
5 resolved.

6 (b) Each person seeking and possessing a license as a
7 video gaming terminal manufacturer, distributor, supplier,
8 operator, handler, licensed establishment, licensed truck stop
9 establishment, licensed large truck stop establishment,
10 licensed fraternal establishment, or licensed veterans
11 establishment shall submit to a background investigation
12 conducted by the Board with the assistance of the Illinois
13 State Police or other law enforcement. To the extent that the
14 corporate structure of the applicant allows, the background
15 investigation shall include any or all of the following as the
16 Board deems appropriate or as provided by rule for each
17 category of licensure: (i) each beneficiary of a trust, (ii)
18 each partner of a partnership, (iii) each member of a limited
19 liability company, (iv) each director and officer of a
20 publicly or non-publicly held corporation, (v) each
21 stockholder of a non-publicly held corporation, (vi) each
22 stockholder of 5% or more of a publicly held corporation, or
23 (vii) each stockholder of 5% or more in a parent or subsidiary
24 corporation.

25 (c) Each person seeking and possessing a license as a
26 video gaming terminal manufacturer, distributor, supplier,

1 operator, handler, licensed establishment, licensed truck stop
2 establishment, licensed large truck stop establishment,
3 licensed fraternal establishment, or licensed veterans
4 establishment shall disclose the identity of every person,
5 association, trust, corporation, or limited liability company
6 having a greater than 1% direct or indirect pecuniary interest
7 in the video gaming terminal operation for which the license
8 is sought. If the disclosed entity is a trust, the application
9 shall disclose the names and addresses of the beneficiaries;
10 if a corporation, the names and addresses of all stockholders
11 and directors; if a limited liability company, the names and
12 addresses of all members; or if a partnership, the names and
13 addresses of all partners, both general and limited.

14 (d) No person may be licensed as a video gaming terminal
15 manufacturer, distributor, supplier, operator, handler,
16 licensed establishment, licensed truck stop establishment,
17 licensed large truck stop establishment, licensed fraternal
18 establishment, or licensed veterans establishment if that
19 person has been found by the Board to:

20 (1) have a background, including a criminal record,
21 reputation, habits, social or business associations, or
22 prior activities that pose a threat to the public
23 interests of the State or to the security and integrity of
24 video gaming;

25 (2) create or enhance the dangers of unsuitable,
26 unfair, or illegal practices, methods, and activities in

1 the conduct of video gaming; or

2 (3) present questionable business practices and
3 financial arrangements incidental to the conduct of video
4 gaming activities.

5 (e) Any applicant for any license under this Act has the
6 burden of proving his or her qualifications to the
7 satisfaction of the Board. The Board may adopt rules to
8 establish additional qualifications and requirements to
9 preserve the integrity and security of video gaming in this
10 State.

11 (f) A non-refundable application fee shall be paid at the
12 time an application for a license is filed with the Board in
13 the following amounts:

- 14 (1) Manufacturer \$5,000
- 15 (2) Distributor..... \$5,000
- 16 (3) Terminal operator \$5,000
- 17 (4) Supplier \$2,500
- 18 (5) Technician \$100
- 19 (6) Terminal Handler \$100
- 20 (7) Licensed establishment, licensed truck stop
21 establishment, licensed large truck stop establishment,
22 licensed fraternal establishment, or licensed
23 veterans establishment \$100
- 24 (8) Sales agent and broker \$100

25 (g) The Board shall establish an annual fee for each
26 license not to exceed the following:

- 1 (1) Manufacturer \$10,000
- 2 (2) Distributor..... \$10,000
- 3 (3) Terminal operator \$5,000
- 4 (4) Supplier \$2,000
- 5 (5) Technician \$100
- 6 (6) Licensed establishment, licensed truck stop
- 7 establishment, licensed large truck stop establishment,
- 8 licensed fraternal establishment, or licensed
- 9 veterans establishment \$100
- 10 (7) Video gaming terminal \$100
- 11 (8) Terminal Handler \$100
- 12 (9) Sales agent and broker \$100

13 (h) A terminal operator and a licensed establishment,
 14 licensed truck stop establishment, licensed large truck stop
 15 establishment, licensed fraternal establishment, or licensed
 16 veterans establishment shall equally split the fees specified
 17 in item (7) of subsection (g).

18 (Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21.)

19 (230 ILCS 40/50)

20 Sec. 50. Distribution of license fees.

21 (a) All fees collected under Section 45 shall be deposited
 22 into the State Gaming Fund.

23 (b) Fees collected under Section 45 shall be used as
 24 follows:

25 (1) Twenty-five percent shall be paid, subject to

1 appropriation by the General Assembly, to the Department
2 of Human Services for administration of programs for the
3 treatment of compulsive gambling.

4 (2) Seventy-five percent shall be used for the
5 administration of this Act.

6 (c) All initial terminal handler, technician, sales agent
7 and broker, licensed establishment, licensed truck stop
8 establishment, licensed large truck establishment, licensed
9 fraternal establishment, and licensed fraternal establishment
10 licenses issued by the Board under this Act shall be issued for
11 2 years and are renewable for additional 2-year periods
12 annually unless sooner cancelled or terminated. Except as
13 provided by Section 8.1 of the Illinois Gambling Act, all
14 initial manufacturer, distributor, supplier, and terminal
15 operator licenses issued by the Board under this Act shall be
16 issued for 4 years and are renewable for additional 4-year
17 periods unless sooner cancelled or terminated. No license
18 issued under this Act is transferable or assignable.

19 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

20 (230 ILCS 40/65)

21 Sec. 65. Fees. ~~A Except as provided in this Section, a~~
22 non-home rule unit of government may not impose any fee for the
23 operation of a video gaming terminal in excess of \$250 ~~\$25~~ per
24 year. ~~The City of Rockford may not impose any fee for the~~
25 ~~operation of a video gaming terminal in excess of \$250 per~~

1 ~~year.~~

2 The cost of any fee imposed under this Section by any home
3 rule unit of government or non-home rule unit of government
4 shall be shared equally between the terminal operator and the
5 applicable licensed establishment, licensed veterans
6 establishment, licensed truck stop establishment, licensed
7 large truck stop establishment, or licensed fraternal
8 establishment under this Act.

9 (Source: P.A. 101-337, eff. 1-1-20.)

10 (230 ILCS 40/90 new)

11 Sec. 90. Regulation by State.

12 (a) The licensure, registration, and regulation of
13 manufacturers, distributors, terminal operators, licensed
14 technicians, licensed terminal handlers, licensed
15 establishments, licensed veterans establishments, licensed
16 truck stop establishments, licensed large truck stop
17 establishments, and licensed fraternal establishments under
18 this Act, and the imposition of fees and other charges under
19 this Act in connection with such licensure, registration, and
20 regulation, are powers and functions of the State. No non-home
21 rule unit may license, register, or otherwise regulate, or
22 impose any type of fee or any other charge upon, a
23 manufacturer, distributor, terminal operator, licensed
24 technician, licensed terminal handler, licensed establishment,
25 licensed veterans establishment, licensed truck stop

1 establishment, licensed large truck stop establishment, or
2 licensed fraternal establishment.

3 (b) The licensure, registration, and regulation of video
4 gaming terminals under this Act are powers and functions of
5 the State. No non-home rule unit may license, register, or
6 otherwise regulate video gaming terminals.

7 (c) No home rule municipality or non-home rule unit may
8 impose any type of tax upon a: (i) manufacturer, distributor,
9 terminal operator, licensed technician, licensed terminal
10 handler, licensed establishment, licensed veterans
11 establishment, licensed truck stop establishment, licensed
12 large truck stop establishment, or licensed fraternal
13 establishment or their respective authorized activities under
14 this Act; (ii) video gaming terminal; (iii) user or player of
15 any video gaming terminals; or (iv) other use, play, or
16 operation of video gaming terminals authorized under this Act
17 by any person or entity. This subsection (c) is a denial and
18 limitation of home rule powers and functions under subsection
19 (g) of Section 6 of Article VII of the Illinois Constitution.

20 (d) Any home rule municipality that has adopted an
21 ordinance imposing an amusement tax on persons who participate
22 in the playing of video gaming terminals on or before November
23 1, 2021 may continue to impose such amusement tax pursuant to
24 such ordinance but shall not increase, expand, or extend the
25 tax or tax rate on such persons participating in playing video
26 gaming terminals in excess of that tax or rate set forth in

1 such ordinance and shall not otherwise impose any other tax
2 upon any entity or person identified in subsection (c). This
3 subsection (d) is a denial and limitation of home rule powers
4 and functions under subsection (g) of Section 6 of Article VII
5 of the Illinois Constitution.

6 Section 35. The Sports Wagering Act is amended by changing
7 Sections 25-10, 25-15, 25-25, 25-30, 25-35, 25-40, and 25-50
8 as follows:

9 (230 ILCS 45/25-10)

10 Sec. 25-10. Definitions. As used in this Act:

11 "Adjusted gross sports wagering receipts" means a master
12 sports wagering licensee's gross sports wagering receipts,
13 less winnings paid to wagerers in such games.

14 "Athlete" means any current or former professional athlete
15 or collegiate athlete.

16 "Board" means the Illinois Gaming Board.

17 "Covered persons" includes athletes; umpires, referees,
18 and officials; personnel associated with clubs, teams,
19 leagues, and athletic associations; medical professionals
20 (including athletic trainers) who provide services to athletes
21 and players; and the family members and associates of these
22 persons where required to serve the purposes of this Act.

23 "Department" means the Department of the Lottery.

24 "Gaming facility" means a facility at which gambling

1 operations are conducted under the Illinois Gambling Act,
2 pari-mutuel wagering is conducted under the Illinois Horse
3 Racing Act of 1975, or sports wagering is conducted under this
4 Act.

5 "Official league data" means statistics, results,
6 outcomes, and other data related to a sports event obtained
7 pursuant to an agreement with the relevant sports governing
8 body, or an entity expressly authorized by the sports
9 governing body to provide such information to licensees, that
10 authorizes the use of such data for determining the outcome of
11 tier 2 sports wagers on such sports events.

12 "Organization licensee" has the meaning given to that term
13 in the Illinois Horse Racing Act of 1975.

14 "Owners licensee" means the holder of an owners license
15 under the Illinois Gambling Act.

16 "Person" means an individual, partnership, committee,
17 association, corporation, or any other organization or group
18 of persons.

19 "Personal biometric data" means an athlete's information
20 derived from DNA, heart rate, blood pressure, perspiration
21 rate, internal or external body temperature, hormone levels,
22 glucose levels, hydration levels, vitamin levels, bone
23 density, muscle density, and sleep patterns.

24 "Prohibited conduct" includes any statement, action, and
25 other communication intended to influence, manipulate, or
26 control a betting outcome of a sporting contest or of any

1 individual occurrence or performance in a sporting contest in
2 exchange for financial gain or to avoid financial or physical
3 harm. "Prohibited conduct" includes statements, actions, and
4 communications made to a covered person by a third party, such
5 as a family member or through social media. "Prohibited
6 conduct" does not include statements, actions, or
7 communications made or sanctioned by a team or sports
8 governing body.

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

12 "Sporting contest" means a sports event or game on which
13 the State allows sports wagering to occur under this Act.

14 "Sports event" means a professional sport or athletic
15 event, a collegiate sport or athletic event, a motor race
16 event, or any other event or competition of relative skill
17 authorized by the Board under this Act.

18 "Sports facility" means a facility that hosts sports
19 events and holds a seating capacity greater than 17,000
20 persons, except in a county with a population of more than
21 1,000,000, a seating capacity greater than 10,000 persons.

22 "Sports governing body" means the organization that
23 prescribes final rules and enforces codes of conduct with
24 respect to a sports event and participants therein.

25 "Sports wagering" means accepting wagers on sports events
26 or portions of sports events, or on the individual performance

1 statistics of athletes in a sports event or combination of
2 sports events, by any system or method of wagering, including,
3 but not limited to, in person or over the Internet through
4 websites and on mobile devices. "Sports wagering" includes,
5 but is not limited to, single-game bets, teaser bets, parlays,
6 over-under, moneyline, pools, exchange wagering, in-game
7 wagering, in-play bets, proposition bets, and straight bets.

8 "Sports wagering account" means a financial record
9 established by a master sports wagering licensee for an
10 individual patron in which the patron may deposit and withdraw
11 funds for sports wagering and other authorized purchases and
12 to which the master sports wagering licensee may credit
13 winnings or other amounts due to that patron or authorized by
14 that patron.

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

18 "Tier 2 sports wager" means a sports wager that is not a
19 tier 1 sports wager.

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

22 "Winning bidder" means a qualified applicant for a master
23 sports wagering license chosen through the competitive
24 selection process under Section 25-45.

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

1 (230 ILCS 45/25-15)

2 Sec. 25-15. Board duties and powers.

3 (a) Except for sports wagering conducted under Section
4 25-70, the Board shall have the authority to regulate the
5 conduct of sports wagering under this Act.

6 (b) The Board may adopt any rules the Board considers
7 necessary for the successful implementation, administration,
8 and enforcement of this Act, except for Section 25-70. Rules
9 proposed by the Board may be adopted as emergency rules
10 pursuant to Section 5-45 of the Illinois Administrative
11 Procedure Act.

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

17 (d) The Board may exercise any other powers necessary to
18 enforce the provisions of this Act that it regulates and the
19 rules of the Board.

20 (e) The Board shall adopt rules for a license to be
21 employed by a master sports wagering licensee when the
22 employee works in a designated gaming area that has sports
23 wagering or performs duties in furtherance of or associated
24 with the operation of sports wagering by the master sports
25 wagering licensee (occupational license), which shall require
26 an annual license fee of \$250. However, occupational licenses

1 issued under the Illinois Gambling Act for employees of an
2 owners license or organization gaming licensee, once granted,
3 are considered equivalent licenses to work in sports wagering
4 positions located at the same gaming facility. License fees
5 shall be deposited into the State Gaming Fund and used for the
6 administration of this Act.

7 (f) The Board may require that licensees share, in real
8 time and at the sports wagering account level, information
9 regarding a wagerer, amount and type of wager, the time the
10 wager was placed, the location of the wager, including the
11 Internet protocol address, if applicable, the outcome of the
12 wager, and records of abnormal wagering activity. Information
13 shared under this subsection (f) must be submitted in the form
14 and manner as required by rule. If a sports governing body has
15 notified the Board that real-time information sharing for
16 wagers placed on its sports events is necessary and desirable,
17 licensees may share the same information in the form and
18 manner required by the Board by rule with the sports governing
19 body or its designee with respect to wagers on its sports
20 events subject to applicable federal, State, or local laws or
21 regulations, including, without limitation, privacy laws and
22 regulations. Such information may be provided in anonymized
23 form and may be used by a sports governing body solely for
24 integrity purposes. For purposes of this subsection (f),
25 "real-time" means a commercially reasonable periodic interval.

26 (g) A master sports wagering licensee, professional sports

1 team, league, or association, sports governing body, or
2 institution of higher education may submit to the Board in
3 writing a request to prohibit a type or form of wagering if the
4 master sports wagering licensee, professional sports team,
5 league, or association, sports governing body, or institution
6 of higher education believes that such wagering by type or
7 form is contrary to public policy, unfair to consumers, or
8 affects the integrity of a particular sport or the sports
9 betting industry. The Board shall grant the request upon a
10 demonstration of good cause from the requester and
11 consultation with licensees. The Board shall respond to a
12 request pursuant to this subsection (g) concerning a
13 particular event before the start of the event or, if it is not
14 feasible to respond before the start of the event, as soon as
15 practicable.

16 (h) The Board and master sports wagering licensees may
17 cooperate with investigations conducted by sports governing
18 bodies or law enforcement agencies, including, but not limited
19 to, providing and facilitating the provision of account-level
20 betting information and audio or video files relating to
21 persons placing wagers.

22 (i) A master sports wagering licensee shall make
23 commercially reasonable efforts to promptly notify the Board
24 any information relating to:

25 (1) criminal or disciplinary proceedings commenced
26 against the master sports wagering licensee in connection

1 with its operations;

2 (2) abnormal wagering activity or patterns that may
3 indicate a concern with the integrity of a sports event or
4 sports events;

5 (3) any potential breach of the relevant sports
6 governing body's internal rules and codes of conduct
7 pertaining to sports wagering that a licensee has
8 knowledge of;

9 (4) any other conduct that corrupts a wagering outcome
10 of a sports event or sports events for purposes of
11 financial gain, including match fixing; and

12 (5) suspicious or illegal wagering activities,
13 including use of funds derived from illegal activity,
14 wagers to conceal or launder funds derived from illegal
15 activity, using agents to place wagers, and using false
16 identification.

17 A master sports wagering licensee shall also make
18 commercially reasonable efforts to promptly report information
19 relating to conduct described in paragraphs (2), (3), and (4)
20 of this subsection (i) to the relevant sports governing body.

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

22 (230 ILCS 45/25-25)

23 Sec. 25-25. Sports wagering authorized.

24 (a) Notwithstanding any provision of law to the contrary,
25 the operation of sports wagering is only lawful when conducted

1 in accordance with the provisions of this Act and the rules of
2 the Illinois Gaming Board and the Department of the Lottery.

3 (b) A person placing a wager under this Act shall be at
4 least 21 years of age.

5 (c) A licensee under this Act may not accept a wager on a
6 minor league sports event.

7 (d) Except as otherwise provided in this Section, a ~~A~~
8 licensee under this Act may not accept a wager for a sports
9 event involving an Illinois collegiate team.

10 (d-5) Beginning on the effective date of this amendatory
11 Act of the 102nd General Assembly until July 1, 2023, a
12 licensee under this Act may accept a wager for a sports event
13 involving an Illinois collegiate team if:

14 (1) the wager is a tier 1 wager;

15 (2) the wager is not related to an individual
16 athlete's performance; and

17 (3) the wager is made in person instead of over the
18 Internet or through a mobile application.

19 (e) A licensee under this Act may only accept a wager from
20 a person physically located in the State.

21 (f) Master sports wagering licensees may use any data
22 source for determining the results of all tier 1 sports
23 wagers.

24 (g) A sports governing body headquartered in the United
25 States may notify the Board that it desires to supply official
26 league data to master sports wagering licensees for

1 determining the results of tier 2 sports wagers. Such
2 notification shall be made in the form and manner as the Board
3 may require. If a sports governing body does not notify the
4 Board of its desire to supply official league data, a master
5 sports wagering licensee may use any data source for
6 determining the results of any and all tier 2 sports wagers on
7 sports contests for that sports governing body.

8 Within 30 days of a sports governing body notifying the
9 Board, master sports wagering licensees shall use only
10 official league data to determine the results of tier 2 sports
11 wagers on sports events sanctioned by that sports governing
12 body, unless: (1) the sports governing body or designee cannot
13 provide a feed of official league data to determine the
14 results of a particular type of tier 2 sports wager, in which
15 case master sports wagering licensees may use any data source
16 for determining the results of the applicable tier 2 sports
17 wager until such time as such data feed becomes available on
18 commercially reasonable terms; or (2) a master sports wagering
19 licensee can demonstrate to the Board that the sports
20 governing body or its designee cannot provide a feed of
21 official league data to the master sports wagering licensee on
22 commercially reasonable terms. During the pendency of the
23 Board's determination, such master sports wagering licensee
24 may use any data source for determining the results of any and
25 all tier 2 sports wagers.

26 (h) A licensee under this Act may not accept wagers on a

1 kindergarten through 12th grade sports event.

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

3 (230 ILCS 45/25-30)

4 Sec. 25-30. Master sports wagering license issued to an
5 organization licensee.

6 (a) An organization licensee may apply to the Board for a
7 master sports wagering license. To the extent permitted by
8 federal and State law, the Board shall actively seek to
9 achieve racial, ethnic, and geographic diversity when issuing
10 master sports wagering licenses to organization licensees and
11 encourage minority-owned businesses, women-owned businesses,
12 veteran-owned businesses, and businesses owned by persons with
13 disabilities to apply for licensure. Additionally, the report
14 published under subsection (m) of Section 25-45 shall impact
15 the issuance of the master sports wagering license to the
16 extent permitted by federal and State law.

17 For the purposes of this subsection (a), "minority-owned
18 business", "women-owned business", and "business owned by
19 persons with disabilities" have the meanings given to those
20 terms in Section 2 of the Business Enterprise for Minorities,
21 Women, and Persons with Disabilities Act.

22 (b) Except as otherwise provided in this subsection (b),
23 the initial license fee for a master sports wagering license
24 for an organization licensee is 5% of its handle from the
25 preceding calendar year or the lowest amount that is required

1 to be paid as an initial license fee by an owners licensee
2 under subsection (b) of Section 25-35, whichever is greater.
3 No initial license fee shall exceed \$10,000,000. An
4 organization licensee licensed on the effective date of this
5 Act shall pay the initial master sports wagering license fee
6 by July 1, 2021. For an organization licensee licensed after
7 the effective date of this Act, the master sports wagering
8 license fee shall be \$5,000,000, but the amount shall be
9 adjusted 12 months after the organization licensee begins
10 racing operations based on 5% of its handle from the first 12
11 months of racing operations. The master sports wagering
12 license is valid for 4 years.

13 (c) The organization licensee may renew the master sports
14 wagering license for a period of 4 years by paying a \$1,000,000
15 renewal fee to the Board.

16 (d) An organization licensee issued a master sports
17 wagering license may conduct sports wagering:

18 (1) at its facility at which inter-track wagering is
19 conducted pursuant to an inter-track wagering license
20 under the Illinois Horse Racing Act of 1975;

21 (2) at 3 inter-track wagering locations if the
22 inter-track wagering location licensee from which it
23 derives its license is an organization licensee that is
24 issued a master sports wagering license; and

25 (3) over the Internet or through a mobile application.

26 (e) The sports wagering offered over the Internet or

1 through a mobile application shall only be offered under
2 either the same brand as the organization licensee is
3 operating under or a brand owned by a direct or indirect
4 holding company that owns at least an 80% interest in that
5 organization licensee on the effective date of this Act.

6 (f) Until issuance of the first license under Section
7 25-45 or March 5, 2022, whichever occurs first, an individual
8 must create a sports wagering account in person at a facility
9 under paragraph (1) or (2) of subsection (d) to participate in
10 sports wagering offered over the Internet or through a mobile
11 application.

12 (Source: P.A. 101-31, eff. 6-28-19; 101-648, eff. 6-30-20.)

13 (230 ILCS 45/25-35)

14 Sec. 25-35. Master sports wagering license issued to an
15 owners licensee.

16 (a) An owners licensee may apply to the Board for a master
17 sports wagering license. To the extent permitted by federal
18 and State law, the Board shall actively seek to achieve
19 racial, ethnic, and geographic diversity when issuing master
20 sports wagering licenses to owners licensees and encourage
21 minority-owned businesses, women-owned businesses,
22 veteran-owned businesses, and businesses owned by persons with
23 disabilities to apply for licensure. Additionally, the report
24 published under subsection (m) of Section 25-45 shall impact
25 the issuance of the master sports wagering license to the

1 extent permitted by federal and State law.

2 For the purposes of this subsection (a), "minority-owned
3 business", "women-owned business", and "business owned by
4 persons with disabilities" have the meanings given to those
5 terms in Section 2 of the Business Enterprise for Minorities,
6 Women, and Persons with Disabilities Act.

7 (b) Except as otherwise provided in subsection (b-5), the
8 initial license fee for a master sports wagering license for
9 an owners licensee is 5% of its adjusted gross receipts from
10 the preceding calendar year. No initial license fee shall
11 exceed \$10,000,000. An owners licensee licensed on the
12 effective date of this Act shall pay the initial master sports
13 wagering license fee by July 1, 2021. The master sports
14 wagering license is valid for 4 years.

15 (b-5) For an owners licensee licensed after the effective
16 date of this Act, the master sports wagering license fee shall
17 be \$5,000,000, but the amount shall be adjusted 12 months
18 after the owners licensee begins gambling operations under the
19 Illinois Gambling Act based on 5% of its adjusted gross
20 receipts from the first 12 months of gambling operations. The
21 master sports wagering license is valid for 4 years.

22 (c) The owners licensee may renew the master sports
23 wagering license for a period of 4 years by paying a \$1,000,000
24 renewal fee to the Board.

25 (d) An owners licensee issued a master sports wagering
26 license may conduct sports wagering:

1 (1) at its facility in this State that is authorized
2 to conduct gambling operations under the Illinois Gambling
3 Act; and

4 (2) over the Internet or through a mobile application.

5 (e) The sports wagering offered over the Internet or
6 through a mobile application shall only be offered under
7 either the same brand as the owners licensee is operating
8 under or a brand owned by a direct or indirect holding company
9 that owns at least an 80% interest in that owners licensee on
10 the effective date of this Act.

11 (f) Until issuance of the first license under Section
12 25-45 or March 5, 2022, whichever occurs first, an individual
13 must create a sports wagering account in person at a facility
14 under paragraph (1) of subsection (d) to participate in sports
15 wagering offered over the Internet or through a mobile
16 application.

17 (Source: P.A. 101-31, eff. 6-28-19; 101-648, eff. 6-30-20.)

18 (230 ILCS 45/25-40)

19 Sec. 25-40. Master sports wagering license issued to a
20 sports facility.

21 (a) As used in this Section, "designee" means a master
22 sports wagering licensee under Section 25-30, 25-35, or 25-45
23 or a management services provider licensee.

24 (b) A sports facility or a designee contracted to operate
25 sports wagering at or within a 5-block radius of the sports

1 facility may apply to the Board for a master sports wagering
2 license. To the extent permitted by federal and State law, the
3 Board shall actively seek to achieve racial, ethnic, and
4 geographic diversity when issuing master sports wagering
5 licenses to sports facilities or their designees and encourage
6 minority-owned businesses, women-owned businesses,
7 veteran-owned businesses, and businesses owned by persons with
8 disabilities to apply for licensure. Additionally, the report
9 published under subsection (m) of Section 25-45 shall impact
10 the issuance of the master sports wagering license to the
11 extent permitted by federal and State law.

12 For the purposes of this subsection (b), "minority-owned
13 business", "women-owned business", and "business owned by
14 persons with disabilities" have the meanings given to those
15 terms in Section 2 of the Business Enterprise for Minorities,
16 Women, and Persons with Disabilities Act.

17 (c) The Board may issue up to 7 master sports wagering
18 licenses to sports facilities or their designees that meet the
19 requirements for licensure as determined by rule by the Board.
20 If more than 7 qualified applicants apply for a master sports
21 wagering license under this Section, the licenses shall be
22 granted in the order in which the applications were received.
23 If a license is denied, revoked, or not renewed, the Board may
24 begin a new application process and issue a license under this
25 Section in the order in which the application was received.

26 (d) The initial license fee for a master sports wagering

1 license for a sports facility is \$10,000,000. The master
2 sports wagering license is valid for 4 years.

3 (e) The sports facility or its designee may renew the
4 master sports wagering license for a period of 4 years by
5 paying a \$1,000,000 renewal fee to the Board.

6 (f) A sports facility or its designee issued a master
7 sports wagering license may conduct sports wagering at or
8 within a 5-block radius of the sports facility.

9 (g) A sports facility or its designee issued a master
10 sports wagering license may conduct sports wagering over the
11 Internet within the sports facility or within a 5-block radius
12 of the sports facility.

13 (h) The sports wagering offered by a sports facility or
14 its designee over the Internet or through a mobile application
15 shall be offered under the same brand as the sports facility is
16 operating under, the brand the designee is operating under, or
17 a combination thereof.

18 (i) Until issuance of the first license under Section
19 25-45 or March 5, 2022, whichever occurs first, an individual
20 must register in person at a sports facility or the designee's
21 facility to participate in sports wagering offered over the
22 Internet or through a mobile application.

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

24 (230 ILCS 45/25-50)

25 Sec. 25-50. Supplier license.

1 (a) The Board may issue a supplier license to a person to
2 sell or lease sports wagering equipment, systems, or other
3 gaming items to conduct sports wagering and offer services
4 related to the equipment or other gaming items and data to a
5 master sports wagering licensee while the license is active.

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

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

20 (d) Applicants shall pay to the Board a nonrefundable
21 license and application fee in the amount of \$150,000. Except
22 as provided by Section 8.1 of the Illinois Gambling Act, the
23 initial supplier license shall be issued for 4 years unless
24 sooner canceled or terminated. After the initial period ~~4-year~~
25 ~~term~~, the Board shall renew supplier licenses for additional
26 4-year periods unless sooner canceled or terminated annually

1 ~~thereafter~~. Renewal of a supplier license shall be granted to
2 a renewal applicant who has continued to comply with all
3 applicable statutory and regulatory requirements, ~~upon~~
4 ~~submission of the Board issued renewal form and payment of a~~
5 ~~\$150,000 renewal fee.~~ Beginning 4 years after issuance of the
6 initial supplier license, a holder of a supplier license shall
7 pay a \$150,000 annual license fee.

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

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

18 Section 97. Severability. The provisions of this Act are
19 severable under Section 1.31 of the Statute on Statutes.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."