

# SB1303



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1303

Introduced 2/3/2023, by Sen. Laura M. Murphy

### SYNOPSIS AS INTRODUCED:

230 ILCS 10/13

from Ch. 120, par. 2413

Amends the Illinois Gambling Act. Provides that beginning on the first day an owners licensee (rather than just an owners license authorizing the conduct of riverboat gambling in one of the specified townships of Cook County) conducts gambling operations, either in a temporary facility or a permanent facility, and ending on July 31, 2042, from the tax revenue deposited in the State Gaming Fund, \$5,000,000 shall be paid annually, subject to appropriation, to the host municipality of that owners licensee of a license issued or re-issued pursuant to provisions concerning re-issuance of revoked or non-renewed owners licenses before January 1, 2012. Effective immediately.

LRB103 27615 AMQ 53991 b

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  
5 changing 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  
13 conducting riverboat gambling operations, based on the  
14 adjusted gross receipts received by a licensed owner from  
15 gambling games authorized under this Act at the following  
16 rates:

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

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

21 25% of annual adjusted gross receipts in excess of  
22 \$50,000,000 but not exceeding \$75,000,000;

23 30% of annual adjusted gross receipts in excess of

1           \$75,000,000 but not exceeding \$100,000,000;  
2           35% of annual adjusted gross receipts in excess of  
3           \$100,000,000.

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

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

13           22.5% of annual adjusted gross receipts in excess of  
14 \$25,000,000 but not exceeding \$50,000,000;

15           27.5% of annual adjusted gross receipts in excess of  
16 \$50,000,000 but not exceeding \$75,000,000;

17           32.5% of annual adjusted gross receipts in excess of  
18 \$75,000,000 but not exceeding \$100,000,000;

19           37.5% of annual adjusted gross receipts in excess of  
20 \$100,000,000 but not exceeding \$150,000,000;

21           45% of annual adjusted gross receipts in excess of  
22 \$150,000,000 but not exceeding \$200,000,000;

23           50% of annual adjusted gross receipts in excess of  
24 \$200,000,000.

25           (a-3) Beginning July 1, 2003, a privilege tax is imposed  
26 on persons engaged in the business of conducting riverboat

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

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

8 27.5% of annual adjusted gross receipts in excess of  
9 \$25,000,000 but not exceeding \$37,500,000;

10 32.5% of annual adjusted gross receipts in excess of  
11 \$37,500,000 but not exceeding \$50,000,000;

12 37.5% of annual adjusted gross receipts in excess of  
13 \$50,000,000 but not exceeding \$75,000,000;

14 45% of annual adjusted gross receipts in excess of  
15 \$75,000,000 but not exceeding \$100,000,000;

16 50% of annual adjusted gross receipts in excess of  
17 \$100,000,000 but not exceeding \$250,000,000;

18 70% of annual adjusted gross receipts in excess of  
19 \$250,000,000.

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

25 The privilege tax imposed under this subsection (a-3)  
26 shall no longer be imposed beginning on the earlier of (i) July

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

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

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

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

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

32.5% of annual adjusted gross receipts in excess of

1           \$75,000,000 but not exceeding \$100,000,000;  
2           37.5% of annual adjusted gross receipts in excess of  
3           \$100,000,000 but not exceeding \$150,000,000;  
4           45% of annual adjusted gross receipts in excess of  
5           \$150,000,000 but not exceeding \$200,000,000;  
6           50% of annual adjusted gross receipts in excess of  
7           \$200,000,000.

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

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

1 than licensed managers conducting riverboat gambling  
2 operations on behalf of the State, based on the adjusted gross  
3 receipts received by such licensee from the gambling games  
4 authorized under this Act. The privilege tax for all gambling  
5 games other than table games, including, but not limited to,  
6 slot machines, video game of chance gambling, and electronic  
7 gambling games shall be at the following rates:

8 12% of annual adjusted gross receipts up to and  
9 including \$25,000,000 to the State and 10.5% of annual  
10 adjusted gross receipts up to and including \$25,000,000 to  
11 the City of Chicago;

12 16% of annual adjusted gross receipts in excess of  
13 \$25,000,000 but not exceeding \$50,000,000 to the State and  
14 14% of annual adjusted gross receipts in excess of  
15 \$25,000,000 but not exceeding \$50,000,000 to the City of  
16 Chicago;

17 20.1% of annual adjusted gross receipts in excess of  
18 \$50,000,000 but not exceeding \$75,000,000 to the State and  
19 17.4% of annual adjusted gross receipts in excess of  
20 \$50,000,000 but not exceeding \$75,000,000 to the City of  
21 Chicago;

22 21.4% of annual adjusted gross receipts in excess of  
23 \$75,000,000 but not exceeding \$100,000,000 to the State  
24 and 18.6% of annual adjusted gross receipts in excess of  
25 \$75,000,000 but not exceeding \$100,000,000 to the City of  
26 Chicago;



1           22.7% of annual adjusted gross receipts in excess of  
2           \$100,000,000 but not exceeding \$150,000,000 to the State  
3           and 19.8% of annual adjusted gross receipts in excess of  
4           \$100,000,000 but not exceeding \$150,000,000 to the City of  
5           Chicago;

6           24.1% of annual adjusted gross receipts in excess of  
7           \$150,000,000 but not exceeding \$225,000,000 to the State  
8           and 20.9% of annual adjusted gross receipts in excess of  
9           \$150,000,000 but not exceeding \$225,000,000 to the City of  
10          Chicago;

11          26.8% of annual adjusted gross receipts in excess of  
12          \$225,000,000 but not exceeding \$1,000,000,000 to the State  
13          and 23.2% of annual adjusted gross receipts in excess of  
14          \$225,000,000 but not exceeding \$1,000,000,000 to the City  
15          of Chicago;

16          40% of annual adjusted gross receipts in excess of  
17          \$1,000,000,000 to the State and 34.7% of annual gross  
18          receipts in excess of \$1,000,000,000 to the City of  
19          Chicago.

20          The privilege tax for table games shall be at the  
21          following rates:

22          8.1% of annual adjusted gross receipts up to and  
23          including \$25,000,000 to the State and 6.9% of annual  
24          adjusted gross receipts up to and including \$25,000,000 to  
25          the City of Chicago;

26          10.7% of annual adjusted gross receipts in excess of

1           \$25,000,000 but not exceeding \$75,000,000 to the State and  
2           9.3% of annual adjusted gross receipts in excess of  
3           \$25,000,000 but not exceeding \$75,000,000 to the City of  
4           Chicago;

5           11.2% of annual adjusted gross receipts in excess of  
6           \$75,000,000 but not exceeding \$175,000,000 to the State  
7           and 9.8% of annual adjusted gross receipts in excess of  
8           \$75,000,000 but not exceeding \$175,000,000 to the City of  
9           Chicago;

10          13.5% of annual adjusted gross receipts in excess of  
11          \$175,000,000 but not exceeding \$225,000,000 to the State  
12          and 11.5% of annual adjusted gross receipts in excess of  
13          \$175,000,000 but not exceeding \$225,000,000 to the City of  
14          Chicago;

15          15.1% of annual adjusted gross receipts in excess of  
16          \$225,000,000 but not exceeding \$275,000,000 to the State  
17          and 12.9% of annual adjusted gross receipts in excess of  
18          \$225,000,000 but not exceeding \$275,000,000 to the City of  
19          Chicago;

20          16.2% of annual adjusted gross receipts in excess of  
21          \$275,000,000 but not exceeding \$375,000,000 to the State  
22          and 13.8% of annual adjusted gross receipts in excess of  
23          \$275,000,000 but not exceeding \$375,000,000 to the City of  
24          Chicago;

25          18.9% of annual adjusted gross receipts in excess of  
26          \$375,000,000 to the State and 16.1% of annual gross

1 receipts in excess of \$375,000,000 to the City of Chicago.

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

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

12 (1) the riverboat or casino fails to employ at least  
13 450 people, except no minimum employment shall be required  
14 during 2020 and 2021 or during periods that the riverboat  
15 or casino is closed on orders of State officials for  
16 public health emergencies or other emergencies not caused  
17 by the riverboat or casino;

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

22 (3) the owners licensee is not an entity in which  
23 employees participate in an employee stock ownership plan  
24 or in which the owners licensee sponsors a 401(k)  
25 retirement plan and makes a matching employer contribution  
26 equal to at least one-quarter of the first 12% or one-half

1 of the first 6% of each participating employee's  
2 contribution, not to exceed any limitations under federal  
3 laws and regulations.

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

6 (A) for calendar year 2020, 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  
12 receipts for 2018;

13 (B) for calendar year 2021, the annual adjusted gross  
14 receipts for the current year minus the difference between  
15 an amount equal to the average annual adjusted gross  
16 receipts from a riverboat or casino conducting gambling  
17 operations in the City of East St. Louis for 2014, 2015,  
18 2016, 2017, and 2018 and the annual adjusted gross  
19 receipts for 2019; and

20 (C) for calendar years 2022 through 2029, the annual  
21 adjusted gross receipts for the current year minus the  
22 difference between an amount equal to the average annual  
23 adjusted gross receipts from a riverboat or casino  
24 conducting gambling operations in the City of East St.  
25 Louis for 3 years preceding the current year and the  
26 annual adjusted gross receipts for the immediately

1 preceding year.

2 (a-6) From June 28, 2019 (the effective date of Public Act  
3 101-31) until June 30, 2023, an owners licensee that conducted  
4 gambling operations prior to January 1, 2011 shall receive a  
5 dollar-for-dollar credit against the tax imposed under this  
6 Section for any renovation or construction costs paid by the  
7 owners licensee, but in no event shall the credit exceed  
8 \$2,000,000.

9 Additionally, from June 28, 2019 (the effective date of  
10 Public Act 101-31) until December 31, 2024, an owners licensee  
11 that (i) is located within 15 miles of the Missouri border, and  
12 (ii) has at least 3 riverboats, casinos, or their equivalent  
13 within a 45-mile radius, may be authorized to relocate to a new  
14 location with the approval of both the unit of local  
15 government designated as the home dock and the Board, so long  
16 as the new location is within the same unit of local government  
17 and no more than 3 miles away from its original location. Such  
18 owners licensee shall receive a credit against the tax imposed  
19 under this Section equal to 8% of the total project costs, as  
20 approved by the Board, for any renovation or construction  
21 costs paid by the owners licensee for the construction of the  
22 new facility, provided that the new facility is operational by  
23 July 1, 2024. In determining whether or not to approve a  
24 relocation, the Board must consider the extent to which the  
25 relocation will diminish the gaming revenues received by other  
26 Illinois gaming facilities.

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

22 If an owners licensee that conducted gambling operations  
23 prior to January 1, 2019 expands its riverboat or casino,  
24 including, but not limited to, with respect to its gaming  
25 floor, additional non-gaming amenities such as restaurants,  
26 bars, and hotels and other additional facilities, and incurs

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

1 related to the expansion, including, but not limited to, any  
2 of the following: marketing, real estate taxes, personnel,  
3 training, travel and out-of-pocket expenses, supply,  
4 inventory, and other costs, and any other project related soft  
5 costs.

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

11 Notwithstanding any other provision of this subsection  
12 (a-7), this subsection (a-7) does not apply to an owners  
13 licensee unless such owners licensee spends at least  
14 \$15,000,000 on construction and other costs related to its  
15 expansion, excluding the initial fees assessed for each  
16 incremental gaming position.

17 This subsection (a-7) does not apply to owners licensees  
18 authorized pursuant to subsection (e-5) of Section 7 of this  
19 Act.

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

21 "Building and construction trades council" means any  
22 organization representing multiple construction entities that  
23 are monitoring or attentive to compliance with public or  
24 workers' safety laws, wage and hour requirements, or other  
25 statutory requirements or that are making or maintaining  
26 collective bargaining agreements.



1 "Initial adjustment year" means the year commencing on  
2 January 1 of the calendar year immediately following the  
3 earlier of the following:

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

8 (2) June 28, 2021 (24 months after the effective date  
9 of Public Act 101-31);

10 provided the initial adjustment year shall not commence  
11 earlier than June 28, 2020 (12 months after the effective date  
12 of Public Act 101-31).

13 "Final adjustment year" means the 2nd calendar year after  
14 the initial adjustment year, not including the initial  
15 adjustment year, and as may be extended further as described  
16 in this subsection (a-7).

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

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

24 (a-9) Beginning on January 1, 2020, the calculation of  
25 gross receipts or adjusted gross receipts, for the purposes of  
26 this Section, for a riverboat, a casino, or an organization

1 gaming facility shall not include the dollar amount of  
2 non-cashable vouchers, coupons, and electronic promotions  
3 redeemed by wagerers upon the riverboat, in the casino, or in  
4 the organization gaming facility up to and including an amount  
5 not to exceed 20% of a riverboat's, a casino's, or an  
6 organization gaming facility's adjusted gross receipts.

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

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

21 (a-15) If the privilege tax imposed under subsection (a-3)  
22 is no longer imposed pursuant to item (i) of the last paragraph  
23 of subsection (a-3), then by June 15 of each year, each owners  
24 licensee, other than an owners licensee that admitted  
25 1,000,000 persons or fewer in calendar year 2004, must, in  
26 addition to the payment of all amounts otherwise due under

1 this Section, pay to the Board a reconciliation payment in the  
2 amount, if any, by which the licensed owner's base amount  
3 exceeds the amount of net privilege tax paid by the licensed  
4 owner to the Board in the then current State fiscal year. A  
5 licensed owner's net privilege tax obligation due for the  
6 balance of the State fiscal year shall be reduced up to the  
7 total of the amount paid by the licensed owner in its June 15  
8 reconciliation payment. The obligation imposed by this  
9 subsection (a-15) is binding on any person, firm, corporation,  
10 or other entity that acquires an ownership interest in any  
11 such owners license. The obligation imposed under this  
12 subsection (a-15) terminates on the earliest of: (i) July 1,  
13 2007, (ii) the first day after August 23, 2005 (the effective  
14 date of Public Act 94-673) that riverboat gambling operations  
15 are conducted pursuant to a dormant license, (iii) the first  
16 day that riverboat gambling operations are conducted under the  
17 authority of an owners license that is in addition to the 10  
18 owners licenses initially authorized under this Act, or (iv)  
19 the first day that a licensee under the Illinois Horse Racing  
20 Act of 1975 conducts gaming operations with slot machines or  
21 other electronic gaming devices. The Board must reduce the  
22 obligation imposed under this subsection (a-15) by an amount  
23 the Board deems reasonable for any of the following reasons:  
24 (A) an act or acts of God, (B) an act of bioterrorism or  
25 terrorism or a bioterrorism or terrorism threat that was  
26 investigated by a law enforcement agency, or (C) a condition

1 beyond the control of the owners licensee that does not result  
2 from any act or omission by the owners licensee or any of its  
3 agents and that poses a hazardous threat to the health and  
4 safety of patrons. If an owners licensee pays an amount in  
5 excess of its liability under this Section, the Board shall  
6 apply the overpayment to future payments required under this  
7 Section.

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

9 "Act of God" means an incident caused by the operation of  
10 an extraordinary force that cannot be foreseen, that cannot be  
11 avoided by the exercise of due care, and for which no person  
12 can be held liable.

13 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

24 "Net privilege tax" means all privilege taxes paid by a  
25 licensed owner to the Board under this Section, less all  
26 payments made from the State Gaming Fund pursuant to

1 subsection (b) of this Section.

2 The changes made to this subsection (a-15) by Public Act  
3 94-839 are intended to restate and clarify the intent of  
4 Public Act 94-673 with respect to the amount of the payments  
5 required to be made under this subsection by an owners  
6 licensee to the Board.

7 (b) From the tax revenue from riverboat or casino gambling  
8 deposited in the State Gaming Fund under this Section, an  
9 amount equal to 5% of adjusted gross receipts generated by a  
10 riverboat or a casino, other than a riverboat or casino  
11 designated in paragraph (1), (3), or (4) of subsection (e-5)  
12 of Section 7, shall be paid monthly, subject to appropriation  
13 by the General Assembly, to the unit of local government in  
14 which the casino is located or that is designated as the home  
15 dock of the riverboat. Notwithstanding anything to the  
16 contrary, beginning on the first day that an owners licensee  
17 under paragraph (1), (2), (3), (4), (5), or (6) of subsection  
18 (e-5) of Section 7 conducts gambling operations, either in a  
19 temporary facility or a permanent facility, and for 2 years  
20 thereafter, a unit of local government designated as the home  
21 dock of a riverboat whose license was issued before January 1,  
22 2019, other than a riverboat conducting gambling operations in  
23 the City of East St. Louis, shall not receive less under this  
24 subsection (b) than the amount the unit of local government  
25 received under this subsection (b) in calendar year 2018.  
26 Notwithstanding anything to the contrary and because the City

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

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

20 From the tax revenue from riverboat or casino gambling  
21 deposited in the State Gaming Fund under this Section, an  
22 amount equal to 5% of the adjusted gross receipts generated by  
23 a riverboat designated in paragraph (3) of subsection (e-5) of  
24 Section 7 shall be divided and remitted monthly, subject to  
25 appropriation, as follows: 70% to Waukegan, 10% to Park City,  
26 15% to North Chicago, and 5% to Lake County.

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

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

1 Village of Orland Hills, Village of Orland Park, City of Palos  
2 Heights, Village of Park Forest, Village of Phoenix, Village  
3 of Posen, Village of Richton Park, Village of Riverdale,  
4 Village of Robbins, Village of Sauk Village, Village of South  
5 Chicago Heights, Village of South Holland, Village of Steger,  
6 Village of Thornton, Village of Tinley Park, Village of  
7 University Park, and Village of Worth; or (B) if no regional  
8 capital development plan exists, equally among the communities  
9 listed in item (A) to be used for capital expenditures or  
10 public pension payments, or both.

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

14 (b-4) Beginning on the first day a ~~the~~ licensee under  
15 ~~paragraph (5) of~~ subsection (e-5) of Section 7 conducts  
16 gambling operations, either in a temporary facility or a  
17 permanent facility, and ending on July 31, 2042, from the tax  
18 revenue deposited in the State Gaming Fund under this Section,  
19 \$5,000,000 shall be paid annually, subject to appropriation,  
20 to the host municipality of that owners licensee of a license  
21 issued or re-issued pursuant to Section 7.1 of this Act before  
22 January 1, 2012. Payments received by the host municipality  
23 pursuant to this subsection (b-4) may not be shared with any  
24 other unit of local government.

25 (b-5) Beginning on June 28, 2019 (the effective date of  
26 Public Act 101-31), from the tax revenue deposited in the



1 State Gaming Fund under this Section, an amount equal to 3% of  
2 adjusted gross receipts generated by each organization gaming  
3 facility located outside Madison County shall be paid monthly,  
4 subject to appropriation by the General Assembly, to a  
5 municipality other than the Village of Stickney in which each  
6 organization gaming facility is located or, if the  
7 organization gaming facility is not located within a  
8 municipality, to the county in which the organization gaming  
9 facility is located, except as otherwise provided in this  
10 Section. From the tax revenue deposited in the State Gaming  
11 Fund under this Section, an amount equal to 3% of adjusted  
12 gross receipts generated by an organization gaming facility  
13 located in the Village of Stickney shall be paid monthly,  
14 subject to appropriation by the General Assembly, as follows:  
15 25% to the Village of Stickney, 5% to the City of Berwyn, 50%  
16 to the Town of Cicero, and 20% to the Stickney Public Health  
17 District.

18 From the tax revenue deposited in the State Gaming Fund  
19 under this Section, an amount equal to 5% of adjusted gross  
20 receipts generated by an organization gaming facility located  
21 in the City of Collinsville shall be paid monthly, subject to  
22 appropriation by the General Assembly, as follows: 30% to the  
23 City of Alton, 30% to the City of East St. Louis, and 40% to  
24 the City of Collinsville.

25 Municipalities and counties may refund any portion of the  
26 payment that they receive pursuant to this subsection (b-5) to

1 the organization gaming facility.

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

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

14 (b-7) From the tax revenue from the organization gaming  
15 licensee located in one of the following townships of Cook  
16 County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or  
17 Worth, an amount equal to 5% of the adjusted gross receipts  
18 generated by that organization gaming licensee shall be  
19 remitted monthly, subject to appropriation, as follows: 2% to  
20 the unit of local government in which the organization gaming  
21 licensee is located, and 3% shall be distributed: (A) in  
22 accordance with a regional capital development plan entered  
23 into by the following communities: Village of Beecher, City of  
24 Blue Island, Village of Burnham, City of Calumet City, Village  
25 of Calumet Park, City of Chicago Heights, City of Country Club  
26 Hills, Village of Crestwood, Village of Crete, Village of

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

17 (b-8) In lieu of the payments under subsection (b) of this  
18 Section, from the tax revenue deposited in the State Gaming  
19 Fund pursuant to riverboat or casino gambling operations  
20 conducted by an owners licensee under paragraph (1) of  
21 subsection (e-5) of Section 7, an amount equal to the tax  
22 revenue generated from the privilege tax imposed by paragraph  
23 (2) of subsection (a-5) that is to be paid to the City of  
24 Chicago shall be paid monthly, subject to appropriation by the  
25 General Assembly, as follows: (1) an amount equal to 0.5% of  
26 the annual adjusted gross receipts generated by the owners

1 licensee under paragraph (1) of subsection (e-5) of Section 7  
2 to the home rule county in which the owners licensee is located  
3 for the purpose of enhancing the county's criminal justice  
4 system; and (2) the balance to the City of Chicago and shall be  
5 expended or obligated by the City of Chicago for pension  
6 payments in accordance with Public Act 99-506.

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

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

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

6 (c-4) After payments required under subsections (b),  
7 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from  
8 the tax revenue from organization gaming licensees deposited  
9 into the State Gaming Fund under this Section, all remaining  
10 amounts from organization gaming licensees shall be  
11 transferred into the Capital Projects Fund.

12 (c-5) (Blank).

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

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

1 home rule county with a population of over 3,000,000  
2 inhabitants for the purpose of enhancing the county's criminal  
3 justice system.

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

9 (c-21) After the payments required under subsections (b),  
10 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have  
11 been made, an amount equal to 0.5% of the adjusted gross  
12 receipts generated by the owners licensee under paragraph (1)  
13 of subsection (e-5) of Section 7 shall be paid monthly,  
14 subject to appropriation from the General Assembly, from the  
15 State Gaming Fund to the home rule county in which the owners  
16 licensee is located for the purpose of enhancing the county's  
17 criminal justice system.

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

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

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

8 (c-30) On July 1, 2013 or as soon as possible thereafter,  
9 \$92,000,000 shall be transferred from the State Gaming Fund to  
10 the School Infrastructure Fund and \$23,000,000 shall be  
11 transferred from the State Gaming Fund to the Horse Racing  
12 Equity Fund.

13 (c-35) Beginning on July 1, 2013, in addition to any  
14 amount transferred under subsection (c-30) of this Section,  
15 \$5,530,000 shall be transferred monthly from the State Gaming  
16 Fund to the School Infrastructure Fund.

17 (d) From time to time, through June 30, 2021, the Board  
18 shall transfer the remainder of the funds generated by this  
19 Act into the Education Assistance Fund.

20 (d-5) Beginning on July 1, 2021, on the last day of each  
21 month, or as soon thereafter as possible, after all the  
22 required expenditures, distributions, and transfers have been  
23 made from the State Gaming Fund for the month pursuant to  
24 subsections (b) through (c-35), at the direction of the Board,  
25 the Comptroller shall direct and the Treasurer shall transfer  
26 \$22,500,000, along with any deficiencies in such amounts from

1 prior months in the same fiscal year, from the State Gaming  
2 Fund to the Education Assistance Fund; then, at the direction  
3 of the Board, the Comptroller shall direct and the Treasurer  
4 shall transfer the remainder of the funds generated by this  
5 Act, if any, from the State Gaming Fund to the Capital Projects  
6 Fund.

7 (e) Nothing in this Act shall prohibit the unit of local  
8 government designated as the home dock of the riverboat from  
9 entering into agreements with other units of local government  
10 in this State or in other states to share its portion of the  
11 tax revenue.

12 (f) To the extent practicable, the Board shall administer  
13 and collect the wagering taxes imposed by this Section in a  
14 manner consistent with the provisions of Sections 4, 5, 5a,  
15 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of  
16 the Retailers' Occupation Tax Act and Section 3-7 of the  
17 Uniform Penalty and Interest Act.

18 (Source: P.A. 101-31, Article 25, Section 25-910, eff.  
19 6-28-19; 101-31, Article 35, Section 35-55, eff. 6-28-19;  
20 101-648, eff. 6-30-20; 102-16, eff. 6-17-21; 102-538, eff.  
21 8-20-21; 102-689, eff. 12-17-21; 102-699, eff. 4-19-22.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.