



Rep. Rita Mayfield

Filed: 4/12/2013

09800HB0290ham001

LRB098 03073 HLH 44489 a

1 AMENDMENT TO HOUSE BILL 290

2 AMENDMENT NO. _____. Amend House Bill 290 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Commerce and Economic
5 Opportunity Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 605-530 as follows:

7 (20 ILCS 605/605-530 new)

8 Sec. 605-530. The Commission on the Future of Economic
9 Development of the African American Community.

10 (a) There is hereby created the Commission on the Future of
11 Economic Development of the African American Community within
12 the Department. The purpose of the Commission shall be to
13 maintain and develop the economy within the African American
14 community and to provide opportunities for this community that
15 will enhance and expand the quality of their lives.

16 The Commission must concentrate its major efforts on

1 strategic planning, policy research and analysis, advocacy,
2 evaluation, and promoting coordination and collaboration.

3 During each regular legislative session, the Commission
4 must consult with appropriate legislative committees about the
5 State's economic development needs and opportunities in the
6 African American community.

7 By October 1st of each even-numbered year, the Commission
8 must submit to the Governor and General Assembly a biennial
9 comprehensive statewide economic development strategy for the
10 African American community with a report on progress from the
11 previous comprehensive strategy.

12 The comprehensive statewide economic development strategy
13 may include:

14 (1) an assessment of the community's economic
15 vitality;

16 (2) recommended goals, objectives, and priorities for
17 the next biennium and the future;

18 (3) a common set of outcomes and benchmarks for the
19 economic development system as a whole for the African
20 American community;

21 (4) recommendations for removing barriers for African
22 Americans in employment;

23 (5) an inventory of existing relevant programs
24 compiled by the Commission from materials submitted by
25 agencies;

26 (6) recommendations for expanding, discontinuing, or

1 redirecting existing programs or adding new programs to
2 better serve the African American community; and

3 (7) recommendations of best practices and public and
4 private sector roles in implementing the comprehensive
5 statewide economic development strategy.

6 In developing the biennial statewide economic development
7 strategy, plans, inventories, assessments, and policy
8 research, the Commission must consult, collaborate, and
9 coordinate with relevant State agencies, private sector
10 businesses, nonprofit organizations involved in economic
11 development, trade associations, associate development
12 organizations, and relevant local organizations in order to
13 avoid duplication of effort.

14 State agencies must cooperate with the Commission and
15 provide information as the Commission may reasonably request.

16 The Commission shall review and make budget
17 recommendations to the Governor's Office of Management and
18 Budget and the General Assembly in areas relating to the
19 economic development in the State's African American
20 community.

21 The Commission must evaluate its own performance on a
22 regular basis.

23 The Commission may accept gifts, grants, donations,
24 sponsorships, or contributions from any federal, State, or
25 local governmental agency or program or any private source and
26 expend the same for any purpose consistent with this Act.

1 (b) The Commission shall consist of 12 voting members
2 appointed by the Governor. The chairperson of the Commission
3 shall be one of the appointed members and shall be chosen by
4 the Commission. The members of the Commission shall be
5 representative, to the extent possible, of the various
6 geographic areas of the State. The Director shall serve as an
7 ad hoc nonvoting member of the Commission. In appointing the
8 members, the Governor shall appoint individuals representing
9 the following private industry sectors:

10 (1) production agriculture;

11 (2) transportation, construction and logistics;

12 (3) travel and tourism;

13 (4) financial services and insurance;

14 (5) information technology and communications; and

15 (6) biotechnology.

16 In addition, the Governor shall appoint at least 2 individuals
17 representing manufacturing, one such individual shall
18 represent a company with no more than 75 employees.

19 Members appointed by the Governor serve for not more than 2
20 consecutive 3-year terms, except that, as determined by the
21 Governor, of the initial appointees of the Commission, the
22 terms of 4 members shall expire on October 1, 2014, the terms
23 of 4 shall expire on October 1, 2015, and the terms of 4
24 members shall expire on October 1, 2016. Thereafter, all terms
25 are for 3 years. Vacancies must be filled in the same manner as
26 the original appointments. The members of the Commission shall

1 serve without compensation.

2 (c) The Commission shall meet at least 4 times a year, with
3 at least one meeting each calendar quarter, at the call of the
4 Director or 4 voting members of the Commission. The staff and
5 support for the Commission shall be provided by the Department.

6 (d) The Commission and Department are encouraged to involve
7 other essential groups in the work of the Commission,
8 including, but not limited to, (1) public universities, (2)
9 community colleges, (3) other educational institutions, and
10 (4) the Illinois Department of Labor.

11 (e) The Commission shall make recommendations, which must
12 be approved by a majority of the Commission, to the Department
13 concerning the award of grants from amounts appropriated to the
14 Department from the African American Community Economic
15 Development Fund, a special fund created in the State treasury.
16 The Department must make grants to public or private entities
17 submitting proposals to the Commission to assist in the
18 economic development of the African American community. Grants
19 may be used by these entities only for those purposes specified
20 in the grant. The Commission shall coordinate with the
21 Department to develop grant criteria.

22 (f) For purposes of this Section, "educational
23 institutions" means nonprofit public and private colleges,
24 community colleges, State colleges, and universities in the
25 State.

1 Section 10. The State Finance Act is amended by adding
2 Section 5.826 as follows:

3 (30 ILCS 105/5.826 new)

4 Sec. 5.826. The African American Community Economic
5 Development Fund.

6 Section 15. The Riverboat Gambling Act is amended by
7 changing Section 13 as follows:

8 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

18 15% of annual adjusted gross receipts up to and
19 including \$25,000,000;

20 20% of annual adjusted gross receipts in excess of
21 \$25,000,000 but not exceeding \$50,000,000;

22 25% of annual adjusted gross receipts in excess of
23 \$50,000,000 but not exceeding \$75,000,000;

1 30% of annual adjusted gross receipts in excess of
2 \$75,000,000 but not exceeding \$100,000,000;

3 35% of annual adjusted gross receipts in excess of
4 \$100,000,000.

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

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

14 22.5% of annual adjusted gross receipts in excess of
15 \$25,000,000 but not exceeding \$50,000,000;

16 27.5% of annual adjusted gross receipts in excess of
17 \$50,000,000 but not exceeding \$75,000,000;

18 32.5% of annual adjusted gross receipts in excess of
19 \$75,000,000 but not exceeding \$100,000,000;

20 37.5% of annual adjusted gross receipts in excess of
21 \$100,000,000 but not exceeding \$150,000,000;

22 45% of annual adjusted gross receipts in excess of
23 \$150,000,000 but not exceeding \$200,000,000;

24 50% of annual adjusted gross receipts in excess of
25 \$200,000,000.

26 (a-3) Beginning July 1, 2003, a privilege tax is imposed on

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

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

9 27.5% of annual adjusted gross receipts in excess of
10 \$25,000,000 but not exceeding \$37,500,000;

11 32.5% of annual adjusted gross receipts in excess of
12 \$37,500,000 but not exceeding \$50,000,000;

13 37.5% of annual adjusted gross receipts in excess of
14 \$50,000,000 but not exceeding \$75,000,000;

15 45% of annual adjusted gross receipts in excess of
16 \$75,000,000 but not exceeding \$100,000,000;

17 50% of annual adjusted gross receipts in excess of
18 \$100,000,000 but not exceeding \$250,000,000;

19 70% of annual adjusted gross receipts in excess of
20 \$250,000,000.

21 An amount equal to the amount of wagering taxes collected
22 under this subsection (a-3) that are in addition to the amount
23 of wagering taxes that would have been collected if the
24 wagering tax rates under subsection (a-2) were in effect shall
25 be paid into the Common School Fund.

26 The privilege tax imposed under this subsection (a-3) shall

1 no longer be imposed beginning on the earlier of (i) July 1,
2 2005; (ii) the first date after June 20, 2003 that riverboat
3 gambling operations are conducted pursuant to a dormant
4 license; or (iii) the first day that riverboat gambling
5 operations are conducted under the authority of an owners
6 license that is in addition to the 10 owners licenses initially
7 authorized under this Act. For the purposes of this subsection
8 (a-3), the term "dormant license" means an owners license that
9 is authorized by this Act under which no riverboat gambling
10 operations are being conducted on June 20, 2003.

11 (a-4) Beginning on the first day on which the tax imposed
12 under subsection (a-3) is no longer imposed, a privilege tax is
13 imposed on persons engaged in the business of conducting
14 riverboat gambling operations, other than licensed managers
15 conducting riverboat gambling operations on behalf of the
16 State, based on the adjusted gross receipts received by a
17 licensed owner from gambling games authorized under this Act at
18 the following rates:

19 15% of annual adjusted gross receipts up to and
20 including \$25,000,000;

21 22.5% of annual adjusted gross receipts in excess of
22 \$25,000,000 but not exceeding \$50,000,000;

23 27.5% of annual adjusted gross receipts in excess of
24 \$50,000,000 but not exceeding \$75,000,000;

25 32.5% of annual adjusted gross receipts in excess of
26 \$75,000,000 but not exceeding \$100,000,000;

1 37.5% of annual adjusted gross receipts in excess of
2 \$100,000,000 but not exceeding \$150,000,000;

3 45% of annual adjusted gross receipts in excess of
4 \$150,000,000 but not exceeding \$200,000,000;

5 50% of annual adjusted gross receipts in excess of
6 \$200,000,000.

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

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

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

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

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

26 "Act of God" means an incident caused by the operation of

1 an extraordinary force that cannot be foreseen, that cannot be
2 avoided by the exercise of due care, and for which no person
3 can be held liable.

4 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

19 The changes made to this subsection (a-15) by Public Act
20 94-839 are intended to restate and clarify the intent of Public
21 Act 94-673 with respect to the amount of the payments required
22 to be made under this subsection by an owners licensee to the
23 Board.

24 (b) Until January 1, 1998, 25% of the tax revenue deposited
25 in the State Gaming Fund under this Section shall be paid,
26 subject to appropriation by the General Assembly, to the unit

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

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

23 (c-5) Before May 26, 2006 (the effective date of Public Act
24 94-804) and beginning on the effective date of this amendatory
25 Act of the 95th General Assembly, unless any organization
26 licensee under the Illinois Horse Racing Act of 1975 begins to

1 operate a slot machine or video game of chance under the
2 Illinois Horse Racing Act of 1975 or this Act, after the
3 payments required under subsections (b) and (c) have been made,
4 an amount equal to 15% of the adjusted gross receipts of (1) an
5 owners licensee that relocates pursuant to Section 11.2, (2) an
6 owners licensee conducting riverboat gambling operations
7 pursuant to an owners license that is initially issued after
8 June 25, 1999, or (3) the first riverboat gambling operations
9 conducted by a licensed manager on behalf of the State under
10 Section 7.3, whichever comes first, shall be paid from the
11 State Gaming Fund into the Horse Racing Equity Fund.

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

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

1 purpose of enhancing the county's criminal justice system.

2 (c-20) 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 to each home rule county
5 with a population of over 3,000,000 inhabitants pursuant to
6 subsection (c-15) in the prior calendar year.

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

17 (c-30) After the payments required under subsections (b),
18 (c), (c-5), (c-15), and (c-25) have been made, \$20,000,000
19 shall be transferred annually from the State Gaming Fund into
20 the African American Community Economic Development Fund.

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

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

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

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

10 (Source: P.A. 95-331, eff. 8-21-07; 95-1008, eff. 12-15-08;
11 96-37, eff. 7-13-09; 96-1392, eff. 1-1-11.)".