

1 AN ACT in relation to gaming.

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

4 Section 10. The Riverboat Gambling Act is amended by
5 changing Sections 2, 4, 6, 7, 10, 11, 11.1, 12, 13, 15, and
6 23 and adding Sections 7.1, 7.2, and 7.3 as follows:

7 (230 ILCS 10/2) (from Ch. 120, par. 2402)

8 Sec. 2. Legislative Intent. (a) This Act is intended to
9 benefit the people of the State of Illinois by assisting
10 economic development and promoting Illinois tourism and by
11 increasing the amount of revenues available to the State to
12 assist and support education.

13 (b) While authorization of riverboat gambling will
14 enhance investment, development and tourism in Illinois, it
15 is recognized that it will do so successfully only if public
16 confidence and trust in the credibility and integrity of the
17 gambling operations and the regulatory process is maintained.
18 Therefore, regulatory provisions of this Act are designed to
19 strictly regulate the facilities, persons, associations and
20 practices related to gambling operations pursuant to the
21 police powers of the State, including comprehensive law
22 enforcement supervision.

23 (c) The Illinois Gaming Board established under this Act
24 should, as soon as possible, inform each applicant for an
25 owners license of the Board's intent to grant or deny a
26 license.

27 (Source: P.A. 86-1029.)

28 (230 ILCS 10/4) (from Ch. 120, par. 2404)

29 Sec. 4. Definitions. As used in this Act:

30 (a) "Board" means the Illinois Gaming Board.

1 (b) "Occupational license" means a license issued by the
2 Board to a person or entity to perform an occupation which
3 the Board has identified as requiring a license to engage in
4 riverboat gambling in Illinois.

5 (c) "Gambling game" includes, but is not limited to,
6 baccarat, twenty-one, poker, craps, slot machine, video game
7 of chance, roulette wheel, klondike table, punchboard, faro
8 layout, keno layout, numbers ticket, push card, jar ticket,
9 or pull tab which is authorized by the Board as a wagering
10 device under this Act.

11 (d) "Riverboat" means a self-propelled excursion boat, a
12 permanently moored barge, or permanently moored barges that
13 are permanently fixed together to operate as one vessel, on
14 which lawful gambling is authorized and licensed as provided
15 in this Act.

16 (e) "Managers license" means a license issued by the
17 Board to a person or entity to manage gambling operations
18 conducted by the State pursuant to Section 7.2 (Blank).

19 (f) "Dock" means the location where a riverboat moors
20 for the purpose of embarking passengers for and disembarking
21 passengers from the riverboat.

22 (g) "Gross receipts" means the total amount of money
23 exchanged for the purchase of chips, tokens or electronic
24 cards by riverboat patrons.

25 (h) "Adjusted gross receipts" means the gross receipts
26 less winnings paid to wagerers.

27 (i) "Cheat" means to alter the selection of criteria
28 which determine the result of a gambling game or the amount
29 or frequency of payment in a gambling game.

30 (j) "Department" means the Department of Revenue.

31 (k) "Gambling operation" means the conduct of authorized
32 gambling games upon a riverboat.

33 (l) "License bid" means the lump sum amount of money
34 that an applicant bids and agrees to pay the State in return

1 for an owners license that is re-issued on or after July 1,
2 2003.

3 (m) The terms "minority person" and "female" shall have
4 the same meaning as defined in Section 2 of the Business
5 Enterprise for Minorities, Females, and Persons with
6 Disabilities Act.

7 (Source: P.A. 91-40, eff. 6-25-99; 92-600, eff. 6-28-02.)

8 (230 ILCS 10/6) (from Ch. 120, par. 2406)

9 Sec. 6. Application for Owners License.

10 (a) A qualified person may apply to the Board for an
11 owners license to conduct a riverboat gambling operation as
12 provided in this Act. The application shall be made on forms
13 provided by the Board and shall contain such information as
14 the Board prescribes, including but not limited to the
15 identity of the riverboat on which such gambling operation is
16 to be conducted and the exact location where such riverboat
17 will be docked, a certification that the riverboat will be
18 registered under this Act at all times during which gambling
19 operations are conducted on board, detailed information
20 regarding the ownership and management of the applicant, and
21 detailed personal information regarding the applicant. Any
22 application for an owners license to be re-issued on or after
23 June 1, 2003 shall also include the applicant's license bid
24 in a form prescribed by the Board. Information provided on
25 the application shall be used as a basis for a thorough
26 background investigation which the Board shall conduct with
27 respect to each applicant. An incomplete application shall
28 be cause for denial of a license by the Board.

29 (b) Applicants shall submit with their application all
30 documents, resolutions, and letters of support from the
31 governing body that represents the municipality or county
32 wherein the licensee will dock.

33 (c) Each applicant shall disclose the identity of every

1 person, association, trust or corporation having a greater
2 than 1% direct or indirect pecuniary interest in the
3 riverboat gambling operation with respect to which the
4 license is sought. If the disclosed entity is a trust, the
5 application shall disclose the names and addresses of the
6 beneficiaries; if a corporation, the names and addresses of
7 all stockholders and directors; if a partnership, the names
8 and addresses of all partners, both general and limited.

9 (d) An application shall be filed with the Board by
10 January 1 of the year preceding any calendar year for which
11 an applicant seeks an owners license; however, applications
12 for an owners license permitting operations on January 1,
13 1991 shall be filed by July 1, 1990. An application fee of
14 \$50,000 shall be paid at the time of filing to defray the
15 costs associated with the background investigation conducted
16 by the Board. If the costs of the investigation exceed
17 \$50,000, the applicant shall pay the additional amount to the
18 Board. If the costs of the investigation are less than
19 \$50,000, the applicant shall receive a refund of the
20 remaining amount. All information, records, interviews,
21 reports, statements, memoranda or other data supplied to or
22 used by the Board in the course of its review or
23 investigation of an application for a license under this Act
24 shall be privileged, strictly confidential and shall be used
25 only for the purpose of evaluating an applicant. Such
26 information, records, interviews, reports, statements,
27 memoranda or other data shall not be admissible as evidence,
28 nor discoverable in any action of any kind in any court or
29 before any tribunal, board, agency or person, except for any
30 action deemed necessary by the Board.

31 (e) The Board shall charge each applicant a fee set by
32 the Department of State Police to defray the costs associated
33 with the search and classification of fingerprints obtained
34 by the Board with respect to the applicant's application.

1 These fees shall be paid into the State Police Services Fund.

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

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

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

13 (230 ILCS 10/7) (from Ch. 120, par. 2407)

14 Sec. 7. Owners Licenses.

15 (a) The Board shall issue owners licenses to persons,
16 firms or corporations which apply for such licenses upon
17 payment to the Board of the non-refundable license fee set by
18 the Board, upon payment of a \$25,000 license fee for the
19 first year of operation and a \$5,000 license fee for each
20 succeeding year and upon a determination by the Board that
21 the applicant is eligible for an owners license pursuant to
22 this Act and the rules of the Board. A person, firm or
23 corporation is ineligible to receive an owners license if:

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

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

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

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

33 (5) a person defined in (1), (2), (3) or (4) is an

1 officer, director or managerial employee of the firm or
2 corporation;

3 (6) the firm or corporation employs a person
4 defined in (1), (2), (3) or (4) who participates in the
5 management or operation of gambling operations authorized
6 under this Act;

7 (7) (blank); or

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

12 (b) In determining whether to grant an owners license to
13 an applicant, the Board shall consider:

14 (1) the character, reputation, experience and
15 financial integrity of the applicants and of any other or
16 separate person that either:

17 (A) controls, directly or indirectly, such
18 applicant, or

19 (B) is controlled, directly or indirectly, by
20 such applicant or by a person which controls,
21 directly or indirectly, such applicant;

22 (2) the facilities or proposed facilities for the
23 conduct of riverboat gambling;

24 (3) the highest prospective total revenue to be
25 derived by the State from the conduct of riverboat
26 gambling;

27 (4) the extent to which the ownership of the
28 applicant reflects the diversity of the State by
29 including minority persons and females and the good faith
30 affirmative action plan of each applicant to recruit,
31 train and upgrade minority persons and females minorities
32 in all employment classifications;

33 (5) the financial ability of the applicant to
34 purchase and maintain adequate liability and casualty

1 insurance;

2 (6) whether the applicant has adequate
3 capitalization to provide and maintain, for the duration
4 of a license, a riverboat; and

5 (7) the extent to which the applicant exceeds or
6 meets other standards for the issuance of an owners
7 license which the Board may adopt by rule; and

8 (8) The amount of the applicant's license bid.

9 (c) Each owners license shall specify the place where
10 riverboats shall operate and dock.

11 (d) Each applicant shall submit with his application, on
12 forms provided by the Board, 2 sets of his fingerprints.

13 (e) The Board may issue up to 10 licenses authorizing
14 the holders of such licenses to own riverboats. In the
15 application for an owners license, the applicant shall state
16 the dock at which the riverboat is based and the water on
17 which the riverboat will be located. The Board shall issue 5
18 licenses to become effective not earlier than January 1,
19 1991. Three of such licenses shall authorize riverboat
20 gambling on the Mississippi River, or in a municipality that

21 (1) borders on the Mississippi River or is within 5 miles of
22 the city limits of a municipality that borders on the
23 Mississippi River and (2), on the effective date of this
24 amendatory Act of the 93rd General Assembly, has a riverboat
25 conducting riverboat gambling operations pursuant to a
26 license issued under this Act, one of which shall authorize

27 riverboat gambling from a home dock in the city of East St.
28 Louis, ~~and one of which shall authorize riverboat gambling on~~
29 ~~the Mississippi River or in a municipality that --(1)-- borders~~
30 ~~on --the-- Mississippi --River-- or is within 5 miles of the city~~
31 ~~limits of a municipality --that-- borders --on-- the-- Mississippi~~
32 ~~River and (2) on the effective date of this amendatory Act of~~
33 ~~the ---92nd--- General ---Assembly--- has ---a--- riverboat ---conducting~~
34 ~~riverboat gambling operations pursuant to --a-- license --issued~~

1 ~~under--this--Act.~~ One other license shall authorize riverboat
2 gambling on the Illinois River south of Marshall County. The
3 Board shall issue one additional license to become effective
4 not earlier than March 1, 1992, which shall authorize
5 riverboat gambling on the Des Plaines River in Will County.
6 The Board may issue 4 additional licenses to become effective
7 not earlier than March 1, 1992. In determining the water
8 upon which riverboats will operate, the Board shall consider
9 the economic benefit which riverboat gambling confers on the
10 State, and shall seek to assure that all regions of the State
11 share in the economic benefits of riverboat gambling.

12 In granting all licenses, the Board may give favorable
13 consideration to economically depressed areas of the State,
14 to applicants presenting plans which provide for significant
15 economic development over a large geographic area, and to
16 applicants who currently operate non-gambling riverboats in
17 Illinois. The Board shall review all applications for owners
18 licenses, and shall inform each applicant of the Board's
19 decision. The Board may grant an owners license to an
20 applicant that has not submitted the highest license bid, but
21 if it does not select the highest bidder, the Board shall
22 issue a written decision explaining why another applicant was
23 selected and identifying the factors set forth in this
24 Section that favored the winning bidder.

25 In addition to any other revocation powers granted to the
26 Board under this Act, the Board may revoke the owners license
27 of a licensee which fails to begin conducting gambling within
28 15 months of receipt of the Board's approval of the
29 application if the Board determines that license revocation
30 is in the best interests of the State.

31 (f) The first 10 owners licenses issued under this Act
32 shall permit the holder to own up to 2 riverboats and
33 equipment thereon for a period of 3 years after the effective
34 date of the license. Holders of the first 10 owners licenses

1 must pay the annual license fee for each of the 3 years
2 during which they are authorized to own riverboats.

3 (g) Upon the termination, expiration, or revocation of
4 each of the first 10 licenses, which shall be issued for a 3
5 year period, all licenses are renewable annually upon payment
6 of the fee and a determination by the Board that the licensee
7 continues to meet all of the requirements of this Act and the
8 Board's rules. However, for licenses renewed on or after May
9 1, 1998, renewal shall be for a period of 4 years, unless the
10 Board sets a shorter period.

11 (h) An owners license shall entitle the licensee to own
12 up to 2 riverboats. A licensee shall limit the number of
13 gambling participants to 1,200 for any such owners license. A
14 licensee may operate both of its riverboats concurrently,
15 provided that the total number of gambling participants on
16 both riverboats does not exceed 1,200. Riverboats licensed to
17 operate on the Mississippi River and the Illinois River south
18 of Marshall County shall have an authorized capacity of at
19 least 500 persons. Any other riverboat licensed under this
20 Act shall have an authorized capacity of at least 400
21 persons.

22 (i) A licensed owner is authorized to apply to the Board
23 for and, if approved therefor, to receive all licenses from
24 the Board necessary for the operation of a riverboat,
25 including a liquor license, a license to prepare and serve
26 food for human consumption, and other necessary licenses.
27 All use, occupation and excise taxes which apply to the sale
28 of food and beverages in this State and all taxes imposed on
29 the sale or use of tangible personal property apply to such
30 sales aboard the riverboat.

31 (j) The Board may issue or re-issue a license
32 authorizing a riverboat to dock in a municipality or approve
33 a relocation under Section 11.2 only if, prior to the
34 issuance or re-issuance of the license or approval, the

1 governing body of the municipality in which the riverboat
 2 will dock has by a majority vote approved the docking of
 3 riverboats in the municipality. The Board may issue or
 4 re-issue a license authorizing a riverboat to dock in areas
 5 of a county outside any municipality or approve a relocation
 6 under Section 11.2 only if, prior to the issuance or
 7 re-issuance of the license or approval, the governing body of
 8 the county has by a majority vote approved of the docking of
 9 riverboats within such areas.

10 (Source: P.A. 91-40, eff. 6-25-99; 92-600, eff. 6-28-02.)

11 (230 ILCS 10/7.1 new)

12 Sec. 7.1. Re-issuance of revoked or non-renewed owners
 13 licenses.

14 (a) If an owners license terminates or expires without
 15 renewal or the Board revokes or determines not to renew an
 16 owners license (including, without limitation, an owners
 17 license for a licensee that was not conducting riverboat
 18 gambling operations on January 1, 1998) and that revocation
 19 or determination is final, the Board may re-issue such
 20 license to a qualified applicant pursuant to an open and
 21 competitive bidding process, as set forth in Section 7.5, and
 22 subject to the maximum number of authorized licenses set
 23 forth in Section 7(e).

24 (b) To be a qualified applicant, a person, firm, or
 25 corporation cannot be ineligible to receive an owners license
 26 under Section 7(a) and must submit an application for an
 27 owners license that complies with Section 6. Each such
 28 applicant must also submit evidence to the Board that
 29 minority persons and females hold ownership interests in the
 30 applicant of at least 16% and 4% respectively.

31 (c) Notwithstanding anything to the contrary in Section
 32 7(e), an applicant may apply to the Board for approval of
 33 relocation of a re-issued license to a new home dock location

1 authorized under Section 3(c) upon receipt of the approval
2 from the municipality or county, as the case may be, pursuant
3 to Section 7(j).

4 (d) In determining whether to grant a re-issued owners
5 license to an applicant, the Board shall consider all of the
6 factors set forth in Sections 7(b) and (e) as well as the
7 amount of the applicant's license bid. The Board may grant
8 the re-issued owners license to an applicant that has not
9 submitted the highest license bid, but if it does not select
10 the highest bidder, the Board shall issue a written decision
11 explaining why another applicant was selected and identifying
12 the factors set forth in Sections 7(b) and (e) that favored
13 the winning bidder.

14 (e) Re-issued owners licenses shall be subject to annual
15 license fees as provided for in Section 7(a) and shall be
16 governed by the provisions of Sections 7(f), (g), (h), and
17 (i).

18 (230 ILCS 10/7.2 new)

19 Sec. 7.2. Temporary operating permits. Any person
20 operating under a temporary operating permit issued pursuant
21 to 86 Ill. Admin. Code 3000.230 shall be deemed to be
22 operating under the authority of an owner's license for
23 purposes of Section 13 of this Act. This Section shall not
24 affect in any way the licensure requirements of this Act.

25 (230 ILCS 10/7.3 new)

26 Sec. 7.3. State conduct of gambling operations.

27 (a) If, after reviewing each application for a re-issued
28 license, the Board determines that the highest prospective
29 total revenue to the State would be derived from State
30 conduct of the gambling operation in lieu of re-issuing the
31 license, the Board shall inform each applicant of its
32 decision. The Board shall thereafter have the authority,

1 without obtaining an owners license, to conduct riverboat
2 gambling operations as previously authorized by the
3 terminated, expired, revoked, or nonrenewed license through a
4 licensed manager selected pursuant to an open and competitive
5 bidding process as set forth in Section 7.5 and as provided
6 in Section 7.4.

7 (b) The Board may locate any riverboat on which a
8 gambling operation is conducted by the State in any home dock
9 location authorized by Section 3(c) upon receipt of approval
10 from a majority vote of the governing body of the
11 municipality or county, as the case may be, in which the
12 riverboat will dock.

13 (c) The Board shall have jurisdiction over and shall
14 supervise all gambling operations conducted by the State
15 provided for in this Act and shall have all powers necessary
16 and proper to fully and effectively execute the provisions of
17 this Act relating to gambling operations conducted by the
18 State.

19 (d) The maximum number of owners licenses authorized
20 under Section 7(e) shall be reduced by one for each instance
21 in which the Board authorizes the State to conduct a
22 riverboat gambling operation under subsection (a) in lieu of
23 re-issuing a license to an applicant under Section 7.1.

24 (230 ILCS 10/7.4 new)

25 Sec. 7.4. Managers licenses.

26 (a) A qualified person may apply to the Board for a
27 managers license to operate and manage any gambling operation
28 conducted by the State. The application shall be made on
29 forms provided by the Board and shall contain such
30 information as the Board prescribes, including but not
31 limited to information required in Sections 6(a), (b), and
32 (c) and information relating to the applicant's proposed
33 price to manage State gambling operations and to provide the

1 riverboat, gambling equipment, and supplies necessary to
2 conduct State gambling operations.

3 (b) Each applicant must submit evidence to the Board
4 that minority persons and females hold ownership interests in
5 the applicant of at least 16% and 4%, respectively.

6 (c) A person, firm, or corporation is ineligible to
7 receive a managers license if:

8 (1) the person has been convicted of a felony under
9 the laws of this State, any other state, or the United
10 States;

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

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

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

17 (5) a person defined in (1), (2), (3), or (4) is an
18 officer, director, or managerial employee of the firm or
19 corporation;

20 (6) the firm or corporation employs a person defined
21 in (1), (2), (3), or (4) who participates in the
22 management or operation of gambling operations authorized
23 under this Act; or

24 (7) a license of the person, firm, or corporation
25 issued under this Act, or a license to own or operate
26 gambling facilities in any other jurisdiction, has been
27 revoked.

28 (d) Each applicant shall submit with his or her
29 application, on forms prescribed by the Board, 2 sets of his
30 or her fingerprints.

31 (e) The Board shall charge each applicant a fee, set by
32 the Board, to defray the costs associated with the background
33 investigation conducted by the Board.

34 (f) A person who knowingly makes a false statement on an

1 application is guilty of a Class A misdemeanor.

2 (g) The managers license shall be for a term not to
3 exceed 10 years, shall be renewable at the Board's option,
4 and shall contain such terms and provisions as the Board
5 deems necessary to protect or enhance the credibility and
6 integrity of State gambling operations, achieve the highest
7 prospective total revenue to the State, and otherwise serve
8 the interests of the citizens of Illinois.

9 (h) Issuance of a managers license shall be subject to an
10 open and competitive bidding process. The Board may select an
11 applicant other than the lowest bidder by price. If it does
12 not select the lowest bidder, the Board shall issue a notice
13 of who the lowest bidder was and a written decision as to why
14 another bidder was selected.

15 (230 ILCS 10/7.5 new)

16 Sec. 7.5. Competitive Bidding. When the Board determines
17 that it will re-issue an owners license pursuant to an open
18 and competitive bidding process, as set forth in Section 7.1,
19 or that it will issue a managers license pursuant to an open
20 and competitive bidding process, as set forth in Section 7.4,
21 the open and competitive bidding process shall adhere to the
22 following procedures:

23 (1) The Board shall make applications for owners and
24 managers licenses available to the public and allow a
25 reasonable time for applicants to submit applications to the
26 Board.

27 (2) During the filing period for owners or managers
28 license applications, the Board may retain the services of an
29 investment banking firm to assist the Board in conducting the
30 open and competitive bidding process.

31 (3) After receiving all of the bid proposals, the Board
32 shall open all of the proposals in a public forum and
33 disclose the prospective owners or managers names, venture

1 partners, if any, and, in the case of applicants for owners
2 licenses, the locations of the proposed development sites.

3 (4) The Board shall summarize the terms of the proposals
4 and may make this summary available to the public.

5 (5) The Board shall evaluate the proposals within a
6 reasonable time and select no more than 3 final applicants to
7 make presentations of their proposals to the Board.

8 (6) The final applicants shall make their presentations
9 to the Board on the same day during an open session of the
10 Board.

11 (7) As soon as practicable after the public
12 presentations by the final applicants, the Board, in its
13 discretion, may conduct further negotiations among the 3
14 final applicants. During such negotiations, each final
15 applicant may increase its license bid or otherwise enhance
16 its bid proposal. At the conclusion of such negotiations, the
17 Board shall select the winning proposal. In the case of
18 negotiations for an owners license, the Board may, at the
19 conclusion of such negotiations, make the determination
20 allowed under Section 7.3(a).

21 (8) Upon selection of a winning bid, the Board shall
22 evaluate the winning bid within a reasonable period of time
23 for licensee suitability in accordance with all applicable
24 statutory and regulatory criteria.

25 (9) If the winning bidder is unable or otherwise fails
26 to consummate the transaction, (including if the Board
27 determines that the winning bidder does not satisfy the
28 suitability requirements), the Board may, on the same
29 criteria, select from the remaining bidders or make the
30 determination allowed under Section 7.3(a).

31 (230 ILCS 10/10) (from Ch. 120, par. 2410)

32 Sec. 10. Bond of licensee. Before an owners license is
33 issued or re-issued or a managers license is issued, the

1 licensee shall post a bond in the sum of \$200,000 to the
2 State of Illinois. The bond shall be used to guarantee that
3 the licensee faithfully makes the payments, keeps his books
4 and records and makes reports, and conducts his games of
5 chance in conformity with this Act and the rules adopted by
6 the Board. The bond shall not be canceled by a surety on
7 less than 30 days notice in writing to the Board. If a bond
8 is canceled and the licensee fails to file a new bond with
9 the Board in the required amount on or before the effective
10 date of cancellation, the licensee's license shall be
11 revoked. The total and aggregate liability of the surety on
12 the bond is limited to the amount specified in the bond.

13 (Source: P.A. 86-1029.)

14 (230 ILCS 10/11) (from Ch. 120, par. 2411)

15 Sec. 11. Conduct of gambling. Gambling may be conducted
16 by licensed owners or licensed managers on behalf of the
17 State aboard riverboats, subject to the following standards:

18 (1) A licensee may conduct riverboat gambling
19 authorized under this Act regardless of whether it
20 conducts excursion cruises. A licensee may permit the
21 continuous ingress and egress of passengers for the
22 purpose of gambling.

23 (2) (Blank).

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

26 (4) Agents of the Board and the Department of State
27 Police may board and inspect any riverboat at any time
28 for the purpose of determining whether this Act is being
29 complied with. Every riverboat, if under way and being
30 hailed by a law enforcement officer or agent of the
31 Board, must stop immediately and lay to.

32 (5) Employees of the Board shall have the right to
33 be present on the riverboat or on adjacent facilities

1 under the control of the licensee.

2 (6) Gambling equipment and supplies customarily
3 used in conducting riverboat gambling must be purchased
4 or leased only from suppliers licensed for such purpose
5 under this Act.

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

9 (8) Wagers may be received only from a person
10 present on a licensed riverboat. No person present on a
11 licensed riverboat shall place or attempt to place a
12 wager on behalf of another person who is not present on
13 the riverboat.

14 (9) Wagering shall not be conducted with money or
15 other negotiable currency.

16 (10) A person under age 21 shall not be permitted
17 on an area of a riverboat where gambling is being
18 conducted, except for a person at least 18 years of age
19 who is an employee of the riverboat gambling operation.
20 No employee under age 21 shall perform any function
21 involved in gambling by the patrons. No person under age
22 21 shall be permitted to make a wager under this Act.

23 (11) Gambling excursion cruises are permitted only
24 when the waterway for which the riverboat is licensed is
25 navigable, as determined by the Board in consultation
26 with the U.S. Army Corps of Engineers. This paragraph
27 (11) does not limit the ability of a licensee to conduct
28 gambling authorized under this Act when gambling
29 excursion cruises are not permitted.

30 (12) All tokens, chips or electronic cards used to
31 make wagers must be purchased from a licensed owner or
32 manager either aboard a riverboat or at an onshore
33 facility which has been approved by the Board and which
34 is located where the riverboat docks. The tokens, chips

1 or electronic cards may be purchased by means of an
2 agreement under which the owner or manager extends credit
3 to the patron. Such tokens, chips or electronic cards
4 may be used while aboard the riverboat only for the
5 purpose of making wagers on gambling games.

6 (13) Notwithstanding any other Section of this Act,
7 in addition to the other licenses authorized under this
8 Act, the Board may issue special event licenses allowing
9 persons who are not otherwise licensed to conduct
10 riverboat gambling to conduct such gambling on a
11 specified date or series of dates. Riverboat gambling
12 under such a license may take place on a riverboat not
13 normally used for riverboat gambling. The Board shall
14 establish standards, fees and fines for, and limitations
15 upon, such licenses, which may differ from the standards,
16 fees, fines and limitations otherwise applicable under
17 this Act. All such fees shall be deposited into the
18 State Gaming Fund. All such fines shall be deposited
19 into the Education Assistance Fund, created by Public Act
20 86-0018, of the State of Illinois.

21 (14) In addition to the above, gambling must be
22 conducted in accordance with all rules adopted by the
23 Board.

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

25 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

26 Sec. 11.1. Collection of amounts owing under credit
27 agreements. Notwithstanding any applicable statutory
28 provision to the contrary, a licensed owner or manager who
29 extends credit to a riverboat gambling patron pursuant to
30 Section 11 (a) (12) of this Act is expressly authorized to
31 institute a cause of action to collect any amounts due and
32 owing under the extension of credit, as well as the owner's
33 or manager's costs, expenses and reasonable attorney's fees

1 incurred in collection.

2 (Source: P.A. 86-1029; 86-1389; 87-826.)

3 (230 ILCS 10/12) (from Ch. 120, par. 2412)

4 Sec. 12. Admission tax; fees.

5 (a) A tax is hereby imposed upon admissions to
6 riverboats operated by licensed owners authorized pursuant to
7 this Act. Until July 1, 2002, the rate is \$2 per person
8 admitted. From Beginning July 1, 2002 until July 1, 2003,
9 the rate is \$3 per person admitted. Beginning July 1, 2003,
10 for a licensee that admitted 1,000,000 persons or fewer in
11 the previous calendar year, the rate is \$3 per person
12 admitted; for a licensee that admitted more than 1,000,000
13 but no more than 2,300,000 persons in the previous calendar
14 year, the rate is \$4 per person admitted; and for a licensee
15 that admitted more than 2,300,000 persons in the previous
16 calendar year, the rate is \$5 per person admitted. This
17 admission tax is imposed upon the licensed owner conducting
18 gambling.

19 (1) The admission tax shall be paid for each
20 admission.

21 (2) (Blank).

22 (3) The riverboat licensee may issue tax-free
23 passes to actual and necessary officials and employees of
24 the licensee or other persons actually working on the
25 riverboat.

26 (4) The number and issuance of tax-free passes is
27 subject to the rules of the Board, and a list of all
28 persons to whom the tax-free passes are issued shall be
29 filed with the Board.

30 (a-5) A fee is hereby imposed upon admissions operated
31 by licensed managers on behalf of the State pursuant to
32 Section 7.3 at the rates provided in this subsection (a-5).
33 For a licensee that admitted 1,000,000 persons or fewer in

1 the previous calendar year, the rate is \$3 per person
2 admitted; for a licensee that admitted more than 1,000,000
3 but no more than 2,300,000 persons in the previous calendar
4 year, the rate is \$4 per person admitted; and for a licensee
5 that admitted more than 2,300,000 persons in the previous
6 calendar year, the rate is \$5 per person admitted.

7 (1) The admission fee shall be paid for each
8 admission.

9 (2) (Blank).

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

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

18 (b) From the tax imposed under subsection (a) and the
19 fee imposed under subsection (a-5), a municipality shall
20 receive from the State \$1 for each person embarking on a
21 riverboat docked within the municipality, and a county shall
22 receive \$1 for each person embarking on a riverboat docked
23 within the county but outside the boundaries of any
24 municipality. The municipality's or county's share shall be
25 collected by the Board on behalf of the State and remitted
26 quarterly by the State, subject to appropriation, to the
27 treasurer of the unit of local government for deposit in the
28 general fund.

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

1 Failure to submit either the payment or the return within the
2 specified time may result in suspension or revocation of the
3 owners or managers license.

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

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

11 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

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

23 20% of annual adjusted gross receipts in excess of
24 \$25,000,000 but not exceeding \$50,000,000;

25 25% of annual adjusted gross receipts in excess of
26 \$50,000,000 but not exceeding \$75,000,000;

27 30% of annual adjusted gross receipts in excess of
28 \$75,000,000 but not exceeding \$100,000,000;

29 35% of annual adjusted gross receipts in excess of
30 \$100,000,000.

31 Beginning July 1, 2002, a privilege tax is imposed on
32 persons engaged in the business of conducting riverboat
33 gambling operations, other than licensed managers conducting

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

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

7 22.5% of annual adjusted gross receipts in excess of
8 \$25,000,000 but not exceeding \$50,000,000;

9 27.5% of annual adjusted gross receipts in excess of
10 \$50,000,000 but not exceeding \$75,000,000;

11 32.5% of annual adjusted gross receipts in excess of
12 \$75,000,000 but not exceeding \$100,000,000;

13 37.5% of annual adjusted gross receipts in excess of
14 \$100,000,000 but not exceeding \$150,000,000;

15 45% of annual adjusted gross receipts in excess of
16 \$150,000,000 but not exceeding \$200,000,000;

17 50% of annual adjusted gross receipts in excess of
18 \$200,000,000.

19 Riverboat gambling operations conducted by a licensed manager
20 on behalf of the State are not subject to the tax imposed
21 under this Section.

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

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

1 riverboat. From the tax revenue deposited in the State Gaming
2 Fund pursuant to riverboat gambling operations conducted by a
3 licensed manager on behalf of the State, an amount equal to
4 5% of adjusted gross receipts generated pursuant to those
5 riverboat gambling operations shall be paid monthly, subject
6 to appropriation by the General Assembly, to the unit of
7 local government that is designated as the home dock of the
8 riverboat upon which those riverboat gambling operations are
9 conducted.

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

14 (c-5) After the payments required under subsections (b)
15 and (c) have been made, an amount equal to 15% of the
16 adjusted gross receipts of (1) an owners licensee a-riverboat
17 ~~{1}~~ that relocates pursuant to Section 11.2, ~~or~~ (2) an owners
18 license conducting riverboat gambling operations pursuant to
19 ~~for--which~~ an owners license that is initially issued after
20 June 25, the-effective-date-of-this-amendatory-Act--of 1999,
21 or (3) the first riverboat gambling operations conducted by a
22 licensed manager on behalf of the State under Section 7.2,
23 whichever comes first, shall be paid from the State Gaming
24 Fund into the Horse Racing Equity Fund.

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

30 (c-15) After the payments required under subsections
31 (b), (c), and (c-5) have been made, an amount equal to 2% of
32 the adjusted gross receipts of (1) an owners licensee a
33 ~~riverboat-{1}~~ that relocates pursuant to Section 11.2, ~~or~~ (2)
34 an owners licensee conducting riverboat gambling operations

1 ~~pursuant to~~ ~~for--which~~ an owners license that is initially
2 issued after June 25, the-effective-date-of--this--amendatory
3 Act--of 1999, or (3) the first riverboat gambling operations
4 conducted by a licensed manager on behalf of the State under
5 Section 7.2, whichever comes first, shall be paid, subject to
6 appropriation from the General Assembly, from the State
7 Gaming Fund to each home rule county with a population of
8 over 3,000,000 inhabitants for the purpose of enhancing the
9 county's criminal justice system.

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

15 (c-25) After the payments required under subsections
16 (b), (c), (c-5) and (c-15) have been made, an amount equal to
17 2% of the adjusted gross receipts of (1) an owners license a
18 ~~riverboat-(1)~~ that relocates pursuant to Section 11.2, ~~or~~ (2)
19 an owners license conducting riverboat gambling operations
20 pursuant to ~~for--which~~ an owners license that is initially
21 issued after June 25, the-effective-date-of-this-amendatory
22 Act--of 1999, or (3) the first riverboat gambling operations
23 conducted by a licensed manager on behalf of the State under
24 Section 7.2, whichever comes first, shall be paid from the
25 State Gaming Fund to Chicago State University into-the-State
26 Universities-Athletic-Capital-Improvement-Fund.

27 (d) From time to time, the Board shall transfer the
28 remainder of the funds generated by this Act into the
29 Education Assistance Fund, created by Public Act 86-0018, of
30 the State of Illinois.

31 (e) Nothing in this Act shall prohibit the unit of local
32 government designated as the home dock of the riverboat from
33 entering into agreements with other units of local government
34 in this State or in other states to share its portion of the

1 tax revenue.

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

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

9 (230 ILCS 10/15) (from Ch. 120, par. 2415)

10 Sec. 15. Audit of Licensee Operations. Within 90 days
11 after the end of each quarter of each fiscal year, the
12 licensed owner or manager shall transmit to the Board an
13 audit of the financial transactions and condition of the
14 licensee's total operations. All audits shall be conducted
15 by certified public accountants selected by the Board. Each
16 certified public accountant must be registered in the State
17 of Illinois under the Illinois Public Accounting Act. The
18 compensation for each certified public accountant shall be
19 paid directly by the licensed owner or manager to the
20 certified public accountant.

21 (Source: P.A. 86-1029; 86-1389.)

22 (230 ILCS 10/23) (from Ch. 120, par. 2423)

23 Sec. 23. The State Gaming Fund. On or after the
24 effective date of this Act, all of the fees and taxes
25 collected pursuant to subsections of this Act shall be
26 deposited into the State Gaming Fund, a special fund in the
27 State Treasury, which is hereby created. The adjusted gross
28 receipts of any riverboat gambling operations conducted by a
29 licensed manager on behalf of the State remaining after the
30 payment of the fees and expenses of the licensed manager
31 shall be deposited into the State Gaming Fund. Fines and
32 penalties collected pursuant to this Act shall be deposited

1 into the Education Assistance Fund, created by Public Act
 2 86-0018, of the State of Illinois.
 3 (Source: P.A. 86-1029.)

4 Section 15. "An Act in relation to gambling, amending
 5 named Acts", approved June 25, 1999, Public Act 91-40, is
 6 amended by changing Section 30 as follows:

7 (P.A. 91-40, Sec. 30)

8 Sec. 30. Severability. If any provision of this Act
 9 (Public Act 91-40) or the application thereof to any person
 10 or circumstance is held invalid, that invalidity does not
 11 affect the other provisions or applications of the Act which
 12 can be given effect without the invalid application or
 13 provision, and to this end the provisions of this Act are
 14 severable. This severability applies without regard to
 15 whether the action challenging the validity was brought
 16 before the effective date of this amendatory Act of the 93rd
 17 General Assembly.

18 ~~Inseverability.---The-provisions-of-this-Act-are-mutually~~
 19 ~~dependent-and-inseverable.---If-any-provision-is-held--invalid~~
 20 ~~ether-than-as-applied-to-a-particular-person-or-circumstance,~~
 21 ~~then-this-entire-Act-is-invalid.~~

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

23 Section 97. Severability. In accordance with Section
 24 1.31 of the Statute on Statutes, the provisions of this Act
 25 are severable. If any provision of this amendatory Act, or
 26 the application of any provision of this amendatory Act to
 27 any person or circumstance, is held invalid, such invalidity
 28 shall not affect other provisions or applications of this
 29 amendatory Act which can be given effect without the invalid
 30 provision or application, and the application of this
 31 amendatory Act to persons or circumstances other than those

1 as to which it is held invalid shall not be affected thereby.

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

3 becoming law.