

1 AN ACT concerning gaming.

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

4 Section 5. The Riverboat Gambling Act is amended by  
5 changing 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  
17 layout, keno layout, numbers ticket, push card, jar ticket, or  
18 pull tab which is authorized by the Board as a wagering device  
19 under this Act.

20 (d) "Riverboat" means a self-propelled excursion boat, a  
21 permanently moored barge, or permanently moored barges that are  
22 permanently fixed together to operate as one vessel, on which  
23 lawful gambling is authorized and licensed as provided in this

1 Act.

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

5 (f) "Dock" means the location where a riverboat moors for  
6 the purpose of embarking passengers for and disembarking  
7 passengers from the riverboat.

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

11 (h) "Adjusted gross receipts" means the gross receipts less  
12 winnings paid to wagerers.

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

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

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

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

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

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

1 (230 ILCS 10/5) (from Ch. 120, par. 2405)

2 Sec. 5. Gaming Board.

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

13 (2) The Board shall consist of 5 members to be appointed by  
14 the Governor with the advice and consent of the Senate, one of  
15 whom shall be designated by the Governor to be chairman. Each  
16 member shall have a reasonable knowledge of the practice,  
17 procedure and principles of gambling operations. Each member  
18 shall either be a resident of Illinois or shall certify that he  
19 will become a resident of Illinois before taking office. At  
20 least one member shall be experienced in law enforcement and  
21 criminal investigation, at least one member shall be a  
22 certified public accountant experienced in accounting and  
23 auditing, and at least one member shall be a lawyer licensed to  
24 practice law in Illinois.

25 (3) The terms of office of the Board members shall be 3

1 years, except that the terms of office of the initial Board  
2 members appointed pursuant to this Act will commence from the  
3 effective date of this Act and run as follows: one for a term  
4 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for  
5 a term ending July 1, 1993. Upon the expiration of the  
6 foregoing terms, the successors of such members shall serve a  
7 term for 3 years and until their successors are appointed and  
8 qualified for like terms. Vacancies in the Board shall be  
9 filled for the unexpired term in like manner as original  
10 appointments. Each member of the Board shall be eligible for  
11 reappointment at the discretion of the Governor with the advice  
12 and consent of the Senate.

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

18 (5) No person shall be appointed a member of the Board or  
19 continue to be a member of the Board who is, or whose spouse,  
20 child or parent is, a member of the board of directors of, or a  
21 person financially interested in, any gambling operation  
22 subject to the jurisdiction of this Board, or any race track,  
23 race meeting, racing association or the operations thereof  
24 subject to the jurisdiction of the Illinois Racing Board. No  
25 Board member shall hold any other public office ~~for which he~~  
26 ~~shall receive compensation other than necessary travel or other~~

1 ~~incidental expenses~~. No person shall be a member of the Board  
2 who is not of good moral character or who has been convicted  
3 of, or is under indictment for, a felony under the laws of  
4 Illinois or any other state, or the United States.

5 (5.5) No member of the Board shall engage in any political  
6 activity. For the purposes of this Section, "political" means  
7 any activity in support of or in connection with any campaign  
8 for federal, State, or local elective office or any political  
9 organization, but does not include activities (i) relating to  
10 the support or opposition of any executive, legislative, or  
11 administrative action (as those terms are defined in Section 2  
12 of the Lobbyist Registration Act), (ii) relating to collective  
13 bargaining, or (iii) that are otherwise in furtherance of the  
14 person's official State duties or governmental and public  
15 service functions.

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

19 (7) Before entering upon the discharge of the duties of his  
20 office, each member of the Board shall take an oath that he  
21 will faithfully execute the duties of his office according to  
22 the laws of the State and the rules and regulations adopted  
23 therewith and shall give bond to the State of Illinois,  
24 approved by the Governor, in the sum of \$25,000. Every such  
25 bond, when duly executed and approved, shall be recorded in the  
26 office of the Secretary of State. Whenever the Governor

1 determines that the bond of any member of the Board has become  
2 or is likely to become invalid or insufficient, he shall  
3 require such member forthwith to renew his bond, which is to be  
4 approved by the Governor. Any member of the Board who fails to  
5 take oath and give bond within 30 days from the date of his  
6 appointment, or who fails to renew his bond within 30 days  
7 after it is demanded by the Governor, shall be guilty of  
8 neglect of duty and may be removed by the Governor. The cost of  
9 any bond given by any member of the Board under this Section  
10 shall be taken to be a part of the necessary expenses of the  
11 Board.

12 (8) ~~The~~ Upon the request of the Board, the Department shall  
13 employ such personnel as may be necessary to carry out its ~~the~~  
14 functions and shall determine the salaries of all personnel,  
15 except those personnel whose salaries are determined under the  
16 terms of a collective bargaining agreement ~~of the Board~~. No  
17 person shall be employed to serve the Board who is, or whose  
18 spouse, parent or child is, an official of, or has a financial  
19 interest in or financial relation with, any operator engaged in  
20 gambling operations within this State or any organization  
21 engaged in conducting horse racing within this State. Any  
22 employee violating these prohibitions shall be subject to  
23 termination of employment.

24 (9) An Administrator shall perform any and all duties that  
25 the Board shall assign him. The salary of the Administrator  
26 shall be determined by the Board ~~and approved by the Director~~

1 ~~of the Department~~ and, in addition, he shall be reimbursed for  
2 all actual and necessary expenses incurred by him in discharge  
3 of his official duties. The Administrator shall keep records of  
4 all proceedings of the Board and shall preserve all records,  
5 books, documents and other papers belonging to the Board or  
6 entrusted to its care. The Administrator shall devote his full  
7 time to the duties of the office and shall not hold any other  
8 office or employment.

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

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

25 (2) To conduct all hearings pertaining to civil  
26 violations of this Act or rules and regulations promulgated

1 hereunder;

2 (3) To promulgate such rules and regulations as in its  
3 judgment may be necessary to protect or enhance the  
4 credibility and integrity of gambling operations  
5 authorized by this Act and the regulatory process  
6 hereunder;

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

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

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

25 (7) To review and rule upon any complaint by a licensee  
26 regarding any investigative procedures of the State which



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

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

1 this Act. The record made at the time of the hearing shall  
2 be reviewed by the Board, or a majority thereof, and the  
3 findings and decision of the majority of the Board shall  
4 constitute the order of the Board in such case;

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

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

16 (11) (Blank);

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

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

24 (14) To adopt, by rule, a code of conduct governing  
25 Board members and employees that ensure, to the maximum  
26 extent possible, that persons subject to this Code avoid

1       situations, relationships, or associations that may  
2       represent or lead to a conflict of interest.

3       (c) The Board shall have jurisdiction over and shall  
4       supervise all gambling operations governed by this Act. The  
5       Board shall have all powers necessary and proper to fully and  
6       effectively execute the provisions of this Act, including, but  
7       not limited to, the following:

8               (1) To investigate applicants and determine the  
9               eligibility of applicants for licenses and to select among  
10              competing applicants the applicants which best serve the  
11              interests of the citizens of Illinois.

12             (2) To have jurisdiction and supervision over all  
13             riverboat gambling operations in this State and all persons  
14             on riverboats where gambling operations are conducted.

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

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

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

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

13          (7) To adopt appropriate standards for all riverboats  
14 and facilities.

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, without notice or hearing upon a  
18 determination that the safety or health of patrons or  
19 employees is jeopardized by continuing a riverboat's  
20 operation. The suspension may remain in effect until the  
21 Board determines that the cause for suspension has been  
22 abated. The Board may revoke the owners license upon a  
23 determination that the owner has not made satisfactory  
24 progress toward abating the hazard.

25           (12) To eject or exclude or authorize the ejection or  
26 exclusion of, any person from riverboat gambling

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

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

15 (14) (Blank).

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

1           (16) To hire employees to gather information, conduct  
2 investigations and carry out any other tasks contemplated  
3 under this Act.

4           (17) To establish minimum levels of insurance to be  
5 maintained by licensees.

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

21           (19) After consultation with the U.S. Army Corps of  
22 Engineers, to establish binding emergency orders upon the  
23 concurrence of a majority of the members of the Board  
24 regarding the navigability of water, relative to  
25 excursions, in the event of extreme weather conditions,  
26 acts of God or other extreme circumstances.

1           (20) To delegate the execution of any of its powers  
2 under this Act for the purpose of administering and  
3 enforcing this Act and its rules and regulations hereunder.

4           (20.5) To approve any contract entered into on its  
5 behalf.

6           (20.6) To appoint investigators to conduct  
7 investigations, searches, seizures, arrests, and other  
8 duties imposed under this Act, as deemed necessary by the  
9 Board. These investigators have and may exercise all of the  
10 rights and powers of peace officers, provided that these  
11 powers shall be limited to offenses or violations occurring  
12 or committed on a riverboat or dock, as defined in  
13 subsections (d) and (f) of Section 4, or as otherwise  
14 provided by this Act or any other law.

15           (20.7) To contract with the Department of State Police  
16 for the use of trained and qualified State police officers  
17 and with the Department of Revenue for the use of trained  
18 and qualified Department of Revenue investigators to  
19 conduct investigations, searches, seizures, arrests, and  
20 other duties imposed under this Act and to exercise all of  
21 the rights and powers of peace officers, provided that the  
22 powers of Department of Revenue investigators under this  
23 subdivision (20.7) shall be limited to offenses or  
24 violations occurring or committed on a riverboat or dock,  
25 as defined in subsections (d) and (f) of Section 4, or as  
26 otherwise provided by this Act or any other law. In the



1 event the Department of State Police or the Department of  
2 Revenue is unable to fill contracted police or  
3 investigative positions, the Board may appoint  
4 investigators to fill those positions pursuant to  
5 subdivision (20.6).

6 (21) To take any other action as may be reasonable or  
7 appropriate to enforce this Act and rules and regulations  
8 hereunder.

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

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

23 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; revised  
24 8-20-09.)

25 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

1           Sec. 5.1. Disclosure of records.

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

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

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

19           (3) An identification of any business, including, if  
20 applicable, the state of incorporation or registration, in  
21 which an applicant or licensee or an applicant's or  
22 licensee's spouse or children has an equity interest of  
23 more than 1% ~~5%~~. If an applicant or licensee is a  
24 corporation, partnership or other business entity, the  
25 applicant or licensee shall identify any other  
26 corporation, partnership or business entity in which it has

1 an equity interest of 1% ~~5%~~ or more, including, if  
2 applicable, the state of incorporation or registration.  
3 This information need not be provided by a corporation,  
4 partnership or other business entity that has a pending  
5 registration statement filed with the Securities and  
6 Exchange Commission.

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

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

24 (6) Whether an applicant or licensee has ever filed or  
25 had filed against it a proceeding in bankruptcy or has ever  
26 been involved in any formal process to adjust, defer,

1 suspend or otherwise work out the payment of any debt  
2 including the date of filing, the name and location of the  
3 court, the case and number of the disposition.

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

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

19 (9) Whether an applicant or licensee has made, directly  
20 or indirectly, any political contribution, or any loans,  
21 donations or other payments, to any candidate or office  
22 holder, within 5 years from the date of filing the  
23 application, including the amount and the method of  
24 payment.

25 (10) The name and business telephone number of the  
26 counsel representing an applicant or licensee in matters

1 before the Board.

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

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

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

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

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

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

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

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

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

3           (d)     The Board may assess fees for the copying of  
4           information in accordance with Section 6 of the Freedom of  
5           Information Act.

6           (Source: P.A. 87-826.)

7           (230 ILCS 10/5.2 new)

8           Sec. 5.2. Separation from Department of Revenue. As of July  
9           1, 2009, all of the powers, duties, assets, liabilities,  
10           employees, contracts, property, records, pending business, and  
11           unexpended appropriations of the Department of Revenue related  
12           to the administration and enforcement of this Act are  
13           transferred to the Illinois Gaming Board.

14           The status and rights of the transferred employees, and the  
15           rights of the State of Illinois and its agencies, under the  
16           Personnel Code and applicable collective bargaining agreements  
17           or under any pension, retirement, or annuity plan are not  
18           affected (except as provided in Sections 14-110 and 18-127 of  
19           the Illinois Pension Code) by that transfer or by any other  
20           provision of this amendatory Act of the 96th General Assembly.

21           This Section is declarative of existing law.

22           (230 ILCS 10/6) (from Ch. 120, par. 2406)

23           Sec. 6. Application for Owners License.

24           (a) A qualified person may apply to the Board for an owners

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

19 (b) Applicants shall submit with their application all  
20 documents, resolutions, and letters of support from the  
21 governing body that represents the municipality or county  
22 wherein the licensee will dock.

23 (c) Each applicant shall disclose the identity of every  
24 person, association, trust or corporation having a greater than  
25 1% direct or indirect pecuniary interest in the riverboat  
26 gambling operation with respect to which the license is sought.

1 If the disclosed entity is a trust, the application shall  
2 disclose the names and addresses of the beneficiaries; if a  
3 corporation, the names and addresses of all stockholders and  
4 directors; if a partnership, the names and addresses of all  
5 partners, both general and limited.

6 (d) An application shall be filed and considered in  
7 accordance with the rules of the Board ~~with the Board by~~  
8 ~~January 1 of the year preceding any calendar year for which an~~  
9 ~~applicant seeks an owners license; however, applications for an~~  
10 ~~owners license permitting operations on January 1, 1991 shall~~  
11 ~~be filed by July 1, 1990.~~ An application fee of \$50,000 shall  
12 be paid at the time of filing to defray the costs associated  
13 with the background investigation conducted by the Board. If  
14 the costs of the investigation exceed \$50,000, the applicant  
15 shall pay the additional amount to the Board. If the costs of  
16 the investigation are less than \$50,000, the applicant shall  
17 receive a refund of the remaining amount. All information,  
18 records, interviews, reports, statements, memoranda or other  
19 data supplied to or used by the Board in the course of its  
20 review or investigation of an application for a license or a  
21 renewal under this Act shall be privileged, strictly  
22 confidential and shall be used only for the purpose of  
23 evaluating an applicant for a license or a renewal. Such  
24 information, records, interviews, reports, statements,  
25 memoranda or other data shall not be admissible as evidence,  
26 nor discoverable in any action of any kind in any court or



1 before any tribunal, board, agency or person, except for any  
2 action deemed necessary by the Board.

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

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

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

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

19 (230 ILCS 10/7) (from Ch. 120, par. 2407)

20 Sec. 7. Owners Licenses.

21 (a) The Board shall issue owners licenses to persons, firms  
22 or corporations which apply for such licenses upon payment to  
23 the Board of the non-refundable license fee set by the Board,  
24 upon payment of a \$25,000 license fee for the first year of  
25 operation and a \$5,000 license fee for each succeeding year and

1 upon a determination by the Board that the applicant is  
2 eligible for an owners license pursuant to this Act and the  
3 rules of the Board. From the effective date of this amendatory  
4 Act of the 95th General Assembly until (i) 3 years after the  
5 effective date of this amendatory Act of the 95th General  
6 Assembly, (ii) the date any organization licensee begins to  
7 operate a slot machine or video game of chance under the  
8 Illinois Horse Racing Act of 1975 or this Act, (iii) the date  
9 that payments begin under subsection (c-5) of Section 13 of the  
10 Act, or (iv) the wagering tax imposed under Section 13 of this  
11 Act is increased by law to reflect a tax rate that is at least  
12 as stringent or more stringent than the tax rate contained in  
13 subsection (a-3) of Section 13, whichever occurs first, as a  
14 condition of licensure and as an alternative source of payment  
15 for those funds payable under subsection (c-5) of Section 13 of  
16 the Riverboat Gambling Act, any owners licensee that holds or  
17 receives its owners license on or after the effective date of  
18 this amendatory Act of the 94th General Assembly, other than an  
19 owners licensee operating a riverboat with adjusted gross  
20 receipts in calendar year 2004 of less than \$200,000,000, must  
21 pay into the Horse Racing Equity Trust Fund, in addition to any  
22 other payments required under this Act, an amount equal to 3%  
23 of the adjusted gross receipts received by the owners licensee.  
24 The payments required under this Section shall be made by the  
25 owners licensee to the State Treasurer no later than 3:00  
26 o'clock p.m. of the day after the day when the adjusted gross

1 receipts were received by the owners licensee. A person, firm  
2 or corporation is ineligible to receive an owners license if:

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

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

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

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

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

14 (6) the firm or corporation employs a person defined in  
15 (1), (2), (3) or (4) who participates in the management or  
16 operation of gambling operations authorized under this  
17 Act;

18 (7) (blank); or

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

22 The Board is expressly prohibited from making changes to  
23 the requirement that licensees make payment into the Horse  
24 Racing Equity Trust Fund without the express authority of the  
25 Illinois General Assembly and making any other rule to  
26 implement or interpret this amendatory Act of the 95th General

1 Assembly. For the purposes of this paragraph, "rules" is given  
2 the meaning given to that term in Section 1-70 of the Illinois  
3 Administrative Procedure Act.

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

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

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

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

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

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

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

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

1           (6) whether the applicant has adequate capitalization  
2           to provide and maintain, for the duration of a license, a  
3           riverboat;

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

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

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

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

12          (e) The Board may issue up to 10 licenses authorizing the  
13          holders of such licenses to own riverboats. In the application  
14          for an owners license, the applicant shall state the dock at  
15          which the riverboat is based and the water on which the  
16          riverboat will be located. The Board shall issue 5 licenses to  
17          become effective not earlier than January 1, 1991. Three of  
18          such licenses shall authorize riverboat gambling on the  
19          Mississippi River, or, with approval by the municipality in  
20          which the riverboat was docked on August 7, 2003 and with Board  
21          approval, be authorized to relocate to a new location, in a  
22          municipality that (1) borders on the Mississippi River or is  
23          within 5 miles of the city limits of a municipality that  
24          borders on the Mississippi River and (2), on August 7, 2003,  
25          had a riverboat conducting riverboat gambling operations  
26          pursuant to a license issued under this Act; one of which shall

1 authorize riverboat gambling from a home dock in the city of  
2 East St. Louis. One other license shall authorize riverboat  
3 gambling on the Illinois River south of Marshall County. The  
4 Board shall issue one additional license to become effective  
5 not earlier than March 1, 1992, which shall authorize riverboat  
6 gambling on the Des Plaines River in Will County. The Board may  
7 issue 4 additional licenses to become effective not earlier  
8 than March 1, 1992. In determining the water upon which  
9 riverboats will operate, the Board shall consider the economic  
10 benefit which riverboat gambling confers on the State, and  
11 shall seek to assure that all regions of the State share in the  
12 economic benefits of riverboat gambling.

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

26 In addition to any other revocation powers granted to the

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

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

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

20 (h) An owners license shall entitle the licensee to own up  
21 to 2 riverboats. A licensee shall limit the number of gambling  
22 participants to 1,200 for any such owners license. A licensee  
23 may operate both of its riverboats concurrently, provided that  
24 the total number of gambling participants on both riverboats  
25 does not exceed 1,200. Riverboats licensed to operate on the  
26 Mississippi River and the Illinois River south of Marshall

1 County shall have an authorized capacity of at least 500  
2 persons. Any other riverboat licensed under this Act shall have  
3 an authorized capacity of at least 400 persons.

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

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

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



1 (230 ILCS 10/9) (from Ch. 120, par. 2409)

2 Sec. 9. Occupational licenses.

3 (a) The Board may issue an occupational license to an  
4 applicant upon the payment of a non-refundable fee set by the  
5 Board, upon a determination by the Board that the applicant is  
6 eligible for an occupational license and upon payment of an  
7 annual license fee in an amount to be established. To be  
8 eligible for an occupational license, an applicant must:

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

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

17 (2.5) not have been convicted of a crime, other than a  
18 crime described in item (2) of this subsection (a),  
19 involving dishonesty or moral turpitude, except that the  
20 Board may, in its discretion, issue an occupational license  
21 to a person who has been convicted of a crime described in  
22 this item (2.5) more than 10 years prior to his or her  
23 application and has not subsequently been convicted of any  
24 other crime;

25 (3) have demonstrated a level of skill or knowledge

1           which the Board determines to be necessary in order to  
2           operate gambling aboard a riverboat; and

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

12          (b) Each application for an occupational license shall be  
13          on forms prescribed by the Board and shall contain all  
14          information required by the Board. The applicant shall set  
15          forth in the application: whether he has been issued prior  
16          gambling related licenses; whether he has been licensed in any  
17          other state under any other name, and, if so, such name and his  
18          age; and whether or not a permit or license issued to him in  
19          any other state has been suspended, restricted or revoked, and,  
20          if so, for what period of time.

21          (c) Each applicant shall submit with his application, on  
22          forms provided by the Board, 2 sets of his fingerprints. The  
23          Board shall charge each applicant a fee set by the Department  
24          of State Police to defray the costs associated with the search  
25          and classification of fingerprints obtained by the Board with  
26          respect to the applicant's application. These fees shall be

1 paid into the State Police Services Fund.

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

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

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

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

22 (h) Nothing in this Act shall be interpreted to prohibit a  
23 licensed owner from entering into an agreement with a public  
24 community college or a school approved under the Private  
25 Business and Vocational Schools Act for the training of any  
26 occupational licensee. Any training offered by such a school

1 shall be in accordance with a written agreement between the  
2 licensed owner and the school.

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

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

8 (230 ILCS 10/11) (from Ch. 120, par. 2411)

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

12 (1) A licensee may conduct riverboat gambling  
13 authorized under this Act regardless of whether it conducts  
14 excursion cruises. A licensee may permit the continuous  
15 ingress and egress of passengers on a riverboat not used  
16 for excursion cruises for the purpose of gambling.  
17 Excursion cruises shall not exceed 4 hours for a round  
18 trip. However, the Board may grant express approval for an  
19 extended cruise on a case-by-case basis.

20 (2) (Blank).

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

23 (4) Agents of the Board and the Department of State  
24 Police may board and inspect any riverboat at any time for  
25 the purpose of determining whether this Act is being

1           complied with. Every riverboat, if under way and being  
2           hailed by a law enforcement officer or agent of the Board,  
3           must stop immediately and lay to.

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

7           (6) Gambling equipment and supplies customarily used  
8           in conducting riverboat gambling must be purchased or  
9           leased only from suppliers licensed for such purpose under  
10          this Act. The Board may approve the transfer, sale, or  
11          lease of gambling equipment and supplies by a licensed  
12          owner from or to an affiliate of the licensed owner as long  
13          as the gambling equipment and supplies were initially  
14          acquired from a supplier licensed in Illinois.

15          (7) Persons licensed under this Act shall permit no  
16          form of wagering on gambling games except as permitted by  
17          this Act.

18          (8) Wagers may be received only from a person present  
19          on a licensed riverboat. No person present on a licensed  
20          riverboat shall place or attempt to place a wager on behalf  
21          of another person who is not present on the riverboat.

22          (9) Wagering shall not be conducted with money or other  
23          negotiable currency.

24          (10) A person under age 21 shall not be permitted on an  
25          area of a riverboat where gambling is being conducted,  
26          except for a person at least 18 years of age who is an

1 employee of the riverboat gambling operation. No employee  
2 under age 21 shall perform any function involved in  
3 gambling by the patrons. No person under age 21 shall be  
4 permitted to make a wager under this Act, and any winnings  
5 that are a result of a wager by a person under age 21,  
6 whether or not paid by a licensee, shall be treated as  
7 winnings for the privilege tax purposes, confiscated, and  
8 forfeited to the State and deposited into the Education  
9 Assistance Fund.

10 (11) Gambling excursion cruises are permitted only  
11 when the waterway for which the riverboat is licensed is  
12 navigable, as determined by the Board in consultation with  
13 the U.S. Army Corps of Engineers. This paragraph (11) does  
14 not limit the ability of a licensee to conduct gambling  
15 authorized under this Act when gambling excursion cruises  
16 are not permitted.

17 (12) All tokens, chips or electronic cards used to make  
18 wagers must be purchased from a licensed owner or manager  
19 either aboard a riverboat or at an onshore facility which  
20 has been approved by the Board and which is located where  
21 the riverboat docks. The tokens, chips or electronic cards  
22 may be purchased by means of an agreement under which the  
23 owner or manager extends credit to the patron. Such tokens,  
24 chips or electronic cards may be used while aboard the  
25 riverboat only for the purpose of making wagers on gambling  
26 games.

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

16          (14) In addition to the above, gambling must be  
17          conducted in accordance with all rules adopted by the  
18          Board.

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

20          (230 ILCS 10/12) (from Ch. 120, par. 2412)

21          Sec. 12. Admission tax; fees.

22          (a) A tax is hereby imposed upon admissions to riverboats  
23          operated by licensed owners authorized pursuant to this Act.  
24          Until July 1, 2002, the rate is \$2 per person admitted. From  
25          July 1, 2002 until July 1, 2003, the rate is \$3 per person

1 admitted. From July 1, 2003 until August 23, 2005 (the  
2 effective date of Public Act 94-673) ~~this amendatory Act of the~~  
3 ~~94th General Assembly~~, for a licensee that admitted 1,000,000  
4 persons or fewer in the previous calendar year, the rate is \$3  
5 per person admitted; for a licensee that admitted more than  
6 1,000,000 but no more than 2,300,000 persons in the previous  
7 calendar year, the rate is \$4 per person admitted; and for a  
8 licensee that admitted more than 2,300,000 persons in the  
9 previous calendar year, the rate is \$5 per person admitted.  
10 Beginning on August 23, 2005 (the effective date of Public Act  
11 94-673) ~~this amendatory Act of the 94th General Assembly~~, for a  
12 licensee that admitted 1,000,000 persons or fewer in calendar  
13 year 2004, the rate is \$2 per person admitted, and for all  
14 other licensees, including licensees that were not conducting  
15 gambling operations in 2004, the rate is \$3 per person  
16 admitted. This admission tax is imposed upon the licensed owner  
17 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 (a-5) A fee is hereby imposed upon admissions operated by  
7 licensed managers on behalf of the State pursuant to Section  
8 7.3 at the rates provided in this subsection (a-5). For a  
9 licensee that admitted 1,000,000 persons or fewer in the  
10 previous calendar year, the rate is \$3 per person admitted; for  
11 a licensee that admitted more than 1,000,000 but no more than  
12 2,300,000 persons in the previous calendar year, the rate is \$4  
13 per person admitted; and for a licensee that admitted more than  
14 2,300,000 persons in the previous calendar year, the rate is \$5  
15 per person admitted.

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

17 (2) (Blank).

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

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

25 (b) From the tax imposed under subsection (a) and the fee  
26 imposed under subsection (a-5), a municipality shall receive

1 from the State \$1 for each person embarking on a riverboat  
2 docked within the municipality, and a county shall receive \$1  
3 for each person embarking on a riverboat docked within the  
4 county but outside the boundaries of any municipality. The  
5 municipality's or county's share shall be collected by the  
6 Board on behalf of the State and remitted quarterly by the  
7 State, subject to appropriation, to the treasurer of the unit  
8 of local government for deposit in the general fund.

9 (c) The licensed owner shall pay the entire admission tax  
10 to the Board and the licensed manager shall pay the entire  
11 admission fee to the Board. Such payments shall be made daily.  
12 Accompanying each payment shall be a return on forms provided  
13 by the Board which shall include other information regarding  
14 admissions as the Board may require. Failure to submit either  
15 the payment or the return within the specified time may result  
16 in suspension or revocation of the owners or managers license.

17 (d) The Board shall administer and collect the admission  
18 tax imposed by this Section, to the extent practicable, in a  
19 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
20 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the  
21 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
22 Penalty and Interest Act.

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

24 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

9 15% of annual adjusted gross receipts up to and  
10 including \$25,000,000;

11 20% of annual adjusted gross receipts in excess of  
12 \$25,000,000 but not exceeding \$50,000,000;

13 25% of annual adjusted gross receipts in excess of  
14 \$50,000,000 but not exceeding \$75,000,000;

15 30% of annual adjusted gross receipts in excess of  
16 \$75,000,000 but not exceeding \$100,000,000;

17 35% of annual adjusted gross receipts in excess of  
18 \$100,000,000.

19 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax  
20 is imposed on persons engaged in the business of conducting  
21 riverboat gambling operations, other than licensed managers  
22 conducting riverboat gambling operations on behalf of the  
23 State, based on the adjusted gross receipts received by a  
24 licensed owner from gambling games authorized under this Act at  
25 the following rates:

26 15% of annual adjusted gross receipts up to and

1 including \$25,000,000;

2 22.5% of annual adjusted gross receipts in excess of  
3 \$25,000,000 but not exceeding \$50,000,000;

4 27.5% of annual adjusted gross receipts in excess of  
5 \$50,000,000 but not exceeding \$75,000,000;

6 32.5% of annual adjusted gross receipts in excess of  
7 \$75,000,000 but not exceeding \$100,000,000;

8 37.5% of annual adjusted gross receipts in excess of  
9 \$100,000,000 but not exceeding \$150,000,000;

10 45% of annual adjusted gross receipts in excess of  
11 \$150,000,000 but not exceeding \$200,000,000;

12 50% of annual adjusted gross receipts in excess of  
13 \$200,000,000.

14 (a-3) Beginning July 1, 2003, a privilege tax is imposed on  
15 persons engaged in the business of conducting riverboat  
16 gambling operations, other than licensed managers conducting  
17 riverboat gambling operations on behalf of the State, based on  
18 the adjusted gross receipts received by a licensed owner from  
19 gambling games authorized under this Act at the following  
20 rates:

21 15% of annual adjusted gross receipts up to and  
22 including \$25,000,000;

23 27.5% of annual adjusted gross receipts in excess of  
24 \$25,000,000 but not exceeding \$37,500,000;

25 32.5% of annual adjusted gross receipts in excess of  
26 \$37,500,000 but not exceeding \$50,000,000;

1           37.5% of annual adjusted gross receipts in excess of  
2           \$50,000,000 but not exceeding \$75,000,000;

3           45% of annual adjusted gross receipts in excess of  
4           \$75,000,000 but not exceeding \$100,000,000;

5           50% of annual adjusted gross receipts in excess of  
6           \$100,000,000 but not exceeding \$250,000,000;

7           70% of annual adjusted gross receipts in excess of  
8           \$250,000,000.

9           An amount equal to the amount of wagering taxes collected  
10          under this subsection (a-3) that are in addition to the amount  
11          of wagering taxes that would have been collected if the  
12          wagering tax rates under subsection (a-2) were in effect shall  
13          be paid into the Common School Fund.

14          The privilege tax imposed under this subsection (a-3) shall  
15          no longer be imposed beginning on the earlier of (i) July 1,  
16          2005; (ii) the first date after June 20, 2003 that riverboat  
17          gambling operations are conducted pursuant to a dormant  
18          license; or (iii) the first day that riverboat gambling  
19          operations are conducted under the authority of an owners  
20          license that is in addition to the 10 owners licenses initially  
21          authorized under this Act. For the purposes of this subsection  
22          (a-3), the term "dormant license" means an owners license that  
23          is authorized by this Act under which no riverboat gambling  
24          operations are being conducted on June 20, 2003.

25          (a-4) Beginning on the first day on which the tax imposed  
26          under subsection (a-3) is no longer imposed, a privilege tax is

1 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-8) Riverboat gambling operations conducted by a  
22 licensed manager on behalf of the State are not subject to the  
23 tax imposed under this Section.

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

1 made.

2 (a-15) If the privilege tax imposed under subsection (a-3)  
3 is no longer imposed pursuant to item (i) of the last paragraph  
4 of subsection (a-3), then by June 15 of each year, each owners  
5 licensee, other than an owners licensee that admitted 1,000,000  
6 persons or fewer in calendar year 2004, must, in addition to  
7 the payment of all amounts otherwise due under this Section,  
8 pay to the Board a reconciliation payment in the amount, if  
9 any, by which the licensed owner's base amount exceeds the  
10 amount of net privilege tax paid by the licensed owner to the  
11 Board in the then current State fiscal year. A licensed owner's  
12 net privilege tax obligation due for the balance of the State  
13 fiscal year shall be reduced up to the total of the amount paid  
14 by the licensed owner in its June 15 reconciliation payment.  
15 The obligation imposed by this subsection (a-15) is binding on  
16 any person, firm, corporation, or other entity that acquires an  
17 ownership interest in any such owners license. The obligation  
18 imposed under this subsection (a-15) terminates on the earliest  
19 of: (i) July 1, 2007, (ii) the first day after the effective  
20 date of this amendatory Act of the 94th General Assembly that  
21 riverboat gambling operations are conducted pursuant to a  
22 dormant license, (iii) the first day that riverboat gambling  
23 operations are conducted under the authority of an owners  
24 license that is in addition to the 10 owners licenses initially  
25 authorized under this Act, or (iv) the first day that a  
26 licensee under the Illinois Horse Racing Act of 1975 conducts

1 gaming operations with slot machines or other electronic gaming  
2 devices. The Board must reduce the obligation imposed under  
3 this subsection (a-15) by an amount the Board deems reasonable  
4 for any of the following reasons: (A) an act or acts of God,  
5 (B) an act of bioterrorism or terrorism or a bioterrorism or  
6 terrorism threat that was investigated by a law enforcement  
7 agency, or (C) a condition beyond the control of the owners  
8 licensee that does not result from any act or omission by the  
9 owners licensee or any of its agents and that poses a hazardous  
10 threat to the health and safety of patrons. If an owners  
11 licensee pays an amount in excess of its liability under this  
12 Section, the Board shall apply the overpayment to future  
13 payments required under this Section.

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

15 "Act of God" means an incident caused by the operation of  
16 an extraordinary force that cannot be foreseen, that cannot be  
17 avoided by the exercise of due care, and for which no person  
18 can be held liable.

19 "Base amount" means the following:

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

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

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

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

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

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

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



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

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

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

8           The changes made to this subsection (a-15) by Public Act  
9 94-839 are intended to restate and clarify the intent of Public  
10 Act 94-673 with respect to the amount of the payments required  
11 to be made under this subsection by an owners licensee to the  
12 Board.

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

1 operations 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 upon which those  
4 riverboat gambling operations are conducted.

5 (c) Appropriations, as approved by the General Assembly,  
6 may be made from the State Gaming Fund to the Board (i)  
7 ~~Department of Revenue and the Department of State Police~~ for  
8 the administration and enforcement of this Act and the Video  
9 Gaming Act, (ii) for distribution to the Department of State  
10 Police and to the Department of Revenue for the enforcement of  
11 this Act, and (iii) or to the Department of Human Services for  
12 the administration of programs to treat problem gambling.

13 (c-5) Before May 26, 2006 (the effective date of Public Act  
14 94-804) and beginning on the effective date of this amendatory  
15 Act of the 95th General Assembly, unless any organization  
16 licensee under the Illinois Horse Racing Act of 1975 begins to  
17 operate a slot machine or video game of chance under the  
18 Illinois Horse Racing Act of 1975 or this Act, after the  
19 payments required under subsections (b) and (c) have been made,  
20 an amount equal to 15% of the adjusted gross receipts of (1) an  
21 owners licensee that relocates pursuant to Section 11.2, (2) an  
22 owners licensee conducting riverboat gambling operations  
23 pursuant to an owners license that is initially issued after  
24 June 25, 1999, or (3) the first riverboat gambling operations  
25 conducted by a licensed manager on behalf of the State under  
26 Section 7.3, whichever comes first, shall be paid from the

1 State Gaming Fund into the Horse Racing Equity Fund.

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

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

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

23 (c-25) After the payments required under subsections (b),  
24 (c), (c-5) and (c-15) have been made, an amount equal to 2% of  
25 the adjusted gross receipts of (1) an owners licensee that  
26 relocates pursuant to Section 11.2, (2) an owners licensee

1 conducting riverboat gambling operations pursuant to an owners  
2 license that is initially issued after June 25, 1999, or (3)  
3 the first riverboat gambling operations conducted by a licensed  
4 manager on behalf of the State under Section 7.3, whichever  
5 comes first, shall be paid from the State Gaming Fund to  
6 Chicago State University.

7 (d) From time to time, the Board shall transfer the  
8 remainder of the funds generated by this Act into the Education  
9 Assistance Fund, created by Public Act 86-0018, of the State of  
10 Illinois.

11 (e) Nothing in this Act shall prohibit the unit of local  
12 government designated as the home dock of the riverboat from  
13 entering into agreements with other units of local government  
14 in this State or in other states to share its portion of the  
15 tax revenue.

16 (f) To the extent practicable, the Board shall administer  
17 and collect the wagering taxes imposed by this Section in a  
18 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
19 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the  
20 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
21 Penalty and Interest Act.

22 (Source: P.A. 95-331, eff. 8-21-07; 95-1008, eff. 12-15-08;  
23 96-37, eff. 7-13-09.)

24 (230 ILCS 10/15) (from Ch. 120, par. 2415)

25 Sec. 15. Audit of Licensee Operations. Annually ~~Within 90~~

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

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

15 (230 ILCS 10/18) (from Ch. 120, par. 2418)

16 Sec. 18. Prohibited Activities - Penalty.

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

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

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

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

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

1 or

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

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

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

11 (1) Offers, promises, or gives anything of value or  
12 benefit to a person who is connected with a riverboat owner  
13 including, but not limited to, an officer or employee of a  
14 licensed owner or holder of an occupational license  
15 pursuant to an agreement or arrangement or with the intent  
16 that the promise or thing of value or benefit will  
17 influence the actions of the person to whom the offer,  
18 promise, or gift was made in order to affect or attempt to  
19 affect the outcome of a gambling game, or to influence  
20 official action of a member of the Board.

21 (2) Solicits or knowingly accepts or receives a promise  
22 of anything of value or benefit while the person is  
23 connected with a riverboat including, but not limited to,  
24 an officer or employee of a licensed owner, or holder of an  
25 occupational license, pursuant to an understanding or  
26 arrangement or with the intent that the promise or thing of

1 value or benefit will influence the actions of the person  
2 to affect or attempt to affect the outcome of a gambling  
3 game, or to influence official action of a member of the  
4 Board.

5 (3) Uses or possesses with the intent to use a device  
6 to assist:

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

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

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

11 (iv) In analyzing the strategy for playing or  
12 betting to be used in the game except as permitted by  
13 the Board.

14 (4) Cheats at a gambling game.

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

18 (6) Alters or misrepresents the outcome of a gambling  
19 game on which wagers have been made after the outcome is  
20 made sure but before it is revealed to the players.

21 (7) Places a bet after acquiring knowledge, not  
22 available to all players, of the outcome of the gambling  
23 game which is subject of the bet or to aid a person in  
24 acquiring the knowledge for the purpose of placing a bet  
25 contingent on that outcome.

26 (8) Claims, collects, or takes, or attempts to claim,

1 collect, or take, money or anything of value in or from the  
2 gambling games, with intent to defraud, without having made  
3 a wager contingent on winning a gambling game, or claims,  
4 collects, or takes an amount of money or thing of value of  
5 greater value than the amount won.

6 (9) Uses counterfeit chips or tokens in a gambling  
7 game.

8 (10) Possesses any key or device designed for the  
9 purpose of opening, entering, or affecting the operation of  
10 a gambling game, drop box, or an electronic or mechanical  
11 device connected with the gambling game or for removing  
12 coins, tokens, chips or other contents of a gambling game.  
13 This paragraph (10) does not apply to a gambling licensee  
14 or employee of a gambling licensee acting in furtherance of  
15 the employee's employment.

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

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

25 An action to prosecute any crime occurring on a riverboat  
26 shall be tried in the county of the dock at which the riverboat



1 is based.

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