



Sen. John M. Sullivan

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09500HB4758sam002

LRB095 16893 AMC 53541 a

1 AMENDMENT TO HOUSE BILL 4758

2 AMENDMENT NO. _____. Amend House Bill 4758, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. Legislative intent. This amendatory Act of the
6 95th General Assembly, in part, re-enacts the provisions of
7 Public Act 94-804 approved in 2006 and determined valid in 2008
8 by the Illinois Supreme Court. The General Assembly finds and
9 declares such re-enactment to be the public policy of the State
10 for many of the same reasons previously stated in 2006, namely:

11 (1) that riverboat gaming continues to have a negative
12 impact on horse racing causing severe declines in Illinois
13 on-track wagering;

14 (2) that this decrease in wagering continues to
15 negatively impact purses for Illinois racing, which
16 continues to hurt the State's breeding industry;

17 (3) that the decline of the Illinois horse racing and

1 breeding program, a \$2.5 billion industry, would be
2 reversed if this amendatory Act of the 95th General
3 Assembly was enacted, by helping Illinois tracks to better
4 compete with future purses offered by tracks in other
5 states;

6 (4) that Illinois agriculture and other businesses
7 that support and supply the horse racing industry, already
8 a sector that employs over 37,000 Illinoisans, also stand
9 to substantially benefit and would be much more likely to
10 create additional jobs should Illinois horse racing once
11 again become competitive with other states; and

12 (5) that prompt release and distribution of funds
13 generated and paid under protest under Public Act 94-804
14 and funds generated under the provisions of this amendatory
15 Act of the 95th General Assembly both to supplement
16 prospective purses and improve, maintain, market, and
17 otherwise operate racetracks and their backstretches, is
18 urgently needed and shall greatly benefit Illinois
19 horsemen racetracks, horse racing fans, and Illinois
20 agriculture and related businesses that rely on the
21 Illinois horse racing industry.

22 Section 5. The Illinois Horse Racing Act of 1975 is amended
23 by adding Section 54.75 as follows:

24 (230 ILCS 5/54.75 new)

1 Sec. 54.75. Horse Racing Equity Trust Fund.

2 (a) There is created a Fund to be known as the Horse Racing
3 Equity Trust Fund, which is a non-appropriated trust fund held
4 separate and apart from State moneys. The Fund shall consist of
5 moneys paid into it by owners licensees under the Riverboat
6 Gambling Act for the purposes described in this Section. The
7 Fund shall be administered by the Board. Moneys in the Fund
8 shall be distributed as directed and certified by the Board in
9 accordance with the provisions of subsection (b).

10 (b) The moneys deposited into the Fund, plus any accrued
11 interest on those moneys, shall be distributed within 10 days
12 after those moneys are deposited into the Fund as follows:

13 (1) Sixty percent of all moneys distributed under this
14 subsection shall be distributed to organization licensees
15 to be distributed at their race meetings as purses.
16 Fifty-seven percent of the amount distributed under this
17 paragraph (1) shall be distributed for thoroughbred race
18 meetings and 43% shall be distributed for standardbred race
19 meetings. Within each breed, moneys shall be allocated to
20 each organization licensee's purse fund in accordance with
21 the ratio between the purses generated for that breed by
22 that licensee during the prior calendar year and the total
23 purses generated throughout the State for that breed during
24 the prior calendar year by licensees in the current
25 calendar year.

26 (2) The remaining 40% of the moneys distributed under

1 this subsection (b) shall be distributed as follows:

2 (A) 11% shall be distributed to any person (or its
3 successors or assigns) who had operating control of a
4 racetrack that conducted live racing in 2002 at a
5 racetrack in a county with at least 230,000 inhabitants
6 that borders the Mississippi River and is a licensee in
7 the current year; and

8 (B) the remaining 89% shall be distributed pro rata
9 according to the aggregate proportion of total handle
10 from wagering on live races conducted in Illinois
11 (irrespective of where the wagers are placed) for
12 calendar years 2004 and 2005 to any person (or its
13 successors or assigns) who (i) had majority operating
14 control of a racing facility at which live racing was
15 conducted in calendar year 2002, (ii) is a licensee in
16 the current year, and (iii) is not eligible to receive
17 moneys under subparagraph (A) of this paragraph (2).

18 The moneys received by an organization licensee
19 under this paragraph (2) shall be used by each
20 organization licensee to improve, maintain, market,
21 and otherwise operate its racing facilities to conduct
22 live racing, which shall include backstretch services
23 and capital improvements related to live racing and the
24 backstretch. Any organization licensees sharing common
25 ownership may pool the moneys received and spent at all
26 racing facilities commonly owned in order to meet these

1 requirements.

2 If any person identified in this paragraph (2) becomes
3 ineligible to receive moneys from the Fund, such amount
4 shall be redistributed among the remaining persons in
5 proportion to their percentages otherwise calculated.

6 (c) The Board shall monitor organization licensees to
7 ensure that moneys paid to organization licensees under this
8 Section are distributed by the organization licensees as
9 provided in subsection (b).

10 Section 10. The Riverboat Gambling Act is amended by
11 changing Sections 7 and 13 as follows:

12 (230 ILCS 10/7) (from Ch. 120, par. 2407)

13 Sec. 7. Owners Licenses.

14 (a) The Board shall issue owners licenses to persons, firms
15 or corporations which apply for such licenses upon payment to
16 the Board of the non-refundable license fee set by the Board,
17 upon payment of a \$25,000 license fee for the first year of
18 operation and a \$5,000 license fee for each succeeding year and
19 upon a determination by the Board that the applicant is
20 eligible for an owners license pursuant to this Act and the
21 rules of the Board. From the effective date of this amendatory
22 Act of the 95th General Assembly until (i) 3 years after the
23 effective date of this amendatory Act of the 95th General
24 Assembly, (ii) the date any organization licensee begins to

1 operate a slot machine or video game of chance under the
2 Illinois Horse Racing Act of 1975 or this Act, (iii) the date
3 that payments begin under subsection (c-5) of Section 13 of the
4 Act, or (iv) the wagering tax imposed under Section 13 of this
5 Act is increased by law to reflect a tax rate that is at least
6 as stringent or more stringent than the tax rate contained in
7 subsection (a-3) of Section 13, whichever occurs first ~~For a~~
8 ~~period of 2 years beginning on the effective date of this~~
9 ~~amendatory Act of the 94th General Assembly,~~ as a condition of
10 licensure and as an alternative source of payment for those
11 funds payable under subsection (c-5) of Section 13 of the
12 Riverboat Gambling Act, any owners licensee that holds or
13 receives its owners license on or after the effective date of
14 this amendatory Act of the 94th General Assembly, other than an
15 owners licensee operating a riverboat with adjusted gross
16 receipts in calendar year 2004 of less than \$200,000,000, must
17 pay into the Horse Racing Equity Trust Fund, in addition to any
18 other payments required under this Act, an amount equal to 3%
19 of the adjusted gross receipts received by the owners licensee.
20 The payments required under this Section shall be made by the
21 owners licensee to the State Treasurer no later than 3:00
22 o'clock p.m. of the day after the day when the adjusted gross
23 receipts were received by the owners licensee. A person, firm
24 or corporation is ineligible to receive an owners license if:

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

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

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

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

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

10 (6) the firm or corporation employs a person defined in
11 (1), (2), (3) or (4) who participates in the management or
12 operation of gambling operations authorized under this
13 Act;

14 (7) (blank); or

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

18 The Board is expressly prohibited from making changes to
19 the requirement that licensees make payment into the Horse
20 Racing Equity Trust Fund without the express authority of the
21 Illinois General Assembly and making any other rule to
22 implement or interpret this amendatory Act of the 95th General
23 Assembly. For the purposes of this paragraph, "rules" is given
24 the meaning given to that term in Section 1-70 of the Illinois
25 Administrative Procedure Act.

26 (b) In determining whether to grant an owners license to an

1 applicant, the Board shall consider:

2 (1) the character, reputation, experience and
3 financial integrity of the applicants and of any other or
4 separate person that either:

5 (A) controls, directly or indirectly, such
6 applicant, or

7 (B) is controlled, directly or indirectly, by such
8 applicant or by a person which controls, directly or
9 indirectly, such applicant;

10 (2) the facilities or proposed facilities for the
11 conduct of riverboat gambling;

12 (3) the highest prospective total revenue to be derived
13 by the State from the conduct of riverboat gambling;

14 (4) the extent to which the ownership of the applicant
15 reflects the diversity of the State by including minority
16 persons and females and the good faith affirmative action
17 plan of each applicant to recruit, train and upgrade
18 minority persons and females in all employment
19 classifications;

20 (5) the financial ability of the applicant to purchase
21 and maintain adequate liability and casualty insurance;

22 (6) whether the applicant has adequate capitalization
23 to provide and maintain, for the duration of a license, a
24 riverboat;

25 (7) the extent to which the applicant exceeds or meets
26 other standards for the issuance of an owners license which

1 the Board may adopt by rule; and

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

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

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

7 (e) The Board may issue up to 10 licenses authorizing the
8 holders of such licenses to own riverboats. In the application
9 for an owners license, the applicant shall state the dock at
10 which the riverboat is based and the water on which the
11 riverboat will be located. The Board shall issue 5 licenses to
12 become effective not earlier than January 1, 1991. Three of
13 such licenses shall authorize riverboat gambling on the
14 Mississippi River, or, with approval by the municipality in
15 which the riverboat was docked on August 7, 2003 and with Board
16 approval, be authorized to relocate to a new location, in a
17 municipality that (1) borders on the Mississippi River or is
18 within 5 miles of the city limits of a municipality that
19 borders on the Mississippi River and (2), on August 7, 2003,
20 had a riverboat conducting riverboat gambling operations
21 pursuant to a license issued under this Act; one of which shall
22 authorize riverboat gambling from a home dock in the city of
23 East St. Louis. One other license shall authorize riverboat
24 gambling on the Illinois River south of Marshall County. The
25 Board shall issue one additional license to become effective
26 not earlier than March 1, 1992, which shall authorize riverboat

1 gambling on the Des Plaines River in Will County. The Board may
2 issue 4 additional licenses to become effective not earlier
3 than March 1, 1992. In determining the water upon which
4 riverboats will operate, the Board shall consider the economic
5 benefit which riverboat gambling confers on the State, and
6 shall seek to assure that all regions of the State share in the
7 economic benefits of riverboat gambling.

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

21 In addition to any other revocation powers granted to the
22 Board under this Act, the Board may revoke the owners license
23 of a licensee which fails to begin conducting gambling within
24 15 months of receipt of the Board's approval of the application
25 if the Board determines that license revocation is in the best
26 interests of the State.

1 (f) The first 10 owners licenses issued under this Act
2 shall permit the holder to own up to 2 riverboats and equipment
3 thereon for a period of 3 years after the effective date of the
4 license. Holders of the first 10 owners licenses must pay the
5 annual license fee for each of the 3 years during which they
6 are authorized to own riverboats.

7 (g) Upon the termination, expiration, or revocation of each
8 of the first 10 licenses, which shall be issued for a 3 year
9 period, all licenses are renewable annually upon payment of the
10 fee and a determination by the Board that the licensee
11 continues to meet all of the requirements of this Act and the
12 Board's rules. However, for licenses renewed on or after May 1,
13 1998, renewal shall be for a period of 4 years, unless the
14 Board sets a shorter period.

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

25 (i) A licensed owner is authorized to apply to the Board
26 for and, if approved therefor, to receive all licenses from the

1 Board necessary for the operation of a riverboat, including a
2 liquor license, a license to prepare and serve food for human
3 consumption, and other necessary licenses. All use, occupation
4 and excise taxes which apply to the sale of food and beverages
5 in this State and all taxes imposed on the sale or use of
6 tangible personal property apply to such sales aboard the
7 riverboat.

8 (j) The Board may issue or re-issue a license authorizing a
9 riverboat to dock in a municipality or approve a relocation
10 under Section 11.2 only if, prior to the issuance or
11 re-issuance of the license or approval, the governing body of
12 the municipality in which the riverboat will dock has by a
13 majority vote approved the docking of riverboats in the
14 municipality. The Board may issue or re-issue a license
15 authorizing a riverboat to dock in areas of a county outside
16 any municipality or approve a relocation under Section 11.2
17 only if, prior to the issuance or re-issuance of the license or
18 approval, the governing body of the county has by a majority
19 vote approved of the docking of riverboats within such areas.

20 (Source: P.A. 93-28, eff. 6-20-03; 93-453, eff. 8-7-03; 94-667,
21 eff. 8-23-05; 94-804, eff. 5-26-06.)

22 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

24 (a) Until January 1, 1998, a tax is imposed on the adjusted
25 gross receipts received from gambling games authorized under

1 this Act at the rate of 20%.

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

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

9 20% of annual adjusted gross receipts in excess of
10 \$25,000,000 but not exceeding \$50,000,000;

11 25% of annual adjusted gross receipts in excess of
12 \$50,000,000 but not exceeding \$75,000,000;

13 30% of annual adjusted gross receipts in excess of
14 \$75,000,000 but not exceeding \$100,000,000;

15 35% of annual adjusted gross receipts in excess of
16 \$100,000,000.

17 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
18 is imposed on persons engaged in the business of conducting
19 riverboat gambling operations, other than licensed managers
20 conducting riverboat gambling operations on behalf of the
21 State, based on the adjusted gross receipts received by a
22 licensed owner from gambling games authorized under this Act at
23 the following rates:

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

26 22.5% of annual adjusted gross receipts in excess of

1 \$25,000,000 but not exceeding \$50,000,000;

2 27.5% of annual adjusted gross receipts in excess of
3 \$50,000,000 but not exceeding \$75,000,000;

4 32.5% of annual adjusted gross receipts in excess of
5 \$75,000,000 but not exceeding \$100,000,000;

6 37.5% of annual adjusted gross receipts in excess of
7 \$100,000,000 but not exceeding \$150,000,000;

8 45% of annual adjusted gross receipts in excess of
9 \$150,000,000 but not exceeding \$200,000,000;

10 50% of annual adjusted gross receipts in excess of
11 \$200,000,000.

12 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
13 persons engaged in the business of conducting riverboat
14 gambling operations, other than licensed managers conducting
15 riverboat gambling operations on behalf of the State, based on
16 the adjusted gross receipts received by a licensed owner from
17 gambling games authorized under this Act at the following
18 rates:

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

21 27.5% of annual adjusted gross receipts in excess of
22 \$25,000,000 but not exceeding \$37,500,000;

23 32.5% of annual adjusted gross receipts in excess of
24 \$37,500,000 but not exceeding \$50,000,000;

25 37.5% of annual adjusted gross receipts in excess of
26 \$50,000,000 but not exceeding \$75,000,000;

1 45% of annual adjusted gross receipts in excess of
2 \$75,000,000 but not exceeding \$100,000,000;

3 50% of annual adjusted gross receipts in excess of
4 \$100,000,000 but not exceeding \$250,000,000;

5 70% of annual adjusted gross receipts in excess of
6 \$250,000,000.

7 An amount equal to the amount of wagering taxes collected
8 under this subsection (a-3) that are in addition to the amount
9 of wagering taxes that would have been collected if the
10 wagering tax rates under subsection (a-2) were in effect shall
11 be paid into the Common School Fund.

12 The privilege tax imposed under this subsection (a-3) shall
13 no longer be imposed beginning on the earlier of (i) July 1,
14 2005; (ii) the first date after June 20, 2003 that riverboat
15 gambling operations are conducted pursuant to a dormant
16 license; or (iii) the first day that riverboat gambling
17 operations are conducted under the authority of an owners
18 license that is in addition to the 10 owners licenses initially
19 authorized under this Act. For the purposes of this subsection
20 (a-3), the term "dormant license" means an owners license that
21 is authorized by this Act under which no riverboat gambling
22 operations are being conducted on June 20, 2003.

23 (a-4) Beginning on the first day on which the tax imposed
24 under subsection (a-3) is no longer imposed, a privilege tax is
25 imposed on persons engaged in the business of conducting
26 riverboat gambling operations, other than licensed managers

1 conducting riverboat gambling operations on behalf of the
2 State, based on the adjusted gross receipts received by a
3 licensed owner from gambling games authorized under this Act at
4 the 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 (a-8) Riverboat gambling operations conducted by a
20 licensed manager on behalf of the State are not subject to the
21 tax imposed under this Section.

22 (a-10) The taxes imposed by this Section shall be paid by
23 the licensed owner to the Board not later than 3:00 o'clock
24 p.m. of the day after the day when the wagers were made.

25 (a-15) If the privilege tax imposed under subsection (a-3)
26 is no longer imposed pursuant to item (i) of the last paragraph

1 of subsection (a-3), then by June 15 of each year, each owners
2 licensee, other than an owners licensee that admitted 1,000,000
3 persons or fewer in calendar year 2004, must, in addition to
4 the payment of all amounts otherwise due under this Section,
5 pay to the Board a reconciliation payment in the amount, if
6 any, by which the licensed owner's base amount exceeds the
7 amount of net privilege tax paid by the licensed owner to the
8 Board in the then current State fiscal year. A licensed owner's
9 net privilege tax obligation due for the balance of the State
10 fiscal year shall be reduced up to the total of the amount paid
11 by the licensed owner in its June 15 reconciliation payment.
12 The obligation imposed by this subsection (a-15) is binding on
13 any person, firm, corporation, or other entity that acquires an
14 ownership interest in any such owners license. The obligation
15 imposed under this subsection (a-15) terminates on the earliest
16 of: (i) July 1, 2007, (ii) the first day after the effective
17 date of this amendatory Act of the 94th General Assembly that
18 riverboat gambling operations are conducted pursuant to a
19 dormant license, (iii) the first day that riverboat gambling
20 operations are conducted under the authority of an owners
21 license that is in addition to the 10 owners licenses initially
22 authorized under this Act, or (iv) the first day that a
23 licensee under the Illinois Horse Racing Act of 1975 conducts
24 gaming operations with slot machines or other electronic gaming
25 devices. The Board must reduce the obligation imposed under
26 this subsection (a-15) by an amount the Board deems reasonable

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

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

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

16 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

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

10 (b) Until January 1, 1998, 25% of the tax revenue deposited
11 in the State Gaming Fund under this Section shall be paid,
12 subject to appropriation by the General Assembly, to the unit
13 of local government which is designated as the home dock of the
14 riverboat. Beginning January 1, 1998, from the tax revenue
15 deposited in the State Gaming Fund under this Section, an
16 amount equal to 5% of adjusted gross receipts generated by a
17 riverboat shall be paid monthly, subject to appropriation by
18 the General Assembly, to the unit of local government that is
19 designated as the home dock of the riverboat. From the tax
20 revenue deposited in the State Gaming Fund pursuant to
21 riverboat gambling operations conducted by a licensed manager
22 on behalf of the State, an amount equal to 5% of adjusted gross
23 receipts generated pursuant to those riverboat gambling
24 operations shall be paid monthly, subject to appropriation by
25 the General Assembly, to the unit of local government that is
26 designated as the home dock of the riverboat upon which those

1 riverboat gambling operations are conducted.

2 (c) Appropriations, as approved by the General Assembly,
3 may be made from the State Gaming Fund to the Department of
4 Revenue and the Department of State Police for the
5 administration and enforcement of this Act, or to the
6 Department of Human Services for the administration of programs
7 to treat problem gambling.

8 (c-5) Before May 26, 2006 (the effective date of Public Act
9 94-804) and beginning on the effective date of this amendatory
10 Act of the 95th General Assembly, unless any organization
11 licensee under the Illinois Horse Racing Act of 1975 begins to
12 operate a slot machine or video game of chance under the
13 Illinois Horse Racing Act of 1975 or this Act 2 years after May
14 26, 2006 (the effective date of Public Act 94-804), after the
15 payments required under subsections (b) and (c) have been made,
16 an amount equal to 15% of the adjusted gross receipts of (1) an
17 owners licensee that relocates pursuant to Section 11.2, (2) an
18 owners licensee conducting riverboat gambling operations
19 pursuant to an owners license that is initially issued after
20 June 25, 1999, or (3) the first riverboat gambling operations
21 conducted by a licensed manager on behalf of the State under
22 Section 7.3, whichever comes first, shall be paid from the
23 State Gaming Fund into the Horse Racing Equity Fund.

24 (c-10) Each year the General Assembly shall appropriate
25 from the General Revenue Fund to the Education Assistance Fund
26 an amount equal to the amount paid into the Horse Racing Equity

1 Fund pursuant to subsection (c-5) in the prior calendar year.

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

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

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

1 comes first, shall be paid from the State Gaming Fund to
2 Chicago State University.

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

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, 5b,
15 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
16 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
17 Penalty and Interest Act.

18 (Source: P.A. 94-673, eff. 8-23-05; 94-804, eff. 5-26-06;
19 94-839, eff. 6-6-06; 95-331, eff. 8-21-07.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."