



Sen. Terry Link

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LRB096 06812 AMC 26732 a

1 AMENDMENT TO SENATE BILL 744

2 AMENDMENT NO. _____. Amend Senate Bill 744 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 1.

5 Section 1-1. Short title. This Article may be cited as the
6 Chicago Casino Development Authority Act.

7 Section 1-5. Definitions. As used in this Act:

8 "Authority" means the Chicago Casino Development Authority
9 created by this Act.

10 "Board" means the board appointed pursuant to this Act to
11 govern and control the Authority.

12 "Casino" means one temporary land-based facility and a
13 permanent land-based facility, at each of which lawful gambling
14 is authorized and licensed as provided in the Illinois Gambling
15 Act.

1 "City" means the City of Chicago.

2 "Casino operator licensee" means any person or entity
3 selected by the Authority and approved and licensed by the
4 Gaming Board to manage and operate a casino within the City of
5 Chicago pursuant to a casino management contract.

6 "Casino management contract" means a legally binding
7 agreement between the Authority and a casino operator licensee
8 to operate or manage a casino.

9 "Executive director" means the person appointed by the
10 Board to oversee the daily operations of the Authority.

11 "Gaming Board" means the Illinois Gaming Board created by
12 the Illinois Gambling Act.

13 "Mayor" means the Mayor of the City.

14 Section 1-12. Creation of the Authority. After the 5
15 members of the Illinois Gaming Board are appointed and
16 qualified pursuant to this amendatory Act of the 96th General
17 Assembly, there is hereby created a political subdivision, unit
18 of local government with only the powers authorized by law,
19 body politic, and municipal corporation, by the name and style
20 of the Chicago Casino Development Authority.

21 Section 1-13. Duties of the Authority. It shall be the duty
22 of the Authority, as a casino licensee under the Illinois
23 Gambling Act, to promote, operate, and maintain a casino in the
24 City. The Authority shall construct, equip, and maintain

1 grounds, buildings, and facilities for that purpose. The
2 Authority has the right to contract with a casino operator
3 licensee and other third parties in order to fulfill its
4 purpose. If the Authority does not contract with a casino
5 operator licensee, then the Authority is responsible for the
6 payment of any fees required of a casino operator under
7 subsection (a) of Section 7.8 of the Illinois Gambling Act. The
8 Authority is granted all rights and powers necessary to perform
9 such duties.

10 Section 1-15. Board.

11 (a) The governing and administrative powers of the
12 Authority shall be vested in a body known as the Chicago Casino
13 Development Board. The Board shall consist of 3 members
14 appointed by the Mayor. All appointees shall be subject to
15 background investigation and approval by the Gaming Board. One
16 of these members shall be designated by the Mayor to serve as
17 chairperson. All of the members appointed by the Mayor shall be
18 residents of the City.

19 (b) Board members shall receive \$300 for each day the
20 Authority meets and shall be entitled to reimbursement of
21 reasonable expenses incurred in the performance of their
22 official duties. A Board member who serves in the office of
23 secretary-treasurer may also receive compensation for services
24 provided as that officer.

1 Section 1-20. Terms of appointments; resignation and
2 removal.

3 (a) The Mayor shall appoint one member of the Board for an
4 initial term expiring July 1 of the year following approval by
5 the Gaming Board, one member for an initial term expiring July
6 1 three years following approval by the Gaming Board, and one
7 member for an initial term expiring July 1 five years following
8 approval by the Gaming Board.

9 (b) All successors shall hold office for a term of 5 years
10 from the first day of July of the year in which they are
11 appointed, except in the case of an appointment to fill a
12 vacancy. Each member, including the chairperson, shall hold
13 office until the expiration of his or her term and until his or
14 her successor is appointed and qualified. Nothing shall
15 preclude a member from serving consecutive terms. Any member
16 may resign from office, to take effect when a successor has
17 been appointed and qualified. A vacancy in office shall occur
18 in the case of a member's death or indictment, conviction, or
19 plea of guilty to a felony. A vacancy shall be filled for the
20 unexpired term by the Mayor with the approval of the Gaming
21 Board.

22 (c) The Mayor or the Gaming Board may remove any member of
23 the Board upon a finding of incompetence, neglect of duty, or
24 misfeasance or malfeasance in office or for a violation of this
25 Act. The Gaming Board may remove any member of the Board for
26 any violation of the Illinois Gambling Act or the rules and

1 regulations of the Gaming Board.

2 Section 1-25. Organization of Board; meetings. After
3 appointment by the Mayor and approval of the Gaming Board, the
4 Board shall organize for the transaction of business. The Board
5 shall prescribe the time and place for meetings, the manner in
6 which special meetings may be called, and the notice that must
7 be given to members. All actions and meetings of the Board
8 shall be subject to the provisions of the Open Meetings Act.
9 Two members of the Board shall constitute a quorum. All
10 substantive action of the Board shall be by resolution with an
11 affirmative vote of a majority of the members.

12 Section 1-30. Executive director; officers.

13 (a) The Board shall appoint an executive director, subject
14 to completion of a background investigation and approval by the
15 Gaming Board, who shall be the chief executive officer of the
16 Authority. The Board shall fix the compensation of the
17 executive director. Subject to the general control of the
18 Board, the executive director shall be responsible for the
19 management of the business, properties, and employees of the
20 Authority. The executive director shall direct the enforcement
21 of all resolutions, rules, and regulations of the Board, and
22 shall perform such other duties as may be prescribed from time
23 to time by the Board. All employees and independent
24 contractors, consultants, engineers, architects, accountants,

1 attorneys, financial experts, construction experts and
2 personnel, superintendents, managers, and other personnel
3 appointed or employed pursuant to this Act shall report to the
4 executive director. In addition to any other duties set forth
5 in this Act, the executive director shall do all of the
6 following:

7 (1) Direct and supervise the administrative affairs
8 and activities of the Authority in accordance with its
9 rules, regulations, and policies.

10 (2) Attend meetings of the Board.

11 (3) Keep minutes of all proceedings of the Board.

12 (4) Approve all accounts for salaries, per diem
13 payments, and allowable expenses of the Board and its
14 employees and consultants.

15 (5) Report and make recommendations to the Board
16 concerning the terms and conditions of any casino
17 management contract.

18 (6) Perform any other duty that the Board requires for
19 carrying out the provisions of this Act.

20 (7) Devote his or her full time to the duties of the
21 office and not hold any other office or employment.

22 (b) The Board may select a secretary-treasurer to hold
23 office at the pleasure of the Board. The Board shall fix the
24 duties of such officer.

25 Section 1-31. General rights and powers of the Authority.

1 In addition to the duties and powers set forth in this Act, the
2 Authority shall have the following rights and powers:

3 (1) Adopt and alter an official seal.

4 (2) Establish and change its fiscal year.

5 (3) Sue and be sued, plead and be impleaded, all in its
6 own name, and agree to binding arbitration of any dispute
7 to which it is a party.

8 (4) Adopt, amend, and repeal by-laws, rules, and
9 regulations consistent with the furtherance of the powers
10 and duties provided for.

11 (5) Maintain its principal office within the City and
12 such other offices as the Board may designate.

13 (6) Select locations in the City for a temporary and a
14 permanent casino, subject to final approval by the Gaming
15 Board.

16 (7) Conduct background investigations of potential
17 casino operator licensees, including its principals or
18 shareholders, and Authority staff.

19 (8) Employ, either as regular employees or independent
20 contractors, consultants, engineers, architects,
21 accountants, attorneys, financial experts, construction
22 experts and personnel, superintendents, managers and other
23 professional personnel, and such other personnel as may be
24 necessary in the judgment of the Board, and fix their
25 compensation.

26 (9) Own, acquire, construct, equip, lease, operate,

1 and maintain grounds, buildings, and facilities to carry
2 out its corporate purposes and duties.

3 (10) Enter into, revoke, and modify contracts in
4 accordance with the of the Gaming Board.

5 (11) Enter into a casino management contract subject to
6 the final approval of the Gaming Board.

7 (12) Develop, or cause to be developed by a third
8 party, a master plan for the design, planning, and
9 development of a casino.

10 (13) Negotiate and enter into intergovernmental
11 agreements with the State and its agencies, the City, and
12 other units of local government, in furtherance of the
13 powers and duties of the Board. However, the Authority may
14 not enter into an agreement with the State Police.

15 (14) Receive and disburse funds for its own corporate
16 purposes or as otherwise specified in this Act.

17 (15) Borrow money from any source, public or private,
18 for any corporate purpose, including, without limitation,
19 working capital for its operations, reserve funds, or
20 payment of interest, and to mortgage, pledge, or otherwise
21 encumber the property or funds of the Authority and to
22 contract with or engage the services of any person in
23 connection with any financing, including financial
24 institutions, issuers of letters of credit, or insurers and
25 enter into reimbursement agreements with this person or
26 entity which may be secured as if money were borrowed from

1 the person or entity.

2 (16) Issue bonds as provided for under this Act.

3 (17) Receive and accept from any source, private or
4 public, contributions, gifts, or grants of money or
5 property to the Authority.

6 (18) Provide for the insurance of any property,
7 operations, officers, members, agents, or employees of the
8 Authority against any risk or hazard, to self-insure or
9 participate in joint self-insurance pools or entities to
10 insure against such risk or hazard, and to provide for the
11 indemnification of its officers, members, employees,
12 contractors, or agents against any and all risks.

13 (19) Exercise all the corporate powers granted
14 Illinois corporations under the Business Corporation Act
15 of 1983, except to the extent that powers are inconsistent
16 with those of a body politic and corporate of the State.

17 (20) Do all things necessary or convenient to carry out
18 the powers granted by this Act.

19 Section 1-32. Ethical Conduct.

20 (a) Board members and employees of the Authority must carry
21 out their duties and responsibilities in such a manner as to
22 promote and preserve public trust and confidence in the
23 integrity and conduct of gaming.

24 (b) Except as may be required in the conduct of official
25 duties, Board members and employees of the Authority shall not

1 engage in gambling on any riverboat, in any casino, or in an
2 electronic gaming facility licensed by the Illinois Gaming
3 Board or engage in legalized gambling in any establishment
4 identified by Board action that, in the judgment of the Board,
5 could represent a potential for a conflict of interest.

6 (c) A Board member or employee of the Authority shall not
7 use or attempt to use his or her official position to secure or
8 attempt to secure any privilege, advantage, favor, or influence
9 for himself or herself or others.

10 (d) Board members and employees of the Authority shall not
11 hold or pursue employment, office, position, business, or
12 occupation that may conflict with his or her official duties.
13 Employees may engage in other gainful employment so long as
14 that employment does not interfere or conflict with their
15 duties. Such employment must be disclosed to the Executive
16 Director and approved by the Board.

17 (e) Board members and employees of the Authority may not
18 engage in employment, communications, or any activity that may
19 be deemed a conflict of interest. This prohibition shall extend
20 to any act identified by Board action or Gaming Board action
21 that, in the judgment of the either entity, could represent the
22 potential for or the appearance of a conflict of interest.

23 (f) Board members and employees of the Authority may not
24 have a financial interest, directly or indirectly, in his or
25 her own name or in the name of any other person, partnership,
26 association, trust, corporation, or other entity in any

1 contract or subcontract for the performance of any work for the
2 Authority. This prohibition shall extend to the holding or
3 acquisition of an interest in any entity identified by Board
4 action or Gaming Board action that, in the judgment of the
5 either entity, could represent the potential for or the
6 appearance of a financial interest. The holding or acquisition
7 of an interest in such entities through an indirect means, such
8 as through a mutual fund, shall not be prohibited, except that
9 the Gaming Board may identify specific investments or funds
10 that, in its judgment, are so influenced by gaming holdings as
11 to represent the potential for or the appearance of a conflict
12 of interest.

13 (g) Board members and employees of the Authority may not
14 accept any gift, gratuity, service, compensation, travel,
15 lodging, or thing of value, with the exception of unsolicited
16 items of an incidental nature, from any person, corporation, or
17 entity doing business with the Authority.

18 (h) No Board member or employee of the Authority may,
19 within a period of 2 years immediately after termination of
20 employment, knowingly accept employment or receive
21 compensation or fees for services from a person or entity, or
22 its parent or affiliate, that has engaged in business with the
23 Authority that resulted in contracts with an aggregate value of
24 at least \$25,000 or if that Board member or employee has made a
25 decision that directly applied to the person or entity, or its
26 parent or affiliate.

1 (i) A spouse, child, or parent of a Board member or
2 employee of the Authority may not have a financial interest,
3 directly or indirectly, in his or her own name or in the name
4 of any other person, partnership, association, trust,
5 corporation, or other entity in any contract or subcontract for
6 the performance of any work for the Authority. This prohibition
7 shall extend to the holding or acquisition of an interest in
8 any entity identified by Board action or Gaming Board action
9 that, in the judgment of the either entity, could represent the
10 potential for or the appearance of a conflict of interest. The
11 holding or acquisition of an interest in such entities through
12 an indirect means, such as through a mutual fund, shall not be
13 prohibited, except that the Gaming Board may identify specific
14 investments or funds that, in its judgment, are so influenced
15 by gaming holdings as to represent the potential for or the
16 appearance of a conflict of interest.

17 (j) A spouse, child, or parent of a Board member or
18 employee of the Authority may not accept any gift, gratuity,
19 service, compensation, travel, lodging, or thing of value, with
20 the exception of unsolicited items of an incidental nature,
21 from any person, corporation, or entity doing business with the
22 Authority.

23 (k) A spouse, child, or parent of a Board member or
24 employee of the Authority may not, within a period of 2 years
25 immediately after termination of employment, knowingly accept
26 employment or receive compensation or fees for services from a

1 person or entity, or its parent or affiliate, that has engaged
2 in business with the Authority that resulted in contracts with
3 an aggregate value of at least \$25,000 or if that Board member
4 or employee has made a decision that directly applied to the
5 person or entity, or its parent or affiliate.

6 (l) No Board member or employee of the Authority may
7 attempt, in any way, to influence any person or corporation
8 doing business with the Authority or any officer, agent, or
9 employee thereof to hire or contract with any person or
10 corporation for any compensated work.

11 (m) Any communication between an elected official of the
12 City and any applicant for or party to a casino management
13 contract with the Authority, or an officer, director, or
14 employee thereof, concerning any manner relating in any way to
15 gaming or the Authority shall be disclosed to the Board and the
16 Gaming Board. Such disclosure shall be in writing by the
17 official within 30 days of the communication and shall be filed
18 with the Board. Disclosure must consist of the date of the
19 communication, the identity and job title of the person with
20 whom the communication was made, a brief summary of the
21 communication, the action requested or recommended, all
22 responses made, the identity and job title of the person making
23 the response, and any other pertinent information.

24 The written disclosure provided to the Board and Gaming
25 Board shall be privileged and maintained strictly confidential
26 and shall be exempt from public disclosure under the Freedom of

1 Information Act.

2 Public disclosure of the written summary provided to the
3 Board and the Gaming Board shall be subject to the exemptions
4 provided under Section 7 of the Freedom of Information Act.

5 (n) Any Board member or employee of the Authority who
6 violates any provision of this Section is guilty of a Class 4
7 felony.

8 Section 1-45. Casino management contracts.

9 (a) The Board shall develop and administer a competitive
10 sealed bidding process for the selection of a potential casino
11 operator licensee to develop or operate a casino within the
12 City. The Board shall issue one or more requests for proposals.
13 The Board may establish minimum financial and investment
14 requirements to determine the eligibility of persons to respond
15 to the Board's requests for proposal, and may establish and
16 consider such other criteria as it deems appropriate. The Board
17 may impose a fee upon persons who respond to requests for
18 proposal, in order to reimburse the Board for its costs in
19 preparing and issuing the requests and reviewing the proposals.

20 (b) Within 5 days after the time limit for submitting bids
21 and proposals has passed, the Board shall make all bids and
22 proposals public, provided, however, the Board shall not be
23 required to disclose any information which would be exempt from
24 disclosure under Section 7 of the Freedom of Information Act.
25 Thereafter, the Board shall evaluate the responses to its

1 requests for proposal and the ability of all persons or
2 entities responding to its request for proposal to meet the
3 requirements of this Act and to undertake and perform the
4 obligations set forth in its requests for proposal.

5 (c) After reviewing proposals and subject to Gaming Board
6 approval, the Board shall enter into a casino management
7 contract authorizing the development, construction, or
8 operation of a casino. Validity of the casino management
9 contract is contingent upon the issuance of a casino operator
10 license to the successful bidder. If the Gaming Board approves
11 the contract and grants a casino operator license, the Board
12 shall transmit a copy of the executed casino management
13 contract to the Gaming Board.

14 (d) After the Authority has been issued a casino license,
15 the Gaming Board has issued a casino operator license, and the
16 Gaming Board has approved the location of a temporary facility,
17 the Authority may conduct gaming operations at a temporary
18 facility for no longer than 24 months after gaming operations
19 begin. The Gaming Board may, after holding a public hearing,
20 grant an extension so long as a permanent facility is not
21 operational and the Authority is working in good faith to
22 complete the permanent facility. The Gaming Board may grant
23 additional extensions following a public hearing. Each
24 extension may be for a period of no longer than 6 months.

25 Section 1-50. Transfer of funds. The revenues received by

1 the Authority (other than amounts required to be paid pursuant
2 to the Illinois Gambling Act and amounts required to pay the
3 operating expenses of the Authority, to pay amounts due the
4 casino operator licensee pursuant to a casino management
5 contract, to repay any borrowing of the Authority made pursuant
6 to Section 1-31, to pay debt service on any bonds issued under
7 Section 1-75, and to pay any expenses in connection with the
8 issuance of such bonds pursuant to Section 1-75 or derivative
9 products pursuant to Section 1-85) shall be transferred to the
10 City by the Authority.

11 Section 1-55. Municipal distributions of proceeds from a
12 casino; gaming endowment funds. At least 70% of the moneys that
13 a municipality in which a casino is located receives pursuant
14 to Section 1-50 of this Act shall be described as "gaming
15 endowment funds" and be expended or obligated by the
16 municipality for the following purposes and in the following
17 amounts:

18 (1) 40% of such gaming endowment funds shall be used
19 for or pledged for the construction and maintenance of
20 infrastructure within the municipality, including but not
21 limited to roads, bridges, transit infrastructure, and
22 municipal facilities.

23 (2) 60% of such gaming endowment funds shall be used
24 for or pledged for the construction and maintenance of
25 schools, parks and cultural institution facilities, and

1 museums within the municipality.

2 Section 1-60. Auditor General.

3 (a) Prior to the issuance of bonds under this Act, the
4 Authority shall submit to the Auditor General a certification
5 that:

6 (1) it is legally authorized to issue bonds;

7 (2) scheduled annual payments of principal and
8 interest on the bonds to be issued meet the requirements of
9 Section 1-75 of this Act;

10 (3) no bond shall mature later than 30 years; and

11 (4) after payment of costs of issuance and necessary
12 deposits to funds and accounts established with respect to
13 debt service on the bonds, the net bond proceeds (exclusive
14 of any proceeds to be used to refund outstanding bonds)
15 will be used only for the purposes set forth in this Act.

16 The Auditor General has the authority and is required to,
17 every 2 years, (1) review the financial audit of the Authority
18 performed by the Authority's certified public accountants and
19 (2) perform a management audit of the Authority. The Auditor
20 General shall submit a bill to the Authority for costs
21 associated with the review and audit required under this
22 Section, which costs shall not exceed \$100,000. The Authority
23 shall reimburse the Auditor General for such costs in a timely
24 manner. The Auditor General shall post its audits on his or her
25 website.

1 Section 1-62. Advisory committee. An Advisory Committee is
2 established to monitor, review, and report on (1) the
3 Authority's utilization of minority-owned business enterprises
4 and female-owned business enterprises, (2) employment of
5 females, and (3) employment of minorities with regard to the
6 development and construction of the casino as authorized under
7 Section 7 of the Illinois Gambling Act. The Authority shall
8 work with the Advisory Committee in accumulating necessary
9 information for the Committee to submit reports, as necessary,
10 to the General Assembly and to the City of Chicago.

11 The Committee shall consist of 15 members as provided in
12 this Section. Seven members shall be selected by the Mayor of
13 the City of Chicago; 2 members shall be selected by the
14 President of the Illinois Senate; 2 members shall be selected
15 by the Speaker of the House of Representatives; 2 members shall
16 be selected by the Minority Leader of the Senate; and 2 members
17 shall be selected by the Minority Leader of the House of
18 Representatives. The Advisory Committee shall meet
19 periodically and shall report the information to the Mayor of
20 the City and to the General Assembly by December 31st of every
21 year.

22 The Advisory Committee shall be dissolved on the date that
23 casino gambling operations are first conducted under the
24 license authorized under Section 7 of the Illinois Gambling
25 Act, other than at a temporary facility.

1 For the purposes of this Section, the terms "female" and
2 "minority person" have the meanings provided in Section 2 of
3 the Business Enterprise for Minorities, Females, and Persons
4 with Disabilities Act.

5 Section 1-65. Acquisition of property; eminent domain
6 proceedings. For the lawful purposes of this Act, the City may
7 acquire by eminent domain or by condemnation proceedings in the
8 manner provided by the Eminent Domain Act, real or personal
9 property or interests in real or personal property located in
10 the City, and the City may convey to the Authority property so
11 acquired. The acquisition of property under this Section is
12 declared to be for a public use.

13 Section 1-70. Local regulation. The casino facilities and
14 operations therein shall be subject to all ordinances and
15 regulations of the City. The construction, development, and
16 operation of the casino shall comply with all ordinances,
17 regulations, rules, and controls of the City, including but not
18 limited to those relating to zoning and planned development,
19 building, fire prevention, and land use. However, the
20 regulation of gaming operations is subject to the exclusive
21 jurisdiction of the Gaming Board.

22 Section 1-75. Borrowing.

23 (a) The Authority may borrow money and issue bonds as

1 provided in this Section. Bonds of the Authority may be issued
2 to provide funds for land acquisition, site assembly and
3 preparation, and the design and construction of the casino, as
4 defined in the Illinois Gambling Act, all ancillary and related
5 facilities comprising the casino complex, and all on-site and
6 off-site infrastructure improvements required in connection
7 with the development of the casino; to refund (at the time or
8 in advance of any maturity or redemption) or redeem any bonds
9 of the Authority; to provide or increase a debt service reserve
10 fund or other reserves with respect to any or all of its bonds;
11 or to pay the legal, financial, administrative, bond insurance,
12 credit enhancement, and other legal expenses of the
13 authorization, issuance, or delivery of bonds. In this Act, the
14 term "bonds" also includes notes of any kind, interim
15 certificates, refunding bonds, or any other evidence of
16 obligation for borrowed money issued under this Section. Bonds
17 may be issued in one or more series and may be payable and
18 secured either on a parity with or separately from other bonds.

19 (b) The bonds of the Authority shall be payable from one or
20 more of the following sources: (i) the property or revenues of
21 the Authority; (ii) revenues derived from the casino; (iii)
22 revenues derived from any casino operator licensee; (iv) fees,
23 bid proceeds, charges, lease payments, payments required
24 pursuant to any casino management contract or other revenues
25 payable to the Authority, or any receipts of the Authority; (v)
26 payments by financial institutions, insurance companies, or

1 others pursuant to letters or lines of credit, policies of
2 insurance, or purchase agreements; (vi) investment earnings
3 from funds or accounts maintained pursuant to a bond resolution
4 or trust indenture; (vii) proceeds of refunding bonds; (viii)
5 any other revenues derived from or payments by the City; and
6 (ix) any payments by any casino operator licensee or others
7 pursuant to any guaranty agreement.

8 (c) Bonds shall be authorized by a resolution of the
9 Authority and may be secured by a trust indenture by and
10 between the Authority and a corporate trustee or trustees,
11 which may be any trust company or bank having the powers of a
12 trust company within or without the State. Bonds shall meet the
13 following requirements:

14 (1) Bonds shall bear interest at a rate not to exceed
15 the maximum rate authorized by the Bond Authorization Act.

16 (2) Bonds issued pursuant to this Section may be
17 payable on such dates and times as may be provided for by
18 the resolution or indenture authorizing the issuance of
19 such bonds; provided, however, that such bonds shall mature
20 no later than 30 years from the date of issuance.

21 (3) At least 25%, based on total principal amount, of
22 all bonds issued pursuant to this Section shall be sold
23 pursuant to notice of sale and public bid. No more than
24 75%, based on total principal amount, of all bonds issued
25 pursuant to this Section shall be sold by negotiated sale.

26 (4) Bonds shall be payable at a time or times, in the

1 denominations and form, including book entry form, either
2 coupon, registered, or both, and carry the registration and
3 privileges as to exchange, transfer or conversion, and
4 replacement of mutilated, lost, or destroyed bonds as the
5 resolution or trust indenture may provide.

6 (5) Bonds shall be payable in lawful money of the
7 United States at a designated place.

8 (6) Bonds shall be subject to the terms of purchase,
9 payment, redemption, refunding, or refinancing that the
10 resolution or trust indenture provides.

11 (7) Bonds shall be executed by the manual or facsimile
12 signatures of the officers of the Authority designated by
13 the Board, which signatures shall be valid at delivery even
14 for one who has ceased to hold office.

15 (8) Bonds shall be sold at public or private sale in
16 the manner and upon the terms determined by the Authority.

17 (9) Bonds shall be issued in accordance with the
18 provisions of the Local Government Debt Reform Act.

19 (d) The Authority shall adopt a procurement program with
20 respect to contracts relating to underwriters, bond counsel,
21 financial advisors, and accountants. The program shall include
22 goals for the payment of not less than 30% of the total dollar
23 value of the fees from these contracts to minority owned
24 businesses and female owned businesses as defined in the
25 Business Enterprise for Minorities, Females, and Persons with
26 Disabilities Act. The Authority shall conduct outreach to

1 minority owned businesses and female owned businesses.
2 Outreach shall include, but is not limited to, advertisements
3 in periodicals and newspapers, mailings, and other appropriate
4 media. The Authority shall submit to the General Assembly a
5 comprehensive report that shall include, at a minimum, the
6 details of the procurement plan, outreach efforts, and the
7 results of the efforts to achieve goals for the payment of
8 fees.

9 (e) Subject to the Illinois Gambling Act and rules of the
10 Gaming Board regarding pledging of interests in holders of
11 owners licenses, any resolution or trust indenture may contain
12 provisions that may be a part of the contract with the holders
13 of the bonds as to the following:

14 (1) Pledging, assigning, or directing the use,
15 investment, or disposition of revenues of the Authority or
16 proceeds or benefits of any contract, including without
17 limitation, any rights in any casino management contract.

18 (2) The setting aside of loan funding deposits, debt
19 service reserves, replacement or operating reserves, cost
20 of issuance accounts and sinking funds, and the regulation,
21 investment, and disposition thereof.

22 (3) Limitations on the purposes to which or the
23 investments in which the proceeds of sale of any issue of
24 bonds or the Authority's revenues and receipts may be
25 applied or made.

26 (4) Limitations on the issue of additional bonds, the

1 terms upon which additional bonds may be issued and
2 secured, the terms upon which additional bonds may rank on
3 a parity with, or be subordinate or superior to, other
4 bonds.

5 (5) The refunding, advance refunding, or refinancing
6 of outstanding bonds.

7 (6) The procedure, if any, by which the terms of any
8 contract with bondholders may be altered or amended and the
9 amount of bonds and holders of which must consent thereto
10 and the manner in which consent shall be given.

11 (7) Defining the acts or omissions which shall
12 constitute a default in the duties of the Authority to
13 holders of bonds and providing the rights or remedies of
14 such holders in the event of a default, which may include
15 provisions restricting individual rights of action by
16 bondholders.

17 (8) Providing for guarantees, pledges of property,
18 letters of credit, or other security, or insurance for the
19 benefit of bondholders.

20 (f) No member of the Board, nor any person executing the
21 bonds, shall be liable personally on the bonds or subject to
22 any personal liability by reason of the issuance of the bonds.

23 (g) The Authority may issue and secure bonds in accordance
24 with the provisions of the Local Government Credit Enhancement
25 Act.

26 (h) A pledge by the Authority of revenues and receipts as

1 security for an issue of bonds or for the performance of its
2 obligations under any casino management contract shall be valid
3 and binding from the time when the pledge is made. The revenues
4 and receipts pledged shall immediately be subject to the lien
5 of the pledge without any physical delivery or further act, and
6 the lien of any pledge shall be valid and binding against any
7 person having any claim of any kind in tort, contract, or
8 otherwise against the Authority, irrespective of whether the
9 person has notice. No resolution, trust indenture, management
10 agreement or financing statement, continuation statement, or
11 other instrument adopted or entered into by the Authority need
12 be filed or recorded in any public record other than the
13 records of the Authority in order to perfect the lien against
14 third persons, regardless of any contrary provision of law.

15 (i) Bonds that are being paid or retired by issuance, sale,
16 or delivery of bonds, and bonds for which sufficient funds have
17 been deposited with the paying agent or trustee to provide for
18 payment of principal and interest thereon, and any redemption
19 premium, as provided in the authorizing resolution, shall not
20 be considered outstanding for the purposes of this subsection.

21 (j) The bonds of the Authority shall not be indebtedness of
22 the State. The bonds of the Authority are not general
23 obligations of the State and are not secured by a pledge of the
24 full faith and credit of the State and the holders of bonds of
25 the Authority may not require, except as provided in this Act,
26 the application of State revenues or funds to the payment of

1 bonds of the Authority.

2 (k) The State of Illinois pledges and agrees with the
3 owners of the bonds that it will not limit or alter the rights
4 and powers vested in the Authority by this Act so as to impair
5 the terms of any contract made by the Authority with the owners
6 or in any way impair the rights and remedies of the owners
7 until the bonds, together with interest on them, and all costs
8 and expenses in connection with any action or proceedings by or
9 on behalf of the owners, are fully met and discharged. The
10 Authority is authorized to include this pledge and agreement in
11 any contract with the owners of bonds issued under this
12 Section.

13 (l) No person holding an elective office in this State,
14 holding a seat in the General Assembly, or serving as a board
15 member, trustee, officer, or employee of the Authority,
16 including the spouse of that person, may receive a legal,
17 banking, consulting, or other fee related to the issuance of
18 bonds.

19 Section 1-85. Derivative products. With respect to all or
20 part of any issue of its bonds, the Authority may enter into
21 agreements or contracts with any necessary or appropriate
22 person, which will have the benefit of providing to the
23 Authority an interest rate basis, cash flow basis, or other
24 basis different from that provided in the bonds for the payment
25 of interest. Such agreements or contracts may include, without

1 limitation, agreements or contracts commonly known as
2 "interest rate swap agreements", "forward payment conversion
3 agreements", "futures", "options", "puts", or "calls" and
4 agreements or contracts providing for payments based on levels
5 of or changes in interest rates, agreements or contracts to
6 exchange cash flows or a series of payments, or to hedge
7 payment, rate spread, or similar exposure.

8 Section 1-90. Legality for investment. The State of
9 Illinois, all governmental entities, all public officers,
10 banks, bankers, trust companies, savings banks and
11 institutions, building and loan associations, savings and loan
12 associations, investment companies, and other persons carrying
13 on a banking business, insurance companies, insurance
14 associations, and other persons carrying on an insurance
15 business, and all executors, administrators, guardians,
16 trustees, and other fiduciaries may legally invest any sinking
17 funds, moneys, or other funds belonging to them or within their
18 control in any bonds issued under this Act. However, nothing in
19 this Section shall be construed as relieving any person, firm,
20 or corporation from any duty of exercising reasonable care in
21 selecting securities for purchase or investment.

22 Section 1-95. Tax exemption. The Authority and all of its
23 operations and property used for public purposes shall be
24 exempt from all taxation of any kind imposed by the State of

1 Illinois or any political subdivision, school district,
2 municipal corporation, or unit of local government of the State
3 of Illinois. However, nothing in this Act prohibits the
4 imposition of any other taxes where such imposition is not
5 prohibited by Section 21 of the Illinois Gambling Act.

6 Section 1-105. Budgets and reporting.

7 (a) The Board shall annually adopt a budget for each fiscal
8 year. The budget may be modified from time to time in the same
9 manner and upon the same vote as it may be adopted. The budget
10 shall include the Authority's available funds and estimated
11 revenues and shall provide for payment of its obligations and
12 estimated expenditures for the fiscal year, including, without
13 limitation, expenditures for administration, operation,
14 maintenance and repairs, debt service, and deposits into
15 reserve and other funds and capital projects.

16 (b) The Board shall annually cause the finances of the
17 Authority to be audited by a firm of certified public
18 accountants selected by the Board in accordance with the rules
19 of the Gaming Board and post the firm's audits of the Authority
20 on the Authority's Internet website.

21 (c) The Board shall, for each fiscal year, prepare an
22 annual report setting forth information concerning its
23 activities in the fiscal year and the status of the development
24 of the casino. The annual report shall include the audited
25 financial statements of the Authority for the fiscal year, the

1 budget for the succeeding fiscal year, and the current capital
2 plan as of the date of the report. Copies of the annual report
3 shall be made available to persons who request them and shall
4 be submitted not later than 120 days after the end of the
5 Authority's fiscal year or, if the audit of the Authority's
6 financial statements is not completed within 120 days after the
7 end of the Authority's fiscal year, as soon as practical after
8 completion of the audit, to the Governor, the Mayor, the
9 General Assembly, and the Commission on Government Forecasting
10 and Accountability.

11 Section 1-110. Deposit and withdrawal of funds.

12 (a) All funds deposited by the Authority in any bank or
13 savings and loan association shall be placed in the name of the
14 Authority and shall be withdrawn or paid out only by check or
15 draft upon the bank or savings and loan association, signed by
16 2 officers or employees designated by the Board.
17 Notwithstanding any other provision of this Section, the Board
18 may designate any of its members or any officer or employee of
19 the Authority to authorize the wire transfer of funds deposited
20 by the secretary-treasurer of funds in a bank or savings and
21 loan association for the payment of payroll and employee
22 benefits-related expenses.

23 No bank or savings and loan association shall receive
24 public funds as permitted by this Section unless it has
25 complied with the requirements established pursuant to Section

1 6 of the Public Funds Investment Act.

2 (b) If any officer or employee whose signature appears upon
3 any check or draft issued pursuant to this Act ceases (after
4 attaching his signature) to hold his or her office before the
5 delivery of such a check or draft to the payee, his or her
6 signature shall nevertheless be valid and sufficient for all
7 purposes with the same effect as if he or she had remained in
8 office until delivery thereof.

9 Section 1-112. Contracts with the Authority or casino
10 operator licensee; disclosure requirements.

11 (a) A bidder, respondent, offeror, or contractor for
12 contracts with the Authority or casino operator licensee shall
13 disclose the identity of all officers and directors and every
14 owner, beneficiary, or person with beneficial interest of more
15 than 1%, or shareholder entitled to receive more than 1% of the
16 total distributable income of any corporation, having any
17 interest in the contract in the bidder, respondent, offeror, or
18 contractor. The disclosure shall be in writing and attested to
19 by an owner, trustee, corporate official, or agent. If stock in
20 a corporation is publicly traded and there is no readily known
21 individual having greater than a 1% interest, then a statement
22 to that effect attested to by an officer or agent of the
23 corporation or shall fulfill the disclosure statement
24 requirement of this Section. A bidder, respondent, offeror, or
25 contractor shall notify the Authority of any changes in

1 officers, directors, ownership, or individuals having a
2 beneficial interest of more than 1%.

3 (b) A bidder, respondent, offeror, or contractor for
4 contracts with an annual value of \$10,000 or for a period to
5 exceed one year shall disclose all political contributions of
6 the bidder, respondent, offeror, or contractor and any
7 affiliated person or entity. Disclosure shall include at least
8 the names and addresses of the contributors and the dollar
9 amounts of any contributions to any political committee made
10 within the previous 2 years. The disclosure must be submitted
11 to the Gaming Board with a copy of the contract prior to Gaming
12 Board approval of the contract. The Gaming Board shall refuse
13 to approve any contract that does not include the required
14 disclosure.

15 (c) As used in this Section:

16 "Contribution" means contribution as defined in Section
17 9-1.4 of the Election Code.

18 "Affiliated person" means (i) any person with any ownership
19 interest or distributive share of the bidding, responding, or
20 contracting entity in excess of 1%, (ii) executive employees of
21 the bidding, responding, or contracting entity, and (iii) the
22 spouse and minor children of any such persons.

23 "Affiliated entity" means (i) any parent or subsidiary of
24 the bidding or contracting entity, (ii) any member of the same
25 unitary business group, or (iii) any political committee for
26 which the bidding, responding, or contracting entity is the

1 sponsoring entity.

2 (d) The Gaming Board may direct the Authority or a casino
3 operator licensee to void a contract if a violation of this
4 Section occurs. The Authority may direct a casino operator
5 licensee to void a contract if a violation of this Section
6 occurs.

7 Section 1-115. Purchasing.

8 (a) All construction contracts and contracts for supplies,
9 materials, equipment, and services, when the cost thereof to
10 the Authority exceeds \$25,000, shall be let by a competitive
11 selection process to the lowest responsible proposer, after
12 advertising for proposals, except for the following:

13 (1) When repair parts, accessories, equipment, or
14 services are required for equipment or services previously
15 furnished or contracted for;

16 (2) Professional services;

17 (3) When services such as water, light, heat, power,
18 telephone (other than long-distance service), or telegraph
19 are required;

20 (4) When contracts for the use, purchase, delivery,
21 movement, or installation of data processing equipment,
22 software, or services and telecommunications equipment,
23 software, and services are required;

24 (5) Casino management contracts, which shall be
25 awarded as set forth in Section 1-45 of this Act; and.

1 (6) Contracts where there is only one economically
2 feasible source; and

3 (7) When a purchase is needed on an immediate,
4 emergency basis because there exists a threat to public
5 health or public safety, or when immediate expenditure is
6 necessary for repairs to Authority property in order to
7 protect against further loss of or damage to Authority
8 property, to prevent or minimize serious disruption in
9 Authority services or to ensure the integrity of Authority
10 records.

11 (b) All contracts involving less than \$25,000 shall be let
12 by competitive selection process whenever possible, and in any
13 event in a manner calculated to ensure the best interests of
14 the public.

15 (c) In determining the responsibility of any proposer, the
16 Authority may take into account the proposer's (or an
17 individual having a beneficial interest, directly or
18 indirectly, of more than 1% in such proposing entity) past
19 record of dealings with the Authority, the proposer's
20 experience, adequacy of equipment, and ability to complete
21 performance within the time set, and other factors besides
22 financial responsibility. No such contract shall be awarded to
23 any proposer other than the lowest proposer (in case of
24 purchase or expenditure) unless authorized or approved by a
25 vote of at least 2 members of the Board and such action is
26 accompanied by a written statement setting forth the reasons

1 for not awarding the contract to the highest or lowest
2 proposer, as the case may be. The statement shall be kept on
3 file in the principal office of the Authority and open to
4 public inspection.

5 (d) The Authority shall have the right to reject all
6 proposals and to re-advertise for proposals. If after any such
7 re-advertisement, no responsible and satisfactory proposals,
8 within the terms of the re-advertisement, is received, the
9 Authority may award such contract without competitive
10 selection, provided that the Gaming Board must approve the
11 contract prior to its execution. The contract must not be less
12 advantageous to the Authority than any valid proposal received
13 pursuant to advertisement.

14 (e) Advertisements for proposals and re-proposals shall be
15 published at least once in a daily newspaper of general
16 circulation published in the City at least 10 calendar days
17 before the time for receiving proposals, and such
18 advertisements shall also be posted on readily accessible
19 bulletin boards in the principal office of the Authority. Such
20 advertisements shall state the time and place for receiving and
21 opening of proposals and, by reference to plans and
22 specifications on file at the time of the first publication or
23 in the advertisement itself, shall describe the character of
24 the proposed contract in sufficient detail to fully advise
25 prospective proposers of their obligations and to ensure free
26 and open competitive selection.

1 (f) All proposals in response to advertisements shall be
2 sealed and shall be publicly opened by the Authority. All
3 proposers shall be entitled to be present in person or by
4 representatives. Cash or a certified or satisfactory cashier's
5 check, as a deposit of good faith, in a reasonable amount to be
6 fixed by the Authority before advertising for proposals, shall
7 be required with the proposal. A bond for faithful performance
8 of the contract with surety or sureties satisfactory to the
9 Authority and adequate insurance may be required in reasonable
10 amounts to be fixed by the Authority before advertising for
11 proposals.

12 (g) The contract shall be awarded as promptly as possible
13 after the opening of proposals. The proposal of the successful
14 proposer, as well as the bids of the unsuccessful proposers,
15 shall be placed on file and be open to public inspection
16 subject to the exemptions from disclosure provided under
17 Section 7 of the Freedom of Information Act. All proposals
18 shall be void if any disclosure of the terms of any proposals
19 in response to an advertisement is made or permitted to be made
20 by the Authority before the time fixed for opening proposals.

21 (h) Notice of each and every contract that is offered,
22 including renegotiated contracts and change orders, shall be
23 published in an online bulletin. The online bulletin must
24 include at least the date first offered, the date submission of
25 offers is due, the location that offers are to be submitted to,
26 a brief purchase description, the method of source selection,

1 information of how to obtain a comprehensive purchase
2 description and any disclosure and contract forms, and
3 encouragement to prospective vendors to hire qualified
4 veterans, as defined by Section 45-67 of the Illinois
5 Procurement Code, and Illinois residents discharged from any
6 Illinois adult correctional center subject to Gaming Board
7 licensing and eligibility rules. Notice of each and every
8 contract that is let or awarded, including renegotiated
9 contracts and change orders, shall be published in the online
10 bulletin and must include at least all of the information
11 specified in this item (h), as well as the name of the
12 successful responsible proposer or offeror, the contract
13 price, and the number of unsuccessful responsive proposers and
14 any other disclosure specified in this Section. This notice
15 must be posted in the online electronic bulletin prior to
16 execution of the contract.

17 Section 1-130. Affirmative action and equal opportunity
18 obligations of Authority.

19 (a) The Authority is subject to the requirements of Article
20 V of Chapter 2-92 (Sections 2-92-650 through 2-92-720
21 inclusive) of the Chicago Municipal Code, as now or hereafter
22 amended, renumbered, or succeeded, concerning a Minority-Owned
23 and Women-Owned Business Enterprise Procurement Program for
24 construction contracts, and Chapter 2-92-420 et. seq. of the
25 Chicago Municipal Code, as now or hereafter amended,

1 renumbered, or succeeded, concerning a Minority-Owned and
2 Women-Owned Business Enterprise Procurement Program to
3 determine the status of a firm as a Minority Business
4 Enterprise for city procurement purposes.

5 (b) The Authority is authorized to enter into agreements
6 with contractors' associations, labor unions, and the
7 contractors working on the development of the casino to
8 establish an apprenticeship preparedness training program to
9 provide for an increase in the number of minority and female
10 journeymen and apprentices in the building trades and to enter
11 into agreements with community college districts or other
12 public or private institutions to provide readiness training.
13 The Authority is further authorized to enter into contracts
14 with public and private educational institutions and persons in
15 the gaming, entertainment, hospitality, and tourism industries
16 to provide training for employment in those industries.

17 ARTICLE 90.

18 Section 90-5. The Alcoholism and Other Drug Abuse and
19 Dependency Act is amended by changing Section 5-20 as follows:

20 (20 ILCS 301/5-20)

21 Sec. 5-20. Compulsive gambling program.

22 (a) Subject to appropriation, the Department shall
23 establish a program for public education, research, and

1 training regarding problem and compulsive gambling and the
2 treatment and prevention of problem and compulsive gambling.
3 Subject to specific appropriation for these stated purposes,
4 the program must include all of the following:

5 (1) Establishment and maintenance of a toll-free "800"
6 telephone number to provide crisis counseling and referral
7 services to families experiencing difficulty as a result of
8 problem or compulsive gambling.

9 (2) Promotion of public awareness regarding the
10 recognition and prevention of problem and compulsive
11 gambling.

12 (3) Facilitation, through in-service training and
13 other means, of the availability of effective assistance
14 programs for problem and compulsive gamblers.

15 (4) Conducting studies to identify adults and
16 juveniles in this State who are, or who are at risk of
17 becoming, problem or compulsive gamblers.

18 (b) Subject to appropriation, the Department shall either
19 establish and maintain the program or contract with a private
20 or public entity for the establishment and maintenance of the
21 program. Subject to appropriation, either the Department or the
22 private or public entity shall implement the toll-free
23 telephone number, promote public awareness, and conduct
24 in-service training concerning problem and compulsive
25 gambling.

26 (c) Subject to appropriation, the Department shall produce

1 and supply the signs specified in Section 10.7 of the Illinois
2 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of
3 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1
4 of the Charitable Games Act, and Section 13.1 of the Illinois
5 ~~Riverboat~~ Gambling Act.

6 (Source: P.A. 89-374, eff. 1-1-96; 89-626, eff. 8-9-96.)

7 Section 90-10. The Department of Revenue Law of the Civil
8 Administrative Code of Illinois is amended by changing Section
9 2505-305 as follows:

10 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

11 Sec. 2505-305. Investigators.

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

20 (b) The Director must authorize to each investigator
21 employed under this Section and to any other employee of the
22 Department exercising the powers of a peace officer a distinct
23 badge that, on its face, (i) clearly states that the badge is
24 authorized by the Department and (ii) contains a unique

1 identifying number. No other badge shall be authorized by the
2 Department.

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

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

12 Section 90-15. The Joliet Regional Port District Act is
13 amended by changing Section 5.1 as follows:

14 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

15 Sec. 5.1. Riverboat and casino gambling. Notwithstanding
16 any other provision of this Act, the District may not regulate
17 the operation, conduct, or navigation of any riverboat gambling
18 casino licensed under the Illinois ~~Riverboat~~ Gambling Act, and
19 the District may not license, tax, or otherwise levy any
20 assessment of any kind on any riverboat gambling casino
21 licensed under the Illinois ~~Riverboat~~ Gambling Act. The General
22 Assembly declares that the powers to regulate the operation,
23 conduct, and navigation of riverboat gambling casinos and to
24 license, tax, and levy assessments upon riverboat gambling

1 casinos are exclusive powers of the State of Illinois and the
2 Illinois Gaming Board as provided in the Illinois Riverboat
3 Gambling Act.

4 (Source: P.A. 87-1175.)

5 Section 90-20. The Consumer Installment Loan Act is amended
6 by changing Section 12.5 as follows:

7 (205 ILCS 670/12.5)

8 Sec. 12.5. Limited purpose branch.

9 (a) Upon the written approval of the Director, a licensee
10 may maintain a limited purpose branch for the sole purpose of
11 making loans as permitted by this Act. A limited purpose branch
12 may include an automatic loan machine. No other activity shall
13 be conducted at the site, including but not limited to,
14 accepting payments, servicing the accounts, or collections.

15 (b) The licensee must submit an application for a limited
16 purpose branch to the Director on forms prescribed by the
17 Director with an application fee of \$300. The approval for the
18 limited purpose branch must be renewed concurrently with the
19 renewal of the licensee's license along with a renewal fee of
20 \$300 for the limited purpose branch.

21 (c) The books, accounts, records, and files of the limited
22 purpose branch's transactions shall be maintained at the
23 licensee's licensed location. The licensee shall notify the
24 Director of the licensed location at which the books, accounts,

1 records, and files shall be maintained.

2 (d) The licensee shall prominently display at the limited
3 purpose branch the address and telephone number of the
4 licensee's licensed location.

5 (e) No other business shall be conducted at the site of the
6 limited purpose branch unless authorized by the Director.

7 (f) The Director shall make and enforce reasonable rules
8 for the conduct of a limited purpose branch.

9 (g) A limited purpose branch may not be located within
10 1,000 feet of a facility operated by an inter-track wagering
11 licensee or an organization licensee subject to the Illinois
12 Horse Racing Act of 1975, on a riverboat or in a casino subject
13 to the Illinois Riverboat Gambling Act, or within 1,000 feet of
14 the location at which the riverboat docks or within 1,000 feet
15 of a casino.

16 (Source: P.A. 90-437, eff. 1-1-98.)

17 Section 90-25. The Illinois Horse Racing Act of 1975 is
18 amended by changing Sections 1.2, 1.3, 4, 5, 6, 9, 26, 28.1,
19 and 31 and by adding Sections 3.24, 3.25, 3.26, and 3.27 as
20 follows:

21 (230 ILCS 5/1.2)

22 Sec. 1.2. Legislative intent. This Act is intended to
23 benefit the people of the State of Illinois by encouraging the
24 breeding and production of race horses, assisting economic

1 development, and promoting Illinois tourism. The General
2 Assembly finds and declares it to be the public policy of the
3 State of Illinois to:

4 (a) support and enhance Illinois' horse racing industry,
5 which is a significant component within the agribusiness
6 industry;

7 (b) ensure that Illinois' horse racing industry remains
8 competitive with neighboring states;

9 (c) stimulate growth within Illinois' horse racing
10 industry, thereby encouraging new investment and development
11 to produce additional tax revenues and to create additional
12 jobs;

13 (d) promote the further growth of tourism;

14 (e) encourage the breeding of thoroughbred and
15 standardbred horses in this State; and

16 (f) ensure that public confidence and trust in the
17 credibility and integrity of racing operations and the
18 regulatory process is maintained.

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

20 (230 ILCS 5/1.3)

21 Sec. 1.3. Legislative findings.

22 (a) The General Assembly finds that the Illinois gaming
23 industry is a single industry consisting of horse racing, ~~and~~
24 riverboat and casino gambling, and electronic gaming. Reports
25 issued by the Economic and Fiscal Commission (now Commission on

1 Government Forecasting and Accountability) in 1992, 1994, and
2 1998 have found that horse racing and riverboat gambling:

3 (1) "share many of the same characteristics" and are
4 "more alike than different";

5 (2) are planned events;

6 (3) have similar odds of winning;

7 (4) occur in similar settings; and

8 (5) compete with each other for limited gaming dollars.

9 (b) The General Assembly declares it to be the public
10 policy of this State to ensure the viability of all ~~both horse~~
11 ~~racing and riverboat~~ aspects of the Illinois gaming industry.

12 (Source: P.A. 95-331, eff. 8-21-07.)

13 (230 ILCS 5/3.24 new)

14 Sec. 3.24. Adjusted gross receipts. "Adjusted gross
15 receipts" means the gross receipts from electronic gaming less
16 winnings paid to wagerers.

17 (230 ILCS 5/3.25 new)

18 Sec. 3.25. Electronic gaming. "Electronic gaming" means
19 slot machine gambling conducted at a race track pursuant to an
20 electronic gaming license.

21 (230 ILCS 5/3.26 new)

22 Sec. 3.26. Electronic gaming license. "Electronic gaming
23 license" means a license to conduct electronic gaming issued

1 under Section 56.

2 (230 ILCS 5/3.27 new)

3 Sec. 3.27. Electronic gaming facility. "Electronic gaming
4 facility" means that portion of an organization licensee's race
5 track facility at which electronic gaming is conducted.

6 (230 ILCS 5/4) (from Ch. 8, par. 37-4)

7 Sec. 4. Until the effective date of this amendatory Act of
8 the 96th General Assembly, the ~~The~~ Board shall consist of 11
9 members to be appointed by the Governor with the advice and
10 consent of the Senate, not more than 6 of whom shall be of the
11 same political party, and one of whom shall be designated by
12 the Governor to be chairman.

13 Notwithstanding any provision of this Section to the
14 contrary, the term of office of each member of the Board
15 sitting on the effective date of this amendatory Act of the
16 96th General Assembly ends on that date and those members shall
17 hold office only until their successors are appointed and
18 qualified pursuant to this amendatory Act.

19 Each member shall have a reasonable knowledge of harness or
20 thoroughbred racing practices and procedure and of the
21 principles of harness or thoroughbred racing and breeding.
22 Additionally, at least 6 members shall have must have personal
23 experience working in the horse racing industry whether it be
24 in the State of Illinois or elsewhere. At ~~and, at~~ the time of

1 his or her appointment, the member shall be a resident of the
2 State of Illinois and shall have resided therein for a period
3 of at least 5 years next preceding his appointment and
4 qualification and he shall be a qualified voter therein and not
5 less than 25 years of age. The Board should reflect the ethnic,
6 cultural, and geographic diversity of the State.

7 (Source: P.A. 91-798, eff. 7-9-00.)

8 (230 ILCS 5/5) (from Ch. 8, par. 37-5)

9 Sec. 5. As soon as practicable following the effective date
10 of this amendatory Act of 1995, the Governor shall appoint,
11 with the advice and consent of the Senate, members to the Board
12 as follows: 3 members for terms expiring July 1, 1996; 3
13 members for terms expiring July 1, 1998; and 3 members for
14 terms expiring July 1, 2000. Of the 2 additional members
15 appointed pursuant to this amendatory Act of the 91st General
16 Assembly, the initial term of one member shall expire on July
17 1, 2002 and the initial term of the other member shall expire
18 on July 1, 2004. Thereafter, the terms of office of the Board
19 members shall be 6 years. Incumbent members on the effective
20 date of this amendatory Act of 1995 shall continue to serve
21 only until their successors are appointed and have qualified.

22 The terms of office of the initial Board members appointed
23 pursuant to this amendatory Act of the 96th General Assembly
24 will commence from the effective date of this amendatory Act
25 and run as follows, to be determined by lot: one for a term

1 expiring July 1 of the year following confirmation, 2 for a
2 term expiring July 1 two years following confirmation, 2 for a
3 term expiring July 1 three years following confirmation, and 2
4 for a term expiring July 1 four years following confirmation.
5 Upon the expiration of the foregoing terms, the successors of
6 such members shall serve a term of 4 years and until their
7 successors are appointed and qualified for like terms.

8 Each member of the Board shall receive \$300 per day for
9 each day the Board meets and for each day the member conducts a
10 hearing pursuant to Section 16 of this Act, provided that no
11 Board member shall receive more than \$5,000 in such fees during
12 any calendar year, or an amount set by the Compensation Review
13 Board, whichever is greater. Members of the Board shall also be
14 reimbursed for all actual and necessary expenses and
15 disbursements incurred in the execution of their official
16 duties.

17 (Source: P.A. 91-357, eff. 7-29-99; 91-798, eff. 7-9-00.)

18 (230 ILCS 5/6) (from Ch. 8, par. 37-6)

19 Sec. 6. Restrictions on Board members.

20 (a) No person shall be appointed a member of the Board or
21 continue to be a member of the Board if the person or any
22 member of their immediate family is a member of the Board of
23 Directors, employee, or financially interested in any of the
24 following: (i) any licensee or other person who has applied for
25 racing dates to the Board, or the operations thereof including,

1 but not limited to, concessions, data processing, track
2 maintenance, track security, and pari-mutuel operations,
3 located, scheduled or doing business within the State of
4 Illinois, (ii) any licensee or other person in any race horse
5 competing at a meeting under the Board's jurisdiction, or (iii)
6 any licensee under the Illinois Gambling Act. No person shall
7 be appointed a member of the Board or continue to be a member
8 of the Board who is (or any member of whose family is) a member
9 of the Board of Directors of, or who is a person financially
10 interested in, any licensee or other person who has applied for
11 racing dates to the Board, or the operations thereof including,
12 but not limited to, concessions, data processing, track
13 maintenance, track security and pari-mutuel operations,
14 located, scheduled or doing business within the State of
15 Illinois, or in any race horse competing at a meeting under the
16 Board's jurisdiction. No Board member shall hold any other
17 public office for which he shall receive compensation other
18 than necessary travel or other incidental expenses.

19 (b) No person shall be a member of the Board who is not of
20 good moral character or who has been convicted of, or is under
21 indictment for, a felony under the laws of Illinois or any
22 other state, or the United States.

23 (c) No member of the Board or employee shall engage in any
24 political activity. For the purposes of this Section,
25 "political" means any activity in support of or in connection
26 with any campaign for State or local elective office or any

1 political organization, but does not include activities (i)
2 relating to the support of opposition of any executive,
3 legislative, or administrative action (as those terms are
4 defined in Section 2 of the Lobbyist Registration Act), (ii)
5 relating to collective bargaining, or (iii) that are otherwise
6 in furtherance of the person's official State duties or
7 governmental and public service functions.

8 (d) Board members and employees may not engage in
9 communications or any activity that may cause or have the
10 appearance of causing a conflict of interest. A conflict of
11 interest exists if a situation influences or creates the
12 appearance that it may influence judgment or performance of
13 regulatory duties and responsibilities. This prohibition shall
14 extend to any act identified by Board action that, in the
15 judgment of the Board, could represent the potential for or the
16 appearance of a conflict of interest.

17 (e) Board members and employees may not accept any gift,
18 gratuity, service, compensation, travel, lodging, or thing of
19 value, with the exception of unsolicited items of an incidental
20 nature, from any person, corporation, or entity doing business
21 with the Board.

22 (f) A Board member or employee shall not use or attempt to
23 use his or her official position to secure, or attempt to
24 secure, any privilege, advantage, favor, or influence for
25 himself or herself or others. No Board member or employee,
26 within a period of one year immediately preceding nomination by

1 the Governor or employment, shall have been employed or
2 received compensation or fees for services from a person or
3 entity, or its parent or affiliate, that has engaged in
4 business with the Board, a licensee or a licensee under the
5 Illinois Gambling Act. In addition, no Board member or employee
6 shall for one year after the expiration of his or her term or
7 separation from the Board be employed or receive compensation
8 or fees from the before-mentioned persons or entities.

9 (Source: P.A. 89-16, eff. 5-30-95.)

10 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

11 Sec. 9. The Board shall have all powers necessary and
12 proper to fully and effectively execute the provisions of this
13 Act, including, but not limited to, the following:

14 (a) The Board is vested with jurisdiction and supervision
15 over all race meetings in this State, over all licensees doing
16 business in this State, over all occupation licensees, and over
17 all persons on the facilities of any licensee. Such
18 jurisdiction shall include the power to issue licenses to the
19 Illinois Department of Agriculture authorizing the pari-mutuel
20 system of wagering on harness and Quarter Horse races held (1)
21 at the Illinois State Fair in Sangamon County, and (2) at the
22 DuQuoin State Fair in Perry County. The jurisdiction of the
23 Board shall also include the power to issue licenses to county
24 fairs which are eligible to receive funds pursuant to the
25 Agricultural Fair Act, as now or hereafter amended, or their

1 agents, authorizing the pari-mutuel system of wagering on horse
2 races conducted at the county fairs receiving such licenses.
3 Such licenses shall be governed by subsection (n) of this
4 Section.

5 Upon application, the Board shall issue a license to the
6 Illinois Department of Agriculture to conduct harness and
7 Quarter Horse races at the Illinois State Fair and at the
8 DuQuoin State Fairgrounds during the scheduled dates of each
9 fair. The Board shall not require and the Department of
10 Agriculture shall be exempt from the requirements of Sections
11 15.3, 18 and 19, paragraphs (a)(2), (b), (c), (d), (e), (e-5),
12 (e-10), (f), (g), and (h) of Section 20, and Sections 21, 24
13 and 25. The Board and the Department of Agriculture may extend
14 any or all of these exemptions to any contractor or agent
15 engaged by the Department of Agriculture to conduct its race
16 meetings when the Board determines that this would best serve
17 the public interest and the interest of horse racing.

18 Notwithstanding any provision of law to the contrary, it
19 shall be lawful for any licensee to operate pari-mutuel
20 wagering or contract with the Department of Agriculture to
21 operate pari-mutuel wagering at the DuQuoin State Fairgrounds
22 or for the Department to enter into contracts with a licensee,
23 employ its owners, employees or agents and employ such other
24 occupation licensees as the Department deems necessary in
25 connection with race meetings and wagerings.

26 (b) The Board is vested with the full power to promulgate

1 reasonable rules and regulations for the purpose of
2 administering the provisions of this Act and to prescribe
3 reasonable rules, regulations and conditions under which all
4 horse race meetings or wagering in the State shall be
5 conducted. Such reasonable rules and regulations are to provide
6 for the prevention of practices detrimental to the public
7 interest and to promote the best interests of horse racing and
8 to impose penalties for violations thereof.

9 (c) The Board, and any person or persons to whom it
10 delegates this power, is vested with the power to enter the
11 facilities and other places of business of any licensee to
12 determine whether there has been compliance with the provisions
13 of this Act and its rules and regulations.

14 (d) The Board, and any person or persons to whom it
15 delegates this power, is vested with the authority to
16 investigate alleged violations of the provisions of this Act,
17 its reasonable rules and regulations, orders and final
18 decisions; the Board shall take appropriate disciplinary
19 action against any licensee or occupation licensee for
20 violation thereof or institute appropriate legal action for the
21 enforcement thereof.

22 (e) The Board, and any person or persons to whom it
23 delegates this power, may eject or exclude from any race
24 meeting or the facilities of any licensee, or any part thereof,
25 any occupation licensee or any other individual whose conduct
26 or reputation is such that his presence on those facilities

1 may, in the opinion of the Board, call into question the
2 honesty and integrity of horse racing or wagering or interfere
3 with the orderly conduct of horse racing or wagering; provided,
4 however, that no person shall be excluded or ejected from the
5 facilities of any licensee solely on the grounds of race,
6 color, creed, national origin, ancestry, or sex. The power to
7 eject or exclude an occupation licensee or other individual may
8 be exercised for just cause by the licensee or the Board,
9 subject to subsequent hearing by the Board as to the propriety
10 of said exclusion.

11 (f) The Board is vested with the power to acquire,
12 establish, maintain and operate (or provide by contract to
13 maintain and operate) testing laboratories and related
14 facilities, for the purpose of conducting saliva, blood, urine
15 and other tests on the horses run or to be run in any horse race
16 meeting, including races run at county fairs, and to purchase
17 all equipment and supplies deemed necessary or desirable in
18 connection with any such testing laboratories and related
19 facilities and all such tests.

20 (g) The Board may require that the records, including
21 financial or other statements of any licensee or any person
22 affiliated with the licensee who is involved directly or
23 indirectly in the activities of any licensee as regulated under
24 this Act to the extent that those financial or other statements
25 relate to such activities be kept in such manner as prescribed
26 by the Board, and that Board employees shall have access to

1 those records during reasonable business hours. Within 120 days
2 of the end of its fiscal year, each licensee shall transmit to
3 the Board an audit of the financial transactions and condition
4 of the licensee's total operations. All audits shall be
5 conducted by certified public accountants. Each certified
6 public accountant must be registered in the State of Illinois
7 under the Illinois Public Accounting Act. The compensation for
8 each certified public accountant shall be paid directly by the
9 licensee to the certified public accountant. A licensee shall
10 also submit any other financial or related information the
11 Board deems necessary to effectively administer this Act and
12 all rules, regulations, and final decisions promulgated under
13 this Act.

14 (h) The Board shall name and appoint in the manner provided
15 by the rules and regulations of the Board: an Executive
16 Director; a State director of mutuels; State veterinarians and
17 representatives to take saliva, blood, urine and other tests on
18 horses; licensing personnel; revenue inspectors; and State
19 seasonal employees (excluding admission ticket sellers and
20 mutuel clerks). All of those named and appointed as provided in
21 this subsection shall serve during the pleasure of the Board;
22 their compensation shall be determined by the Board and be paid
23 in the same manner as other employees of the Board under this
24 Act.

25 (i) The Board shall require that there shall be 3 stewards
26 at each horse race meeting, at least 2 of whom shall be named

1 and appointed by the Board. Stewards appointed or approved by
2 the Board, while performing duties required by this Act or by
3 the Board, shall be entitled to the same rights and immunities
4 as granted to Board members and Board employees in Section 10
5 of this Act.

6 (j) The Board may discharge any Board employee who fails or
7 refuses for any reason to comply with the rules and regulations
8 of the Board, or who, in the opinion of the Board, is guilty of
9 fraud, dishonesty or who is proven to be incompetent. The Board
10 shall have no right or power to determine who shall be
11 officers, directors or employees of any licensee, or their
12 salaries except the Board may, by rule, require that all or any
13 officials or employees in charge of or whose duties relate to
14 the actual running of races be approved by the Board.

15 (k) The Board is vested with the power to appoint delegates
16 to execute any of the powers granted to it under this Section
17 for the purpose of administering this Act and any rules or
18 regulations promulgated in accordance with this Act.

19 (l) The Board is vested with the power to impose civil
20 penalties of up to \$5,000 against an individual and up to
21 \$10,000 against a licensee for each violation of any provision
22 of this Act, any rules adopted by the Board, any order of the
23 Board or any other action which, in the Board's discretion, is
24 a detriment or impediment to horse racing or wagering.

25 (m) The Board is vested with the power to prescribe a form
26 to be used by licensees as an application for employment for

1 employees of each licensee.

2 (n) The Board shall have the power to issue a license to
3 any county fair, or its agent, authorizing the conduct of the
4 pari-mutuel system of wagering. The Board is vested with the
5 full power to promulgate reasonable rules, regulations and
6 conditions under which all horse race meetings licensed
7 pursuant to this subsection shall be held and conducted,
8 including rules, regulations and conditions for the conduct of
9 the pari-mutuel system of wagering. The rules, regulations and
10 conditions shall provide for the prevention of practices
11 detrimental to the public interest and for the best interests
12 of horse racing, and shall prescribe penalties for violations
13 thereof. Any authority granted the Board under this Act shall
14 extend to its jurisdiction and supervision over county fairs,
15 or their agents, licensed pursuant to this subsection. However,
16 the Board may waive any provision of this Act or its rules or
17 regulations which would otherwise apply to such county fairs or
18 their agents.

19 (o) Whenever the Board is authorized or required by law to
20 consider some aspect of criminal history record information for
21 the purpose of carrying out its statutory powers and
22 responsibilities, then, upon request and payment of fees in
23 conformance with the requirements of Section 2605-400 of the
24 Department of State Police Law (20 ILCS 2605/2605-400), the
25 Department of State Police is authorized to furnish, pursuant
26 to positive identification, such information contained in

1 State files as is necessary to fulfill the request.

2 (p) To insure the convenience, comfort, and wagering
3 accessibility of race track patrons, to provide for the
4 maximization of State revenue, and to generate increases in
5 purse allotments to the horsemen, the Board shall require any
6 licensee to staff the pari-mutuel department with adequate
7 personnel.

8 (Source: P.A. 91-239, eff. 1-1-00.)

9 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

10 Sec. 26. Wagering.

11 (a) Any licensee may conduct and supervise the pari-mutuel
12 system of wagering, as defined in Section 3.12 of this Act, on
13 horse races conducted by an Illinois organization licensee or
14 conducted at a racetrack located in another state or country
15 and televised in Illinois in accordance with subsection (g) of
16 Section 26 of this Act. Subject to the prior consent of the
17 Board, licensees may supplement any pari-mutuel pool in order
18 to guarantee a minimum distribution. Such pari-mutuel method of
19 wagering shall not, under any circumstances if conducted under
20 the provisions of this Act, be held or construed to be
21 unlawful, other statutes of this State to the contrary
22 notwithstanding. Subject to rules for advance wagering
23 promulgated by the Board, any licensee may accept wagers in
24 advance of the day of the race wagered upon occurs.

25 (b) No other method of betting, pool making, wagering or

1 gambling shall be used or permitted by the licensee. Each
2 licensee may retain, subject to the payment of all applicable
3 taxes and purses, an amount not to exceed 17% of all money
4 wagered under subsection (a) of this Section, except as may
5 otherwise be permitted under this Act.

6 (b-5) An individual may place a wager under the pari-mutuel
7 system from any licensed location authorized under this Act
8 provided that wager is electronically recorded in the manner
9 described in Section 3.12 of this Act. Any wager made
10 electronically by an individual while physically on the
11 premises of a licensee shall be deemed to have been made at the
12 premises of that licensee.

13 (c) Until January 1, 2000, the sum held by any licensee for
14 payment of outstanding pari-mutuel tickets, if unclaimed prior
15 to December 31 of the next year, shall be retained by the
16 licensee for payment of such tickets until that date. Within 10
17 days thereafter, the balance of such sum remaining unclaimed,
18 less any uncashed supplements contributed by such licensee for
19 the purpose of guaranteeing minimum distributions of any
20 pari-mutuel pool, shall be paid to the Illinois Veterans'
21 Rehabilitation Fund of the State treasury, except as provided
22 in subsection (g) of Section 27 of this Act.

23 (c-5) Beginning January 1, 2000, the sum held by any
24 licensee for payment of outstanding pari-mutuel tickets, if
25 unclaimed prior to December 31 of the next year, shall be
26 retained by the licensee for payment of such tickets until that

1 date. Within 10 days thereafter, the balance of such sum
2 remaining unclaimed, less any uncashed supplements contributed
3 by such licensee for the purpose of guaranteeing minimum
4 distributions of any pari-mutuel pool, shall be evenly
5 distributed to the purse account of the organization licensee
6 and the organization licensee.

7 (d) A pari-mutuel ticket shall be honored until December 31
8 of the next calendar year, and the licensee shall pay the same
9 and may charge the amount thereof against unpaid money
10 similarly accumulated on account of pari-mutuel tickets not
11 presented for payment.

12 (e) No licensee shall knowingly permit any minor, other
13 than an employee of such licensee or an owner, trainer, jockey,
14 driver, or employee thereof, to be admitted during a racing
15 program unless accompanied by a parent or guardian, or any
16 minor to be a patron of the pari-mutuel system of wagering
17 conducted or supervised by it. The admission of any
18 unaccompanied minor, other than an employee of the licensee or
19 an owner, trainer, jockey, driver, or employee thereof at a
20 race track is a Class C misdemeanor.

21 (f) Notwithstanding the other provisions of this Act, an
22 organization licensee may contract with an entity in another
23 state or country to permit any legal wagering entity in another
24 state or country to accept wagers solely within such other
25 state or country on races conducted by the organization
26 licensee in this State. Beginning January 1, 2000, these wagers

1 shall not be subject to State taxation. Until January 1, 2000,
2 when the out-of-State entity conducts a pari-mutuel pool
3 separate from the organization licensee, a privilege tax equal
4 to 7 1/2% of all monies received by the organization licensee
5 from entities in other states or countries pursuant to such
6 contracts is imposed on the organization licensee, and such
7 privilege tax shall be remitted to the Department of Revenue
8 within 48 hours of receipt of the moneys from the simulcast.
9 When the out-of-State entity conducts a combined pari-mutuel
10 pool with the organization licensee, the tax shall be 10% of
11 all monies received by the organization licensee with 25% of
12 the receipts from this 10% tax to be distributed to the county
13 in which the race was conducted.

14 An organization licensee may permit one or more of its
15 races to be utilized for pari-mutuel wagering at one or more
16 locations in other states and may transmit audio and visual
17 signals of races the organization licensee conducts to one or
18 more locations outside the State or country and may also permit
19 pari-mutuel pools in other states or countries to be combined
20 with its gross or net wagering pools or with wagering pools
21 established by other states.

22 (g) A host track may accept interstate simulcast wagers on
23 horse races conducted in other states or countries and shall
24 control the number of signals and types of breeds of racing in
25 its simulcast program, subject to the disapproval of the Board.
26 The Board may prohibit a simulcast program only if it finds

1 that the simulcast program is clearly adverse to the integrity
2 of racing. The host track simulcast program shall include the
3 signal of live racing of all organization licensees. All
4 non-host licensees shall carry the host track simulcast program
5 and accept wagers on all races included as part of the
6 simulcast program upon which wagering is permitted. The costs
7 and expenses of the host track and non-host licensees
8 associated with interstate simulcast wagering, other than the
9 interstate commission fee, shall be borne by the host track and
10 all non-host licensees incurring these costs. The interstate
11 commission fee shall not exceed 5% of Illinois handle on the
12 interstate simulcast race or races without prior approval of
13 the Board. The Board shall promulgate rules under which it may
14 permit interstate commission fees in excess of 5%. The
15 interstate commission fee and other fees charged by the sending
16 racetrack, including, but not limited to, satellite decoder
17 fees, shall be uniformly applied to the host track and all
18 non-host licensees.

19 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
20 intertrack wagering licensee other than the host track may
21 supplement the host track simulcast program with
22 additional simulcast races or race programs, provided that
23 between January 1 and the third Friday in February of any
24 year, inclusive, if no live thoroughbred racing is
25 occurring in Illinois during this period, only
26 thoroughbred races may be used for supplemental interstate

1 simulcast purposes. The Board shall withhold approval for a
2 supplemental interstate simulcast only if it finds that the
3 simulcast is clearly adverse to the integrity of racing. A
4 supplemental interstate simulcast may be transmitted from
5 an intertrack wagering licensee to its affiliated non-host
6 licensees. The interstate commission fee for a
7 supplemental interstate simulcast shall be paid by the
8 non-host licensee and its affiliated non-host licensees
9 receiving the simulcast.

10 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
11 intertrack wagering licensee other than the host track may
12 receive supplemental interstate simulcasts only with the
13 consent of the host track, except when the Board finds that
14 the simulcast is clearly adverse to the integrity of
15 racing. Consent granted under this paragraph (2) to any
16 intertrack wagering licensee shall be deemed consent to all
17 non-host licensees. The interstate commission fee for the
18 supplemental interstate simulcast shall be paid by all
19 participating non-host licensees.

20 (3) Each licensee conducting interstate simulcast
21 wagering may retain, subject to the payment of all
22 applicable taxes and the purses, an amount not to exceed
23 17% of all money wagered. If any licensee conducts the
24 pari-mutuel system wagering on races conducted at
25 racetracks in another state or country, each such race or
26 race program shall be considered a separate racing day for

1 the purpose of determining the daily handle and computing
2 the privilege tax of that daily handle as provided in
3 subsection (a) of Section 27. Until January 1, 2000, from
4 the sums permitted to be retained pursuant to this
5 subsection, each intertrack wagering location licensee
6 shall pay 1% of the pari-mutuel handle wagered on simulcast
7 wagering to the Horse Racing Tax Allocation Fund, subject
8 to the provisions of subparagraph (B) of paragraph (11) of
9 subsection (h) of Section 26 of this Act.

10 (4) A licensee who receives an interstate simulcast may
11 combine its gross or net pools with pools at the sending
12 racetracks pursuant to rules established by the Board. All
13 licensees combining their gross pools at a sending
14 racetrack shall adopt the take-out percentages of the
15 sending racetrack. A licensee may also establish a separate
16 pool and takeout structure for wagering purposes on races
17 conducted at race tracks outside of the State of Illinois.
18 The licensee may permit pari-mutuel wagers placed in other
19 states or countries to be combined with its gross or net
20 wagering pools or other wagering pools.

21 (5) After the payment of the interstate commission fee
22 (except for the interstate commission fee on a supplemental
23 interstate simulcast, which shall be paid by the host track
24 and by each non-host licensee through the host-track) and
25 all applicable State and local taxes, except as provided in
26 subsection (g) of Section 27 of this Act, the remainder of

1 moneys retained from simulcast wagering pursuant to this
2 subsection (g), and Section 26.2 shall be divided as
3 follows:

4 (A) For interstate simulcast wagers made at a host
5 track, 50% to the host track and 50% to purses at the
6 host track.

7 (B) For wagers placed on interstate simulcast
8 races, supplemental simulcasts as defined in
9 subparagraphs (1) and (2), and separately pooled races
10 conducted outside of the State of Illinois made at a
11 non-host licensee, 25% to the host track, 25% to the
12 non-host licensee, and 50% to the purses at the host
13 track.

14 (6) Notwithstanding any provision in this Act to the
15 contrary, non-host licensees who derive their licenses
16 from a track located in a county with a population in
17 excess of 230,000 and that borders the Mississippi River
18 may receive supplemental interstate simulcast races at all
19 times subject to Board approval, which shall be withheld
20 only upon a finding that a supplemental interstate
21 simulcast is clearly adverse to the integrity of racing.

22 (7) Notwithstanding any provision of this Act to the
23 contrary, after payment of all applicable State and local
24 taxes and interstate commission fees, non-host licensees
25 who derive their licenses from a track located in a county
26 with a population in excess of 230,000 and that borders the

1 Mississippi River shall retain 50% of the retention from
2 interstate simulcast wagers and shall pay 50% to purses at
3 the track from which the non-host licensee derives its
4 license as follows:

5 (A) Between January 1 and the third Friday in
6 February, inclusive, if no live thoroughbred racing is
7 occurring in Illinois during this period, when the
8 interstate simulcast is a standardbred race, the purse
9 share to its standardbred purse account;

10 (B) Between January 1 and the third Friday in
11 February, inclusive, if no live thoroughbred racing is
12 occurring in Illinois during this period, and the
13 interstate simulcast is a thoroughbred race, the purse
14 share to its interstate simulcast purse pool to be
15 distributed under paragraph (10) of this subsection
16 (g);

17 (C) Between January 1 and the third Friday in
18 February, inclusive, if live thoroughbred racing is
19 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.
20 the purse share from wagers made during this time
21 period to its thoroughbred purse account and between
22 6:30 p.m. and 6:30 a.m. the purse share from wagers
23 made during this time period to its standardbred purse
24 accounts;

25 (D) Between the third Saturday in February and
26 December 31, when the interstate simulcast occurs

1 between the hours of 6:30 a.m. and 6:30 p.m., the purse
2 share to its thoroughbred purse account;

3 (E) Between the third Saturday in February and
4 December 31, when the interstate simulcast occurs
5 between the hours of 6:30 p.m. and 6:30 a.m., the purse
6 share to its standardbred purse account.

7 (7.1) Notwithstanding any other provision of this Act
8 to the contrary, if no standardbred racing is conducted at
9 a racetrack located in Madison County during any calendar
10 year beginning on or after January 1, 2002, all moneys
11 derived by that racetrack from simulcast wagering and
12 inter-track wagering that (1) are to be used for purses and
13 (2) are generated between the hours of 6:30 p.m. and 6:30
14 a.m. during that calendar year shall be paid as follows:

15 (A) If the licensee that conducts horse racing at
16 that racetrack requests from the Board at least as many
17 racing dates as were conducted in calendar year 2000,
18 80% shall be paid to its thoroughbred purse account;
19 and

20 (B) Twenty percent shall be deposited into the
21 Illinois Colt Stakes Purse Distribution Fund and shall
22 be paid to purses for standardbred races for Illinois
23 conceived and foaled horses conducted at any county
24 fairgrounds. The moneys deposited into the Fund
25 pursuant to this subparagraph (B) shall be deposited
26 within 2 weeks after the day they were generated, shall

1 be in addition to and not in lieu of any other moneys
2 paid to standardbred purses under this Act, and shall
3 not be commingled with other moneys paid into that
4 Fund. The moneys deposited pursuant to this
5 subparagraph (B) shall be allocated as provided by the
6 Department of Agriculture, with the advice and
7 assistance of the Illinois Standardbred Breeders Fund
8 Advisory Board.

9 (7.2) Notwithstanding any other provision of this Act
10 to the contrary, if no thoroughbred racing is conducted at
11 a racetrack located in Madison County during any calendar
12 year beginning on or after January 1, 2002, all moneys
13 derived by that racetrack from simulcast wagering and
14 inter-track wagering that (1) are to be used for purses and
15 (2) are generated between the hours of 6:30 a.m. and 6:30
16 p.m. during that calendar year shall be deposited as
17 follows:

18 (A) If the licensee that conducts horse racing at
19 that racetrack requests from the Board at least as many
20 racing dates as were conducted in calendar year 2000,
21 80% shall be deposited into its standardbred purse
22 account; and

23 (B) Twenty percent shall be deposited into the
24 Illinois Colt Stakes Purse Distribution Fund. Moneys
25 deposited into the Illinois Colt Stakes Purse
26 Distribution Fund pursuant to this subparagraph (B)

1 shall be paid to Illinois conceived and foaled
2 thoroughbred breeders' programs and to thoroughbred
3 purses for races conducted at any county fairgrounds
4 for Illinois conceived and foaled horses at the
5 discretion of the Department of Agriculture, with the
6 advice and assistance of the Illinois Thoroughbred
7 Breeders Fund Advisory Board. The moneys deposited
8 into the Illinois Colt Stakes Purse Distribution Fund
9 pursuant to this subparagraph (B) shall be deposited
10 within 2 weeks after the day they were generated, shall
11 be in addition to and not in lieu of any other moneys
12 paid to thoroughbred purses under this Act, and shall
13 not be commingled with other moneys deposited into that
14 Fund.

15 (7.3) If no live standardbred racing is conducted at a
16 racetrack located in Madison County in calendar year 2000
17 or 2001, an organization licensee who is licensed to
18 conduct horse racing at that racetrack shall, before
19 January 1, 2002, pay all moneys derived from simulcast
20 wagering and inter-track wagering in calendar years 2000
21 and 2001 and paid into the licensee's standardbred purse
22 account as follows:

23 (A) Eighty percent to that licensee's thoroughbred
24 purse account to be used for thoroughbred purses; and

25 (B) Twenty percent to the Illinois Colt Stakes
26 Purse Distribution Fund.

1 Failure to make the payment to the Illinois Colt Stakes
2 Purse Distribution Fund before January 1, 2002 shall result
3 in the immediate revocation of the licensee's organization
4 license, inter-track wagering license, and inter-track
5 wagering location license.

6 Moneys paid into the Illinois Colt Stakes Purse
7 Distribution Fund pursuant to this paragraph (7.3) shall be
8 paid to purses for standardbred races for Illinois
9 conceived and foaled horses conducted at any county
10 fairgrounds. Moneys paid into the Illinois Colt Stakes
11 Purse Distribution Fund pursuant to this paragraph (7.3)
12 shall be used as determined by the Department of
13 Agriculture, with the advice and assistance of the Illinois
14 Standardbred Breeders Fund Advisory Board, shall be in
15 addition to and not in lieu of any other moneys paid to
16 standardbred purses under this Act, and shall not be
17 commingled with any other moneys paid into that Fund.

18 (7.4) If live standardbred racing is conducted at a
19 racetrack located in Madison County at any time in calendar
20 year 2001 before the payment required under paragraph (7.3)
21 has been made, the organization licensee who is licensed to
22 conduct racing at that racetrack shall pay all moneys
23 derived by that racetrack from simulcast wagering and
24 inter-track wagering during calendar years 2000 and 2001
25 that (1) are to be used for purses and (2) are generated
26 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or

1 2001 to the standardbred purse account at that racetrack to
2 be used for standardbred purses.

3 (8) Notwithstanding any provision in this Act to the
4 contrary, an organization licensee from a track located in
5 a county with a population in excess of 230,000 and that
6 borders the Mississippi River and its affiliated non-host
7 licensees shall not be entitled to share in any retention
8 generated on racing, inter-track wagering, or simulcast
9 wagering at any other Illinois wagering facility.

10 (8.1) Notwithstanding any provisions in this Act to the
11 contrary, if 2 organization licensees are conducting
12 standardbred race meetings concurrently between the hours
13 of 6:30 p.m. and 6:30 a.m., after payment of all applicable
14 State and local taxes and interstate commission fees, the
15 remainder of the amount retained from simulcast wagering
16 otherwise attributable to the host track and to host track
17 purses shall be split daily between the 2 organization
18 licensees and the purses at the tracks of the 2
19 organization licensees, respectively, based on each
20 organization licensee's share of the total live handle for
21 that day, provided that this provision shall not apply to
22 any non-host licensee that derives its license from a track
23 located in a county with a population in excess of 230,000
24 and that borders the Mississippi River.

25 (9) (Blank).

26 (10) (Blank).

1 (11) (Blank).

2 (12) The Board shall have authority to compel all host
3 tracks to receive the simulcast of any or all races
4 conducted at the Springfield or DuQuoin State fairgrounds
5 and include all such races as part of their simulcast
6 programs.

7 (13) Notwithstanding any other provision of this Act,
8 in the event that the total Illinois pari-mutuel handle on
9 Illinois horse races at all wagering facilities in any
10 calendar year is less than 75% of the total Illinois
11 pari-mutuel handle on Illinois horse races at all such
12 wagering facilities for calendar year 1994, then each
13 wagering facility that has an annual total Illinois
14 pari-mutuel handle on Illinois horse races that is less
15 than 75% of the total Illinois pari-mutuel handle on
16 Illinois horse races at such wagering facility for calendar
17 year 1994, shall be permitted to receive, from any amount
18 otherwise payable to the purse account at the race track
19 with which the wagering facility is affiliated in the
20 succeeding calendar year, an amount equal to 2% of the
21 differential in total Illinois pari-mutuel handle on
22 Illinois horse races at the wagering facility between that
23 calendar year in question and 1994 provided, however, that
24 a wagering facility shall not be entitled to any such
25 payment until the Board certifies in writing to the
26 wagering facility the amount to which the wagering facility

1 is entitled and a schedule for payment of the amount to the
2 wagering facility, based on: (i) the racing dates awarded
3 to the race track affiliated with the wagering facility
4 during the succeeding year; (ii) the sums available or
5 anticipated to be available in the purse account of the
6 race track affiliated with the wagering facility for purses
7 during the succeeding year; and (iii) the need to ensure
8 reasonable purse levels during the payment period. The
9 Board's certification shall be provided no later than
10 January 31 of the succeeding year. In the event a wagering
11 facility entitled to a payment under this paragraph (13) is
12 affiliated with a race track that maintains purse accounts
13 for both standardbred and thoroughbred racing, the amount
14 to be paid to the wagering facility shall be divided
15 between each purse account pro rata, based on the amount of
16 Illinois handle on Illinois standardbred and thoroughbred
17 racing respectively at the wagering facility during the
18 previous calendar year. Annually, the General Assembly
19 shall appropriate sufficient funds from the General
20 Revenue Fund to the Department of Agriculture for payment
21 into the thoroughbred and standardbred horse racing purse
22 accounts at Illinois pari-mutuel tracks. The amount paid to
23 each purse account shall be the amount certified by the
24 Illinois Racing Board in January to be transferred from
25 each account to each eligible racing facility in accordance
26 with the provisions of this Section. For the calendar year

1 in which an organization licensee that is eligible to
2 receive a payment under this paragraph (13) begins to
3 receive funds from electronic gaming, the amount of that
4 payment under this paragraph (13) shall be reduced by a
5 percentage equal to the percentage of the year remaining
6 after the organization licensee begins conducting
7 electronic gaming pursuant to its electronic gaming
8 license. An organization licensee shall no longer be able
9 to receive payments under this paragraph (13) beginning on
10 the January 1 first occurring after the licensee begins
11 receiving funds from electronic gaming pursuant to Section
12 7.10 of the Illinois Gambling Act.

13 (h) The Board may approve and license the conduct of
14 inter-track wagering and simulcast wagering by inter-track
15 wagering licensees and inter-track wagering location licensees
16 subject to the following terms and conditions:

17 (1) Any person licensed to conduct a race meeting (i)
18 at a track where 60 or more days of racing were conducted
19 during the immediately preceding calendar year or where
20 over the 5 immediately preceding calendar years an average
21 of 30 or more days of racing were conducted annually may be
22 issued an inter-track wagering license; (ii) at a track
23 located in a county that is bounded by the Mississippi
24 River, which has a population of less than 150,000
25 according to the 1990 decennial census, and an average of
26 at least 60 days of racing per year between 1985 and 1993

1 may be issued an inter-track wagering license; or (iii) at
2 a track located in Madison County that conducted at least
3 100 days of live racing during the immediately preceding
4 calendar year may be issued an inter-track wagering
5 license, unless a lesser schedule of live racing is the
6 result of (A) weather, unsafe track conditions, or other
7 acts of God; (B) an agreement between the organization
8 licensee and the associations representing the largest
9 number of owners, trainers, jockeys, or standardbred
10 drivers who race horses at that organization licensee's
11 racing meeting; or (C) a finding by the Board of
12 extraordinary circumstances and that it was in the best
13 interest of the public and the sport to conduct fewer than
14 100 days of live racing. Any such person having operating
15 control of the racing facility may also receive up to 6
16 inter-track wagering location licenses. In no event shall
17 more than 6 inter-track wagering locations be established
18 for each eligible race track, except that an eligible race
19 track located in a county that has a population of more
20 than 230,000 and that is bounded by the Mississippi River
21 may establish up to 7 inter-track wagering locations. An
22 application for said license shall be filed with the Board
23 prior to such dates as may be fixed by the Board. With an
24 application for an inter-track wagering location license
25 there shall be delivered to the Board a certified check or
26 bank draft payable to the order of the Board for an amount

1 equal to \$500. The application shall be on forms prescribed
2 and furnished by the Board. The application shall comply
3 with all other rules, regulations and conditions imposed by
4 the Board in connection therewith.

5 (2) The Board shall examine the applications with
6 respect to their conformity with this Act and the rules and
7 regulations imposed by the Board. If found to be in
8 compliance with the Act and rules and regulations of the
9 Board, the Board may then issue a license to conduct
10 inter-track wagering and simulcast wagering to such
11 applicant. All such applications shall be acted upon by the
12 Board at a meeting to be held on such date as may be fixed
13 by the Board.

14 (3) In granting licenses to conduct inter-track
15 wagering and simulcast wagering, the Board shall give due
16 consideration to the best interests of the public, of horse
17 racing, and of maximizing revenue to the State.

18 (4) Prior to the issuance of a license to conduct
19 inter-track wagering and simulcast wagering, the applicant
20 shall file with the Board a bond payable to the State of
21 Illinois in the sum of \$50,000, executed by the applicant
22 and a surety company or companies authorized to do business
23 in this State, and conditioned upon (i) the payment by the
24 licensee of all taxes due under Section 27 or 27.1 and any
25 other monies due and payable under this Act, and (ii)
26 distribution by the licensee, upon presentation of the

1 winning ticket or tickets, of all sums payable to the
2 patrons of pari-mutuel pools.

3 (5) Each license to conduct inter-track wagering and
4 simulcast wagering shall specify the person to whom it is
5 issued, the dates on which such wagering is permitted, and
6 the track or location where the wagering is to be
7 conducted.

8 (6) All wagering under such license is subject to this
9 Act and to the rules and regulations from time to time
10 prescribed by the Board, and every such license issued by
11 the Board shall contain a recital to that effect.

12 (7) An inter-track wagering licensee or inter-track
13 wagering location licensee may accept wagers at the track
14 or location where it is licensed, or as otherwise provided
15 under this Act.

16 (8) Inter-track wagering or simulcast wagering shall
17 not be conducted at any track less than 5 miles from a
18 track at which a racing meeting is in progress.

19 (8.1) Inter-track wagering location licensees who
20 derive their licenses from a particular organization
21 licensee shall conduct inter-track wagering and simulcast
22 wagering only at locations which are either within 90 miles
23 of that race track where the particular organization
24 licensee is licensed to conduct racing, or within 135 miles
25 of that race track where the particular organization
26 licensee is licensed to conduct racing in the case of race

1 tracks in counties of less than 400,000 that were operating
2 on or before June 1, 1986. However, inter-track wagering
3 and simulcast wagering shall not be conducted by those
4 licensees at any location within 5 miles of any race track
5 at which a horse race meeting has been licensed in the
6 current year, unless the person having operating control of
7 such race track has given its written consent to such
8 inter-track wagering location licensees, which consent
9 must be filed with the Board at or prior to the time
10 application is made.

11 (8.2) Inter-track wagering or simulcast wagering shall
12 not be conducted by an inter-track wagering location
13 licensee at any location within 500 feet of an existing
14 church or existing school, nor within 500 feet of the
15 residences of more than 50 registered voters without
16 receiving written permission from a majority of the
17 registered voters at such residences. Such written
18 permission statements shall be filed with the Board. The
19 distance of 500 feet shall be measured to the nearest part
20 of any building used for worship services, education
21 programs, residential purposes, or conducting inter-track
22 wagering by an inter-track wagering location licensee, and
23 not to property boundaries. However, inter-track wagering
24 or simulcast wagering may be conducted at a site within 500
25 feet of a church, school or residences of 50 or more
26 registered voters if such church, school or residences have

1 been erected or established, or such voters have been
2 registered, after the Board issues the original
3 inter-track wagering location license at the site in
4 question. Inter-track wagering location licensees may
5 conduct inter-track wagering and simulcast wagering only
6 in areas that are zoned for commercial or manufacturing
7 purposes or in areas for which a special use has been
8 approved by the local zoning authority. However, no license
9 to conduct inter-track wagering and simulcast wagering
10 shall be granted by the Board with respect to any
11 inter-track wagering location within the jurisdiction of
12 any local zoning authority which has, by ordinance or by
13 resolution, prohibited the establishment of an inter-track
14 wagering location within its jurisdiction. However,
15 inter-track wagering and simulcast wagering may be
16 conducted at a site if such ordinance or resolution is
17 enacted after the Board licenses the original inter-track
18 wagering location licensee for the site in question.

19 (9) (Blank).

20 (10) An inter-track wagering licensee or an
21 inter-track wagering location licensee may retain, subject
22 to the payment of the privilege taxes and the purses, an
23 amount not to exceed 17% of all money wagered. Each program
24 of racing conducted by each inter-track wagering licensee
25 or inter-track wagering location licensee shall be
26 considered a separate racing day for the purpose of

1 determining the daily handle and computing the privilege
2 tax or pari-mutuel tax on such daily handle as provided in
3 Section 27.

4 (10.1) Except as provided in subsection (g) of Section
5 27 of this Act, inter-track wagering location licensees
6 shall pay 1% of the pari-mutuel handle at each location to
7 the municipality in which such location is situated and 1%
8 of the pari-mutuel handle at each location to the county in
9 which such location is situated. In the event that an
10 inter-track wagering location licensee is situated in an
11 unincorporated area of a county, such licensee shall pay 2%
12 of the pari-mutuel handle from such location to such
13 county.

14 (10.2) Notwithstanding any other provision of this
15 Act, with respect to intertrack wagering at a race track
16 located in a county that has a population of more than
17 230,000 and that is bounded by the Mississippi River ("the
18 first race track"), or at a facility operated by an
19 inter-track wagering licensee or inter-track wagering
20 location licensee that derives its license from the
21 organization licensee that operates the first race track,
22 on races conducted at the first race track or on races
23 conducted at another Illinois race track and
24 simultaneously televised to the first race track or to a
25 facility operated by an inter-track wagering licensee or
26 inter-track wagering location licensee that derives its

1 license from the organization licensee that operates the
2 first race track, those moneys shall be allocated as
3 follows:

4 (A) That portion of all moneys wagered on
5 standardbred racing that is required under this Act to
6 be paid to purses shall be paid to purses for
7 standardbred races.

8 (B) That portion of all moneys wagered on
9 thoroughbred racing that is required under this Act to
10 be paid to purses shall be paid to purses for
11 thoroughbred races.

12 (11) (A) After payment of the privilege or pari-mutuel
13 tax, any other applicable taxes, and the costs and expenses
14 in connection with the gathering, transmission, and
15 dissemination of all data necessary to the conduct of
16 inter-track wagering, the remainder of the monies retained
17 under either Section 26 or Section 26.2 of this Act by the
18 inter-track wagering licensee on inter-track wagering
19 shall be allocated with 50% to be split between the 2
20 participating licensees and 50% to purses, except that an
21 intertrack wagering licensee that derives its license from
22 a track located in a county with a population in excess of
23 230,000 and that borders the Mississippi River shall not
24 divide any remaining retention with the Illinois
25 organization licensee that provides the race or races, and
26 an intertrack wagering licensee that accepts wagers on

1 races conducted by an organization licensee that conducts a
2 race meet in a county with a population in excess of
3 230,000 and that borders the Mississippi River shall not
4 divide any remaining retention with that organization
5 licensee.

6 (B) From the sums permitted to be retained pursuant to
7 this Act each inter-track wagering location licensee shall
8 pay (i) the privilege or pari-mutuel tax to the State; (ii)
9 4.75% of the pari-mutuel handle on intertrack wagering at
10 such location on races as purses, except that an intertrack
11 wagering location licensee that derives its license from a
12 track located in a county with a population in excess of
13 230,000 and that borders the Mississippi River shall retain
14 all purse moneys for its own purse account consistent with
15 distribution set forth in this subsection (h), and
16 intertrack wagering location licensees that accept wagers
17 on races conducted by an organization licensee located in a
18 county with a population in excess of 230,000 and that
19 borders the Mississippi River shall distribute all purse
20 moneys to purses at the operating host track; (iii) until
21 January 1, 2000, except as provided in subsection (g) of
22 Section 27 of this Act, 1% of the pari-mutuel handle
23 wagered on inter-track wagering and simulcast wagering at
24 each inter-track wagering location licensee facility to
25 the Horse Racing Tax Allocation Fund, provided that, to the
26 extent the total amount collected and distributed to the

1 Horse Racing Tax Allocation Fund under this subsection (h)
2 during any calendar year exceeds the amount collected and
3 distributed to the Horse Racing Tax Allocation Fund during
4 calendar year 1994, that excess amount shall be
5 redistributed (I) to all inter-track wagering location
6 licensees, based on each licensee's pro-rata share of the
7 total handle from inter-track wagering and simulcast
8 wagering for all inter-track wagering location licensees
9 during the calendar year in which this provision is
10 applicable; then (II) the amounts redistributed to each
11 inter-track wagering location licensee as described in
12 subpart (I) shall be further redistributed as provided in
13 subparagraph (B) of paragraph (5) of subsection (g) of this
14 Section 26 provided first, that the shares of those
15 amounts, which are to be redistributed to the host track or
16 to purses at the host track under subparagraph (B) of
17 paragraph (5) of subsection (g) of this Section 26 shall be
18 redistributed based on each host track's pro rata share of
19 the total inter-track wagering and simulcast wagering
20 handle at all host tracks during the calendar year in
21 question, and second, that any amounts redistributed as
22 described in part (I) to an inter-track wagering location
23 licensee that accepts wagers on races conducted by an
24 organization licensee that conducts a race meet in a county
25 with a population in excess of 230,000 and that borders the
26 Mississippi River shall be further redistributed as

1 provided in subparagraphs (D) and (E) of paragraph (7) of
2 subsection (g) of this Section 26, with the portion of that
3 further redistribution allocated to purses at that
4 organization licensee to be divided between standardbred
5 purses and thoroughbred purses based on the amounts
6 otherwise allocated to purses at that organization
7 licensee during the calendar year in question; and (iv) 8%
8 of the pari-mutuel handle on inter-track wagering wagered
9 at such location to satisfy all costs and expenses of
10 conducting its wagering. The remainder of the monies
11 retained by the inter-track wagering location licensee
12 shall be allocated 40% to the location licensee and 60% to
13 the organization licensee which provides the Illinois
14 races to the location, except that an intertrack wagering
15 location licensee that derives its license from a track
16 located in a county with a population in excess of 230,000
17 and that borders the Mississippi River shall not divide any
18 remaining retention with the organization licensee that
19 provides the race or races and an intertrack wagering
20 location licensee that accepts wagers on races conducted by
21 an organization licensee that conducts a race meet in a
22 county with a population in excess of 230,000 and that
23 borders the Mississippi River shall not divide any
24 remaining retention with the organization licensee.
25 Notwithstanding the provisions of clauses (ii) and (iv) of
26 this paragraph, in the case of the additional inter-track

1 waging location licenses authorized under paragraph (1)
2 of this subsection (h) by this amendatory Act of 1991,
3 those licensees shall pay the following amounts as purses:
4 during the first 12 months the licensee is in operation,
5 5.25% of the pari-mutuel handle wagered at the location on
6 races; during the second 12 months, 5.25%; during the third
7 12 months, 5.75%; during the fourth 12 months, 6.25%; and
8 during the fifth 12 months and thereafter, 6.75%. The
9 following amounts shall be retained by the licensee to
10 satisfy all costs and expenses of conducting its wagering:
11 during the first 12 months the licensee is in operation,
12 8.25% of the pari-mutuel handle wagered at the location;
13 during the second 12 months, 8.25%; during the third 12
14 months, 7.75%; during the fourth 12 months, 7.25%; and
15 during the fifth 12 months and thereafter, 6.75%. For
16 additional intertrack wagering location licensees
17 authorized under this amendatory Act of 1995, purses for
18 the first 12 months the licensee is in operation shall be
19 5.75% of the pari-mutuel wagered at the location, purses
20 for the second 12 months the licensee is in operation shall
21 be 6.25%, and purses thereafter shall be 6.75%. For
22 additional intertrack location licensees authorized under
23 this amendatory Act of 1995, the licensee shall be allowed
24 to retain to satisfy all costs and expenses: 7.75% of the
25 pari-mutuel handle wagered at the location during its first
26 12 months of operation, 7.25% during its second 12 months

1 of operation, and 6.75% thereafter.

2 (C) There is hereby created the Horse Racing Tax
3 Allocation Fund which shall remain in existence until
4 December 31, 1999. Moneys remaining in the Fund after
5 December 31, 1999 shall be paid into the General Revenue
6 Fund. Until January 1, 2000, all monies paid into the Horse
7 Racing Tax Allocation Fund pursuant to this paragraph (11)
8 by inter-track wagering location licensees located in park
9 districts of 500,000 population or less, or in a
10 municipality that is not included within any park district
11 but is included within a conservation district and is the
12 county seat of a county that (i) is contiguous to the state
13 of Indiana and (ii) has a 1990 population of 88,257
14 according to the United States Bureau of the Census, and
15 operating on May 1, 1994 shall be allocated by
16 appropriation as follows:

17 Two-sevenths to the Department of Agriculture.
18 Fifty percent of this two-sevenths shall be used to
19 promote the Illinois horse racing and breeding
20 industry, and shall be distributed by the Department of
21 Agriculture upon the advice of a 9-member committee
22 appointed by the Governor consisting of the following
23 members: the Director of Agriculture, who shall serve
24 as chairman; 2 representatives of organization
25 licensees conducting thoroughbred race meetings in
26 this State, recommended by those licensees; 2

1 representatives of organization licensees conducting
2 standardbred race meetings in this State, recommended
3 by those licensees; a representative of the Illinois
4 Thoroughbred Breeders and Owners Foundation,
5 recommended by that Foundation; a representative of
6 the Illinois Standardbred Owners and Breeders
7 Association, recommended by that Association; a
8 representative of the Horsemen's Benevolent and
9 Protective Association or any successor organization
10 thereto established in Illinois comprised of the
11 largest number of owners and trainers, recommended by
12 that Association or that successor organization; and a
13 representative of the Illinois Harness Horsemen's
14 Association, recommended by that Association.
15 Committee members shall serve for terms of 2 years,
16 commencing January 1 of each even-numbered year. If a
17 representative of any of the above-named entities has
18 not been recommended by January 1 of any even-numbered
19 year, the Governor shall appoint a committee member to
20 fill that position. Committee members shall receive no
21 compensation for their services as members but shall be
22 reimbursed for all actual and necessary expenses and
23 disbursements incurred in the performance of their
24 official duties. The remaining 50% of this
25 two-sevenths shall be distributed to county fairs for
26 premiums and rehabilitation as set forth in the

1 Agricultural Fair Act;

2 Four-sevenths to park districts or municipalities
3 that do not have a park district of 500,000 population
4 or less for museum purposes (if an inter-track wagering
5 location licensee is located in such a park district)
6 or to conservation districts for museum purposes (if an
7 inter-track wagering location licensee is located in a
8 municipality that is not included within any park
9 district but is included within a conservation
10 district and is the county seat of a county that (i) is
11 contiguous to the state of Indiana and (ii) has a 1990
12 population of 88,257 according to the United States
13 Bureau of the Census, except that if the conservation
14 district does not maintain a museum, the monies shall
15 be allocated equally between the county and the
16 municipality in which the inter-track wagering
17 location licensee is located for general purposes) or
18 to a municipal recreation board for park purposes (if
19 an inter-track wagering location licensee is located
20 in a municipality that is not included within any park
21 district and park maintenance is the function of the
22 municipal recreation board and the municipality has a
23 1990 population of 9,302 according to the United States
24 Bureau of the Census); provided that the monies are
25 distributed to each park district or conservation
26 district or municipality that does not have a park

1 district in an amount equal to four-sevenths of the
2 amount collected by each inter-track wagering location
3 licensee within the park district or conservation
4 district or municipality for the Fund. Monies that were
5 paid into the Horse Racing Tax Allocation Fund before
6 the effective date of this amendatory Act of 1991 by an
7 inter-track wagering location licensee located in a
8 municipality that is not included within any park
9 district but is included within a conservation
10 district as provided in this paragraph shall, as soon
11 as practicable after the effective date of this
12 amendatory Act of 1991, be allocated and paid to that
13 conservation district as provided in this paragraph.
14 Any park district or municipality not maintaining a
15 museum may deposit the monies in the corporate fund of
16 the park district or municipality where the
17 inter-track wagering location is located, to be used
18 for general purposes; and

19 One-seventh to the Agricultural Premium Fund to be
20 used for distribution to agricultural home economics
21 extension councils in accordance with "An Act in
22 relation to additional support and finances for the
23 Agricultural and Home Economic Extension Councils in
24 the several counties of this State and making an
25 appropriation therefor", approved July 24, 1967.

26 Until January 1, 2000, all other monies paid into the

1 Horse Racing Tax Allocation Fund pursuant to this paragraph
2 (11) shall be allocated by appropriation as follows:

3 Two-sevenths to the Department of Agriculture.
4 Fifty percent of this two-sevenths shall be used to
5 promote the Illinois horse racing and breeding
6 industry, and shall be distributed by the Department of
7 Agriculture upon the advice of a 9-member committee
8 appointed by the Governor consisting of the following
9 members: the Director of Agriculture, who shall serve
10 as chairman; 2 representatives of organization
11 licensees conducting thoroughbred race meetings in
12 this State, recommended by those licensees; 2
13 representatives of organization licensees conducting
14 standardbred race meetings in this State, recommended
15 by those licensees; a representative of the Illinois
16 Thoroughbred Breeders and Owners Foundation,
17 recommended by that Foundation; a representative of
18 the Illinois Standardbred Owners and Breeders
19 Association, recommended by that Association; a
20 representative of the Horsemen's Benevolent and
21 Protective Association or any successor organization
22 thereto established in Illinois comprised of the
23 largest number of owners and trainers, recommended by
24 that Association or that successor organization; and a
25 representative of the Illinois Harness Horsemen's
26 Association, recommended by that Association.

1 Committee members shall serve for terms of 2 years,
2 commencing January 1 of each even-numbered year. If a
3 representative of any of the above-named entities has
4 not been recommended by January 1 of any even-numbered
5 year, the Governor shall appoint a committee member to
6 fill that position. Committee members shall receive no
7 compensation for their services as members but shall be
8 reimbursed for all actual and necessary expenses and
9 disbursements incurred in the performance of their
10 official duties. The remaining 50% of this
11 two-sevenths shall be distributed to county fairs for
12 premiums and rehabilitation as set forth in the
13 Agricultural Fair Act;

14 Four-sevenths to museums and aquariums located in
15 park districts of over 500,000 population; provided
16 that the monies are distributed in accordance with the
17 previous year's distribution of the maintenance tax
18 for such museums and aquariums as provided in Section 2
19 of the Park District Aquarium and Museum Act; and

20 One-seventh to the Agricultural Premium Fund to be
21 used for distribution to agricultural home economics
22 extension councils in accordance with "An Act in
23 relation to additional support and finances for the
24 Agricultural and Home Economic Extension Councils in
25 the several counties of this State and making an
26 appropriation therefor", approved July 24, 1967. This

1 subparagraph (C) shall be inoperative and of no force
2 and effect on and after January 1, 2000.

3 (D) Except as provided in paragraph (11) of this
4 subsection (h), with respect to purse allocation from
5 intertrack wagering, the monies so retained shall be
6 divided as follows:

7 (i) If the inter-track wagering licensee,
8 except an intertrack wagering licensee that
9 derives its license from an organization licensee
10 located in a county with a population in excess of
11 230,000 and bounded by the Mississippi River, is
12 not conducting its own race meeting during the same
13 dates, then the entire purse allocation shall be to
14 purses at the track where the races wagered on are
15 being conducted.

16 (ii) If the inter-track wagering licensee,
17 except an intertrack wagering licensee that
18 derives its license from an organization licensee
19 located in a county with a population in excess of
20 230,000 and bounded by the Mississippi River, is
21 also conducting its own race meeting during the
22 same dates, then the purse allocation shall be as
23 follows: 50% to purses at the track where the races
24 wagered on are being conducted; 50% to purses at
25 the track where the inter-track wagering licensee
26 is accepting such wagers.

1 (iii) If the inter-track wagering is being
2 conducted by an inter-track wagering location
3 licensee, except an intertrack wagering location
4 licensee that derives its license from an
5 organization licensee located in a county with a
6 population in excess of 230,000 and bounded by the
7 Mississippi River, the entire purse allocation for
8 Illinois races shall be to purses at the track
9 where the race meeting being wagered on is being
10 held.

11 (12) The Board shall have all powers necessary and
12 proper to fully supervise and control the conduct of
13 inter-track wagering and simulcast wagering by inter-track
14 wagering licensees and inter-track wagering location
15 licensees, including, but not limited to the following:

16 (A) The Board is vested with power to promulgate
17 reasonable rules and regulations for the purpose of
18 administering the conduct of this wagering and to
19 prescribe reasonable rules, regulations and conditions
20 under which such wagering shall be held and conducted.
21 Such rules and regulations are to provide for the
22 prevention of practices detrimental to the public
23 interest and for the best interests of said wagering
24 and to impose penalties for violations thereof.

25 (B) The Board, and any person or persons to whom it
26 delegates this power, is vested with the power to enter

1 the facilities of any licensee to determine whether
2 there has been compliance with the provisions of this
3 Act and the rules and regulations relating to the
4 conduct of such wagering.

5 (C) The Board, and any person or persons to whom it
6 delegates this power, may eject or exclude from any
7 licensee's facilities, any person whose conduct or
8 reputation is such that his presence on such premises
9 may, in the opinion of the Board, call into the
10 question the honesty and integrity of, or interfere
11 with the orderly conduct of such wagering; provided,
12 however, that no person shall be excluded or ejected
13 from such premises solely on the grounds of race,
14 color, creed, national origin, ancestry, or sex.

15 (D) (Blank).

16 (E) The Board is vested with the power to appoint
17 delegates to execute any of the powers granted to it
18 under this Section for the purpose of administering
19 this wagering and any rules and regulations
20 promulgated in accordance with this Act.

21 (F) The Board shall name and appoint a State
22 director of this wagering who shall be a representative
23 of the Board and whose duty it shall be to supervise
24 the conduct of inter-track wagering as may be provided
25 for by the rules and regulations of the Board; such
26 rules and regulation shall specify the method of

1 appointment and the Director's powers, authority and
2 duties.

3 (G) The Board is vested with the power to impose
4 civil penalties of up to \$5,000 against individuals and
5 up to \$10,000 against licensees for each violation of
6 any provision of this Act relating to the conduct of
7 this wagering, any rules adopted by the Board, any
8 order of the Board or any other action which in the
9 Board's discretion, is a detriment or impediment to
10 such wagering.

11 (13) The Department of Agriculture may enter into
12 agreements with licensees authorizing such licensees to
13 conduct inter-track wagering on races to be held at the
14 licensed race meetings conducted by the Department of
15 Agriculture. Such agreement shall specify the races of the
16 Department of Agriculture's licensed race meeting upon
17 which the licensees will conduct wagering. In the event
18 that a licensee conducts inter-track pari-mutuel wagering
19 on races from the Illinois State Fair or DuQuoin State Fair
20 which are in addition to the licensee's previously approved
21 racing program, those races shall be considered a separate
22 racing day for the purpose of determining the daily handle
23 and computing the privilege or pari-mutuel tax on that
24 daily handle as provided in Sections 27 and 27.1. Such
25 agreements shall be approved by the Board before such
26 wagering may be conducted. In determining whether to grant

1 approval, the Board shall give due consideration to the
2 best interests of the public and of horse racing. The
3 provisions of paragraphs (1), (8), (8.1), and (8.2) of
4 subsection (h) of this Section which are not specified in
5 this paragraph (13) shall not apply to licensed race
6 meetings conducted by the Department of Agriculture at the
7 Illinois State Fair in Sangamon County or the DuQuoin State
8 Fair in Perry County, or to any wagering conducted on those
9 race meetings.

10 (i) Notwithstanding the other provisions of this Act, the
11 conduct of wagering at wagering facilities is authorized on all
12 days, except as limited by subsection (b) of Section 19 of this
13 Act.

14 (Source: P.A. 91-40, eff. 6-25-99; 92-211, eff. 8-2-01.)

15 (230 ILCS 5/28.1)

16 Sec. 28.1. Payments.

17 (a) Beginning on January 1, 2000, moneys collected by the
18 Department of Revenue and the Racing Board pursuant to Section
19 26 or Section 27 of this Act shall be deposited into the Horse
20 Racing Fund, which is hereby created as a special fund in the
21 State Treasury.

22 (b) Appropriations, as approved by the General Assembly,
23 may be made from the Horse Racing Fund to the Board to pay the
24 salaries of the Board members, secretary, stewards, directors
25 of mutuels, veterinarians, representatives, accountants,

1 clerks, stenographers, inspectors and other employees of the
2 Board, and all expenses of the Board incident to the
3 administration of this Act, including, but not limited to, all
4 expenses and salaries incident to the taking of saliva and
5 urine samples in accordance with the rules and regulations of
6 the Board.

7 (c) Appropriations, as approved by the General Assembly,
8 shall be made from the Horse Racing Fund to the Department of
9 Agriculture for the purposes identified in paragraphs (2),
10 (2.5), (4), (4.1), (6), (7), (8), and (9) of subsection (g) of
11 Section 30, subsection (e) of Section 30.5, paragraphs (1),
12 (2), (3), (5), and (8) of subsection (g) of Section 31, and for
13 standardbred bonus programs for owners of horses that win
14 multiple stakes races that are limited to Illinois conceived
15 and foaled horses. From ~~Beginning on~~ January 1, 2000 until the
16 effective date of this amendatory Act of the 96th General
17 Assembly, the Board shall transfer the remainder of the funds
18 generated pursuant to Sections 26 and 27 from the Horse Racing
19 Fund into the General Revenue Fund.

20 (d) Beginning January 1, 2000, payments to all programs in
21 existence on the effective date of this amendatory Act of 1999
22 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and
23 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of
24 Section 30, and subsections (a), (b), (c), (d), (e), (f), (g),
25 and (h) of Section 31 shall be made from the General Revenue
26 Fund at the funding levels determined by amounts paid under

1 this Act in calendar year 1998. Beginning on the effective date
2 of this amendatory Act of the 93rd General Assembly, payments
3 to the Peoria Park District shall be made from the General
4 Revenue Fund at the funding level determined by amounts paid to
5 that park district for museum purposes under this Act in
6 calendar year 1994. Beginning on the effective date of this
7 amendatory Act of the 94th General Assembly, in lieu of
8 payments to the Champaign Park District for museum purposes,
9 payments to the Urbana Park District shall be made from the
10 General Revenue Fund at the funding level determined by amounts
11 paid to the Champaign Park District for museum purposes under
12 this Act in calendar year 2005.

13 (e) Beginning July 1, 2006, the payment authorized under
14 subsection (d) to museums and aquariums located in park
15 districts of over 500,000 population shall be paid to museums,
16 aquariums, and zoos in amounts determined by Museums in the
17 Park, an association of museums, aquariums, and zoos located on
18 Chicago Park District property.

19 (f) Beginning July 1, 2007, the Children's Discovery Museum
20 in Normal, Illinois shall receive payments from the General
21 Revenue Fund at the funding level determined by the amounts
22 paid to the Miller Park Zoo in Bloomington, Illinois under this
23 Section in calendar year 2006.

24 (g) Notwithstanding any other provision of this Act to the
25 contrary, appropriations, as approved by the General Assembly,
26 may be made from the Fair and Exposition Fund to the Department

1 of Agriculture for distribution to Illinois county fairs to
2 supplement premiums offered in junior classes.

3 (Source: P.A. 94-813, eff. 5-26-06; 95-222, eff. 8-16-07.)

4 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

5 Sec. 31. (a) The General Assembly declares that it is the
6 policy of this State to encourage the breeding of standardbred
7 horses in this State and the ownership of such horses by
8 residents of this State in order to provide for: sufficient
9 numbers of high quality standardbred horses to participate in
10 harness racing meetings in this State, and to establish and
11 preserve the agricultural and commercial benefits of such
12 breeding and racing industries to the State of Illinois. It is
13 the intent of the General Assembly to further this policy by
14 the provisions of this Section of this Act.

15 (b) Each organization licensee conducting a harness racing
16 meeting pursuant to this Act shall provide for at least two
17 races each race program limited to Illinois conceived and
18 foaled horses. A minimum of 6 races shall be conducted each
19 week limited to Illinois conceived and foaled horses. No horses
20 shall be permitted to start in such races unless duly
21 registered under the rules of the Department of Agriculture.

22 (b-5) Each organization licensee conducting a harness
23 racing meeting pursuant to this Act shall provide stakes races
24 and early closer races for Illinois conceived and foaled horses
25 so the total purses distributed for such races shall be no less

1 than 17% of the total purses distributed at the meeting.

2 (b-10) Each organization licensee conducting a harness
3 racing meeting pursuant to this Act shall provide an owner
4 award to be paid from the purse account equal to 25% of the
5 amount earned by Illinois conceived and foaled horses in races
6 that are not restricted to Illinois conceived and foaled
7 horses.

8 (c) Conditions of races under subsection (b) shall be
9 commensurate with past performance, quality and class of
10 Illinois conceived and foaled horses available. If, however,
11 sufficient competition cannot be had among horses of that class
12 on any day, the races may, with consent of the Board, be
13 eliminated for that day and substitute races provided.

14 (d) There is hereby created a special fund of the State
15 Treasury to be known as the Illinois Standardbred Breeders
16 Fund.

17 During the calendar year 1981, and each year thereafter,
18 except as provided in subsection (g) of Section 27 of this Act,
19 eight and one-half per cent of all the monies received by the
20 State as privilege taxes on harness racing meetings shall be
21 paid into the Illinois Standardbred Breeders Fund.

22 (e) The Illinois Standardbred Breeders Fund shall be
23 administered by the Department of Agriculture with the
24 assistance and advice of the Advisory Board created in
25 subsection (f) of this Section.

26 (f) The Illinois Standardbred Breeders Fund Advisory Board

1 is hereby created. The Advisory Board shall consist of the
2 Director of the Department of Agriculture, who shall serve as
3 Chairman; the Superintendent of the Illinois State Fair; a
4 member of the Illinois Racing Board, designated by it; a
5 representative of the Illinois Standardbred Owners and
6 Breeders Association, recommended by it; a representative of
7 the Illinois Association of Agricultural Fairs, recommended by
8 it, such representative to be from a fair at which Illinois
9 conceived and foaled racing is conducted; a representative of
10 the organization licensees conducting harness racing meetings,
11 recommended by them and a representative of the Illinois
12 Harness Horsemen's Association, recommended by it. Advisory
13 Board members shall serve for 2 years commencing January 1, of
14 each odd numbered year. If representatives of the Illinois
15 Standardbred Owners and Breeders Associations, the Illinois
16 Association of Agricultural Fairs, the Illinois Harness
17 Horsemen's Association, and the organization licensees
18 conducting harness racing meetings have not been recommended by
19 January 1, of each odd numbered year, the Director of the
20 Department of Agriculture shall make an appointment for the
21 organization failing to so recommend a member of the Advisory
22 Board. Advisory Board members shall receive no compensation for
23 their services as members but shall be reimbursed for all
24 actual and necessary expenses and disbursements incurred in the
25 execution of their official duties.

26 (g) No monies shall be expended from the Illinois

1 Standardbred Breeders Fund except as appropriated by the
2 General Assembly. Monies appropriated from the Illinois
3 Standardbred Breeders Fund shall be expended by the Department
4 of Agriculture, with the assistance and advice of the Illinois
5 Standardbred Breeders Fund Advisory Board for the following
6 purposes only:

7 1. To provide purses for races limited to Illinois
8 conceived and foaled horses at the State Fair and the
9 DuQuoin State Fair.

10 2. To provide purses for races limited to Illinois
11 conceived and foaled horses at county fairs.

12 3. To provide purse supplements for races limited to
13 Illinois conceived and foaled horses conducted by
14 associations conducting harness racing meetings.

15 4. No less than 75% of all monies in the Illinois
16 Standardbred Breeders Fund shall be expended for purses in
17 1, 2 and 3 as shown above.

18 5. In the discretion of the Department of Agriculture
19 to provide awards to harness breeders of Illinois conceived
20 and foaled horses which win races conducted by organization
21 licensees conducting harness racing meetings. A breeder is
22 the owner of a mare at the time of conception. No more than
23 10% of all monies appropriated from the Illinois
24 Standardbred Breeders Fund shall be expended for such
25 harness breeders awards. No more than 25% of the amount
26 expended for harness breeders awards shall be expended for

1 expenses incurred in the administration of such harness
2 breeders awards.

3 6. To pay for the improvement of racing facilities
4 located at the State Fair and County fairs.

5 7. To pay the expenses incurred in the administration
6 of the Illinois Standardbred Breeders Fund.

7 8. To promote the sport of harness racing, including
8 grants up to a maximum of \$7,500 per fair per year for the
9 cost of a totalizer system to be used for conducting
10 pari-mutuel wagering during the advertised dates of a
11 county fair.

12 (h) Whenever the Governor finds that the amount in the
13 Illinois Standardbred Breeders Fund is more than the total of
14 the outstanding appropriations from such fund, the Governor
15 shall notify the State Comptroller and the State Treasurer of
16 such fact. The Comptroller and the State Treasurer, upon
17 receipt of such notification, shall transfer such excess amount
18 from the Illinois Standardbred Breeders Fund to the General
19 Revenue Fund.

20 (i) A sum equal to 12 1/2% of the first prize money of
21 every purse won by an Illinois conceived and foaled horse shall
22 be paid by the organization licensee conducting the horse race
23 meeting to the breeder of such winning horse from the
24 organization licensee's account ~~share of the money wagered.~~
25 Such payment shall not reduce any award to the owner of the
26 horse or reduce the taxes payable under this Act. Such payment

1 shall be delivered by the organization licensee at the end of
2 each month ~~race meeting~~.

3 (j) The Department of Agriculture shall, by rule, with the
4 assistance and advice of the Illinois Standardbred Breeders
5 Fund Advisory Board:

6 1. Qualify stallions for Illinois Standardbred Breeders
7 Fund breeding; such stallion shall be owned by a resident of
8 the State of Illinois or by an Illinois corporation all of
9 whose shareholders, directors, officers and incorporators are
10 residents of the State of Illinois. Such stallion shall stand
11 for service at and within the State of Illinois at the time of
12 a foal's conception, and such stallion must not stand for
13 service at any place, ~~nor may semen from such stallion be~~
14 ~~transported,~~ outside the State of Illinois during that calendar
15 year in which the foal is conceived and that the owner of the
16 stallion was for the 12 months prior, a resident of Illinois.
17 The articles of agreement of any partnership, joint venture,
18 limited partnership, syndicate, association or corporation and
19 any bylaws and stock certificates must contain a restriction
20 that provides that the ownership or transfer of interest by any
21 one of the persons a party to the agreement can only be made to
22 a person who qualifies as an Illinois resident. Foals conceived
23 outside the State of Illinois from shipped semen from a
24 stallion qualified for breeders' awards under this Section are
25 not eligible to participate in the Illinois conceived and
26 foaled program.

1 2. Provide for the registration of Illinois conceived and
2 foaled horses and no such horse shall compete in the races
3 limited to Illinois conceived and foaled horses unless
4 registered with the Department of Agriculture. The Department
5 of Agriculture may prescribe such forms as may be necessary to
6 determine the eligibility of such horses. No person shall
7 knowingly prepare or cause preparation of an application for
8 registration of such foals containing false information. A mare
9 (dam) must be in the state at least 30 days prior to foaling or
10 remain in the State at least 30 days at the time of foaling.
11 Beginning with the 1996 breeding season and for foals of 1997
12 and thereafter, a foal conceived in the State of Illinois by
13 transported fresh semen may be eligible for Illinois conceived
14 and foaled registration provided all breeding and foaling
15 requirements are met. The stallion must be qualified for
16 Illinois Standardbred Breeders Fund breeding at the time of
17 conception and the mare must be inseminated within the State of
18 Illinois. The foal must be dropped in Illinois and properly
19 registered with the Department of Agriculture in accordance
20 with this Act.

21 3. Provide that at least a 5 day racing program shall be
22 conducted at the State Fair each year, which program shall
23 include at least the following races limited to Illinois
24 conceived and foaled horses: (a) a two year old Trot and Pace,
25 and Filly Division of each; (b) a three year old Trot and Pace,
26 and Filly Division of each; (c) an aged Trot and Pace, and Mare

1 Division of each.

2 4. Provide for the payment of nominating, sustaining and
3 starting fees for races promoting the sport of harness racing
4 and for the races to be conducted at the State Fair as provided
5 in subsection (j) 3 of this Section provided that the
6 nominating, sustaining and starting payment required from an
7 entrant shall not exceed 2% of the purse of such race. All
8 nominating, sustaining and starting payments shall be held for
9 the benefit of entrants and shall be paid out as part of the
10 respective purses for such races. Nominating, sustaining and
11 starting fees shall be held in trust accounts for the purposes
12 as set forth in this Act and in accordance with Section 205-15
13 of the Department of Agriculture Law (20 ILCS 205/205-15).

14 5. Provide for the registration with the Department of
15 Agriculture of Colt Associations or county fairs desiring to
16 sponsor races at county fairs.

17 (k) The Department of Agriculture, with the advice and
18 assistance of the Illinois Standardbred Breeders Fund Advisory
19 Board, may allocate monies for purse supplements for such
20 races. In determining whether to allocate money and the amount,
21 the Department of Agriculture shall consider factors,
22 including but not limited to, the amount of money appropriated
23 for the Illinois Standardbred Breeders Fund program, the number
24 of races that may occur, and an organizational licensee's purse
25 structure. The organizational licensee shall notify the
26 Department of Agriculture of the conditions and minimum purses

1 for races limited to Illinois conceived and foaled horses to be
2 conducted by each organizational licensee conducting a harness
3 racing meeting for which purse supplements have been
4 negotiated.

5 (l) All races held at county fairs and the State Fair which
6 receive funds from the Illinois Standardbred Breeders Fund
7 shall be conducted in accordance with the rules of the United
8 States Trotting Association unless otherwise modified by the
9 Department of Agriculture.

10 (m) At all standardbred race meetings held or conducted
11 under authority of a license granted by the Board, and at all
12 standardbred races held at county fairs which are approved by
13 the Department of Agriculture or at the Illinois or DuQuoin
14 State Fairs, no one shall jog, train, warm up or drive a
15 standardbred horse unless he or she is wearing a protective
16 safety helmet, with the chin strap fastened and in place, which
17 meets the standards and requirements as set forth in the 1984
18 Standard for Protective Headgear for Use in Harness Racing and
19 Other Equestrian Sports published by the Snell Memorial
20 Foundation, or any standards and requirements for headgear the
21 Illinois Racing Board may approve. Any other standards and
22 requirements so approved by the Board shall equal or exceed
23 those published by the Snell Memorial Foundation. Any
24 equestrian helmet bearing the Snell label shall be deemed to
25 have met those standards and requirements.

26 (Source: P.A. 91-239, eff. 1-1-00.)

1 Section 90-30. The Riverboat Gambling Act is amended by
2 changing Sections 1, 2, 3, 4, 5, 5.1, 6, 7, 7.1, 7.3, 8, 9, 11,
3 11.1, 12, 13, 14, 18, 19, and 20 and by adding Sections 7.6,
4 7.7, 7.8, 7.10, and 7.14 as follows:

5 (230 ILCS 10/1) (from Ch. 120, par. 2401)

6 Sec. 1. Short title. This Act shall be known and may be
7 cited as the Illinois ~~Riverboat~~ Gambling Act.

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

9 (230 ILCS 10/2) (from Ch. 120, par. 2402)

10 Sec. 2. Legislative Intent.

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

15 (b) While authorization of riverboat and casino gambling
16 will enhance investment, development and tourism in Illinois,
17 it is recognized that it will do so successfully only if public
18 confidence and trust in the credibility and integrity of the
19 gambling operations and the regulatory process is maintained.
20 Therefore, regulatory provisions of this Act are designed to
21 strictly regulate the facilities, persons, associations and
22 practices related to gambling operations pursuant to the police
23 powers of the State, including comprehensive law enforcement

1 supervision.

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

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

7 (230 ILCS 10/3) (from Ch. 120, par. 2403)

8 Sec. 3. ~~Riverboat~~ Gambling Authorized.

9 (a) Riverboat and casino gambling operations and
10 electronic gaming operations ~~and the system of wagering~~
11 ~~incorporated therein~~, as defined in this Act, are hereby
12 authorized to the extent that they are carried out in
13 accordance with the provisions of this Act.

14 (b) This Act does not apply to the pari-mutuel system of
15 wagering used or intended to be used in connection with the
16 horse-race meetings as authorized under the Illinois Horse
17 Racing Act of 1975, lottery games authorized under the Illinois
18 Lottery Law, bingo authorized under the Bingo License and Tax
19 Act, charitable games authorized under the Charitable Games Act
20 or pull tabs and jar games conducted under the Illinois Pull
21 Tabs and Jar Games Act. This Act does apply to electronic
22 gaming authorized under the Illinois Horse Racing Act of 1975
23 to the extent provided in that Act and in this Act.

24 (c) Riverboat gambling conducted pursuant to this Act may
25 be authorized upon any water within the State of Illinois or

1 any water other than Lake Michigan which constitutes a boundary
2 of the State of Illinois. Notwithstanding any provision in this
3 subsection (c) to the contrary, a licensee that receives its
4 license pursuant to subsection (e-5) of Section 7 may conduct
5 riverboat gambling on Lake Michigan from a home dock located on
6 Lake Michigan subject to any limitations contained in Section
7 7. Notwithstanding any provision in this subsection (c) to the
8 contrary, a licensee may conduct gambling at its home dock
9 facility as provided in Sections 7 and 11. A licensee may
10 conduct riverboat gambling authorized under this Act
11 regardless of whether it conducts excursion cruises. A licensee
12 may permit the continuous ingress and egress of passengers for
13 the purpose of gambling.

14 (d) Gambling that is conducted in accordance with this Act
15 using slot machines shall be authorized at the race track of an
16 organization licensee under the Illinois Horse Racing Act of
17 1975 as provided in this Act.

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

19 (230 ILCS 10/4) (from Ch. 120, par. 2404)

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

21 ~~(a)~~ "Board" means the Illinois Gaming Board.

22 ~~(b)~~ "Occupational license" means a license issued by the
23 Board to a person or entity to perform an occupation which the
24 Board has identified as requiring a license to engage in
25 riverboat or casino gambling in Illinois.

1 ~~(e)~~ "Gambling game" includes, but is not limited to,
2 baccarat, twenty-one, poker, craps, slot machine, video game of
3 chance, roulette wheel, klondike table, punchboard, faro
4 layout, keno layout, numbers ticket, push card, jar ticket, or
5 pull tab which is authorized by the Board as a wagering device
6 under this Act.

7 ~~(d)~~ "Riverboat" means a self-propelled excursion boat, a
8 permanently moored barge, or permanently moored barges that are
9 permanently fixed together to operate as one vessel, on which
10 lawful gambling is authorized and licensed as provided in this
11 Act.

12 ~~(e)~~ "Managers license" means a license issued by the Board
13 to a person or entity to manage gambling operations conducted
14 by the State pursuant to Section 7.3.

15 ~~(f)~~ "Dock" means the location where a riverboat moors for
16 the purpose of embarking passengers for and disembarking
17 passengers from the riverboat.

18 ~~(g)~~ "Gross receipts" means the total amount of money
19 exchanged for the purchase of chips, tokens or electronic cards
20 by riverboat or casino patrons or electronic gaming operation
21 patrons.

22 ~~(h)~~ "Adjusted gross receipts" means the gross receipts less
23 winnings paid to wagerers.

24 ~~(i)~~ "Cheat" means to alter the selection of criteria which
25 determine the result of a gambling game or the amount or
26 frequency of payment in a gambling game.

1 ~~(j)~~ "Department" means the Department of Revenue.

2 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~
3 gambling games authorized under this Act on ~~upon~~ a riverboat or
4 in a casino or authorized under this Act and the Illinois Horse
5 Racing Act of 1975 at an electronic gaming facility.

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

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

12 "Casino" means a land-based facility at which lawful
13 gambling is authorized as provided in this Act.

14 "Owners license" means a license to conduct riverboat or
15 casino gambling operations, but does not include an electronic
16 gaming license.

17 "Licensed owner" means a person who holds an owners
18 license.

19 "Electronic gaming license" means a license issued by the
20 Board under Section 7.6 of this Act authorizing electronic
21 gaming at an electronic gaming facility.

22 "Electronic gaming" means the conduct of gambling using
23 slot machines at a race track licensed under the Illinois Horse
24 Racing Act of 1975 pursuant to the Illinois Horse Racing Act of
25 1975 and this Act.

26 "Electronic gaming facility" means the area where the Board

1 has authorized limited gaming at a race track of an
2 organization licensee under the Illinois Horse Racing Act of
3 1975 that holds an electronic gaming facility license.

4 "Organization licensee" means an entity authorized by the
5 Illinois Racing Board to conduct pari-mutuel wagering in
6 accordance with the Illinois Horse Racing Act of 1975.

7 "Casino operator license" means the license held by the
8 person or entity selected by the Chicago Casino Development
9 Authority to manage and operate a riverboat or casino within
10 the geographic area of the authorized municipality pursuant to
11 this Act and the Chicago Casino Development Authority Act.

12 (Source: P.A. 95-331, eff. 8-21-07.)

13 (230 ILCS 10/5) (from Ch. 120, par. 2405)

14 Sec. 5. Gaming Board.

15 (a) (1) There is hereby established within the Department
16 of Revenue an Illinois Gaming Board which shall have the powers
17 and duties specified in this Act, and all other powers
18 necessary and proper to fully and effectively execute this Act
19 for the purpose of administering, regulating, and enforcing the
20 system of riverboat and casino gambling and electronic gaming
21 established by this Act. Its jurisdiction shall extend under
22 this Act to every person, association, corporation,
23 partnership and trust involved in riverboat and casino gambling
24 operations and electronic gaming in the State of Illinois.

25 (2) The Board shall consist of 5 members to be appointed by

1 the Governor with the advice and consent of the Senate, one of
2 whom shall be designated by the Governor to be chairperson
3 ~~chairman~~. Each member shall have a reasonable knowledge of the
4 practice, procedure and principles of gambling operations. At
5 least 3 members must have personal experience working in the
6 gaming industry whether it be in the State of Illinois or
7 elsewhere. Each member shall either be a resident of Illinois
8 or shall certify that he or she will become a resident of
9 Illinois before taking office. Notwithstanding any provision
10 of this Section to the contrary, the term of office of each
11 member of the Board ends on the effective date of this
12 amendatory Act of the 96th General Assembly and those members
13 shall hold office only until their successors are appointed and
14 qualified pursuant to this amendatory Act.

15 No more than 3 members of the Board may be from the same
16 political party. No more than 3 members may reside within Cook,
17 Will, Lake, DuPage, or Kane County. The Board should reflect
18 the ethnic, cultural, and geographic diversity of the State. No
19 Board member, within a period of one year immediately preceding
20 nomination by the Governor or the expectation of his or her
21 term or separation from the Board, shall have been employed or
22 received compensation or fees for services from a person or
23 entity, or its parent or affiliate, that has engaged in
24 business with the Board, a licensee, or a licensee under the
25 Horse Racing Act of 1975. This prohibition shall apply
26 additionally for one year after immediately after the

1 expiration of his or her term or separation from the Board. ~~At~~
2 ~~least one member shall be experienced in law enforcement and~~
3 ~~criminal investigation, at least one member shall be a~~
4 ~~certified public accountant experienced in accounting and~~
5 ~~auditing, and at least one member shall be a lawyer licensed to~~
6 ~~practice law in Illinois.~~

7 (3) The terms of office of the Board members shall be 3
8 years, except that the terms of office of the initial Board
9 members appointed pursuant to this amendatory Act of the 96th
10 General Assembly Act will commence from the effective date of
11 this amendatory Act and run as follows, to be determined by
12 lot: one for a term ending July 1 of the year following
13 confirmation, 1991, one 2 for a term ending July 1 two years
14 following confirmation, 1992, one and 2 for a term ending July
15 1 three years following confirmation, and 2 for a term ending
16 July 1 four years following confirmation 1993. Upon the
17 expiration of the foregoing terms, the successors of such
18 members shall serve a term for 3 years and until their
19 successors are appointed and qualified for like terms.
20 Vacancies in the Board shall be filled for the unexpired term
21 in like manner as original appointments. Each member of the
22 Board shall be eligible for reappointment at the discretion of
23 the Governor with the advice and consent of the Senate.

24 Until all 5 members of the Board are appointed and
25 qualified pursuant to this amendatory Act of the 96th General
26 Assembly, the Illinois Gaming Board may not act with regard to

1 any license that has not been granted by January 1, 2010;
2 however, the Board may issue electronic gaming licenses
3 pursuant to this amendatory Act.

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

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

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

25 (7) Before entering upon the discharge of the duties of his
26 office, each member of the Board shall take an oath that he

1 will faithfully execute the duties of his office according to
2 the laws of the State and the rules and regulations adopted
3 therewith and shall give bond to the State of Illinois,
4 approved by the Governor, in the sum of \$25,000. Every such
5 bond, when duly executed and approved, shall be recorded in the
6 office of the Secretary of State. Whenever the Governor
7 determines that the bond of any member of the Board has become
8 or is likely to become invalid or insufficient, he shall
9 require such member forthwith to renew his bond, which is to be
10 approved by the Governor. Any member of the Board who fails to
11 take oath and give bond within 30 days from the date of his
12 appointment, or who fails to renew his bond within 30 days
13 after it is demanded by the Governor, shall be guilty of
14 neglect of duty and may be removed by the Governor. The cost of
15 any bond given by any member of the Board under this Section
16 shall be taken to be a part of the necessary expenses of the
17 Board.

18 (8) ~~The~~ ~~Upon the request of the Board, the Department~~ shall
19 employ such personnel as may be necessary to carry out its ~~the~~
20 functions and shall determine the salaries of all personnel,
21 except those personnel whose salaries are determined under the
22 terms of a collective bargaining agreement ~~of the Board~~. No
23 person shall be employed to serve the Board who is, or whose
24 spouse, parent or child is, an official of, or has a financial
25 interest in or financial relation with, any operator engaged in
26 gambling operations within this State or any organization

1 engaged in conducting horse racing within this State. For the
2 one year immediately preceding employment, an employee shall
3 not have been employed or received compensation or fees for
4 services from a person or entity, or its parent or affiliate,
5 that has engaged in business with the Board, a licensee, or a
6 licensee under the Horse Racing Act of 1975. Any employee
7 violating these prohibitions shall be subject to termination of
8 employment. In addition, no employee shall for one year after
9 separation from the Board be employed or receive compensation
10 or fees from the before-mentioned persons or entities.

11 (9) An Administrator shall be appointed by the Governor
12 with the advice and consent of the Senate. An Administrator
13 shall perform any and all duties that the Board shall assign
14 him. The salary of the Administrator shall be determined by the
15 Board and approved by the Director of the Department and, in
16 addition, he shall be reimbursed for all actual and necessary
17 expenses incurred by him in discharge of his official duties.
18 The Administrator shall keep records of all proceedings of the
19 Board and shall preserve all records, books, documents and
20 other papers belonging to the Board or entrusted to its care.
21 The Administrator shall devote his full time to the duties of
22 the office and shall not hold any other office or employment.
23 In addition to other prescribed duties, the Administrator shall
24 establish a system by which personnel assisting the Board
25 regarding the issuance of owner's licenses, whether it be
26 relocation, re-issuance, or the initial issuance, shall be

1 assigned specific duties in each instance, thereby preventing a
2 conflict of interest in regards to the decision-making process.
3 A conflict of interest exists if a situation influences or
4 creates the appearance that it may influence judgment or
5 performance of duties or responsibilities.

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

9 (1) To decide promptly and in reasonable order all
10 license applications. Any party aggrieved by an action of
11 the Board denying, suspending, revoking, restricting or
12 refusing to renew a license may request a hearing before
13 the Board. A request for a hearing must be made to the
14 Board in writing within 5 days after service of notice of
15 the action of the Board. Notice of the action of the Board
16 shall be served either by personal delivery or by certified
17 mail, postage prepaid, to the aggrieved party. Notice
18 served by certified mail shall be deemed complete on the
19 business day following the date of such mailing. The Board
20 shall conduct all requested hearings promptly and in
21 reasonable order;

22 (2) To conduct all hearings pertaining to civil
23 violations of this Act or rules and regulations promulgated
24 hereunder;

25 (3) To promulgate such rules and regulations as in its
26 judgment may be necessary to protect or enhance the

1 credibility and integrity of gambling operations
2 authorized by this Act and the regulatory process
3 hereunder;

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

9 (5) To provide for the levy and collection of penalties
10 and fines for the violation of provisions of this Act and
11 the rules and regulations promulgated hereunder. All such
12 fines and penalties shall be deposited into the Education
13 Assistance Fund, created by Public Act 86-0018, of the
14 State of Illinois;

15 (6) To be present through its inspectors and agents any
16 time gambling operations are conducted on any riverboat, in
17 any casino, or at any electronic gaming facility for the
18 purpose of certifying the revenue thereof, receiving
19 complaints from the public, and conducting such other
20 investigations into the conduct of the gambling games and
21 the maintenance of the equipment as from time to time the
22 Board may deem necessary and proper;

23 (7) To review and rule upon any complaint by a licensee
24 regarding any investigative procedures of the State which
25 are unnecessarily disruptive of gambling operations. The
26 need to inspect and investigate shall be presumed at all

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

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

1 findings and decision of the majority of the Board shall
2 constitute the order of the Board in such case;

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

7 (10) To file a written annual report with the Governor
8 on or before March 1 each year and such additional reports
9 as the Governor may request. The annual report shall
10 include a statement of receipts and disbursements by the
11 Board, actions taken by the Board, and any additional
12 information and recommendations which the Board may deem
13 valuable or which the Governor may request;

14 (11) (Blank); ~~and~~

15 (12) To assume responsibility for the administration
16 and enforcement of the Bingo License and Tax Act, the
17 Charitable Games Act, and the Pull Tabs and Jar Games Act
18 if such responsibility is delegated to it by the Director
19 of Revenue; ~~and.~~

20 (13) To assume responsibility for the administration
21 and enforcement of operations at electronic gaming
22 facilities pursuant to this Act and the Illinois Horse
23 Racing Act of 1975.

24 (c) The Board shall have jurisdiction over and shall
25 supervise all gambling operations governed by this Act. The
26 Board shall have all powers necessary and proper to fully and

1 effectively execute the provisions of this Act, including, but
2 not limited to, the following:

3 (1) To investigate applicants and determine the
4 eligibility of applicants for licenses and to select among
5 competing applicants the applicants which best serve the
6 interests of the citizens of Illinois.

7 (2) To have jurisdiction and supervision over all
8 ~~riverboat~~ gambling operations authorized under this Act in
9 ~~this State~~ and all persons in places ~~on riverboats~~ where
10 gambling operations are conducted.

11 (3) To promulgate rules and regulations for the purpose
12 of administering the provisions of this Act and to
13 prescribe rules, regulations and conditions under which
14 all ~~riverboat~~ gambling operations subject to this Act in
15 ~~the State~~ shall be conducted. Such rules and regulations
16 are to provide for the prevention of practices detrimental
17 to the public interest and for the best interests of
18 ~~riverboat~~ gambling, including rules and regulations
19 regarding the inspection of electronic gaming facilities,
20 casinos, and ~~such~~ riverboats and the review of any permits
21 or licenses necessary to operate a riverboat, casino, or
22 electronic gaming facilities under any laws or regulations
23 applicable to riverboats, casinos, or electronic gaming
24 facilities and to impose penalties for violations thereof.

25 (4) To enter the office, riverboats, casinos,
26 electronic gaming facilities, and other facilities, or

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

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

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

12 (7) To adopt appropriate standards for all electronic
13 gaming facilities, riverboats, casinos, and other
14 facilities authorized under this Act.

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

1 (9) To conduct hearings, issue subpoenas for the
2 attendance of witnesses and subpoenas duces tecum for the
3 production of books, records and other pertinent documents
4 in accordance with the Illinois Administrative Procedure
5 Act, and to administer oaths and affirmations to the
6 witnesses, when, in the judgment of the Board, it is
7 necessary to administer or enforce this Act or the Board
8 rules.

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

13 (11) To revoke or suspend licenses, as the Board may
14 see fit and in compliance with applicable laws of the State
15 regarding administrative procedures, and to review
16 applications for the renewal of licenses. The Board may
17 suspend an owners license, electronic gaming license, or
18 electronic gaming facility license, without notice or
19 hearing, upon a determination that the safety or health of
20 patrons or employees is jeopardized by continuing a
21 gambling operation conducted under that license ~~a~~
22 ~~riverboat's operation~~. The suspension may remain in effect
23 until the Board determines that the cause for suspension
24 has been abated. The Board may revoke the owners license,
25 electronic gaming license, or electric gaming facility
26 license upon a determination that the licensee ~~owner~~ has

1 not made satisfactory progress toward abating the hazard.

2 (12) To eject or exclude or authorize the ejection or
3 exclusion of, any person from ~~riverboat~~ gambling
4 facilities where that ~~such~~ person is in violation of this
5 Act, rules and regulations thereunder, or final orders of
6 the Board, or where such person's conduct or reputation is
7 such that his or her presence within the ~~riverboat~~ gambling
8 facilities may, in the opinion of the Board, call into
9 question the honesty and integrity of the gambling
10 operations or interfere with the orderly conduct thereof;
11 provided that the propriety of such ejection or exclusion
12 is subject to subsequent hearing by the Board.

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

18 (14) (Blank).

19 (15) To suspend, revoke or restrict licenses, to
20 require the removal of a licensee or an employee of a
21 licensee for a violation of this Act or a Board rule or for
22 engaging in a fraudulent practice, and to impose civil
23 penalties of up to \$5,000 against individuals and up to
24 \$10,000 or an amount equal to the daily gross receipts,
25 whichever is larger, against licensees for each violation
26 of any provision of the Act, any rules adopted by the

1 Board, any order of the Board or any other action which, in
2 the Board's discretion, is a detriment or impediment to
3 ~~riverboat~~ gambling operations.

4 (16) To hire employees to gather information, conduct
5 investigations and carry out any other tasks contemplated
6 under this Act.

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

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

26 (19) After consultation with the U.S. Army Corps of

1 Engineers, to establish binding emergency orders upon the
2 concurrence of a majority of the members of the Board
3 regarding the navigability of water, relative to
4 excursions, in the event of extreme weather conditions,
5 acts of God or other extreme circumstances.

6 (20) To delegate the execution of any of its powers
7 under this Act for the purpose of administering and
8 enforcing this Act and its rules and regulations hereunder.

9 (21) To make rules concerning the conduct of electronic
10 gaming.

11 (22) ~~(21)~~ To take any other action as may be reasonable
12 or appropriate to enforce this Act and rules and
13 regulations hereunder.

14 (d) The Board may seek and shall receive the cooperation of
15 the Department of State Police in conducting background
16 investigations of applicants and in fulfilling its
17 responsibilities under this Section. Costs incurred by the
18 Department of State Police as a result of such cooperation
19 shall be paid by the Board in conformance with the requirements
20 of Section 2605-400 of the Department of State Police Law (20
21 ILCS 2605/2605-400).

22 (e) The Board must authorize to each investigator and to
23 any other employee of the Board exercising the powers of a
24 peace officer a distinct badge that, on its face, (i) clearly
25 states that the badge is authorized by the Board and (ii)
26 contains a unique identifying number. No other badge shall be

1 authorized by the Board.

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

4 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

5 Sec. 5.1. Disclosure of records.

6 (a) Notwithstanding any applicable statutory provision to
7 the contrary, the Board shall, on written request from any
8 person, provide information furnished by an applicant or
9 licensee concerning the applicant or licensee, his products,
10 services or gambling enterprises and his business holdings, as
11 follows:

12 (1) The name, business address and business telephone
13 number of any applicant or licensee.

14 (2) An identification of any applicant or licensee
15 including, if an applicant or licensee is not an
16 individual, the state of incorporation or registration,
17 the corporate officers, and the identity of all
18 shareholders or participants. If an applicant or licensee
19 has a pending registration statement filed with the
20 Securities and Exchange Commission, only the names of those
21 persons or entities holding interest of 5% or more must be
22 provided.

23 (3) An identification of any business, including, if
24 applicable, the state of incorporation or registration, in
25 which an applicant or licensee or an applicant's or

1 licensee's spouse or children has an equity interest of
2 more than 5%. If an applicant or licensee is a corporation,
3 partnership or other business entity, the applicant or
4 licensee shall identify any other corporation, partnership
5 or business entity in which it has an equity interest of 5%
6 or more, including, if applicable, the state of
7 incorporation or registration. This information need not
8 be provided by a corporation, partnership or other business
9 entity that has a pending registration statement filed with
10 the Securities and Exchange Commission.

11 (4) Whether an applicant or licensee has been indicted,
12 convicted, pleaded guilty or nolo contendere, or forfeited
13 bail concerning any criminal offense under the laws of any
14 jurisdiction, either felony or misdemeanor (except for
15 traffic violations), including the date, the name and
16 location of the court, arresting agency and prosecuting
17 agency, the case number, the offense, the disposition and
18 the location and length of incarceration.

19 (5) Whether an applicant or licensee has had any
20 license or certificate issued by a licensing authority in
21 Illinois or any other jurisdiction denied, restricted,
22 suspended, revoked or not renewed and a statement
23 describing the facts and circumstances concerning the
24 denial, restriction, suspension, revocation or
25 non-renewal, including the licensing authority, the date
26 each such action was taken, and the reason for each such

1 action.

2 (6) Whether an applicant or licensee has ever filed or
3 had filed against it a proceeding in bankruptcy or has ever
4 been involved in any formal process to adjust, defer,
5 suspend or otherwise work out the payment of any debt
6 including the date of filing, the name and location of the
7 court, the case and number of the disposition.

8 (7) Whether an applicant or licensee has filed, or been
9 served with a complaint or other notice filed with any
10 public body, regarding the delinquency in the payment of,
11 or a dispute over the filings concerning the payment of,
12 any tax required under federal, State or local law,
13 including the amount, type of tax, the taxing agency and
14 time periods involved.

15 (8) A statement listing the names and titles of all
16 public officials or officers of any unit of government, and
17 relatives of said public officials or officers who,
18 directly or indirectly, own any financial interest in, have
19 any beneficial interest in, are the creditors of or hold
20 any debt instrument issued by, or hold or have any interest
21 in any contractual or service relationship with, an
22 applicant or licensee.

23 (9) Whether an applicant or licensee has made, directly
24 or indirectly, any political contribution, or any loans,
25 donations or other payments, to any candidate or office
26 holder, within 5 years from the date of filing the

1 application, including the amount and the method of
2 payment.

3 (10) The name and business telephone number of the
4 counsel representing an applicant or licensee in matters
5 before the Board.

6 (11) A description of any proposed or approved
7 riverboat or casino gaming or electronic gaming operation,
8 including the type of boat, home dock or casino or
9 electronic gaming location, expected economic benefit to
10 the community, anticipated or actual number of employees,
11 any statement from an applicant or licensee regarding
12 compliance with federal and State affirmative action
13 guidelines, projected or actual admissions and projected
14 or actual adjusted gross gaming receipts.

15 (12) A description of the product or service to be
16 supplied by an applicant for a supplier's license.

17 (b) Notwithstanding any applicable statutory provision to
18 the contrary, the Board shall, on written request from any
19 person, also provide the following information:

20 (1) The amount of the wagering tax and admission tax
21 paid daily to the State of Illinois by the holder of an
22 owner's license.

23 (2) Whenever the Board finds an applicant for an
24 owner's license unsuitable for licensing, a copy of the
25 written letter outlining the reasons for the denial.

26 (3) Whenever the Board has refused to grant leave for

1 an applicant to withdraw his application, a copy of the
2 letter outlining the reasons for the refusal.

3 (c) Subject to the above provisions, the Board shall not
4 disclose any information which would be barred by:

5 (1) Section 7 of the Freedom of Information Act; or

6 (2) The statutes, rules, regulations or
7 intergovernmental agreements of any jurisdiction.

8 (d) The Board may assess fees for the copying of
9 information in accordance with Section 6 of the Freedom of
10 Information Act.

11 (Source: P.A. 87-826.)

12 (230 ILCS 10/6) (from Ch. 120, par. 2406)

13 Sec. 6. Application for Owners License.

14 (a) A qualified person may apply to the Board for an owners
15 license to conduct a ~~riverboat~~ gambling operation as provided
16 in this Act. The application shall be made on forms provided by
17 the Board and shall contain such information as the Board
18 prescribes, including but not limited to the identity of the
19 riverboat on which such gambling operation is to be conducted,
20 if applicable, and the exact location where such riverboat or
21 casino or electronic gaming operation will be located ~~docked~~, a
22 certification that the riverboat will be registered under this
23 Act at all times during which gambling operations are conducted
24 on board, detailed information regarding the ownership and
25 management of the applicant, and detailed personal information

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

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

22 (d) An application shall be filed with the Board by January
23 1 of the year preceding any calendar year for which an
24 applicant seeks an owners license; however, applications for an
25 owners license permitting operations on January 1, 1991 shall
26 be filed by July 1, 1990. An application fee of \$50,000 shall

1 be paid at the time of filing to defray the costs associated
2 with the background investigation conducted by the Board. If
3 the costs of the investigation exceed \$50,000, the applicant
4 shall pay the additional amount to the Board. If the costs of
5 the investigation are less than \$50,000, the applicant shall
6 receive a refund of the remaining amount. All information,
7 records, interviews, reports, statements, memoranda or other
8 data supplied to or used by the Board in the course of its
9 review or investigation of an application for a license under
10 this Act shall be privileged, strictly confidential and shall
11 be used only for the purpose of evaluating an applicant. Such
12 information, records, interviews, reports, statements,
13 memoranda or other data shall not be admissible as evidence,
14 nor discoverable in any action of any kind in any court or
15 before any tribunal, board, agency or person, except for any
16 action deemed necessary by the Board.

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

22 (f) The licensed owner shall be the person primarily
23 responsible for the boat or casino or electronic gaming
24 operation itself. Only one ~~riverboat~~ gambling operation may be
25 authorized by the Board on any riverboat or in any casino or
26 electronic gaming operation. The applicant must identify the

1 ~~each~~ riverboat or premises it intends to use and certify that
2 the riverboat or premises: (1) has the authorized capacity
3 required in this Act; (2) is accessible to disabled persons;
4 and (3) is fully registered and licensed in accordance with any
5 applicable laws.

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

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

9 (230 ILCS 10/7) (from Ch. 120, par. 2407)

10 Sec. 7. Owners Licenses.

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

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

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

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

26 (3) the person has submitted an application for a

1 license under this Act which contains false information;

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

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

6 (6) the firm or corporation employs a person defined in
7 (1), (2), (3) or (4) who participates in the management or
8 operation of gambling operations authorized under this
9 Act;

10 (7) (blank); or

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

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

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

24 (1) the character, reputation, experience and
25 financial integrity of the applicants and of any other or
26 separate person that either:

1 (A) controls, directly or indirectly, such
2 applicant, or

3 (B) is controlled, directly or indirectly, by such
4 applicant or by a person which controls, directly or
5 indirectly, such applicant;

6 (2) the facilities or proposed facilities for the
7 conduct of ~~riverboat~~ gambling;

8 (3) the highest prospective total revenue to be derived
9 by the State from the conduct of ~~riverboat~~ gambling;

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

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

18 (6) whether the applicant has adequate capitalization
19 to provide and maintain, for the duration of a license, a
20 riverboat or casino;

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

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

25 (c) Each owners license shall specify the place where the
26 casino shall operate or the riverboat ~~riverboats~~ shall operate

1 and dock or the electronic gaming facility will operate.

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

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

1 earlier than March 1, 1992. In determining the water upon which
2 riverboats will operate, the Board shall consider the economic
3 benefit which riverboat gambling confers on the State, and
4 shall seek to assure that all regions of the State share in the
5 economic benefits of riverboat gambling.

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

19 (e-5) In addition to licenses authorized under subsections
20 (e) and (e-10), the Board may issue one owners license
21 authorizing either the conduct of riverboat gambling
22 operations from a home dock located in the City of Chicago or
23 the conduct of gambling operations in a casino located in the
24 City of Chicago.

25 The license authorized under this subsection (e-5) shall be
26 awarded to the Chicago Casino Development Authority.

1 The license authorized under this subsection (e-5) may
2 authorize the conduct of riverboat gambling on Lake Michigan or
3 at a land-based facility.

4 Additionally, the license authorized under this subsection
5 (e-5) shall be issued within 6 months after the effective date
6 of this amendatory Act of the 96th General Assembly.

7 (e-10) In addition to licenses authorized under
8 subsections (e) and (e-5), the Board may issue the following
9 owners licenses:

10 (1) One owners license authorizing the conduct of
11 riverboat gambling from a home dock located in the City of
12 Park City.

13 (2) One license authorizing the conduct of riverboat
14 gambling in the City of Rockford.

15 The city council of the municipality in which the home dock
16 of the riverboat is located may make recommendations regarding
17 the location, proposal for ownership, licensee, and any other
18 decisions made in connection with the license issued under this
19 subsection (e-10).

20 The licenses authorized under this subsection (e-10) shall
21 be issued within 6 months after the effective date of this
22 amendatory Act of the 96th General Assembly. The license fee to
23 be paid by each licensee under this subsection (e-10) shall not
24 be less than \$150,000,000.

25 (e-15) In addition to any other revocation powers granted
26 to the Board under this Act, the Board may revoke the owners

1 license of a licensee which fails to begin conducting gambling
2 within 15 months of receipt of the Board's approval of the
3 application if the Board determines that license revocation is
4 in the best interests of the State.

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

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

19 (h) An owners license, except for the owners license issued
20 under subsections (e-5) and (e-10), shall entitle the licensee
21 to own up to 2 riverboats.

22 A licensee, except for the owners licensee issued under
23 subsection (e-5), shall limit the number of gambling
24 participants to 2,000 ~~1,200~~ for any such owners license. A
25 licensee may operate both of its riverboats concurrently,
26 provided that the total number of gambling participants on both

1 riverboats does not exceed 2,000 ~~1,200~~. Riverboats licensed to
2 operate on the Mississippi River and the Illinois River south
3 of Marshall County shall have an authorized capacity of at
4 least 500 persons. Any other riverboat licensed under this Act
5 shall have an authorized capacity of at least 400 persons. An
6 owners licensee that acquired its license under subsection
7 (e-5) shall limit the number of gambling participants to 4,000
8 for such owners license.

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

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

1 only if, prior to the issuance or re-issuance of the license or
2 approval, the governing body of the county has by a majority
3 vote approved of the docking of riverboats within such areas.

4 (k) If an owners licensee elects to operate a land-based
5 gaming facility in accordance with subsection (f) of Section
6 7.1, then the owners licensee shall pay a one-time fee of
7 \$5,000,000 immediately upon approval by the Board. All other
8 owners licensees may elect to operate a land-based gaming
9 facility upon approval of the Board and shall not be required
10 to pay a fee.

11 (l) An owners licensee may apply to the Board for
12 authorization to operate up to 100 electronic poker positions
13 at its licensed facility. The authorization that the Board
14 issues to the owners licensee shall specify the number of
15 electronic poker positions the owners licensee may operate,
16 which shall not be counted against the limit on the number of
17 gaming positions under this Act.

18 The Board must adopt rules for the authorization and
19 administration of the conduct of electronic poker.

20 For the purposes of this subsection (l), "electronic poker"
21 means a form of gambling operation by which players can play
22 poker electronically via a network of machines at the same or
23 any other location.

24 (Source: P.A. 94-667, eff. 8-23-05; 94-804, eff. 5-26-06;
25 95-1008, eff. 12-15-08.)

1 (230 ILCS 10/7.1)

2 Sec. 7.1. Re-issuance of revoked or non-renewed owners
3 licenses.

4 (a) If an owners license terminates or expires without
5 renewal or the Board revokes or determines not to renew an
6 owners license (including, without limitation, an owners
7 license for a licensee that was not conducting riverboat
8 gambling operations on January 1, 1998) and that revocation or
9 determination is final, the Board may re-issue such license to
10 a qualified applicant pursuant to an open and competitive
11 bidding process, as set forth in Section 7.5, and subject to
12 the maximum number of authorized licenses set forth in
13 subsections (e), (e-5), and (e-10) of Section 7 ~~Section 7(e)~~.

14 (b) To be a qualified applicant, a person, firm, or
15 corporation cannot be ineligible to receive an owners license
16 under Section 7(a) and must submit an application for an owners
17 license that complies with Section 6. Each such applicant must
18 also submit evidence to the Board that minority persons and
19 females hold ownership interests in the applicant of at least
20 16% and 4% respectively.

21 (c) Notwithstanding anything to the contrary in Section
22 7(e), an applicant may apply to the Board for approval of
23 relocation of a re-issued license to a new home dock location
24 authorized under Section 3(c) upon receipt of the approval from
25 the municipality or county, as the case may be, pursuant to
26 Section 7(j).

1 (d) In determining whether to grant a re-issued owners
2 license to an applicant, the Board shall consider all of the
3 factors set forth in Section ~~Sections~~ 7(b) and in Section 7(e),
4 (e-5), or (e-10), whichever is applicable, ~~(e)~~ as well as the
5 amount of the applicant's license bid. The Board may grant the
6 re-issued owners license to an applicant that has not submitted
7 the highest license bid, but if it does not select the highest
8 bidder, the Board shall issue a written decision explaining why
9 another applicant was selected and identifying the factors set
10 forth in Section ~~Sections~~ 7(b) and in Section 7(e), (e-5), or
11 (e-10), whichever is applicable, ~~(e)~~ that favored the winning
12 bidder.

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

16 (f) An owners license that was re-issued before January 1,
17 2010 shall authorize the conduct of gambling operations in a
18 land-based facility if the owners licensee has complied with
19 subsection (k) of Section 7 of this Act.

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

21 (230 ILCS 10/7.3)

22 Sec. 7.3. State conduct of gambling operations.

23 (a) If, after reviewing each application for a re-issued
24 license, the Board determines that the highest prospective
25 total revenue to the State would be derived from State conduct

1 of the gambling operation in lieu of re-issuing the license,
2 the Board shall inform each applicant of its decision. The
3 Board shall thereafter have the authority, without obtaining an
4 owners license, to conduct riverboat gambling operations as
5 previously authorized by the terminated, expired, revoked, or
6 nonrenewed license through a licensed manager selected
7 pursuant to an open and competitive bidding process as set
8 forth in Section 7.5 and as provided in Section 7.4.

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

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

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

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

1 (230 ILCS 10/7.6 new)

2 Sec. 7.6. Electronic gaming.

3 (a) The General Assembly finds that the horse racing and
4 riverboat gambling industries share many similarities and
5 collectively comprise the bulk of the State's gaming industry.
6 One feature in common to both industries is that each is highly
7 regulated by the State of Illinois.

8 The General Assembly further finds, however, that despite
9 their shared features each industry is distinct from the other
10 in that horse racing is and continues to be intimately tied to
11 Illinois' agricultural economy and is, at its core, a spectator
12 sport. This distinction requires the General Assembly to
13 utilize different methods to regulate and promote the horse
14 racing industry throughout the State.

15 The General Assembly finds that in order to promote live
16 horse racing as a spectator sport in Illinois and the
17 agricultural economy of this State, it is necessary to allow
18 electronic gaming at Illinois race tracks given the success of
19 other states in increasing live racing purse accounts and
20 improving the quality of horses participating in horse race
21 meetings.

22 Except as provided in subsection (a-5), only owners
23 licensees shall be eligible for an electronic gaming license.
24 Each electronic gaming license shall authorize the management
25 and operation of authorized gaming at an electronic gaming
26 facility. This amendatory act of the 96th General Assembly

1 authorizes the Board to distribute up to 3,500 aggregate
2 electronic gaming positions statewide. The distributions of
3 this aggregate number shall be determined by the Board in
4 accordance with rules adopted by the Board provided that (i)
5 positions be distributed to each electronic gaming facility and
6 (ii) no electronic gaming facility may have more than 1,000 nor
7 less than 350 positions. The electronic gaming licenses
8 authorized under this Section shall be subject to a competitive
9 bidding process established by the Board in rules similar to
10 the Illinois Procurement Code. The Board shall consider the
11 following factors when reviewing applications for an
12 electronic gaming license:

13 (1) the applicant's past and current operation of their
14 riverboat or other gaming operation;

15 (2) the highest prospective total revenue to be derived
16 by the State from the conduct of gambling;

17 (3) any agreements entered into by the applicant and
18 the organization licensee regarding placement and
19 operation of electronic gaming positions; and

20 (4) any other factors contained in this Act or the
21 Illinois Horse Racing Act of 1975 determined by the Board
22 to be relevant.

23 (a-5) If any electronic gaming positions fail to be
24 distributed by the Board, the Board shall again conduct a
25 competitive bidding process in order to distribute the
26 remaining positions in a method consistent with subsection (a).

1 At the second round of bidding, an owners licensee as defined
2 in this Act or organization licensee as defined in the Horse
3 Racing Act of 1975 shall not be permitted to make bids for the
4 remaining positions. At the second round of bidding, the Board
5 shall allow an entity who is not yet licensed under this Act to
6 bid for the remaining positions so long as the entity has
7 operated gaming operations in another state. If an applicant is
8 awarded positions, the applicant must apply for and be issued
9 an electronic gaming license and meet the criteria for an
10 owners license under Sections 6 and 7 of this Act before the
11 applicant can operate electronic gaming positions and those
12 electronic gaming licensees shall be considered owners
13 licensees for the purposes of Section 12 and 13 of this Act.

14 (a-10) An applicant that has been awarded an electronic
15 gaming license shall not be required to pay a licensing fee or
16 similar fee for each electronic gaming position initially
17 awarded. Nothing in this subsection (a-10) precludes an
18 electronic licensee from payment of any required taxes.

19 (b) An electronic gaming license shall authorize its holder
20 to conduct electronic gaming at its race track as determined by
21 the Board.

22 (c) The Board may approve electronic gaming licenses
23 authorizing the conduct of electronic gaming by eligible owners
24 licensees. The Board shall adopt rules establishing reasonable
25 leases under which an electronic gaming licensee shall pay an
26 organizational licensee for use of the electronic gaming

1 facility.

2 (d) For each calendar year after 2009 in which an
3 organization licensee requests a number of racing days under
4 its organization license that is less than 90% of the number of
5 days of live racing it was awarded in 2005, the organization
6 licensee shall not receive any proceeds from electronic gaming.

7 (e) An electronic gaming licensee may conduct electronic
8 gaming at a temporary facility pending the construction of a
9 permanent facility or the remodeling of an existing facility to
10 accommodate electronic gaming participants for up to 12 months
11 after receiving an electronic gaming license. The Board shall
12 make rules concerning the conduct of electronic gaming from
13 temporary facilities.

14 Any electronic gaming positions awarded to owners licensee
15 under this Section shall not be counted toward any position
16 operated by a owner licensee on that licensee's riverboat or
17 casino

18 (230 ILCS 10/7.7 new)

19 Sec. 7.7. Home rule. The regulation and licensing of
20 electronic gaming, electronic gaming facilities, and
21 electronic gaming licensees are exclusive powers and functions
22 of the State. A home rule unit may not regulate or license
23 electronic gaming or electronic gaming licensees. This Section
24 is a denial and limitation of home rule powers and functions
25 under subsection (h) of Section 6 of Article VII of the

1 Illinois Constitution.

2 (230 ILCS 10/7.8 new)

3 Sec. 7.8. Casino operator license.

4 (a) A qualified person may apply to the Board for a casino
5 operator license to operate and manage any gambling operation
6 conducted by an Authority. The application shall be made on
7 forms provided by the Board and shall contain such information
8 as the Board prescribes, including but not limited to
9 information required in Sections 6(a), (b), and (c) and
10 information relating to the applicant's proposed price to
11 manage the Authority's gambling operations and to provide the
12 casino, gambling equipment, and supplies necessary to conduct
13 Authority gambling operations. The total license fee for a
14 license authorized under subsection (e-5) of Section 7 of this
15 Act shall be \$225,000,000. The license fee shall be paid by the
16 casino operator license to the State in the following manner
17 upon each of the following occurrences:

18 (1) once the annual adjusted gross receipts of a
19 license authorized under subsection (e-5) of Section 7 of
20 this Act exceeds \$300,000,000, the casino operator
21 licensee shall pay the State, within a reasonable time, a
22 license fee of \$50,000,000;

23 (2) once the annual adjusted gross receipts of license
24 authorized under subsection (e-5) of Section 7 of this Act
25 exceeds \$500,000,000, the casino operator licensee shall

1 pay the State, within a reasonable time, a license fee of
2 \$75,000,000; and

3 (3) once the annual adjusted gross receipts of license
4 authorized under subsection (e-5) of Section 7 of this Act
5 exceeds \$700,000,000, the casino operator licensee shall
6 pay the State, within a reasonable time, a license fee of
7 \$100,000,000.

8 Each of the license fees shall be paid to the State. If the
9 adjusted gross receipts of a license authorized under
10 subsection (e-5) of Section 7 of this Act exceeds one of the
11 above listed occurrences before the license fee has been paid
12 for that occurrence, then the casino operator licensee shall
13 pay to the State the lowest license fee that has not yet been
14 paid. No more than one payment shall be made to the State
15 within a calendar year.

16 After the Board has awarded a casino operator license,
17 one-half of the accepted bid amount shall be paid into the
18 State Gaming Fund. After the Board has awarded the licenses
19 authorized under Subsection (e-10) of Section 7, one-half of
20 the accepted bid amount shall be paid into the State Gaming
21 Fund. Once gaming operations have commenced, the second half of
22 the bid amount shall be paid into the State Gaming Fund.

23 (b) A person, firm, or corporation is ineligible to receive
24 a casino operator license if:

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

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

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

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

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

10 (6) the firm or corporation employs a person defined in
11 (1), (2), (3), or (4) who participates in the management or
12 operation of gambling operations authorized under this
13 Act; or

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

18 (c) In determining whether to grant a casino operator
19 license, 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 gambling;

4 (3) the preference of the municipality in which the
5 licensee will operate;

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 casino; and

17 (7) the extent to which the applicant exceeds or meets
18 other standards for the issuance of a managers license that
19 the Board may adopt by rule.

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

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

26 (f) A person who knowingly makes a false statement on an

1 application is guilty of a Class A misdemeanor.

2 (g) The casino operator license shall be issued only upon
3 proof that it has entered into a labor peace agreement with
4 each labor organization that is actively engaged in
5 representing and attempting to represent casino and
6 hospitality industry workers in this State. The labor peace
7 agreement must be a valid and enforceable agreement under 29
8 U.S.C. 185 that protects the city's and State's revenues from
9 the operation of the casino facility by prohibiting the labor
10 organization and its members from engaging in any picketing,
11 work stoppages, boycotts, or any other economic interference
12 with the casino facility for at least the first 5 years of the
13 casino license and must cover all operations at the casino
14 facility that are conducted by lessees or tenants or under
15 management agreements.

16 (h) The casino operator license shall be for a term of 20
17 years, shall be renewable at the Board's option, and shall
18 contain such terms and provisions as the Board deems necessary
19 to protect or enhance the credibility and integrity of State
20 gambling operations, achieve the highest prospective total
21 revenue to the State, and otherwise serve the interests of the
22 citizens of Illinois. The Board may revoke the license:

23 (1) for violation of any provision of this Act;

24 (2) for violation of any rules of the Board;

25 (3) for any cause which, if known to the Board, would
26 have disqualified the applicant from receiving the

1 license; or

2 (4) for any other just cause.

3 (230 ILCS 10/7.10 new)

4 Sec. 7.10. Electronic gaming; deposits into Horse Racing
5 Equity Fund. The adjusted gross receipts received by an
6 electronic gaming licensee from electronic gaming remaining
7 after the payment of taxes under Section 13 of this Act and
8 operational costs incurred by the electronic gaming licensee in
9 electronic gaming operations shall be retained by the
10 electronic gaming licensee, except that 30% of each licensee's
11 adjusted gross receipts after payment of taxes shall be
12 deposited into the Horse Racing Equity Fund.

13 (230 ILCS 10/7.14 new)

14 Sec. 7.14. Obligations of licensure; licensure is a
15 privilege.

16 (a) All licensees under this Act have a continuing duty to
17 maintain suitability for licensure. A license does not create a
18 property right, but is a revocable privilege granted by the
19 State contingent upon continuing suitability for licensure.

20 (b) Licensees under this Act shall have a continuing,
21 affirmative duty to investigate the backgrounds of its
22 principal shareholders and officers.

23 (c) An applicant for licensure under this Act is seeking a
24 privilege and assumes and accepts any and all risk of adverse

1 publicity, notoriety, embarrassment, criticism, or other
2 action or financial loss which may occur in connection with the
3 application process. Any misrepresentation or omission made
4 with respect to an application may be grounds for denial of the
5 application.

6 (230 ILCS 10/8) (from Ch. 120, par. 2408)

7 Sec. 8. Suppliers licenses.

8 (a) The Board may issue a suppliers license to such
9 persons, firms or corporations which apply therefor upon the
10 payment of a non-refundable application fee set by the Board,
11 upon a determination by the Board that the applicant is
12 eligible for a suppliers license and upon payment of a \$5,000
13 annual license fee.

14 (b) The holder of a suppliers license is authorized to sell
15 or lease, and to contract to sell or lease, gambling equipment
16 and supplies to any licensee involved in the ownership or
17 management of gambling operations.

18 (c) Gambling supplies and equipment may not be distributed
19 unless supplies and equipment conform to standards adopted by
20 rules of the Board.

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

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

25 (2) the person has been convicted of any violation of

1 Article 28 of the Criminal Code of 1961, or substantially
2 similar laws of any other jurisdiction;

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

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

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

9 (6) the firm or corporation employs a person who
10 participates in the management or operation of riverboat
11 gambling authorized under this Act;

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

16 (e) Any person that supplies any equipment, devices, or
17 supplies to a licensed riverboat or casino gambling operation
18 or electronic gaming operation must first obtain a suppliers
19 license. A supplier shall furnish to the Board a list of all
20 equipment, devices and supplies offered for sale or lease in
21 connection with gambling games authorized under this Act. A
22 supplier shall keep books and records for the furnishing of
23 equipment, devices and supplies to gambling operations
24 separate and distinct from any other business that the supplier
25 might operate. A supplier shall file a quarterly return with
26 the Board listing all sales and leases. A supplier shall

1 permanently affix its name to all its equipment, devices, and
2 supplies for gambling operations. Any supplier's equipment,
3 devices or supplies which are used by any person in an
4 unauthorized gambling operation shall be forfeited to the
5 State. A holder of an owners license or an electronic gaming
6 license ~~licensed owner~~ may own its own equipment, devices and
7 supplies. Each holder of an owners license or an electronic
8 gaming license under the Act shall file an annual report
9 listing its inventories of gambling equipment, devices and
10 supplies.

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

13 (g) Any gambling equipment, devices and supplies provided
14 by any licensed supplier may either be repaired on the
15 riverboat, in a casino, or in an electronic gaming facility or
16 removed from the riverboat, casino, or electronic gaming
17 facility to a an on-shore facility owned by the holder of an
18 owners license or electronic gaming facility license for
19 repair.

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

21 (230 ILCS 10/9) (from Ch. 120, par. 2409)

22 Sec. 9. Occupational licenses.

23 (a) The Board may issue an occupational license to an
24 applicant upon the payment of a non-refundable fee set by the
25 Board, upon a determination by the Board that the applicant is

1 eligible for an occupational license and upon payment of an
2 annual license fee in an amount to be established. To be
3 eligible for an occupational license, an applicant must:

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

8 (2) not have been convicted of a felony offense, a
9 violation of Article 28 of the Criminal Code of 1961, or a
10 similar statute of any other jurisdiction, or a crime
11 involving dishonesty or moral turpitude;

12 (3) have demonstrated a level of skill or knowledge
13 which the Board determines to be necessary in order to
14 operate gambling aboard a riverboat, in a casino, or at an
15 electronic gaming facility; and

16 (4) have met standards for the holding of an
17 occupational license as adopted by rules of the Board. Such
18 rules shall provide that any person or entity seeking an
19 occupational license to manage gambling operations
20 hereunder shall be subject to background inquiries and
21 further requirements similar to those required of
22 applicants for an owners license. Furthermore, such rules
23 shall provide that each such entity shall be permitted to
24 manage gambling operations for only one licensed owner.

25 (b) Each application for an occupational license shall be
26 on forms prescribed by the Board and shall contain all

1 information required by the Board. The applicant shall set
2 forth in the application: whether he has been issued prior
3 gambling related licenses; whether he has been licensed in any
4 other state under any other name, and, if so, such name and his
5 age; and whether or not a permit or license issued to him in
6 any other state has been suspended, restricted or revoked, and,
7 if so, for what period of time.

8 (c) Each applicant shall submit with his application, on
9 forms provided by the Board, 2 sets of his fingerprints. The
10 Board shall charge each applicant a fee set by the Department
11 of State Police to defray the costs associated with the search
12 and classification of fingerprints obtained by the Board with
13 respect to the applicant's application. These fees shall be
14 paid into the State Police Services Fund.

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

23 (e) The Board may suspend, revoke or restrict any
24 occupational licensee: (1) for violation of any provision of
25 this Act; (2) for violation of any of the rules and regulations
26 of the Board; (3) for any cause which, if known to the Board,

1 would have disqualified the applicant from receiving such
2 license; or (4) for default in the payment of any obligation or
3 debt due to the State of Illinois; or (5) for any other just
4 cause.

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

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

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

16 (i) Any training provided for occupational licensees may be
17 conducted either at the site of the gambling facility ~~on the~~
18 ~~riverboat~~ or at a school with which a licensed owner or
19 electronic gaming licensee has entered into an agreement
20 pursuant to subsection (h).

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

22 (230 ILCS 10/11) (from Ch. 120, par. 2411)

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

1 (1) A licensee may conduct riverboat gambling
2 authorized under this Act regardless of whether it conducts
3 excursion cruises. A licensee may permit the continuous
4 ingress and egress of passengers for the purpose of
5 gambling.

6 (2) (Blank).

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

9 (4) Agents of the Board and the Department of State
10 Police may board and inspect any riverboat, enter and
11 inspect any portion of a casino, or enter and inspect any
12 portion of an electronic gaming facility where electronic
13 gaming is conducted at any time for the purpose of
14 determining whether this Act is being complied with. Every
15 riverboat, if under way and being hailed by a law
16 enforcement officer or agent of the Board, must stop
17 immediately and lay to.

18 (5) Employees of the Board shall have the right to be
19 present on the riverboat or in the casino or on adjacent
20 facilities under the control of the licensee and at the
21 electronic gaming facility under the control of the
22 electronic gaming licensee.

23 (6) Gambling equipment and supplies customarily used
24 in conducting riverboat or casino gambling or electronic
25 gaming must be purchased or leased only from suppliers
26 licensed for such purpose under this Act.

1 (7) Persons licensed under this Act shall permit no
2 form of wagering on gambling games except as permitted by
3 this Act.

4 (8) Wagers may be received only from a person present
5 on a licensed riverboat, in a casino, or at an electronic
6 gaming facility. No person present on a licensed riverboat,
7 in a casino, or at an electronic gaming facility shall
8 place or attempt to place a wager on behalf of another
9 person who is not present on the riverboat, in the casino,
10 or at the electronic gaming facility.

11 (9) Wagering, including electronic gaming, shall not
12 be conducted with money or other negotiable currency.

13 (10) A person under age 21 shall not be permitted on an
14 area of a riverboat or casino where gambling is being
15 conducted or at an electronic gaming facility where
16 gambling is conducted, except for a person at least 18
17 years of age who is an employee of the riverboat or casino
18 gambling operation or electronic gaming operation. No
19 employee under age 21 shall perform any function involved
20 in gambling by the patrons. No person under age 21 shall be
21 permitted to make a wager under this Act.

22 (11) Gambling excursion cruises are permitted only
23 when the waterway for which the riverboat is licensed is
24 navigable, as determined by the Board in consultation with
25 the U.S. Army Corps of Engineers. This paragraph (11) does
26 not limit the ability of a licensee to conduct gambling

1 authorized under this Act when gambling excursion cruises
2 are not permitted.

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

17 (13) Notwithstanding any other Section of this Act, in
18 addition to the other licenses authorized under this Act,
19 the Board may issue special event licenses allowing persons
20 who are not otherwise licensed to conduct riverboat
21 gambling to conduct such gambling on a specified date or
22 series of dates. Riverboat gambling under such a license
23 may take place on a riverboat not normally used for
24 riverboat gambling. The Board shall establish standards,
25 fees and fines for, and limitations upon, such licenses,
26 which may differ from the standards, fees, fines and

1 limitations otherwise applicable under this Act. All such
2 fees shall be deposited into the State Gaming Fund. All
3 such fines shall be deposited into the Education Assistance
4 Fund, created by Public Act 86-0018, of the State of
5 Illinois.

6 (14) In addition to the above, gambling must be
7 conducted in accordance with all rules adopted by the
8 Board.

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

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

11 Sec. 11.1. Collection of amounts owing under credit
12 agreements. Notwithstanding any applicable statutory provision
13 to the contrary, a licensed owner or manager or electronic
14 gaming licensee who extends credit to a ~~riverboat~~ gambling
15 patron pursuant to Section 11 (a) (12) of this Act is expressly
16 authorized to institute a cause of action to collect any
17 amounts due and owing under the extension of credit, as well as
18 the owner's or manager's costs, expenses and reasonable
19 attorney's fees incurred in collection.

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

21 (230 ILCS 10/12) (from Ch. 120, par. 2412)

22 Sec. 12. Admission tax; fees.

23 (a) A tax is hereby imposed upon admissions to riverboat
24 and casino gambling facilities ~~riverboats~~ operated by licensed

1 owners authorized pursuant to this Act.

2 Until July 1, 2002, the rate is \$2 per person admitted.
3 From July 1, 2002 until July 1, 2003, the rate is \$3 per person
4 admitted. From July 1, 2003 until the effective date of this
5 amendatory Act of the 94th General Assembly, for a licensee
6 that admitted 1,000,000 persons or fewer in the previous
7 calendar year, the rate is \$3 per person admitted; for a
8 licensee that admitted more than 1,000,000 but no more than
9 2,300,000 persons in the previous calendar year, the rate is \$4
10 per person admitted; and for a licensee that admitted more than
11 2,300,000 persons in the previous calendar year, the rate is \$5
12 per person admitted. Beginning on the effective date of this
13 amendatory Act of the 94th General Assembly, for a licensee
14 that admitted 1,000,000 persons or fewer in calendar year 2004,
15 the rate is \$2 per person admitted, and for all other licensees
16 the rate is \$3 per person admitted. This admission tax is
17 imposed upon the licensed owner conducting gambling.

18 (1) The admission tax shall be paid for each admission,
19 except that a person who exits a riverboat gambling
20 facility and reenters that riverboat gambling facility
21 within the same gaming day shall be subject only to the
22 initial admission tax.

23 (2) (Blank).

24 (3) The riverboat licensee may issue tax-free passes to
25 actual and necessary officials and employees of the
26 licensee or other persons actually working on the

1 riverboat.

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

6 At the request of an owners licensee, the tax may be paid
7 in equal monthly rate based on admissions numbers from the
8 proceeding calendar year for each riverboat or casino. For the
9 first year in which a riverboat or casino is operating, the
10 Board shall base the monthly rate on estimated attendance at
11 that particular riverboat or casino based on the admissions
12 information provided by the other riverboats or casino. Each
13 riverboat or casino shall keep detailed admission records and
14 provide them to the Board on a quarterly basis. Such admission
15 records must differentiate between actual and necessary
16 officials and employees of the licensee or other person
17 actually working on the riverboat or casino and other admitted
18 persons. The tax shall only be based on those persons admitted
19 to the riverboat or casino for the purpose of playing a
20 gambling game. The Board shall set the tax annually based on
21 those records provided and in a manner consistent with this
22 Section. If the Board finds that the admissions for the
23 previous year exceeded the estimate used in calculating the
24 prior year's payments, the Board shall require the riverboat or
25 casino the pay the difference in an additional payment. If the
26 Board finds that the admissions for the previous year were

1 lower than the estimate used in calculating the prior year's
2 payments, the Board shall reduce the monthly payments paid by
3 the riverboat or casino to return the difference.

4 (a-5) A fee is hereby imposed upon admissions operated by
5 licensed managers on behalf of the State pursuant to Section
6 7.3 at the rates provided in this subsection (a-5).

7 For a licensee that admitted 1,000,000 persons or fewer in
8 the previous calendar year, the rate is \$3 per person admitted;
9 for a licensee that admitted more than 1,000,000 but no more
10 than 2,300,000 persons in the previous calendar year, the rate
11 is \$4 per person admitted; and for a licensee that admitted
12 more than 2,300,000 persons in the previous calendar year, the
13 rate is \$5 per person admitted.

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

15 (2) (Blank).

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

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

23 At the request of a licensed manager, the tax may be paid
24 in equal monthly rate based on admissions numbers from the
25 proceeding calendar year for each riverboat or casino. For the
26 first year in which a riverboat or casino is operating, the

1 Board shall base the monthly rate on estimated attendance at
2 that particular riverboat or casino based on the admissions
3 information provided by the other riverboats or casino. Each
4 riverboat or casino shall keep detailed admission records and
5 provide them to the Board on a quarterly basis. Such admission
6 records must differentiate between actual and necessary
7 officials and employees of the licensee or other person
8 actually working on the riverboat or casino and other admitted
9 persons. The tax shall only be based on those persons admitted
10 to the riverboat or casino for the purpose of playing a
11 gambling game. The Board shall set the tax annually based on
12 those records provided and in a manner consistent with this
13 section. If the Board finds that the admissions for the
14 previous year exceeded the estimate used in calculating the
15 prior year's payments, the Board shall require the riverboat or
16 casino the pay the difference in an additional payment. If the
17 Board finds that the admissions for the previous year were
18 lower than the estimate used in calculating the prior year's
19 payments, the Board shall reduce the monthly payments paid by
20 the riverboat or casino to return the difference.

21 If the licensed owner of a riverboat in operation on
22 January 1, 2009 has capital projects of at least \$45,000,000
23 that are approved by the Board in calendar years 2006 through
24 2016 or for which at least \$45,000,000 in capital expenditures
25 have been made in calendar years 2006 through 2016, then no
26 admissions tax is imposed on admissions to that riverboat.

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

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

24 (d) The Board shall administer and collect the admission
25 tax imposed by this Section, to the extent practicable, in a
26 manner consistent with the provisions of Sections 4, 5, 5a, 5b,

1 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the
2 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
3 Penalty and Interest Act.

4 (Source: P.A. 94-673, eff. 8-23-05; 95-663, eff. 10-11-07.)

5 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

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

17 20% of annual adjusted gross receipts in excess of
18 \$25,000,000 but not exceeding \$50,000,000;

19 25% of annual adjusted gross receipts in excess of
20 \$50,000,000 but not exceeding \$75,000,000;

21 30% of annual adjusted gross receipts in excess of
22 \$75,000,000 but not exceeding \$100,000,000;

23 35% of annual adjusted gross receipts in excess of
24 \$100,000,000.

25 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax

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

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

9 22.5% of annual adjusted gross receipts in excess of
10 \$25,000,000 but not exceeding \$50,000,000;

11 27.5% of annual adjusted gross receipts in excess of
12 \$50,000,000 but not exceeding \$75,000,000;

13 32.5% of annual adjusted gross receipts in excess of
14 \$75,000,000 but not exceeding \$100,000,000;

15 37.5% of annual adjusted gross receipts in excess of
16 \$100,000,000 but not exceeding \$150,000,000;

17 45% of annual adjusted gross receipts in excess of
18 \$150,000,000 but not exceeding \$200,000,000;

19 50% of annual adjusted gross receipts in excess of
20 \$200,000,000.

21 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
22 persons engaged in the business of conducting riverboat
23 gambling operations, other than licensed managers conducting
24 riverboat gambling operations on behalf of the State, based on
25 the adjusted gross receipts received by a licensed owner from
26 gambling games authorized under this Act at the following

1 rates:

2 15% of annual adjusted gross receipts up to and
3 including \$25,000,000;

4 27.5% of annual adjusted gross receipts in excess of
5 \$25,000,000 but not exceeding \$37,500,000;

6 32.5% of annual adjusted gross receipts in excess of
7 \$37,500,000 but not exceeding \$50,000,000;

8 37.5% of annual adjusted gross receipts in excess of
9 \$50,000,000 but not exceeding \$75,000,000;

10 45% of annual adjusted gross receipts in excess of
11 \$75,000,000 but not exceeding \$100,000,000;

12 50% of annual adjusted gross receipts in excess of
13 \$100,000,000 but not exceeding \$250,000,000;

14 70% of annual adjusted gross receipts in excess of
15 \$250,000,000.

16 An amount equal to the amount of wagering taxes collected
17 under this subsection (a-3) that are in addition to the amount
18 of wagering taxes that would have been collected if the
19 wagering tax rates under subsection (a-2) were in effect shall
20 be paid into the Common School Fund.

21 The privilege tax imposed under this subsection (a-3) shall
22 no longer be imposed beginning on the earlier of (i) July 1,
23 2005; (ii) the first date after June 20, 2003 that riverboat
24 gambling operations are conducted pursuant to a dormant
25 license; or (iii) the first day that riverboat gambling
26 operations are conducted under the authority of an owners

1 license that is in addition to the 10 owners licenses initially
2 authorized under this Act. For the purposes of this subsection
3 (a-3), the term "dormant license" means an owners license that
4 is authorized by this Act under which no riverboat gambling
5 operations are being conducted on June 20, 2003.

6 (a-4) Beginning on the first day on which the tax imposed
7 under subsection (a-3) is no longer imposed, a privilege tax is
8 imposed on persons engaged in the business of conducting
9 riverboat or casino gambling or electronic gaming operations,
10 other than licensed managers conducting riverboat gambling
11 operations on behalf of the State, based on the adjusted gross
12 receipts received by a licensed owner from gambling games
13 authorized under this Act at the following rates:

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

16 22.5% of annual adjusted gross receipts in excess of
17 \$25,000,000 but not exceeding \$50,000,000;

18 27.5% of annual adjusted gross receipts in excess of
19 \$50,000,000 but not exceeding \$75,000,000;

20 32.5% of annual adjusted gross receipts in excess of
21 \$75,000,000 but not exceeding \$100,000,000;

22 37.5% of annual adjusted gross receipts in excess of
23 \$100,000,000 but not exceeding \$150,000,000;

24 45% of annual adjusted gross receipts in excess of
25 \$150,000,000 but not exceeding \$200,000,000;

26 50% of annual adjusted gross receipts in excess of

1 \$200,000,000.

2 (a-5) Beginning on the effective date of this amendatory
3 Act of the 96th General Assembly, each of the privilege tax
4 rates on annual adjusted gross receipts not exceeding
5 \$150,000,000 shall be reduced by 1% and each of the privilege
6 tax rates on annual adjusted gross receipts in excess of
7 \$150,000,000 shall be reduced by 2% for each of the following
8 occurrences for the next calendar year:

9 (1) The first electronic gaming licensee begins
10 conducting electronic gaming operations.

11 (2) The Board awards the license authorized under
12 subsection (e-5) of Section 7 of this Act.

13 (3) The licensee under subsection (e-5) of Section 7
14 begins conducting gambling operations.

15 (4) The licensee under paragraph (1) of subsection
16 (e-10) of Section 7 begins conducting gambling operations.

17 (5) The licensee under paragraph (2) of subsection
18 (e-10) of Section 7 begins conducting gambling operations.

19 (a-7) If no admissions tax is imposed on admissions to a
20 riverboat under Section 12, then in addition to any other tax
21 imposed under this Section, a privilege tax of 1% of adjusted
22 gross receipts is imposed on that riverboat, the proceeds of
23 which shall be paid monthly, subject to appropriation by the
24 General Assembly, to the unit of local government that is
25 designated as the home dock of the riverboat upon which those
26 riverboat gambling operations are conducted.

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

4 (a-10) The taxes imposed by this Section shall be paid by
5 the licensed owner or electronic gaming licensee to the Board
6 not later than 5:00 ~~3:00~~ o'clock p.m. of the day after the day
7 when the wagers were made.

8 (a-15) If the privilege tax imposed under subsection (a-3)
9 is no longer imposed pursuant to item (i) of the last paragraph
10 of subsection (a-3), then by June 15 of each year, each owners
11 licensee, other than an owners licensee that admitted 1,000,000
12 persons or fewer in calendar year 2004, must, in addition to
13 the payment of all amounts otherwise due under this Section,
14 pay to the Board a reconciliation payment in the amount, if
15 any, by which the licensed owner's base amount exceeds the
16 amount of net privilege tax paid by the licensed owner to the
17 Board in the then current State fiscal year. A licensed owner's
18 net privilege tax obligation due for the balance of the State
19 fiscal year shall be reduced up to the total of the amount paid
20 by the licensed owner in its June 15 reconciliation payment.
21 The obligation imposed by this subsection (a-15) is binding on
22 any person, firm, corporation, or other entity that acquires an
23 ownership interest in any such owners license. The obligation
24 imposed under this subsection (a-15) terminates on the earliest
25 of: (i) July 1, 2007, (ii) the first day after the effective
26 date of this amendatory Act of the 94th General Assembly that

1 riverboat gambling operations are conducted pursuant to a
2 dormant license, (iii) the first day that riverboat gambling
3 operations are conducted under the authority of an owners
4 license that is in addition to the 10 owners licenses initially
5 authorized under this Act, or (iv) the first day that a
6 licensee under the Illinois Horse Racing Act of 1975 conducts
7 gaming operations with slot machines or other electronic gaming
8 devices. The Board must reduce the obligation imposed under
9 this subsection (a-15) by an amount the Board deems reasonable
10 for any of the following reasons: (A) an act or acts of God,
11 (B) an act of bioterrorism or terrorism or a bioterrorism or
12 terrorism threat that was investigated by a law enforcement
13 agency, or (C) a condition beyond the control of the owners
14 licensee that does not result from any act or omission by the
15 owners licensee or any of its agents and that poses a hazardous
16 threat to the health and safety of patrons. If an owners
17 licensee pays an amount in excess of its liability under this
18 Section, the Board shall apply the overpayment to future
19 payments required under this Section.

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

21 "Act of God" means an incident caused by the operation of
22 an extraordinary force that cannot be foreseen, that cannot be
23 avoided by the exercise of due care, and for which no person
24 can be held liable.

25 "Base amount" means the following:

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

1 For a riverboat in East Peoria, \$43,000,000.
2 For the Empress riverboat in Joliet, \$86,000,000.
3 For a riverboat in Metropolis, \$45,000,000.
4 For the Harrah's riverboat in Joliet, \$114,000,000.
5 For a riverboat in Aurora, \$86,000,000.
6 For a riverboat in East St. Louis, \$48,500,000.
7 For a riverboat in Elgin, \$198,000,000.

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

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

14 The changes made to this subsection (a-15) by Public Act
15 94-839 are intended to restate and clarify the intent of Public
16 Act 94-673 with respect to the amount of the payments required
17 to be made under this subsection by an owners licensee to the
18 Board.

19 (b) Until January 1, 1998, 25% of the tax revenue deposited
20 in the State Gaming Fund under this Section shall be paid,
21 subject to appropriation by the General Assembly, to the unit
22 of local government which is designated as the home dock of the
23 riverboat. Except as otherwise provided in this subsection (b),
24 beginning ~~Beginning~~ January 1, 1998, from the tax revenue from
25 riverboat or casino gambling deposited in the State Gaming Fund
26 under this Section, an amount equal to 5% of adjusted gross

1 receipts generated by a casino or a riverboat shall be paid
2 monthly, subject to appropriation by the General Assembly, to
3 the unit of local government that is designated as the home
4 dock of the riverboat or in which the casino is located.

5 (b-5) Beginning on the effective date of this amendatory
6 Act of the 96th General Assembly, from the tax revenue from
7 electronic gaming deposited into the State Gaming Fund under
8 this Section, an amount equal to 1% of the adjusted gross
9 receipts generated by an electronic gaming licensee shall be
10 paid monthly, subject to appropriation, to the municipality in
11 which the electronic gaming facility is located. If an
12 electronic gaming facility is not located within a
13 municipality, then an amount equal to 1% of the adjusted gross
14 receipts generated by the electronic gaming licensee shall be
15 paid monthly, subject to appropriation, to the county in which
16 the electronic gaming facility is located.

17 (b-10) From the tax revenue deposited in the State Gaming
18 Fund pursuant to riverboat gambling operations conducted by a
19 licensed manager on behalf of the State, an amount equal to 5%
20 of adjusted gross receipts generated pursuant to those
21 riverboat gambling operations shall be paid monthly, subject to
22 appropriation by the General Assembly, to the unit of local
23 government in which the casino is located or that is designated
24 as the home dock of the riverboat upon which those riverboat
25 gambling operations are conducted.

26 (c) Appropriations, as approved by the General Assembly,

1 may be made from the State Gaming Fund to the Department of
2 Revenue and the Department of State Police for the
3 administration and enforcement of this Act, or to the
4 Department of Human Services for the administration of programs
5 to treat problem gambling.

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

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

26 (c-15) After the payments required under subsections (b)

1 ~~and~~, (c), ~~and (c-5)~~ have been made, an amount equal to 2% of
2 the adjusted gross receipts of (1) an owners licensee that
3 relocates pursuant to Section 11.2, (2) an owners licensee
4 conducting riverboat gambling operations pursuant to an owners
5 license that is initially issued after June 25, 1999, or (3)
6 the first riverboat gambling operations conducted by a licensed
7 manager on behalf of the State under Section 7.3, whichever
8 comes first, shall be paid, subject to appropriation from the
9 General Assembly, from the State Gaming Fund to each home rule
10 county with a population of over 3,000,000 inhabitants for the
11 purpose of enhancing the county's criminal justice system.

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

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

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

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

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

16 (Source: P.A. 94-673, eff. 8-23-05; 94-804, eff. 5-26-06;
17 94-839, eff. 6-6-06; 95-331, eff. 8-21-07; 95-1008, eff.
18 12-15-08.)

19 (230 ILCS 10/14) (from Ch. 120, par. 2414)

20 Sec. 14. Licensees - Records - Reports - Supervision.

21 (a) ~~A~~ Licensed owners and electronic gaming licensees ~~owner~~
22 shall keep their ~~his~~ books and records so as to clearly show
23 the following:

24 (1) The amount received daily from admission fees.

25 (2) The total amount of gross receipts.

1 (3) The total amount of the adjusted gross receipts.

2 (b) ~~The~~ Licensed owners and electronic gaming licensees
3 ~~owner~~ shall furnish to the Board reports and information as the
4 Board may require with respect to its activities on forms
5 designed and supplied for such purpose by the Board.

6 (c) The books and records kept by a licensed owner or
7 electronic gaming licensee as provided by this Section are
8 public records and the examination, publication, and
9 dissemination of the books and records are governed by the
10 provisions of The Freedom of Information Act.

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

12 (230 ILCS 10/18) (from Ch. 120, par. 2418)

13 Sec. 18. Prohibited Activities - Penalty.

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

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

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

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

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

23 or

24 (2) violating paragraph (12) of subsection (a) of
25 Section 11 of this Act.

1 (c) A person wagering or accepting a wager at any location
2 outside the riverboat, casino, or electronic gaming facility in
3 violation of paragraph ~~is subject to the penalties in~~
4 ~~paragraphs~~ (1) or (2) of subsection (a) of Section 28-1 of the
5 Criminal Code of 1961 is subject to the penalties provided in
6 that Section.

7 (d) A person commits a Class 4 felony and, in addition,
8 shall be barred for life from gambling operations ~~riverboats~~
9 under the jurisdiction of the Board, if the person does any of
10 the following:

11 (1) Offers, promises, or gives anything of value or
12 benefit to a person who is connected with a riverboat or
13 casino owner or electronic gaming licensee including, but
14 not limited to, an officer or employee of a licensed owner
15 or electronic gaming licensee or holder of an occupational
16 license pursuant to an agreement or arrangement or with the
17 intent that the promise or thing of value or benefit will
18 influence the actions of the person to whom the offer,
19 promise, or gift was made in order to affect or attempt to
20 affect the outcome of a gambling game, or to influence
21 official action of a member of the Board.

22 (2) Solicits or knowingly accepts or receives a promise
23 of anything of value or benefit while the person is
24 connected with a riverboat, casino, or electronic gaming
25 facility, including, but not limited to, an officer or
26 employee of a licensed owner or electronic gaming licensee,

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

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

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

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

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

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

16 (4) Cheats at a gambling game.

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

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

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

1 contingent on that outcome.

2 (8) Claims, collects, or takes, or attempts to claim,
3 collect, or take, money or anything of value in or from the
4 gambling games, with intent to defraud, without having made
5 a wager contingent on winning a gambling game, or claims,
6 collects, or takes an amount of money or thing of value of
7 greater value than the amount won.

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

10 (10) Possesses any key or device designed for the
11 purpose of opening, entering, or affecting the operation of
12 a gambling game, drop box, or an electronic or mechanical
13 device connected with the gambling game or for removing
14 coins, tokens, chips or other contents of a gambling game.
15 This paragraph (10) does not apply to a gambling licensee
16 or employee of a gambling licensee acting in furtherance of
17 the employee's employment.

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

22 An action to prosecute any crime occurring on a riverboat
23 shall be tried in the county of the dock at which the riverboat
24 is based. An action to prosecute any crime occurring in a
25 casino shall be tried in the county in which the casino is
26 located.

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

2 (230 ILCS 10/19) (from Ch. 120, par. 2419)

3 Sec. 19. Forfeiture of property.

4 (a) Except as provided in subsection (b), any riverboat,
5 casino, or electronic gaming facility used for the conduct of
6 gambling games in violation of this Act shall be considered a
7 gambling place in violation of Section 28-3 of the Criminal
8 Code of 1961, as now or hereafter amended. Every gambling
9 device found on a riverboat, in a casino, or at an electronic
10 gaming facility operating gambling games in violation of this
11 Act and every slot machine found at an electronic gaming
12 facility operating gambling games in violation of this Act
13 shall be subject to seizure, confiscation and destruction as
14 provided in Section 28-5 of the Criminal Code of 1961, as now
15 or hereafter amended.

16 (b) It is not a violation of this Act for a riverboat or
17 other watercraft which is licensed for gaming by a contiguous
18 state to dock on the shores of this State if the municipality
19 having jurisdiction of the shores, or the county in the case of
20 unincorporated areas, has granted permission for docking and no
21 gaming is conducted on the riverboat or other watercraft while
22 it is docked on the shores of this State. No gambling device
23 shall be subject to seizure, confiscation or destruction if the
24 gambling device is located on a riverboat or other watercraft
25 which is licensed for gaming by a contiguous state and which is

1 docked on the shores of this State if the municipality having
2 jurisdiction of the shores, or the county in the case of
3 unincorporated areas, has granted permission for docking and no
4 gaming is conducted on the riverboat or other watercraft while
5 it is docked on the shores of this State.

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

7 (230 ILCS 10/20) (from Ch. 120, par. 2420)

8 Sec. 20. Prohibited activities - civil penalties. Any
9 person who conducts a gambling operation without first
10 obtaining a license to do so, or who continues to conduct such
11 games after revocation of his license, or any licensee who
12 conducts or allows to be conducted any unauthorized gambling
13 games on a riverboat, in a casino, or at an electronic gaming
14 facility where it is authorized to conduct its ~~riverboat~~
15 gambling operation, in addition to other penalties provided,
16 shall be subject to a civil penalty equal to the amount of
17 gross receipts derived from wagering on the gambling games,
18 whether unauthorized or authorized, conducted on that day as
19 well as confiscation and forfeiture of all gambling game
20 equipment used in the conduct of unauthorized gambling games.

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

22 Section 90-35. The Liquor Control Act of 1934 is amended by
23 changing Sections 5-1 and 6-30 as follows:

1 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

2 Sec. 5-1. Licenses issued by the Illinois Liquor Control
3 Commission shall be of the following classes:

4 (a) Manufacturer's license - Class 1. Distiller, Class 2.
5 Rectifier, Class 3. Brewer, Class 4. First Class Wine
6 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.
7 First Class Winemaker, Class 7. Second Class Winemaker, Class
8 8. Limited Wine Manufacturer,

9 (b) Distributor's license,

10 (c) Importing Distributor's license,

11 (d) Retailer's license,

12 (e) Special Event Retailer's license (not-for-profit),

13 (f) Railroad license,

14 (g) Boat license,

15 (h) Non-Beverage User's license,

16 (i) Wine-maker's premises license,

17 (j) Airplane license,

18 (k) Foreign importer's license,

19 (l) Broker's license,

20 (m) Non-resident dealer's license,

21 (n) Brew Pub license,

22 (o) Auction liquor license,

23 (p) Caterer retailer license,

24 (q) Special use permit license,

25 (r) Winery shipper's license.

26 No person, firm, partnership, corporation, or other legal

1 business entity that is engaged in the manufacturing of wine
2 may concurrently obtain and hold a wine-maker's license and a
3 wine manufacturer's license.

4 (a) A manufacturer's license shall allow the manufacture,
5 importation in bulk, storage, distribution and sale of
6 alcoholic liquor to persons without the State, as may be
7 permitted by law and to licensees in this State as follows:

8 Class 1. A Distiller may make sales and deliveries of
9 alcoholic liquor to distillers, rectifiers, importing
10 distributors, distributors and non-beverage users and to no
11 other licensees.

12 Class 2. A Rectifier, who is not a distiller, as defined
13 herein, may make sales and deliveries of alcoholic liquor to
14 rectifiers, importing distributors, distributors, retailers
15 and non-beverage users and to no other licensees.

16 Class 3. A Brewer may make sales and deliveries of beer to
17 importing distributors, distributors, and to non-licensees,
18 and to retailers provided the brewer obtains an importing
19 distributor's license or distributor's license in accordance
20 with the provisions of this Act.

21 Class 4. A first class wine-manufacturer may make sales and
22 deliveries of up to 50,000 gallons of wine to manufacturers,
23 importing distributors and distributors, and to no other
24 licensees.

25 Class 5. A second class Wine manufacturer may make sales
26 and deliveries of more than 50,000 gallons of wine to

1 manufacturers, importing distributors and distributors and to
2 no other licensees.

3 Class 6. A first-class wine-maker's license shall allow the
4 manufacture of up to 50,000 gallons of wine per year, and the
5 storage and sale of such wine to distributors in the State and
6 to persons without the State, as may be permitted by law. A
7 person who, prior to the effective date of this amendatory Act
8 of the 95th General Assembly, is a holder of a first-class
9 wine-maker's license and annually produces more than 25,000
10 gallons of its own wine and who distributes its wine to
11 licensed retailers shall cease this practice on or before July
12 1, 2008 in compliance with this amendatory Act of the 95th
13 General Assembly.

14 Class 7. A second-class wine-maker's license shall allow
15 the manufacture of between 50,000 and 150,000 gallons of wine
16 per year, and the storage and sale of such wine to distributors
17 in this State and to persons without the State, as may be
18 permitted by law. A person who, prior to the effective date of
19 this amendatory Act of the 95th General Assembly, is a holder
20 of a second-class wine-maker's license and annually produces
21 more than 25,000 gallons of its own wine and who distributes
22 its wine to licensed retailers shall cease this practice on or
23 before July 1, 2008 in compliance with this amendatory Act of
24 the 95th General Assembly.

25 Class 8. A limited wine-manufacturer may make sales and
26 deliveries not to exceed 40,000 gallons of wine per year to

1 distributors, and to non-licensees in accordance with the
2 provisions of this Act.

3 (a-1) A manufacturer which is licensed in this State to
4 make sales or deliveries of alcoholic liquor and which enlists
5 agents, representatives, or individuals acting on its behalf
6 who contact licensed retailers on a regular and continual basis
7 in this State must register those agents, representatives, or
8 persons acting on its behalf with the State Commission.

9 Registration of agents, representatives, or persons acting
10 on behalf of a manufacturer is fulfilled by submitting a form
11 to the Commission. The form shall be developed by the
12 Commission and shall include the name and address of the
13 applicant, the name and address of the manufacturer he or she
14 represents, the territory or areas assigned to sell to or
15 discuss pricing terms of alcoholic liquor, and any other
16 questions deemed appropriate and necessary. All statements in
17 the forms required to be made by law or by rule shall be deemed
18 material, and any person who knowingly misstates any material
19 fact under oath in an application is guilty of a Class B
20 misdemeanor. Fraud, misrepresentation, false statements,
21 misleading statements, evasions, or suppression of material
22 facts in the securing of a registration are grounds for
23 suspension or revocation of the registration.

24 (b) A distributor's license shall allow the wholesale
25 purchase and storage of alcoholic liquors and sale of alcoholic
26 liquors to licensees in this State and to persons without the

1 State, as may be permitted by law.

2 (c) An importing distributor's license may be issued to and
3 held by those only who are duly licensed distributors, upon the
4 filing of an application by a duly licensed distributor, with
5 the Commission and the Commission shall, without the payment of
6 any fee, immediately issue such importing distributor's
7 license to the applicant, which shall allow the importation of
8 alcoholic liquor by the licensee into this State from any point
9 in the United States outside this State, and the purchase of
10 alcoholic liquor in barrels, casks or other bulk containers and
11 the bottling of such alcoholic liquors before resale thereof,
12 but all bottles or containers so filled shall be sealed,
13 labeled, stamped and otherwise made to comply with all
14 provisions, rules and regulations governing manufacturers in
15 the preparation and bottling of alcoholic liquors. The
16 importing distributor's license shall permit such licensee to
17 purchase alcoholic liquor from Illinois licensed non-resident
18 dealers and foreign importers only.

19 (d) A retailer's license shall allow the licensee to sell
20 and offer for sale at retail, only in the premises specified in
21 the license, alcoholic liquor for use or consumption, but not
22 for resale in any form. Nothing in this amendatory Act of the
23 95th General Assembly shall deny, limit, remove, or restrict
24 the ability of a holder of a retailer's license to transfer,
25 deliver, or ship alcoholic liquor to the purchaser for use or
26 consumption subject to any applicable local law or ordinance.

1 Any retail license issued to a manufacturer shall only permit
2 the manufacturer to sell beer at retail on the premises
3 actually occupied by the manufacturer. For the purpose of
4 further describing the type of business conducted at a retail
5 licensed premises, a retailer's licensee may be designated by
6 the State Commission as (i) an on premise consumption retailer,
7 (ii) an off premise sale retailer, or (iii) a combined on
8 premise consumption and off premise sale retailer.

9 Notwithstanding any other provision of this subsection
10 (d), a retail licensee may sell alcoholic liquors to a special
11 event retailer licensee for resale to the extent permitted
12 under subsection (e).

13 (e) A special event retailer's license (not-for-profit)
14 shall permit the licensee to purchase alcoholic liquors from an
15 Illinois licensed distributor (unless the licensee purchases
16 less than \$500 of alcoholic liquors for the special event, in
17 which case the licensee may purchase the alcoholic liquors from
18 a licensed retailer) and shall allow the licensee to sell and
19 offer for sale, at retail, alcoholic liquors for use or
20 consumption, but not for resale in any form and only at the
21 location and on the specific dates designated for the special
22 event in the license. An applicant for a special event retailer
23 license must (i) furnish with the application: (A) a resale
24 number issued under Section 2c of the Retailers' Occupation Tax
25 Act or evidence that the applicant is registered under Section
26 2a of the Retailers' Occupation Tax Act, (B) a current, valid

1 exemption identification number issued under Section 1g of the
2 Retailers' Occupation Tax Act, and a certification to the
3 Commission that the purchase of alcoholic liquors will be a
4 tax-exempt purchase, or (C) a statement that the applicant is
5 not registered under Section 2a of the Retailers' Occupation
6 Tax Act, does not hold a resale number under Section 2c of the
7 Retailers' Occupation Tax Act, and does not hold an exemption
8 number under Section 1g of the Retailers' Occupation Tax Act,
9 in which event the Commission shall set forth on the special
10 event retailer's license a statement to that effect; (ii)
11 submit with the application proof satisfactory to the State
12 Commission that the applicant will provide dram shop liability
13 insurance in the maximum limits; and (iii) show proof
14 satisfactory to the State Commission that the applicant has
15 obtained local authority approval.

16 (f) A railroad license shall permit the licensee to import
17 alcoholic liquors into this State from any point in the United
18 States outside this State and to store such alcoholic liquors
19 in this State; to make wholesale purchases of alcoholic liquors
20 directly from manufacturers, foreign importers, distributors
21 and importing distributors from within or outside this State;
22 and to store such alcoholic liquors in this State; provided
23 that the above powers may be exercised only in connection with
24 the importation, purchase or storage of alcoholic liquors to be
25 sold or dispensed on a club, buffet, lounge or dining car
26 operated on an electric, gas or steam railway in this State;

1 and provided further, that railroad licensees exercising the
2 above powers shall be subject to all provisions of Article VIII
3 of this Act as applied to importing distributors. A railroad
4 license shall also permit the licensee to sell or dispense
5 alcoholic liquors on any club, buffet, lounge or dining car
6 operated on an electric, gas or steam railway regularly
7 operated by a common carrier in this State, but shall not
8 permit the sale for resale of any alcoholic liquors to any
9 licensee within this State. A license shall be obtained for
10 each car in which such sales are made.

11 (g) A boat license shall allow the sale of alcoholic liquor
12 in individual drinks, on any passenger boat regularly operated
13 as a common carrier on navigable waters in this State or on any
14 riverboat operated under the Illinois ~~Riverboat~~ Gambling Act,
15 which boat or riverboat maintains a public dining room or
16 restaurant thereon.

17 (h) A non-beverage user's license shall allow the licensee
18 to purchase alcoholic liquor from a licensed manufacturer or
19 importing distributor, without the imposition of any tax upon
20 the business of such licensed manufacturer or importing
21 distributor as to such alcoholic liquor to be used by such
22 licensee solely for the non-beverage purposes set forth in
23 subsection (a) of Section 8-1 of this Act, and such licenses
24 shall be divided and classified and shall permit the purchase,
25 possession and use of limited and stated quantities of
26 alcoholic liquor as follows:

- 1 Class 1, not to exceed 500 gallons
- 2 Class 2, not to exceed 1,000 gallons
- 3 Class 3, not to exceed 5,000 gallons
- 4 Class 4, not to exceed 10,000 gallons
- 5 Class 5, not to exceed 50,000 gallons

6 (i) A wine-maker's premises license shall allow a licensee
7 that concurrently holds a first-class wine-maker's license to
8 sell and offer for sale at retail in the premises specified in
9 such license not more than 50,000 gallons of the first-class
10 wine-maker's wine that is made at the first-class wine-maker's
11 licensed premises per year for use or consumption, but not for
12 resale in any form. A wine-maker's premises license shall allow
13 a licensee who concurrently holds a second-class wine-maker's
14 license to sell and offer for sale at retail in the premises
15 specified in such license up to 100,000 gallons of the
16 second-class wine-maker's wine that is made at the second-class
17 wine-maker's licensed premises per year for use or consumption
18 but not for resale in any form. A wine-maker's premises license
19 shall allow a licensee that concurrently holds a first-class
20 wine-maker's license or a second-class wine-maker's license to
21 sell and offer for sale at retail at the premises specified in
22 the wine-maker's premises license, for use or consumption but
23 not for resale in any form, any beer, wine, and spirits
24 purchased from a licensed distributor. Upon approval from the
25 State Commission, a wine-maker's premises license shall allow
26 the licensee to sell and offer for sale at (i) the wine-maker's

1 licensed premises and (ii) at up to 2 additional locations for
2 use and consumption and not for resale. Each location shall
3 require additional licensing per location as specified in
4 Section 5-3 of this Act. A wine-maker's premises licensee shall
5 secure liquor liability insurance coverage in an amount at
6 least equal to the maximum liability amounts set forth in
7 subsection (a) of Section 6-21 of this Act.

8 (j) An airplane license shall permit the licensee to import
9 alcoholic liquors into this State from any point in the United
10 States outside this State and to store such alcoholic liquors
11 in this State; to make wholesale purchases of alcoholic liquors
12 directly from manufacturers, foreign importers, distributors
13 and importing distributors from within or outside this State;
14 and to store such alcoholic liquors in this State; provided
15 that the above powers may be exercised only in connection with
16 the importation, purchase or storage of alcoholic liquors to be
17 sold or dispensed on an airplane; and provided further, that
18 airplane licensees exercising the above powers shall be subject
19 to all provisions of Article VIII of this Act as applied to
20 importing distributors. An airplane licensee shall also permit
21 the sale or dispensing of alcoholic liquors on any passenger
22 airplane regularly operated by a common carrier in this State,
23 but shall not permit the sale for resale of any alcoholic
24 liquors to any licensee within this State. A single airplane
25 license shall be required of an airline company if liquor
26 service is provided on board aircraft in this State. The annual

1 fee for such license shall be as determined in Section 5-3.

2 (k) A foreign importer's license shall permit such licensee
3 to purchase alcoholic liquor from Illinois licensed
4 non-resident dealers only, and to import alcoholic liquor other
5 than in bulk from any point outside the United States and to
6 sell such alcoholic liquor to Illinois licensed importing
7 distributors and to no one else in Illinois; provided that (i)
8 the foreign importer registers with the State Commission every
9 brand of alcoholic liquor that it proposes to sell to Illinois
10 licensees during the license period, (ii) the foreign importer
11 complies with all of the provisions of Section 6-9 of this Act
12 with respect to registration of such Illinois licensees as may
13 be granted the right to sell such brands at wholesale, and
14 (iii) the foreign importer complies with the provisions of
15 Sections 6-5 and 6-6 of this Act to the same extent that these
16 provisions apply to manufacturers.

17 (l) (i) A broker's license shall be required of all persons
18 who solicit orders for, offer to sell or offer to supply
19 alcoholic liquor to retailers in the State of Illinois, or who
20 offer to retailers to ship or cause to be shipped or to make
21 contact with distillers, rectifiers, brewers or manufacturers
22 or any other party within or without the State of Illinois in
23 order that alcoholic liquors be shipped to a distributor,
24 importing distributor or foreign importer, whether such
25 solicitation or offer is consummated within or without the
26 State of Illinois.

1 No holder of a retailer's license issued by the Illinois
2 Liquor Control Commission shall purchase or receive any
3 alcoholic liquor, the order for which was solicited or offered
4 for sale to such retailer by a broker unless the broker is the
5 holder of a valid broker's license.

6 The broker shall, upon the acceptance by a retailer of the
7 broker's solicitation of an order or offer to sell or supply or
8 deliver or have delivered alcoholic liquors, promptly forward
9 to the Illinois Liquor Control Commission a notification of
10 said transaction in such form as the Commission may by
11 regulations prescribe.

12 (ii) A broker's license shall be required of a person
13 within this State, other than a retail licensee, who, for a fee
14 or commission, promotes, solicits, or accepts orders for
15 alcoholic liquor, for use or consumption and not for resale, to
16 be shipped from this State and delivered to residents outside
17 of this State by an express company, common carrier, or
18 contract carrier. This Section does not apply to any person who
19 promotes, solicits, or accepts orders for wine as specifically
20 authorized in Section 6-29 of this Act.

21 A broker's license under this subsection (1) shall not
22 entitle the holder to buy or sell any alcoholic liquors for his
23 own account or to take or deliver title to such alcoholic
24 liquors.

25 This subsection (1) shall not apply to distributors,
26 employees of distributors, or employees of a manufacturer who

1 has registered the trademark, brand or name of the alcoholic
2 liquor pursuant to Section 6-9 of this Act, and who regularly
3 sells such alcoholic liquor in the State of Illinois only to
4 its registrants thereunder.

5 Any agent, representative, or person subject to
6 registration pursuant to subsection (a-1) of this Section shall
7 not be eligible to receive a broker's license.

8 (m) A non-resident dealer's license shall permit such
9 licensee to ship into and warehouse alcoholic liquor into this
10 State from any point outside of this State, and to sell such
11 alcoholic liquor to Illinois licensed foreign importers and
12 importing distributors and to no one else in this State;
13 provided that (i) said non-resident dealer shall register with
14 the Illinois Liquor Control Commission each and every brand of
15 alcoholic liquor which it proposes to sell to Illinois
16 licensees during the license period, (ii) it shall comply with
17 all of the provisions of Section 6-9 hereof with respect to
18 registration of such Illinois licensees as may be granted the
19 right to sell such brands at wholesale, and (iii) the
20 non-resident dealer shall comply with the provisions of
21 Sections 6-5 and 6-6 of this Act to the same extent that these
22 provisions apply to manufacturers.

23 (n) A brew pub license shall allow the licensee to
24 manufacture beer only on the premises specified in the license,
25 to make sales of the beer manufactured on the premises to
26 importing distributors, distributors, and to non-licensees for

1 use and consumption, to store the beer upon the premises, and
2 to sell and offer for sale at retail from the licensed
3 premises, provided that a brew pub licensee shall not sell for
4 off-premises consumption more than 50,000 gallons per year.

5 (o) A caterer retailer license shall allow the holder to
6 serve alcoholic liquors as an incidental part of a food service
7 that serves prepared meals which excludes the serving of snacks
8 as the primary meal, either on or off-site whether licensed or
9 unlicensed.

10 (p) An auction liquor license shall allow the licensee to
11 sell and offer for sale at auction wine and spirits for use or
12 consumption, or for resale by an Illinois liquor licensee in
13 accordance with provisions of this Act. An auction liquor
14 license will be issued to a person and it will permit the
15 auction liquor licensee to hold the auction anywhere in the
16 State. An auction liquor license must be obtained for each
17 auction at least 14 days in advance of the auction date.

18 (q) A special use permit license shall allow an Illinois
19 licensed retailer to transfer a portion of its alcoholic liquor
20 inventory from its retail licensed premises to the premises
21 specified in the license hereby created, and to sell or offer
22 for sale at retail, only in the premises specified in the
23 license hereby created, the transferred alcoholic liquor for
24 use or consumption, but not for resale in any form. A special
25 use permit license may be granted for the following time
26 periods: one day or less; 2 or more days to a maximum of 15 days

1 per location in any 12 month period. An applicant for the
2 special use permit license must also submit with the
3 application proof satisfactory to the State Commission that the
4 applicant will provide dram shop liability insurance to the
5 maximum limits and have local authority approval.

6 (r) A winery shipper's license shall allow a person with a
7 first-class or second-class wine manufacturer's license, a
8 first-class or second-class wine-maker's license, or a limited
9 wine manufacturer's license or who is licensed to make wine
10 under the laws of another state to ship wine made by that
11 licensee directly to a resident of this State who is 21 years
12 of age or older for that resident's personal use and not for
13 resale. Prior to receiving a winery shipper's license, an
14 applicant for the license must provide the Commission with a
15 true copy of its current license in any state in which it is
16 licensed as a manufacturer of wine. An applicant for a winery
17 shipper's license must also complete an application form that
18 provides any other information the Commission deems necessary.
19 The application form shall include an acknowledgement
20 consenting to the jurisdiction of the Commission, the Illinois
21 Department of Revenue, and the courts of this State concerning
22 the enforcement of this Act and any related laws, rules, and
23 regulations, including authorizing the Department of Revenue
24 and the Commission to conduct audits for the purpose of
25 ensuring compliance with this amendatory Act.

26 A winery shipper licensee must pay to the Department of

1 Revenue the State liquor gallonage tax under Section 8-1 for
2 all wine that is sold by the licensee and shipped to a person
3 in this State. For the purposes of Section 8-1, a winery
4 shipper licensee shall be taxed in the same manner as a
5 manufacturer of wine. A licensee who is not otherwise required
6 to register under the Retailers' Occupation Tax Act must
7 register under the Use Tax Act to collect and remit use tax to
8 the Department of Revenue for all gallons of wine that are sold
9 by the licensee and shipped to persons in this State. If a
10 licensee fails to remit the tax imposed under this Act in
11 accordance with the provisions of Article VIII of this Act, the
12 winery shipper's license shall be revoked in accordance with
13 the provisions of Article VII of this Act. If a licensee fails
14 to properly register and remit tax under the Use Tax Act or the
15 Retailers' Occupation Tax Act for all wine that is sold by the
16 winery shipper and shipped to persons in this State, the winery
17 shipper's license shall be revoked in accordance with the
18 provisions of Article VII of this Act.

19 A winery shipper licensee must collect, maintain, and
20 submit to the Commission on a semi-annual basis the total
21 number of cases per resident of wine shipped to residents of
22 this State. A winery shipper licensed under this subsection (r)
23 must comply with the requirements of Section 6-29 of this
24 amendatory Act.

25 (Source: P.A. 95-331, eff. 8-21-07; 95-634, eff. 6-1-08;
26 95-769, eff. 7-29-08.)

1 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

2 Sec. 6-30. Notwithstanding any other provision of this Act,
3 the Illinois Gaming Board shall have exclusive authority to
4 establish the hours for sale and consumption of alcoholic
5 liquor on board a riverboat during riverboat gambling
6 excursions and in a casino conducted in accordance with the
7 Illinois Riverboat Gambling Act.

8 (Source: P.A. 87-826.)

9 Section 90-40. The Criminal Code of 1961 is amended by
10 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as
11 follows:

12 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

13 Sec. 28-1. Gambling.

14 (a) A person commits gambling when he:

15 (1) Plays a game of chance or skill for money or other
16 thing of value, unless excepted in subsection (b) of this
17 Section; or

18 (2) Makes a wager upon the result of any game, contest,
19 or any political nomination, appointment or election; or

20 (3) Operates, keeps, owns, uses, purchases, exhibits,
21 rents, sells, bargains for the sale or lease of,
22 manufactures or distributes any gambling device; or

23 (4) Contracts to have or give himself or another the

1 option to buy or sell, or contracts to buy or sell, at a
2 future time, any grain or other commodity whatsoever, or
3 any stock or security of any company, where it is at the
4 time of making such contract intended by both parties
5 thereto that the contract to buy or sell, or the option,
6 whenever exercised, or the contract resulting therefrom,
7 shall be settled, not by the receipt or delivery of such
8 property, but by the payment only of differences in prices
9 thereof; however, the issuance, purchase, sale, exercise,
10 endorsement or guarantee, by or through a person registered
11 with the Secretary of State pursuant to Section 8 of the
12 Illinois Securities Law of 1953, or by or through a person
13 exempt from such registration under said Section 8, of a
14 put, call, or other option to buy or sell securities which
15 have been registered with the Secretary of State or which
16 are exempt from such registration under Section 3 of the
17 Illinois Securities Law of 1953 is not gambling within the
18 meaning of this paragraph (4); or

19 (5) Knowingly owns or possesses any book, instrument or
20 apparatus by means of which bets or wagers have been, or
21 are, recorded or registered, or knowingly possesses any
22 money which he has received in the course of a bet or
23 wager; or

24 (6) Sells pools upon the result of any game or contest
25 of skill or chance, political nomination, appointment or
26 election; or

1 (7) Sets up or promotes any lottery or sells, offers to
2 sell or transfers any ticket or share for any lottery; or

3 (8) Sets up or promotes any policy game or sells,
4 offers to sell or knowingly possesses or transfers any
5 policy ticket, slip, record, document or other similar
6 device; or

7 (9) Knowingly drafts, prints or publishes any lottery
8 ticket or share, or any policy ticket, slip, record,
9 document or similar device, except for such activity
10 related to lotteries, bingo games and raffles authorized by
11 and conducted in accordance with the laws of Illinois or
12 any other state or foreign government; or

13 (10) Knowingly advertises any lottery or policy game,
14 except for such activity related to lotteries, bingo games
15 and raffles authorized by and conducted in accordance with
16 the laws of Illinois or any other state; or

17 (11) Knowingly transmits information as to wagers,
18 betting odds, or changes in betting odds by telephone,
19 telegraph, radio, semaphore or similar means; or knowingly
20 installs or maintains equipment for the transmission or
21 receipt of such information; except that nothing in this
22 subdivision (11) prohibits transmission or receipt of such
23 information for use in news reporting of sporting events or
24 contests; or

25 (12) Knowingly establishes, maintains, or operates an
26 Internet site that permits a person to play a game of

1 chance or skill for money or other thing of value by means
2 of the Internet or to make a wager upon the result of any
3 game, contest, political nomination, appointment, or
4 election by means of the Internet.

5 (b) Participants in any of the following activities shall
6 not be convicted of gambling therefor:

7 (1) Agreements to compensate for loss caused by the
8 happening of chance including without limitation contracts
9 of indemnity or guaranty and life or health or accident
10 insurance;

11 (2) Offers of prizes, award or compensation to the
12 actual contestants in any bona fide contest for the
13 determination of skill, speed, strength or endurance or to
14 the owners of animals or vehicles entered in such contest;

15 (3) Pari-mutuel betting as authorized by the law of
16 this State;

17 (4) Manufacture of gambling devices, including the
18 acquisition of essential parts therefor and the assembly
19 thereof, for transportation in interstate or foreign
20 commerce to any place outside this State when such
21 transportation is not prohibited by any applicable Federal
22 law;

23 (5) The game commonly known as "bingo", when conducted
24 in accordance with the Bingo License and Tax Act;

25 (6) Lotteries when conducted by the State of Illinois
26 in accordance with the Illinois Lottery Law;

1 (7) Possession of an antique slot machine that is
2 neither used nor intended to be used in the operation or
3 promotion of any unlawful gambling activity or enterprise.
4 For the purpose of this subparagraph (b)(7), an antique
5 slot machine is one manufactured 25 years ago or earlier;

6 (8) Raffles when conducted in accordance with the
7 Raffles Act;

8 (9) Charitable games when conducted in accordance with
9 the Charitable Games Act;

10 (10) Pull tabs and jar games when conducted under the
11 Illinois Pull Tabs and Jar Games Act; or

12 (11) Gambling games ~~conducted on riverboats~~ when
13 authorized by the Illinois ~~Riverboat~~ Gambling Act.

14 (c) Sentence.

15 Gambling under subsection (a)(1) or (a)(2) of this Section
16 is a Class A misdemeanor. Gambling under any of subsections
17 (a)(3) through (a)(11) of this Section is a Class A
18 misdemeanor. A second or subsequent conviction under any of
19 subsections (a)(3) through (a)(11), is a Class 4 felony.
20 Gambling under subsection (a)(12) of this Section is a Class A
21 misdemeanor. A second or subsequent conviction under
22 subsection (a)(12) is a Class 4 felony.

23 (d) Circumstantial evidence.

24 In prosecutions under subsection (a)(1) through (a)(12) of
25 this Section circumstantial evidence shall have the same
26 validity and weight as in any criminal prosecution.

1 (Source: P.A. 91-257, eff. 1-1-00.)

2 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

3 Sec. 28-1.1. Syndicated gambling.

4 (a) Declaration of Purpose. Recognizing the close
5 relationship between professional gambling and other organized
6 crime, it is declared to be the policy of the legislature to
7 restrain persons from engaging in the business of gambling for
8 profit in this State. This Section shall be liberally construed
9 and administered with a view to carrying out this policy.

10 (b) A person commits syndicated gambling when he operates a
11 "policy game" or engages in the business of bookmaking.

12 (c) A person "operates a policy game" when he knowingly
13 uses any premises or property for the purpose of receiving or
14 knowingly does receive from what is commonly called "policy":

15 (1) money from a person other than the better or player
16 whose bets or plays are represented by such money; or

17 (2) written "policy game" records, made or used over
18 any period of time, from a person other than the better or
19 player whose bets or plays are represented by such written
20 record.

21 (d) A person engages in bookmaking when he receives or
22 accepts more than five bets or wagers upon the result of any
23 trials or contests of skill, speed or power of endurance or
24 upon any lot, chance, casualty, unknown or contingent event
25 whatsoever, which bets or wagers shall be of such size that the

1 total of the amounts of money paid or promised to be paid to
2 such bookmaker on account thereof shall exceed \$2,000.
3 Bookmaking is the receiving or accepting of such bets or wagers
4 regardless of the form or manner in which the bookmaker records
5 them.

6 (e) Participants in any of the following activities shall
7 not be convicted of syndicated gambling:

8 (1) Agreements to compensate for loss caused by the
9 happening of chance including without limitation contracts
10 of indemnity or guaranty and life or health or accident
11 insurance; and

12 (2) Offers of prizes, award or compensation to the
13 actual contestants in any bona fide contest for the
14 determination of skill, speed, strength or endurance or to
15 the owners of animals or vehicles entered in such contest;
16 and

17 (3) Pari-mutuel betting as authorized by law of this
18 State; and

19 (4) Manufacture of gambling devices, including the
20 acquisition of essential parts therefor and the assembly
21 thereof, for transportation in interstate or foreign
22 commerce to any place outside this State when such
23 transportation is not prohibited by any applicable Federal
24 law; and

25 (5) Raffles when conducted in accordance with the
26 Raffles Act; and

1 (6) Gambling games conducted on riverboats, in
2 casinos, or at electronic gaming facilities when
3 authorized by the Illinois Riverboat Gambling Act.

4 (f) Sentence. Syndicated gambling is a Class 3 felony.

5 (Source: P.A. 86-1029; 87-435.)

6 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

7 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is
8 any real estate, vehicle, boat or any other property whatsoever
9 used for the purposes of gambling other than gambling conducted
10 in the manner authorized by the Illinois Riverboat Gambling
11 Act. Any person who knowingly permits any premises or property
12 owned or occupied by him or under his control to be used as a
13 gambling place commits a Class A misdemeanor. Each subsequent
14 offense is a Class 4 felony. When any premises is determined by
15 the circuit court to be a gambling place:

16 (a) Such premises is a public nuisance and may be proceeded
17 against as such, and

18 (b) All licenses, permits or certificates issued by the
19 State of Illinois or any subdivision or public agency thereof
20 authorizing the serving of food or liquor on such premises
21 shall be void; and no license, permit or certificate so
22 cancelled shall be reissued for such premises for a period of
23 60 days thereafter; nor shall any person convicted of keeping a
24 gambling place be reissued such license for one year from his
25 conviction and, after a second conviction of keeping a gambling

1 place, any such person shall not be reissued such license, and

2 (c) Such premises of any person who knowingly permits
3 thereon a violation of any Section of this Article shall be
4 held liable for, and may be sold to pay any unsatisfied
5 judgment that may be recovered and any unsatisfied fine that
6 may be levied under any Section of this Article.

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

8 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

9 Sec. 28-5. Seizure of gambling devices and gambling funds.

10 (a) Every device designed for gambling which is incapable
11 of lawful use or every device used unlawfully for gambling
12 shall be considered a "gambling device", and shall be subject
13 to seizure, confiscation and destruction by the Department of
14 State Police or by any municipal, or other local authority,
15 within whose jurisdiction the same may be found. As used in
16 this Section, a "gambling device" includes any slot machine,
17 and includes any machine or device constructed for the
18 reception of money or other thing of value and so constructed
19 as to return, or to cause someone to return, on chance to the
20 player thereof money, property or a right to receive money or
21 property. With the exception of any device designed for
22 gambling which is incapable of lawful use, no gambling device
23 shall be forfeited or destroyed unless an individual with a
24 property interest in said device knows of the unlawful use of
25 the device.

1 (b) Every gambling device shall be seized and forfeited to
2 the county wherein such seizure occurs. Any money or other
3 thing of value integrally related to acts of gambling shall be
4 seized and forfeited to the county wherein such seizure occurs.

5 (c) If, within 60 days after any seizure pursuant to
6 subparagraph (b) of this Section, a person having any property
7 interest in the seized property is charged with an offense, the
8 court which renders judgment upon such charge shall, within 30
9 days after such judgment, conduct a forfeiture hearing to
10 determine whether such property was a gambling device at the
11 time of seizure. Such hearing shall be commenced by a written
12 petition by the State, including material allegations of fact,
13 the name and address of every person determined by the State to
14 have any property interest in the seized property, a
15 representation that written notice of the date, time and place
16 of such hearing has been mailed to every such person by
17 certified mail at least 10 days before such date, and a request
18 for forfeiture. Every such person may appear as a party and
19 present evidence at such hearing. The quantum of proof required
20 shall be a preponderance of the evidence, and the burden of
21 proof shall be on the State. If the court determines that the
22 seized property was a gambling device at the time of seizure,
23 an order of forfeiture and disposition of the seized property
24 shall be entered: a gambling device shall be received by the
25 State's Attorney, who shall effect its destruction, except that
26 valuable parts thereof may be liquidated and the resultant

1 money shall be deposited in the general fund of the county
2 wherein such seizure occurred; money and other things of value
3 shall be received by the State's Attorney and, upon
4 liquidation, shall be deposited in the general fund of the
5 county wherein such seizure occurred. However, in the event
6 that a defendant raises the defense that the seized slot
7 machine is an antique slot machine described in subparagraph
8 (b) (7) of Section 28-1 of this Code and therefore he is exempt
9 from the charge of a gambling activity participant, the seized
10 antique slot machine shall not be destroyed or otherwise
11 altered until a final determination is made by the Court as to
12 whether it is such an antique slot machine. Upon a final
13 determination by the Court of this question in favor of the
14 defendant, such slot machine shall be immediately returned to
15 the defendant. Such order of forfeiture and disposition shall,
16 for the purposes of appeal, be a final order and judgment in a
17 civil proceeding.

18 (d) If a seizure pursuant to subparagraph (b) of this
19 Section is not followed by a charge pursuant to subparagraph
20 (c) of this Section, or if the prosecution of such charge is
21 permanently terminated or indefinitely discontinued without
22 any judgment of conviction or acquittal (1) the State's
23 Attorney shall commence an in rem proceeding for the forfeiture
24 and destruction of a gambling device, or for the forfeiture and
25 deposit in the general fund of the county of any seized money
26 or other things of value, or both, in the circuit court and (2)

1 any person having any property interest in such seized gambling
2 device, money or other thing of value may commence separate
3 civil proceedings in the manner provided by law.

4 (e) Any gambling device displayed for sale to a riverboat
5 gambling operation, casino gambling operation, or electronic
6 gaming facility or used to train occupational licensees of a
7 riverboat gambling operation, casino gambling operation, or
8 electronic gaming facility as authorized under the Riverboat
9 Gambling Act is exempt from seizure under this Section.

10 (f) Any gambling equipment, devices and supplies provided
11 by a licensed supplier in accordance with the Riverboat
12 Gambling Act which are removed from a ~~the~~ riverboat, casino, or
13 electronic gaming facility for repair are exempt from seizure
14 under this Section.

15 (Source: P.A. 87-826.)

16 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

17 Sec. 28-7. Gambling contracts void.

18 (a) All promises, notes, bills, bonds, covenants,
19 contracts, agreements, judgments, mortgages, or other
20 securities or conveyances made, given, granted, drawn, or
21 entered into, or executed by any person whatsoever, where the
22 whole or any part of the consideration thereof is for any money
23 or thing of value, won or obtained in violation of any Section
24 of this Article are null and void.

25 (b) Any obligation void under this Section may be set aside

1 and vacated by any court of competent jurisdiction, upon a
2 complaint filed for that purpose, by the person so granting,
3 giving, entering into, or executing the same, or by his
4 executors or administrators, or by any creditor, heir, legatee,
5 purchaser or other person interested therein; or if a judgment,
6 the same may be set aside on motion of any person stated above,
7 on due notice thereof given.

8 (c) No assignment of any obligation void under this Section
9 may in any manner affect the defense of the person giving,
10 granting, drawing, entering into or executing such obligation,
11 or the remedies of any person interested therein.

12 (d) This Section shall not prevent a licensed owner of a
13 riverboat gambling operation, casino gambling operation, or an
14 electronic gaming licensee under the Illinois Gambling Act and
15 the Illinois Horse Racing Act of 1975 from instituting a cause
16 of action to collect any amount due and owing under an
17 extension of credit to a ~~riverboat~~ gambling patron as
18 authorized under Section 11.1 of the Illinois Riverboat
19 Gambling Act.

20 (Source: P.A. 87-826.)

21 Section 90-45. The Payday Loan Reform Act is amended by
22 changing Section 3-5 as follows:

23 (815 ILCS 122/3-5)

24 Sec. 3-5. Licensure.

1 (a) A license to make a payday loan shall state the
2 address, including city and state, at which the business is to
3 be conducted and shall state fully the name of the licensee.
4 The license shall be conspicuously posted in the place of
5 business of the licensee and shall not be transferable or
6 assignable.

7 (b) An application for a license shall be in writing and in
8 a form prescribed by the Secretary. The Secretary may not issue
9 a payday loan license unless and until the following findings
10 are made:

11 (1) that the financial responsibility, experience,
12 character, and general fitness of the applicant are such as
13 to command the confidence of the public and to warrant the
14 belief that the business will be operated lawfully and
15 fairly and within the provisions and purposes of this Act;
16 and

17 (2) that the applicant has submitted such other
18 information as the Secretary may deem necessary.

19 (c) A license shall be issued for no longer than one year,
20 and no renewal of a license may be provided if a licensee has
21 substantially violated this Act and has not cured the violation
22 to the satisfaction of the Department.

23 (d) A licensee shall appoint, in writing, the Secretary as
24 attorney-in-fact upon whom all lawful process against the
25 licensee may be served with the same legal force and validity
26 as if served on the licensee. A copy of the written

1 appointment, duly certified, shall be filed in the office of
2 the Secretary, and a copy thereof certified by the Secretary
3 shall be sufficient evidence to subject a licensee to
4 jurisdiction in a court of law. This appointment shall remain
5 in effect while any liability remains outstanding in this State
6 against the licensee. When summons is served upon the Secretary
7 as attorney-in-fact for a licensee, the Secretary shall
8 immediately notify the licensee by registered mail, enclosing
9 the summons and specifying the hour and day of service.

10 (e) A licensee must pay an annual fee of \$1,000. In
11 addition to the license fee, the reasonable expense of any
12 examination or hearing by the Secretary under any provisions of
13 this Act shall be borne by the licensee. If a licensee fails to
14 renew its license by December 31, its license shall
15 automatically expire; however, the Secretary, in his or her
16 discretion, may reinstate an expired license upon:

17 (1) payment of the annual fee within 30 days of the
18 date of expiration; and

19 (2) proof of good cause for failure to renew.

20 (f) Not more than one place of business shall be maintained
21 under the same license, but the Secretary may issue more than
22 one license to the same licensee upon compliance with all the
23 provisions of this Act governing issuance of a single license.
24 The location, except those locations already in existence as of
25 June 1, 2005, may not be within one mile of a horse race track
26 subject to the Illinois Horse Racing Act of 1975, within one

1 mile of a facility at which gambling is conducted under the
2 Illinois Riverboat Gambling Act, within one mile of the
3 location at which a riverboat subject to the Illinois Riverboat
4 Gambling Act docks, or within one mile of any State of Illinois
5 or United States military base or naval installation.

6 (g) No licensee shall conduct the business of making loans
7 under this Act within any office, suite, room, or place of
8 business in which any other business is solicited or engaged in
9 unless the other business is licensed by the Department or, in
10 the opinion of the Secretary, the other business would not be
11 contrary to the best interests of consumers and is authorized
12 by the Secretary in writing.

13 (h) The Secretary shall maintain a list of licensees that
14 shall be available to interested consumers and lenders and the
15 public. The Secretary shall maintain a toll-free number whereby
16 consumers may obtain information about licensees. The
17 Secretary shall also establish a complaint process under which
18 an aggrieved consumer may file a complaint against a licensee
19 or non-licensee who violates any provision of this Act.

20 (Source: P.A. 94-13, eff. 12-6-05.)

21 Section 90-50. The Travel Promotion Consumer Protection
22 Act is amended by changing Section 2 as follows:

23 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

24 Sec. 2. Definitions.

1 (a) "Travel promoter" means a person, including a tour
2 operator, who sells, provides, furnishes, contracts for,
3 arranges or advertises that he or she will arrange wholesale or
4 retail transportation by air, land, sea or navigable stream,
5 either separately or in conjunction with other services.
6 "Travel promoter" does not include (1) an air carrier; (2) a
7 sea carrier; (3) an officially appointed agent of an air
8 carrier who is a member in good standing of the Airline
9 Reporting Corporation; (4) a travel promoter who has in force
10 \$1,000,000 or more of liability insurance coverage for
11 professional errors and omissions and a surety bond or
12 equivalent surety in the amount of \$100,000 or more for the
13 benefit of consumers in the event of a bankruptcy on the part
14 of the travel promoter; or (5) a riverboat subject to
15 regulation under the Illinois Riverboat Gambling Act.

16 (b) "Advertise" means to make any representation in the
17 solicitation of passengers and includes communication with
18 other members of the same partnership, corporation, joint
19 venture, association, organization, group or other entity.

20 (c) "Passenger" means a person on whose behalf money or
21 other consideration has been given or is to be given to
22 another, including another member of the same partnership,
23 corporation, joint venture, association, organization, group
24 or other entity, for travel.

25 (d) "Ticket or voucher" means a writing or combination of
26 writings which is itself good and sufficient to obtain

1 transportation and other services for which the passenger has
2 contracted.

3 (Source: P.A. 91-357, eff. 7-29-99.)

4 ARTICLE 99.

5 Section 99-99. Effective date. This Act takes effect upon
6 becoming law.".