



Executive Committee

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LRB096 09645 AMC 40627 a

1 AMENDMENT TO SENATE BILL 1937

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1937 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Riverboat Gambling Act is amended by  
5 changing Sections 4, 5, 5.1, 6, 7, 9, 11, 12, 13, 15, and 18 and  
6 by adding Section 5.2 as follows:

7 (230 ILCS 10/4) (from Ch. 120, par. 2404)

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

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

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

14 (c) "Gambling game" includes, but is not limited to,  
15 baccarat, twenty-one, poker, craps, slot machine, video game of  
16 chance, roulette wheel, klondike table, punchboard, faro

1 layout, keno layout, numbers ticket, push card, jar ticket, or  
2 pull tab which is authorized by the Board as a wagering device  
3 under this Act.

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

9 (e) "Managers license" means a license issued by the Board  
10 to a person or entity to manage gambling operations conducted  
11 by the State pursuant to Section 7.3.

12 (f) "Dock" means the location where a riverboat moors for  
13 the purpose of embarking passengers for and disembarking  
14 passengers from the riverboat.

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

18 (h) "Adjusted gross receipts" means the gross receipts less  
19 winnings paid to wagerers.

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

23 (j) (Blank) ~~"Department" means the Department of Revenue.~~

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

26 (l) "License bid" means the lump sum amount of money that

1 an applicant bids and agrees to pay the State in return for an  
2 owners license that is re-issued on or after July 1, 2003.

3 (m) The terms "minority person", ~~and~~ "female", and "person  
4 with a disability" shall have the same meaning as defined in  
5 Section 2 of the Business Enterprise for Minorities, Females,  
6 and Persons with Disabilities Act.

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

8 (230 ILCS 10/5) (from Ch. 120, par. 2405)

9 Sec. 5. Gaming Board.

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

20 (2) The Board shall consist of 5 members to be appointed by  
21 the Governor with the advice and consent of the Senate, one of  
22 whom shall be designated by the Governor to be chairman. Each  
23 member shall have a reasonable knowledge of the practice,  
24 procedure and principles of gambling operations. Each member  
25 shall either be a resident of Illinois or shall certify that he

1 will become a resident of Illinois before taking office. 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 Act will commence from the  
10 effective date of this Act and run as follows: one for a term  
11 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for  
12 a term ending July 1, 1993. Upon the expiration of the  
13 foregoing terms, the successors of such members shall serve a  
14 term for 3 years and until their successors are appointed and  
15 qualified for like terms. Vacancies in the Board shall be  
16 filled for the unexpired term in like manner as original  
17 appointments. Each member of the Board shall be eligible for  
18 reappointment at the discretion of the Governor with the advice  
19 and consent of the Senate.

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

25 (5) No person shall be appointed a member of the Board or  
26 continue to be a member of the Board who is, or whose spouse,

1 child or parent is, a member of the board of directors of, or a  
2 person financially interested in, any gambling operation  
3 subject to the jurisdiction of this Board, or any race track,  
4 race meeting, racing association or the operations thereof  
5 subject to the jurisdiction of the Illinois Racing Board. No  
6 Board member shall hold any other public office ~~for which he~~  
7 ~~shall receive compensation other than necessary travel or other~~  
8 ~~incidental expenses~~. No person shall be a member of the Board  
9 who is not of good moral character or who has been convicted  
10 of, or is under indictment for, a felony under the laws of  
11 Illinois or any other state, or the United States.

12 (5.5) No member of the Board shall engage in any political  
13 activity. For the purposes of this Section, "political" means  
14 any activity in support of or in connection with any campaign  
15 for federal, State, or local elective office or any political  
16 organization, but does not include activities (i) relating to  
17 the support or opposition of any executive, legislative, or  
18 administrative action (as those terms are defined in Section 2  
19 of the Lobbyist Registration Act), (ii) relating to collective  
20 bargaining, or (iii) that are otherwise in furtherance of the  
21 person's official State duties or governmental and public  
22 service functions.

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

26 (7) Before entering upon the discharge of the duties of his

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

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

1 gambling operations within this State or any organization  
2 engaged in conducting horse racing within this State. Any  
3 employee violating these prohibitions shall be subject to  
4 termination of employment.

5 (9) An Administrator shall perform any and all duties that  
6 the Board shall assign him. The salary of the Administrator  
7 shall be determined by the Board ~~and approved by the Director~~  
8 ~~of the Department~~ and, in addition, he shall be reimbursed for  
9 all actual and necessary expenses incurred by him in discharge  
10 of his official duties. The Administrator shall keep records of  
11 all proceedings of the Board and shall preserve all records,  
12 books, documents and other papers belonging to the Board or  
13 entrusted to its care. The Administrator shall devote his full  
14 time to the duties of the office and shall not hold any other  
15 office or employment.

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

19 (1) To decide promptly and in reasonable order all  
20 license applications. Any party aggrieved by an action of  
21 the Board denying, suspending, revoking, restricting or  
22 refusing to renew a license may request a hearing before  
23 the Board. A request for a hearing must be made to the  
24 Board in writing within 5 days after service of notice of  
25 the action of the Board. Notice of the action of the Board  
26 shall be served either by personal delivery or by certified

1 mail, postage prepaid, to the aggrieved party. Notice  
2 served by certified mail shall be deemed complete on the  
3 business day following the date of such mailing. The Board  
4 shall conduct all requested hearings promptly and in  
5 reasonable order;

6 (2) To conduct all hearings pertaining to civil  
7 violations of this Act or rules and regulations promulgated  
8 hereunder;

9 (3) To promulgate such rules and regulations as in its  
10 judgment may be necessary to protect or enhance the  
11 credibility and integrity of gambling operations  
12 authorized by this Act and the regulatory process  
13 hereunder;

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

19 (5) To provide for the levy and collection of penalties  
20 and fines for the violation of provisions of this Act and  
21 the rules and regulations promulgated hereunder. All such  
22 fines and penalties shall be deposited into the Education  
23 Assistance Fund, created by Public Act 86-0018, of the  
24 State of Illinois;

25 (6) To be present through its inspectors and agents any  
26 time gambling operations are conducted on any riverboat for



1 the purpose of certifying the revenue thereof, receiving  
2 complaints from the public, and conducting such other  
3 investigations into the conduct of the gambling games and  
4 the maintenance of the equipment as from time to time the  
5 Board may deem necessary and proper;

6 (7) To review and rule upon any complaint by a licensee  
7 regarding any investigative procedures of the State which  
8 are unnecessarily disruptive of gambling operations. The  
9 need to inspect and investigate shall be presumed at all  
10 times. The disruption of a licensee's operations shall be  
11 proved by clear and convincing evidence, and establish  
12 that: (A) the procedures had no reasonable law enforcement  
13 purposes, and (B) the procedures were so disruptive as to  
14 unreasonably inhibit gambling operations;

15 (8) To hold at least one meeting each quarter of the  
16 fiscal year. In addition, special meetings may be called by  
17 the Chairman or any 2 Board members upon 72 hours written  
18 notice to each member. All Board meetings shall be subject  
19 to the Open Meetings Act. Three members of the Board shall  
20 constitute a quorum, and 3 votes shall be required for any  
21 final determination by the Board. The Board shall keep a  
22 complete and accurate record of all its meetings. A  
23 majority of the members of the Board shall constitute a  
24 quorum for the transaction of any business, for the  
25 performance of any duty, or for the exercise of any power  
26 which this Act requires the Board members to transact,

1 perform or exercise en banc, except that, upon order of the  
2 Board, one of the Board members or an administrative law  
3 judge designated by the Board may conduct any hearing  
4 provided for under this Act or by Board rule and may  
5 recommend findings and decisions to the Board. The Board  
6 member or administrative law judge conducting such hearing  
7 shall have all powers and rights granted to the Board in  
8 this Act. The record made at the time of the hearing shall  
9 be reviewed by the Board, or a majority thereof, and the  
10 findings and decision of the majority of the Board shall  
11 constitute the order of the Board in such case;

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

16 (10) To file a written annual report with the Governor  
17 on or before March 1 each year and such additional reports  
18 as the Governor may request. The annual report shall  
19 include a statement of receipts and disbursements by the  
20 Board, actions taken by the Board, and any additional  
21 information and recommendations which the Board may deem  
22 valuable or which the Governor may request;

23 (11) (Blank);

24 (12) (Blank); ~~To assume responsibility for the~~  
25 ~~administration and enforcement of the Bingo License and Tax~~  
26 ~~Act, the Charitable Games Act, and the Pull Tabs and Jar~~

1 ~~Games Act if such responsibility is delegated to it by the~~  
2 ~~Director of Revenue; and~~

3 (13) To assume responsibility for administration and  
4 enforcement of the Video Gaming Act; and.

5 (14) To adopt, by rule, a code of conduct governing  
6 Board members and employees that ensure, to the maximum  
7 extent possible, that persons subject to this Code avoid  
8 situations, relationships, or associations that may  
9 represent or lead to a conflict of interest.

10 (c) The Board shall have jurisdiction over and shall  
11 supervise all gambling operations governed by this Act. The  
12 Board shall have all powers necessary and proper to fully and  
13 effectively execute the provisions of this Act, including, but  
14 not limited to, the following:

15 (1) To investigate applicants and determine the  
16 eligibility of applicants for licenses and to select among  
17 competing applicants the applicants which best serve the  
18 interests of the citizens of Illinois.

19 (2) To have jurisdiction and supervision over all  
20 riverboat gambling operations in this State and all persons  
21 on riverboats where gambling operations are conducted.

22 (3) To promulgate rules and regulations for the purpose  
23 of administering the provisions of this Act and to  
24 prescribe rules, regulations and conditions under which  
25 all riverboat gambling in the State shall be conducted.  
26 Such rules and regulations are to provide for the

1 prevention of practices detrimental to the public interest  
2 and for the best interests of riverboat gambling, including  
3 rules and regulations regarding the inspection of such  
4 riverboats and the review of any permits or licenses  
5 necessary to operate a riverboat under any laws or  
6 regulations applicable to riverboats, and to impose  
7 penalties for violations thereof.

8 (4) To enter the office, riverboats, facilities, or  
9 other places of business of a licensee, where evidence of  
10 the compliance or noncompliance with the provisions of this  
11 Act is likely to be found.

12 (5) To investigate alleged violations of this Act or  
13 the rules of the Board and to take appropriate disciplinary  
14 action against a licensee or a holder of an occupational  
15 license for a violation, or institute appropriate legal  
16 action for enforcement, or both.

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

20 (7) To adopt appropriate standards for all riverboats  
21 and facilities.

22 (8) To require that the records, including financial or  
23 other statements of any licensee under this Act, shall be  
24 kept in such manner as prescribed by the Board and that any  
25 such licensee involved in the ownership or management of  
26 gambling operations submit to the Board an annual balance

1 sheet and profit and loss statement, list of the  
2 stockholders or other persons having a 1% or greater  
3 beneficial interest in the gambling activities of each  
4 licensee, and any other information the Board deems  
5 necessary in order to effectively administer this Act and  
6 all rules, regulations, orders and final decisions  
7 promulgated under this Act.

8 (9) To conduct hearings, issue subpoenas for the  
9 attendance of witnesses and subpoenas duces tecum for the  
10 production of books, records and other pertinent documents  
11 in accordance with the Illinois Administrative Procedure  
12 Act, and to administer oaths and affirmations to the  
13 witnesses, when, in the judgment of the Board, it is  
14 necessary to administer or enforce this Act or the Board  
15 rules.

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

20 (11) To revoke or suspend licenses, as the Board may  
21 see fit and in compliance with applicable laws of the State  
22 regarding administrative procedures, and to review  
23 applications for the renewal of licenses. The Board may  
24 suspend an owners license, without notice or hearing upon a  
25 determination that the safety or health of patrons or  
26 employees is jeopardized by continuing a riverboat's

1 operation. The suspension may remain in effect until the  
2 Board determines that the cause for suspension has been  
3 abated. The Board may revoke the owners license upon a  
4 determination that the owner has not made satisfactory  
5 progress toward abating the hazard.

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

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

22 (14) (Blank).

23 (15) To suspend, revoke or restrict licenses, to  
24 require the removal of a licensee or an employee of a  
25 licensee for a violation of this Act or a Board rule or for  
26 engaging in a fraudulent practice, and to impose civil

1 penalties of up to \$5,000 against individuals and up to  
2 \$10,000 or an amount equal to the daily gross receipts,  
3 whichever is larger, against licensees for each violation  
4 of any provision of the Act, any rules adopted by the  
5 Board, any order of the Board or any other action which, in  
6 the Board's discretion, is a detriment or impediment to  
7 riverboat gambling operations.

8 (16) To hire employees to gather information, conduct  
9 investigations and carry out any other tasks contemplated  
10 under this Act.

11 (17) To establish minimum levels of insurance to be  
12 maintained by licensees.

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

1 VII of the Illinois Constitution.

2 (19) After consultation with the U.S. Army Corps of  
3 Engineers, to establish binding emergency orders upon the  
4 concurrence of a majority of the members of the Board  
5 regarding the navigability of water, relative to  
6 excursions, in the event of extreme weather conditions,  
7 acts of God or other extreme circumstances.

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

11 (20.5) To approve any contract entered into on its  
12 behalf.

13 (20.6) To appoint investigators to conduct  
14 investigations, searches, seizures, arrests, and other  
15 duties imposed under this Act, as deemed necessary by the  
16 Board. These investigators have and may exercise all of the  
17 rights and powers of peace officers, provided that these  
18 powers shall be limited to offenses or violations occurring  
19 or committed on a riverboat or dock, as defined in  
20 subsections (d) and (f) of Section 4, or as otherwise  
21 provided by this Act or any other law.

22 (20.7) To contract with the Department of State Police  
23 for the use of trained and qualified State police officers  
24 and with the Department of Revenue for the use of trained  
25 and qualified Department of Revenue investigators to  
26 conduct investigations, searches, seizures, arrests, and



1 other duties imposed under this Act and to exercise all of  
2 the rights and powers of peace officers, provided that the  
3 powers of Department of Revenue investigators under this  
4 subdivision (20.7) shall be limited to offenses or  
5 violations occurring or committed on a riverboat or dock,  
6 as defined in subsections (d) and (f) of Section 4, or as  
7 otherwise provided by this Act or any other law. In the  
8 event the Department of State Police or the Department of  
9 Revenue is unable to fill contracted police or  
10 investigative positions, the Board may appoint  
11 investigators to fill those positions pursuant to  
12 subdivision (20.6).

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

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

24 (e) The Board must authorize to each investigator and to  
25 any other employee of the Board exercising the powers of a  
26 peace officer a distinct badge that, on its face, (i) clearly

1 states that the badge is authorized by the Board and (ii)  
2 contains a unique identifying number. No other badge shall be  
3 authorized by the Board.

4 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; revised  
5 8-20-09.)

6 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

7 Sec. 5.1. Disclosure of records.

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

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

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

25 (3) An identification of any business, including, if

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

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

22 (5) Whether an applicant or licensee has had any  
23 license or certificate issued by a licensing authority in  
24 Illinois or any other jurisdiction denied, restricted,  
25 suspended, revoked or not renewed and a statement  
26 describing the facts and circumstances concerning the

1 denial, restriction, suspension, revocation or  
2 non-renewal, including the licensing authority, the date  
3 each such action was taken, and the reason for each such  
4 action.

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

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

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

26 (9) Whether an applicant or licensee has made, directly

1 or indirectly, any political contribution, or any loans,  
2 donations or other payments, to any candidate or office  
3 holder, within 5 years from the date of filing the  
4 application, including the amount and the method of  
5 payment.

6 (10) The name and business telephone number of the  
7 counsel representing an applicant or licensee in matters  
8 before the Board.

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

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

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

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

25 (2) Whenever the Board finds an applicant for an  
26 owner's license unsuitable for licensing, a copy of the

1 written letter outlining the reasons for the denial.

2 (3) Whenever the Board has refused to grant leave for  
3 an applicant to withdraw his application, a copy of the  
4 letter outlining the reasons for the refusal.

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

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

8 (2) The statutes, rules, regulations or  
9 intergovernmental agreements of any jurisdiction.

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

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

14 (230 ILCS 10/5.2 new)

15 Sec. 5.2. Separation from Department of Revenue. As of July  
16 1, 2009, all of the powers, duties, assets, liabilities,  
17 employees, contracts, property, records, pending business, and  
18 unexpended appropriations of the Department of Revenue related  
19 to the administration and enforcement of this Act are  
20 transferred to the Illinois Gaming Board.

21 The status and rights of the transferred employees, and the  
22 rights of the State of Illinois and its agencies, under the  
23 Personnel Code and applicable collective bargaining agreements  
24 or under any pension, retirement, or annuity plan are not  
25 affected (except as provided in Sections 14-110 and 18-127 of

1 the Illinois Pension Code) by that transfer or by any other  
2 provision of this amendatory Act of the 96th General Assembly.

3 This Section is declarative of existing law.

4 (230 ILCS 10/6) (from Ch. 120, par. 2406)

5 Sec. 6. Application for Owners License.

6 (a) A qualified person may apply to the Board for an owners  
7 license to conduct a riverboat gambling operation as provided  
8 in this Act. The application shall be made on forms provided by  
9 the Board and shall contain such information as the Board  
10 prescribes, including but not limited to the identity of the  
11 riverboat on which such gambling operation is to be conducted  
12 and the exact location where such riverboat will be docked, a  
13 certification that the riverboat will be registered under this  
14 Act at all times during which gambling operations are conducted  
15 on board, detailed information regarding the ownership and  
16 management of the applicant, and detailed personal information  
17 regarding the applicant. Any application for an owners license  
18 to be re-issued on or after June 1, 2003 shall also include the  
19 applicant's license bid in a form prescribed by the Board.  
20 Information provided on the application shall be used as a  
21 basis for a thorough background investigation which the Board  
22 shall conduct with respect to each applicant. An incomplete  
23 application shall be cause for denial of a license by the  
24 Board.

25 (b) Applicants shall submit with their application all

1 documents, resolutions, and letters of support from the  
2 governing body that represents the municipality or county  
3 wherein the licensee will dock.

4 (c) Each applicant shall disclose the identity of every  
5 person, association, trust or corporation having a greater than  
6 1% direct or indirect pecuniary interest in the riverboat  
7 gambling operation with respect to which the license is sought.  
8 If the disclosed entity is a trust, the application shall  
9 disclose the names and addresses of the beneficiaries; if a  
10 corporation, the names and addresses of all stockholders and  
11 directors; if a partnership, the names and addresses of all  
12 partners, both general and limited.

13 (d) An application shall be filed and considered in  
14 accordance with the rules of the Board ~~with the Board by~~  
15 ~~January 1 of the year preceding any calendar year for which an~~  
16 ~~applicant seeks an owners license; however, applications for an~~  
17 ~~owners license permitting operations on January 1, 1991 shall~~  
18 ~~be filed by July 1, 1990.~~ An application fee of \$50,000 shall  
19 be paid at the time of filing to defray the costs associated  
20 with the background investigation conducted by the Board. If  
21 the costs of the investigation exceed \$50,000, the applicant  
22 shall pay the additional amount to the Board. If the costs of  
23 the investigation are less than \$50,000, the applicant shall  
24 receive a refund of the remaining amount. All information,  
25 records, interviews, reports, statements, memoranda or other  
26 data supplied to or used by the Board in the course of its



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

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

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

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

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

1 (230 ILCS 10/7) (from Ch. 120, par. 2407)

2 Sec. 7. Owners Licenses.

3 (a) The Board shall issue owners licenses to persons, firms  
4 or corporations which apply for such licenses upon payment to  
5 the Board of the non-refundable license fee set by the Board,  
6 upon payment of a \$25,000 license fee for the first year of  
7 operation and a \$5,000 license fee for each succeeding year and  
8 upon a determination by the Board that the applicant is  
9 eligible for an owners license pursuant to this Act and the  
10 rules of the Board. From the effective date of this amendatory  
11 Act of the 95th General Assembly until (i) 3 years after the  
12 effective date of this amendatory Act of the 95th General  
13 Assembly, (ii) the date any organization licensee begins to  
14 operate a slot machine or video game of chance under the  
15 Illinois Horse Racing Act of 1975 or this Act, (iii) the date  
16 that payments begin under subsection (c-5) of Section 13 of the  
17 Act, or (iv) the wagering tax imposed under Section 13 of this  
18 Act is increased by law to reflect a tax rate that is at least  
19 as stringent or more stringent than the tax rate contained in  
20 subsection (a-3) of Section 13, whichever occurs first, as a  
21 condition of licensure and as an alternative source of payment  
22 for those funds payable under subsection (c-5) of Section 13 of  
23 the Riverboat Gambling Act, any owners licensee that holds or  
24 receives its owners license on or after the effective date of  
25 this amendatory Act of the 94th General Assembly, other than an  
26 owners licensee operating a riverboat with adjusted gross

1 receipts in calendar year 2004 of less than \$200,000,000, must  
2 pay into the Horse Racing Equity Trust Fund, in addition to any  
3 other payments required under this Act, an amount equal to 3%  
4 of the adjusted gross receipts received by the owners licensee.  
5 The payments required under this Section shall be made by the  
6 owners licensee to the State Treasurer no later than 3:00  
7 o'clock p.m. of the day after the day when the adjusted gross  
8 receipts were received by the owners licensee. A person, firm  
9 or corporation is ineligible to receive an owners license if:

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

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

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

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

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

21 (6) the firm or corporation employs a person defined in  
22 (1), (2), (3) or (4) who participates in the management or  
23 operation of gambling operations authorized under this  
24 Act;

25 (7) (blank); or

26 (8) a license of the person, firm or corporation issued

1 under this Act, or a license to own or operate gambling  
2 facilities in any other jurisdiction, has been revoked.

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

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

13 (1) the character, reputation, experience and  
14 financial integrity of the applicants and of any other or  
15 separate person that either:

16 (A) controls, directly or indirectly, such  
17 applicant, or

18 (B) is controlled, directly or indirectly, by such  
19 applicant or by a person which controls, directly or  
20 indirectly, such applicant;

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

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

25 (4) the extent to which the ownership of the applicant  
26 reflects the diversity of the State by including minority

1 persons, ~~and~~ females, and persons with a disability and the  
2 good faith affirmative action plan of each applicant to  
3 recruit, train and upgrade minority persons, ~~and~~ females,  
4 and persons with a disability in all employment  
5 classifications;

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

8 (6) whether the applicant has adequate capitalization  
9 to provide and maintain, for the duration of a license, a  
10 riverboat;

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

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

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

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

19 (e) The Board may issue up to 10 licenses authorizing the  
20 holders of such licenses to own riverboats. In the application  
21 for an owners license, the applicant shall state the dock at  
22 which the riverboat is based and the water on which the  
23 riverboat will be located. The Board shall issue 5 licenses to  
24 become effective not earlier than January 1, 1991. Three of  
25 such licenses shall authorize riverboat gambling on the  
26 Mississippi River, or, with approval by the municipality in

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

20 In granting all licenses, the Board may give favorable  
21 consideration to economically depressed areas of the State, to  
22 applicants presenting plans which provide for significant  
23 economic development over a large geographic area, and to  
24 applicants who currently operate non-gambling riverboats in  
25 Illinois. The Board shall review all applications for owners  
26 licenses, and shall inform each applicant of the Board's

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

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

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

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

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

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

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



1 authorizing a riverboat to dock in areas of a county outside  
2 any municipality or approve a relocation under Section 11.2  
3 only if, prior to the issuance or re-issuance of the license or  
4 approval, the governing body of the county has by a majority  
5 vote approved of the docking of riverboats within such areas.

6 (Source: P.A. 94-667, eff. 8-23-05; 94-804, eff. 5-26-06;  
7 95-1008, eff. 12-15-08.)

8 (230 ILCS 10/9) (from Ch. 120, par. 2409)

9 Sec. 9. Occupational licenses.

10 (a) The Board may issue an occupational license to an  
11 applicant upon the payment of a non-refundable fee set by the  
12 Board, upon a determination by the Board that the applicant is  
13 eligible for an occupational license and upon payment of an  
14 annual license fee in an amount to be established. To be  
15 eligible for an occupational license, an applicant must:

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

20 (2) not have been convicted of a felony offense, a  
21 violation of Article 28 of the Criminal Code of 1961, or a  
22 similar statute of any other jurisdiction, ~~or a crime~~  
23 ~~involving dishonesty or moral turpitude;~~

24 (2.5) not have been convicted of a crime, other than a  
25 crime described in item (2) of this subsection (a),

1       involving dishonesty or moral turpitude, except that the  
2       Board may, in its discretion, issue an occupational license  
3       to a person who has been convicted of a crime described in  
4       this item (2.5) more than 10 years prior to his or her  
5       application and has not subsequently been convicted of any  
6       other crime;

7           (3) have demonstrated a level of skill or knowledge  
8       which the Board determines to be necessary in order to  
9       operate gambling aboard a riverboat; and

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

19          (b) Each application for an occupational license shall be  
20       on forms prescribed by the Board and shall contain all  
21       information required by the Board. The applicant shall set  
22       forth in the application: whether he has been issued prior  
23       gambling related licenses; whether he has been licensed in any  
24       other state under any other name, and, if so, such name and his  
25       age; and whether or not a permit or license issued to him in  
26       any other state has been suspended, restricted or revoked, and,

1 if so, for what period of time.

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

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

17 (e) The Board may suspend, revoke or restrict any  
18 occupational licensee: (1) for violation of any provision of  
19 this Act; (2) for violation of any of the rules and regulations  
20 of the Board; (3) for any cause which, if known to the Board,  
21 would have disqualified the applicant from receiving such  
22 license; or (4) for default in the payment of any obligation or  
23 debt due to the State of Illinois; or (5) for any other just  
24 cause.

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

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

3 (h) Nothing in this Act shall be interpreted to prohibit a  
4 licensed owner from entering into an agreement with a public  
5 community college or a school approved under the Private  
6 Business and Vocational Schools Act for the training of any  
7 occupational licensee. Any training offered by such a school  
8 shall be in accordance with a written agreement between the  
9 licensed owner and the school.

10 (i) Any training provided for occupational licensees may be  
11 conducted either on the riverboat or at a school with which a  
12 licensed owner has entered into an agreement pursuant to  
13 subsection (h).

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

15 (230 ILCS 10/11) (from Ch. 120, par. 2411)

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

19 (1) A licensee may conduct riverboat gambling  
20 authorized under this Act regardless of whether it conducts  
21 excursion cruises. A licensee may permit the continuous  
22 ingress and egress of passengers on a riverboat not used  
23 for excursion cruises for the purpose of gambling.  
24 Excursion cruises shall not exceed 4 hours for a round  
25 trip. However, the Board may grant express approval for an

1       extended cruise on a case-by-case basis.

2           (2) (Blank).

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

5           (4) Agents of the Board and the Department of State  
6 Police may board and inspect any riverboat at any time for  
7 the purpose of determining whether this Act is being  
8 complied with. Every riverboat, if under way and being  
9 hailed by a law enforcement officer or agent of the Board,  
10 must stop immediately and lay to.

11          (5) Employees of the Board shall have the right to be  
12 present on the riverboat or on adjacent facilities under  
13 the control of the licensee.

14          (6) Gambling equipment and supplies customarily used  
15 in conducting riverboat gambling must be purchased or  
16 leased only from suppliers licensed for such purpose under  
17 this Act. The Board may approve the transfer, sale, or  
18 lease of gambling equipment and supplies by a licensed  
19 owner from or to an affiliate of the licensed owner as long  
20 as the gambling equipment and supplies were initially  
21 acquired from a supplier licensed in Illinois.

22          (7) Persons licensed under this Act shall permit no  
23 form of wagering on gambling games except as permitted by  
24 this Act.

25          (8) Wagers may be received only from a person present  
26 on a licensed riverboat. No person present on a licensed

1 riverboat shall place or attempt to place a wager on behalf  
2 of another person who is not present on the riverboat.

3 (9) Wagering shall not be conducted with money or other  
4 negotiable currency.

5 (10) A person under age 21 shall not be permitted on an  
6 area of a riverboat where gambling is being conducted,  
7 except for a person at least 18 years of age who is an  
8 employee of the riverboat gambling operation. No employee  
9 under age 21 shall perform any function involved in  
10 gambling by the patrons. No person under age 21 shall be  
11 permitted to make a wager under this Act, and any winnings  
12 that are a result of a wager by a person under age 21,  
13 whether or not paid by a licensee, shall be treated as  
14 winnings for the privilege tax purposes, confiscated, and  
15 forfeited to the State and deposited into the Education  
16 Assistance Fund.

17 (11) Gambling excursion cruises are permitted only  
18 when the waterway for which the riverboat is licensed is  
19 navigable, as determined by the Board in consultation with  
20 the U.S. Army Corps of Engineers. This paragraph (11) does  
21 not limit the ability of a licensee to conduct gambling  
22 authorized under this Act when gambling excursion cruises  
23 are not permitted.

24 (12) All tokens, chips or electronic cards used to make  
25 wagers must be purchased from a licensed owner or manager  
26 either aboard a riverboat or at an onshore facility which

1 has been approved by the Board and which is located where  
2 the riverboat docks. The tokens, chips or electronic cards  
3 may be purchased by means of an agreement under which the  
4 owner or manager extends credit to the patron. Such tokens,  
5 chips or electronic cards may be used while aboard the  
6 riverboat only for the purpose of making wagers on gambling  
7 games.

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

23 (14) In addition to the above, gambling must be  
24 conducted in accordance with all rules adopted by the  
25 Board.

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

1 (230 ILCS 10/12) (from Ch. 120, par. 2412)

2 Sec. 12. Admission tax; fees.

3 (a) A tax is hereby imposed upon admissions to riverboats  
4 operated by licensed owners authorized pursuant to this Act.  
5 Until July 1, 2002, the rate is \$2 per person admitted. From  
6 July 1, 2002 until July 1, 2003, the rate is \$3 per person  
7 admitted. From July 1, 2003 until August 23, 2005 (the  
8 effective date of Public Act 94-673) ~~this amendatory Act of the~~  
9 ~~94th General Assembly~~, for a licensee that admitted 1,000,000  
10 persons or fewer in the previous calendar year, the rate is \$3  
11 per person admitted; for a licensee that admitted more than  
12 1,000,000 but no more than 2,300,000 persons in the previous  
13 calendar year, the rate is \$4 per person admitted; and for a  
14 licensee that admitted more than 2,300,000 persons in the  
15 previous calendar year, the rate is \$5 per person admitted.  
16 Beginning on August 23, 2005 (the effective date of Public Act  
17 94-673) ~~this amendatory Act of the 94th General Assembly~~, for a  
18 licensee that admitted 1,000,000 persons or fewer in calendar  
19 year 2004, the rate is \$2 per person admitted, and for all  
20 other licensees, including licensees that were not conducting  
21 gambling operations in 2004, the rate is \$3 per person  
22 admitted. This admission tax is imposed upon the licensed owner  
23 conducting gambling.

24 (1) The admission tax shall be paid for each admission,  
25 except that a person who exits a riverboat gambling



1 facility and reenters that riverboat gambling facility  
2 within the same gaming day shall be subject only to the  
3 initial admission tax.

4 (2) (Blank).

5 (3) The riverboat licensee may issue tax-free passes to  
6 actual and necessary officials and employees of the  
7 licensee or other persons actually working on the  
8 riverboat.

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

13 (a-5) A fee is hereby imposed upon admissions operated by  
14 licensed managers on behalf of the State pursuant to Section  
15 7.3 at the rates provided in this subsection (a-5). For a  
16 licensee that admitted 1,000,000 persons or fewer in the  
17 previous calendar year, the rate is \$3 per person admitted; for  
18 a licensee that admitted more than 1,000,000 but no more than  
19 2,300,000 persons in the previous calendar year, the rate is \$4  
20 per person admitted; and for a licensee that admitted more than  
21 2,300,000 persons in the previous calendar year, the rate is \$5  
22 per person admitted.

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

24 (2) (Blank).

25 (3) The licensed manager may issue fee-free passes to  
26 actual and necessary officials and employees of the manager

1 or other persons actually working on the riverboat.

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

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

16 (c) The licensed owner shall pay the entire admission tax  
17 to the Board and the licensed manager shall pay the entire  
18 admission fee to the Board. Such payments shall be made daily.  
19 Accompanying each payment shall be a return on forms provided  
20 by the Board which shall include other information regarding  
21 admissions as the Board may require. Failure to submit either  
22 the payment or the return within the specified time may result  
23 in suspension or 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 gambling operations, other than licensed managers  
10 conducting riverboat gambling operations on behalf of the  
11 State, based on the adjusted gross receipts received by a  
12 licensed owner from gambling games authorized under this Act at  
13 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-8) Riverboat gambling operations conducted by a  
3 licensed manager on behalf of the State are not subject to the  
4 tax imposed under this Section.

5           (a-10) The taxes imposed by this Section shall be paid by  
6 the licensed owner to the Board not later than 5:00 ~~3:00~~  
7 o'clock p.m. of the day after the day when the wagers were  
8 made.

9           (a-15) If the privilege tax imposed under subsection (a-3)  
10 is no longer imposed pursuant to item (i) of the last paragraph  
11 of subsection (a-3), then by June 15 of each year, each owners  
12 licensee, other than an owners licensee that admitted 1,000,000  
13 persons or fewer in calendar year 2004, must, in addition to  
14 the payment of all amounts otherwise due under this Section,  
15 pay to the Board a reconciliation payment in the amount, if  
16 any, by which the licensed owner's base amount exceeds the  
17 amount of net privilege tax paid by the licensed owner to the  
18 Board in the then current State fiscal year. A licensed owner's  
19 net privilege tax obligation due for the balance of the State  
20 fiscal year shall be reduced up to the total of the amount paid  
21 by the licensed owner in its June 15 reconciliation payment.  
22 The obligation imposed by this subsection (a-15) is binding on  
23 any person, firm, corporation, or other entity that acquires an  
24 ownership interest in any such owners license. The obligation  
25 imposed under this subsection (a-15) terminates on the earliest  
26 of: (i) July 1, 2007, (ii) the first day after the effective

1 date of this amendatory Act of the 94th General Assembly that  
2 riverboat gambling operations are conducted pursuant to a  
3 dormant license, (iii) the first day that riverboat gambling  
4 operations are conducted under the authority of an owners  
5 license that is in addition to the 10 owners licenses initially  
6 authorized under this Act, or (iv) the first day that a  
7 licensee under the Illinois Horse Racing Act of 1975 conducts  
8 gaming operations with slot machines or other electronic gaming  
9 devices. The Board must reduce the obligation imposed under  
10 this subsection (a-15) by an amount the Board deems reasonable  
11 for any of the following reasons: (A) an act or acts of God,  
12 (B) an act of bioterrorism or terrorism or a bioterrorism or  
13 terrorism threat that was investigated by a law enforcement  
14 agency, or (C) a condition beyond the control of the owners  
15 licensee that does not result from any act or omission by the  
16 owners licensee or any of its agents and that poses a hazardous  
17 threat to the health and safety of patrons. If an owners  
18 licensee pays an amount in excess of its liability under this  
19 Section, the Board shall apply the overpayment to future  
20 payments required under this Section.

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

22 "Act of God" means an incident caused by the operation of  
23 an extraordinary force that cannot be foreseen, that cannot be  
24 avoided by the exercise of due care, and for which no person  
25 can be held liable.

26 "Base amount" means the following:



- 1           For a riverboat in Alton, \$31,000,000.  
2           For a riverboat in East Peoria, \$43,000,000.  
3           For the Empress riverboat in Joliet, \$86,000,000.  
4           For a riverboat in Metropolis, \$45,000,000.  
5           For the Harrah's riverboat in Joliet, \$114,000,000.  
6           For a riverboat in Aurora, \$86,000,000.  
7           For a riverboat in East St. Louis, \$48,500,000.  
8           For a riverboat in Elgin, \$198,000,000.

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

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

15           The changes made to this subsection (a-15) by Public Act  
16 94-839 are intended to restate and clarify the intent of Public  
17 Act 94-673 with respect to the amount of the payments required  
18 to be made under this subsection by an owners licensee to the  
19 Board.

20           (b) Until January 1, 1998, 25% of the tax revenue deposited  
21 in the State Gaming Fund under this Section shall be paid,  
22 subject to appropriation by the General Assembly, to the unit  
23 of local government which is designated as the home dock of the  
24 riverboat. Beginning January 1, 1998, from the tax revenue  
25 deposited in the State Gaming Fund under this Section, an  
26 amount equal to 5% of adjusted gross receipts generated by a

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

12 (c) Appropriations, as approved by the General Assembly,  
13 may be made from the State Gaming Fund to the Board (i)  
14 ~~Department of Revenue and the Department of State Police~~ for  
15 the administration and enforcement of this Act and the Video  
16 Gaming Act, (ii) for distribution to the Department of State  
17 Police and to the Department of Revenue for the enforcement of  
18 this Act, and (iii) or to the Department of Human Services for  
19 the administration of programs to treat problem gambling.

20 (c-5) Before May 26, 2006 (the effective date of Public Act  
21 94-804) and beginning on the effective date of this amendatory  
22 Act of the 95th General Assembly, unless any organization  
23 licensee under the Illinois Horse Racing Act of 1975 begins to  
24 operate a slot machine or video game of chance under the  
25 Illinois Horse Racing Act of 1975 or this Act, after the  
26 payments required under subsections (b) and (c) have been made,

1 an amount equal to 15% of the adjusted gross receipts of (1) an  
2 owners licensee that relocates pursuant to Section 11.2, (2) an  
3 owners licensee conducting riverboat gambling operations  
4 pursuant to an owners license that is initially issued after  
5 June 25, 1999, or (3) the first riverboat gambling operations  
6 conducted by a licensed manager on behalf of the State under  
7 Section 7.3, whichever comes first, shall be paid from the  
8 State Gaming Fund into the Horse Racing Equity Fund.

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

13 (c-15) After the payments required under subsections (b),  
14 (c), and (c-5) have been made, an amount equal to 2% of the  
15 adjusted gross receipts of (1) an owners licensee that  
16 relocates pursuant to Section 11.2, (2) an owners licensee  
17 conducting riverboat gambling operations pursuant to an owners  
18 license that is initially issued after June 25, 1999, or (3)  
19 the first riverboat gambling operations conducted by a licensed  
20 manager on behalf of the State under Section 7.3, whichever  
21 comes first, shall be paid, subject to appropriation from the  
22 General Assembly, from the State Gaming Fund to each home rule  
23 county with a population of over 3,000,000 inhabitants for the  
24 purpose of enhancing the county's criminal justice system.

25 (c-20) Each year the General Assembly shall appropriate  
26 from the General Revenue Fund to the Education Assistance Fund

1 an amount equal to the amount paid to each home rule county  
2 with a population of over 3,000,000 inhabitants pursuant to  
3 subsection (c-15) in the prior calendar year.

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

14 (d) From time to time, the Board shall transfer the  
15 remainder of the funds generated by this Act into the Education  
16 Assistance Fund, created by Public Act 86-0018, of the State of  
17 Illinois.

18 (e) Nothing in this Act shall prohibit the unit of local  
19 government designated as the home dock of the riverboat from  
20 entering into agreements with other units of local government  
21 in this State or in other states to share its portion of the  
22 tax revenue.

23 (f) To the extent practicable, the Board shall administer  
24 and collect the wagering taxes imposed by this Section in a  
25 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
26 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the

1 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
2 Penalty and Interest Act.

3 (Source: P.A. 95-331, eff. 8-21-07; 95-1008, eff. 12-15-08;  
4 96-37, eff. 7-13-09.)

5 (230 ILCS 10/15) (from Ch. 120, par. 2415)

6 Sec. 15. Audit of Licensee Operations. ~~Annually Within 90~~  
7 ~~days after the end of each quarter of each fiscal year,~~ the  
8 licensed owner or manager shall transmit to the Board an audit  
9 of the financial transactions and condition of the licensee's  
10 total operations. Additionally, within 90 days after the end of  
11 each quarter of each fiscal year, the licensed owner or manager  
12 shall transmit to the Board a compliance report on engagement  
13 procedures determined by the Board. All audits and compliance  
14 engagements shall be conducted by certified public accountants  
15 selected by the Board. Each certified public accountant must be  
16 registered in the State of Illinois under the Illinois Public  
17 Accounting Act. The compensation for each certified public  
18 accountant shall be paid directly by the licensed owner or  
19 manager to the certified public accountant.

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

21 (230 ILCS 10/18) (from Ch. 120, par. 2418)

22 Sec. 18. Prohibited Activities - Penalty.

23 (a) A person is guilty of a Class A misdemeanor for doing  
24 any of the following:

1           (1) Conducting gambling where wagering is used or to be  
2 used without a license issued by the Board.

3           (2) Conducting gambling where wagering is permitted  
4 other than in the manner specified by Section 11.

5           (b) A person is guilty of a Class B misdemeanor for doing  
6 any of the following:

7           (1) permitting a person under 21 years to make a wager;

8           or

9           (2) violating paragraph (12) of subsection (a) of  
10 Section 11 of this Act.

11           (c) A person wagering or accepting a wager at any location  
12 outside the riverboat is subject to the penalties in paragraphs  
13 (1) or (2) of subsection (a) of Section 28-1 of the Criminal  
14 Code of 1961.

15           (d) A person commits a Class 4 felony and, in addition,  
16 shall be barred for life from riverboats under the jurisdiction  
17 of the Board, if the person does any of the following:

18           (1) Offers, promises, or gives anything of value or  
19 benefit to a person who is connected with a riverboat owner  
20 including, but not limited to, an officer or employee of a  
21 licensed owner or holder of an occupational license  
22 pursuant to an agreement or arrangement or with the intent  
23 that the promise or thing of value or benefit will  
24 influence the actions of the person to whom the offer,  
25 promise, or gift was made in order to affect or attempt to  
26 affect the outcome of a gambling game, or to influence

1 official action of a member of the Board.

2 (2) Solicits or knowingly accepts or receives a promise  
3 of anything of value or benefit while the person is  
4 connected with a riverboat including, but not limited to,  
5 an officer or employee of a licensed owner, or holder of an  
6 occupational license, pursuant to an understanding or  
7 arrangement or with the intent that the promise or thing of  
8 value or benefit will influence the actions of the person  
9 to affect or attempt to affect the outcome of a gambling  
10 game, or to influence official action of a member of the  
11 Board.

12 (3) Uses or possesses with the intent to use a device  
13 to assist:

14 (i) In projecting the outcome of the game.

15 (ii) In keeping track of the cards played.

16 (iii) In analyzing the probability of the  
17 occurrence of an event relating to the gambling game.

18 (iv) In analyzing the strategy for playing or  
19 betting to be used in the game except as permitted by  
20 the Board.

21 (4) Cheats at a gambling game.

22 (5) Manufactures, sells, or distributes any cards,  
23 chips, dice, game or device which is intended to be used to  
24 violate any provision of this Act.

25 (6) Alters or misrepresents the outcome of a gambling  
26 game on which wagers have been made after the outcome is

1 made sure but before it is revealed to the players.

2 (7) Places a bet after acquiring knowledge, not  
3 available to all players, of the outcome of the gambling  
4 game which is subject of the bet or to aid a person in  
5 acquiring the knowledge for the purpose of placing a bet  
6 contingent on that outcome.

7 (8) Claims, collects, or takes, or attempts to claim,  
8 collect, or take, money or anything of value in or from the  
9 gambling games, with intent to defraud, without having made  
10 a wager contingent on winning a gambling game, or claims,  
11 collects, or takes an amount of money or thing of value of  
12 greater value than the amount won.

13 (9) Uses counterfeit chips or tokens in a gambling  
14 game.

15 (10) Possesses any key or device designed for the  
16 purpose of opening, entering, or affecting the operation of  
17 a gambling game, drop box, or an electronic or mechanical  
18 device connected with the gambling game or for removing  
19 coins, tokens, chips or other contents of a gambling game.  
20 This paragraph (10) does not apply to a gambling licensee  
21 or employee of a gambling licensee acting in furtherance of  
22 the employee's employment.

23 (e) The possession of more than one of the devices  
24 described in subsection (d), paragraphs (3), (5),    or (10)  
25 permits a rebuttable presumption that the possessor intended to  
26 use the devices for cheating.



1       (f) A person under the age of 21 who, except as authorized  
2 under paragraph (10) of Section 11, enters upon a riverboat  
3 commits a petty offense and is subject to a fine of not less  
4 than \$100 or more than \$250 for a first offense and of not less  
5 than \$200 or more than \$500 for a second or subsequent offense.

6       An action to prosecute any crime occurring on a riverboat  
7 shall be tried in the county of the dock at which the riverboat  
8 is based.

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