



Sen. Denny Jacobs

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1 AMENDMENT TO HOUSE BILL 1067

2 AMENDMENT NO. _____. Amend House Bill 1067 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Chicago Casino Development Authority Act.

6 Section 5. Definitions. As used in this Act:

7 "Authority" means the Chicago Casino Development Authority
8 created by this Act.

9 "Board" means the board appointed pursuant to this Act to
10 govern and control the Authority.

11 "Casino" means one or more temporary land-based or
12 river-based facilities and a permanent land-based facility, at
13 each of which lawful gambling is authorized and licensed as
14 provided in the Riverboat and Casino Gambling Act.

15 "City" means the City of Chicago.

16 "Casino operator" means any person developing or managing a
17 casino pursuant to a casino development and management
18 contract.

19 "Casino development and management contract" means a
20 legally binding agreement between the Board and one or more
21 casino operators, as specified in Section 45 of this Act.

22 "Executive director" means the person appointed by the
23 Board to oversee the daily operations of the Authority.

24 "Gaming Board" means the Illinois Gaming Board created by

1 the Riverboat and Casino Gambling Act.

2 "Mayor" means the Mayor of the City.

3 Section 15. Board.

4 (a) The governing and administrative powers of the
5 Authority shall be vested in a body known as the Chicago Casino
6 Development Board. The Board shall consist of 5 members, each
7 of whom shall be appointed by the Mayor, subject to advice and
8 consent by the corporate authorities of the City, after the
9 completion of a background investigation and approval by the
10 Gaming Board. One of these members shall be designated by the
11 Mayor to serve as chairperson. If the corporate authorities
12 fail to approve or reject a proposed appointment within 45 days
13 after the Mayor has submitted the proposed appointment to the
14 corporate authorities, the corporate authorities shall be
15 deemed to have given consent to the appointment. All of the
16 members shall be residents of the City.

17 (b) A Board member shall not hold any other public office
18 under the laws or Constitution of this State or any political
19 subdivision thereof.

20 (c) Board members shall receive \$300 for each day the
21 Authority meets and shall be entitled to reimbursement of
22 reasonable expenses incurred in the performance of their
23 official duties. A Board member who serves in the office of
24 secretary or treasurer may also receive compensation for
25 services provided as that officer.

26 Section 20. Terms of appointments; resignation and
27 removal.

28 (a) The Mayor shall appoint 2 members of the Board for
29 initial terms expiring July 1, 2005, 2 members for initial
30 terms expiring July 1, 2007, and one member, who shall serve as
31 chairperson, for an initial term expiring July 1, 2009. At the
32 expiration of the term of any member, his or her successor

1 shall be appointed by the Mayor in like manner as appointments
2 for the initial terms.

3 (b) All successors shall hold office for a term of 5 years
4 from the first day of July of the year in which they are
5 appointed, except in the case of an appointment to fill a
6 vacancy. All subsequent chairpersons shall hold office for a
7 term of 5 years. Each member, including the chairperson, shall
8 hold office until the expiration of his or her term and until
9 his or her successor is appointed. Nothing shall preclude a
10 member or a chairperson from serving consecutive terms. Any
11 member may resign from his or her office, to take effect when
12 his or her successor has been appointed and has qualified.

13 (c) The Mayor may remove any member of the Board upon a
14 finding of incompetence, neglect of duty, misfeasance or
15 malfeasance in office, or for a violation of Ethics Section 32,
16 on the part of the board member to be removed. In addition the
17 Gaming Board may remove any member of the Board for violation
18 of any provision of the Riverboat and Casino Gambling Act or
19 the rules and regulations of the Gaming Board. In case of a
20 member's failure to qualify within the time required or
21 abandonment of his or her office, or in the case of a member's
22 death, indictment, or conviction for, or pleading guilty to, a
23 felony or removal from office, his or her office shall become
24 vacant. Each vacancy shall be filled for the unexpired term by
25 appointment in like manner, as in the case of expiration of the
26 term of a member of the Board.

27 Section 25. As soon as practicable after the effective date
28 of this Act, the Board shall organize for the transaction of
29 business. The Board shall prescribe the time and place for
30 meetings, the manner in which special meetings may be called,
31 and the notice that must be given to members. All actions and
32 meetings of the Board and its committees shall be subject to
33 the provisions of the Open Meetings Act. Three members of the

1 Board shall constitute a quorum for the transaction of
2 business. All substantive action of the Board shall be by
3 resolution. The affirmative vote of at least 3 members shall be
4 necessary for the adoption of any resolution.

5 Section 30. Executive director. Officers.

6 (a) The Board shall appoint an executive director, after
7 the completion of a background investigation and approval by
8 the Gaming Board, who shall be the chief executive officer of
9 the Authority. The Board shall fix the compensation of the
10 executive director. Subject to the general control of the
11 Board, the executive director shall be responsible for the
12 management of the business, properties, and employees of the
13 Authority. The executive director shall direct the enforcement
14 of all resolutions, rules, and regulations of the Board, and
15 shall perform such other duties as may be prescribed from time
16 to time by the Board. All employees and independent
17 contractors, consultants, engineers, architects, accountants,
18 attorneys, financial experts, construction experts and
19 personnel, superintendents, managers, and other personnel
20 appointed or employed pursuant to this Act shall report to the
21 executive director. In addition to any other duties set forth
22 in this Act, the executive director shall do all of the
23 following:

24 (1) Direct and supervise the administrative affairs
25 and activities of the Authority in accordance with its
26 rules, regulations, and policies.

27 (2) Attend meetings of the Board.

28 (3) Keep minutes of all proceedings of the Board.

29 (4) Approve all accounts for salaries, per diem
30 payments, and allowable expenses of the Board and its
31 employees and consultants.

32 (5) Report and make recommendations to the Board
33 concerning the terms and conditions of any casino

1 development and management contract.

2 (6) Perform any other duty that the Board requires for
3 carrying out the provisions of this Act.

4 (7) Devote his or her full time to the duties of the
5 office and not hold any other office or employment.

6 (b) The Board shall select a secretary and a treasurer, who
7 need not be members of the Board, to hold office at the
8 pleasure of the Board. The Board shall fix the duties and
9 compensation of each such officer.

10 Section 32. Code of Ethics.

11 (a) No person who is an officer or employee of the
12 Authority or the City may have a financial interest, either
13 directly or indirectly, in his own name or in the name of any
14 other person, partnership, association, trust, corporation, or
15 other entity, in any contract or the performance of any work of
16 the Authority. No such person may represent, either
17 professionally or as agent or otherwise, any person,
18 partnership, association, trust, corporation, or other
19 business entity, with respect to any application or bid for any
20 Authority contract or work, nor may any such person take or
21 receive, or offer to take or receive, either directly or
22 indirectly, any money or other thing of value as a gift or
23 bribe or means of influencing his or her vote or action in his
24 or her official character. Any contract made and procured in
25 violation of this Section is void. The provisions of this
26 Section shall continue to apply equally and in all respects for
27 a period of 2 years from and after the date on which he or she
28 ceases to be an officer or employee.

29 (b) Any person under subsection (a) may provide materials,
30 merchandise, property, services, or labor, if:

31 (1) the contract is with a person, firm, partnership,
32 association, corporation, or other business entity in
33 which the interested person has less than a 7 1/2% share in

1 the ownership;

2 (2) the interested person publicly discloses the
3 nature and extent of his or her interest prior to or during
4 deliberations concerning the proposed award of the
5 contract;

6 (3) the interested person, if a Board member, abstains
7 from voting on the award of the contract, though he or she
8 shall be considered present for the purposes of
9 establishing a quorum;

10 (4) the contract is approved by a majority vote of
11 those members presently holding office;

12 (5) for a contract the amount of which exceeds \$1,500,
13 the contract is awarded after sealed bids to the lowest
14 responsible bidder; and

15 (6) the award of the contract would not cause the
16 aggregate amount of all such contracts so awarded to the
17 same person, firm, association, partnership, corporation,
18 or other business entity in the same fiscal year to exceed
19 \$25,000.

20 A contract for the procurement of public utility services
21 with a public utility company is not barred by this Section by
22 any such person being an officer or employee of the public
23 utility company or holding an ownership interest of no more
24 than 7 1/2% in the public utility company. Any such person
25 having such an interest shall be deemed not to have a
26 prohibited interest under this Section.

27 (c) Before any contract relating to the ownership or use of
28 real property is entered into by and between the Authority, the
29 identity of every owner and beneficiary having an interest,
30 real or personal, in such property, and every shareholder
31 entitled to receive more than 7 1/2% of the total distributable
32 income of any corporation having any interest, real or
33 personal, in such property must be disclosed. The disclosure
34 shall be in writing and shall be subscribed by an owner,

1 authorized trustee, corporate official, or managing agent
2 under oath. However, if stock in a corporation is publicly
3 traded and there is no readily known individual having greater
4 than a 7 1/2% interest, then a statement to that effect,
5 subscribed to under oath by an officer of the corporation or
6 its managing agent, shall fulfill the disclosure statement
7 requirement of this Section. This Section shall be liberally
8 construed to accomplish the purpose of requiring the
9 identification of the actual parties benefiting from any
10 transaction with the Authority involving the procurement of the
11 ownership or use of real property thereby.

12 (d) Any member of the Board, officer or employee of the
13 Authority, or other person, who violates any provision of this
14 Section, is guilty of a Class 4 felony and in addition thereto,
15 any office or official position held by any person so convicted
16 shall become vacant, and shall be so declared as part of the
17 judgment of court.

18 (e) As used in this Section: "financial interest" means (i)
19 any interest as a result of which the owner currently receives
20 or is entitled to receive in the future more than \$2,500 per
21 year; (ii) any interest with a cost or present value of \$5,000
22 or more; or (iii) any interest representing more than 10% of a
23 corporation, partnership, sole proprietorship, firm,
24 enterprise, franchise, organization, holding company, joint
25 stock company, receivership, trust, or any legal entity
26 organized for profit; provided, however, financial interest
27 shall not include (i) any interest of the spouse of an official
28 or employee which interest is related to the spouse's
29 independent occupation, profession, or employment; (ii) any
30 ownership through purchase at fair market value or inheritance
31 of less than 1% of the shares of a corporation, or any
32 corporate subsidiary, parent, or affiliate thereof, regardless
33 of the value of or dividends on such shares, if such shares are
34 registered on a securities exchange pursuant to the Securities

1 Exchange Act of 1934, as amended; (iii) the authorized
2 compensation paid to an official or employee for his office or
3 employment; (iv) a time or demand deposit in a financial
4 institution; and (v) an endowment or insurance policy or
5 annuity contract purchased from an insurance company.

6 Section 35. General powers of the Board. In addition to the
7 specific powers and duties set forth elsewhere in this Act, the
8 Board may do any of the following:

9 (1) Adopt and alter an official seal.

10 (2) Sue and be sued, plead and be impleaded, all in its own
11 name, and agree to binding arbitration of any dispute to which
12 it is a party.

13 (3) Adopt, amend, and repeal by-laws, rules, and
14 regulations consistent with furtherance of the powers and
15 duties provided in this Act.

16 (4) Maintain its principal office within the City and such
17 other offices as the Board may designate.

18 (5) Employ, either as regular employees or independent
19 contractors, consultants, engineers, architects, accountants,
20 attorneys, financial experts, construction experts and
21 personnel, superintendents, managers and other professional
22 personnel, casino personnel, and such other personnel as may be
23 necessary in the judgment of the Board, and fix their
24 compensation.

25 (6) Acquire, hold, lease, use, encumber, transfer, or
26 dispose of real and personal property, including the alteration
27 of or demolition of improvements to real estate.

28 (7) Enter into, revoke, and modify contracts of any kind,
29 including the casino development and management contracts
30 specified in Section 45.

31 (9) Subject to the provisions of Section 70, develop, or
32 cause to be developed, a master plan for design, planning, and
33 development of the casino.

1 (10) Negotiate and enter into intergovernmental agreements
2 with the State and its agencies, the City, and other units of
3 local government, in furtherance of the powers and duties of
4 the Board.

5 (12) Receive and disburse funds for its own corporate
6 purposes or as otherwise specified in this Act.

7 (13) Borrow money from any source, public or private, for
8 any corporate purpose, including, without limitation, working
9 capital for its operations, reserve funds, or payment of
10 interest, and to mortgage, pledge, or otherwise encumber the
11 property or funds of the Authority and to contract with or
12 engage the services of any person in connection with any
13 financing, including financial institutions, issuers of
14 letters of credit, or insurers and enter into reimbursement
15 agreements with this person which may be secured as if money
16 were borrowed from the person.

17 (14) Issue bonds as provided under this Act.

18 (15) Receive and accept from any source, private or public,
19 contributions, gifts, or grants of money or property.

20 (16) Make loans from proceeds or funds otherwise available
21 to the extent necessary or appropriate to accomplish the
22 purposes of the Authority.

23 (17) Provide for the insurance of any property, operations,
24 officers, members, agents, or employees of the Authority
25 against any risk or hazard, to self-insure or participate in
26 joint self-insurance pools or entities to insure against such
27 risk or hazard, and to provide for the indemnification of its
28 officers, members, employees, contractors, or agents against
29 any and all risks.

30 (18) Require the removal or relocation of any building,
31 railroad, main, pipe, conduit, wire, pole, structure,
32 facility, or equipment as may be needed to carry out the powers
33 of the Authority, with the Authority to compensate the person
34 required to remove or relocate the building, railroad, main,

1 pipe, conduit, wire, pole, structure, facility, or equipment as
2 provided by law, without the necessity to secure any approval
3 from the Illinois Commerce Commission for such removal or for
4 such relocation.

5 (19) Exercise all the corporate powers granted Illinois
6 corporations under the Business Corporation Act of 1983, except
7 to the extent that powers are inconsistent with those of a body
8 politic and corporate of the State.

9 (20) Establish and change its fiscal year.

10 (21) Do all things necessary or convenient to carry out the
11 powers granted by this Act.

12 Section 45. Casino development and management contracts.

13 (a) The Board shall develop and administer an open and
14 competitive bidding process for the selection of casino
15 operators to develop and operate a casino within the City. The
16 Board shall issue one or more requests for proposal and shall
17 solicit proposals from casino operators in response to such a
18 request. The Board may establish minimum financial and
19 investment requirements to determine the eligibility of
20 persons to respond to the Board's requests for proposal, and
21 may establish and consider such other criteria as it deems
22 appropriate. The Board may impose a fee upon persons who
23 respond to requests for proposal, in order to reimburse the
24 Board for its costs in preparing and issuing the requests and
25 reviewing the proposals.

26 (b) The Board shall ensure that casino development and
27 management contracts provide for the development,
28 construction, and operation of a high quality casino, and
29 provide for the maximum amounts of revenue that reasonably may
30 be available to the Authority and the City.

31 (c) The Board shall evaluate the responses to its requests
32 for proposal and the ability of all persons or entities
33 responding to its request for proposal to meet the requirements

1 of this Act and to undertake and perform the obligations set
2 forth in its requests for proposal.

3 (d) After the review and evaluation of the proposals
4 submitted, the Board shall, in its discretion, enter into one
5 or more casino development and management contracts
6 authorizing the development, construction, and operation of
7 the casino, subject to the provisions of the Riverboat and
8 Casino Gambling Act. The Board may award a casino development
9 and management contract to a person or persons submitting
10 proposals that are not the highest bidders. In doing so it may
11 take into account other factors, such as experience, financial
12 condition, assistance in financing, reputation, and any other
13 factors the Board, in its discretion, believes may increase
14 revenues at the casino.

15 (e) The Board shall transmit to the Gaming Board a copy of
16 each casino development and management contract after it is
17 executed.

18 (f) The Board may enter into a casino development and
19 management contract prior to or after adopting a resolution
20 approving a location for the casino and requesting that the
21 Gaming Board issue an owners license to the Authority under the
22 Riverboat and Casino Gambling Act.

23 Section 50. Transfer of funds. The revenues received by the
24 Authority (other than amounts required to pay the operating
25 expenses of the Authority, to pay amounts due the casino
26 operator pursuant to a casino management and development
27 contract, to repay any borrowing of the Authority made pursuant
28 to Section 35, to pay debt service on any bonds issued under
29 Section 75, and to pay any expenses in connection with the
30 issuance of such bonds pursuant to Section 75 or derivative
31 products pursuant to Section 85) shall be transferred to the
32 City by the Authority and may be applied to any public purpose
33 benefiting the residents of the City.

1 Section 60. Authority annual expenses. Until sufficient
2 revenues become available for such purpose, the Authority and
3 the City may enter into an intergovernmental agreement whereby
4 the Authority shall receive or borrow funds from the City for
5 its annual operating expenses.

6 Section 65. Acquisition of property; eminent domain
7 proceedings.

8 (a) The Authority may acquire in its own name, by gift or
9 purchase, any real or personal property or interests in real or
10 personal property necessary or convenient to carry out the
11 purposes of the Act.

12 (b) For the lawful purposes of this Act, the City may
13 acquire by eminent domain or by condemnation proceedings in the
14 manner provided by Article VII of the Code of Civil Procedure,
15 real or personal property or interests in real or personal
16 property located in the City, and may convey to the Authority
17 property so acquired. The acquisition of property under this
18 Section is declared to be for a public use.

19 Section 70. Local regulation. The casino facilities and
20 operations therein shall be subject to all ordinances and
21 regulations of the City. The construction, development, and
22 operation of the casino shall comply with all ordinances,
23 regulations, rules, and controls of the City, including but not
24 limited to those relating to zoning and planned development,
25 building, fire prevention, and land use. However, the
26 regulation of gaming operations is subject to the exclusive
27 jurisdiction of the Gaming Board, except as limited by the
28 Riverboat and Casino Gambling Act.

29 Section 75. Borrowing.

30 (a) The Authority may at any time and from time to time

1 borrow money and issue bonds as provided in this Section. Bonds
2 of the Authority may be issued to provide funds for land
3 acquisition, site assembly and preparation, and infrastructure
4 improvements required in connection with the development of the
5 casino; to pay, refund (at the time or in advance of any
6 maturity or redemption), or redeem any bonds of the Authority;
7 to provide or increase a debt service reserve fund or other
8 reserves with respect to any or all of its bonds; to pay
9 interest on bonds; or to pay the legal, financial,
10 administrative, bond insurance, credit enhancement, and other
11 legal expenses of the authorization, issuance, or delivery of
12 bonds. In this Act, the term "bonds" also includes notes of any
13 kind, interim certificates, refunding bonds, or any other
14 evidence of obligation for borrowed money issued under this
15 Section. Bonds may be issued in one or more series and may be
16 payable and secured either on a parity with or separately from
17 other bonds.

18 (b) The bonds of the Authority shall be payable solely from
19 one or more of the following sources: (i) the property or
20 revenues of the Authority; (ii) revenues derived from the
21 casino; (iii) revenues derived from any casino operator; (iv)
22 fees, bid proceeds, charges, lease payments, payments required
23 pursuant to any casino development and management contract or
24 other revenues payable to the Authority, or any receipts of the
25 Authority; (v) payments by financial institutions, insurance
26 companies, or others pursuant to letters or lines of credit,
27 policies of insurance, or purchase agreements; (vi) investment
28 earnings from funds or accounts maintained pursuant to a bond
29 resolution or trust indenture; and (vii) proceeds of refunding
30 bonds.

31 (c) Bonds shall be authorized by a resolution of the
32 Authority and may be secured by a trust indenture by and
33 between the Authority and a corporate trustee or trustees,
34 which may be any trust company or bank having the powers of a

1 trust company within or without the State. Bonds may:

2 (i) Mature at a time or times, whether as serial
3 bonds, term bonds, or both, not exceeding 40 years from
4 their respective dates of issue.

5 (ii) Without regard to any limitation established
6 by statute, bear interest in the manner or determined
7 by the method provided in the resolution or trust
8 indenture.

9 (iii) Be payable at a time or times, in the
10 denominations and form, including book entry form,
11 either coupon, registered, or both, and carry the
12 registration and privileges as to exchange, transfer
13 or conversion, and replacement of mutilated, lost, or
14 destroyed bonds as the resolution or trust indenture
15 may provide.

16 (iv) Be payable in lawful money of the United
17 States at a designated place.

18 (v) Be subject to the terms of purchase, payment,
19 redemption, refunding, or refinancing that the
20 resolution or trust indenture provides.

21 (vi) Be executed by the manual or facsimile
22 signatures of the officers of the Authority designated
23 by the Board, which signatures shall be valid at
24 delivery even for one who has ceased to hold office.

25 (vii) Be sold at public or private sale in the
26 manner and upon the terms determined by the Authority.

27 (viii) Be issued in accordance with the provisions
28 of the Local Government Debt Reform Act.

29 (d) Any resolution or trust indenture may contain, subject
30 to the Riverboat and Casino Gambling Act and rules of the
31 Gaming Board regarding pledging of interests in holders of
32 owners licenses, provisions that shall be a part of the
33 contract with the holders of the bonds as to the following:

34 (1) Pledging, assigning, or directing the use,

1 investment, or disposition of revenues of the Authority or
2 proceeds or benefits of any contract, including without
3 limitation, any rights in any casino development and
4 management contract.

5 (2) The setting aside of loan funding deposits, debt
6 service reserves, capitalized interest accounts,
7 replacement or operating reserves, cost of issuance
8 accounts and sinking funds, and the regulation,
9 investment, and disposition thereof.

10 (3) Limitations on the purposes to which or the
11 investments in which the proceeds of sale of any issue of
12 bonds or the Authority's revenues and receipts may be
13 applied or made.

14 (4) Limitations on the issue of additional bonds, the
15 terms upon which additional bonds may be issued and
16 secured, the terms upon which additional bonds may rank on
17 a parity with, or be subordinate or superior to, other
18 bonds.

19 (5) The refunding, advance refunding, or refinancing
20 of outstanding bonds.

21 (6) The procedure, if any, by which the terms of any
22 contract with bondholders may be altered or amended and the
23 amount of bonds and holders of which must consent thereto
24 and the manner in which consent shall be given.

25 (7) Defining the acts or omissions which shall
26 constitute a default in the duties of the Authority to
27 holders of bonds and providing the rights or remedies of
28 such holders in the event of a default, which may include
29 provisions restricting individual rights of action by
30 bondholders.

31 (8) Providing for guarantees, pledges of property,
32 letters of credit, or other security, or insurance for the
33 benefit of bondholders.

34 (9) Any other matter relating to the bonds that the

1 Authority determines appropriate.

2 (e) No member of the Board, nor any person executing the
3 bonds, shall be liable personally on the bonds or subject to
4 any personal liability by reason of the issuance of the bonds.

5 (f) The Authority may issue and secure bonds in accordance
6 with the provisions of the Local Government Credit Enhancement
7 Act.

8 (g) A pledge by the Authority of revenues and receipts as
9 security for an issue of bonds or for the performance of its
10 obligations under any casino development and management
11 contract shall be valid and binding from the time when the
12 pledge is made. The revenues and receipts pledged shall
13 immediately be subject to the lien of the pledge without any
14 physical delivery or further act, and the lien of any pledge
15 shall be valid and binding against any person having any claim
16 of any kind in tort, contract, or otherwise against the
17 Authority, irrespective of whether the person has notice. No
18 resolution, trust indenture, management agreement or financing
19 statement, continuation statement, or other instrument adopted
20 or entered into by the Authority need be filed or recorded in
21 any public record other than the records of the Authority in
22 order to perfect the lien against third persons, regardless of
23 any contrary provision of law.

24 (h) By its authorizing resolution for particular bonds, the
25 Authority may provide for specific terms of those bonds,
26 including, without limitation, the purchase price and terms,
27 interest rate or rates, redemption terms and principal amounts
28 maturing in each year, to be established by one or more members
29 of the Board or officers of the Authority, all within a
30 specific range of discretion established by the authorizing
31 resolution.

32 (i) Bonds that are being paid or retired by issuance, sale,
33 or delivery of bonds, and bonds for which sufficient funds have
34 been deposited with the paying agent or trustee to provide for

1 payment of principal and interest thereon, and any redemption
2 premium, as provided in the authorizing resolution, shall not
3 be considered outstanding for the purposes of this subsection.

4 (j) The bonds of the Authority shall not be indebtedness of
5 the City, of the State, or of any political subdivision of the
6 State other than the Authority. The bonds of the Authority are
7 not general obligations of the State or the City and are not
8 secured by a pledge of the full faith and credit of the State
9 or the City and the holders of bonds of the Authority may not
10 require, except as provided in this Act, the application of
11 revenues or funds to the payment of bonds of the Authority.

12 (k) The State of Illinois pledges and agrees with the
13 owners of the bonds that it will not limit or alter the rights
14 and powers vested in the Authority by this Act so as to impair
15 the terms of any contract made by the Authority with the owners
16 or in any way impair the rights and remedies of the owners
17 until the bonds, together with interest on them, and all costs
18 and expenses in connection with any action or proceedings by or
19 on behalf of the owners, are fully met and discharged. The
20 Authority is authorized to include this pledge and agreement in
21 any contract with the owners of bonds issued under this
22 Section.

23 Section 85. Derivative products. With respect to all or
24 part of any issue of its bonds, the Authority may enter into
25 agreements or contracts with any necessary or appropriate
26 person, which will have the benefit of providing to the
27 Authority an interest rate basis, cash flow basis, or other
28 basis different from that provided in the bonds for the payment
29 of interest. Such agreements or contracts may include, without
30 limitation, agreements or contracts commonly known as
31 "interest rate swap agreements", "forward payment conversion
32 agreements", "futures", "options", "puts", or "calls" and
33 agreements or contracts providing for payments based on levels

1 of or changes in interest rates, agreements or contracts to
2 exchange cash flows or a series of payments, or to hedge
3 payment, rate spread, or similar exposure

4 Section 90. Legality for investment. The State of Illinois,
5 all governmental entities, all public officers, banks,
6 bankers, trust companies, savings banks and institutions,
7 building and loan associations, savings and loan associations,
8 investment companies, and other persons carrying on a banking
9 business, insurance companies, insurance associations, and
10 other persons carrying on an insurance business, and all
11 executors, administrators, guardians, trustees, and other
12 fiduciaries may legally invest any sinking funds, moneys, or
13 other funds belonging to them or within their control in any
14 bonds issued under this Act. However, nothing in this Section
15 shall be construed as relieving any person, firm, or
16 corporation from any duty of exercising reasonable care in
17 selecting securities for purchase or investment.

18 Section 95. Tax exemption. The Authority and all of its
19 operations and property used for public purposes shall be
20 exempt from all taxation of any kind imposed by the State of
21 Illinois or any political subdivision, school district,
22 municipal corporation, or unit of local government of the State
23 of Illinois. However, nothing in this Act prohibits the
24 imposition of any other taxes where such imposition is not
25 prohibited by Section 21 of the Riverboat and Casino Gambling
26 Act

27 Section 100. Application of laws. The Governmental Account
28 Audit Act, the Public Funds Statement Publication Act, and the
29 Illinois Municipal Budget Law shall not apply to the Authority.

30 Section 105. Budgets and reporting.

1 (a) Promptly following the execution of each casino
2 development and management contract provided for in this Act,
3 the Authority shall submit a written report with respect
4 thereto to the Governor, the Mayor, the Secretary of the
5 Senate, the Clerk of the House of Representatives, and the
6 Illinois Economic and Fiscal Commission.

7 (b) The Authority shall annually adopt a current expense
8 budget for each fiscal year. The budget may be modified from
9 time to time in the same manner and upon the same vote as it may
10 be adopted. The budget shall include the Authority's available
11 funds and estimated revenues and shall provide for payment of
12 its obligations and estimated expenditures for the fiscal year,
13 including, without limitation, expenditures for
14 administration, operation, maintenance and repairs, debt
15 service, and deposits into reserve and other funds and capital
16 projects.

17 (c) The Board shall annually cause the finances of the
18 Authority to be audited by a firm of certified public
19 accountants.

20 (d) The Authority shall, for each fiscal year, prepare an
21 annual report setting forth information concerning its
22 activities in the fiscal year and the status of the development
23 of the casino. The annual report shall include the audited
24 financial statements of the Authority for the fiscal year, the
25 budget for the succeeding fiscal year, and the current capital
26 plan as of the date of the report. Copies of the annual report
27 shall be made available to persons who request them and shall
28 be submitted not later than 120 days after the end of the
29 Authority's fiscal year to the Governor, the Mayor, the
30 Secretary of the Senate, the Clerk of the House of
31 Representatives, and the Illinois Economic and Fiscal
32 Commission.

33 Section 110. Deposit and withdrawal of funds.

1 (a) All funds deposited by the Authority in any bank or
2 savings and loan association shall be placed in the name of the
3 Authority and shall be withdrawn or paid out only by check or
4 draft upon the bank or savings and loan association, signed by
5 2 officers or employees designated by the Board.
6 Notwithstanding any other provision of this Section, the Board
7 may designate any of its members or any officer or employee of
8 the Authority to authorize the wire transfer of funds deposited
9 by the secretary-treasurer of funds in a bank or savings and
10 loan association for the payment of payroll and employee
11 benefits-related expenses.

12 No bank or savings and loan association shall receive
13 public funds as permitted by this Section unless it has
14 complied with the requirements established pursuant to Section
15 6 of the Public Funds Investment Act.

16 (b) If any officer or employee whose signature appears upon
17 any check or draft issued pursuant to this Act ceases (after
18 attaching his signature) to hold his or her office before the
19 delivery of such a check or draft to the payee, his or her
20 signature shall nevertheless be valid and sufficient for all
21 purposes with the same effect as if he or she had remained in
22 office until delivery thereof.

23 Section 115. Purchasing.

24 (a) All construction contracts and contracts for supplies,
25 materials, equipment, and services, when the cost thereof to
26 the Authority exceeds \$25,000, shall be let to the lowest
27 responsible bidder, after advertising for bids, except for the
28 following:

29 (1) When repair parts, accessories, equipment, or
30 services are required for equipment or services previously
31 furnished or contracted for;

32 (2) Professional services;

33 (3) When services such as water, light, heat, power,

1 telephone (other than long-distance service), or telegraph
2 are required;

3 (4) When contracts for the use, purchase, delivery,
4 movement, or installation of data processing equipment,
5 software, or services and telecommunications equipment,
6 software, and services are required;

7 (5) Casino development and management contracts, which
8 shall be awarded as set forth in Section 45 of this Act.

9 (b) All contracts involving less than \$25,000 shall be let
10 by competitive bidding whenever possible, and in any event in a
11 manner calculated to ensure the best interests of the public.

12 (c) Each bidder shall disclose in his or her bid the name
13 of each individual having a beneficial interest, directly or
14 indirectly, of more than 1% in such bidding entity and, if such
15 bidding entity is a corporation, the names of each of its
16 officers and directors. The bidder shall notify the Authority
17 of any changes in its ownership or its officers or directors at
18 the time such changes occur if the change occurs during the
19 pendency of a proposal or a contract.

20 (d) In determining the responsibility of any bidder, the
21 Authority may take into account the bidder's (or an individual
22 having a beneficial interest, directly or indirectly, of more
23 than 1% in such bidding entity) past record of dealings with
24 the Authority, the bidder's experience, adequacy of equipment,
25 and ability to complete performance within the time set, and
26 other factors besides financial responsibility, but in no case
27 shall any such contract be awarded to any other than the lowest
28 bidder (in case of purchase or expenditure) unless authorized
29 or approved by a vote of at least 4 members of the Board, and
30 unless such action is accompanied by a statement in writing
31 setting forth the reasons for not awarding the contract to the
32 highest or lowest bidder, as the case may be. The statement
33 shall be kept on file in the principal office of the Authority
34 and open to public inspection.

1 (e) Contracts shall not be split into parts involving
2 expenditures of less than \$25,000 for the purposes of avoiding
3 the provisions of this Section, and all such split contracts
4 shall be void. If any collusion occurs among bidders or
5 prospective bidders in restraint of freedom of competition, by
6 agreement to bid a fixed amount, to refrain from bidding, or
7 otherwise, the bids of such bidders shall be void. Each bidder
8 shall accompany his or her bid with a sworn statement that he
9 or she has not been a party to any such agreement.

10 (f) The Authority shall have the right to reject all bids
11 and to re-advertise for bids. If after any such
12 re-advertisement, no responsible and satisfactory bid, within
13 the terms of the re-advertisement, is received, the Authority
14 may award such contract without competitive bidding, provided
15 that it shall not be less advantageous to the Authority than
16 any valid bid received pursuant to advertisement.

17 (g) Advertisements for bids and re-bids shall be published
18 at least once in a daily newspaper of general circulation
19 published in the City at least 10 calendar days before the time
20 for receiving bids, and such advertisements shall also be
21 posted on readily accessible bulletin boards in the principal
22 office of the Authority. Such advertisements shall state the
23 time and place for receiving and opening of bids and, by
24 reference to plans and specifications on file at the time of
25 the first publication or in the advertisement itself, shall
26 describe the character of the proposed contract in sufficient
27 detail to fully advise prospective bidders of their obligations
28 and to ensure free and open competitive bidding.

29 (h) All bids in response to advertisements shall be sealed
30 and shall be publicly opened by the Authority. All bidders
31 shall be entitled to be present in person or by
32 representatives. Cash or a certified or satisfactory cashier's
33 check, as a deposit of good faith, in a reasonable amount to be
34 fixed by the Authority before advertising for bids, shall be

1 required with the proposal of each bidder. A bond for faithful
2 performance of the contract with surety or sureties
3 satisfactory to the Authority and adequate insurance may be
4 required in reasonable amounts to be fixed by the Authority
5 before advertising for bids.

6 (i) The contract shall be awarded as promptly as possible
7 after the opening of bids. The bid of the successful bidder, as
8 well as the bids of the unsuccessful bidders, shall be placed
9 on file and be open to public inspection. All bids shall be
10 void if any disclosure of the terms of any bid in response to
11 an advertisement is made or permitted to be made by the
12 Authority before the time fixed for opening bids.

13 Section 130. Affirmative action and equal opportunity
14 obligations of Authority.

15 (a) The Authority shall establish and maintain an
16 affirmative action program designed to promote equal
17 employment and management opportunity and eliminate the
18 effects of past discrimination in the City and the State. The
19 program shall include a plan, including timetables where
20 appropriate, which shall specify goals and methods for
21 increasing participation by women and minorities in employment
22 and management by the Authority and by parties that contract
23 with the Authority. The program shall also establish procedures
24 and sanctions (including debarment), which the Authority shall
25 enforce to ensure compliance with the plan established pursuant
26 to this Section and with State and federal laws and regulations
27 relating to the employment of women and minorities. A
28 determination by the Authority as to whether a party to a
29 contract with the Authority has achieved the goals or employed
30 the methods for increasing participation by women and
31 minorities shall be made in accordance with the terms of such
32 contracts or the applicable provisions of rules and regulations
33 existing at the time the contract was executed, including any

1 provisions for consideration of good faith efforts at
2 compliance that the Authority may reasonably adopt.

3 (b) The Authority shall adopt and maintain minority and
4 female owned business enterprise procurement programs under
5 the affirmative action program described in subsection (a) for
6 any and all work undertaken by the Authority and for the
7 development and management of any casino owned by the City.
8 That work shall include, but is not limited to, the purchase of
9 professional services, construction services, supplies,
10 materials, and equipment. The programs shall establish goals of
11 awarding not less than 25% of the annual dollar value of all
12 contracts, including but not limited to management and
13 development contracts, purchase orders, and other agreements
14 (collectively referred to as "contracts"), to minority owned
15 businesses and 5% of the annual dollar value of all contracts
16 to female owned businesses. Without limiting the generality of
17 the foregoing, the programs shall require, in connection with
18 the prequalification or consideration of vendors for
19 professional service contracts, construction contracts,
20 contracts for supplies, materials, equipment, and services,
21 and development and management contracts that each proposer or
22 bidder submit as part of his or her proposal or bid a
23 commitment detailing how he or she will expend 25% or more of
24 the dollar value of his or her contracts with one or more
25 minority owned businesses and 5% or more of the dollar value
26 with one or more female owned businesses. Bids or proposals
27 that do not include such detailed commitments are not
28 responsive and shall be rejected unless the Authority deems it
29 appropriate to grant a waiver of these requirements. The
30 commitment to minority and female owned business participation
31 may be met by the contractor's, professional service
32 provider's, developer's, or manager's status as a minority or
33 female owned business, by joint venture, by subcontracting a
34 portion of the work with or purchasing materials for the work

1 from one or more such businesses, or by any combination
2 thereof. Each contract shall require the contractor, provider,
3 developer, or manager to submit a certified monthly report
4 detailing the status of its compliance with the Authority's
5 minority and female owned business enterprise procurement
6 program. If, in connection with a particular contract, the
7 Authority determines that it is impracticable or excessively
8 costly to obtain minority or female owned businesses to perform
9 sufficient work to fulfill the commitment required by this
10 subsection (b), the Authority shall reduce or waive the
11 commitment in the contract, as may be appropriate. The
12 Authority shall establish rules setting forth the standards to
13 be used in determining whether or not a reduction or waiver is
14 appropriate. The terms "minority owned business" and "female
15 owned business" have the meanings given to those terms in the
16 Business Enterprise for Minorities, Females, and Persons with
17 Disabilities Act.

18 (c) The Authority is authorized to enter into agreements
19 with contractors' associations, labor unions, and the
20 contractors working on the development of the casino to
21 establish an apprenticeship preparedness training program to
22 provide for an increase in the number of minority and female
23 journeymen and apprentices in the building trades and to enter
24 into agreements with community college districts or other
25 public or private institutions to provide readiness training.
26 The Authority is further authorized to enter into contracts
27 with public and private educational institutions and persons in
28 the gaming, entertainment, hospitality, and tourism industries
29 to provide training for employment in those industries.

30 Section 135. Advisory Committee. An Advisory Committee is
31 established to monitor, review, and report on (1) the City's
32 utilization of minority-owned business enterprises and
33 female-owned business enterprises, (2) employment of females,

1 and (3) employment of minorities with regard to the development
2 and construction of the casino as authorized under Section
3 7(e-6) of the Riverboat and Casino Gambling Act. The City of
4 Chicago shall work with the Advisory Committee in accumulating
5 necessary information for the Committee to submit reports, as
6 necessary, to the General Assembly and to the City of Chicago.

7 The Committee shall consist of 13 members as provided in
8 this Section. Seven members shall be selected by the Mayor of
9 the City of Chicago; 2 members shall be selected by the
10 President of the Illinois Senate; 2 members shall be selected
11 by the Speaker of the House of Representatives; one member
12 shall be selected by the Minority Leader of the Senate; and one
13 member shall be selected by the Minority Leader of the House of
14 Representatives. The Advisory Committee shall meet
15 periodically and shall report the information to the Mayor of
16 the City and to the General Assembly by December 31st of every
17 year.

18 The Advisory Committee shall be dissolved on the date that
19 casino gambling operations are first conducted under the
20 license authorized under Section 7(e-6) of the Riverboat and
21 Casino Gambling Act, other than at a temporary facility.

22 For the purposes of this Section, the terms "female" and
23 "minority person" have the meanings provided in Section 2 of
24 the Business Enterprise for Minorities, Females, and Persons
25 with Disabilities Act.

26 Section 145. Severability. The provisions of this Act are
27 severable under Section 1.31 of the Statute on Statutes.

28 Section 900. The Alcoholism and Other Drug Abuse and
29 Dependency Act is amended by changing Section 5-20 as follows:

30 (20 ILCS 301/5-20)

31 Sec. 5-20. Compulsive gambling program.

1 (a) Subject to appropriation, the Department shall
2 establish a program for public education, research, and
3 training regarding problem and compulsive gambling and the
4 treatment and prevention of problem and compulsive gambling.
5 Subject to specific appropriation for these stated purposes,
6 the program must include all of the following:

7 (1) Establishment and maintenance of a toll-free "800"
8 telephone number to provide crisis counseling and referral
9 services to families experiencing difficulty as a result of
10 problem or compulsive gambling.

11 (2) Promotion of public awareness regarding the
12 recognition and prevention of problem and compulsive
13 gambling.

14 (3) Facilitation, through in-service training and
15 other means, of the availability of effective assistance
16 programs for problem and compulsive gamblers.

17 (4) Conducting studies to identify adults and
18 juveniles in this State who are, or who are at risk of
19 becoming, problem or compulsive gamblers.

20 (b) Subject to appropriation, the Department shall either
21 establish and maintain the program or contract with a private
22 or public entity for the establishment and maintenance of the
23 program. Subject to appropriation, either the Department or the
24 private or public entity shall implement the toll-free
25 telephone number, promote public awareness, and conduct
26 in-service training concerning problem and compulsive
27 gambling.

28 (c) Subject to appropriation, the Department shall produce
29 and supply the signs specified in Section 10.7 of the Illinois
30 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of
31 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1
32 of the Charitable Games Act, and Section 13.1 of the Riverboat
33 and Casino Gambling Act.

34 (Source: P.A. 89-374, eff. 1-1-96; 89-626, eff. 8-9-96.)

1 Section 903. The Illinois Economic Opportunity Act is
2 amended by adding Section 4.1 as follows:

3 (20 ILCS 625/4.1 new)

4 Sec. 4.1. Community Services Block Grant Oversight
5 Commission. There is hereby established the Community Services
6 Block Grant Oversight Commission. The Commission shall consist
7 of 8 members, with 2 members appointed by the President of the
8 Senate, 2 members appointed by the Minority Leader of the
9 Senate, 2 members appointed by the Speaker of the House of
10 Representatives, and 2 members appointed by the Minority Leader
11 of the House of Representatives. The Commission shall meet at
12 least 2 times per year to review projected programs funded by
13 the Department of Commerce and Economic Opportunity through the
14 Illinois Community Services Block Grant Fund. The Department
15 shall fully cooperate with all reasonable requests of the
16 Commission. Members of the Commission shall not be paid for
17 their service on a Commission, but shall receive reimbursement
18 for reasonable expenses associated with service on the
19 Commission.

20 Section 905. The Department of Revenue Law of the Civil
21 Administrative Code of Illinois is amended by changing Section
22 2505-305 as follows:

23 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

24 Sec. 2505-305. Investigators.

25 (a) The Department has the power to appoint investigators
26 to conduct all investigations, searches, seizures, arrests,
27 and other duties imposed under the provisions of any law
28 administered by the Department or the Illinois Gaming Board.
29 Except as provided in subsection (c), these investigators have
30 and may exercise all the powers of peace officers solely for

1 the purpose of enforcing taxing measures administered by the
2 Department or the Illinois Gaming Board.

3 (b) The Director must authorize to each investigator
4 employed under this Section and to any other employee of the
5 Department exercising the powers of a peace officer a distinct
6 badge that, on its face, (i) clearly states that the badge is
7 authorized by the Department and (ii) contains a unique
8 identifying number. No other badge shall be authorized by the
9 Department.

10 (c) Investigators appointed under this Section who are
11 assigned to the Illinois Gaming Board have and may exercise all
12 the rights and powers of peace officers, provided that these
13 powers shall be limited to offenses or violations occurring or
14 committed on a riverboat or dock or in a casino, as defined in
15 ~~subsections (d) and (f) of~~ Section 4 of the Riverboat and
16 Casino Gambling Act.

17 (Source: P.A. 91-239, eff. 1-1-00; 91-883, eff. 1-1-01; 92-493,
18 eff. 1-1-02.)

19 Section 908. The State Finance Act is amended by changing
20 Section 8a as follows:

21 (30 ILCS 105/8a) (from Ch. 127, par. 144a)

22 Sec. 8a. Common School Fund; transfers to Common School
23 Fund and Education Assistance Fund.

24 (a) Except as provided in subsection (b) of this Section
25 and except as otherwise provided in this subsection (a) with
26 respect to amounts transferred from the General Revenue Fund to
27 the Common School Fund for distribution therefrom for the
28 benefit of the Teachers' Retirement System of the State of
29 Illinois and the Public School Teachers' Pension and Retirement
30 Fund of Chicago:

31 (1) With respect to all school districts, for each
32 fiscal year other than fiscal year 1994, on or before the

1 eleventh and twenty-first days of each of the months of
2 August through the following July, at a time or times
3 designated by the Governor, the State Treasurer and the
4 State Comptroller shall transfer from the General Revenue
5 Fund to the Common School Fund and Education Assistance
6 Fund, as appropriate, 1/24 or so much thereof as may be
7 necessary of the amount appropriated to the State Board of
8 Education for distribution to all school districts from
9 such Common School Fund and Education Assistance Fund, for
10 the fiscal year, including interest on the School Fund
11 proportionate for that distribution for such year.

12 (2) With respect to all school districts, but for
13 fiscal year 1994 only, on the 11th day of August, 1993 and
14 on or before the 11th and 21st days of each of the months
15 of October, 1993 through July, 1994 at a time or times
16 designated by the Governor, the State Treasurer and the
17 State Comptroller shall transfer from the General Revenue
18 Fund to the Common School Fund 1/24 or so much thereof as
19 may be necessary of the amount appropriated to the State
20 Board of Education for distribution to all school districts
21 from such Common School Fund, for fiscal year 1994,
22 including interest on the School Fund proportionate for
23 that distribution for such year; and on or before the 21st
24 day of August, 1993 at a time or times designated by the
25 Governor, the State Treasurer and the State Comptroller
26 shall transfer from the General Revenue Fund to the Common
27 School Fund 3/24 or so much thereof as may be necessary of
28 the amount appropriated to the State Board of Education for
29 distribution to all school districts from the Common School
30 Fund, for fiscal year 1994, including interest
31 proportionate for that distribution on the School Fund for
32 such fiscal year.

33 The amounts of the payments made in July of each year: (i)
34 shall be considered an outstanding liability as of the 30th day

1 of June immediately preceding those July payments, within the
2 meaning of Section 25 of this Act; (ii) shall be payable from
3 the appropriation for the fiscal year that ended on that 30th
4 day of June; and (iii) shall be considered payments for claims
5 covering the school year that commenced during the immediately
6 preceding calendar year.

7 Notwithstanding the foregoing provisions of this
8 subsection, as soon as may be after the 10th and 20th days of
9 each of the months of August through May, 1/24, and on or as
10 soon as may be after the 10th and 20th days of June, 1/12 of the
11 annual amount appropriated to the State Board of Education for
12 distribution and payment during that fiscal year from the
13 Common School Fund to and for the benefit of the Teachers'
14 Retirement System of the State of Illinois (until the end of
15 State fiscal year 1995) and the Public School Teachers' Pension
16 and Retirement Fund of Chicago as provided by the Illinois
17 Pension Code and Section 18-7 of the School Code, or so much
18 thereof as may be necessary, shall be transferred by the State
19 Treasurer and the State Comptroller from the General Revenue
20 Fund to the Common School Fund to permit semi-monthly payments
21 from the Common School Fund to and for the benefit of such
22 teacher retirement systems as required by Section 18-7 of the
23 School Code.

24 Notwithstanding the other provisions of this Section, on or
25 as soon as may be after the 15th day of each month, beginning
26 in July of 1995, 1/12 of the annual amount appropriated for
27 that fiscal year from the Common School Fund to the Teachers'
28 Retirement System of the State of Illinois (other than amounts
29 appropriated under Section 1.1 of the State Pension Funds
30 Continuing Appropriation Act), or so much thereof as may be
31 necessary, shall be transferred by the State Treasurer and the
32 State Comptroller from the General Revenue Fund to the Common
33 School Fund to permit monthly payments from the Common School
34 Fund to that retirement system in accordance with Section

1 16-158 of the Illinois Pension Code and Section 18-7 of the
2 School Code, except that such transfers in fiscal year 2004
3 from the General Revenue Fund to the Common School Fund for the
4 benefit of the Teachers' Retirement System of the State of
5 Illinois shall be reduced in the aggregate by the State
6 Comptroller and State Treasurer to adjust for the amount
7 transferred to the Teachers' Retirement System of the State of
8 Illinois pursuant to subsection (a) of Section 6z-61. Amounts
9 appropriated to the Teachers' Retirement System of the State of
10 Illinois under Section 1.1 of the State Pension Funds
11 Continuing Appropriation Act shall be transferred by the State
12 Treasurer and the State Comptroller from the General Revenue
13 Fund to the Common School Fund as necessary to provide for the
14 payment of vouchers drawn against those appropriations.

15 The Governor may notify the State Treasurer and the State
16 Comptroller to transfer, at a time designated by the Governor,
17 such additional amount as may be necessary to effect advance
18 distribution to school districts of amounts that otherwise
19 would be payable in the next month pursuant to Sections 18-8
20 through 18-10 of the School Code. The State Treasurer and the
21 State Comptroller shall thereupon transfer such additional
22 amount. The aggregate amount transferred from the General
23 Revenue Fund to the Common School Fund in the eleven months
24 beginning August 1 of any fiscal year shall not be in excess of
25 the amount necessary for payment of claims certified by the
26 State Superintendent of Education pursuant to the
27 appropriation of the Common School Fund for that fiscal year.
28 Notwithstanding the provisions of the first paragraph in this
29 section, no transfer to effect an advance distribution shall be
30 made in any month except on notification, as provided above, by
31 the Governor.

32 The State Comptroller and State Treasurer shall transfer
33 from the General Revenue Fund to the Common School Fund and the
34 Education Assistance Fund such amounts as may be required to

1 honor the vouchers presented by the State Board of Education
2 pursuant to Sections 18-3, 18-4.3, 18-5, 18-6 and 18-7 of the
3 School Code.

4 The State Comptroller shall report all transfers provided
5 for in this Act to the President of the Senate, Minority Leader
6 of the Senate, Speaker of the House, and Minority Leader of the
7 House.

8 (b) On or before the 11th and 21st days of each of the
9 months of June, 1982 through July, 1983, at a time or times
10 designated by the Governor, the State Treasurer and the State
11 Comptroller shall transfer from the General Revenue Fund to the
12 Common School Fund 1/24 or so much thereof as may be necessary
13 of the amount appropriated to the State Board of Education for
14 distribution from such Common School Fund, for that same fiscal
15 year, including interest on the School Fund for such year. The
16 amounts of the payments in the months of July, 1982 and July,
17 1983 shall be considered an outstanding liability as of the
18 30th day of June immediately preceding such July payment,
19 within the meaning of Section 25 of this Act, and shall be
20 payable from the appropriation for the fiscal year which ended
21 on such 30th day of June, and such July payments shall be
22 considered payments for claims covering school years 1981-1982
23 and 1982-1983 respectively.

24 In the event the Governor makes notification to effect
25 advanced distribution under the provisions of subsection (a) of
26 this Section, the aggregate amount transferred from the General
27 Revenue Fund to the Common School Fund in the 12 months
28 beginning August 1, 1981 or the 12 months beginning August 1,
29 1982 shall not be in excess of the amount necessary for payment
30 of claims certified by the State Superintendent of Education
31 pursuant to the appropriation of the Common School Fund for the
32 fiscal years commencing on the first of July of the years 1981
33 and 1982.

34 (c) In determining amounts to be transferred from the

1 General Revenue Fund to the Education Assistance Fund, the
2 amount of moneys transferred from the State Gaming Fund to the
3 Education Assistance Fund shall be disregarded. The amounts
4 transferred from the General Revenue Fund shall not be
5 decreased as an adjustment for any amounts transferred from the
6 State Gaming Fund to the Education Assistance Fund.

7 (Source: P.A. 93-665, eff. 3-5-04.)

8 Section 910. The Tobacco Products Tax Act of 1995 is
9 amended by changing Section 99-99 as follows:

10 (35 ILCS 143/99-99)

11 Sec. 99-99. Effective date. This Section, Sections 10-1
12 through 10-90 of this Act, the changes to the Illinois
13 Administrative Procedure Act, the changes to the State
14 Employees Group Insurance Act of 1971, the changes to Sec. 5 of
15 the Children and Family Services Act, the changes to Sec. 8.27
16 of the State Finance Act, the changes to Secs. 16-136.2,
17 16-153.2, and 17-156.3 of the Illinois Pension Code, Sec. 8.19
18 of the State Mandates Act, the changes to Sec. 8.2 of the
19 Abused and Neglected Child Reporting Act, and the changes to
20 the Unemployment Insurance Act take effect upon becoming law.

21 The following provisions take effect July 1, 1995: the
22 changes to the Illinois Act on the Aging and the Civil
23 Administrative Code of Illinois; the changes to Secs. 7 and
24 8a-13 of the Children and Family Services Act; the changes to
25 the Disabled Persons Rehabilitation Act; Secs. 5.408, 5.409,
26 6z-39, and 6z-40 and the changes to Sec. 8.16 of the State
27 Finance Act; the changes to the State Prompt Payment Act, the
28 Illinois Income Tax Act, and Sec. 16-133.3 of the Illinois
29 Pension Code; Sec. 2-3.117 and the changes to Secs. 14-7.02 and
30 14-15.01 of the School Code; Sec. 2-201.5 of the Nursing Home
31 Care Act; the changes to the Child Care Act of 1969 and the
32 Riverboat and Casino Gambling Act; the changes to Secs. 3-1,

1 3-1a, 3-3, 3-4, 3-13, 5-2.1, 5-5, 5-5.02, 5-5.4, 5-13, 5-16.3,
2 5-16.5, 5A-2, 5A-3, 5C-2, 5C-7, 5D-1, 5E-10, 6-8, 6-11, 9-11,
3 12-4.4, 12-10.2, and 14-8 and the repeal of Sec. 9-11 of the
4 Illinois Public Aid Code; the changes to Sec. 3 of the Abused
5 and Neglected Child Reporting Act; and the changes to the
6 Juvenile Court Act of 1987, the Adoption Act, and the Probate
7 Act of 1975.

8 The remaining provisions of this Act take effect on the
9 uniform effective date as provided in the Effective Date of
10 Laws Act.

11 (Source: P.A. 89-21, eff. 6-6-95.)

12 Section 915. The Joliet Regional Port District Act is
13 amended by changing Section 5.1 as follows:

14 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

15 Sec. 5.1. Riverboat gambling. Notwithstanding any other
16 provision of this Act, the District may not regulate the
17 operation, conduct, or navigation of any riverboat gambling
18 casino licensed under the Riverboat and Casino Gambling Act,
19 and the District may not license, tax, or otherwise levy any
20 assessment of any kind on any riverboat gambling casino
21 licensed under the Riverboat and Casino Gambling Act. The
22 General Assembly declares that the powers to regulate the
23 operation, conduct, and navigation of riverboat gambling
24 casinos and to license, tax, and levy assessments upon
25 riverboat gambling casinos are exclusive powers of the State of
26 Illinois and the Illinois Gaming Board as provided in the
27 Riverboat and Casino Gambling Act.

28 (Source: P.A. 87-1175.)

29 Section 920. The Consumer Installment Loan Act is amended
30 by changing Section 12.5 as follows:

1 (205 ILCS 670/12.5)

2 Sec. 12.5. Limited purpose branch.

3 (a) Upon the written approval of the Director, a licensee
4 may maintain a limited purpose branch for the sole purpose of
5 making loans as permitted by this Act. A limited purpose branch
6 may include an automatic loan machine. No other activity shall
7 be conducted at the site, including but not limited to,
8 accepting payments, servicing the accounts, or collections.

9 (b) The licensee must submit an application for a limited
10 purpose branch to the Director on forms prescribed by the
11 Director with an application fee of \$300. The approval for the
12 limited purpose branch must be renewed concurrently with the
13 renewal of the licensee's license along with a renewal fee of
14 \$300 for the limited purpose branch.

15 (c) The books, accounts, records, and files of the limited
16 purpose branch's transactions shall be maintained at the
17 licensee's licensed location. The licensee shall notify the
18 Director of the licensed location at which the books, accounts,
19 records, and files shall be maintained.

20 (d) The licensee shall prominently display at the limited
21 purpose branch the address and telephone number of the
22 licensee's licensed location.

23 (e) No other business shall be conducted at the site of the
24 limited purpose branch unless authorized by the Director.

25 (f) The Director shall make and enforce reasonable rules
26 for the conduct of a limited purpose branch.

27 (g) A limited purpose branch may not be located within
28 1,000 feet of a facility operated by an inter-track wagering
29 licensee or an organization licensee subject to the Illinois
30 Horse Racing Act of 1975, on a riverboat or in a casino subject
31 to the Riverboat and Casino Gambling Act, or within 1,000 feet
32 of the location at which the riverboat docks or within 1,000
33 feet of a casino.

34 (Source: P.A. 90-437, eff. 1-1-98.)

1 Section 925. The Illinois Horse Racing Act of 1975 is
2 amended by changing Sections 1.2, 20, 26, 27, 28.1, 30, 31,
3 32.1, and 42 and adding Sections 3.24, 3.25, 3.26, 3.27, 31.1,
4 and 56 as follows:

5 (230 ILCS 5/1.2)

6 Sec. 1.2. Legislative intent. This Act is intended to
7 benefit the people of the State of Illinois by encouraging the
8 breeding and production of race horses, assisting economic
9 development, and promoting Illinois tourism. The General
10 Assembly finds and declares it to be the public policy of the
11 State of Illinois to:

12 (a) support and enhance Illinois' horse racing industry,
13 which is a significant component within the agribusiness
14 industry;

15 (b) ensure that Illinois' horse racing industry remains
16 competitive with neighboring states;

17 (c) stimulate growth within Illinois' horse racing
18 industry, thereby encouraging new investment and development
19 to produce additional tax revenues and to create additional
20 jobs;

21 (d) promote the further growth of tourism;

22 (e) encourage the breeding of thoroughbred and
23 standardbred horses in this State; and

24 (f) ensure that public confidence and trust in the
25 credibility and integrity of racing operations and the
26 regulatory process is maintained.

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

28 (230 ILCS 5/3.24 new)

29 Sec. 3.24. "Gross gaming receipts" means the gross receipts
30 from electronic gaming less winnings paid to wagerers.

1 (230 ILCS 5/3.25 new)

2 Sec. 3.25. "Electronic gaming" means slot machine
3 gambling, video game of chance gambling, or both that is
4 conducted at a race track pursuant to an electronic gaming
5 license.

6 (230 ILCS 5/3.26 new)

7 Sec. 3.26. "Electronic gaming license" means a license to
8 conduct electronic gaming issued under Section 56.

9 (230 ILCS 5/3.27 new)

10 Sec. 3.27. "Electronic gaming facility" means that portion
11 of an organization licensee's race track facility at which
12 electronic gaming is conducted.

13 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

14 Sec. 20. (a) Any person desiring to conduct a horse race
15 meeting may apply to the Board for an organization license. The
16 application shall be made on a form prescribed and furnished by
17 the Board. The application shall specify:

18 (1) the dates on which it intends to conduct the horse
19 race meeting, which dates shall be provided under Section
20 21;

21 (2) the hours of each racing day between which it
22 intends to hold or conduct horse racing at such meeting;

23 (3) the location where it proposes to conduct the
24 meeting; and

25 (4) any other information the Board may reasonably
26 require.

27 (b) A separate application for an organization license
28 shall be filed for each horse race meeting which such person
29 proposes to hold. Any such application, if made by an
30 individual, or by any individual as trustee, shall be signed
31 and verified under oath by such individual. If made by

1 individuals or a partnership, it shall be signed and verified
2 under oath by at least 2 of such individuals or members of such
3 partnership as the case may be. If made by an association,
4 corporation, corporate trustee or any other entity, it shall be
5 signed by the president and attested by the secretary or
6 assistant secretary under the seal of such association, trust
7 or corporation if it has a seal, and shall also be verified
8 under oath by one of the signing officers.

9 (c) The application shall specify the name of the persons,
10 association, trust, or corporation making such application and
11 the post office address of the applicant; if the applicant is a
12 trustee, the names and addresses of the beneficiaries; if a
13 corporation, the names and post office addresses of all
14 officers, stockholders and directors; or if such stockholders
15 hold stock as a nominee or fiduciary, the names and post office
16 addresses of these persons, partnerships, corporations, or
17 trusts who are the beneficial owners thereof or who are
18 beneficially interested therein; and if a partnership, the
19 names and post office addresses of all partners, general or
20 limited; if the applicant is a corporation, the name of the
21 state of its incorporation shall be specified.

22 (d) The applicant shall execute and file with the Board a
23 good faith affirmative action plan to recruit, train, and
24 upgrade minorities in all classifications within the
25 association.

26 (e) With such application there shall be delivered to the
27 Board a certified check or bank draft payable to the order of
28 the Board for an amount equal to \$1,000. All applications for
29 the issuance of an organization license shall be filed with the
30 Board before August 1 of the year prior to the year for which
31 application is made and shall be acted upon by the Board at a
32 meeting to be held on such date as shall be fixed by the Board
33 during the last 15 days of September of such prior year. At
34 such meeting, the Board shall announce the award of the racing

1 meets, live racing schedule, and designation of host track to
2 the applicants and its approval or disapproval of each
3 application. No announcement shall be considered binding until
4 a formal order is executed by the Board, which shall be
5 executed no later than October 15 of that prior year. Absent
6 the agreement of the affected organization licensees, the Board
7 shall not grant overlapping race meetings to 2 or more tracks
8 that are within 100 miles of each other to conduct the
9 thoroughbred racing.

10 (e-3) Upon request, the Board shall award at least 25
11 standardbred racing dates to the organization licensee that
12 conducts racing at Fairmount Race Track, unless a lesser
13 schedule of live racing is the result of (A) weather or unsafe
14 track conditions due to acts of God or (B) a strike between the
15 organization licensee and the associations representing the
16 largest number of owners, trainers, jockeys, or standardbred
17 drivers who race horses at that organization licensee's racing
18 meeting.

19 (e-5) In reviewing an application for the purpose of
20 granting an organization license consistent with the best
21 interests of the public and the sport of horse racing, the
22 Board shall consider:

23 (1) the character, reputation, experience, and
24 financial integrity of the applicant and of any other
25 separate person that either:

26 (i) controls the applicant, directly or
27 indirectly, or

28 (ii) is controlled, directly or indirectly, by
29 that applicant or by a person who controls, directly or
30 indirectly, that applicant;

31 (2) the applicant's facilities or proposed facilities
32 for conducting horse racing;

33 (3) the total revenue without regard to Section 32.1 to
34 be derived by the State and horsemen from the applicant's

1 conducting a race meeting;

2 (4) the applicant's good faith affirmative action plan
3 to recruit, train, and upgrade minorities in all employment
4 classifications;

5 (5) the applicant's financial ability to purchase and
6 maintain adequate liability and casualty insurance;

7 (6) the applicant's proposed and prior year's
8 promotional and marketing activities and expenditures of
9 the applicant associated with those activities;

10 (7) an agreement, if any, among organization licensees
11 as provided in subsection (b) of Section 21 of this Act;
12 and

13 (8) the extent to which the applicant exceeds or meets
14 other standards for the issuance of an organization license
15 that the Board shall adopt by rule.

16 In granting organization licenses and allocating dates for
17 horse race meetings, the Board shall have discretion to
18 determine an overall schedule, including required simulcasts
19 of Illinois races by host tracks that will, in its judgment, be
20 conducive to the best interests of the public and the sport of
21 horse racing.

22 (e-10) The Illinois Administrative Procedure Act shall
23 apply to administrative procedures of the Board under this Act
24 for the granting of an organization license, except that (1)
25 notwithstanding the provisions of subsection (b) of Section
26 10-40 of the Illinois Administrative Procedure Act regarding
27 cross-examination, the Board may prescribe rules limiting the
28 right of an applicant or participant in any proceeding to award
29 an organization license to conduct cross-examination of
30 witnesses at that proceeding where that cross-examination
31 would unduly obstruct the timely award of an organization
32 license under subsection (e) of Section 20 of this Act; (2) the
33 provisions of Section 10-45 of the Illinois Administrative
34 Procedure Act regarding proposals for decision are excluded

1 under this Act; (3) notwithstanding the provisions of
2 subsection (a) of Section 10-60 of the Illinois Administrative
3 Procedure Act regarding ex parte communications, the Board may
4 prescribe rules allowing ex parte communications with
5 applicants or participants in a proceeding to award an
6 organization license where conducting those communications
7 would be in the best interest of racing, provided all those
8 communications are made part of the record of that proceeding
9 pursuant to subsection (c) of Section 10-60 of the Illinois
10 Administrative Procedure Act; (4) the provisions of Section 14a
11 of this Act and the rules of the Board promulgated under that
12 Section shall apply instead of the provisions of Article 10 of
13 the Illinois Administrative Procedure Act regarding
14 administrative law judges; and (5) the provisions of subsection
15 (d) of Section 10-65 of the Illinois Administrative Procedure
16 Act that prevent summary suspension of a license pending
17 revocation or other action shall not apply.

18 (f) The Board may allot racing dates to an organization
19 licensee for more than one calendar year but for no more than 3
20 successive calendar years in advance, provided that the Board
21 shall review such allotment for more than one calendar year
22 prior to each year for which such allotment has been made. The
23 granting of an organization license to a person constitutes a
24 privilege to conduct a horse race meeting under the provisions
25 of this Act, and no person granted an organization license
26 shall be deemed to have a vested interest, property right, or
27 future expectation to receive an organization license in any
28 subsequent year as a result of the granting of an organization
29 license. Organization licenses shall be subject to revocation
30 if the organization licensee has violated any provision of this
31 Act or the rules and regulations promulgated under this Act or
32 has been convicted of a crime or has failed to disclose or has
33 stated falsely any information called for in the application
34 for an organization license. Any organization license

1 revocation proceeding shall be in accordance with Section 16
2 regarding suspension and revocation of occupation licenses.

3 (f-5) If, (i) an applicant does not file an acceptance of
4 the racing dates awarded by the Board as required under part
5 (1) of subsection (h) of this Section 20, or (ii) an
6 organization licensee has its license suspended or revoked
7 under this Act, the Board, upon conducting an emergency hearing
8 as provided for in this Act, may reaward on an emergency basis
9 pursuant to rules established by the Board, racing dates not
10 accepted or the racing dates associated with any suspension or
11 revocation period to one or more organization licensees, new
12 applicants, or any combination thereof, upon terms and
13 conditions that the Board determines are in the best interest
14 of racing, provided, the organization licensees or new
15 applicants receiving the awarded racing dates file an
16 acceptance of those reawarded racing dates as required under
17 paragraph (1) of subsection (h) of this Section 20 and comply
18 with the other provisions of this Act. The Illinois
19 Administrative Procedures Act shall not apply to the
20 administrative procedures of the Board in conducting the
21 emergency hearing and the reallocation of racing dates on an
22 emergency basis.

23 (g) (Blank).

24 (h) The Board shall send the applicant a copy of its
25 formally executed order by certified mail addressed to the
26 applicant at the address stated in his application, which
27 notice shall be mailed within 5 days of the date the formal
28 order is executed.

29 Each applicant notified shall, within 10 days after receipt
30 of the final executed order of the Board awarding racing dates:

31 (1) file with the Board an acceptance of such award in
32 the form prescribed by the Board;

33 (2) pay to the Board an additional amount equal to \$110
34 for each racing date awarded; and

1 (3) file with the Board the bonds required in Sections
2 21 and 25 at least 20 days prior to the first day of each
3 race meeting.

4 Upon compliance with the provisions of paragraphs (1), (2), and
5 (3) of this subsection (h), the applicant shall be issued an
6 organization license.

7 If any applicant fails to comply with this Section or fails
8 to pay the organization license fees herein provided, no
9 organization license shall be issued to such applicant.

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

11 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

12 Sec. 26. Wagering.

13 (a) Any licensee may conduct and supervise the pari-mutuel
14 system of wagering, as defined in Section 3.12 of this Act, on
15 horse races conducted by an Illinois organization licensee or
16 conducted at a racetrack located in another state or country
17 and televised in Illinois in accordance with subsection (g) of
18 Section 26 of this Act. Subject to the prior consent of the
19 Board, licensees may supplement any pari-mutuel pool in order
20 to guarantee a minimum distribution. Such pari-mutuel method of
21 wagering shall not, under any circumstances if conducted under
22 the provisions of this Act, be held or construed to be
23 unlawful, other statutes of this State to the contrary
24 notwithstanding. Subject to rules for advance wagering
25 promulgated by the Board, any licensee may accept wagers in
26 advance of the day of the race wagered upon occurs.

27 (b) Except as otherwise provided in Section 56, no other
28 method of betting, pool making, wagering or gambling shall be
29 used or permitted by the licensee. Each licensee may retain,
30 subject to the payment of all applicable taxes and purses, an
31 amount not to exceed 17% of all money wagered under subsection
32 (a) of this Section, except as may otherwise be permitted under
33 this Act.

1 (b-5) An individual may place a wager under the pari-mutuel
2 system from any licensed location authorized under this Act
3 provided that wager is electronically recorded in the manner
4 described in Section 3.12 of this Act. Any wager made
5 electronically by an individual while physically on the
6 premises of a licensee shall be deemed to have been made at the
7 premises of that licensee.

8 (c) Until January 1, 2000, the sum held by any licensee for
9 payment of outstanding pari-mutuel tickets, if unclaimed prior
10 to December 31 of the next year, shall be retained by the
11 licensee for payment of such tickets until that date. Within 10
12 days thereafter, the balance of such sum remaining unclaimed,
13 less any uncashed supplements contributed by such licensee for
14 the purpose of guaranteeing minimum distributions of any
15 pari-mutuel pool, shall be paid to the Illinois Veterans'
16 Rehabilitation Fund of the State treasury, except as provided
17 in subsection (g) of Section 27 of this Act.

18 (c-5) Beginning January 1, 2000, the sum held by any
19 licensee for payment of outstanding pari-mutuel tickets, if
20 unclaimed prior to December 31 of the next year, shall be
21 retained by the licensee for payment of such tickets until that
22 date. Within 10 days thereafter, the balance of such sum
23 remaining unclaimed, less any uncashed supplements contributed
24 by such licensee for the purpose of guaranteeing minimum
25 distributions of any pari-mutuel pool, shall be evenly
26 distributed to the purse account of the organization licensee
27 and the organization licensee.

28 (d) A pari-mutuel ticket shall be honored until December 31
29 of the next calendar year, and the licensee shall pay the same
30 and may charge the amount thereof against unpaid money
31 similarly accumulated on account of pari-mutuel tickets not
32 presented for payment.

33 (e) No licensee shall knowingly permit any minor, other
34 than an employee of such licensee or an owner, trainer, jockey,

1 driver, or employee thereof, to be admitted during a racing
2 program unless accompanied by a parent or guardian, or any
3 minor to be a patron of the pari-mutuel system of wagering
4 conducted or supervised by it. The admission of any
5 unaccompanied minor, other than an employee of the licensee or
6 an owner, trainer, jockey, driver, or employee thereof at a
7 race track is a Class C misdemeanor.

8 (f) Notwithstanding the other provisions of this Act, an
9 organization licensee may contract with an entity in another
10 state or country to permit any legal wagering entity in another
11 state or country to accept wagers solely within such other
12 state or country on races conducted by the organization
13 licensee in this State. Beginning January 1, 2000, these wagers
14 shall not be subject to State taxation. Until January 1, 2000,
15 when the out-of-State entity conducts a pari-mutuel pool
16 separate from the organization licensee, a privilege tax equal
17 to 7 1/2% of all monies received by the organization licensee
18 from entities in other states or countries pursuant to such
19 contracts is imposed on the organization licensee, and such
20 privilege tax shall be remitted to the Department of Revenue
21 within 48 hours of receipt of the moneys from the simulcast.
22 When the out-of-State entity conducts a combined pari-mutuel
23 pool with the organization licensee, the tax shall be 10% of
24 all monies received by the organization licensee with 25% of
25 the receipts from this 10% tax to be distributed to the county
26 in which the race was conducted.

27 An organization licensee may permit one or more of its
28 races to be utilized for pari-mutuel wagering at one or more
29 locations in other states and may transmit audio and visual
30 signals of races the organization licensee conducts to one or
31 more locations outside the State or country and may also permit
32 pari-mutuel pools in other states or countries to be combined
33 with its gross or net wagering pools or with wagering pools
34 established by other states.

1 (g) A host track may accept interstate simulcast wagers on
2 horse races conducted in other states or countries and shall
3 control the number of signals and types of breeds of racing in
4 its simulcast program, subject to the disapproval of the Board.
5 The Board may prohibit a simulcast program only if it finds
6 that the simulcast program is clearly adverse to the integrity
7 of racing. The host track simulcast program shall include the
8 signal of live racing of all organization licensees. All
9 non-host licensees shall carry the host track simulcast program
10 and accept wagers on all races included as part of the
11 simulcast program upon which wagering is permitted. The costs
12 and expenses of the host track and non-host licensees
13 associated with interstate simulcast wagering, other than the
14 interstate commission fee, shall be borne by the host track and
15 all non-host licensees incurring these costs. The interstate
16 commission fee shall not exceed 5% of Illinois handle on the
17 interstate simulcast race or races without prior approval of
18 the Board. The Board shall promulgate rules under which it may
19 permit interstate commission fees in excess of 5%. The
20 interstate commission fee and other fees charged by the sending
21 racetrack, including, but not limited to, satellite decoder
22 fees, shall be uniformly applied to the host track and all
23 non-host licensees.

24 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
25 intertrack wagering licensee other than the host track may
26 supplement the host track simulcast program with
27 additional simulcast races or race programs, provided that
28 between January 1 and the third Friday in February of any
29 year, inclusive, if no live thoroughbred racing is
30 occurring in Illinois during this period, only
31 thoroughbred races may be used for supplemental interstate
32 simulcast purposes. The Board shall withhold approval for a
33 supplemental interstate simulcast only if it finds that the
34 simulcast is clearly adverse to the integrity of racing. A

1 supplemental interstate simulcast may be transmitted from
2 an intertrack wagering licensee to its affiliated non-host
3 licensees. The interstate commission fee for a
4 supplemental interstate simulcast shall be paid by the
5 non-host licensee and its affiliated non-host licensees
6 receiving the simulcast.

7 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
8 intertrack wagering licensee other than the host track may
9 receive supplemental interstate simulcasts only with the
10 consent of the host track, except when the Board finds that
11 the simulcast is clearly adverse to the integrity of
12 racing. Consent granted under this paragraph (2) to any
13 intertrack wagering licensee shall be deemed consent to all
14 non-host licensees. The interstate commission fee for the
15 supplemental interstate simulcast shall be paid by all
16 participating non-host licensees.

17 (3) Each licensee conducting interstate simulcast
18 wagering may retain, subject to the payment of all
19 applicable taxes and the purses, an amount not to exceed
20 17% of all money wagered. If any licensee conducts the
21 pari-mutuel system wagering on races conducted at
22 racetracks in another state or country, each such race or
23 race program shall be considered a separate racing day for
24 the purpose of determining the daily handle and computing
25 the privilege tax of that daily handle as provided in
26 subsection (a) of Section 27. Until January 1, 2000, from
27 the sums permitted to be retained pursuant to this
28 subsection, each intertrack wagering location licensee
29 shall pay 1% of the pari-mutuel handle wagered on simulcast
30 wagering to the Horse Racing Tax Allocation Fund, subject
31 to the provisions of subparagraph (B) of paragraph (11) of
32 subsection (h) of Section 26 of this Act.

33 (4) A licensee who receives an interstate simulcast may
34 combine its gross or net pools with pools at the sending

1 racetracks pursuant to rules established by the Board. All
2 licensees combining their gross pools at a sending
3 racetrack shall adopt the take-out percentages of the
4 sending racetrack. A licensee may also establish a separate
5 pool and takeout structure for wagering purposes on races
6 conducted at race tracks outside of the State of Illinois.
7 The licensee may permit pari-mutuel wagers placed in other
8 states or countries to be combined with its gross or net
9 wagering pools or other wagering pools.

10 (5) After the payment of the interstate commission fee
11 (except for the interstate commission fee on a supplemental
12 interstate simulcast, which shall be paid by the host track
13 and by each non-host licensee through the host-track) and
14 all applicable State and local taxes, except as provided in
15 subsection (g) of Section 27 of this Act, the remainder of
16 moneys retained from simulcast wagering pursuant to this
17 subsection (g), and Section 26.2 shall be divided as
18 follows:

19 (A) For interstate simulcast wagers made at a host
20 track, 50% to the host track and 50% to purses at the
21 host track.

22 (B) For wagers placed on interstate simulcast
23 races, supplemental simulcasts as defined in
24 subparagraphs (1) and (2), and separately pooled races
25 conducted outside of the State of Illinois made at a
26 non-host licensee, 25% to the host track, 25% to the
27 non-host licensee, and 50% to the purses at the host
28 track.

29 (6) Notwithstanding any provision in this Act to the
30 contrary, non-host licensees who derive their licenses
31 from a track located in a county with a population in
32 excess of 230,000 and that borders the Mississippi River
33 may receive supplemental interstate simulcast races at all
34 times subject to Board approval, which shall be withheld

1 only upon a finding that a supplemental interstate
2 simulcast is clearly adverse to the integrity of racing.

3 (7) Notwithstanding any provision of this Act to the
4 contrary, after payment of all applicable State and local
5 taxes and interstate commission fees, non-host licensees
6 who derive their licenses from a track located in a county
7 with a population in excess of 230,000 and that borders the
8 Mississippi River shall retain 50% of the retention from
9 interstate simulcast wagers and shall pay 50% to purses at
10 the track from which the non-host licensee derives its
11 license as follows:

12 (A) Between January 1 and the third Friday in
13 February, inclusive, if no live thoroughbred racing is
14 occurring in Illinois during this period, when the
15 interstate simulcast is a standardbred race, the purse
16 share to its standardbred purse account;

17 (B) Between January 1 and the third Friday in
18 February, inclusive, if no live thoroughbred racing is
19 occurring in Illinois during this period, and the
20 interstate simulcast is a thoroughbred race, the purse
21 share to its interstate simulcast purse pool to be
22 distributed under paragraph (10) of this subsection
23 (g);

24 (C) Between January 1 and the third Friday in
25 February, inclusive, if live thoroughbred racing is
26 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
27 the purse share from wagers made during this time
28 period to its thoroughbred purse account and between
29 6:30 p.m. and 6:30 a.m. the purse share from wagers
30 made during this time period to its standardbred purse
31 accounts;

32 (D) Between the third Saturday in February and
33 December 31, when the interstate simulcast occurs
34 between the hours of 6:30 a.m. and 6:30 p.m., the purse

1 share to its thoroughbred purse account;

2 (E) Between the third Saturday in February and
3 December 31, when the interstate simulcast occurs
4 between the hours of 6:30 p.m. and 6:30 a.m., the purse
5 share to its standardbred purse account.

6 (7.1) Notwithstanding any other provision of this Act
7 to the contrary, if no standardbred racing is conducted at
8 a racetrack located in Madison County during any calendar
9 year beginning on or after January 1, 2002, all moneys
10 derived by that racetrack from simulcast wagering and
11 inter-track wagering that (1) are to be used for purses and
12 (2) are generated between the hours of 6:30 p.m. and 6:30
13 a.m. during that calendar year shall be paid as follows:

14 (A) If the licensee that conducts horse racing at
15 that racetrack requests from the Board at least as many
16 racing dates as were conducted in calendar year 2000,
17 80% shall be paid to its thoroughbred purse account;
18 and

19 (B) Twenty percent shall be deposited into the
20 Illinois Colt Stakes Purse Distribution Fund and shall
21 be paid to purses for standardbred races for Illinois
22 conceived and foaled horses conducted at any county
23 fairgrounds. The moneys deposited into the Fund
24 pursuant to this subparagraph (B) shall be deposited
25 within 2 weeks after the day they were generated, shall
26 be in addition to and not in lieu of any other moneys
27 paid to standardbred purses under this Act, and shall
28 not be commingled with other moneys paid into that
29 Fund. The moneys deposited pursuant to this
30 subparagraph (B) shall be allocated as provided by the
31 Department of Agriculture, with the advice and
32 assistance of the Illinois Standardbred Breeders Fund
33 Advisory Board.

34 (7.2) Notwithstanding any other provision of this Act

1 to the contrary, if no thoroughbred racing is conducted at
2 a racetrack located in Madison County during any calendar
3 year beginning on or after January 1, 2002, all moneys
4 derived by that racetrack from simulcast wagering and
5 inter-track wagering that (1) are to be used for purses and
6 (2) are generated between the hours of 6:30 a.m. and 6:30
7 p.m. during that calendar year shall be deposited as
8 follows:

9 (A) If the licensee that conducts horse racing at
10 that racetrack requests from the Board at least as many
11 racing dates as were conducted in calendar year 2000,
12 80% shall be deposited into its standardbred purse
13 account; and

14 (B) Twenty percent shall be deposited into the
15 Illinois Colt Stakes Purse Distribution Fund. Moneys
16 deposited into the Illinois Colt Stakes Purse
17 Distribution Fund pursuant to this subparagraph (B)
18 shall be paid to Illinois conceived and foaled
19 thoroughbred breeders' programs and to thoroughbred
20 purses for races conducted at any county fairgrounds
21 for Illinois conceived and foaled horses at the
22 discretion of the Department of Agriculture, with the
23 advice and assistance of the Illinois Thoroughbred
24 Breeders Fund Advisory Board. The moneys deposited
25 into the Illinois Colt Stakes Purse Distribution Fund
26 pursuant to this subparagraph (B) shall be deposited
27 within 2 weeks after the day they were generated, shall
28 be in addition to and not in lieu of any other moneys
29 paid to thoroughbred purses under this Act, and shall
30 not be commingled with other moneys deposited into that
31 Fund.

32 (7.3) If no live standardbred racing is conducted at a
33 racetrack located in Madison County in calendar year 2000
34 or 2001, an organization licensee who is licensed to

1 conduct horse racing at that racetrack shall, before
2 January 1, 2002, pay all moneys derived from simulcast
3 wagering and inter-track wagering in calendar years 2000
4 and 2001 and paid into the licensee's standardbred purse
5 account as follows:

6 (A) Eighty percent to that licensee's thoroughbred
7 purse account to be used for thoroughbred purses; and

8 (B) Twenty percent to the Illinois Colt Stakes
9 Purse Distribution Fund.

10 Failure to make the payment to the Illinois Colt Stakes
11 Purse Distribution Fund before January 1, 2002 shall result
12 in the immediate revocation of the licensee's organization
13 license, inter-track wagering license, and inter-track
14 wagering location license.

15 Moneys paid into the Illinois Colt Stakes Purse
16 Distribution Fund pursuant to this paragraph (7.3) shall be
17 paid to purses for standardbred races for Illinois
18 conceived and foaled horses conducted at any county
19 fairgrounds. Moneys paid into the Illinois Colt Stakes
20 Purse Distribution Fund pursuant to this paragraph (7.3)
21 shall be used as determined by the Department of
22 Agriculture, with the advice and assistance of the Illinois
23 Standardbred Breeders Fund Advisory Board, shall be in
24 addition to and not in lieu of any other moneys paid to
25 standardbred purses under this Act, and shall not be
26 commingled with any other moneys paid into that Fund.

27 (7.4) If live standardbred racing is conducted at a
28 racetrack located in Madison County at any time in calendar
29 year 2001 before the payment required under paragraph (7.3)
30 has been made, the organization licensee who is licensed to
31 conduct racing at that racetrack shall pay all moneys
32 derived by that racetrack from simulcast wagering and
33 inter-track wagering during calendar years 2000 and 2001
34 that (1) are to be used for purses and (2) are generated

1 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or
2 2001 to the standardbred purse account at that racetrack to
3 be used for standardbred purses.

4 (7.5) Notwithstanding any provision of this Act to the
5 contrary, if live standardbred racing and live
6 thoroughbred racing are both conducted at a racetrack
7 located in Madison County at any time in a calendar year,
8 all moneys derived by that racetrack from simulcast
9 wagering and inter-track wagering that are to be used for
10 purses shall be deposited as follows: 70% shall be paid to
11 its thoroughbred purse account and 30% shall be paid to its
12 standardbred purse account.

13 (8) Notwithstanding any provision in this Act to the
14 contrary, an organization licensee from a track located in
15 a county with a population in excess of 230,000 and that
16 borders the Mississippi River and its affiliated non-host
17 licensees shall not be entitled to share in any retention
18 generated on racing, inter-track wagering, or simulcast
19 wagering at any other Illinois wagering facility.

20 (8.1) Notwithstanding any provisions in this Act to the
21 contrary, if 2 organization licensees are conducting
22 standardbred race meetings concurrently between the hours
23 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
24 State and local taxes and interstate commission fees, the
25 remainder of the amount retained from simulcast wagering
26 otherwise attributable to the host track and to host track
27 purses shall be split daily between the 2 organization
28 licensees and the purses at the tracks of the 2
29 organization licensees, respectively, based on each
30 organization licensee's share of the total live handle for
31 that day, provided that this provision shall not apply to
32 any non-host licensee that derives its license from a track
33 located in a county with a population in excess of 230,000
34 and that borders the Mississippi River.

1 (9) (Blank).

2 (10) (Blank).

3 (11) (Blank).

4 (12) The Board shall have authority to compel all host
5 tracks to receive the simulcast of any or all races
6 conducted at the Springfield or DuQuoin State fairgrounds
7 and include all such races as part of their simulcast
8 programs.

9 (13) Notwithstanding any other provision of this Act,
10 in the event that the total Illinois pari-mutuel handle on
11 Illinois horse races at all wagering facilities in any
12 calendar year is less than 75% of the total Illinois
13 pari-mutuel handle on Illinois horse races at all such
14 wagering facilities for calendar year 1994, then each
15 wagering facility that has an annual total Illinois
16 pari-mutuel handle on Illinois horse races that is less
17 than 75% of the total Illinois pari-mutuel handle on
18 Illinois horse races at such wagering facility for calendar
19 year 1994, shall be permitted to receive, from any amount
20 otherwise payable to the purse account at the race track
21 with which the wagering facility is affiliated in the
22 succeeding calendar year, an amount equal to 2% of the
23 differential in total Illinois pari-mutuel handle on
24 Illinois horse races at the wagering facility between that
25 calendar year in question and 1994 provided, however, that
26 a wagering facility shall not be entitled to any such
27 payment until the Board certifies in writing to the
28 wagering facility the amount to which the wagering facility
29 is entitled and a schedule for payment of the amount to the
30 wagering facility, based on: (i) the racing dates awarded
31 to the race track affiliated with the wagering facility
32 during the succeeding year; (ii) the sums available or
33 anticipated to be available in the purse account of the
34 race track affiliated with the wagering facility for purses

1 during the succeeding year; and (iii) the need to ensure
2 reasonable purse levels during the payment period. The
3 Board's certification shall be provided no later than
4 January 31 of the succeeding year. In the event a wagering
5 facility entitled to a payment under this paragraph (13) is
6 affiliated with a race track that maintains purse accounts
7 for both standardbred and thoroughbred racing, the amount
8 to be paid to the wagering facility shall be divided
9 between each purse account pro rata, based on the amount of
10 Illinois handle on Illinois standardbred and thoroughbred
11 racing respectively at the wagering facility during the
12 previous calendar year. Annually, the General Assembly
13 shall appropriate sufficient funds from the General
14 Revenue Fund to the Department of Agriculture for payment
15 into the thoroughbred and standardbred horse racing purse
16 accounts at Illinois pari-mutuel tracks. The amount paid to
17 each purse account shall be the amount certified by the
18 Illinois Racing Board in January to be transferred from
19 each account to each eligible racing facility in accordance
20 with the provisions of this Section. For the calendar year
21 in which an organization licensee that is eligible to
22 receive a payment under this paragraph (13) begins
23 conducting electronic gaming pursuant to an electronic
24 gaming license, the amount of that payment shall be reduced
25 by a percentage equal to the percentage of the year
26 remaining after the organization licensee begins
27 conducting electronic gaming pursuant to its electronic
28 gaming license. An organization licensee shall no longer be
29 able to receive payments under this paragraph (13)
30 beginning on the January 1 first occurring after the
31 licensee begins conducting electronic gaming pursuant to
32 an electronic gaming license issued under Section 7.6 of
33 the Riverboat and Casino Gambling Act. Beginning on January
34 1, 2006, the other provisions of this paragraph (13) shall

1 be of no force and effect.

2 (h) The Board may approve and license the conduct of
3 inter-track wagering and simulcast wagering by inter-track
4 wagering licensees and inter-track wagering location licensees
5 subject to the following terms and conditions:

6 (1) Any person licensed to conduct a race meeting (i)
7 at a track where 60 or more days of racing were conducted
8 during the immediately preceding calendar year or where
9 over the 5 immediately preceding calendar years an average
10 of 30 or more days of racing were conducted annually may be
11 issued an inter-track wagering license; (ii) at a track
12 located in a county that is bounded by the Mississippi
13 River, which has a population of less than 150,000
14 according to the 1990 decennial census, and an average of
15 at least 60 days of racing per year between 1985 and 1993
16 may be issued an inter-track wagering license; or (iii) at
17 a track located in Madison County that conducted at least
18 100 days of live racing during the immediately preceding
19 calendar year may be issued an inter-track wagering
20 license, unless a lesser schedule of live racing is the
21 result of (A) weather, unsafe track conditions, or other
22 acts of God; (B) an agreement between the organization
23 licensee and the associations representing the largest
24 number of owners, trainers, jockeys, or standardbred
25 drivers who race horses at that organization licensee's
26 racing meeting; or (C) a finding by the Board of
27 extraordinary circumstances and that it was in the best
28 interest of the public and the sport to conduct fewer than
29 100 days of live racing. Any such person having operating
30 control of the racing facility may also receive up to 6
31 inter-track wagering location licenses. In no event shall
32 more than 6 inter-track wagering locations be established
33 for each eligible race track, except that an eligible race
34 track located in a county that has a population of more

1 than 230,000 and that is bounded by the Mississippi River
2 may establish up to 7 inter-track wagering locations. An
3 application for said license shall be filed with the Board
4 prior to such dates as may be fixed by the Board. With an
5 application for an inter-track wagering location license
6 there shall be delivered to the Board a certified check or
7 bank draft payable to the order of the Board for an amount
8 equal to \$500. The application shall be on forms prescribed
9 and furnished by the Board. The application shall comply
10 with all other rules, regulations and conditions imposed by
11 the Board in connection therewith.

12 (2) The Board shall examine the applications with
13 respect to their conformity with this Act and the rules and
14 regulations imposed by the Board. If found to be in
15 compliance with the Act and rules and regulations of the
16 Board, the Board may then issue a license to conduct
17 inter-track wagering and simulcast wagering to such
18 applicant. All such applications shall be acted upon by the
19 Board at a meeting to be held on such date as may be fixed
20 by the Board.

21 (3) In granting licenses to conduct inter-track
22 wagering and simulcast wagering, the Board shall give due
23 consideration to the best interests of the public, of horse
24 racing, and of maximizing revenue to the State.

25 (4) Prior to the issuance of a license to conduct
26 inter-track wagering and simulcast wagering, the applicant
27 shall file with the Board a bond payable to the State of
28 Illinois in the sum of \$50,000, executed by the applicant
29 and a surety company or companies authorized to do business
30 in this State, and conditioned upon (i) the payment by the
31 licensee of all taxes due under Section 27 or 27.1 and any
32 other monies due and payable under this Act, and (ii)
33 distribution by the licensee, upon presentation of the
34 winning ticket or tickets, of all sums payable to the

1 patrons of pari-mutuel pools.

2 (5) Each license to conduct inter-track wagering and
3 simulcast wagering shall specify the person to whom it is
4 issued, the dates on which such wagering is permitted, and
5 the track or location where the wagering is to be
6 conducted.

7 (6) All wagering under such license is subject to this
8 Act and to the rules and regulations from time to time
9 prescribed by the Board, and every such license issued by
10 the Board shall contain a recital to that effect.

11 (7) An inter-track wagering licensee or inter-track
12 wagering location licensee may accept wagers at the track
13 or location where it is licensed, or as otherwise provided
14 under this Act.

15 (8) Inter-track wagering or simulcast wagering shall
16 not be conducted at any track less than 5 miles from a
17 track at which a racing meeting is in progress.

18 (8.1) Inter-track wagering location licensees who
19 derive their licenses from a particular organization
20 licensee shall conduct inter-track wagering and simulcast
21 wagering only at locations which are either within 90 miles
22 of that race track where the particular organization
23 licensee is licensed to conduct racing, or within 135 miles
24 of that race track where the particular organization
25 licensee is licensed to conduct racing in the case of race
26 tracks in counties of less than 400,000 that were operating
27 on or before June 1, 1986. However, inter-track wagering
28 and simulcast wagering shall not be conducted by those
29 licensees at any location within 5 miles of any race track
30 at which a horse race meeting has been licensed in the
31 current year, unless the person having operating control of
32 such race track has given its written consent to such
33 inter-track wagering location licensees, which consent
34 must be filed with the Board at or prior to the time

1 application is made.

2 (8.2) Inter-track wagering or simulcast wagering shall
3 not be conducted by an inter-track wagering location
4 licensee at any location within 500 feet of an existing
5 church or existing school, nor within 500 feet of the
6 residences of more than 50 registered voters without
7 receiving written permission from a majority of the
8 registered voters at such residences. Such written
9 permission statements shall be filed with the Board. The
10 distance of 500 feet shall be measured to the nearest part
11 of any building used for worship services, education
12 programs, residential purposes, or conducting inter-track
13 wagering by an inter-track wagering location licensee, and
14 not to property boundaries. However, inter-track wagering
15 or simulcast wagering may be conducted at a site within 500
16 feet of a church, school or residences of 50 or more
17 registered voters if such church, school or residences have
18 been erected or established, or such voters have been
19 registered, after the Board issues the original
20 inter-track wagering location license at the site in
21 question. Inter-track wagering location licensees may
22 conduct inter-track wagering and simulcast wagering only
23 in areas that are zoned for commercial or manufacturing
24 purposes or in areas for which a special use has been
25 approved by the local zoning authority. However, no license
26 to conduct inter-track wagering and simulcast wagering
27 shall be granted by the Board with respect to any
28 inter-track wagering location within the jurisdiction of
29 any local zoning authority which has, by ordinance or by
30 resolution, prohibited the establishment of an inter-track
31 wagering location within its jurisdiction. However,
32 inter-track wagering and simulcast wagering may be
33 conducted at a site if such ordinance or resolution is
34 enacted after the Board licenses the original inter-track

1 wagering location licensee for the site in question.

2 (9) (Blank).

3 (10) An inter-track wagering licensee or an
4 inter-track wagering location licensee may retain, subject
5 to the payment of the privilege taxes and the purses, an
6 amount not to exceed 17% of all money wagered. Each program
7 of racing conducted by each inter-track wagering licensee
8 or inter-track wagering location licensee shall be
9 considered a separate racing day for the purpose of
10 determining the daily handle and computing the privilege
11 tax or pari-mutuel tax on such daily handle as provided in
12 Section 27.

13 (10.1) Except as provided in subsection (g) of Section
14 27 of this Act, inter-track wagering location licensees
15 shall pay 1% of the pari-mutuel handle at each location to
16 the municipality in which such location is situated and 1%
17 of the pari-mutuel handle at each location to the county in
18 which such location is situated. In the event that an
19 inter-track wagering location licensee is situated in an
20 unincorporated area of a county, such licensee shall pay 2%
21 of the pari-mutuel handle from such location to such
22 county.

23 (10.2) Notwithstanding any other provision of this
24 Act, with respect to intertrack wagering at a race track
25 located in a county that has a population of more than
26 230,000 and that is bounded by the Mississippi River ("the
27 first race track"), or at a facility operated by an
28 inter-track wagering licensee or inter-track wagering
29 location licensee that derives its license from the
30 organization licensee that operates the first race track,
31 on races conducted at the first race track or on races
32 conducted at another Illinois race track and
33 simultaneously televised to the first race track or to a
34 facility operated by an inter-track wagering licensee or

1 inter-track wagering location licensee that derives its
2 license from the organization licensee that operates the
3 first race track, those moneys shall be allocated as
4 follows:

5 (A) That portion of all moneys wagered on
6 standardbred racing that is required under this Act to
7 be paid to purses shall be paid to purses for
8 standardbred races.

9 (B) That portion of all moneys wagered on
10 thoroughbred racing that is required under this Act to
11 be paid to purses shall be paid to purses for
12 thoroughbred races.

13 (11) (A) After payment of the privilege or pari-mutuel
14 tax, any other applicable taxes, and the costs and expenses
15 in connection with the gathering, transmission, and
16 dissemination of all data necessary to the conduct of
17 inter-track wagering, the remainder of the monies retained
18 under either Section 26 or Section 26.2 of this Act by the
19 inter-track wagering licensee on inter-track wagering
20 shall be allocated with 50% to be split between the 2
21 participating licensees and 50% to purses, except that an
22 intertrack wagering licensee that derives its license from
23 a track located in a county with a population in excess of
24 230,000 and that borders the Mississippi River shall not
25 divide any remaining retention with the Illinois
26 organization licensee that provides the race or races, and
27 an intertrack wagering licensee that accepts wagers on
28 races conducted by an organization licensee that conducts a
29 race meet in a county with a population in excess of
30 230,000 and that borders the Mississippi River shall not
31 divide any remaining retention with that organization
32 licensee.

33 (B) From the sums permitted to be retained pursuant to
34 this Act each inter-track wagering location licensee shall

1 pay (i) the privilege or pari-mutuel tax to the State; (ii)
2 4.75% of the pari-mutuel handle on intertrack wagering at
3 such location on races as purses, except that an intertrack
4 wagering location licensee that derives its license from a
5 track located in a county with a population in excess of
6 230,000 and that borders the Mississippi River shall retain
7 all purse moneys for its own purse account consistent with
8 distribution set forth in this subsection (h), and
9 intertrack wagering location licensees that accept wagers
10 on races conducted by an organization licensee located in a
11 county with a population in excess of 230,000 and that
12 borders the Mississippi River shall distribute all purse
13 moneys to purses at the operating host track; (iii) until
14 January 1, 2000, except as provided in subsection (g) of
15 Section 27 of this Act, 1% of the pari-mutuel handle
16 wagered on inter-track wagering and simulcast wagering at
17 each inter-track wagering location licensee facility to
18 the Horse Racing Tax Allocation Fund, provided that, to the
19 extent the total amount collected and distributed to the
20 Horse Racing Tax Allocation Fund under this subsection (h)
21 during any calendar year exceeds the amount collected and
22 distributed to the Horse Racing Tax Allocation Fund during
23 calendar year 1994, that excess amount shall be
24 redistributed (I) to all inter-track wagering location
25 licensees, based on each licensee's pro-rata share of the
26 total handle from inter-track wagering and simulcast
27 wagering for all inter-track wagering location licensees
28 during the calendar year in which this provision is
29 applicable; then (II) the amounts redistributed to each
30 inter-track wagering location licensee as described in
31 subpart (I) shall be further redistributed as provided in
32 subparagraph (B) of paragraph (5) of subsection (g) of this
33 Section 26 provided first, that the shares of those
34 amounts, which are to be redistributed to the host track or

1 to purses at the host track under subparagraph (B) of
2 paragraph (5) of subsection (g) of this Section 26 shall be
3 redistributed based on each host track's pro rata share of
4 the total inter-track wagering and simulcast wagering
5 handle at all host tracks during the calendar year in
6 question, and second, that any amounts redistributed as
7 described in part (I) to an inter-track wagering location
8 licensee that accepts wagers on races conducted by an
9 organization licensee that conducts a race meet in a county
10 with a population in excess of 230,000 and that borders the
11 Mississippi River shall be further redistributed as
12 provided in subparagraphs (D) and (E) of paragraph (7) of
13 subsection (g) of this Section 26, with the portion of that
14 further redistribution allocated to purses at that
15 organization licensee to be divided between standardbred
16 purses and thoroughbred purses based on the amounts
17 otherwise allocated to purses at that organization
18 licensee during the calendar year in question; and (iv) 8%
19 of the pari-mutuel handle on inter-track wagering wagered
20 at such location to satisfy all costs and expenses of
21 conducting its wagering. The remainder of the monies
22 retained by the inter-track wagering location licensee
23 shall be allocated 40% to the location licensee and 60% to
24 the organization licensee which provides the Illinois
25 races to the location, except that an intertrack wagering
26 location licensee that derives its license from a track
27 located in a county with a population in excess of 230,000
28 and that borders the Mississippi River shall not divide any
29 remaining retention with the organization licensee that
30 provides the race or races and an intertrack wagering
31 location licensee that accepts wagers on races conducted by
32 an organization licensee that conducts a race meet in a
33 county with a population in excess of 230,000 and that
34 borders the Mississippi River shall not divide any

1 remaining retention with the organization licensee.
2 Notwithstanding the provisions of clauses (ii) and (iv) of
3 this paragraph, in the case of the additional inter-track
4 wagering location licenses authorized under paragraph (1)
5 of this subsection (h) by this amendatory Act of 1991,
6 those licensees shall pay the following amounts as purses:
7 during the first 12 months the licensee is in operation,
8 5.25% of the pari-mutuel handle wagered at the location on
9 races; during the second 12 months, 5.25%; during the third
10 12 months, 5.75%; during the fourth 12 months, 6.25%; and
11 during the fifth 12 months and thereafter, 6.75%. The
12 following amounts shall be retained by the licensee to
13 satisfy all costs and expenses of conducting its wagering:
14 during the first 12 months the licensee is in operation,
15 8.25% of the pari-mutuel handle wagered at the location;
16 during the second 12 months, 8.25%; during the third 12
17 months, 7.75%; during the fourth 12 months, 7.25%; and
18 during the fifth 12 months and thereafter, 6.75%. For
19 additional intertrack wagering location licensees
20 authorized under this amendatory Act of 1995, purses for
21 the first 12 months the licensee is in operation shall be
22 5.75% of the pari-mutuel wagered at the location, purses
23 for the second 12 months the licensee is in operation shall
24 be 6.25%, and purses thereafter shall be 6.75%. For
25 additional intertrack location licensees authorized under
26 this amendatory Act of 1995, the licensee shall be allowed
27 to retain to satisfy all costs and expenses: 7.75% of the
28 pari-mutuel handle wagered at the location during its first
29 12 months of operation, 7.25% during its second 12 months
30 of operation, and 6.75% thereafter.

31 (C) There is hereby created the Horse Racing Tax
32 Allocation Fund which shall remain in existence until
33 December 31, 1999. Moneys remaining in the Fund after
34 December 31, 1999 shall be paid into the General Revenue

1 Fund. Until January 1, 2000, all monies paid into the Horse
2 Racing Tax Allocation Fund pursuant to this paragraph (11)
3 by inter-track wagering location licensees located in park
4 districts of 500,000 population or less, or in a
5 municipality that is not included within any park district
6 but is included within a conservation district and is the
7 county seat of a county that (i) is contiguous to the state
8 of Indiana and (ii) has a 1990 population of 88,257
9 according to the United States Bureau of the Census, and
10 operating on May 1, 1994 shall be allocated by
11 appropriation as follows:

12 Two-sevenths to the Department of Agriculture.
13 Fifty percent of this two-sevenths shall be used to
14 promote the Illinois horse racing and breeding
15 industry, and shall be distributed by the Department of
16 Agriculture upon the advice of a 9-member committee
17 appointed by the Governor consisting of the following
18 members: the Director of Agriculture, who shall serve
19 as chairman; 2 representatives of organization
20 licensees conducting thoroughbred race meetings in
21 this State, recommended by those licensees; 2
22 representatives of organization licensees conducting
23 standardbred race meetings in this State, recommended
24 by those licensees; a representative of the Illinois
25 Thoroughbred Breeders and Owners Foundation,
26 recommended by that Foundation; a representative of
27 the Illinois Standardbred Owners and Breeders
28 Association, recommended by that Association; a
29 representative of the Horsemen's Benevolent and
30 Protective Association or any successor organization
31 thereto established in Illinois comprised of the
32 largest number of owners and trainers, recommended by
33 that Association or that successor organization; and a
34 representative of the Illinois Harness Horsemen's

1 Association, recommended by that Association.
2 Committee members shall serve for terms of 2 years,
3 commencing January 1 of each even-numbered year. If a
4 representative of any of the above-named entities has
5 not been recommended by January 1 of any even-numbered
6 year, the Governor shall appoint a committee member to
7 fill that position. Committee members shall receive no
8 compensation for their services as members but shall be
9 reimbursed for all actual and necessary expenses and
10 disbursements incurred in the performance of their
11 official duties. The remaining 50% of this
12 two-sevenths shall be distributed to county fairs for
13 premiums and rehabilitation as set forth in the
14 Agricultural Fair Act;

15 Four-sevenths to park districts or municipalities
16 that do not have a park district of 500,000 population
17 or less for museum purposes (if an inter-track wagering
18 location licensee is located in such a park district)
19 or to conservation districts for museum purposes (if an
20 inter-track wagering location licensee is located in a
21 municipality that is not included within any park
22 district but is included within a conservation
23 district and is the county seat of a county that (i) is
24 contiguous to the state of Indiana and (ii) has a 1990
25 population of 88,257 according to the United States
26 Bureau of the Census, except that if the conservation
27 district does not maintain a museum, the monies shall
28 be allocated equally between the county and the
29 municipality in which the inter-track wagering
30 location licensee is located for general purposes) or
31 to a municipal recreation board for park purposes (if
32 an inter-track wagering location licensee is located
33 in a municipality that is not included within any park
34 district and park maintenance is the function of the

1 municipal recreation board and the municipality has a
2 1990 population of 9,302 according to the United States
3 Bureau of the Census); provided that the monies are
4 distributed to each park district or conservation
5 district or municipality that does not have a park
6 district in an amount equal to four-sevenths of the
7 amount collected by each inter-track wagering location
8 licensee within the park district or conservation
9 district or municipality for the Fund. Monies that were
10 paid into the Horse Racing Tax Allocation Fund before
11 the effective date of this amendatory Act of 1991 by an
12 inter-track wagering location licensee located in a
13 municipality that is not included within any park
14 district but is included within a conservation
15 district as provided in this paragraph shall, as soon
16 as practicable after the effective date of this
17 amendatory Act of 1991, be allocated and paid to that
18 conservation district as provided in this paragraph.
19 Any park district or municipality not maintaining a
20 museum may deposit the monies in the corporate fund of
21 the park district or municipality where the
22 inter-track wagering location is located, to be used
23 for general purposes; and

24 One-seventh to the Agricultural Premium Fund to be
25 used for distribution to agricultural home economics
26 extension councils in accordance with "An Act in
27 relation to additional support and finances for the
28 Agricultural and Home Economic Extension Councils in
29 the several counties of this State and making an
30 appropriation therefor", approved July 24, 1967.

31 Until January 1, 2000, all other monies paid into the
32 Horse Racing Tax Allocation Fund pursuant to this paragraph
33 (11) shall be allocated by appropriation as follows:

34 Two-sevenths to the Department of Agriculture.

1 Fifty percent of this two-sevenths shall be used to
2 promote the Illinois horse racing and breeding
3 industry, and shall be distributed by the Department of
4 Agriculture upon the advice of a 9-member committee
5 appointed by the Governor consisting of the following
6 members: the Director of Agriculture, who shall serve
7 as chairman; 2 representatives of organization
8 licensees conducting thoroughbred race meetings in
9 this State, recommended by those licensees; 2
10 representatives of organization licensees conducting
11 standardbred race meetings in this State, recommended
12 by those licensees; a representative of the Illinois
13 Thoroughbred Breeders and Owners Foundation,
14 recommended by that Foundation; a representative of
15 the Illinois Standardbred Owners and Breeders
16 Association, recommended by that Association; a
17 representative of the Horsemen's Benevolent and
18 Protective Association or any successor organization
19 thereto established in Illinois comprised of the
20 largest number of owners and trainers, recommended by
21 that Association or that successor organization; and a
22 representative of the Illinois Harness Horsemen's
23 Association, recommended by that Association.
24 Committee members shall serve for terms of 2 years,
25 commencing January 1 of each even-numbered year. If a
26 representative of any of the above-named entities has
27 not been recommended by January 1 of any even-numbered
28 year, the Governor shall appoint a committee member to
29 fill that position. Committee members shall receive no
30 compensation for their services as members but shall be
31 reimbursed for all actual and necessary expenses and
32 disbursements incurred in the performance of their
33 official duties. The remaining 50% of this
34 two-sevenths shall be distributed to county fairs for

1 premiums and rehabilitation as set forth in the
2 Agricultural Fair Act;

3 Four-sevenths to museums and aquariums located in
4 park districts of over 500,000 population; provided
5 that the monies are distributed in accordance with the
6 previous year's distribution of the maintenance tax
7 for such museums and aquariums as provided in Section 2
8 of the Park District Aquarium and Museum Act; and

9 One-seventh to the Agricultural Premium Fund to be
10 used for distribution to agricultural home economics
11 extension councils in accordance with "An Act in
12 relation to additional support and finances for the
13 Agricultural and Home Economic Extension Councils in
14 the several counties of this State and making an
15 appropriation therefor", approved July 24, 1967. This
16 subparagraph (C) shall be inoperative and of no force
17 and effect on and after January 1, 2000.

18 (D) Except as provided in paragraph (11) of this
19 subsection (h), with respect to purse allocation from
20 intertrack wagering, the monies so retained shall be
21 divided as follows:

22 (i) If the inter-track wagering licensee,
23 except an intertrack wagering licensee that
24 derives its license from an organization licensee
25 located in a county with a population in excess of
26 230,000 and bounded by the Mississippi River, is
27 not conducting its own race meeting during the same
28 dates, then the entire purse allocation shall be to
29 purses at the track where the races wagered on are
30 being conducted.

31 (ii) If the inter-track wagering licensee,
32 except an intertrack wagering licensee that
33 derives its license from an organization licensee
34 located in a county with a population in excess of

1 230,000 and bounded by the Mississippi River, is
2 also conducting its own race meeting during the
3 same dates, then the purse allocation shall be as
4 follows: 50% to purses at the track where the races
5 wagered on are being conducted; 50% to purses at
6 the track where the inter-track wagering licensee
7 is accepting such wagers.

8 (iii) If the inter-track wagering is being
9 conducted by an inter-track wagering location
10 licensee, except an intertrack wagering location
11 licensee that derives its license from an
12 organization licensee located in a county with a
13 population in excess of 230,000 and bounded by the
14 Mississippi River, the entire purse allocation for
15 Illinois races shall be to purses at the track
16 where the race meeting being wagered on is being
17 held.

18 (12) The Board shall have all powers necessary and
19 proper to fully supervise and control the conduct of
20 inter-track wagering and simulcast wagering by inter-track
21 wagering licensees and inter-track wagering location
22 licensees, including, but not limited to the following:

23 (A) The Board is vested with power to promulgate
24 reasonable rules and regulations for the purpose of
25 administering the conduct of this wagering and to
26 prescribe reasonable rules, regulations and conditions
27 under which such wagering shall be held and conducted.
28 Such rules and regulations are to provide for the
29 prevention of practices detrimental to the public
30 interest and for the best interests of said wagering
31 and to impose penalties for violations thereof.

32 (B) The Board, and any person or persons to whom it
33 delegates this power, is vested with the power to enter
34 the facilities of any licensee to determine whether

1 there has been compliance with the provisions of this
2 Act and the rules and regulations relating to the
3 conduct of such wagering.

4 (C) The Board, and any person or persons to whom it
5 delegates this power, may eject or exclude from any
6 licensee's facilities, any person whose conduct or
7 reputation is such that his presence on such premises
8 may, in the opinion of the Board, call into the
9 question the honesty and integrity of, or interfere
10 with the orderly conduct of such wagering; provided,
11 however, that no person shall be excluded or ejected
12 from such premises solely on the grounds of race,
13 color, creed, national origin, ancestry, or sex.

14 (D) (Blank).

15 (E) The Board is vested with the power to appoint
16 delegates to execute any of the powers granted to it
17 under this Section for the purpose of administering
18 this wagering and any rules and regulations
19 promulgated in accordance with this Act.

20 (F) The Board shall name and appoint a State
21 director of this wagering who shall be a representative
22 of the Board and whose duty it shall be to supervise
23 the conduct of inter-track wagering as may be provided
24 for by the rules and regulations of the Board; such
25 rules and regulation shall specify the method of
26 appointment and the Director's powers, authority and
27 duties.

28 (G) The Board is vested with the power to impose
29 civil penalties of up to \$5,000 against individuals and
30 up to \$10,000 against licensees for each violation of
31 any provision of this Act relating to the conduct of
32 this wagering, any rules adopted by the Board, any
33 order of the Board or any other action which in the
34 Board's discretion, is a detriment or impediment to

1 such wagering.

2 (13) The Department of Agriculture may enter into
3 agreements with licensees authorizing such licensees to
4 conduct inter-track wagering on races to be held at the
5 licensed race meetings conducted by the Department of
6 Agriculture. Such agreement shall specify the races of the
7 Department of Agriculture's licensed race meeting upon
8 which the licensees will conduct wagering. In the event
9 that a licensee conducts inter-track pari-mutuel wagering
10 on races from the Illinois State Fair or DuQuoin State Fair
11 which are in addition to the licensee's previously approved
12 racing program, those races shall be considered a separate
13 racing day for the purpose of determining the daily handle
14 and computing the privilege or pari-mutuel tax on that
15 daily handle as provided in Sections 27 and 27.1. Such
16 agreements shall be approved by the Board before such
17 wagering may be conducted. In determining whether to grant
18 approval, the Board shall give due consideration to the
19 best interests of the public and of horse racing. The
20 provisions of paragraphs (1), (8), (8.1), and (8.2) of
21 subsection (h) of this Section which are not specified in
22 this paragraph (13) shall not apply to licensed race
23 meetings conducted by the Department of Agriculture at the
24 Illinois State Fair in Sangamon County or the DuQuoin State
25 Fair in Perry County, or to any wagering conducted on those
26 race meetings.

27 (i) Notwithstanding the other provisions of this Act, the
28 conduct of wagering at wagering facilities is authorized on all
29 days, except as limited by subsection (b) of Section 19 of this
30 Act.

31 (Source: P.A. 91-40, eff. 6-25-99; 92-211, eff. 8-2-01.)

32 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

33 Sec. 27. (a) In addition to the organization license fee

1 provided by this Act, until January 1, 2000, a graduated
2 privilege tax is hereby imposed for conducting the pari-mutuel
3 system of wagering permitted under this Act. Until January 1,
4 2000, except as provided in subsection (g) of Section 27 of
5 this Act, all of the breakage of each racing day held by any
6 licensee in the State shall be paid to the State. Until January
7 1, 2000, such daily graduated privilege tax shall be paid by
8 the licensee from the amount permitted to be retained under
9 this Act. Until January 1, 2000, each day's graduated privilege
10 tax, breakage, and Horse Racing Tax Allocation funds shall be
11 remitted to the Department of Revenue within 48 hours after the
12 close of the racing day upon which it is assessed or within
13 such other time as the Board prescribes. The privilege tax
14 hereby imposed, until January 1, 2000, shall be a flat tax at
15 the rate of 2% of the daily pari-mutuel handle except as
16 provided in Section 27.1.

17 In addition, every organization licensee, except as
18 provided in Section 27.1 of this Act, which conducts multiple
19 wagering shall pay, until January 1, 2000, as a privilege tax
20 on multiple wagers an amount equal to 1.25% of all moneys
21 wagered each day on such multiple wagers, plus an additional
22 amount equal to 3.5% of the amount wagered each day on any
23 other multiple wager which involves a single betting interest
24 on 3 or more horses. The licensee shall remit the amount of
25 such taxes to the Department of Revenue within 48 hours after
26 the close of the racing day on which it is assessed or within
27 such other time as the Board prescribes.

28 This subsection (a) shall be inoperative and of no force
29 and effect on and after January 1, 2000.

30 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
31 at the rate of 1.5% of the daily pari-mutuel handle is imposed
32 at all pari-mutuel wagering facilities, which shall be remitted
33 to the Department of Revenue within 48 hours after the close of
34 the racing day upon which it is assessed or within such other

1 time as the Board prescribes.

2 (b) On or before December 31, 1999, in the event that any
3 organization licensee conducts 2 separate programs of races on
4 any day, each such program shall be considered a separate
5 racing day for purposes of determining the daily handle and
6 computing the privilege tax on such daily handle as provided in
7 subsection (a) of this Section.

8 (c) Licensees shall at all times keep accurate books and
9 records of all monies wagered on each day of a race meeting and
10 of the taxes paid to the Department of Revenue under the
11 provisions of this Section. The Board or its duly authorized
12 representative or representatives shall at all reasonable
13 times have access to such records for the purpose of examining
14 and checking the same and ascertaining whether the proper
15 amount of taxes is being paid as provided. The Board shall
16 require verified reports and a statement of the total of all
17 monies wagered daily at each wagering facility upon which the
18 taxes are assessed and may prescribe forms upon which such
19 reports and statement shall be made.

20 (d) Any licensee failing or refusing to pay the amount of
21 any tax due under this Section shall be guilty of a business
22 offense and upon conviction shall be fined not more than \$5,000
23 in addition to the amount found due as tax under this Section.
24 Each day's violation shall constitute a separate offense. All
25 fines paid into Court by a licensee hereunder shall be
26 transmitted and paid over by the Clerk of the Court to the
27 Board.

28 (e) No other license fee, privilege tax, excise tax, or
29 racing fee, except as provided in this Act, shall be assessed
30 or collected from any such licensee by the State.

31 (f) No other license fee, privilege tax, excise tax or
32 racing fee shall be assessed or collected from any such
33 licensee by units of local government except as provided in
34 paragraph 10.1 of subsection (h) and subsection (f) of Section

1 26 of this Act. However, any municipality that has a Board
2 licensed horse race meeting at a race track wholly within its
3 corporate boundaries or a township that has a Board licensed
4 horse race meeting at a race track wholly within the
5 unincorporated area of the township may charge a local
6 amusement tax not to exceed 10¢ per admission to such horse
7 race meeting by the enactment of an ordinance. However, any
8 municipality or county that has a Board licensed inter-track
9 wagering location facility wholly within its corporate
10 boundaries may each impose an admission fee not to exceed \$1.00
11 per admission to such inter-track wagering location facility,
12 so that a total of not more than \$2.00 per admission may be
13 imposed. Except as provided in subparagraph (g) of Section 27
14 of this Act, the inter-track wagering location licensee shall
15 collect any and all such fees and within 48 hours remit the
16 fees to the Board, which shall, pursuant to rule, cause the
17 fees to be distributed to the county or municipality.

18 (g) Notwithstanding any provision in this Act to the
19 contrary, if in any calendar year the total taxes and fees from
20 wagering on live racing and from inter-track wagering required
21 to be collected from licensees and distributed under this Act
22 to all State and local governmental authorities exceeds the
23 amount of such taxes and fees distributed to each State and
24 local governmental authority to which each State and local
25 governmental authority was entitled under this Act for calendar
26 year 1994, then the first \$11 million of that excess amount
27 shall be allocated at the earliest possible date for
28 distribution as purse money for the succeeding calendar year.
29 Upon reaching the 1994 level, and until the excess amount of
30 taxes and fees exceeds \$11 million, the Board shall direct all
31 licensees to cease paying the subject taxes and fees and the
32 Board shall direct all licensees to allocate any such excess
33 amount for purses as follows:

34 (i) the excess amount shall be initially divided

1 between thoroughbred and standardbred purses based on the
2 thoroughbred's and standardbred's respective percentages
3 of total Illinois live wagering in calendar year 1994;

4 (ii) each thoroughbred and standardbred organization
5 licensee issued an organization licensee in that
6 succeeding allocation year shall be allocated an amount
7 equal to the product of its percentage of total Illinois
8 live thoroughbred or standardbred wagering in calendar
9 year 1994 (the total to be determined based on the sum of
10 1994 on-track wagering for all organization licensees
11 issued organization licenses in both the allocation year
12 and the preceding year) multiplied by the total amount
13 allocated for standardbred or thoroughbred purses,
14 provided that the first \$1,500,000 of the amount allocated
15 to standardbred purses under item (i) shall be allocated to
16 the Department of Agriculture to be expended with the
17 assistance and advice of the Illinois Standardbred
18 Breeders Funds Advisory Board for the purposes listed in
19 subsection (g) of Section 31 of this Act, before the amount
20 allocated to standardbred purses under item (i) is
21 allocated to standardbred organization licensees in the
22 succeeding allocation year.

23 To the extent the excess amount of taxes and fees to be
24 collected and distributed to State and local governmental
25 authorities exceeds \$11 million, that excess amount shall be
26 collected and distributed to State and local authorities as
27 provided for under this Act.

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

29 (230 ILCS 5/28.1)

30 Sec. 28.1. Payments.

31 (a) Beginning on January 1, 2000, moneys collected by the
32 Department of Revenue and the Racing Board pursuant to Section
33 26 or Section 27 of this Act shall be deposited into the Horse

1 Racing Fund, which is hereby created as a special fund in the
2 State Treasury.

3 (b) Appropriations, as approved by the General Assembly,
4 may be made from the Horse Racing Fund to the Board to pay the
5 salaries of the Board members, secretary, stewards, directors
6 of mutuels, veterinarians, representatives, accountants,
7 clerks, stenographers, inspectors and other employees of the
8 Board, and all expenses of the Board incident to the
9 administration of this Act, including, but not limited to, all
10 expenses and salaries incident to the taking of saliva and
11 urine samples in accordance with the rules and regulations of
12 the Board.

13 (c) Appropriations, as approved by the General Assembly,
14 shall be made from the Horse Racing Fund to the Department of
15 Agriculture for the purposes identified in paragraphs (2),
16 (2.5), (4), (6), (7), (8), and (9) of subsection (g) of Section
17 30, subsection (e) of Section 30.5, and paragraphs (1), (2),
18 (3), (5), and (8) of subsection (g) of Section 31 and for
19 standardbred bonus programs for owners of horses that win
20 multiple stakes races that are limited to Illinois conceived
21 and foaled horses. From ~~Beginning on~~ January 1, 2000 ~~until the~~
22 effective date of this amendatory Act of the 93rd General
23 Assembly, the Board shall transfer the remainder of the funds
24 generated pursuant to Sections 26 and 27 from the Horse Racing
25 Fund into the General Revenue Fund.

26 (d) Beginning January 1, 2000, payments to all programs in
27 existence on the effective date of this amendatory Act of 1999
28 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and
29 ~~28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of~~
30 ~~Section 30, and subsections (a), (b), (c), (d), (e), (f), (g),~~
31 ~~and (h) of Section 31~~ shall be made from the General Revenue
32 Fund at the funding levels determined by amounts paid under
33 this Act in calendar year 1998.

34 (e) Notwithstanding any other provision of this Act to the

1 contrary, appropriations, as approved by the General Assembly,
2 may be made from the Fair and Exposition Fund to the Department
3 of Agriculture for distribution to Illinois county fairs to
4 supplement premiums offered in junior classes.

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

6 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

7 Sec. 30. (a) The General Assembly declares that it is the
8 policy of this State to encourage the breeding of thoroughbred
9 horses in this State and the ownership of such horses by
10 residents of this State in order to provide for: sufficient
11 numbers of high quality thoroughbred horses to participate in
12 thoroughbred racing meetings in this State, and to establish
13 and preserve the agricultural and commercial benefits of such
14 breeding and racing industries to the State of Illinois. It is
15 the intent of the General Assembly to further this policy by
16 the provisions of this Act.

17 (b) Each organization licensee conducting a thoroughbred
18 racing meeting pursuant to this Act shall provide at least two
19 races each day limited to Illinois conceived and foaled horses
20 or Illinois foaled horses or both. A minimum of 6 races shall
21 be conducted each week limited to Illinois conceived and foaled
22 or Illinois foaled horses or both. Subject to the daily
23 availability of horses, one of the 6 races scheduled per week
24 that are limited to Illinois conceived and foaled or Illinois
25 foaled horses or both shall be limited to Illinois conceived
26 and foaled or Illinois foaled maidens. No horses shall be
27 permitted to start in such races unless duly registered under
28 the rules of the Department of Agriculture.

29 (c) Conditions of races under subsection (b) shall be
30 commensurate with past performance, quality, and class of
31 Illinois conceived and foaled and Illinois foaled horses
32 available. If, however, sufficient competition cannot be had
33 among horses of that class on any day, the races may, with

1 consent of the Board, be eliminated for that day and substitute
2 races provided.

3 (d) There is hereby created a special fund of the State
4 Treasury to be known as the Illinois Thoroughbred Breeders
5 Fund.

6 Except as provided in subsection (g) of Section 27 of this
7 Act, 8.5% of all the monies received by the State as privilege
8 taxes on Thoroughbred racing meetings shall be paid into the
9 Illinois Thoroughbred Breeders Fund.

10 (e) The Illinois Thoroughbred Breeders Fund shall be
11 administered by the Department of Agriculture with the advice
12 and assistance of the Advisory Board created in subsection (f)
13 of this Section.

14 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
15 shall consist of the Director of the Department of Agriculture,
16 who shall serve as Chairman; a member of the Illinois Racing
17 Board, designated by it; 2 representatives of the organization
18 licensees conducting thoroughbred racing meetings, recommended
19 by them; 2 representatives of the Illinois Thoroughbred
20 Breeders and Owners Foundation, recommended by it; and 2
21 representatives of the Horsemen's Benevolent Protective
22 Association or any successor organization established in
23 Illinois comprised of the largest number of owners and
24 trainers, recommended by it, with one representative of the
25 Horsemen's Benevolent and Protective Association to come from
26 its Illinois Division, and one from its Chicago Division.
27 Advisory Board members shall serve for 2 years commencing
28 January 1 of each odd numbered year. If representatives of the
29 organization licensees conducting thoroughbred racing
30 meetings, the Illinois Thoroughbred Breeders and Owners
31 Foundation, and the Horsemen's Benevolent Protection
32 Association have not been recommended by January 1, of each odd
33 numbered year, the Director of the Department of Agriculture
34 shall make an appointment for the organization failing to so

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

6 (g) Moneys ~~No monies~~ shall be expended from the Illinois
7 Thoroughbred Breeders Fund ~~except~~ as appropriated by the
8 General Assembly pursuant to this Act, the Riverboat and Casino
9 Gambling Act, or both. Monies appropriated from the Illinois
10 Thoroughbred Breeders Fund shall be expended by the Department
11 of Agriculture, with the advice and assistance of the Illinois
12 Thoroughbred Breeders Fund Advisory Board, for the following
13 purposes only:

14 (1) To provide purse supplements to owners of horses
15 participating in races limited to Illinois conceived and
16 foaled and Illinois foaled horses. Any such purse
17 supplements shall not be included in and shall be paid in
18 addition to any purses, stakes, or breeders' awards offered
19 by each organization licensee as determined by agreement
20 between such organization licensee and an organization
21 representing the horsemen. No monies from the Illinois
22 Thoroughbred Breeders Fund shall be used to provide purse
23 supplements for claiming races in which the minimum
24 claiming price is less than \$7,500.

25 (2) To provide stakes and awards to be paid to the
26 owners of the winning horses in certain races limited to
27 Illinois conceived and foaled and Illinois foaled horses
28 designated as stakes races.

29 (2.5) To provide an award to the owner or owners of an
30 Illinois conceived and foaled or Illinois foaled horse that
31 wins a maiden special weight, an allowance, overnight
32 handicap race, or claiming race with claiming price of
33 \$10,000 or more providing the race is not restricted to
34 Illinois conceived and foaled or Illinois foaled horses.

1 Awards shall also be provided to the owner or owners of
2 Illinois conceived and foaled and Illinois foaled horses
3 that place second or third in those races. To the extent
4 that additional moneys are required to pay the minimum
5 additional awards of 40% of the purse the horse earns for
6 placing first, second or third in those races for Illinois
7 foaled horses and of 60% of the purse the horse earns for
8 placing first, second or third in those races for Illinois
9 conceived and foaled horses, those moneys shall be provided
10 from the purse account at the track where earned.

11 (3) To provide stallion awards to the owner or owners
12 of any stallion that is duly registered with the Illinois
13 Thoroughbred Breeders Fund Program ~~prior to the effective~~
14 ~~date of this amendatory Act of 1995~~ whose duly registered
15 Illinois conceived and foaled offspring wins a race
16 conducted at an Illinois thoroughbred racing meeting other
17 than a claiming race, provided (i) that the stallion stood
18 for service within Illinois at the time the offspring was
19 conceived and (ii) that the stallion did not stand for
20 service outside of Illinois at any time during the year in
21 which the offspring was conceived. ~~Such award shall not be~~
22 ~~paid to the owner or owners of an Illinois stallion that~~
23 ~~served outside this State at any time during the calendar~~
24 ~~year in which such race was conducted.~~

25 (4) To provide \$75,000 annually for purses to be
26 distributed to county fairs that provide for the running of
27 races during each county fair exclusively for the
28 thoroughbreds conceived and foaled in Illinois. The
29 conditions of the races shall be developed by the county
30 fair association and reviewed by the Department with the
31 advice and assistance of the Illinois Thoroughbred
32 Breeders Fund Advisory Board. There shall be no wagering of
33 any kind on the running of Illinois conceived and foaled
34 races at county fairs.

1 (4.1) (Blank). ~~To provide purse money for an Illinois~~
2 ~~stallion stakes program.~~

3 (5) No less than 80% of all monies appropriated ~~to~~ from
4 the Illinois Thoroughbred Breeders Fund shall be expended
5 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and
6 (5) as shown above.

7 (6) To provide for educational programs regarding the
8 thoroughbred breeding industry.

9 (7) To provide for research programs concerning the
10 health, development and care of the thoroughbred horse.

11 (8) To provide for a scholarship and training program
12 for students of equine veterinary medicine.

13 (9) To provide for dissemination of public information
14 designed to promote the breeding of thoroughbred horses in
15 Illinois.

16 (10) To provide for all expenses incurred in the
17 administration of the Illinois Thoroughbred Breeders Fund.

18 (h) (Blank). ~~Whenever the Governor finds that the amount in~~
19 ~~the Illinois Thoroughbred Breeders Fund is more than the total~~
20 ~~of the outstanding appropriations from such fund, the Governor~~
21 ~~shall notify the State Comptroller and the State Treasurer of~~
22 ~~such fact. The Comptroller and the State Treasurer, upon~~
23 ~~receipt of such notification, shall transfer such excess amount~~
24 ~~from the Illinois Thoroughbred Breeders Fund to the General~~
25 ~~Revenue Fund.~~

26 (i) A sum equal to 12 1/2% of the first prize money of
27 every purse won by an Illinois foaled or an Illinois conceived
28 and foaled horse in races not limited to Illinois foaled horses
29 or Illinois conceived and foaled horses, or both, shall be paid
30 by the organization licensee conducting the horse race meeting.
31 Such sum shall be paid from the organization licensee's share
32 of the money wagered as follows: 11 1/2% to the breeder of the
33 winning horse and 1% to the organization representing
34 thoroughbred breeders and owners whose representative serves

1 on the Illinois Thoroughbred Breeders Fund Advisory Board for
2 verifying the amounts of breeders' awards earned, assuring
3 their distribution in accordance with this Act, and servicing
4 and promoting the Illinois thoroughbred horse racing industry.
5 The organization representing thoroughbred breeders and owners
6 shall cause all expenditures of monies received under this
7 subsection (i) to be audited at least annually by a registered
8 public accountant. The organization shall file copies of each
9 annual audit with the Racing Board, the Clerk of the House of
10 Representatives and the Secretary of the Senate, and shall make
11 copies of each annual audit available to the public upon
12 request and upon payment of the reasonable cost of photocopying
13 the requested number of copies. Such payments shall not reduce
14 any award to the owner of the horse or reduce the taxes payable
15 under this Act. Upon completion of its racing meet, each
16 organization licensee shall deliver to the organization
17 representing thoroughbred breeders and owners whose
18 representative serves on the Illinois Thoroughbred Breeders
19 Fund Advisory Board a listing of all the Illinois foaled and
20 the Illinois conceived and foaled horses which won breeders'
21 awards and the amount of such breeders' awards under this
22 subsection to verify accuracy of payments and assure proper
23 distribution of breeders' awards in accordance with the
24 provisions of this Act. Such payments shall be delivered by the
25 organization licensee within 30 days of the end of each race
26 meeting.

27 (j) A sum equal to 12 1/2% of the first prize money won in
28 each race limited to Illinois foaled horses or Illinois
29 conceived and foaled horses, or both, shall be paid in the
30 following manner by the organization licensee conducting the
31 horse race meeting, from the organization licensee's share of
32 the money wagered: 11 1/2% to the breeders of the horses in
33 each such race which are the official first, second, third and
34 fourth finishers and 1% to the organization representing

1 thoroughbred breeders and owners whose representative serves
2 on the Illinois Thoroughbred Breeders Fund Advisory Board for
3 verifying the amounts of breeders' awards earned, assuring
4 their proper distribution in accordance with this Act, and
5 servicing and promoting the Illinois thoroughbred horse racing
6 industry. The organization representing thoroughbred breeders
7 and owners shall cause all expenditures of monies received
8 under this subsection (j) to be audited at least annually by a
9 registered public accountant. The organization shall file
10 copies of each annual audit with the Racing Board, the Clerk of
11 the House of Representatives and the Secretary of the Senate,
12 and shall make copies of each annual audit available to the
13 public upon request and upon payment of the reasonable cost of
14 photocopying the requested number of copies.

15 The 11 1/2% paid to the breeders in accordance with this
16 subsection shall be distributed as follows:

17 (1) 60% of such sum shall be paid to the breeder of the
18 horse which finishes in the official first position;

19 (2) 20% of such sum shall be paid to the breeder of the
20 horse which finishes in the official second position;

21 (3) 15% of such sum shall be paid to the breeder of the
22 horse which finishes in the official third position; and

23 (4) 5% of such sum shall be paid to the breeder of the
24 horse which finishes in the official fourth position.

25 Such payments shall not reduce any award to the owners of a
26 horse or reduce the taxes payable under this Act. Upon
27 completion of its racing meet, each organization licensee shall
28 deliver to the organization representing thoroughbred breeders
29 and owners whose representative serves on the Illinois
30 Thoroughbred Breeders Fund Advisory Board a listing of all the
31 Illinois foaled and the Illinois conceived and foaled horses
32 which won breeders' awards and the amount of such breeders'
33 awards in accordance with the provisions of this Act. Such
34 payments shall be delivered by the organization licensee within

1 30 days of the end of each race meeting.

2 (k) The term "breeder", as used herein, means the owner of
3 the mare at the time the foal is dropped. An "Illinois foaled
4 horse" is a foal dropped by a mare which enters this State on
5 or before December 1, in the year in which the horse is bred,
6 provided the mare remains continuously in this State until its
7 foal is born. An "Illinois foaled horse" also means a foal born
8 of a mare in the same year as the mare enters this State on or
9 before March 1, and remains in this State at least 30 days
10 after foaling, is bred back during the season of the foaling to
11 an Illinois Registered Stallion (unless a veterinarian
12 certifies that the mare should not be bred for health reasons),
13 and is not bred to a stallion standing in any other state
14 during the season of foaling. An "Illinois foaled horse" also
15 means a foal born in Illinois of a mare purchased at public
16 auction subsequent to the mare entering this State prior to
17 March 1 ~~February 1~~ of the foaling year providing the mare is
18 owned solely by one or more Illinois residents or an Illinois
19 entity that is entirely owned by one or more Illinois
20 residents.

21 (l) The Department of Agriculture shall, by rule, with the
22 advice and assistance of the Illinois Thoroughbred Breeders
23 Fund Advisory Board:

24 (1) Qualify stallions for Illinois breeding; such
25 stallions to stand for service within the State of Illinois
26 at the time of a foal's conception. Such stallion must not
27 stand for service at any place outside the State of
28 Illinois during the calendar year in which the foal is
29 conceived. The Department of Agriculture may assess and
30 collect an application fee of \$500 ~~fees~~ for the
31 registration of each Illinois-eligible stallion ~~stallions~~.
32 All fees collected are to be paid into the Illinois
33 Thoroughbred Breeders Fund and used by the Illinois
34 Thoroughbred Breeders Fund Advisory Board for stallion

1 awards.

2 (2) Provide for the registration of Illinois conceived
3 and foaled horses and Illinois foaled horses. No such horse
4 shall compete in the races limited to Illinois conceived
5 and foaled horses or Illinois foaled horses or both unless
6 registered with the Department of Agriculture. The
7 Department of Agriculture may prescribe such forms as are
8 necessary to determine the eligibility of such horses. The
9 Department of Agriculture may assess and collect
10 application fees for the registration of Illinois-eligible
11 foals. All fees collected are to be paid into the Illinois
12 Thoroughbred Breeders Fund. No person shall knowingly
13 prepare or cause preparation of an application for
14 registration of such foals containing false information.

15 (m) The Department of Agriculture, with the advice and
16 assistance of the Illinois Thoroughbred Breeders Fund Advisory
17 Board, shall provide that certain races limited to Illinois
18 conceived and foaled and Illinois foaled horses be stakes races
19 and determine the total amount of stakes and awards to be paid
20 to the owners of the winning horses in such races.

21 In determining the stakes races and the amount of awards
22 for such races, the Department of Agriculture shall consider
23 factors, including but not limited to, the amount of money
24 appropriated for the Illinois Thoroughbred Breeders Fund
25 program, organization licensees' contributions, availability
26 of stakes caliber horses as demonstrated by past performances,
27 whether the race can be coordinated into the proposed racing
28 dates within organization licensees' racing dates, opportunity
29 for colts and fillies and various age groups to race, public
30 wagering on such races, and the previous racing schedule.

31 (n) The Board and the organizational licensee shall notify
32 the Department of the conditions and minimum purses for races
33 limited to Illinois conceived and foaled and Illinois foaled
34 horses conducted for each organizational licensee conducting a

1 thoroughbred racing meeting. The Department of Agriculture
2 with the advice and assistance of the Illinois Thoroughbred
3 Breeders Fund Advisory Board may allocate monies for purse
4 supplements for such races. In determining whether to allocate
5 money and the amount, the Department of Agriculture shall
6 consider factors, including but not limited to, the amount of
7 money appropriated for the Illinois Thoroughbred Breeders Fund
8 program, the number of races that may occur, and the
9 organizational licensee's purse structure.

10 (o) (Blank). ~~In order to improve the breeding quality of~~
11 ~~thoroughbred horses in the State, the General Assembly~~
12 ~~recognizes that existing provisions of this Section to~~
13 ~~encourage such quality breeding need to be revised and~~
14 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~
15 ~~Force is to be appointed by the Governor by September 1, 1999~~
16 ~~to make recommendations to the General Assembly by no later~~
17 ~~than March 1, 2000. This task force is to be composed of 2~~
18 ~~representatives from the Illinois Thoroughbred Breeders and~~
19 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~
20 ~~Association, 3 from Illinois race tracks operating~~
21 ~~thoroughbred race meets for an average of at least 30 days in~~
22 ~~the past 3 years, the Director of Agriculture, the Executive~~
23 ~~Director of the Racing Board, who shall serve as Chairman.~~

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

25 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

26 Sec. 31. (a) The General Assembly declares that it is the
27 policy of this State to encourage the breeding of standardbred
28 horses in this State and the ownership of such horses by
29 residents of this State in order to provide for: sufficient
30 numbers of high quality standardbred horses to participate in
31 harness racing meetings in this State, and to establish and
32 preserve the agricultural and commercial benefits of such
33 breeding and racing industries to the State of Illinois. It is

1 the intent of the General Assembly to further this policy by
2 the provisions of this Section of this Act.

3 (b) Each organization licensee conducting a harness racing
4 meeting pursuant to this Act shall provide for at least two
5 races each race program limited to Illinois conceived and
6 foaled horses. A minimum of 6 races shall be conducted each
7 week limited to Illinois conceived and foaled horses. No horses
8 shall be permitted to start in such races unless duly
9 registered under the rules of the Department of Agriculture.

10 (b-5) Each organization licensee conducting a harness
11 racing meeting pursuant to this Act shall provide stakes races
12 and early closer races for Illinois conceived and foaled horses
13 so the total purses distributed for such races shall be no less
14 than 17% of the total purses distributed at the meeting.

15 (b-10) Each organization licensee conducting a harness
16 racing meeting pursuant to this Act shall provide an owner
17 award to be paid from the purse account equal to 25% of the
18 amount earned by Illinois conceived and foaled horses in races
19 that are not restricted to Illinois conceived and foaled
20 horses.

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 class
25 on any day, the races may, with consent of the Board, be
26 eliminated for that day and substitute races provided.

27 (d) There is hereby created a special fund of the State
28 Treasury to be known as the Illinois Standardbred Breeders
29 Fund.

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

1 (e) The Illinois Standardbred Breeders Fund shall be
2 administered by the Department of Agriculture with the
3 assistance and advice of the Advisory Board created in
4 subsection (f) of this Section.

5 (f) The Illinois Standardbred Breeders Fund Advisory Board
6 is hereby created. The Advisory Board shall consist of the
7 Director of the Department of Agriculture, who shall serve as
8 Chairman; the Superintendent of the Illinois State Fair; a
9 member of the Illinois Racing Board, designated by it; a
10 representative of the Illinois Standardbred Owners and
11 Breeders Association, recommended by it; a representative of
12 the Illinois Association of Agricultural Fairs, recommended by
13 it, such representative to be from a fair at which Illinois
14 conceived and foaled racing is conducted; a representative of
15 the organization licensees conducting harness racing meetings,
16 recommended by them and a representative of the Illinois
17 Harness Horsemen's Association, recommended by it. Advisory
18 Board members shall serve for 2 years commencing January 1, of
19 each odd numbered year. If representatives of the Illinois
20 Standardbred Owners and Breeders Associations, the Illinois
21 Association of Agricultural Fairs, the Illinois Harness
22 Horsemen's Association, and the organization licensees
23 conducting harness racing meetings have not been recommended by
24 January 1, of each odd numbered year, the Director of the
25 Department of Agriculture shall make an appointment for the
26 organization failing to so recommend a member of the Advisory
27 Board. Advisory Board members shall receive no compensation for
28 their services as members but shall be reimbursed for all
29 actual and necessary expenses and disbursements incurred in the
30 execution of their official duties.

31 (g) No monies shall be expended from the Illinois
32 Standardbred Breeders Fund except as appropriated by the
33 General Assembly. Monies appropriated from the Illinois
34 Standardbred Breeders Fund shall be expended by the Department

1 of Agriculture, with the assistance and advice of the Illinois
2 Standardbred Breeders Fund Advisory Board for the following
3 purposes only:

4 1. To provide purses for races limited to Illinois
5 conceived and foaled horses at the State Fair and the
6 DuQuoin State Fair.

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

9 3. To provide purse supplements for races limited to
10 Illinois conceived and foaled horses conducted by
11 associations conducting harness racing meetings.

12 4. No less than 75% of all monies in the Illinois
13 Standardbred Breeders Fund shall be expended for purses in
14 1, 2 and 3 as shown above.

15 5. In the discretion of the Department of Agriculture
16 to provide awards to harness breeders of Illinois conceived
17 and foaled horses which win races conducted by organization
18 licensees conducting harness racing meetings. A breeder is
19 the owner of a mare at the time of conception. No more than
20 10% of all monies appropriated from the Illinois
21 Standardbred Breeders Fund shall be expended for such
22 harness breeders awards. No more than 25% of the amount
23 expended for harness breeders awards shall be expended for
24 expenses incurred in the administration of such harness
25 breeders awards.

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

28 7. To pay the expenses incurred in the administration
29 of the Illinois Standardbred Breeders Fund.

30 8. To promote the sport of harness racing, including
31 grants up to a maximum of \$7,500 per fair per year for the
32 cost of a totalizer system to be used for conducting
33 pari-mutuel wagering during the advertised dates of a
34 county fair.

1 (h) Whenever the Governor finds that the amount in the
2 Illinois Standardbred Breeders Fund is more than the total of
3 the outstanding appropriations from such fund, the Governor
4 shall notify the State Comptroller and the State Treasurer of
5 such fact. The Comptroller and the State Treasurer, upon
6 receipt of such notification, shall transfer such excess amount
7 from the Illinois Standardbred Breeders Fund to the General
8 Revenue Fund.

9 (i) A sum equal to 12 1/2% of the first prize money of
10 every purse won by an Illinois conceived and foaled horse shall
11 be paid by the organization licensee conducting the horse race
12 meeting to the breeder of such winning horse from the
13 organization licensee's share of the money wagered. Such
14 payment shall not reduce any award to the owner of the horse or
15 reduce the taxes payable under this Act. Such payment shall be
16 delivered by the organization licensee at the end of each month
17 ~~race meeting~~.

18 (j) The Department of Agriculture shall, by rule, with the
19 assistance and advice of the Illinois Standardbred Breeders
20 Fund Advisory Board:

21 1. Qualify stallions for Illinois Standardbred Breeders
22 Fund breeding; such stallion shall be owned by a resident of
23 the State of Illinois or by an Illinois corporation all of
24 whose shareholders, directors, officers and incorporators are
25 residents of the State of Illinois. Such stallion shall stand
26 for service at and within the State of Illinois at the time of
27 a foal's conception, and such stallion must not stand for
28 service at any place, ~~nor may semen from such stallion be~~
29 ~~transported,~~ outside the State of Illinois during that calendar
30 year in which the foal is conceived and that the owner of the
31 stallion was for the 12 months prior, a resident of Illinois.
32 The articles of agreement of any partnership, joint venture,
33 limited partnership, syndicate, association or corporation and
34 any bylaws and stock certificates must contain a restriction

1 that provides that the ownership or transfer of interest by any
2 one of the persons a party to the agreement can only be made to
3 a person who qualifies as an Illinois resident. Foals conceived
4 outside the State of Illinois from shipped semen from a
5 stallion qualified for breeders' awards under this Section are
6 not eligible to participate in the Illinois conceived and
7 foaled program.

8 2. Provide for the registration of Illinois conceived and
9 foaled horses and no such horse shall compete in the races
10 limited to Illinois conceived and foaled horses unless
11 registered with the Department of Agriculture. The Department
12 of Agriculture may prescribe such forms as may be necessary to
13 determine the eligibility of such horses. No person shall
14 knowingly prepare or cause preparation of an application for
15 registration of such foals containing false information. A mare
16 (dam) must be in the state at least 30 days prior to foaling or
17 remain in the State at least 30 days at the time of foaling.
18 Beginning with the 1996 breeding season and for foals of 1997
19 and thereafter, a foal conceived in the State of Illinois by
20 transported fresh semen may be eligible for Illinois conceived
21 and foaled registration provided all breeding and foaling
22 requirements are met. The stallion must be qualified for
23 Illinois Standardbred Breeders Fund breeding at the time of
24 conception and the mare must be inseminated within the State of
25 Illinois. The foal must be dropped in Illinois and properly
26 registered with the Department of Agriculture in accordance
27 with this Act.

28 3. Provide that at least a 5 day racing program shall be
29 conducted at the State Fair each year, which program shall
30 include at least the following races limited to Illinois
31 conceived and foaled horses: (a) a two year old Trot and Pace,
32 and Filly Division of each; (b) a three year old Trot and Pace,
33 and Filly Division of each; (c) an aged Trot and Pace, and Mare
34 Division of each.

1 4. Provide for the payment of nominating, sustaining and
2 starting fees for races promoting the sport of harness racing
3 and for the races to be conducted at the State Fair as provided
4 in subsection (j) 3 of this Section provided that the
5 nominating, sustaining and starting payment required from an
6 entrant shall not exceed 2% of the purse of such race. All
7 nominating, sustaining and starting payments shall be held for
8 the benefit of entrants and shall be paid out as part of the
9 respective purses for such races. Nominating, sustaining and
10 starting fees shall be held in trust accounts for the purposes
11 as set forth in this Act and in accordance with Section 205-15
12 of the Department of Agriculture Law (20 ILCS 205/205-15).

13 5. Provide for the registration with the Department of
14 Agriculture of Colt Associations or county fairs desiring to
15 sponsor races at county fairs.

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

30 (l) All races held at county fairs and the State Fair which
31 receive funds from the Illinois Standardbred Breeders Fund
32 shall be conducted in accordance with the rules of the United
33 States Trotting Association unless otherwise modified by the
34 Department of Agriculture.

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

17 (Source: P.A. 91-239, eff. 1-1-00.)

18 (230 ILCS 5/31.1 new)

19 Sec. 31.1. Racing Industry Workers' Commission.

20 (a) The General Assembly finds that backstretch workers
21 play a critical role in the success and prosperity of the
22 racing industry. The General Assembly finds that electronic
23 gaming will improve the quality and viability of live racing in
24 Illinois by providing new resources to increase purse sizes and
25 to improve race track facilities. The General Assembly finds
26 that there is a concomitant responsibility and duty to address
27 the human service and housing needs of backstretch workers.

28 (b) There is hereby created the Racing Industry Workers'
29 Commission. The Racing Industry Workers' Commission shall
30 consist of the following 7 members:

31 (1) 2 persons appointed by the Governor who represent
32 the interests of an organization licensee;

33 (2) one person appointed by the Governor who represents

1 the interests of standardbred horsemen;

2 (3) one person appointed by the Governor who represents
3 the interests of thoroughbred horsemen;

4 (4) one person appointed by the Governor who is or was
5 a backstretch worker;

6 (5) one person appointed by the Governor who advocates
7 on behalf of backstretch workers; and

8 (6) one person appointed by the Governor who has
9 significant experience in administering social services.

10 (c) There is hereby created in the State treasury a special
11 fund to be known as the Racing Industry Workers' Fund. The Fund
12 shall consist of moneys paid into it under subsection (b) of
13 Section 56 of the Illinois Horse Racing Act of 1975.

14 (d) The Racing Industry Workers' Commission is authorized
15 to use funds in the Racing Industry Workers' Fund to fund
16 programs and initiatives that improve the quality of life of
17 backstretch workers. Initiatives funded by the Commission
18 shall address needs such as illiteracy, substance dependence,
19 primary health care, child care, housing, and any other social
20 service need determined by the Commission.

21 (e) On December 31st of each year the Commission shall
22 report to the General Assembly and the Governor on the programs
23 funded by the Commission during the preceding fiscal year, the
24 number of persons served, and the working and living conditions
25 of backstretch workers.

26 (230 ILCS 5/32.1)

27 Sec. 32.1. Pari-mutuel tax credit; statewide racetrack
28 real estate equalization. In order to encourage new investment
29 in Illinois racetrack facilities and mitigate differing real
30 estate tax burdens among all racetracks, the licensees
31 affiliated or associated with each racetrack that has been
32 awarded live racing dates in the current year shall receive an
33 immediate pari-mutuel tax credit in an amount equal to the

1 greater of (i) 50% of the amount of the real estate taxes paid
2 in the prior year attributable to that racetrack, or (ii) the
3 amount by which the real estate taxes paid in the prior year
4 attributable to that racetrack exceeds 60% of the average real
5 estate taxes paid in the prior year for all racetracks awarded
6 live horse racing meets in the current year.

7 Each year, regardless of whether the organization licensee
8 conducted live racing in the year of certification, the Board
9 shall certify in writing, prior to December 31, the real estate
10 taxes paid in that year for each racetrack and the amount of
11 the pari-mutuel tax credit that each organization licensee,
12 intertrack wagering licensee, and intertrack wagering location
13 licensee that derives its license from such racetrack is
14 entitled in the succeeding calendar year. The real estate taxes
15 considered under this Section for any racetrack shall be those
16 taxes on the real estate parcels and related facilities used to
17 conduct a horse race meeting and inter-track wagering at such
18 racetrack under this Act. In no event shall the amount of the
19 tax credit under this Section exceed the amount of pari-mutuel
20 taxes otherwise calculated under this Act. The amount of the
21 tax credit under this Section shall be retained by each
22 licensee and shall not be subject to any reallocation or
23 further distribution under this Act. The Board may promulgate
24 emergency rules to implement this Section.

25 An organization licensee shall no longer be eligible to
26 receive a pari-mutuel tax credit under this Section beginning
27 on the January 1 first occurring after the organization
28 licensee begins conducting electronic gaming pursuant to an
29 electronic gaming license issued under Section 7.6 of the
30 Riverboat and Casino Gambling Act or on January 1, 2006,
31 whichever comes first. For the calendar year in which an
32 organization licensee that is eligible to receive a pari-mutuel
33 tax credit under this Section begins conducting electronic
34 gaming pursuant to an electronic gaming license, the amount of

1 the pari-mutuel tax credit shall be reduced by a percentage
2 equal to the percentage of the year remaining after the
3 organization licensee begins conducting electronic gaming
4 pursuant to its electronic gaming license. Beginning on January
5 1, 2006, the other provisions of this Section shall be of no
6 force and effect.

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

8 (230 ILCS 5/42) (from Ch. 8, par. 37-42)

9 Sec. 42. (a) Except as to the distribution of monies
10 provided for by Sections 28, 29, 30, and 31 and the treating of
11 horses as provided in Section 36, nothing whatsoever in this
12 Act shall be held or taken to apply to county fairs and State
13 Fairs or to agricultural and livestock exhibitions where the
14 pari-mutuel system of wagering upon the result of horses is not
15 permitted or conducted.

16 (b) Nothing herein shall be construed to permit the
17 pari-mutuel method of wagering upon any race track unless such
18 race track is licensed under this Act. It is hereby declared to
19 be unlawful for any person to permit, conduct or supervise upon
20 any race track ground the pari-mutuel method of wagering except
21 in accordance with the provisions of this Act.

22 (c) Whoever violates subsection (b) of this Section is
23 guilty of a Class 4 felony.

24 (Source: P.A. 89-16, eff. 5-30-95.)

25 (230 ILCS 5/56 new)

26 Sec. 56. Electronic gaming.

27 (a) An organization licensee may apply to the Gaming Board
28 for an electronic gaming license. An electronic gaming license
29 shall authorize its holder to conduct gambling using slot
30 machines, video games of chance, or both on the grounds of the
31 licensee's race track. Only one organization licensee per race
32 track may be awarded an electronic gaming license. Each license

1 shall specify the number of slot machines and video games of
2 chance that its holder may operate.

3 If an organization licensee receives an electronic gaming
4 license, the organization must create an entity that shall hold
5 the electronic gaming license and conduct electronic gaming
6 under the license. The majority interest in the entity shall be
7 retained by the organization licensee, but, within a time
8 period set by the Board, which shall not exceed 12 months from
9 the date the electronic gaming licensee begins to conduct
10 electronic gaming, the entity shall attain a level of at least
11 20% minority person and female ownership, at least 16% and 4%
12 respectively. The provisions of this subsection concerning
13 minority person and female ownership of an entity the holds an
14 electronic gaming license apply only to electronic gaming and
15 not to any other activities conducted by an organization
16 licensee under this Act. For the purposes of this Act, with
17 respect only to electronic gaming, the term "organization
18 licensee" includes the entity created under this subsection.
19 The provisions of this subsection concerning the creation of an
20 entity to hold an electronic gaming license do not apply to an
21 organization licensee that has attained a level of at least 20%
22 minority person and female ownership, at least 16% and 4%
23 respectively. For the purposes of this Section, the terms
24 "female" and "minority person" have the meanings provided in
25 Section 2 of the Business Enterprise for Minorities, Females,
26 and Persons with Disabilities Act.

27 An electronic gaming licensee may not permit persons under
28 21 years of age to be present in its electronic gaming
29 facility, but the licensee may accept wagers on live racing and
30 inter-track wagers at its electronic gaming facility.

31 (b) The gross gaming receipts received by an electronic
32 gaming licensee from electronic gaming remaining after the
33 payment of taxes under Section 13 of the Riverboat and Casino
34 Gambling Act shall be distributed as provided in this

1 subsection (b).

2 During the first 5 years that an electronic gaming licensee
3 conducts electronic gaming, on the first \$25,000,000 of annual
4 gross gaming receipts:

5 80.13% shall be retained by the licensee;

6 16.37% shall be paid to purse equity accounts;

7 1.75% shall be paid to the Illinois Thoroughbred
8 Breeders Fund and the Illinois Standardbred Breeders Fund,
9 divided pro rata based on the proportion of live
10 thoroughbred racing and live standardbred racing conducted
11 at that licensee's race track;

12 0.25% shall be paid to the Illinois Quarter Horse
13 Breeders Fund;

14 0.0625% shall be paid to the University of Illinois for
15 equine research;

16 0.0625% shall be paid to the Southern Illinois
17 University for equine research;

18 1.125% shall be paid to the Racing Industry Workers'
19 Fund;

20 0.25% shall be paid to the licensee's live racing and
21 horse ownership promotional account.

22 On annual gross gaming receipts in excess of \$25,000,000 but
23 not exceeding \$50,000,000:

24 79.05% shall be retained by the licensee;

25 17.45% shall be paid to purse equity accounts;

26 1.75% shall be paid to the Illinois Thoroughbred
27 Breeders Fund and the Illinois Standardbred Breeders Fund,
28 divided pro rata based on the proportion of live
29 thoroughbred racing and live standardbred racing conducted
30 at that licensee's race track;

31 0.25% shall be paid to the Illinois Quarter Horse
32 Breeders Fund;

33 0.0625% shall be paid to the University of Illinois for
34 equine research;

1 0.0625% shall be paid to the Southern Illinois
2 University for equine research;

3 1.125% shall be paid to the Racing Industry Workers'
4 Fund;

5 0.25% shall be paid to the licensee's live racing and
6 horse ownership promotional account.

7 On annual gross gaming receipts in excess of \$50,000,000 but
8 not exceeding \$75,000,000:

9 77.8% shall be retained by the licensee;

10 18.7% shall be paid to purse equity accounts;

11 1.75% shall be paid to the Illinois Thoroughbred
12 Breeders Fund and the Illinois Standardbred Breeders Fund,
13 divided pro rata based on the proportion of live
14 thoroughbred racing and live standardbred racing conducted
15 at that licensee's race track;

16 0.25% shall be paid to the Illinois Quarter Horse
17 Breeders Fund;

18 0.0625% shall be paid to the University of Illinois for
19 equine research;

20 0.0625% shall be paid to the Southern Illinois
21 University for equine research;

22 1.125% shall be paid to the Racing Industry Workers'
23 Fund;

24 0.25% shall be paid to the licensee's live racing and
25 horse ownership promotional account.

26 On annual gross gaming receipts in excess of \$75,000,000 but
27 not exceeding \$100,000,000:

28 76.41% shall be retained by the licensee;

29 20.09% shall be paid to purse equity accounts;

30 1.75% shall be paid to the Illinois Thoroughbred
31 Breeders Fund and the Illinois Standardbred Breeders Fund,
32 divided pro rata based on the proportion of live
33 thoroughbred racing and live standardbred racing conducted
34 at that licensee's race track;

1 0.25% shall be paid to the Illinois Quarter Horse
2 Breeders Fund;

3 0.0625% shall be paid to the University of Illinois for
4 equine research;

5 0.0625% shall be paid to the Southern Illinois
6 University for equine research;

7 1.125% shall be paid to the Racing Industry Workers'
8 Fund;

9 0.25% shall be paid to the licensee's live racing and
10 horse ownership promotional account.

11 On annual gross gaming receipts in excess of \$100,000,000 but
12 not exceeding \$150,000,000:

13 74.78% shall be retained by the licensee;

14 21.72% shall be paid to purse equity accounts;

15 1.75% shall be paid to the Illinois Thoroughbred
16 Breeders Fund and the Illinois Standardbred Breeders Fund,
17 divided pro rata based on the proportion of live
18 thoroughbred racing and live standardbred racing conducted
19 at that licensee's race track;

20 0.25% shall be paid to the Illinois Quarter Horse
21 Breeders Fund;

22 0.0625% shall be paid to the University of Illinois for
23 equine research;

24 0.0625% shall be paid to the Southern Illinois
25 University for equine research;

26 1.125% shall be paid to the Racing Industry Workers'
27 Fund;

28 0.25% shall be paid to the licensee's live racing and
29 horse ownership promotional account.

30 On annual gross gaming receipts in excess of \$150,000,000 but
31 not exceeding \$400,000,000:

32 72.87% shall be retained by the licensee;

33 23.63% shall be paid to purse equity accounts;

34 1.75% shall be paid to the Illinois Thoroughbred

1 Breeders Fund and the Illinois Standardbred Breeders Fund,
2 divided pro rata based on the proportion of live
3 thoroughbred racing and live standardbred racing conducted
4 at that licensee's race track;

5 0.25% shall be paid to the Illinois Quarter Horse
6 Breeders Fund;

7 0.0625% shall be paid to the University of Illinois for
8 equine research;

9 0.0625% shall be paid to the Southern Illinois
10 University for equine research;

11 1.125% shall be paid to the Racing Industry Workers'
12 Fund;

13 0.25% shall be paid to the licensee's live racing and
14 horse ownership promotional account.

15 On annual gross gaming receipts in excess of \$400,000,000:

16 67.83% shall be retained by the licensee;

17 28.67% shall be paid to purse equity accounts;

18 1.75% shall be paid to the Illinois Thoroughbred
19 Breeders Fund and the Illinois Standardbred Breeders Fund,
20 divided pro rata based on the proportion of live
21 thoroughbred racing and live standardbred racing conducted
22 at that licensee's race track;

23 0.25% shall be paid to the Illinois Quarter Horse
24 Breeders Fund;

25 0.0625% shall be paid to the University of Illinois for
26 equine research;

27 0.0625% shall be paid to the Southern Illinois
28 University for equine research;

29 1.125% shall be paid to the Racing Industry Workers'
30 Fund;

31 0.25% shall be paid to the licensee's live racing and
32 horse ownership promotional account.

33 During all years after the first 5 years that an electronic
34 gaming licensee conducts electronic gaming, on the first

1 \$25,000,000 of annual gross gaming receipts:

2 78.93% shall be retained by the licensee;

3 17.57% shall be paid to purse equity accounts;

4 1.75% shall be paid to the Illinois Thoroughbred
5 Breeders Fund and the Illinois Standardbred Breeders Fund,
6 divided pro rata based on the proportion of live
7 thoroughbred racing and live standardbred racing conducted
8 at that licensee's race track;

9 0.25% shall be paid to the Illinois Quarter Horse
10 Breeders Fund;

11 0.0625% shall be paid to the University of Illinois for
12 equine research;

13 0.0625% shall be paid to the Southern Illinois
14 University for equine research;

15 1.125% shall be paid to the Racing Industry Workers'
16 Fund;

17 0.25% shall be paid to the licensee's live racing and
18 horse ownership promotional account.

19 On annual gross gaming receipts in excess of \$25,000,000 but
20 not exceeding \$50,000,000:

21 77.77% shall be retained by the licensee;

22 18.73% shall be paid to purse equity accounts;

23 1.75% shall be paid to the Illinois Thoroughbred
24 Breeders Fund and the Illinois Standardbred Breeders Fund,
25 divided pro rata based on the proportion of live
26 thoroughbred racing and live standardbred racing conducted
27 at that licensee's race track;

28 0.25% shall be paid to the Illinois Quarter Horse
29 Breeders Fund;

30 0.0625% shall be paid to the University of Illinois for
31 equine research;

32 0.0625% shall be paid to the Southern Illinois
33 University for equine research;

34 1.125% shall be paid to the Racing Industry Workers'

1 Fund;

2 0.25% shall be paid to the licensee's live racing and
3 horse ownership promotional account.

4 On annual gross gaming receipts in excess of \$50,000,000 but
5 not exceeding \$75,000,000:

6 76.45% shall be retained by the licensee;

7 20.05% shall be paid to purse equity accounts;

8 1.75% shall be paid to the Illinois Thoroughbred
9 Breeders Fund and the Illinois Standardbred Breeders Fund,
10 divided pro rata based on the proportion of live
11 thoroughbred racing and live standardbred racing conducted
12 at that licensee's race track;

13 0.25% shall be paid to the Illinois Quarter Horse
14 Breeders Fund;

15 0.0625% shall be paid to the University of Illinois for
16 equine research;

17 0.0625% shall be paid to the Southern Illinois
18 University for equine research;

19 1.125% shall be paid to the Racing Industry Workers'
20 Fund;

21 0.25% shall be paid to the licensee's live racing and
22 horse ownership promotional account.

23 On annual gross gaming receipts in excess of \$75,000,000 but
24 not exceeding \$100,000,000:

25 74.94% shall be retained by the licensee;

26 21.56% shall be paid to purse equity accounts;

27 1.75% shall be paid to the Illinois Thoroughbred
28 Breeders Fund and the Illinois Standardbred Breeders Fund,
29 divided pro rata based on the proportion of live
30 thoroughbred racing and live standardbred racing conducted
31 at that licensee's race track;

32 0.25% shall be paid to the Illinois Quarter Horse
33 Breeders Fund;

34 0.0625% shall be paid to the University of Illinois for

1 equine research;

2 0.0625% shall be paid to the Southern Illinois
3 University for equine research;

4 1.125% shall be paid to the Racing Industry Workers'
5 Fund;

6 0.25% shall be paid to the licensee's live racing and
7 horse ownership promotional account.

8 On annual gross gaming receipts in excess of \$100,000,000 but
9 not exceeding \$150,000,000:

10 73.19% shall be retained by the licensee;

11 23.31% shall be paid to purse equity accounts;

12 1.75% shall be paid to the Illinois Thoroughbred
13 Breeders Fund and the Illinois Standardbred Breeders Fund,
14 divided pro rata based on the proportion of live
15 thoroughbred racing and live standardbred racing conducted
16 at that licensee's race track;

17 0.25% shall be paid to the Illinois Quarter Horse
18 Breeders Fund;

19 0.0625% shall be paid to the University of Illinois for
20 equine research;

21 0.0625% shall be paid to the Southern Illinois
22 University for equine research;

23 1.125% shall be paid to the Racing Industry Workers'
24 Fund;

25 0.25% shall be paid to the licensee's live racing and
26 horse ownership promotional account.

27 On annual gross gaming receipts in excess of \$150,000,000 but
28 not exceeding \$400,000,000:

29 71.14% shall be retained by the licensee;

30 25.36% shall be paid to purse equity accounts;

31 1.75% shall be paid to the Illinois Thoroughbred
32 Breeders Fund and the Illinois Standardbred Breeders Fund,
33 divided pro rata based on the proportion of live
34 thoroughbred racing and live standardbred racing conducted

1 at that licensee's race track;

2 0.25% shall be paid to the Illinois Quarter Horse
3 Breeders Fund;

4 0.0625% shall be paid to the University of Illinois for
5 equine research;

6 0.0625% shall be paid to the Southern Illinois
7 University for equine research;

8 1.125% shall be paid to the Racing Industry Workers'
9 Fund;

10 0.25% shall be paid to the licensee's live racing and
11 horse ownership promotional account.

12 On annual gross gaming receipts in excess of \$400,000,000:

13 68.15% shall be retained by the licensee;

14 28.35% shall be paid to purse equity accounts;

15 1.75% shall be paid to the Illinois Thoroughbred
16 Breeders Fund and the Illinois Standardbred Breeders Fund,
17 divided pro rata based on the proportion of live
18 thoroughbred racing and live standardbred racing conducted
19 at that licensee's race track;

20 0.25% shall be paid to the Illinois Quarter Horse
21 Breeders Fund;

22 0.0625% shall be paid to the University of Illinois for
23 equine research;

24 0.0625% shall be paid to the Southern Illinois
25 University for equine research;

26 1.125% shall be paid to the Racing Industry Workers'
27 Fund;

28 0.25% shall be paid to the licensee's live racing and
29 horse ownership promotional account.

30 (c) Moneys paid into purse equity accounts by licensees at
31 tracks located in counties with a population in excess of
32 400,000 inhabitants shall be maintained separately from moneys
33 paid into purse equity accounts by licensees at tracks located
34 in counties with a population of 400,000 or fewer inhabitants.

1 (d) Of the moneys paid to purse equity accounts by an
2 electronic gaming licensee located in a county with a
3 population in excess of 400,000 inhabitants, 58% shall be paid
4 into a single thoroughbred purse pool and 42% shall be paid
5 into a single standardbred purse pool.

6 Each calendar year, moneys in the thoroughbred purse pool
7 shall be distributed equally for each awarded racing date to
8 the thoroughbred purse accounts of each organization licensee
9 that paid money into the thoroughbred purse pool.

10 Each calendar year, moneys in the standardbred purse pool
11 shall be distributed equally for each awarded racing date to
12 the standardbred purse accounts of each organization licensee
13 that paid money into the standardbred purse pool.

14 Moneys distributed under this subsection (d) shall be
15 distributed as directed by the Board.

16 Section 930. The Riverboat Gambling Act is amended by
17 changing Sections 1, 2, 3, 4, 5, 6, 7, 7.1, 7.3, 7.4, 8, 9, 10,
18 11, 11.1, 12, 13, 14, 18, 19, 20, and 23 and adding Sections,
19 5.2, 7.6, and 7.7 as follows:

20 (230 ILCS 10/1) (from Ch. 120, par. 2401)

21 Sec. 1. Short title. This Act shall be known and may be
22 cited as the Riverboat and Casino Gambling Act.

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

24 (230 ILCS 10/2) (from Ch. 120, par. 2402)

25 Sec. 2. Legislative Intent.

26 (a) This Act is intended to benefit the people of the State
27 of Illinois by assisting economic development and promoting
28 Illinois tourism and by increasing the amount of revenues
29 available to the State to assist and support education.

30 (b) While authorization of riverboat and casino gambling
31 will enhance investment, development and tourism in Illinois,

1 it is recognized that it will do so successfully only if public
2 confidence and trust in the credibility and integrity of the
3 gambling operations and the regulatory process is maintained.
4 Therefore, regulatory provisions of this Act are designed to
5 strictly regulate the facilities, persons, associations and
6 practices related to gambling operations pursuant to the police
7 powers of the State, including comprehensive law enforcement
8 supervision.

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

13 (Source: P.A. 93-28, eff. 6-20-03.)

14 (230 ILCS 10/3) (from Ch. 120, par. 2403)

15 Sec. 3. ~~Riverboat~~ Gambling Authorized.

16 (a) Riverboat and casino gambling operations and
17 electronic gaming operations ~~and the system of wagering~~
18 ~~incorporated therein~~, as defined in this Act, are hereby
19 authorized to the extent that they are carried out in
20 accordance with the provisions of this Act.

21 (b) This Act does not apply to the pari-mutuel system of
22 wagering used or intended to be used in connection with the
23 horse-race meetings as authorized under the Illinois Horse
24 Racing Act of 1975, lottery games authorized under the Illinois
25 Lottery Law, bingo authorized under the Bingo License and Tax
26 Act, charitable games authorized under the Charitable Games Act
27 or pull tabs and jar games conducted under the Illinois Pull
28 Tabs and Jar Games Act. This Act does apply to electronic
29 gaming authorized under the Illinois Horse Racing Act of 1975
30 to the extent provided in that Act and in this Act.

31 (c) Riverboat gambling conducted pursuant to this Act may
32 be authorized upon any water within the State of Illinois or
33 any water other than Lake Michigan which constitutes a boundary

1 of the State of Illinois. Notwithstanding any provision in this
2 subsection (c) to the contrary, a licensee that receives its
3 license pursuant to subsection (e-5) of Section 7 authorizing
4 its holder to conduct riverboat gambling from a home dock in
5 any county North of Cook County may conduct riverboat gambling
6 on Lake Michigan from a home dock located on Lake Michigan.
7 Notwithstanding any provision in this subsection (c) to the
8 contrary, a licensee may conduct gambling at its home dock
9 facility as provided in Sections 7 and 11. A licensee may
10 conduct riverboat gambling authorized under this Act
11 regardless of whether it conducts excursion cruises. A licensee
12 may permit the continuous ingress and egress of passengers for
13 the purpose of gambling.

14 (d) Gambling that is conducted in accordance with this Act
15 using slot machines and video games of chance shall be
16 authorized at electronic gaming facilities as provided in this
17 Act.

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

19 (230 ILCS 10/4) (from Ch. 120, par. 2404)

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

21 "Authority" means the Chicago Casino Development Authority
22 created under the Chicago Casino Development Authority Act.

23 ~~(a)~~ "Board" means the Illinois Gaming Board.

24 "Casino" means a land-based facility located within a
25 municipality with a population of more than 500,000 inhabitants
26 at which lawful gambling is authorized and licensed as provided
27 in this Act. "Casino" includes any temporary land-based or
28 river-based facility at which lawful gambling is authorized and
29 licensed as provided in this Act. "Casino" does not include any
30 ancillary facilities such as hotels, restaurants, retail
31 facilities, conference rooms, parking areas, entertainment
32 venues, or other facilities at which gambling operations are
33 not conducted.

1 "Casino operator" means any person or entity that manages
2 casino gambling operations conducted by the Authority under
3 subsection (e-6) of Section 7.

4 "Casino operators license" means a license issued by the
5 Board to a person or entity to manage casino gambling
6 operations conducted by the Authority pursuant to subsection
7 (e-6) of Section 7.

8 ~~(b)~~ "Occupational license" means a license issued by the
9 Board to a person or entity to perform an occupation which the
10 Board has identified as requiring a license to engage in
11 riverboat or casino gambling in Illinois.

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

18 ~~(d)~~ "Riverboat" means a self-propelled excursion boat, a
19 permanently moored barge, or permanently moored barges that are
20 permanently fixed together to operate as one vessel, on which
21 lawful gambling is authorized and licensed as provided in this
22 Act.

23 ~~(e)~~ "Managers license" means a license issued by the Board
24 to a person or entity to manage gambling operations conducted
25 by the State pursuant to Section 7.3 ~~7.2~~.

26 ~~(f)~~ "Dock" means the location where a riverboat moors for
27 the purpose of embarking passengers for and disembarking
28 passengers from the riverboat.

29 ~~(g)~~ "Whole gaming ~~Gross~~ receipts" means the total amount of
30 money exchanged for the purchase of chips, tokens or electronic
31 cards by riverboat or casino patrons or electronic gaming
32 patrons.

33 ~~(h)~~ "Gross gaming ~~Adjusted-gross~~ receipts" means the whole
34 gaming ~~gross~~ receipts less winnings paid to wagerers.

1 ~~(i)~~ "Cheat" means to alter the selection of criteria which
2 determine the result of a gambling game or the amount or
3 frequency of payment in a gambling game.

4 ~~(j)~~ "Department" means the Department of Revenue.

5 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~
6 gambling games authorized under this Act upon a riverboat or in
7 a casino or authorized under this Act and the Illinois Horse
8 Racing Act of 1975 at an electronic gaming facility.

9 ~~(l)~~ "License bid" means the lump sum amount of money that
10 an applicant bids and agrees to pay the State, or which is paid
11 by the Authority, in return for an owners license that is
12 re-issued on or after July 1, 2003.

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

16 "Owners license" means a license to conduct riverboat
17 gambling operations or casino gambling operations, but does not
18 include an electronic gaming license.

19 "Licensed owner" means a person who holds an owners
20 license.

21 "Electronic gaming" means the conduct of gambling using
22 slot machines and video games of chance at a race track
23 licensed under the Illinois Horse Racing Act of 1975 pursuant
24 to the Illinois Horse Racing Act of 1975 and this Act.

25 "Electronic gaming facility" means the area where the Board
26 has authorized electronic gaming at a race track of an
27 organization licensee under the Illinois Horse Racing Act of
28 1975 that holds an electronic gaming license.

29 "Electronic gaming license" means a license issued by the
30 Board under Section 7.6 of this Act authorizing electronic
31 gaming at an electronic gaming facility.

32 "Organization licensee" means an entity authorized by the
33 Illinois Racing Board to conduct pari-mutuel wagering in
34 accordance with the Illinois Horse Racing Act of 1975.

1 (Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03;
2 revisory 1-28-04.)

3 (230 ILCS 10/5) (from Ch. 120, par. 2405)

4 Sec. 5. Gaming Board.

5 (a) (1) There is hereby established within the Department
6 of Revenue an Illinois Gaming Board which shall have the powers
7 and duties specified in this Act, and all other powers
8 necessary and proper to fully and effectively execute this Act
9 for the purpose of administering, regulating, and enforcing the
10 system of riverboat and casino gambling established by this
11 Act. Its jurisdiction shall extend under this Act to every
12 person, association, corporation, partnership and trust
13 involved in riverboat and casino gambling operations in the
14 State of Illinois.

15 (2) The Board shall consist of 5 members to be appointed by
16 the Governor with the advice and consent of the Senate, one of
17 whom shall be designated by the Governor to be chairperson
18 ~~chairman~~. Each member shall have a reasonable knowledge of the
19 practice, procedure and principles of gambling operations.
20 Each member shall either be a resident of Illinois or shall
21 certify that he or she will become a resident of Illinois
22 before taking office. At least one member shall be experienced
23 in law enforcement and criminal investigation, at least one
24 member shall be a certified public accountant experienced in
25 accounting and auditing, and at least one member shall be a
26 lawyer licensed to practice law in Illinois.

27 (3) The terms of office of the Board members shall be 3
28 years, except that the terms of office of the initial Board
29 members appointed pursuant to this Act will commence from the
30 effective date of this Act and run as follows: one for a term
31 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for
32 a term ending July 1, 1993. Upon the expiration of the
33 foregoing terms, the successors of such members shall serve a

1 term for 3 years and until their successors are appointed and
2 qualified for like terms. Vacancies in the Board shall be
3 filled for the unexpired term in like manner as original
4 appointments. Each member of the Board shall be eligible for
5 reappointment at the discretion of the Governor with the advice
6 and consent of the Senate.

7 (4) Each member of the Board shall receive \$300 for each
8 day the Board meets and for each day the member conducts any
9 hearing pursuant to this Act. Each member of the Board shall
10 also be reimbursed for all actual and necessary expenses and
11 disbursements incurred in the execution of official duties.

12 (5) No person shall be appointed a member of the Board or
13 continue to be a member of the Board who is, or whose spouse,
14 child or parent is, a member of the board of directors of, or a
15 person financially interested in, any gambling operation
16 subject to the jurisdiction of this Board, or any race track,
17 race meeting, racing association or the operations thereof
18 subject to the jurisdiction of the Illinois Racing Board. No
19 Board member shall hold any other public office for which he
20 shall receive compensation other than necessary travel or other
21 incidental expenses. No person shall be a member of the Board
22 who is not of good moral character or who has been convicted
23 of, or is under indictment for, a felony under the laws of
24 Illinois or any other state, or the United States.

25 (6) Any member of the Board may be removed by the Governor
26 for neglect of duty, misfeasance, malfeasance, or nonfeasance
27 in office.

28 (7) Before entering upon the discharge of the duties of his
29 office, each member of the Board shall take an oath that he
30 will faithfully execute the duties of his office according to
31 the laws of the State and the rules and regulations adopted
32 therewith and shall give bond to the State of Illinois,
33 approved by the Governor, in the sum of \$25,000. Every such
34 bond, when duly executed and approved, shall be recorded in the

1 office of the Secretary of State. Whenever the Governor
2 determines that the bond of any member of the Board has become
3 or is likely to become invalid or insufficient, he shall
4 require such member forthwith to renew his bond, which is to be
5 approved by the Governor. Any member of the Board who fails to
6 take oath and give bond within 30 days from the date of his
7 appointment, or who fails to renew his bond within 30 days
8 after it is demanded by the Governor, shall be guilty of
9 neglect of duty and may be removed by the Governor. The cost of
10 any bond given by any member of the Board under this Section
11 shall be taken to be a part of the necessary expenses of the
12 Board.

13 (8) Upon the request of the Board, the Department shall
14 employ such personnel as may be necessary to carry out the
15 functions of the Board. No person shall be employed to serve
16 the Board who is, or whose spouse, parent or child is, an
17 official of, or has a financial interest in or financial
18 relation with, any operator engaged in gambling operations
19 within this State or any organization engaged in conducting
20 horse racing within this State. Any employee violating these
21 prohibitions shall be subject to termination of employment.

22 (9) An Administrator shall perform any and all duties that
23 the Board shall assign him. The salary of the Administrator
24 shall be determined by the Board and approved by the Director
25 of the Department and, in addition, he shall be reimbursed for
26 all actual and necessary expenses incurred by him in discharge
27 of his official duties. The Administrator shall keep records of
28 all proceedings of the Board and shall preserve all records,
29 books, documents and other papers belonging to the Board or
30 entrusted to its care. The Administrator shall devote his full
31 time to the duties of the office and shall not hold any other
32 office or employment.

33 (b) The Board shall have general responsibility for the
34 implementation of this Act. Its duties include, without

1 limitation, the following:

2 (1) To decide promptly and in reasonable order all
3 license applications. Any party aggrieved by an action of
4 the Board denying, suspending, revoking, restricting or
5 refusing to renew a license may request a hearing before
6 the Board. A request for a hearing must be made to the
7 Board in writing within 5 days after service of notice of
8 the action of the Board. Notice of the action of the Board
9 shall be served either by personal delivery or by certified
10 mail, postage prepaid, to the aggrieved party. Notice
11 served by certified mail shall be deemed complete on the
12 business day following the date of such mailing. The Board
13 shall conduct all requested hearings promptly and in
14 reasonable order;

15 (2) To conduct all hearings pertaining to civil
16 violations of this Act or rules and regulations promulgated
17 hereunder;

18 (3) To promulgate such rules and regulations as in its
19 judgment may be necessary to protect or enhance the
20 credibility and integrity of gambling operations
21 authorized by this Act and the regulatory process
22 hereunder;

23 (4) To provide for the establishment and collection of
24 all license and registration fees and taxes imposed by this
25 Act and the rules and regulations issued pursuant hereto.
26 All such fees and taxes shall be deposited into the State
27 Gaming Fund;

28 (5) To provide for the levy and collection of penalties
29 and fines for the violation of provisions of this Act and
30 the rules and regulations promulgated hereunder. All such
31 fines and penalties shall be deposited into the Education
32 Assistance Fund, created by Public Act 86-0018, of the
33 State of Illinois;

34 (6) To be present through its inspectors and agents any

1 time gambling operations are conducted on any riverboat, in
2 any casino, or at any electronic gaming facility for the
3 purpose of certifying the revenue thereof, receiving
4 complaints from the public, and conducting such other
5 investigations into the conduct of the gambling games and
6 the maintenance of the equipment as from time to time the
7 Board may deem necessary and proper;

8 (7) To review and rule upon any complaint by a licensee
9 regarding any investigative procedures of the State which
10 are unnecessarily disruptive of gambling operations. The
11 need to inspect and investigate shall be presumed at all
12 times. The disruption of a licensee's operations shall be
13 proved by clear and convincing evidence, and establish
14 that: (A) the procedures had no reasonable law enforcement
15 purposes, and (B) the procedures were so disruptive as to
16 unreasonably inhibit gambling operations;

17 (8) To hold at least one meeting each quarter of the
18 fiscal year. In addition, special meetings may be called by
19 the chairperson ~~Chairman~~ or any 2 Board members upon 72
20 hours written notice to each member. All Board meetings
21 shall be subject to the Open Meetings Act. Three members of
22 the Board shall constitute a quorum, and 3 votes shall be
23 required for any final determination by the Board. The
24 Board shall keep a complete and accurate record of all its
25 meetings. A majority of the members of the Board shall
26 constitute a quorum for the transaction of any business,
27 for the performance of any duty, or for the exercise of any
28 power which this Act requires the Board members to
29 transact, perform or exercise en banc, except that, upon
30 order of the Board, one of the Board members or an
31 administrative law judge designated by the Board may
32 conduct any hearing provided for under this Act or by Board
33 rule and may recommend findings and decisions to the Board.
34 The Board member or administrative law judge conducting

1 such hearing shall have all powers and rights granted to
2 the Board in this Act. The record made at the time of the
3 hearing shall be reviewed by the Board, or a majority
4 thereof, and the findings and decision of the majority of
5 the Board shall constitute the order of the Board in such
6 case;

7 (9) To maintain records which are separate and distinct
8 from the records of any other State board or commission.
9 Such records shall be available for public inspection and
10 shall accurately reflect all Board proceedings;

11 (10) To file a written annual report with the Governor
12 on or before March 1 each year and such additional reports
13 as the Governor may request. The annual report shall
14 include a statement of receipts and disbursements by the
15 Board, actions taken by the Board, and any additional
16 information and recommendations which the Board may deem
17 valuable or which the Governor may request;

18 (11) (Blank); ~~and~~

19 (12) To assume responsibility for the administration
20 and enforcement of the Bingo License and Tax Act, the
21 Charitable Games Act, and the Pull Tabs and Jar Games Act
22 if such responsibility is delegated to it by the Director
23 of Revenue; and.

24 (13) To assume responsibility for the administration
25 and enforcement of operations at electronic gaming
26 facilities pursuant to this Act and the Illinois Horse
27 Racing Act of 1975.

28 (c) The Board shall have jurisdiction over and shall
29 supervise all gambling operations governed by this Act. The
30 Board shall have all powers necessary and proper to fully and
31 effectively execute the provisions of this Act, including, but
32 not limited to, the following:

33 (1) To investigate applicants and determine the
34 eligibility of applicants for licenses and to select among

1 competing applicants the applicants which best serve the
2 interests of the citizens of Illinois.

3 (2) To have jurisdiction and supervision over all
4 ~~riverboat~~ gambling operations authorized under this Act in
5 ~~this State~~ and all persons in places ~~on riverboats~~ where
6 gambling operations are conducted.

7 (3) To promulgate rules and regulations for the purpose
8 of administering the provisions of this Act and to
9 prescribe rules, regulations and conditions under which
10 all ~~riverboat~~ gambling operations subject to this Act in
11 ~~the State~~ shall be conducted. Such rules and regulations
12 are to provide for the prevention of practices detrimental
13 to the public interest and for the best interests of
14 ~~riverboat~~ gambling, including rules and regulations
15 regarding the inspection of electronic gaming facilities,
16 ~~such~~ riverboats, and casinos and the review of any permits
17 or licenses necessary to operate a riverboat, casino, or
18 electronic gaming facility under any laws or regulations
19 applicable to riverboats, casinos, and electronic gaming
20 facilities, and to impose penalties for violations
21 thereof.

22 (4) To enter the office, riverboats, electronic gaming
23 facilities, and other facilities, or other places of
24 business of a licensee, where evidence of the compliance or
25 noncompliance with the provisions of this Act is likely to
26 be found.

27 (5) To investigate alleged violations of this Act or
28 the rules of the Board and to take appropriate disciplinary
29 action against a licensee or a holder of an occupational
30 license for a violation, or institute appropriate legal
31 action for enforcement, or both.

32 (6) To adopt standards for the licensing of all persons
33 under this Act, as well as for electronic or mechanical
34 gambling games, and to establish fees for such licenses.

1 (7) To adopt appropriate standards for all electronic
2 gaming facilities, riverboats, casinos, and other
3 facilities authorized under this Act.

4 (8) To require that the records, including financial or
5 other statements of any licensee under this Act, shall be
6 kept in such manner as prescribed by the Board and that any
7 such licensee involved in the ownership or management of
8 gambling operations submit to the Board an annual balance
9 sheet and profit and loss statement, list of the
10 stockholders or other persons having a 1% or greater
11 beneficial interest in the gambling activities of each
12 licensee, and any other information the Board deems
13 necessary in order to effectively administer this Act and
14 all rules, regulations, orders and final decisions
15 promulgated under this Act.

16 (9) To conduct hearings, issue subpoenas for the
17 attendance of witnesses and subpoenas duces tecum for the
18 production of books, records and other pertinent documents
19 in accordance with the Illinois Administrative Procedure
20 Act, and to administer oaths and affirmations to the
21 witnesses, when, in the judgment of the Board, it is
22 necessary to administer or enforce this Act or the Board
23 rules.

24 (10) To prescribe a form to be used by any licensee
25 involved in the ownership or management of gambling
26 operations as an application for employment for their
27 employees.

28 (11) To revoke or suspend licenses, other than the
29 license issued to the Authority, as the Board may see fit
30 and in compliance with applicable laws of the State
31 regarding administrative procedures, and to review
32 applications for the renewal of licenses. The Board may
33 suspend an owners license (other than the license issued to
34 the Authority) or an electronic gaming license, without

1 notice or hearing, upon a determination that the safety or
2 health of patrons or employees is jeopardized by continuing
3 a gambling operation conducted under that license ~~a~~
4 ~~riverboat's operation~~. The suspension may remain in effect
5 until the Board determines that the cause for suspension
6 has been abated. The Board may revoke the owners license
7 (other than the license issued to the Authority) or the
8 electronic gaming license upon a determination that the
9 licensee ~~owner~~ has not made satisfactory progress toward
10 abating the hazard.

11 (12) To eject or exclude or authorize the ejection or
12 exclusion of, any person from ~~riverboat~~ gambling
13 facilities where that ~~such~~ person is in violation of this
14 Act, rules and regulations thereunder, or final orders of
15 the Board, or where such person's conduct or reputation is
16 such that his or her presence within the ~~riverboat~~ gambling
17 facilities may, in the opinion of the Board, call into
18 question the honesty and integrity of the gambling
19 operations or interfere with the orderly conduct thereof;
20 provided that the propriety of such ejection or exclusion
21 is subject to subsequent hearing by the Board.

22 (13) To require all licensees of gambling operations to
23 utilize a cashless wagering system whereby all players'
24 money is converted to tokens, electronic cards, or chips
25 which shall be used only for wagering in the gambling
26 establishment.

27 (14) (Blank).

28 (15) To suspend, revoke or restrict licenses (other
29 than the license issued to the Authority) or electronic
30 gaming licenses, to require the removal of a licensee or an
31 employee of a licensee for a violation of this Act or a
32 Board rule or for engaging in a fraudulent practice, and to
33 impose civil penalties of up to \$5,000 against individuals
34 and up to \$10,000 or an amount equal to the daily whole

1 gaming ~~gross~~ receipts, whichever is larger, against
2 licensees for each violation of any provision of the Act,
3 any rules adopted by the Board, any order of the Board or
4 any other action which, in the Board's discretion, is a
5 detriment or impediment to ~~riverboat~~ gambling operations.

6 (16) To hire employees to gather information, conduct
7 investigations and carry out any other tasks contemplated
8 under this Act.

9 (17) To establish minimum levels of insurance to be
10 maintained by licensees.

11 (18) To authorize a licensee to sell or serve alcoholic
12 liquors, wine or beer as defined in the Liquor Control Act
13 of 1934 on board a riverboat or in a casino and to have
14 exclusive authority to establish the hours for sale and
15 consumption of alcoholic liquor on board a riverboat or in
16 a casino, notwithstanding any provision of the Liquor
17 Control Act of 1934 or any local ordinance, and regardless
18 of whether the riverboat or in a casino makes excursions.
19 The establishment of the hours for sale and consumption of
20 alcoholic liquor on board a riverboat or in a casino is an
21 exclusive power and function of the State. A home rule unit
22 may not establish the hours for sale and consumption of
23 alcoholic liquor on board a riverboat or in a casino. This
24 subdivision (18) amendatory Act of 1991 is a denial and
25 limitation of home rule powers and functions under
26 subsection (h) of Section 6 of Article VII of the Illinois
27 Constitution.

28 (19) After consultation with the U.S. Army Corps of
29 Engineers, to establish binding emergency orders upon the
30 concurrence of a majority of the members of the Board
31 regarding the navigability of water, relative to
32 excursions, in the event of extreme weather conditions,
33 acts of God or other extreme circumstances.

34 (20) To delegate the execution of any of its powers

1 under this Act for the purpose of administering and
2 enforcing this Act and its rules and regulations hereunder.

3 (21) To make rules concerning the conduct of electronic
4 gaming.

5 (22) ~~(21)~~ To take any other action as may be reasonable
6 or appropriate to enforce this Act and rules and
7 regulations hereunder.

8 (d) The Board may seek and shall receive the cooperation of
9 the Department of State Police in conducting background
10 investigations of applicants and in fulfilling its
11 responsibilities under this Section. Costs incurred by the
12 Department of State Police as a result of such cooperation
13 shall be paid by the Board in conformance with the requirements
14 of Section 2605-400 of the Department of State Police Law (20
15 ILCS 2605/2605-400).

16 (e) The Board must authorize to each investigator and to
17 any other employee of the Board exercising the powers of a
18 peace officer a distinct badge that, on its face, (i) clearly
19 states that the badge is authorized by the Board and (ii)
20 contains a unique identifying number. No other badge shall be
21 authorized by the Board.

22 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00; 91-883,
23 eff. 1-1-01.)

24 (230 ILCS 10/5.2 new)

25 Sec. 5.2. Enforcement and investigations. Notwithstanding
26 any provision in this Act to the contrary, all duties related
27 to investigations under this Act and the enforcement of this
28 Act shall be divided equally between employees of the
29 Department of State Police and investigators employed by the
30 Department of Revenue.

31 (230 ILCS 10/6) (from Ch. 120, par. 2406)

32 Sec. 6. Application for Owners License.

1 (a) A qualified person, other than the Authority, may apply
2 to the Board for an owners license to conduct a riverboat
3 gambling operation as provided in this Act. The application
4 shall be made on forms provided by the Board and shall contain
5 such information as the Board prescribes, including but not
6 limited to the identity of the riverboat on which such gambling
7 operation is to be conducted and the exact location where such
8 riverboat will be docked, a certification that the riverboat
9 will be registered under this Act at all times during which
10 gambling operations are conducted on board, detailed
11 information regarding the ownership and management of the
12 applicant, and detailed personal information regarding the
13 applicant. Any application for an owners license to be
14 re-issued on or after June 1, 2003 shall also include the
15 applicant's license bid in a form prescribed by the Board.
16 Information provided on the application shall be used as a
17 basis for a thorough background investigation which the Board
18 shall conduct with respect to each applicant. An incomplete
19 application shall be cause for denial of a license by the
20 Board.

21 (b) Applicants shall submit with their application all
22 documents, resolutions, and letters of support from the
23 governing body that represents the municipality or county
24 wherein the licensee will dock.

25 (c) Each applicant shall disclose the identity of every
26 person, association, trust or corporation having a greater than
27 1% direct or indirect pecuniary interest in the riverboat
28 gambling operation with respect to which the license is sought.
29 If the disclosed entity is a trust, the application shall
30 disclose the names and addresses of the beneficiaries; if a
31 corporation, the names and addresses of all stockholders and
32 directors; if a partnership, the names and addresses of all
33 partners, both general and limited.

34 (d) An application shall be filed with the Board by January

1 of the year preceding any calendar year for which an
2 applicant seeks an owners license; however, applications for an
3 owners license permitting operations on January 1, 1991 shall
4 be filed by July 1, 1990. An application fee of \$50,000 shall
5 be paid at the time of filing to defray the costs associated
6 with the background investigation conducted by the Board. If
7 the costs of the investigation exceed \$50,000, the applicant
8 shall pay the additional amount to the Board. If the costs of
9 the investigation are less than \$50,000, the applicant shall
10 receive a refund of the remaining amount. All information,
11 records, interviews, reports, statements, memoranda or other
12 data supplied to or used by the Board in the course of its
13 review or investigation of an application for a license under
14 this Act shall be privileged, strictly confidential and shall
15 be used only for the purpose of evaluating an applicant. Such
16 information, records, interviews, reports, statements,
17 memoranda or other data shall not be admissible as evidence,
18 nor discoverable in any action of any kind in any court or
19 before any tribunal, board, agency or person, except for any
20 action deemed necessary by the Board.

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

26 (f) The licensed owner shall be the person primarily
27 responsible for the boat itself. Only one riverboat gambling
28 operation may be authorized by the Board on any riverboat. The
29 applicant must identify each riverboat it intends to use and
30 certify that the riverboat: (1) has the authorized capacity
31 required in this Act; (2) is accessible to disabled persons;
32 and (3) is fully registered and licensed in accordance with any
33 applicable laws.

34 (g) A person who knowingly makes a false statement on an

1 application is guilty of a Class A misdemeanor.

2 (Source: P.A. 93-28, eff. 6-20-03.)

3 (230 ILCS 10/7) (from Ch. 120, par. 2407)

4 Sec. 7. Owners Licenses.

5 (a) The Board shall issue owners licenses to persons, firms
6 or corporations which apply for such licenses upon payment to
7 the Board of the non-refundable license fee set by the Board,
8 upon payment of a \$25,000 license fee for the first year of
9 operation and a \$5,000 license fee for each succeeding year and
10 upon a determination by the Board that the applicant is
11 eligible for an owners license pursuant to this Act and the
12 rules of the Board. No application under this Section shall be
13 required from the Authority. The Authority is not required to
14 pay the fees imposed under this Section. A person, firm or
15 corporation is ineligible to receive an owners license if:

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

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

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

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

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

27 (6) the firm or corporation employs a person defined in
28 (1), (2), (3) or (4) who participates in the management or
29 operation of gambling operations authorized under this
30 Act;

31 (7) (blank); or

32 (8) a license of the person, firm or corporation issued
33 under this Act, or a license to own or operate gambling

1 facilities in any other jurisdiction, has been revoked.

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

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

7 (A) controls, directly or indirectly, such
8 applicant, or

9 (B) is controlled, directly or indirectly, by such
10 applicant or by a person which controls, directly or
11 indirectly, such applicant;

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

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

16 (4) the extent to which the ownership of the applicant
17 reflects the diversity of the State by including minority
18 persons and females and the good faith affirmative action
19 plan of each applicant to recruit, train and upgrade
20 minority persons and females in all employment
21 classifications;

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

24 (6) whether the applicant has adequate capitalization
25 to provide and maintain, for the duration of a license, a
26 riverboat;

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

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

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

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

1 (e) In addition to the licenses authorized under
2 subsections (e-5) and (e-6), the ~~The~~ Board may issue up to 10
3 licenses authorizing the holders of such licenses to own
4 riverboats. In the application for an owners license, the
5 applicant shall state the dock at which the riverboat is based
6 and the water on which the riverboat will be located. The Board
7 shall issue 5 licenses to become effective not earlier than
8 January 1, 1991. Three of such licenses shall authorize
9 riverboat gambling on the Mississippi River, or, with approval
10 by the municipality in which the riverboat is docked on August
11 7, 2003, ~~the effective date of this amendatory Act of the 93rd~~
12 ~~Assembly,~~ in a municipality that (1) borders on the Mississippi
13 River or is within 5 miles of the city limits of a municipality
14 that borders on the Mississippi River and (2), on August 7,
15 2003, ~~the effective date of this amendatory Act of the 93rd~~
16 ~~General Assembly,~~ has a riverboat conducting riverboat
17 gambling operations pursuant to a license issued under this
18 Act;~~7~~ one of which shall authorize riverboat gambling from a
19 home dock in the city of East St. Louis. One other license
20 shall authorize riverboat gambling on the Illinois River south
21 of Marshall County. The Board shall issue one additional
22 license to become effective not earlier than March 1, 1992,
23 which shall authorize riverboat gambling on the Des Plaines
24 River in Will County. The Board may issue 4 additional licenses
25 to become effective not earlier than March 1, 1992. In
26 determining the water upon which riverboats will operate, the
27 Board shall consider the economic benefit which riverboat
28 gambling confers on the State, and shall seek to assure that
29 all regions of the State share in the economic benefits of
30 riverboat gambling.

31 (e-5) In addition to the licenses authorized under
32 subsections (e) and (e-6), the Board may issue 3 additional
33 licenses authorizing riverboat gambling.

34 (1) Except as otherwise provided in this paragraph (1),

1 one of the licenses issued under this subsection (e-5)
2 shall authorize its holder to conduct riverboat gambling
3 from a home dock located in a municipality that (A) has a
4 population of at least 75,000 inhabitants, (B) is bordered
5 on the East by Lake Michigan, and (C) is located in a
6 county, the entirety of which is located to the North of
7 Cook County, and shall authorize its holder to conduct
8 riverboat gambling on Lake Michigan.

9 (2) One license issued under this subsection (e-5)
10 shall authorize its holder to conduct riverboat gambling in
11 Cook County from a home dock located in the area bordered
12 on the North by the southern corporate limit of the City of
13 Chicago, on the South by Route 30, on the East by the
14 Indiana border, and on the West by Interstate 57.

15 (3) One license issued under this subsection (e-5)
16 shall authorize its holder to conduct riverboat gambling in
17 a municipality with at least 75,000 inhabitants that is
18 located in a county that (i) is entirely to the North of
19 Cook County and (ii) does not border Lake Michigan.

20 Licenses authorized under this subsection (e-5) shall be
21 awarded pursuant to a process of competitive bidding to the
22 highest bidder that is eligible to hold an owners license under
23 this Act. The minimum bid for an owners license under this
24 subsection (e-5) shall be \$350,000,000, except that the Board
25 may declare a lower minimum bid for a specific license if it
26 finds a lower minimum bid to be necessary or appropriate.

27 Any licensee that receives its license under this
28 subsection (e-5) shall attain a level of at least 20% minority
29 person and female ownership, at least 16% and 4% respectively,
30 within a time period prescribed by the Board, but not to exceed
31 12 months from the date the licensee begins conducting
32 riverboat gambling. The 12-month period shall be extended by
33 the amount of time necessary to conduct a background
34 investigation pursuant to Section 6. For the purposes of this

1 Section, the terms "female" and "minority person" have the
2 meanings provided in Section 2 of the Business Enterprise for
3 Minorities, Females, and Persons with Disabilities Act.

4 (e-6) In addition to the licenses authorized under
5 subsections (e) and (e-5), the Board, upon written request of
6 the Authority and upon payment by the Authority to the Board on
7 or before June 30, 2005 of a fee of \$350,000,000, shall issue
8 an owners license to the Authority, authorizing the conduct of
9 gambling operations in a casino located in a municipality with
10 a population of more than 500,000 inhabitants. Until completion
11 of a permanent casino, the Authority's license shall authorize
12 it to conduct gambling operations in one or more land-based or
13 riverboat temporary casinos within the municipality, provided
14 that the total number of gaming positions is limited to 3,000.
15 The license issued to the Authority shall be perpetual and may
16 not be revoked, suspended, or limited by the Board. The Board
17 shall have the authority to investigate, reject, and remove any
18 appointments to the Authority's board and the Authority's
19 appointment of its executive director. Casino gambling
20 operations shall be conducted by a casino operator on behalf of
21 the Authority. The Authority shall conduct a competitive
22 bidding process for the selection of casino operators to
23 develop and operate the casino and one or more temporary
24 casinos and riverboats. Any such casino operators shall be
25 subject to licensing by, and full jurisdiction of, the Board.

26 (e-10) In granting all licenses, the Board may give
27 favorable consideration to economically depressed areas of the
28 State, to applicants presenting plans which provide for
29 significant economic development over a large geographic area,
30 and to applicants who currently operate non-gambling
31 riverboats in Illinois. The Board shall review all applications
32 for owners licenses, and shall inform each applicant of the
33 Board's decision. The Board may grant an owners license to an
34 applicant that has not submitted the highest license bid, but

1 if it does not select the highest bidder, the Board shall issue
2 a written decision explaining why another applicant was
3 selected and identifying the factors set forth in this Section
4 that favored the winning bidder.

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

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

17 (g) Upon the termination, expiration, or revocation of each
18 owners license of the first 10 licenses, which shall be issued
19 for a 3 year period, all licenses are renewable annually upon
20 payment of the fee and a determination by the Board that the
21 licensee continues to meet all of the requirements of this Act
22 and the Board's rules. However, for licenses renewed on or
23 after May 1, 1998, renewal shall be for a period of 4 years,
24 unless the Board sets a shorter period. The Authority's license
25 shall be perpetual and shall not be subject to renewal.

26 (h) An owners license, other than the Authority's license,
27 shall entitle the licensee to own up to 2 riverboats and
28 operate up to 1,200 gaming positions, plus an additional number
29 of positions as provided in subsections (h-5), (h-7), and
30 (h-10). The Authority's license shall limit the number of
31 gaming positions to 3,000, and shall not allow the Authority to
32 obtain additional gaming positions under subsection (h-5).

33 (h-5) In addition to the 1,200 gaming positions authorized
34 under subsection (h), a licensee, other than the Authority, may

1 purchase and operate additional gaming positions as provided in
2 this subsection (h-5). A licensee, other than the Authority,
3 may purchase up to 800 additional gaming positions under this
4 subsection (h-5) in groups of 100 by paying to the Board,
5 within 120 days after the adoption of rules under subsection
6 (h-8) concerning the forfeiture of unused gaming positions, a
7 fee of \$2,500,000 for each group of 100 additional gaming
8 positions.

9 (h-7) Gaming positions authorized under subsection (h-5)
10 that go unpurchased for 120 days after the adoption of rules
11 under subsection (h-8) concerning the forfeiture of unused
12 gaming positions, if any, shall be made available to owners
13 licensees, other than the Authority, as provided in this
14 subsection (h-7). Two hundred and ten days after the end of
15 that 120-day period, the Gaming Board shall make those
16 unpurchased positions available to owners licensees, other
17 than the Authority, under a process of competitive bidding, in
18 groups of 50 gaming positions. The minimum bid for each group
19 of 50 gaming positions shall be \$1,250,000.

20 (h-8) At the time of license renewal, if the Gaming Board
21 determines that an owners licensee is not using any portion of
22 the gaming positions that it obtained under subsection (h-5) or
23 (h-7), the owners licensee shall forfeit those unused gaming
24 positions. The owners licensee shall not receive compensation
25 for those forfeited gaming positions. Within 30 days after the
26 forfeiture of an owners licensee's unused gaming positions, the
27 unused positions shall be made available by the Gaming Board to
28 owners licensees, other than the Authority, under a process of
29 competitive bidding, in groups of 50 gaming positions. The
30 minimum bid for each group of 50 gaming positions shall be
31 \$1,250,000. Within 30 days after the effective date of this
32 amendatory Act of the 93rd General Assembly, the Board shall
33 adopt rules concerning the forfeiture of unused gaming
34 positions obtained under subsection (h-5) or (h-7).

1 (h-9) An owners licensee, other than the Authority, may
2 sell, lease, or transfer gaming positions purchased pursuant to
3 subsection (h-5) to another owners licensee or to an electronic
4 gaming licensee. An electronic gaming licensee that obtains
5 gaming positions under this subsection may sell, lease, or
6 transfer those gaming positions to another electronic gaming
7 licensee or to an owners licensee, other than the Authority.

8 No gaming position may be sold, leased, or transferred
9 under this subsection without the approval of the Board. An
10 amount equal to 10% of the total sale price of gaming positions
11 that are sold shall be paid by the buyer to the Board upon the
12 execution of the sale contract. An amount equal to 10% of the
13 total lease price of gaming positions that are leased divided
14 by the number of years in the lease contract shall be paid
15 annually by the lessee to the Board on the date the lease is
16 executed and annually thereafter during the term of the lease.
17 An amount equal to 10% of the original purchase price under
18 subsection (h-5) of gaming positions that are transferred shall
19 be paid by the transferee to the Board at the time of the
20 transfer. Moneys received by the Board under this subsection
21 shall be deposited into the State Gaming Fund.

22 An electronic gaming licensee that obtains gaming
23 positions under this subsection may use those gaming positions
24 only at its electronic gaming facility and only for electronic
25 gaming.

26 (h-10) The total number of gaming positions used by an
27 owners licensee shall not exceed 3,500 at one time (3,000 in
28 the case of the Authority). Within this limit, a licensee may
29 operate both of its riverboats concurrently.

30 An owners licensee that obtains in excess of 1,200
31 positions, other than the Authority, may conduct riverboat
32 gambling operations from a land-based facility within or
33 attached to its home dock facility or from a temporary
34 facility, as the term "temporary facility" is defined by Board

1 rule, that is attached to the licensee's home dock, with Board
2 approval. Gaming positions located in a land-based facility
3 must be located in an area that is accessible only to persons
4 who are at least 21 years of age. A licensee may not conduct
5 gambling at a land-based facility unless the admission tax
6 imposed under Section 12 has been paid for all persons who
7 enter the land-based facility. The Board shall adopt rules
8 concerning the conduct of gambling from land-based facilities,
9 including rules concerning the number of gaming positions that
10 may be located at a temporary facility. A licensee shall limit
11 the number of gambling participants to 1,200 for any such
12 owners license. A licensee may operate both of its riverboats
13 concurrently, provided that the total number of gambling
14 participants on both riverboats does not exceed 1,200.
15 Riverboats licensed to operate on the Mississippi River and the
16 Illinois River south of Marshall County shall have an
17 authorized capacity of at least 500 persons. Any other
18 riverboat licensed under this Act shall have an authorized
19 capacity of at least 400 persons.

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

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

1 municipality. The Board may issue or re-issue a license
2 authorizing a riverboat to dock in areas of a county outside
3 any municipality or approve a relocation under Section 11.2
4 only if, prior to the issuance or re-issuance of the license or
5 approval, the governing body of the county has by a majority
6 vote approved of the docking of riverboats within such areas.

7 (Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03;
8 93-453, eff. 8-7-03; revised 1-27-04.)

9 (230 ILCS 10/7.1)

10 Sec. 7.1. Re-issuance of revoked or non-renewed owners
11 licenses.

12 (a) If an owners license terminates or expires without
13 renewal or the Board revokes or determines not to renew an
14 owners license (including, without limitation, an owners
15 license for a licensee that was not conducting riverboat
16 gambling operations on January 1, 1998) and that revocation or
17 determination is final, the Board may re-issue such license to
18 a qualified applicant pursuant to an open and competitive
19 bidding process, as set forth in Section 7.5, and subject to
20 the maximum number of authorized licenses set forth in
21 subsections (e), (e-5), and (e-6) of Section 7 ~~Section 7(e)~~.

22 (b) To be a qualified applicant, a person, firm, or
23 corporation cannot be ineligible to receive an owners license
24 under Section 7(a) and must submit an application for an owners
25 license that complies with Section 6. Each such applicant must
26 also submit evidence to the Board that minority persons and
27 females hold ownership interests in the applicant of at least
28 16% and 4% respectively.

29 (c) Notwithstanding anything to the contrary in
30 subsections (e), (e-5), or (e-6) of Section 7, ~~Section 7(e)~~, an
31 applicant may apply to the Board for approval of relocation of
32 a re-issued license to a new home dock location authorized
33 under Section 3(c) upon receipt of the approval from the

1 municipality or county, as the case may be, pursuant to Section
2 7(j).

3 (d) In determining whether to grant a re-issued owners
4 license to an applicant, the Board shall consider all of the
5 factors set forth in Section Sections 7(b) and in Section 7(e)
6 or (e-5), whichever is applicable, ~~(e)~~ as well as the amount of
7 the applicant's license bid. The Board may grant the re-issued
8 owners license to an applicant that has not submitted the
9 highest license bid, but if it does not select the highest
10 bidder, the Board shall issue a written decision explaining why
11 another applicant was selected and identifying the factors set
12 forth in Section Sections 7(b) and in Section 7(e) or (e-5),
13 whichever is applicable, ~~(e)~~ that favored the winning bidder.

14 (e) Re-issued owners licenses shall be subject to annual
15 license fees as provided for in Section 7(a) and shall be
16 governed by the provisions of Sections 7(f), (g), (h), and (i).
17 (Source: P.A. 93-28, eff. 6-20-03.)

18 (230 ILCS 10/7.3)

19 Sec. 7.3. State conduct of gambling operations.

20 (a) If, after reviewing each application for a re-issued
21 license, the Board determines that the highest prospective
22 total revenue to the State would be derived from State conduct
23 of the gambling operation in lieu of re-issuing the license,
24 the Board shall inform each applicant of its decision. The
25 Board shall thereafter have the authority, without obtaining an
26 owners license, to conduct riverboat gambling operations as
27 previously authorized by the terminated, expired, revoked, or
28 nonrenewed license through a licensed manager selected
29 pursuant to an open and competitive bidding process as set
30 forth in Section 7.5 and as provided in Section 7.4.

31 (b) The Board may locate any riverboat on which a gambling
32 operation is conducted by the State in any home dock location
33 authorized by Section 3(c) upon receipt of approval from a

1 majority vote of the governing body of the municipality or
2 county, as the case may be, in which the riverboat will dock.

3 (c) The Board shall have jurisdiction over and shall
4 supervise all gambling operations conducted by the State
5 provided for in this Act and shall have all powers necessary
6 and proper to fully and effectively execute the provisions of
7 this Act relating to gambling operations conducted by the
8 State.

9 (d) The maximum number of owners licenses authorized under
10 Section 7 ~~7(e)~~ shall be reduced by one for each instance in
11 which the Board authorizes the State to conduct a riverboat
12 gambling operation under subsection (a) in lieu of re-issuing a
13 license to an applicant under Section 7.1.

14 (Source: P.A. 93-28, eff. 6-20-03.)

15 (230 ILCS 10/7.4)

16 Sec. 7.4. Managers and casino operators licenses.

17 (a) A qualified person may apply to the Board for a
18 managers license to operate and manage any gambling operation
19 conducted by the State or the Authority. The application shall
20 be made on forms provided by the Board and shall contain such
21 information as the Board prescribes, including but not limited
22 to information required in Sections 6(a), (b), and (c) and
23 information relating to the applicant's proposed price to
24 manage State or Authority gambling operations and to provide
25 the riverboat or casino, gambling equipment, and supplies
26 necessary to conduct State or Authority gambling operations.

27 (b) Each applicant, other than an applicant to manage the
28 Authority's gambling operations, must submit evidence to the
29 Board that minority persons and females hold ownership
30 interests in the applicant of at least 16% and 4%,
31 respectively.

32 (c) A person, firm, or corporation is ineligible to receive
33 a managers license or a casino operators license if:

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

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

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

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

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

12 (6) the firm or corporation employs a person defined in
13 (1), (2), (3), or (4) who participates in the management or
14 operation of gambling operations authorized under this
15 Act; or

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

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

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

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

28 (g) The ~~managers~~ license to manage any gambling operation
29 conducted by the State shall be for a term not to exceed 10
30 years, shall be renewable at the Board's option, and shall
31 contain such terms and provisions as the Board deems necessary
32 to protect or enhance the credibility and integrity of State
33 gambling operations, achieve the highest prospective total
34 revenue to the State, and otherwise serve the interests of the

1 citizens of Illinois. The initial term of a casino operators
2 license to manage the Authority's gambling operations shall be
3 4 years. Upon expiration of the initial term and of each
4 renewal term, the casino operators license shall be renewed for
5 a period of 4 years, provided that the casino operator
6 continues to meet all of the requirements of this Act and the
7 Board's rules.

8 (h) Issuance of a managers license shall be subject to an
9 open and competitive bidding process. The Board may select an
10 applicant other than the lowest bidder by price. If it does not
11 select the lowest bidder, the Board shall issue a notice of who
12 the lowest bidder was and a written decision as to why another
13 bidder was selected.

14 (Source: P.A. 93-28, eff. 6-20-03.)

15 (230 ILCS 10/7.6 new)

16 Sec. 7.6. Electronic gaming.

17 (a) The General Assembly finds that the horse racing and
18 riverboat gambling industries share many similarities and
19 collectively comprise the bulk of the State's gaming industry.
20 One feature common to both industries is that each is highly
21 regulated by the State of Illinois.

22 The General Assembly further finds, however, that despite
23 their shared features each industry is distinct from the other
24 in that horse racing is and continues to be intimately tied to
25 Illinois' agricultural economy and is, at its core, a spectator
26 sport. This distinction requires the General Assembly to
27 utilize different methods to regulate and promote the horse
28 racing industry throughout the State.

29 The General Assembly finds that in order to promote live
30 horse racing as a spectator sport in Illinois and the
31 agricultural economy of this State, it is necessary to allow
32 electronic gaming at Illinois race tracks as an ancillary use
33 given the success of other states in increasing live racing

1 purse accounts and improving the quality of horses
2 participating in horse race meetings.

3 The General Assembly finds, however, that even though the
4 authority to conduct electronic gaming is a uniform means to
5 improve live horse racing in this State, electronic gaming must
6 be regulated and implemented differently in southern Illinois
7 versus the Chicago area. The General Assembly finds that
8 Fairmount Park is the only race track operating on a year round
9 basis in southern Illinois that offers live racing and for that
10 matter only conducts live thoroughbred racing. The General
11 Assembly finds that the current state of affairs deprives
12 spectators and standardbred horsemen residing in southern
13 Illinois of the opportunity to participate in live standardbred
14 racing in a manner similar to spectators, thoroughbred
15 horsemen, and standardbred horsemen residing in the Chicago
16 area. The General Assembly declares that southern Illinois
17 spectators and standardbred horsemen should have a similar
18 opportunity to participate in live standardbred racing as
19 spectators and standardbred horsemen in the Chicago area. The
20 General Assembly declares that in order to remove this
21 disparity between southern Illinois and the Chicago area, it is
22 necessary for the State to regulate Fairmount Park differently
23 from horse race tracks found in the Chicago area and tie
24 Fairmount Park's authorization to conduct electronic gaming to
25 a commitment to conduct at least 25 days of standardbred racing
26 as set forth in subsection (d) of this Section. The General
27 Assembly finds that standardbred racing provides an important
28 economic benefit to the State.

29 (b) The Illinois Gaming Board shall award one electronic
30 gaming license to become effective on or after July 1, 2004 to
31 each organization licensee under the Illinois Horse Racing Act
32 of 1975, subject to application and eligibility requirements of
33 this Section. An electronic gaming license shall authorize its
34 holder to conduct electronic gaming at its race track at the

1 following times:

2 (1) on days when it conducts live racing at the track
3 where its electronic gaming facility is located, from 9:00
4 a.m. until 3:00 a.m. on the following day; and

5 (2) on days when it conducts simulcast wagering on
6 races run in the United States, from 9:00 a.m. until 3:00
7 a.m. on the following day.

8 A license to conduct electronic gaming and any renewal of
9 an electronic gaming license shall authorize electronic gaming
10 for a period of 4 years. The fee for the issuance or renewal of
11 an electronic gaming license shall be \$40,000.

12 (b-5) The Racing Board shall report annually to the Board
13 regarding the compliance of electronic gaming licensees with
14 the Illinois Horse Racing Act of 1975 and each electronic
15 gaming licensee's support of live racing. The Racing Board
16 shall consider the following factors to determine each
17 licensee's support of live racing:

18 (1) the increase, if any, in the on-track handle at the
19 race track where the electronic gaming facility is located
20 during the electronic gaming license period;

21 (2) the increase, if any, in purses at the racing
22 facility where the electronic gaming facility is located
23 during the electronic gaming license period;

24 (3) investments in capital improvements made by the
25 applicant to the racing facility, excluding electronic
26 gaming areas.

27 If the Racing Board determines that an electronic gaming
28 licensee has not complied with the Illinois Horse Racing Act of
29 1975 or has substantially failed to support live racing, then
30 the Racing Board may recommend that the Gaming Board suspend,
31 revoke, or deny of the renewal of an electronic gaming license.

32 The Gaming Board shall consider the Racing Board's report
33 and recommendations in its oversight of the electronic gaming
34 licensee.

1 (c) To be eligible to conduct electronic gaming, an
2 organization licensee must (i) obtain an electronic gaming
3 license, (ii) hold an organization license under the Illinois
4 Horse Racing Act of 1975, (iii) hold an inter-track wagering
5 license, (iv) pay a fee of \$50,000 for each position authorized
6 under this amendatory Act of the 93rd General Assembly before
7 beginning to conduct electronic gaming (\$25,000 for each
8 position for electronic gaming licensees whose electronic
9 gaming facilities are located outside of Cook County), (v)
10 apply for at least the same number of days of thoroughbred
11 racing or standardbred racing or both, as the case may be, as
12 it was awarded in calendar year 2004, (vi) meet the
13 requirements of Section 56(a) of the Illinois Horse Racing Act
14 of 1975, and (vii) meet all other requirements of this Act that
15 apply to owners licensees.

16 With respect to the live racing requirement described in
17 this subsection, an organization licensee must conduct the same
18 number of days of thoroughbred or standardbred racing or both,
19 as the case may be, as it was awarded by the Board, unless a
20 lesser schedule of live racing is the result of (A) weather or
21 unsafe track conditions due to acts of God, (B) a strike
22 between the organization licensee and the associations
23 representing the largest number of owners, trainers, jockeys,
24 or standardbred drivers who race horses at that organization
25 licensee's racing meeting, or (C) an agreement that has been
26 approved by the Racing Board between the organization licensee
27 and the associations representing the largest number of owners,
28 trainers, jockeys, or standardbred drivers who race horses at
29 that organization licensee's race meeting to conduct a lesser
30 number of race meets.

31 (d) In addition to the other eligibility requirements of
32 subsection (c), an organization licensee that holds an
33 electronic gaming license authorizing it to conduct electronic
34 gaming at Fairmount Park must apply for and conduct at least 25

1 days of standardbred racing in calendar year 2005 and
2 thereafter, unless a lesser schedule of live racing is the
3 result of (A) weather or unsafe track conditions due to acts of
4 God, (B) a strike between the organization licensee and the
5 associations representing the largest number of owners,
6 trainers, jockeys, or standardbred drivers who race horses at
7 that organization licensee's racing meeting, or (C) an
8 agreement that has been approved by the Racing Board between
9 the organization licensee and the associations representing
10 the largest number of owners, trainers, jockeys, or
11 standardbred drivers who race horses at that organization
12 licensee's race meeting to conduct a lesser number of race
13 meets.

14 (e) The Board may approve electronic gaming licenses
15 authorizing the conduct of electronic gaming by eligible
16 organization licensees.

17 (f) In calendar year 2004, the Board may approve electronic
18 gaming positions statewide as provided in this Section. The
19 authority to operate electronic gaming positions under this
20 Section in calendar year 2004 shall be allocated as follows:

21 (1) An organization licensee that had an average daily
22 amount of wagers placed into mutual pools for races
23 conducted at that licensee's racetrack in calendar year
24 2002 of more than \$3,000,000 may operate up to 1,150 gaming
25 positions at a time.

26 (2) An organization licensee that had an average daily
27 amount of wagers placed into mutual pools for races
28 conducted at that licensee's racetrack in calendar year
29 2002 of more than \$2,000,000 but no more than \$3,000,000
30 may operate up to 1,000 gaming positions at a time.

31 (3) An organization licensee that had an average daily
32 amount of wagers placed into mutual pools for races
33 conducted at that licensee's racetrack in calendar year
34 2002 of \$2,000,000 or less may operate up to 850 gaming

1 positions at a time.

2 (4) An organization licensee conducting pari-mutuel
3 wagering at a racetrack located in a county with a
4 population in excess of 230,000 inhabitants that borders on
5 the Mississippi River may operate up to 500 gaming
6 positions at a time.

7 (5) An organization licensee located at a race track
8 outside of Cook County, other than an organization licensee
9 described in paragraph (4), may operate up to 300 gaming
10 positions at a time.

11 (6) An organization licensee located at a race track at
12 which no live racing was conducted in calendar year 2002
13 may operate up to 50 gaming positions at a time during any
14 year for which it has received racing dates, provided that
15 the organization licensee (i) applies for an electronic
16 gaming license and (ii) receives racing dates within 5
17 years after the effective date of this amendatory Act of
18 the 93rd General Assembly.

19 (g) For each calendar year after 2004 in which an
20 electronic gaming licensee requests a number of racing days
21 under its organization license that is less than 90% of the
22 number of days of live racing it was awarded in 2004, the
23 electronic gaming licensee may not conduct electronic gaming.

24 (h) Upon the initial renewal of an electronic gaming
25 license, if an electronic gaming licensee, other than an
26 electronic gaming licensee that receives electronic gaming
27 positions under item (6) of subsection (f), had a higher
28 average daily live on-track racing handle in the term of its
29 previous electronic gaming license than in 2004, then the
30 number of electronic gaming positions that the electronic
31 gaming licensee may operate after its license is renewed shall
32 be increased by a percentage equal to the percentage increase
33 in average daily live on-track racing handle during that
34 previous license term over calendar year 2004, but in no event

1 by more than 10%. If an electronic gaming license is authorized
2 to operate additional electronic gaming positions under this
3 subsection (h), it must pay the fee imposed under item (iv) of
4 subsection (c) for each additional electronic gaming position.

5 (i) An electronic gaming licensee may conduct electronic
6 gaming at a temporary facility pending the construction of a
7 permanent facility or the remodeling of an existing facility to
8 accommodate electronic gaming participants for up to 24 months
9 after receiving an electronic gaming license. The Board shall
10 make rules concerning the conduct of electronic gaming from
11 temporary facilities.

12 (j) The limitations on numbers of electronic gaming
13 positions in subsections (f), (g), and (h) do not apply to
14 gaming positions obtained under subsection (h-9) of Section 7.

15 (230 ILCS 10/7.7 new)

16 Sec. 7.7. Home rule. The regulation and licensing of
17 electronic gaming and electronic gaming licensees are
18 exclusive powers and functions of the State. A home rule unit
19 may not regulate or license electronic gaming or electronic
20 gaming licensees. This Section is a denial and limitation of
21 home rule powers and functions under subsection (h) of Section
22 6 of Article VII of the Illinois Constitution.

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

24 Sec. 8. Suppliers licenses.

25 (a) The Board may issue a suppliers license to such
26 persons, firms or corporations which apply therefor upon the
27 payment of a non-refundable application fee set by the Board,
28 upon a determination by the Board that the applicant is
29 eligible for a suppliers license and upon payment of a \$5,000
30 annual license fee.

31 (b) The holder of a suppliers license is authorized to sell
32 or lease, and to contract to sell or lease, gambling equipment

1 and supplies to any licensee involved in the ownership or
2 management of gambling operations.

3 (c) Gambling supplies and equipment may not be distributed
4 unless supplies and equipment conform to standards adopted by
5 rules of the Board.

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

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

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

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

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

16 (5) the firm or corporation is one in which a person
17 defined in (1), (2), (3) or (4), is an officer, director or
18 managerial employee;

19 (6) the firm or corporation employs a person who
20 participates in the management or operation of riverboat
21 gambling authorized under this Act;

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

26 (e) Any person that supplies any equipment, devices, or
27 supplies to a licensed riverboat or casino gambling operation
28 or electronic gaming operation must first obtain a suppliers
29 license. A supplier shall furnish to the Board a list of all
30 equipment, devices and supplies offered for sale or lease in
31 connection with gambling games authorized under this Act. A
32 supplier shall keep books and records for the furnishing of
33 equipment, devices and supplies to gambling operations
34 separate and distinct from any other business that the supplier

1 might operate. A supplier shall file a quarterly return with
2 the Board listing all sales and leases. A supplier shall
3 permanently affix its name to all its equipment, devices, and
4 supplies for gambling operations. Any supplier's equipment,
5 devices or supplies which are used by any person in an
6 unauthorized gambling operation shall be forfeited to the
7 State. A holder of an owners license, including the Authority,
8 or an electronic gaming license ~~licensed owner~~ may own its own
9 equipment, devices and supplies. Each holder of an owners
10 license, including the Authority, or an electronic gaming
11 license under the Act shall file an annual report listing its
12 inventories of gambling equipment, devices and supplies.

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

15 (g) Any gambling equipment, devices and supplies provided
16 by any licensed supplier may either be repaired on the
17 riverboat, at the casino, or at the electronic gaming facility
18 or removed from the riverboat, casino, or electronic gaming
19 facility to a ~~an on-shore~~ facility owned by the holder of an
20 owners license or electronic gaming license for repair.

21 (h) On and after the effective date of this amendatory Act
22 of the 93rd General Assembly, at least 30% of all slot machines
23 and video games of chance purchased by an owners licensee or
24 electronic gaming licensee shall be purchased from
25 manufacturers whose manufacturing facilities are located in
26 Illinois. The Board shall review the availability of such slot
27 machines and video games of chance and shall have the
28 discretion to raise or lower the minimum percentage of those
29 slot machines and video games of chance that must be purchased
30 from suppliers whose manufacturing facilities are located in
31 Illinois by rule as it sees fit.

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

33 (230 ILCS 10/9) (from Ch. 120, par. 2409)

1 Sec. 9. Occupational licenses.

2 (a) The Board may issue an occupational license to an
3 applicant upon the payment of a non-refundable fee set by the
4 Board, upon a determination by the Board that the applicant is
5 eligible for an occupational license and upon payment of an
6 annual license fee in an amount to be established. To be
7 eligible for an occupational license, an applicant must:

8 (1) be at least 21 years of age if the applicant will
9 perform any function involved in gaming by patrons. Any
10 applicant seeking an occupational license for a non-gaming
11 function shall be at least 18 years of age;

12 (2) not have been convicted of a felony offense, a
13 violation of Article 28 of the Criminal Code of 1961, or a
14 similar statute of any other jurisdiction, or a crime
15 involving dishonesty or moral turpitude;

16 (3) have demonstrated a level of skill or knowledge
17 which the Board determines to be necessary in order to
18 operate gambling aboard a riverboat, in a casino, or at an
19 electronic gaming facility; and

20 (4) have met standards for the holding of an
21 occupational license as adopted by rules of the Board. Such
22 rules shall provide that any person or entity seeking an
23 occupational license to manage gambling operations
24 hereunder shall be subject to background inquiries and
25 further requirements similar to those required of
26 applicants for an owners license. Furthermore, such rules
27 shall provide that each such entity shall be permitted to
28 manage gambling operations for only one licensed owner.

29 (b) Each application for an occupational license shall be
30 on forms prescribed by the Board and shall contain all
31 information required by the Board. The applicant shall set
32 forth in the application: whether he has been issued prior
33 gambling related licenses; whether he has been licensed in any
34 other state under any other name, and, if so, such name and his

1 age; and whether or not a permit or license issued to him in
2 any other state has been suspended, restricted or revoked, and,
3 if so, for what period of time.

4 (c) Each applicant shall submit with his application, on
5 forms provided by the Board, 2 sets of his fingerprints. The
6 Board shall charge each applicant a fee set by the Department
7 of State Police to defray the costs associated with the search
8 and classification of fingerprints obtained by the Board with
9 respect to the applicant's application. These fees shall be
10 paid into the State Police Services Fund.

11 (d) The Board may in its discretion refuse an occupational
12 license to any person: (1) who is unqualified to perform the
13 duties required of such applicant; (2) who fails to disclose or
14 states falsely any information called for in the application;
15 (3) who has been found guilty of a violation of this Act or
16 whose prior gambling related license or application therefor
17 has been suspended, restricted, revoked or denied for just
18 cause in any other state; or (4) for any other just cause.

19 (e) The Board may suspend, revoke or restrict any
20 occupational licensee: (1) for violation of any provision of
21 this Act; (2) for violation of any of the rules and regulations
22 of the Board; (3) for any cause which, if known to the Board,
23 would have disqualified the applicant from receiving such
24 license; or (4) for default in the payment of any obligation or
25 debt due to the State of Illinois; or (5) for any other just
26 cause.

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

29 (g) Any license issued pursuant to this Section shall be
30 valid for a period of one year from the date of issuance.

31 (h) Nothing in this Act shall be interpreted to prohibit a
32 licensed owner or electronic gaming licensee from entering into
33 an agreement with a school approved under the Private Business
34 and Vocational Schools Act for the training of any occupational

1 licensee. Any training offered by such a school shall be in
2 accordance with a written agreement between the licensed owner
3 or electronic gaming licensee and the school.

4 (i) Any training provided for occupational licensees may be
5 conducted either at the site of the gambling facility ~~on the~~
6 ~~riverboat~~ or at a school with which a licensed owner or
7 electronic gaming licensee has entered into an agreement
8 pursuant to subsection (h).

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

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

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

26 (Source: P.A. 93-28, eff. 6-20-03.)

27 (230 ILCS 10/11) (from Ch. 120, par. 2411)

28 Sec. 11. Conduct of gambling. Gambling may be conducted by
29 licensed owners or licensed managers on behalf of the State or
30 by casino operators on behalf of the Authority aboard
31 riverboats or in a casino. If authorized by the Board by rule,
32 an owners licensee may move gaming positions a "temporary

1 facility" as that term is defined in Section 7(h-10) and use
2 those gaming positions to conduct gambling as provided in
3 Section 7(h-10). Gambling may be conducted by electronic gaming
4 licensees at electronic gaming facilities. Gambling authorized
5 under this Section shall be7 subject to the following
6 standards:

7 (1) A licensee may conduct riverboat gambling
8 authorized under this Act regardless of whether it conducts
9 excursion cruises. A licensee may permit the continuous
10 ingress and egress of patrons ~~passengers~~ for the purpose of
11 gambling.

12 (2) (Blank).

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

15 (4) Agents of the Board and the Department of State
16 Police may board and inspect any riverboat or enter and
17 inspect any portion of a casino or an electronic gaming
18 facility at any time for the purpose of determining whether
19 this Act is being complied with. Every riverboat, if under
20 way and being hailed by a law enforcement officer or agent
21 of the Board, must stop immediately and lay to.

22 (5) Employees of the Board shall have the right to be
23 present on the riverboat or in the casino or on adjacent
24 facilities under the control of the licensee and at the
25 electronic gaming facility under the control of the
26 electronic gaming licensee.

27 (6) Gambling equipment and supplies customarily used
28 in conducting riverboat gambling, casino gambling, or
29 electronic gaming must be purchased or leased only from
30 suppliers licensed for such purpose under this Act.

31 (7) Persons licensed under this Act shall permit no
32 form of wagering on gambling games except as permitted by
33 this Act.

34 (8) Wagers may be received only from a person present

1 on a licensed riverboat, in a casino, or at an electronic
2 gaming facility. No person present on a licensed riverboat,
3 in a casino, or at an electronic gaming facility shall
4 place or attempt to place a wager on behalf of another
5 person who is not present on the riverboat, in the casino,
6 or at the electronic gaming facility.

7 (9) Wagering, including electronic gaming, shall not
8 be conducted with money or other negotiable currency.

9 (10) A person under age 21 shall not be permitted on an
10 area of a riverboat or casino where gambling is being
11 conducted or at an electronic gaming facility where
12 gambling is being conducted, except for a person at least
13 18 years of age who is an employee of the riverboat or
14 casino gambling operation or electronic gaming operation.
15 No employee under age 21 shall perform any function
16 involved in gambling by the patrons. No person under age 21
17 shall be permitted to make a wager under this Act.

18 (11) Gambling excursion cruises are permitted only
19 when the waterway for which the riverboat is licensed is
20 navigable, as determined by the Board in consultation with
21 the U.S. Army Corps of Engineers. This paragraph (11) does
22 not limit the ability of a licensee to conduct gambling
23 authorized under this Act when gambling excursion cruises
24 are not permitted.

25 (12) All tokens, chips or electronic cards used to make
26 wagers must be purchased (i) from a licensed owner or
27 manager, in the case of a riverboat or of a casino either
28 aboard the a riverboat or at the casino or, in the case of
29 a riverboat, at an onshore facility which has been approved
30 by the Board and which is located where the riverboat docks
31 or (ii) from an electronic gaming licensee at the
32 electronic gaming facility. The tokens, chips or
33 electronic cards may be purchased by means of an agreement
34 under which the owner or manager extends credit to the

1 patron. Such tokens, chips or electronic cards may be used
2 while aboard the riverboat, in the casino, or at the
3 electronic gaming facility only for the purpose of making
4 wagers on gambling games.

5 (13) Notwithstanding any other Section of this Act, in
6 addition to the other licenses authorized under this Act,
7 the Board may issue special event licenses allowing persons
8 who are not otherwise licensed to conduct riverboat
9 gambling to conduct such gambling on a specified date or
10 series of dates. Riverboat gambling under such a license
11 may take place on a riverboat not normally used for
12 riverboat gambling. The Board shall establish standards,
13 fees and fines for, and limitations upon, such licenses,
14 which may differ from the standards, fees, fines and
15 limitations otherwise applicable under this Act. All such
16 fees shall be deposited into the State Gaming Fund. All
17 such fines shall be deposited into the Education Assistance
18 Fund, created by Public Act 86-0018, of the State of
19 Illinois.

20 (14) In addition to the above, gambling must be
21 conducted in accordance with all rules adopted by the
22 Board.

23 (Source: P.A. 93-28, eff. 6-20-03.)

24 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

25 Sec. 11.1. Collection of amounts owing under credit
26 agreements. Notwithstanding any applicable statutory provision
27 to the contrary, a licensed owner, ~~or~~ manager, or electronic
28 gaming licensee who extends credit to a riverboat or casino
29 gambling patron or an electronic gaming patron pursuant to
30 Section 11 (a) (12) of this Act is expressly authorized to
31 institute a cause of action to collect any amounts due and
32 owing under the extension of credit, as well as the owner's or
33 manager's costs, expenses and reasonable attorney's fees

1 incurred in collection.

2 (Source: P.A. 93-28, eff. 6-20-03.)

3 (230 ILCS 10/12) (from Ch. 120, par. 2412)

4 Sec. 12. Admission tax; fees.

5 (a) A tax is hereby imposed upon admissions to riverboats
6 operated by licensed owners and upon admissions to casinos and
7 riverboats operated by casino operators on behalf of the
8 Authority authorized pursuant to this Act. Until July 1, 2002,
9 the rate is \$2 per person admitted. From July 1, 2002 ~~and~~ until
10 July 1, 2003, the rate is \$3 per person admitted. From
11 Beginning July 1, 2003 until the effective date of this
12 amendatory Act of the 93rd General Assembly, for a licensee
13 that admitted 1,000,000 persons or fewer in the previous
14 calendar year, the rate is \$3 per person admitted; for a
15 licensee that admitted more than 1,000,000 but no more than
16 2,300,000 persons in the previous calendar year, the rate is \$4
17 per person admitted; and for a licensee that admitted more than
18 2,300,000 persons in the previous calendar year, the rate is \$5
19 per person admitted. Beginning on the effective date of this
20 amendatory Act of the 93rd General Assembly, for a licensee
21 that conducted riverboat gambling operations in calendar year
22 2003 and admitted 1,000,000 persons or fewer in the calendar
23 year 2003, the rate is \$1 per person admitted and for all other
24 licensees, including the Authority, the rate is \$3 per person
25 admitted. ~~Beginning July 1, 2003, for a licensee that admitted~~
26 ~~2,300,000 persons or fewer in the previous calendar year, the~~
27 ~~rate is \$4 per person admitted and for a licensee that admitted~~
28 ~~more than 2,300,000 persons in the previous calendar year, the~~
29 ~~rate is \$5 per person admitted.~~ This admission tax is imposed
30 upon the licensed owner conducting gambling.

31 (1) The admission tax shall be paid for each admission,
32 except that a person who exits a riverboat gambling
33 facility or a casino and reenters that riverboat gambling

1 facility or casino within the same gaming day, as the term
2 "gaming day" is defined by the Board by rule, shall be
3 subject only to the initial admission tax. The Board shall
4 establish, by rule, a procedure to determine whether a
5 person admitted to a riverboat gambling facility or casino
6 has paid the admission tax.

7 (2) (Blank).

8 (3) The riverboat licensee and the Authority may issue
9 tax-free passes to actual and necessary officials and
10 employees of the licensee or other persons actually working
11 on the riverboat or in the casino.

12 (4) The number and issuance of tax-free passes is
13 subject to the rules of the Board, and a list of all
14 persons to whom the tax-free passes are issued shall be
15 filed with the Board.

16 (a-5) A fee is hereby imposed upon admissions operated by
17 licensed managers on behalf of the State pursuant to Section
18 7.3 at the rates provided in this subsection (a-5). For a
19 licensee that admitted 1,000,000 persons or fewer in the
20 previous calendar year, the rate is \$3 per person admitted; for
21 a licensee that admitted more than 1,000,000 but no more than
22 2,300,000 persons in the previous calendar year, the rate is \$4
23 per person admitted; and for a licensee that admitted more than
24 2,300,000 persons in the previous calendar year, the rate is \$5
25 per person admitted.

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

27 (2) (Blank).

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

31 (4) The number and issuance of fee-free passes is
32 subject to the rules of the Board, and a list of all
33 persons to whom the fee-free passes are issued shall be
34 filed with the Board.

1 (b) From the tax imposed under subsection (a) and the fee
2 imposed under subsection (a-5), a municipality shall receive
3 from the State \$1 for each person embarking on a riverboat
4 docked within the municipality or entering a casino located
5 within the municipality, and a county shall receive \$1 for each
6 person entering a casino or embarking on a riverboat docked
7 within the county but outside the boundaries of any
8 municipality. The municipality's or county's share shall be
9 collected by the Board on behalf of the State and remitted
10 quarterly by the State, subject to appropriation, to the
11 treasurer of the unit of local government for deposit in the
12 general fund. For each admission in excess of 1,500,000 in a
13 year, from the tax imposed under this Section, the county in
14 which the licensee's home dock or casino is located shall
15 receive, subject to appropriation, \$0.15, which shall be in
16 addition to any other moneys paid to the county under this
17 Section, \$0.20 shall be paid into the Agricultural Premium
18 Fund, and \$0.15 shall be paid from the State Gaming Fund,
19 subject to appropriation, into the Illinois Community Services
20 Block Grant Fund.

21 (c) The licensed owner and the licensed casino operator
22 conducting gambling operations on behalf of the Authority shall
23 pay the entire admission tax to the Board and the licensed
24 manager shall pay the entire admission fee to the Board. Such
25 payments shall be made daily. Accompanying each payment shall
26 be a return on forms provided by the Board which shall include
27 other information regarding admissions as the Board may
28 require. Failure to submit either the payment or the return
29 within the specified time may result in suspension or
30 revocation of the owners or managers license.

31 (c-5) In addition to the admission tax imposed under
32 subsection (a) and the admission fee imposed under subsection
33 (a-5), a tax is imposed on admissions to electronic gaming
34 facilities at the rate of \$2 per person for the first 1,500,000

1 persons admitted by an electronic gaming licensee per year and
2 \$3 per person for all persons admitted by that licensee in
3 excess of 1,500,000 per year. The tax is imposed upon the
4 electronic gaming licensee.

5 (1) The admission tax shall be paid for each admission,
6 except that a person who exits an electronic gaming
7 facility and reenters that electronic gaming facility
8 within the same gaming day, as the term "gaming day" is
9 defined by the Board by rule, shall be subject only to the
10 initial admission tax. The Board shall establish, by rule,
11 a procedure to determine whether a person admitted to an
12 electronic gaming facility has paid the admission tax.

13 (2) An electronic gaming licensee may issue tax-free
14 passes to actual and necessary officials and employees of
15 the licensee and other persons associated with electronic
16 gaming operations.

17 (3) The number and issuance of tax-free passes is
18 subject to the rules of the Board, and a list of all
19 persons to whom the tax-free passes are issued shall be
20 filed with the Board.

21 (4) The electronic gaming licensee shall pay the entire
22 admission tax to the Board. Such payments shall be made
23 daily. Accompanying each payment shall be a return on forms
24 provided by the Board, which shall include other
25 information regarding admission as the Board may require.
26 Failure to submit either the payment or the return within
27 the specified time may result in suspension or revocation
28 of the organization licensee's license.

29 From the tax imposed under this subsection (c-5), the
30 municipality in which an electronic gaming facility is located
31 or, if the electronic gaming facility is not located within a
32 municipality, the county in which the electronic gaming
33 facility is located shall receive, subject to appropriation, \$1
34 for each person who enters the electronic gaming facility. For

1 each admission to the electronic gaming facility in excess of
2 1,500,000 in a year, from the tax imposed under this subsection
3 (c-5), the county in which the electronic gaming facility is
4 located shall receive, subject to appropriation, \$0.15, which
5 shall be in addition to any other moneys paid to the county
6 under this Section, \$0.20 shall be paid into the Agricultural
7 Premium Fund, and \$0.15 shall be paid from the State Gaming
8 Fund, subject to appropriation, into the Illinois Community
9 Services Block Grant Fund.

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

16 (Source: P.A. 92-595, eff. 6-28-02; 93-27, eff. 6-20-03; 93-28,
17 eff. 6-20-03; revised 8-1-03.)

18 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

23 (a-1) From January 1, 1998 until July 1, 2002, a privilege
24 tax is imposed on persons engaged in the business of conducting
25 riverboat gambling operations, based on the ~~adjusted~~ gross
26 gaming receipts received by a licensed owner from gambling
27 games authorized under this Act at the following rates:

28 15% of annual ~~adjusted~~ gross gaming receipts up to and
29 including \$25,000,000;

30 20% of annual ~~adjusted~~ gross gaming receipts in excess
31 of \$25,000,000 but not exceeding \$50,000,000;

32 25% of annual ~~adjusted~~ gross gaming receipts in excess
33 of \$50,000,000 but not exceeding \$75,000,000;

1 30% of annual ~~adjusted~~ gross gaming receipts in excess
2 of \$75,000,000 but not exceeding \$100,000,000;

3 35% of annual ~~adjusted~~ gross gaming receipts in excess
4 of \$100,000,000.

5 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
6 is imposed on persons engaged in the business of conducting
7 riverboat gambling operations, other than licensed managers
8 conducting riverboat gambling operations on behalf of the
9 State, based on the ~~adjusted~~ gross gaming receipts received by
10 a licensed owner from gambling games authorized under this Act
11 at the following rates:

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

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

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

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

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

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

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

26 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
27 persons engaged in the business of conducting riverboat
28 gambling operations (other than licensed managers conducting
29 riverboat gambling operations on behalf of the State) and on
30 the Authority, based on the ~~adjusted~~ gross gaming receipts
31 received by a licensed owner or by the Authority from gambling
32 games authorized under this Act at the following rates:

33 15% of annual ~~adjusted~~ gross gaming receipts up to and
34 including \$25,000,000;

1 27.5% of annual ~~adjusted~~ gross gaming receipts in
2 excess of \$25,000,000 but not exceeding \$37,500,000;

3 32.5% of annual ~~adjusted~~ gross gaming receipts in
4 excess of \$37,500,000 but not exceeding \$50,000,000;

5 37.5% of annual ~~adjusted~~ gross gaming receipts in
6 excess of \$50,000,000 but not exceeding \$75,000,000;

7 45% of annual ~~adjusted~~ gross gaming receipts in excess
8 of \$75,000,000 but not exceeding \$100,000,000;

9 50% of annual ~~adjusted~~ gross gaming receipts in excess
10 of \$100,000,000 but not exceeding \$250,000,000;

11 70% of annual ~~adjusted~~ gross gaming receipts in excess
12 of \$250,000,000.

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

18 The privilege tax imposed under this subsection (a-3) shall
19 no longer be imposed beginning on the earliest ~~earlier~~ of (i)
20 July 1, 2005; (ii) the first date after June 20, 2003 ~~the~~
21 ~~effective date of this amendatory Act of the 93rd General~~
22 ~~Assembly~~ that riverboat gambling operations are conducted
23 pursuant to a dormant license; ~~or~~ (iii) the first day that
24 riverboat gambling operations are conducted under the
25 authority of an owners license that is in addition to the 10
26 owners licenses initially authorized under this Act; or (iv)
27 the effective date of this amendatory Act of the 93rd General
28 Assembly. For the purposes of this subsection (a-3), the term
29 "dormant license" means an owners license that is authorized by
30 this Act under which no riverboat gambling operations are being
31 conducted on June 20, 2003 ~~the effective date of this~~
32 ~~amendatory Act of the 93rd General Assembly~~.

33 (a-4) Beginning on the first day on which the tax imposed
34 under subsection (a-3) is no longer imposed, a privilege tax is

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

8 17% ~~15%~~ of annual ~~adjusted~~ gross gaming receipts up to
9 and including \$25,000,000;

10 22% ~~22.5%~~ of annual ~~adjusted~~ gross gaming receipts in
11 excess of \$25,000,000 but not exceeding \$50,000,000;

12 27% ~~27.5%~~ of annual ~~adjusted~~ gross gaming receipts in
13 excess of \$50,000,000 but not exceeding \$75,000,000;

14 32% ~~32.5%~~ of annual ~~adjusted~~ gross gaming receipts in
15 excess of \$75,000,000 but not exceeding \$100,000,000;

16 37% ~~37.5%~~ of annual ~~adjusted~~ gross gaming receipts in
17 excess of \$100,000,000 but not exceeding \$150,000,000;

18 42% ~~45%~~ of annual ~~adjusted~~ gross gaming receipts in
19 excess of \$150,000,000 but not exceeding \$400,000,000
20 ~~\$200,000,000~~;

21 50% of annual ~~adjusted~~ gross gaming receipts in excess
22 of \$400,000,000 ~~\$200,000,000~~.

23 (a-5) Beginning on the effective date of this amendatory
24 Act of the 93rd General Assembly, a privilege tax is imposed on
25 persons conducting electronic gaming, based on the gross gaming
26 receipts received by an electronic gaming licensee from
27 electronic gaming authorized under this Act at the following
28 rates:

29 17% of annual gross gaming receipts up to and including
30 \$25,000,000;

31 22% of annual gross gaming receipts in excess of
32 \$25,000,000 but not exceeding \$50,000,000;

33 27% of annual gross gaming receipts in excess of
34 \$50,000,000 but not exceeding \$75,000,000;

1 32% of annual gross gaming receipts in excess of
2 \$75,000,000 but not exceeding \$100,000,000;

3 37% of annual gross gaming receipts in excess of
4 \$100,000,000 but not exceeding \$150,000,000;

5 42% of annual gross gaming receipts in excess of
6 \$150,000,000 but not exceeding \$400,000,000;

7 50% of annual gross gaming receipts in excess of
8 \$400,000,000.

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

12 (a-10) The taxes imposed by this Section shall be paid by
13 the licensed owner, or by the casino operator on behalf of the
14 Authority in the case of a license issued to the Authority, or
15 the electronic gaming licensee to the Board not later than 5:00
16 o'clock p.m. ~~3:00 o'clock p.m.~~ of the day after the day when
17 the wagers were made.

18 (b) Until January 1, 1998, 25% of the tax revenue deposited
19 in the State Gaming Fund under this Section shall be paid,
20 subject to appropriation by the General Assembly, to the unit
21 of local government which is designated as the home dock of the
22 riverboat. Except as otherwise provided in this subsection (b),
23 beginning ~~Beginning~~ January 1, 1998, from the tax revenue from
24 riverboat and casino gambling deposited in the State Gaming
25 Fund under this Section, an amount equal to 5% of ~~adjusted~~
26 gross gaming receipts generated by a riverboat and an amount
27 equal to 5% of gross gaming receipts generated by a casino
28 shall be paid monthly, subject to appropriation by the General
29 Assembly, to the unit of local government that is designated as
30 the home dock of the riverboat or to the municipality in which
31 the casino is located. From the tax revenue deposited in the
32 State Gaming Fund pursuant to riverboat gambling operations
33 conducted by a licensed manager on behalf of the State, an
34 amount equal to 5% of ~~adjusted~~ gross gaming receipts generated

1 pursuant to those riverboat gambling operations shall be paid
2 monthly, subject to appropriation by the General Assembly, to
3 the unit of local government that is designated as the home
4 dock of the riverboat upon which those riverboat gambling
5 operations are conducted.

6 (b-5) Beginning on the effective date of this amendatory
7 Act of the 93rd General Assembly, from the tax revenue from
8 electronic gaming deposited into the State Gaming Fund under
9 this Section, an amount equal to 5% of the gross gaming
10 receipts generated by an electronic gaming licensee shall be
11 paid monthly, subject to appropriation, to the municipality in
12 which the electronic gaming facility is located. If an
13 electronic gaming facility is not located within a
14 municipality, then an amount equal to 5% of the gross gaming
15 receipts generated by the electronic gaming licensee shall be
16 paid monthly, subject to appropriation, to the county in which
17 the electronic gaming facility is located.

18 (b-10) Beginning on the effective date of this amendatory
19 Act of the 93rd General Assembly, from the tax revenue from
20 electronic gaming deposited into the State Gaming Fund under
21 this Section, an amount equal to 1% of the gross gaming
22 receipts generated by electronic gaming licensees, but in no
23 event more than \$25,000,000 in any year, shall be paid monthly,
24 subject to appropriation, from the State Gaming Fund into the
25 Illinois Community Services Block Grant Fund.

26 (b-15) Beginning on the effective date of this amendatory
27 Act of the 93rd General Assembly, after the payments required
28 under subsections (b), (b-5), and (b-10) have been made, the
29 next \$5,000,000 of tax revenue derived each year from
30 electronic gaming shall be paid from the State Gaming Fund into
31 the Compulsive Gambling Prevention Fund, which is hereby
32 created as a special fund in the State treasury. Moneys in the
33 Compulsive Gambling Prevention Fund shall be used, subject to
34 appropriation, by the Department of Human Services as provided

1 in this subsection (b-15). Of the money allocated to the
2 Department of Human Services under this subsection (b-15), 50%
3 shall be used for compulsive gambling programs under Section
4 5-20 of the Alcoholism and Other Drug Abuse and Dependency Act
5 and 50% shall be used by the Department of Human Service for
6 other social service programs and grants.

7 (c) Appropriations, as approved by the General Assembly,
8 may be made from the State Gaming Fund to the Department of
9 Revenue and the Department of State Police for the
10 administration and enforcement of this Act, or to the
11 Department of Human Services for the administration of programs
12 to treat problem gambling.

13 (c-5) (Blank). ~~After the payments required under~~
14 ~~subsections (b) and (c) have been made, an amount equal to 15%~~
15 ~~of the adjusted gross receipts of (1) an owners licensee that~~
16 ~~relocates pursuant to Section 11.2, (2) an owners licensee~~
17 ~~license conducting riverboat gambling operations pursuant to~~
18 ~~an owners license that is initially issued after June 25, 1999,~~
19 ~~or (3) the first riverboat gambling operations conducted by a~~
20 ~~licensed manager on behalf of the State under Section 7.3 7.2,~~
21 ~~whichever comes first, shall be paid from the State Gaming Fund~~
22 ~~into the Horse Racing Equity Fund.~~

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

28 (c-15) After the payments required under subsections (b),
29 (b-5), (b-10), (b-15), and (c), ~~and (c-5)~~ have been made, an
30 amount equal to 2% of the ~~adjusted~~ gross gaming receipts of
31 each ~~(1) an owners licensee that relocates pursuant to Section~~
32 ~~11.2, (2) an owners licensee license~~ conducting riverboat or
33 casino gambling operations from a home dock that is located
34 within a home rule county with a population of over 3,000,000

1 ~~inhabitants pursuant to an owners license that is initially~~
2 ~~issued after June 25, 1999, or 2 (3) the first riverboat~~
3 ~~gambling operations conducted by a licensed manager on behalf~~
4 ~~of the State under Section 7.3 7.2, whichever comes first,~~
5 shall be paid, subject to appropriation from the General
6 Assembly, from the State Gaming Fund to that county ~~each home~~
7 ~~rule county with a population of over 3,000,000 inhabitants~~ for
8 the purpose of enhancing the county's criminal justice system.

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

14 (c-25) After the payments required under subsections (b),
15 (b-5), (b-10), (b-15), (c), (c-5) and (c-15) have been made, an
16 amount equal to 2% of the ~~adjusted~~ gross gaming receipts of (1)
17 each an owners licensee license that relocates pursuant to
18 Section 11.2 ~~and~~ (2) each an owners licensee license
19 conducting riverboat or casino gambling operations pursuant to
20 an owners license that is initially issued after June 25, 1999,
21 ~~or (3) the first riverboat gambling operations conducted by a~~
22 ~~licensed manager on behalf of the State under Section 7.3 7.2,~~
23 ~~whichever comes first,~~ shall be paid from the State Gaming Fund
24 to Chicago State University.

25 (c-30) After the payments required under subsections (b),
26 (b-5), (b-10), (b-15), (c), (c-15), and (c-25) have been made,
27 an aggregate amount equal to 3% of the gross gaming receipts of
28 owners licensees, but in no event more than \$75,000,000 in any
29 year, shall be paid monthly, subject to appropriation by the
30 General Assembly, from the State Gaming Fund into the School
31 Infrastructure Fund for the purpose of funding school
32 construction program grants.

33 (c-35) After the payments required under subsections (b),
34 (b-5), (b-10), (b-15), (c), (c-15), (c-25), and (c-30) have

1 been made, an amount equal to 1% of the gross gaming receipts
2 of an owners licensee that docks on the Mississippi River, the
3 Illinois River, or the Ohio River shall be paid, subject to
4 appropriation by the General Assembly, from the State Gaming
5 Fund to qualifying municipalities within 50 miles of the home
6 dock of the riverboat. The amount paid under this subsection
7 (c-35) to each qualifying municipality shall be based on the
8 proportion that the number of persons living at or below the
9 poverty level in the qualifying municipality bears to the total
10 number of persons living at or below the poverty level in
11 qualifying municipalities that are within 50 miles of the
12 owners licensee's home dock. If 2 or more owners licensees that
13 dock on the Mississippi River, the Illinois River, or the Ohio
14 River are within 50 miles of each other, payments required
15 under this subsection (c-35) from the gross gaming receipts of
16 those owners licensees shall be commingled and paid to
17 qualifying municipalities that are within 50 miles of at least
18 one of those owners licensee's home docks. For the purposes of
19 this subsection (c-35), the term "qualifying municipality"
20 means a municipality, other than a municipality in which a
21 riverboat docks, in which the poverty rate as determined by
22 using the most recent data released by the United States Census
23 Bureau is at least 3% greater than the State poverty rate as
24 determined by using the most recent data released by the United
25 States Census Bureau.

26 (c-40) After the payments required under subsections (b),
27 (b-5), (b-10), (b-15), (c), (c-15), (c-25), (c-30), and (c-35)
28 have been made, an amount equal to 1% of the gross gaming
29 receipts of an owners licensee that (i) docks on the Fox River
30 or the Des Plaines River or (ii) is authorized under subsection
31 (e-5) of Section 7, shall be paid, subject to appropriation by
32 the General Assembly, from the State Gaming Fund to qualifying
33 municipalities within 20 miles of the home dock of the
34 riverboat. The amount paid under this subsection (c-40) to each

1 qualifying municipality shall based on the proportion that the
2 number of persons living at or below the poverty level in the
3 qualifying municipality bears to the total number of persons
4 living at or below the poverty level in qualifying
5 municipalities that are within 20 miles of the owners
6 licensee's home dock. If the home docks of 2 or more owners
7 licensees that (i) dock on the Fox River or the Des Plaines
8 River or (ii) are authorized under subsection (e-5) of Section
9 7 are within 20 miles of each other, payments required under
10 this subsection (c-40) from the gross gaming receipts of those
11 owners licensees shall be commingled and paid to qualifying
12 municipalities that are within 20 miles of at least one of
13 those owners licensee's home docks. For the purposes of this
14 subsection (c-40), the term "qualifying municipality" means a
15 municipality, other than the City of Chicago or a municipality
16 in which a riverboat docks, in which the poverty rate as
17 determined by using the most recent data released by the United
18 States Census Bureau is at least 3% greater than the State
19 poverty rate as determined by using the most recent data
20 released by the United States Census Bureau.

21 (c-45) After the payments required under subsections (b),
22 (b-5), (b-10), (b-15), (c), (c-15), (c-25), (c-30), (c-35), and
23 (c-40) have been made, an amount equal to 0.015% of the gross
24 gaming receipts of each owners licensee, other than the
25 Authority, shall be paid, subject to appropriation by the
26 General Assembly, from the State Gaming Fund to the Department
27 of Human Services for the purpose of making grants to special
28 recreation associations for the operation of recreational
29 programs for the handicapped under Section 10-35 of the
30 Department of Human Services Act.

31 (c-50) After the payments required under subsections (b),
32 (b-5), (b-10), (b-15), (c), (c-15), (c-25), (c-30), (c-35),
33 (c-40) and (c-45) have been made, an amount equal to 18.5% of
34 the gross gaming receipts from electronic gaming and of owners

1 licensees authorized under Sections 7(e-5) and 7(e-6), but in
2 no case more than \$150,000,000 per year, shall be paid from the
3 State Gaming Fund to the Road Fund.

4 (c-55) After the payments required under subsections (b),
5 (b-5), (b-10), (b-15), (c), (c-15), (c-25), (c-30), (c-35),
6 (c-40) (c-45), and (c-50) have been made, an amount equal to
7 9.25% of the gross gaming receipts from electronic gaming and
8 of owners licensees authorized under Sections 7(e-5) and
9 7(e-6), but in no case more than \$75,000,000 per year, shall be
10 paid from the State Gaming Fund to the School Infrastructure
11 Fund.

12 (c-60) After the payments required under subsections (b),
13 (b-5), (b-10), (b-15), (c), (c-15), (c-25), (c-30), (c-35),
14 (c-40) (c-45), (c-50), and (c-55) have been made, an amount
15 equal to 0.93% of the gross gaming receipts from electronic
16 gaming and from owners licensees authorized under Sections
17 7(e-5) and 7(e-6), but in no case more than \$7,500,000 per
18 year, shall be reserved for the Board and may be used by the
19 Board, subject to appropriation, for the administration and
20 enforcement of this Act. Moneys reserved for the Board under
21 this subsection (c-60) shall not be deposited into the
22 Education Assistance Fund.

23 (d) From time to time, the Board shall transfer the
24 remainder of the funds generated by this Act into the Education
25 Assistance Fund, created by Public Act 86-0018, of the State of
26 Illinois.

27 (e) Nothing in this Act shall prohibit the unit of local
28 government designated as the home dock of the riverboat, or the
29 municipality in which the casino is located, from entering into
30 agreements with other units of local government in this State
31 or in other states to share its portion of the tax revenue.

32 (f) To the extent practicable, the Board shall administer
33 and collect the wagering taxes imposed by this Section in a
34 manner consistent with the provisions of Sections 4, 5, 5a, 5b,

1 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
2 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
3 Penalty and Interest Act.

4 (Source: P.A. 92-595, eff. 6-28-02; 93-27, eff. 6-20-03; 93-28,
5 eff. 6-20-03; revised 1-28-04.)

6 (230 ILCS 10/14) (from Ch. 120, par. 2414)

7 Sec. 14. Licensees - Records - Reports - Supervision.

8 (a) ~~A~~ Licensed owners, including the Authority, and
9 electronic gaming licensees ~~owner~~ shall keep their ~~his~~ books
10 and records so as to clearly show the following:

11 (1) The amount received daily from admission fees.

12 (2) The total amount of whole gaming ~~gross~~ receipts.

13 (3) The total amount of the ~~adjusted~~ gross gaming receipts.

14 (b) ~~The~~ Licensed owners, including the Authority, and
15 electronic gaming licensees ~~owner~~ shall furnish to the Board
16 reports and information as the Board may require with respect
17 to its activities on forms designed and supplied for such
18 purpose by the Board.

19 (c) The books and records kept by a licensed owner or
20 electronic gaming licensee as provided by this Section are
21 public records and the examination, publication, and
22 dissemination of the books and records are governed by the
23 provisions of The Freedom of Information Act.

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

25 (230 ILCS 10/18) (from Ch. 120, par. 2418)

26 Sec. 18. Prohibited Activities - Penalty.

27 (a) A person is guilty of a Class A misdemeanor for doing
28 any of the following:

29 (1) Conducting gambling where wagering is used or to be
30 used without a license issued by the Board.

31 (2) Conducting gambling where wagering is permitted
32 other than in the manner specified by Section 11.

1 (b) A person is guilty of a Class B misdemeanor for doing
2 any of the following:

3 (1) permitting a person under 21 years to make a wager;

4 or

5 (2) violating paragraph (12) of subsection (a) of
6 Section 11 of this Act.

7 (c) A person wagering or accepting a wager at any location
8 outside the riverboat, casino, or electronic gaming facility in
9 violation of paragraph ~~is subject to the penalties in~~
10 ~~paragraphs~~ (1) or (2) of subsection (a) of Section 28-1 of the
11 Criminal Code of 1961 is subject to the penalties provided in
12 that Section.

13 (d) A person commits a Class 4 felony and, in addition,
14 shall be barred for life from gambling operations ~~riverboats~~
15 under the jurisdiction of the Board, if the person does any of
16 the following:

17 (1) Offers, promises, or gives anything of value or
18 benefit to a person who is connected with a riverboat or
19 casino owner or electronic gaming licensee including, but
20 not limited to, an officer or employee of a licensed owner
21 or electronic gaming licensee or holder of an occupational
22 license pursuant to an agreement or arrangement or with the
23 intent that the promise or thing of value or benefit will
24 influence the actions of the person to whom the offer,
25 promise, or gift was made in order to affect or attempt to
26 affect the outcome of a gambling game, or to influence
27 official action of a member of the Board.

28 (2) Solicits or knowingly accepts or receives a promise
29 of anything of value or benefit while the person is
30 connected with a riverboat, casino, or electronic gaming
31 facility, including, but not limited to, an officer or
32 employee of a licensed owner or electronic gaming licensee,
33 or the holder of an occupational license, pursuant to an
34 understanding or arrangement or with the intent that the

1 promise or thing of value or benefit will influence the
2 actions of the person to affect or attempt to affect the
3 outcome of a gambling game, or to influence official action
4 of a member of the Board.

5 (3) Uses or possesses with the intent to use a device
6 to assist:

7 (i) In projecting the outcome of the game.

8 (ii) In keeping track of the cards played.

9 (iii) In analyzing the probability of the
10 occurrence of an event relating to the gambling game.

11 (iv) In analyzing the strategy for playing or
12 betting to be used in the game except as permitted by
13 the Board.

14 (4) Cheats at a gambling game.

15 (5) Manufactures, sells, or distributes any cards,
16 chips, dice, game or device which is intended to be used to
17 violate any provision of this Act.

18 (6) Alters or misrepresents the outcome of a gambling
19 game on which wagers have been made after the outcome is
20 made sure but before it is revealed to the players.

21 (7) Places a bet after acquiring knowledge, not
22 available to all players, of the outcome of the gambling
23 game which is subject of the bet or to aid a person in
24 acquiring the knowledge for the purpose of placing a bet
25 contingent on that outcome.

26 (8) Claims, collects, or takes, or attempts to claim,
27 collect, or take, money or anything of value in or from the
28 gambling games, with intent to defraud, without having made
29 a wager contingent on winning a gambling game, or claims,
30 collects, or takes an amount of money or thing of value of
31 greater value than the amount won.

32 (9) Uses counterfeit chips or tokens in a gambling
33 game.

34 (10) Possesses any key or device designed for the

1 purpose of opening, entering, or affecting the operation of
2 a gambling game, drop box, or an electronic or mechanical
3 device connected with the gambling game or for removing
4 coins, tokens, chips or other contents of a gambling game.
5 This paragraph (10) does not apply to a gambling licensee
6 or employee of a gambling licensee acting in furtherance of
7 the employee's employment.

8 (e) The possession of more than one of the devices
9 described in subsection (d), paragraphs (3), (5) or (10)
10 permits a rebuttable presumption that the possessor intended to
11 use the devices for cheating.

12 An action to prosecute any crime occurring on a riverboat
13 or in a casino shall be tried in the county of the dock at which
14 the riverboat is based or in the county in which the casino is
15 located.

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

17 (230 ILCS 10/19) (from Ch. 120, par. 2419)

18 Sec. 19. Forfeiture of property.

19 (a) Except as provided in subsection (b), any riverboat or
20 electronic gaming facility used for the conduct of gambling
21 games in violation of this Act shall be considered a gambling
22 place in violation of Section 28-3 of the Criminal Code of
23 1961, as now or hereafter amended. Every gambling device found
24 on a riverboat or at an electronic gaming facility operating
25 gambling games in violation of this Act and every slot machine
26 and video game of chance found at an electronic gaming facility
27 operating gambling games in violation of this Act shall be
28 subject to seizure, confiscation and destruction as provided in
29 Section 28-5 of the Criminal Code of 1961, as now or hereafter
30 amended.

31 (b) It is not a violation of this Act for a riverboat or
32 other watercraft which is licensed for gaming by a contiguous
33 state to dock on the shores of this State if the municipality

1 having jurisdiction of the shores, or the county in the case of
2 unincorporated areas, has granted permission for docking and no
3 gaming is conducted on the riverboat or other watercraft while
4 it is docked on the shores of this State. No gambling device
5 shall be subject to seizure, confiscation or destruction if the
6 gambling device is located on a riverboat or other watercraft
7 which is licensed for gaming by a contiguous state and which is
8 docked on the shores of this State if the municipality having
9 jurisdiction of the shores, or the county in the case of
10 unincorporated areas, has granted permission for docking and no
11 gaming is conducted on the riverboat or other watercraft while
12 it is docked on the shores of this State.

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

14 (230 ILCS 10/20) (from Ch. 120, par. 2420)

15 Sec. 20. Prohibited activities - civil penalties. Any
16 person who conducts a gambling operation without first
17 obtaining a license to do so, or who continues to conduct such
18 games after revocation of his license, or any licensee who
19 conducts or allows to be conducted any unauthorized gambling
20 games on a riverboat, in a casino, or at an electronic gaming
21 facility where it is authorized to conduct its ~~riverboat~~
22 gambling operation, in addition to other penalties provided,
23 shall be subject to a civil penalty equal to the amount of
24 whole gaming ~~gross~~ receipts derived from wagering on the
25 gambling games, whether unauthorized or authorized, conducted
26 on that day as well as confiscation and forfeiture of all
27 gambling game equipment used in the conduct of unauthorized
28 gambling games.

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

30 (230 ILCS 10/23) (from Ch. 120, par. 2423)

31 Sec. 23. The State Gaming Fund. On or after the effective
32 date of this Act, all of the fees and taxes collected pursuant

1 to subsections of this Act shall be deposited into the State
2 Gaming Fund, a special fund in the State Treasury, which is
3 hereby created. The ~~adjusted~~ gross gaming receipts of any
4 riverboat gambling operations conducted by a licensed manager
5 on behalf of the State remaining after the payment of the fees
6 and expenses of the licensed manager shall be deposited into
7 the State Gaming Fund. Fines and penalties collected pursuant
8 to this Act shall be deposited into the Education Assistance
9 Fund, created by Public Act 86-0018, of the State of Illinois.
10 (Source: P.A. 93-28, eff. 6-20-03.)

11 Section 935. The Liquor Control Act of 1934 is amended by
12 changing Sections 5-1 and 6-30 as follows:

13 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

14 Sec. 5-1. Licenses issued by the Illinois Liquor Control
15 Commission shall be of the following classes:

16 (a) Manufacturer's license - Class 1. Distiller, Class 2.
17 Rectifier, Class 3. Brewer, Class 4. First Class Wine
18 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.
19 First Class Winemaker, Class 7. Second Class Winemaker, Class
20 8. Limited Wine Manufacturer,

21 (b) Distributor's license,

22 (c) Importing Distributor's license,

23 (d) Retailer's license,

24 (e) Special Event Retailer's license (not-for-profit),

25 (f) Railroad license,

26 (g) Boat license,

27 (h) Non-Beverage User's license,

28 (i) Wine-maker's premises license,

29 (j) Airplane license,

30 (k) Foreign importer's license,

31 (l) Broker's license,

32 (m) Non-resident dealer's license,

- 1 (n) Brew Pub license,
2 (o) Auction liquor license,
3 (p) Caterer retailer license,
4 (q) Special use permit license.

5 No person, firm, partnership, corporation, or other legal
6 business entity that is engaged in the manufacturing of wine
7 may concurrently obtain and hold a wine-maker's license and a
8 wine manufacturer's license.

9 (a) A manufacturer's license shall allow the manufacture,
10 importation in bulk, storage, distribution and sale of
11 alcoholic liquor to persons without the State, as may be
12 permitted by law and to licensees in this State as follows:

13 Class 1. A Distiller may make sales and deliveries of
14 alcoholic liquor to distillers, rectifiers, importing
15 distributors, distributors and non-beverage users and to no
16 other licensees.

17 Class 2. A Rectifier, who is not a distiller, as defined
18 herein, may make sales and deliveries of alcoholic liquor to
19 rectifiers, importing distributors, distributors, retailers
20 and non-beverage users and to no other licensees.

21 Class 3. A Brewer may make sales and deliveries of beer to
22 importing distributors, distributors, and to non-licensees,
23 and to retailers provided the brewer obtains an importing
24 distributor's license or distributor's license in accordance
25 with the provisions of this Act.

26 Class 4. A first class wine-manufacturer may make sales and
27 deliveries of up to 50,000 gallons of wine to manufacturers,
28 importing distributors and distributors, and to no other
29 licensees.

30 Class 5. A second class Wine manufacturer may make sales
31 and deliveries of more than 50,000 gallons of wine to
32 manufacturers, importing distributors and distributors and to
33 no other licensees.

34 Class 6. A first-class wine-maker's license shall allow the

1 manufacture of up to 50,000 gallons of wine per year, and the
2 storage and sale of such wine to distributors in the State and
3 to persons without the State, as may be permitted by law. A
4 first-class wine-maker's license shall allow the sale of no
5 more than 5,000 gallons of the licensee's wine to retailers.
6 The State Commission shall issue only one first-class
7 wine-maker's license to any person, firm, partnership,
8 corporation, or other legal business entity that is engaged in
9 the making of less than 50,000 gallons of wine annually that
10 applies for a first-class wine-maker's license. No subsidiary
11 or affiliate thereof, nor any officer, associate, member,
12 partner, representative, employee, agent, or shareholder may
13 be issued an additional wine-maker's license by the State
14 Commission.

15 Class 7. A second-class wine-maker's license shall allow
16 the manufacture of between 50,000 and 100,000 gallons of wine
17 per year, and the storage and sale of such wine to distributors
18 in this State and to persons without the State, as may be
19 permitted by law. A second-class wine-maker's license shall
20 allow the sale of no more than 10,000 gallons of the licensee's
21 wine directly to retailers. The State Commission shall issue
22 only one second-class wine-maker's license to any person, firm,
23 partnership, corporation, or other legal business entity that
24 is engaged in the making of less than 100,000 gallons of wine
25 annually that applies for a second-class wine-maker's license.
26 No subsidiary or affiliate thereof, or any officer, associate,
27 member, partner, representative, employee, agent, or
28 shareholder may be issued an additional wine-maker's license by
29 the State Commission.

30 Class 8. A limited wine-manufacturer may make sales and
31 deliveries not to exceed 40,000 gallons of wine per year to
32 distributors, and to non-licensees in accordance with the
33 provisions of this Act.

34 (a-1) A manufacturer which is licensed in this State to

1 make sales or deliveries of alcoholic liquor and which enlists
2 agents, representatives, or individuals acting on its behalf
3 who contact licensed retailers on a regular and continual basis
4 in this State must register those agents, representatives, or
5 persons acting on its behalf with the State Commission.

6 Registration of agents, representatives, or persons acting
7 on behalf of a manufacturer is fulfilled by submitting a form
8 to the Commission. The form shall be developed by the
9 Commission and shall include the name and address of the
10 applicant, the name and address of the manufacturer he or she
11 represents, the territory or areas assigned to sell to or
12 discuss pricing terms of alcoholic liquor, and any other
13 questions deemed appropriate and necessary. All statements in
14 the forms required to be made by law or by rule shall be deemed
15 material, and any person who knowingly misstates any material
16 fact under oath in an application is guilty of a Class B
17 misdemeanor. Fraud, misrepresentation, false statements,
18 misleading statements, evasions, or suppression of material
19 facts in the securing of a registration are grounds for
20 suspension or revocation of the registration.

21 (b) A distributor's license shall allow the wholesale
22 purchase and storage of alcoholic liquors and sale of alcoholic
23 liquors to licensees in this State and to persons without the
24 State, as may be permitted by law.

25 (c) An importing distributor's license may be issued to and
26 held by those only who are duly licensed distributors, upon the
27 filing of an application by a duly licensed distributor, with
28 the Commission and the Commission shall, without the payment of
29 any fee, immediately issue such importing distributor's
30 license to the applicant, which shall allow the importation of
31 alcoholic liquor by the licensee into this State from any point
32 in the United States outside this State, and the purchase of
33 alcoholic liquor in barrels, casks or other bulk containers and
34 the bottling of such alcoholic liquors before resale thereof,

1 but all bottles or containers so filled shall be sealed,
2 labeled, stamped and otherwise made to comply with all
3 provisions, rules and regulations governing manufacturers in
4 the preparation and bottling of alcoholic liquors. The
5 importing distributor's license shall permit such licensee to
6 purchase alcoholic liquor from Illinois licensed non-resident
7 dealers and foreign importers only.

8 (d) A retailer's license shall allow the licensee to sell
9 and offer for sale at retail, only in the premises specified in
10 such license, alcoholic liquor for use or consumption, but not
11 for resale in any form: Provided that any retail license issued
12 to a manufacturer shall only permit such manufacturer to sell
13 beer at retail on the premises actually occupied by such
14 manufacturer.

15 After January 1, 1995 there shall be 2 classes of licenses
16 issued under a retailers license.

17 (1) A "retailers on premise consumption license" shall
18 allow the licensee to sell and offer for sale at retail,
19 only on the premises specified in the license, alcoholic
20 liquor for use or consumption on the premises or on and off
21 the premises, but not for resale in any form.

22 (2) An "off premise sale license" shall allow the
23 licensee to sell, or offer for sale at retail, alcoholic
24 liquor intended only for off premise consumption and not
25 for resale in any form.

26 Notwithstanding any other provision of this subsection
27 (d), a retail licensee may sell alcoholic liquors to a special
28 event retailer licensee for resale to the extent permitted
29 under subsection (e).

30 (e) A special event retailer's license (not-for-profit)
31 shall permit the licensee to purchase alcoholic liquors from an
32 Illinois licensed distributor (unless the licensee purchases
33 less than \$500 of alcoholic liquors for the special event, in
34 which case the licensee may purchase the alcoholic liquors from

1 a licensed retailer) and shall allow the licensee to sell and
2 offer for sale, at retail, alcoholic liquors for use or
3 consumption, but not for resale in any form and only at the
4 location and on the specific dates designated for the special
5 event in the license. An applicant for a special event retailer
6 license must (i) furnish with the application: (A) a resale
7 number issued under Section 2c of the Retailers' Occupation Tax
8 Act or evidence that the applicant is registered under Section
9 2a of the Retailers' Occupation Tax Act, (B) a current, valid
10 exemption identification number issued under Section 1g of the
11 Retailers' Occupation Tax Act, and a certification to the
12 Commission that the purchase of alcoholic liquors will be a
13 tax-exempt purchase, or (C) a statement that the applicant is
14 not registered under Section 2a of the Retailers' Occupation
15 Tax Act, does not hold a resale number under Section 2c of the
16 Retailers' Occupation Tax Act, and does not hold an exemption
17 number under Section 1g of the Retailers' Occupation Tax Act,
18 in which event the Commission shall set forth on the special
19 event retailer's license a statement to that effect; (ii)
20 submit with the application proof satisfactory to the State
21 Commission that the applicant will provide dram shop liability
22 insurance in the maximum limits; and (iii) show proof
23 satisfactory to the State Commission that the applicant has
24 obtained local authority approval.

25 (f) A railroad license shall permit the licensee to import
26 alcoholic liquors into this State from any point in the United
27 States outside this State and to store such alcoholic liquors
28 in this State; to make wholesale purchases of alcoholic liquors
29 directly from manufacturers, foreign importers, distributors
30 and importing distributors from within or outside this State;
31 and to store such alcoholic liquors in this State; provided
32 that the above powers may be exercised only in connection with
33 the importation, purchase or storage of alcoholic liquors to be
34 sold or dispensed on a club, buffet, lounge or dining car

1 operated on an electric, gas or steam railway in this State;
 2 and provided further, that railroad licensees exercising the
 3 above powers shall be subject to all provisions of Article VIII
 4 of this Act as applied to importing distributors. A railroad
 5 license shall also permit the licensee to sell or dispense
 6 alcoholic liquors on any club, buffet, lounge or dining car
 7 operated on an electric, gas or steam railway regularly
 8 operated by a common carrier in this State, but shall not
 9 permit the sale for resale of any alcoholic liquors to any
 10 licensee within this State. A license shall be obtained for
 11 each car in which such sales are made.

12 (g) A boat license shall allow the sale of alcoholic liquor
 13 in individual drinks, on any passenger boat regularly operated
 14 as a common carrier on navigable waters in this State or on any
 15 riverboat operated under the Riverboat and Casino Gambling Act,
 16 which boat or riverboat maintains a public dining room or
 17 restaurant thereon.

18 (h) A non-beverage user's license shall allow the licensee
 19 to purchase alcoholic liquor from a licensed manufacturer or
 20 importing distributor, without the imposition of any tax upon
 21 the business of such licensed manufacturer or importing
 22 distributor as to such alcoholic liquor to be used by such
 23 licensee solely for the non-beverage purposes set forth in
 24 subsection (a) of Section 8-1 of this Act, and such licenses
 25 shall be divided and classified and shall permit the purchase,
 26 possession and use of limited and stated quantities of
 27 alcoholic liquor as follows:

- 28 Class 1, not to exceed 500 gallons
- 29 Class 2, not to exceed 1,000 gallons
- 30 Class 3, not to exceed 5,000 gallons
- 31 Class 4, not to exceed10,000 gallons
- 32 Class 5, not to exceed50,000 gallons

33 (i) A wine-maker's premises license shall allow a licensee
 34 that concurrently holds a first-class wine-maker's license to

1 sell and offer for sale at retail in the premises specified in
2 such license not more than 50,000 gallons of the first-class
3 wine-maker's wine that is made at the first-class wine-maker's
4 licensed premises per year for use or consumption, but not for
5 resale in any form. A wine-maker's premises license shall allow
6 a licensee who concurrently holds a second-class wine-maker's
7 license to sell and offer for sale at retail in the premises
8 specified in such license up to 100,000 gallons of the
9 second-class wine-maker's wine that is made at the second-class
10 wine-maker's licensed premises per year for use or consumption
11 but not for resale in any form. Upon approval from the State
12 Commission, a wine-maker's premises license shall allow the
13 licensee to sell and offer for sale at (i) the wine-maker's
14 licensed premises and (ii) at up to 2 additional locations for
15 use and consumption and not for resale. Each location shall
16 require additional licensing per location as specified in
17 Section 5-3 of this Act.

18 (j) An airplane license shall permit the licensee to import
19 alcoholic liquors into this State from any point in the United
20 States outside this State and to store such alcoholic liquors
21 in this State; to make wholesale purchases of alcoholic liquors
22 directly from manufacturers, foreign importers, distributors
23 and importing distributors from within or outside this State;
24 and to store such alcoholic liquors in this State; provided
25 that the above powers may be exercised only in connection with
26 the importation, purchase or storage of alcoholic liquors to be
27 sold or dispensed on an airplane; and provided further, that
28 airplane licensees exercising the above powers shall be subject
29 to all provisions of Article VIII of this Act as applied to
30 importing distributors. An airplane licensee shall also permit
31 the sale or dispensing of alcoholic liquors on any passenger
32 airplane regularly operated by a common carrier in this State,
33 but shall not permit the sale for resale of any alcoholic
34 liquors to any licensee within this State. A single airplane

1 license shall be required of an airline company if liquor
2 service is provided on board aircraft in this State. The annual
3 fee for such license shall be as determined in Section 5-3.

4 (k) A foreign importer's license shall permit such licensee
5 to purchase alcoholic liquor from Illinois licensed
6 non-resident dealers only, and to import alcoholic liquor other
7 than in bulk from any point outside the United States and to
8 sell such alcoholic liquor to Illinois licensed importing
9 distributors and to no one else in Illinois; provided that the
10 foreign importer registers with the State Commission every
11 brand of alcoholic liquor that it proposes to sell to Illinois
12 licensees during the license period and provided further that
13 the foreign importer complies with all of the provisions of
14 Section 6-9 of this Act with respect to registration of such
15 Illinois licensees as may be granted the right to sell such
16 brands at wholesale.

17 (l) (i) A broker's license shall be required of all persons
18 who solicit orders for, offer to sell or offer to supply
19 alcoholic liquor to retailers in the State of Illinois, or who
20 offer to retailers to ship or cause to be shipped or to make
21 contact with distillers, rectifiers, brewers or manufacturers
22 or any other party within or without the State of Illinois in
23 order that alcoholic liquors be shipped to a distributor,
24 importing distributor or foreign importer, whether such
25 solicitation or offer is consummated within or without the
26 State of Illinois.

27 No holder of a retailer's license issued by the Illinois
28 Liquor Control Commission shall purchase or receive any
29 alcoholic liquor, the order for which was solicited or offered
30 for sale to such retailer by a broker unless the broker is the
31 holder of a valid broker's license.

32 The broker shall, upon the acceptance by a retailer of the
33 broker's solicitation of an order or offer to sell or supply or
34 deliver or have delivered alcoholic liquors, promptly forward

1 to the Illinois Liquor Control Commission a notification of
2 said transaction in such form as the Commission may by
3 regulations prescribe.

4 (ii) A broker's license shall be required of a person
5 within this State, other than a retail licensee, who, for a fee
6 or commission, promotes, solicits, or accepts orders for
7 alcoholic liquor, for use or consumption and not for resale, to
8 be shipped from this State and delivered to residents outside
9 of this State by an express company, common carrier, or
10 contract carrier. This Section does not apply to any person who
11 promotes, solicits, or accepts orders for wine as specifically
12 authorized in Section 6-29 of this Act.

13 A broker's license under this subsection (1) shall not
14 entitle the holder to buy or sell any alcoholic liquors for his
15 own account or to take or deliver title to such alcoholic
16 liquors.

17 This subsection (1) shall not apply to distributors,
18 employees of distributors, or employees of a manufacturer who
19 has registered the trademark, brand or name of the alcoholic
20 liquor pursuant to Section 6-9 of this Act, and who regularly
21 sells such alcoholic liquor in the State of Illinois only to
22 its registrants thereunder.

23 Any agent, representative, or person subject to
24 registration pursuant to subsection (a-1) of this Section shall
25 not be eligible to receive a broker's license.

26 (m) A non-resident dealer's license shall permit such
27 licensee to ship into and warehouse alcoholic liquor into this
28 State from any point outside of this State, and to sell such
29 alcoholic liquor to Illinois licensed foreign importers and
30 importing distributors and to no one else in this State;
31 provided that said non-resident dealer shall register with the
32 Illinois Liquor Control Commission each and every brand of
33 alcoholic liquor which it proposes to sell to Illinois
34 licensees during the license period; and further provided that

1 it shall comply with all of the provisions of Section 6-9
2 hereof with respect to registration of such Illinois licensees
3 as may be granted the right to sell such brands at wholesale.

4 (n) A brew pub license shall allow the licensee to
5 manufacture beer only on the premises specified in the license,
6 to make sales of the beer manufactured on the premises to
7 importing distributors, distributors, and to non-licensees for
8 use and consumption, to store the beer upon the premises, and
9 to sell and offer for sale at retail from the licensed
10 premises, provided that a brew pub licensee shall not sell for
11 off-premises consumption more than 50,000 gallons per year.

12 (o) A caterer retailer license shall allow the holder to
13 serve alcoholic liquors as an incidental part of a food service
14 that serves prepared meals which excludes the serving of snacks
15 as the primary meal, either on or off-site whether licensed or
16 unlicensed.

17 (p) An auction liquor license shall allow the licensee to
18 sell and offer for sale at auction wine and spirits for use or
19 consumption, or for resale by an Illinois liquor licensee in
20 accordance with provisions of this Act. An auction liquor
21 license will be issued to a person and it will permit the
22 auction liquor licensee to hold the auction anywhere in the
23 State. An auction liquor license must be obtained for each
24 auction at least 14 days in advance of the auction date.

25 (q) A special use permit license shall allow an Illinois
26 licensed retailer to transfer a portion of its alcoholic liquor
27 inventory from its retail licensed premises to the premises
28 specified in the license hereby created, and to sell or offer
29 for sale at retail, only in the premises specified in the
30 license hereby created, the transferred alcoholic liquor for
31 use or consumption, but not for resale in any form. A special
32 use permit license may be granted for the following time
33 periods: one day or less; 2 or more days to a maximum of 15 days
34 per location in any 12 month period. An applicant for the

1 special use permit license must also submit with the
2 application proof satisfactory to the State Commission that the
3 applicant will provide dram shop liability insurance to the
4 maximum limits and have local authority approval.

5 (Source: P.A. 91-357, eff. 7-29-99; 92-105, eff. 1-1-02;
6 92-378, eff. 8-16-01; 92-651, eff. 7-11-02; 92-672, eff.
7 7-16-02.)

8 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

9 Sec. 6-30. Notwithstanding any other provision of this Act,
10 the Illinois Gaming Board shall have exclusive authority to
11 establish the hours for sale and consumption of alcoholic
12 liquor on board a riverboat during riverboat gambling
13 excursions and in a casino conducted in accordance with the
14 Riverboat and Casino Gambling Act.

15 (Source: P.A. 87-826.)

16 Section 940. The Criminal Code of 1961 is amended by
17 changing Sections 28-1, 28-1.1, 28-3, 28-5 and 28-7 as follows:

18 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

19 Sec. 28-1. Gambling.

20 (a) A person commits gambling when he:

21 (1) Plays a game of chance or skill for money or other
22 thing of value, unless excepted in subsection (b) of this
23 Section; or

24 (2) Makes a wager upon the result of any game, contest,
25 or any political nomination, appointment or election; or

26 (3) Operates, keeps, owns, uses, purchases, exhibits,
27 rents, sells, bargains for the sale or lease of,
28 manufactures or distributes any gambling device; or

29 (4) Contracts to have or give himself or another the
30 option to buy or sell, or contracts to buy or sell, at a
31 future time, any grain or other commodity whatsoever, or

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

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

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

25 (7) Sets up or promotes any lottery or sells, offers to
26 sell or transfers any ticket or share for any lottery; or

27 (8) Sets up or promotes any policy game or sells,
28 offers to sell or knowingly possesses or transfers any
29 policy ticket, slip, record, document or other similar
30 device; or

31 (9) Knowingly drafts, prints or publishes any lottery
32 ticket or share, or any policy ticket, slip, record,
33 document or similar device, except for such activity
34 related to lotteries, bingo games and raffles authorized by

1 and conducted in accordance with the laws of Illinois or
2 any other state or foreign government; or

3 (10) Knowingly advertises any lottery or policy game,
4 except for such activity related to lotteries, bingo games
5 and raffles authorized by and conducted in accordance with
6 the laws of Illinois or any other state; or

7 (11) Knowingly transmits information as to wagers,
8 betting odds, or changes in betting odds by telephone,
9 telegraph, radio, semaphore or similar means; or knowingly
10 installs or maintains equipment for the transmission or
11 receipt of such information; except that nothing in this
12 subdivision (11) prohibits transmission or receipt of such
13 information for use in news reporting of sporting events or
14 contests; or

15 (12) Knowingly establishes, maintains, or operates an
16 Internet site that permits a person to play a game of
17 chance or skill for money or other thing of value by means
18 of the Internet or to make a wager upon the result of any
19 game, contest, political nomination, appointment, or
20 election by means of the Internet.

21 (b) Participants in any of the following activities shall
22 not be convicted of gambling therefor:

23 (1) Agreements to compensate for loss caused by the
24 happening of chance including without limitation contracts
25 of indemnity or guaranty and life or health or accident
26 insurance;

27 (2) Offers of prizes, award or compensation to the
28 actual contestants in any bona fide contest for the
29 determination of skill, speed, strength or endurance or to
30 the owners of animals or vehicles entered in such contest;

31 (3) Pari-mutuel betting as authorized by the law of
32 this State;

33 (4) Manufacture of gambling devices, including the
34 acquisition of essential parts therefor and the assembly

1 thereof, for transportation in interstate or foreign
2 commerce to any place outside this State when such
3 transportation is not prohibited by any applicable Federal
4 law;

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

7 (6) Lotteries when conducted by the State of Illinois
8 in accordance with the Illinois Lottery Law;

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

14 (8) Raffles when conducted in accordance with the
15 Raffles Act;

16 (9) Charitable games when conducted in accordance with
17 the Charitable Games Act;

18 (10) Pull tabs and jar games when conducted under the
19 Illinois Pull Tabs and Jar Games Act; or

20 (11) Gambling games ~~conducted on riverboats~~ when
21 authorized by the Riverboat and Casino Gambling Act.

22 (c) Sentence.

23 Gambling under subsection (a)(1) or (a)(2) of this Section
24 is a Class A misdemeanor. Gambling under any of subsections
25 (a)(3) through (a)(11) of this Section is a Class A
26 misdemeanor. A second or subsequent conviction under any of
27 subsections (a)(3) through (a)(11), is a Class 4 felony.
28 Gambling under subsection (a)(12) of this Section is a Class A
29 misdemeanor. A second or subsequent conviction under
30 subsection (a)(12) is a Class 4 felony.

31 (d) Circumstantial evidence.

32 In prosecutions under subsection (a)(1) through (a)(12) of
33 this Section circumstantial evidence shall have the same
34 validity and weight as in any criminal prosecution.

1 (Source: P.A. 91-257, eff. 1-1-00.)

2 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

3 Sec. 28-1.1. Syndicated gambling.

4 (a) Declaration of Purpose. Recognizing the close
5 relationship between professional gambling and other organized
6 crime, it is declared to be the policy of the legislature to
7 restrain persons from engaging in the business of gambling for
8 profit in this State. This Section shall be liberally construed
9 and administered with a view to carrying out this policy.

10 (b) A person commits syndicated gambling when he operates a
11 "policy game" or engages in the business of bookmaking.

12 (c) A person "operates a policy game" when he knowingly
13 uses any premises or property for the purpose of receiving or
14 knowingly does receive from what is commonly called "policy":

15 (1) money from a person other than the better or player
16 whose bets or plays are represented by such money; or

17 (2) written "policy game" records, made or used over
18 any period of time, from a person other than the better or
19 player whose bets or plays are represented by such written
20 record.

21 (d) A person engages in bookmaking when he receives or
22 accepts more than five bets or wagers upon the result of any
23 trials or contests of skill, speed or power of endurance or
24 upon any lot, chance, casualty, unknown or contingent event
25 whatsoever, which bets or wagers shall be of such size that the
26 total of the amounts of money paid or promised to be paid to
27 such bookmaker on account thereof shall exceed \$2,000.
28 Bookmaking is the receiving or accepting of such bets or wagers
29 regardless of the form or manner in which the bookmaker records
30 them.

31 (e) Participants in any of the following activities shall
32 not be convicted of syndicated gambling:

33 (1) Agreements to compensate for loss caused by the

1 happening of chance including without limitation contracts
2 of indemnity or guaranty and life or health or accident
3 insurance; and

4 (2) Offers of prizes, award or compensation to the
5 actual contestants in any bona fide contest for the
6 determination of skill, speed, strength or endurance or to
7 the owners of animals or vehicles entered in such contest;
8 and

9 (3) Pari-mutuel betting as authorized by law of this
10 State; and

11 (4) Manufacture of gambling devices, including the
12 acquisition of essential parts therefor and the assembly
13 thereof, for transportation in interstate or foreign
14 commerce to any place outside this State when such
15 transportation is not prohibited by any applicable Federal
16 law; and

17 (5) Raffles when conducted in accordance with the
18 Raffles Act; and

19 (6) Gambling games conducted on riverboats or in
20 casinos when authorized by the Riverboat and Casino
21 Gambling Act.

22 (f) Sentence. Syndicated gambling is a Class 3 felony.

23 (Source: P.A. 86-1029; 87-435.)

24 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

25 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is
26 any real estate, vehicle, boat or any other property whatsoever
27 used for the purposes of gambling other than gambling conducted
28 in the manner authorized by the Riverboat and Casino Gambling
29 Act. Any person who knowingly permits any premises or property
30 owned or occupied by him or under his control to be used as a
31 gambling place commits a Class A misdemeanor. Each subsequent
32 offense is a Class 4 felony. When any premises is determined by
33 the circuit court to be a gambling place:

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

3 (b) All licenses, permits or certificates issued by the
4 State of Illinois or any subdivision or public agency thereof
5 authorizing the serving of food or liquor on such premises
6 shall be void; and no license, permit or certificate so
7 cancelled shall be reissued for such premises for a period of
8 60 days thereafter; nor shall any person convicted of keeping a
9 gambling place be reissued such license for one year from his
10 conviction and, after a second conviction of keeping a gambling
11 place, any such person shall not be reissued such license, and

12 (c) Such premises of any person who knowingly permits
13 thereon a violation of any Section of this Article shall be
14 held liable for, and may be sold to pay any unsatisfied
15 judgment that may be recovered and any unsatisfied fine that
16 may be levied under any Section of this Article.

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

18 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

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

20 (a) Every device designed for gambling which is incapable
21 of lawful use or every device used unlawfully for gambling
22 shall be considered a "gambling device", and shall be subject
23 to seizure, confiscation and destruction by the Department of
24 State Police or by any municipal, or other local authority,
25 within whose jurisdiction the same may be found. As used in
26 this Section, a "gambling device" includes any slot machine,
27 and includes any machine or device constructed for the
28 reception of money or other thing of value and so constructed
29 as to return, or to cause someone to return, on chance to the
30 player thereof money, property or a right to receive money or
31 property. With the exception of any device designed for
32 gambling which is incapable of lawful use, no gambling device
33 shall be forfeited or destroyed unless an individual with a

1 property interest in said device knows of the unlawful use of
2 the device.

3 (b) Every gambling device shall be seized and forfeited to
4 the county wherein such seizure occurs. Any money or other
5 thing of value integrally related to acts of gambling shall be
6 seized and forfeited to the county wherein such seizure occurs.

7 (c) If, within 60 days after any seizure pursuant to
8 subparagraph (b) of this Section, a person having any property
9 interest in the seized property is charged with an offense, the
10 court which renders judgment upon such charge shall, within 30
11 days after such judgment, conduct a forfeiture hearing to
12 determine whether such property was a gambling device at the
13 time of seizure. Such hearing shall be commenced by a written
14 petition by the State, including material allegations of fact,
15 the name and address of every person determined by the State to
16 have any property interest in the seized property, a
17 representation that written notice of the date, time and place
18 of such hearing has been mailed to every such person by
19 certified mail at least 10 days before such date, and a request
20 for forfeiture. Every such person may appear as a party and
21 present evidence at such hearing. The quantum of proof required
22 shall be a preponderance of the evidence, and the burden of
23 proof shall be on the State. If the court determines that the
24 seized property was a gambling device at the time of seizure,
25 an order of forfeiture and disposition of the seized property
26 shall be entered: a gambling device shall be received by the
27 State's Attorney, who shall effect its destruction, except that
28 valuable parts thereof may be liquidated and the resultant
29 money shall be deposited in the general fund of the county
30 wherein such seizure occurred; money and other things of value
31 shall be received by the State's Attorney and, upon
32 liquidation, shall be deposited in the general fund of the
33 county wherein such seizure occurred. However, in the event
34 that a defendant raises the defense that the seized slot

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

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

24 (e) Any gambling device displayed for sale to a riverboat
25 gambling operation or a casino gambling operation or used to
26 train occupational licensees of a riverboat gambling operation
27 or a casino gambling operation as authorized under the
28 Riverboat and Casino Gambling Act, is exempt from seizure under
29 this Section.

30 (f) Any gambling equipment, devices and supplies provided
31 by a licensed supplier in accordance with the Riverboat and
32 Casino Gambling Act which are removed from a ~~the~~ riverboat,
33 casino, or electronic gaming facility for repair are exempt
34 from seizure under this Section.

1 (Source: P.A. 87-826.)

2 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

3 Sec. 28-7. Gambling contracts void.

4 (a) All promises, notes, bills, bonds, covenants,
5 contracts, agreements, judgments, mortgages, or other
6 securities or conveyances made, given, granted, drawn, or
7 entered into, or executed by any person whatsoever, where the
8 whole or any part of the consideration thereof is for any money
9 or thing of value, won or obtained in violation of any Section
10 of this Article are null and void.

11 (b) Any obligation void under this Section may be set aside
12 and vacated by any court of competent jurisdiction, upon a
13 complaint filed for that purpose, by the person so granting,
14 giving, entering into, or executing the same, or by his
15 executors or administrators, or by any creditor, heir, legatee,
16 purchaser or other person interested therein; or if a judgment,
17 the same may be set aside on motion of any person stated above,
18 on due notice thereof given.

19 (c) No assignment of any obligation void under this Section
20 may in any manner affect the defense of the person giving,
21 granting, drawing, entering into or executing such obligation,
22 or the remedies of any person interested therein.

23 (d) This Section shall not prevent a licensed owner of a
24 riverboat gambling operation or a casino gambling operation or
25 an electronic gaming licensee under the Riverboat and Casino
26 Gambling Act and the Illinois Horse Racing Act of 1975 from
27 instituting a cause of action to collect any amount due and
28 owing under an extension of credit to a ~~riverboat~~ gambling
29 patron as authorized under Section 11.1 of the Riverboat and
30 Casino Gambling Act.

31 (Source: P.A. 87-826.)

32 Section 945. The Travel Promotion Consumer Protection Act

1 is amended by changing Section 2 as follows:

2 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

3 Sec. 2. Definitions.

4 (a) "Travel promoter" means a person, including a tour
5 operator, who sells, provides, furnishes, contracts for,
6 arranges or advertises that he or she will arrange wholesale or
7 retail transportation by air, land, sea or navigable stream,
8 either separately or in conjunction with other services.
9 "Travel promoter" does not include (1) an air carrier; (2) a
10 sea carrier; (3) an officially appointed agent of an air
11 carrier who is a member in good standing of the Airline
12 Reporting Corporation; (4) a travel promoter who has in force
13 \$1,000,000 or more of liability insurance coverage for
14 professional errors and omissions and a surety bond or
15 equivalent surety in the amount of \$100,000 or more for the
16 benefit of consumers in the event of a bankruptcy on the part
17 of the travel promoter; or (5) a riverboat subject to
18 regulation under the Riverboat and Casino Gambling Act.

19 (b) "Advertise" means to make any representation in the
20 solicitation of passengers and includes communication with
21 other members of the same partnership, corporation, joint
22 venture, association, organization, group or other entity.

23 (c) "Passenger" means a person on whose behalf money or
24 other consideration has been given or is to be given to
25 another, including another member of the same partnership,
26 corporation, joint venture, association, organization, group
27 or other entity, for travel.

28 (d) "Ticket or voucher" means a writing or combination of
29 writings which is itself good and sufficient to obtain
30 transportation and other services for which the passenger has
31 contracted.

32 (Source: P.A. 91-357, eff. 7-29-99.)

1 Section 950. The State Finance Act is amended by adding
2 Sections 5.625, 5.626, 5.627, and 6z-62 as follows:

3 (30 ILCS 105/5.625 new)

4 Sec. 5.625. The Compulsive Gambling Prevention Fund.

5 (30 ILCS 105/5.626 new)

6 Sec. 5.626. The Illinois Community Services Block Grant
7 Fund.

8 (30 ILCS 105/5.627 new)

9 Sec. 5.627. The Racing Industry Workers' Fund.

10 (30 ILCS 105/6z-62 new)

11 Sec. 6z-62. Illinois Community Services Block Grant Fund.

12 There is hereby created in the State Treasury a special fund to
13 be known as the Illinois Community Services Block Grant Fund.
14 Moneys deposited into the Fund shall, subject to appropriation,
15 be used by the Department of Commerce and Economic Opportunity
16 as follows: 50% shall be distributed to programs that are
17 financed with federal Community Services Block Grant funds as
18 set forth under item (F) of subsection (1) of Section 605-400
19 of the Department of Commerce and Economic Opportunity Law of
20 the Civil Administrative Code of Illinois and 50% shall be used
21 for grants to community-based organizations to ameliorate
22 poverty and its attendant effects.

23 (230 ILCS 5/31.1 rep.)

24 (230 ILCS 5/54 rep.)

25 Section 995. The Illinois Horse Racing Act of 1975 is
26 amended by repealing Sections 31.1 and 54.

27 Section 997. Severability. The amendatory provisions of
28 this Act are severable under Section 1.31 of the Statute on

1 Statutes.

2 Section 999. Effective date. This Act takes effect upon
3 becoming law.".