



Sen. Terry Link

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09700SB0747sam005

LRB097 04468 AEK 59781 a

1 AMENDMENT TO SENATE BILL 747

2 AMENDMENT NO. _____. Amend Senate Bill 747, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 4, on page 50, line 8, by replacing "jurisdiction" with
5 "exclusive jurisdiction"; and

6 on page 81, line 3, by replacing "grants" with "operational
7 grants"; and

8 on page 84, line 9, after the period, by inserting "Such amount
9 shall not be less than \$10,000,000 annually."; and

10 on page 84, line 21, by deleting "solely"; and

11 on page 84, line 24, after the period, by inserting
12 "Additionally, the first \$5,000,000 of deposits into the Fund
13 shall be used for promotional costs associated with the
14 Illinois State Fairgrounds in Sangamon County."; and

1 on page 143, line 19, by replacing "the" with "these"; and

2 on page 144, immediately below line 11, by inserting the
3 following:

4 "(iii) 2,200 races in any year following the most
5 recent preceding complete calendar year when the combined
6 adjusted gross receipts of the electronic gaming licensees
7 operating at Cook County racetracks total in excess of
8 \$300,000,000, but do not exceed \$350,000,000;"; and

9 on page 145, line 4, by deleting "the"; and

10 on page 145, line 8, by replacing "the" with "these"; and

11 on page 145, line 11, after "award", by inserting "racing
12 dates"; and

13 on page 145, line 15, by replacing "(e-5)" with "(e-4.5)"; and

14 on page 145, line 16, by replacing "during" with "for"; and

15 on page 244, line 20, by replacing "Gaming" with "Gambling";
16 and

17 on page 245, line 20, by replacing "owners or trainers" with

1 "owners and trainers"; and

2 on page 246, lines 6 and 18, by replacing "owners or trainers"
3 each time it appears with "owners and trainers"; and

4 by deleting line 22 on page 248 through line 5 on page 249; and

5 on page 313, line 7, by replacing "license" with "licensee";
6 and

7 on page 313, line 21, after "County", by inserting "whose
8 electronic gaming license originates with an organization
9 licensee"; and

10 on page 313, line 23, after "County", by inserting "whose
11 electronic gaming license originates with an organization
12 licensee"; and

13 on page 313, line 25, after "licensee", by inserting "whose
14 electronic gaming license originates with an organization
15 licensee"; and

16 on page 314, line 2, by replacing "license" with "licensee";
17 and

18 by replacing line 4 on page 314 through line 22 on page 315,

1 with the following:

2 "(e) Each applicant for an electronic gaming license shall
3 specify in its application for licensure the number of gaming
4 positions it will operate, up to the applicable limitation set
5 forth in subsection (d) of this Section. Any unreserved gaming
6 positions that are not specified shall be forfeited and
7 retained by the Board. For the purposes of this subsection (e),
8 an electronic gaming licensee that did not conduct live racing
9 in 2010 may reserve up to 900 positions and shall not be
10 penalized under this Section for not operating those positions
11 until it meets the requirements of subsection (d) of this
12 Section, but such licensee shall not request unreserved gaming
13 positions under this subsection (e) until its 900 positions are
14 all operational. Thereafter, the Board shall offer any
15 unreserved gaming positions in equal amounts to electronic
16 gaming licensees, or applicants therefor, that have purchased
17 all of the positions that were offered. This process shall
18 continue until all unreserved gaming positions have been
19 purchased. All positions obtained pursuant to this process and
20 all positions the electronic gaming licensee specified it would
21 operate in its application must be in operation within 18
22 months after they were obtained or the electronic gaming
23 licensee forfeits the right to operate those positions, but is
24 not entitled to a refund of any fees paid. The Board may, after
25 holding a public hearing, grant extensions so long as the

1 electronic gaming licensee is working in good faith to make the
2 positions operational. The extension may be for a period of 6
3 months. If, after the period of the extension, the electronic
4 gaming licensee has not made the positions operational, then
5 another public hearing must be held by the Board before it may
6 grant another extension.

7 Unreserved gaming positions retained from and allocated to
8 electronic gaming licensees by the Board pursuant to this
9 subsection (e) shall not be allocated to owners licensees
10 pursuant to subsection (h-10) of Section 7 of this Act. For the
11 purpose of this subsection (e), the unreserved gaming positions
12 for each electronic gaming licensee shall be the applicable
13 limitation set forth in subsection (d) of this Section, less
14 the number of reserved gaming positions by such electronic
15 gaming licensee, and the total unreserved gaming positions
16 shall be the aggregate of the unreserved gaming positions for
17 all electronic gaming licensees."; and

18 on page 303, line 11, after the period, by inserting "Nothing
19 in this paragraph shall prevent an owners license from
20 immediately having up to 1,600 gaming positions in operation on
21 the effective date of this amendatory Act of the 97th General
22 Assembly upon receipt of the required payment for the gaming
23 positions."; and

24 on page 303, line 22, after the period, by inserting "The Board

1 may, after holding a public hearing, grant extensions so long
2 as a licensed owner is working in good faith to make the
3 positions operational. The extension may be for a period of 6
4 months. If, after the period of extension, a licensed owner has
5 not made the positions operational, then another public hearing
6 must be held by the Board before it may grant another
7 extension."; and

8 on page 315, line 4, after the period, by inserting "The Board
9 may, after holding a public hearing, grant extensions so long
10 as a licensed owner is working in good faith to make the
11 positions operational. The extension may be for a period of 6
12 months. If, after the period of extension, a licensed owner has
13 not made the positions operational, then another public hearing
14 must be held by the Board before it may grant another
15 extension."; and

16 on page 346, lines 6 and 7, by replacing "on December 31, 2013"
17 with "upon the imposition of the privilege tax under subsection
18 (a-5) of this Section"; and

19 on page 347, line 6, by replacing "January 1, 2014" with "the
20 date when at least 500 additional gaming positions authorized
21 by this amendatory Act of the 97th General Assembly are being
22 used to conduct gambling operations"; and

1 on page 359, line 13, by replacing "\$10,000,000" with
2 "\$12,500,000"; and

3 on page 359, line 15, by replacing "\$1,000,000" with
4 "\$1,500,000"; and

5 on page 359, line 17, by replacing "\$2,500,000" with
6 "\$3,000,000"; and

7 on page 359, line 20, by replacing "\$2,500,000" with
8 "\$3,000,000"; and

9 on page 359, line 22, by replacing "\$4,000,000" with
10 "\$5,000,000"; and

11 on page 359, line 24, by replacing "\$1,000,000" with
12 "\$6,000,000"; and

13 on page 371, immediately below line 4, by inserting the
14 following:

15 "Section 90-42. The Video Gaming Act is amended by changing
16 Section 78 as follows:

17 (230 ILCS 40/78)

18 Sec. 78. Authority of the Illinois Gaming Board.

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

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

10 (2) To have jurisdiction and supervision over all video
11 gaming operations in this State and all persons in
12 establishments where video gaming operations are
13 conducted.

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

25 (b) The Board shall adopt emergency rules to administer
26 this Act in accordance with Section 5-45 of the Illinois

1 Administrative Procedure Act. For the purposes of the Illinois
2 Administrative Procedure Act, the General Assembly finds that
3 the adoption of rules to implement this Act is deemed an
4 emergency and necessary to the public interest, safety, and
5 welfare.

6 (c) Within 120 days after the effective date of this
7 amendatory Act of the 97th General Assembly, the Board shall
8 select and execute a contract with a vendor for the central
9 communications system and make applications for licensed
10 establishments, licensed fraternal establishments, licensed
11 veterans establishments, and licensed truck stop
12 establishments available for potential applicants. The Board
13 shall make every reasonable effort to ensure that video gaming
14 operations are being conducted in this State by no later than
15 January 1, 2013.

16 (Source: P.A. 96-38, eff. 7-13-09; 96-1410, eff. 7-30-10.)".