

1 AN ACT in relation to gambling.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

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

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

7 Sec. 7. Owners Licenses.

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

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

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

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

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

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

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

1 under this Act;

2 (7) (blank); or

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

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

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

12 (A) controls, directly or indirectly, such
13 applicant, or

14 (B) is controlled, directly or indirectly, by
15 such applicant or by a person which controls,
16 directly or indirectly, such applicant;

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

19 (3) the highest prospective total revenue to be
20 derived by the State from the conduct of riverboat
21 gambling;

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

25 (5) the financial ability of the applicant to
26 purchase and maintain adequate liability and casualty
27 insurance;

28 (6) whether the applicant has adequate
29 capitalization to provide and maintain, for the duration
30 of a license, a riverboat; and

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

34 (c) Each owners license shall specify the place where

1 riverboats shall operate and dock.

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

4 (e) The Board may issue up to 10 licenses authorizing
5 the holders of such licenses to own riverboats. In the
6 application for an owners license, the applicant shall state
7 the dock at which the riverboat is based and the water on
8 which the riverboat will be located. The Board shall issue 5
9 licenses to become effective not earlier than January 1,
10 1991. Three of such licenses shall authorize riverboat
11 gambling on the Mississippi River or in a municipality that
12 (1) borders on the Mississippi River or is within 5 miles of
13 the city limits of a municipality that borders on the
14 Mississippi River and (2), on the effective date of this
15 amendatory Act of the 93rd General Assembly, has a riverboat
16 conducting riverboat gambling operations pursuant to a
17 license issued under this Act; one of which shall authorize
18 riverboat gambling from a home dock in the city of East St.
19 Louis, ~~and one of which shall authorize riverboat gambling on~~
20 ~~the Mississippi River or in a municipality that--(1)--borders~~
21 ~~on--the--Mississippi--River--or-is-within-5-miles-of-the-city~~
22 ~~limits-of-a-municipality--that--borders--on--the--Mississippi~~
23 ~~River-and-(2)-on-the-effective-date-of-this-amendatory-Act-of~~
24 ~~the---92nd---General--Assembly--has--a--riverboat--conducting~~
25 ~~riverboat-gambling-operations-pursuant-to--a--license--issued~~
26 ~~under--this--Act.~~ One other license shall authorize riverboat
27 gambling on the Illinois River south of Marshall County. The
28 Board shall issue one additional license to become effective
29 not earlier than March 1, 1992, which shall authorize
30 riverboat gambling on the Des Plaines River in Will County.
31 The Board may issue 4 additional licenses to become effective
32 not earlier than March 1, 1992. In determining the water
33 upon which riverboats will operate, the Board shall consider
34 the economic benefit which riverboat gambling confers on the

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

3 In granting all licenses, the Board may give favorable
4 consideration to economically depressed areas of the State,
5 to applicants presenting plans which provide for significant
6 economic development over a large geographic area, and to
7 applicants who currently operate non-gambling riverboats in
8 Illinois. The Board shall review all applications for owners
9 licenses, and shall inform each applicant of the Board's
10 decision.

11 The Board may revoke the owners license of a licensee
12 which fails to begin conducting gambling within 15 months of
13 receipt of the Board's approval of the application if the
14 Board determines that license revocation is in the best
15 interests of the State.

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

22 (g) Upon the termination, expiration, or revocation of
23 each of the first 10 licenses, which shall be issued for a 3
24 year period, all licenses are renewable annually upon payment
25 of the fee and a determination by the Board that the licensee
26 continues to meet all of the requirements of this Act and the
27 Board's rules. However, for licenses renewed on or after May
28 1, 1998, renewal shall be for a period of 4 years, unless the
29 Board sets a shorter period.

30 (h) An owners license shall entitle the licensee to own
31 up to 2 riverboats. A licensee shall limit the number of
32 gambling participants to 1,200 for any such owners license. A
33 licensee may operate both of its riverboats concurrently,
34 provided that the total number of gambling participants on

1 both riverboats does not exceed 1,200. Riverboats licensed to
2 operate on the Mississippi River and the Illinois River south
3 of Marshall County shall have an authorized capacity of at
4 least 500 persons. Any other riverboat licensed under this
5 Act shall have an authorized capacity of at least 400
6 persons.

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

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

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

29 Section 99. Effective date. This Act takes effect upon
30 becoming law.