

1 AN ACT concerning local government.

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

4 Section 5. The State Finance Act is amended by adding
5 Section 5.595 as follows:

6 (30 ILCS 105/5.595 new)

7 Sec. 5.595. The Special Recreation Services Fund.

8 Section 10. The Riverboat Gambling Act is amended by
9 changing Section 13 as follows:

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

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

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

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

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

22 20% of annual adjusted gross receipts in excess of
23 \$25,000,000 but not exceeding \$50,000,000;

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

26 30% of annual adjusted gross receipts in excess of
27 \$75,000,000 but not exceeding \$100,000,000;

28 35% of annual adjusted gross receipts in excess of
29 \$100,000,000.

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

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

8 22.5% of annual adjusted gross receipts in excess of
9 \$25,000,000 but not exceeding \$50,000,000;

10 27.5% of annual adjusted gross receipts in excess of
11 \$50,000,000 but not exceeding \$75,000,000;

12 32.5% of annual adjusted gross receipts in excess of
13 \$75,000,000 but not exceeding \$100,000,000;

14 37.5% of annual adjusted gross receipts in excess of
15 \$100,000,000 but not exceeding \$150,000,000;

16 45% of annual adjusted gross receipts in excess of
17 \$150,000,000 but not exceeding \$200,000,000;

18 50% of annual adjusted gross receipts in excess of
19 \$200,000,000.

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

23 (b) Until January 1, 1998, 25% of the tax revenue
24 deposited in the State Gaming Fund under this Section shall
25 be paid, subject to appropriation by the General Assembly, to
26 the unit of local government which is designated as the home
27 dock of the riverboat. Beginning January 1, 1998, from the
28 tax revenue deposited in the State Gaming Fund under this
29 Section, an amount equal to 5% of adjusted gross receipts
30 generated by a riverboat shall be paid monthly, subject to
31 appropriation by the General Assembly, to the unit of local
32 government that is designated as the home dock of the
33 riverboat.

34 (c) Appropriations, as approved by the General Assembly,

1 may be made from the State Gaming Fund to the Department of
2 Revenue and the Department of State Police for the
3 administration and enforcement of this Act.

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

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

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

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

31 (c-25) After the payments required under subsections
32 (b), (c), (c-5) and (c-15) have been made, an amount equal to
33 2% of the adjusted gross receipts of a riverboat (1) that
34 relocates pursuant to Section 11.2, or (2) for which an

1 owners license is initially issued after the effective date
2 of this amendatory Act of 1999, whichever comes first, shall
3 be paid from the State Gaming Fund into the State
4 Universities Athletic Capital Improvement Fund.

5 (c-30) After the payments required under subsections
6 (b), (c), (c-5), (c-15), and (c-25) have been made, an amount
7 equal to 3% of the adjusted gross receipts deposited into the
8 State Gaming Fund shall be transferred monthly into the
9 Special Recreation Services Fund, a special fund in the State
10 treasury that is hereby created. Moneys in the Special
11 Recreation Services Fund shall be used for grants to special
12 recreation associations. As used in this Section, "special
13 recreation association" means an association formed to
14 provide recreational programs for the handicapped as a result
15 of a joint agreement entered into under Section 8-10b of the
16 Park District Code or Section 11-95-14 of the Illinois
17 Municipal Code.

18 On or before February 1, 2004 and on or before each
19 February 1 thereafter, to be eligible to receive a grant from
20 the Special Recreation Services Fund in the following fiscal
21 year, a special recreation association must certify the
22 following to the Department of Revenue:

23 (1) A copy of the joint agreement entered into to
24 create the special recreation association.

25 (2) The population of the geographical area that
26 comprises the area represented by the special recreation
27 association.

28 On or before April 1, 2004 and on or before each April 1
29 thereafter, the Department of Revenue shall certify to the
30 Governor and to the Speaker of the House of Representatives
31 and the President of the Senate the unencumbered amount in
32 the Special Recreation Services Fund. Each year the General
33 Assembly shall appropriate from the Special Recreation
34 Services Fund to the Department of Revenue for grants to

1 special recreation associations the unencumbered amount in
2 the Special Recreation Services Fund as certified by the
3 Department of Revenue.

4 On or before August 1, 2004, and on or before each August
5 1 thereafter, the Department of Revenue shall make grants to
6 special recreation associations that certified eligibility
7 for that fiscal year. The grants shall be made in rounds.

8 In the first round, each special recreation association
9 that certified eligibility for that fiscal year shall receive
10 a grant in the same proportion of the entire grant moneys
11 available as the population of the geographic area that
12 comprises the area represented by the special recreation
13 association is to the population of the geographic area that
14 comprises the areas represented by all of the special
15 recreation associations that certified their eligibility for
16 the grants for that fiscal year. In the first round, a
17 special recreation association whose grant amount would
18 exceed 10% of the grant moneys available for that fiscal year
19 (the 10% cap) shall receive only the amount that represents
20 the 10% cap for that fiscal year.

21 In the second round, any moneys remaining available after
22 the first round shall be distributed to the remaining special
23 recreation associations that certified eligibility for that
24 fiscal year and have not reached their 10% cap. The amount of
25 the grant paid to a special recreation association in the
26 second round shall be in the same proportion of the remaining
27 grant moneys available after the first round as the
28 population of the geographic area that comprises the area
29 represented by the special recreation association that has
30 not reached its 10% cap is to the population of the
31 geographic area that comprises the areas represented by all
32 of the special recreation associations that have not reached
33 their 10% cap and that have certified their eligibility for
34 the grants for that fiscal year. A special recreation

1 association whose grant amount would exceed the 10% cap for
2 that fiscal year shall receive only the amount that
3 represents the 10% cap.

4 Any moneys remaining undistributed after the second round
5 shall be transferred to the General Revenue Fund.

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

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

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

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

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