

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3 facilities in any other jurisdiction, has been revoked.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 docked on August 7, 2003 and with Board
10 approval, be authorized to relocate to a new location, in a
11 municipality that (1) borders on the Mississippi River or is
12 within 5 miles of the city limits of a municipality that
13 borders on the Mississippi River and (2), on August 7, 2003,
14 had a riverboat conducting riverboat gambling operations
15 pursuant to a license issued under this Act; one of which shall
16 authorize riverboat gambling from a home dock in the city of
17 East St. Louis. One other license shall authorize riverboat
18 gambling on the Illinois River south of Marshall County. The
19 Board shall issue one additional license to become effective
20 not earlier than March 1, 1992, which shall authorize riverboat
21 gambling on the Des Plaines River in Will County. The Board may
22 issue 4 additional licenses to become effective not earlier
23 than March 1, 1992. In determining the water upon which
24 riverboats will operate, the Board shall consider the economic
25 benefit which riverboat gambling confers on the State, and
26 shall seek to assure that all regions of the State share in the
27 economic benefits of riverboat gambling.

28 In granting a license that is a dormant license to an
29 applicant, the Board must give favorable consideration to
30 applicants submitting evidence to the Board that minority
31 persons and females, who held ownership interests in the
32 applicant originally granted the dormant license, hold
33 ownership interests in the applicant for the license. The
34 weight of the Board's favorable consideration to applicants
35 pursuant to this paragraph must be in proportion to the
36 percentage of ownership interest in the applicant of those

1 minority persons and female owners. "Dormant license" has the
2 meaning ascribed to it in subsection (a-3) of Section 13 of
3 this Act.

4 In granting all licenses, the Board may give favorable
5 consideration to economically depressed areas of the State, to
6 applicants presenting plans which provide for significant
7 economic development over a large geographic area, and to
8 applicants who currently operate non-gambling riverboats in
9 Illinois. The Board shall review all applications for owners
10 licenses, and shall inform each applicant of the Board's
11 decision. The Board may grant an owners license to an applicant
12 that has not submitted the highest license bid, but if it does
13 not select the highest bidder, the Board shall issue a written
14 decision explaining why another applicant was selected and
15 identifying the factors set forth in this Section that favored
16 the winning bidder.

17 In addition to any other revocation powers granted to the
18 Board under this Act, the Board may revoke the owners license
19 of a licensee which fails to begin conducting gambling within
20 15 months of receipt of the Board's approval of the application
21 if the Board determines that license revocation is in the best
22 interests of the State.

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

29 (g) Upon the termination, expiration, or revocation of each
30 of the first 10 licenses, which shall be issued for a 3 year
31 period, all licenses are renewable annually upon payment of the
32 fee and a determination by the Board that the licensee
33 continues to meet all of the requirements of this Act and the
34 Board's rules. However, for licenses renewed on or after May 1,
35 1998, renewal shall be for a period of 4 years, unless the
36 Board sets a shorter period.

1 (h) An owners license shall entitle the licensee to own up
2 to 2 riverboats. A licensee shall limit the number of gambling
3 participants to 1,200 for any such owners license. A licensee
4 may operate both of its riverboats concurrently, provided that
5 the total number of gambling participants on both riverboats
6 does not exceed 1,200. Riverboats licensed to operate on the
7 Mississippi River and the Illinois River south of Marshall
8 County shall have an authorized capacity of at least 500
9 persons. Any other riverboat licensed under this Act shall have
10 an authorized capacity of at least 400 persons.

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

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

32 (Source: P.A. 93-28, eff. 6-20-03; 93-453, eff. 8-7-03; 94-667,
33 eff. 8-23-05.)

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