

1 AMENDMENT TO SENATE BILL 1607

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1607, AS AMENDED,  
3 by replacing the title with the following:

4 "AN ACT in relation to gaming."; and

5 by replacing everything after the enacting clause with the  
6 following:

7 "Section 10. The Riverboat Gambling Act is amended by  
8 changing Sections 2, 4, 6, 7, 10, 11, 11.1, 12, 13, 15, and  
9 23 and adding Sections 7.1, 7.2, and 7.3 as follows:

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

11 Sec. 2. Legislative Intent. (a) This Act is intended to  
12 benefit the people of the State of Illinois by assisting  
13 economic development and promoting Illinois tourism and by  
14 increasing the amount of revenues available to the State to  
15 assist and support education.

16 (b) While authorization of riverboat gambling will  
17 enhance investment, development and tourism in Illinois, it  
18 is recognized that it will do so successfully only if public  
19 confidence and trust in the credibility and integrity of the  
20 gambling operations and the regulatory process is maintained.  
21 Therefore, regulatory provisions of this Act are designed to

1 strictly regulate the facilities, persons, associations and  
2 practices related to gambling operations pursuant to the  
3 police powers of the State, including comprehensive law  
4 enforcement supervision.

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

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

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

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

12 (a) "Board" means the Illinois Gaming Board.

13 (b) "Occupational license" means a license issued by the  
14 Board to a person or entity to perform an occupation which  
15 the Board has identified as requiring a license to engage in  
16 riverboat gambling in Illinois.

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

23 (d) "Riverboat" means a self-propelled excursion boat, a  
24 permanently moored barge, or permanently moored barges that  
25 are permanently fixed together to operate as one vessel, on  
26 which lawful gambling is authorized and licensed as provided  
27 in this Act.

28 (e) "Managers license" means a license issued by the  
29 Board to a person or entity to manage gambling operations  
30 conducted by the State pursuant to Section 7.2 {Blank}.

31 (f) "Dock" means the location where a riverboat moors  
32 for the purpose of embarking passengers for and disembarking  
33 passengers from the riverboat.

1 (g) "Gross receipts" means the total amount of money  
2 exchanged for the purchase of chips, tokens or electronic  
3 cards by riverboat patrons.

4 (h) "Adjusted gross receipts" means the gross receipts  
5 less winnings paid to wagerers.

6 (i) "Cheat" means to alter the selection of criteria  
7 which determine the result of a gambling game or the amount  
8 or frequency of payment in a gambling game.

9 (j) "Department" means the Department of Revenue.

10 (k) "Gambling operation" means the conduct of authorized  
11 gambling games upon a riverboat.

12 (l) "License bid" means the lump sum amount of money  
13 that an applicant bids and agrees to pay the State in return  
14 for an owners license that is re-issued on or after July 1,  
15 2003.

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

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

21 (230 ILCS 10/6) (from Ch. 120, par. 2406)

22 Sec. 6. Application for Owners License.

23 (a) A qualified person may apply to the Board for an  
24 owners license to conduct a riverboat gambling operation as  
25 provided in this Act. The application shall be made on forms  
26 provided by the Board and shall contain such information as  
27 the Board prescribes, including but not limited to the  
28 identity of the riverboat on which such gambling operation is  
29 to be conducted and the exact location where such riverboat  
30 will be docked, a certification that the riverboat will be  
31 registered under this Act at all times during which gambling  
32 operations are conducted on board, detailed information  
33 regarding the ownership and management of the applicant, and

1 detailed personal information regarding the applicant. Any  
2 application for an owners license to be re-issued on or after  
3 June 1, 2003 shall also include the applicant's license bid  
4 in a form prescribed by the Board. Information provided on  
5 the application shall be used as a basis for a thorough  
6 background investigation which the Board shall conduct with  
7 respect to each applicant. An incomplete application shall  
8 be cause for denial of a license by the Board.

9 (b) Applicants shall submit with their application all  
10 documents, resolutions, and letters of support from the  
11 governing body that represents the municipality or county  
12 wherein the licensee will dock.

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

22 (d) An application shall be filed with the Board by  
23 January 1 of the year preceding any calendar year for which  
24 an applicant seeks an owners license; however, applications  
25 for an owners license permitting operations on January 1,  
26 1991 shall be filed by July 1, 1990. An application fee of  
27 \$50,000 shall be paid at the time of filing to defray the  
28 costs associated with the background investigation conducted  
29 by the Board. If the costs of the investigation exceed  
30 \$50,000, the applicant shall pay the additional amount to the  
31 Board. If the costs of the investigation are less than  
32 \$50,000, the applicant shall receive a refund of the  
33 remaining amount. All information, records, interviews,  
34 reports, statements, memoranda or other data supplied to or

1 used by the Board in the course of its review or  
2 investigation of an application for a license under this Act  
3 shall be privileged, strictly confidential and shall be used  
4 only for the purpose of evaluating an applicant. Such  
5 information, records, interviews, reports, statements,  
6 memoranda or other data shall not be admissible as evidence,  
7 nor discoverable in any action of any kind in any court or  
8 before any tribunal, board, agency or person, except for any  
9 action deemed necessary by the Board.

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

15 (f) The licensed owner shall be the person primarily  
16 responsible for the boat itself. Only one riverboat gambling  
17 operation may be authorized by the Board on any riverboat.  
18 The applicant must identify each riverboat it intends to use  
19 and certify that the riverboat: (1) has the authorized  
20 capacity required in this Act; (2) is accessible to disabled  
21 persons; and (3) is fully registered and licensed in  
22 accordance with any applicable laws.

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

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

26 (230 ILCS 10/7) (from Ch. 120, par. 2407)

27 Sec. 7. Owners Licenses.

28 (a) The Board shall issue owners licenses to persons,  
29 firms or corporations which apply for such licenses upon  
30 payment to the Board of the non-refundable license fee set by  
31 the Board, upon payment of a \$25,000 license fee for the  
32 first year of operation and a \$5,000 license fee for each  
33 succeeding year and upon a determination by the Board that

1 the applicant is eligible for an owners license pursuant to  
2 this Act and the rules of the Board. A person, firm or  
3 corporation is ineligible to receive an owners license if:

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

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

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

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

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

16 (6) the firm or corporation employs a person  
17 defined in (1), (2), (3) or (4) who participates in the  
18 management or operation of gambling operations authorized  
19 under this Act;

20 (7) (blank); or

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

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

30 (A) controls, directly or indirectly, such  
31 applicant, or

32 (B) is controlled, directly or indirectly, by  
33 such applicant or by a person which controls,  
34 directly or indirectly, such applicant;

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

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

6 (4) the extent to which the ownership of the  
7 applicant reflects the diversity of the State by  
8 including minority persons and females and the good faith  
9 affirmative action plan of each applicant to recruit,  
10 train and upgrade minority persons and females minorities  
11 in all employment classifications;

12 (5) the financial ability of the applicant to  
13 purchase and maintain adequate liability and casualty  
14 insurance;

15 (6) whether the applicant has adequate  
16 capitalization to provide and maintain, for the duration  
17 of a license, a riverboat; and

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

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

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

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

26 (e) The Board may issue up to 10 licenses authorizing  
27 the holders of such licenses to own riverboats. In the  
28 application for an owners license, the applicant shall state  
29 the dock at which the riverboat is based and the water on  
30 which the riverboat will be located. The Board shall issue 5  
31 licenses to become effective not earlier than January 1,  
32 1991. Three of such licenses shall authorize riverboat  
33 gambling on the Mississippi River, ~~one of which shall~~  
34 ~~authorize riverboat gambling from a home dock in the city of~~

1 East-St.-Louis, and one of which shall authorize riverboat  
2 gambling on the Mississippi River or in a municipality that  
3 (1) borders on the Mississippi River or is within 5 miles of  
4 the city limits of a municipality that borders on the  
5 Mississippi River and (2) on the effective date of this  
6 amendatory Act of the 93rd 92nd General Assembly has a  
7 riverboat conducting riverboat gambling operations pursuant  
8 to a license issued under this Act, provided that one of  
9 those licenses shall authorize riverboat gambling from a home  
10 dock in the City of East St. Louis. One other license shall  
11 authorize riverboat gambling on the Illinois River south of  
12 Marshall County. The Board shall issue one additional  
13 license to become effective not earlier than March 1, 1992,  
14 which shall authorize riverboat gambling on the Des Plaines  
15 River in Will County. The Board may issue 4 additional  
16 licenses to become effective not earlier than March 1, 1992.  
17 In determining the water upon which riverboats will operate,  
18 the Board shall consider the economic benefit which riverboat  
19 gambling confers on the State, and shall seek to assure that  
20 all regions of the State share in the economic benefits of  
21 riverboat gambling.

22 In granting all licenses, the Board may give favorable  
23 consideration to economically depressed areas of the State,  
24 to applicants presenting plans which provide for significant  
25 economic development over a large geographic area, and to  
26 applicants who currently operate non-gambling riverboats in  
27 Illinois. The Board shall review all applications for owners  
28 licenses, and shall inform each applicant of the Board's  
29 decision. The Board may grant an owners license to an  
30 applicant that has not submitted the highest license bid, but  
31 if it does not select the highest bidder, the Board shall  
32 issue a written decision explaining why another applicant was  
33 selected and identifying the factors set forth in this  
34 Section that favored the winning bidder.



1       In addition to any other revocation powers granted to the  
2 Board under this Act, the Board may revoke the owners license  
3 of a licensee which fails to begin conducting gambling within  
4 15 months of receipt of the Board's approval of the  
5 application if the Board determines that license revocation  
6 is in the best interests of the State.

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

13       (g) Upon the termination, expiration, or revocation of  
14 each of the first 10 licenses, which shall be issued for a 3  
15 year period, all licenses are renewable annually upon payment  
16 of the fee and a determination by the Board that the licensee  
17 continues to meet all of the requirements of this Act and the  
18 Board's rules. However, for licenses renewed on or after May  
19 1, 1998, renewal shall be for a period of 4 years, unless the  
20 Board sets a shorter period.

21       (h) An owners license shall entitle the licensee to own  
22 up to 2 riverboats. A licensee shall limit the number of  
23 gambling participants to 1,200 for any such owners license. A  
24 licensee may operate both of its riverboats concurrently,  
25 provided that the total number of gambling participants on  
26 both riverboats does not exceed 1,200. Riverboats licensed to  
27 operate on the Mississippi River and the Illinois River south  
28 of Marshall County shall have an authorized capacity of at  
29 least 500 persons. Any other riverboat licensed under this  
30 Act shall have an authorized capacity of at least 400  
31 persons.

32       (i) A licensed owner is authorized to apply to the Board  
33 for and, if approved therefor, to receive all licenses from  
34 the Board necessary for the operation of a riverboat,

1 including a liquor license, a license to prepare and serve  
2 food for human consumption, and other necessary licenses.  
3 All use, occupation and excise taxes which apply to the sale  
4 of food and beverages in this State and all taxes imposed on  
5 the sale or use of tangible personal property apply to such  
6 sales aboard the riverboat.

7 (j) The Board may issue or re-issue a license  
8 authorizing a riverboat to dock in a municipality or approve  
9 a relocation under Section 11.2 only if, prior to the  
10 issuance or re-issuance of the license or approval, the  
11 governing body of the municipality in which the riverboat  
12 will dock has by a majority vote approved the docking of  
13 riverboats in the municipality. The Board may issue or  
14 re-issue a license authorizing a riverboat to dock in areas  
15 of a county outside any municipality or approve a relocation  
16 under Section 11.2 only if, prior to the issuance or  
17 re-issuance of the license or approval, the governing body of  
18 the county has by a majority vote approved of the docking of  
19 riverboats within such areas.

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

21 (230 ILCS 10/7.1 new)

22 Sec. 7.1. Re-issuance of revoked or non-renewed owners  
23 licenses.

24 (a) If an owners license terminates or expires without  
25 renewal or the Board revokes or determines not to renew an  
26 owners license (including, without limitation, an owners  
27 license for a licensee that was not conducting riverboat  
28 gambling operations on January 1, 1998), the Board may  
29 re-issue such license to a qualified applicant pursuant to an  
30 open and competitive bidding process, as set forth in Section  
31 7.5, and subject to the maximum number of authorized licenses  
32 set forth in Section 7(e).

33 (b) To be a qualified applicant, a person, firm, or

1 corporation cannot be ineligible to receive an owners license  
2 under Section 7(a) and must submit an application for an  
3 owners license that complies with Section 6. Each such  
4 applicant must also submit evidence to the Board that  
5 minority persons and females hold ownership interests in the  
6 applicant of at least 16% and 4% respectively.

7 (c) Notwithstanding anything to the contrary in Section  
8 7(e), an applicant may apply to the Board for approval of  
9 relocation of a re-issued license to a new home dock location  
10 authorized under Section 3(c) upon receipt of the approval  
11 from the municipality or county, as the case may be, pursuant  
12 to Section 7(j).

13 (d) In determining whether to grant a re-issued owners  
14 license to an applicant, the Board shall consider all of the  
15 factors set forth in Sections 7(b) and (e) as well as the  
16 amount of the applicant's license bid. The Board may grant  
17 the re-issued owners license to an applicant that has not  
18 submitted the highest license bid, but if it does not select  
19 the highest bidder, the Board shall issue a written decision  
20 explaining why another applicant was selected and identifying  
21 the factors set forth in Sections 7(b) and (e) that favored  
22 the winning bidder.

23 (e) Re-issued owners licenses shall be subject to annual  
24 license fees as provided for in Section 7(a) and shall be  
25 governed by the provisions of Sections 7(f), (g), (h), and  
26 (i).

27 (230 ILCS 10/7.2 new)

28 Sec. 7.2. Temporary operating permits. Any person  
29 operating under a temporary operating permit issued pursuant  
30 to 86 Ill. Admin. Code 3000.230 shall be deemed to be  
31 operating under the authority of an owner's license for  
32 purposes of Section 13 of this Act. This Section shall not  
33 affect in any way the licensure requirements of this Act.

(230 ILCS 10/7.3 new)

Sec. 7.3. State conduct of gambling operations.

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

(b) The Board may locate any riverboat on which a gambling operation is conducted by the State in any home dock location authorized by Section 3(c) upon receipt of approval from a majority vote of the governing body of the municipality or county, as the case may be, in which the riverboat will dock.

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

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

(230 ILCS 10/7.4 new)

Sec. 7.4. Managers licenses.

1       (a) A qualified person may apply to the Board for a  
2 managers license to operate and manage any gambling operation  
3 conducted by the State. The application shall be made on  
4 forms provided by the Board and shall contain such  
5 information as the Board prescribes, including but not  
6 limited to information required in Sections 6(a), (b), and  
7 (c) and information relating to the applicant's proposed  
8 price to manage State gambling operations and to provide the  
9 riverboat, gambling equipment, and supplies necessary to  
10 conduct State gambling operations.

11       (b) Each applicant must submit evidence to the Board  
12 that minority persons and females hold ownership interests in  
13 the applicant of at least 16% and 4%, respectively.

14       (c) A person, firm, or corporation is ineligible to  
15 receive a manager's license if:

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

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

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

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

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

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

32               (7) a license of the person, firm, or corporation  
33 issued under this Act, or a license to own or operate  
34 gambling facilities in any other jurisdiction, has been

1 revoked.

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

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

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

10 (g) The managers license shall be for a term not to  
11 exceed 10 years, shall be renewable at the Board's option,  
12 and shall contain such terms and provisions as the Board  
13 deems necessary to protect or enhance the credibility and  
14 integrity of State gambling operations, achieve the highest  
15 prospective total revenue to the State, and otherwise serve  
16 the interests of the citizens of Illinois.

17 (h) Issuance of a managers license shall be subject to an  
18 open and competitive bidding process. The Board may select an  
19 applicant other than the lowest bidder by price. If it does  
20 not select the lowest bidder, the Board shall issue a notice  
21 of who the lowest bidder was and a written decision as to why  
22 another bidder was selected.

23 (230 ILCS 10/7.5 new)

24 Sec. 7.5 Competitive Bidding. When the Board determines  
25 that it will re-issue an owners license pursuant to an open  
26 and competitive bidding process, as set forth in Section 7.1,  
27 or that it will issue a managers license pursuant to an open  
28 and competitive bidding process, as set forth in Section 7.4,  
29 the open and competitive bidding process shall adhere to the  
30 following procedures:

31 (1) The Board shall make applications for owners and  
32 managers licenses available to the public and allow a  
33 reasonable time for applicants to submit applications to the

1 Board.

2 (2) During the filing period for owners or managers  
3 license applications, the Board may retain the services of an  
4 investment banking firm to assist the Board in conducting the  
5 open and competitive bidding process.

6 (3) After receiving all of the bid proposals, the Board  
7 shall open all of the proposals in a public forum and  
8 disclose the prospective owners or managers names, venture  
9 partners, if any, and, in the case of applicants for owners  
10 licenses, the locations of the proposed development sites.

11 (4) The Board shall summarize the terms of the proposals  
12 and may make this summary available to the public.

13 (5) The Board shall evaluate the proposals within a  
14 reasonable time and select no more than 3 final applicants to  
15 make presentations of their proposals to the Board.

16 (6) The final applicants shall make their presentations  
17 to the Board on the same day during an open session of the  
18 Board.

19 (7) As soon as practicable after the public  
20 presentations by the final applicants, the Board, in its  
21 discretion, may conduct further negotiations among the 3  
22 final applicants. During such negotiations, each final  
23 applicant may increase its license bid or otherwise enhance  
24 its bid proposal. At the conclusion of such negotiations, the  
25 Board shall select the winning proposal. In the case of  
26 negotiations for an owners license, the Board may, at the  
27 conclusion of such negotiations, make the determination  
28 allowed under Section 7.3(a).

29 (8) Upon selection of a winning bid, the Board shall  
30 evaluate the winning bid within a reasonable period of time  
31 for licensee suitability in accordance with all applicable  
32 statutory and regulatory criteria.

33 (9) If the winning bidder is unable or otherwise fails  
34 to consummate the transaction, (including if the Board

1 determines that the winning bidder does not satisfy the  
 2 suitability requirements), the Board may, on the same  
 3 criteria, select from the remaining bidders or make the  
 4 determination allowed under Section 7.3(a).

5 (230 ILCS 10/10) (from Ch. 120, par. 2410)

6 Sec. 10. Bond of licensee. Before an owners license is  
 7 issued or re-issued or a managers license is issued, the  
 8 licensee shall post a bond in the sum of \$200,000 to the  
 9 State of Illinois. The bond shall be used to guarantee that  
 10 the licensee faithfully makes the payments, keeps his books  
 11 and records and makes reports, and conducts his games of  
 12 chance in conformity with this Act and the rules adopted by  
 13 the Board. The bond shall not be canceled by a surety on  
 14 less than 30 days notice in writing to the Board. If a bond  
 15 is canceled and the licensee fails to file a new bond with  
 16 the Board in the required amount on or before the effective  
 17 date of cancellation, the licensee's license shall be  
 18 revoked. The total and aggregate liability of the surety on  
 19 the bond is limited to the amount specified in the bond.

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

21 (230 ILCS 10/11) (from Ch. 120, par. 2411)

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

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

30 (2) (Blank).

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



1           (4) Agents of the Board and the Department of State  
2 Police may board and inspect any riverboat at any time  
3 for 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  
6 Board, must stop immediately and lay to.

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

10          (6) Gambling equipment and supplies customarily  
11 used in conducting riverboat gambling must be purchased  
12 or leased only from suppliers licensed for such purpose  
13 under this Act.

14          (7) Persons licensed under this Act shall permit no  
15 form of wagering on gambling games except as permitted by  
16 this Act.

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

22          (9) Wagering shall not be conducted with money or  
23 other negotiable currency.

24          (10) A person under age 21 shall not be permitted  
25 on an area of a riverboat where gambling is being  
26 conducted, except for a person at least 18 years of age  
27 who is an employee of the riverboat gambling operation.  
28 No employee under age 21 shall perform any function  
29 involved in gambling by the patrons. No person under age  
30 21 shall be permitted to make a wager under this Act.

31          (11) Gambling excursion cruises are permitted only  
32 when the waterway for which the riverboat is licensed is  
33 navigable, as determined by the Board in consultation  
34 with the U.S. Army Corps of Engineers. This paragraph

1 (11) does not limit the ability of a licensee to conduct  
2 gambling authorized under this Act when gambling  
3 excursion cruises are not permitted.

4 (12) All tokens, chips or electronic cards used to  
5 make wagers must be purchased from a licensed owner or  
6 manager either aboard a riverboat or at an onshore  
7 facility which has been approved by the Board and which  
8 is located where the riverboat docks. The tokens, chips  
9 or electronic cards may be purchased by means of an  
10 agreement under which the owner or manager extends credit  
11 to the patron. Such tokens, chips or electronic cards  
12 may be used while aboard the riverboat only for the  
13 purpose of making wagers on gambling games.

14 (13) Notwithstanding any other Section of this Act,  
15 in addition to the other licenses authorized under this  
16 Act, the Board may issue special event licenses allowing  
17 persons who are not otherwise licensed to conduct  
18 riverboat gambling to conduct such gambling on a  
19 specified date or series of dates. Riverboat gambling  
20 under such a license may take place on a riverboat not  
21 normally used for riverboat gambling. The Board shall  
22 establish standards, fees and fines for, and limitations  
23 upon, such licenses, which may differ from the standards,  
24 fees, fines and limitations otherwise applicable under  
25 this Act. All such fees shall be deposited into the  
26 State Gaming Fund. All such fines shall be deposited  
27 into the Education Assistance Fund, created by Public Act  
28 86-0018, of the State of Illinois.

29 (14) In addition to the above, gambling must be  
30 conducted in accordance with all rules adopted by the  
31 Board.

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

33 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

1           Sec. 11.1. Collection of amounts owing under credit  
2 agreements. Notwithstanding any applicable statutory  
3 provision to the contrary, a licensed owner or manager who  
4 extends credit to a riverboat gambling patron pursuant to  
5 Section 11 (a) (12) of this Act is expressly authorized to  
6 institute a cause of action to collect any amounts due and  
7 owing under the extension of credit, as well as the owner's  
8 or manager's costs, expenses and reasonable attorney's fees  
9 incurred in collection.

10 (Source: P.A. 86-1029; 86-1389; 87-826.)

11 (230 ILCS 10/12) (from Ch. 120, par. 2412)

12           Sec. 12. Admission tax; fees.

13           (a) A tax is hereby imposed upon admissions to  
14 riverboats operated by licensed owners authorized pursuant to  
15 this Act. Until July 1, 2002, the rate is \$2 per person  
16 admitted. From Beginning July 1, 2002 until July 1, 2003,  
17 the rate is \$3 per person admitted. Beginning July 1, 2003,  
18 for a licensee that admitted 1,000,000 persons or fewer in  
19 the previous calendar year, the rate is \$3 per person  
20 admitted; for a licensee that admitted more than 1,000,000  
21 but no more than 2,300,000 persons in the previous calendar  
22 year, the rate is \$4 per person admitted; and for a licensee  
23 that admitted more than 2,300,000 persons in the previous  
24 calendar year, the rate is \$5 per person admitted. This  
25 admission tax is imposed upon the licensed owner conducting  
26 gambling.

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

29           (2) (Blank).

30           (3) The riverboat licensee may issue tax-free  
31 passes to actual and necessary officials and employees of  
32 the licensee or other persons actually working on the  
33 riverboat.

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

5           (a-5) A fee is hereby imposed upon admissions operated  
6 by licensed managers on behalf of the State pursuant to  
7 Section 7.3 at the rates provided in this subsection (a-5).  
8 For a licensee that admitted 1,000,000 persons or fewer in  
9 the previous calendar year, the rate is \$3 per person  
10 admitted; for a licensee that admitted more than 1,000,000  
11 but no more than 2,300,000 persons in the previous calendar  
12 year, the rate is \$4 per person admitted; and for a licensee  
13 that admitted more than 2,300,000 persons in the previous  
14 calendar year, the rate is \$5 per person admitted.

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

17           (2) (Blank).

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

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

26           (b) From the tax imposed under subsection (a) and the  
27 fee imposed under subsection (a-5), a municipality shall  
28 receive from the State \$1 for each person embarking on a  
29 riverboat docked within the municipality, and a county shall  
30 receive \$1 for each person embarking on a riverboat docked  
31 within the county but outside the boundaries of any  
32 municipality. The municipality's or county's share shall be  
33 collected by the Board on behalf of the State and remitted  
34 quarterly by the State, subject to appropriation, to the

1 treasurer of the unit of local government for deposit in the  
2 general fund.

3 (c) The licensed owner shall pay the entire admission  
4 tax to the Board and the licensed manager shall pay the  
5 entire admission fee to the Board. Such payments shall be  
6 made daily. Accompanying each payment shall be a return on  
7 forms provided by the Board which shall include other  
8 information regarding admissions as the Board may require.  
9 Failure to submit either the payment or the return within the  
10 specified time may result in suspension or revocation of the  
11 owners or managers license.

12 (d) The Board shall administer and collect the admission  
13 tax imposed by this Section, to the extent practicable, in a  
14 manner consistent with the provisions of Sections 4, 5, 5a,  
15 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of  
16 the Retailers' Occupation Tax Act and Section 3-7 of the  
17 Uniform Penalty and Interest Act.

18 (Source: P.A. 91-40, eff. 6-25-99; 92-595, eff. 6-28-02.)

19 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

24 From January 1, 1998 until July 1, 2002, a privilege tax  
25 is imposed on persons engaged in the business of conducting  
26 riverboat gambling operations, based on the adjusted gross  
27 receipts received by a licensed owner from gambling games  
28 authorized under this Act at the following rates:

29 15% of annual adjusted gross receipts up to and  
30 including \$25,000,000;

31 20% of annual adjusted gross receipts in excess of  
32 \$25,000,000 but not exceeding \$50,000,000;

33 25% of annual adjusted gross receipts in excess of

1           \$50,000,000 but not exceeding \$75,000,000;  
 2                   30% of annual adjusted gross receipts in excess of  
 3           \$75,000,000 but not exceeding \$100,000,000;  
 4                   35% of annual adjusted gross receipts in excess of  
 5           \$100,000,000.

6           Beginning July 1, 2002, a privilege tax is imposed on  
 7 persons engaged in the business of conducting riverboat  
 8 gambling operations, other than licensed managers conducting  
 9 riverboat gambling operations on behalf of the State, based  
 10 on the adjusted gross receipts received by a licensed owner  
 11 from gambling games authorized under this Act at the  
 12 following rates:

13                   15% of annual adjusted gross receipts up to and  
 14 including \$25,000,000;

15                   22.5% of annual adjusted gross receipts in excess of  
 16 \$25,000,000 but not exceeding \$50,000,000;

17                   27.5% of annual adjusted gross receipts in excess of  
 18 \$50,000,000 but not exceeding \$75,000,000;

19                   32.5% of annual adjusted gross receipts in excess of  
 20 \$75,000,000 but not exceeding \$100,000,000;

21                   37.5% of annual adjusted gross receipts in excess of  
 22 \$100,000,000 but not exceeding \$150,000,000;

23                   45% of annual adjusted gross receipts in excess of  
 24 \$150,000,000 but not exceeding \$200,000,000;

25                   50% of annual adjusted gross receipts in excess of  
 26 \$200,000,000.

27 Riverboat gambling operations conducted by a licensed manager  
 28 on behalf of the State are not subject to the tax imposed  
 29 under this Section.

30           The taxes imposed by this Section shall be paid by the  
 31 licensed owner to the Board not later than 3:00 o'clock p.m.  
 32 of the day after the day when the wagers were made.

33           (b) Until January 1, 1998, 25% of the tax revenue  
 34 deposited in the State Gaming Fund under this Section shall

1 be paid, subject to appropriation by the General Assembly, to  
 2 the unit of local government which is designated as the home  
 3 dock of the riverboat. Beginning January 1, 1998, from the  
 4 tax revenue deposited in the State Gaming Fund under this  
 5 Section, an amount equal to 5% of adjusted gross receipts  
 6 generated by a riverboat shall be paid monthly, subject to  
 7 appropriation by the General Assembly, to the unit of local  
 8 government that is designated as the home dock of the  
 9 riverboat. From the tax revenue deposited in the State Gaming  
 10 Fund pursuant to riverboat gambling operations conducted by a  
 11 licensed manager on behalf of the State, an amount equal to  
 12 5% of adjusted gross receipts generated pursuant to those  
 13 riverboat gambling operations shall be paid monthly, subject  
 14 to appropriation by the General Assembly, to the unit of  
 15 local government that is designated as the home dock of the  
 16 riverboat upon which those riverboat gambling operations are  
 17 conducted.

18 (c) Appropriations, as approved by the General Assembly,  
 19 may be made from the State Gaming Fund to the Department of  
 20 Revenue and the Department of State Police for the  
 21 administration and enforcement of this Act.

22 (c-5) After the payments required under subsections (b)  
 23 and (c) have been made, an amount equal to 15% of the  
 24 adjusted gross receipts of (1) an owners licensee a-riverboat  
 25 (1) that relocates pursuant to Section 11.2, or (2) an owners  
 26 license conducting riverboat gambling operations pursuant to  
 27 for--which an owners license that is initially issued after  
 28 June 25, the-effective-date-of-this-amendatory-Act--of 1999,  
 29 or (3) the first riverboat gambling operations conducted by a  
 30 licensed manager on behalf of the State under Section 7.2,  
 31 whichever comes first, shall be paid from the State Gaming  
 32 Fund into the Horse Racing Equity Fund.

33 (c-10) Each year the General Assembly shall appropriate  
 34 from the General Revenue Fund to the Education Assistance

1 Fund an amount equal to the amount paid into the Horse Racing  
2 Equity Fund pursuant to subsection (c-5) in the prior  
3 calendar year.

4 (c-15) After the payments required under subsections  
5 (b), (c), and (c-5) have been made, an amount equal to 2% of  
6 the adjusted gross receipts of (1) an owners licensee a  
7 ~~riverboat-(1) that relocates pursuant to Section 11.2, or (2)~~  
8 an owners licensee conducting riverboat gambling operations  
9 pursuant to for--which an owners license that is initially  
10 issued after June 25, the-effective-date-of--this--amendatory  
11 ~~Act--of 1999, or (3) the first riverboat gambling operations~~  
12 conducted by a licensed manager on behalf of the State under  
13 Section 7.2, whichever comes first, shall be paid, subject to  
14 appropriation from the General Assembly, from the State  
15 Gaming Fund to each home rule county with a population of  
16 over 3,000,000 inhabitants for the purpose of enhancing the  
17 county's criminal justice system.

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

23 (c-25) After the payments required under subsections  
24 (b), (c), (c-5) and (c-15) have been made, an amount equal to  
25 2% of the adjusted gross receipts of (1) an owners license a  
26 ~~riverboat-(1) that relocates pursuant to Section 11.2, or (2)~~  
27 an owners license conducting riverboat gambling operations  
28 pursuant to for-which an owners license that is initially  
29 issued after June 25, the-effective-date-of-this-amendatory  
30 ~~Act-of 1999, or (3) the first riverboat gambling operations~~  
31 conducted by a licensed manager on behalf of the State under  
32 Section 7.2, whichever comes first, shall be paid from the  
33 State Gaming Fund to Chicago State University into-the-State  
34 ~~Universities-Athletic-Capital-Improvement-Fund.~~



1 (d) From time to time, the Board shall transfer the  
2 remainder of the funds generated by this Act into the  
3 Education Assistance Fund, created by Public Act 86-0018, of  
4 the State of Illinois.

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

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

16 (Source: P.A. 91-40, eff. 6-25-99; 92-595, eff. 6-28-02.)

17 (230 ILCS 10/15) (from Ch. 120, par. 2415)

18 Sec. 15. Audit of Licensee Operations. Within 90 days  
19 after the end of each quarter of each fiscal year, the  
20 licensed owner or manager shall transmit to the Board an  
21 audit of the financial transactions and condition of the  
22 licensee's total operations. All audits shall be conducted  
23 by certified public accountants selected by the Board. Each  
24 certified public accountant must be registered in the State  
25 of Illinois under the Illinois Public Accounting Act. The  
26 compensation for each certified public accountant shall be  
27 paid directly by the licensed owner or manager to the  
28 certified public accountant.

29 (Source: P.A. 86-1029; 86-1389.)

30 (230 ILCS 10/23) (from Ch. 120, par. 2423)

31 Sec. 23. The State Gaming Fund. On or after the  
32 effective date of this Act, all of the fees and taxes

1 collected pursuant to subsections of this Act shall be  
2 deposited into the State Gaming Fund, a special fund in the  
3 State Treasury, which is hereby created. The adjusted gross  
4 receipts of any riverboat gambling operations conducted by a  
5 licensed manager on behalf of the State remaining after the  
6 payment of the fees and expenses of the licensed manager  
7 shall be deposited into the State Gaming Fund. Fines and  
8 penalties collected pursuant to this Act shall be deposited  
9 into the Education Assistance Fund, created by Public Act  
10 86-0018, of the State of Illinois.

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

12 Section 97. Severability. In accordance with Section  
13 1.31 of the Statute on Statutes, the provisions of this Act  
14 are severable. If any provision of this amendatory Act, or  
15 the application of any provision of this amendatory Act to  
16 any person or circumstance, is held invalid, such invalidity  
17 shall not affect other provisions or applications of this  
18 amendatory Act which can be given effect without the invalid  
19 provision or application, and the application of this  
20 amendatory Act to persons or circumstances other than those  
21 as to which it is held invalid shall not be affected thereby.

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law."