

1 AN ACT concerning gaming.

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

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

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

7 Sec. 7. Owners Licenses.

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

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

19 (2) the person has been convicted of any violation of
20 Article 28 of the Criminal Code of 1961, or substantially
21 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 in
29 (1), (2), (3) or (4) who participates in the management or
30 operation of gambling operations authorized under this
31 Act;

32 (7) (blank); or

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3 facilities in any other jurisdiction, has been revoked.

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

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

9 (A) controls, directly or indirectly, such
10 applicant, or

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

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

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

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

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

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

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

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

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

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

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

31 In granting all licenses, the Board may give favorable
32 consideration to economically depressed areas of the State, to
33 applicants presenting plans which provide for significant
34 economic development over a large geographic area, and to
35 applicants who currently operate non-gambling riverboats in
36 Illinois. The Board shall review all applications for owners

1 licenses, and shall inform each applicant of the Board's
2 decision. The Board may grant an owners license to an applicant
3 that has not submitted the highest license bid, but if it does
4 not select the highest bidder, the Board shall issue a written
5 decision explaining why another applicant was selected and
6 identifying the factors set forth in this Section that favored
7 the winning bidder.

8 In addition to any other revocation powers granted to the
9 Board under this Act, the Board may revoke the owners license
10 of a licensee which fails to begin conducting gambling within
11 15 months of receipt of the Board's approval of the application
12 if the Board determines that license revocation is in the best
13 interests of the State.

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

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

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

1 an authorized capacity of at least 400 persons.

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

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

23 (Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03;
24 93-453, eff. 8-7-03; revised 1-27-04.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.