



**93RD GENERAL ASSEMBLY**

**State of Illinois**

**2003 and 2004**

**HB4603**

Introduced 02/04/04, by Lou Lang

**SYNOPSIS AS INTRODUCED:**

20 ILCS 2505/2505-305	was 20 ILCS 2505/39b15.1
230 ILCS 10/5	from Ch. 120, par. 2405
230 ILCS 10/6	from Ch. 120, par. 2406
230 ILCS 10/8	from Ch. 120, par. 2408
230 ILCS 10/9	from Ch. 120, par. 2409
230 ILCS 10/11	from Ch. 120, par. 2411
230 ILCS 10/12	from Ch. 120, par. 2412
230 ILCS 10/13	from Ch. 120, par. 2413
230 ILCS 10/13.1	
230 ILCS 10/18	from Ch. 120, par. 2418

Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. Deletes the provision that limits the grant of peace officer powers to Department of Revenue investigators assigned to the Illinois Gaming Board to the enforcement of offenses or violations occurring or committed on a riverboat or on the dock of a riverboat licensed under the Riverboat Gambling Act. Amends the Riverboat Gambling Act. Makes changes concerning the powers of the Gaming Board. Provides that provisions concerning owners license applications are applicable to the transfer of ownership interests in an owners license. Provides that the Board may change the fee for a suppliers license to a graduated fee based on the amount of business transacted by the applicant in Illinois. Makes changes concerning the qualifications for an occupational license. Deletes provisions authorizing a person who is at least 18 years of age and who is an employee of a riverboat gambling operation to be present on a riverboat. Provides that persons may place themselves on a Self-Exclusion List. Provides that persons on the list shall not knowingly be permitted on a riverboat. Provides that any chips, tokens, or other wagering instruments found in the possession of a person on the list shall be donated to a problem gambling charitable organization. Provides that a person under 21 years of age who enters upon a riverboat commits a petty offense. Provides that, for the purpose of determining the amount of wagering taxes owed by a licensee, the licensee's annual adjusted gross receipts shall be reduced by an amount equal to the amount of certain charitable contributions made by the licensee. Makes other changes. Effective immediately.

LRB093 15180 LRD 40776 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

1 AN ACT concerning gambling.

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

4 Section 3. The Department of Revenue Law of the Civil  
5 Administrative Code of Illinois is amended by changing Section  
6 2505-305 as follows:

7 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)  
8 Sec. 2505-305. Investigators.

9 (a) The Department has the power to appoint investigators  
10 to conduct all investigations, searches, seizures, arrests,  
11 and other duties imposed under the provisions of any law  
12 administered by the Department or the Illinois Gaming Board.  
13 Except as provided in subsection (c), these investigators have  
14 and may exercise all the powers of peace officers solely for  
15 the purpose of enforcing taxing measures administered by the  
16 Department or the Illinois Gaming Board.

17 (b) The Director must authorize to each investigator  
18 employed under this Section and to any other employee of the  
19 Department exercising the powers of a peace officer a distinct  
20 badge that, on its face, (i) clearly states that the badge is  
21 authorized by the Department and (ii) contains a unique  
22 identifying number. No other badge shall be authorized by the  
23 Department.

24 (c) Investigators appointed under this Section who are  
25 assigned to the Illinois Gaming Board have and may exercise all  
26 the rights and powers of peace officers. ~~7 provided that these~~  
27 ~~powers shall be limited to offenses or violations occurring or~~  
28 ~~committed on a riverboat or dock, as defined in subsections (d)~~  
29 ~~and (f) of Section 4 of the Riverboat Gambling Act.~~

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

1 Section 5. The Riverboat Gambling Act is amended by  
2 changing Sections 5, 6, 8, 9, 11, 12, 13, 13.1, and 18 as  
3 follows:

4 (230 ILCS 10/5) (from Ch. 120, par. 2405)

5 Sec. 5. Gaming Board.

6 (a) (1) There is hereby established within the Department  
7 of Revenue an Illinois Gaming Board which shall have the powers  
8 and duties specified in this Act, and all other powers  
9 necessary and proper to fully and effectively execute this Act  
10 for the purpose of administering, regulating, and enforcing the  
11 system of riverboat gambling established by this Act. Its  
12 jurisdiction shall extend under this Act to every person,  
13 association, corporation, partnership and trust involved in  
14 riverboat gambling operations in the 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 chairman. Each  
18 member shall have a reasonable knowledge of the practice,  
19 procedure and principles of gambling operations. Each member  
20 shall either be a resident of Illinois or shall certify that he  
21 will become a resident of Illinois before taking office. At  
22 least one member shall be experienced in law enforcement and  
23 criminal investigation, at least one member shall be a  
24 certified public accountant experienced in accounting and  
25 auditing, and at least one member shall be a lawyer licensed to  
26 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  
34 term for 3 years and until their successors are appointed and  
35 qualified for like terms. Vacancies in the Board shall be

1 filled for the unexpired term in like manner as original  
2 appointments. Each member of the Board shall be eligible for  
3 reappointment at the discretion of the Governor with the advice  
4 and consent of the Senate.

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

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

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

26 (7) Before entering upon the discharge of the duties of his  
27 office, each member of the Board shall take an oath that he  
28 will faithfully execute the duties of his office according to  
29 the laws of the State and the rules and regulations adopted  
30 therewith and shall give bond to the State of Illinois,  
31 approved by the Governor, in the sum of \$25,000. Every such  
32 bond, when duly executed and approved, shall be recorded in the  
33 office of the Secretary of State. Whenever the Governor  
34 determines that the bond of any member of the Board has become  
35 or is likely to become invalid or insufficient, he shall  
36 require such member forthwith to renew his bond, which is to be

1 approved by the Governor. Any member of the Board who fails to  
2 take oath and give bond within 30 days from the date of his  
3 appointment, or who fails to renew his bond within 30 days  
4 after it is demanded by the Governor, shall be guilty of  
5 neglect of duty and may be removed by the Governor. The cost of  
6 any bond given by any member of the Board under this Section  
7 shall be taken to be a part of the necessary expenses of the  
8 Board.

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

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

29 (b) The Board shall have general responsibility for the  
30 implementation of this Act. Its duties include, without  
31 limitation, the following:

32 (1) To decide promptly and in reasonable order all  
33 license applications. Any party aggrieved by an action of  
34 the Board denying, suspending, revoking, restricting or  
35 refusing to renew a license may request a hearing before  
36 the Board. A request for a hearing must be made to the

1 Board in writing within 5 days after service of notice of  
2 the action of the Board. Notice of the action of the Board  
3 shall be served either by personal delivery or by certified  
4 mail, postage prepaid, to the aggrieved party. Notice  
5 served by certified mail shall be deemed complete on the  
6 business day following the date of such mailing. The Board  
7 shall conduct all requested hearings promptly and in  
8 reasonable order;

9 (2) To conduct all hearings pertaining to civil  
10 violations of this Act or rules and regulations promulgated  
11 hereunder;

12 (3) To promulgate such rules and regulations as in its  
13 judgment may be necessary to protect or enhance the  
14 credibility and integrity of gambling operations  
15 authorized by this Act and the regulatory process  
16 hereunder;

17 (4) To provide for the establishment and collection of  
18 all license and registration fees and taxes imposed by this  
19 Act and the rules and regulations issued pursuant hereto.  
20 All such fees and taxes shall be deposited into the State  
21 Gaming Fund;

22 (5) To provide for the levy and collection of penalties  
23 and fines for the violation of provisions of this Act and  
24 the rules and regulations promulgated hereunder. All such  
25 fines and penalties shall be deposited into the Education  
26 Assistance Fund, created by Public Act 86-0018, of the  
27 State of Illinois;

28 (6) To be present through its inspectors and agents any  
29 time gambling operations are conducted on any riverboat for  
30 the purpose of certifying the revenue thereof, receiving  
31 complaints from the public, and conducting such other  
32 investigations into the conduct of the gambling games and  
33 the maintenance of the equipment as from time to time the  
34 Board may deem necessary and proper;

35 (7) To review and rule upon any complaint by a licensee  
36 regarding any investigative procedures of the State which

1 are unnecessarily disruptive of gambling operations. The  
2 need to inspect and investigate shall be presumed at all  
3 times. The disruption of a licensee's operations shall be  
4 proved by clear and convincing evidence, and establish  
5 that: (A) the procedures had no reasonable law enforcement  
6 purposes, and (B) the procedures were so disruptive as to  
7 unreasonably inhibit gambling operations;

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

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

35 (10) To file a written annual report with the Governor  
36 on or before March 1 each year and such additional reports

1 as the Governor may request. The annual report shall  
2 include a statement of receipts and disbursements by the  
3 Board, actions taken by the Board, and any additional  
4 information and recommendations which the Board may deem  
5 valuable or which the Governor may request;

6 (11) (Blank); and

7 (12) To assume responsibility for the administration  
8 and enforcement of the Bingo License and Tax Act, the  
9 Charitable Games Act, and the Pull Tabs and Jar Games Act  
10 if such responsibility is delegated to it by the Director  
11 of Revenue.

12 (c) The Board shall have jurisdiction over and shall  
13 supervise all gambling operations governed by this Act. The  
14 Board shall have all powers necessary and proper to fully and  
15 effectively execute the provisions of this Act, including, but  
16 not limited to, the following:

17 (1) To investigate applicants and determine the  
18 eligibility of applicants for licenses and to select among  
19 competing applicants the applicants which best serve the  
20 interests of the citizens of Illinois.

21 (2) To have jurisdiction and supervision over all  
22 riverboat gambling operations in this State and all persons  
23 on riverboats where gambling operations are conducted.

24 (3) To promulgate rules and regulations for the purpose  
25 of administering the provisions of this Act and to  
26 prescribe rules, regulations and conditions under which  
27 all riverboat gambling in the State shall be conducted.  
28 Such rules and regulations are to provide for the  
29 prevention of practices detrimental to the public interest  
30 and for the best interests of riverboat gambling, including  
31 rules and regulations regarding the inspection of such  
32 riverboats and the review of any permits or licenses  
33 necessary to operate a riverboat under any laws or  
34 regulations applicable to riverboats, and to impose  
35 penalties for violations thereof.

36 (4) To enter the office, riverboats, facilities, or



1 other places of business of a licensee, where evidence of  
2 the compliance or noncompliance with the provisions of this  
3 Act is likely to be found.

4 (5) To investigate alleged violations of this Act or  
5 the rules of the Board and to take appropriate disciplinary  
6 action against a licensee or a holder of an occupational  
7 license for a violation, or institute appropriate legal  
8 action for enforcement, or both.

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

12 (7) To adopt appropriate standards for all riverboats  
13 and facilities.

14 (8) To require that the records, including financial or  
15 other statements of any licensee under this Act, shall be  
16 kept in such manner as prescribed by the Board and that any  
17 such licensee involved in the ownership or management of  
18 gambling operations submit to the Board an annual balance  
19 sheet and profit and loss statement, list of the  
20 stockholders or other persons having a 1% or greater  
21 beneficial interest in the gambling activities of each  
22 licensee, and any other information the Board deems  
23 necessary in order to effectively administer this Act and  
24 all rules, regulations, orders and final decisions  
25 promulgated under this Act.

26 (8.1) To determine which entities and persons are  
27 subject to Board approval for involvement in the ownership  
28 or operations of riverboat gambling in Illinois and to  
29 approve the participation of such entities and persons,  
30 including approvals related to parent and subsidiary  
31 entities.

32 (9) To conduct hearings, issue subpoenas for the  
33 attendance of witnesses and subpoenas duces tecum for the  
34 production of books, records and other pertinent documents  
35 in accordance with the Illinois Administrative Procedure  
36 Act, and to administer oaths and affirmations to the

1 witnesses, when, in the judgment of the Board, it is  
2 necessary to administer or enforce this Act or the Board  
3 rules.

4 (10) To prescribe a form to be used by any licensee  
5 involved in the ownership or management of gambling  
6 operations as an application for employment for their  
7 employees.

8 (11) To revoke or suspend licenses, as the Board may  
9 see fit and in compliance with applicable laws of the State  
10 regarding administrative procedures, and to review  
11 applications for the renewal of licenses. The Board may  
12 suspend an owners license, without notice or hearing upon a  
13 determination that the safety or health of patrons or  
14 employees is jeopardized by continuing a riverboat's  
15 operation. The suspension may remain in effect until the  
16 Board determines that the cause for suspension has been  
17 abated. The Board may revoke the owners license upon a  
18 determination that the owner has not made satisfactory  
19 progress toward abating the hazard.

20 (12) To eject or exclude or authorize the ejection or  
21 exclusion of, any person from riverboat gambling  
22 facilities where such person is in violation of this Act,  
23 rules and regulations thereunder, or final orders of the  
24 Board, or where such person's conduct or reputation is such  
25 that his presence within the riverboat gambling facilities  
26 may, in the opinion of the Board, call into question the  
27 honesty and integrity of the gambling operations or  
28 interfere with orderly conduct thereof; provided that the  
29 propriety of such ejection or exclusion is subject to  
30 subsequent hearing by the Board.

31 (13) To require all licensees of gambling operations to  
32 utilize a cashless wagering system whereby all players'  
33 money is converted to tokens, electronic cards, or chips  
34 which shall be used only for wagering in the gambling  
35 establishment.

36 (14) (Blank).

1           (15) To suspend, revoke or restrict licenses, to  
2           require the removal of a licensee or an employee, officer,  
3           director, or shareholder of a licensee, or to require the  
4           termination of a business relationship for a violation of  
5           this Act or a Board rule or for engaging in a fraudulent  
6           practice, and to impose civil penalties of up to \$5,000  
7           against individuals and up to \$10,000 or an amount equal to  
8           the daily gross receipts, whichever is larger, against  
9           licensees for each violation of any provision of the Act,  
10          any rules adopted by the Board, any order of the Board or  
11          any other action which, in the Board's discretion, is a  
12          detriment or impediment to riverboat gambling operations.

13          (16) To hire employees to gather information, conduct  
14          investigations and carry out any other tasks contemplated  
15          under this Act.

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

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

33          (19) After consultation with the U.S. Army Corps of  
34          Engineers, to establish binding emergency orders upon the  
35          concurrence of a majority of the members of the Board  
36          regarding the navigability of water, relative to

1 excursions, in the event of extreme weather conditions,  
2 acts of God or other extreme circumstances.

3 (19.2) To petition the circuit court of Sangamon County  
4 for appointment of a receiver for a riverboat gambling  
5 operation if either of the following conditions exist: (i)  
6 the Board has suspended, revoked, or refused to renew the  
7 license of the owner or (ii) the riverboat gambling  
8 operation is closing and the licensed owner is voluntarily  
9 surrendering its owners license. A receiver appointed by  
10 the court shall be an individual or entity selected from  
11 among up to 3 nominees submitted to the court by the Board.  
12 A copy of the petition and notice of a hearing, which must  
13 be held within 5 days of the filing of the petition, shall  
14 be served on the holder of the owners license as provided  
15 under the Civil Practice Law. The Board shall determine the  
16 amount of reasonable compensation, fees, and expenses to be  
17 assessed and retained by the receiver, which shall be paid  
18 from the adjusted gross receipts of the riverboat gambling  
19 operation, after the payment of wagering and admission  
20 taxes, for the services, costs, and expenses of the  
21 receiver and any other persons whom the receiver may engage  
22 to assist him or her in performing his or her duties. The  
23 compensation, fees, and expenses authorized by the Board  
24 shall have the same priority as the payment and collection  
25 of taxes and fees to the State required under this Act. The  
26 powers and duties of the receiver shall be requested in the  
27 petition and determined by the court, but in no event shall  
28 the duration of the receivership exceed one year.

29 (19.3) To administer and enforce a self-exclusion  
30 program for problem gamblers.

31 (20) To delegate the execution of any of its powers  
32 under this Act for the purpose of administering and  
33 enforcing this Act and its rules and regulations hereunder.

34 (21) To take any other action as may be reasonable or  
35 appropriate to enforce this Act and rules and regulations  
36 hereunder.

1 (d) The Board may seek and shall receive the cooperation of  
2 the Department of State Police in conducting background  
3 investigations of applicants and in fulfilling its  
4 responsibilities under this Section. Costs incurred by the  
5 Department of State Police as a result of such cooperation  
6 shall be paid by the Board in conformance with the requirements  
7 of Section 2605-400 of the Department of State Police Law (20  
8 ILCS 2605/2605-400).

9 (e) The Board must authorize to each investigator and to  
10 any other employee of the Board exercising the powers of a  
11 peace officer a distinct badge that, on its face, (i) clearly  
12 states that the badge is authorized by the Board and (ii)  
13 contains a unique identifying number. No other badge shall be  
14 authorized by the Board.

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

17 (230 ILCS 10/6) (from Ch. 120, par. 2406)

18 Sec. 6. Application for Owners License.

19 (a) A qualified person may apply to the Board for an owners  
20 license to conduct a riverboat gambling operation as provided  
21 in this Act. The application shall be made on forms provided by  
22 the Board and shall contain such information as the Board  
23 prescribes, including but not limited to the identity of the  
24 riverboat on which such gambling operation is to be conducted  
25 and the exact location where such riverboat will be docked, a  
26 certification that the riverboat will be registered under this  
27 Act at all times during which gambling operations are conducted  
28 on board, detailed information regarding the ownership and  
29 management of the applicant, and detailed personal information  
30 regarding the applicant. Any application for an owners license  
31 to be re-issued on or after June 1, 2003 shall also include the  
32 applicant's license bid in a form prescribed by the Board.  
33 Information provided on the application shall be used as a  
34 basis for a thorough background investigation which the Board  
35 shall conduct with respect to each applicant. An incomplete

1 application shall be cause for denial of a license by the  
2 Board.

3 (b) Applicants shall submit with their application all  
4 documents, resolutions, and letters of support from the  
5 governing body that represents the municipality or county  
6 wherein the licensee will dock.

7 (c) Each applicant shall disclose the identity of every  
8 person, association, trust or corporation having a greater than  
9 1% direct or indirect pecuniary interest in the riverboat  
10 gambling operation with respect to which the license is sought.  
11 If the disclosed entity is a trust, the application shall  
12 disclose the names and addresses of the beneficiaries; if a  
13 corporation, the names and addresses of all stockholders and  
14 directors; if a partnership, the names and addresses of all  
15 partners, both general and limited.

16 (d) An application shall be filed and considered pursuant  
17 to the rules of ~~with~~ the Board ~~by January 1 of the year~~  
18 ~~preceding any calendar year for which an applicant seeks an~~  
19 ~~owners license; however, applications for an owners license~~  
20 ~~permitting operations on January 1, 1991 shall be filed by July~~  
21 ~~1, 1990~~. An application fee of \$50,000 shall be paid at the  
22 time of filing to defray the costs associated with the  
23 background investigation conducted by the Board. If the costs  
24 of the investigation exceed \$50,000, the applicant shall pay  
25 the additional amount to the Board. If the costs of the  
26 investigation are less than \$50,000, the applicant shall  
27 receive a refund of the remaining amount. All information,  
28 records, interviews, reports, statements, memoranda or other  
29 data supplied to or used by the Board in the course of its  
30 review or investigation of an application for a license under  
31 this Act shall be privileged, strictly confidential and shall  
32 be used only for the purpose of evaluating an applicant. Such  
33 information, records, interviews, reports, statements,  
34 memoranda or other data shall not be admissible as evidence,  
35 nor discoverable in any action of any kind in any court or  
36 before any tribunal, board, agency or person, except for any

1 action deemed necessary by the Board.

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

7 (f) The licensed owner shall be the person primarily  
8 responsible for the boat itself. Only one riverboat gambling  
9 operation may be authorized by the Board on any riverboat. The  
10 applicant must identify each riverboat it intends to use and  
11 certify that the riverboat: (1) has the authorized capacity  
12 required in this Act; (2) is accessible to disabled persons;  
13 and (3) is fully registered and licensed in accordance with any  
14 applicable laws.

15 (f-5) The requirements of this Section apply to the  
16 issuance of any owners license under this Act and, pursuant to  
17 the rules of the Board, to the transfer of ownership interests  
18 in an owners license.

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

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

22 (230 ILCS 10/8) (from Ch. 120, par. 2408)

23 Sec. 8. Suppliers licenses.

24 (a) The Board may issue a suppliers license to such  
25 persons, firms or corporations which apply therefor upon the  
26 payment of a non-refundable application fee set by the Board,  
27 upon a determination by the Board that the applicant is  
28 eligible for a suppliers license and upon payment of a \$5,000  
29 annual license fee. The Board may provide by rule for the  
30 annual suppliers license fee to be graduated on the basis of  
31 the amount of business transacted in Illinois by the supplier,  
32 but in no case may such graduated fees exceed \$5,000 per year.

33 (b) The holder of a suppliers license is authorized to sell  
34 or lease, and to contract to sell or lease, gambling equipment  
35 and supplies to any licensee involved in the ownership or

1 management of gambling operations.

2 (c) Gambling supplies and equipment may not be distributed  
3 unless supplies and equipment conform to standards adopted by  
4 rules of the Board.

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

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

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

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

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

15 (5) the firm or corporation is one in which a person  
16 defined in (1), (2), (3) or (4), is an officer, director or  
17 managerial employee;

18 (6) the firm or corporation employs a person who  
19 participates in the management or operation of riverboat  
20 gambling authorized under this Act;

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

25 (e) Any person that supplies any equipment, devices, or  
26 supplies to a licensed riverboat gambling operation must first  
27 obtain a suppliers license. A supplier shall furnish to the  
28 Board a list of all equipment, devices and supplies offered for  
29 sale or lease in connection with gambling games authorized  
30 under this Act. A supplier shall keep books and records for the  
31 furnishing of equipment, devices and supplies to gambling  
32 operations separate and distinct from any other business that  
33 the supplier might operate. A supplier shall file a quarterly  
34 return with the Board listing all sales and leases. A supplier  
35 shall permanently affix its name to all its equipment, devices,  
36 and supplies for gambling operations. Any supplier's



1 equipment, devices or supplies which are used by any person in  
2 an unauthorized gambling operation shall be forfeited to the  
3 State. A licensed owner may own its own equipment, devices and  
4 supplies. Each holder of an owners license under the Act shall  
5 file an annual report listing its inventories of gambling  
6 equipment, devices and supplies.

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

9 (g) Any gambling equipment, devices and supplies provided  
10 by any licensed supplier may either be repaired on the  
11 riverboat or removed from the riverboat to an on-shore facility  
12 owned by the holder of an owners license for repair.

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

14 (230 ILCS 10/9) (from Ch. 120, par. 2409)

15 Sec. 9. Occupational licenses.

16 (a) The Board may issue an occupational license to an  
17 applicant upon the payment of a non-refundable fee set by the  
18 Board, upon a determination by the Board that the applicant is  
19 eligible for an occupational license and upon payment of an  
20 annual license fee in an amount to be established. To be  
21 eligible for an occupational license, an applicant must:

22 (1) be at least 21 years of age if the applicant will  
23 perform any function involved in gaming by patrons. Any  
24 applicant seeking an occupational license for a non-gaming  
25 function shall be at least 18 years of age;

26 (2) not have been convicted of a felony offense or ~~or~~ a  
27 violation of Article 28 of the Criminal Code of 1961, or a  
28 similar statute of any other jurisdiction, ~~or a crime~~  
29 ~~involving dishonesty or moral turpitude;~~

30 (2.1) not have been convicted of a crime involving  
31 dishonesty or moral turpitude of such a type as to, in the  
32 sole discretion of the Board, negatively impact public  
33 confidence and trust in the credibility and integrity of  
34 riverboat gaming operations and the regulatory process;

35 (3) have demonstrated a level of skill or knowledge

1 which the Board determines to be necessary in order to  
2 operate gambling aboard a riverboat; and

3 (4) have met standards for the holding of an  
4 occupational license as adopted by rules of the Board. Such  
5 rules shall provide that any person or entity seeking an  
6 occupational license to manage gambling operations  
7 hereunder shall be subject to background inquiries and  
8 further requirements similar to those required of  
9 applicants for an owners license. Furthermore, such rules  
10 shall provide that each such entity shall be permitted to  
11 manage gambling operations for only one licensed owner.

12 (b) Each application for an occupational license shall be  
13 on forms prescribed by the Board and shall contain all  
14 information required by the Board. The applicant shall set  
15 forth in the application: whether he has been issued prior  
16 gambling related licenses; whether he has been licensed in any  
17 other state under any other name, and, if so, such name and his  
18 age; and whether or not a permit or license issued to him in  
19 any other state has been suspended, restricted or revoked, and,  
20 if so, for what period of time.

21 (c) Each applicant shall submit with his application, on  
22 forms provided by the Board, 2 sets of his fingerprints. The  
23 Board shall charge each applicant a fee set by the Department  
24 of State Police to defray the costs associated with the search  
25 and classification of fingerprints obtained by the Board with  
26 respect to the applicant's application. These fees shall be  
27 paid into the State Police Services Fund.

28 (d) The Board may in its discretion refuse an occupational  
29 license to any person: (1) who is unqualified to perform the  
30 duties required of such applicant; (2) who fails to disclose or  
31 states falsely any information called for in the application;  
32 (3) who has been found guilty of a violation of this Act or  
33 whose prior gambling related license or application therefor  
34 has been suspended, restricted, revoked or denied for just  
35 cause in any other state; or (4) for any other just cause.

36 (e) The Board may suspend, revoke or restrict any

1 occupational licensee: (1) for violation of any provision of  
2 this Act; (2) for violation of any of the rules and regulations  
3 of the Board; (3) for any cause which, if known to the Board,  
4 would have disqualified the applicant from receiving such  
5 license; or (4) for default in the payment of any obligation or  
6 debt due to the State of Illinois; or (5) for any other just  
7 cause.

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

10 (g) Any license issued pursuant to this Section shall be  
11 valid for a period of one year from the date of issuance.

12 (h) Nothing in this Act shall be interpreted to prohibit a  
13 licensed owner from entering into an agreement with a public  
14 community college or a school approved under the Private  
15 Business and Vocational Schools Act for the training of any  
16 occupational licensee. Any training offered by such a school  
17 shall be in accordance with a written agreement between the  
18 licensed owner and the school.

19 (i) Any training provided for occupational licensees may be  
20 conducted either on the riverboat or at a school with which a  
21 licensed owner has entered into an agreement pursuant to  
22 subsection (h).

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

24 (230 ILCS 10/11) (from Ch. 120, par. 2411)

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

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

33 (2) (Blank).

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

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

7 (5) Employees of the Board shall have the right to be  
8 present on the riverboat or on adjacent facilities under  
9 the control of the licensee.

10 (6) Gambling equipment and supplies customarily used  
11 in conducting riverboat gambling must be purchased or  
12 leased only from suppliers licensed for such purpose under  
13 this Act, except that the Board may approve the sale or  
14 lease of gambling equipment and supplies by a licensed  
15 owner. A licensed owner may bring gambling equipment and  
16 supplies that it has legally acquired into this State for  
17 use in Illinois, subject to approval of the Board.

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

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

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

27 (10) A person under age 21 shall not be permitted in  
28 any area of a riverboat in which gambling is conducted ~~on~~  
29 ~~an area of a riverboat where gambling is being conducted,~~  
30 ~~except for a person at least 18 years of age who is an~~  
31 ~~employee of the riverboat gambling operation.~~ No employee  
32 under age 21 shall perform any function involved in  
33 gambling by the patrons. No person under age 21 shall be  
34 permitted to make a wager under this Act, and any winnings  
35 that are the result of such an illegal wager by a person  
36 under age 21, whether or not paid by the riverboat gaming

1 operation, shall be (i) treated as winnings for wagering  
2 tax purposes, (ii) confiscated, and (iii) forfeited to the  
3 State and deposited in the Education Assistance Fund.

4 (10.1) A person placed on the Self-Exclusion List shall  
5 not knowingly be permitted in any area of a riverboat in  
6 which gambling is conducted nor knowingly be permitted to  
7 make a wager. Any chips, tokens, or other wagering  
8 instruments discovered in his or her possession and all  
9 winnings, whether or not paid by the riverboat gambling  
10 operation to the person, shall be donated to the Department  
11 of Human Services-approved problem gambling charitable  
12 organization that was designated by the person at the time  
13 of his or her application for participation in the  
14 Self-Exclusion Program under subsection (c) of Section  
15 13.1.

16 (11) Gambling excursion cruises shall be conducted  
17 pursuant to Section 11.3 ~~are permitted only when the~~  
18 ~~waterway for which the riverboat is licensed is navigable,~~  
19 ~~as determined by the Board in consultation with the U.S.~~  
20 ~~Army Corps of Engineers.~~ This paragraph (11) does not limit  
21 the ability of a licensee to conduct gambling authorized  
22 under this Act when gambling excursion cruises are not  
23 permitted.

24 (12) All tokens, chips or electronic cards used to make  
25 wagers must be purchased from a licensed owner or manager  
26 either aboard a riverboat or at an onshore facility which  
27 has been approved by the Board and which is located where  
28 the riverboat docks. The tokens, chips or electronic cards  
29 may be purchased by means of an agreement under which the  
30 owner or manager extends credit to the patron. Such tokens,  
31 chips or electronic cards may be used while aboard the  
32 riverboat only for the purpose of making wagers on gambling  
33 games.

34 (13) Notwithstanding any other Section of this Act, in  
35 addition to the other licenses authorized under this Act,  
36 the Board may issue special event licenses allowing persons

1 who are not otherwise licensed to conduct riverboat  
2 gambling to conduct such gambling on a specified date or  
3 series of dates. Riverboat gambling under such a license  
4 may take place on a riverboat not normally used for  
5 riverboat gambling. The Board shall establish standards,  
6 fees and fines for, and limitations upon, such licenses,  
7 which may differ from the standards, fees, fines and  
8 limitations otherwise applicable under this Act. All such  
9 fees shall be deposited into the State Gaming Fund. All  
10 such fines shall be deposited into the Education Assistance  
11 Fund, created by Public Act 86-0018, of the State of  
12 Illinois.

13 (13.1) The Board shall establish all requirements for  
14 the times and conditions under which a licensed owner may  
15 conduct gaming. The Board shall limit the length of time  
16 for gambling excursions and the conditions under which  
17 gambling may be conducted while passenger ingress and  
18 egress is in progress.

19 (13.2) The Board shall ensure that each riverboat  
20 licensed under this Act operates as is reasonable and  
21 practicable given concerns for riverboat and passenger  
22 safety. As necessary, the Board shall consult with the U.S.  
23 Coast Guard and the U.S. Army Corps of Engineers.

24 (14) In addition to the above, gambling must be  
25 conducted in accordance with all rules adopted by the  
26 Board.

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

28 (230 ILCS 10/12) (from Ch. 120, par. 2412)

29 Sec. 12. Admission tax; fees.

30 (a) A tax is hereby imposed upon admissions to riverboats  
31 operated by licensed owners authorized pursuant to this Act.  
32 Until July 1, 2002, the rate is \$2 per person admitted. From  
33 July 1, 2002 ~~and~~ until July 1, 2003, the rate is \$3 per person  
34 admitted. Beginning July 1, 2003, for a licensee that admitted  
35 1,000,000 persons or fewer in the previous calendar year, the

1 rate is \$3 per person admitted; for a licensee that admitted  
2 more than 1,000,000 but no more than 2,300,000 persons in the  
3 previous calendar year, the rate is \$4 per person admitted; and  
4 for a licensee that admitted more than 2,300,000 persons in the  
5 previous calendar year, the rate is \$5 per person admitted.  
6 ~~Beginning July 1, 2003, for a licensee that admitted 2,300,000~~  
7 ~~persons or fewer in the previous calendar year, the rate is \$4~~  
8 ~~per person admitted and for a licensee that admitted more than~~  
9 ~~2,300,000 persons in the previous calendar year, the rate is \$5~~  
10 ~~per person admitted.~~ This admission tax is imposed upon the  
11 licensed owner of the riverboat ~~conducting~~ gambling operation.

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

13 (2) (Blank).

14 (3) The riverboat licensee may issue tax-free passes to  
15 actual and necessary officials and employees of the  
16 licensee or other persons actually working on the  
17 riverboat.

18 (4) The number and issuance of tax-free passes is  
19 subject to the rules of the Board, and a list of all  
20 persons to whom the tax-free passes are issued shall be  
21 filed with the Board.

22 (a-5) A fee is hereby imposed upon admissions operated by  
23 licensed managers on behalf of the State pursuant to Section  
24 7.3 at the rates provided in this subsection (a-5). For a  
25 licensee that admitted 1,000,000 persons or fewer in the  
26 previous calendar year, the rate is \$3 per person admitted; for  
27 a licensee that admitted more than 1,000,000 but no more than  
28 2,300,000 persons in the previous calendar year, the rate is \$4  
29 per person admitted; and for a licensee that admitted more than  
30 2,300,000 persons in the previous calendar year, the rate is \$5  
31 per person admitted.

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

33 (2) (Blank).

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

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

5           (b) From the tax imposed under subsection (a) and the fee  
6           imposed under subsection (a-5), a municipality shall receive  
7           from the State \$1 for each person embarking on a riverboat  
8           docked within the municipality, and a county shall receive \$1  
9           for each person embarking on a riverboat docked within the  
10          county but outside the boundaries of any municipality. The  
11          municipality's or county's share shall be collected by the  
12          Board on behalf of the State and remitted quarterly by the  
13          State, subject to appropriation, to the treasurer of the unit  
14          of local government for deposit in the general fund.

15          (c) The licensed owner shall pay the entire admission tax  
16          to the Board and the licensed manager shall pay the entire  
17          admission fee to the Board. Such payments shall be made daily.  
18          Accompanying each payment shall be a return on forms provided  
19          by the Board which shall include other information regarding  
20          admissions as the Board may require. Failure to submit either  
21          the payment or the return within the specified time may result  
22          in suspension or revocation of the owners or managers license.

23          (d) The Board shall administer and collect the admission  
24          tax imposed by this Section, to the extent practicable, in a  
25          manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
26          5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the  
27          Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
28          Penalty and Interest Act.

29          (Source: P.A. 92-595, eff. 6-28-02; 93-27, eff. 6-20-03; 93-28,  
30          eff. 6-20-03; revised 8-1-03.)

31                 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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



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

6 15% of annual adjusted gross receipts up to and  
7 including \$25,000,000;

8 20% of annual adjusted gross receipts in excess of  
9 \$25,000,000 but not exceeding \$50,000,000;

10 25% of annual adjusted gross receipts in excess of  
11 \$50,000,000 but not exceeding \$75,000,000;

12 30% of annual adjusted gross receipts in excess of  
13 \$75,000,000 but not exceeding \$100,000,000;

14 35% of annual adjusted gross receipts in excess of  
15 \$100,000,000.

16 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax  
17 is imposed on persons engaged in the business of conducting  
18 riverboat gambling operations, other than licensed managers  
19 conducting riverboat gambling operations on behalf of the  
20 State, based on the adjusted gross receipts received by a  
21 licensed owner from gambling games authorized under this Act at  
22 the following rates:

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

25 22.5% of annual adjusted gross receipts in excess of  
26 \$25,000,000 but not exceeding \$50,000,000;

27 27.5% of annual adjusted gross receipts in excess of  
28 \$50,000,000 but not exceeding \$75,000,000;

29 32.5% of annual adjusted gross receipts in excess of  
30 \$75,000,000 but not exceeding \$100,000,000;

31 37.5% of annual adjusted gross receipts in excess of  
32 \$100,000,000 but not exceeding \$150,000,000;

33 45% of annual adjusted gross receipts in excess of  
34 \$150,000,000 but not exceeding \$200,000,000;

35 50% of annual adjusted gross receipts in excess of  
36 \$200,000,000.

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

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

10 27.5% of annual adjusted gross receipts in excess of  
11 \$25,000,000 but not exceeding \$37,500,000;

12 32.5% of annual adjusted gross receipts in excess of  
13 \$37,500,000 but not exceeding \$50,000,000;

14 37.5% of annual adjusted gross receipts in excess of  
15 \$50,000,000 but not exceeding \$75,000,000;

16 45% of annual adjusted gross receipts in excess of  
17 \$75,000,000 but not exceeding \$100,000,000;

18 50% of annual adjusted gross receipts in excess of  
19 \$100,000,000 but not exceeding \$250,000,000;

20 70% of annual adjusted gross receipts in excess of  
21 \$250,000,000.

22 For the purpose of calculating the privilege tax under this  
23 subsection (a-3), the annual adjusted gross receipts of an  
24 owners licensee for any year shall be reduced by an amount  
25 equal to the amount of any payment made by the owners licensee  
26 in that year to (i) an Illinois not-for-profit organization,  
27 pursuant to an agreement, funded solely by a licensed owner for  
28 the primary benefit of educational, economic development, or  
29 environmental programs within this State or (ii) a county  
30 government, pursuant to an agreement between a licensed owner  
31 and a county government. In no event shall a reduction in the  
32 wagering tax imposed under this Section reduce the taxes owed  
33 by a licensee under this Section to less than zero.

34 An amount equal to the amount of wagering taxes collected  
35 under this subsection (a-3) that are in addition to the amount  
36 of wagering taxes that would have been collected if the

1 wagering tax rates under subsection (a-2) were in effect shall  
2 be paid into the Common School Fund.

3 The privilege tax imposed under this subsection (a-3) shall  
4 no longer be imposed beginning on the earlier of (i) July 1,  
5 2005; (ii) the first date after June 20, 2003 ~~the effective~~  
6 ~~date of this amendatory Act of the 93rd General Assembly~~ that  
7 riverboat gambling operations are conducted pursuant to a  
8 dormant license; or (iii) the first day that riverboat gambling  
9 operations are conducted under the authority of an owners  
10 license that is in addition to the 10 owners licenses initially  
11 authorized under this Act. For the purposes of this subsection  
12 (a-3), the term "dormant license" means an owners license that  
13 is authorized by this Act under which no riverboat gambling  
14 operations are being conducted on June 20, 2003 ~~the effective~~  
15 ~~date of this amendatory Act of the 93rd General Assembly~~.

16 (a-4) Beginning on the first day on which the tax imposed  
17 under subsection (a-3) is no longer imposed, a privilege tax is  
18 imposed on persons engaged in the business of conducting  
19 riverboat gambling operations, other than licensed managers  
20 conducting riverboat gambling operations on behalf of the  
21 State, based on the adjusted gross receipts received by a  
22 licensed owner from gambling games authorized under this Act at  
23 the following rates:

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

26 22.5% of annual adjusted gross receipts in excess of  
27 \$25,000,000 but not exceeding \$50,000,000;

28 27.5% of annual adjusted gross receipts in excess of  
29 \$50,000,000 but not exceeding \$75,000,000;

30 32.5% of annual adjusted gross receipts in excess of  
31 \$75,000,000 but not exceeding \$100,000,000;

32 37.5% of annual adjusted gross receipts in excess of  
33 \$100,000,000 but not exceeding \$150,000,000;

34 45% of annual adjusted gross receipts in excess of  
35 \$150,000,000 but not exceeding \$200,000,000;

36 50% of annual adjusted gross receipts in excess of

1           \$200,000,000.

2           For the purpose of calculating the privilege tax under this  
3 subsection (a-4), the annual adjusted gross receipts of an  
4 owners licensee for any year shall be reduced by an amount  
5 equal to the amount of any payment made by the owners licensee  
6 in that year to (i) an Illinois not-for-profit organization,  
7 pursuant to an agreement, funded solely by a licensed owner for  
8 the primary benefit of educational, economic development, or  
9 environmental programs within this State or (ii) a county  
10 government, pursuant to an agreement between a licensed owner  
11 and a county government. In no event shall a reduction in the  
12 wagering tax imposed under this Section reduce the taxes owed  
13 by a licensee under this Section to less than zero.

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

17           (a-10) The taxes imposed by this Section shall be paid by  
18 the licensed owner to the Board not later than 5:00 ~~3:00~~  
19 o'clock p.m. of the day after the day when the wagers were  
20 made.

21           (b) Until January 1, 1998, 25% of the tax revenue deposited  
22 in the State Gaming Fund under this Section shall be paid,  
23 subject to appropriation by the General Assembly, to the unit  
24 of local government which is designated as the home dock of the  
25 riverboat. Beginning January 1, 1998, from the tax revenue  
26 deposited in the State Gaming Fund under this Section, an  
27 amount equal to 5% of adjusted gross receipts generated by a  
28 riverboat shall be paid monthly, subject to appropriation by  
29 the General Assembly, to the unit of local government that is  
30 designated as the home dock of the riverboat. From the tax  
31 revenue deposited in the State Gaming Fund pursuant to  
32 riverboat gambling operations conducted by a licensed manager  
33 on behalf of the State, an amount equal to 5% of adjusted gross  
34 receipts generated pursuant to those riverboat gambling  
35 operations shall be paid monthly, subject to appropriation by  
36 the General Assembly, to the unit of local government that is

1 designated as the home dock of the riverboat upon which those  
2 riverboat gambling operations are conducted.

3 (c) Appropriations, as approved by the General Assembly,  
4 may be made from the State Gaming Fund to the Board ~~Department~~  
5 ~~of Revenue and the Department of State Police~~ for the  
6 administration and enforcement of this Act, or to the  
7 Department of Human Services for the administration of programs  
8 to treat problem gambling.

9 (c-5) After the payments required under subsections (b) and  
10 (c) have been made, an amount equal to 15% of the adjusted  
11 gross receipts of (1) an owners licensee that relocates  
12 pursuant to Section 11.2, (2) an owners licensee ~~license~~  
13 conducting riverboat gambling operations pursuant to an owners  
14 license that is initially issued after June 25, 1999, or (3)  
15 the first riverboat gambling operations conducted by a licensed  
16 manager on behalf of the State under Section 7.2, whichever  
17 comes first, shall be paid from the State Gaming Fund into the  
18 Horse Racing Equity Fund.

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

23 (c-15) After the payments required under subsections (b),  
24 (c), and (c-5) have been made, an amount equal to 2% of the  
25 adjusted gross receipts of (1) an owners licensee that  
26 relocates pursuant to Section 11.2, (2) an owners licensee  
27 conducting riverboat gambling operations pursuant to an owners  
28 license that is initially issued after June 25, 1999, or (3)  
29 the first riverboat gambling operations conducted by a licensed  
30 manager on behalf of the State under Section 7.2, whichever  
31 comes first, shall be paid, subject to appropriation from the  
32 General Assembly, from the State Gaming Fund to each home rule  
33 county with a population of over 3,000,000 inhabitants for the  
34 purpose of enhancing the county's criminal justice system.

35 (c-20) Each year the General Assembly shall appropriate  
36 from the General Revenue Fund to the Education Assistance Fund

1 an amount equal to the amount paid to each home rule county  
2 with a population of over 3,000,000 inhabitants pursuant to  
3 subsection (c-15) in the prior calendar year.

4 (c-25) After the payments required under subsections (b),  
5 (c), (c-5) and (c-15) have been made, an amount equal to 2% of  
6 the adjusted gross receipts of (1) an owners licensee ~~license~~  
7 that relocates pursuant to Section 11.2, (2) an owners licensee  
8 ~~license~~ conducting riverboat gambling operations pursuant to  
9 an owners license that is initially issued after June 25, 1999,  
10 or (3) the first riverboat gambling operations conducted by a  
11 licensed manager on behalf of the State under Section 7.2,  
12 whichever comes first, shall be paid from the State Gaming Fund  
13 to Chicago State University.

14 (d) From time to time, the Board shall transfer the  
15 remainder of the funds generated by this Act into the Education  
16 Assistance Fund, created by Public Act 86-0018, of the State of  
17 Illinois.

18 (e) Nothing in this Act shall prohibit the unit of local  
19 government designated as the home dock of the riverboat from  
20 entering into agreements with other units of local government  
21 in this State or in other states to share its portion of the  
22 tax revenue.

23 (f) To the extent practicable, the Board shall administer  
24 and collect the wagering taxes imposed by this Section in a  
25 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
26 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the  
27 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
28 Penalty and Interest Act.

29 (Source: P.A. 92-595, eff. 6-28-02; 93-27, eff. 6-20-03; 93-28,  
30 eff. 6-20-03; revised 10-3-03.)

31 (230 ILCS 10/13.1)

32 Sec. 13.1. Compulsive gambling.

33 (a) Each licensed owner shall post signs with a statement  
34 regarding obtaining assistance with gambling problems, the  
35 text of which shall be determined by rule by the Department of

1 Human Services, at the following locations in each facility at  
2 which gambling is conducted by the licensed owner:

3 (i) Each entrance and exit.

4 (ii) Near each credit location.

5 The signs shall be provided by the Department of Human  
6 Services.

7 (b) Each licensed owner shall print a statement regarding  
8 obtaining assistance with gambling problems, the text of which  
9 shall be determined by rule by the Department of Human  
10 Services, on all paper stock that the licensed owner provides  
11 to the general public.

12 (c) The Board shall maintain a confidential Self-Exclusion  
13 List of persons who are prohibited from entering the area of a  
14 riverboat where gambling is conducted or making a wager at any  
15 riverboat gambling facility in Illinois. A person who applies  
16 to place his or her name on the Self-Exclusion List must  
17 designate a problem gambling charitable organization that has  
18 been approved by the Department of Human Services into which  
19 moneys shall be paid as provided in item (10.1) of Section 11.  
20 The confidentiality of the list shall be maintained in  
21 accordance with the Mental Health and Developmental  
22 Disabilities Act.

23 (d) Each licensed owner shall cooperate fully with  
24 implementing and enforcing the Self-Exclusion Program. A  
25 riverboat gambling operation involved in the enforcement of any  
26 provision of the Self-Exclusion Program, including but not  
27 limited to, the confiscation of winnings, chip, tokens, and  
28 other wagering instruments or the ejection of a person placed  
29 on Self-Exclusion List from the riverboat gambling operation,  
30 shall not be liable for reasonable and ordinary conduct  
31 attendant thereto. Nothing in this Act shall limit the  
32 liability of a riverboat gambling operation for willful or  
33 wanton conduct or acts or failures to act that are not  
34 specifically authorized by the Board in the administration or  
35 enforcement of the Self-Exclusion Program.

36 (Source: P.A. 89-374, eff. 1-1-96; 89-507, eff. 7-1-97.)

1 (230 ILCS 10/18) (from Ch. 120, par. 2418)

2 Sec. 18. Prohibited Activities - Penalty.

3 (a) A person is guilty of a Class A misdemeanor for doing  
4 any of the following:

5 (1) Conducting gambling where wagering is used or to be  
6 used without a license issued by the Board.

7 (2) Conducting gambling where wagering is permitted  
8 other than in the manner specified by Section 11.

9 (b) A person is guilty of a Class B misdemeanor for doing  
10 any of the following:

11 (1) permitting a person under 21 years to make a wager;

12 or

13 (2) violating paragraph (12) of subsection (a) of  
14 Section 11 of this Act.

15 (c) A person wagering or accepting a wager at any location  
16 outside the riverboat is subject to the penalties in paragraphs  
17 (1) or (2) of subsection (a) of Section 28-1 of the Criminal  
18 Code of 1961.

19 (d) A person commits a Class 4 felony and, in addition,  
20 shall be barred for life from riverboats under the jurisdiction  
21 of the Board, if the person does any of the following:

22 (1) Offers, promises, or gives anything of value or  
23 benefit to a person who is connected with a riverboat owner  
24 including, but not limited to, an officer or employee of a  
25 licensed owner or holder of an occupational license  
26 pursuant to an agreement or arrangement or with the intent  
27 that the promise or thing of value or benefit will  
28 influence the actions of the person to whom the offer,  
29 promise, or gift was made in order to affect or attempt to  
30 affect the outcome of a gambling game, or to influence  
31 official action of a member of the Board.

32 (2) Solicits or knowingly accepts or receives a promise  
33 of anything of value or benefit while the person is  
34 connected with a riverboat including, but not limited to,  
35 an officer or employee of a licensed owner, or holder of an



1 occupational license, pursuant to an understanding or  
2 arrangement or with the intent that the promise or thing of  
3 value or benefit will influence the actions of the person  
4 to affect or attempt to affect the outcome of a gambling  
5 game, or to influence official action of a member of the  
6 Board.

7 (3) Uses or possesses with the intent to use a device  
8 to assist:

9 (i) In projecting the outcome of the game.

10 (ii) In keeping track of the cards played.

11 (iii) In analyzing the probability of the  
12 occurrence of an event relating to the gambling game.

13 (iv) In analyzing the strategy for playing or  
14 betting to be used in the game except as permitted by  
15 the Board.

16 (4) Cheats at a gambling game.

17 (5) Manufactures, sells, or distributes any cards,  
18 chips, dice, game or device which is intended to be used to  
19 violate any provision of this Act.

20 (6) Alters or misrepresents the outcome of a gambling  
21 game on which wagers have been made after the outcome is  
22 made sure but before it is revealed to the players.

23 (7) Places a bet after acquiring knowledge, not  
24 available to all players, of the outcome of the gambling  
25 game which is subject of the bet or to aid a person in  
26 acquiring the knowledge for the purpose of placing a bet  
27 contingent on that outcome.

28 (8) Claims, collects, or takes, or attempts to claim,  
29 collect, or take, money or anything of value in or from the  
30 gambling games, with intent to defraud, without having made  
31 a wager contingent on winning a gambling game, or claims,  
32 collects, or takes an amount of money or thing of value of  
33 greater value than the amount won.

34 (9) Uses counterfeit chips or tokens in a gambling  
35 game.

36 (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 (11) Agrees to share, receive, or transfer a direct or  
9 indirect financial or ownership interest in an owners  
10 license in violation of the disclosure and approval  
11 requirements of this Act and the rules of the Board.

12 (e) The possession of more than one of the devices  
13 described in subsection (d), paragraphs (3), (5) or (10)  
14 permits a rebuttable presumption that the possessor intended to  
15 use the devices for cheating.

16 (f) A person under the age of 21 years who enters upon a  
17 riverboat commits a petty offense. The fine to the individual  
18 for the first offense shall be not less than \$100 nor more than  
19 \$250. The fine for a second or subsequent offense shall be not  
20 less than \$200 nor more than \$500.

21 (g) A participant in the Self-Exclusion Program who, at any  
22 time during his or her placement on the Self-Exclusion List,  
23 enters or attempts to enter the area of a riverboat where  
24 gambling is conducted or places wagers at a riverboat shall be  
25 subject to arrest and prosecution for trespass and shall  
26 forfeit all chips, tokens, and other wagering instruments in  
27 his or her possession and all winnings, regardless of whether  
28 they have been paid by the gambling operation.

29 An action to prosecute any crime occurring on a riverboat  
30 shall be tried in the county of the dock at which the riverboat  
31 is based.

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

33 Section 99. Effective date. This Act takes effect upon  
34 becoming law.