



Rep. Robert Rita

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1 AMENDMENT TO SENATE BILL 1739

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1739, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Findings. The General Assembly makes all of the  
6 following findings:

7 (1) That the cumulative reduction to pre-K through 12  
8 education funding since 2009 is approximately  
9 \$861,000,000.

10 (2) That during the last 2 years, general State aid to  
11 Illinois common schools has been underfunded as a result of  
12 budget cuts, resulting in pro-rated payments to school  
13 districts that are less than the foundational level of  
14 \$6,119 per pupil, which represents the minimum each pupil  
15 needs to be educated.

16 (3) That a significant infusion of new revenue is  
17 necessary in order to fully fund the foundation level and

1 to maintain and support education in Illinois.

2 (4) That the decline of the Illinois horse racing and  
3 breeding program, a \$2.5 billion industry, would be  
4 reversed if this amendatory Act of the 98th General  
5 Assembly would be enacted.

6 (5) That the Illinois horse racing industry is on the  
7 verge of extinction due to fierce competition from fully  
8 developed horse racing and gaming operations in other  
9 states.

10 (6) That allowing the State's horse racing venues,  
11 currently licensed gaming destinations, to maximize their  
12 capacities with gaming machines, would generate up to \$120  
13 million to \$200 million for the State in the form of extra  
14 licensing fees, plus an additional \$100 million to \$300  
15 million in recurring annual tax revenue for the State to  
16 help ensure that school, road, and other building projects  
17 promised under the capital plan occur on schedule.

18 (7) That Illinois agriculture and other businesses  
19 that support and supply the horse racing industry, already  
20 a sector that employs over 37,000 Illinoisans, also stand  
21 to substantially benefit and would be much more likely to  
22 create additional jobs should Illinois horse racing once  
23 again become competitive with other states.

24 (8) That by keeping these projects on track, the State  
25 can be sure that significant job and economic growth will  
26 in fact result from previously enacted legislation.

1           (9) That gaming machines at Illinois horse racing  
2 tracks would create an estimated 1,200 to 1,500 permanent  
3 jobs, and an estimated capital investment of up to \$200  
4 million to \$400 million at these race tracks would prompt  
5 additional trade organization jobs necessary to construct  
6 new facilities or remodel race tracks to operate electronic  
7 gaming.

8           Section 5. The State Officials and Employees Ethics Act is  
9 amended by changing Sections 5-45 and 20-10 as follows:

10           (5 ILCS 430/5-45)

11           Sec. 5-45. Procurement; revolving door prohibition.

12           (a) No former officer, member, or State employee, or spouse  
13 or immediate family member living with such person, shall,  
14 within a period of one year immediately after termination of  
15 State employment, knowingly accept employment or receive  
16 compensation or fees for services from a person or entity if  
17 the officer, member, or State employee, during the year  
18 immediately preceding termination of State employment,  
19 participated personally and substantially in the award of State  
20 contracts, or the issuance of State contract change orders,  
21 with a cumulative value of \$25,000 or more to the person or  
22 entity, or its parent or subsidiary.

23           (b) No former officer of the executive branch or State  
24 employee of the executive branch with regulatory or licensing

1 authority, or spouse or immediate family member living with  
2 such person, shall, within a period of one year immediately  
3 after termination of State employment, knowingly accept  
4 employment or receive compensation or fees for services from a  
5 person or entity if the officer or State employee, during the  
6 year immediately preceding termination of State employment,  
7 participated personally and substantially in making a  
8 regulatory or licensing decision that directly applied to the  
9 person or entity, or its parent or subsidiary.

10 (c) Within 6 months after the effective date of this  
11 amendatory Act of the 96th General Assembly, each executive  
12 branch constitutional officer and legislative leader, the  
13 Auditor General, and the Joint Committee on Legislative Support  
14 Services shall adopt a policy delineating which State positions  
15 under his or her jurisdiction and control, by the nature of  
16 their duties, may have the authority to participate personally  
17 and substantially in the award of State contracts or in  
18 regulatory or licensing decisions. The Governor shall adopt  
19 such a policy for all State employees of the executive branch  
20 not under the jurisdiction and control of any other executive  
21 branch constitutional officer.

22 The policies required under subsection (c) of this Section  
23 shall be filed with the appropriate ethics commission  
24 established under this Act or, for the Auditor General, with  
25 the Office of the Auditor General.

26 (d) Each Inspector General shall have the authority to

1 determine that additional State positions under his or her  
2 jurisdiction, not otherwise subject to the policies required by  
3 subsection (c) of this Section, are nonetheless subject to the  
4 notification requirement of subsection (f) below due to their  
5 involvement in the award of State contracts or in regulatory or  
6 licensing decisions.

7 (e) The Joint Committee on Legislative Support Services,  
8 the Auditor General, and each of the executive branch  
9 constitutional officers and legislative leaders subject to  
10 subsection (c) of this Section shall provide written  
11 notification to all employees in positions subject to the  
12 policies required by subsection (c) or a determination made  
13 under subsection (d): (1) upon hiring, promotion, or transfer  
14 into the relevant position; and (2) at the time the employee's  
15 duties are changed in such a way as to qualify that employee.  
16 An employee receiving notification must certify in writing that  
17 the person was advised of the prohibition and the requirement  
18 to notify the appropriate Inspector General in subsection (f).

19 (f) Any State employee in a position subject to the  
20 policies required by subsection (c) or to a determination under  
21 subsection (d), but who does not fall within the prohibition of  
22 subsection (h) below, who is offered non-State employment  
23 during State employment or within a period of one year  
24 immediately after termination of State employment shall, prior  
25 to accepting such non-State employment, notify the appropriate  
26 Inspector General. Within 10 calendar days after receiving

1 notification from an employee in a position subject to the  
2 policies required by subsection (c), such Inspector General  
3 shall make a determination as to whether the State employee is  
4 restricted from accepting such employment by subsection (a) or  
5 (b). In making a determination, in addition to any other  
6 relevant information, an Inspector General shall assess the  
7 effect of the prospective employment or relationship upon  
8 decisions referred to in subsections (a) and (b), based on the  
9 totality of the participation by the former officer, member, or  
10 State employee in those decisions. A determination by an  
11 Inspector General must be in writing, signed and dated by the  
12 Inspector General, and delivered to the subject of the  
13 determination within 10 calendar days or the person is deemed  
14 eligible for the employment opportunity. For purposes of this  
15 subsection, "appropriate Inspector General" means (i) for  
16 members and employees of the legislative branch, the  
17 Legislative Inspector General; (ii) for the Auditor General and  
18 employees of the Office of the Auditor General, the Inspector  
19 General provided for in Section 30-5 of this Act; and (iii) for  
20 executive branch officers and employees, the Inspector General  
21 having jurisdiction over the officer or employee. Notice of any  
22 determination of an Inspector General and of any such appeal  
23 shall be given to the ultimate jurisdictional authority, the  
24 Attorney General, and the Executive Ethics Commission.

25 (g) An Inspector General's determination regarding  
26 restrictions under subsection (a) or (b) may be appealed to the

1 appropriate Ethics Commission by the person subject to the  
2 decision or the Attorney General no later than the 10th  
3 calendar day after the date of the determination.

4 On appeal, the Ethics Commission or Auditor General shall  
5 seek, accept, and consider written public comments regarding a  
6 determination. In deciding whether to uphold an Inspector  
7 General's determination, the appropriate Ethics Commission or  
8 Auditor General shall assess, in addition to any other relevant  
9 information, the effect of the prospective employment or  
10 relationship upon the decisions referred to in subsections (a)  
11 and (b), based on the totality of the participation by the  
12 former officer, member, or State employee in those decisions.  
13 The Ethics Commission shall decide whether to uphold an  
14 Inspector General's determination within 10 calendar days or  
15 the person is deemed eligible for the employment opportunity.

16 (h) The following officers, members, or State employees  
17 shall not, within a period of one year immediately after  
18 termination of office or State employment, knowingly accept  
19 employment or receive compensation or fees for services from a  
20 person or entity if the person or entity or its parent or  
21 subsidiary, during the year immediately preceding termination  
22 of State employment, was a party to a State contract or  
23 contracts with a cumulative value of \$25,000 or more involving  
24 the officer, member, or State employee's State agency, or was  
25 the subject of a regulatory or licensing decision involving the  
26 officer, member, or State employee's State agency, regardless

1 of whether he or she participated personally and substantially  
2 in the award of the State contract or contracts or the making  
3 of the regulatory or licensing decision in question:

4 (1) members or officers;

5 (2) members of a commission or board created by the  
6 Illinois Constitution;

7 (3) persons whose appointment to office is subject to  
8 the advice and consent of the Senate;

9 (4) the head of a department, commission, board,  
10 division, bureau, authority, or other administrative unit  
11 within the government of this State;

12 (5) chief procurement officers, State purchasing  
13 officers, and their designees whose duties are directly  
14 related to State procurement; ~~and~~

15 (6) chiefs of staff, deputy chiefs of staff, associate  
16 chiefs of staff, assistant chiefs of staff, and deputy  
17 governors; ~~and~~

18 (7) employees of the Illinois Racing Board; and

19 (8) employees of the Illinois Gaming Board.

20 (i) For the purposes of this Section, with respect to  
21 officers or employees of a regional transit board, as defined  
22 in this Act, the phrase "person or entity" does not include:

23 (i) the United States government, (ii) the State, (iii)  
24 municipalities, as defined under Article VII, Section 1 of the  
25 Illinois Constitution, (iv) units of local government, as  
26 defined under Article VII, Section 1 of the Illinois



1 Constitution, or (v) school districts.

2 (Source: P.A. 96-555, eff. 8-18-09; 97-653, eff. 1-13-12.)

3 (5 ILCS 430/20-10)

4 Sec. 20-10. Offices of Executive Inspectors General.

5 (a) ~~Six~~ Five independent Offices of the Executive Inspector  
6 General are created, one each for the Governor, the Attorney  
7 General, the Secretary of State, the Comptroller, and the  
8 Treasurer and one for gaming activities. Each Office shall be  
9 under the direction and supervision of an Executive Inspector  
10 General and shall be a fully independent office with separate  
11 appropriations.

12 (b) The Governor, Attorney General, Secretary of State,  
13 Comptroller, and Treasurer shall each appoint an Executive  
14 Inspector General, and the Governor shall appoint an Executive  
15 Inspector General for gaming activities. Each appointment must  
16 be made without regard to political affiliation and solely on  
17 the basis of integrity and demonstrated ability. Appointments  
18 shall be made by and with the advice and consent of the Senate  
19 by three-fifths of the elected members concurring by record  
20 vote. Any nomination not acted upon by the Senate within 60  
21 session days of the receipt thereof shall be deemed to have  
22 received the advice and consent of the Senate. If, during a  
23 recess of the Senate, there is a vacancy in an office of  
24 Executive Inspector General, the appointing authority shall  
25 make a temporary appointment until the next meeting of the

1 Senate when the appointing authority shall make a nomination to  
2 fill that office. No person rejected for an office of Executive  
3 Inspector General shall, except by the Senate's request, be  
4 nominated again for that office at the same session of the  
5 Senate or be appointed to that office during a recess of that  
6 Senate.

7 Nothing in this Article precludes the appointment by the  
8 Governor, Attorney General, Secretary of State, Comptroller,  
9 or Treasurer of any other inspector general required or  
10 permitted by law. The Governor, Attorney General, Secretary of  
11 State, Comptroller, and Treasurer each may appoint an existing  
12 inspector general as the Executive Inspector General required  
13 by this Article, provided that such an inspector general is not  
14 prohibited by law, rule, jurisdiction, qualification, or  
15 interest from serving as the Executive Inspector General  
16 required by this Article. An appointing authority may not  
17 appoint a relative as an Executive Inspector General.

18 Each Executive Inspector General shall have the following  
19 qualifications:

20 (1) has not been convicted of any felony under the laws  
21 of this State, another State, or the United States;

22 (2) has earned a baccalaureate degree from an  
23 institution of higher education; and

24 (3) has 5 or more years of cumulative service (A) with  
25 a federal, State, or local law enforcement agency, at least  
26 2 years of which have been in a progressive investigatory

1 capacity; (B) as a federal, State, or local prosecutor; (C)  
2 as a senior manager or executive of a federal, State, or  
3 local agency; (D) as a member, an officer, or a State or  
4 federal judge; or (E) representing any combination of (A)  
5 through (D).

6 The term of each initial Executive Inspector General shall  
7 commence upon qualification and shall run through June 30,  
8 2008. The initial appointments shall be made within 60 days  
9 after the effective date of this Act.

10 After the initial term, each Executive Inspector General  
11 shall serve for 5-year terms commencing on July 1 of the year  
12 of appointment and running through June 30 of the fifth  
13 following year. An Executive Inspector General may be  
14 reappointed to one or more subsequent terms.

15 A vacancy occurring other than at the end of a term shall  
16 be filled by the appointing authority only for the balance of  
17 the term of the Executive Inspector General whose office is  
18 vacant.

19 Terms shall run regardless of whether the position is  
20 filled.

21 (c) The Executive Inspector General appointed by the  
22 Attorney General shall have jurisdiction over the Attorney  
23 General and all officers and employees of, and vendors and  
24 others doing business with, State agencies within the  
25 jurisdiction of the Attorney General. The Executive Inspector  
26 General appointed by the Secretary of State shall have

1 jurisdiction over the Secretary of State and all officers and  
2 employees of, and vendors and others doing business with, State  
3 agencies within the jurisdiction of the Secretary of State. The  
4 Executive Inspector General appointed by the Comptroller shall  
5 have jurisdiction over the Comptroller and all officers and  
6 employees of, and vendors and others doing business with, State  
7 agencies within the jurisdiction of the Comptroller. The  
8 Executive Inspector General appointed by the Treasurer shall  
9 have jurisdiction over the Treasurer and all officers and  
10 employees of, and vendors and others doing business with, State  
11 agencies within the jurisdiction of the Treasurer. The  
12 Executive Inspector General appointed by the Governor shall  
13 have jurisdiction over (i) the Governor, (ii) the Lieutenant  
14 Governor, (iii) all officers and employees of, and vendors and  
15 others doing business with, executive branch State agencies  
16 under the jurisdiction of the Executive Ethics Commission and  
17 not within the jurisdiction of the Attorney General, the  
18 Secretary of State, the Comptroller, ~~or~~ the Treasurer, or the  
19 Executive Inspector General for gaming activities, and (iv) all  
20 board members and employees of the Regional Transit Boards and  
21 all vendors and others doing business with the Regional Transit  
22 Boards. The Executive Inspector General for gaming activities  
23 appointed by the Governor has jurisdiction over the Illinois  
24 Gaming Board, all officers and employees of the Illinois Gaming  
25 Board, and all activities of the Illinois Gaming Board.

26 The jurisdiction of each Executive Inspector General is to

1 investigate allegations of fraud, waste, abuse, mismanagement,  
2 misconduct, nonfeasance, misfeasance, malfeasance, or  
3 violations of this Act or violations of other related laws and  
4 rules.

5 (d) The compensation for each Executive Inspector General  
6 shall be determined by the Executive Ethics Commission and  
7 shall be made from appropriations made to the Comptroller for  
8 this purpose. Subject to Section 20-45 of this Act, each  
9 Executive Inspector General has full authority to organize his  
10 or her Office of the Executive Inspector General, including the  
11 employment and determination of the compensation of staff, such  
12 as deputies, assistants, and other employees, as  
13 appropriations permit. A separate appropriation shall be made  
14 for each Office of Executive Inspector General.

15 (e) No Executive Inspector General or employee of the  
16 Office of the Executive Inspector General may, during his or  
17 her term of appointment or employment:

18 (1) become a candidate for any elective office;

19 (2) hold any other elected or appointed public office  
20 except for appointments on governmental advisory boards or  
21 study commissions or as otherwise expressly authorized by  
22 law;

23 (3) be actively involved in the affairs of any  
24 political party or political organization; or

25 (4) advocate for the appointment of another person to  
26 an appointed or elected office or position or actively



1           (a) Subject to appropriation, the Department shall  
2 establish a program for public education, research, and  
3 training regarding problem and compulsive gambling and the  
4 treatment and prevention of problem and compulsive gambling.  
5 Subject to specific appropriation for these stated purposes,  
6 the program must include all of the following:

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

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

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

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

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

1 gambling.

2 (c) Subject to appropriation, the Department shall produce  
3 and supply the signs specified in Section 10.7 of the Illinois  
4 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of  
5 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1  
6 of the Charitable Games Act, and Section 13.1 of the Illinois  
7 ~~Riverboat~~ Gambling Act.

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

9 Section 15. The Illinois Lottery Law is amended by changing  
10 Section 9.1 as follows:

11 (20 ILCS 1605/9.1)

12 Sec. 9.1. Private manager and management agreement.

13 (a) As used in this Section:

14 "Offeror" means a person or group of persons that responds  
15 to a request for qualifications under this Section.

16 "Request for qualifications" means all materials and  
17 documents prepared by the Department to solicit the following  
18 from offerors:

19 (1) Statements of qualifications.

20 (2) Proposals to enter into a management agreement,  
21 including the identity of any prospective vendor or vendors  
22 that the offeror intends to initially engage to assist the  
23 offeror in performing its obligations under the management  
24 agreement.



1 "Final offer" means the last proposal submitted by an  
2 offeror in response to the request for qualifications,  
3 including the identity of any prospective vendor or vendors  
4 that the offeror intends to initially engage to assist the  
5 offeror in performing its obligations under the management  
6 agreement.

7 "Final offeror" means the offeror ultimately selected by  
8 the Governor to be the private manager for the Lottery under  
9 subsection (h) of this Section.

10 (b) By September 15, 2010, the Governor shall select a  
11 private manager for the total management of the Lottery with  
12 integrated functions, such as lottery game design, supply of  
13 goods and services, and advertising and as specified in this  
14 Section.

15 (c) Pursuant to the terms of this subsection, the  
16 Department shall endeavor to expeditiously terminate the  
17 existing contracts in support of the Lottery in effect on the  
18 effective date of this amendatory Act of the 96th General  
19 Assembly in connection with the selection of the private  
20 manager. As part of its obligation to terminate these contracts  
21 and select the private manager, the Department shall establish  
22 a mutually agreeable timetable to transfer the functions of  
23 existing contractors to the private manager so that existing  
24 Lottery operations are not materially diminished or impaired  
25 during the transition. To that end, the Department shall do the  
26 following:

1           (1) where such contracts contain a provision  
2 authorizing termination upon notice, the Department shall  
3 provide notice of termination to occur upon the mutually  
4 agreed timetable for transfer of functions;

5           (2) upon the expiration of any initial term or renewal  
6 term of the current Lottery contracts, the Department shall  
7 not renew such contract for a term extending beyond the  
8 mutually agreed timetable for transfer of functions; or

9           (3) in the event any current contract provides for  
10 termination of that contract upon the implementation of a  
11 contract with the private manager, the Department shall  
12 perform all necessary actions to terminate the contract on  
13 the date that coincides with the mutually agreed timetable  
14 for transfer of functions.

15           If the contracts to support the current operation of the  
16 Lottery in effect on the effective date of this amendatory Act  
17 of the 96th General Assembly are not subject to termination as  
18 provided for in this subsection (c), then the Department may  
19 include a provision in the contract with the private manager  
20 specifying a mutually agreeable methodology for incorporation.

21           (c-5) The Department shall include provisions in the  
22 management agreement whereby the private manager shall, for a  
23 fee, and pursuant to a contract negotiated with the Department  
24 (the "Employee Use Contract"), utilize the services of current  
25 Department employees to assist in the administration and  
26 operation of the Lottery. The Department shall be the employer

1 of all such bargaining unit employees assigned to perform such  
2 work for the private manager, and such employees shall be State  
3 employees, as defined by the Personnel Code. Department  
4 employees shall operate under the same employment policies,  
5 rules, regulations, and procedures, as other employees of the  
6 Department. In addition, neither historical representation  
7 rights under the Illinois Public Labor Relations Act, nor  
8 existing collective bargaining agreements, shall be disturbed  
9 by the management agreement with the private manager for the  
10 management of the Lottery.

11 (d) The management agreement with the private manager shall  
12 include all of the following:

13 (1) A term not to exceed 10 years, including any  
14 renewals.

15 (2) A provision specifying that the Department:

16 (A) shall exercise actual control over all  
17 significant business decisions;

18 (A-5) has the authority to direct or countermand  
19 operating decisions by the private manager at any time;

20 (B) has ready access at any time to information  
21 regarding Lottery operations;

22 (C) has the right to demand and receive information  
23 from the private manager concerning any aspect of the  
24 Lottery operations at any time; and

25 (D) retains ownership of all trade names,  
26 trademarks, and intellectual property associated with

1           the Lottery.

2           (3) A provision imposing an affirmative duty on the  
3 private manager to provide the Department with material  
4 information and with any information the private manager  
5 reasonably believes the Department would want to know to  
6 enable the Department to conduct the Lottery.

7           (4) A provision requiring the private manager to  
8 provide the Department with advance notice of any operating  
9 decision that bears significantly on the public interest,  
10 including, but not limited to, decisions on the kinds of  
11 games to be offered to the public and decisions affecting  
12 the relative risk and reward of the games being offered, so  
13 the Department has a reasonable opportunity to evaluate and  
14 countermand that decision.

15           (5) A provision providing for compensation of the  
16 private manager that may consist of, among other things, a  
17 fee for services and a performance based bonus as  
18 consideration for managing the Lottery, including terms  
19 that may provide the private manager with an increase in  
20 compensation if Lottery revenues grow by a specified  
21 percentage in a given year.

22           (6) (Blank).

23           (7) A provision requiring the deposit of all Lottery  
24 proceeds to be deposited into the State Lottery Fund except  
25 as otherwise provided in Section 20 of this Act.

26           (8) A provision requiring the private manager to locate

1 its principal office within the State.

2 (8-5) A provision encouraging that at least 20% of the  
3 cost of contracts entered into for goods and services by  
4 the private manager in connection with its management of  
5 the Lottery, other than contracts with sales agents or  
6 technical advisors, be awarded to businesses that are a  
7 minority owned business, a female owned business, or a  
8 business owned by a person with disability, as those terms  
9 are defined in the Business Enterprise for Minorities,  
10 Females, and Persons with Disabilities Act.

11 (9) A requirement that so long as the private manager  
12 complies with all the conditions of the agreement under the  
13 oversight of the Department, the private manager shall have  
14 the following duties and obligations with respect to the  
15 management of the Lottery:

16 (A) The right to use equipment and other assets  
17 used in the operation of the Lottery.

18 (B) The rights and obligations under contracts  
19 with retailers and vendors.

20 (C) The implementation of a comprehensive security  
21 program by the private manager.

22 (D) The implementation of a comprehensive system  
23 of internal audits.

24 (E) The implementation of a program by the private  
25 manager to curb compulsive gambling by persons playing  
26 the Lottery.

1           (F) A system for determining (i) the type of  
2           Lottery games, (ii) the method of selecting winning  
3           tickets, (iii) the manner of payment of prizes to  
4           holders of winning tickets, (iv) the frequency of  
5           drawings of winning tickets, (v) the method to be used  
6           in selling tickets, (vi) a system for verifying the  
7           validity of tickets claimed to be winning tickets,  
8           (vii) the basis upon which retailer commissions are  
9           established by the manager, and (viii) minimum  
10          payouts.

11          (10) A requirement that advertising and promotion must  
12          be consistent with Section 7.8a of this Act.

13          (11) A requirement that the private manager market the  
14          Lottery to those residents who are new, infrequent, or  
15          lapsed players of the Lottery, especially those who are  
16          most likely to make regular purchases on the Internet as  
17          permitted by law.

18          (12) A code of ethics for the private manager's  
19          officers and employees.

20          (13) A requirement that the Department monitor and  
21          oversee the private manager's practices and take action  
22          that the Department considers appropriate to ensure that  
23          the private manager is in compliance with the terms of the  
24          management agreement, while allowing the manager, unless  
25          specifically prohibited by law or the management  
26          agreement, to negotiate and sign its own contracts with

1 vendors.

2 (14) A provision requiring the private manager to  
3 periodically file, at least on an annual basis, appropriate  
4 financial statements in a form and manner acceptable to the  
5 Department.

6 (15) Cash reserves requirements.

7 (16) Procedural requirements for obtaining the prior  
8 approval of the Department when a management agreement or  
9 an interest in a management agreement is sold, assigned,  
10 transferred, or pledged as collateral to secure financing.

11 (17) Grounds for the termination of the management  
12 agreement by the Department or the private manager.

13 (18) Procedures for amendment of the agreement.

14 (19) A provision requiring the private manager to  
15 engage in an open and competitive bidding process for any  
16 procurement having a cost in excess of \$50,000 that is not  
17 a part of the private manager's final offer. The process  
18 shall favor the selection of a vendor deemed to have  
19 submitted a proposal that provides the Lottery with the  
20 best overall value. The process shall not be subject to the  
21 provisions of the Illinois Procurement Code, unless  
22 specifically required by the management agreement.

23 (20) The transition of rights and obligations,  
24 including any associated equipment or other assets used in  
25 the operation of the Lottery, from the manager to any  
26 successor manager of the lottery, including the

1 Department, following the termination of or foreclosure  
2 upon the management agreement.

3 (21) Right of use of copyrights, trademarks, and  
4 service marks held by the Department in the name of the  
5 State. The agreement must provide that any use of them by  
6 the manager shall only be for the purpose of fulfilling its  
7 obligations under the management agreement during the term  
8 of the agreement.

9 (22) The disclosure of any information requested by the  
10 Department to enable it to comply with the reporting  
11 requirements and information requests provided for under  
12 subsection (p) of this Section.

13 (e) Notwithstanding any other law to the contrary, the  
14 Department shall select a private manager through a competitive  
15 request for qualifications process consistent with Section  
16 20-35 of the Illinois Procurement Code, which shall take into  
17 account:

18 (1) the offeror's ability to market the Lottery to  
19 those residents who are new, infrequent, or lapsed players  
20 of the Lottery, especially those who are most likely to  
21 make regular purchases on the Internet;

22 (2) the offeror's ability to address the State's  
23 concern with the social effects of gambling on those who  
24 can least afford to do so;

25 (3) the offeror's ability to provide the most  
26 successful management of the Lottery for the benefit of the



1 people of the State based on current and past business  
2 practices or plans of the offeror; and

3 (4) the offeror's poor or inadequate past performance  
4 in servicing, equipping, operating or managing a lottery on  
5 behalf of Illinois, another State or foreign government and  
6 attracting persons who are not currently regular players of  
7 a lottery.

8 (f) The Department may retain the services of an advisor or  
9 advisors with significant experience in financial services or  
10 the management, operation, and procurement of goods, services,  
11 and equipment for a government-run lottery to assist in the  
12 preparation of the terms of the request for qualifications and  
13 selection of the private manager. Any prospective advisor  
14 seeking to provide services under this subsection (f) shall  
15 disclose any material business or financial relationship  
16 during the past 3 years with any potential offeror, or with a  
17 contractor or subcontractor presently providing goods,  
18 services, or equipment to the Department to support the  
19 Lottery. The Department shall evaluate the material business or  
20 financial relationship of each prospective advisor. The  
21 Department shall not select any prospective advisor with a  
22 substantial business or financial relationship that the  
23 Department deems to impair the objectivity of the services to  
24 be provided by the prospective advisor. During the course of  
25 the advisor's engagement by the Department, and for a period of  
26 one year thereafter, the advisor shall not enter into any

1 business or financial relationship with any offeror or any  
2 vendor identified to assist an offeror in performing its  
3 obligations under the management agreement. Any advisor  
4 retained by the Department shall be disqualified from being an  
5 offeror. The Department shall not include terms in the request  
6 for qualifications that provide a material advantage whether  
7 directly or indirectly to any potential offeror, or any  
8 contractor or subcontractor presently providing goods,  
9 services, or equipment to the Department to support the  
10 Lottery, including terms contained in previous responses to  
11 requests for proposals or qualifications submitted to  
12 Illinois, another State or foreign government when those terms  
13 are uniquely associated with a particular potential offeror,  
14 contractor, or subcontractor. The request for proposals  
15 offered by the Department on December 22, 2008 as  
16 "LOT08GAMESYS" and reference number "22016176" is declared  
17 void.

18 (g) The Department shall select at least 2 offerors as  
19 finalists to potentially serve as the private manager no later  
20 than August 9, 2010. Upon making preliminary selections, the  
21 Department shall schedule a public hearing on the finalists'  
22 proposals and provide public notice of the hearing at least 7  
23 calendar days before the hearing. The notice must include all  
24 of the following:

- 25 (1) The date, time, and place of the hearing.
- 26 (2) The subject matter of the hearing.

1           (3) A brief description of the management agreement to  
2           be awarded.

3           (4) The identity of the offerors that have been  
4           selected as finalists to serve as the private manager.

5           (5) The address and telephone number of the Department.

6           (h) At the public hearing, the Department shall (i) provide  
7           sufficient time for each finalist to present and explain its  
8           proposal to the Department and the Governor or the Governor's  
9           designee, including an opportunity to respond to questions  
10          posed by the Department, Governor, or designee and (ii) allow  
11          the public and non-selected offerors to comment on the  
12          presentations. The Governor or a designee shall attend the  
13          public hearing. After the public hearing, the Department shall  
14          have 14 calendar days to recommend to the Governor whether a  
15          management agreement should be entered into with a particular  
16          finalist. After reviewing the Department's recommendation, the  
17          Governor may accept or reject the Department's recommendation,  
18          and shall select a final offeror as the private manager by  
19          publication of a notice in the Illinois Procurement Bulletin on  
20          or before September 15, 2010. The Governor shall include in the  
21          notice a detailed explanation and the reasons why the final  
22          offeror is superior to other offerors and will provide  
23          management services in a manner that best achieves the  
24          objectives of this Section. The Governor shall also sign the  
25          management agreement with the private manager.

26          (i) Any action to contest the private manager selected by

1 the Governor under this Section must be brought within 7  
2 calendar days after the publication of the notice of the  
3 designation of the private manager as provided in subsection  
4 (h) of this Section.

5 (j) The Lottery shall remain, for so long as a private  
6 manager manages the Lottery in accordance with provisions of  
7 this Act, a Lottery conducted by the State, and the State shall  
8 not be authorized to sell or transfer the Lottery to a third  
9 party.

10 (k) Any tangible personal property used exclusively in  
11 connection with the lottery that is owned by the Department and  
12 leased to the private manager shall be owned by the Department  
13 in the name of the State and shall be considered to be public  
14 property devoted to an essential public and governmental  
15 function.

16 (l) The Department may exercise any of its powers under  
17 this Section or any other law as necessary or desirable for the  
18 execution of the Department's powers under this Section.

19 (m) Neither this Section nor any management agreement  
20 entered into under this Section prohibits the General Assembly  
21 from authorizing forms of gambling that are not in direct  
22 competition with the Lottery. The forms of gambling authorized  
23 by this amendatory Act of the 98th General Assembly constitute  
24 authorized forms of gambling that are not in direct competition  
25 with the Lottery.

26 (n) The private manager shall be subject to a complete

1 investigation in the third, seventh, and tenth years of the  
2 agreement (if the agreement is for a 10-year term) by the  
3 Department in cooperation with the Auditor General to determine  
4 whether the private manager has complied with this Section and  
5 the management agreement. The private manager shall bear the  
6 cost of an investigation or reinvestigation of the private  
7 manager under this subsection.

8 (o) The powers conferred by this Section are in addition  
9 and supplemental to the powers conferred by any other law. If  
10 any other law or rule is inconsistent with this Section,  
11 including, but not limited to, provisions of the Illinois  
12 Procurement Code, then this Section controls as to any  
13 management agreement entered into under this Section. This  
14 Section and any rules adopted under this Section contain full  
15 and complete authority for a management agreement between the  
16 Department and a private manager. No law, procedure,  
17 proceeding, publication, notice, consent, approval, order, or  
18 act by the Department or any other officer, Department, agency,  
19 or instrumentality of the State or any political subdivision is  
20 required for the Department to enter into a management  
21 agreement under this Section. This Section contains full and  
22 complete authority for the Department to approve any contracts  
23 entered into by a private manager with a vendor providing  
24 goods, services, or both goods and services to the private  
25 manager under the terms of the management agreement, including  
26 subcontractors of such vendors.

1           Upon receipt of a written request from the Chief  
2 Procurement Officer, the Department shall provide to the Chief  
3 Procurement Officer a complete and un-redacted copy of the  
4 management agreement or any contract that is subject to the  
5 Department's approval authority under this subsection (o). The  
6 Department shall provide a copy of the agreement or contract to  
7 the Chief Procurement Officer in the time specified by the  
8 Chief Procurement Officer in his or her written request, but no  
9 later than 5 business days after the request is received by the  
10 Department. The Chief Procurement Officer must retain any  
11 portions of the management agreement or of any contract  
12 designated by the Department as confidential, proprietary, or  
13 trade secret information in complete confidence pursuant to  
14 subsection (g) of Section 7 of the Freedom of Information Act.  
15 The Department shall also provide the Chief Procurement Officer  
16 with reasonable advance written notice of any contract that is  
17 pending Department approval.

18           Notwithstanding any other provision of this Section to the  
19 contrary, the Chief Procurement Officer shall adopt  
20 administrative rules, including emergency rules, to establish  
21 a procurement process to select a successor private manager if  
22 a private management agreement has been terminated. The  
23 selection process shall at a minimum take into account the  
24 criteria set forth in items (1) through (4) of subsection (e)  
25 of this Section and may include provisions consistent with  
26 subsections (f), (g), (h), and (i) of this Section. The Chief

1 Procurement Officer shall also implement and administer the  
2 adopted selection process upon the termination of a private  
3 management agreement. The Department, after the Chief  
4 Procurement Officer certifies that the procurement process has  
5 been followed in accordance with the rules adopted under this  
6 subsection (o), shall select a final offeror as the private  
7 manager and sign the management agreement with the private  
8 manager.

9 Except as provided in Sections 21.2, 21.5, 21.6, 21.7, and  
10 21.8, the Department shall distribute all proceeds of lottery  
11 tickets and shares sold in the following priority and manner:

12 (1) The payment of prizes and retailer bonuses.

13 (2) The payment of costs incurred in the operation and  
14 administration of the Lottery, including the payment of  
15 sums due to the private manager under the management  
16 agreement with the Department.

17 (3) On the last day of each month or as soon thereafter  
18 as possible, the State Comptroller shall direct and the  
19 State Treasurer shall transfer from the State Lottery Fund  
20 to the Common School Fund an amount that is equal to the  
21 proceeds transferred in the corresponding month of fiscal  
22 year 2009, as adjusted for inflation, to the Common School  
23 Fund.

24 (4) On or before the last day of each fiscal year,  
25 deposit any remaining proceeds, subject to payments under  
26 items (1), (2), and (3) into the Capital Projects Fund each

1 fiscal year.

2 (p) The Department shall be subject to the following  
3 reporting and information request requirements:

4 (1) the Department shall submit written quarterly  
5 reports to the Governor and the General Assembly on the  
6 activities and actions of the private manager selected  
7 under this Section;

8 (2) upon request of the Chief Procurement Officer, the  
9 Department shall promptly produce information related to  
10 the procurement activities of the Department and the  
11 private manager requested by the Chief Procurement  
12 Officer; the Chief Procurement Officer must retain  
13 confidential, proprietary, or trade secret information  
14 designated by the Department in complete confidence  
15 pursuant to subsection (g) of Section 7 of the Freedom of  
16 Information Act; and

17 (3) at least 30 days prior to the beginning of the  
18 Department's fiscal year, the Department shall prepare an  
19 annual written report on the activities of the private  
20 manager selected under this Section and deliver that report  
21 to the Governor and General Assembly.

22 (Source: P.A. 97-464, eff. 8-19-11; 98-463, eff. 8-16-13.)

23 Section 20. The Department of Revenue Law of the Civil  
24 Administrative Code of Illinois is amended by changing Section  
25 2505-305 as follows:



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

2 Sec. 2505-305. Investigators.

3 (a) The Department has the power to appoint investigators  
4 to conduct all investigations, searches, seizures, arrests,  
5 and other duties imposed under the provisions of any law  
6 administered by the Department. Except as provided in  
7 subsection (c), these investigators have and may exercise all  
8 the powers of peace officers solely for the purpose of  
9 enforcing taxing measures administered by the Department.

10 (b) The Director must authorize to each investigator  
11 employed under this Section and to any other employee of the  
12 Department exercising the powers of a peace officer a distinct  
13 badge that, on its face, (i) clearly states that the badge is  
14 authorized by the Department and (ii) contains a unique  
15 identifying number. No other badge shall be authorized by the  
16 Department.

17 (c) The Department may enter into agreements with the  
18 Illinois Gaming Board providing that investigators appointed  
19 under this Section shall exercise the peace officer powers set  
20 forth in paragraph (20.6) of subsection (c) of Section 5 of the  
21 Illinois Riverboat Gambling Act.

22 (Source: P.A. 96-37, eff. 7-13-09.)

23 Section 25. The State Finance Act is amended by adding  
24 Sections 5.855 and 6z-100 and by changing Sections 5d and 6z-45

1 as follows:

2 (30 ILCS 105/5.855 new)

3 Sec. 5.855. The Gaming Facilities Fee Revenue Fund.

4 (30 ILCS 105/5d) (from Ch. 127, par. 141d)

5 Sec. 5d. State Construction Account Fund.

6 (a) Except as provided in subsection (b) of this Section or  
7 ~~by~~ Section 5e of this Act, the State Construction Account Fund  
8 shall be used exclusively for the construction, reconstruction  
9 and maintenance of the State maintained highway system. Except  
10 as provided by Section 5e of this Act, none of the money  
11 deposited in the State Construction Account Fund shall be used  
12 to pay the cost of administering the Motor Fuel Tax Law as now  
13 or hereafter amended, nor be appropriated for use by the  
14 Department of Transportation to pay the cost of its operations  
15 or administration, nor be used in any manner for the payment of  
16 regular or contractual employees of the State, nor be  
17 transferred or allocated by the Comptroller and Treasurer or be  
18 otherwise used, except for the sole purpose of construction,  
19 reconstruction and maintenance of the State maintained highway  
20 system as the Illinois General Assembly shall provide by  
21 appropriation from this fund. Beginning with the month  
22 immediately following the effective date of this amendatory Act  
23 of 1985, investment income which is attributable to the  
24 investment of moneys of the State Construction Account Fund

1 shall be retained in that fund for the uses specified in this  
2 Section.

3 (b) None of the money deposited into the State Construction  
4 Account Fund pursuant to subsection (c-40) of Section 13 of the  
5 Illinois Gambling Act shall be used for the construction,  
6 reconstruction, or maintenance of highways located within the  
7 City of Chicago.

8 (Source: P.A. 84-431.)

9 (30 ILCS 105/6z-45)

10 Sec. 6z-45. The School Infrastructure Fund.

11 (a) The School Infrastructure Fund is created as a special  
12 fund in the State Treasury.

13 In addition to any other deposits authorized by law,  
14 beginning January 1, 2000, on the first day of each month, or  
15 as soon thereafter as may be practical, the State Treasurer and  
16 State Comptroller shall transfer the sum of \$5,000,000 from the  
17 General Revenue Fund to the School Infrastructure Fund, except  
18 that, notwithstanding any other provision of law, and in  
19 addition to any other transfers that may be provided for by  
20 law, before June 30, 2012, the Comptroller and the Treasurer  
21 shall transfer \$45,000,000 from the General Revenue Fund into  
22 the School Infrastructure Fund, and, for fiscal year 2013 only,  
23 the Treasurer and the Comptroller shall transfer \$1,250,000  
24 from the General Revenue Fund to the School Infrastructure Fund  
25 on the first day of each month; provided, however, that no such

1 transfers shall be made from July 1, 2001 through June 30,  
2 2003.

3 (b) Subject to the transfer provisions set forth below,  
4 money in the School Infrastructure Fund shall, if and when the  
5 State of Illinois incurs any bonded indebtedness for the  
6 construction of school improvements under the School  
7 Construction Law, be set aside and used for the purpose of  
8 paying and discharging annually the principal and interest on  
9 that bonded indebtedness then due and payable, and for no other  
10 purpose.

11 In addition to other transfers to the General Obligation  
12 Bond Retirement and Interest Fund made pursuant to Section 15  
13 of the General Obligation Bond Act, upon each delivery of bonds  
14 issued for construction of school improvements under the School  
15 Construction Law, the State Comptroller shall compute and  
16 certify to the State Treasurer the total amount of principal  
17 of, interest on, and premium, if any, on such bonds during the  
18 then current and each succeeding fiscal year. With respect to  
19 the interest payable on variable rate bonds, such  
20 certifications shall be calculated at the maximum rate of  
21 interest that may be payable during the fiscal year, after  
22 taking into account any credits permitted in the related  
23 indenture or other instrument against the amount of such  
24 interest required to be appropriated for that period.

25 On or before the last day of each month, the State  
26 Treasurer and State Comptroller shall transfer from the School

1 Infrastructure Fund to the General Obligation Bond Retirement  
2 and Interest Fund an amount sufficient to pay the aggregate of  
3 the principal of, interest on, and premium, if any, on the  
4 bonds payable on their next payment date, divided by the number  
5 of monthly transfers occurring between the last previous  
6 payment date (or the delivery date if no payment date has yet  
7 occurred) and the next succeeding payment date. Interest  
8 payable on variable rate bonds shall be calculated at the  
9 maximum rate of interest that may be payable for the relevant  
10 period, after taking into account any credits permitted in the  
11 related indenture or other instrument against the amount of  
12 such interest required to be appropriated for that period.  
13 Interest for which moneys have already been deposited into the  
14 capitalized interest account within the General Obligation  
15 Bond Retirement and Interest Fund shall not be included in the  
16 calculation of the amounts to be transferred under this  
17 subsection.

18 (b-5) The money deposited into the School Infrastructure  
19 Fund from transfers pursuant to subsections (c-30) and (c-35)  
20 of Section 13 of the Illinois Riverboat ~~Riverboat~~ Gambling Act shall be  
21 applied, without further direction, as provided in subsection  
22 (b-3) of Section 5-35 of the School Construction Law.

23 (c) The surplus, if any, in the School Infrastructure Fund  
24 after payments made pursuant to subsections (b) and (b-5) of  
25 this Section shall, subject to appropriation, be used as  
26 follows:

1 First - to make 3 payments to the School Technology  
2 Revolving Loan Fund as follows:

3 Transfer of \$30,000,000 in fiscal year 1999;

4 Transfer of \$20,000,000 in fiscal year 2000; and

5 Transfer of \$10,000,000 in fiscal year 2001.

6 Second - to pay the expenses of the State Board of  
7 Education and the Capital Development Board in administering  
8 programs under the School Construction Law, the total expenses  
9 not to exceed \$1,200,000 in any fiscal year.

10 Third - to pay any amounts due for grants for school  
11 construction projects and debt service under the School  
12 Construction Law.

13 Fourth - to pay any amounts due for grants for school  
14 maintenance projects under the School Construction Law.

15 (Source: P.A. 97-732, eff. 6-30-12; 98-18, eff. 6-7-13.)

16 (30 ILCS 105/6z-100 new)

17 Sec. 6z-100. The Gaming Facilities Fee Revenue Fund.

18 (a) The Gaming Facilities Fee Revenue Fund is created as a  
19 special fund in the State treasury.

20 (b) The revenues in the Fund shall be used, subject to  
21 appropriation, by the Comptroller for the purpose of (i)  
22 providing appropriations to the Illinois Gaming Board for the  
23 administration and enforcement of the Illinois Gambling Act,  
24 (ii) providing appropriations to the Illinois Racing Board for  
25 the administration and enforcement of the Illinois Horse Racing

1 Act of 1975, and (iii) payment of vouchers that are outstanding  
2 for more than 60 days. Whenever practical, the Comptroller must  
3 prioritize voucher payments for expenses related to medical  
4 assistance under the Illinois Public Aid Code, the Children's  
5 Health Insurance Program Act, and the Covering ALL KIDS Health  
6 Insurance Act.

7 (c) The Fund shall consist of fee revenues received  
8 pursuant to subsection (e-10) of Section 7 and subsections (b),  
9 (c), and (d) of Section 7.7 of the Illinois Gambling Act. All  
10 interest earned on moneys in the Fund shall be deposited into  
11 the Fund.

12 (d) The Fund shall not be subject to administrative charges  
13 or chargebacks, including, but not limited to, those authorized  
14 under Section 8h of this Act.

15 Section 27. The General Obligation Bond Act is amended by  
16 changing Sections 2 and 3 as follows:

17 (30 ILCS 330/2) (from Ch. 127, par. 652)

18 Sec. 2. Authorization for Bonds. The State of Illinois is  
19 authorized to issue, sell and provide for the retirement of  
20 General Obligation Bonds of the State of Illinois for the  
21 categories and specific purposes expressed in Sections 2  
22 through 8 of this Act, in the total amount of \$50,217,925,743  
23 ~~\$49,317,925,743~~.

24 The bonds authorized in this Section 2 and in Section 16 of

1 this Act are herein called "Bonds".

2 Of the total amount of Bonds authorized in this Act, up to  
3 \$2,200,000,000 in aggregate original principal amount may be  
4 issued and sold in accordance with the Baccalaureate Savings  
5 Act in the form of General Obligation College Savings Bonds.

6 Of the total amount of Bonds authorized in this Act, up to  
7 \$300,000,000 in aggregate original principal amount may be  
8 issued and sold in accordance with the Retirement Savings Act  
9 in the form of General Obligation Retirement Savings Bonds.

10 Of the total amount of Bonds authorized in this Act, the  
11 additional \$10,000,000,000 authorized by Public Act 93-2, the  
12 \$3,466,000,000 authorized by Public Act 96-43, and the  
13 \$4,096,348,300 authorized by Public Act 96-1497 shall be used  
14 solely as provided in Section 7.2.

15 The issuance and sale of Bonds pursuant to the General  
16 Obligation Bond Act is an economical and efficient method of  
17 financing the long-term capital needs of the State. This Act  
18 will permit the issuance of a multi-purpose General Obligation  
19 Bond with uniform terms and features. This will not only lower  
20 the cost of registration but also reduce the overall cost of  
21 issuing debt by improving the marketability of Illinois General  
22 Obligation Bonds.

23 (Source: P.A. 97-333, eff. 8-12-11; 97-771, eff. 7-10-12;  
24 97-813, eff. 7-13-12; 98-94, eff. 7-17-13; 98-463, eff.  
25 8-16-13.)



1 (30 ILCS 330/3) (from Ch. 127, par. 653)

2 Sec. 3. Capital Facilities. The amount of \$10,653,963,443  
3 ~~\$9,753,963,443~~ is authorized to be used for the acquisition,  
4 development, construction, reconstruction, improvement,  
5 financing, architectural planning and installation of capital  
6 facilities within the State, consisting of buildings,  
7 structures, durable equipment, land, interests in land, and the  
8 costs associated with the purchase and implementation of  
9 information technology, including but not limited to the  
10 purchase of hardware and software, for the following specific  
11 purposes:

12 (a) \$3,393,228,000 for educational purposes by State  
13 universities and colleges, the Illinois Community College  
14 Board created by the Public Community College Act and for  
15 grants to public community colleges as authorized by  
16 Sections 5-11 and 5-12 of the Public Community College Act;

17 (b) \$1,648,420,000 for correctional purposes at State  
18 prison and correctional centers;

19 (c) \$599,183,000 for open spaces, recreational and  
20 conservation purposes and the protection of land;

21 (d) \$751,317,000 for child care facilities, mental and  
22 public health facilities, and facilities for the care of  
23 disabled veterans and their spouses;

24 (e) \$2,152,790,000 for use by the State, its  
25 departments, authorities, public corporations, commissions  
26 and agencies;

1           (f) \$818,100 for cargo handling facilities at port  
2 districts and for breakwaters, including harbor entrances,  
3 at port districts in conjunction with facilities for small  
4 boats and pleasure crafts;

5           (g) \$297,177,074 for water resource management  
6 projects;

7           (h) \$16,940,269 for the provision of facilities for  
8 food production research and related instructional and  
9 public service activities at the State universities and  
10 public community colleges;

11           (i) \$36,000,000 for grants by the Secretary of State,  
12 as State Librarian, for central library facilities  
13 authorized by Section 8 of the Illinois Library System Act  
14 and for grants by the Capital Development Board to units of  
15 local government for public library facilities;

16           (j) \$25,000,000 for the acquisition, development,  
17 construction, reconstruction, improvement, financing,  
18 architectural planning and installation of capital  
19 facilities consisting of buildings, structures, durable  
20 equipment and land for grants to counties, municipalities  
21 or public building commissions with correctional  
22 facilities that do not comply with the minimum standards of  
23 the Department of Corrections under Section 3-15-2 of the  
24 Unified Code of Corrections;

25           (k) \$5,000,000 for grants in fiscal year 1988 by the  
26 Department of Conservation for improvement or expansion of

1 aquarium facilities located on property owned by a park  
2 district;

3 (l) \$599,590,000 to State agencies for grants to local  
4 governments for the acquisition, financing, architectural  
5 planning, development, alteration, installation, and  
6 construction of capital facilities consisting of  
7 buildings, structures, durable equipment, and land; and

8 (m) \$228,500,000 for the Illinois Open Land Trust  
9 Program as defined by the Illinois Open Land Trust Act.

10 (n) \$900,000,000 for the acquisition, development,  
11 construction, reconstruction, improvement, financing,  
12 architectural planning, and installation of capital  
13 facilities consisting of buildings, structures, durable  
14 equipment, and land for gambling operations authorized  
15 under Section 7.3a of the Illinois Gambling Act.

16 The amounts authorized above for capital facilities may be  
17 used for the acquisition, installation, alteration,  
18 construction, or reconstruction of capital facilities and for  
19 the purchase of equipment for the purpose of major capital  
20 improvements which will reduce energy consumption in State  
21 buildings or facilities.

22 (Source: P.A. 98-94, eff. 7-17-13.)

23 Section 30. The Illinois Income Tax Act is amended by  
24 changing Section 201 as follows:

1 (35 ILCS 5/201) (from Ch. 120, par. 2-201)

2 Sec. 201. Tax Imposed.

3 (a) In general. A tax measured by net income is hereby  
4 imposed on every individual, corporation, trust and estate for  
5 each taxable year ending after July 31, 1969 on the privilege  
6 of earning or receiving income in or as a resident of this  
7 State. Such tax shall be in addition to all other occupation or  
8 privilege taxes imposed by this State or by any municipal  
9 corporation or political subdivision thereof.

10 (b) Rates. The tax imposed by subsection (a) of this  
11 Section shall be determined as follows, except as adjusted by  
12 subsection (d-1):

13 (1) In the case of an individual, trust or estate, for  
14 taxable years ending prior to July 1, 1989, an amount equal  
15 to 2 1/2% of the taxpayer's net income for the taxable  
16 year.

17 (2) In the case of an individual, trust or estate, for  
18 taxable years beginning prior to July 1, 1989 and ending  
19 after June 30, 1989, an amount equal to the sum of (i) 2  
20 1/2% of the taxpayer's net income for the period prior to  
21 July 1, 1989, as calculated under Section 202.3, and (ii)  
22 3% of the taxpayer's net income for the period after June  
23 30, 1989, as calculated under Section 202.3.

24 (3) In the case of an individual, trust or estate, for  
25 taxable years beginning after June 30, 1989, and ending  
26 prior to January 1, 2011, an amount equal to 3% of the

1 taxpayer's net income for the taxable year.

2 (4) In the case of an individual, trust, or estate, for  
3 taxable years beginning prior to January 1, 2011, and  
4 ending after December 31, 2010, an amount equal to the sum  
5 of (i) 3% of the taxpayer's net income for the period prior  
6 to January 1, 2011, as calculated under Section 202.5, and  
7 (ii) 5% of the taxpayer's net income for the period after  
8 December 31, 2010, as calculated under Section 202.5.

9 (5) In the case of an individual, trust, or estate, for  
10 taxable years beginning on or after January 1, 2011, and  
11 ending prior to January 1, 2015, an amount equal to 5% of  
12 the taxpayer's net income for the taxable year.

13 (5.1) In the case of an individual, trust, or estate,  
14 for taxable years beginning prior to January 1, 2015, and  
15 ending after December 31, 2014, an amount equal to the sum  
16 of (i) 5% of the taxpayer's net income for the period prior  
17 to January 1, 2015, as calculated under Section 202.5, and  
18 (ii) 3.75% of the taxpayer's net income for the period  
19 after December 31, 2014, as calculated under Section 202.5.

20 (5.2) In the case of an individual, trust, or estate,  
21 for taxable years beginning on or after January 1, 2015,  
22 and ending prior to January 1, 2025, an amount equal to  
23 3.75% of the taxpayer's net income for the taxable year.

24 (5.3) In the case of an individual, trust, or estate,  
25 for taxable years beginning prior to January 1, 2025, and  
26 ending after December 31, 2024, an amount equal to the sum

1 of (i) 3.75% of the taxpayer's net income for the period  
2 prior to January 1, 2025, as calculated under Section  
3 202.5, and (ii) 3.25% of the taxpayer's net income for the  
4 period after December 31, 2024, as calculated under Section  
5 202.5.

6 (5.4) In the case of an individual, trust, or estate,  
7 for taxable years beginning on or after January 1, 2025, an  
8 amount equal to 3.25% of the taxpayer's net income for the  
9 taxable year.

10 (6) In the case of a corporation, for taxable years  
11 ending prior to July 1, 1989, an amount equal to 4% of the  
12 taxpayer's net income for the taxable year.

13 (7) In the case of a corporation, for taxable years  
14 beginning prior to July 1, 1989 and ending after June 30,  
15 1989, an amount equal to the sum of (i) 4% of the  
16 taxpayer's net income for the period prior to July 1, 1989,  
17 as calculated under Section 202.3, and (ii) 4.8% of the  
18 taxpayer's net income for the period after June 30, 1989,  
19 as calculated under Section 202.3.

20 (8) In the case of a corporation, for taxable years  
21 beginning after June 30, 1989, and ending prior to January  
22 1, 2011, an amount equal to 4.8% of the taxpayer's net  
23 income for the taxable year.

24 (9) In the case of a corporation, for taxable years  
25 beginning prior to January 1, 2011, and ending after  
26 December 31, 2010, an amount equal to the sum of (i) 4.8%

1 of the taxpayer's net income for the period prior to  
2 January 1, 2011, as calculated under Section 202.5, and  
3 (ii) 7% of the taxpayer's net income for the period after  
4 December 31, 2010, as calculated under Section 202.5.

5 (10) In the case of a corporation, for taxable years  
6 beginning on or after January 1, 2011, and ending prior to  
7 January 1, 2015, an amount equal to 7% of the taxpayer's  
8 net income for the taxable year.

9 (11) In the case of a corporation, for taxable years  
10 beginning prior to January 1, 2015, and ending after  
11 December 31, 2014, an amount equal to the sum of (i) 7% of  
12 the taxpayer's net income for the period prior to January  
13 1, 2015, as calculated under Section 202.5, and (ii) 5.25%  
14 of the taxpayer's net income for the period after December  
15 31, 2014, as calculated under Section 202.5.

16 (12) In the case of a corporation, for taxable years  
17 beginning on or after January 1, 2015, and ending prior to  
18 January 1, 2025, an amount equal to 5.25% of the taxpayer's  
19 net income for the taxable year.

20 (13) In the case of a corporation, for taxable years  
21 beginning prior to January 1, 2025, and ending after  
22 December 31, 2024, an amount equal to the sum of (i) 5.25%  
23 of the taxpayer's net income for the period prior to  
24 January 1, 2025, as calculated under Section 202.5, and  
25 (ii) 4.8% of the taxpayer's net income for the period after  
26 December 31, 2024, as calculated under Section 202.5.

1           (14) In the case of a corporation, for taxable years  
2           beginning on or after January 1, 2025, an amount equal to  
3           4.8% of the taxpayer's net income for the taxable year.

4           The rates under this subsection (b) are subject to the  
5           provisions of Section 201.5.

6           (b-5) Surcharge; sale or exchange of assets, properties,  
7           and intangibles of electronic gaming licensees. For each of  
8           taxable years 2014 through 2022, a surcharge is imposed on all  
9           taxpayers on income arising from the sale or exchange of  
10           capital assets, depreciable business property, real property  
11           used in the trade or business, and Section 197 intangibles (i)  
12           of an organization licensee under the Illinois Horse Racing Act  
13           of 1975 and (ii) of an electronic gaming licensee under the  
14           Illinois Gambling Act. The amount of the surcharge is equal to  
15           the amount of federal income tax liability for the taxable year  
16           attributable to those sales and exchanges. The surcharge  
17           imposed shall not apply if:

18           (1) the electronic gaming license, organization  
19           license, or race track property is transferred as a result  
20           of any of the following:

21           (A) bankruptcy, a receivership, or a debt  
22           adjustment initiated by or against the initial  
23           licensee or the substantial owners of the initial  
24           licensee;

25           (B) cancellation, revocation, or termination of  
26           any such license by the Illinois Gaming Board or the



1 Illinois Racing Board;

2 (C) a determination by the Illinois Gaming Board  
3 that transfer of the license is in the best interests  
4 of Illinois gaming;

5 (D) the death of an owner of the equity interest in  
6 a licensee;

7 (E) the acquisition of a controlling interest in  
8 the stock or substantially all of the assets of a  
9 publicly traded company;

10 (F) a transfer by a parent company to a wholly  
11 owned subsidiary; or

12 (G) the transfer or sale to or by one person to  
13 another person where both persons were initial owners  
14 of the license when the license was issued;

15 (2) the controlling interest in the electronic gaming  
16 license, organization license, or race track property is  
17 transferred in a transaction to lineal descendants in which  
18 no gain or loss is recognized or as a result of a  
19 transaction in accordance with Section 351 of the Internal  
20 Revenue Code in which no gain or loss is recognized; or

21 (3) live horse racing was not conducted in 2011 under a  
22 license issued pursuant to the Illinois Horse Racing Act of  
23 1975.

24 The transfer of an electronic gaming license, organization  
25 license, or race track property by a person other than the  
26 initial licensee to receive the electronic gaming license is

1 not subject to a surcharge. The Department shall adopt rules  
2 necessary to implement and administer this subsection.

3 (c) Personal Property Tax Replacement Income Tax.  
4 Beginning on July 1, 1979 and thereafter, in addition to such  
5 income tax, there is also hereby imposed the Personal Property  
6 Tax Replacement Income Tax measured by net income on every  
7 corporation (including Subchapter S corporations), partnership  
8 and trust, for each taxable year ending after June 30, 1979.  
9 Such taxes are imposed on the privilege of earning or receiving  
10 income in or as a resident of this State. The Personal Property  
11 Tax Replacement Income Tax shall be in addition to the income  
12 tax imposed by subsections (a) and (b) of this Section and in  
13 addition to all other occupation or privilege taxes imposed by  
14 this State or by any municipal corporation or political  
15 subdivision thereof.

16 (d) Additional Personal Property Tax Replacement Income  
17 Tax Rates. The personal property tax replacement income tax  
18 imposed by this subsection and subsection (c) of this Section  
19 in the case of a corporation, other than a Subchapter S  
20 corporation and except as adjusted by subsection (d-1), shall  
21 be an additional amount equal to 2.85% of such taxpayer's net  
22 income for the taxable year, except that beginning on January  
23 1, 1981, and thereafter, the rate of 2.85% specified in this  
24 subsection shall be reduced to 2.5%, and in the case of a  
25 partnership, trust or a Subchapter S corporation shall be an  
26 additional amount equal to 1.5% of such taxpayer's net income

1 for the taxable year.

2 (d-1) Rate reduction for certain foreign insurers. In the  
3 case of a foreign insurer, as defined by Section 35A-5 of the  
4 Illinois Insurance Code, whose state or country of domicile  
5 imposes on insurers domiciled in Illinois a retaliatory tax  
6 (excluding any insurer whose premiums from reinsurance assumed  
7 are 50% or more of its total insurance premiums as determined  
8 under paragraph (2) of subsection (b) of Section 304, except  
9 that for purposes of this determination premiums from  
10 reinsurance do not include premiums from inter-affiliate  
11 reinsurance arrangements), beginning with taxable years ending  
12 on or after December 31, 1999, the sum of the rates of tax  
13 imposed by subsections (b) and (d) shall be reduced (but not  
14 increased) to the rate at which the total amount of tax imposed  
15 under this Act, net of all credits allowed under this Act,  
16 shall equal (i) the total amount of tax that would be imposed  
17 on the foreign insurer's net income allocable to Illinois for  
18 the taxable year by such foreign insurer's state or country of  
19 domicile if that net income were subject to all income taxes  
20 and taxes measured by net income imposed by such foreign  
21 insurer's state or country of domicile, net of all credits  
22 allowed or (ii) a rate of zero if no such tax is imposed on such  
23 income by the foreign insurer's state of domicile. For the  
24 purposes of this subsection (d-1), an inter-affiliate includes  
25 a mutual insurer under common management.

26 (1) For the purposes of subsection (d-1), in no event

1 shall the sum of the rates of tax imposed by subsections  
2 (b) and (d) be reduced below the rate at which the sum of:

3 (A) the total amount of tax imposed on such foreign  
4 insurer under this Act for a taxable year, net of all  
5 credits allowed under this Act, plus

6 (B) the privilege tax imposed by Section 409 of the  
7 Illinois Insurance Code, the fire insurance company  
8 tax imposed by Section 12 of the Fire Investigation  
9 Act, and the fire department taxes imposed under  
10 Section 11-10-1 of the Illinois Municipal Code,  
11 equals 1.25% for taxable years ending prior to December 31,  
12 2003, or 1.75% for taxable years ending on or after  
13 December 31, 2003, of the net taxable premiums written for  
14 the taxable year, as described by subsection (1) of Section  
15 409 of the Illinois Insurance Code. This paragraph will in  
16 no event increase the rates imposed under subsections (b)  
17 and (d).

18 (2) Any reduction in the rates of tax imposed by this  
19 subsection shall be applied first against the rates imposed  
20 by subsection (b) and only after the tax imposed by  
21 subsection (a) net of all credits allowed under this  
22 Section other than the credit allowed under subsection (i)  
23 has been reduced to zero, against the rates imposed by  
24 subsection (d).

25 This subsection (d-1) is exempt from the provisions of  
26 Section 250.

1 (e) Investment credit. A taxpayer shall be allowed a credit  
2 against the Personal Property Tax Replacement Income Tax for  
3 investment in qualified property.

4 (1) A taxpayer shall be allowed a credit equal to .5%  
5 of the basis of qualified property placed in service during  
6 the taxable year, provided such property is placed in  
7 service on or after July 1, 1984. There shall be allowed an  
8 additional credit equal to .5% of the basis of qualified  
9 property placed in service during the taxable year,  
10 provided such property is placed in service on or after  
11 July 1, 1986, and the taxpayer's base employment within  
12 Illinois has increased by 1% or more over the preceding  
13 year as determined by the taxpayer's employment records  
14 filed with the Illinois Department of Employment Security.  
15 Taxpayers who are new to Illinois shall be deemed to have  
16 met the 1% growth in base employment for the first year in  
17 which they file employment records with the Illinois  
18 Department of Employment Security. The provisions added to  
19 this Section by Public Act 85-1200 (and restored by Public  
20 Act 87-895) shall be construed as declaratory of existing  
21 law and not as a new enactment. If, in any year, the  
22 increase in base employment within Illinois over the  
23 preceding year is less than 1%, the additional credit shall  
24 be limited to that percentage times a fraction, the  
25 numerator of which is .5% and the denominator of which is  
26 1%, but shall not exceed .5%. The investment credit shall

1 not be allowed to the extent that it would reduce a  
2 taxpayer's liability in any tax year below zero, nor may  
3 any credit for qualified property be allowed for any year  
4 other than the year in which the property was placed in  
5 service in Illinois. For tax years ending on or after  
6 December 31, 1987, and on or before December 31, 1988, the  
7 credit shall be allowed for the tax year in which the  
8 property is placed in service, or, if the amount of the  
9 credit exceeds the tax liability for that year, whether it  
10 exceeds the original liability or the liability as later  
11 amended, such excess may be carried forward and applied to  
12 the tax liability of the 5 taxable years following the  
13 excess credit years if the taxpayer (i) makes investments  
14 which cause the creation of a minimum of 2,000 full-time  
15 equivalent jobs in Illinois, (ii) is located in an  
16 enterprise zone established pursuant to the Illinois  
17 Enterprise Zone Act and (iii) is certified by the  
18 Department of Commerce and Community Affairs (now  
19 Department of Commerce and Economic Opportunity) as  
20 complying with the requirements specified in clause (i) and  
21 (ii) by July 1, 1986. The Department of Commerce and  
22 Community Affairs (now Department of Commerce and Economic  
23 Opportunity) shall notify the Department of Revenue of all  
24 such certifications immediately. For tax years ending  
25 after December 31, 1988, the credit shall be allowed for  
26 the tax year in which the property is placed in service,

1 or, if the amount of the credit exceeds the tax liability  
2 for that year, whether it exceeds the original liability or  
3 the liability as later amended, such excess may be carried  
4 forward and applied to the tax liability of the 5 taxable  
5 years following the excess credit years. The credit shall  
6 be applied to the earliest year for which there is a  
7 liability. If there is credit from more than one tax year  
8 that is available to offset a liability, earlier credit  
9 shall be applied first.

10 (2) The term "qualified property" means property  
11 which:

12 (A) is tangible, whether new or used, including  
13 buildings and structural components of buildings and  
14 signs that are real property, but not including land or  
15 improvements to real property that are not a structural  
16 component of a building such as landscaping, sewer  
17 lines, local access roads, fencing, parking lots, and  
18 other appurtenances;

19 (B) is depreciable pursuant to Section 167 of the  
20 Internal Revenue Code, except that "3-year property"  
21 as defined in Section 168(c)(2)(A) of that Code is not  
22 eligible for the credit provided by this subsection  
23 (e);

24 (C) is acquired by purchase as defined in Section  
25 179(d) of the Internal Revenue Code;

26 (D) is used in Illinois by a taxpayer who is

1 primarily engaged in manufacturing, or in mining coal  
2 or fluorite, or in retailing, or was placed in service  
3 on or after July 1, 2006 in a River Edge Redevelopment  
4 Zone established pursuant to the River Edge  
5 Redevelopment Zone Act; and

6 (E) has not previously been used in Illinois in  
7 such a manner and by such a person as would qualify for  
8 the credit provided by this subsection (e) or  
9 subsection (f).

10 (3) For purposes of this subsection (e),  
11 "manufacturing" means the material staging and production  
12 of tangible personal property by procedures commonly  
13 regarded as manufacturing, processing, fabrication, or  
14 assembling which changes some existing material into new  
15 shapes, new qualities, or new combinations. For purposes of  
16 this subsection (e) the term "mining" shall have the same  
17 meaning as the term "mining" in Section 613(c) of the  
18 Internal Revenue Code. For purposes of this subsection (e),  
19 the term "retailing" means the sale of tangible personal  
20 property for use or consumption and not for resale, or  
21 services rendered in conjunction with the sale of tangible  
22 personal property for use or consumption and not for  
23 resale. For purposes of this subsection (e), "tangible  
24 personal property" has the same meaning as when that term  
25 is used in the Retailers' Occupation Tax Act, and, for  
26 taxable years ending after December 31, 2008, does not



1 include the generation, transmission, or distribution of  
2 electricity.

3 (4) The basis of qualified property shall be the basis  
4 used to compute the depreciation deduction for federal  
5 income tax purposes.

6 (5) If the basis of the property for federal income tax  
7 depreciation purposes is increased after it has been placed  
8 in service in Illinois by the taxpayer, the amount of such  
9 increase shall be deemed property placed in service on the  
10 date of such increase in basis.

11 (6) The term "placed in service" shall have the same  
12 meaning as under Section 46 of the Internal Revenue Code.

13 (7) If during any taxable year, any property ceases to  
14 be qualified property in the hands of the taxpayer within  
15 48 months after being placed in service, or the situs of  
16 any qualified property is moved outside Illinois within 48  
17 months after being placed in service, the Personal Property  
18 Tax Replacement Income Tax for such taxable year shall be  
19 increased. Such increase shall be determined by (i)  
20 recomputing the investment credit which would have been  
21 allowed for the year in which credit for such property was  
22 originally allowed by eliminating such property from such  
23 computation and, (ii) subtracting such recomputed credit  
24 from the amount of credit previously allowed. For the  
25 purposes of this paragraph (7), a reduction of the basis of  
26 qualified property resulting from a redetermination of the

1 purchase price shall be deemed a disposition of qualified  
2 property to the extent of such reduction.

3 (8) Unless the investment credit is extended by law,  
4 the basis of qualified property shall not include costs  
5 incurred after December 31, 2018, except for costs incurred  
6 pursuant to a binding contract entered into on or before  
7 December 31, 2018.

8 (9) Each taxable year ending before December 31, 2000,  
9 a partnership may elect to pass through to its partners the  
10 credits to which the partnership is entitled under this  
11 subsection (e) for the taxable year. A partner may use the  
12 credit allocated to him or her under this paragraph only  
13 against the tax imposed in subsections (c) and (d) of this  
14 Section. If the partnership makes that election, those  
15 credits shall be allocated among the partners in the  
16 partnership in accordance with the rules set forth in  
17 Section 704(b) of the Internal Revenue Code, and the rules  
18 promulgated under that Section, and the allocated amount of  
19 the credits shall be allowed to the partners for that  
20 taxable year. The partnership shall make this election on  
21 its Personal Property Tax Replacement Income Tax return for  
22 that taxable year. The election to pass through the credits  
23 shall be irrevocable.

24 For taxable years ending on or after December 31, 2000,  
25 a partner that qualifies its partnership for a subtraction  
26 under subparagraph (I) of paragraph (2) of subsection (d)

1 of Section 203 or a shareholder that qualifies a Subchapter  
2 S corporation for a subtraction under subparagraph (S) of  
3 paragraph (2) of subsection (b) of Section 203 shall be  
4 allowed a credit under this subsection (e) equal to its  
5 share of the credit earned under this subsection (e) during  
6 the taxable year by the partnership or Subchapter S  
7 corporation, determined in accordance with the  
8 determination of income and distributive share of income  
9 under Sections 702 and 704 and Subchapter S of the Internal  
10 Revenue Code. This paragraph is exempt from the provisions  
11 of Section 250.

12 (f) Investment credit; Enterprise Zone; River Edge  
13 Redevelopment Zone.

14 (1) A taxpayer shall be allowed a credit against the  
15 tax imposed by subsections (a) and (b) of this Section for  
16 investment in qualified property which is placed in service  
17 in an Enterprise Zone created pursuant to the Illinois  
18 Enterprise Zone Act or, for property placed in service on  
19 or after July 1, 2006, a River Edge Redevelopment Zone  
20 established pursuant to the River Edge Redevelopment Zone  
21 Act. For partners, shareholders of Subchapter S  
22 corporations, and owners of limited liability companies,  
23 if the liability company is treated as a partnership for  
24 purposes of federal and State income taxation, there shall  
25 be allowed a credit under this subsection (f) to be  
26 determined in accordance with the determination of income

1 and distributive share of income under Sections 702 and 704  
2 and Subchapter S of the Internal Revenue Code. The credit  
3 shall be .5% of the basis for such property. The credit  
4 shall be available only in the taxable year in which the  
5 property is placed in service in the Enterprise Zone or  
6 River Edge Redevelopment Zone and shall not be allowed to  
7 the extent that it would reduce a taxpayer's liability for  
8 the tax imposed by subsections (a) and (b) of this Section  
9 to below zero. For tax years ending on or after December  
10 31, 1985, the credit shall be allowed for the tax year in  
11 which the property is placed in service, or, if the amount  
12 of the credit exceeds the tax liability for that year,  
13 whether it exceeds the original liability or the liability  
14 as later amended, such excess may be carried forward and  
15 applied to the tax liability of the 5 taxable years  
16 following the excess credit year. The credit shall be  
17 applied to the earliest year for which there is a  
18 liability. If there is credit from more than one tax year  
19 that is available to offset a liability, the credit  
20 accruing first in time shall be applied first.

21 (2) The term qualified property means property which:

22 (A) is tangible, whether new or used, including  
23 buildings and structural components of buildings;

24 (B) is depreciable pursuant to Section 167 of the  
25 Internal Revenue Code, except that "3-year property"  
26 as defined in Section 168(c)(2)(A) of that Code is not

1 eligible for the credit provided by this subsection  
2 (f);

3 (C) is acquired by purchase as defined in Section  
4 179(d) of the Internal Revenue Code;

5 (D) is used in the Enterprise Zone or River Edge  
6 Redevelopment Zone by the taxpayer; and

7 (E) has not been previously used in Illinois in  
8 such a manner and by such a person as would qualify for  
9 the credit provided by this subsection (f) or  
10 subsection (e).

11 (3) The basis of qualified property shall be the basis  
12 used to compute the depreciation deduction for federal  
13 income tax purposes.

14 (4) If the basis of the property for federal income tax  
15 depreciation purposes is increased after it has been placed  
16 in service in the Enterprise Zone or River Edge  
17 Redevelopment Zone by the taxpayer, the amount of such  
18 increase shall be deemed property placed in service on the  
19 date of such increase in basis.

20 (5) The term "placed in service" shall have the same  
21 meaning as under Section 46 of the Internal Revenue Code.

22 (6) If during any taxable year, any property ceases to  
23 be qualified property in the hands of the taxpayer within  
24 48 months after being placed in service, or the situs of  
25 any qualified property is moved outside the Enterprise Zone  
26 or River Edge Redevelopment Zone within 48 months after

1 being placed in service, the tax imposed under subsections  
2 (a) and (b) of this Section for such taxable year shall be  
3 increased. Such increase shall be determined by (i)  
4 recomputing the investment credit which would have been  
5 allowed for the year in which credit for such property was  
6 originally allowed by eliminating such property from such  
7 computation, and (ii) subtracting such recomputed credit  
8 from the amount of credit previously allowed. For the  
9 purposes of this paragraph (6), a reduction of the basis of  
10 qualified property resulting from a redetermination of the  
11 purchase price shall be deemed a disposition of qualified  
12 property to the extent of such reduction.

13 (7) There shall be allowed an additional credit equal  
14 to 0.5% of the basis of qualified property placed in  
15 service during the taxable year in a River Edge  
16 Redevelopment Zone, provided such property is placed in  
17 service on or after July 1, 2006, and the taxpayer's base  
18 employment within Illinois has increased by 1% or more over  
19 the preceding year as determined by the taxpayer's  
20 employment records filed with the Illinois Department of  
21 Employment Security. Taxpayers who are new to Illinois  
22 shall be deemed to have met the 1% growth in base  
23 employment for the first year in which they file employment  
24 records with the Illinois Department of Employment  
25 Security. If, in any year, the increase in base employment  
26 within Illinois over the preceding year is less than 1%,

1 the additional credit shall be limited to that percentage  
2 times a fraction, the numerator of which is 0.5% and the  
3 denominator of which is 1%, but shall not exceed 0.5%.

4 (g) (Blank).

5 (h) Investment credit; High Impact Business.

6 (1) Subject to subsections (b) and (b-5) of Section 5.5  
7 of the Illinois Enterprise Zone Act, a taxpayer shall be  
8 allowed a credit against the tax imposed by subsections (a)  
9 and (b) of this Section for investment in qualified  
10 property which is placed in service by a Department of  
11 Commerce and Economic Opportunity designated High Impact  
12 Business. The credit shall be .5% of the basis for such  
13 property. The credit shall not be available (i) until the  
14 minimum investments in qualified property set forth in  
15 subdivision (a)(3)(A) of Section 5.5 of the Illinois  
16 Enterprise Zone Act have been satisfied or (ii) until the  
17 time authorized in subsection (b-5) of the Illinois  
18 Enterprise Zone Act for entities designated as High Impact  
19 Businesses under subdivisions (a)(3)(B), (a)(3)(C), and  
20 (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone  
21 Act, and shall not be allowed to the extent that it would  
22 reduce a taxpayer's liability for the tax imposed by  
23 subsections (a) and (b) of this Section to below zero. The  
24 credit applicable to such investments shall be taken in the  
25 taxable year in which such investments have been completed.  
26 The credit for additional investments beyond the minimum

1 investment by a designated high impact business authorized  
2 under subdivision (a) (3) (A) of Section 5.5 of the Illinois  
3 Enterprise Zone Act shall be available only in the taxable  
4 year in which the property is placed in service and shall  
5 not be allowed to the extent that it would reduce a  
6 taxpayer's liability for the tax imposed by subsections (a)  
7 and (b) of this Section to below zero. For tax years ending  
8 on or after December 31, 1987, the credit shall be allowed  
9 for the tax year in which the property is placed in  
10 service, or, if the amount of the credit exceeds the tax  
11 liability for that year, whether it exceeds the original  
12 liability or the liability as later amended, such excess  
13 may be carried forward and applied to the tax liability of  
14 the 5 taxable years following the excess credit year. The  
15 credit shall be applied to the earliest year for which  
16 there is a liability. If there is credit from more than one  
17 tax year that is available to offset a liability, the  
18 credit accruing first in time shall be applied first.

19 Changes made in this subdivision (h) (1) by Public Act  
20 88-670 restore changes made by Public Act 85-1182 and  
21 reflect existing law.

22 (2) The term qualified property means property which:

23 (A) is tangible, whether new or used, including  
24 buildings and structural components of buildings;

25 (B) is depreciable pursuant to Section 167 of the  
26 Internal Revenue Code, except that "3-year property"



1 as defined in Section 168(c)(2)(A) of that Code is not  
2 eligible for the credit provided by this subsection  
3 (h);

4 (C) is acquired by purchase as defined in Section  
5 179(d) of the Internal Revenue Code; and

6 (D) is not eligible for the Enterprise Zone  
7 Investment Credit provided by subsection (f) of this  
8 Section.

9 (3) The basis of qualified property shall be the basis  
10 used to compute the depreciation deduction for federal  
11 income tax purposes.

12 (4) If the basis of the property for federal income tax  
13 depreciation purposes is increased after it has been placed  
14 in service in a federally designated Foreign Trade Zone or  
15 Sub-Zone located in Illinois by the taxpayer, the amount of  
16 such increase shall be deemed property placed in service on  
17 the date of such increase in basis.

18 (5) The term "placed in service" shall have the same  
19 meaning as under Section 46 of the Internal Revenue Code.

20 (6) If during any taxable year ending on or before  
21 December 31, 1996, any property ceases to be qualified  
22 property in the hands of the taxpayer within 48 months  
23 after being placed in service, or the situs of any  
24 qualified property is moved outside Illinois within 48  
25 months after being placed in service, the tax imposed under  
26 subsections (a) and (b) of this Section for such taxable

1 year shall be increased. Such increase shall be determined  
2 by (i) recomputing the investment credit which would have  
3 been allowed for the year in which credit for such property  
4 was originally allowed by eliminating such property from  
5 such computation, and (ii) subtracting such recomputed  
6 credit from the amount of credit previously allowed. For  
7 the purposes of this paragraph (6), a reduction of the  
8 basis of qualified property resulting from a  
9 redetermination of the purchase price shall be deemed a  
10 disposition of qualified property to the extent of such  
11 reduction.

12 (7) Beginning with tax years ending after December 31,  
13 1996, if a taxpayer qualifies for the credit under this  
14 subsection (h) and thereby is granted a tax abatement and  
15 the taxpayer relocates its entire facility in violation of  
16 the explicit terms and length of the contract under Section  
17 18-183 of the Property Tax Code, the tax imposed under  
18 subsections (a) and (b) of this Section shall be increased  
19 for the taxable year in which the taxpayer relocated its  
20 facility by an amount equal to the amount of credit  
21 received by the taxpayer under this subsection (h).

22 (i) Credit for Personal Property Tax Replacement Income  
23 Tax. For tax years ending prior to December 31, 2003, a credit  
24 shall be allowed against the tax imposed by subsections (a) and  
25 (b) of this Section for the tax imposed by subsections (c) and  
26 (d) of this Section. This credit shall be computed by

1 multiplying the tax imposed by subsections (c) and (d) of this  
2 Section by a fraction, the numerator of which is base income  
3 allocable to Illinois and the denominator of which is Illinois  
4 base income, and further multiplying the product by the tax  
5 rate imposed by subsections (a) and (b) of this Section.

6 Any credit earned on or after December 31, 1986 under this  
7 subsection which is unused in the year the credit is computed  
8 because it exceeds the tax liability imposed by subsections (a)  
9 and (b) for that year (whether it exceeds the original  
10 liability or the liability as later amended) may be carried  
11 forward and applied to the tax liability imposed by subsections  
12 (a) and (b) of the 5 taxable years following the excess credit  
13 year, provided that no credit may be carried forward to any  
14 year ending on or after December 31, 2003. This credit shall be  
15 applied first to the earliest year for which there is a  
16 liability. If there is a credit under this subsection from more  
17 than one tax year that is available to offset a liability the  
18 earliest credit arising under this subsection shall be applied  
19 first.

20 If, during any taxable year ending on or after December 31,  
21 1986, the tax imposed by subsections (c) and (d) of this  
22 Section for which a taxpayer has claimed a credit under this  
23 subsection (i) is reduced, the amount of credit for such tax  
24 shall also be reduced. Such reduction shall be determined by  
25 recomputing the credit to take into account the reduced tax  
26 imposed by subsections (c) and (d). If any portion of the

1 reduced amount of credit has been carried to a different  
2 taxable year, an amended return shall be filed for such taxable  
3 year to reduce the amount of credit claimed.

4 (j) Training expense credit. Beginning with tax years  
5 ending on or after December 31, 1986 and prior to December 31,  
6 2003, a taxpayer shall be allowed a credit against the tax  
7 imposed by subsections (a) and (b) under this Section for all  
8 amounts paid or accrued, on behalf of all persons employed by  
9 the taxpayer in Illinois or Illinois residents employed outside  
10 of Illinois by a taxpayer, for educational or vocational  
11 training in semi-technical or technical fields or semi-skilled  
12 or skilled fields, which were deducted from gross income in the  
13 computation of taxable income. The credit against the tax  
14 imposed by subsections (a) and (b) shall be 1.6% of such  
15 training expenses. For partners, shareholders of subchapter S  
16 corporations, and owners of limited liability companies, if the  
17 liability company is treated as a partnership for purposes of  
18 federal and State income taxation, there shall be allowed a  
19 credit under this subsection (j) to be determined in accordance  
20 with the determination of income and distributive share of  
21 income under Sections 702 and 704 and subchapter S of the  
22 Internal Revenue Code.

23 Any credit allowed under this subsection which is unused in  
24 the year the credit is earned may be carried forward to each of  
25 the 5 taxable years following the year for which the credit is  
26 first computed until it is used. This credit shall be applied

1 first to the earliest year for which there is a liability. If  
2 there is a credit under this subsection from more than one tax  
3 year that is available to offset a liability the earliest  
4 credit arising under this subsection shall be applied first. No  
5 carryforward credit may be claimed in any tax year ending on or  
6 after December 31, 2003.

7 (k) Research and development credit. For tax years ending  
8 after July 1, 1990 and prior to December 31, 2003, and  
9 beginning again for tax years ending on or after December 31,  
10 2004, and ending prior to January 1, 2016, a taxpayer shall be  
11 allowed a credit against the tax imposed by subsections (a) and  
12 (b) of this Section for increasing research activities in this  
13 State. The credit allowed against the tax imposed by  
14 subsections (a) and (b) shall be equal to 6 1/2% of the  
15 qualifying expenditures for increasing research activities in  
16 this State. For partners, shareholders of subchapter S  
17 corporations, and owners of limited liability companies, if the  
18 liability company is treated as a partnership for purposes of  
19 federal and State income taxation, there shall be allowed a  
20 credit under this subsection to be determined in accordance  
21 with the determination of income and distributive share of  
22 income under Sections 702 and 704 and subchapter S of the  
23 Internal Revenue Code.

24 For purposes of this subsection, "qualifying expenditures"  
25 means the qualifying expenditures as defined for the federal  
26 credit for increasing research activities which would be

1 allowable under Section 41 of the Internal Revenue Code and  
2 which are conducted in this State, "qualifying expenditures for  
3 increasing research activities in this State" means the excess  
4 of qualifying expenditures for the taxable year in which  
5 incurred over qualifying expenditures for the base period,  
6 "qualifying expenditures for the base period" means the average  
7 of the qualifying expenditures for each year in the base  
8 period, and "base period" means the 3 taxable years immediately  
9 preceding the taxable year for which the determination is being  
10 made.

11 Any credit in excess of the tax liability for the taxable  
12 year may be carried forward. A taxpayer may elect to have the  
13 unused credit shown on its final completed return carried over  
14 as a credit against the tax liability for the following 5  
15 taxable years or until it has been fully used, whichever occurs  
16 first; provided that no credit earned in a tax year ending  
17 prior to December 31, 2003 may be carried forward to any year  
18 ending on or after December 31, 2003.

19 If an unused credit is carried forward to a given year from  
20 2 or more earlier years, that credit arising in the earliest  
21 year will be applied first against the tax liability for the  
22 given year. If a tax liability for the given year still  
23 remains, the credit from the next earliest year will then be  
24 applied, and so on, until all credits have been used or no tax  
25 liability for the given year remains. Any remaining unused  
26 credit or credits then will be carried forward to the next

1 following year in which a tax liability is incurred, except  
2 that no credit can be carried forward to a year which is more  
3 than 5 years after the year in which the expense for which the  
4 credit is given was incurred.

5 No inference shall be drawn from this amendatory Act of the  
6 91st General Assembly in construing this Section for taxable  
7 years beginning before January 1, 1999.

8 (1) Environmental Remediation Tax Credit.

9 (i) For tax years ending after December 31, 1997 and on  
10 or before December 31, 2001, a taxpayer shall be allowed a  
11 credit against the tax imposed by subsections (a) and (b)  
12 of this Section for certain amounts paid for unreimbursed  
13 eligible remediation costs, as specified in this  
14 subsection. For purposes of this Section, "unreimbursed  
15 eligible remediation costs" means costs approved by the  
16 Illinois Environmental Protection Agency ("Agency") under  
17 Section 58.14 of the Environmental Protection Act that were  
18 paid in performing environmental remediation at a site for  
19 which a No Further Remediation Letter was issued by the  
20 Agency and recorded under Section 58.10 of the  
21 Environmental Protection Act. The credit must be claimed  
22 for the taxable year in which Agency approval of the  
23 eligible remediation costs is granted. The credit is not  
24 available to any taxpayer if the taxpayer or any related  
25 party caused or contributed to, in any material respect, a  
26 release of regulated substances on, in, or under the site

1 that was identified and addressed by the remedial action  
2 pursuant to the Site Remediation Program of the  
3 Environmental Protection Act. After the Pollution Control  
4 Board rules are adopted pursuant to the Illinois  
5 Administrative Procedure Act for the administration and  
6 enforcement of Section 58.9 of the Environmental  
7 Protection Act, determinations as to credit availability  
8 for purposes of this Section shall be made consistent with  
9 those rules. For purposes of this Section, "taxpayer"  
10 includes a person whose tax attributes the taxpayer has  
11 succeeded to under Section 381 of the Internal Revenue Code  
12 and "related party" includes the persons disallowed a  
13 deduction for losses by paragraphs (b), (c), and (f)(1) of  
14 Section 267 of the Internal Revenue Code by virtue of being  
15 a related taxpayer, as well as any of its partners. The  
16 credit allowed against the tax imposed by subsections (a)  
17 and (b) shall be equal to 25% of the unreimbursed eligible  
18 remediation costs in excess of \$100,000 per site, except  
19 that the \$100,000 threshold shall not apply to any site  
20 contained in an enterprise zone as determined by the  
21 Department of Commerce and Community Affairs (now  
22 Department of Commerce and Economic Opportunity). The  
23 total credit allowed shall not exceed \$40,000 per year with  
24 a maximum total of \$150,000 per site. For partners and  
25 shareholders of subchapter S corporations, there shall be  
26 allowed a credit under this subsection to be determined in



1       accordance with the determination of income and  
2       distributive share of income under Sections 702 and 704 and  
3       subchapter S of the Internal Revenue Code.

4       (ii) A credit allowed under this subsection that is  
5       unused in the year the credit is earned may be carried  
6       forward to each of the 5 taxable years following the year  
7       for which the credit is first earned until it is used. The  
8       term "unused credit" does not include any amounts of  
9       unreimbursed eligible remediation costs in excess of the  
10      maximum credit per site authorized under paragraph (i).  
11      This credit shall be applied first to the earliest year for  
12      which there is a liability. If there is a credit under this  
13      subsection from more than one tax year that is available to  
14      offset a liability, the earliest credit arising under this  
15      subsection shall be applied first. A credit allowed under  
16      this subsection may be sold to a buyer as part of a sale of  
17      all or part of the remediation site for which the credit  
18      was granted. The purchaser of a remediation site and the  
19      tax credit shall succeed to the unused credit and remaining  
20      carry-forward period of the seller. To perfect the  
21      transfer, the assignor shall record the transfer in the  
22      chain of title for the site and provide written notice to  
23      the Director of the Illinois Department of Revenue of the  
24      assignor's intent to sell the remediation site and the  
25      amount of the tax credit to be transferred as a portion of  
26      the sale. In no event may a credit be transferred to any

1 taxpayer if the taxpayer or a related party would not be  
2 eligible under the provisions of subsection (i).

3 (iii) For purposes of this Section, the term "site"  
4 shall have the same meaning as under Section 58.2 of the  
5 Environmental Protection Act.

6 (m) Education expense credit. Beginning with tax years  
7 ending after December 31, 1999, a taxpayer who is the custodian  
8 of one or more qualifying pupils shall be allowed a credit  
9 against the tax imposed by subsections (a) and (b) of this  
10 Section for qualified education expenses incurred on behalf of  
11 the qualifying pupils. The credit shall be equal to 25% of  
12 qualified education expenses, but in no event may the total  
13 credit under this subsection claimed by a family that is the  
14 custodian of qualifying pupils exceed \$500. In no event shall a  
15 credit under this subsection reduce the taxpayer's liability  
16 under this Act to less than zero. This subsection is exempt  
17 from the provisions of Section 250 of this Act.

18 For purposes of this subsection:

19 "Qualifying pupils" means individuals who (i) are  
20 residents of the State of Illinois, (ii) are under the age of  
21 21 at the close of the school year for which a credit is  
22 sought, and (iii) during the school year for which a credit is  
23 sought were full-time pupils enrolled in a kindergarten through  
24 twelfth grade education program at any school, as defined in  
25 this subsection.

26 "Qualified education expense" means the amount incurred on

1 behalf of a qualifying pupil in excess of \$250 for tuition,  
2 book fees, and lab fees at the school in which the pupil is  
3 enrolled during the regular school year.

4 "School" means any public or nonpublic elementary or  
5 secondary school in Illinois that is in compliance with Title  
6 VI of the Civil Rights Act of 1964 and attendance at which  
7 satisfies the requirements of Section 26-1 of the School Code,  
8 except that nothing shall be construed to require a child to  
9 attend any particular public or nonpublic school to qualify for  
10 the credit under this Section.

11 "Custodian" means, with respect to qualifying pupils, an  
12 Illinois resident who is a parent, the parents, a legal  
13 guardian, or the legal guardians of the qualifying pupils.

14 (n) River Edge Redevelopment Zone site remediation tax  
15 credit.

16 (i) For tax years ending on or after December 31, 2006,  
17 a taxpayer shall be allowed a credit against the tax  
18 imposed by subsections (a) and (b) of this Section for  
19 certain amounts paid for unreimbursed eligible remediation  
20 costs, as specified in this subsection. For purposes of  
21 this Section, "unreimbursed eligible remediation costs"  
22 means costs approved by the Illinois Environmental  
23 Protection Agency ("Agency") under Section 58.14a of the  
24 Environmental Protection Act that were paid in performing  
25 environmental remediation at a site within a River Edge  
26 Redevelopment Zone for which a No Further Remediation

1 Letter was issued by the Agency and recorded under Section  
2 58.10 of the Environmental Protection Act. The credit must  
3 be claimed for the taxable year in which Agency approval of  
4 the eligible remediation costs is granted. The credit is  
5 not available to any taxpayer if the taxpayer or any  
6 related party caused or contributed to, in any material  
7 respect, a release of regulated substances on, in, or under  
8 the site that was identified and addressed by the remedial  
9 action pursuant to the Site Remediation Program of the  
10 Environmental Protection Act. Determinations as to credit  
11 availability for purposes of this Section shall be made  
12 consistent with rules adopted by the Pollution Control  
13 Board pursuant to the Illinois Administrative Procedure  
14 Act for the administration and enforcement of Section 58.9  
15 of the Environmental Protection Act. For purposes of this  
16 Section, "taxpayer" includes a person whose tax attributes  
17 the taxpayer has succeeded to under Section 381 of the  
18 Internal Revenue Code and "related party" includes the  
19 persons disallowed a deduction for losses by paragraphs  
20 (b), (c), and (f) (1) of Section 267 of the Internal Revenue  
21 Code by virtue of being a related taxpayer, as well as any  
22 of its partners. The credit allowed against the tax imposed  
23 by subsections (a) and (b) shall be equal to 25% of the  
24 unreimbursed eligible remediation costs in excess of  
25 \$100,000 per site.

26 (ii) A credit allowed under this subsection that is

1 unused in the year the credit is earned may be carried  
2 forward to each of the 5 taxable years following the year  
3 for which the credit is first earned until it is used. This  
4 credit shall be applied first to the earliest year for  
5 which there is a liability. If there is a credit under this  
6 subsection from more than one tax year that is available to  
7 offset a liability, the earliest credit arising under this  
8 subsection shall be applied first. A credit allowed under  
9 this subsection may be sold to a buyer as part of a sale of  
10 all or part of the remediation site for which the credit  
11 was granted. The purchaser of a remediation site and the  
12 tax credit shall succeed to the unused credit and remaining  
13 carry-forward period of the seller. To perfect the  
14 transfer, the assignor shall record the transfer in the  
15 chain of title for the site and provide written notice to  
16 the Director of the Illinois Department of Revenue of the  
17 assignor's intent to sell the remediation site and the  
18 amount of the tax credit to be transferred as a portion of  
19 the sale. In no event may a credit be transferred to any  
20 taxpayer if the taxpayer or a related party would not be  
21 eligible under the provisions of subsection (i).

22 (iii) For purposes of this Section, the term "site"  
23 shall have the same meaning as under Section 58.2 of the  
24 Environmental Protection Act.

25 (o) For each of taxable years during the Compassionate Use  
26 of Medical Cannabis Pilot Program, a surcharge is imposed on

1 all taxpayers on income arising from the sale or exchange of  
2 capital assets, depreciable business property, real property  
3 used in the trade or business, and Section 197 intangibles of  
4 an organization registrant under the Compassionate Use of  
5 Medical Cannabis Pilot Program Act. The amount of the surcharge  
6 is equal to the amount of federal income tax liability for the  
7 taxable year attributable to those sales and exchanges. The  
8 surcharge imposed does not apply if:

9 (1) the medical cannabis cultivation center  
10 registration, medical cannabis dispensary registration, or  
11 the property of a registration is transferred as a result  
12 of any of the following:

13 (A) bankruptcy, a receivership, or a debt  
14 adjustment initiated by or against the initial  
15 registration or the substantial owners of the initial  
16 registration;

17 (B) cancellation, revocation, or termination of  
18 any registration by the Illinois Department of Public  
19 Health;

20 (C) a determination by the Illinois Department of  
21 Public Health that transfer of the registration is in  
22 the best interests of Illinois qualifying patients as  
23 defined by the Compassionate Use of Medical Cannabis  
24 Pilot Program Act;

25 (D) the death of an owner of the equity interest in  
26 a registrant;

1 (E) the acquisition of a controlling interest in  
2 the stock or substantially all of the assets of a  
3 publicly traded company;

4 (F) a transfer by a parent company to a wholly  
5 owned subsidiary; or

6 (G) the transfer or sale to or by one person to  
7 another person where both persons were initial owners  
8 of the registration when the registration was issued;  
9 or

10 (2) the cannabis cultivation center registration,  
11 medical cannabis dispensary registration, or the  
12 controlling interest in a registrant's property is  
13 transferred in a transaction to lineal descendants in which  
14 no gain or loss is recognized or as a result of a  
15 transaction in accordance with Section 351 of the Internal  
16 Revenue Code in which no gain or loss is recognized.

17 (Source: P.A. 97-2, eff. 5-6-11; 97-636, eff. 6-1-12; 97-905,  
18 eff. 8-7-12; 98-109, eff. 7-25-13; 98-122, eff. 1-1-14; revised  
19 8-9-13.)

20 Section 35. The Joliet Regional Port District Act is  
21 amended by changing Section 5.1 as follows:

22 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

23 Sec. 5.1. Riverboat and casino gambling. Notwithstanding  
24 any other provision of this Act, the District may not regulate

1 the operation, conduct, or navigation of any riverboat gambling  
2 casino licensed under the Illinois Riverboat Gambling Act, and  
3 the District may not license, tax, or otherwise levy any  
4 assessment of any kind on any riverboat gambling casino  
5 licensed under the Illinois Riverboat Gambling Act. The General  
6 Assembly declares that the powers to regulate the operation,  
7 conduct, and navigation of riverboat gambling casinos and to  
8 license, tax, and levy assessments upon riverboat gambling  
9 casinos are exclusive powers of the State of Illinois and the  
10 Illinois Gaming Board as provided in the Illinois Riverboat  
11 Gambling Act.

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

13 Section 40. The Consumer Installment Loan Act is amended by  
14 changing Section 12.5 as follows:

15 (205 ILCS 670/12.5)

16 Sec. 12.5. Limited purpose branch.

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

23 (b) The licensee must submit an application for a limited  
24 purpose branch to the Director on forms prescribed by the



1 Director with an application fee of \$300. The approval for the  
2 limited purpose branch must be renewed concurrently with the  
3 renewal of the licensee's license along with a renewal fee of  
4 \$300 for the limited purpose branch.

5 (c) The books, accounts, records, and files of the limited  
6 purpose branch's transactions shall be maintained at the  
7 licensee's licensed location. The licensee shall notify the  
8 Director of the licensed location at which the books, accounts,  
9 records, and files shall be maintained.

10 (d) The licensee shall prominently display at the limited  
11 purpose branch the address and telephone number of the  
12 licensee's licensed location.

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

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

17 (g) A limited purpose branch may not be located within  
18 1,000 feet of a facility operated by an inter-track wagering  
19 licensee or an organization licensee subject to the Illinois  
20 Horse Racing Act of 1975, on a riverboat or in a casino subject  
21 to the Illinois Riverboat Gambling Act, or within 1,000 feet of  
22 the location at which the riverboat docks or within 1,000 feet  
23 of a casino.

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

25 Section 45. The Illinois Horse Racing Act of 1975 is

1 amended by changing Sections 1.2, 3.11, 3.12, 6, 9, 15, 19, 20,  
2 21, 24, 25, 26, 27, 30, 30.5, 31, 31.1, 32.1, 36, 40, 54, and  
3 54.75 and by adding Sections 3.31, 3.32, 3.33, 3.35, 3.36,  
4 34.3, 39.2, and 56 as follows:

5 (230 ILCS 5/1.2)

6 Sec. 1.2. Legislative intent. This Act is intended to  
7 benefit the people of the State of Illinois by encouraging the  
8 breeding and production of race horses, assisting economic  
9 development and promoting Illinois tourism. The General  
10 Assembly finds and declares it to be the public policy of the  
11 State of Illinois to:

12 (a) support and enhance Illinois' horse racing industry,  
13 which is a significant component within the agribusiness  
14 industry;

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

17 (c) stimulate growth within Illinois' horse racing  
18 industry, thereby encouraging new investment and development  
19 to produce additional tax revenues and to create additional  
20 jobs;

21 (d) promote the further growth of tourism;

22 (e) encourage the breeding of thoroughbred and  
23 standardbred horses in this State; and

24 (f) ensure that public confidence and trust in the  
25 credibility and integrity of racing operations and the

1 regulatory process is maintained.

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

3 (230 ILCS 5/3.11) (from Ch. 8, par. 37-3.11)

4 Sec. 3.11. "Organization Licensee" means any person  
5 receiving an organization license from the Board to conduct a  
6 race meeting or meetings. With respect only to electronic  
7 gaming, "organization licensee" includes the authorization for  
8 an electronic gaming license under subsection (a) of Section 56  
9 of this Act.

10 (Source: P.A. 79-1185.)

11 (230 ILCS 5/3.12) (from Ch. 8, par. 37-3.12)

12 Sec. 3.12. Pari-mutuel system of wagering. "Pari-mutuel  
13 system of wagering" means a form of wagering on the outcome of  
14 horse races in which wagers are made in various denominations  
15 on a horse or horses and all wagers for each race are pooled  
16 and held by a licensee for distribution in a manner approved by  
17 the Board. "Pari-mutuel system of wagering" does not include  
18 wagering on historic races. Wagers may be placed via any method  
19 or at any location authorized under this Act.

20 (Source: P.A. 96-762, eff. 8-25-09.)

21 (230 ILCS 5/3.31 new)

22 Sec. 3.31. Adjusted gross receipts. "Adjusted gross  
23 receipts" means the gross receipts less winnings paid to

1 wagerers.

2 (230 ILCS 5/3.32 new)

3 Sec. 3.32. Gross receipts. "Gross receipts" means the total  
4 amount of money exchanged for the purchase of chips, tokens, or  
5 electronic cards by riverboat or casino patrons or electronic  
6 gaming patrons.

7 (230 ILCS 5/3.33 new)

8 Sec. 3.33. Electronic gaming. "Electronic gaming" means  
9 slot machine gambling, video game of chance gambling, or  
10 gambling with electronic gambling games as defined in the  
11 Illinois Gambling Act or defined by the Illinois Gaming Board  
12 that is conducted at a race track pursuant to an electronic  
13 gaming license.

14 (230 ILCS 5/3.35 new)

15 Sec. 3.35. Electronic gaming license. "Electronic gaming  
16 license" means a license issued by the Illinois Gaming Board  
17 under Section 7.7 of the Illinois Gambling Act authorizing  
18 electronic gaming at an electronic gaming facility.

19 (230 ILCS 5/3.36 new)

20 Sec. 3.36. Electronic gaming facility. "Electronic gaming  
21 facility" means that portion of an organization licensee's race  
22 track facility at which electronic gaming is conducted.

1 (230 ILCS 5/6) (from Ch. 8, par. 37-6)

2 Sec. 6. Restrictions on Board members.

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

1 ~~incidental expenses.~~

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

6 (c) No member of the Board or employee shall engage in any  
7 political activity.

8 For the purposes of this subsection (c):

9 "Political activity" means any activity in support of or in  
10 connection with any campaign for State or local elective office  
11 or any political organization, but does not include activities  
12 (i) relating to the support or opposition of any executive,  
13 legislative, or administrative action (as those terms are  
14 defined in Section 2 of the Lobbyist Registration Act), (ii)  
15 relating to collective bargaining, or (iii) that are otherwise  
16 in furtherance of the person's official State duties or  
17 governmental and public service functions.

18 "Political organization" means a party, committee,  
19 association, fund, or other organization (whether or not  
20 incorporated) that is required to file a statement of  
21 organization with the State Board of Elections or county clerk  
22 under Section 9-3 of the Election Code, but only with regard to  
23 those activities that require filing with the State Board of  
24 Elections or county clerk.

25 (d) Board members and employees may not engage in  
26 communications or any activity that may cause or have the

1 appearance of causing a conflict of interest. A conflict of  
2 interest exists if a situation influences or creates the  
3 appearance that it may influence judgment or performance of  
4 regulatory duties and responsibilities. This prohibition shall  
5 extend to any act identified by Board action that, in the  
6 judgment of the Board, could represent the potential for or the  
7 appearance of a conflict of interest.

8 (e) Board members and employees may not accept any gift,  
9 gratuity, service, compensation, travel, lodging, or thing of  
10 value, with the exception of unsolicited items of an incidental  
11 nature, from any person, corporation, limited liability  
12 company, or entity doing business with the Board.

13 (f) A Board member or employee shall not use or attempt to  
14 use his or her official position to secure, or attempt to  
15 secure, any privilege, advantage, favor, or influence for  
16 himself or herself or others. No Board member or employee,  
17 within a period of one year immediately preceding nomination by  
18 the Governor or employment, shall have been employed by or  
19 received compensation or fees for services from a person or  
20 entity, or its parent or affiliate, that has engaged in  
21 business with the Board, a licensee under this Act, or a  
22 licensee under the Illinois Gambling Act. In addition, all  
23 Board members and employees are subject to the restrictions set  
24 forth in Section 5-45 of the State Officials and Employees  
25 Ethics Act.

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

1 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

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

5 (a) The Board is vested with jurisdiction and supervision  
6 over all race meetings in this State, over all licensees doing  
7 business in this State, over all occupation licensees, and over  
8 all persons on the facilities of any licensee. Such  
9 jurisdiction shall include the power to issue licenses to the  
10 Illinois Department of Agriculture authorizing the pari-mutuel  
11 system of wagering on harness and Quarter Horse races held (1)  
12 at the Illinois State Fair in Sangamon County, and (2) at the  
13 DuQuoin State Fair in Perry County. The jurisdiction of the  
14 Board shall also include the power to issue licenses to county  
15 fairs which are eligible to receive funds pursuant to the  
16 Agricultural Fair Act, as now or hereafter amended, or their  
17 agents, authorizing the pari-mutuel system of wagering on horse  
18 races conducted at the county fairs receiving such licenses.  
19 Such licenses shall be governed by subsection (n) of this  
20 Section.

21 Upon application, the Board shall issue a license to the  
22 Illinois Department of Agriculture to conduct harness and  
23 Quarter Horse races at the Illinois State Fair and at the  
24 DuQuoin State Fairgrounds during the scheduled dates of each  
25 fair. The Board shall not require and the Department of



1 Agriculture shall be exempt from the requirements of Sections  
2 15.3, 18 and 19, paragraphs (a)(2), (b), (c), (d), (e), (e-5),  
3 (e-10), (f), (g), and (h) of Section 20, and Sections 21, 24  
4 and 25. The Board and the Department of Agriculture may extend  
5 any or all of these exemptions to any contractor or agent  
6 engaged by the Department of Agriculture to conduct its race  
7 meetings when the Board determines that this would best serve  
8 the public interest and the interest of horse racing.

9 Notwithstanding any provision of law to the contrary, it  
10 shall be lawful for any licensee to operate pari-mutuel  
11 wagering or contract with the Department of Agriculture to  
12 operate pari-mutuel wagering at the DuQuoin State Fairgrounds  
13 or for the Department to enter into contracts with a licensee,  
14 employ its owners, employees or agents and employ such other  
15 occupation licensees as the Department deems necessary in  
16 connection with race meetings and wagerings.

17 (b) The Board is vested with the full power to promulgate  
18 reasonable rules and regulations for the purpose of  
19 administering the provisions of this Act and to prescribe  
20 reasonable rules, regulations and conditions under which all  
21 horse race meetings or wagering in the State shall be  
22 conducted. Such reasonable rules and regulations are to provide  
23 for the prevention of practices detrimental to the public  
24 interest and to promote the best interests of horse racing and  
25 to impose penalties for violations thereof.

26 (c) The Board, and any person or persons to whom it

1 delegates this power, is vested with the power to enter the  
2 facilities and other places of business of any licensee to  
3 determine whether there has been compliance with the provisions  
4 of this Act and its rules and regulations.

5 (d) The Board, and any person or persons to whom it  
6 delegates this power, is vested with the authority to  
7 investigate alleged violations of the provisions of this Act,  
8 its reasonable rules and regulations, orders and final  
9 decisions; the Board shall take appropriate disciplinary  
10 action against any licensee or occupation licensee for  
11 violation thereof or institute appropriate legal action for the  
12 enforcement thereof.

13 (e) The Board, and any person or persons to whom it  
14 delegates this power, may eject or exclude from any race  
15 meeting or the facilities of any licensee, or any part thereof,  
16 any occupation licensee or any other individual whose conduct  
17 or reputation is such that his presence on those facilities  
18 may, in the opinion of the Board, call into question the  
19 honesty and integrity of horse racing or wagering or interfere  
20 with the orderly conduct of horse racing or wagering; provided,  
21 however, that no person shall be excluded or ejected from the  
22 facilities of any licensee solely on the grounds of race,  
23 color, creed, national origin, ancestry, or sex. The power to  
24 eject or exclude an occupation licensee or other individual may  
25 be exercised for just cause by the licensee or the Board,  
26 subject to subsequent hearing by the Board as to the propriety

1 of said exclusion.

2 (f) The Board is vested with the power to acquire,  
3 establish, maintain and operate (or provide by contract to  
4 maintain and operate) testing laboratories and related  
5 facilities, for the purpose of conducting saliva, blood, urine  
6 and other tests on the horses run or to be run in any horse race  
7 meeting, including races run at county fairs, and to purchase  
8 all equipment and supplies deemed necessary or desirable in  
9 connection with any such testing laboratories and related  
10 facilities and all such tests.

11 (g) The Board may require that the records, including  
12 financial or other statements of any licensee or any person  
13 affiliated with the licensee who is involved directly or  
14 indirectly in the activities of any licensee as regulated under  
15 this Act to the extent that those financial or other statements  
16 relate to such activities be kept in such manner as prescribed  
17 by the Board, and that Board employees shall have access to  
18 those records during reasonable business hours. Within 120 days  
19 of the end of its fiscal year, each licensee shall transmit to  
20 the Board an audit of the financial transactions and condition  
21 of the licensee's total operations. All audits shall be  
22 conducted by certified public accountants. Each certified  
23 public accountant must be registered in the State of Illinois  
24 under the Illinois Public Accounting Act. The compensation for  
25 each certified public accountant shall be paid directly by the  
26 licensee to the certified public accountant. A licensee shall

1 also submit any other financial or related information the  
2 Board deems necessary to effectively administer this Act and  
3 all rules, regulations, and final decisions promulgated under  
4 this Act.

5 (h) The Board shall name and appoint in the manner provided  
6 by the rules and regulations of the Board: an Executive  
7 Director; a State director of mutuels; State veterinarians and  
8 representatives to take saliva, blood, urine and other tests on  
9 horses; licensing personnel; revenue inspectors; and State  
10 seasonal employees (excluding admission ticket sellers and  
11 mutuel clerks). All of those named and appointed as provided in  
12 this subsection shall serve during the pleasure of the Board;  
13 their compensation shall be determined by the Board and be paid  
14 in the same manner as other employees of the Board under this  
15 Act.

16 (i) The Board shall require that there shall be 3 stewards  
17 at each horse race meeting, at least 2 of whom shall be named  
18 and appointed by the Board. Stewards appointed or approved by  
19 the Board, while performing duties required by this Act or by  
20 the Board, shall be entitled to the same rights and immunities  
21 as granted to Board members and Board employees in Section 10  
22 of this Act.

23 (j) The Board may discharge any Board employee who fails or  
24 refuses for any reason to comply with the rules and regulations  
25 of the Board, or who, in the opinion of the Board, is guilty of  
26 fraud, dishonesty or who is proven to be incompetent. The Board

1 shall have no right or power to determine who shall be  
2 officers, directors or employees of any licensee, or their  
3 salaries except the Board may, by rule, require that all or any  
4 officials or employees in charge of or whose duties relate to  
5 the actual running of races be approved by the Board.

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

10 (l) The Board is vested with the power to impose civil  
11 penalties of up to \$5,000 against an individual and up to  
12 \$10,000 against a licensee for each violation of any provision  
13 of this Act, any rules adopted by the Board, any order of the  
14 Board or any other action which, in the Board's discretion, is  
15 a detriment or impediment to horse racing or wagering.  
16 Beginning on the date when any organization licensee begins  
17 conducting electronic gaming pursuant to an electronic gaming  
18 license issued under the Illinois Gambling Act, the power  
19 granted to the Board pursuant to this subsection (l) shall  
20 authorize the Board to impose penalties of up to \$10,000  
21 against an individual and up to \$25,000 against a licensee. All  
22 such civil penalties shall be deposited into the Horse Racing  
23 Fund.

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

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

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

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

7           (Source: P.A. 97-1060, eff. 8-24-12.)

8           (230 ILCS 5/15) (from Ch. 8, par. 37-15)

9           Sec. 15. (a) The Board shall, in its discretion, issue  
10 occupation licenses to horse owners, trainers, harness  
11 drivers, jockeys, agents, apprentices, grooms, stable foremen,  
12 exercise persons, veterinarians, valets, blacksmiths,  
13 concessionaires and others designated by the Board whose work,  
14 in whole or in part, is conducted upon facilities within the  
15 State. Such occupation licenses will be obtained prior to the  
16 persons engaging in their vocation upon such facilities. The  
17 Board shall not license pari-mutuel clerks, parking  
18 attendants, security guards and employees of concessionaires.  
19 No occupation license shall be required of any person who works  
20 at facilities within this State as a pari-mutuel clerk, parking  
21 attendant, security guard or as an employee of a  
22 concessionaire. Concessionaires of the Illinois State Fair and  
23 DuQuoin State Fair and employees of the Illinois Department of  
24 Agriculture shall not be required to obtain an occupation  
25 license by the Board.

1 (b) Each application for an occupation license shall be on  
2 forms prescribed by the Board. Such license, when issued, shall  
3 be for the period ending December 31 of each year, except that  
4 the Board in its discretion may grant 3-year licenses. The  
5 application shall be accompanied by a fee of not more than \$25  
6 per year or, in the case of 3-year occupation license  
7 applications, a fee of not more than \$60. Each applicant shall  
8 set forth in the application his full name and address, and if  
9 he had been issued prior occupation licenses or has been  
10 licensed in any other state under any other name, such name,  
11 his age, whether or not a permit or license issued to him in  
12 any other state has been suspended or revoked and if so whether  
13 such suspension or revocation is in effect at the time of the  
14 application, and such other information as the Board may  
15 require. Fees for registration of stable names shall not exceed  
16 \$50.00. Beginning on the date when any organization licensee  
17 begins conducting electronic gaming pursuant to an electronic  
18 gambling license issued under the Illinois Gambling Act, the  
19 fee for registration of stable names shall not exceed \$150, and  
20 the application fee for an occupation license shall not exceed  
21 \$75, per year or, in the case of a 3-year occupation license  
22 application, the fee shall not exceed \$180.

23 (c) The Board may in its discretion refuse an occupation  
24 license to any person:

25 (1) who has been convicted of a crime;

26 (2) who is unqualified to perform the duties required



1 of such applicant;

2 (3) who fails to disclose or states falsely any  
3 information called for in the application;

4 (4) who has been found guilty of a violation of this  
5 Act or of the rules and regulations of the Board; or

6 (5) whose license or permit has been suspended, revoked  
7 or denied for just cause in any other state.

8 (d) The Board may suspend or revoke any occupation license:

9 (1) for violation of any of the provisions of this Act;  
10 or

11 (2) for violation of any of the rules or regulations of  
12 the Board; or

13 (3) for any cause which, if known to the Board, would  
14 have justified the Board in refusing to issue such  
15 occupation license; or

16 (4) for any other just cause.

17 (e) Each applicant shall submit his or her fingerprints  
18 to the Department of State Police in the form and manner  
19 prescribed by the Department of State Police. These  
20 fingerprints shall be checked against the fingerprint records  
21 now and hereafter filed in the Department of State Police and  
22 Federal Bureau of Investigation criminal history records  
23 databases. The Department of State Police shall charge a fee  
24 for conducting the criminal history records check, which shall  
25 be deposited in the State Police Services Fund and shall not  
26 exceed the actual cost of the records check. The Department of

1 State Police shall furnish, pursuant to positive  
2 identification, records of conviction to the Board. Each  
3 applicant for licensure shall submit with his occupation  
4 license application, on forms provided by the Board, 2 sets of  
5 his fingerprints. All such applicants shall appear in person at  
6 the location designated by the Board for the purpose of  
7 submitting such sets of fingerprints; however, with the prior  
8 approval of a State steward, an applicant may have such sets of  
9 fingerprints taken by an official law enforcement agency and  
10 submitted to the Board.

11 (f) The Board may, in its discretion, issue an occupation  
12 license without submission of fingerprints if an applicant has  
13 been duly licensed in another recognized racing jurisdiction  
14 after submitting fingerprints that were subjected to a Federal  
15 Bureau of Investigation criminal history background check in  
16 that jurisdiction.

17 (g) Beginning on the date when any organization licensee  
18 begins conducting electronic gambling pursuant to an  
19 electronic gaming license issued under the Illinois Gambling  
20 Act, the Board may charge each applicant a reasonable  
21 non-refundable fee to defray the costs associated with the  
22 background investigation conducted by the Board. This fee shall  
23 be exclusive of any other fee or fees charged in connection  
24 with an application for and, if applicable, the issuance of, an  
25 electronic gaming license. If the costs of the investigation  
26 exceed the amount of the fee charged, the Board shall

1 immediately notify the applicant of the additional amount owed,  
2 payment of which must be submitted to the Board within 7 days  
3 after such notification. All information, records, interviews,  
4 reports, statements, memoranda, or other data supplied to or  
5 used by the Board in the course of its review or investigation  
6 of an applicant for a license or renewal under this Act shall  
7 be privileged, strictly confidential, and shall be used only  
8 for the purpose of evaluating an applicant for a license or a  
9 renewal. Such information, records, interviews, reports,  
10 statements, memoranda, or other data shall not be admissible as  
11 evidence, nor discoverable, in any action of any kind in any  
12 court or before any tribunal, board, agency, or person, except  
13 for any action deemed necessary by the Board.

14 (Source: P.A. 93-418, eff. 1-1-04.)

15 (230 ILCS 5/19) (from Ch. 8, par. 37-19)

16 Sec. 19. (a) No organization license may be granted to  
17 conduct a horse race meeting:

18 (1) except as provided in subsection (c) of Section 21  
19 of this Act, to any person at any place within 35 miles of  
20 any other place licensed by the Board to hold a race  
21 meeting on the same date during the same hours, the mileage  
22 measurement used in this subsection (a) shall be certified  
23 to the Board by the Bureau of Systems and Services in the  
24 Illinois Department of Transportation as the most commonly  
25 used public way of vehicular travel;

1           (2) to any person in default in the payment of any  
2 obligation or debt due the State under this Act, provided  
3 no applicant shall be deemed in default in the payment of  
4 any obligation or debt due to the State under this Act as  
5 long as there is pending a hearing of any kind relevant to  
6 such matter;

7           (3) to any person who has been convicted of the  
8 violation of any law of the United States or any State law  
9 which provided as all or part of its penalty imprisonment  
10 in any penal institution; to any person against whom there  
11 is pending a Federal or State criminal charge; to any  
12 person who is or has been connected with or engaged in the  
13 operation of any illegal business; to any person who does  
14 not enjoy a general reputation in his community of being an  
15 honest, upright, law-abiding person; provided that none of  
16 the matters set forth in this subparagraph (3) shall make  
17 any person ineligible to be granted an organization license  
18 if the Board determines, based on circumstances of any such  
19 case, that the granting of a license would not be  
20 detrimental to the interests of horse racing and of the  
21 public;

22           (4) to any person who does not at the time of  
23 application for the organization license own or have a  
24 contract or lease for the possession of a finished race  
25 track suitable for the type of racing intended to be held  
26 by the applicant and for the accommodation of the public.

1           (b) (Blank) ~~Horse racing on Sunday shall be prohibited~~  
2 ~~unless authorized by ordinance or referendum of the~~  
3 ~~municipality in which a race track or any of its appurtenances~~  
4 ~~or facilities are located, or utilized.~~

5           (c) If any person is ineligible to receive an organization  
6 license because of any of the matters set forth in subsection  
7 (a) (2) or subsection (a) (3) of this Section, any other or  
8 separate person that either (i) controls, directly or  
9 indirectly, such ineligible person or (ii) is controlled,  
10 directly or indirectly, by such ineligible person or by a  
11 person which controls, directly or indirectly, such ineligible  
12 person shall also be ineligible.

13           (Source: P.A. 88-495; 89-16, eff. 5-30-95.)

14           (230 ILCS 5/20) (from Ch. 8, par. 37-20)

15           Sec. 20. (a) Any person desiring to conduct a horse race  
16 meeting may apply to the Board for an organization license. The  
17 application shall be made on a form prescribed and furnished by  
18 the Board. The application shall specify:

19           (1) the dates on which it intends to conduct the horse  
20 race meeting, which dates shall be provided under Section  
21 21;

22           (2) the hours of each racing day between which it  
23 intends to hold or conduct horse racing at such meeting;

24           (3) the location where it proposes to conduct the  
25 meeting; and

1           (4) any other information the Board may reasonably  
2           require.

3           (b) A separate application for an organization license  
4           shall be filed for each horse race meeting which such person  
5           proposes to hold. Any such application, if made by an  
6           individual, or by any individual as trustee, shall be signed  
7           and verified under oath by such individual. If the application  
8           is made by individuals, then it shall be signed and verified  
9           under oath by at least 2 of the individuals; if the application  
10           is made by ~~or a partnership, it shall be signed and verified~~  
11           ~~under oath by at least 2 of such individuals or members of such~~  
12           ~~partnership as the case may be. If made by an association, a~~  
13           corporation, a corporate trustee, a limited liability company,  
14           or any other entity, it shall be signed by an authorized  
15           officer, a partner, a member, or a manager, as the case may be,  
16           of the entity ~~the president and attested by the secretary or~~  
17           ~~assistant secretary under the seal of such association, trust~~  
18           ~~or corporation if it has a seal, and shall also be verified~~  
19           ~~under oath by one of the signing officers.~~

20           (c) The application shall specify:

21           (1) the name of the persons, association, trust, or  
22           corporation making such application; ~~and~~

23           (2) the principal ~~post office~~ address of the applicant;

24           (3) if the applicant is a trustee, the names and  
25           addresses of the beneficiaries; if the applicant is a  
26           corporation, the names and ~~post office~~ addresses of all

1 officers, stockholders and directors; or if such  
2 stockholders hold stock as a nominee or fiduciary, the  
3 names and ~~post-office~~ addresses of the parties ~~these~~  
4 ~~persons, partnerships, corporations, or trusts~~ who are the  
5 beneficial owners thereof or who are beneficially  
6 interested therein; ~~and~~ if the applicant is a partnership,  
7 the names and ~~post-office~~ addresses of all partners,  
8 general or limited; if the applicant is a limited liability  
9 company, the names and addresses of the manager and  
10 members; and if the applicant is any other entity, the  
11 names and addresses of all officers or other authorized  
12 persons of the entity ~~corporation, the name of the state of~~  
13 ~~its incorporation shall be specified.~~

14 (d) The applicant shall execute and file with the Board a  
15 good faith affirmative action plan to recruit, train, and  
16 upgrade minorities in all classifications within the  
17 association.

18 (e) With such application there shall be delivered to the  
19 Board a certified check or bank draft payable to the order of  
20 the Board for an amount equal to \$1,000. All applications for  
21 the issuance of an organization license shall be filed with the  
22 Board before August 1 of the year prior to the year for which  
23 application is made and shall be acted upon by the Board at a  
24 meeting to be held on such date as shall be fixed by the Board  
25 during the last 15 days of September of such prior year. At  
26 such meeting, the Board shall announce the award of the racing

1 meets, live racing schedule, and designation of host track to  
2 the applicants and its approval or disapproval of each  
3 application. No announcement shall be considered binding until  
4 a formal order is executed by the Board, which shall be  
5 executed no later than October 15 of that prior year. Absent  
6 the agreement of the affected organization licensees, the Board  
7 shall not grant overlapping race meetings to 2 or more tracks  
8 that are within 100 miles of each other to conduct the  
9 thoroughbred racing.

10 (e-1) In awarding standardbred racing dates for calendar  
11 year 2015 and thereafter, the Board shall award at least 310  
12 racing days, and each organization licensee shall average at  
13 least 12 races for each racing day awarded. The Board shall  
14 have the discretion to allocate those racing days among  
15 organization licensees requesting standardbred racing dates.  
16 Once awarded by the Board, organization licensees awarded  
17 standardbred racing dates shall run at least 3,500 races in  
18 total during that calendar year. Standardbred racing conducted  
19 in Sangamon County shall not be considered races under this  
20 subsection (e-1).

21 (e-2) In awarding racing dates for calendar year 2015 and  
22 thereafter, the Board shall award thoroughbred racing days to  
23 Cook County organization licensees commensurate with these  
24 organization licensees' requirement that they shall run at  
25 least 1,950 thoroughbred races in the aggregate, so long as 2  
26 organization licensees are conducting electronic gaming



1 operations. Additionally, if the organization licensees that  
2 run thoroughbred races in Cook County are conducting electronic  
3 gaming operations, the Board shall increase the number of  
4 thoroughbred races to be run in Cook County in the aggregate to  
5 at least the following:

6 (i) 2,050 races in any year following the most recent  
7 preceding complete calendar year when the combined  
8 adjusted gross receipts of the electronic gaming licensees  
9 operating at Cook County race tracks total in excess of  
10 \$200,000,000, but do not exceed \$250,000,000;

11 (ii) 2,125 races in any year following the most recent  
12 preceding complete calendar year when the combined  
13 adjusted gross receipts of the electronic gaming licensees  
14 operating at Cook County race tracks total in excess of  
15 \$250,000,000, but do not exceed \$300,000,000;

16 (iii) 2,200 races in any year following the most recent  
17 preceding complete calendar year when the combined  
18 adjusted gross receipts of the electronic gaming licensees  
19 operating at Cook County race tracks total in excess of  
20 \$300,000,000, but do not exceed \$350,000,000;

21 (iv) 2,300 races in any year following the most recent  
22 preceding complete calendar year when the combined  
23 adjusted gross receipts of the electronic gaming licensees  
24 operating at Cook County race tracks total in excess of  
25 \$350,000,000, but do not exceed \$400,000,000;

26 (v) 2,375 races in any year following the most recent

1       preceding complete calendar year when the combined  
2       adjusted gross receipts of the electronic gaming licensees  
3       operating at Cook County race tracks total in excess of  
4       \$400,000,000, but do not exceed \$450,000,000;

5           (vi) 2,450 races in any year following the most recent  
6       preceding complete calendar year when the combined  
7       adjusted gross receipts of the electronic gaming licensees  
8       operating at Cook County race tracks total in excess of  
9       \$450,000,000, but do not exceed \$500,000,000;

10          (vii) 2,550 races in any year following the most recent  
11       preceding complete calendar year when the combined  
12       adjusted gross receipts of the electronic gaming licensees  
13       operating at Cook County race tracks exceeds \$500,000,000.

14       In awarding racing dates under this subsection (e-2), the  
15       Board shall have the discretion to allocate those thoroughbred  
16       racing dates among these Cook County organization licensees.

17       (e-3) Notwithstanding the provisions of Section 7.7 of the  
18       Illinois Gambling Act or any provision of this Act other than  
19       subsection (e-4), for each calendar year for which an  
20       electronic gaming licensee requests racing dates for a specific  
21       horse breed which results in a number of live races for that  
22       specific breed under its organization license that is less than  
23       the total number of live races for that specific breed which it  
24       conducted in 2011 for standardbred racing and in 2009 for  
25       thoroughbred racing at its race track facility, the electronic  
26       gaming licensee may not conduct electronic gaming for the

1 calendar year of such requested live races.

2 (e-4) The Board shall ensure that each organization  
3 licensee shall individually run a sufficient number of races  
4 per year to qualify for an electronic gaming license under this  
5 Act. The General Assembly finds that the minimum live racing  
6 guarantees contained in subsections (e-1) and (e-2) are in the  
7 best interest of the sport of horse racing, and that such  
8 guarantees may only be reduced in the limited circumstances  
9 described in this subsection. The Board may decrease the number  
10 of racing days without affecting an organization licensee's  
11 ability to conduct electronic gaming only if the Board  
12 determines, after notice and hearing, that:

13 (i) a decrease is necessary to maintain a sufficient  
14 number of betting interests per race to ensure the  
15 integrity of racing;

16 (ii) there are unsafe track conditions due to weather  
17 or acts of God;

18 (iii) there is an agreement between an organization  
19 licensee and the breed association that is applicable to  
20 the involved live racing guarantee, such association  
21 representing either the largest number of thoroughbred  
22 owners and trainers or the largest number of standardbred  
23 owners, trainers, and drivers who race horses at the  
24 involved organization licensee's racing meeting, so long  
25 as the agreement does not compromise the integrity of the  
26 sport of horse racing; or

1           (iv) the horse population or purse levels are  
2           insufficient to provide the number of racing opportunities  
3           otherwise required in this Act.

4           In decreasing the number of racing dates in accordance with  
5           this subsection, the Board shall hold a hearing and shall  
6           provide the public and all interested parties notice and an  
7           opportunity to be heard. The Board shall accept testimony from  
8           all interested parties, including any association representing  
9           owners, trainers, jockeys, or drivers who will be affected by  
10           the decrease in racing dates. The Board shall provide a written  
11           explanation of the reasons for the decrease and the Board's  
12           findings. The written explanation shall include a listing and  
13           content of all communication between any party and any Illinois  
14           Racing Board member or staff that does not take place at a  
15           public meeting of the Board.

16           (e-5) In reviewing an application for the purpose of  
17           granting an organization license consistent with the best  
18           interests of the public and the sport of horse racing, the  
19           Board shall consider:

20           (1) the character, reputation, experience, and  
21           financial integrity of the applicant and of any other  
22           separate person that either:

23           (i) controls the applicant, directly or  
24           indirectly, or

25           (ii) is controlled, directly or indirectly, by  
26           that applicant or by a person who controls, directly or

1 indirectly, that applicant;

2 (2) the applicant's facilities or proposed facilities  
3 for conducting horse racing;

4 (3) the total revenue without regard to Section 32.1 to  
5 be derived by the State and horsemen from the applicant's  
6 conducting a race meeting;

7 (4) the applicant's good faith affirmative action plan  
8 to recruit, train, and upgrade minorities in all employment  
9 classifications;

10 (5) the applicant's financial ability to purchase and  
11 maintain adequate liability and casualty insurance;

12 (6) the applicant's proposed and prior year's  
13 promotional and marketing activities and expenditures of  
14 the applicant associated with those activities;

15 (7) an agreement, if any, among organization licensees  
16 as provided in subsection (b) of Section 21 of this Act;  
17 and

18 (8) the extent to which the applicant exceeds or meets  
19 other standards for the issuance of an organization license  
20 that the Board shall adopt by rule.

21 In granting organization licenses and allocating dates for  
22 horse race meetings, the Board shall have discretion to  
23 determine an overall schedule, including required simulcasts  
24 of Illinois races by host tracks that will, in its judgment, be  
25 conducive to the best interests of the public and the sport of  
26 horse racing.

1           (e-10) The Illinois Administrative Procedure Act shall  
2 apply to administrative procedures of the Board under this Act  
3 for the granting of an organization license, except that (1)  
4 notwithstanding the provisions of subsection (b) of Section  
5 10-40 of the Illinois Administrative Procedure Act regarding  
6 cross-examination, the Board may prescribe rules limiting the  
7 right of an applicant or participant in any proceeding to award  
8 an organization license to conduct cross-examination of  
9 witnesses at that proceeding where that cross-examination  
10 would unduly obstruct the timely award of an organization  
11 license under subsection (e) of Section 20 of this Act; (2) the  
12 provisions of Section 10-45 of the Illinois Administrative  
13 Procedure Act regarding proposals for decision are excluded  
14 under this Act; (3) notwithstanding the provisions of  
15 subsection (a) of Section 10-60 of the Illinois Administrative  
16 Procedure Act regarding ex parte communications, the Board may  
17 prescribe rules allowing ex parte communications with  
18 applicants or participants in a proceeding to award an  
19 organization license where conducting those communications  
20 would be in the best interest of racing, provided all those  
21 communications are made part of the record of that proceeding  
22 pursuant to subsection (c) of Section 10-60 of the Illinois  
23 Administrative Procedure Act; (4) the provisions of Section 14a  
24 of this Act and the rules of the Board promulgated under that  
25 Section shall apply instead of the provisions of Article 10 of  
26 the Illinois Administrative Procedure Act regarding

1 administrative law judges; and (5) the provisions of subsection  
2 (d) of Section 10-65 of the Illinois Administrative Procedure  
3 Act that prevent summary suspension of a license pending  
4 revocation or other action shall not apply.

5 (f) The Board may allot racing dates to an organization  
6 licensee for more than one calendar year but for no more than 3  
7 successive calendar years in advance, provided that the Board  
8 shall review such allotment for more than one calendar year  
9 prior to each year for which such allotment has been made. The  
10 granting of an organization license to a person constitutes a  
11 privilege to conduct a horse race meeting under the provisions  
12 of this Act, and no person granted an organization license  
13 shall be deemed to have a vested interest, property right, or  
14 future expectation to receive an organization license in any  
15 subsequent year as a result of the granting of an organization  
16 license. Organization licenses shall be subject to revocation  
17 if the organization licensee has violated any provision of this  
18 Act or the rules and regulations promulgated under this Act or  
19 has been convicted of a crime or has failed to disclose or has  
20 stated falsely any information called for in the application  
21 for an organization license. Any organization license  
22 revocation proceeding shall be in accordance with Section 16  
23 regarding suspension and revocation of occupation licenses.

24 (f-5) If, (i) an applicant does not file an acceptance of  
25 the racing dates awarded by the Board as required under part  
26 (1) of subsection (h) of this Section 20, or (ii) an

1 organization licensee has its license suspended or revoked  
2 under this Act, the Board, upon conducting an emergency hearing  
3 as provided for in this Act, may reaward on an emergency basis  
4 pursuant to rules established by the Board, racing dates not  
5 accepted or the racing dates associated with any suspension or  
6 revocation period to one or more organization licensees, new  
7 applicants, or any combination thereof, upon terms and  
8 conditions that the Board determines are in the best interest  
9 of racing, provided, the organization licensees or new  
10 applicants receiving the awarded racing dates file an  
11 acceptance of those reawarded racing dates as required under  
12 paragraph (1) of subsection (h) of this Section 20 and comply  
13 with the other provisions of this Act. The Illinois  
14 Administrative Procedure Act shall not apply to the  
15 administrative procedures of the Board in conducting the  
16 emergency hearing and the reallocation of racing dates on an  
17 emergency basis.

18 (g) (Blank).

19 (h) The Board shall send the applicant a copy of its  
20 formally executed order by certified mail addressed to the  
21 applicant at the address stated in his application, which  
22 notice shall be mailed within 5 days of the date the formal  
23 order is executed.

24 Each applicant notified shall, within 10 days after receipt  
25 of the final executed order of the Board awarding racing dates:

26 (1) file with the Board an acceptance of such award in



1 the form prescribed by the Board;

2 (2) pay to the Board an additional amount equal to \$110  
3 for each racing date awarded; and

4 (3) file with the Board the bonds required in Sections  
5 21 and 25 at least 20 days prior to the first day of each  
6 race meeting.

7 Upon compliance with the provisions of paragraphs (1), (2), and  
8 (3) of this subsection (h), the applicant shall be issued an  
9 organization license.

10 If any applicant fails to comply with this Section or fails  
11 to pay the organization license fees herein provided, no  
12 organization license shall be issued to such applicant.

13 (Source: P.A. 97-333, eff. 8-12-11.)

14 (230 ILCS 5/21) (from Ch. 8, par. 37-21)

15 Sec. 21. (a) Applications for organization licenses must be  
16 filed with the Board at a time and place prescribed by the  
17 rules and regulations of the Board. The Board shall examine the  
18 applications within 21 days after the date allowed for filing  
19 with respect to their conformity with this Act and such rules  
20 and regulations as may be prescribed by the Board. If any  
21 application does not comply with this Act or the rules and  
22 regulations prescribed by the Board, such application may be  
23 rejected and an organization license refused to the applicant,  
24 or the Board may, within 21 days of the receipt of such  
25 application, advise the applicant of the deficiencies of the

1 application under the Act or the rules and regulations of the  
2 Board, and require the submittal of an amended application  
3 within a reasonable time determined by the Board; and upon  
4 submittal of the amended application by the applicant, the  
5 Board may consider the application consistent with the process  
6 described in subsection (e-5) of Section 20 of this Act. If it  
7 is found to be in compliance with this Act and the rules and  
8 regulations of the Board, the Board may then issue an  
9 organization license to such applicant.

10 (b) The Board may exercise discretion in granting racing  
11 dates to qualified applicants different from those requested by  
12 the applicants in their applications. However, if all eligible  
13 applicants for organization licenses whose tracks are located  
14 within 100 miles of each other execute and submit to the Board  
15 a written agreement among such applicants as to the award of  
16 racing dates, including where applicable racing programs, for  
17 up to 3 consecutive years, then subject to annual review of  
18 each applicant's compliance with Board rules and regulations,  
19 provisions of this Act and conditions contained in annual dates  
20 orders issued by the Board, the Board may grant such dates and  
21 programs to such applicants as so agreed by them if the Board  
22 determines that the grant of these racing dates is in the best  
23 interests of racing. The Board shall treat any such agreement  
24 as the agreement signatories' joint and several application for  
25 racing dates during the term of the agreement.

26 (c) Where 2 or more applicants propose to conduct horse

1 race meetings within 35 miles of each other, as certified to  
2 the Board under Section 19 (a) (1) of this Act, on conflicting  
3 dates, the Board may determine and grant the number of racing  
4 days to be awarded to the several applicants in accordance with  
5 the provisions of subsection (e-5) of Section 20 of this Act.

6 (d) (Blank).

7 (e) Prior to the issuance of an organization license, the  
8 applicant shall file with the Board a bond payable to the State  
9 of Illinois in the sum of \$200,000, executed by the applicant  
10 and a surety company or companies authorized to do business in  
11 this State, and conditioned upon the payment by the  
12 organization licensee of all taxes due under Section 27, other  
13 monies due and payable under this Act, all purses due and  
14 payable, and that the organization licensee will upon  
15 presentation of the winning ticket or tickets distribute all  
16 sums due to the patrons of pari-mutuel pools. Beginning on the  
17 date when any organization licensee begins conducting  
18 electronic gaming pursuant to an electronic gaming license  
19 issued under the Illinois Gambling Act, the amount of the bond  
20 required under this subsection (e) shall be \$500,000.

21 (f) Each organization license shall specify the person to  
22 whom it is issued, the dates upon which horse racing is  
23 permitted, and the location, place, track, or enclosure where  
24 the horse race meeting is to be held.

25 (g) Any person who owns one or more race tracks within the  
26 State may seek, in its own name, a separate organization

1 license for each race track.

2 (h) All racing conducted under such organization license is  
3 subject to this Act and to the rules and regulations from time  
4 to time prescribed by the Board, and every such organization  
5 license issued by the Board shall contain a recital to that  
6 effect.

7 (i) Each such organization licensee may provide that at  
8 least one race per day may be devoted to the racing of quarter  
9 horses, appaloosas, arabians, or paints.

10 (j) In acting on applications for organization licenses,  
11 the Board shall give weight to an organization license which  
12 has implemented a good faith affirmative action effort to  
13 recruit, train and upgrade minorities in all classifications  
14 within the organization license.

15 (Source: P.A. 90-754, eff. 1-1-99; 91-40, eff. 6-25-99.)

16 (230 ILCS 5/24) (from Ch. 8, par. 37-24)

17 Sec. 24. (a) No license shall be issued to or held by an  
18 organization licensee unless all of its officers, directors,  
19 and holders of ownership interests of at least 5% are first  
20 approved by the Board. The Board shall not give approval of an  
21 organization license application to any person who has been  
22 convicted of or is under an indictment for a crime of moral  
23 turpitude or has violated any provision of the racing law of  
24 this State or any rules of the Board.

25 (b) An organization licensee must notify the Board within

1 10 days of any change in the holders of a direct or indirect  
2 interest in the ownership of the organization licensee. The  
3 Board may, after hearing, revoke the organization license of  
4 any person who registers on its books or knowingly permits a  
5 direct or indirect interest in the ownership of that person  
6 without notifying the Board of the name of the holder in  
7 interest within this period.

8 (c) In addition to the provisions of subsection (a) of this  
9 Section, no person shall be granted an organization license if  
10 any public official of the State or member of his or her family  
11 holds any ownership or financial interest, directly or  
12 indirectly, in the person.

13 (d) No person which has been granted an organization  
14 license to hold a race meeting shall give to any public  
15 official or member of his family, directly or indirectly, for  
16 or without consideration, any interest in the person. The Board  
17 shall, after hearing, revoke the organization license granted  
18 to a person which has violated this subsection.

19 (e) (Blank).

20 (f) No organization licensee or concessionaire or officer,  
21 director or holder or controller of 5% or more legal or  
22 beneficial interest in any organization licensee or concession  
23 shall make any sort of gift or contribution that is prohibited  
24 under Article 10 of the State Officials and Employees Ethics  
25 Act of any kind or pay or give any money or other thing of value  
26 to any person who is a public official, or a candidate or

1 nominee for public office if that payment or gift is prohibited  
2 under Article 10 of the State Officials and Employees Ethics  
3 Act.

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

5 (230 ILCS 5/25) (from Ch. 8, par. 37-25)

6 Sec. 25. Admission charge; bond; fine.

7 (a) There shall be paid to the Board at such time or times  
8 as it shall prescribe, the sum of fifteen cents (15¢) for each  
9 person entering the grounds or enclosure of each organization  
10 licensee and inter-track wagering licensee upon a ticket of  
11 admission except as provided in subsection (g) of Section 27 of  
12 this Act. If tickets are issued for more than one day then the  
13 sum of fifteen cents (15¢) shall be paid for each person using  
14 such ticket on each day that the same shall be used. Provided,  
15 however, that no charge shall be made on tickets of admission  
16 issued to and in the name of directors, officers, agents or  
17 employees of the organization licensee, or inter-track  
18 wagering licensee, or to owners, trainers, jockeys, drivers and  
19 their employees or to any person or persons entering the  
20 grounds or enclosure for the transaction of business in  
21 connection with such race meeting. The organization licensee or  
22 inter-track wagering licensee may, if it desires, collect such  
23 amount from each ticket holder in addition to the amount or  
24 amounts charged for such ticket of admission. Beginning on the  
25 date when any organization licensee begins conducting

1 electronic gaming pursuant to an electronic gaming license  
2 issued under the Illinois Gambling Act, the admission charge  
3 imposed by this subsection (a) shall be 40 cents for each  
4 person entering the grounds or enclosure of each organization  
5 licensee and inter-track wagering licensee upon a ticket of  
6 admission, and if such tickets are issued for more than one  
7 day, 40 cents shall be paid for each person using such ticket  
8 on each day that the same shall be used.

9 (b) Accurate records and books shall at all times be kept  
10 and maintained by the organization licensees and inter-track  
11 wagering licensees showing the admission tickets issued and  
12 used on each racing day and the attendance thereat of each  
13 horse racing meeting. The Board or its duly authorized  
14 representative or representatives shall at all reasonable  
15 times have access to the admission records of any organization  
16 licensee and inter-track wagering licensee for the purpose of  
17 examining and checking the same and ascertaining whether or not  
18 the proper amount has been or is being paid the State of  
19 Illinois as herein provided. The Board shall also require,  
20 before issuing any license, that the licensee shall execute and  
21 deliver to it a bond, payable to the State of Illinois, in such  
22 sum as it shall determine, not, however, in excess of fifty  
23 thousand dollars (\$50,000), with a surety or sureties to be  
24 approved by it, conditioned for the payment of all sums due and  
25 payable or collected by it under this Section upon admission  
26 fees received for any particular racing meetings. The Board may

1 also from time to time require sworn statements of the number  
2 or numbers of such admissions and may prescribe blanks upon  
3 which such reports shall be made. Any organization licensee or  
4 inter-track wagering licensee failing or refusing to pay the  
5 amount found to be due as herein provided, shall be deemed  
6 guilty of a business offense and upon conviction shall be  
7 punished by a fine of not more than five thousand dollars  
8 (\$5,000) in addition to the amount due from such organization  
9 licensee or inter-track wagering licensee as herein provided.  
10 All fines paid into court by an organization licensee or  
11 inter-track wagering licensee found guilty of violating this  
12 Section shall be transmitted and paid over by the clerk of the  
13 court to the Board. Beginning on the date when any organization  
14 licensee begins conducting electronic gaming pursuant to an  
15 electronic gaming license issued under the Illinois Gambling  
16 Act, any fine imposed pursuant to this subsection (b) shall not  
17 exceed \$10,000.

18 (Source: P.A. 88-495; 89-16, eff. 5-30-95.)

19 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

20 Sec. 26. Wagering.

21 (a) Any licensee may conduct and supervise the pari-mutuel  
22 system of wagering, as defined in Section 3.12 of this Act, on  
23 horse races conducted by an Illinois organization licensee or  
24 conducted at a racetrack located in another state or country  
25 ~~and televised in Illinois~~ in accordance with subsection (g) of



1 Section 26 of this Act. Subject to the prior consent of the  
2 Board, licensees may supplement any pari-mutuel pool in order  
3 to guarantee a minimum distribution. Such pari-mutuel method of  
4 wagering shall not, under any circumstances if conducted under  
5 the provisions of this Act, be held or construed to be  
6 unlawful, other statutes of this State to the contrary  
7 notwithstanding. Subject to rules for advance wagering  
8 promulgated by the Board, any licensee may accept wagers in  
9 advance of the day of the race wagered upon occurs.

10 (b) Except for those gaming activities for which a license  
11 is obtained and authorized under the Illinois Lottery Act, the  
12 Charitable Games Act, the Raffles Act, or the Illinois Gambling  
13 Act, no ~~no~~ other method of betting, pool making, wagering or  
14 gambling shall be used or permitted by the licensee. Each  
15 licensee may retain, subject to the payment of all applicable  
16 taxes and purses, an amount not to exceed 17% of all money  
17 wagered under subsection (a) of this Section, except as may  
18 otherwise be permitted under this Act.

19 (b-5) An individual may place a wager under the pari-mutuel  
20 system from any licensed location authorized under this Act  
21 provided that wager is electronically recorded in the manner  
22 described in Section 3.12 of this Act. Any wager made  
23 electronically by an individual while physically on the  
24 premises of a licensee shall be deemed to have been made at the  
25 premises of that licensee.

26 (c) Until January 1, 2000, the sum held by any licensee for

1 payment of outstanding pari-mutuel tickets, if unclaimed prior  
2 to December 31 of the next year, shall be retained by the  
3 licensee for payment of such tickets until that date. Within 10  
4 days thereafter, the balance of such sum remaining unclaimed,  
5 less any uncashed supplements contributed by such licensee for  
6 the purpose of guaranteeing minimum distributions of any  
7 pari-mutuel pool, shall be paid to the Illinois Veterans'  
8 Rehabilitation Fund of the State treasury, except as provided  
9 in subsection (g) of Section 27 of this Act.

10 (c-5) Beginning January 1, 2000, the sum held by any  
11 licensee for payment of outstanding pari-mutuel tickets, if  
12 unclaimed prior to December 31 of the next year, shall be  
13 retained by the licensee for payment of such tickets until that  
14 date. Within 10 days thereafter, the balance of such sum  
15 remaining unclaimed, less any uncashed supplements contributed  
16 by such licensee for the purpose of guaranteeing minimum  
17 distributions of any pari-mutuel pool, shall be evenly  
18 distributed to the purse account of the organization licensee  
19 and the organization licensee.

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

25 (e) No licensee shall knowingly permit any minor, other  
26 than an employee of such licensee or an owner, trainer, jockey,

1 driver, or employee thereof, to be admitted during a racing  
2 program unless accompanied by a parent or guardian, or any  
3 minor to be a patron of the pari-mutuel system of wagering  
4 conducted or supervised by it. The admission of any  
5 unaccompanied minor, other than an employee of the licensee or  
6 an owner, trainer, jockey, driver, or employee thereof at a  
7 race track is a Class C misdemeanor.

8 (f) Notwithstanding the other provisions of this Act, an  
9 organization licensee may contract with an entity in another  
10 state or country to permit any legal wagering entity in another  
11 state or country to accept wagers solely within such other  
12 state or country on races conducted by the organization  
13 licensee in this State. Beginning January 1, 2000, these wagers  
14 shall not be subject to State taxation. Until January 1, 2000,  
15 when the out-of-State entity conducts a pari-mutuel pool  
16 separate from the organization licensee, a privilege tax equal  
17 to 7 1/2% of all monies received by the organization licensee  
18 from entities in other states or countries pursuant to such  
19 contracts is imposed on the organization licensee, and such  
20 privilege tax shall be remitted to the Department of Revenue  
21 within 48 hours of receipt of the moneys from the simulcast.  
22 When the out-of-State entity conducts a combined pari-mutuel  
23 pool with the organization licensee, the tax shall be 10% of  
24 all monies received by the organization licensee with 25% of  
25 the receipts from this 10% tax to be distributed to the county  
26 in which the race was conducted.

1           An organization licensee may permit one or more of its  
2 races to be utilized for pari-mutuel wagering at one or more  
3 locations in other states and may transmit audio and visual  
4 signals of races the organization licensee conducts to one or  
5 more locations outside the State or country and may also permit  
6 pari-mutuel pools in other states or countries to be combined  
7 with its gross or net wagering pools or with wagering pools  
8 established by other states.

9           (g) A host track may accept interstate simulcast wagers on  
10 horse races conducted in other states or countries and shall  
11 control the number of signals and types of breeds of racing in  
12 its simulcast program, subject to the disapproval of the Board.  
13 The Board may prohibit a simulcast program only if it finds  
14 that the simulcast program is clearly adverse to the integrity  
15 of racing. The host track simulcast program shall include the  
16 signal of live racing of all organization licensees. All  
17 non-host licensees and advance deposit wagering licensees  
18 shall carry the signal of and accept wagers on live racing of  
19 all organization licensees. Advance deposit wagering licensees  
20 shall not be permitted to accept out-of-state wagers on any  
21 Illinois signal provided pursuant to this Section without the  
22 approval and consent of the organization licensee providing the  
23 signal. Non-host licensees may carry the host track simulcast  
24 program and shall accept wagers on all races included as part  
25 of the simulcast program upon which wagering is permitted. All  
26 organization licensees shall provide their live signal to all

1 advance deposit wagering licensees for a simulcast commission  
2 fee not to exceed 6% of the advance deposit wagering licensee's  
3 Illinois handle on the organization licensee's signal without  
4 prior approval by the Board. The Board may adopt rules under  
5 which it may permit simulcast commission fees in excess of 6%.  
6 The Board shall adopt rules limiting the interstate commission  
7 fees charged to an advance deposit wagering licensee. The Board  
8 shall adopt rules regarding advance deposit wagering on  
9 interstate simulcast races that shall reflect, among other  
10 things, the General Assembly's desire to maximize revenues to  
11 the State, horsemen purses, and organizational licensees.  
12 However, organization licensees providing live signals  
13 pursuant to the requirements of this subsection (g) may  
14 petition the Board to withhold their live signals from an  
15 advance deposit wagering licensee if the organization licensee  
16 discovers and the Board finds reputable or credible information  
17 that the advance deposit wagering licensee is under  
18 investigation by another state or federal governmental agency,  
19 the advance deposit wagering licensee's license has been  
20 suspended in another state, or the advance deposit wagering  
21 licensee's license is in revocation proceedings in another  
22 state. The organization licensee's provision of their live  
23 signal to an advance deposit wagering licensee under this  
24 subsection (g) pertains to wagers placed from within Illinois.  
25 Advance deposit wagering licensees may place advance deposit  
26 wagering terminals at wagering facilities as a convenience to

1 customers. The advance deposit wagering licensee shall not  
2 charge or collect any fee from purses for the placement of the  
3 advance deposit wagering terminals. The costs and expenses of  
4 the host track and non-host licensees associated with  
5 interstate simulcast wagering, other than the interstate  
6 commission fee, shall be borne by the host track and all  
7 non-host licensees incurring these costs. The interstate  
8 commission fee shall not exceed 5% of Illinois handle on the  
9 interstate simulcast race or races without prior approval of  
10 the Board. The Board shall promulgate rules under which it may  
11 permit interstate commission fees in excess of 5%. The  
12 interstate commission fee and other fees charged by the sending  
13 racetrack, including, but not limited to, satellite decoder  
14 fees, shall be uniformly applied to the host track and all  
15 non-host licensees.

16 Notwithstanding any other provision of this Act, until  
17 February 1, 2017, an organization licensee, with the consent of  
18 the horsemen association representing the largest number of  
19 owners, trainers, jockeys, or standardbred drivers who race  
20 horses at that organization licensee's racing meeting, may  
21 maintain a system whereby advance deposit wagering may take  
22 place or an organization licensee, with the consent of the  
23 horsemen association representing the largest number of  
24 owners, trainers, jockeys, or standardbred drivers who race  
25 horses at that organization licensee's racing meeting, may  
26 contract with another person to carry out a system of advance

1 deposit wagering. Such consent may not be unreasonably  
2 withheld. Only with respect to an appeal to the Board that  
3 consent for an organization licensee that maintains its own  
4 advance deposit wagering system is being unreasonably  
5 withheld, the Board shall issue a final order within 30 days  
6 after initiation of the appeal, and the organization licensee's  
7 advance deposit wagering system may remain operational during  
8 that 30-day period. The actions of any organization licensee  
9 who conducts advance deposit wagering or any person who has a  
10 contract with an organization licensee to conduct advance  
11 deposit wagering who conducts advance deposit wagering on or  
12 after January 1, 2013 and prior to the effective date of this  
13 amendatory Act of the 98th General Assembly taken in reliance  
14 on the changes made to this subsection (g) by this amendatory  
15 Act of the 98th General Assembly are hereby validated, provided  
16 payment of all applicable pari-mutuel taxes are remitted to the  
17 Board. All advance deposit wagers placed from within Illinois  
18 must be placed through a Board-approved advance deposit  
19 wagering licensee; no other entity may accept an advance  
20 deposit wager from a person within Illinois. All advance  
21 deposit wagering is subject to any rules adopted by the Board.  
22 The Board may adopt rules necessary to regulate advance deposit  
23 wagering through the use of emergency rulemaking in accordance  
24 with Section 5-45 of the Illinois Administrative Procedure Act.  
25 The General Assembly finds that the adoption of rules to  
26 regulate advance deposit wagering is deemed an emergency and

1 necessary for the public interest, safety, and welfare. An  
2 advance deposit wagering licensee may retain all moneys as  
3 agreed to by contract with an organization licensee. Any moneys  
4 retained by the organization licensee from advance deposit  
5 wagering, not including moneys retained by the advance deposit  
6 wagering licensee, shall be paid 50% to the organization  
7 licensee's purse account and 50% to the organization licensee.  
8 With the exception of any organization licensee that is owned  
9 by a publicly traded company that is incorporated in a state  
10 other than Illinois and advance deposit wagering licensees  
11 under contract with such organization licensees, organization  
12 licensees that maintain advance deposit wagering systems and  
13 advance deposit wagering licensees that contract with  
14 organization licensees shall provide sufficiently detailed  
15 monthly accountings to the horsemen association representing  
16 the largest number of owners, trainers, jockeys, or  
17 standardbred drivers who race horses at that organization  
18 licensee's racing meeting so that the horsemen association, as  
19 an interested party, can confirm the accuracy of the amounts  
20 paid to the purse account at the horsemen association's  
21 affiliated organization licensee from advance deposit  
22 wagering. If more than one breed races at the same race track  
23 facility, then the 50% of the moneys to be paid to an  
24 organization licensee's purse account shall be allocated among  
25 all organization licensees' purse accounts operating at that  
26 race track facility proportionately based on the actual number



1 of host days that the Board grants to that breed at that race  
2 track facility in the current calendar year. To the extent any  
3 fees from advance deposit wagering conducted in Illinois for  
4 wagers in Illinois or other states have been placed in escrow  
5 or otherwise withheld from wagers pending a determination of  
6 the legality of advance deposit wagering, no action shall be  
7 brought to declare such wagers or the disbursement of any fees  
8 previously escrowed illegal.

9 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an  
10 intertrack wagering licensee other than the host track may  
11 supplement the host track simulcast program with  
12 additional simulcast races or race programs, provided that  
13 between January 1 and the third Friday in February of any  
14 year, inclusive, if no live thoroughbred racing is  
15 occurring in Illinois during this period, only  
16 thoroughbred races may be used for supplemental interstate  
17 simulcast purposes. The Board shall withhold approval for a  
18 supplemental interstate simulcast only if it finds that the  
19 simulcast is clearly adverse to the integrity of racing. A  
20 supplemental interstate simulcast may be transmitted from  
21 an intertrack wagering licensee to its affiliated non-host  
22 licensees. The interstate commission fee for a  
23 supplemental interstate simulcast shall be paid by the  
24 non-host licensee and its affiliated non-host licensees  
25 receiving the simulcast.

26 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an

1 intertrack wagering licensee other than the host track may  
2 receive supplemental interstate simulcasts only with the  
3 consent of the host track, except when the Board finds that  
4 the simulcast is clearly adverse to the integrity of  
5 racing. Consent granted under this paragraph (2) to any  
6 intertrack wagering licensee shall be deemed consent to all  
7 non-host licensees. The interstate commission fee for the  
8 supplemental interstate simulcast shall be paid by all  
9 participating non-host licensees.

10 (3) Each licensee conducting interstate simulcast  
11 wagering may retain, subject to the payment of all  
12 applicable taxes and the purses, an amount not to exceed  
13 17% of all money wagered. If any licensee conducts the  
14 pari-mutuel system wagering on races conducted at  
15 racetracks in another state or country, each such race or  
16 race program shall be considered a separate racing day for  
17 the purpose of determining the daily handle and computing  
18 the privilege tax of that daily handle as provided in  
19 subsection (a) of Section 27. Until January 1, 2000, from  
20 the sums permitted to be retained pursuant to this  
21 subsection, each intertrack wagering location licensee  
22 shall pay 1% of the pari-mutuel handle wagered on simulcast  
23 wagering to the Horse Racing Tax Allocation Fund, subject  
24 to the provisions of subparagraph (B) of paragraph (11) of  
25 subsection (h) of Section 26 of this Act.

26 (4) A licensee who receives an interstate simulcast may

1 combine its gross or net pools with pools at the sending  
2 racetracks pursuant to rules established by the Board. All  
3 licensees combining their gross pools at a sending  
4 racetrack shall adopt the take-out percentages of the  
5 sending racetrack. A licensee may also establish a separate  
6 pool and takeout structure for wagering purposes on races  
7 conducted at race tracks outside of the State of Illinois.  
8 The licensee may permit pari-mutuel wagers placed in other  
9 states or countries to be combined with its gross or net  
10 wagering pools or other wagering pools.

11 (5) After the payment of the interstate commission fee  
12 (except for the interstate commission fee on a supplemental  
13 interstate simulcast, which shall be paid by the host track  
14 and by each non-host licensee through the host-track) and  
15 all applicable State and local taxes, except as provided in  
16 subsection (g) of Section 27 of this Act, the remainder of  
17 moneys retained from simulcast wagering pursuant to this  
18 subsection (g), and Section 26.2 shall be divided as  
19 follows:

20 (A) For interstate simulcast wagers made at a host  
21 track, 50% to the host track and 50% to purses at the  
22 host track.

23 (B) For wagers placed on interstate simulcast  
24 races, supplemental simulcasts as defined in  
25 subparagraphs (1) and (2), and separately pooled races  
26 conducted outside of the State of Illinois made at a

1 non-host licensee, 25% to the host track, 25% to the  
2 non-host licensee, and 50% to the purses at the host  
3 track.

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

12 (7) Notwithstanding any provision of this Act to the  
13 contrary, after payment of all applicable State and local  
14 taxes and interstate commission fees, non-host licensees  
15 who derive their licenses from a track located in a county  
16 with a population in excess of 230,000 and that borders the  
17 Mississippi River shall retain 50% of the retention from  
18 interstate simulcast wagers and shall pay 50% to purses at  
19 the track from which the non-host licensee derives its  
20 license as follows:

21 (A) Between January 1 and the third Friday in  
22 February, inclusive, if no live thoroughbred racing is  
23 occurring in Illinois during this period, when the  
24 interstate simulcast is a standardbred race, the purse  
25 share to its standardbred purse account;

26 (B) Between January 1 and the third Friday in

1 February, inclusive, if no live thoroughbred racing is  
2 occurring in Illinois during this period, and the  
3 interstate simulcast is a thoroughbred race, the purse  
4 share to its interstate simulcast purse pool to be  
5 distributed under paragraph (10) of this subsection  
6 (g);

7 (C) Between January 1 and the third Friday in  
8 February, inclusive, if live thoroughbred racing is  
9 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.  
10 the purse share from wagers made during this time  
11 period to its thoroughbred purse account and between  
12 6:30 p.m. and 6:30 a.m. the purse share from wagers  
13 made during this time period to its standardbred purse  
14 accounts;

15 (D) Between the third Saturday in February and  
16 December 31, when the interstate simulcast occurs  
17 between the hours of 6:30 a.m. and 6:30 p.m., the purse  
18 share to its thoroughbred purse account;

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

23 (7.1) Notwithstanding any other provision of this Act  
24 to the contrary, if no standardbred racing is conducted at  
25 a racetrack located in Madison County during any calendar  
26 year beginning on or after January 1, 2002, all moneys

1 derived by that racetrack from simulcast wagering and  
2 inter-track wagering that (1) are to be used for purses and  
3 (2) are generated between the hours of 6:30 p.m. and 6:30  
4 a.m. during that calendar year shall be paid as follows:

5 (A) If the licensee that conducts horse racing at  
6 that racetrack requests from the Board at least as many  
7 racing dates as were conducted in calendar year 2000,  
8 80% shall be paid to its thoroughbred purse account;  
9 and

10 (B) Twenty percent shall be deposited into the  
11 Illinois Colt Stakes Purse Distribution Fund and shall  
12 be paid to purses for standardbred races for Illinois  
13 conceived and foaled horses conducted at any county  
14 fairgrounds. The moneys deposited into the Fund  
15 pursuant to this subparagraph (B) shall be deposited  
16 within 2 weeks after the day they were generated, shall  
17 be in addition to and not in lieu of any other moneys  
18 paid to standardbred purses under this Act, and shall  
19 not be commingled with other moneys paid into that  
20 Fund. The moneys deposited pursuant to this  
21 subparagraph (B) shall be allocated as provided by the  
22 Department of Agriculture, with the advice and  
23 assistance of the Illinois Standardbred Breeders Fund  
24 Advisory Board.

25 (7.2) Notwithstanding any other provision of this Act  
26 to the contrary, if no thoroughbred racing is conducted at

1 a racetrack located in Madison County during any calendar  
2 year beginning on or after January 1, 2002, all moneys  
3 derived by that racetrack from simulcast wagering and  
4 inter-track wagering that (1) are to be used for purses and  
5 (2) are generated between the hours of 6:30 a.m. and 6:30  
6 p.m. during that calendar year shall be deposited as  
7 follows:

8 (A) If the licensee that conducts horse racing at  
9 that racetrack requests from the Board at least as many  
10 racing dates as were conducted in calendar year 2000,  
11 80% shall be deposited into its standardbred purse  
12 account; and

13 (B) Twenty percent shall be deposited into the  
14 Illinois Colt Stakes Purse Distribution Fund. Moneys  
15 deposited into the Illinois Colt Stakes Purse  
16 Distribution Fund pursuant to this subparagraph (B)  
17 shall be paid to Illinois conceived and foaled  
18 thoroughbred breeders' programs and to thoroughbred  
19 purses for races conducted at any county fairgrounds  
20 for Illinois conceived and foaled horses at the  
21 discretion of the Department of Agriculture, with the  
22 advice and assistance of the Illinois Thoroughbred  
23 Breeders Fund Advisory Board. The moneys deposited  
24 into the Illinois Colt Stakes Purse Distribution Fund  
25 pursuant to this subparagraph (B) shall be deposited  
26 within 2 weeks after the day they were generated, shall

1           be in addition to and not in lieu of any other moneys  
2           paid to thoroughbred purses under this Act, and shall  
3           not be commingled with other moneys deposited into that  
4           Fund.

5           (7.3) If no live standardbred racing is conducted at a  
6           racetrack located in Madison County in calendar year 2000  
7           or 2001, an organization licensee who is licensed to  
8           conduct horse racing at that racetrack shall, before  
9           January 1, 2002, pay all moneys derived from simulcast  
10          wagering and inter-track wagering in calendar years 2000  
11          and 2001 and paid into the licensee's standardbred purse  
12          account as follows:

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

15                   (B) Twenty percent to the Illinois Colt Stakes  
16                   Purse Distribution Fund.

17          Failure to make the payment to the Illinois Colt Stakes  
18          Purse Distribution Fund before January 1, 2002 shall result  
19          in the immediate revocation of the licensee's organization  
20          license, inter-track wagering license, and inter-track  
21          wagering location license.

22          Moneys paid into the Illinois Colt Stakes Purse  
23          Distribution Fund pursuant to this paragraph (7.3) shall be  
24          paid to purses for standardbred races for Illinois  
25          conceived and foaled horses conducted at any county  
26          fairgrounds. Moneys paid into the Illinois Colt Stakes



1 Purse Distribution Fund pursuant to this paragraph (7.3)  
2 shall be used as determined by the Department of  
3 Agriculture, with the advice and assistance of the Illinois  
4 Standardbred Breeders Fund Advisory Board, shall be in  
5 addition to and not in lieu of any other moneys paid to  
6 standardbred purses under this Act, and shall not be  
7 commingled with any other moneys paid into that Fund.

8 (7.4) If live standardbred racing is conducted at a  
9 racetrack located in Madison County at any time in calendar  
10 year 2001 before the payment required under paragraph (7.3)  
11 has been made, the organization licensee who is licensed to  
12 conduct racing at that racetrack shall pay all moneys  
13 derived by that racetrack from simulcast wagering and  
14 inter-track wagering during calendar years 2000 and 2001  
15 that (1) are to be used for purses and (2) are generated  
16 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or  
17 2001 to the standardbred purse account at that racetrack to  
18 be used for standardbred purses.

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

26 (8.1) Notwithstanding any provisions in this Act to the

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

15           (9) (Blank).

16           (10) (Blank).

17           (11) (Blank).

18           (12) The Board shall have authority to compel all host  
19      tracks to receive the simulcast of any or all races  
20      conducted at the Springfield or DuQuoin State fairgrounds  
21      and include all such races as part of their simulcast  
22      programs.

23           (13) Notwithstanding any other provision of this Act,  
24      in the event that the total Illinois pari-mutuel handle on  
25      Illinois horse races at all wagering facilities in any  
26      calendar year is less than 75% of the total Illinois

1 pari-mutuel handle on Illinois horse races at all such  
2 wagering facilities for calendar year 1994, then each  
3 wagering facility that has an annual total Illinois  
4 pari-mutuel handle on Illinois horse races that is less  
5 than 75% of the total Illinois pari-mutuel handle on  
6 Illinois horse races at such wagering facility for calendar  
7 year 1994, shall be permitted to receive, from any amount  
8 otherwise payable to the purse account at the race track  
9 with which the wagering facility is affiliated in the  
10 succeeding calendar year, an amount equal to 2% of the  
11 differential in total Illinois pari-mutuel handle on  
12 Illinois horse races at the wagering facility between that  
13 calendar year in question and 1994 provided, however, that  
14 a wagering facility shall not be entitled to any such  
15 payment until the Board certifies in writing to the  
16 wagering facility the amount to which the wagering facility  
17 is entitled and a schedule for payment of the amount to the  
18 wagering facility, based on: (i) the racing dates awarded  
19 to the race track affiliated with the wagering facility  
20 during the succeeding year; (ii) the sums available or  
21 anticipated to be available in the purse account of the  
22 race track affiliated with the wagering facility for purses  
23 during the succeeding year; and (iii) the need to ensure  
24 reasonable purse levels during the payment period. The  
25 Board's certification shall be provided no later than  
26 January 31 of the succeeding year. In the event a wagering

1 facility entitled to a payment under this paragraph (13) is  
2 affiliated with a race track that maintains purse accounts  
3 for both standardbred and thoroughbred racing, the amount  
4 to be paid to the wagering facility shall be divided  
5 between each purse account pro rata, based on the amount of  
6 Illinois handle on Illinois standardbred and thoroughbred  
7 racing respectively at the wagering facility during the  
8 previous calendar year. Annually, the General Assembly  
9 shall appropriate sufficient funds from the General  
10 Revenue Fund to the Department of Agriculture for payment  
11 into the thoroughbred and standardbred horse racing purse  
12 accounts at Illinois pari-mutuel tracks. The amount paid to  
13 each purse account shall be the amount certified by the  
14 Illinois Racing Board in January to be transferred from  
15 each account to each eligible racing facility in accordance  
16 with the provisions of this Section. Beginning in the  
17 calendar year in which an organization licensee that is  
18 eligible to receive payment under this paragraph (13)  
19 begins to receive funds from electronic gaming, the amount  
20 of the payment due to all wagering facilities licensed  
21 under that organization licensee under this paragraph (13)  
22 shall be the amount certified by the Board in January of  
23 that year. An organization licensee and its related  
24 wagering facilities shall no longer be able to receive  
25 payments under this paragraph (13) beginning in the year  
26 subsequent to the first year in which the organization

1       licensee begins to receive funds from electronic gaming.

2       (h) The Board may approve and license the conduct of  
3 inter-track wagering and simulcast wagering by inter-track  
4 wagering licensees and inter-track wagering location licensees  
5 subject to the following terms and conditions:

6           (1) Any person licensed to conduct a race meeting (i)  
7 at a track where 60 or more days of racing were conducted  
8 during the immediately preceding calendar year or where  
9 over the 5 immediately preceding calendar years an average  
10 of 30 or more days of racing were conducted annually may be  
11 issued an inter-track wagering license; (ii) at a track  
12 located in a county that is bounded by the Mississippi  
13 River, which has a population of less than 150,000  
14 according to the 1990 decennial census, and an average of  
15 at least 60 days of racing per year between 1985 and 1993  
16 may be issued an inter-track wagering license; or (iii) at  
17 a track located in Madison County that conducted at least  
18 100 days of live racing during the immediately preceding  
19 calendar year may be issued an inter-track wagering  
20 license, unless a lesser schedule of live racing is the  
21 result of (A) weather, unsafe track conditions, or other  
22 acts of God; (B) an agreement between the organization  
23 licensee and the associations representing the largest  
24 number of owners, trainers, jockeys, or standardbred  
25 drivers who race horses at that organization licensee's  
26 racing meeting; or (C) a finding by the Board of

1 extraordinary circumstances and that it was in the best  
2 interest of the public and the sport to conduct fewer than  
3 100 days of live racing. Any such person having operating  
4 control of the racing facility may also receive up to 6  
5 inter-track wagering location licenses. In no event shall  
6 more than 6 inter-track wagering locations be established  
7 for each eligible race track, except that an eligible race  
8 track located in a county that has a population of more  
9 than 230,000 and that is bounded by the Mississippi River  
10 may establish up to 7 inter-track wagering locations and an  
11 eligible race track located in Cook County may establish up  
12 to 8 inter-track wagering locations. An application for  
13 said license shall be filed with the Board prior to such  
14 dates as may be fixed by the Board. With an application for  
15 an inter-track wagering location license there shall be  
16 delivered to the Board a certified check or bank draft  
17 payable to the order of the Board for an amount equal to  
18 \$500. The application shall be on forms prescribed and  
19 furnished by the Board. The application shall comply with  
20 all other rules, regulations and conditions imposed by the  
21 Board in connection therewith.

22 (2) The Board shall examine the applications with  
23 respect to their conformity with this Act and the rules and  
24 regulations imposed by the Board. If found to be in  
25 compliance with the Act and rules and regulations of the  
26 Board, the Board may then issue a license to conduct

1 inter-track wagering and simulcast wagering to such  
2 applicant. All such applications shall be acted upon by the  
3 Board at a meeting to be held on such date as may be fixed  
4 by the Board.

5 (3) In granting licenses to conduct inter-track  
6 wagering and simulcast wagering, the Board shall give due  
7 consideration to the best interests of the public, of horse  
8 racing, and of maximizing revenue to the State.

9 (4) Prior to the issuance of a license to conduct  
10 inter-track wagering and simulcast wagering, the applicant  
11 shall file with the Board a bond payable to the State of  
12 Illinois in the sum of \$50,000, executed by the applicant  
13 and a surety company or companies authorized to do business  
14 in this State, and conditioned upon (i) the payment by the  
15 licensee of all taxes due under Section 27 or 27.1 and any  
16 other monies due and payable under this Act, and (ii)  
17 distribution by the licensee, upon presentation of the  
18 winning ticket or tickets, of all sums payable to the  
19 patrons of pari-mutuel pools.

20 (5) Each license to conduct inter-track wagering and  
21 simulcast wagering shall specify the person to whom it is  
22 issued, the dates on which such wagering is permitted, and  
23 the track or location where the wagering is to be  
24 conducted.

25 (6) All wagering under such license is subject to this  
26 Act and to the rules and regulations from time to time

1       prescribed by the Board, and every such license issued by  
2       the Board shall contain a recital to that effect.

3       (7) An inter-track wagering licensee or inter-track  
4       wagering location licensee may accept wagers at the track  
5       or location where it is licensed, or as otherwise provided  
6       under this Act.

7       (8) Inter-track wagering or simulcast wagering shall  
8       not be conducted at any track less than 4 ~~5~~ miles from a  
9       track at which a racing meeting is in progress.

10       (8.1) Inter-track wagering location licensees who  
11       derive their licenses from a particular organization  
12       licensee shall conduct inter-track wagering and simulcast  
13       wagering only at locations which are either within 90 miles  
14       of that race track where the particular organization  
15       licensee is licensed to conduct racing, or within 135 miles  
16       of that race track where the particular organization  
17       licensee is licensed to conduct racing in the case of race  
18       tracks in counties of less than 400,000 that were operating  
19       on or before June 1, 1986. However, inter-track wagering  
20       and simulcast wagering shall not be conducted by those  
21       licensees at any location within 5 miles of any race track  
22       at which a horse race meeting has been licensed in the  
23       current year, unless the person having operating control of  
24       such race track has given its written consent to such  
25       inter-track wagering location licensees, which consent  
26       must be filed with the Board at or prior to the time



1 application is made. In the case of any inter-track  
2 wagering location licensee initially licensed after  
3 December 31, 2013, inter-track wagering and simulcast  
4 wagering shall not be conducted by those inter-track  
5 wagering location licensees that are located outside the  
6 City of Chicago at any location within 8 miles of any race  
7 track at which a horse race meeting has been licensed in  
8 the current year, unless the person having operating  
9 control of such race track has given its written consent to  
10 such inter-track wagering location licensees, which  
11 consent must be filed with the Board at or prior to the  
12 time application is made.

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

1 inter-track wagering location licensee, and not to  
2 property boundaries. However, inter-track wagering or  
3 simulcast wagering may be conducted at a site within 500  
4 feet of a church, school or residences of 50 or more  
5 registered voters if such church, school or residences have  
6 been erected or established, or such voters have been  
7 registered, after the Board issues the original  
8 inter-track wagering location license at the site in  
9 question. Inter-track wagering location licensees may  
10 conduct inter-track wagering and simulcast wagering only  
11 in areas that are zoned for commercial or manufacturing  
12 purposes or in areas for which a special use has been  
13 approved by the local zoning authority. However, no license  
14 to conduct inter-track wagering and simulcast wagering  
15 shall be granted by the Board with respect to any  
16 inter-track wagering location within the jurisdiction of  
17 any local zoning authority which has, by ordinance or by  
18 resolution, prohibited the establishment of an inter-track  
19 wagering location within its jurisdiction. However,  
20 inter-track wagering and simulcast wagering may be  
21 conducted at a site if such ordinance or resolution is  
22 enacted after the Board licenses the original inter-track  
23 wagering location licensee for the site in question.

24 (9) (Blank).

25 (10) An inter-track wagering licensee or an  
26 inter-track wagering location licensee may retain, subject

1 to the payment of the privilege taxes and the purses, an  
2 amount not to exceed 17% of all money wagered. Each program  
3 of racing conducted by each inter-track wagering licensee  
4 or inter-track wagering location licensee shall be  
5 considered a separate racing day for the purpose of  
6 determining the daily handle and computing the privilege  
7 tax or pari-mutuel tax on such daily handle as provided in  
8 Section 27.

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

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

1 on races conducted at the first race track or on races  
2 conducted at another Illinois race track and  
3 simultaneously televised to the first race track or to a  
4 facility operated by an inter-track wagering licensee or  
5 inter-track wagering location licensee that derives its  
6 license from the organization licensee that operates the  
7 first race track, those moneys shall be allocated as  
8 follows:

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

13 (B) That portion of all moneys wagered on  
14 thoroughbred racing that is required under this Act to  
15 be paid to purses shall be paid to purses for  
16 thoroughbred races.

17 (11) (A) After payment of the privilege or pari-mutuel  
18 tax, any other applicable taxes, and the costs and expenses  
19 in connection with the gathering, transmission, and  
20 dissemination of all data necessary to the conduct of  
21 inter-track wagering, the remainder of the monies retained  
22 under either Section 26 or Section 26.2 of this Act by the  
23 inter-track wagering licensee on inter-track wagering  
24 shall be allocated with 50% to be split between the 2  
25 participating licensees and 50% to purses, except that an  
26 intertrack wagering licensee that derives its license from

1 a track located in a county with a population in excess of  
2 230,000 and that borders the Mississippi River shall not  
3 divide any remaining retention with the Illinois  
4 organization licensee that provides the race or races, and  
5 an intertrack wagering licensee that accepts wagers on  
6 races conducted by an organization licensee that conducts a  
7 race meet in a county with a population in excess of  
8 230,000 and that borders the Mississippi River shall not  
9 divide any remaining retention with that organization  
10 licensee.

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

1 Section 27 of this Act, 1% of the pari-mutuel handle  
2 wagered on inter-track wagering and simulcast wagering at  
3 each inter-track wagering location licensee facility to  
4 the Horse Racing Tax Allocation Fund, provided that, to the  
5 extent the total amount collected and distributed to the  
6 Horse Racing Tax Allocation Fund under this subsection (h)  
7 during any calendar year exceeds the amount collected and  
8 distributed to the Horse Racing Tax Allocation Fund during  
9 calendar year 1994, that excess amount shall be  
10 redistributed (I) to all inter-track wagering location  
11 licensees, based on each licensee's pro-rata share of the  
12 total handle from inter-track wagering and simulcast  
13 wagering for all inter-track wagering location licensees  
14 during the calendar year in which this provision is  
15 applicable; then (II) the amounts redistributed to each  
16 inter-track wagering location licensee as described in  
17 subpart (I) shall be further redistributed as provided in  
18 subparagraph (B) of paragraph (5) of subsection (g) of this  
19 Section 26 provided first, that the shares of those  
20 amounts, which are to be redistributed to the host track or  
21 to purses at the host track under subparagraph (B) of  
22 paragraph (5) of subsection (g) of this Section 26 shall be  
23 redistributed based on each host track's pro rata share of  
24 the total inter-track wagering and simulcast wagering  
25 handle at all host tracks during the calendar year in  
26 question, and second, that any amounts redistributed as

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

1 county with a population in excess of 230,000 and that  
2 borders the Mississippi River shall not divide any  
3 remaining retention with the organization licensee.  
4 Notwithstanding the provisions of clauses (ii) and (iv) of  
5 this paragraph, in the case of the additional inter-track  
6 wagering location licenses authorized under paragraph (1)  
7 of this subsection (h) by this amendatory Act of 1991,  
8 those licensees shall pay the following amounts as purses:  
9 during the first 12 months the licensee is in operation,  
10 5.25% of the pari-mutuel handle wagered at the location on  
11 races; during the second 12 months, 5.25%; during the third  
12 12 months, 5.75%; during the fourth 12 months, 6.25%; and  
13 during the fifth 12 months and thereafter, 6.75%. The  
14 following amounts shall be retained by the licensee to  
15 satisfy all costs and expenses of conducting its wagering:  
16 during the first 12 months the licensee is in operation,  
17 8.25% of the pari-mutuel handle wagered at the location;  
18 during the second 12 months, 8.25%; during the third 12  
19 months, 7.75%; during the fourth 12 months, 7.25%; and  
20 during the fifth 12 months and thereafter, 6.75%. For  
21 additional intertrack wagering location licensees  
22 authorized under this amendatory Act of 1995, purses for  
23 the first 12 months the licensee is in operation shall be  
24 5.75% of the pari-mutuel wagered at the location, purses  
25 for the second 12 months the licensee is in operation shall  
26 be 6.25%, and purses thereafter shall be 6.75%. For



1 additional intertrack location licensees authorized under  
2 this amendatory Act of 1995, the licensee shall be allowed  
3 to retain to satisfy all costs and expenses: 7.75% of the  
4 pari-mutuel handle wagered at the location during its first  
5 12 months of operation, 7.25% during its second 12 months  
6 of operation, and 6.75% thereafter.

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

22 Two-sevenths to the Department of Agriculture.

23 Fifty percent of this two-sevenths shall be used to  
24 promote the Illinois horse racing and breeding  
25 industry, and shall be distributed by the Department of  
26 Agriculture upon the advice of a 9-member committee

1 appointed by the Governor consisting of the following  
2 members: the Director of Agriculture, who shall serve  
3 as chairman; 2 representatives of organization  
4 licensees conducting thoroughbred race meetings in  
5 this State, recommended by those licensees; 2  
6 representatives of organization licensees conducting  
7 standardbred race meetings in this State, recommended  
8 by those licensees; a representative of the Illinois  
9 Thoroughbred Breeders and Owners Foundation,  
10 recommended by that Foundation; a representative of  
11 the Illinois Standardbred Owners and Breeders  
12 Association, recommended by that Association; a  
13 representative of the Horsemen's Benevolent and  
14 Protective Association or any successor organization  
15 thereto established in Illinois comprised of the  
16 largest number of owners and trainers, recommended by  
17 that Association or that successor organization; and a  
18 representative of the Illinois Harness Horsemen's  
19 Association, recommended by that Association.  
20 Committee members shall serve for terms of 2 years,  
21 commencing January 1 of each even-numbered year. If a  
22 representative of any of the above-named entities has  
23 not been recommended by January 1 of any even-numbered  
24 year, the Governor shall appoint a committee member to  
25 fill that position. Committee members shall receive no  
26 compensation for their services as members but shall be

1 reimbursed for all actual and necessary expenses and  
2 disbursements incurred in the performance of their  
3 official duties. The remaining 50% of this  
4 two-sevenths shall be distributed to county fairs for  
5 premiums and rehabilitation as set forth in the  
6 Agricultural Fair Act;

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

1 municipal recreation board and the municipality has a  
2 1990 population of 9,302 according to the United States  
3 Bureau of the Census); provided that the monies are  
4 distributed to each park district or conservation  
5 district or municipality that does not have a park  
6 district in an amount equal to four-sevenths of the  
7 amount collected by each inter-track wagering location  
8 licensee within the park district or conservation  
9 district or municipality for the Fund. Monies that were  
10 paid into the Horse Racing Tax Allocation Fund before  
11 the effective date of this amendatory Act of 1991 by an  
12 inter-track wagering location licensee located in a  
13 municipality that is not included within any park  
14 district but is included within a conservation  
15 district as provided in this paragraph shall, as soon  
16 as practicable after the effective date of this  
17 amendatory Act of 1991, be allocated and paid to that  
18 conservation district as provided in this paragraph.  
19 Any park district or municipality not maintaining a  
20 museum may deposit the monies in the corporate fund of  
21 the park district or municipality where the  
22 inter-track wagering location is located, to be used  
23 for general purposes; and

24 One-seventh to the Agricultural Premium Fund to be  
25 used for distribution to agricultural home economics  
26 extension councils in accordance with "An Act in

1 relation to additional support and finances for the  
2 Agricultural and Home Economic Extension Councils in  
3 the several counties of this State and making an  
4 appropriation therefor", approved July 24, 1967.

5 Until January 1, 2000, all other monies paid into the  
6 Horse Racing Tax Allocation Fund pursuant to this paragraph  
7 (11) shall be allocated by appropriation as follows:

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

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

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

25 One-seventh to the Agricultural Premium Fund to be  
26 used for distribution to agricultural home economics

1 extension councils in accordance with "An Act in  
2 relation to additional support and finances for the  
3 Agricultural and Home Economic Extension Councils in  
4 the several counties of this State and making an  
5 appropriation therefor", approved July 24, 1967. This  
6 subparagraph (C) shall be inoperative and of no force  
7 and effect on and after January 1, 2000.

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

12 (i) If the inter-track wagering licensee,  
13 except an intertrack wagering licensee that  
14 derives its license from an organization licensee  
15 located in a county with a population in excess of  
16 230,000 and bounded by the Mississippi River, is  
17 not conducting its own race meeting during the same  
18 dates, then the entire purse allocation shall be to  
19 purses at the track where the races wagered on are  
20 being conducted.

21 (ii) If the inter-track wagering licensee,  
22 except an intertrack wagering licensee that  
23 derives its license from an organization licensee  
24 located in a county with a population in excess of  
25 230,000 and bounded by the Mississippi River, is  
26 also conducting its own race meeting during the

1 same dates, then the purse allocation shall be as  
2 follows: 50% to purses at the track where the races  
3 wagered on are being conducted; 50% to purses at  
4 the track where the inter-track wagering licensee  
5 is accepting such wagers.

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

16 (12) The Board shall have all powers necessary and  
17 proper to fully supervise and control the conduct of  
18 inter-track wagering and simulcast wagering by inter-track  
19 wagering licensees and inter-track wagering location  
20 licensees, including, but not limited to the following:

21 (A) The Board is vested with power to promulgate  
22 reasonable rules and regulations for the purpose of  
23 administering the conduct of this wagering and to  
24 prescribe reasonable rules, regulations and conditions  
25 under which such wagering shall be held and conducted.  
26 Such rules and regulations are to provide for the



1 prevention of practices detrimental to the public  
2 interest and for the best interests of said wagering  
3 and to impose penalties for violations thereof.

4 (B) The Board, and any person or persons to whom it  
5 delegates this power, is vested with the power to enter  
6 the facilities of any licensee to determine whether  
7 there has been compliance with the provisions of this  
8 Act and the rules and regulations relating to the  
9 conduct of such wagering.

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

20 (D) (Blank).

21 (E) The Board is vested with the power to appoint  
22 delegates to execute any of the powers granted to it  
23 under this Section for the purpose of administering  
24 this wagering and any rules and regulations  
25 promulgated in accordance with this Act.

26 (F) The Board shall name and appoint a State

1 director of this wagering who shall be a representative  
2 of the Board and whose duty it shall be to supervise  
3 the conduct of inter-track wagering as may be provided  
4 for by the rules and regulations of the Board; such  
5 rules and regulation shall specify the method of  
6 appointment and the Director's powers, authority and  
7 duties.

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

16 (13) The Department of Agriculture may enter into  
17 agreements with licensees authorizing such licensees to  
18 conduct inter-track wagering on races to be held at the  
19 licensed race meetings conducted by the Department of  
20 Agriculture. Such agreement shall specify the races of the  
21 Department of Agriculture's licensed race meeting upon  
22 which the licensees will conduct wagering. In the event  
23 that a licensee conducts inter-track pari-mutuel wagering  
24 on races from the Illinois State Fair or DuQuoin State Fair  
25 which are in addition to the licensee's previously approved  
26 racing program, those races shall be considered a separate

1 racing day for the purpose of determining the daily handle  
2 and computing the privilege or pari-mutuel tax on that  
3 daily handle as provided in Sections 27 and 27.1. Such  
4 agreements shall be approved by the Board before such  
5 wagering may be conducted. In determining whether to grant  
6 approval, the Board shall give due consideration to the  
7 best interests of the public and of horse racing. The  
8 provisions of paragraphs (1), (8), (8.1), and (8.2) of  
9 subsection (h) of this Section which are not specified in  
10 this paragraph (13) shall not apply to licensed race  
11 meetings conducted by the Department of Agriculture at the  
12 Illinois State Fair in Sangamon County or the DuQuoin State  
13 Fair in Perry County, or to any wagering conducted on those  
14 race meetings.

15 (i) Notwithstanding the other provisions of this Act, the  
16 conduct of wagering at wagering facilities is authorized on all  
17 days, except as limited by subsection (b) of Section 19 of this  
18 Act.

19 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;  
20 98-624, eff. 1-29-14.)

21 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

22 Sec. 27. (a) In addition to the organization license fee  
23 provided by this Act, until January 1, 2000, a graduated  
24 privilege tax is hereby imposed for conducting the pari-mutuel  
25 system of wagering permitted under this Act. Until January 1,

1 2000, except as provided in subsection (g) of Section 27 of  
2 this Act, all of the breakage of each racing day held by any  
3 licensee in the State shall be paid to the State. Until January  
4 1, 2000, such daily graduated privilege tax shall be paid by  
5 the licensee from the amount permitted to be retained under  
6 this Act. Until January 1, 2000, each day's graduated privilege  
7 tax, breakage, and Horse Racing Tax Allocation funds shall be  
8 remitted to the Department of Revenue within 48 hours after the  
9 close of the racing day upon which it is assessed or within  
10 such other time as the Board prescribes. The privilege tax  
11 hereby imposed, until January 1, 2000, shall be a flat tax at  
12 the rate of 2% of the daily pari-mutuel handle except as  
13 provided in Section 27.1.

14 In addition, every organization licensee, except as  
15 provided in Section 27.1 of this Act, which conducts multiple  
16 wagering shall pay, until January 1, 2000, as a privilege tax  
17 on multiple wagers an amount equal to 1.25% of all moneys  
18 wagered each day on such multiple wagers, plus an additional  
19 amount equal to 3.5% of the amount wagered each day on any  
20 other multiple wager which involves a single betting interest  
21 on 3 or more horses. The licensee shall remit the amount of  
22 such taxes to the Department of Revenue within 48 hours after  
23 the close of the racing day on which it is assessed or within  
24 such other time as the Board prescribes.

25 This subsection (a) shall be inoperative and of no force  
26 and effect on and after January 1, 2000.

1 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax  
2 at the rate of 1.5% of the daily pari-mutuel handle is imposed  
3 at all pari-mutuel wagering facilities and on advance deposit  
4 wagering from a location other than a wagering facility, except  
5 as otherwise provided for in this subsection (a-5). In addition  
6 to the pari-mutuel tax imposed on advance deposit wagering  
7 pursuant to this subsection (a-5), beginning on August 24, 2012  
8 (the effective date of Public Act 97-1060) until February 1,  
9 2017, an additional pari-mutuel tax at the rate of 0.25% shall  
10 be imposed on advance deposit wagering. Until August 25, 2012,  
11 the additional 0.25% pari-mutuel tax imposed on advance deposit  
12 wagering by Public Act 96-972 shall be deposited into the  
13 Quarter Horse Purse Fund, which shall be created as a  
14 non-appropriated trust fund administered by the Board for  
15 grants to thoroughbred organization licensees for payment of  
16 purses for quarter horse races conducted by the organization  
17 licensee. Beginning on August 26, 2012, the additional 0.25%  
18 pari-mutuel tax imposed on advance deposit wagering shall be  
19 deposited into the Standardbred Purse Fund, which shall be  
20 created as a non-appropriated trust fund administered by the  
21 Board, for grants to the standardbred organization licensees  
22 for payment of purses for standardbred horse races conducted by  
23 the organization licensee. Thoroughbred organization licensees  
24 may petition the Board to conduct quarter horse racing and  
25 receive purse grants from the Quarter Horse Purse Fund. The  
26 Board shall have complete discretion in distributing the

1 Quarter Horse Purse Fund to the petitioning organization  
2 licensees. Beginning on July 26, 2010 (the effective date of  
3 Public Act 96-1287), a pari-mutuel tax at the rate of 0.75% of  
4 the daily pari-mutuel handle is imposed at a pari-mutuel  
5 facility whose license is derived from a track located in a  
6 county that borders the Mississippi River and conducted live  
7 racing in the previous year. The pari-mutuel tax imposed by  
8 this subsection (a-5) shall be remitted to the Department of  
9 Revenue within 48 hours after the close of the racing day upon  
10 which it is assessed or within such other time as the Board  
11 prescribes.

12 (a-10) Beginning on the date when an organization licensee  
13 begins conducting electronic gaming pursuant to an electronic  
14 gaming license, the following pari-mutuel tax is imposed upon  
15 an organization licensee on Illinois races at the licensee's  
16 race track:

17 1.5% of the pari-mutuel handle at or below the average  
18 daily pari-mutuel handle for 2011.

19 2% of the pari-mutuel handle above the average daily  
20 pari-mutuel handle for 2011 up to 125% of the average daily  
21 pari-mutuel handle for 2011.

22 2.5% of the pari-mutuel handle 125% or more above the  
23 average daily pari-mutuel handle for 2011 up to 150% of the  
24 average daily pari-mutuel handle for 2011.

25 3% of the pari-mutuel handle 150% or more above the  
26 average daily pari-mutuel handle for 2011 up to 175% of the

1       average daily pari-mutuel handle for 2011.

2             3.5% of the pari-mutuel handle 175% or more above the  
3       average daily pari-mutuel handle for 2011.

4       The pari-mutuel tax imposed by this subsection (a-10) shall  
5       be remitted to the Board within 48 hours after the close of the  
6       racing day upon which it is assessed or within such other time  
7       as the Board prescribes.

8             (b) On or before December 31, 1999, in the event that any  
9       organization licensee conducts 2 separate programs of races on  
10      any day, each such program shall be considered a separate  
11      racing day for purposes of determining the daily handle and  
12      computing the privilege tax on such daily handle as provided in  
13      subsection (a) of this Section.

14            (c) Licensees shall at all times keep accurate books and  
15      records of all monies wagered on each day of a race meeting and  
16      of the taxes paid to the Department of Revenue under the  
17      provisions of this Section. The Board or its duly authorized  
18      representative or representatives shall at all reasonable  
19      times have access to such records for the purpose of examining  
20      and checking the same and ascertaining whether the proper  
21      amount of taxes is being paid as provided. The Board shall  
22      require verified reports and a statement of the total of all  
23      monies wagered daily at each wagering facility upon which the  
24      taxes are assessed and may prescribe forms upon which such  
25      reports and statement shall be made.

26            (d) Before a license is issued or re-issued, the licensee

1 shall post a bond in the sum of \$500,000 to the State of  
2 Illinois. The bond shall be used to guarantee that the licensee  
3 faithfully makes the payments, keeps the books and records and  
4 makes reports, and conducts games of chance in conformity with  
5 this Act and the rules adopted by the Board. The bond shall not  
6 be canceled by a surety on less than 30 days' notice in writing  
7 to the Board. If a bond is canceled and the licensee fails to  
8 file a new bond with the Board in the required amount on or  
9 before the effective date of cancellation, the licensee's  
10 license shall be revoked. The total and aggregate liability of  
11 the surety on the bond is limited to the amount specified in  
12 the bond. ~~Any licensee failing or refusing to pay the amount of~~  
13 ~~any tax due under this Section shall be guilty of a business~~  
14 ~~offense and upon conviction shall be fined not more than \$5,000~~  
15 ~~in addition to the amount found due as tax under this Section.~~  
16 ~~Each day's violation shall constitute a separate offense. All~~  
17 ~~finer paid into Court by a licensee hereunder shall be~~  
18 ~~transmitted and paid over by the Clerk of the Court to the~~  
19 ~~Board.~~

20 (e) No other license fee, privilege tax, excise tax, or  
21 racing fee, except as provided in this Act, shall be assessed  
22 or collected from any such licensee by the State.

23 (f) No other license fee, privilege tax, excise tax or  
24 racing fee shall be assessed or collected from any such  
25 licensee by units of local government except as provided in  
26 paragraph 10.1 of subsection (h) and subsection (f) of Section



1 26 of this Act. However, any municipality that has a Board  
2 licensed horse race meeting at a race track wholly within its  
3 corporate boundaries or a township that has a Board licensed  
4 horse race meeting at a race track wholly within the  
5 unincorporated area of the township may charge a local  
6 amusement tax not to exceed 10¢ per admission to such horse  
7 race meeting by the enactment of an ordinance. However, any  
8 municipality or county that has a Board licensed inter-track  
9 wagering location facility wholly within its corporate  
10 boundaries may each impose an admission fee not to exceed \$1.00  
11 per admission to such inter-track wagering location facility,  
12 so that a total of not more than \$2.00 per admission may be  
13 imposed. Except as provided in subparagraph (g) of Section 27  
14 of this Act, the inter-track wagering location licensee shall  
15 collect any and all such fees and within 48 hours remit the  
16 fees to the Board, which shall, pursuant to rule, cause the  
17 fees to be distributed to the county or municipality.

18 (g) Notwithstanding any provision in this Act to the  
19 contrary, if in any calendar year the total taxes and fees from  
20 wagering on live racing and from inter-track wagering required  
21 to be collected from licensees and distributed under this Act  
22 to all State and local governmental authorities exceeds the  
23 amount of such taxes and fees distributed to each State and  
24 local governmental authority to which each State and local  
25 governmental authority was entitled under this Act for calendar  
26 year 1994, then the first \$11 million of that excess amount

1 shall be allocated at the earliest possible date for  
2 distribution as purse money for the succeeding calendar year.  
3 Upon reaching the 1994 level, and until the excess amount of  
4 taxes and fees exceeds \$11 million, the Board shall direct all  
5 licensees to cease paying the subject taxes and fees and the  
6 Board shall direct all licensees to allocate any such excess  
7 amount for purses as follows:

8 (i) the excess amount shall be initially divided  
9 between thoroughbred and standardbred purses based on the  
10 thoroughbred's and standardbred's respective percentages  
11 of total Illinois live wagering in calendar year 1994;

12 (ii) each thoroughbred and standardbred organization  
13 licensee issued an organization licensee in that  
14 succeeding allocation year shall be allocated an amount  
15 equal to the product of its percentage of total Illinois  
16 live thoroughbred or standardbred wagering in calendar  
17 year 1994 (the total to be determined based on the sum of  
18 1994 on-track wagering for all organization licensees  
19 issued organization licenses in both the allocation year  
20 and the preceding year) multiplied by the total amount  
21 allocated for standardbred or thoroughbred purses,  
22 provided that the first \$1,500,000 of the amount allocated  
23 to standardbred purses under item (i) shall be allocated to  
24 the Department of Agriculture to be expended with the  
25 assistance and advice of the Illinois Standardbred  
26 Breeders Funds Advisory Board for the purposes listed in

1 subsection (g) of Section 31 of this Act, before the amount  
2 allocated to standardbred purses under item (i) is  
3 allocated to standardbred organization licensees in the  
4 succeeding allocation year.

5 To the extent the excess amount of taxes and fees to be  
6 collected and distributed to State and local governmental  
7 authorities exceeds \$11 million, that excess amount shall be  
8 collected and distributed to State and local authorities as  
9 provided for under this Act.

10 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;  
11 98-624, eff. 1-29-14.)

12 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

13 Sec. 30. (a) The General Assembly declares that it is the  
14 policy of this State to encourage the breeding of thoroughbred  
15 horses in this State and the ownership of such horses by  
16 residents of this State in order to provide for: sufficient  
17 numbers of high quality thoroughbred horses to participate in  
18 thoroughbred racing meetings in this State, and to establish  
19 and preserve the agricultural and commercial benefits of such  
20 breeding and racing industries to the State of Illinois. It is  
21 the intent of the General Assembly to further this policy by  
22 the provisions of this Act.

23 (b) Each organization licensee conducting a thoroughbred  
24 racing meeting pursuant to this Act shall provide at least two  
25 races each day limited to Illinois conceived and foaled horses

1 or Illinois foaled horses or both. A minimum of 6 races shall  
2 be conducted each week limited to Illinois conceived and foaled  
3 or Illinois foaled horses or both. No horses shall be permitted  
4 to start in such races unless duly registered under the rules  
5 of the Department of Agriculture.

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

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

16 Beginning on the effective date of this amendatory Act of  
17 the 98th General Assembly, the Illinois Thoroughbred Breeders  
18 Fund shall become a non-appropriated trust fund held separately  
19 from State moneys. Expenditures from this Fund shall no longer  
20 be subject to appropriation.

21 Except as provided in subsection (g) of Section 27 of this  
22 Act, 8.5% of all the monies received by the State as privilege  
23 taxes on Thoroughbred racing meetings shall be paid into the  
24 Illinois Thoroughbred Breeders Fund.

25 Notwithstanding any provision of law to the contrary,  
26 amounts deposited into the Illinois Thoroughbred Breeders Fund

1 from revenues generated by electronic gaming after the  
2 effective date of this amendatory Act of the 98th General  
3 Assembly shall be in addition to tax and fee amounts paid under  
4 this Section for calendar year 2014 and thereafter.

5 (e) The Illinois Thoroughbred Breeders Fund shall be  
6 administered by the Department of Agriculture with the advice  
7 and assistance of the Advisory Board created in subsection (f)  
8 of this Section.

9 (f) The Illinois Thoroughbred Breeders Fund Advisory Board  
10 shall consist of the Director of the Department of Agriculture,  
11 who shall serve as Chairman; a member of the Illinois Racing  
12 Board, designated by it; 2 representatives of the organization  
13 licensees conducting thoroughbred racing meetings, recommended  
14 by them; 2 representatives of the Illinois Thoroughbred  
15 Breeders and Owners Foundation, recommended by it; one  
16 representative ~~and 2 representatives~~ of the Horsemen's  
17 Benevolent Protective Association; and one representative from  
18 the Illinois Thoroughbred Horsemen's Association ~~or any~~  
19 ~~successor organization established in Illinois comprised of~~  
20 ~~the largest number of owners and trainers, recommended by it,~~  
21 ~~with one representative of the Horsemen's Benevolent and~~  
22 ~~Protective Association to come from its Illinois Division, and~~  
23 ~~one from its Chicago Division.~~ Advisory Board members shall  
24 serve for 2 years commencing January 1 of each odd numbered  
25 year. If representatives of the organization licensees  
26 conducting thoroughbred racing meetings, the Illinois

1 Thoroughbred Breeders and Owners Foundation, ~~and~~ the  
2 Horsemen's Benevolent Protection Association, and the Illinois  
3 Thoroughbred Horsemen's Association have not been recommended  
4 by January 1, of each odd numbered year, the Director of the  
5 Department of Agriculture shall make an appointment for the  
6 organization failing to so recommend a member of the Advisory  
7 Board. Advisory Board members shall receive no compensation for  
8 their services as members but shall be reimbursed for all  
9 actual and necessary expenses and disbursements incurred in the  
10 execution of their official duties.

11 (g) ~~No monies shall be expended from the Illinois~~  
12 ~~Thoroughbred Breeders Fund except as appropriated by the~~  
13 ~~General Assembly.~~ Monies expended ~~appropriated~~ from the  
14 Illinois Thoroughbred Breeders Fund shall be expended by the  
15 Department of Agriculture, with the advice and assistance of  
16 the Illinois Thoroughbred Breeders Fund Advisory Board, for the  
17 following purposes only:

18 (1) To provide purse supplements to owners of horses  
19 participating in races limited to Illinois conceived and  
20 foaled and Illinois foaled horses. Any such purse  
21 supplements shall not be included in and shall be paid in  
22 addition to any purses, stakes, or breeders' awards offered  
23 by each organization licensee as determined by agreement  
24 between such organization licensee and an organization  
25 representing the horsemen. No monies from the Illinois  
26 Thoroughbred Breeders Fund shall be used to provide purse

1 supplements for claiming races in which the minimum  
2 claiming price is less than \$7,500.

3 (2) To provide stakes and awards to be paid to the  
4 owners of the winning horses in certain races limited to  
5 Illinois conceived and foaled and Illinois foaled horses  
6 designated as stakes races.

7 (2.5) To provide an award to the owner or owners of an  
8 Illinois conceived and foaled or Illinois foaled horse that  
9 wins a maiden special weight, an allowance, overnight  
10 handicap race, or claiming race with claiming price of  
11 \$10,000 or more providing the race is not restricted to  
12 Illinois conceived and foaled or Illinois foaled horses.  
13 Awards shall also be provided to the owner or owners of  
14 Illinois conceived and foaled and Illinois foaled horses  
15 that place second or third in those races. To the extent  
16 that additional moneys are required to pay the minimum  
17 additional awards of 40% of the purse the horse earns for  
18 placing first, second or third in those races for Illinois  
19 foaled horses and of 60% of the purse the horse earns for  
20 placing first, second or third in those races for Illinois  
21 conceived and foaled horses, those moneys shall be provided  
22 from the purse account at the track where earned.

23 (3) To provide stallion awards to the owner or owners  
24 of any stallion that is duly registered with the Illinois  
25 Thoroughbred Breeders Fund Program ~~prior to the effective~~  
26 ~~date of this amendatory Act of 1995~~ whose duly registered

1 Illinois conceived and foaled offspring wins a race  
2 conducted at an Illinois thoroughbred racing meeting other  
3 than a claiming race, provided that the stallion stood  
4 service within Illinois at the time the offspring was  
5 conceived and that the stallion did not stand for service  
6 outside of Illinois at any time during the year in which  
7 the offspring was conceived. ~~Such award shall not be paid~~  
8 ~~to the owner or owners of an Illinois stallion that served~~  
9 ~~outside this State at any time during the calendar year in~~  
10 ~~which such race was conducted.~~

11 (4) To provide \$75,000 annually for purses to be  
12 distributed to county fairs that provide for the running of  
13 races during each county fair exclusively for the  
14 thoroughbreds conceived and foaled in Illinois. The  
15 conditions of the races shall be developed by the county  
16 fair association and reviewed by the Department with the  
17 advice and assistance of the Illinois Thoroughbred  
18 Breeders Fund Advisory Board. There shall be no wagering of  
19 any kind on the running of Illinois conceived and foaled  
20 races at county fairs.

21 (4.1) To provide purse money for an Illinois stallion  
22 stakes program.

23 (5) No less than 90% ~~80%~~ of all monies expended  
24 ~~appropriated~~ from the Illinois Thoroughbred Breeders Fund  
25 shall be expended for the purposes in paragraphs (1), (2),  
26 (2.5), (3), (4), (4.1), and (5) as shown above.



1           (6) To provide for educational programs regarding the  
2 thoroughbred breeding industry.

3           (7) To provide for research programs concerning the  
4 health, development and care of the thoroughbred horse.

5           (8) To provide for a scholarship and training program  
6 for students of equine veterinary medicine.

7           (9) To provide for dissemination of public information  
8 designed to promote the breeding of thoroughbred horses in  
9 Illinois.

10          (10) To provide for all expenses incurred in the  
11 administration of the Illinois Thoroughbred Breeders Fund.

12          (h) The Illinois Thoroughbred Breeders Fund is not subject  
13 to administrative charges or chargebacks, including, but not  
14 limited to, those authorized under Section 8h of the State  
15 Finance Act. ~~Whenever the Governor finds that the amount in the~~  
16 ~~Illinois Thoroughbred Breeders Fund is more than the total of~~  
17 ~~the outstanding appropriations from such fund, the Governor~~  
18 ~~shall notify the State Comptroller and the State Treasurer of~~  
19 ~~such fact. The Comptroller and the State Treasurer, upon~~  
20 ~~receipt of such notification, shall transfer such excess amount~~  
21 ~~from the Illinois Thoroughbred Breeders Fund to the General~~  
22 ~~Revenue Fund.~~

23          (i) A sum equal to 13% ~~12 1/2%~~ of the first prize money of  
24 every purse won by an Illinois foaled or an Illinois conceived  
25 and foaled horse in races not limited to Illinois foaled horses  
26 or Illinois conceived and foaled horses, or both, shall be paid

1 by the organization licensee conducting the horse race meeting.  
2 Such sum shall be paid 50% from the organization licensee's  
3 account and 50% from the purse account of the licensee ~~share of~~  
4 ~~the money wagered~~ as follows: 11 1/2% to the breeder of the  
5 winning horse and 1 1/2% ~~1%~~ to the organization representing  
6 thoroughbred breeders and owners whose representative serves  
7 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
8 verifying the amounts of breeders' awards earned, assuring  
9 their distribution in accordance with this Act, and servicing  
10 and promoting the Illinois thoroughbred horse racing industry.  
11 Except for that track that races in Madison County, beginning  
12 in the calendar year in which an organization licensee that is  
13 eligible to receive payment under paragraph (13) of subsection  
14 (g) of Section 26 of this Act begins to receive funds from  
15 electronic gaming, a sum equal to 21 1/2% of the first prize  
16 money of every purse won by an Illinois foaled or an Illinois  
17 conceived and foaled horse in races not limited to Illinois  
18 foaled horses or Illinois conceived and foaled horses, or both,  
19 shall be paid by the organization licensee conducting the horse  
20 race meeting. Such sum shall be paid 30% from the organization  
21 licensee's account and 70% from the purse account of the  
22 licensee as follows: 20% to the breeder of the winning horse  
23 and 1 1/2% to the organization representing thoroughbred  
24 breeders and owners whose representative serves on the Illinois  
25 Thoroughbred Breeders Fund Advisory Board for verifying the  
26 amounts of breeders' awards earned, ensuring their

1 distribution in accordance with this Act, and service and  
2 promotion of the Illinois thoroughbred horse racing industry.

3 The organization representing thoroughbred breeders and owners  
4 shall cause all expenditures of monies received under this  
5 subsection (i) to be audited at least annually by a registered  
6 public accountant. The organization shall file copies of each  
7 annual audit with the Racing Board, the Clerk of the House of  
8 Representatives and the Secretary of the Senate, and shall make  
9 copies of each annual audit available to the public upon  
10 request and upon payment of the reasonable cost of photocopying  
11 the requested number of copies. Such payments shall not reduce  
12 any award to the owner of the horse or reduce the taxes payable  
13 under this Act. Upon completion of its racing meet, each  
14 organization licensee shall deliver to the organization  
15 representing thoroughbred breeders and owners whose  
16 representative serves on the Illinois Thoroughbred Breeders  
17 Fund Advisory Board a listing of all the Illinois foaled and  
18 the Illinois conceived and foaled horses which won breeders'  
19 awards and the amount of such breeders' awards under this  
20 subsection to verify accuracy of payments and assure proper  
21 distribution of breeders' awards in accordance with the  
22 provisions of this Act. Such payments shall be delivered by the  
23 organization licensee within 30 days of the end of each race  
24 meeting.

25 (j) A sum equal to 13% ~~12 1/2%~~ of the first prize money won  
26 in each race limited to Illinois foaled horses or Illinois

1 conceived and foaled horses, or both, shall be paid in the  
2 following manner by the organization licensee conducting the  
3 horse race meeting, 50% from the organization licensee's  
4 account and 50% from the purse account of the licensee ~~share of~~  
5 ~~the money wagered~~: 11 1/2% to the breeders of the horses in  
6 each such race which are the official first, second, third and  
7 fourth finishers and 1 1/2% ~~1%~~ to the organization representing  
8 thoroughbred breeders and owners whose representative serves  
9 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
10 verifying the amounts of breeders' awards earned, assuring  
11 their proper distribution in accordance with this Act, and  
12 servicing and promoting the Illinois thoroughbred horse racing  
13 industry. The organization representing thoroughbred breeders  
14 and owners shall cause all expenditures of monies received  
15 under this subsection (j) to be audited at least annually by a  
16 registered public accountant. The organization shall file  
17 copies of each annual audit with the Racing Board, the Clerk of  
18 the House of Representatives and the Secretary of the Senate,  
19 and shall make copies of each annual audit available to the  
20 public upon request and upon payment of the reasonable cost of  
21 photocopying the requested number of copies.

22 The 11 1/2% paid to the breeders in accordance with this  
23 subsection shall be distributed as follows:

24 (1) 60% of such sum shall be paid to the breeder of the  
25 horse which finishes in the official first position;

26 (2) 20% of such sum shall be paid to the breeder of the

1 horse which finishes in the official second position;

2 (3) 15% of such sum shall be paid to the breeder of the  
3 horse which finishes in the official third position; and

4 (4) 5% of such sum shall be paid to the breeder of the  
5 horse which finishes in the official fourth position.

6 Such payments shall not reduce any award to the owners of a  
7 horse or reduce the taxes payable under this Act. Upon  
8 completion of its racing meet, each organization licensee shall  
9 deliver to the organization representing thoroughbred breeders  
10 and owners whose representative serves on the Illinois  
11 Thoroughbred Breeders Fund Advisory Board a listing of all the  
12 Illinois foaled and the Illinois conceived and foaled horses  
13 which won breeders' awards and the amount of such breeders'  
14 awards in accordance with the provisions of this Act. Such  
15 payments shall be delivered by the organization licensee within  
16 30 days of the end of each race meeting.

17 (k) The term "breeder", as used herein, means the owner of  
18 the mare at the time the foal is dropped. An "Illinois foaled  
19 horse" is a foal dropped by a mare which enters this State on  
20 or before December 1, in the year in which the horse is bred,  
21 provided the mare remains continuously in this State until its  
22 foal is born. An "Illinois foaled horse" also means a foal born  
23 of a mare in the same year as the mare enters this State on or  
24 before March 1, and remains in this State at least 30 days  
25 after foaling, is bred back during the season of the foaling to  
26 an Illinois Registered Stallion (unless a veterinarian

1 certifies that the mare should not be bred for health reasons),  
2 and is not bred to a stallion standing in any other state  
3 during the season of foaling. An "Illinois foaled horse" also  
4 means a foal born in Illinois of a mare purchased at public  
5 auction subsequent to the mare entering this State on or before  
6 March 1 ~~prior to February 1~~ of the foaling year providing the  
7 mare is owned solely by one or more Illinois residents or an  
8 Illinois entity that is entirely owned by one or more Illinois  
9 residents.

10 (1) The Department of Agriculture shall, by rule, with the  
11 advice and assistance of the Illinois Thoroughbred Breeders  
12 Fund Advisory Board:

13 (1) Qualify stallions for Illinois breeding; such  
14 stallions to stand for service within the State of Illinois  
15 at the time of a foal's conception. Such stallion must not  
16 stand for service at any place outside the State of  
17 Illinois during the calendar year in which the foal is  
18 conceived. The Department of Agriculture may assess and  
19 collect an application fee of up to \$500 ~~fees~~ for the  
20 registration of Illinois-eligible stallions. All fees  
21 collected are to be held in trust accounts for the purposes  
22 set forth in this Act and in accordance with Section 205-15  
23 of the Department of Agriculture Law ~~paid into the Illinois~~  
24 ~~Thoroughbred Breeders Fund.~~

25 (2) Provide for the registration of Illinois conceived  
26 and foaled horses and Illinois foaled horses. No such horse

1 shall compete in the races limited to Illinois conceived  
2 and foaled horses or Illinois foaled horses or both unless  
3 registered with the Department of Agriculture. The  
4 Department of Agriculture may prescribe such forms as are  
5 necessary to determine the eligibility of such horses. The  
6 Department of Agriculture may assess and collect  
7 application fees for the registration of Illinois-eligible  
8 foals. All fees collected are to be held in trust accounts  
9 for the purposes set forth in this Act and in accordance  
10 with Section 205-15 of the Department of Agriculture Law  
11 ~~paid into the Illinois Thoroughbred Breeders Fund~~. No  
12 person shall knowingly prepare or cause preparation of an  
13 application for registration of such foals containing  
14 false information.

15 (m) The Department of Agriculture, with the advice and  
16 assistance of the Illinois Thoroughbred Breeders Fund Advisory  
17 Board, shall provide that certain races limited to Illinois  
18 conceived and foaled and Illinois foaled horses be stakes races  
19 and determine the total amount of stakes and awards to be paid  
20 to the owners of the winning horses in such races.

21 In determining the stakes races and the amount of awards  
22 for such races, the Department of Agriculture shall consider  
23 factors, including but not limited to, the amount of money  
24 appropriated for the Illinois Thoroughbred Breeders Fund  
25 program, organization licensees' contributions, availability  
26 of stakes caliber horses as demonstrated by past performances,

1 whether the race can be coordinated into the proposed racing  
2 dates within organization licensees' racing dates, opportunity  
3 for colts and fillies and various age groups to race, public  
4 wagering on such races, and the previous racing schedule.

5 (n) The Board and the organizational licensee shall notify  
6 the Department of the conditions and minimum purses for races  
7 limited to Illinois conceived and foaled and Illinois foaled  
8 horses conducted for each organizational licensee conducting a  
9 thoroughbred racing meeting. The Department of Agriculture  
10 with the advice and assistance of the Illinois Thoroughbred  
11 Breeders Fund Advisory Board may allocate monies for purse  
12 supplements for such races. In determining whether to allocate  
13 money and the amount, the Department of Agriculture shall  
14 consider factors, including but not limited to, the amount of  
15 money appropriated for the Illinois Thoroughbred Breeders Fund  
16 program, the number of races that may occur, and the  
17 organizational licensee's purse structure.

18 (o) In order to improve the breeding quality of  
19 thoroughbred horses in the State, the General Assembly  
20 recognizes that existing provisions of this Section to  
21 encourage such quality breeding need to be revised and  
22 strengthened. As such, a Thoroughbred Breeder's Program Task  
23 Force is to be appointed by the Governor by September 1, 1999  
24 to make recommendations to the General Assembly by no later  
25 than March 1, 2000. This task force is to be composed of 2  
26 representatives from the Illinois Thoroughbred Breeders and



1 Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's  
2 Association, 3 from Illinois race tracks operating  
3 thoroughbred race meets for an average of at least 30 days in  
4 the past 3 years, the Director of Agriculture, the Executive  
5 Director of the Racing Board, who shall serve as Chairman.

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

7 (230 ILCS 5/30.5)

8 Sec. 30.5. Illinois Racing Quarter Horse Breeders Fund.

9 (a) The General Assembly declares that it is the policy of  
10 this State to encourage the breeding of racing quarter horses  
11 in this State and the ownership of such horses by residents of  
12 this State in order to provide for sufficient numbers of high  
13 quality racing quarter horses in this State and to establish  
14 and preserve the agricultural and commercial benefits of such  
15 breeding and racing industries to the State of Illinois. It is  
16 the intent of the General Assembly to further this policy by  
17 the provisions of this Act.

18 (b) There is hereby created a non-appropriated trust  
19 ~~special fund in the State Treasury~~ to be known as the Illinois  
20 Racing Quarter Horse Breeders Fund, which is held separately  
21 from State moneys. Except as provided in subsection (g) of  
22 Section 27 of this Act, 8.5% of all the moneys received by the  
23 State as pari-mutuel taxes on quarter horse racing shall be  
24 paid into the Illinois Racing Quarter Horse Breeders Fund. The  
25 Illinois Racing Quarter Horse Breeders Fund shall not be

1 subject to administrative charges or chargebacks, including,  
2 but not limited to, those authorized under Section 8h of the  
3 State Finance Act.

4 (c) The Illinois Racing Quarter Horse Breeders Fund shall  
5 be administered by the Department of Agriculture with the  
6 advice and assistance of the Advisory Board created in  
7 subsection (d) of this Section.

8 (d) The Illinois Racing Quarter Horse Breeders Fund  
9 Advisory Board shall consist of the Director of the Department  
10 of Agriculture, who shall serve as Chairman; a member of the  
11 Illinois Racing Board, designated by it; one representative of  
12 the organization licensees conducting pari-mutuel quarter  
13 horse racing meetings, recommended by them; 2 representatives  
14 of the Illinois Running Quarter Horse Association, recommended  
15 by it; and the Superintendent of Fairs and Promotions from the  
16 Department of Agriculture. Advisory Board members shall serve  
17 for 2 years commencing January 1 of each odd numbered year. If  
18 representatives have not been recommended by January 1 of each  
19 odd numbered year, the Director of the Department of  
20 Agriculture may make an appointment for the organization  
21 failing to so recommend a member of the Advisory Board.  
22 Advisory Board members shall receive no compensation for their  
23 services as members but may be reimbursed for all actual and  
24 necessary expenses and disbursements incurred in the execution  
25 of their official duties.

26 (e) Moneys in ~~No moneys shall be expended from the Illinois~~

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

7 (1) To provide stakes and awards to be paid to the  
8 owners of the winning horses in certain races. This  
9 provision is limited to Illinois conceived and foaled  
10 horses.

11 (2) To provide an award to the owner or owners of an  
12 Illinois conceived and foaled horse that wins a race when  
13 pari-mutuel wagering is conducted; providing the race is  
14 not restricted to Illinois conceived and foaled horses.

15 (3) To provide purse money for an Illinois stallion  
16 stakes program.

17 (4) To provide for purses to be distributed for the  
18 running of races during the Illinois State Fair and the  
19 DuQuoin State Fair exclusively for quarter horses  
20 conceived and foaled in Illinois.

21 (5) To provide for purses to be distributed for the  
22 running of races at Illinois county fairs exclusively for  
23 quarter horses conceived and foaled in Illinois.

24 (6) To provide for purses to be distributed for running  
25 races exclusively for quarter horses conceived and foaled  
26 in Illinois at locations in Illinois determined by the

1 Department of Agriculture with advice and consent of the  
2 Illinois Racing Quarter Horse Breeders Fund Advisory  
3 Board.

4 (7) No less than 90% of all moneys expended  
5 ~~appropriated~~ from the Illinois Racing Quarter Horse  
6 Breeders Fund shall be expended for the purposes in items  
7 (1), (2), (3), (4), and (5) of this subsection (e).

8 (8) To provide for research programs concerning the  
9 health, development, and care of racing quarter horses.

10 (9) To provide for dissemination of public information  
11 designed to promote the breeding of racing quarter horses  
12 in Illinois.

13 (10) To provide for expenses incurred in the  
14 administration of the Illinois Racing Quarter Horse  
15 Breeders Fund.

16 (f) The Department of Agriculture shall, by rule, with the  
17 advice and assistance of the Illinois Racing Quarter Horse  
18 Breeders Fund Advisory Board:

19 (1) Qualify stallions for Illinois breeding; such  
20 stallions to stand for service within the State of  
21 Illinois, at the time of a foal's conception. Such stallion  
22 must not stand for service at any place outside the State  
23 of Illinois during the calendar year in which the foal is  
24 conceived. The Department of Agriculture may assess and  
25 collect application fees for the registration of  
26 Illinois-eligible stallions. All fees collected are to be

1 paid into the Illinois Racing Quarter Horse Breeders Fund.

2 (2) Provide for the registration of Illinois conceived  
3 and foaled horses. No such horse shall compete in the races  
4 limited to Illinois conceived and foaled horses unless it  
5 is registered with the Department of Agriculture. The  
6 Department of Agriculture may prescribe such forms as are  
7 necessary to determine the eligibility of such horses. The  
8 Department of Agriculture may assess and collect  
9 application fees for the registration of Illinois-eligible  
10 foals. All fees collected are to be paid into the Illinois  
11 Racing Quarter Horse Breeders Fund. No person shall  
12 knowingly prepare or cause preparation of an application  
13 for registration of such foals that contains false  
14 information.

15 (g) The Department of Agriculture, with the advice and  
16 assistance of the Illinois Racing Quarter Horse Breeders Fund  
17 Advisory Board, shall provide that certain races limited to  
18 Illinois conceived and foaled be stakes races and determine the  
19 total amount of stakes and awards to be paid to the owners of  
20 the winning horses in such races.

21 (Source: P.A. 98-463, eff. 8-16-13.)

22 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

23 Sec. 31. (a) The General Assembly declares that it is the  
24 policy of this State to encourage the breeding of standardbred  
25 horses in this State and the ownership of such horses by

1 residents of this State in order to provide for: sufficient  
2 numbers of high quality standardbred horses to participate in  
3 harness racing meetings in this State, and to establish and  
4 preserve the agricultural and commercial benefits of such  
5 breeding and racing industries to the State of Illinois. It is  
6 the intent of the General Assembly to further this policy by  
7 the provisions of this Section of this Act.

8 (b) Each organization licensee conducting a harness racing  
9 meeting pursuant to this Act shall provide for at least two  
10 races each race program limited to Illinois conceived and  
11 foaled horses. A minimum of 6 races shall be conducted each  
12 week limited to Illinois conceived and foaled horses. No horses  
13 shall be permitted to start in such races unless duly  
14 registered under the rules of the Department of Agriculture.

15 (b-5) Organization licensees, not including the Illinois  
16 State Fair or the DuQuoin State Fair, shall provide stake races  
17 and early closer races for Illinois conceived and foaled horses  
18 so that purses distributed for such races shall be no less than  
19 17% of total purses distributed for harness racing in that  
20 calendar year in addition to any stakes payments and starting  
21 fees contributed by horse owners.

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

1 horses. The owner awards shall not be paid on races below the  
2 \$10,000 claiming class.

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

9 (d) There is hereby created a special fund of the State  
10 Treasury to be known as the Illinois Standardbred Breeders  
11 Fund.

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

17 (e) The Illinois Standardbred Breeders Fund shall be  
18 administered by the Department of Agriculture with the  
19 assistance and advice of the Advisory Board created in  
20 subsection (f) of this Section.

21 (f) The Illinois Standardbred Breeders Fund Advisory Board  
22 is hereby created. The Advisory Board shall consist of the  
23 Director of the Department of Agriculture, who shall serve as  
24 Chairman; the Superintendent of the Illinois State Fair; a  
25 member of the Illinois Racing Board, designated by it; a  
26 representative of the Illinois Standardbred Owners and

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

21 (g) No monies shall be expended from the Illinois  
22 Standardbred Breeders Fund except as appropriated by the  
23 General Assembly. Monies appropriated from the Illinois  
24 Standardbred Breeders Fund shall be expended by the Department  
25 of Agriculture, with the assistance and advice of the Illinois  
26 Standardbred Breeders Fund Advisory Board for the following



1 purposes only:

2 1. To provide purses for races limited to Illinois  
3 conceived and foaled horses at the State Fair and the  
4 DuQuoin State Fair.

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

7 3. To provide purse supplements for races limited to  
8 Illinois conceived and foaled horses conducted by  
9 associations conducting harness racing meetings.

10 4. No less than 75% of all monies in the Illinois  
11 Standardbred Breeders Fund shall be expended for purses in  
12 1, 2 and 3 as shown above.

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

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

26 7. To pay the expenses incurred in the administration

1 of the Illinois Standardbred Breeders Fund.

2 8. To promote the sport of harness racing, including  
3 grants up to a maximum of \$7,500 per fair per year for  
4 conducting pari-mutuel wagering during the advertised  
5 dates of a county fair.

6 9. To pay up to \$50,000 annually for the Department of  
7 Agriculture to conduct drug testing at county fairs racing  
8 standardbred horses.

9 10. To pay up to \$100,000 annually for distribution to  
10 Illinois county fairs to supplement premiums offered in  
11 junior classes.

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

20 (i) A sum equal to 13% ~~12 1/2%~~ of the first prize money of  
21 the gross ~~every~~ purse won by an Illinois conceived and foaled  
22 horse shall be paid 50% by the organization licensee conducting  
23 the horse race meeting to the breeder of such winning horse  
24 from the organization licensee's account and 50% from the purse  
25 account of the licensee ~~share of the money wagered.~~ Such  
26 payment shall not reduce any award to the owner of the horse or

1 reduce the taxes payable under this Act. Such payment shall be  
2 delivered by the organization licensee at the end of each  
3 quarter race meeting.

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

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

1 ~~one of the persons a party to the agreement can only be~~  
2 ~~made to a person who qualifies as an Illinois resident.~~

3 2. Provide for the registration of Illinois conceived  
4 and foaled horses and no such horse shall compete in the  
5 races limited to Illinois conceived and foaled horses  
6 unless registered with the Department of Agriculture. The  
7 Department of Agriculture may prescribe such forms as may  
8 be necessary to determine the eligibility of such horses.  
9 No person shall knowingly prepare or cause preparation of  
10 an application for registration of such foals containing  
11 false information. A mare (dam) must be in the state at  
12 least 180 ~~30~~ days prior to foaling and ~~or~~ remain in the  
13 State at least 30 days after ~~at the time of~~ foaling.  
14 Beginning with the 1996 breeding season and for foals of  
15 1997 and thereafter, a foal conceived in the State of  
16 Illinois by transported fresh semen may be eligible for  
17 Illinois conceived and foaled registration provided all  
18 breeding and foaling requirements are met. The stallion  
19 must be qualified for Illinois Standardbred Breeders Fund  
20 breeding at the time of conception and the mare must be  
21 inseminated within the State of Illinois. The foal must be  
22 dropped in Illinois and properly registered with the  
23 Department of Agriculture in accordance with this Act.

24 3. Provide that at least a 5 day racing program shall  
25 be conducted at the State Fair each year, which program  
26 shall include at least the following races limited to

1 Illinois conceived and foaled horses: (a) a two year old  
2 Trot and Pace, and Filly Division of each; (b) a three year  
3 old Trot and Pace, and Filly Division of each; (c) an aged  
4 Trot and Pace, and Mare Division of each.

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

18 5. Provide for the registration with the Department of  
19 Agriculture of Colt Associations or county fairs desiring  
20 to sponsor races at county fairs.

21 6. Provide for the promotion of producing standardbred  
22 racehorses by providing a bonus award program for owners of  
23 2-year-old horses that win multiple major stakes races that  
24 are limited to Illinois conceived and foaled horses.

25 (k) The Department of Agriculture, with the advice and  
26 assistance of the Illinois Standardbred Breeders Fund Advisory

1 Board, may allocate monies for purse supplements for such  
2 races. In determining whether to allocate money and the amount,  
3 the Department of Agriculture shall consider factors,  
4 including but not limited to, the amount of money appropriated  
5 for the Illinois Standardbred Breeders Fund program, the number  
6 of races that may occur, and an organizational licensee's purse  
7 structure. The organizational licensee shall notify the  
8 Department of Agriculture of the conditions and minimum purses  
9 for races limited to Illinois conceived and foaled horses to be  
10 conducted by each organizational licensee conducting a harness  
11 racing meeting for which purse supplements have been  
12 negotiated.

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

18 (m) At all standardbred race meetings held or conducted  
19 under authority of a license granted by the Board, and at all  
20 standardbred races held at county fairs which are approved by  
21 the Department of Agriculture or at the Illinois or DuQuoin  
22 State Fairs, no one shall jog, train, warm up or drive a  
23 standardbred horse unless he or she is wearing a protective  
24 safety helmet, with the chin strap fastened and in place, which  
25 meets the standards and requirements as set forth in the 1984  
26 Standard for Protective Headgear for Use in Harness Racing and

1 Other Equestrian Sports published by the Snell Memorial  
2 Foundation, or any standards and requirements for headgear the  
3 Illinois Racing Board may approve. Any other standards and  
4 requirements so approved by the Board shall equal or exceed  
5 those published by the Snell Memorial Foundation. Any  
6 equestrian helmet bearing the Snell label shall be deemed to  
7 have met those standards and requirements.

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

9 (230 ILCS 5/31.1) (from Ch. 8, par. 37-31.1)

10 Sec. 31.1. (a) Organization licensees collectively shall  
11 contribute annually to charity the sum of \$1,000,000 ~~\$750,000~~  
12 to non-profit organizations that provide medical and family,  
13 counseling, and similar services to persons who reside or work  
14 on the backstretch of Illinois racetracks. These contributions  
15 shall be collected as follows: (i) no later than July 1st of  
16 each year the Board shall assess each organization licensee,  
17 except those tracks which are not within 100 miles of each  
18 other which tracks shall pay \$40,000 ~~\$30,000~~ annually apiece  
19 into the Board charity fund, that amount which equals \$920,000  
20 ~~\$690,000~~ multiplied by the amount of pari-mutuel wagering  
21 handled by the organization licensee in the year preceding  
22 assessment and divided by the total pari-mutuel wagering  
23 handled by all Illinois organization licensees, except those  
24 tracks which are not within 100 miles of each other, in the  
25 year preceding assessment; (ii) notice of the assessed

1 contribution shall be mailed to each organization licensee;  
2 (iii) within thirty days of its receipt of such notice, each  
3 organization licensee shall remit the assessed contribution to  
4 the Board. If an organization licensee wilfully fails to so  
5 remit the contribution, the Board may revoke its license to  
6 conduct horse racing.

7 (b) No later than October 1st of each year, any qualified  
8 charitable organization seeking an allotment of contributed  
9 funds shall submit to the Board an application for those funds,  
10 using the Board's approved form. No later than December 31st of  
11 each year, the Board shall distribute all such amounts  
12 collected that year to such charitable organization  
13 applicants.

14 (Source: P.A. 87-110.)

15 (230 ILCS 5/32.1)

16 Sec. 32.1. Pari-mutuel tax credit; statewide racetrack  
17 real estate equalization.

18 (a) In order to encourage new investment in Illinois  
19 racetrack facilities and mitigate differing real estate tax  
20 burdens among all racetracks, the licensees affiliated or  
21 associated with each racetrack that has been awarded live  
22 racing dates in the current year shall receive an immediate  
23 pari-mutuel tax credit in an amount equal to the greater of (i)  
24 50% of the amount of the real estate taxes paid in the prior  
25 year attributable to that racetrack, or (ii) the amount by



1 which the real estate taxes paid in the prior year attributable  
2 to that racetrack exceeds 60% of the average real estate taxes  
3 paid in the prior year for all racetracks awarded live horse  
4 racing meets in the current year.

5 Each year, regardless of whether the organization licensee  
6 conducted live racing in the year of certification, the Board  
7 shall certify in writing, prior to December 31, the real estate  
8 taxes paid in that year for each racetrack and the amount of  
9 the pari-mutuel tax credit that each organization licensee,  
10 intertrack wagering licensee, and intertrack wagering location  
11 licensee that derives its license from such racetrack is  
12 entitled in the succeeding calendar year. The real estate taxes  
13 considered under this Section for any racetrack shall be those  
14 taxes on the real estate parcels and related facilities used to  
15 conduct a horse race meeting and inter-track wagering at such  
16 racetrack under this Act. In no event shall the amount of the  
17 tax credit under this Section exceed the amount of pari-mutuel  
18 taxes otherwise calculated under this Act. The amount of the  
19 tax credit under this Section shall be retained by each  
20 licensee and shall not be subject to any reallocation or  
21 further distribution under this Act. The Board may promulgate  
22 emergency rules to implement this Section.

23 (b) Beginning on January 1 following the calendar year  
24 during which an organization licensee begins conducting  
25 electronic gaming operations pursuant to an electronic gaming  
26 license issued under the Illinois Gambling Act, the

1 organization licensee shall be ineligible to receive a tax  
2 credit under this Section.

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

4 (230 ILCS 5/34.3 new)

5 Sec. 34.3. Drug testing. The Illinois Racing Board and the  
6 Department of Agriculture shall jointly establish a program for  
7 the purpose of conducting drug testing of horses at county  
8 fairs and shall adopt any rules necessary for enforcement of  
9 the program. The rules shall include appropriate penalties for  
10 violations.

11 (230 ILCS 5/36) (from Ch. 8, par. 37-36)

12 Sec. 36. (a) Whoever administers or conspires to administer  
13 to any horse a hypnotic, narcotic, stimulant, depressant or any  
14 chemical substance which may affect the speed of a horse at any  
15 time in any race where the purse or any part of the purse is  
16 made of money authorized by any Section of this Act, except  
17 those chemical substances permitted by ruling of the Board,  
18 internally, externally or by hypodermic method in a race or  
19 prior thereto, or whoever knowingly enters a horse in any race  
20 within a period of 24 hours after any hypnotic, narcotic,  
21 stimulant, depressant or any other chemical substance which may  
22 affect the speed of a horse at any time, except those chemical  
23 substances permitted by ruling of the Board, has been  
24 administered to such horse either internally or externally or

1 by hypodermic method for the purpose of increasing or retarding  
2 the speed of such horse shall be guilty of a Class 4 felony.  
3 The Board shall suspend or revoke such violator's license.

4 (b) The term "hypnotic" as used in this Section includes  
5 all barbituric acid preparations and derivatives.

6 (c) The term "narcotic" as used in this Section includes  
7 opium and all its alkaloids, salts, preparations and  
8 derivatives, cocaine and all its salts, preparations and  
9 derivatives and substitutes.

10 (d) The provisions of this Section 36 and the treatment  
11 authorized herein apply to horses entered in and competing in  
12 race meetings as defined in Section 3.07 of this Act and to  
13 horses entered in and competing at any county fair.

14 (Source: P.A. 79-1185.)

15 (230 ILCS 5/39.2 new)

16 Sec. 39.2. Prohibition of political contributions from  
17 certain licensees and applicants.

18 (a) The General Assembly has a compelling interest in  
19 protecting the integrity of both the electoral process and the  
20 legislative process by preventing corruption and the  
21 appearance of corruption which may arise through permitting  
22 certain political campaign contributions by certain persons  
23 involved in the horse racing industry and regulated by the  
24 State. Unlike most other regulated industries, horse racing is  
25 especially susceptible to corruption and potential criminal

1 influence. In Illinois, only licensed horse racing is legal and  
2 all other such activities are strictly prohibited. Given these  
3 circumstances, it is imperative to eliminate any potential  
4 corrupt influence in the horse racing industry and the  
5 electoral process.

6 Banning political campaign contributions by certain  
7 persons subject to this Section to State officeholders and  
8 candidates for such offices and to county and municipal  
9 officeholders and candidates for such offices in counties and  
10 municipalities that receive financial benefits from horse  
11 racing is necessary to prevent corruption and the appearance of  
12 corruption that may arise when political campaign  
13 contributions and horse racing that is regulated by the State  
14 and that confers benefits on counties and municipalities are  
15 intermingled.

16 (b) As used in this Section:

17 "Affiliated entity" means (i) any corporate parent and each  
18 operating subsidiary of the business entity applying for or  
19 holding a license, (ii) each operating subsidiary of the  
20 corporate parent of the business entity applying for or holding  
21 a license, (iii) any organization recognized by the United  
22 States Internal Revenue Service as a tax-exempt organization  
23 described in Section 501(c) of the Internal Revenue Code of  
24 1986 (or any successor provision of federal tax law)  
25 established by one or more business entities seeking or holding  
26 a license, any affiliated entity of such business entity, or

1 any affiliated person of such business entity, and (iv) any  
2 political committee for which the business entity applying for  
3 or holding a license, or any 501(c) organization described in  
4 item (iii) related to that business entity, is the sponsoring  
5 entity, as defined in Section 9-3 of the Election Code. For  
6 purposes of item (iv), the funding of all business entities  
7 applying for or holding a license shall be aggregated in  
8 determining whether such political committee is an affiliated  
9 entity.

10 "Affiliated person" means (i) any person with any ownership  
11 interest or distributive share in excess of 1% of any business  
12 entity applying for or holding a license, (ii) executive  
13 employees of any such business entity, and (iii) the spouse of  
14 the persons described in items (i) and (ii).

15 "Business entity" means any entity doing business for  
16 profit, whether organized as a corporation, partnership, sole  
17 proprietorship, limited liability company, or otherwise.

18 "Contribution" means a contribution as defined in Section  
19 9-1.4 of the Election Code.

20 "Declared candidate" means a person who has filed a  
21 statement of candidacy and petition for nomination or election  
22 in the principal office of the State Board of Elections, or in  
23 the office of the appropriate election authority for any county  
24 or municipality in which a race track is located.

25 "Executive employee" means (i) any person who is an officer  
26 or director or who fulfills duties equivalent to those of an

1 officer or director of a business entity applying for or  
2 holding a license and (ii) any employee of such business entity  
3 who is required to register under the Lobbyist Registration  
4 Act.

5 "License" means any organization, inter-track wagering,  
6 inter-track wagering location, advance deposit wagering or  
7 concessionaire license issued pursuant to this Act.

8 "Officeholder" means the Governor, Lieutenant Governor,  
9 Attorney General, Secretary of State, Comptroller, Treasurer,  
10 member of the General Assembly, or any officeholder in any  
11 county or municipality in which a race track is located.

12 (c) Any person or business entity applying for or holding a  
13 license, any affiliated entities or persons of such business  
14 entity, any horsemen's association, and any entities or persons  
15 soliciting a contribution or causing a contribution to be made  
16 on behalf of such person, business entity, or horsemen's  
17 association, are prohibited from making any contribution to any  
18 officeholder or declared candidate or any political committee  
19 affiliated with any officeholder or declared candidate, as  
20 defined in Section 9-1.8 of the Election Code. This prohibition  
21 shall commence upon filing of an application for a license and  
22 shall continue for a period of 2 years after termination,  
23 suspension or revocation of the license.

24 The Board shall have authority to suspend, revoke, or  
25 restrict the license and to impose civil penalties of up to  
26 \$100,000 for each violation of this subsection (c). A notice of

1 each such violation and the penalty imposed shall be published  
2 on the Board's Internet website and in the Illinois Register.  
3 Payments received by the State pursuant to this subsection  
4 shall be deposited into the General Revenue Fund.

5 Any officeholder or declared candidate or any political  
6 committee affiliated with any officeholder or declared  
7 candidate that has received a contribution in violation of this  
8 subsection (c) shall pay an amount equal to the value of the  
9 contribution to the State no more than 30 days after notice of  
10 the violation concerning the contribution appears in the  
11 Illinois Register. Payments received by the State pursuant to  
12 this subsection (c) shall be deposited into the General Revenue  
13 Fund.

14 (d) The Board shall post on its website a list of all  
15 persons, business entities, horsemen's associations, and  
16 affiliated entities prohibited from making contributions to  
17 any officeholder or declared candidate political committee  
18 pursuant to subsection (c), which list shall be updated and  
19 published, at a minimum, every 6 months.

20 Any person, business entity, horsemen's association, or  
21 affiliated entity prohibited from making contributions to any  
22 officeholder or declared candidate political committee  
23 pursuant to subsection (c) shall notify the Board within 7 days  
24 after discovering any necessary change or addition to the  
25 information relating to that person, business entity,  
26 horsemen's association, or affiliated entity contained in the

1 list.

2 An individual who acts in good faith and in reliance on any  
3 information contained in the list shall not be subject to any  
4 penalties or liability imposed for a violation of this Section.

5 (e) If any provision of this Section is held invalid or its  
6 application to any person or circumstance is held invalid, the  
7 invalidity of that provision or application does not affect the  
8 other provisions or applications of this Section that can be  
9 given effect without the invalid application or provision.

10 (230 ILCS 5/40) (from Ch. 8, par. 37-40)

11 Sec. 40. (a) The imposition of any fine or penalty provided  
12 in this Act shall not preclude the Board in its rules and  
13 regulations from imposing a fine or penalty for any other  
14 action which, in the Board's discretion, is a detriment or  
15 impediment to horse racing.

16 (b) The Director of Agriculture or his or her authorized  
17 representative shall impose the following monetary penalties  
18 and hold administrative hearings as required for failure to  
19 submit the following applications, lists, or reports within the  
20 time period, date or manner required by statute or rule or for  
21 removing a foal from Illinois prior to inspection:

22 (1) late filing of a renewal application for offering  
23 or standing stallion for service:

24 (A) if an application is submitted no more than 30  
25 days late, \$50;



1 (B) if an application is submitted no more than 45  
2 days late, \$150; or

3 (C) if an application is submitted more than 45  
4 days late, if filing of the application is allowed  
5 under an administrative hearing, \$250;

6 (2) late filing of list or report of mares bred:

7 (A) if a list or report is submitted no more than  
8 30 days late, \$50;

9 (B) if a list or report is submitted no more than  
10 60 days late \$150; or

11 (C) if a list or report is submitted more than 60  
12 days late, if filing of the list or report is allowed  
13 under an administrative hearing, \$250;

14 (3) filing an Illinois foaled thoroughbred mare status  
15 report after the statutory deadline as provided in  
16 subsection (k) of Section 30 of this Act ~~December 31:~~

17 (A) if a report is submitted no more than 30 days  
18 late, \$50;

19 (B) if a report is submitted no more than 90 days  
20 late, \$150;

21 (C) if a report is submitted no more than 150 days  
22 late, \$250; or

23 (D) if a report is submitted more than 150 days  
24 late, if filing of the report is allowed under an  
25 administrative hearing, \$500;

26 (4) late filing of application for foal eligibility

1 certificate:

2 (A) if an application is submitted no more than 30  
3 days late, \$50;

4 (B) if an application is submitted no more than 90  
5 days late, \$150;

6 (C) if an application is submitted no more than 150  
7 days late, \$250; or

8 (D) if an application is submitted more than 150  
9 days late, if filing of the application is allowed  
10 under an administrative hearing, \$500;

11 (5) failure to report the intent to remove a foal from  
12 Illinois prior to inspection, identification and  
13 certification by a Department of Agriculture investigator,  
14 \$50; and

15 (6) if a list or report of mares bred is incomplete,  
16 \$50 per mare not included on the list or report.

17 Any person upon whom monetary penalties are imposed under  
18 this Section 3 times within a 5 year period shall have any  
19 further monetary penalties imposed at double the amounts set  
20 forth above. All monies assessed and collected for violations  
21 relating to thoroughbreds shall be paid into the Thoroughbred  
22 Breeders Fund. All monies assessed and collected for violations  
23 relating to standardbreds shall be paid into the Standardbred  
24 Breeders Fund.

25 (Source: P.A. 87-397.)

1 (230 ILCS 5/54)

2 Sec. 54. Horse Racing Equity Fund.

3 (a) There is created in the State Treasury a Fund to be  
4 known as the Horse Racing Equity Fund. The Fund shall consist  
5 of moneys paid into it pursuant to subsection (c-5) of Section  
6 13 of the Illinois ~~Riverboat~~ Gambling Act. The Fund shall be  
7 administered by the Racing Board.

8 (b) The moneys deposited into the Fund shall be distributed  
9 by the Racing Board within 10 days after those moneys are  
10 deposited into the Fund as follows:

11 (1) Fifty percent of all moneys distributed under this  
12 subsection shall be distributed to organization licensees  
13 to be distributed at their race meetings as purses.  
14 Fifty-seven percent of the amount distributed under this  
15 paragraph (1) shall be distributed for thoroughbred race  
16 meetings and 43% shall be distributed for standardbred race  
17 meetings. Within each breed, moneys shall be allocated to  
18 each organization licensee's purse fund in accordance with  
19 the ratio between the purses generated for that breed by  
20 that licensee during the prior calendar year and the total  
21 purses generated throughout the State for that breed during  
22 the prior calendar year.

23 (2) The remaining 50% of the moneys distributed under  
24 this subsection (b) shall be distributed pro rata according  
25 to the aggregate proportion of state-wide handle at the  
26 racetrack, inter-track, and inter-track wagering locations

1 that derive their licenses from a racetrack identified in  
2 this paragraph (2) for calendar years 1994, 1996, and 1997  
3 to (i) any person (or its successors or assigns) who had  
4 operating control of a racing facility at which live racing  
5 was conducted in calendar year 1997 and who has operating  
6 control of an organization licensee that conducted racing  
7 in calendar year 1997 and is a licensee in the current  
8 year, or (ii) any person (or its successors or assigns) who  
9 has operating control of a racing facility located in a  
10 county that is bounded by the Mississippi River that has a  
11 population of less than 150,000 according to the 1990  
12 decennial census and conducted an average of 60 days of  
13 racing per year between 1985 and 1993 and has been awarded  
14 an inter-track wagering license in the current year.

15 If any person identified in this paragraph (2) becomes  
16 ineligible to receive moneys from the Fund, such amount  
17 shall be redistributed among the remaining persons in  
18 proportion to their percentages otherwise calculated.

19 (Source: P.A. 98-18, eff. 6-7-13.)

20 (230 ILCS 5/54.75)

21 Sec. 54.75. Horse Racing Equity Trust Fund.

22 (a) There is created a Fund to be known as the Horse Racing  
23 Equity Trust Fund, which is a non-appropriated trust fund held  
24 separate and apart from State moneys. The Fund shall consist of  
25 moneys paid into it by owners licensees under the Illinois

1 ~~Riverboat~~ Gambling Act for the purposes described in this  
2 Section. The Fund shall be administered by the Board. Moneys in  
3 the Fund shall be distributed as directed and certified by the  
4 Board in accordance with the provisions of subsection (b).

5 (b) The moneys deposited into the Fund, plus any accrued  
6 interest on those moneys, shall be distributed within 10 days  
7 after those moneys are deposited into the Fund as follows:

8 (1) Sixty percent of all moneys distributed under this  
9 subsection shall be distributed to organization licensees  
10 to be distributed at their race meetings as purses.  
11 Fifty-seven percent of the amount distributed under this  
12 paragraph (1) shall be distributed for thoroughbred race  
13 meetings and 43% shall be distributed for standardbred race  
14 meetings. Within each breed, moneys shall be allocated to  
15 each organization licensee's purse fund in accordance with  
16 the ratio between the purses generated for that breed by  
17 that licensee during the prior calendar year and the total  
18 purses generated throughout the State for that breed during  
19 the prior calendar year by licensees in the current  
20 calendar year.

21 (2) The remaining 40% of the moneys distributed under  
22 this subsection (b) shall be distributed as follows:

23 (A) 11% shall be distributed to any person (or its  
24 successors or assigns) who had operating control of a  
25 racetrack that conducted live racing in 2002 at a  
26 racetrack in a county with at least 230,000 inhabitants

1           that borders the Mississippi River and is a licensee in  
2           the current year; and

3           (B) the remaining 89% shall be distributed pro rata  
4           according to the aggregate proportion of total handle  
5           from wagering on live races conducted in Illinois  
6           (irrespective of where the wagers are placed) for  
7           calendar years 2004 and 2005 to any person (or its  
8           successors or assigns) who (i) had majority operating  
9           control of a racing facility at which live racing was  
10          conducted in calendar year 2002, (ii) is a licensee in  
11          the current year, and (iii) is not eligible to receive  
12          moneys under subparagraph (A) of this paragraph (2).

13          The moneys received by an organization licensee  
14          under this paragraph (2) shall be used by each  
15          organization licensee to improve, maintain, market,  
16          and otherwise operate its racing facilities to conduct  
17          live racing, which shall include backstretch services  
18          and capital improvements related to live racing and the  
19          backstretch. Any organization licensees sharing common  
20          ownership may pool the moneys received and spent at all  
21          racing facilities commonly owned in order to meet these  
22          requirements.

23          If any person identified in this paragraph (2) becomes  
24          ineligible to receive moneys from the Fund, such amount  
25          shall be redistributed among the remaining persons in  
26          proportion to their percentages otherwise calculated.

1 (c) The Board shall monitor organization licensees to  
2 ensure that moneys paid to organization licensees under this  
3 Section are distributed by the organization licensees as  
4 provided in subsection (b).

5 (Source: P.A. 95-1008, eff. 12-15-08.)

6 (230 ILCS 5/56 new)

7 Sec. 56. Electronic gaming.

8 (a) A person, firm, corporation, or limited liability  
9 company having operating control of a race track located in  
10 Cook, Will, or Rock Island counties may apply to the Gaming  
11 Board for an electronic gaming license. An electronic gaming  
12 license shall authorize its holder to conduct electronic gaming  
13 on the grounds of the race track controlled by the licensee's  
14 race track. Only one electronic gaming license may be awarded  
15 for any race track. A holder of an electronic gaming license  
16 shall be subject to the Illinois Gambling Act and rules of the  
17 Illinois Gaming Board concerning electronic gaming. If the  
18 person, firm, corporation, or limited liability company having  
19 operating control of a race track is found by the Illinois  
20 Gaming Board to be unsuitable for an electronic gaming license  
21 under the Illinois Gambling Act and rules of the Gaming Board,  
22 that person, firm, corporation, or limited liability company  
23 shall not be granted an electronic gaming license. Each license  
24 shall specify the number of gaming positions that its holder  
25 may operate.

1       An electronic gaming licensee may not permit persons under  
2 21 years of age to be present in its electronic gaming  
3 facility, but the licensee may accept wagers on live racing and  
4 inter-track wagers at its electronic gaming facility.

5       (b) For purposes of this subsection, "adjusted gross  
6 receipts" means an electronic gaming licensee's gross receipts  
7 less winnings paid to wagerers. The adjusted gross receipts by  
8 an electronic gaming licensee from electronic gaming remaining  
9 after the payment of taxes under Section 13 of the Illinois  
10 Gambling Act shall be distributed as follows:

11       (1) Amounts shall be paid to the purse account at the  
12 track at which the organization licensee is conducting  
13 racing equal to the following:

14               12.75% of annual adjusted gross receipts up to and  
15 including \$75,000,000;

16               20% of annual adjusted gross receipts in excess of  
17 \$75,000,000 but not exceeding \$100,000,000;

18               26.5% of annual adjusted gross receipts in excess  
19 of \$100,000,000 but not exceeding \$125,000,000; and

20               20.5% of annual adjusted gross receipts in excess  
21 of \$125,000,000.

22       (2) The remainder shall be retained by the electronic  
23 gaming licensee.

24       (c) Electronic gaming receipts placed into the purse  
25 account of an organization licensee racing thoroughbred horses  
26 shall be used for purses, for health care services or worker's



1 compensation for racing industry workers, for equine research,  
2 for programs to care for and transition injured and retired  
3 thoroughbred horses that race at the race track, or for horse  
4 ownership promotion, in accordance with the agreement of the  
5 horsemen's association representing the largest number of  
6 owners and trainers who race at that organization licensee's  
7 race meetings.

8 Annually, from the purse account of an organization  
9 licensee racing thoroughbred horses in this State, except for  
10 in Madison County, an amount equal to 12% of the electronic  
11 gaming receipts placed into the purse accounts shall be paid to  
12 the Illinois Thoroughbred Breeders Fund and shall be used for  
13 owner awards; a stallion program pursuant to paragraph (3) of  
14 subsection (g) of Section 30 of this Act; and Illinois  
15 conceived and foaled stakes races pursuant to paragraph (2) of  
16 subsection (g) of Section 30 of this Act, as specifically  
17 designated by the horsemen's association representing the  
18 largest number of owners and trainers who race at the  
19 organization licensee's race meetings.

20 (e) The Illinois Gaming Board shall submit a report to the  
21 General Assembly on or before December 31, 2015 that examines  
22 the feasibility of conducting electronic gaming at the Illinois  
23 State Fairgrounds in Sangamon County. At a minimum, this report  
24 shall analyze the projected revenues that will be generated,  
25 the potential for cannibalization of existing riverboats,  
26 casinos, or other electronic gaming facilities, and the

1 potential detriment to the surrounding area and its population.  
2 The report shall include the Illinois Gaming Board's findings  
3 together with appropriate recommendations for legislative  
4 action.

5 Section 50. The Riverboat Gambling Act is amended by  
6 changing Sections 1, 2, 3, 4, 5, 5.1, 6, 7, 7.3, 7.4, 7.5, 8, 9,  
7 11, 11.1, 12, 13, 14, 15, 17.1, 18, 18.1, 19, 20, and 24 and by  
8 adding Sections 5.3, 7.3a, 7.7, 7.8, 7.9, 7.10, 7.11, 7.12, and  
9 18.2 as follows:

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

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

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

14 (230 ILCS 10/2) (from Ch. 120, par. 2402)

15 Sec. 2. Legislative Intent.

16 (a) This Act is intended to benefit the people of the State  
17 of Illinois by assisting economic development, ~~and~~ promoting  
18 Illinois tourism, ~~and by~~ increasing the amount of revenues  
19 available to the State to assist and support education, to fund  
20 capital projects, and to defray State expenses, including  
21 unpaid bills.

22 (b) While authorization of riverboat and casino gambling  
23 will enhance investment, beautification, development and

1 tourism in Illinois, it is recognized that it will do so  
2 successfully only if public confidence and trust in the  
3 credibility and integrity of the gambling operations and the  
4 regulatory process is maintained. Therefore, regulatory  
5 provisions of this Act are designed to strictly regulate the  
6 facilities, persons, associations and practices related to  
7 gambling operations pursuant to the police powers of the State,  
8 including comprehensive law enforcement supervision.

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

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

14 (230 ILCS 10/3) (from Ch. 120, par. 2403)

15 Sec. 3. ~~Riverboat~~ Gambling Authorized.

16 (a) Riverboat and casino gambling operations and  
17 electronic gaming operations ~~and the system of wagering~~  
18 ~~incorporated therein~~, as defined in this Act, are hereby  
19 authorized to the extent that they are carried out in  
20 accordance with the provisions of this Act.

21 (b) This Act does not apply to the pari-mutuel system of  
22 wagering used or intended to be used in connection with the  
23 horse-race meetings as authorized under the Illinois Horse  
24 Racing Act of 1975, lottery games authorized under the Illinois  
25 Lottery Law, bingo authorized under the Bingo License and Tax

1 Act, charitable games authorized under the Charitable Games Act  
2 or pull tabs and jar games conducted under the Illinois Pull  
3 Tabs and Jar Games Act. This Act applies to electronic gaming  
4 authorized under the Illinois Horse Racing Act of 1975 to the  
5 extent provided in that Act and in this Act.

6 (c) Riverboat gambling conducted pursuant to this Act may  
7 be authorized upon any water within the State of Illinois or  
8 any water other than Lake Michigan which constitutes a boundary  
9 of the State of Illinois. Notwithstanding any provision in this  
10 subsection (c) to the contrary, a manager conducting gambling  
11 operations on behalf of the State may conduct riverboat  
12 gambling on Lake Michigan from a home dock located on Lake  
13 Michigan. Notwithstanding any provision in this subsection (c)  
14 to the contrary, a licensee may conduct gambling at its home  
15 dock facility as provided in Sections 7 and 11. A licensee may  
16 conduct riverboat gambling authorized under this Act  
17 regardless of whether it conducts excursion cruises. A licensee  
18 may permit the continuous ingress and egress of passengers for  
19 the purpose of gambling.

20 (d) Gambling that is conducted in accordance with this Act  
21 using slot machines and video games of chance and other  
22 electronic gambling games as defined in both the Illinois  
23 Gambling Act and the Illinois Horse Racing Act of 1975 is  
24 authorized.

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

1 (230 ILCS 10/4) (from Ch. 120, par. 2404)

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

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

4 ~~(b)~~ "Occupational license" means a license issued by the  
5 Board to a person or entity to perform an occupation which the  
6 Board has identified as requiring a license to engage in  
7 riverboat gambling, casino gambling, or electronic gaming in  
8 Illinois.

9 ~~(c)~~ "Gambling game" includes, but is not limited to,  
10 baccarat, twenty-one, poker, craps, slot machine, video game of  
11 chance, roulette wheel, klondike table, punchboard, faro  
12 layout, keno layout, numbers ticket, push card, jar ticket, or  
13 pull tab which is authorized by the Board as a wagering device  
14 under this Act.

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

20 "Slot machine" means any mechanical, electrical, or other  
21 device, contrivance, or machine that is authorized by the Board  
22 as a wagering device under this Act which, upon insertion of a  
23 coin, currency, token, or similar object therein, or upon  
24 payment of any consideration whatsoever, is available to play  
25 or operate, the play or operation of which may deliver or  
26 entitle the person playing or operating the machine to receive

1 cash, premiums, merchandise, tokens, or anything of value  
2 whatsoever, whether the payoff is made automatically from the  
3 machine or in any other manner whatsoever. A slot machine:

4 (1) may utilize spinning reels or video displays or  
5 both;

6 (2) may or may not dispense coins, tickets, or tokens  
7 to winning patrons;

8 (3) may use an electronic credit system for receiving  
9 wagers and making payouts; and

10 (4) may simulate a table game.

11 "Slot machine" does not include table games authorized by  
12 the Board as a wagering device under this Act.

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

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

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

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

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

1       ~~(j)~~ (Blank).

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

6       ~~(l)~~ "License bid" means the lump sum amount of money that  
7 an applicant bids and agrees to pay the State in return for an  
8 owners license that is issued or re-issued on or after July 1,  
9 2003.

10       "Table game" means a live gaming apparatus upon which  
11 gaming is conducted or that determines an outcome that is the  
12 object of a wager, including, but not limited to, baccarat,  
13 twenty-one, blackjack, poker, craps, roulette wheel, klondike  
14 table, punchboard, faro layout, keno layout, numbers ticket,  
15 push card, jar ticket, pull tab, or other similar games that  
16 are authorized by the Board as a wagering device under this  
17 Act. "Table game" does not include slot machines or video games  
18 of chance.

19       ~~(m)~~ The terms "minority person", "female", and "person with  
20 a disability" shall have the same meaning as defined in Section  
21 2 of the Business Enterprise for Minorities, Females, and  
22 Persons with Disabilities Act.

23       "Casino" means a facility at which lawful gambling is  
24 authorized as provided in this Act.

25       "Owners license" means a license to conduct riverboat or  
26 casino gambling operations and the authorization to conduct

1 gambling operations under Section 7.3a of this Act, but does  
2 not include an electronic gaming license.

3 "Licensed owner" means a person who holds an owners  
4 license.

5 "Electronic gaming" means slot machine gambling, video  
6 game of chance gambling, or gambling with electronic gambling  
7 games as defined in the Illinois Gambling Act or defined by the  
8 Board that is conducted at a race track pursuant to an  
9 electronic gaming license.

10 "Electronic gaming facility" means the area where the Board  
11 has authorized electronic gaming at a race track of an  
12 organization licensee under the Illinois Horse Racing Act of  
13 1975 that holds an electronic gaming license.

14 "Electronic gaming license" means a license issued by the  
15 Board under Section 7.7 of this Act authorizing electronic  
16 gaming at an electronic gaming facility.

17 "Electronic gaming licensee" means an entity that holds an  
18 electronic gaming license.

19 "Organization licensee" means an entity authorized by the  
20 Illinois Racing Board to conduct pari-mutuel wagering in  
21 accordance with the Illinois Horse Racing Act of 1975. With  
22 respect only to electronic gaming, "organization licensee"  
23 includes the authorization for electronic gaming created under  
24 subsection (a) of Section 56 of the Illinois Horse Racing Act  
25 of 1975.

26 (Source: P.A. 95-331, eff. 8-21-07; 96-1392, eff. 1-1-11.)



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

2 Sec. 5. Gaming Board.

3 (a) (1) There is hereby established the Illinois Gaming  
4 Board, which shall have the powers and duties specified in this  
5 Act, and all other powers necessary and proper to fully and  
6 effectively execute this Act for the purpose of administering,  
7 regulating, and enforcing the system of riverboat and casino  
8 gambling and electronic gaming established by this Act. Its  
9 jurisdiction shall extend under this Act to every person,  
10 association, corporation, partnership and trust involved in  
11 riverboat and casino gambling operations and electronic gaming  
12 in the State of 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 chairperson  
16 ~~chairman~~. Each member shall have a reasonable knowledge of the  
17 practice, procedure and principles of gambling operations.  
18 Each member shall either be a resident of Illinois or shall  
19 certify that he or she will become a resident of Illinois  
20 before taking office.

21 On and after the effective date of this amendatory Act of  
22 the 98th General Assembly, new appointees to the Board must  
23 include the following:

24 (A) One member who has received, at a minimum, a  
25 bachelor's degree from an accredited school and at least 10

1       years of verifiable training and experience in the fields  
2       of investigation and law enforcement.

3       (B) One member who is a certified public accountant  
4       with experience in auditing and with knowledge of complex  
5       corporate structures and transactions.

6       (C) One member who has 5 years' experience as a  
7       principal, senior officer, or director of a company or  
8       business with either material responsibility for the daily  
9       operations and management of the overall company or  
10       business or material responsibility for the policy making  
11       of the company or business.

12       (D) One member who is a lawyer licensed to practice law  
13       in Illinois.

14       Notwithstanding any provision of this subsection (a), the  
15       requirements of subparagraphs (A) through (D) of this paragraph  
16       (2) shall not apply to any person reappointed pursuant to  
17       paragraph (3).

18       No more than 3 members of the Board may be from the same  
19       political party. The Board should reflect the ethnic, cultural,  
20       and geographic diversity of the State. No Board member shall,  
21       within a period of one year immediately preceding nomination,  
22       have been employed or received compensation or fees for  
23       services from a person or entity, or its parent or affiliate,  
24       that has engaged in business with the Board, a licensee, or a  
25       licensee under the Illinois Horse Racing Act of 1975. Board  
26       members must publicly disclose all prior affiliations with

1 gaming interests, including any compensation, fees, bonuses,  
2 salaries, and other reimbursement received from a person or  
3 entity, or its parent or affiliate, that has engaged in  
4 business with the Board, a licensee, or a licensee under the  
5 Illinois Horse Racing Act of 1975. This disclosure must be made  
6 within 30 days after nomination but prior to confirmation by  
7 the Senate and must be made available to the members of the  
8 Senate. At least one member shall be experienced in law  
9 enforcement and criminal investigation, at least one member  
10 shall be a certified public accountant experienced in  
11 accounting and auditing, and at least one member shall be a  
12 lawyer licensed to practice law in Illinois.

13 (3) The terms of office of the Board members shall be 3  
14 years, except that the terms of office of the initial Board  
15 members appointed pursuant to this Act will commence from the  
16 effective date of this Act and run as follows: one for a term  
17 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for  
18 a term ending July 1, 1993. Upon the expiration of the  
19 foregoing terms, the successors of such members shall serve a  
20 term for 3 years and until their successors are appointed and  
21 qualified for like terms. Vacancies in the Board shall be  
22 filled for the unexpired term in like manner as original  
23 appointments. Each member of the Board shall be eligible for  
24 reappointment at the discretion of the Governor with the advice  
25 and consent of the Senate.

26 (4) Each member of the Board shall receive \$300 for each

1 day the Board meets and for each day the member conducts any  
2 hearing pursuant to this Act. Each member of the Board shall  
3 also be reimbursed for all actual and necessary expenses and  
4 disbursements incurred in the execution of official duties.

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

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

1 service functions.

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

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

24 (7.5) For the examination of all mechanical,  
25 electromechanical, or electronic table games, slot machines,  
26 slot accounting systems, and other electronic gaming equipment

1 for compliance with this Act, the Board may utilize the  
2 services of one or more independent outside testing  
3 laboratories that have been accredited by a national  
4 accreditation body and that, in the judgment of the Board, are  
5 qualified to perform such examinations.

6 (8) The Board shall employ such personnel as may be  
7 necessary to carry out its functions and shall determine the  
8 salaries of all personnel, except those personnel whose  
9 salaries are determined under the terms of a collective  
10 bargaining agreement. No person shall be employed to serve the  
11 Board who is, or whose spouse, parent or child is, an official  
12 of, or has a financial interest in or financial relation with,  
13 any operator engaged in gambling operations within this State  
14 or any organization engaged in conducting horse racing within  
15 this State. For the one year immediately preceding employment,  
16 an employee shall not have been employed or received  
17 compensation or fees for services from a person or entity, or  
18 its parent or affiliate, that has engaged in business with the  
19 Board, a licensee, or a licensee under the Illinois Horse  
20 Racing Act of 1975. Any employee violating these prohibitions  
21 shall be subject to termination of employment. In addition, all  
22 Board members and employees are subject to the restrictions set  
23 forth in Section 5-45 of the State Officials and Employees  
24 Ethics Act.

25 (9) An Administrator shall perform any and all duties that  
26 the Board shall assign him. The salary of the Administrator

1 shall be determined by the Board and, in addition, he shall be  
2 reimbursed for all actual and necessary expenses incurred by  
3 him in discharge of his official duties. The Administrator  
4 shall keep records of all proceedings of the Board and shall  
5 preserve all records, books, documents and other papers  
6 belonging to the Board or entrusted to its care. The  
7 Administrator shall devote his full time to the duties of the  
8 office and shall not hold any other 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, in  
20 any casino, or at any electronic gaming facility for the  
21 purpose of certifying the revenue thereof, receiving  
22 complaints from the public, and conducting such other  
23 investigations into the conduct of the gambling games and  
24 the maintenance of the equipment as from time to time the  
25 Board may deem necessary and proper;

26 (7) To review and rule upon any complaint by a licensee



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

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

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

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

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

17 (11) (Blank);

18 (12) (Blank);

19 (13) To assume responsibility for administration and  
20 enforcement of the Video Gaming Act; ~~and~~

21 (13.1) To assume responsibility for the administration  
22 and enforcement of operations at electronic gaming  
23 facilities pursuant to this Act and the Illinois Horse  
24 Racing Act of 1975; and

25 (14) To adopt, by rule, a code of conduct governing  
26 Board members and employees that ensures ~~ensure~~, to the

1 maximum extent possible, that persons subject to this Code  
2 avoid situations, relationships, or associations that may  
3 represent or lead to a conflict of interest.

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

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

13 (2) To have jurisdiction and supervision over all  
14 ~~riverboat~~ gambling operations authorized under this Act in  
15 ~~this State~~ and all persons in places ~~on riverboats~~ where  
16 gambling operations are conducted.

17 (3) To promulgate rules and regulations for the purpose  
18 of administering the provisions of this Act and to  
19 prescribe rules, regulations and conditions under which  
20 all ~~riverboat~~ gambling operations subject to this Act in  
21 ~~the State~~ shall be conducted. Such rules and regulations  
22 are to provide for the prevention of practices detrimental  
23 to the public interest and for the best interests of  
24 ~~riverboat~~ gambling, including rules and regulations  
25 regarding the inspection of electronic gaming facilities,  
26 casinos, and such riverboats and the review of any permits

1 or licenses necessary to operate a riverboat, casino, or  
2 electronic gaming facility under any laws or regulations  
3 applicable to riverboats, casinos, or electronic gaming  
4 facilities, and to impose penalties for violations  
5 thereof.

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

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

16 (6) To adopt standards for the licensing of all persons  
17 and entities under Section 7 of this Act, as well as for  
18 electronic or mechanical gambling games, and to establish  
19 fees for such licenses.

20 (7) To adopt appropriate standards for all electronic  
21 gaming facilities, riverboats, casinos, and other  
22 facilities authorized under this Act.

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

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

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

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

21 (11) To revoke or suspend licenses, as the Board may  
22 see fit and in compliance with applicable laws of the State  
23 regarding administrative procedures, and to review  
24 applications for the renewal of licenses. The Board may  
25 suspend an owners license, electronic gaming license, or  
26 managers license, without notice or hearing, upon a

1 determination that the safety or health of patrons or  
2 employees is jeopardized by continuing a gambling  
3 operation conducted under that license ~~riverboat's~~  
4 ~~operation~~. The suspension may remain in effect until the  
5 Board determines that the cause for suspension has been  
6 abated. The Board may revoke an ~~the~~ owners license,  
7 electronic gaming license, or managers license upon a  
8 determination that the licensee ~~owner~~ has not made  
9 satisfactory progress toward abating the hazard. The  
10 authority to revoke or suspend licenses under this  
11 paragraph (11) does not extend to the authorization to  
12 conduct casino gambling operations under Section 7.3a of  
13 this Act.

14 (12) To eject or exclude or authorize the ejection or  
15 exclusion of, any person from ~~riverboat~~ gambling  
16 facilities where that ~~such~~ person is in violation of this  
17 Act, rules and regulations thereunder, or final orders of  
18 the Board, or where such person's conduct or reputation is  
19 such that his or her presence within the ~~riverboat~~ gambling  
20 facilities may, in the opinion of the Board, call into  
21 question the honesty and integrity of the gambling  
22 operations or interfere with the orderly conduct thereof;  
23 provided that the propriety of such ejection or exclusion  
24 is subject to subsequent hearing by the Board.

25 (13) To require all licensees of gambling operations to  
26 utilize a cashless wagering system whereby all players'

1 money is converted to tokens, electronic cards, or chips  
2 which shall be used only for wagering in the gambling  
3 establishment.

4 (14) (Blank).

5 (15) To suspend, revoke, or restrict licenses, to  
6 require the removal of a licensee or an employee of a  
7 licensee for a violation of this Act or a Board rule or for  
8 engaging in a fraudulent practice, and to impose civil  
9 penalties of up to \$5,000 against individuals and up to  
10 \$10,000 or an amount equal to the daily gross receipts,  
11 whichever is larger, against licensees for each violation  
12 of any provision of the Act, any rules adopted by the  
13 Board, any order of the Board or any other action which, in  
14 the Board's discretion, is a detriment or impediment to  
15 ~~riverboat~~ gambling operations. The authority to suspend,  
16 revoke, or restrict licenses under this paragraph (15) does  
17 not extend to the authorization to conduct casino gambling  
18 operations under Section 7.3a of this Act.

19 (16) To hire employees to gather information, conduct  
20 investigations and carry out any other tasks contemplated  
21 under this Act.

22 (17) To establish minimum levels of insurance to be  
23 maintained by licensees.

24 (18) To authorize a licensee to sell or serve alcoholic  
25 liquors, wine or beer as defined in the Liquor Control Act  
26 of 1934 on board a riverboat or in a casino and to have

1 exclusive authority to establish the hours for sale and  
2 consumption of alcoholic liquor on board a riverboat or in  
3 a casino, notwithstanding any provision of the Liquor  
4 Control Act of 1934 or any local ordinance, and regardless  
5 of whether the riverboat makes excursions. The  
6 establishment of the hours for sale and consumption of  
7 alcoholic liquor on board a riverboat or in a casino is an  
8 exclusive power and function of the State. A home rule unit  
9 may not establish the hours for sale and consumption of  
10 alcoholic liquor on board a riverboat or in a casino. This  
11 subdivision (18) amendatory Act of 1991 is a denial and  
12 limitation of home rule powers and functions under  
13 subsection (h) of Section 6 of Article VII of the Illinois  
14 Constitution.

15 (19) After consultation with the U.S. Army Corps of  
16 Engineers, to establish binding emergency orders upon the  
17 concurrence of a majority of the members of the Board  
18 regarding the navigability of water, relative to  
19 excursions, in the event of extreme weather conditions,  
20 acts of God or other extreme circumstances.

21 (20) To delegate the execution of any of its powers  
22 under this Act for the purpose of administering and  
23 enforcing this Act and the its rules adopted by the Board  
24 under this Act and regulations hereunder.

25 (20.5) To approve any contract entered into on its  
26 behalf.



1           (20.6) To appoint investigators to conduct  
2 investigations, searches, seizures, arrests, and other  
3 duties imposed under this Act, as deemed necessary by the  
4 Board. These investigators have and may exercise all of the  
5 rights and powers of peace officers, provided that these  
6 powers shall be limited to offenses or violations occurring  
7 or committed in a casino, in an electronic gaming facility,  
8 or on a riverboat or dock, as defined in subsections (d)  
9 and (f) of Section 4, or as otherwise provided by this Act  
10 or any other law.

11           (20.7) To contract with the Department of State Police  
12 for the use of trained and qualified State police officers  
13 and with the Department of Revenue for the use of trained  
14 and qualified Department of Revenue investigators to  
15 conduct investigations, searches, seizures, arrests, and  
16 other duties imposed under this Act and to exercise all of  
17 the rights and powers of peace officers, provided that the  
18 powers of Department of Revenue investigators under this  
19 subdivision (20.7) shall be limited to offenses or  
20 violations occurring or committed in a casino, in an  
21 electronic gaming facility, or on a riverboat or dock, as  
22 defined in subsections (d) and (f) of Section 4, or as  
23 otherwise provided by this Act or any other law. In the  
24 event the Department of State Police or the Department of  
25 Revenue is unable to fill contracted police or  
26 investigative positions, the Board may appoint

1 investigators to fill those positions pursuant to  
2 subdivision (20.6).

3 (21) To adopt rules concerning the conduct of  
4 electronic gaming.

5 (22) To have the same jurisdiction and supervision over  
6 casinos and electronic gaming facilities as the Board has  
7 over riverboats, including, but not limited to, the power  
8 to (i) investigate, review, and approve contracts as that  
9 power is applied to riverboats, (ii) adopt standards for  
10 the licensing of all persons involved with a casino or  
11 electronic gaming facility, (iii) investigate alleged  
12 violations of this Act by any person involved with a casino  
13 or electronic gaming facility, and (iv) require that  
14 records, including financial or other statements of any  
15 casino or electronic gaming facility, shall be kept in such  
16 manner as prescribed by the Board.

17 (23) ~~(21)~~ To take any other action as may be reasonable  
18 or appropriate to enforce this Act and the rules adopted by  
19 the board under this Act and ~~regulations hereunder.~~

20 All Board powers enumerated in this Section in relation to  
21 licensees shall apply equally to the holder of a managers  
22 license issued pursuant to Section 7.3 of this Act.

23 (d) The Board may seek and shall receive the cooperation of  
24 the Department of State Police in conducting background  
25 investigations of applicants and in fulfilling its  
26 responsibilities under this Section. Costs incurred by the

1 Department of State Police as a result of such cooperation  
2 shall be paid by the Board in conformance with the requirements  
3 of Section 2605-400 of the Department of State Police Law (20  
4 ILCS 2605/2605-400).

5 (e) The Board must authorize to each investigator and to  
6 any other employee of the Board exercising the powers of a  
7 peace officer a distinct badge that, on its face, (i) clearly  
8 states that the badge is authorized by the Board and (ii)  
9 contains a unique identifying number. No other badge shall be  
10 authorized by the Board.

11 (f) The Board, on behalf of the State of Illinois, is  
12 authorized to acquire by conveyance from the City of Chicago in  
13 Cook County, Illinois real estate acquired by the City of  
14 Chicago under subsection (b) of Section 7.3a of this Act.

15 The Board shall have the authority to hold title to  
16 property as provided in subsection (b) of Section 7.3a of this  
17 Act.

18 (Source: P.A. 98-377, eff. 1-1-14; 98-582, eff. 8-27-13.)

19 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

20 Sec. 5.1. Disclosure of records.

21 (a) Notwithstanding any applicable statutory provision to  
22 the contrary, the Board shall, on written request from any  
23 person, provide information furnished by an applicant or  
24 licensee concerning the applicant or licensee, his products,  
25 services or gambling enterprises and his business holdings, as

1 follows:

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

4 (2) An identification of any applicant or licensee  
5 including, if an applicant or licensee is not an  
6 individual, the names and addresses of all stockholders and  
7 directors, if the entity is a corporation; the names and  
8 addresses of all members, if the entity is a limited  
9 liability company; the names and addresses of all partners,  
10 both general and limited, if the entity is a partnership;  
11 and the names and addresses of all beneficiaries, if the  
12 entity is a trust ~~the state of incorporation or~~  
13 ~~registration, the corporate officers, and the identity of~~  
14 ~~all shareholders or participants.~~ If an applicant or  
15 licensee has a pending registration statement filed with  
16 the Securities and Exchange Commission, only the names of  
17 those persons or entities holding interest of 5% or more  
18 must be 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%. If an applicant or licensee is a corporation,  
24 partnership or other business entity, the applicant or  
25 licensee shall identify any other corporation, partnership  
26 or business entity in which it has an equity interest of 1%

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

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

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

23 (6) Whether an applicant or licensee has ever filed or  
24 had filed against it a proceeding in bankruptcy or has ever  
25 been involved in any formal process to adjust, defer,  
26 suspend or otherwise work out the payment of any debt

1 including the date of filing, the name and location of the  
2 court, the case and number of the disposition.

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

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

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

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

1           (11) A description of any proposed or approved  
2 riverboat or casino gaming or electronic gaming operation,  
3 including the type of boat, home dock or casino or  
4 electronic gaming location, expected economic benefit to  
5 the community, anticipated or actual number of employees,  
6 any 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. 96-1392, eff. 1-1-11.)

7           (230 ILCS 10/5.3 new)

8           Sec. 5.3. Ethical conduct.

9           (a) Officials and employees of the corporate authority of a  
10          host community must carry out their duties and responsibilities  
11          in such a manner as to promote and preserve public trust and  
12          confidence in the integrity and conduct of gaming.

13          (b) Officials and employees of the corporate authority of a  
14          host community shall not use or attempt to use his or her  
15          official position to secure or attempt to secure any privilege,  
16          advantage, favor, or influence for himself or herself or  
17          others.

18          (c) Officials and employees of the corporate authority of a  
19          host community may not have a financial interest, directly or  
20          indirectly, in his or her own name or in the name of any other  
21          person, partnership, association, trust, corporation, or other  
22          entity in any contract or subcontract for the performance of  
23          any work for a riverboat or casino that is located in the host  
24          community. This prohibition shall extend to the holding or  
25          acquisition of an interest in any entity identified by Board



1 action that, in the Board's judgment, could represent the  
2 potential for or the appearance of a financial interest. The  
3 holding or acquisition of an interest in such entities through  
4 an indirect means, such as through a mutual fund, shall not be  
5 prohibited, except that the Board may identify specific  
6 investments or funds that, in its judgment, are so influenced  
7 by gaming holdings as to represent the potential for or the  
8 appearance of a conflict of interest.

9 (d) Officials and employees of the corporate authority of a  
10 host community may not accept any gift, gratuity, service,  
11 compensation, travel, lodging, or thing of value, with the  
12 exception of unsolicited items of an incidental nature, from  
13 any person, corporation, or entity doing business with the  
14 riverboat or casino that is located in the host community.

15 (e) Officials and employees of the corporate authority of a  
16 host community shall not, during the period that the person is  
17 an official or employee of the corporate authority or for a  
18 period of 2 years immediately after leaving such office,  
19 knowingly accept employment or receive compensation or fees for  
20 services from a person or entity, or its parent or affiliate,  
21 that has engaged in business with the riverboat or casino that  
22 is located in the host community that resulted in contracts  
23 with an aggregate value of at least \$25,000 or if that official  
24 or employee has made a decision that directly applied to the  
25 person or entity, or its parent or affiliate.

26 (f) A spouse, child, or parent of an official or employee

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

16 (g) A spouse, child, or parent of an official or employee  
17 of the corporate authority of a host community may not accept  
18 any gift, gratuity, service, compensation, travel, lodging, or  
19 thing of value, with the exception of unsolicited items of an  
20 incidental nature, from any person, corporation, or entity  
21 doing business with the riverboat or casino that is located in  
22 the host community.

23 (h) A spouse, child, or parent of an official or employee  
24 of the corporate authority of a host community may not, during  
25 the period that the person is an official of the corporate  
26 authority or for a period of 2 years immediately after leaving

1 such office or employment, knowingly accept employment or  
2 receive compensation or fees for services from a person or  
3 entity, or its parent or affiliate, that has engaged in  
4 business with the riverboat or casino that is located in the  
5 host community that resulted in contracts with an aggregate  
6 value of at least \$25,000 or if that official or employee has  
7 made a decision that directly applied to the person or entity,  
8 or its parent or affiliate.

9 (i) Officials and employees of the corporate authority of a  
10 host community shall not attempt, in any way, to influence any  
11 person or entity doing business with the riverboat or casino  
12 that is located in the host community or any officer, agent, or  
13 employee thereof to hire or contract with any person or entity  
14 for any compensated work.

15 (j) Any communication between an official of the corporate  
16 authority of a host community and any applicant for an owners  
17 license in the host community, or an officer, director, or  
18 employee of a riverboat or casino in the host community,  
19 concerning any matter relating in any way to gaming shall be  
20 disclosed to the Board. Such disclosure shall be in writing by  
21 the official within 30 days after the communication and shall  
22 be filed with the Board. Disclosure must consist of the date of  
23 the communication, the identity and job title of the person  
24 with whom the communication was made, a brief summary of the  
25 communication, the action requested or recommended, all  
26 responses made, the identity and job title of the person making

1 the response, and any other pertinent information. Public  
2 disclosure of the written summary provided to the Board and the  
3 Gaming Board shall be subject to the exemptions provided under  
4 the Freedom of Information Act.

5 This subsection (j) shall not apply to communications  
6 regarding traffic, law enforcement, security, environmental  
7 issues, city services, transportation, or other routine  
8 matters concerning the ordinary operations of the riverboat or  
9 casino. For purposes of this subsection (j), "ordinary  
10 operations" means operations relating to the casino or  
11 riverboat facility other than the conduct of gambling  
12 activities, and "routine matters" includes the application  
13 for, issuance of, renewal of, and other processes associated  
14 with municipal permits and licenses.

15 (k) Any official or employee who violates any provision of  
16 this Section is guilty of a Class 4 felony.

17 (l) For purposes of this Section, "host community" or "host  
18 municipality" means a unit of local government that contains a  
19 riverboat or casino within its borders, but does not include  
20 the City of Chicago.

21 (230 ILCS 10/6) (from Ch. 120, par. 2406)

22 Sec. 6. Application for Owners License.

23 (a) A qualified person may apply to the Board for an owners  
24 license to conduct a riverboat gambling operation as provided  
25 in Section 7 of this Act. The application shall be made on

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

18 (a-5) In addition to any other information required under  
19 this Section, each application for an owners license must  
20 include the following information:

21 (1) The history and success of the applicant and each  
22 person and entity disclosed under subsection (c) of this  
23 Section in developing tourism facilities ancillary to  
24 gaming, if applicable.

25 (2) The likelihood that granting a license to the  
26 applicant will lead to the creation of quality, living wage

1 jobs and permanent, full-time jobs for residents of the  
2 State and residents of the unit of local government that is  
3 designated as the home dock of the proposed facility where  
4 gambling is to be conducted by the applicant.

5 (3) The projected number of jobs that would be created  
6 if the license is granted and the projected number of new  
7 employees at the proposed facility where gambling is to be  
8 conducted by the applicant.

9 (4) The record, if any, of the applicant and its  
10 developer in meeting commitments to local agencies,  
11 community-based organizations, and employees at other  
12 locations where the applicant or its developer has  
13 performed similar functions as they would perform if the  
14 applicant were granted a license.

15 (5) Identification of adverse effects that might be  
16 caused by the proposed facility where gambling is to be  
17 conducted by the applicant, including the costs of meeting  
18 increased demand for public health care, child care, public  
19 transportation, affordable housing, and social services,  
20 and a plan to mitigate those adverse effects.

21 (6) The record, if any, of the applicant and its  
22 developer regarding compliance with:

23 (A) federal, state, and local discrimination, wage  
24 and hour, disability, and occupational and  
25 environmental health and safety laws; and

26 (B) state and local labor relations and employment

1           laws.

2           (7) The applicant's record, if any, in dealing with its  
3           employees and their representatives at other locations.

4           (8) A plan concerning the utilization of  
5           minority-owned and female-owned businesses and concerning  
6           the hiring of minorities and females.

7           (9) Evidence the applicant used its best efforts to  
8           reach a goal of 25% ownership representation by minority  
9           persons and 5% ownership representation by females.

10          (b) Applicants shall submit with their application all  
11 documents, resolutions, and letters of support from the  
12 governing body that represents the municipality or county  
13 wherein the licensee will be located ~~dock~~.

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

23          (d) An application shall be filed and considered in  
24 accordance with the rules of the Board. Each application shall  
25 be accompanied by a non-refundable ~~An~~ application fee of  
26 \$100,000. In addition, a non-refundable fee of \$50,000 shall be

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

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

25 (f) The licensed owner shall be the person primarily  
26 responsible for the boat or casino itself. Only one ~~riverboat~~



1 gambling operation may be authorized by the Board on any  
2 riverboat or in any casino. The applicant must identify the  
3 ~~each~~ riverboat or premises it intends to use and certify that  
4 the riverboat or premises: (1) has the authorized capacity  
5 required in this Act; (2) is accessible to disabled persons;  
6 and (3) is fully registered and licensed in accordance with any  
7 applicable laws.

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

10 (Source: P.A. 96-1392, eff. 1-1-11.)

11 (230 ILCS 10/7) (from Ch. 120, par. 2407)

12 Sec. 7. Owners Licenses.

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

1 Illinois Horse Racing Act of 1975 or this Act, (iii) the date  
2 that payments begin under subsection (c-5) of Section 13 of the  
3 Act, ~~or~~ (iv) the wagering tax imposed under Section 13 of this  
4 Act is increased by law to reflect a tax rate that is at least  
5 as stringent or more stringent than the tax rate contained in  
6 subsection (a-3) of Section 13, or (v) when an owners licensee  
7 holding a license issued pursuant to Section 7.1 of this Act  
8 begins conducting gaming, whichever occurs first, as a  
9 condition of licensure and as an alternative source of payment  
10 for those funds payable under subsection (c-5) of Section 13 of  
11 this ~~the Riverboat Gambling~~ Act, any owners licensee that holds  
12 or receives its owners license on or after the effective date  
13 of this amendatory Act of the 94th General Assembly, other than  
14 an owners licensee operating a riverboat with adjusted gross  
15 receipts in calendar year 2004 of less than \$200,000,000, must  
16 pay into the Horse Racing Equity Trust Fund, in addition to any  
17 other payments required under this Act, an amount equal to 3%  
18 of the adjusted gross receipts received by the owners licensee.  
19 The payments required under this Section shall be made by the  
20 owners licensee to the State Treasurer no later than 3:00  
21 o'clock p.m. of the day after the day when the adjusted gross  
22 receipts were received by the owners licensee. A person, ~~firm~~  
23 or entity ~~corporation~~ is ineligible to receive an owners  
24 license if:

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

1           (2) the person has been convicted of any violation of  
2 Article 28 of the Criminal Code of 1961 or the Criminal  
3 Code of 2012, or substantially similar laws of any other  
4 jurisdiction;

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

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

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

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

16           (7) (blank); or

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

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

1 the meaning given to that term in Section 1-70 of the Illinois  
2 Administrative Procedure Act.

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

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

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

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

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

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

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

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

26 (6) whether the applicant has adequate capitalization

1 to provide and maintain, for the duration of a license, a  
2 riverboat or casino;

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

6 (8) ~~the~~ ~~The~~ amount of the applicant's license bid;~~:-~~

7 (9) the extent to which the applicant or the proposed  
8 host municipality plans to enter into revenue sharing  
9 agreements with communities other than the host  
10 municipality; and

11 (10) the extent to which the ownership of an applicant  
12 includes the most qualified number of minority persons,  
13 females, and persons with a disability.

14 (c) Each owners license shall specify the place where the  
15 casino ~~riverboats~~ shall operate or the riverboat shall operate  
16 and dock.

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

19 (e) In addition to any licenses authorized under subsection  
20 (e-5) of this Section, the ~~The~~ Board may issue up to 10  
21 licenses authorizing the holders of such licenses to own  
22 riverboats. In the application for an owners license, the  
23 applicant shall state the dock at which the riverboat is based  
24 and the water on which the riverboat will be located. The Board  
25 shall issue 5 licenses to become effective not earlier than  
26 January 1, 1991. Three of such licenses shall authorize

1 riverboat gambling on the Mississippi River, or, with approval  
2 by the municipality in which the riverboat was docked on August  
3 7, 2003 and with Board approval, be authorized to relocate to a  
4 new location, in a municipality that (1) borders on the  
5 Mississippi River or is within 5 miles of the city limits of a  
6 municipality that borders on the Mississippi River and (2), on  
7 August 7, 2003, had a riverboat conducting riverboat gambling  
8 operations pursuant to a license issued under this Act; one of  
9 which shall authorize riverboat gambling from a home dock in  
10 the city of East St. Louis. One other license shall authorize  
11 riverboat gambling on the Illinois River in Tazewell County or,  
12 with Board approval, shall authorize the riverboat to relocate  
13 to a new location that is no more than 10 miles away from its  
14 original location, in a municipality that borders on the  
15 Illinois River or is within 5 miles of the city limits of a  
16 municipality that borders on the Illinois River ~~south of~~  
17 ~~Marshall County~~. The Board shall issue one additional license  
18 to become effective not earlier than March 1, 1992, which shall  
19 authorize riverboat gambling on the Des Plaines River in Will  
20 County. The Board may issue 4 additional licenses to become  
21 effective not earlier than March 1, 1992. In determining the  
22 water upon which riverboats will operate, the Board shall  
23 consider the economic benefit which riverboat gambling confers  
24 on the State, and shall seek to assure that all regions of the  
25 State share in the economic benefits of riverboat gambling.

26 In granting all licenses, the Board may give favorable

1 consideration to economically depressed areas of the State, to  
2 applicants presenting plans which provide for significant  
3 economic development over a large geographic area, and to  
4 applicants who currently operate non-gambling riverboats in  
5 Illinois. The Board shall review all applications for owners  
6 licenses, and shall inform each applicant of the Board's  
7 decision. The Board may grant an owners license to an applicant  
8 that has not submitted the highest license bid, but if it does  
9 not select the highest bidder, the Board shall issue a written  
10 decision explaining why another applicant was selected and  
11 identifying the factors set forth in this Section that favored  
12 the winning bidder. The fee for issuance or renewal of a  
13 license pursuant to this subsection (e) shall be \$100,000.

14 (e-5) In addition to licenses authorized under subsection  
15 (e) of this Section the Board may issue:

16 (1) one owners license authorizing the conduct of  
17 riverboat gambling in Vermilion County;

18 (2) one owners license authorizing the conduct of  
19 riverboat gambling in Lake County;

20 (3) one owners license authorizing the conduct of  
21 riverboat gambling in Winnebago County; and

22 (4) one owners license authorizing the conduct of  
23 riverboat gambling in a municipality that is located in one  
24 of the following townships of Cook County: Bloom, Bremen,  
25 Calumet, Rich, Thornton, or Worth Township.

26 Each application for a license pursuant to this subsection

1 (e-5) shall be submitted to the Board no later than 6 months  
2 after the effective date of this amendatory Act of the 98th  
3 General Assembly and shall include the non-refundable  
4 application fee and the non-refundable background  
5 investigation fee as provided in subsection (d) of Section 6 of  
6 this Act. In the event that an applicant submits an application  
7 for a license pursuant to this subsection (e-5) prior to the  
8 effective date of this amendatory Act of the 98th General  
9 Assembly, such applicant shall submit the non-refundable  
10 application fee and background investigation fee as provided in  
11 subsection (d) of Section 6 of this Act no later than 6 months  
12 after the effective date of this amendatory Act of the 98th  
13 General Assembly.

14 The Board shall consider issuing a license pursuant this  
15 subsection only after the corporate authority of the  
16 municipality in which the riverboat shall be located has  
17 certified to the Board the following:

18 (i) that the applicant has negotiated with the  
19 corporate authority in good faith;

20 (ii) that the applicant and the corporate authority  
21 have mutually agreed on the permanent location of the  
22 riverboat;

23 (iii) that the applicant and the corporate authority  
24 have mutually agreed on the temporary location of the  
25 riverboat;

26 (iv) that the applicant and the corporate authority



1 have mutually agreed on the percentage of revenues that  
2 will be shared with the municipality, if any; and

3 (v) that the applicant and the corporate authority have  
4 mutually agreed on any zoning, licensing, public health, or  
5 other issues that are within the jurisdiction of the  
6 municipality.

7 At least 7 days before the corporate authority of a  
8 municipality submits a certification to the Board concerning  
9 items (i) through (v) of this subsection, it shall hold a  
10 public hearing to discuss items (i) through (v), as well as any  
11 other details concerning the proposed riverboat in the  
12 municipality. The corporate authority must subsequently  
13 memorialize the details concerning the proposed riverboat or  
14 casino in a resolution that must be adopted by a majority of  
15 the corporate authority before any certification is sent to the  
16 Board. The Board shall not alter, amend, change, or otherwise  
17 interfere with any agreement between the applicant and the  
18 corporate authority of the municipality regarding the location  
19 of any temporary or permanent facility.

20 (e-10) The licenses authorized under subsection (e-5) of  
21 this Section shall be issued within 12 months after the date  
22 the license application is submitted. If the Board does not  
23 issue the licenses within that time period, then the Board  
24 shall give a written explanation to the applicant as to why it  
25 has not reached a determination and when it reasonably expects  
26 to make a determination. The fee for the issuance or renewal of

1 a license issued pursuant to this subsection (e-10) shall be  
2 \$100,000. Additionally, a licensee located outside of Cook  
3 County shall pay a minimum initial fee of \$12,500 per gaming  
4 position, and a licensee located in Cook County shall pay a  
5 minimum initial fee of \$25,000 per gaming position. The initial  
6 fees payable under this subsection (e-10) shall be deposited  
7 into the Gaming Facilities Fee Revenue Fund.

8 (e-20) In addition to any other revocation powers granted  
9 to the Board under this Act, the Board may revoke the owners  
10 license of a licensee which fails to begin conducting gambling  
11 within 15 months of receipt of the Board's approval of the  
12 application if the Board determines that license revocation is  
13 in the best interests of the State.

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

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

1 Board sets a shorter period.

2 (h) An owners license issued under this Section, except for  
3 an owners license issued under subsection (e-5) of this  
4 Section, shall entitle the licensee to own up to 2 riverboats.

5 A licensee shall limit the number of gaming positions  
6 ~~gambling participants~~ to 1,200 for any such owners license.

7 A licensee may operate both of its riverboats concurrently,  
8 provided that the total number of gaming positions ~~gambling~~  
9 ~~participants~~ on both riverboats does not exceed 1,200.  
10 Riverboats licensed to operate on the Mississippi River and the  
11 Illinois River south of Marshall County shall have an  
12 authorized capacity of at least 500 persons. Any other  
13 riverboat licensed under this Act shall have an authorized  
14 capacity of at least 400 persons.

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

24 (j) The Board may issue or re-issue a license authorizing a  
25 riverboat to dock in a municipality or approve a relocation  
26 under Section 11.2 only if, prior to the issuance or

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

10 (k) An owners licensee may conduct land-based gambling  
11 operations upon approval by the Board.

12 (l) An owners licensee may conduct gaming at a temporary  
13 facility pending the construction of a permanent facility or  
14 the remodeling or relocation of an existing facility to  
15 accommodate gaming participants for up to 24 months after the  
16 temporary facility begins to conduct gaming. Upon request by an  
17 owners licensee and upon a showing of good cause by the owners  
18 licensee, the Board shall extend the period during which the  
19 licensee may conduct gaming at a temporary facility by up to 12  
20 months. The Board shall make rules concerning the conduct of  
21 gaming from temporary facilities.

22 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

23 (230 ILCS 10/7.3)

24 Sec. 7.3. State conduct of gambling operations; reissued  
25 license.

1 (a) If, after reviewing each application for a re-issued  
2 license, the Board determines that the highest prospective  
3 total revenue to the State would be derived from State conduct  
4 of the gambling operation in lieu of re-issuing the license,  
5 the Board shall inform each applicant of its decision. The  
6 Board shall thereafter have the authority, without obtaining an  
7 owners license, to conduct casino or riverboat gambling  
8 operations as previously authorized by the terminated,  
9 expired, revoked, or nonrenewed license through a licensed  
10 manager selected pursuant to an open and competitive bidding  
11 process as set forth in Section 7.5 and as provided in Section  
12 7.4.

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

19 (c) The Board shall have jurisdiction over and shall  
20 supervise all gambling operations conducted by the State  
21 provided for in this Act and shall have all powers necessary  
22 and proper to fully and effectively execute the provisions of  
23 this Act relating to gambling operations conducted by the  
24 State.

25 (d) The maximum number of owners licenses authorized under  
26 Section 7 ~~7(e)~~ shall be reduced by one for each instance in

1 which the Board authorizes the State to conduct a casino or  
2 riverboat gambling operation under subsection (a) in lieu of  
3 re-issuing a license to an applicant under Section 7.1.

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

5 (230 ILCS 10/7.3a new)

6 Sec. 7.3a. State conduct of gambling operations; Chicago  
7 casino.

8 (a) The Board is authorized to conduct gambling operations  
9 on a riverboat or in a casino, through a licensed manager,  
10 within the City of Chicago.

11 (b) The City of Chicago shall select the site for the  
12 gambling operation and acquire, upon consultation with the  
13 Capital Development Board, any land necessary for its  
14 construction. For the purposes of this subsection (b), the City  
15 of Chicago may acquire, by eminent domain or by condemnation  
16 proceedings in the manner provided by the Eminent Domain Act,  
17 real or personal property or interests in real or personal  
18 property located in the City of Chicago, and the City of  
19 Chicago shall convey to the Illinois Gaming Board property so  
20 acquired upon reimbursement to the City of Chicago of the  
21 purchase price of the property, plus reasonable interest costs.  
22 The acquisition of property under this subsection (b) is  
23 declared to be for a public use.

24 (c) The Capital Development Board shall construct, repair,  
25 and maintain, or contract for and supervise the construction,

1 repair, or maintenance of, facilities for use by the Board to  
2 conduct gambling operations under this Section.

3 (d) The Board must select and license a manager for the  
4 gambling operations authorized under this Section pursuant to  
5 Section 7.4 of this Act within 6 months after the effective  
6 date of this amendatory Act of the 98th General Assembly. The  
7 Board may, upon written request to the majority and minority  
8 leaders of the House of Representatives and the Senate no less  
9 than 14 days prior to the expiration of the 6-month period,  
10 request an extension on this deadline to select and license a  
11 manager of no more than 45 days. Either house of the General  
12 Assembly may, by resolution, deny the 45-day extension.

13 (e) The gambling operation authorized under this Section  
14 shall operate not less than 4,000 positions or more than 6,000  
15 positions.

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

22 (230 ILCS 10/7.4)

23 Sec. 7.4. Managers licenses.

24 (a) A qualified person may apply to the Board for a  
25 managers license to operate and manage any gambling operation

1 conducted by the State. The application shall be made on forms  
2 provided by the Board and shall contain such information as the  
3 Board prescribes, including but not limited to information  
4 required in Sections 6(a), (b), and (c) and information  
5 relating to the applicant's proposed price to manage State  
6 gambling operations and to provide the riverboat, gambling  
7 equipment, and supplies necessary to conduct State gambling  
8 operations.

9 (b) Each applicant must submit evidence to the Board that  
10 minority persons and females hold ownership interests in the  
11 applicant of at least 16% and 4%, respectively.

12 (c) A person, firm, or corporation is ineligible to receive  
13 a managers license if:

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

16 (2) the person has been convicted of any violation of  
17 Article 28 of the Criminal Code of 1961 or the Criminal  
18 Code of 2012, or substantially similar laws of any other  
19 jurisdiction;

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

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

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

26 (6) the firm or corporation employs a person defined in



1        paragraph (1), (2), (3), or (4) who participates in the  
2        management or operation of gambling operations authorized  
3        under this Act; or

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

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

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

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

16        (g) The managers license shall be for a term not less than  
17       4 years but not more than ~~to exceed~~ 10 years, shall be  
18       renewable at the Board's option, and shall contain such terms  
19       and provisions as the Board deems necessary to protect or  
20       enhance the credibility and integrity of State gambling  
21       operations, achieve the highest prospective total revenue to  
22       the State, and otherwise serve the interests of the citizens of  
23       Illinois.

24        (h) Issuance of a managers license shall be subject to an  
25       open and competitive bidding process. The Board may select an  
26       applicant other than the lowest bidder by price. If it does not

1 select the lowest bidder, the Board shall issue a notice of who  
2 the lowest bidder was and a written decision as to why another  
3 bidder was selected.

4 (Source: P.A. 97-1150, eff. 1-25-13.)

5 (230 ILCS 10/7.5)

6 Sec. 7.5. Competitive Bidding. When the Board determines  
7 that (i) it will re-issue an owners license pursuant to an open  
8 and competitive bidding process, as set forth in Section 7.1,  
9 (ii) ~~or that~~ it will issue a managers license pursuant to an  
10 open and competitive bidding process, as set forth in Section  
11 7.4, or (iii) it will issue an owners license pursuant to an  
12 open and competitive bidding process, as set forth in Section  
13 7.12, the open and competitive bidding process shall adhere to  
14 the following procedures:

15 (1) The Board shall make applications for owners and  
16 managers licenses available to the public and allow a  
17 reasonable time for applicants to submit applications to the  
18 Board.

19 (2) During the filing period for owners or managers license  
20 applications, the Board may retain the services of an  
21 investment banking firm to assist the Board in conducting the  
22 open and competitive bidding process.

23 (3) After receiving all of the bid proposals, the Board  
24 shall open all of the proposals in a public forum and disclose  
25 the prospective owners or managers names, venture partners, if

1 any, and, in the case of applicants for owners licenses, the  
2 locations of the proposed development sites.

3 (4) The Board shall summarize the terms of the proposals  
4 and may make this summary available to the public.

5 (5) The Board shall evaluate the proposals within a  
6 reasonable time and select no more than 3 final applicants to  
7 make presentations of their proposals to the Board.

8 (6) The final applicants shall make their presentations to  
9 the Board on the same day during an open session of the Board.

10 (7) As soon as practicable after the public presentations  
11 by the final applicants, the Board, in its discretion, may  
12 conduct further negotiations among the 3 final applicants.  
13 During such negotiations, each final applicant may increase its  
14 license bid or otherwise enhance its bid proposal. At the  
15 conclusion of such negotiations, the Board shall select the  
16 winning proposal. In the case of negotiations for an owners  
17 license, the Board may, at the conclusion of such negotiations,  
18 make the determination allowed under Section 7.3(a).

19 (8) Upon selection of a winning bid, the Board shall  
20 evaluate the winning bid within a reasonable period of time for  
21 licensee suitability in accordance with all applicable  
22 statutory and regulatory criteria.

23 (9) If the winning bidder is unable or otherwise fails to  
24 consummate the transaction, (including if the Board determines  
25 that the winning bidder does not satisfy the suitability  
26 requirements), the Board may, on the same criteria, select from

1 the remaining bidders or make the determination allowed under  
2 Section 7.3(a).

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

4 (230 ILCS 10/7.7 new)

5 Sec. 7.7. Electronic gaming.

6 (a) The General Assembly finds that the horse racing and  
7 riverboat gambling industries share many similarities and  
8 collectively comprise the bulk of the State's gaming industry.  
9 One feature common to both industries is that each is highly  
10 regulated by the State of Illinois. The General Assembly  
11 further finds, however, that despite their shared features each  
12 industry is distinct from the other in that horse racing is and  
13 continues to be intimately tied to Illinois' agricultural  
14 economy and is, at its core, a spectator sport. This  
15 distinction requires the General Assembly to utilize different  
16 methods to regulate and promote the horse racing industry  
17 throughout the State. The General Assembly finds that in order  
18 to promote live horse racing as a spectator sport in Illinois  
19 and the agricultural economy of this State, it is necessary to  
20 allow electronic gaming at Illinois race tracks as an ancillary  
21 use given the success of other states in increasing live racing  
22 purse accounts and improving the quality of horses  
23 participating in horse race meetings.

24 (b) The Illinois Gaming Board shall award one electronic  
25 gaming license to each person or entity having operating

1 control of a race track that applies under Section 56 of the  
2 Illinois Horse Racing Act of 1975, subject to the application  
3 and eligibility requirements of this Section. Within 60 days  
4 after the effective date of this amendatory Act of the 98th  
5 General Assembly, a person or entity having operating control  
6 of a race track may submit an application for an electronic  
7 gaming license. The application shall be made on such forms as  
8 provided by the Board and shall contain such information as the  
9 Board prescribes, including, but not limited to, the identity  
10 of any race track at which electronic gaming will be conducted,  
11 detailed information regarding the ownership and management of  
12 the applicant, and detailed personal information regarding the  
13 applicant. The application shall specify the number of gaming  
14 positions the applicant intends to use and the place where the  
15 electronic gaming facility will operate. A person who knowingly  
16 makes a false statement on an application is guilty of a Class  
17 A misdemeanor.

18 Each applicant shall disclose the identity of every person  
19 or entity having a direct or indirect pecuniary interest  
20 greater than 1% in any race track with respect to which the  
21 license is sought. If the disclosed entity is a corporation,  
22 the applicant shall disclose the names and addresses of all  
23 stockholders and directors. If the disclosed entity is a  
24 limited liability company, the applicant shall disclose the  
25 names and addresses of all members and managers. If the  
26 disclosed entity is a partnership, the applicant shall disclose

1 the names and addresses of all partners, both general and  
2 limited. If the disclosed entity is a trust, the applicant  
3 shall disclose the names and addresses of all beneficiaries.

4 An application shall be filed and considered in accordance  
5 with the rules of the Board. Each application for an electronic  
6 gaming license shall include a non-refundable application fee  
7 of \$100,000. In addition, a non-refundable fee of \$50,000 shall  
8 be paid at the time of filing to defray the costs associated  
9 with background investigations conducted by the Board. If the  
10 costs of the background investigation exceed \$50,000, the  
11 applicant shall pay the additional amount to the Board within 7  
12 days after a request by the Board. If the costs of the  
13 investigation are less than \$50,000, the applicant shall  
14 receive a refund of the remaining amount. All information,  
15 records, interviews, reports, statements, memoranda, or other  
16 data supplied to or used by the Board in the course of this  
17 review or investigation of an applicant for an electronic  
18 gaming license under this Act shall be privileged and strictly  
19 confidential and shall be used only for the purpose of  
20 evaluating an applicant for an electronic gaming license or a  
21 renewal. Such information, records, interviews, reports,  
22 statements, memoranda, or other data shall not be admissible as  
23 evidence nor discoverable in any action of any kind in any  
24 court or before any tribunal, board, agency or person, except  
25 for any action deemed necessary by the Board. The application  
26 fee shall be deposited into the Gaming Facilities Fee Revenue

1 Fund.

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

9 An application of any person or entity having operating  
10 control of a race track at which 10 or more persons have worked  
11 in the prior year providing or preparing food or beverage or  
12 performing custodial or maintenance work must include written  
13 proof that the person or entity has entered into a labor peace  
14 agreement with each labor organization that is actively engaged  
15 in representing and attempting to represent food and beverage,  
16 hospitality, custodial, and maintenance workers in this State.  
17 If the application does not include the written proof that the  
18 applicant has entered into the labor peace agreement, then the  
19 application shall not be processed and the application must be  
20 resubmitted. For the purposes of this paragraph, "labor peace  
21 agreement" means an agreement in which a labor organization  
22 waives the right of itself and its members to strike, picket,  
23 or otherwise boycott the operation for at least 3 years.

24 (c) The Board shall determine within 120 days after  
25 receiving an application for an electronic gaming license  
26 whether to grant an electronic gaming license to the applicant.

1 If the Board does not make a determination within that time  
2 period, then the Board shall give a written explanation to the  
3 applicant as to why it has not reached a determination and when  
4 it reasonably expects to make a determination.

5 The electronic gaming licensee shall purchase up to the  
6 amount of electronic gaming positions authorized under this Act  
7 within 120 days after receiving its electronic gaming license.  
8 If an electronic gaming licensee is prepared to purchase the  
9 electronic gaming positions, but is temporarily prohibited  
10 from doing so by order of a court of competent jurisdiction or  
11 the Board, then the 120-day period is tolled until a resolution  
12 is reached.

13 An electronic gaming license shall authorize its holder to  
14 conduct electronic gaming at its race track at the following  
15 times:

16 (1) On days when it conducts live racing at the track  
17 where its electronic gaming facility is located, from 8:00  
18 a.m. until 3:00 a.m. on the following day.

19 (2) On days when it is scheduled to conduct simulcast  
20 wagering on races run in the United States, from 8:00 a.m.  
21 until 3:00 a.m. on the following day.

22 Additionally, the Board may extend these days of operation  
23 and hours upon request by an organization licensee as the Board  
24 sees fit.

25 A license to conduct electronic gaming and any renewal of  
26 an electronic gaming license shall authorize electronic gaming



1 for a period of 4 years. The fee for the issuance or renewal of  
2 an electronic gaming license shall be \$100,000.

3 (d) To be eligible to conduct electronic gaming, a person  
4 or entity having operating control of a race track must (i)  
5 obtain an electronic gaming license, (ii) hold an organization  
6 license under the Illinois Horse Racing Act of 1975, (iii) hold  
7 an inter-track wagering license, (iv) pay an initial fee of  
8 \$25,000 per gaming position from electronic gaming licensees  
9 where electronic gaming is conducted in Cook County and \$12,500  
10 for electronic gaming licensees where electronic gaming is  
11 located outside of Cook County before beginning to conduct  
12 electronic gaming plus make the reconciliation payment  
13 required under subsection (i), (v) conduct at least 240 live  
14 races at each track per year or, for a licensee that is only  
15 authorized 175 gaming positions pursuant to subsection (f) of  
16 this Section, have a fully operational facility running at  
17 least 96 live races over a period of at least 15 days per year  
18 until such time as the total number of gaming positions is  
19 increased to 450, (vi) meet the requirements of subsection (a)  
20 of Section 56 of the Illinois Horse Racing Act of 1975, (vii)  
21 for organization licensees conducting standardbred race  
22 meetings that had an open backstretch in 2009, keep backstretch  
23 barns and dormitories open and operational year-round unless a  
24 lesser schedule is mutually agreed to by the organization  
25 licensee and the horsemen's association racing at that  
26 organization licensee's race meeting, (viii) for organization

1 licensees conducting thoroughbred race meetings, the  
2 organization licensee must maintain accident medical expense  
3 liability insurance coverage of \$1,000,000 for jockeys, and  
4 (ix) meet all other requirements of this Act that apply to  
5 owners licensees. Only those persons or entities (or its  
6 successors or assigns) that had operating control of a race  
7 track and held an inter-track wagering license authorized by  
8 the Illinois Racing Board in 2009 are eligible.

9 An electronic gaming licensee may enter into a joint  
10 venture with a licensed owner to own, manage, conduct, or  
11 otherwise operate the electronic gaming licensee's electronic  
12 gaming facilities, unless the electronic gaming licensee has a  
13 parent company or other affiliated company that is, directly or  
14 indirectly, wholly owned by a parent company that is also  
15 licensed to conduct electronic gaming, casino gaming, or their  
16 equivalent in another state.

17 All payments by licensees under this subsection (c) shall  
18 be deposited into the Gaming Facilities Fee Revenue Fund.

19 (e) A person or entity is ineligible to receive an  
20 electronic gaming license if:

21 (1) the person or entity has been convicted of a felony  
22 under the laws of this State, any other state, or the  
23 United States, including a conviction under the Racketeer  
24 Influenced and Corrupt Organizations Act;

25 (2) the person or entity has been convicted of any  
26 violation of Article 28 of the Criminal Code of 2012, or

1 substantially similar laws of any other jurisdiction;

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

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

6 (5) a person defined in paragraph (1), (2), (3), or (4)  
7 of this subsection (e) is an officer, director, or  
8 managerial employee of the entity;

9 (6) the person or entity employs a person defined in  
10 paragraph (1), (2), (3), or (4) of this subsection (e) who  
11 participates in the management or operation of gambling  
12 operations authorized under this Act; or

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

16 (f) The Board may approve electronic gaming positions  
17 statewide as provided in this Section. The authority to operate  
18 electronic gaming positions under this Section shall be  
19 allocated as follows: up to 600 gaming positions for any  
20 electronic gaming licensee in Cook County whose electronic  
21 gaming license originates with an organization licensee that  
22 conducted live racing in calendar year 2010; up to 450 gaming  
23 positions for any electronic gaming licensee outside of Cook  
24 County whose electronic gaming license originates with an  
25 organization licensee that conducted live racing in calendar  
26 year 2010; and up to 175 gaming positions for any electronic

1 gaming licensee whose electronic gaming license originates  
2 with an organization licensee that did not conduct live racing  
3 in calendar year 2010, which shall increase to 450 gaming  
4 positions in the calendar year following the year in which the  
5 electronic gaming licensee conducts 96 live races.

6 (g) Subject to the approval of the Illinois Gaming Board,  
7 an electronic gaming licensee may make modification or  
8 additions to any existing buildings and structures to comply  
9 with the requirements of this Act. The Illinois Gaming Board  
10 shall make its decision after consulting with the Illinois  
11 Racing Board. In no case, however, shall the Illinois Gaming  
12 Board approve any modification or addition that alters the  
13 grounds of the organizational licensee such that the act of  
14 live racing is an ancillary activity to electronic gaming.  
15 Electronic gaming may take place in existing structures where  
16 inter-track wagering is conducted at the race track or a  
17 facility within 300 yards of the race track in accordance with  
18 the provisions of this Act and the Illinois Horse Racing Act of  
19 1975.

20 (h) An electronic gaming licensee may conduct electronic  
21 gaming at a temporary facility pending the construction of a  
22 permanent facility or the remodeling or relocation of an  
23 existing facility to accommodate electronic gaming  
24 participants for up to 24 months after the temporary facility  
25 begins to conduct electronic gaming. Upon request by an  
26 electronic gaming licensee and upon a showing of good cause by

1 the electronic gaming licensee, the Board shall extend the  
2 period during which the licensee may conduct electronic gaming  
3 at a temporary facility by up to 12 months. The Board shall  
4 make rules concerning the conduct of electronic gaming from  
5 temporary facilities.

6 Electronic gaming may take place in existing structures  
7 where inter-track wagering is conducted at the race track or a  
8 facility within 300 yards of the race track in accordance with  
9 the provisions of this Act and the Illinois Horse Racing Act of  
10 1975. Any electronic gaming conducted at a permanent facility  
11 within 300 yards of the race track in accordance with this Act  
12 and the Illinois Horse Racing Act of 1975 shall have an  
13 all-weather egress connecting the electronic gaming facility  
14 and the race track facility or, on days and hours of live  
15 racing, a complimentary shuttle service between the permanent  
16 electronic gaming facility and the race track facility and  
17 shall not charge electronic gaming participants an additional  
18 admission fee to the race track facility.

19 (i) The Illinois Gaming Board must adopt emergency rules in  
20 accordance with Section 5-45 of the Illinois Administrative  
21 Procedure Act as necessary to ensure compliance with the  
22 provisions of this amendatory Act of the 98th General Assembly  
23 concerning electronic gaming. The adoption of emergency rules  
24 authorized by this subsection (i) shall be deemed to be  
25 necessary for the public interest, safety, and welfare.

26 (j) As soon as practical after a request is made by the

1 Illinois Gaming Board, to minimize duplicate submissions by the  
2 applicant, the Illinois Racing Board must provide information  
3 on an applicant for an electronic gaming license to the  
4 Illinois Gaming Board.

5 (k) Subject to the approval of the Illinois Gaming Board,  
6 an organization licensee that has received an electronic gaming  
7 license under this Act and has operating control of a race  
8 track facility located in Cook County may relocate its race  
9 track facility as follows:

10 (1) the organization licensee may relocate within a  
11 3-mile radius of its existing race track facility so long  
12 as the organization licensee remains in Cook County and  
13 submits its plan to construct a new structure to conduct  
14 electronic gaming operations; and

15 (2) the organization licensee may not relocate within a  
16 5-mile radius of a riverboat if the owners license was  
17 issued prior to December 31, 2011.

18 The relocation must include the race track facility, including  
19 the race track operations used to conduct live racing and the  
20 electronic gaming facility in its entirety. For the purposes of  
21 this subsection (k), "race track facility" means all operations  
22 conducted on the race track property for which it was awarded a  
23 license for pari-mutuel wagering and live racing in the year  
24 2010, except for the real estate itself. The Illinois Gaming  
25 Board shall make its decision after consulting with the  
26 Illinois Racing Board, and any relocation application shall be

1 subject to all of the provisions of this Act and the Illinois  
2 Horse Racing Act of 1975.

3 (230 ILCS 10/7.8 new)

4 Sec. 7.8. Home rule. The regulation and licensing of  
5 electronic gaming and electronic gaming licensees are  
6 exclusive powers and functions of the State. A home rule unit  
7 may not regulate or license electronic gaming or electronic  
8 gaming licensees. This Section is a denial and limitation of  
9 home rule powers and functions under subsection (h) of Section  
10 6 of Article VII of the Illinois Constitution.

11 (230 ILCS 10/7.9 new)

12 Sec. 7.9. Diversity program.

13 (a) Each owners licensee, electronic gaming licensee, and  
14 suppliers licensee shall establish and maintain a diversity  
15 program to ensure non-discrimination in the award and  
16 administration of contracts. The programs shall establish  
17 goals of awarding not less than 20% of the annual dollar value  
18 of all contracts, purchase orders, or other agreements to  
19 minority-owned businesses and 5% of the annual dollar value of  
20 all contracts to female-owned businesses.

21 (b) Each owners licensee, electronic gaming licensee, and  
22 suppliers licensee shall establish and maintain a diversity  
23 program designed to promote equal opportunity for employment.  
24 The program shall establish hiring goals as the Board and each

1 licensee determines appropriate. The Board shall monitor the  
2 progress of the gaming licensee's progress with respect to the  
3 program's goals.

4 (c) No later than May 31 of each year, each licensee shall  
5 report to the Board the number of respective employees and the  
6 number of their respective employees who have designated  
7 themselves as members of a minority group and gender. In  
8 addition, all licensees shall submit a report with respect to  
9 the minority-owned and female-owned businesses program created  
10 in this Section to the Board.

11 (230 ILCS 10/7.10 new)

12 Sec. 7.10. Annual report on diversity.

13 (a) Each licensee that receives a license under Sections 7,  
14 7.1, and 7.7 shall execute and file a report with the Board no  
15 later than December 31 of each year that shall contain, but not  
16 be limited to, the following information:

17 (i) a good faith affirmative action plan to recruit,  
18 train, and upgrade minority persons, females, and persons  
19 with a disability in all employment classifications;

20 (ii) the total dollar amount of contracts that were  
21 awarded to businesses owned by minority persons, females,  
22 and persons with a disability;

23 (iii) the total number of businesses owned by minority  
24 persons, females, and persons with a disability that were  
25 utilized by the licensee;



1           (iv) the utilization of businesses owned by minority  
2           persons, females, and persons with disabilities during the  
3           preceding year; and

4           (v) the outreach efforts used by the licensee to  
5           attract investors and businesses consisting of minority  
6           persons, females, and persons with a disability.

7           (b) The Board shall forward a copy of each licensee's  
8           annual reports to the General Assembly no later than February 1  
9           of each year.

10           (230 ILCS 10/7.11 new)

11           Sec. 7.11. Issuance of new owners licenses.

12           (a) Owners licenses authorized pursuant to subsection  
13           (e-5) of Section 7 of this Act may be issued by the Board to a  
14           qualified applicant pursuant to an open and competitive bidding  
15           process, as set forth in Section 7.5, and subject to the  
16           maximum number of authorized licenses set forth in subsection  
17           (e-5) of Section 7 of this Act.

18           (b) To be a qualified applicant, a person or entity may not  
19           be ineligible to receive an owners license under subsection (a)  
20           of Section 7 of this Act and must submit an application for an  
21           owners license that complies with Section 6 of this Act.

22           (c) In determining whether to grant an owners license to an  
23           applicant, the Board shall consider all of the factors set  
24           forth in subsections (b) and (e-10) of Section 7 of this Act,  
25           as well as the amount of the applicant's license bid. The Board

1 may grant the owners license to an applicant that has not  
2 submitted the highest license bid, but if it does not select  
3 the highest bidder, the Board shall issue a written decision  
4 explaining why another applicant was selected and identifying  
5 the factors set forth in subsections (b) and (e-10) of Section  
6 7 of this Act that favored the winning bidder.

7 (230 ILCS 10/7.12 new)

8 Sec. 7.12. Environmental standards. All permanent  
9 casinos, riverboats, and electronic gaming facilities shall  
10 consist of buildings that are certified as meeting the U.S.  
11 Green Building Council's Leadership in Energy and  
12 Environmental Design standards. The provisions of this Section  
13 apply to a holder of an owners license, or electronic gaming  
14 license that (i) begins operations on or after January 1, 2013  
15 or (ii) relocates its facilities on or after the effective date  
16 of this amendatory Act of the 98th General Assembly.

17 (230 ILCS 10/8) (from Ch. 120, par. 2408)

18 Sec. 8. Suppliers licenses.

19 (a) The Board may issue a suppliers license to such  
20 persons, firms or corporations which apply therefor upon the  
21 payment of a non-refundable application fee set by the Board,  
22 upon a determination by the Board that the applicant is  
23 eligible for a suppliers license and upon payment of a \$5,000  
24 annual license fee.

1 (b) The holder of a suppliers license is authorized to sell  
2 or lease, and to contract to sell or lease, gambling equipment  
3 and supplies to any licensee involved in the ownership or  
4 management of gambling operations.

5 (c) Gambling supplies and equipment may not be distributed  
6 unless supplies and equipment conform to standards adopted by  
7 rules of the Board.

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

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

12 (2) the person has been convicted of any violation of  
13 Article 28 of the Criminal Code of 1961 or the Criminal  
14 Code of 2012, or substantially similar laws of any other  
15 jurisdiction;

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

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

19 (5) the entity ~~firm or corporation~~ is one in which a  
20 person defined in paragraph (1), (2), (3), or (4), is an  
21 officer, director, or managerial employee;

22 (6) the firm or corporation employs a person who  
23 participates in the management or operation of riverboat  
24 gambling authorized under this Act;

25 (7) the license of the person, firm, or corporation  
26 issued under this Act, or a license to own or operate

1 gambling facilities in any other jurisdiction, has been  
2 revoked.

3 (e) Any person that supplies any equipment, devices, or  
4 supplies to a licensed riverboat or casino gambling operation  
5 or electronic gaming operation must first obtain a suppliers  
6 license. A supplier shall furnish to the Board a list of all  
7 equipment, devices and supplies offered for sale or lease in  
8 connection with gambling games authorized under this Act. A  
9 supplier shall keep books and records for the furnishing of  
10 equipment, devices and supplies to gambling operations  
11 separate and distinct from any other business that the supplier  
12 might operate. A supplier shall file a quarterly return with  
13 the Board listing all sales and leases. A supplier shall  
14 permanently affix its name or a distinctive logo or other mark  
15 or design element identifying the manufacturer or supplier to  
16 all its equipment, devices, and supplies, except gaming chips  
17 without a value impressed, engraved, or imprinted on it, for  
18 gambling operations. The Board may waive this requirement for  
19 any specific product or products if it determines that the  
20 requirement is not necessary to protect the integrity of the  
21 game. Items purchased from a licensed supplier may continue to  
22 be used even though the supplier subsequently changes its name,  
23 distinctive logo, or other mark or design element; undergoes a  
24 change in ownership; or ceases to be licensed as a supplier for  
25 any reason. Any supplier's equipment, devices or supplies which  
26 are used by any person in an unauthorized gambling operation

1 shall be forfeited to the State. A holder of an owners license  
2 or an electronic gaming license ~~A licensed owner~~ may own its  
3 own equipment, devices and supplies. Each holder of an owners  
4 license or an electronic gaming license or, in the case of a  
5 gambling operation conducted on behalf of the State, a  
6 manager's license under this ~~the~~ Act shall file an annual  
7 report listing its inventories of gambling equipment, devices  
8 and supplies.

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

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

17 (Source: P.A. 97-1150, eff. 1-25-13; 98-12, eff. 5-10-13;  
18 revised 6-10-13.)

19 (230 ILCS 10/9) (from Ch. 120, par. 2409)

20 Sec. 9. Occupational licenses.

21 (a) The Board may issue an occupational license to an  
22 applicant upon the payment of a non-refundable fee set by the  
23 Board, upon a determination by the Board that the applicant is  
24 eligible for an occupational license and upon payment of an  
25 annual license fee in an amount to be established. To be

1 eligible for an occupational license, an applicant must:

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

6 (2) not have been convicted of a felony offense, a  
7 violation of Article 28 of the Criminal Code of 1961 or the  
8 Criminal Code of 2012, or a similar statute of any other  
9 jurisdiction;

10 (2.5) not have been convicted of a crime, other than a  
11 crime described in item (2) of this subsection (a),  
12 involving dishonesty or moral turpitude, except that the  
13 Board may, in its discretion, issue an occupational license  
14 to a person who has been convicted of a crime described in  
15 this item (2.5) more than 10 years prior to his or her  
16 application and has not subsequently been convicted of any  
17 other crime;

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

22 (4) have met standards for the holding of an  
23 occupational license as adopted by rules of the Board. Such  
24 rules shall provide that any person or entity seeking an  
25 occupational license to manage gambling operations under  
26 this Act ~~hereunder~~ shall be subject to background inquiries

1           and further requirements similar to those required of  
2           applicants for an owners license. Furthermore, such rules  
3           shall provide that each such entity shall be permitted to  
4           manage gambling operations for only one licensed owner.

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

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

21          (d) The Board may in its discretion refuse an occupational  
22          license to any person: (1) who is unqualified to perform the  
23          duties required of such applicant; (2) who fails to disclose or  
24          states falsely any information called for in the application;  
25          (3) who has been found guilty of a violation of this Act or  
26          whose prior gambling related license or application therefor

1 has been suspended, restricted, revoked or denied for just  
2 cause in any other state; or (4) for any other just cause.

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

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

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

15 (h) Nothing in this Act shall be interpreted to prohibit a  
16 licensed owner or electronic gaming licensee from entering into  
17 an agreement with a public community college or a school  
18 approved under the Private Business and Vocational Schools Act  
19 of 2012 for the training of any occupational licensee. Any  
20 training offered by such a school shall be in accordance with a  
21 written agreement between the licensed owner or electronic  
22 gaming licensee and the school.

23 (i) Any training provided for occupational licensees may be  
24 conducted either at the site of the gambling facility ~~on the~~  
25 ~~riverboat~~ or at a school with which a licensed owner or  
26 electronic gaming licensee has entered into an agreement



1 pursuant to subsection (h).

2 (Source: P.A. 96-1392, eff. 1-1-11; 97-650, eff. 2-1-12;  
3 97-1150, eff. 1-25-13.)

4 (230 ILCS 10/11) (from Ch. 120, par. 2411)

5 Sec. 11. Conduct of gambling. Gambling may be conducted by  
6 licensed owners or licensed managers on behalf of the State  
7 aboard riverboats or in a casino. Gambling may be conducted by  
8 electronic gaming licensees at electronic gaming facilities.  
9 Gambling authorized under this Section is, subject to the  
10 following standards:

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

19 (2) (Blank).

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

22 (4) Agents of the Board and the Department of State  
23 Police may board and inspect any riverboat, enter and  
24 inspect any portion of a casino, or enter and inspect any  
25 portion of an electronic gaming facility at any time for

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

5 (5) Employees of the Board shall have the right to be  
6 present on the riverboat or in the casino or on adjacent  
7 facilities under the control of the licensee and at the  
8 electronic gaming facility under the control of the  
9 electronic gaming licensee.

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

19 (7) Persons licensed under this Act shall permit no  
20 form of wagering on gambling games except as permitted by  
21 this Act.

22 (8) Wagers may be received only from a person present  
23 on a licensed riverboat, in a casino, or at an electronic  
24 gaming facility. No person present on a licensed riverboat,  
25 in a casino, or at an electronic gaming facility shall  
26 place or attempt to place a wager on behalf of another

1 person who is not present on the riverboat, in a casino, or  
2 at the electronic gaming facility.

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

5 (10) A person under age 21 shall not be permitted on an  
6 area of a riverboat or casino where gambling is being  
7 conducted or at an electronic gaming facility where  
8 gambling is being conducted, except for a person at least  
9 18 years of age who is an employee of the riverboat or  
10 casino gambling operation or electronic gaming operation.

11 No employee under age 21 shall perform any function  
12 involved in gambling by the patrons. No person under age 21  
13 shall be permitted to make a wager under this Act, and any  
14 winnings that are a result of a wager by a person under age  
15 21, whether or not paid by a licensee, shall be treated as  
16 winnings for the privilege tax purposes, confiscated, and  
17 forfeited to the State and deposited into the Education  
18 Assistance Fund.

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

26 (12) All tokens, chips or electronic cards used to make

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

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

1 Fund, created by Public Act 86-0018, of the State of  
2 Illinois.

3 (14) In addition to the above, gambling must be  
4 conducted in accordance with all rules adopted by the  
5 Board.

6 (Source: P.A. 96-1392, eff. 1-1-11.)

7 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

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

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 riverboat  
23 and casino gambling facilities ~~riverboats~~ operated by licensed  
24 owners authorized pursuant to Section 7 of this Act. Until July

1 1, 2002, the rate is \$2 per person admitted. From July 1, 2002  
2 until July 1, 2003, the rate is \$3 per person admitted. From  
3 July 1, 2003 until August 23, 2005 (the effective date of  
4 Public Act 94-673), for a licensee that admitted 1,000,000  
5 persons or fewer in the previous calendar year, the rate is \$3  
6 per person admitted; for a licensee that admitted more than  
7 1,000,000 but no more than 2,300,000 persons in the previous  
8 calendar year, the rate is \$4 per person admitted; and for a  
9 licensee that admitted more than 2,300,000 persons in the  
10 previous calendar year, the rate is \$5 per person admitted.  
11 Beginning on August 23, 2005 (the effective date of Public Act  
12 94-673), for a licensee that admitted 1,000,000 persons or  
13 fewer in calendar year 2004, the rate is \$2 per person  
14 admitted, and for all other licensees, including licensees that  
15 were not conducting gambling operations in 2004, the rate is \$3  
16 per person admitted. This admission tax is imposed upon the  
17 licensed owner conducting gambling.

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

23 (2) (Blank).

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

1 riverboat.

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

6 (a-5) A fee is hereby imposed upon admissions to gambling  
7 operations operated by licensed managers on behalf of the State  
8 pursuant to Section 7.3 at the rates provided in this  
9 subsection (a-5). For a licensee that admitted 1,000,000  
10 persons or fewer in the previous calendar year, the rate is \$3  
11 per person admitted; for a licensee that admitted more than  
12 1,000,000 but no more than 2,300,000 persons in the previous  
13 calendar year, the rate is \$4 per person admitted; and for a  
14 licensee that admitted more than 2,300,000 persons in the  
15 previous calendar year, the rate is \$5 per person admitted.

16 (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 (a-10) No fee shall be imposed upon admissions to the  
26 gambling operation operated by a licensed manager on behalf of

1 the State pursuant to Section 7.3a.

2 (b) Except as otherwise provided in subsection (b-1), from  
3 ~~From~~ the tax imposed under subsection (a) and the fee imposed  
4 under subsection (a-5), a municipality shall receive from the  
5 State \$1 for each person embarking on a riverboat docked within  
6 the municipality or entering a casino located within the  
7 municipality, and a county shall receive \$1 for each person  
8 entering a casino or embarking on a riverboat docked within the  
9 county but outside the boundaries of any municipality. The  
10 municipality's or county's share shall be collected by the  
11 Board on behalf of the State and remitted quarterly by the  
12 State, subject to appropriation, to the treasurer of the unit  
13 of local government for deposit in the general fund. The moneys  
14 remitted to units of local government under this subsection (b)  
15 for riverboats and casinos authorized under subsection (e-5) of  
16 Section 7, other than the riverboat or casino authorized under  
17 paragraph (4) of subsection (e-5) of Section 7, shall be used  
18 for capital expenditures or public pension payments, or both.

19 (b-1) From the tax imposed under subsection (a) and the fee  
20 imposed under subsection (a-5) on admissions to a riverboat or  
21 casino gambling facility authorized under paragraph (4) of  
22 subsection (e-5) of Section 7, \$1 shall be distributed as  
23 provided in subsection (b-1) of Section 13.

24 (c) The licensed owner shall pay the entire admission tax  
25 to the Board and the licensed manager shall pay the entire  
26 admission fee to the Board. Such payments shall be made daily.



1 Accompanying each payment shall be a return on forms provided  
2 by the Board which shall include other information regarding  
3 admissions as the Board may require. Failure to submit either  
4 the payment or the return within the specified time may result  
5 in suspension or revocation of the owners or managers license.

6 (c-1) After payments required under subsection (b) have  
7 been made, all remaining amounts collected under this Section  
8 for riverboats and casinos authorized under subsection (e-5) of  
9 Section 7, other than the riverboat or casino authorized under  
10 paragraph (4) of subsection (e-5) of Section 7, shall be  
11 divided equally and transferred into the Education Assistance  
12 Fund and the Capital Projects Fund.

13 (c-5) A tax is imposed on admissions to electronic gaming  
14 facilities at the rate of \$3 per person admitted by an  
15 electronic gaming licensee. The tax is imposed upon the  
16 electronic gaming licensee.

17 (1) The admission tax shall be paid for each admission,  
18 except that a person who exits an electronic gaming  
19 facility and reenters that electronic gaming facility  
20 within the same gaming day, as the term "gaming day" is  
21 defined by the Board by rule, shall be subject only to the  
22 initial admission tax. The Board shall establish, by rule,  
23 a procedure to determine whether a person admitted to an  
24 electronic gaming facility has paid the admission tax.

25 (2) An electronic gaming licensee may issue tax-free  
26 passes to actual and necessary officials and employees of

1       the licensee and other persons associated with electronic  
2       gaming operations.

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

7           (4) The electronic gaming licensee shall pay the entire  
8       admission tax to the Board.

9       Such payments shall be made daily. Accompanying each  
10      payment shall be a return on forms provided by the Board, which  
11      shall include other information regarding admission as the  
12      Board may require. Failure to submit either the payment or the  
13      return within the specified time may result in suspension or  
14      revocation of the electronic gaming license.

15      From the tax imposed under this subsection (c-5), a  
16      municipality in which an electronic gaming facility is located,  
17      or if the electronic gaming facility is not located within a  
18      municipality, then the county in which the electronic gaming  
19      facility is located, shall receive from the State \$1 for each  
20      person who enters the electronic gaming facility. The  
21      municipality's or county's share shall be collected by the  
22      Board on behalf of the State and remitted quarterly by the  
23      State, subject to appropriation, to the unit of local  
24      government and shall be used for capital expenditures or public  
25      pension payments, or both.

26      After payments required under this subsection (c-5) have

1 been made, all remaining amounts shall be divided equally and  
2 transferred into the Education Assistance Fund and the Capital  
3 Projects Fund.

4 (d) The Board shall administer and collect the admission  
5 tax imposed by this Section, to the extent practicable, 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. 95-663, eff. 10-11-07; 96-1392, eff. 1-1-11.)

11 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

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

23 20% of annual adjusted gross receipts in excess of  
24 \$25,000,000 but not exceeding \$50,000,000;

25 25% of annual adjusted gross receipts in excess of

1           \$50,000,000 but not exceeding \$75,000,000;

2           30% of annual adjusted gross receipts in excess of  
3           \$75,000,000 but not exceeding \$100,000,000;

4           35% of annual adjusted gross receipts in excess of  
5           \$100,000,000.

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

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

15           22.5% of annual adjusted gross receipts in excess of  
16           \$25,000,000 but not exceeding \$50,000,000;

17           27.5% of annual adjusted gross receipts in excess of  
18           \$50,000,000 but not exceeding \$75,000,000;

19           32.5% of annual adjusted gross receipts in excess of  
20           \$75,000,000 but not exceeding \$100,000,000;

21           37.5% of annual adjusted gross receipts in excess of  
22           \$100,000,000 but not exceeding \$150,000,000;

23           45% of annual adjusted gross receipts in excess of  
24           \$150,000,000 but not exceeding \$200,000,000;

25           50% of annual adjusted gross receipts in excess of  
26           \$200,000,000.

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

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

10 27.5% of annual adjusted gross receipts in excess of  
11 \$25,000,000 but not exceeding \$37,500,000;

12 32.5% of annual adjusted gross receipts in excess of  
13 \$37,500,000 but not exceeding \$50,000,000;

14 37.5% of annual adjusted gross receipts in excess of  
15 \$50,000,000 but not exceeding \$75,000,000;

16 45% of annual adjusted gross receipts in excess of  
17 \$75,000,000 but not exceeding \$100,000,000;

18 50% of annual adjusted gross receipts in excess of  
19 \$100,000,000 but not exceeding \$250,000,000;

20 70% of annual adjusted gross receipts in excess of  
21 \$250,000,000.

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

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

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

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

22           22.5% of annual adjusted gross receipts in excess of  
23 \$25,000,000 but not exceeding \$50,000,000;

24           27.5% of annual adjusted gross receipts in excess of  
25 \$50,000,000 but not exceeding \$75,000,000;

26           32.5% of annual adjusted gross receipts in excess of

1           \$75,000,000 but not exceeding \$100,000,000;

2           37.5% of annual adjusted gross receipts in excess of  
3           \$100,000,000 but not exceeding \$150,000,000;

4           45% of annual adjusted gross receipts in excess of  
5           \$150,000,000 but not exceeding \$200,000,000;

6           50% of annual adjusted gross receipts in excess of  
7           \$200,000,000.

8           For the imposition of the privilege tax in this subsection  
9           (a-4), amounts paid pursuant to item (1) of subsection (b) of  
10           Section 56 of the Illinois Horse Racing Act of 1975 shall not  
11           be included in the determination of adjusted gross receipts.

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

15           (a-10) The taxes imposed by this Section shall be paid by  
16           the licensed owner or the electronic gaming licensee to the  
17           Board not later than 5:00 o'clock p.m. of the day after the day  
18           when the wagers were made.

19           (a-15) If the privilege tax imposed under subsection (a-3)  
20           is no longer imposed pursuant to item (i) of the last paragraph  
21           of subsection (a-3), then by June 15 of each year, each owners  
22           licensee, other than an owners licensee that admitted 1,000,000  
23           persons or fewer in calendar year 2004, must, in addition to  
24           the payment of all amounts otherwise due under this Section,  
25           pay to the Board a reconciliation payment in the amount, if  
26           any, by which the licensed owner's base amount exceeds the

1 amount of net privilege tax paid by the licensed owner to the  
2 Board in the then current State fiscal year. A licensed owner's  
3 net privilege tax obligation due for the balance of the State  
4 fiscal year shall be reduced up to the total of the amount paid  
5 by the licensed owner in its June 15 reconciliation payment.  
6 The obligation imposed by this subsection (a-15) is binding on  
7 any person, firm, corporation, or other entity that acquires an  
8 ownership interest in any such owners license. The obligation  
9 imposed under this subsection (a-15) terminates on the earliest  
10 of: (i) July 1, 2007, (ii) the first day after the effective  
11 date of this amendatory Act of the 94th General Assembly that  
12 riverboat gambling operations are conducted pursuant to a  
13 dormant license, (iii) the first day that riverboat gambling  
14 operations are conducted under the authority of an owners  
15 license that is in addition to the 10 owners licenses initially  
16 authorized under this Act, or (iv) the first day that a  
17 licensee under the Illinois Horse Racing Act of 1975 conducts  
18 gaming operations with slot machines or other electronic gaming  
19 devices. The Board must reduce the obligation imposed under  
20 this subsection (a-15) by an amount the Board deems reasonable  
21 for any of the following reasons: (A) an act or acts of God,  
22 (B) an act of bioterrorism or terrorism or a bioterrorism or  
23 terrorism threat that was investigated by a law enforcement  
24 agency, or (C) a condition beyond the control of the owners  
25 licensee that does not result from any act or omission by the  
26 owners licensee or any of its agents and that poses a hazardous



1 threat to the health and safety of patrons. If an owners  
2 licensee pays an amount in excess of its liability under this  
3 Section, the Board shall apply the overpayment to future  
4 payments required under this Section.

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

6 "Act of God" means an incident caused by the operation of  
7 an extraordinary force that cannot be foreseen, that cannot be  
8 avoided by the exercise of due care, and for which no person  
9 can be held liable.

10 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

25 The changes made to this subsection (a-15) by Public Act  
26 94-839 are intended to restate and clarify the intent of Public

1 Act 94-673 with respect to the amount of the payments required  
2 to be made under this subsection by an owners licensee to the  
3 Board.

4 (b) Until January 1, 1998, 25% of the tax revenue deposited  
5 in the State Gaming Fund under this Section shall be paid,  
6 subject to appropriation by the General Assembly, to the unit  
7 of local government which is designated as the home dock of the  
8 riverboat. Except as otherwise provided in this subsection (b),  
9 beginning ~~Beginning~~ January 1, 1998, from the tax revenue  
10 deposited in the State Gaming Fund under this Section, an  
11 amount equal to 5% of adjusted gross receipts generated by a  
12 riverboat or a casino licensed under Section 7 of this Act or  
13 by an electronic gaming facility shall be paid monthly, subject  
14 to appropriation by the General Assembly, to the unit of local  
15 government in which the electronic gaming facility or casino is  
16 located or that is designated as the home dock of the  
17 riverboat. The moneys paid to units of local government under  
18 this subsection (b) for electronic gaming facilities and  
19 riverboats and casinos authorized under subsection (e-5) of  
20 Section 7, other than the riverboat or casino authorized under  
21 paragraph (4) of subsection (e-5) of Section 7, shall be used  
22 for capital expenditures or public pension payments, or both.

23 From the tax revenue deposited in the State Gaming Fund  
24 under this Section, an amount equal to 5% of adjusted gross  
25 receipts from riverboat or casino gambling operations  
26 authorized by paragraph (4) of subsection (e-5) of Section 7

1 shall be distributed as provided in subsection (b-1) of this  
2 Section

3 From the tax revenue deposited in the State Gaming Fund  
4 pursuant to riverboat or casino gambling operations conducted  
5 by a licensed manager on behalf of the State pursuant to  
6 Section 7.3 of this Act, an amount equal to 5% of adjusted  
7 gross receipts generated pursuant to those riverboat or casino  
8 gambling operations shall be paid monthly, subject to  
9 appropriation by the General Assembly, to the unit of local  
10 government that is designated as the home dock of the riverboat  
11 upon which those riverboat gambling operations are conducted or  
12 in which the casino is located.

13 (b-1) The moneys held in the State Gaming Fund pursuant to  
14 this subsection (b) of this Section and subsection (b-1) of  
15 Section 12 from riverboat or casino gambling operations  
16 authorized by paragraph (4) of subsection (e-5) of Section 7,  
17 shall be paid monthly, subject to appropriation by the General  
18 Assembly, as follows: (i) 20% shall be paid to the municipality  
19 in which the riverboat is docked or the casino is located and  
20 (ii) 80% shall be divided equally among the following  
21 communities: Village of Beecher, City of Blue Island, Village  
22 of Burnham, Calumet City, Village of Calumet Park, City of  
23 Chicago Heights, City of County Club Hills, Village of Dixmoor,  
24 Village of Dolton, Village of East Hazel Crest, Village of  
25 Flossmoor, Village of Ford Heights, Village of Glenwood, City  
26 of Harvey, Village of Hazel Crest, Village of Homewood, Village

1 of Lansing, Village of Lynwood, City of Markham, Village of  
2 Matteson, Village of Midlothian, City of Oak Forest, Village of  
3 Olympia Fields, Village of Orland Hills, Village of Orland  
4 Park, City of Palos Heights, Village of Park Forest, Village of  
5 Phoenix, Village of Posen, Village of Richton Park, Village of  
6 Riverdale, Village of Robbins, Village of Sauk Village, Village  
7 of South Chicago Heights, Village of South Holland, Village of  
8 Steger, Village of Thornton, Village of Tinley Park; however,  
9 if a community listed in item (ii) is the municipality in which  
10 the riverboat is docked or the casino is located, then that  
11 municipality shall not receive moneys under item (ii).

12 (b-5) Beginning on the effective date of this amendatory  
13 Act of the 98th General Assembly, from the tax revenue  
14 deposited in the State Gaming Fund under this Section,  
15 \$5,000,000 shall be paid annually, subject to appropriation, to  
16 the Department of Human Services for the administration of  
17 programs to treat problem gambling.

18 (c) Appropriations, as approved by the General Assembly,  
19 may be made from the State Gaming Fund to the Board (i) for the  
20 administration and enforcement of this Act and the Video Gaming  
21 Act, (ii) for distribution to the Department of State Police  
22 and to the Department of Revenue for the enforcement of this  
23 Act and the Video Gaming Act, and (iii) to the Department of  
24 Human Services for the administration of programs to treat  
25 problem gambling. The Board's annual appropriations request  
26 must separately state its funding needs for the regulation of

1 electronic gaming, riverboat gaming, casino gaming within the  
2 City of Chicago, and video gaming. From the tax revenue  
3 deposited in the Gaming Facilities Fee Revenue Fund, the first  
4 \$50,000,000 shall be paid to the Board, subject to  
5 appropriation, for the administration and enforcement of the  
6 provisions of this amendatory Act of the 98th General Assembly.

7 (c-3) Appropriations, as approved by the General Assembly,  
8 may be made from the tax revenue deposited into the State  
9 Gaming Fund from electronic gaming pursuant to this Section for  
10 the administration and enforcement of this Act.

11 (c-4) After payments required under subsections (b), (c),  
12 and (c-3) have been made from the tax revenue from electronic  
13 gaming facilities and riverboats and casinos authorized under  
14 subsection (e-5) of Section 7, other than the riverboat or  
15 casino authorized under paragraph (4) of subsection (e-5) of  
16 Section 7, deposited into the State Gaming Fund under this  
17 Section, all remaining amounts from electronic gaming  
18 facilities and riverboats and casinos authorized under  
19 subsection (e-5) of Section 7, other than the riverboat or  
20 casino authorized under paragraph (4) of subsection (e-5) of  
21 Section 7, shall be divided equally and transferred into the  
22 Education Assistance Fund and the Capital Projects Fund.

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) On July 1, 2013 and each July 1 thereafter,  
8 \$1,600,000 shall be transferred from the State Gaming Fund to  
9 the Chicago State University Education Improvement Fund.

10 (c-30) On July 1, 2013 or as soon as possible thereafter,  
11 \$92,000,000 shall be transferred from the State Gaming Fund to  
12 the School Infrastructure Fund and \$23,000,000 shall be  
13 transferred from the State Gaming Fund to the Horse Racing  
14 Equity Fund.

15 (c-35) Beginning on July 1, 2013, in addition to any amount  
16 transferred under subsection (c-30) of this Section,  
17 \$5,530,000 shall be transferred monthly from the State Gaming  
18 Fund to the School Infrastructure Fund.

19 (c-40) Revenues from the gambling operation operated by a  
20 licensed manager on behalf of the State pursuant to Section  
21 7.3a deposited into the State Gaming Fund shall be distributed  
22 as follows:

23 (1) reimbursement of any construction costs of the  
24 gambling facility, including debt service on any bonds  
25 issued for that purpose, shall be made to the Capital  
26 Development Board;

1           (2) any amounts due to the licensed manager of the  
2           gambling operation shall be paid in accordance with the  
3           terms of any agreement made with the managers licensee  
4           under Section 7.4 of this Act and during the competitive  
5           bidding process under Section 7.5 of this Act; and

6           (3) the remainder of amounts deposited shall be  
7           distributed as follows:

8                   (A) an amount equal to 50% of the remainder shall  
9                   be distributed as follows:

10                           (i) an amount equal to 2%, at least \$8,000,000  
11                           annually, shall be distributed to Cook County to be  
12                           used for capital expenditures or public pension  
13                           payments, or both; and

14                           (ii) the remainder shall be distributed to the  
15                           City of Chicago to be used for capital  
16                           expenditures, public pension payments, or  
17                           education purposes, or any combination thereof; if  
18                           used for education purposes, moneys must be  
19                           allocated on a per-student basis;

20                           (B) an amount equal to 25% of the remainder shall  
21                           be appropriated each month to the State Board of  
22                           Education to be used for grants to school districts by  
23                           the State Board of Education in amounts determined as  
24                           follows: the total amount appropriated to the State  
25                           Board of Education divided by the number of students in  
26                           the State outside of City of Chicago School District



1           299 and then multiplied by the number of students in  
2           the school district, based on average daily attendance  
3           in that district; moneys distributed under this item  
4           (B) shall be in addition to and not in lieu of other  
5           moneys provided to school districts by the State; and  
6           (C) an amount equal to 25% of the remainder shall  
7           be transferred monthly into the State Construction  
8           Account Fund.

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

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

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

24          (Source: P.A. 98-18, eff. 6-7-13.)

1           Sec. 14. Licensees - Records - Reports - Supervision.

2           (a) Licensed owners or, in the case of gambling operations  
3 operated by licensed managers on behalf of the State, licensed  
4 managers and electronic gaming licensees ~~A licensed owner~~ shall  
5 keep ~~his~~ books and records so as to clearly show the following:

6           (1) The amount received daily from admission fees.

7           (2) The total amount of gross receipts.

8           (3) The total amount of the adjusted gross receipts.

9           (b) Licensed owners or, in the case of gambling operations  
10 operated by licensed managers on behalf of the State, licensed  
11 managers and electronic gaming licensees ~~The licensed owner~~  
12 shall furnish to the Board reports and information as the Board  
13 may require with respect to its activities on forms designed  
14 and supplied for such purpose by the Board.

15           (c) The books and records kept by a licensed owner as  
16 provided by this Section are public records and the  
17 examination, publication, and dissemination of the books and  
18 records are governed by the provisions of The Freedom of  
19 Information Act.

20           (Source: P.A. 86-1029.)

21           (230 ILCS 10/15) (from Ch. 120, par. 2415)

22           Sec. 15. Audit of Licensee Operations. Annually, the  
23 licensed owner, ~~or~~ manager, or electronic gaming licensee shall  
24 transmit to the Board an audit of the financial transactions  
25 and condition of the licensee's or manager's total operations.

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

12 (Source: P.A. 96-1392, eff. 1-1-11.)

13 (230 ILCS 10/17.1) (from Ch. 120, par. 2417.1)

14 Sec. 17.1. Judicial Review.

15 (a) Jurisdiction and venue for the judicial review of a  
16 final order of the Board relating to licensed owners,  
17 suppliers, electronic gaming licensees, and ~~or~~ special event  
18 licenses is vested in the Appellate Court of the judicial  
19 district in which Sangamon County is located. A petition for  
20 judicial review of a final order of the Board must be filed in  
21 the Appellate Court, within 35 days from the date that a copy  
22 of the decision sought to be reviewed was served upon the party  
23 affected by the decision.

24 (b) Judicial review of all other final orders of the Board  
25 shall be conducted in accordance with the Administrative Review

1 Law.

2 (Source: P.A. 88-1.)

3 (230 ILCS 10/18) (from Ch. 120, par. 2418)

4 Sec. 18. Prohibited Activities - Penalty.

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

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

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

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

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

14 or

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

17 (c) A person wagering or accepting a wager at any location  
18 outside the riverboat, casino, or electronic gaming facility in  
19 violation of paragraph ~~is subject to the penalties in~~  
20 ~~paragraphs~~ (1) or (2) of subsection (a) of Section 28-1 of the  
21 Criminal Code of 2012 is subject to the penalties provided in  
22 that Section.

23 (d) A person commits a Class 4 felony and, in addition,  
24 shall be barred for life from gambling operations ~~riverboats~~  
25 under the jurisdiction of the Board, if the person does any of

1 the following:

2 (1) Offers, promises, or gives anything of value or  
3 benefit to a person who is connected with a riverboat or  
4 casino owner or electronic gaming licensee, including, but  
5 not limited to, an officer or employee of a licensed owner,  
6 electronic gaming licensee, or holder of an occupational  
7 license pursuant to an agreement or arrangement or with the  
8 intent that the promise or thing of value or benefit will  
9 influence the actions of the person to whom the offer,  
10 promise, or gift was made in order to affect or attempt to  
11 affect the outcome of a gambling game, or to influence  
12 official action of a member of the Board.

13 (2) Solicits or knowingly accepts or receives a promise  
14 of anything of value or benefit while the person is  
15 connected with a riverboat, casino, or electronic gaming  
16 facility, including, but not limited to, an officer or  
17 employee of a licensed owner or electronic gaming licensee,  
18 or the holder of an occupational license, pursuant to an  
19 understanding or arrangement or with the intent that the  
20 promise or thing of value or benefit will influence the  
21 actions of the person to affect or attempt to affect the  
22 outcome of a gambling game, or to influence official action  
23 of a member of the Board.

24 (3) Uses or possesses with the intent to use a device  
25 to assist:

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

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

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

4 (iv) In analyzing the strategy for playing or  
5 betting to be used in the game except as permitted by  
6 the Board.

7 (4) Cheats at a gambling game.

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

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

14 (7) Places a bet after acquiring knowledge, not  
15 available to all players, of the outcome of the gambling  
16 game which is subject of the bet or to aid a person in  
17 acquiring the knowledge for the purpose of placing a bet  
18 contingent on that outcome.

19 (8) Claims, collects, or takes, or attempts to claim,  
20 collect, or take, money or anything of value in or from the  
21 gambling games, with intent to defraud, without having made  
22 a wager contingent on winning a gambling game, or claims,  
23 collects, or takes an amount of money or thing of value of  
24 greater value than the amount won.

25 (9) Uses counterfeit chips or tokens in a gambling  
26 game.

1           (10) Possesses any key or device designed for the  
2           purpose of opening, entering, or affecting the operation of  
3           a gambling game, drop box, or an electronic or mechanical  
4           device connected with the gambling game or for removing  
5           coins, tokens, chips or other contents of a gambling game.  
6           This paragraph (10) does not apply to a gambling licensee  
7           or employee of a gambling licensee acting in furtherance of  
8           the employee's employment.

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

13          (f) A person under the age of 21 who, except as authorized  
14          under paragraph (10) of Section 11, enters upon a riverboat or  
15          in a casino or electronic gaming facility commits a petty  
16          offense and is subject to a fine of not less than \$100 or more  
17          than \$250 for a first offense and of not less than \$200 or more  
18          than \$500 for a second or subsequent offense.

19          An action to prosecute any crime occurring on a riverboat  
20          shall be tried in the county of the dock at which the riverboat  
21          is based. An action to prosecute any crime occurring in a  
22          casino or electronic gaming facility shall be tried in the  
23          county in which the casino or electronic gaming facility is  
24          located.

25          (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

1 (230 ILCS 10/18.1)

2 Sec. 18.1. Distribution of certain fines. If a fine is  
3 imposed on an owner licensee or an electronic gaming licensee  
4 for knowingly sending marketing or promotional materials to any  
5 person placed on the self-exclusion list, then the Board shall  
6 distribute an amount equal to 15% of the fine imposed to the  
7 unit of local government in which the casino, riverboat, or  
8 electronic gaming facility is located for the purpose of  
9 awarding grants to non-profit entities that assist gambling  
10 addicts.

11 (Source: P.A. 96-224, eff. 8-11-09.)

12 (230 ILCS 10/18.2 new)

13 Sec. 18.2. Prohibition on political contributions from  
14 certain licensees and applicants.

15 (a) The General Assembly has a compelling interest in  
16 protecting the integrity of both the electoral process and the  
17 legislative process by preventing corruption and the  
18 appearance of corruption which may arise through permitting  
19 certain political campaign contributions by certain persons  
20 involved in the gaming industry and regulated by the State.  
21 Unlike most other regulated industries, gaming is especially  
22 susceptible to corruption and potential criminal influence.

23 In Illinois, only licensed gaming activities are legal and  
24 all other gaming activities are strictly prohibited. Given  
25 these circumstances, it is imperative to eliminate any



1 potential corrupt influence in the gaming industry and the  
2 electoral process. Banning political campaign contributions by  
3 certain persons subject to this Section to State officeholders  
4 and candidates for such offices and to county and municipal  
5 officeholders and candidates for such offices in counties and  
6 municipalities that receive financial benefits from gaming  
7 activities is necessary to prevent corruption and the  
8 appearance of corruption that may arise when political campaign  
9 contributions and gaming that is regulated by the State and  
10 that confers benefits on counties and municipalities are  
11 intermingled.

12 The General Assembly has prohibited political campaign  
13 contributions to certain State and local officeholders and  
14 candidates for such offices by certain persons with State of  
15 Illinois and Metropolitan Pier and Exposition Authority  
16 contracts and pending bids or proposals for contracts of over  
17 \$50,000 and certain individuals and entities affiliated with  
18 such persons. Certain gaming licensees will receive receipts  
19 far in excess of the base level of contract amounts subject to  
20 such other campaign contribution prohibitions.

21 (b) As used in this Section:

22 "Affiliated entity" means (i) any corporate parent and each  
23 operating subsidiary of the business entity applying for or  
24 holding a license, (ii) each operating subsidiary of the  
25 corporate parent of the business entity applying for or holding  
26 a license, (iii) any organization recognized by the United

1 States Internal Revenue Service as a tax-exempt organization  
2 described in Section 501(c) of the Internal Revenue Code of  
3 1986 (or any successor provision of federal tax law)  
4 established by one or more business entities seeking or holding  
5 a license, any affiliated entity of such business entity, or  
6 any affiliated person of such business entity, and (iv) any  
7 political committee for which the business entity applying for  
8 or holding a license, or any 501(c) organization described in  
9 item (iii) related to that business entity, is the sponsoring  
10 entity, as defined in Section 9-3 of the Election Code. For  
11 purposes of item (iv), the funding of all business entities  
12 applying for or holding a license shall be aggregated in  
13 determining whether such political committee is an affiliated  
14 entity.

15 "Affiliated person" means (i) any person with any ownership  
16 interest or distributive share in excess of 1% of any business  
17 entity applying for or holding a license, (ii) executive  
18 employees of any such business entity, (iii) any person  
19 designated as a key person under this Act, and (iv) the spouse  
20 of such persons.

21 "Contribution" means a contribution as defined in Section  
22 9-1.4 of the Election Code.

23 "Declared candidate" means a person who has filed a  
24 statement of candidacy and petition for nomination or election  
25 in the principal office of the State Board of Elections, or in  
26 the office of the appropriate election authority for any county

1 or municipality in which a casino or electronic gaming device  
2 is located or proposed or which receives any gaming revenue.

3 "Executive employee" means any person who is (i) an officer  
4 or director or who fulfills duties equivalent to those of an  
5 officer or director of a business entity applying for or  
6 holding a license and (ii) any employee of such business entity  
7 who is required to register under the Lobbyist Registration  
8 Act.

9 "License" means any owners license issued pursuant to  
10 Section 7 of this Act, electronic gaming license issued  
11 pursuant to Section 7.7 of this Act, or managers license issued  
12 pursuant to Section 7.4 of this Act.

13 "Officeholder" means the Governor, Lieutenant Governor,  
14 Attorney General, Secretary of State, Comptroller, Treasurer,  
15 member of the General Assembly, or any officeholder in any  
16 county or municipality in which a riverboat, casino, or  
17 electronic gaming device is located or proposed or which  
18 receives any gaming revenue.

19 "Business entity" means any entity doing business for  
20 profit, whether organized as a corporation, partnership, sole  
21 proprietorship, limited liability company, or partnership or  
22 otherwise.

23 (c) Any person or business entity applying for or holding a  
24 license, any affiliated entities or persons of such business  
25 entity, and any entities or persons soliciting a contribution  
26 or causing a contribution to be made on behalf of such person

1 or business entity, are prohibited from making any contribution  
2 to any officeholder or declared candidate or any political  
3 committee affiliated with any officeholder or declared  
4 candidate, as defined in Section 9-1.8 of the Election Code.  
5 This prohibition shall commence upon filing of an application  
6 for a license and shall continue for a period of 2 years after  
7 termination, suspension, or revocation of the license.

8 The Board shall have authority to suspend, revoke, or  
9 restrict the license and to impose civil penalties of up to  
10 \$100,000 for each violation of this subsection (c). A notice of  
11 each such violation and the penalty imposed shall be published  
12 on the Board's website and in the Illinois Register. Payments  
13 received by the State pursuant to this subsection (c) shall be  
14 deposited into the General Revenue Fund.

15 Any officeholder or declared candidate or any political  
16 committee affiliated with any officeholder or declared  
17 candidate that has received a contribution in violation of this  
18 subsection (c) shall pay an amount equal to the value of the  
19 contribution to the State no more than 30 days after notice of  
20 the violation concerning the contribution appears in the  
21 Illinois Register. Payments received by the State pursuant to  
22 this subsection (c) shall be deposited into the General Revenue  
23 Fund.

24 (d) The Board shall post on its website a list of all  
25 persons, business entities, and affiliated entities prohibited  
26 from making contributions to any officeholder or declared

1 candidate political committee pursuant to subsection (c),  
2 which list shall be updated and published on, at a minimum, a  
3 semiannual basis.

4 Any person, business entity, or affiliated entity  
5 prohibited from making contributions to any officeholder or  
6 declared candidate political committee pursuant to subsection  
7 (c) shall notify the Board within 7 days after discovering any  
8 necessary change or addition to the information relating to  
9 that person, business entity, or affiliated entity contained in  
10 the list.

11 An individual who acts in good faith and in reliance on any  
12 information contained in the list shall not be subject to any  
13 penalties or liability imposed for a violation of this Section.

14 (e) If any provision of this Section is held invalid or its  
15 application to any person or circumstance is held invalid, the  
16 invalidity of that provision or application does not affect the  
17 other provisions or applications of this Section that can be  
18 given effect without the invalid application or provision.

19 (230 ILCS 10/19) (from Ch. 120, par. 2419)

20 Sec. 19. Forfeiture of property.

21 (a) Except as provided in subsection (b), any riverboat,  
22 casino, or electronic gaming facility used for the conduct of  
23 gambling games in violation of this Act shall be considered a  
24 gambling place in violation of Section 28-3 of the Criminal  
25 Code of 2012. Every gambling device found on a riverboat, in a

1 casino, or at an electronic gaming facility operating gambling  
2 games in violation of this Act and every slot machine and video  
3 game of chance found at an electronic gaming facility operating  
4 gambling games in violation of this Act shall be subject to  
5 seizure, confiscation and destruction as provided in Section  
6 28-5 of the Criminal Code of 2012.

7 (b) It is not a violation of this Act for a riverboat or  
8 other watercraft which is licensed for gaming by a contiguous  
9 state to dock on the shores of this State if the municipality  
10 having jurisdiction of the shores, or the county in the case of  
11 unincorporated areas, has granted permission for docking and no  
12 gaming is conducted on the riverboat or other watercraft while  
13 it is docked on the shores of this State. No gambling device  
14 shall be subject to seizure, confiscation or destruction if the  
15 gambling device is located on a riverboat or other watercraft  
16 which is licensed for gaming by a contiguous state and which is  
17 docked on the shores of this State if the municipality having  
18 jurisdiction of the shores, or the county in the case of  
19 unincorporated areas, has granted permission for docking and no  
20 gaming is conducted on the riverboat or other watercraft while  
21 it is docked on the shores of this State.

22 (Source: P.A. 97-1150, eff. 1-25-13.)

23 (230 ILCS 10/20) (from Ch. 120, par. 2420)

24 Sec. 20. Prohibited activities - civil penalties. Any  
25 person who conducts a gambling operation without first

1 obtaining a license to do so, or who continues to conduct such  
2 games after revocation of his license, or any licensee who  
3 conducts or allows to be conducted any unauthorized gambling  
4 games on a riverboat, in a casino, or at an electronic gaming  
5 facility where it is authorized to conduct its ~~riverboat~~  
6 gambling operation, in addition to other penalties provided,  
7 shall be subject to a civil penalty equal to the amount of  
8 gross receipts derived from wagering on the gambling games,  
9 whether unauthorized or authorized, conducted on that day as  
10 well as confiscation and forfeiture of all gambling game  
11 equipment used in the conduct of unauthorized gambling games.

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

13 (230 ILCS 10/24)

14 Sec. 24. Applicability of this ~~Illinois Riverboat Gambling~~  
15 Act. The provisions of the this ~~Illinois Riverboat Gambling~~  
16 Act, and all rules promulgated thereunder, shall apply to the  
17 Video Gaming Act, except where there is a conflict between the  
18 2 Acts.

19 (Source: P.A. 96-37, eff. 7-13-09.)

20 Section 55. The Video Gaming Act is amended by changing  
21 Sections 5, 25, 45, 79, and 80 and by adding Section 81 as  
22 follows:

23 (230 ILCS 40/5)

1           Sec. 5. Definitions. As used in this Act:

2           "Board" means the Illinois Gaming Board.

3           "Credit" means one, 5, 10, or 25 cents either won or  
4 purchased by a player.

5           "Distributor" means an individual, partnership,  
6 corporation, or limited liability company licensed under this  
7 Act to buy, sell, lease, or distribute video gaming terminals  
8 or major components or parts of video gaming terminals to or  
9 from terminal operators.

10          "Electronic card" means a card purchased from a licensed  
11 establishment, licensed fraternal establishment, licensed  
12 veterans establishment, or licensed truck stop establishment  
13 for use in that establishment as a substitute for cash in the  
14 conduct of gaming on a video gaming terminal.

15          "Electronic voucher" means a voucher printed by an  
16 electronic video game machine that is redeemable in the  
17 licensed establishment for which it was issued.

18          "Terminal operator" means an individual, partnership,  
19 corporation, or limited liability company that is licensed  
20 under this Act and that owns, services, and maintains video  
21 gaming terminals for placement in licensed establishments,  
22 licensed truck stop establishments, licensed fraternal  
23 establishments, or licensed veterans establishments.

24          "Licensed technician" means an individual who is licensed  
25 under this Act to repair, service, and maintain video gaming  
26 terminals.



1 "Licensed terminal handler" means a person, including but  
2 not limited to an employee or independent contractor working  
3 for a manufacturer, distributor, supplier, technician, or  
4 terminal operator, who is licensed under this Act to possess or  
5 control a video gaming terminal or to have access to the inner  
6 workings of a video gaming terminal. A licensed terminal  
7 handler does not include an individual, partnership,  
8 corporation, or limited liability company defined as a  
9 manufacturer, distributor, supplier, technician, or terminal  
10 operator under this Act.

11 "Manufacturer" means an individual, partnership,  
12 corporation, or limited liability company that is licensed  
13 under this Act and that manufactures or assembles video gaming  
14 terminals.

15 "Supplier" means an individual, partnership, corporation,  
16 or limited liability company that is licensed under this Act to  
17 supply major components or parts to video gaming terminals to  
18 licensed terminal operators.

19 "Net terminal income" means money put into a video gaming  
20 terminal minus credits paid out to players.

21 "Video gaming terminal" means any electronic video game  
22 machine that, upon insertion of cash, electronic cards or  
23 vouchers, or any combination thereof, ~~electronic voucher, or~~  
24 ~~any combination thereof,~~ is available to play or simulate the  
25 play of a video game, including but not limited to video poker,  
26 line up, and blackjack, as authorized by the Board utilizing a

1 video display and microprocessors in which the player may  
2 receive free games or credits that can be redeemed for cash.  
3 The term does not include a machine that directly dispenses  
4 coins, cash, or tokens or is for amusement purposes only.

5 "Licensed establishment" means any licensed retail  
6 establishment where alcoholic liquor is drawn, poured, mixed,  
7 or otherwise served for consumption on the premises, whether  
8 the establishment operates on a nonprofit or for-profit basis.

9 "Licensed establishment" includes any such establishment that  
10 has a contractual relationship with an inter-track wagering  
11 location licensee licensed under the Illinois Horse Racing Act  
12 of 1975, provided any contractual relationship shall not  
13 include any transfer or offer of revenue from the operation of  
14 video gaming under this Act to any licensee licensed under the  
15 Illinois Horse Racing Act of 1975. Provided, however, that the  
16 licensed establishment that has such a contractual  
17 relationship with an inter-track wagering location licensee  
18 may not, itself, be (i) an inter-track wagering location  
19 licensee, (ii) the corporate parent or subsidiary of any  
20 licensee licensed under the Illinois Horse Racing Act of 1975,  
21 or (iii) the corporate subsidiary of a corporation that is also  
22 the corporate parent or subsidiary of any licensee licensed  
23 under the Illinois Horse Racing Act of 1975. "Licensed  
24 establishment" does not include a facility operated by an  
25 organization licensee, an inter-track wagering licensee, or an  
26 inter-track wagering location licensee licensed under the

1 Illinois Horse Racing Act of 1975 or a riverboat licensed under  
2 the Illinois Riverboat Gambling Act, except as provided in this  
3 paragraph. The changes made to this definition by Public Act  
4 98-587 ~~this amendatory Act of the 98th General Assembly~~ are  
5 declarative of existing law.

6 "Licensed fraternal establishment" means the location  
7 where a qualified fraternal organization that derives its  
8 charter from a national fraternal organization regularly  
9 meets.

10 "Licensed veterans establishment" means the location where  
11 a qualified veterans organization that derives its charter from  
12 a national veterans organization regularly meets.

13 "Licensed truck stop establishment" means a facility (i)  
14 that is at least a 3-acre facility with a convenience store,  
15 (ii) with separate diesel islands for fueling commercial motor  
16 vehicles, (iii) that sells at retail more than 10,000 gallons  
17 of diesel or biodiesel fuel per month, and (iv) with parking  
18 spaces for commercial motor vehicles. "Commercial motor  
19 vehicles" has the same meaning as defined in Section 18b-101 of  
20 the Illinois Vehicle Code. The requirement of item (iii) of  
21 this paragraph may be met by showing that estimated future  
22 sales or past sales average at least 10,000 gallons per month.

23 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;  
24 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; revised 9-19-13.)

1           Sec. 25. Restriction of licensees.

2           (a) Manufacturer. A person may not be licensed as a  
3 manufacturer of a video gaming terminal in Illinois unless the  
4 person has a valid manufacturer's license issued under this  
5 Act. A manufacturer may only sell video gaming terminals for  
6 use in Illinois to persons having a valid distributor's  
7 license.

8           (b) Distributor. A person may not sell, distribute, or  
9 lease or market a video gaming terminal in Illinois unless the  
10 person has a valid distributor's license issued under this Act.  
11 A distributor may only sell video gaming terminals for use in  
12 Illinois to persons having a valid distributor's or terminal  
13 operator's license.

14           (c) Terminal operator. A person may not own, maintain, or  
15 place a video gaming terminal unless he has a valid terminal  
16 operator's license issued under this Act. A terminal operator  
17 may only place video gaming terminals for use in Illinois in  
18 licensed establishments, licensed truck stop establishments,  
19 licensed fraternal establishments, and licensed veterans  
20 establishments. No terminal operator may give anything of  
21 value, including but not limited to a loan or financing  
22 arrangement, to a licensed establishment, licensed truck stop  
23 establishment, licensed fraternal establishment, or licensed  
24 veterans establishment as any incentive or inducement to locate  
25 video terminals in that establishment. Of the after-tax profits  
26 from a video gaming terminal, 50% shall be paid to the terminal

1 operator and 50% shall be paid to the licensed establishment,  
2 licensed truck stop establishment, licensed fraternal  
3 establishment, or licensed veterans establishment,  
4 notwithstanding any agreement to the contrary. A video terminal  
5 operator that violates one or more requirements of this  
6 subsection is guilty of a Class 4 felony and is subject to  
7 termination of his or her license by the Board.

8 (d) Licensed technician. A person may not service,  
9 maintain, or repair a video gaming terminal in this State  
10 unless he or she (1) has a valid technician's license issued  
11 under this Act, (2) is a terminal operator, or (3) is employed  
12 by a terminal operator, distributor, or manufacturer.

13 (d-5) Licensed terminal handler. No person, including, but  
14 not limited to, an employee or independent contractor working  
15 for a manufacturer, distributor, supplier, technician, or  
16 terminal operator licensed pursuant to this Act, shall have  
17 possession or control of a video gaming terminal, or access to  
18 the inner workings of a video gaming terminal, unless that  
19 person possesses a valid terminal handler's license issued  
20 under this Act.

21 (e) Licensed establishment. No video gaming terminal may be  
22 placed in any licensed establishment, licensed veterans  
23 establishment, licensed truck stop establishment, or licensed  
24 fraternal establishment unless the owner or agent of the owner  
25 of the licensed establishment, licensed veterans  
26 establishment, licensed truck stop establishment, or licensed

1 fraternal establishment has entered into a written use  
2 agreement with the terminal operator for placement of the  
3 terminals. A copy of the use agreement shall be on file in the  
4 terminal operator's place of business and available for  
5 inspection by individuals authorized by the Board. A licensed  
6 establishment, licensed truck stop establishment, licensed  
7 veterans establishment, or licensed fraternal establishment  
8 may operate up to 5 video gaming terminals on its premises at  
9 any time.

10 (f) (Blank).

11 (g) Financial interest restrictions. As used in this Act,  
12 "substantial interest" in a partnership, a corporation, an  
13 organization, an association, a business, or a limited  
14 liability company means:

15 (A) When, with respect to a sole proprietorship, an  
16 individual or his or her spouse owns, operates, manages, or  
17 conducts, directly or indirectly, the organization,  
18 association, or business, or any part thereof; or

19 (B) When, with respect to a partnership, the individual  
20 or his or her spouse shares in any of the profits, or  
21 potential profits, of the partnership activities; or

22 (C) When, with respect to a corporation, an individual  
23 or his or her spouse is an officer or director, or the  
24 individual or his or her spouse is a holder, directly or  
25 beneficially, of 5% or more of any class of stock of the  
26 corporation; or

1           (D) When, with respect to an organization not covered  
2           in (A), (B) or (C) above, an individual or his or her  
3           spouse is an officer or manages the business affairs, or  
4           the individual or his or her spouse is the owner of or  
5           otherwise controls 10% or more of the assets of the  
6           organization; or

7           (E) When an individual or his or her spouse furnishes  
8           5% or more of the capital, whether in cash, goods, or  
9           services, for the operation of any business, association,  
10          or organization during any calendar year; or

11          (F) When, with respect to a limited liability company,  
12          an individual or his or her spouse is a member, or the  
13          individual or his or her spouse is a holder, directly or  
14          beneficially, of 5% or more of the membership interest of  
15          the limited liability company.

16          For purposes of this subsection (g), "individual" includes  
17          all individuals or their spouses whose combined interest would  
18          qualify as a substantial interest under this subsection (g) and  
19          whose activities with respect to an organization, association,  
20          or business are so closely aligned or coordinated as to  
21          constitute the activities of a single entity.

22          (h) Location restriction. A licensed establishment,  
23          licensed truck stop establishment, licensed fraternal  
24          establishment, or licensed veterans establishment that is (i)  
25          located within 1,000 feet of a facility operated by an  
26          organization licensee licensed under the Illinois Horse Racing

1 Act of 1975 or a casino or the home dock of a riverboat  
2 licensed under the Illinois ~~Riverboat~~ Gambling Act or (ii)  
3 located within 100 feet of a school or a place of worship under  
4 the Religious Corporation Act, is ineligible to operate a video  
5 gaming terminal. The location restrictions in this subsection  
6 (h) do not apply if (A) a facility operated by an organization  
7 licensee, a school, or a place of worship moves to or is  
8 established within the restricted area after a licensed  
9 establishment, licensed truck stop establishment, licensed  
10 fraternal establishment, or licensed veterans establishment  
11 becomes licensed under this Act or (B) a school or place of  
12 worship moves to or is established within the restricted area  
13 after a licensed establishment, licensed truck stop  
14 establishment, licensed fraternal establishment, or licensed  
15 veterans establishment obtains its original liquor license.  
16 For the purpose of this subsection, "school" means an  
17 elementary or secondary public school, or an elementary or  
18 secondary private school registered with or recognized by the  
19 State Board of Education.

20 Notwithstanding the provisions of this subsection (h), the  
21 Board may waive the requirement that a licensed establishment,  
22 licensed truck stop establishment, licensed fraternal  
23 establishment, or licensed veterans establishment not be  
24 located within 1,000 feet from a facility operated by an  
25 organization licensee ~~or~~ licensed under the Illinois Horse  
26 Racing Act of 1975 or a casino or the home dock of a riverboat



1 licensed under the Illinois ~~Riverboat~~ Gambling Act. The Board  
2 shall not grant such waiver if there is any common ownership or  
3 control, shared business activity, or contractual arrangement  
4 of any type between the establishment and the organization  
5 licensee or owners licensee of a riverboat. The Board shall  
6 adopt rules to implement the provisions of this paragraph.

7 (i) Undue economic concentration. In addition to  
8 considering all other requirements under this Act, in deciding  
9 whether to approve the operation of video gaming terminals by a  
10 terminal operator in a location, the Board shall consider the  
11 impact of any economic concentration of such operation of video  
12 gaming terminals. The Board shall not allow a terminal operator  
13 to operate video gaming terminals if the Board determines such  
14 operation will result in undue economic concentration. For  
15 purposes of this Section, "undue economic concentration" means  
16 that a terminal operator would have such actual or potential  
17 influence over video gaming terminals in Illinois as to:

18 (1) substantially impede or suppress competition among  
19 terminal operators;

20 (2) adversely impact the economic stability of the  
21 video gaming industry in Illinois; or

22 (3) negatively impact the purposes of the Video Gaming  
23 Act.

24 The Board shall adopt rules concerning undue economic  
25 concentration with respect to the operation of video gaming  
26 terminals in Illinois. The rules shall include, but not be

1 limited to, (i) limitations on the number of video gaming  
2 terminals operated by any terminal operator within a defined  
3 geographic radius and (ii) guidelines on the discontinuation of  
4 operation of any such video gaming terminals the Board  
5 determines will cause undue economic concentration.

6 (j) The provisions of the Illinois Antitrust Act are fully  
7 and equally applicable to the activities of any licensee under  
8 this Act.

9 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77,  
10 eff. 7-15-13; 98-112, eff. 7-26-13; revised 10-17-13.)

11 (230 ILCS 40/45)

12 Sec. 45. Issuance of license.

13 (a) The burden is upon each applicant to demonstrate his  
14 suitability for licensure. Each video gaming terminal  
15 manufacturer, distributor, supplier, operator, handler,  
16 licensed establishment, licensed truck stop establishment,  
17 licensed fraternal establishment, and licensed veterans  
18 establishment shall be licensed by the Board. The Board may  
19 issue or deny a license under this Act to any person pursuant  
20 to the same criteria set forth in Section 9 of the Illinois  
21 ~~Riverboat~~ Gambling Act.

22 (a-5) The Board shall not grant a license to a person who  
23 has facilitated, enabled, or participated in the use of  
24 coin-operated devices for gambling purposes or who is under the  
25 significant influence or control of such a person. For the

1 purposes of this Act, "facilitated, enabled, or participated in  
2 the use of coin-operated amusement devices for gambling  
3 purposes" means that the person has been convicted of any  
4 violation of Article 28 of the Criminal Code of 1961 or the  
5 Criminal Code of 2012. If there is pending legal action against  
6 a person for any such violation, then the Board shall delay the  
7 licensure of that person until the legal action is resolved.

8 (b) Each person seeking and possessing a license as a video  
9 gaming terminal manufacturer, distributor, supplier, operator,  
10 handler, licensed establishment, licensed truck stop  
11 establishment, licensed fraternal establishment, or licensed  
12 veterans establishment shall submit to a background  
13 investigation conducted by the Board with the assistance of the  
14 State Police or other law enforcement. To the extent that the  
15 corporate structure of the applicant allows, the background  
16 investigation shall include any or all of the following as the  
17 Board deems appropriate or as provided by rule for each  
18 category of licensure: (i) each beneficiary of a trust, (ii)  
19 each partner of a partnership, (iii) each member of a limited  
20 liability company, (iv) each director and officer of a publicly  
21 or non-publicly held corporation, (v) each stockholder of a  
22 non-publicly held corporation, (vi) each stockholder of 5% or  
23 more of a publicly held corporation, or (vii) each stockholder  
24 of 5% or more in a parent or subsidiary corporation.

25 (c) Each person seeking and possessing a license as a video  
26 gaming terminal manufacturer, distributor, supplier, operator,

1 handler, licensed establishment, licensed truck stop  
2 establishment, licensed fraternal establishment, or licensed  
3 veterans establishment shall disclose the identity of every  
4 person, association, trust, corporation, or limited liability  
5 company having a greater than 1% direct or indirect pecuniary  
6 interest in the video gaming terminal operation for which the  
7 license is sought. If the disclosed entity is a trust, the  
8 application shall disclose the names and addresses of the  
9 beneficiaries; if a corporation, the names and addresses of all  
10 stockholders and directors; if a limited liability company, the  
11 names and addresses of all members; or if a partnership, the  
12 names and addresses of all partners, both general and limited.

13 (d) No person may be licensed as a video gaming terminal  
14 manufacturer, distributor, supplier, operator, handler,  
15 licensed establishment, licensed truck stop establishment,  
16 licensed fraternal establishment, or licensed veterans  
17 establishment if that person has been found by the Board to:

18 (1) have a background, including a criminal record,  
19 reputation, habits, social or business associations, or  
20 prior activities that pose a threat to the public interests  
21 of the State or to the security and integrity of video  
22 gaming;

23 (2) create or enhance the dangers of unsuitable,  
24 unfair, or illegal practices, methods, and activities in  
25 the conduct of video gaming; or

26 (3) present questionable business practices and

1 financial arrangements incidental to the conduct of video  
2 gaming activities.

3 (e) Any applicant for any license under this Act has the  
4 burden of proving his or her qualifications to the satisfaction  
5 of the Board. The Board may adopt rules to establish additional  
6 qualifications and requirements to preserve the integrity and  
7 security of video gaming in this State.

8 (f) A non-refundable application fee shall be paid at the  
9 time an application for a license is filed with the Board in  
10 the following amounts:

- 11 (1) Manufacturer ..... \$5,000
- 12 (2) Distributor..... \$5,000
- 13 (3) Terminal operator..... \$5,000
- 14 (4) Supplier ..... \$2,500
- 15 (5) Technician ..... \$100
- 16 (6) Terminal Handler ..... \$50

17 (g) The Board shall establish an annual fee for each  
18 license not to exceed the following:

- 19 (1) Manufacturer ..... \$10,000
- 20 (2) Distributor..... \$10,000
- 21 (3) Terminal operator..... \$5,000
- 22 (4) Supplier ..... \$2,000
- 23 (5) Technician ..... \$100
- 24 (6) Licensed establishment, licensed truck stop  
25 establishment, licensed fraternal establishment,  
26 or licensed veterans establishment ..... \$100

1 (7) Video gaming terminal..... \$100

2 (8) Terminal Handler ..... \$50

3 (h) A terminal operator and a licensed establishment,  
4 licensed truck stop establishment, licensed fraternal  
5 establishment, or licensed veterans establishment shall  
6 equally split the fees specified in item (7) of subsection (g).  
7 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;  
8 98-587, eff. 8-27-13; revised 9-19-13.)

9 (230 ILCS 40/79)

10 Sec. 79. Investigators. Investigators appointed by the  
11 Board pursuant to the powers conferred upon the Board by  
12 paragraph (20.6) of subsection (c) of Section 5 of the Illinois  
13 ~~Riverboat~~ Gambling Act and Section 80 of this Act shall have  
14 authority to conduct investigations, searches, seizures,  
15 arrests, and other duties imposed under this Act and the  
16 Illinois ~~Riverboat~~ Gambling Act, as deemed necessary by the  
17 Board. These investigators have and may exercise all of the  
18 rights and powers of peace officers, provided that these powers  
19 shall be (1) limited to offenses or violations occurring or  
20 committed in connection with conduct subject to this Act,  
21 including, but not limited to, the manufacture, distribution,  
22 supply, operation, placement, service, maintenance, or play of  
23 video gaming terminals and the distribution of profits and  
24 collection of revenues resulting from such play, and (2)  
25 exercised, to the fullest extent practicable, in cooperation

1 with the local police department of the applicable municipality  
2 or, if these powers are exercised outside the boundaries of an  
3 incorporated municipality or within a municipality that does  
4 not have its own police department, in cooperation with the  
5 police department whose jurisdiction encompasses the  
6 applicable locality.

7 (Source: P.A. 97-809, eff. 7-13-12.)

8 (230 ILCS 40/80)

9 Sec. 80. Applicability of Illinois ~~Riverboat~~ Gambling Act.  
10 The provisions of the Illinois ~~Riverboat~~ Gambling Act, and all  
11 rules promulgated thereunder, shall apply to the Video Gaming  
12 Act, except where there is a conflict between the 2 Acts. In  
13 the event of a conflict between the 2 Acts, the provisions of  
14 the Illinois Gambling Act shall prevail. All provisions of the  
15 Uniform Penalty and Interest Act shall apply, as far as  
16 practicable, to the subject matter of this Act to the same  
17 extent as if such provisions were included herein.

18 (Source: P.A. 96-37, eff. 7-13-09.)

19 (230 ILCS 40/81 new)

20 Sec. 81. Prohibition of political contributions from  
21 certain licensees and applicants.

22 (a) The General Assembly has a compelling interest in  
23 protecting the integrity of both the electoral process and the  
24 legislative process by preventing corruption and the

1 appearance of corruption which may arise through permitting  
2 certain political campaign contributions by certain persons  
3 involved in the gaming industry and regulated by the State.  
4 Unlike most other regulated industries, gaming is especially  
5 susceptible to corruption and potential criminal influence.

6 In Illinois, only licensed gaming activities are legal and  
7 all other gaming activities are strictly prohibited. Given  
8 these circumstances, it is imperative to eliminate any  
9 potential corrupt influence in the gaming industry and the  
10 electoral process. Banning political campaign contributions by  
11 certain persons subject to this Section to State officeholders  
12 and candidates for such offices and, where necessary, to county  
13 and municipal officeholders and candidates for such offices in  
14 counties and municipalities that receive financial benefits  
15 from gaming activities is necessary to prevent corruption and  
16 the appearance of corruption that may arise when political  
17 campaign contributions and gaming that is regulated by the  
18 State and that confers benefits on counties and municipalities  
19 are intermingled.

20 (b) As used in this Section:

21 "Affiliated entity" means (i) any corporate parent and each  
22 operating subsidiary of the business entity applying for or  
23 holding a license, (ii) each operating subsidiary of the  
24 corporate parent of the business entity applying for or holding  
25 a license, (iii) any organization recognized by the United  
26 States Internal Revenue Service as a tax-exempt organization



1 described in Section 501(c) of the Internal Revenue Code of  
2 1986 (or any successor provision of federal tax law)  
3 established by one or more business entities seeking or holding  
4 a license, any affiliated entity of such business entity, or  
5 any affiliated person of such business entity, and (iv) any  
6 political committee for which the business entity applying for  
7 or holding a license, or any 501(c) organization described in  
8 item (iii) related to that business entity, is the sponsoring  
9 entity, as defined in Section 9-3 of the Election Code. For  
10 purposes of item (iv), the funding of all business entities  
11 applying for or holding a license shall be aggregated in  
12 determining whether such political committee is an affiliated  
13 entity.

14 "Affiliated person" means (i) any person with any ownership  
15 interest or distributive share in excess of 1% of any business  
16 entity applying for or holding a license, (ii) executive  
17 employees of any such business entity, (iii) any person  
18 designated as a person of significant influence and control  
19 under the Video Gaming Act, and (iv) the spouse of such  
20 persons.

21 "Business entity" means any entity doing business for  
22 profit, whether organized as a corporation, partnership, sole  
23 proprietorship, limited liability company, or partnership or  
24 otherwise.

25 "Contribution" means a contribution as defined in Section  
26 9-1.4 of the Election Code.

1       "Declared candidate" means a person who has filed a  
2 statement of candidacy and petition for nomination or election  
3 in the principal office of the State Board of Elections, or in  
4 the office of the appropriate election authority for any county  
5 or municipality in which a video gaming terminal is located or  
6 proposed or which receives any video gaming revenue, for the  
7 office of Governor, Lieutenant Governor, Attorney General,  
8 Secretary of State, Comptroller, Treasurer, member of the  
9 General Assembly, chief executive or any member of the  
10 legislative body of any municipality in which a video gaming  
11 terminal is located or proposed or which receives any video  
12 gaming revenue, or chief executive or any member of the  
13 legislative body of any county containing any unincorporated  
14 area in which a video gaming terminal is located or which  
15 receives any video gaming revenue.

16       "Executive employee" means any person who is an officer or  
17 director or who fulfills duties equivalent to those of an  
18 officer or director of a business entity applying for or  
19 holding a license; and (ii) any employee of such business  
20 entity who is required to register under the Lobbyist  
21 Registration Act.

22       "License" means any license issued pursuant to this Act.

23       "Officeholder" means the Governor, the Lieutenant  
24 Governor, the Attorney General, the Secretary of State, the  
25 Comptroller, the Treasurer, a member of the General Assembly,  
26 the chief executive or any member of the legislative body of

1 any municipality in which a video gaming terminal is located or  
2 proposed or which receives any video gaming revenue, or the  
3 chief executive or any member of the legislative body of any  
4 county containing any unincorporated area in which a video  
5 gaming terminal is located or which receives any video gaming  
6 revenue.

7 (c) Any person or business entity applying for or holding a  
8 manufacturer or distributor license, any affiliated entities  
9 or persons of such business entity, and any entities or persons  
10 soliciting a contribution or causing a contribution to be made  
11 on behalf of such person or business entity, are prohibited  
12 from making any contribution to any officeholder or declared  
13 candidate or any political committee affiliated with any  
14 officeholder or declared candidate, as defined in Section 9-1.8  
15 of the Election Code.

16 The Board shall have authority to suspend, revoke, or  
17 restrict the license and to impose civil penalties of up to  
18 \$100,000, for each violation of this subsection (c). A notice  
19 of each such violation and the penalty imposed shall be  
20 published on the Board's website and in the Illinois Register.  
21 Payments received by the State pursuant to this subsection  
22 shall be deposited into the General Revenue Fund.

23 Any person or business entity applying for or holding a  
24 terminal operator license, any affiliated entities or persons  
25 of such business entity, and any entities or persons soliciting  
26 a contribution or causing a contribution to be made on behalf

1 of such person or business entity, are prohibited from making  
2 any contribution to any officeholder or declared candidate or  
3 any political committee affiliated with any officeholder or  
4 declared candidate, as defined in Section 9-1.8 of the Election  
5 Code, except that any such person or entity may make a  
6 contribution to the chief executive or any member of the  
7 legislative body of any municipality in which a video gaming  
8 terminal is located or proposed or which receives any video  
9 gaming revenue, the chief executive or any member of the  
10 legislative body of any county containing any unincorporated  
11 area in which a video gaming terminal is located or which  
12 receives any video gaming revenue, or any declared candidates  
13 for such offices, so long as the video gaming terminal  
14 associated with the terminal operator license held or applied  
15 for is not located in the same municipality or county in which  
16 the officeholder or declared candidate holds or is seeking  
17 office. This prohibition shall commence upon filing of an  
18 application for a license and shall continue for a period of 2  
19 years after termination, suspension, or revocation of the  
20 license.

21 Any officeholder or declared candidate or any political  
22 committee affiliated with any officeholder or declared  
23 candidate that has received a contribution in violation of this  
24 subsection (c) shall pay an amount equal to the value of the  
25 contribution to the State no more than 30 days after notice of  
26 the violation concerning the contribution appears in the

1 Illinois Register. Payments received by the State pursuant to  
2 this subsection shall be deposited into the General Revenue  
3 Fund.

4 The provisions of this subsection (c) shall apply only to  
5 persons or entities applying for or holding a manufacturer  
6 license, a distributor license, or a terminal operator license  
7 and shall not apply to persons or entities applying for or  
8 holding any other licenses under this Act.

9 (d) The Board shall post on its website a list of all  
10 persons, business entities, and affiliated entities prohibited  
11 from making contributions to any officeholder or declared  
12 candidate political committee pursuant to subsection (c),  
13 which list shall be updated and published on, at a minimum, a  
14 semiannual basis.

15 Any person, business entity, or affiliated entity  
16 prohibited from making contributions to any officeholder or  
17 declared candidate political committee pursuant to subsection  
18 (c) of this Section shall notify the Board within 7 days after  
19 discovering any necessary change or addition to the information  
20 relating to that person, business entity, or affiliated entity  
21 contained in the list.

22 An individual who acts in good faith and in reliance on any  
23 information contained in the list shall not be subject to any  
24 penalties or liability imposed for a violation of this Section.

25 (e) If any provision of this Section is held invalid or its  
26 application to any person or circumstance is held invalid, the

1 invalidity of that provision or application does not affect the  
2 other provisions or applications of this Section that can be  
3 given effect without the invalid application or provision.

4 Section 60. The Liquor Control Act of 1934 is amended by  
5 changing Sections 5-1 and 6-30 as follows:

6 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

7 Sec. 5-1. Licenses issued by the Illinois Liquor Control  
8 Commission shall be of the following classes:

9 (a) Manufacturer's license - Class 1. Distiller, Class 2.  
10 Rectifier, Class 3. Brewer, Class 4. First Class Wine  
11 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.  
12 First Class Winemaker, Class 7. Second Class Winemaker, Class  
13 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class  
14 10. Craft Brewer,

15 (b) Distributor's license,

16 (c) Importing Distributor's license,

17 (d) Retailer's license,

18 (e) Special Event Retailer's license (not-for-profit),

19 (f) Railroad license,

20 (g) Boat license,

21 (h) Non-Beverage User's license,

22 (i) Wine-maker's premises license,

23 (j) Airplane license,

24 (k) Foreign importer's license,

- 1 (l) Broker's license,  
2 (m) Non-resident dealer's license,  
3 (n) Brew Pub license,  
4 (o) Auction liquor license,  
5 (p) Caterer retailer license,  
6 (q) Special use permit license,  
7 (r) Winery shipper's license.

8 No person, firm, partnership, corporation, or other legal  
9 business entity that is engaged in the manufacturing of wine  
10 may concurrently obtain and hold a wine-maker's license and a  
11 wine manufacturer's license.

12 (a) A manufacturer's license shall allow the manufacture,  
13 importation in bulk, storage, distribution and sale of  
14 alcoholic liquor to persons without the State, as may be  
15 permitted by law and to licensees in this State as follows:

16 Class 1. A Distiller may make sales and deliveries of  
17 alcoholic liquor to distillers, rectifiers, importing  
18 distributors, distributors and non-beverage users and to no  
19 other licensees.

20 Class 2. A Rectifier, who is not a distiller, as defined  
21 herein, may make sales and deliveries of alcoholic liquor to  
22 rectifiers, importing distributors, distributors, retailers  
23 and non-beverage users and to no other licensees.

24 Class 3. A Brewer may make sales and deliveries of beer to  
25 importing distributors and distributors and may make sales as  
26 authorized under subsection (e) of Section 6-4 of this Act.

1           Class 4. A first class wine-manufacturer may make sales and  
2 deliveries of up to 50,000 gallons of wine to manufacturers,  
3 importing distributors and distributors, and to no other  
4 licensees.

5           Class 5. A second class Wine manufacturer may make sales  
6 and deliveries of more than 50,000 gallons of wine to  
7 manufacturers, importing distributors and distributors and to  
8 no other licensees.

9           Class 6. A first-class wine-maker's license shall allow the  
10 manufacture of up to 50,000 gallons of wine per year, and the  
11 storage and sale of such wine to distributors in the State and  
12 to persons without the State, as may be permitted by law. A  
13 person who, prior to the effective date of this amendatory Act  
14 of the 95th General Assembly, is a holder of a first-class  
15 wine-maker's license and annually produces more than 25,000  
16 gallons of its own wine and who distributes its wine to  
17 licensed retailers shall cease this practice on or before July  
18 1, 2008 in compliance with this amendatory Act of the 95th  
19 General Assembly.

20           Class 7. A second-class wine-maker's license shall allow  
21 the manufacture of between 50,000 and 150,000 gallons of wine  
22 per year, and the storage and sale of such wine to distributors  
23 in this State and to persons without the State, as may be  
24 permitted by law. A person who, prior to the effective date of  
25 this amendatory Act of the 95th General Assembly, is a holder  
26 of a second-class wine-maker's license and annually produces



1 more than 25,000 gallons of its own wine and who distributes  
2 its wine to licensed retailers shall cease this practice on or  
3 before July 1, 2008 in compliance with this amendatory Act of  
4 the 95th General Assembly.

5 Class 8. A limited wine-manufacturer may make sales and  
6 deliveries not to exceed 40,000 gallons of wine per year to  
7 distributors, and to non-licensees in accordance with the  
8 provisions of this Act.

9 Class 9. A craft distiller license shall allow the  
10 manufacture of up to 30,000 gallons of spirits by distillation  
11 for one year after the effective date of this amendatory Act of  
12 the 97th General Assembly and up to 35,000 gallons of spirits  
13 by distillation per year thereafter and the storage of such  
14 spirits. If a craft distiller licensee is not affiliated with  
15 any other manufacturer, then the craft distiller licensee may  
16 sell such spirits to distributors in this State and up to 2,500  
17 gallons of such spirits to non-licensees to the extent  
18 permitted by any exemption approved by the Commission pursuant  
19 to Section 6-4 of this Act.

20 Any craft distiller licensed under this Act who on the  
21 effective date of this amendatory Act of the 96th General  
22 Assembly was licensed as a distiller and manufactured no more  
23 spirits than permitted by this Section shall not be required to  
24 pay the initial licensing fee.

25 Class 10. A craft brewer's license, which may only be  
26 issued to a licensed brewer or licensed non-resident dealer,

1 shall allow the manufacture of up to 930,000 gallons of beer  
2 per year. A craft brewer licensee may make sales and deliveries  
3 to importing distributors and distributors and to retail  
4 licensees in accordance with the conditions set forth in  
5 paragraph (18) of subsection (a) of Section 3-12 of this Act.

6 (a-1) A manufacturer which is licensed in this State to  
7 make sales or deliveries of alcoholic liquor to licensed  
8 distributors or importing distributors and which enlists  
9 agents, representatives, or individuals acting on its behalf  
10 who contact licensed retailers on a regular and continual basis  
11 in this State must register those agents, representatives, or  
12 persons acting on its behalf with the State Commission.

13 Registration of agents, representatives, or persons acting  
14 on behalf of a manufacturer is fulfilled by submitting a form  
15 to the Commission. The form shall be developed by the  
16 Commission and shall include the name and address of the  
17 applicant, the name and address of the manufacturer he or she  
18 represents, the territory or areas assigned to sell to or  
19 discuss pricing terms of alcoholic liquor, and any other  
20 questions deemed appropriate and necessary. All statements in  
21 the forms required to be made by law or by rule shall be deemed  
22 material, and any person who knowingly misstates any material  
23 fact under oath in an application is guilty of a Class B  
24 misdemeanor. Fraud, misrepresentation, false statements,  
25 misleading statements, evasions, or suppression of material  
26 facts in the securing of a registration are grounds for

1 suspension or revocation of the registration. The State  
2 Commission shall post a list of registered agents on the  
3 Commission's website.

4 (b) A distributor's license shall allow the wholesale  
5 purchase and storage of alcoholic liquors and sale of alcoholic  
6 liquors to licensees in this State and to persons without the  
7 State, as may be permitted by law.

8 (c) An importing distributor's license may be issued to and  
9 held by those only who are duly licensed distributors, upon the  
10 filing of an application by a duly licensed distributor, with  
11 the Commission and the Commission shall, without the payment of  
12 any fee, immediately issue such importing distributor's  
13 license to the applicant, which shall allow the importation of  
14 alcoholic liquor by the licensee into this State from any point  
15 in the United States outside this State, and the purchase of  
16 alcoholic liquor in barrels, casks or other bulk containers and  
17 the bottling of such alcoholic liquors before resale thereof,  
18 but all bottles or containers so filled shall be sealed,  
19 labeled, stamped and otherwise made to comply with all  
20 provisions, rules and regulations governing manufacturers in  
21 the preparation and bottling of alcoholic liquors. The  
22 importing distributor's license shall permit such licensee to  
23 purchase alcoholic liquor from Illinois licensed non-resident  
24 dealers and foreign importers only.

25 (d) A retailer's license shall allow the licensee to sell  
26 and offer for sale at retail, only in the premises specified in

1 the license, alcoholic liquor for use or consumption, but not  
2 for resale in any form. Nothing in this amendatory Act of the  
3 95th General Assembly shall deny, limit, remove, or restrict  
4 the ability of a holder of a retailer's license to transfer,  
5 deliver, or ship alcoholic liquor to the purchaser for use or  
6 consumption subject to any applicable local law or ordinance.  
7 Any retail license issued to a manufacturer shall only permit  
8 the manufacturer to sell beer at retail on the premises  
9 actually occupied by the manufacturer. For the purpose of  
10 further describing the type of business conducted at a retail  
11 licensed premises, a retailer's licensee may be designated by  
12 the State Commission as (i) an on premise consumption retailer,  
13 (ii) an off premise sale retailer, or (iii) a combined on  
14 premise consumption and off premise sale retailer.

15 Notwithstanding any other provision of this subsection  
16 (d), a retail licensee may sell alcoholic liquors to a special  
17 event retailer licensee for resale to the extent permitted  
18 under subsection (e).

19 (e) A special event retailer's license (not-for-profit)  
20 shall permit the licensee to purchase alcoholic liquors from an  
21 Illinois licensed distributor (unless the licensee purchases  
22 less than \$500 of alcoholic liquors for the special event, in  
23 which case the licensee may purchase the alcoholic liquors from  
24 a licensed retailer) and shall allow the licensee to sell and  
25 offer for sale, at retail, alcoholic liquors for use or  
26 consumption, but not for resale in any form and only at the

1 location and on the specific dates designated for the special  
2 event in the license. An applicant for a special event retailer  
3 license must (i) furnish with the application: (A) a resale  
4 number issued under Section 2c of the Retailers' Occupation Tax  
5 Act or evidence that the applicant is registered under Section  
6 2a of the Retailers' Occupation Tax Act, (B) a current, valid  
7 exemption identification number issued under Section 1g of the  
8 Retailers' Occupation Tax Act, and a certification to the  
9 Commission that the purchase of alcoholic liquors will be a  
10 tax-exempt purchase, or (C) a statement that the applicant is  
11 not registered under Section 2a of the Retailers' Occupation  
12 Tax Act, does not hold a resale number under Section 2c of the  
13 Retailers' Occupation Tax Act, and does not hold an exemption  
14 number under Section 1g of the Retailers' Occupation Tax Act,  
15 in which event the Commission shall set forth on the special  
16 event retailer's license a statement to that effect; (ii)  
17 submit with the application proof satisfactory to the State  
18 Commission that the applicant will provide dram shop liability  
19 insurance in the maximum limits; and (iii) show proof  
20 satisfactory to the State Commission that the applicant has  
21 obtained local authority approval.

22 (f) A railroad license shall permit the licensee to import  
23 alcoholic liquors into this State from any point in the United  
24 States outside this State and to store such alcoholic liquors  
25 in this State; to make wholesale purchases of alcoholic liquors  
26 directly from manufacturers, foreign importers, distributors

1 and importing distributors from within or outside this State;  
2 and to store such alcoholic liquors in this State; provided  
3 that the above powers may be exercised only in connection with  
4 the importation, purchase or storage of alcoholic liquors to be  
5 sold or dispensed on a club, buffet, lounge or dining car  
6 operated on an electric, gas or steam railway in this State;  
7 and provided further, that railroad licensees exercising the  
8 above powers shall be subject to all provisions of Article VIII  
9 of this Act as applied to importing distributors. A railroad  
10 license shall also permit the licensee to sell or dispense  
11 alcoholic liquors on any club, buffet, lounge or dining car  
12 operated on an electric, gas or steam railway regularly  
13 operated by a common carrier in this State, but shall not  
14 permit the sale for resale of any alcoholic liquors to any  
15 licensee within this State. A license shall be obtained for  
16 each car in which such sales are made.

17 (g) A boat license shall allow the sale of alcoholic liquor  
18 in individual drinks, on any passenger boat regularly operated  
19 as a common carrier on navigable waters in this State or on any  
20 riverboat operated under the Illinois ~~Riverboat~~ Gambling Act,  
21 which boat or riverboat maintains a public dining room or  
22 restaurant thereon.

23 (h) A non-beverage user's license shall allow the licensee  
24 to purchase alcoholic liquor from a licensed manufacturer or  
25 importing distributor, without the imposition of any tax upon  
26 the business of such licensed manufacturer or importing

1 distributor as to such alcoholic liquor to be used by such  
 2 licensee solely for the non-beverage purposes set forth in  
 3 subsection (a) of Section 8-1 of this Act, and such licenses  
 4 shall be divided and classified and shall permit the purchase,  
 5 possession and use of limited and stated quantities of  
 6 alcoholic liquor as follows:

- 7 Class 1, not to exceed ..... 500 gallons
- 8 Class 2, not to exceed ..... 1,000 gallons
- 9 Class 3, not to exceed ..... 5,000 gallons
- 10 Class 4, not to exceed ..... 10,000 gallons
- 11 Class 5, not to exceed ..... 50,000 gallons

12 (i) A wine-maker's premises license shall allow a licensee  
 13 that concurrently holds a first-class wine-maker's license to  
 14 sell and offer for sale at retail in the premises specified in  
 15 such license not more than 50,000 gallons of the first-class  
 16 wine-maker's wine that is made at the first-class wine-maker's  
 17 licensed premises per year for use or consumption, but not for  
 18 resale in any form. A wine-maker's premises license shall allow  
 19 a licensee who concurrently holds a second-class wine-maker's  
 20 license to sell and offer for sale at retail in the premises  
 21 specified in such license up to 100,000 gallons of the  
 22 second-class wine-maker's wine that is made at the second-class  
 23 wine-maker's licensed premises per year for use or consumption  
 24 but not for resale in any form. A wine-maker's premises license  
 25 shall allow a licensee that concurrently holds a first-class  
 26 wine-maker's license or a second-class wine-maker's license to

1 sell and offer for sale at retail at the premises specified in  
2 the wine-maker's premises license, for use or consumption but  
3 not for resale in any form, any beer, wine, and spirits  
4 purchased from a licensed distributor. Upon approval from the  
5 State Commission, a wine-maker's premises license shall allow  
6 the licensee to sell and offer for sale at (i) the wine-maker's  
7 licensed premises and (ii) at up to 2 additional locations for  
8 use and consumption and not for resale. Each location shall  
9 require additional licensing per location as specified in  
10 Section 5-3 of this Act. A wine-maker's premises licensee shall  
11 secure liquor liability insurance coverage in an amount at  
12 least equal to the maximum liability amounts set forth in  
13 subsection (a) of Section 6-21 of this Act.

14 (j) An airplane license shall permit the licensee to import  
15 alcoholic liquors into this State from any point in the United  
16 States outside this State and to store such alcoholic liquors  
17 in this State; to make wholesale purchases of alcoholic liquors  
18 directly from manufacturers, foreign importers, distributors  
19 and importing distributors from within or outside this State;  
20 and to store such alcoholic liquors in this State; provided  
21 that the above powers may be exercised only in connection with  
22 the importation, purchase or storage of alcoholic liquors to be  
23 sold or dispensed on an airplane; and provided further, that  
24 airplane licensees exercising the above powers shall be subject  
25 to all provisions of Article VIII of this Act as applied to  
26 importing distributors. An airplane licensee shall also permit



1 the sale or dispensing of alcoholic liquors on any passenger  
2 airplane regularly operated by a common carrier in this State,  
3 but shall not permit the sale for resale of any alcoholic  
4 liquors to any licensee within this State. A single airplane  
5 license shall be required of an airline company if liquor  
6 service is provided on board aircraft in this State. The annual  
7 fee for such license shall be as determined in Section 5-3.

8 (k) A foreign importer's license shall permit such licensee  
9 to purchase alcoholic liquor from Illinois licensed  
10 non-resident dealers only, and to import alcoholic liquor other  
11 than in bulk from any point outside the United States and to  
12 sell such alcoholic liquor to Illinois licensed importing  
13 distributors and to no one else in Illinois; provided that (i)  
14 the foreign importer registers with the State Commission every  
15 brand of alcoholic liquor that it proposes to sell to Illinois  
16 licensees during the license period, (ii) the foreign importer  
17 complies with all of the provisions of Section 6-9 of this Act  
18 with respect to registration of such Illinois licensees as may  
19 be granted the right to sell such brands at wholesale, and  
20 (iii) the foreign importer complies with the provisions of  
21 Sections 6-5 and 6-6 of this Act to the same extent that these  
22 provisions apply to manufacturers.

23 (l) (i) A broker's license shall be required of all persons  
24 who solicit orders for, offer to sell or offer to supply  
25 alcoholic liquor to retailers in the State of Illinois, or who  
26 offer to retailers to ship or cause to be shipped or to make

1 contact with distillers, rectifiers, brewers or manufacturers  
2 or any other party within or without the State of Illinois in  
3 order that alcoholic liquors be shipped to a distributor,  
4 importing distributor or foreign importer, whether such  
5 solicitation or offer is consummated within or without the  
6 State of Illinois.

7 No holder of a retailer's license issued by the Illinois  
8 Liquor Control Commission shall purchase or receive any  
9 alcoholic liquor, the order for which was solicited or offered  
10 for sale to such retailer by a broker unless the broker is the  
11 holder of a valid broker's license.

12 The broker shall, upon the acceptance by a retailer of the  
13 broker's solicitation of an order or offer to sell or supply or  
14 deliver or have delivered alcoholic liquors, promptly forward  
15 to the Illinois Liquor Control Commission a notification of  
16 said transaction in such form as the Commission may by  
17 regulations prescribe.

18 (ii) A broker's license shall be required of a person  
19 within this State, other than a retail licensee, who, for a fee  
20 or commission, promotes, solicits, or accepts orders for  
21 alcoholic liquor, for use or consumption and not for resale, to  
22 be shipped from this State and delivered to residents outside  
23 of this State by an express company, common carrier, or  
24 contract carrier. This Section does not apply to any person who  
25 promotes, solicits, or accepts orders for wine as specifically  
26 authorized in Section 6-29 of this Act.

1           A broker's license under this subsection (1) shall not  
2 entitle the holder to buy or sell any alcoholic liquors for his  
3 own account or to take or deliver title to such alcoholic  
4 liquors.

5           This subsection (1) shall not apply to distributors,  
6 employees of distributors, or employees of a manufacturer who  
7 has registered the trademark, brand or name of the alcoholic  
8 liquor pursuant to Section 6-9 of this Act, and who regularly  
9 sells such alcoholic liquor in the State of Illinois only to  
10 its registrants thereunder.

11           Any agent, representative, or person subject to  
12 registration pursuant to subsection (a-1) of this Section shall  
13 not be eligible to receive a broker's license.

14           (m) A non-resident dealer's license shall permit such  
15 licensee to ship into and warehouse alcoholic liquor into this  
16 State from any point outside of this State, and to sell such  
17 alcoholic liquor to Illinois licensed foreign importers and  
18 importing distributors and to no one else in this State;  
19 provided that (i) said non-resident dealer shall register with  
20 the Illinois Liquor Control Commission each and every brand of  
21 alcoholic liquor which it proposes to sell to Illinois  
22 licensees during the license period, (ii) it shall comply with  
23 all of the provisions of Section 6-9 hereof with respect to  
24 registration of such Illinois licensees as may be granted the  
25 right to sell such brands at wholesale, and (iii) the  
26 non-resident dealer shall comply with the provisions of

1 Sections 6-5 and 6-6 of this Act to the same extent that these  
2 provisions apply to manufacturers.

3 (n) A brew pub license shall allow the licensee (i) to  
4 manufacture beer only on the premises specified in the license,  
5 (ii) to make sales of the beer manufactured on the premises or,  
6 with the approval of the Commission, beer manufactured on  
7 another brew pub licensed premises that is substantially owned  
8 and operated by the same licensee to importing distributors,  
9 distributors, and to non-licensees for use and consumption,  
10 (iii) to store the beer upon the premises, and (iv) to sell and  
11 offer for sale at retail from the licensed premises, provided  
12 that a brew pub licensee shall not sell for off-premises  
13 consumption more than 50,000 gallons per year. A person who  
14 holds a brew pub license may simultaneously hold a craft brewer  
15 license if he or she otherwise qualifies for the craft brewer  
16 license and the craft brewer license is for a location separate  
17 from the brew pub's licensed premises. A brew pub license shall  
18 permit a person who has received prior approval from the  
19 Commission to annually transfer no more than a total of 50,000  
20 gallons of beer manufactured on premises to all other licensed  
21 brew pubs that are substantially owned and operated by the same  
22 person.

23 (o) A caterer retailer license shall allow the holder to  
24 serve alcoholic liquors as an incidental part of a food service  
25 that serves prepared meals which excludes the serving of snacks  
26 as the primary meal, either on or off-site whether licensed or

1 unlicensed.

2 (p) An auction liquor license shall allow the licensee to  
3 sell and offer for sale at auction wine and spirits for use or  
4 consumption, or for resale by an Illinois liquor licensee in  
5 accordance with provisions of this Act. An auction liquor  
6 license will be issued to a person and it will permit the  
7 auction liquor licensee to hold the auction anywhere in the  
8 State. An auction liquor license must be obtained for each  
9 auction at least 14 days in advance of the auction date.

10 (q) A special use permit license shall allow an Illinois  
11 licensed retailer to transfer a portion of its alcoholic liquor  
12 inventory from its retail licensed premises to the premises  
13 specified in the license hereby created, and to sell or offer  
14 for sale at retail, only in the premises specified in the  
15 license hereby created, the transferred alcoholic liquor for  
16 use or consumption, but not for resale in any form. A special  
17 use permit license may be granted for the following time  
18 periods: one day or less; 2 or more days to a maximum of 15 days  
19 per location in any 12 month period. An applicant for the  
20 special use permit license must also submit with the  
21 application proof satisfactory to the State Commission that the  
22 applicant will provide dram shop liability insurance to the  
23 maximum limits and have local authority approval.

24 (r) A winery shipper's license shall allow a person with a  
25 first-class or second-class wine manufacturer's license, a  
26 first-class or second-class wine-maker's license, or a limited

1 wine manufacturer's license or who is licensed to make wine  
2 under the laws of another state to ship wine made by that  
3 licensee directly to a resident of this State who is 21 years  
4 of age or older for that resident's personal use and not for  
5 resale. Prior to receiving a winery shipper's license, an  
6 applicant for the license must provide the Commission with a  
7 true copy of its current license in any state in which it is  
8 licensed as a manufacturer of wine. An applicant for a winery  
9 shipper's license must also complete an application form that  
10 provides any other information the Commission deems necessary.  
11 The application form shall include an acknowledgement  
12 consenting to the jurisdiction of the Commission, the Illinois  
13 Department of Revenue, and the courts of this State concerning  
14 the enforcement of this Act and any related laws, rules, and  
15 regulations, including authorizing the Department of Revenue  
16 and the Commission to conduct audits for the purpose of  
17 ensuring compliance with this amendatory Act.

18 A winery shipper licensee must pay to the Department of  
19 Revenue the State liquor gallonage tax under Section 8-1 for  
20 all wine that is sold by the licensee and shipped to a person  
21 in this State. For the purposes of Section 8-1, a winery  
22 shipper licensee shall be taxed in the same manner as a  
23 manufacturer of wine. A licensee who is not otherwise required  
24 to register under the Retailers' Occupation Tax Act must  
25 register under the Use Tax Act to collect and remit use tax to  
26 the Department of Revenue for all gallons of wine that are sold

1 by the licensee and shipped to persons in this State. If a  
2 licensee fails to remit the tax imposed under this Act in  
3 accordance with the provisions of Article VIII of this Act, the  
4 winery shipper's license shall be revoked in accordance with  
5 the provisions of Article VII of this Act. If a licensee fails  
6 to properly register and remit tax under the Use Tax Act or the  
7 Retailers' Occupation Tax Act for all wine that is sold by the  
8 winery shipper and shipped to persons in this State, the winery  
9 shipper's license shall be revoked in accordance with the  
10 provisions of Article VII of this Act.

11 A winery shipper licensee must collect, maintain, and  
12 submit to the Commission on a semi-annual basis the total  
13 number of cases per resident of wine shipped to residents of  
14 this State. A winery shipper licensed under this subsection (r)  
15 must comply with the requirements of Section 6-29 of this  
16 amendatory Act.

17 (Source: P.A. 97-5, eff. 6-1-11; 97-455, eff. 8-19-11; 97-813,  
18 eff. 7-13-12; 97-1166, eff. 3-1-13; 98-394, eff. 8-16-13;  
19 98-401, eff. 8-16-13; revised 9-12-13.)

20 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

21 Sec. 6-30. Notwithstanding any other provision of this Act,  
22 the Illinois Gaming Board shall have exclusive authority to  
23 establish the hours for sale and consumption of alcoholic  
24 liquor on board a riverboat during riverboat gambling  
25 excursions conducted in accordance with the Illinois Riverboat

1 Gambling Act.

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

3 Section 65. The Illinois Public Aid Code is amended by  
4 changing Section 10-17.15 as follows:

5 (305 ILCS 5/10-17.15)

6 Sec. 10-17.15. Certification of information to State  
7 gaming licensees.

8 (a) For purposes of this Section, "State gaming licensee"  
9 means, as applicable, an organization licensee or advance  
10 deposit wagering licensee licensed under the Illinois Horse  
11 Racing Act of 1975, an owners licensee licensed under the  
12 Illinois Riverboat Gambling Act, an electronic gaming licensee  
13 under the Illinois Gambling Act and the Illinois Horse Racing  
14 Act of 1975, or a licensee that operates, under any law of this  
15 State, one or more facilities or gaming locations at which  
16 lawful gambling is authorized and licensed as provided in the  
17 Illinois Riverboat Gambling Act.

18 (b) The Department may provide, by rule, for certification  
19 to any State gaming licensee of past due child support owed by  
20 a responsible relative under a support order entered by a court  
21 or administrative body of this or any other State on behalf of  
22 a resident or non-resident receiving child support services  
23 under this Article in accordance with the requirements of Title  
24 IV-D, Part D, of the Social Security Act. The State gaming



1 licensee shall have the ability to withhold from winnings  
2 required to be reported to the Internal Revenue Service on Form  
3 W-2G, up to the full amount of winnings necessary to pay the  
4 winner's past due child support. The rule shall provide for  
5 notice to and an opportunity to be heard by each responsible  
6 relative affected and any final administrative decision  
7 rendered by the Department shall be reviewed only under and in  
8 accordance with the Administrative Review Law.

9 (c) For withholding of winnings, the State gaming licensee  
10 shall be entitled to an administrative fee not to exceed the  
11 lesser of 4% of the total amount of cash winnings paid to the  
12 gambling winner or \$150.

13 (d) In no event may the total amount withheld from the cash  
14 payout, including the administrative fee, exceed the total cash  
15 winnings claimed by the obligor. If the cash payout claimed is  
16 greater than the amount sufficient to satisfy the obligor's  
17 delinquent child support payments, the State gaming licensee  
18 shall pay the obligor the remaining balance of the payout, less  
19 the administrative fee authorized by subsection (c) of this  
20 Section, at the time it is claimed.

21 (e) A State gaming licensee who in good faith complies with  
22 the requirements of this Section shall not be liable to the  
23 gaming winner or any other individual or entity.

24 (Source: P.A. 98-318, eff. 8-12-13.)

25 Section 70. The Firearm Concealed Carry Act is amended by

1 changing Section 65 as follows:

2 (430 ILCS 66/65)

3 Sec. 65. Prohibited areas.

4 (a) A licensee under this Act shall not knowingly carry a  
5 firearm on or into:

6 (1) Any building, real property, and parking area under  
7 the control of a public or private elementary or secondary  
8 school.

9 (2) Any building, real property, and parking area under  
10 the control of a pre-school or child care facility,  
11 including any room or portion of a building under the  
12 control of a pre-school or child care facility. Nothing in  
13 this paragraph shall prevent the operator of a child care  
14 facility in a family home from owning or possessing a  
15 firearm in the home or license under this Act, if no child  
16 under child care at the home is present in the home or the  
17 firearm in the home is stored in a locked container when a  
18 child under child care at the home is present in the home.

19 (3) Any building, parking area, or portion of a  
20 building under the control of an officer of the executive  
21 or legislative branch of government, provided that nothing  
22 in this paragraph shall prohibit a licensee from carrying a  
23 concealed firearm onto the real property, bikeway, or trail  
24 in a park regulated by the Department of Natural Resources  
25 or any other designated public hunting area or building

1 where firearm possession is permitted as established by the  
2 Department of Natural Resources under Section 1.8 of the  
3 Wildlife Code.

4 (4) Any building designated for matters before a  
5 circuit court, appellate court, or the Supreme Court, or  
6 any building or portion of a building under the control of  
7 the Supreme Court.

8 (5) Any building or portion of a building under the  
9 control of a unit of local government.

10 (6) Any building, real property, and parking area under  
11 the control of an adult or juvenile detention or  
12 correctional institution, prison, or jail.

13 (7) Any building, real property, and parking area under  
14 the control of a public or private hospital or hospital  
15 affiliate, mental health facility, or nursing home.

16 (8) Any bus, train, or form of transportation paid for  
17 in whole or in part with public funds, and any building,  
18 real property, and parking area under the control of a  
19 public transportation facility paid for in whole or in part  
20 with public funds.

21 (9) Any building, real property, and parking area under  
22 the control of an establishment that serves alcohol on its  
23 premises, if more than 50% of the establishment's gross  
24 receipts within the prior 3 months is from the sale of  
25 alcohol. The owner of an establishment who knowingly fails  
26 to prohibit concealed firearms on its premises as provided

1 in this paragraph or who knowingly makes a false statement  
2 or record to avoid the prohibition on concealed firearms  
3 under this paragraph is subject to the penalty under  
4 subsection (c-5) of Section 10-1 of the Liquor Control Act  
5 of 1934.

6 (10) Any public gathering or special event conducted on  
7 property open to the public that requires the issuance of a  
8 permit from the unit of local government, provided this  
9 prohibition shall not apply to a licensee who must walk  
10 through a public gathering in order to access his or her  
11 residence, place of business, or vehicle.

12 (11) Any building or real property that has been issued  
13 a Special Event Retailer's license as defined in Section  
14 1-3.17.1 of the Liquor Control Act during the time  
15 designated for the sale of alcohol by the Special Event  
16 Retailer's license, or a Special use permit license as  
17 defined in subsection (q) of Section 5-1 of the Liquor  
18 Control Act during the time designated for the sale of  
19 alcohol by the Special use permit license.

20 (12) Any public playground.

21 (13) Any public park, athletic area, or athletic  
22 facility under the control of a municipality or park  
23 district, provided nothing in this Section shall prohibit a  
24 licensee from carrying a concealed firearm while on a trail  
25 or bikeway if only a portion of the trail or bikeway  
26 includes a public park.

1           (14) Any real property under the control of the Cook  
2 County Forest Preserve District.

3           (15) Any building, classroom, laboratory, medical  
4 clinic, hospital, artistic venue, athletic venue,  
5 entertainment venue, officially recognized  
6 university-related organization property, whether owned or  
7 leased, and any real property, including parking areas,  
8 sidewalks, and common areas under the control of a public  
9 or private community college, college, or university.

10           (16) Any building, real property, or parking area under  
11 the control of a gaming facility licensed under the  
12 Illinois Riverboat ~~Riverboat~~ Gambling Act or the Illinois Horse  
13 Racing Act of 1975, including an inter-track wagering  
14 location licensee.

15           (17) Any stadium, arena, or the real property or  
16 parking area under the control of a stadium, arena, or any  
17 collegiate or professional sporting event.

18           (18) Any building, real property, or parking area under  
19 the control of a public library.

20           (19) Any building, real property, or parking area under  
21 the control of an airport.

22           (20) Any building, real property, or parking area under  
23 the control of an amusement park.

24           (21) Any building, real property, or parking area under  
25 the control of a zoo or museum.

26           (22) Any street, driveway, parking area, property,

1 building, or facility, owned, leased, controlled, or used  
2 by a nuclear energy, storage, weapons, or development site  
3 or facility regulated by the federal Nuclear Regulatory  
4 Commission. The licensee shall not under any circumstance  
5 store a firearm or ammunition in his or her vehicle or in a  
6 compartment or container within a vehicle located anywhere  
7 in or on the street, driveway, parking area, property,  
8 building, or facility described in this paragraph.

9 (23) Any area where firearms are prohibited under  
10 federal law.

11 (a-5) Nothing in this Act shall prohibit a public or  
12 private community college, college, or university from:

13 (1) prohibiting persons from carrying a firearm within  
14 a vehicle owned, leased, or controlled by the college or  
15 university;

16 (2) developing resolutions, regulations, or policies  
17 regarding student, employee, or visitor misconduct and  
18 discipline, including suspension and expulsion;

19 (3) developing resolutions, regulations, or policies  
20 regarding the storage or maintenance of firearms, which  
21 must include designated areas where persons can park  
22 vehicles that carry firearms; and

23 (4) permitting the carrying or use of firearms for the  
24 purpose of instruction and curriculum of officially  
25 recognized programs, including but not limited to military  
26 science and law enforcement training programs, or in any

1 designated area used for hunting purposes or target  
2 shooting.

3 (a-10) The owner of private real property of any type may  
4 prohibit the carrying of concealed firearms on the property  
5 under his or her control. The owner must post a sign in  
6 accordance with subsection (d) of this Section indicating that  
7 firearms are prohibited on the property, unless the property is  
8 a private residence.

9 (b) Notwithstanding subsections (a), (a-5), and (a-10) of  
10 this Section except under paragraph (22) or (23) of subsection  
11 (a), any licensee prohibited from carrying a concealed firearm  
12 into the parking area of a prohibited location specified in  
13 subsection (a), (a-5), or (a-10) of this Section shall be  
14 permitted to carry a concealed firearm on or about his or her  
15 person within a vehicle into the parking area and may store a  
16 firearm or ammunition concealed in a case within a locked  
17 vehicle or locked container out of plain view within the  
18 vehicle in the parking area. A licensee may carry a concealed  
19 firearm in the immediate area surrounding his or her vehicle  
20 within a prohibited parking lot area only for the limited  
21 purpose of storing or retrieving a firearm within the vehicle's  
22 trunk, provided the licensee ensures the concealed firearm is  
23 unloaded prior to exiting the vehicle. For purposes of this  
24 subsection, "case" includes a glove compartment or console that  
25 completely encloses the concealed firearm or ammunition, the  
26 trunk of the vehicle, or a firearm carrying box, shipping box,

1 or other container.

2 (c) A licensee shall not be in violation of this Section  
3 while he or she is traveling along a public right of way that  
4 touches or crosses any of the premises under subsection (a),  
5 (a-5), or (a-10) of this Section if the concealed firearm is  
6 carried on his or her person in accordance with the provisions  
7 of this Act or is being transported in a vehicle by the  
8 licensee in accordance with all other applicable provisions of  
9 law.

10 (d) Signs stating that the carrying of firearms is  
11 prohibited shall be clearly and conspicuously posted at the  
12 entrance of a building, premises, or real property specified in  
13 this Section as a prohibited area, unless the building or  
14 premises is a private residence. Signs shall be of a uniform  
15 design as established by the Department and shall be 4 inches  
16 by 6 inches in size. The Department shall adopt rules for  
17 standardized signs to be used under this subsection.

18 (Source: P.A. 98-63, eff. 7-9-13.)

19 Section 75. The Criminal Code of 2012 is amended by  
20 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as  
21 follows:

22 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

23 Sec. 28-1. Gambling.

24 (a) A person commits gambling when he or she:



1           (1) knowingly plays a game of chance or skill for money  
2           or other thing of value, unless excepted in subsection (b)  
3           of this Section;

4           (2) knowingly makes a wager upon the result of any  
5           game, contest, or any political nomination, appointment or  
6           election;

7           (3) knowingly operates, keeps, owns, uses, purchases,  
8           exhibits, rents, sells, bargains for the sale or lease of,  
9           manufactures or distributes any gambling device;

10          (4) contracts to have or give himself or herself or  
11          another the option to buy or sell, or contracts to buy or  
12          sell, at a future time, any grain or other commodity  
13          whatsoever, or any stock or security of any company, where  
14          it is at the time of making such contract intended by both  
15          parties thereto that the contract to buy or sell, or the  
16          option, whenever exercised, or the contract resulting  
17          therefrom, shall be settled, not by the receipt or delivery  
18          of such property, but by the payment only of differences in  
19          prices thereof; however, the issuance, purchase, sale,  
20          exercise, endorsement or guarantee, by or through a person  
21          registered with the Secretary of State pursuant to Section  
22          8 of the Illinois Securities Law of 1953, or by or through  
23          a person exempt from such registration under said Section  
24          8, of a put, call, or other option to buy or sell  
25          securities which have been registered with the Secretary of  
26          State or which are exempt from such registration under

1 Section 3 of the Illinois Securities Law of 1953 is not  
2 gambling within the meaning of this paragraph (4);

3 (5) knowingly owns or possesses any book, instrument or  
4 apparatus by means of which bets or wagers have been, or  
5 are, recorded or registered, or knowingly possesses any  
6 money which he has received in the course of a bet or  
7 wager;

8 (6) knowingly sells pools upon the result of any game  
9 or contest of skill or chance, political nomination,  
10 appointment or election;

11 (7) knowingly sets up or promotes any lottery or sells,  
12 offers to sell or transfers any ticket or share for any  
13 lottery;

14 (8) knowingly sets up or promotes any policy game or  
15 sells, offers to sell or knowingly possesses or transfers  
16 any policy ticket, slip, record, document or other similar  
17 device;

18 (9) knowingly drafts, prints or publishes any lottery  
19 ticket or share, or any policy ticket, slip, record,  
20 document or similar device, except for such activity  
21 related to lotteries, bingo games and raffles authorized by  
22 and conducted in accordance with the laws of Illinois or  
23 any other state or foreign government;

24 (10) knowingly advertises any lottery or policy game,  
25 except for such activity related to lotteries, bingo games  
26 and raffles authorized by and conducted in accordance with

1 the laws of Illinois or any other state;

2 (11) knowingly transmits information as to wagers,  
3 betting odds, or changes in betting odds by telephone,  
4 telegraph, radio, semaphore or similar means; or knowingly  
5 installs or maintains equipment for the transmission or  
6 receipt of such information; except that nothing in this  
7 subdivision (11) prohibits transmission or receipt of such  
8 information for use in news reporting of sporting events or  
9 contests; or

10 (12) knowingly establishes, maintains, or operates an  
11 Internet site that permits a person to play a game of  
12 chance or skill for money or other thing of value by means  
13 of the Internet or to make a wager upon the result of any  
14 game, contest, political nomination, appointment, or  
15 election by means of the Internet. This item (12) does not  
16 apply to activities referenced in items (6) and (6.1) of  
17 subsection (b) of this Section.

18 (b) Participants in any of the following activities shall  
19 not be convicted of gambling:

20 (1) Agreements to compensate for loss caused by the  
21 happening of chance including without limitation contracts  
22 of indemnity or guaranty and life or health or accident  
23 insurance.

24 (2) Offers of prizes, award or compensation to the  
25 actual contestants in any bona fide contest for the  
26 determination of skill, speed, strength or endurance or to

1 the owners of animals or vehicles entered in such contest.

2 (3) Pari-mutuel betting as authorized by the law of  
3 this State.

4 (4) Manufacture of gambling devices, including the  
5 acquisition of essential parts therefor and the assembly  
6 thereof, for transportation in interstate or foreign  
7 commerce to any place outside this State when such  
8 transportation is not prohibited by any applicable Federal  
9 law; or the manufacture, distribution, or possession of  
10 video gaming terminals, as defined in the Video Gaming Act,  
11 by manufacturers, distributors, and terminal operators  
12 licensed to do so under the Video Gaming Act.

13 (5) The game commonly known as "bingo", when conducted  
14 in accordance with the Bingo License and Tax Act.

15 (6) Lotteries when conducted by the State of Illinois  
16 in accordance with the Illinois Lottery Law. This exemption  
17 includes any activity conducted by the Department of  
18 Revenue to sell lottery tickets pursuant to the provisions  
19 of the Illinois Lottery Law and its rules.

20 (6.1) The purchase of lottery tickets through the  
21 Internet for a lottery conducted by the State of Illinois  
22 under the program established in Section 7.12 of the  
23 Illinois Lottery Law.

24 (7) Possession of an antique slot machine that is  
25 neither used nor intended to be used in the operation or  
26 promotion of any unlawful gambling activity or enterprise.

1 For the purpose of this subparagraph (b) (7), an antique  
2 slot machine is one manufactured 25 years ago or earlier.

3 (8) Raffles when conducted in accordance with the  
4 Raffles Act.

5 (9) Charitable games when conducted in accordance with  
6 the Charitable Games Act.

7 (10) Pull tabs and jar games when conducted under the  
8 Illinois Pull Tabs and Jar Games Act.

9 (11) Gambling games ~~conducted on riverboats~~ when  
10 authorized by the Illinois Riverboat Gambling Act.

11 (12) Video gaming terminal games at a licensed  
12 establishment, licensed truck stop establishment, licensed  
13 fraternal establishment, or licensed veterans  
14 establishment when conducted in accordance with the Video  
15 Gaming Act.

16 (13) Games of skill or chance where money or other  
17 things of value can be won but no payment or purchase is  
18 required to participate.

19 (c) Sentence.

20 Gambling is a Class A misdemeanor. A second or subsequent  
21 conviction under subsections (a) (3) through (a) (12), is a Class  
22 4 felony.

23 (d) Circumstantial evidence.

24 In prosecutions under this Section circumstantial evidence  
25 shall have the same validity and weight as in any criminal  
26 prosecution.

1 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09;  
2 96-1203, eff. 7-22-10; 97-1108, eff. 1-1-13.)

3 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

4 Sec. 28-1.1. Syndicated gambling.

5 (a) Declaration of Purpose. Recognizing the close  
6 relationship between professional gambling and other organized  
7 crime, it is declared to be the policy of the legislature to  
8 restrain persons from engaging in the business of gambling for  
9 profit in this State. This Section shall be liberally construed  
10 and administered with a view to carrying out this policy.

11 (b) A person commits syndicated gambling when he or she  
12 operates a "policy game" or engages in the business of  
13 bookmaking.

14 (c) A person "operates a policy game" when he or she  
15 knowingly uses any premises or property for the purpose of  
16 receiving or knowingly does receive from what is commonly  
17 called "policy":

18 (1) money from a person other than the bettor or player  
19 whose bets or plays are represented by the money; or

20 (2) written "policy game" records, made or used over  
21 any period of time, from a person other than the bettor or  
22 player whose bets or plays are represented by the written  
23 record.

24 (d) A person engages in bookmaking when he or she knowingly  
25 receives or accepts more than five bets or wagers upon the

1 result of any trials or contests of skill, speed or power of  
2 endurance or upon any lot, chance, casualty, unknown or  
3 contingent event whatsoever, which bets or wagers shall be of  
4 such size that the total of the amounts of money paid or  
5 promised to be paid to the bookmaker on account thereof shall  
6 exceed \$2,000. Bookmaking is the receiving or accepting of bets  
7 or wagers regardless of the form or manner in which the  
8 bookmaker records them.

9 (e) Participants in any of the following activities shall  
10 not be convicted of syndicated gambling:

11 (1) Agreements to compensate for loss caused by the  
12 happening of chance including without limitation contracts  
13 of indemnity or guaranty and life or health or accident  
14 insurance;

15 (2) Offers of prizes, award or compensation to the  
16 actual contestants in any bona fide contest for the  
17 determination of skill, speed, strength or endurance or to  
18 the owners of animals or vehicles entered in the contest;

19 (3) Pari-mutuel betting as authorized by law of this  
20 State;

21 (4) Manufacture of gambling devices, including the  
22 acquisition of essential parts therefor and the assembly  
23 thereof, for transportation in interstate or foreign  
24 commerce to any place outside this State when the  
25 transportation is not prohibited by any applicable Federal  
26 law;

1           (5) Raffles when conducted in accordance with the  
2 Raffles Act;

3           (6) Gambling games conducted on riverboats, in  
4 casinos, or at electronic gaming facilities when  
5 authorized by the Illinois Riverboat Gambling Act; and

6           (7) Video gaming terminal games at a licensed  
7 establishment, licensed truck stop establishment, licensed  
8 fraternal establishment, or licensed veterans  
9 establishment when conducted in accordance with the Video  
10 Gaming Act.

11           (f) Sentence. Syndicated gambling is a Class 3 felony.

12           (Source: P.A. 96-34, eff. 7-13-09; 97-1108, eff. 1-1-13.)

13           (720 ILCS 5/28-3)   (from Ch. 38, par. 28-3)

14           Sec. 28-3. Keeping a Gambling Place. A "gambling place" is  
15 any real estate, vehicle, boat or any other property whatsoever  
16 used for the purposes of gambling other than gambling conducted  
17 in the manner authorized by the Illinois Riverboat Gambling Act  
18 or the Video Gaming Act. Any person who knowingly permits any  
19 premises or property owned or occupied by him or under his  
20 control to be used as a gambling place commits a Class A  
21 misdemeanor. Each subsequent offense is a Class 4 felony. When  
22 any premises is determined by the circuit court to be a  
23 gambling place:

24           (a) Such premises is a public nuisance and may be proceeded  
25 against as such, and



1 (b) All licenses, permits or certificates issued by the  
2 State of Illinois or any subdivision or public agency thereof  
3 authorizing the serving of food or liquor on such premises  
4 shall be void; and no license, permit or certificate so  
5 cancelled shall be reissued for such premises for a period of  
6 60 days thereafter; nor shall any person convicted of keeping a  
7 gambling place be reissued such license for one year from his  
8 conviction and, after a second conviction of keeping a gambling  
9 place, any such person shall not be reissued such license, and

10 (c) Such premises of any person who knowingly permits  
11 thereon a violation of any Section of this Article shall be  
12 held liable for, and may be sold to pay any unsatisfied  
13 judgment that may be recovered and any unsatisfied fine that  
14 may be levied under any Section of this Article.

15 (Source: P.A. 96-34, eff. 7-13-09.)

16 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

17 Sec. 28-5. Seizure of gambling devices and gambling funds.

18 (a) Every device designed for gambling which is incapable  
19 of lawful use or every device used unlawfully for gambling  
20 shall be considered a "gambling device", and shall be subject  
21 to seizure, confiscation and destruction by the Department of  
22 State Police or by any municipal, or other local authority,  
23 within whose jurisdiction the same may be found. As used in  
24 this Section, a "gambling device" includes any slot machine,  
25 and includes any machine or device constructed for the

1 reception of money or other thing of value and so constructed  
2 as to return, or to cause someone to return, on chance to the  
3 player thereof money, property or a right to receive money or  
4 property. With the exception of any device designed for  
5 gambling which is incapable of lawful use, no gambling device  
6 shall be forfeited or destroyed unless an individual with a  
7 property interest in said device knows of the unlawful use of  
8 the device.

9 (b) Every gambling device shall be seized and forfeited to  
10 the county wherein such seizure occurs. Any money or other  
11 thing of value integrally related to acts of gambling shall be  
12 seized and forfeited to the county wherein such seizure occurs.

13 (c) If, within 60 days after any seizure pursuant to  
14 subparagraph (b) of this Section, a person having any property  
15 interest in the seized property is charged with an offense, the  
16 court which renders judgment upon such charge shall, within 30  
17 days after such judgment, conduct a forfeiture hearing to  
18 determine whether such property was a gambling device at the  
19 time of seizure. Such hearing shall be commenced by a written  
20 petition by the State, including material allegations of fact,  
21 the name and address of every person determined by the State to  
22 have any property interest in the seized property, a  
23 representation that written notice of the date, time and place  
24 of such hearing has been mailed to every such person by  
25 certified mail at least 10 days before such date, and a request  
26 for forfeiture. Every such person may appear as a party and

1 present evidence at such hearing. The quantum of proof required  
2 shall be a preponderance of the evidence, and the burden of  
3 proof shall be on the State. If the court determines that the  
4 seized property was a gambling device at the time of seizure,  
5 an order of forfeiture and disposition of the seized property  
6 shall be entered: a gambling device shall be received by the  
7 State's Attorney, who shall effect its destruction, except that  
8 valuable parts thereof may be liquidated and the resultant  
9 money shall be deposited in the general fund of the county  
10 wherein such seizure occurred; money and other things of value  
11 shall be received by the State's Attorney and, upon  
12 liquidation, shall be deposited in the general fund of the  
13 county wherein such seizure occurred. However, in the event  
14 that a defendant raises the defense that the seized slot  
15 machine is an antique slot machine described in subparagraph  
16 (b) (7) of Section 28-1 of this Code and therefore he is exempt  
17 from the charge of a gambling activity participant, the seized  
18 antique slot machine shall not be destroyed or otherwise  
19 altered until a final determination is made by the Court as to  
20 whether it is such an antique slot machine. Upon a final  
21 determination by the Court of this question in favor of the  
22 defendant, such slot machine shall be immediately returned to  
23 the defendant. Such order of forfeiture and disposition shall,  
24 for the purposes of appeal, be a final order and judgment in a  
25 civil proceeding.

26 (d) If a seizure pursuant to subparagraph (b) of this

1 Section is not followed by a charge pursuant to subparagraph  
2 (c) of this Section, or if the prosecution of such charge is  
3 permanently terminated or indefinitely discontinued without  
4 any judgment of conviction or acquittal (1) the State's  
5 Attorney shall commence an in rem proceeding for the forfeiture  
6 and destruction of a gambling device, or for the forfeiture and  
7 deposit in the general fund of the county of any seized money  
8 or other things of value, or both, in the circuit court and (2)  
9 any person having any property interest in such seized gambling  
10 device, money or other thing of value may commence separate  
11 civil proceedings in the manner provided by law.

12 (e) Any gambling device displayed for sale to a riverboat  
13 gambling operation, casino gambling operation, or electronic  
14 gaming facility or used to train occupational licensees of a  
15 riverboat gambling operation, casino gambling operation, or  
16 electronic gaming facility as authorized under the Illinois  
17 ~~Riverboat~~ Gambling Act is exempt from seizure under this  
18 Section.

19 (f) Any gambling equipment, devices, and supplies provided  
20 by a licensed supplier in accordance with the Illinois  
21 ~~Riverboat~~ Gambling Act which are removed from a ~~the~~ riverboat, and  
22 casino, or electronic gaming facility for repair are exempt  
23 from seizure under this Section.

24 (g) The following video gaming terminals are exempt from  
25 seizure under this Section:

26 (1) Video gaming terminals for sale to a licensed

1 distributor or operator under the Video Gaming Act.

2 (2) Video gaming terminals used to train licensed  
3 technicians or licensed terminal handlers.

4 (3) Video gaming terminals that are removed from a  
5 licensed establishment, licensed truck stop establishment,  
6 licensed fraternal establishment, or licensed veterans  
7 establishment for repair.

8 (Source: P.A. 98-31, eff. 6-24-13.)

9 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

10 Sec. 28-7. Gambling contracts void.

11 (a) All promises, notes, bills, bonds, covenants,  
12 contracts, agreements, judgments, mortgages, or other  
13 securities or conveyances made, given, granted, drawn, or  
14 entered into, or executed by any person whatsoever, where the  
15 whole or any part of the consideration thereof is for any money  
16 or thing of value, won or obtained in violation of any Section  
17 of this Article are null and void.

18 (b) Any obligation void under this Section may be set aside  
19 and vacated by any court of competent jurisdiction, upon a  
20 complaint filed for that purpose, by the person so granting,  
21 giving, entering into, or executing the same, or by his  
22 executors or administrators, or by any creditor, heir, legatee,  
23 purchaser or other person interested therein; or if a judgment,  
24 the same may be set aside on motion of any person stated above,  
25 on due notice thereof given.

1 (c) No assignment of any obligation void under this Section  
2 may in any manner affect the defense of the person giving,  
3 granting, drawing, entering into or executing such obligation,  
4 or the remedies of any person interested therein.

5 (d) This Section shall not prevent a licensed owner or  
6 licensed manager of a riverboat gambling operation, casino  
7 gambling operation, or an electronic gaming licensee under the  
8 Illinois Gambling Act and the Illinois Horse Racing Act of 1975  
9 from instituting a cause of action to collect any amount due  
10 and owing under an extension of credit to a ~~riverboat~~ gambling  
11 patron as authorized under Section 11.1 of the Illinois  
12 ~~Riverboat~~ Gambling Act.

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

14 Section 82. The Eminent Domain Act is amended by changing  
15 Section 15-5-25 as follows:

16 (735 ILCS 30/15-5-25)

17 Sec. 15-5-25. Eminent domain powers in ILCS Chapters 205  
18 through 430. The following provisions of law may include  
19 express grants of the power to acquire property by condemnation  
20 or eminent domain:

21 (220 ILCS 5/8-509); Public Utilities Act; public utilities; for  
22 construction of certain improvements.

23 (220 ILCS 15/1); Gas Storage Act; corporations engaged in the

1 distribution, transportation, or storage of natural gas or  
2 manufactured gas; for their operations.

3 (220 ILCS 15/2 and 15/6); Gas Storage Act; corporations engaged  
4 in the distribution, transportation, or storage of natural  
5 gas or manufactured gas; for use of an underground  
6 geological formation for gas storage.

7 (220 ILCS 30/13); Electric Supplier Act; electric  
8 cooperatives; for general purposes.

9 (220 ILCS 55/3); Telegraph Act; telegraph companies; for  
10 telegraph lines.

11 (220 ILCS 65/4); Telephone Company Act; telecommunications  
12 carriers; for telephone company purposes.

13 (225 ILCS 435/23); Ferries Act; ferry operators; for a landing,  
14 ferryhouse, or approach.

15 (225 ILCS 440/9); Highway Advertising Control Act of 1971;  
16 Department of Transportation; for removal of signs  
17 adjacent to highways.

18 (230 ILCS 10/7.3a); Illinois Gambling Act; City of Chicago; for  
19 construction of gambling facilities.

20 (310 ILCS 5/6 and 5/38); State Housing Act; housing  
21 corporations; for general purposes.

22 (310 ILCS 10/8.3); Housing Authorities Act; housing  
23 authorities; for general purposes.

24 (310 ILCS 10/8.15); Housing Authorities Act; housing  
25 authorities; for implementation of conservation plans and  
26 demolition.

1 (310 ILCS 10/9); Housing Authorities Act; housing authorities;  
2 for general purposes.

3 (310 ILCS 20/5); Housing Development and Construction Act;  
4 housing authorities; for development or redevelopment.

5 (310 ILCS 35/2); House Relocation Act; political subdivisions  
6 and municipal corporations; for relocation of dwellings  
7 for highway construction.

8 (315 ILCS 5/14); Blighted Areas Redevelopment Act of 1947; land  
9 clearance commissions; for redevelopment projects.

10 (315 ILCS 10/5); Blighted Vacant Areas Development Act of 1949;  
11 State of Illinois; for housing development.

12 (315 ILCS 20/9 and 20/42); Neighborhood Redevelopment  
13 Corporation Law; neighborhood redevelopment corporations;  
14 for general purposes.

15 (315 ILCS 25/4 and 25/6); Urban Community Conservation Act;  
16 municipal conservation boards; for conservation areas.

17 (315 ILCS 30/12); Urban Renewal Consolidation Act of 1961;  
18 municipal departments of urban renewal; for blighted area  
19 redevelopment projects.

20 (315 ILCS 30/20 and 30/22); Urban Renewal Consolidation Act of  
21 1961; municipal departments of urban renewal; for  
22 implementing conservation areas.

23 (315 ILCS 30/24); Urban Renewal Consolidation Act of 1961;  
24 municipal departments of urban renewal; for general  
25 purposes.

26 (415 ILCS 95/6); Junkyard Act; Department of Transportation;



1           for junkyards or scrap processing facilities.  
2           (420 ILCS 35/1); Radioactive Waste Storage Act; Illinois  
3           Emergency Management Agency; for radioactive by-product  
4           and waste storage.  
5           (Source: P.A. 94-1055, eff. 1-1-07.)

6           Section 85. The Payday Loan Reform Act is amended by  
7           changing Section 3-5 as follows:

8           (815 ILCS 122/3-5)  
9           Sec. 3-5. Licensure.

10          (a) A license to make a payday loan shall state the  
11          address, including city and state, at which the business is to  
12          be conducted and shall state fully the name of the licensee.  
13          The license shall be conspicuously posted in the place of  
14          business of the licensee and shall not be transferable or  
15          assignable.

16          (b) An application for a license shall be in writing and in  
17          a form prescribed by the Secretary. The Secretary may not issue  
18          a payday loan license unless and until the following findings  
19          are made:

20                 (1) that the financial responsibility, experience,  
21                 character, and general fitness of the applicant are such as  
22                 to command the confidence of the public and to warrant the  
23                 belief that the business will be operated lawfully and  
24                 fairly and within the provisions and purposes of this Act;

1           and

2                   (2) that the applicant has submitted such other  
3           information as the Secretary may deem necessary.

4           (c) A license shall be issued for no longer than one year,  
5           and no renewal of a license may be provided if a licensee has  
6           substantially violated this Act and has not cured the violation  
7           to the satisfaction of the Department.

8           (d) A licensee shall appoint, in writing, the Secretary as  
9           attorney-in-fact upon whom all lawful process against the  
10          licensee may be served with the same legal force and validity  
11          as if served on the licensee. A copy of the written  
12          appointment, duly certified, shall be filed in the office of  
13          the Secretary, and a copy thereof certified by the Secretary  
14          shall be sufficient evidence to subject a licensee to  
15          jurisdiction in a court of law. This appointment shall remain  
16          in effect while any liability remains outstanding in this State  
17          against the licensee. When summons is served upon the Secretary  
18          as attorney-in-fact for a licensee, the Secretary shall  
19          immediately notify the licensee by registered mail, enclosing  
20          the summons and specifying the hour and day of service.

21          (e) A licensee must pay an annual fee of \$1,000. In  
22          addition to the license fee, the reasonable expense of any  
23          examination or hearing by the Secretary under any provisions of  
24          this Act shall be borne by the licensee. If a licensee fails to  
25          renew its license by December 31, its license shall  
26          automatically expire; however, the Secretary, in his or her

1 discretion, may reinstate an expired license upon:

2 (1) payment of the annual fee within 30 days of the  
3 date of expiration; and

4 (2) proof of good cause for failure to renew.

5 (f) Not more than one place of business shall be maintained  
6 under the same license, but the Secretary may issue more than  
7 one license to the same licensee upon compliance with all the  
8 provisions of this Act governing issuance of a single license.  
9 The location, except those locations already in existence as of  
10 June 1, 2005, may not be within one mile of a horse race track  
11 subject to the Illinois Horse Racing Act of 1975, within one  
12 mile of a facility at which gambling is conducted under the  
13 Illinois ~~Riverboat~~ Gambling Act, within one mile of the  
14 location at which a riverboat subject to the Illinois ~~Riverboat~~  
15 Gambling Act docks, or within one mile of any State of Illinois  
16 or United States military base or naval installation.

17 (g) No licensee shall conduct the business of making loans  
18 under this Act within any office, suite, room, or place of  
19 business in which (1) any loans are offered or made under the  
20 Consumer Installment Loan Act other than title secured loans as  
21 defined in subsection (a) of Section 15 of the Consumer  
22 Installment Loan Act and governed by Title 38, Section 110.330  
23 of the Illinois Administrative Code or (2) any other business  
24 is solicited or engaged in unless the other business is  
25 licensed by the Department or, in the opinion of the Secretary,  
26 the other business would not be contrary to the best interests

1 of consumers and is authorized by the Secretary in writing.

2 (g-5) Notwithstanding subsection (g) of this Section, a  
3 licensee may obtain a license under the Consumer Installment  
4 Loan Act (CILA) for the exclusive purpose and use of making  
5 title secured loans, as defined in subsection (a) of Section 15  
6 of CILA and governed by Title 38, Section 110.300 of the  
7 Illinois Administrative Code. A licensee may continue to  
8 service Consumer Installment Loan Act loans that were  
9 outstanding as of the effective date of this amendatory Act of  
10 the 96th General Assembly.

11 (h) The Secretary shall maintain a list of licensees that  
12 shall be available to interested consumers and lenders and the  
13 public. The Secretary shall maintain a toll-free number whereby  
14 consumers may obtain information about licensees. The  
15 Secretary shall also establish a complaint process under which  
16 an aggrieved consumer may file a complaint against a licensee  
17 or non-licensee who violates any provision of this Act.

18 (Source: P.A. 96-936, eff. 3-21-11.)

19 Section 90. The Travel Promotion Consumer Protection Act is  
20 amended by changing Section 2 as follows:

21 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

22 Sec. 2. Definitions.

23 (a) "Travel promoter" means a person, including a tour  
24 operator, who sells, provides, furnishes, contracts for,

1 arranges or advertises that he or she will arrange wholesale or  
2 retail transportation by air, land, sea or navigable stream,  
3 either separately or in conjunction with other services.  
4 "Travel promoter" does not include (1) an air carrier; (2) a  
5 sea carrier; (3) an officially appointed agent of an air  
6 carrier who is a member in good standing of the Airline  
7 Reporting Corporation; (4) a travel promoter who has in force  
8 \$1,000,000 or more of liability insurance coverage for  
9 professional errors and omissions and a surety bond or  
10 equivalent surety in the amount of \$100,000 or more for the  
11 benefit of consumers in the event of a bankruptcy on the part  
12 of the travel promoter; or (5) a riverboat subject to  
13 regulation under the Illinois Riverboat Gambling Act.

14 (b) "Advertise" means to make any representation in the  
15 solicitation of passengers and includes communication with  
16 other members of the same partnership, corporation, joint  
17 venture, association, organization, group or other entity.

18 (c) "Passenger" means a person on whose behalf money or  
19 other consideration has been given or is to be given to  
20 another, including another member of the same partnership,  
21 corporation, joint venture, association, organization, group  
22 or other entity, for travel.

23 (d) "Ticket or voucher" means a writing or combination of  
24 writings which is itself good and sufficient to obtain  
25 transportation and other services for which the passenger has  
26 contracted.

1 (Source: P.A. 91-357, eff. 7-29-99.)

2 Section 997. Severability. The provisions of this Act are  
3 severable under Section 1.31 of the Statute on Statutes.

4 Section 999. Effective date. This Act takes effect  
5 September 1, 2014.".