



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3742

Introduced 2/14/2020, by Sen. Cristina Castro

SYNOPSIS AS INTRODUCED:

230 ILCS 10/13

from Ch. 120, par. 2413

Amends the Illinois Gambling Act. Provides that a change in rates of the privilege tax imposed on casinos and riverboats begins on January 1, 2020 (rather than the first day new casino begin conducting gambling operations). Requires the Illinois Gaming Board to calculate the amount of privilege taxes collected from each owners licensee from January 1, 2020 until the effective date of the amendatory Act under the current tax rate and the amount of privilege taxes owed under the new tax rate from January 1, 2020 until the effective date of the amendatory Act and to calculate the difference between the rates and credit any overpaid amount of privilege taxes against the future privilege tax obligations of the owners license. Effective immediately.

LRB101 20142 SMS 69679 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The Illinois Gambling Act is amended by changing
5 Section 13 as follows:

6 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

16 15% of annual adjusted gross receipts up to and
17 including \$25,000,000;

18 20% of annual adjusted gross receipts in excess of
19 \$25,000,000 but not exceeding \$50,000,000;

20 25% of annual adjusted gross receipts in excess of
21 \$50,000,000 but not exceeding \$75,000,000;

22 30% of annual adjusted gross receipts in excess of
23 \$75,000,000 but not exceeding \$100,000,000;

1 35% of annual adjusted gross receipts in excess of
2 \$100,000,000.

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

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

12 22.5% of annual adjusted gross receipts in excess of
13 \$25,000,000 but not exceeding \$50,000,000;

14 27.5% of annual adjusted gross receipts in excess of
15 \$50,000,000 but not exceeding \$75,000,000;

16 32.5% of annual adjusted gross receipts in excess of
17 \$75,000,000 but not exceeding \$100,000,000;

18 37.5% of annual adjusted gross receipts in excess of
19 \$100,000,000 but not exceeding \$150,000,000;

20 45% of annual adjusted gross receipts in excess of
21 \$150,000,000 but not exceeding \$200,000,000;

22 50% of annual adjusted gross receipts in excess of
23 \$200,000,000.

24 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
25 persons engaged in the business of conducting riverboat
26 gambling operations, other than licensed managers conducting

1 riverboat gambling operations on behalf of the State, based on
2 the adjusted gross receipts received by a licensed owner from
3 gambling games authorized under this Act at the following
4 rates:

5 15% of annual adjusted gross receipts up to and
6 including \$25,000,000;

7 27.5% of annual adjusted gross receipts in excess of
8 \$25,000,000 but not exceeding \$37,500,000;

9 32.5% of annual adjusted gross receipts in excess of
10 \$37,500,000 but not exceeding \$50,000,000;

11 37.5% of annual adjusted gross receipts in excess of
12 \$50,000,000 but not exceeding \$75,000,000;

13 45% of annual adjusted gross receipts in excess of
14 \$75,000,000 but not exceeding \$100,000,000;

15 50% of annual adjusted gross receipts in excess of
16 \$100,000,000 but not exceeding \$250,000,000;

17 70% of annual adjusted gross receipts in excess of
18 \$250,000,000.

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

24 The privilege tax imposed under this subsection (a-3) shall
25 no longer be imposed beginning on the earlier of (i) July 1,
26 2005; (ii) the first date after June 20, 2003 that riverboat

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

9 (a-4) Beginning on the first day on which the tax imposed
10 under subsection (a-3) is no longer imposed and ending upon the
11 imposition of the privilege tax under subsection (a-5) of this
12 Section, a privilege tax is imposed on persons engaged in the
13 business of conducting gambling operations, other than
14 licensed managers conducting riverboat gambling operations on
15 behalf of the State, based on the adjusted gross receipts
16 received by a licensed owner from gambling games authorized
17 under this Act at the following rates:

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

20 22.5% of annual adjusted gross receipts in excess of
21 \$25,000,000 but not exceeding \$50,000,000;

22 27.5% of annual adjusted gross receipts in excess of
23 \$50,000,000 but not exceeding \$75,000,000;

24 32.5% of annual adjusted gross receipts in excess of
25 \$75,000,000 but not exceeding \$100,000,000;

26 37.5% of annual adjusted gross receipts in excess of

1 \$100,000,000 but not exceeding \$150,000,000;
2 45% of annual adjusted gross receipts in excess of
3 \$150,000,000 but not exceeding \$200,000,000;
4 50% of annual adjusted gross receipts in excess of
5 \$200,000,000.

6 For the imposition of the privilege tax in this subsection
7 (a-4), amounts paid pursuant to item (1) of subsection (b) of
8 Section 56 of the Illinois Horse Racing Act of 1975 shall not
9 be included in the determination of adjusted gross receipts.

10 (a-5) Beginning on January 1, 2020 ~~the first day that an~~
11 ~~owners licensee under paragraph (1), (2), (3), (4), (5), or (6)~~
12 ~~of subsection (c-5) of Section 7 conducts gambling operations,~~
13 ~~either in a temporary facility or a permanent facility,~~ a
14 privilege tax is imposed on persons engaged in the business of
15 conducting gambling operations, other than licensed managers
16 conducting riverboat gambling operations on behalf of the
17 State, based on the adjusted gross receipts received by such
18 licensee from the gambling games authorized under this Act. The
19 privilege tax for all gambling games other than table games,
20 including, but not limited to, slot machines, video game of
21 chance gambling, and electronic gambling games shall be at the
22 following rates:

23 15% of annual adjusted gross receipts up to and
24 including \$25,000,000;

25 22.5% of annual adjusted gross receipts in excess of
26 \$25,000,000 but not exceeding \$50,000,000;

1 27.5% of annual adjusted gross receipts in excess of
2 \$50,000,000 but not exceeding \$75,000,000;

3 32.5% of annual adjusted gross receipts in excess of
4 \$75,000,000 but not exceeding \$100,000,000;

5 37.5% of annual adjusted gross receipts in excess of
6 \$100,000,000 but not exceeding \$150,000,000;

7 45% of annual adjusted gross receipts in excess of
8 \$150,000,000 but not exceeding \$200,000,000;

9 50% of annual adjusted gross receipts in excess of
10 \$200,000,000.

11 The privilege tax for table games shall be at the following
12 rates:

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

15 20% of annual adjusted gross receipts in excess of
16 \$25,000,000.

17 For the imposition of the privilege tax in this subsection
18 (a-5), amounts paid pursuant to item (1) of subsection (b) of
19 Section 56 of the Illinois Horse Racing Act of 1975 shall not
20 be included in the determination of adjusted gross receipts.

21 As soon as practicable after the effective date of this
22 amendatory Act of the 101st General Assembly, the Board shall
23 calculate: (1) the amount of privilege taxes collected from
24 each owners licensee from January 1, 2020 until the effective
25 date of this amendatory Act of the 101st General Assembly
26 pursuant to the tax rates set forth in subsection (a-4) and (2)

1 the amount of privilege taxes each owners licensee owes under
2 this subsection (a-5) from January 1, 2020 until the effective
3 date of this amendatory Act of the 101st General Assembly. The
4 Board shall subtract the amount of privilege tax liability
5 calculated under subsection (a-5) from the privilege taxes
6 collected under subsection (a-4) and credit any overpaid amount
7 of privilege taxes against the future privilege tax obligations
8 of the owners license.

9 Notwithstanding the provisions of this subsection (a-5),
10 for the first 10 years that the privilege tax is imposed under
11 this subsection (a-5), the privilege tax shall be imposed on
12 the modified annual adjusted gross receipts of a riverboat or
13 casino conducting gambling operations in the City of East St.
14 Louis, unless:

15 (1) the riverboat or casino fails to employ at least
16 450 people;

17 (2) the riverboat or casino fails to maintain
18 operations in a manner consistent with this Act or is not a
19 viable riverboat or casino subject to the approval of the
20 Board; or

21 (3) the owners licensee is not an entity in which
22 employees participate in an employee stock ownership plan.

23 As used in this subsection (a-5), "modified annual adjusted
24 gross receipts" means:

25 (A) for calendar year 2020, the annual adjusted gross
26 receipts for the current year minus the difference between

1 an amount equal to the average annual adjusted gross
2 receipts from a riverboat or casino conducting gambling
3 operations in the City of East St. Louis for 2014, 2015,
4 2016, 2017, and 2018 and the annual adjusted gross receipts
5 for 2018;

6 (B) for calendar year 2021, the annual adjusted gross
7 receipts for the current year minus the difference between
8 an amount equal to the average annual adjusted gross
9 receipts from a riverboat or casino conducting gambling
10 operations in the City of East St. Louis for 2014, 2015,
11 2016, 2017, and 2018 and the annual adjusted gross receipts
12 for 2019; and

13 (C) for calendar years 2022 through 2029, the annual
14 adjusted gross receipts for the current year minus the
15 difference between an amount equal to the average annual
16 adjusted gross receipts from a riverboat or casino
17 conducting gambling operations in the City of East St.
18 Louis for 3 years preceding the current year and the annual
19 adjusted gross receipts for the immediately preceding
20 year.

21 (a-5.5) In addition to the privilege tax imposed under
22 subsection (a-5), a privilege tax is imposed on the owners
23 licensee under paragraph (1) of subsection (e-5) of Section 7
24 at the rate of one-third of the owners licensee's adjusted
25 gross receipts.

26 For the imposition of the privilege tax in this subsection

1 (a-5.5), amounts paid pursuant to item (1) of subsection (b) of
2 Section 56 of the Illinois Horse Racing Act of 1975 shall not
3 be included in the determination of adjusted gross receipts.

4 (a-6) From June 28, 2019 (the effective date of Public Act
5 101-31) ~~this amendatory Act of the 101st General Assembly~~ until
6 June 30, 2023, an owners licensee that conducted gambling
7 operations prior to January 1, 2011 shall receive a
8 dollar-for-dollar credit against the tax imposed under this
9 Section for any renovation or construction costs paid by the
10 owners licensee, but in no event shall the credit exceed
11 \$2,000,000.

12 Additionally, from June 28, 2019 (the effective date of
13 Public Act 101-31) ~~this amendatory Act of the 101st General~~
14 ~~Assembly~~ until December 31, 2022, an owners licensee that (i)
15 is located within 15 miles of the Missouri border, and (ii) has
16 at least 3 riverboats, casinos, or their equivalent within a
17 45-mile radius, may be authorized to relocate to a new location
18 with the approval of both the unit of local government
19 designated as the home dock and the Board, so long as the new
20 location is within the same unit of local government and no
21 more than 3 miles away from its original location. Such owners
22 licensee shall receive a credit against the tax imposed under
23 this Section equal to 8% of the total project costs, as
24 approved by the Board, for any renovation or construction costs
25 paid by the owners licensee for the construction of the new
26 facility, provided that the new facility is operational by July

1 1, 2022. In determining whether or not to approve a relocation,
2 the Board must consider the extent to which the relocation will
3 diminish the gaming revenues received by other Illinois gaming
4 facilities.

5 (a-7) Beginning in the initial adjustment year and through
6 the final adjustment year, if the total obligation imposed
7 pursuant to either subsection (a-5) or (a-6) will result in an
8 owners licensee receiving less after-tax adjusted gross
9 receipts than it received in calendar year 2018, then the total
10 amount of privilege taxes that the owners licensee is required
11 to pay for that calendar year shall be reduced to the extent
12 necessary so that the after-tax adjusted gross receipts in that
13 calendar year equals the after-tax adjusted gross receipts in
14 calendar year 2018, but the privilege tax reduction shall not
15 exceed the annual adjustment cap. If pursuant to this
16 subsection (a-7), the total obligation imposed pursuant to
17 either subsection (a-5) or (a-6) shall be reduced, then the
18 owners licensee shall not receive a refund from the State at
19 the end of the subject calendar year but instead shall be able
20 to apply that amount as a credit against any payments it owes
21 to the State in the following calendar year to satisfy its
22 total obligation under either subsection (a-5) or (a-6). The
23 credit for the final adjustment year shall occur in the
24 calendar year following the final adjustment year.

25 If an owners licensee that conducted gambling operations
26 prior to January 1, 2019 expands its riverboat or casino,

1 including, but not limited to, with respect to its gaming
2 floor, additional non-gaming amenities such as restaurants,
3 bars, and hotels and other additional facilities, and incurs
4 construction and other costs related to such expansion from
5 June 28, 2019 (the effective date of Public Act 101-31) ~~this~~
6 ~~amendatory Act of the 101st General Assembly~~ until June 28,
7 2024 (the 5th anniversary of the effective date of Public Act
8 101-31) ~~this amendatory Act of the 101st General Assembly~~, then
9 for each \$15,000,000 spent for any such construction or other
10 costs related to expansion paid by the owners licensee, the
11 final adjustment year shall be extended by one year and the
12 annual adjustment cap shall increase by 0.2% of adjusted gross
13 receipts during each calendar year until and including the
14 final adjustment year. No further modifications to the final
15 adjustment year or annual adjustment cap shall be made after
16 \$75,000,000 is incurred in construction or other costs related
17 to expansion so that the final adjustment year shall not extend
18 beyond the 9th calendar year after the initial adjustment year,
19 not including the initial adjustment year, and the annual
20 adjustment cap shall not exceed 4% of adjusted gross receipts
21 in a particular calendar year. Construction and other costs
22 related to expansion shall include all project related costs,
23 including, but not limited to, all hard and soft costs,
24 financing costs, on or off-site ground, road or utility work,
25 cost of gaming equipment and all other personal property,
26 initial fees assessed for each incremental gaming position, and

1 the cost of incremental land acquired for such expansion. Soft
2 costs shall include, but not be limited to, legal fees,
3 architect, engineering and design costs, other consultant
4 costs, insurance cost, permitting costs, and pre-opening costs
5 related to the expansion, including, but not limited to, any of
6 the following: marketing, real estate taxes, personnel,
7 training, travel and out-of-pocket expenses, supply,
8 inventory, and other costs, and any other project related soft
9 costs.

10 To be eligible for the tax credits in subsection (a-6), all
11 construction contracts shall include a requirement that the
12 contractor enter into a project labor agreement with the
13 building and construction trades council with geographic
14 jurisdiction of the location of the proposed gaming facility.

15 Notwithstanding any other provision of this subsection
16 (a-7), this subsection (a-7) does not apply to an owners
17 licensee unless such owners licensee spends at least
18 \$15,000,000 on construction and other costs related to its
19 expansion, excluding the initial fees assessed for each
20 incremental gaming position.

21 This subsection (a-7) does not apply to owners licensees
22 authorized pursuant to subsection (e-5) of Section 7 of this
23 Act.

24 For purposes of this subsection (a-7):

25 "Building and construction trades council" means any
26 organization representing multiple construction entities that

1 are monitoring or attentive to compliance with public or
2 workers' safety laws, wage and hour requirements, or other
3 statutory requirements or that are making or maintaining
4 collective bargaining agreements.

5 "Initial adjustment year" means the year commencing on
6 January 1 of the calendar year immediately following the
7 earlier of the following:

8 (1) the commencement of gambling operations, either in
9 a temporary or permanent facility, with respect to the
10 owners license authorized under paragraph (1) of
11 subsection (e-5) of Section 7 of this Act; or

12 (2) June 28, 2021 (24 months after the effective date
13 of Public Act 101-31); ~~this amendatory Act of the 101st
14 General Assembly,~~

15 provided the initial adjustment year shall not commence earlier
16 than June 28, 2020 (12 months after the effective date of
17 Public Act 101-31) ~~this amendatory Act of the 101st General
18 Assembly.~~

19 "Final adjustment year" means the 2nd calendar year after
20 the initial adjustment year, not including the initial
21 adjustment year, and as may be extended further as described in
22 this subsection (a-7).

23 "Annual adjustment cap" means 3% of adjusted gross receipts
24 in a particular calendar year, and as may be increased further
25 as otherwise described in this subsection (a-7).

26 (a-8) Riverboat gambling operations conducted by a

1 licensed manager on behalf of the State are not subject to the
2 tax imposed under this Section.

3 (a-9) Beginning on January 1, 2020, the calculation of
4 gross receipts or adjusted gross receipts, for the purposes of
5 this Section, for a riverboat, a casino, or an organization
6 gaming facility shall not include the dollar amount of
7 non-cashable vouchers, coupons, and electronic promotions
8 redeemed by wagerers upon the riverboat, in the casino, or in
9 the organization gaming facility up to and including an amount
10 not to exceed 20% of a riverboat's, a casino's, or an
11 organization gaming facility's adjusted gross receipts.

12 The Illinois Gaming Board shall submit to the General
13 Assembly a comprehensive report no later than March 31, 2023
14 detailing, at a minimum, the effect of removing non-cashable
15 vouchers, coupons, and electronic promotions from this
16 calculation on net gaming revenues to the State in calendar
17 years 2020 through 2022, the increase or reduction in wagerers
18 as a result of removing non-cashable vouchers, coupons, and
19 electronic promotions from this calculation, the effect of the
20 tax rates in subsection (a-5) on net gaming revenues to this
21 State, and proposed modifications to the calculation.

22 (a-10) The taxes imposed by this Section shall be paid by
23 the licensed owner or the organization gaming licensee to the
24 Board not later than 5:00 o'clock p.m. of the day after the day
25 when the wagers were made.

26 (a-15) If the privilege tax imposed under subsection (a-3)

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

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

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

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

17 "Base amount" means the following:

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

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

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

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

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

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

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

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

26 "Dormant license" has the meaning ascribed to it in

1 subsection (a-3).

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

6 The changes made to this subsection (a-15) by Public Act
7 94-839 are intended to restate and clarify the intent of Public
8 Act 94-673 with respect to the amount of the payments required
9 to be made under this subsection by an owners licensee to the
10 Board.

11 (b) From the tax revenue from riverboat or casino gambling
12 deposited in the State Gaming Fund under this Section, an
13 amount equal to 5% of adjusted gross receipts generated by a
14 riverboat or a casino, other than a riverboat or casino
15 designated in paragraph (1), (3), or (4) of subsection (e-5) of
16 Section 7, shall be paid monthly, subject to appropriation by
17 the General Assembly, to the unit of local government in which
18 the casino is located or that is designated as the home dock of
19 the riverboat. Notwithstanding anything to the contrary,
20 beginning on the first day that an owners licensee under
21 paragraph (1), (2), (3), (4), (5), or (6) of subsection (e-5)
22 of Section 7 conducts gambling operations, either in a
23 temporary facility or a permanent facility, and for 2 years
24 thereafter, a unit of local government designated as the home
25 dock of a riverboat whose license was issued before January 1,
26 2019, other than a riverboat conducting gambling operations in

1 the City of East St. Louis, shall not receive less under this
2 subsection (b) than the amount the unit of local government
3 received under this subsection (b) in calendar year 2018.
4 Notwithstanding anything to the contrary and because the City
5 of East St. Louis is a financially distressed city, beginning
6 on the first day that an owners licensee under paragraph (1),
7 (2), (3), (4), (5), or (6) of subsection (e-5) of Section 7
8 conducts gambling operations, either in a temporary facility or
9 a permanent facility, and for 10 years thereafter, a unit of
10 local government designated as the home dock of a riverboat
11 conducting gambling operations in the City of East St. Louis
12 shall not receive less under this subsection (b) than the
13 amount the unit of local government received under this
14 subsection (b) in calendar year 2018.

15 From the tax revenue deposited in the State Gaming Fund
16 pursuant to riverboat or casino gambling operations conducted
17 by a licensed manager on behalf of the State, an amount equal
18 to 5% of adjusted gross receipts generated pursuant to those
19 riverboat or casino gambling operations shall be paid monthly,
20 subject to appropriation by the General Assembly, to the unit
21 of local government that is designated as the home dock of the
22 riverboat upon which those riverboat gambling operations are
23 conducted or in which the casino is located.

24 From the tax revenue from riverboat or casino gambling
25 deposited in the State Gaming Fund under this Section, an
26 amount equal to 5% of the adjusted gross receipts generated by

1 a riverboat designated in paragraph (3) of subsection (e-5) of
2 Section 7 shall be divided and remitted monthly, subject to
3 appropriation, as follows: 70% to Waukegan, 10% to Park City,
4 15% to North Chicago, and 5% to Lake County.

5 From the tax revenue from riverboat or casino gambling
6 deposited in the State Gaming Fund under this Section, an
7 amount equal to 5% of the adjusted gross receipts generated by
8 a riverboat designated in paragraph (4) of subsection (e-5) of
9 Section 7 shall be remitted monthly, subject to appropriation,
10 as follows: 70% to the City of Rockford, 5% to the City of
11 Loves Park, 5% to the Village of Machesney, and 20% to
12 Winnebago County.

13 From the tax revenue from riverboat or casino gambling
14 deposited in the State Gaming Fund under this Section, an
15 amount equal to 5% of the adjusted gross receipts generated by
16 a riverboat designated in paragraph (5) of subsection (e-5) of
17 Section 7 shall be remitted monthly, subject to appropriation,
18 as follows: 2% to the unit of local government in which the
19 riverboat or casino is located, and 3% shall be distributed:
20 (A) in accordance with a regional capital development plan
21 entered into by the following communities: Village of Beecher,
22 City of Blue Island, Village of Burnham, City of Calumet City,
23 Village of Calumet Park, City of Chicago Heights, City of
24 Country Club Hills, Village of Crestwood, Village of Crete,
25 Village of Dixmoor, Village of Dolton, Village of East Hazel
26 Crest, Village of Flossmoor, Village of Ford Heights, Village

1 of Glenwood, City of Harvey, Village of Hazel Crest, Village of
2 Homewood, Village of Lansing, Village of Lynwood, City of
3 Markham, Village of Matteson, Village of Midlothian, Village of
4 Monee, City of Oak Forest, Village of Olympia Fields, Village
5 of Orland Hills, Village of Orland Park, City of Palos Heights,
6 Village of Park Forest, Village of Phoenix, Village of Posen,
7 Village of Richton Park, Village of Riverdale, Village of
8 Robbins, Village of Sauk Village, Village of South Chicago
9 Heights, Village of South Holland, Village of Steger, Village
10 of Thornton, Village of Tinley Park, Village of University Park
11 and Village of Worth; or (B) if no regional capital development
12 plan exists, equally among the communities listed in item (A)
13 to be used for capital expenditures or public pension payments,
14 or both.

15 Units of local government may refund any portion of the
16 payment that they receive pursuant to this subsection (b) to
17 the riverboat or casino.

18 (b-4) Beginning on the first day the licensee under
19 paragraph (5) of subsection (e-5) of Section 7 conducts
20 gambling operations, either in a temporary facility or a
21 permanent facility, and ending on July 31, 2042, from the tax
22 revenue deposited in the State Gaming Fund under this Section,
23 \$5,000,000 shall be paid annually, subject to appropriation, to
24 the host municipality of that owners licensee of a license
25 issued or re-issued pursuant to Section 7.1 of this Act before
26 January 1, 2012. Payments received by the host municipality

1 pursuant to this subsection (b-4) may not be shared with any
2 other unit of local government.

3 (b-5) Beginning on June 28, 2019 (the effective date of
4 Public Act 101-31) ~~this amendatory Act of the 101st General~~
5 ~~Assembly~~, from the tax revenue deposited in the State Gaming
6 Fund under this Section, an amount equal to 3% of adjusted
7 gross receipts generated by each organization gaming facility
8 located outside Madison County shall be paid monthly, subject
9 to appropriation by the General Assembly, to a municipality
10 other than the Village of Stickney in which each organization
11 gaming facility is located or, if the organization gaming
12 facility is not located within a municipality, to the county in
13 which the organization gaming facility is located, except as
14 otherwise provided in this Section. From the tax revenue
15 deposited in the State Gaming Fund under this Section, an
16 amount equal to 3% of adjusted gross receipts generated by an
17 organization gaming facility located in the Village of Stickney
18 shall be paid monthly, subject to appropriation by the General
19 Assembly, as follows: 25% to the Village of Stickney, 5% to the
20 City of Berwyn, 50% to the Town of Cicero, and 20% to the
21 Stickney Public Health District.

22 From the tax revenue deposited in the State Gaming Fund
23 under this Section, an amount equal to 5% of adjusted gross
24 receipts generated by an organization gaming facility located
25 in the City of Collinsville shall be paid monthly, subject to
26 appropriation by the General Assembly, as follows: 30% to the

1 City of Alton, 30% to the City of East St. Louis, and 40% to the
2 City of Collinsville.

3 Municipalities and counties may refund any portion of the
4 payment that they receive pursuant to this subsection (b-5) to
5 the organization gaming facility.

6 (b-6) Beginning on June 28, 2019 (the effective date of
7 Public Act 101-31) ~~this amendatory Act of the 101st General~~
8 ~~Assembly~~, from the tax revenue deposited in the State Gaming
9 Fund under this Section, an amount equal to 2% of adjusted
10 gross receipts generated by an organization gaming facility
11 located outside Madison County shall be paid monthly, subject
12 to appropriation by the General Assembly, to the county in
13 which the organization gaming facility is located for the
14 purposes of its criminal justice system or health care system.

15 Counties may refund any portion of the payment that they
16 receive pursuant to this subsection (b-6) to the organization
17 gaming facility.

18 (b-7) From the tax revenue from the organization gaming
19 licensee located in one of the following townships of Cook
20 County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or
21 Worth, an amount equal to 5% of the adjusted gross receipts
22 generated by that organization gaming licensee shall be
23 remitted monthly, subject to appropriation, as follows: 2% to
24 the unit of local government in which the organization gaming
25 licensee is located, and 3% shall be distributed: (A) in
26 accordance with a regional capital development plan entered

1 into by the following communities: Village of Beecher, City of
2 Blue Island, Village of Burnham, City of Calumet City, Village
3 of Calumet Park, City of Chicago Heights, City of Country Club
4 Hills, Village of Crestwood, Village of Crete, Village of
5 Dixmoor, Village of Dolton, Village of East Hazel Crest,
6 Village of Flossmoor, Village of Ford Heights, Village of
7 Glenwood, City of Harvey, Village of Hazel Crest, Village of
8 Homewood, Village of Lansing, Village of Lynwood, City of
9 Markham, Village of Matteson, Village of Midlothian, Village of
10 Monee, City of Oak Forest, Village of Olympia Fields, Village
11 of Orland Hills, Village of Orland Park, City of Palos Heights,
12 Village of Park Forest, Village of Phoenix, Village of Posen,
13 Village of Richton Park, Village of Riverdale, Village of
14 Robbins, Village of Sauk Village, Village of South Chicago
15 Heights, Village of South Holland, Village of Steger, Village
16 of Thornton, Village of Tinley Park, Village of University
17 Park, and Village of Worth; or (B) if no regional capital
18 development plan exists, equally among the communities listed
19 in item (A) to be used for capital expenditures or public
20 pension payments, or both.

21 (b-8) In lieu of the payments under subsection (b) of this
22 Section, the tax revenue from the privilege tax imposed by
23 subsection (a-5.5) shall be paid monthly, subject to
24 appropriation by the General Assembly, to the City of Chicago
25 and shall be expended or obligated by the City of Chicago for
26 pension payments in accordance with Public Act 99-506.

1 (c) Appropriations, as approved by the General Assembly,
2 may be made from the State Gaming Fund to the Board (i) for the
3 administration and enforcement of this Act and the Video Gaming
4 Act, (ii) for distribution to the Department of State Police
5 and to the Department of Revenue for the enforcement of this
6 Act, and the Video Gaming Act, and (iii) to the Department of
7 Human Services for the administration of programs to treat
8 problem gambling, including problem gambling from sports
9 wagering. The Board's annual appropriations request must
10 separately state its funding needs for the regulation of gaming
11 authorized under Section 7.7, riverboat gaming, casino gaming,
12 video gaming, and sports wagering.

13 (c-2) An amount equal to 2% of the adjusted gross receipts
14 generated by an organization gaming facility located within a
15 home rule county with a population of over 3,000,000
16 inhabitants shall be paid, subject to appropriation from the
17 General Assembly, from the State Gaming Fund to the home rule
18 county in which the organization gaming licensee is located for
19 the purpose of enhancing the county's criminal justice system.

20 (c-3) Appropriations, as approved by the General Assembly,
21 may be made from the tax revenue deposited into the State
22 Gaming Fund from organization gaming licensees pursuant to this
23 Section for the administration and enforcement of this Act.

24 (c-4) After payments required under subsections (b),
25 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from
26 the tax revenue from organization gaming licensees deposited

1 into the State Gaming Fund under this Section, all remaining
2 amounts from organization gaming licensees shall be
3 transferred into the Capital Projects Fund.

4 (c-5) (Blank).

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

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

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

26 (c-21) After the payments required under subsections (b),

1 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have
2 been made, an amount equal to 2% of the adjusted gross receipts
3 generated by the owners licensee under paragraph (1) of
4 subsection (e-5) of Section 7 shall be paid, subject to
5 appropriation from the General Assembly, from the State Gaming
6 Fund to the home rule county in which the owners licensee is
7 located for the purpose of enhancing the county's criminal
8 justice system.

9 (c-22) After the payments required under subsections (b),
10 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), (c-4), and
11 (c-21) have been made, an amount equal to 2% of the adjusted
12 gross receipts generated by the owners licensee under paragraph
13 (5) of subsection (e-5) of Section 7 shall be paid, subject to
14 appropriation from the General Assembly, from the State Gaming
15 Fund to the home rule county in which the owners licensee is
16 located for the purpose of enhancing the county's criminal
17 justice system.

18 (c-25) From July 1, 2013 and each July 1 thereafter through
19 July 1, 2019, \$1,600,000 shall be transferred from the State
20 Gaming Fund to the Chicago State University Education
21 Improvement Fund.

22 On July 1, 2020 and each July 1 thereafter, \$3,000,000
23 shall be transferred from the State Gaming Fund to the Chicago
24 State University Education Improvement Fund.

25 (c-30) On July 1, 2013 or as soon as possible thereafter,
26 \$92,000,000 shall be transferred from the State Gaming Fund to

1 the School Infrastructure Fund and \$23,000,000 shall be
2 transferred from the State Gaming Fund to the Horse Racing
3 Equity Fund.

4 (c-35) Beginning on July 1, 2013, in addition to any amount
5 transferred under subsection (c-30) of this Section,
6 \$5,530,000 shall be transferred monthly from the State Gaming
7 Fund to the School Infrastructure Fund.

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

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

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

23 (Source: P.A. 101-31, Article 25, Section 25-910, eff. 6-28-19;
24 101-31, Article 35, Section 35-55, eff. 6-28-19; revised
25 8-23-19.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.