

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 1. Legislative intent. This amendatory Act of the
5 95th General Assembly, in part, re-enacts the provisions of
6 Public Act 94-804 approved in 2006 and determined valid in 2008
7 by the Illinois Supreme Court. The General Assembly finds and
8 declares such re-enactment to be the public policy of the State
9 for many of the same reasons previously stated in 2006, namely:

10 (1) that riverboat gaming continues to have a negative
11 impact on horse racing causing severe declines in Illinois
12 on-track wagering;

13 (2) that this decrease in wagering continues to
14 negatively impact purses for Illinois racing, which
15 continues to hurt the State's breeding industry;

16 (3) that the decline of the Illinois horse racing and
17 breeding program, a \$2.5 billion industry, would be
18 reversed if this amendatory Act of the 95th General
19 Assembly was enacted, by helping Illinois tracks to better
20 compete with future purses offered by tracks in other
21 states;

22 (4) that Illinois agriculture and other businesses
23 that support and supply the horse racing industry, already
24 a sector that employs over 37,000 Illinoisans, also stand

1 to substantially benefit and would be much more likely to
2 create additional jobs should Illinois horse racing once
3 again become competitive with other states; and

4 (5) that prompt release and distribution of funds
5 generated and paid under protest under Public Act 94-804
6 and funds generated under the provisions of this amendatory
7 Act of the 95th General Assembly both to supplement
8 prospective purses and improve, maintain, market, and
9 otherwise operate racetracks and their backstretches, is
10 urgently needed and shall greatly benefit Illinois
11 horsemen racetracks, horse racing fans, and Illinois
12 agriculture and related businesses that rely on the
13 Illinois horse racing industry.

14 Section 5. The Illinois Horse Racing Act of 1975 is amended
15 by adding Section 54.75 as follows:

16 (230 ILCS 5/54.75 new)

17 Sec. 54.75. Horse Racing Equity Trust Fund.

18 (a) There is created a Fund to be known as the Horse Racing
19 Equity Trust Fund, which is a non-appropriated trust fund held
20 separate and apart from State moneys. The Fund shall consist of
21 moneys paid into it by owners licensees under the Riverboat
22 Gambling Act for the purposes described in this Section. The
23 Fund shall be administered by the Board. Moneys in the Fund
24 shall be distributed as directed and certified by the Board in

1 accordance with the provisions of subsection (b).

2 (b) The moneys deposited into the Fund, plus any accrued
3 interest on those moneys, shall be distributed within 10 days
4 after those moneys are deposited into the Fund as follows:

5 (1) Sixty percent of all moneys distributed under this
6 subsection shall be distributed to organization licensees
7 to be distributed at their race meetings as purses.
8 Fifty-seven percent of the amount distributed under this
9 paragraph (1) shall be distributed for thoroughbred race
10 meetings and 43% shall be distributed for standardbred race
11 meetings. Within each breed, moneys shall be allocated to
12 each organization licensee's purse fund in accordance with
13 the ratio between the purses generated for that breed by
14 that licensee during the prior calendar year and the total
15 purses generated throughout the State for that breed during
16 the prior calendar year by licensees in the current
17 calendar year.

18 (2) The remaining 40% of the moneys distributed under
19 this subsection (b) shall be distributed as follows:

20 (A) 11% shall be distributed to any person (or its
21 successors or assigns) who had operating control of a
22 racetrack that conducted live racing in 2002 at a
23 racetrack in a county with at least 230,000 inhabitants
24 that borders the Mississippi River and is a licensee in
25 the current year; and

26 (B) the remaining 89% shall be distributed pro rata

1 according to the aggregate proportion of total handle
2 from wagering on live races conducted in Illinois
3 (irrespective of where the wagers are placed) for
4 calendar years 2004 and 2005 to any person (or its
5 successors or assigns) who (i) had majority operating
6 control of a racing facility at which live racing was
7 conducted in calendar year 2002, (ii) is a licensee in
8 the current year, and (iii) is not eligible to receive
9 moneys under subparagraph (A) of this paragraph (2).

10 The moneys received by an organization licensee
11 under this paragraph (2) shall be used by each
12 organization licensee to improve, maintain, market,
13 and otherwise operate its racing facilities to conduct
14 live racing, which shall include backstretch services
15 and capital improvements related to live racing and the
16 backstretch. Any organization licensees sharing common
17 ownership may pool the moneys received and spent at all
18 racing facilities commonly owned in order to meet these
19 requirements.

20 If any person identified in this paragraph (2) becomes
21 ineligible to receive moneys from the Fund, such amount
22 shall be redistributed among the remaining persons in
23 proportion to their percentages otherwise calculated.

24 (c) The Board shall monitor organization licensees to
25 ensure that moneys paid to organization licensees under this
26 Section are distributed by the organization licensees as

1 provided in subsection (b).

2 Section 10. The Riverboat Gambling Act is amended by
3 changing Sections 7 and 13 as follows:

4 (230 ILCS 10/7) (from Ch. 120, par. 2407)

5 Sec. 7. Owners Licenses.

6 (a) The Board shall issue owners licenses to persons, firms
7 or corporations which apply for such licenses upon payment to
8 the Board of the non-refundable license fee set by the Board,
9 upon payment of a \$25,000 license fee for the first year of
10 operation and a \$5,000 license fee for each succeeding year and
11 upon a determination by the Board that the applicant is
12 eligible for an owners license pursuant to this Act and the
13 rules of the Board. From the effective date of this amendatory
14 Act of the 95th General Assembly until (i) 3 years after the
15 effective date of this amendatory Act of the 95th General
16 Assembly, (ii) the date any organization licensee begins to
17 operate a slot machine or video game of chance under the
18 Illinois Horse Racing Act of 1975 or this Act, (iii) the date
19 that payments begin under subsection (c-5) of Section 13 of the
20 Act, or (iv) the wagering tax imposed under Section 13 of this
21 Act is increased by law to reflect a tax rate that is at least
22 as stringent or more stringent than the tax rate contained in
23 subsection (a-3) of Section 13, whichever occurs first ~~For a~~
24 ~~period of 2 years beginning on the effective date of this~~

1 ~~amendatory Act of the 94th General Assembly~~, as a condition of
2 licensure and as an alternative source of payment for those
3 funds payable under subsection (c-5) of Section 13 of the
4 Riverboat Gambling Act, any owners licensee that holds or
5 receives its owners license on or after the effective date of
6 this amendatory Act of the 94th General Assembly, other than an
7 owners licensee operating a riverboat with adjusted gross
8 receipts in calendar year 2004 of less than \$200,000,000, must
9 pay into the Horse Racing Equity Trust Fund, in addition to any
10 other payments required under this Act, an amount equal to 3%
11 of the adjusted gross receipts received by the owners licensee.
12 The payments required under this Section shall be made by the
13 owners licensee to the State Treasurer no later than 3:00
14 o'clock p.m. of the day after the day when the adjusted gross
15 receipts were received by the owners licensee. A person, firm
16 or corporation is ineligible 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

1 corporation;

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

6 (7) (blank); or

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

10 The Board is expressly prohibited from making changes to
11 the requirement that licensees make payment into the Horse
12 Racing Equity Trust Fund without the express authority of the
13 Illinois General Assembly and making any other rule to
14 implement or interpret this amendatory Act of the 95th General
15 Assembly. For the purposes of this paragraph, "rules" is given
16 the meaning given to that term in Section 1-70 of the Illinois
17 Administrative Procedure Act.

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

20 (1) the character, reputation, experience and
21 financial integrity of the applicants and of any other or
22 separate person that either:

23 (A) controls, directly or indirectly, such
24 applicant, or

25 (B) is controlled, directly or indirectly, by such
26 applicant or by a person which controls, directly or

1 indirectly, such applicant;

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

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

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

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

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

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

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

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

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

25 (e) The Board may issue up to 10 licenses authorizing the
26 holders of such licenses to own riverboats. In the application

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

26 In granting all licenses, the Board may give favorable

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

13 In addition to any other revocation powers granted to the
14 Board under this Act, the Board may revoke the owners license
15 of a licensee which fails to begin conducting gambling within
16 15 months of receipt of the Board's approval of the application
17 if the Board determines that license revocation is in the best
18 interests of the State.

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

25 (g) Upon the termination, expiration, or revocation of each
26 of the first 10 licenses, which shall be issued for a 3 year

1 period, all licenses are renewable annually upon payment of the
2 fee and a determination by the Board that the licensee
3 continues to meet all of the requirements of this Act and the
4 Board's rules. However, for licenses renewed on or after May 1,
5 1998, renewal shall be for a period of 4 years, unless the
6 Board sets a shorter period.

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

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

26 (j) The Board may issue or re-issue a license authorizing a

1 riverboat to dock in a municipality or approve a relocation
2 under Section 11.2 only if, prior to the issuance or
3 re-issuance of the license or approval, the governing body of
4 the municipality in which the riverboat will dock has by a
5 majority vote approved the docking of riverboats in the
6 municipality. The Board may issue or re-issue a license
7 authorizing a riverboat to dock in areas of a county outside
8 any municipality or approve a relocation under Section 11.2
9 only if, prior to the issuance or re-issuance of the license or
10 approval, the governing body of the county has by a majority
11 vote approved of the docking of riverboats within such areas.

12 (Source: P.A. 93-28, eff. 6-20-03; 93-453, eff. 8-7-03; 94-667,
13 eff. 8-23-05; 94-804, eff. 5-26-06.)

14 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

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

1 20% of annual adjusted gross receipts in excess of
2 \$25,000,000 but not exceeding \$50,000,000;

3 25% of annual adjusted gross receipts in excess of
4 \$50,000,000 but not exceeding \$75,000,000;

5 30% of annual adjusted gross receipts in excess of
6 \$75,000,000 but not exceeding \$100,000,000;

7 35% of annual adjusted gross receipts in excess of
8 \$100,000,000.

9 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
10 is imposed on persons engaged in the business of conducting
11 riverboat gambling operations, other than licensed managers
12 conducting riverboat gambling operations on behalf of the
13 State, based on the adjusted gross receipts received by a
14 licensed owner from gambling games authorized under this Act at
15 the following rates:

16 15% of annual adjusted gross receipts up to and
17 including \$25,000,000;

18 22.5% of annual adjusted gross receipts in excess of
19 \$25,000,000 but not exceeding \$50,000,000;

20 27.5% of annual adjusted gross receipts in excess of
21 \$50,000,000 but not exceeding \$75,000,000;

22 32.5% of annual adjusted gross receipts in excess of
23 \$75,000,000 but not exceeding \$100,000,000;

24 37.5% of annual adjusted gross receipts in excess of
25 \$100,000,000 but not exceeding \$150,000,000;

26 45% of annual adjusted gross receipts in excess of

1 \$150,000,000 but not exceeding \$200,000,000;
2 50% of annual adjusted gross receipts in excess of
3 \$200,000,000.

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

11 15% of annual adjusted gross receipts up to and
12 including \$25,000,000;

13 27.5% of annual adjusted gross receipts in excess of
14 \$25,000,000 but not exceeding \$37,500,000;

15 32.5% of annual adjusted gross receipts in excess of
16 \$37,500,000 but not exceeding \$50,000,000;

17 37.5% of annual adjusted gross receipts in excess of
18 \$50,000,000 but not exceeding \$75,000,000;

19 45% of annual adjusted gross receipts in excess of
20 \$75,000,000 but not exceeding \$100,000,000;

21 50% of annual adjusted gross receipts in excess of
22 \$100,000,000 but not exceeding \$250,000,000;

23 70% of annual adjusted gross receipts in excess of
24 \$250,000,000.

25 An amount equal to the amount of wagering taxes collected
26 under this subsection (a-3) that are in addition to the amount

1 of wagering taxes that would have been collected if the
2 wagering tax rates under subsection (a-2) were in effect shall
3 be paid into the Common School Fund.

4 The privilege tax imposed under this subsection (a-3) shall
5 no longer be imposed beginning on the earlier of (i) July 1,
6 2005; (ii) the first date after June 20, 2003 that riverboat
7 gambling operations are conducted pursuant to a dormant
8 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.

15 (a-4) Beginning on the first day on which the tax imposed
16 under subsection (a-3) is no longer imposed, a privilege tax is
17 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;

1 27.5% of annual adjusted gross receipts in excess of
2 \$50,000,000 but not exceeding \$75,000,000;

3 32.5% of annual adjusted gross receipts in excess of
4 \$75,000,000 but not exceeding \$100,000,000;

5 37.5% of annual adjusted gross receipts in excess of
6 \$100,000,000 but not exceeding \$150,000,000;

7 45% of annual adjusted gross receipts in excess of
8 \$150,000,000 but not exceeding \$200,000,000;

9 50% of annual adjusted gross receipts in excess of
10 \$200,000,000.

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

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

17 (a-15) If the privilege tax imposed under subsection (a-3)
18 is no longer imposed pursuant to item (i) of the last paragraph
19 of subsection (a-3), then by June 15 of each year, each owners
20 licensee, other than an owners licensee that admitted 1,000,000
21 persons or fewer in calendar year 2004, must, in addition to
22 the payment of all amounts otherwise due under this Section,
23 pay to the Board a reconciliation payment in the amount, if
24 any, by which the licensed owner's base amount exceeds the
25 amount of net privilege tax paid by the licensed owner to the
26 Board in the then current State fiscal year. A licensed owner's

1 net privilege tax obligation due for the balance of the State
2 fiscal year shall be reduced up to the total of the amount paid
3 by the licensed owner in its June 15 reconciliation payment.
4 The obligation imposed by this subsection (a-15) is binding on
5 any person, firm, corporation, or other entity that acquires an
6 ownership interest in any such owners license. The obligation
7 imposed under this subsection (a-15) terminates on the earliest
8 of: (i) July 1, 2007, (ii) the first day after the effective
9 date of this amendatory Act of the 94th General Assembly that
10 riverboat gambling operations are conducted pursuant to a
11 dormant license, (iii) the first day that riverboat gambling
12 operations are conducted under the authority of an owners
13 license that is in addition to the 10 owners licenses initially
14 authorized under this Act, or (iv) the first day that a
15 licensee under the Illinois Horse Racing Act of 1975 conducts
16 gaming operations with slot machines or other electronic gaming
17 devices. The Board must reduce the obligation imposed under
18 this subsection (a-15) by an amount the Board deems reasonable
19 for any of the following reasons: (A) an act or acts of God,
20 (B) an act of bioterrorism or terrorism or a bioterrorism or
21 terrorism threat that was investigated by a law enforcement
22 agency, or (C) a condition beyond the control of the owners
23 licensee that does not result from any act or omission by the
24 owners licensee or any of its agents and that poses a hazardous
25 threat to the health and safety of patrons. If an owners
26 licensee pays an amount in excess of its liability under this

1 Section, the Board shall apply the overpayment to future
2 payments required under this Section.

3 For purposes of this subsection (a-15):

4 "Act of God" means an incident caused by the operation of
5 an extraordinary force that cannot be foreseen, that cannot be
6 avoided by the exercise of due care, and for which no person
7 can be held liable.

8 "Base amount" means the following:

9 For a riverboat in Alton, \$31,000,000.

10 For a riverboat in East Peoria, \$43,000,000.

11 For the Empress riverboat in Joliet, \$86,000,000.

12 For a riverboat in Metropolis, \$45,000,000.

13 For the Harrah's riverboat in Joliet, \$114,000,000.

14 For a riverboat in Aurora, \$86,000,000.

15 For a riverboat in East St. Louis, \$48,500,000.

16 For a riverboat in Elgin, \$198,000,000.

17 "Dormant license" has the meaning ascribed to it in
18 subsection (a-3).

19 "Net privilege tax" means all privilege taxes paid by a
20 licensed owner to the Board under this Section, less all
21 payments made from the State Gaming Fund pursuant to subsection
22 (b) of this Section.

23 The changes made to this subsection (a-15) by Public Act
24 94-839 are intended to restate and clarify the intent of Public
25 Act 94-673 with respect to the amount of the payments required
26 to be made under this subsection by an owners licensee to the

1 Board.

2 (b) Until January 1, 1998, 25% of the tax revenue deposited
3 in the State Gaming Fund under this Section shall be paid,
4 subject to appropriation by the General Assembly, to the unit
5 of local government which is designated as the home dock of the
6 riverboat. Beginning January 1, 1998, from the tax revenue
7 deposited in the State Gaming Fund under this Section, an
8 amount equal to 5% of adjusted gross receipts generated by a
9 riverboat shall be paid monthly, subject to appropriation by
10 the General Assembly, to the unit of local government that is
11 designated as the home dock of the riverboat. From the tax
12 revenue deposited in the State Gaming Fund pursuant to
13 riverboat gambling operations conducted by a licensed manager
14 on behalf of the State, an amount equal to 5% of adjusted gross
15 receipts generated pursuant to those riverboat gambling
16 operations shall be paid monthly, subject to appropriation by
17 the General Assembly, to the unit of local government that is
18 designated as the home dock of the riverboat upon which those
19 riverboat gambling operations are conducted.

20 (c) Appropriations, as approved by the General Assembly,
21 may be made from the State Gaming Fund to the Department of
22 Revenue and the Department of State Police for the
23 administration and enforcement of this Act, or to the
24 Department of Human Services for the administration of programs
25 to treat problem gambling.

26 (c-5) Before May 26, 2006 (the effective date of Public Act

1 94-804) and beginning on the effective date of this amendatory
2 Act of the 95th General Assembly, unless any organization
3 licensee under the Illinois Horse Racing Act of 1975 begins to
4 operate a slot machine or video game of chance under the
5 Illinois Horse Racing Act of 1975 or this Act ~~2 years after May~~
6 ~~26, 2006 (the effective date of Public Act 94-804)~~, after the
7 payments required under subsections (b) and (c) have been made,
8 an amount equal to 15% of the adjusted gross receipts of (1) an
9 owners licensee that relocates pursuant to Section 11.2, (2) an
10 owners licensee conducting riverboat gambling operations
11 pursuant to an owners license that is initially issued after
12 June 25, 1999, or (3) the first riverboat gambling operations
13 conducted by a licensed manager on behalf of the State under
14 Section 7.3, whichever comes first, shall be paid from the
15 State Gaming Fund into the Horse Racing Equity Fund.

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

20 (c-15) After the payments required under subsections (b),
21 (c), and (c-5) have been made, an amount equal to 2% of the
22 adjusted gross receipts of (1) an owners licensee that
23 relocates pursuant to Section 11.2, (2) an owners licensee
24 conducting riverboat gambling operations pursuant to an owners
25 license that is initially issued after June 25, 1999, or (3)
26 the first riverboat gambling operations conducted by a licensed

1 manager on behalf of the State under Section 7.3, whichever
2 comes first, shall be paid, subject to appropriation from the
3 General Assembly, from the State Gaming Fund to each home rule
4 county with a population of over 3,000,000 inhabitants for the
5 purpose of enhancing the county's criminal justice system.

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

11 (c-25) After the payments required under subsections (b),
12 (c), (c-5) and (c-15) have been made, an amount equal to 2% of
13 the adjusted gross receipts of (1) an owners licensee that
14 relocates pursuant to Section 11.2, (2) an owners licensee
15 conducting riverboat gambling operations pursuant to an owners
16 license that is initially issued after June 25, 1999, or (3)
17 the first riverboat gambling operations conducted by a licensed
18 manager on behalf of the State under Section 7.3, whichever
19 comes first, shall be paid from the State Gaming Fund to
20 Chicago State University.

21 (d) From time to time, the Board shall transfer the
22 remainder of the funds generated by this Act into the Education
23 Assistance Fund, created by Public Act 86-0018, of the State of
24 Illinois.

25 (e) Nothing in this Act shall prohibit the unit of local
26 government designated as the home dock of the riverboat from

1 entering into agreements with other units of local government
2 in this State or in other states to share its portion of the
3 tax revenue.

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

10 (Source: P.A. 94-673, eff. 8-23-05; 94-804, eff. 5-26-06;
11 94-839, eff. 6-6-06; 95-331, eff. 8-21-07.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.