

1 AMENDMENT TO HOUSE BILL 145

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 145 by replacing  
3 everything after the enacting clause with the following:

4 "Section 3. The Department of Revenue Law of the Civil  
5 Administrative Code of Illinois is amended by changing  
6 Section 2505-305 as follows:

7 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

8 Sec. 2505-305. Investigators.

9 (a) The Department has the power to appoint  
10 investigators to conduct all investigations, searches,  
11 seizures, arrests, and other duties imposed under the  
12 provisions of any law administered by the Department or the  
13 Illinois Gaming Board. Except as provided in subsection (c),  
14 these investigators have and may exercise all the powers of  
15 peace officers solely for the purpose of enforcing taxing  
16 measures administered by the Department or the Illinois  
17 Gaming Board.

18 (b) The Director must authorize to each investigator  
19 employed under this Section and to any other employee of the  
20 Department exercising the powers of a peace officer a  
21 distinct badge that, on its face, (i) clearly states that the  
22 badge is authorized by the Department and (ii) contains a

1 unique identifying number. No other badge shall be authorized  
2 by the Department.

3 (c) Investigators appointed under this Section who are  
4 assigned to the Illinois Gaming Board have and may exercise  
5 all the rights and powers of peace officers, ~~7-provided-that~~  
6 ~~these-powers-shall--be--limited--to--offenses--or--violations~~  
7 ~~occurring--or-committed-on-a-riverboat-or-deck, as-defined-in~~  
8 ~~subsections-(d)--and--(f)--of--Section--4--of--the--Riverboat~~  
9 ~~Gambling-Act.~~

10 (Source: P.A. 91-239, eff. 1-1-00; 91-883, eff. 1-1-01;  
11 92-493, eff. 1-1-02.)

12 Section 5. The Riverboat Gambling Act is amended by  
13 changing Sections 5, 6, 8, 9, 11, 12, 13, 13.1, and 18 as  
14 follows:

15 (230 ILCS 10/5) (from Ch. 120, par. 2405)

16 Sec. 5. Gaming Board.

17 (a) (1) There is hereby established within the  
18 Department of Revenue an Illinois Gaming Board which shall  
19 have the powers and duties specified in this Act, and all  
20 other powers necessary and proper to fully and effectively  
21 execute this Act for the purpose of administering,  
22 regulating, and enforcing the system of riverboat gambling  
23 established by this Act. Its jurisdiction shall extend under  
24 this Act to every person, association, corporation,  
25 partnership and trust involved in riverboat gambling  
26 operations in the State of Illinois.

27 (2) The Board shall consist of 5 members to be appointed  
28 by the Governor with the advice and consent of the Senate,  
29 one of whom shall be designated by the Governor to be  
30 chairman. Each member shall have a reasonable knowledge of  
31 the practice, procedure and principles of gambling  
32 operations. Each member shall either be a resident of

1 Illinois or shall certify that he will become a resident of  
2 Illinois before taking office. At least one member shall be  
3 experienced in law enforcement and criminal investigation, at  
4 least one member shall be a certified public accountant  
5 experienced in accounting and auditing, and at least one  
6 member shall be a lawyer licensed to practice law in  
7 Illinois.

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

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

26 (5) No person shall be appointed a member of the Board  
27 or continue to be a member of the Board who is, or whose  
28 spouse, child or parent is, a member of the board of  
29 directors of, or a person financially interested in, any  
30 gambling operation subject to the jurisdiction of this Board,  
31 or any race track, race meeting, racing association or the  
32 operations thereof subject to the jurisdiction of the  
33 Illinois Racing Board. No Board member shall hold any other  
34 public office for which he shall receive compensation other

1 than necessary travel or other incidental expenses. No  
2 person shall be a member of the Board who is not of good  
3 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 (6) Any member of the Board may be removed by the  
7 Governor for neglect of duty, misfeasance, malfeasance, or  
8 nonfeasance in office.

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

28 (8) Upon the request of the Board, the Department shall  
29 employ such personnel as may be necessary to carry out the  
30 functions of the Board. No person shall be employed to serve  
31 the Board who is, or whose spouse, parent or child is, an  
32 official of, or has a financial interest in or financial  
33 relation with, any operator engaged in gambling operations  
34 within this State or any organization engaged in conducting

1 horse racing within this State. Any employee violating these  
2 prohibitions shall be subject to termination of employment.

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

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

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

30 (2) To conduct all hearings pertaining to civil  
31 violations of this Act or rules and regulations  
32 promulgated hereunder;

33 (3) To promulgate such rules and regulations as in  
34 its judgment may be necessary to protect or enhance the

1       credibility and integrity of gambling operations  
2       authorized by this Act and the regulatory process  
3       hereunder;

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

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

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

23            (7) To review and rule upon any complaint by a  
24       licensee regarding any investigative procedures of the  
25       State which are unnecessarily disruptive of gambling  
26       operations. The need to inspect and investigate shall be  
27       presumed at all times. The disruption of a licensee's  
28       operations shall be proved by clear and convincing  
29       evidence, and establish that: (A) the procedures had no  
30       reasonable law enforcement purposes, and (B) the  
31       procedures were so disruptive as to unreasonably inhibit  
32       gambling operations;

33            (8) To hold at least one meeting each quarter of  
34       the fiscal year. In addition, special meetings may be

1 called by the Chairman or any 2 Board members upon 72  
2 hours written notice to each member. All Board meetings  
3 shall be subject to the Open Meetings Act. Three members  
4 of the Board shall constitute a quorum, and 3 votes shall  
5 be required for any final determination by the Board.  
6 The Board shall keep a complete and accurate record of  
7 all its meetings. A majority of the members of the Board  
8 shall constitute a quorum for the transaction of any  
9 business, for the performance of any duty, or for the  
10 exercise of any power which this Act requires the Board  
11 members to transact, perform or exercise en banc, except  
12 that, upon order of the Board, one of the Board members  
13 or an administrative law judge designated by the Board  
14 may conduct any hearing provided for under this Act or by  
15 Board rule and may recommend findings and decisions to  
16 the Board. The Board member or administrative law judge  
17 conducting such hearing shall have all powers and rights  
18 granted to the Board in this Act. The record made at the  
19 time of the hearing shall be reviewed by the Board, or a  
20 majority thereof, and the findings and decision of the  
21 majority of the Board shall constitute the order of the  
22 Board in such case;

23 (9) To maintain records which are separate and  
24 distinct from the records of any other State board or  
25 commission. Such records shall be available for public  
26 inspection and shall accurately reflect all Board  
27 proceedings;

28 (10) To file a written annual report with the  
29 Governor on or before March 1 each year and such  
30 additional reports as the Governor may request. The  
31 annual report shall include a statement of receipts and  
32 disbursements by the Board, actions taken by the Board,  
33 and any additional information and recommendations which  
34 the Board may deem valuable or which the Governor may

1 request;

2 (11) (Blank); and

3 (12) To assume responsibility for the  
4 administration and enforcement of the Bingo License and  
5 Tax Act, the Charitable Games Act, and the Pull Tabs and  
6 Jar Games Act if such responsibility is delegated to it  
7 by the Director of Revenue.

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

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

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

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

33 (4) To enter the office, riverboats, facilities, or  
34 other places of business of a licensee, where evidence of



1 the compliance or noncompliance with the provisions of  
2 this Act is likely to be found.

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

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

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

14 (8) To require that the records, including  
15 financial or other statements of any licensee under this  
16 Act, shall be kept in such manner as prescribed by the  
17 Board and that any such licensee involved in the  
18 ownership or management of gambling operations submit to  
19 the Board an annual balance sheet and profit and loss  
20 statement, list of the stockholders or other persons  
21 having a 1% or greater beneficial interest in the  
22 gambling activities of each licensee, and any other  
23 information the Board deems necessary in order to  
24 effectively administer this Act and all rules,  
25 regulations, orders and final decisions promulgated under  
26 this Act.

27 (8.1) To determine which entities and persons are  
28 subject to Board approval for involvement in the  
29 ownership or operations of riverboat gambling in Illinois  
30 and to approve the participation of such entities and  
31 persons, including approvals related to parent and  
32 subsidiary entities.

33 (9) To conduct hearings, issue subpoenas for the  
34 attendance of witnesses and subpoenas duces tecum for the

1 production of books, records and other pertinent  
2 documents in accordance with the Illinois Administrative  
3 Procedure Act, and to administer oaths and affirmations  
4 to the witnesses, when, in the judgment of the Board, it  
5 is necessary to administer or enforce this Act or the  
6 Board rules.

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

11 (11) To revoke or suspend licenses, as the Board  
12 may see fit and in compliance with applicable laws of the  
13 State regarding administrative procedures, and to review  
14 applications for the renewal of licenses. The Board may  
15 suspend an owners license, without notice or hearing upon  
16 a determination that the safety or health of patrons or  
17 employees is jeopardized by continuing a riverboat's  
18 operation. The suspension may remain in effect until the  
19 Board determines that the cause for suspension has been  
20 abated. The Board may revoke the owners license upon a  
21 determination that the owner has not made satisfactory  
22 progress toward abating the hazard.

23 (12) To eject or exclude or authorize the ejection  
24 or exclusion of, any person from riverboat gambling  
25 facilities where such person is in violation of this Act,  
26 rules and regulations thereunder, or final orders of the  
27 Board, or where such person's conduct or reputation is  
28 such that his presence within the riverboat gambling  
29 facilities may, in the opinion of the Board, call into  
30 question the honesty and integrity of the gambling  
31 operations or interfere with orderly conduct thereof;  
32 provided that the propriety of such ejection or exclusion  
33 is subject to subsequent hearing by the Board.

34 (13) To require all licensees of gambling

1 operations to utilize a cashless wagering system whereby  
2 all players' money is converted to tokens, electronic  
3 cards, or chips which shall be used only for wagering in  
4 the gambling establishment.

5 (14) (Blank).

6 (15) To suspend, revoke or restrict licenses, to  
7 require the removal of a licensee or an employee,  
8 officer, director, or shareholder of a licensee, or to  
9 require the termination of a business relationship for a  
10 violation of this Act or a Board rule or for engaging in  
11 a fraudulent practice, and to impose civil penalties of  
12 up to \$5,000 against individuals and up to \$10,000 or an  
13 amount equal to the daily gross receipts, whichever is  
14 larger, against licensees for each violation of any  
15 provision of the Act, any rules adopted by the Board, any  
16 order of the Board or any other action which, in the  
17 Board's discretion, is a detriment or impediment to  
18 riverboat gambling operations.

19 (16) To hire employees to gather information,  
20 conduct investigations and carry out any other tasks  
21 contemplated 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  
25 alcoholic liquors, wine or beer as defined in the Liquor  
26 Control Act of 1934 on board a riverboat and to have  
27 exclusive authority to establish the hours for sale and  
28 consumption of alcoholic liquor on board a riverboat,  
29 notwithstanding any provision of the Liquor Control Act  
30 of 1934 or any local ordinance, and regardless of whether  
31 the riverboat makes excursions. The establishment of the  
32 hours for sale and consumption of alcoholic liquor on  
33 board a riverboat is an exclusive power and function of  
34 the State. A home rule unit may not establish the hours

1 for sale and consumption of alcoholic liquor on board a  
2 riverboat. This amendatory Act of 1991 is a denial and  
3 limitation of home rule powers and functions under  
4 subsection (h) of Section 6 of Article VII of the  
5 Illinois Constitution.

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

12 (19.2) To petition the circuit court of Sangamon  
13 County for appointment of a receiver for a riverboat  
14 gambling operation if either of the following conditions  
15 exist: (i) the Board has suspended, revoked, or refused  
16 to renew the license of the owner or (ii) the riverboat  
17 gambling operation is closing and the licensed owner is  
18 voluntarily surrendering its owners license. A receiver  
19 appointed by the court shall be an individual or entity  
20 selected from among up to 3 nominees submitted to the  
21 court by the Board. A copy of the petition and notice of  
22 a hearing, which must be held within 5 days of the filing  
23 of the petition, shall be served on the holder of the  
24 owners license as provided under the Civil Practice Law.  
25 The Board shall determine the amount of reasonable  
26 compensation, fees, and expenses to be assessed and  
27 retained by the receiver, which shall be paid from the  
28 adjusted gross receipts of the riverboat gambling  
29 operation, after the payment of wagering and admission  
30 taxes, for the services, costs, and expenses of the  
31 receiver and any other persons whom the receiver may  
32 engage to assist him or her in performing his or her  
33 duties. The compensation, fees, and expenses authorized  
34 by the Board shall have the same priority as the payment

1 and collection of taxes and fees to the State required  
 2 under this Act. The powers and duties of the receiver  
 3 shall be requested in the petition and determined by the  
 4 court, but in no event shall the duration of the  
 5 receivership exceed one year.

6 (19.3) To administer and enforce a self-exclusion  
 7 program for problem gamblers.

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

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

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

23 (e) The Board must authorize to each investigator and to  
 24 any other employee of the Board exercising the powers of a  
 25 peace officer a distinct badge that, on its face, (i) clearly  
 26 states that the badge is authorized by the Board and (ii)  
 27 contains a unique identifying number. No other badge shall  
 28 be authorized by the Board.

29 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00;  
 30 91-883, eff. 1-1-01.)

31 (230 ILCS 10/6) (from Ch. 120, par. 2406)

32 Sec. 6. Application for Owners License.

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

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

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

21 (c) Each applicant shall disclose the identity of every  
 22 person, association, trust or corporation having a greater  
 23 than 1% direct or indirect pecuniary interest in the  
 24 riverboat gambling operation with respect to which the  
 25 license is sought. If the disclosed entity is a trust, the  
 26 application shall disclose the names and addresses of the  
 27 beneficiaries; if a corporation, the names and addresses of  
 28 all stockholders and directors; if a partnership, the names  
 29 and addresses of all partners, both general and limited.

30 (d) An application shall be filed and considered  
 31 pursuant to the rules of with the Board by ~~January 1 of the~~  
 32 ~~year preceding any calendar year for which an applicant seeks~~  
 33 ~~an owners license; however, applications for an owners~~  
 34 ~~license permitting operations on January 1, 1991 shall be~~

1 ~~filed--by--July-17-1990~~. An application fee of \$50,000 shall  
2 be paid at the time of filing to defray the costs associated  
3 with the background investigation conducted by the Board. If  
4 the costs of the investigation exceed \$50,000, the applicant  
5 shall pay the additional amount to the Board. If the costs  
6 of the investigation are less than \$50,000, the applicant  
7 shall receive a refund of the remaining amount. All  
8 information, records, interviews, reports, statements,  
9 memoranda or other data supplied to or used by the Board in  
10 the course of its review or investigation of an application  
11 for a license under this Act shall be privileged, strictly  
12 confidential and shall be used only for the purpose of  
13 evaluating an applicant. Such information, records,  
14 interviews, reports, statements, memoranda or other data  
15 shall not be admissible as evidence, nor discoverable in any  
16 action of any kind in any court or before any tribunal,  
17 board, agency or person, except for any action deemed  
18 necessary by the Board.

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

24 (f) The licensed owner shall be the person primarily  
25 responsible for the boat itself. Only one riverboat gambling  
26 operation may be authorized by the Board on any riverboat.  
27 The applicant must identify each riverboat it intends to use  
28 and certify that the riverboat: (1) has the authorized  
29 capacity required in this Act; (2) is accessible to disabled  
30 persons; and (3) is fully registered and licensed in  
31 accordance with any applicable laws.

32 (f-5) The requirements of this Section apply to the  
33 issuance of any owners license under this Act and, pursuant  
34 to the rules of the Board, to the transfer of ownership

1 interests in an owners license.

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

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

5 (230 ILCS 10/8) (from Ch. 120, par. 2408)

6 Sec. 8. Suppliers licenses.

7 (a) The Board may issue a suppliers license to such  
8 persons, firms or corporations which apply therefor upon the  
9 payment of a non-refundable application fee set by the Board,  
10 upon a determination by the Board that the applicant is  
11 eligible for a suppliers license and upon payment of a \$5,000  
12 annual license fee. The Board may provide by rule for the  
13 annual suppliers license fee to be graduated on the basis of  
14 the amount of business transacted in Illinois by the  
15 supplier, but in no case may such graduated fees exceed  
16 \$5,000 per year.

17 (b) The holder of a suppliers license is authorized to  
18 sell or lease, and to contract to sell or lease, gambling  
19 equipment and supplies to any licensee involved in the  
20 ownership or management of gambling operations.

21 (c) Gambling supplies and equipment may not be  
22 distributed unless supplies and equipment conform to  
23 standards adopted by rules of the Board.

24 (d) A person, firm or corporation is ineligible to  
25 receive a suppliers license if:

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

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

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



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

2           (5) the firm or corporation is one in which a  
3 person defined in (1), (2), (3) or (4), is an officer,  
4 director or managerial employee;

5           (6) the firm or corporation employs a person who  
6 participates in the management or operation of riverboat  
7 gambling authorized under this Act;

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

12       (e) Any person that supplies any equipment, devices, or  
13 supplies to a licensed riverboat gambling operation must  
14 first obtain a suppliers license. A supplier shall furnish  
15 to the Board a list of all equipment, devices and supplies  
16 offered for sale or lease in connection with gambling games  
17 authorized under this Act. A supplier shall keep books and  
18 records for the furnishing of equipment, devices and supplies  
19 to gambling operations separate and distinct from any other  
20 business that the supplier might operate. A supplier shall  
21 file a quarterly return with the Board listing all sales and  
22 leases. A supplier shall permanently affix its name to all  
23 its equipment, devices, and supplies for gambling operations.  
24 Any supplier's equipment, devices or supplies which are used  
25 by any person in an unauthorized gambling operation shall be  
26 forfeited to the State. A licensed owner may own its own  
27 equipment, devices and supplies. Each holder of an owners  
28 license under the Act shall file an annual report listing its  
29 inventories of gambling equipment, devices and supplies.

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

32       (g) Any gambling equipment, devices and supplies  
33 provided by any licensed supplier may either be repaired on  
34 the riverboat or removed from the riverboat to an on-shore

1 facility owned by the holder of an owners license for repair.  
2 (Source: P.A. 86-1029; 87-826.)

3 (230 ILCS 10/9) (from Ch. 120, par. 2409)

4 Sec. 9. Occupational licenses.

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

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

15 (2) not have been convicted of a felony offense or  
16 7 a violation of Article 28 of the Criminal Code of 1961,  
17 or a similar statute of any other jurisdiction~~7--or--a~~  
18 ~~crime-involving-dishonesty-or-moral-turpitude;~~

19 (2.1) not have been convicted of a crime involving  
20 dishonesty or moral turpitude of such a type as to, in  
21 the sole discretion of the Board, negatively impact  
22 public confidence and trust in the credibility and  
23 integrity of riverboat gaming operations and the  
24 regulatory process;

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

28 (4) have met standards for the holding of an  
29 occupational license as adopted by rules of the Board.  
30 Such rules shall provide that any person or entity  
31 seeking an occupational license to manage gambling  
32 operations hereunder shall be subject to background  
33 inquiries and further requirements similar to those

1 required of applicants for an owners license.  
2 Furthermore, such rules shall provide that each such  
3 entity shall be permitted to manage gambling operations  
4 for only one licensed owner.

5 (b) Each application for an occupational license shall  
6 be 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  
10 any other state under any other name, and, if so, such name  
11 and his age; and whether or not a permit or license issued to  
12 him in any other state has been suspended, restricted or  
13 revoked, and, 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  
18 search and classification of fingerprints obtained by the  
19 Board with respect to the applicant's application. These  
20 fees shall be paid into the State Police Services Fund.

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

30 (e) The Board may suspend, revoke or restrict any  
31 occupational licensee: (1) for violation of any provision of  
32 this Act; (2) for violation of any of the rules and  
33 regulations of the Board; (3) for any cause which, if known  
34 to the Board, would have disqualified the applicant from

1 receiving such license; or (4) for default in the payment of  
2 any obligation or debt due to the State of Illinois; or (5)  
3 for any other just cause.

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

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

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

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

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

20 (230 ILCS 10/11) (from Ch. 120, par. 2411)

21 Sec. 11. Conduct of gambling. Gambling may be conducted  
22 by licensed owners aboard riverboats, subject to the  
23 following standards:

24 (1) A licensee may conduct riverboat gambling  
25 authorized under this Act regardless of whether it  
26 conducts excursion cruises. A licensee may permit the  
27 continuous ingress and egress of passengers for the  
28 purpose of gambling.

29 (2) (Blank).

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

32 (4) Agents of the Board and the Department of State  
33 Police may board and inspect any riverboat at any time

1 for 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  
4 Board, must stop immediately and lay to.

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

8 (6) Gambling equipment and supplies customarily  
9 used in conducting riverboat gambling must be purchased  
10 or leased only from suppliers licensed for such purpose  
11 under this Act, except that the Board may approve the  
12 sale or lease of gambling equipment and supplies by a  
13 licensed owner. A licensed owner may bring gambling  
14 equipment and supplies that it has legally acquired into  
15 this State for use in Illinois, subject to approval of  
16 the Board.

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

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

25 (9) Wagering shall not be conducted with money or  
26 other negotiable currency.

27 (10) A person under age 21 shall not be permitted  
28 in any area of a riverboat in which gambling is conducted  
29 ~~on--an--area--of--a--riverboat--where--gambling--is--being~~  
30 ~~conducted,--except--for--a--person--at--least--18--years--of--age~~  
31 ~~who--is--an--employee--of--the--riverboat--gambling--operation.~~  
32 No employee under age 21 shall perform any function  
33 involved in gambling by the patrons. No person under age  
34 21 shall be permitted to make a wager under this Act, and

1 any winnings that are the result of such an illegal wager  
2 by a person under age 21, whether or not paid by the  
3 riverboat gaming operation, shall be (i) treated as  
4 winnings for wagering tax purposes, (ii) confiscated, and  
5 (iii) forfeited to the State and deposited in the  
6 Education Assistance Fund.

7 (10.1) A person placed on the Self-Exclusion List  
8 shall not knowingly be permitted in any area of a  
9 riverboat in which gambling is conducted nor knowingly be  
10 permitted to make a wager. Any chips, tokens, or other  
11 wagering instruments discovered in his or her possession  
12 and all winnings, whether or not paid by the riverboat  
13 gambling operation to the person, shall be donated to the  
14 Department of Human Services-approved problem gambling  
15 charitable organization that was designated by the person  
16 at the time of his or her application for participation  
17 in the Self-Exclusion Program under subsection (c) of  
18 Section 13.1.

19 (11) Gambling excursion cruises shall be conducted  
20 pursuant to Section 11.3 are--permitted--only--when--the  
21 waterway--for--which--the--riverboat---is---licensed---is  
22 navigable,--as--determined--by--the--Board--in--consultation  
23 with--the--U.S.--Army--Corps--of--Engineers. This paragraph  
24 (11) does not limit the ability of a licensee to conduct  
25 gambling authorized under this Act when gambling  
26 excursion cruises are not permitted.

27 (12) All tokens, chips or electronic cards used to  
28 make wagers must be purchased from a licensed owner  
29 either aboard a riverboat or at an onshore facility which  
30 has been approved by the Board and which is located where  
31 the riverboat docks. The tokens, chips or electronic  
32 cards may be purchased by means of an agreement under  
33 which the owner extends credit to the patron. Such  
34 tokens, chips or electronic cards may be used while

1 aboard the riverboat only for the purpose of making  
2 wagers on gambling games.

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

18 (13.1) The Board shall establish all requirements  
19 for the times and conditions under which a licensed owner  
20 may conduct gaming. The Board shall limit the length of  
21 time for gambling excursions and the conditions under  
22 which gambling may be conducted while passenger ingress  
23 and egress is in progress.

24 (13.2) The Board shall ensure that each riverboat  
25 licensed under this Act operates as is reasonable and  
26 practicable given concerns for riverboat and passenger  
27 safety. As necessary, the Board shall consult with the  
28 U.S. Coast Guard and the U.S. Army Corps of Engineers.

29 (14) In addition to the above, gambling must be  
30 conducted in accordance with all rules adopted by the  
31 Board.

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

33 (230 ILCS 10/12) (from Ch. 120, par. 2412)

1           Sec. 12. Admission tax; fees.

2           (a) A tax is hereby imposed upon admissions authorized  
3 pursuant to this Act. Until July 1, 2002, the rate is \$2 per  
4 person admitted. Beginning July 1, 2002, the rate is \$3 per  
5 person admitted. This admission tax is imposed upon the  
6 licensed owner of the riverboat ~~e~~nducting gambling  
7 operation.

8           (1) The admission tax shall be paid for each  
9 admission.

10          (2) (Blank).

11          (3) The riverboat licensee may issue tax-free  
12 passes to actual and necessary officials and employees of  
13 the licensee or other persons actually working on the  
14 riverboat.

15          (4) The number and issuance of tax-free passes is  
16 subject to the rules of the Board, and a list of all  
17 persons to whom the tax-free passes are issued shall be  
18 filed with the Board.

19          (b) From the tax imposed under subsection (a), a  
20 municipality shall receive from the State \$1 for each person  
21 embarking on a riverboat docked within the municipality, and  
22 a county shall receive \$1 for each person embarking on a  
23 riverboat docked within the county but outside the boundaries  
24 of any municipality. The municipality's or county's share  
25 shall be collected by the Board on behalf of the State and  
26 remitted quarterly by the State, subject to appropriation, to  
27 the treasurer of the unit of local government for deposit in  
28 the general fund.

29          (c) The licensed owner shall pay the entire admission  
30 tax to the Board. Such payments shall be made daily.  
31 Accompanying each payment shall be a return on forms provided  
32 by the Board which shall include other information regarding  
33 admissions as the Board may require. Failure to submit  
34 either the payment or the return within the specified time



1 may result in suspension or revocation of the owners license.

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

8 (Source: P.A. 91-40, eff. 6-25-99; 92-595, eff. 6-28-02.)

9 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

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

21 20% of annual adjusted gross receipts in excess of  
22 \$25,000,000 but not exceeding \$50,000,000;

23 25% of annual adjusted gross receipts in excess of  
24 \$50,000,000 but not exceeding \$75,000,000;

25 30% of annual adjusted gross receipts in excess of  
26 \$75,000,000 but not exceeding \$100,000,000;

27 35% of annual adjusted gross receipts in excess of  
28 \$100,000,000.

29 Beginning July 1, 2002, a privilege tax is imposed on  
30 persons engaged in the business of conducting riverboat  
31 gambling operations, based on the adjusted gross receipts  
32 received by a licensed owner from gambling games authorized  
33 under this Act at the following rates:

1 15% of annual adjusted gross receipts up to and  
2 including \$25,000,000;

3 22.5% of annual adjusted gross receipts in excess of  
4 \$25,000,000 but not exceeding \$50,000,000;

5 27.5% of annual adjusted gross receipts in excess of  
6 \$50,000,000 but not exceeding \$75,000,000;

7 32.5% of annual adjusted gross receipts in excess of  
8 \$75,000,000 but not exceeding \$100,000,000;

9 37.5% of annual adjusted gross receipts in excess of  
10 \$100,000,000 but not exceeding \$150,000,000;

11 45% of annual adjusted gross receipts in excess of  
12 \$150,000,000 but not exceeding \$200,000,000;

13 50% of annual adjusted gross receipts in excess of  
14 \$200,000,000.

15 For the purpose of calculating the privilege tax under  
16 this subsection (a), the annual adjusted gross receipts of an  
17 owners licensee for any year shall be reduced by an amount  
18 equal to the amount of any payment made by the owners  
19 licensee in that year to (i) an Illinois not-for-profit  
20 organization, pursuant to an agreement, funded solely by a  
21 licensed owner for the primary benefit of educational,  
22 economic development, or environmental programs within this  
23 State or (ii) a county government, pursuant to an agreement  
24 between a licensed owner and a county government. In no  
25 event shall a reduction in the wagering tax imposed under  
26 this Section reduce the taxes owed by a licensee under this  
27 Section to less than zero.

28 The taxes imposed by this Section shall be paid by the  
29 licensed owner to the Board not later than 5:00 3:00 o'clock  
30 p.m. of the day after the day when the wagers were made.

31 (b) Until January 1, 1998, 25% of the tax revenue  
32 deposited in the State Gaming Fund under this Section shall  
33 be paid, subject to appropriation by the General Assembly, to  
34 the unit of local government which is designated as the home

1 dock of the riverboat. Beginning January 1, 1998, from the  
2 tax revenue deposited in the State Gaming Fund under this  
3 Section, an amount equal to 5% of adjusted gross receipts  
4 generated by a riverboat shall be paid monthly, subject to  
5 appropriation by the General Assembly, to the unit of local  
6 government that is designated as the home dock of the  
7 riverboat.

8 (c) Appropriations, as approved by the General Assembly,  
9 may be made from the State Gaming Fund to the Board  
10 ~~Department-of-Revenue-and-the-Department-of-State-Police~~ for  
11 the administration and enforcement of this Act.

12 (c-5) After the payments required under subsections (b)  
13 and (c) have been made, an amount equal to 15% of the  
14 adjusted gross receipts of a riverboat (1) that relocates  
15 pursuant to Section 11.2, or (2) for which an owners license  
16 is initially issued after the effective date of this  
17 amendatory Act of 1999, whichever comes first, shall be paid  
18 from the State Gaming Fund into the Horse Racing Equity Fund.

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

24 (c-15) After the payments required under subsections  
25 (b), (c), and (c-5) have been made, an amount equal to 2% of  
26 the adjusted gross receipts of a riverboat (1) that relocates  
27 pursuant to Section 11.2, or (2) for which an owners license  
28 is initially issued after the effective date of this  
29 amendatory Act of 1999, whichever comes first, shall be paid,  
30 subject to appropriation from the General Assembly, from the  
31 State Gaming Fund to each home rule county with a population  
32 of over 3,000,000 inhabitants for the purpose of enhancing  
33 the county's criminal justice system.

34 (c-20) Each year the General Assembly shall appropriate

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

5 (c-25) After the payments required under subsections  
6 (b), (c), (c-5) and (c-15) have been made, an amount equal to  
7 2% of the adjusted gross receipts of a riverboat (1) that  
8 relocates pursuant to Section 11.2, or (2) for which an  
9 owners license is initially issued after the effective date  
10 of this amendatory Act of 1999, whichever comes first, shall  
11 be paid from the State Gaming Fund into the State  
12 Universities Athletic Capital Improvement Fund.

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

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

22 (f) To the extent practicable, the Board shall  
23 administer and collect the wagering taxes imposed by this  
24 Section in a manner consistent with the provisions of  
25 Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b,  
26 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and  
27 Section 3-7 of the Uniform Penalty and Interest Act.

28 (Source: P.A. 91-40, eff. 6-25-99; 92-595, eff. 6-28-02.)

29 (230 ILCS 10/13.1)

30 Sec. 13.1. Compulsive gambling.

31 (a) Each licensed owner shall post signs with a  
32 statement regarding obtaining assistance with gambling  
33 problems, the text of which shall be determined by rule by

1 the Department of Human Services, at the following locations  
2 in each facility at which gambling is conducted by the  
3 licensed owner:

- 4 (i) Each entrance and exit.
- 5 (ii) Near each credit location.

6 The signs shall be provided by the Department of Human  
7 Services.

8 (b) Each licensed owner shall print a statement  
9 regarding obtaining assistance with gambling problems, the  
10 text of which shall be determined by rule by the Department  
11 of Human Services, on all paper stock that the licensed owner  
12 provides to the general public.

13 (c) The Board shall maintain a confidential  
14 Self-Exclusion List of persons who are prohibited from  
15 entering the area of a riverboat where gambling is conducted  
16 or making a wager at any riverboat gambling facility in  
17 Illinois. A person who applies to place his or her name on  
18 the Self-Exclusion List must designate a problem gambling  
19 charitable organization that has been approved by the  
20 Department of Human Services into which moneys shall be paid  
21 as provided in item (10.1) of Section 11. The  
22 confidentiality of the list shall be maintained in accordance  
23 with the Mental Health and Developmental Disabilities Act.

24 (d) Each licensed owner shall cooperate fully with  
25 implementing and enforcing the Self-Exclusion Program. A  
26 riverboat gambling operation involved in the enforcement of  
27 any provision of the Self-Exclusion Program, including but  
28 not limited to, the confiscation of winnings, chip, tokens,  
29 and other wagering instruments or the ejection of a person  
30 placed on Self-Exclusion List from the riverboat gambling  
31 operation, shall not be liable for reasonable and ordinary  
32 conduct attendant thereto. Nothing in this Act shall limit  
33 the liability of a riverboat gambling operation for willful  
34 or wanton conduct or acts or failures to act that are not

1 specifically authorized by the Board in the administration or  
2 enforcement of the Self-Exclusion Program.

3 (Source: P.A. 89-374, eff. 1-1-96; 89-507, eff. 7-1-97.)

4 (230 ILCS 10/18) (from Ch. 120, par. 2418)

5 Sec. 18. Prohibited Activities - Penalty.

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

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

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

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

14 (1) permitting a person under 21 years to make a  
15 wager; or

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

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

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

26 (1) Offers, promises, or gives anything of value or  
27 benefit to a person who is connected with a riverboat  
28 owner including, but not limited to, an officer or  
29 employee of a licensed owner or holder of an occupational  
30 license pursuant to an agreement or arrangement or with  
31 the intent that the promise or thing of value or benefit  
32 will influence the actions of the person to whom the  
33 offer, promise, or gift was made in order to affect or

1 attempt to affect the outcome of a gambling game, or to  
2 influence official action of a member of the Board.

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

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

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

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

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

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

23 (4) Cheats at a gambling game.

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

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

31 (7) Places a bet after acquiring knowledge, not  
32 available to all players, of the outcome of the gambling  
33 game which is subject of the bet or to aid a person in  
34 acquiring the knowledge for the purpose of placing a bet

1 contingent on that outcome.

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

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

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

18 (11) Agrees to share, receive, or transfer a direct  
19 or indirect financial or ownership interest in an owners  
20 license in violation of the disclosure and approval  
21 requirements of this Act and the rules of the Board.

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

26 (f) A person under the age of 21 years who enters upon a  
27 riverboat commits a petty offense. The fine to the  
28 individual for the first offense shall be not less than \$100  
29 nor more than \$250. The fine for a second or subsequent  
30 offense shall be not less than \$200 nor more than \$500.

31 (g) A participant in the Self-Exclusion Program who, at  
32 any time during his or her placement on the Self-Exclusion  
33 List, enters or attempts to enter the area of a riverboat  
34 where gambling is conducted or places wagers at a riverboat



1 shall be subject to arrest and prosecution for trespass and  
2 shall forfeit all chips, tokens, and other wagering  
3 instruments in his or her possession and all winnings,  
4 regardless of whether they have been paid by the gambling  
5 operation.

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

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

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law."