



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB2939

by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

See Index

Amends the Riverboat Gambling Act. Changes the short title to the Illinois Gambling Act and changes corresponding references to the Act throughout the statutes. Authorizes the Illinois Gaming Board to conduct gambling operations on a riverboat or in a casino, through a licensed manager, within the City of Chicago. Provides that the City of Chicago shall select the site for the gambling operation and acquire, upon consultation with the Capital Development Board, any land necessary for its construction, including by condemnation or eminent domain, and the City of Chicago shall convey to the Illinois Gaming Board property so acquired upon reimbursement to the City of Chicago of the purchase price of the property, plus reasonable interest costs. Requires the Capital Development Board to construct, repair, and maintain, or contract for and supervise the construction, repair, and maintenance of, facilities for use by the Board to conduct the gambling operations. Provides deadlines for the selection of a licensed manager for the gambling operations and limits the number of positions that may be operated. Provides that no admissions tax shall be imposed upon admissions to that gambling operation. Amends the Riverboat Gambling Act and the Video Gaming Act to prohibit political contributions from certain licensees. Makes other changes. Contains a severability clause. Effective September 1, 2015.

LRB099 06480 MLM 26552 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning gaming.

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

4 Section 5. The Alcoholism and Other Drug Abuse and
5 Dependency Act is amended by changing Section 5-20 as follows:

6 (20 ILCS 301/5-20)

7 Sec. 5-20. Compulsive gambling program.

8 (a) Subject to appropriation, the Department shall
9 establish a program for public education, research, and
10 training regarding problem and compulsive gambling and the
11 treatment and prevention of problem and compulsive gambling.
12 Subject to specific appropriation for these stated purposes,
13 the program must include all of the following:

14 (1) Establishment and maintenance of a toll-free "800"
15 telephone number to provide crisis counseling and referral
16 services to families experiencing difficulty as a result of
17 problem or compulsive gambling.

18 (2) Promotion of public awareness regarding the
19 recognition and prevention of problem and compulsive
20 gambling.

21 (3) Facilitation, through in-service training and
22 other means, of the availability of effective assistance
23 programs for problem and compulsive gamblers.

1 (4) Conducting studies to identify adults and
2 juveniles in this State who are, or who are at risk of
3 becoming, problem or compulsive gamblers.

4 (b) Subject to appropriation, the Department shall either
5 establish and maintain the program or contract with a private
6 or public entity for the establishment and maintenance of the
7 program. Subject to appropriation, either the Department or the
8 private or public entity shall implement the toll-free
9 telephone number, promote public awareness, and conduct
10 in-service training concerning problem and compulsive
11 gambling.

12 (c) Subject to appropriation, the Department shall produce
13 and supply the signs specified in Section 10.7 of the Illinois
14 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of
15 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1
16 of the Charitable Games Act, and Section 13.1 of the Illinois
17 ~~Riverboat~~ Gambling Act.

18 (Source: P.A. 89-374, eff. 1-1-96; 89-626, eff. 8-9-96.)

19 Section 10. The Illinois Lottery Law is amended by changing
20 Section 9.1 as follows:

21 (20 ILCS 1605/9.1)

22 Sec. 9.1. Private manager and management agreement.

23 (a) As used in this Section:

24 "Offeror" means a person or group of persons that responds

1 to a request for qualifications under this Section.

2 "Request for qualifications" means all materials and
3 documents prepared by the Department to solicit the following
4 from offerors:

5 (1) Statements of qualifications.

6 (2) Proposals to enter into a management agreement,
7 including the identity of any prospective vendor or vendors
8 that the offeror intends to initially engage to assist the
9 offeror in performing its obligations under the management
10 agreement.

11 "Final offer" means the last proposal submitted by an
12 offeror in response to the request for qualifications,
13 including the identity of any prospective vendor or vendors
14 that the offeror intends to initially engage to assist the
15 offeror in performing its obligations under the management
16 agreement.

17 "Final offeror" means the offeror ultimately selected by
18 the Governor to be the private manager for the Lottery under
19 subsection (h) of this Section.

20 (b) By September 15, 2010, the Governor shall select a
21 private manager for the total management of the Lottery with
22 integrated functions, such as lottery game design, supply of
23 goods and services, and advertising and as specified in this
24 Section.

25 (c) Pursuant to the terms of this subsection, the
26 Department shall endeavor to expeditiously terminate the

1 existing contracts in support of the Lottery in effect on the
2 effective date of this amendatory Act of the 96th General
3 Assembly in connection with the selection of the private
4 manager. As part of its obligation to terminate these contracts
5 and select the private manager, the Department shall establish
6 a mutually agreeable timetable to transfer the functions of
7 existing contractors to the private manager so that existing
8 Lottery operations are not materially diminished or impaired
9 during the transition. To that end, the Department shall do the
10 following:

11 (1) where such contracts contain a provision
12 authorizing termination upon notice, the Department shall
13 provide notice of termination to occur upon the mutually
14 agreed timetable for transfer of functions;

15 (2) upon the expiration of any initial term or renewal
16 term of the current Lottery contracts, the Department shall
17 not renew such contract for a term extending beyond the
18 mutually agreed timetable for transfer of functions; or

19 (3) in the event any current contract provides for
20 termination of that contract upon the implementation of a
21 contract with the private manager, the Department shall
22 perform all necessary actions to terminate the contract on
23 the date that coincides with the mutually agreed timetable
24 for transfer of functions.

25 If the contracts to support the current operation of the
26 Lottery in effect on the effective date of this amendatory Act

1 of the 96th General Assembly are not subject to termination as
2 provided for in this subsection (c), then the Department may
3 include a provision in the contract with the private manager
4 specifying a mutually agreeable methodology for incorporation.

5 (c-5) The Department shall include provisions in the
6 management agreement whereby the private manager shall, for a
7 fee, and pursuant to a contract negotiated with the Department
8 (the "Employee Use Contract"), utilize the services of current
9 Department employees to assist in the administration and
10 operation of the Lottery. The Department shall be the employer
11 of all such bargaining unit employees assigned to perform such
12 work for the private manager, and such employees shall be State
13 employees, as defined by the Personnel Code. Department
14 employees shall operate under the same employment policies,
15 rules, regulations, and procedures, as other employees of the
16 Department. In addition, neither historical representation
17 rights under the Illinois Public Labor Relations Act, nor
18 existing collective bargaining agreements, shall be disturbed
19 by the management agreement with the private manager for the
20 management of the Lottery.

21 (d) The management agreement with the private manager shall
22 include all of the following:

23 (1) A term not to exceed 10 years, including any
24 renewals.

25 (2) A provision specifying that the Department:

26 (A) shall exercise actual control over all

1 significant business decisions;

2 (A-5) has the authority to direct or countermand
3 operating decisions by the private manager at any time;

4 (B) has ready access at any time to information
5 regarding Lottery operations;

6 (C) has the right to demand and receive information
7 from the private manager concerning any aspect of the
8 Lottery operations at any time; and

9 (D) retains ownership of all trade names,
10 trademarks, and intellectual property associated with
11 the Lottery.

12 (3) A provision imposing an affirmative duty on the
13 private manager to provide the Department with material
14 information and with any information the private manager
15 reasonably believes the Department would want to know to
16 enable the Department to conduct the Lottery.

17 (4) A provision requiring the private manager to
18 provide the Department with advance notice of any operating
19 decision that bears significantly on the public interest,
20 including, but not limited to, decisions on the kinds of
21 games to be offered to the public and decisions affecting
22 the relative risk and reward of the games being offered, so
23 the Department has a reasonable opportunity to evaluate and
24 countermand that decision.

25 (5) A provision providing for compensation of the
26 private manager that may consist of, among other things, a

1 fee for services and a performance based bonus as
2 consideration for managing the Lottery, including terms
3 that may provide the private manager with an increase in
4 compensation if Lottery revenues grow by a specified
5 percentage in a given year.

6 (6) (Blank).

7 (7) A provision requiring the deposit of all Lottery
8 proceeds to be deposited into the State Lottery Fund except
9 as otherwise provided in Section 20 of this Act.

10 (8) A provision requiring the private manager to locate
11 its principal office within the State.

12 (8-5) A provision encouraging that at least 20% of the
13 cost of contracts entered into for goods and services by
14 the private manager in connection with its management of
15 the Lottery, other than contracts with sales agents or
16 technical advisors, be awarded to businesses that are a
17 minority owned business, a female owned business, or a
18 business owned by a person with disability, as those terms
19 are defined in the Business Enterprise for Minorities,
20 Females, and Persons with Disabilities Act.

21 (9) A requirement that so long as the private manager
22 complies with all the conditions of the agreement under the
23 oversight of the Department, the private manager shall have
24 the following duties and obligations with respect to the
25 management of the Lottery:

26 (A) The right to use equipment and other assets

1 used in the operation of the Lottery.

2 (B) The rights and obligations under contracts
3 with retailers and vendors.

4 (C) The implementation of a comprehensive security
5 program by the private manager.

6 (D) The implementation of a comprehensive system
7 of internal audits.

8 (E) The implementation of a program by the private
9 manager to curb compulsive gambling by persons playing
10 the Lottery.

11 (F) A system for determining (i) the type of
12 Lottery games, (ii) the method of selecting winning
13 tickets, (iii) the manner of payment of prizes to
14 holders of winning tickets, (iv) the frequency of
15 drawings of winning tickets, (v) the method to be used
16 in selling tickets, (vi) a system for verifying the
17 validity of tickets claimed to be winning tickets,
18 (vii) the basis upon which retailer commissions are
19 established by the manager, and (viii) minimum
20 payouts.

21 (10) A requirement that advertising and promotion must
22 be consistent with Section 7.8a of this Act.

23 (11) A requirement that the private manager market the
24 Lottery to those residents who are new, infrequent, or
25 lapsed players of the Lottery, especially those who are
26 most likely to make regular purchases on the Internet as

1 permitted by law.

2 (12) A code of ethics for the private manager's
3 officers and employees.

4 (13) A requirement that the Department monitor and
5 oversee the private manager's practices and take action
6 that the Department considers appropriate to ensure that
7 the private manager is in compliance with the terms of the
8 management agreement, while allowing the manager, unless
9 specifically prohibited by law or the management
10 agreement, to negotiate and sign its own contracts with
11 vendors.

12 (14) A provision requiring the private manager to
13 periodically file, at least on an annual basis, appropriate
14 financial statements in a form and manner acceptable to the
15 Department.

16 (15) Cash reserves requirements.

17 (16) Procedural requirements for obtaining the prior
18 approval of the Department when a management agreement or
19 an interest in a management agreement is sold, assigned,
20 transferred, or pledged as collateral to secure financing.

21 (17) Grounds for the termination of the management
22 agreement by the Department or the private manager.

23 (18) Procedures for amendment of the agreement.

24 (19) A provision requiring the private manager to
25 engage in an open and competitive bidding process for any
26 procurement having a cost in excess of \$50,000 that is not

1 a part of the private manager's final offer. The process
2 shall favor the selection of a vendor deemed to have
3 submitted a proposal that provides the Lottery with the
4 best overall value. The process shall not be subject to the
5 provisions of the Illinois Procurement Code, unless
6 specifically required by the management agreement.

7 (20) The transition of rights and obligations,
8 including any associated equipment or other assets used in
9 the operation of the Lottery, from the manager to any
10 successor manager of the lottery, including the
11 Department, following the termination of or foreclosure
12 upon the management agreement.

13 (21) Right of use of copyrights, trademarks, and
14 service marks held by the Department in the name of the
15 State. The agreement must provide that any use of them by
16 the manager shall only be for the purpose of fulfilling its
17 obligations under the management agreement during the term
18 of the agreement.

19 (22) The disclosure of any information requested by the
20 Department to enable it to comply with the reporting
21 requirements and information requests provided for under
22 subsection (p) of this Section.

23 (e) Notwithstanding any other law to the contrary, the
24 Department shall select a private manager through a competitive
25 request for qualifications process consistent with Section
26 20-35 of the Illinois Procurement Code, which shall take into

1 account:

2 (1) the offeror's ability to market the Lottery to
3 those residents who are new, infrequent, or lapsed players
4 of the Lottery, especially those who are most likely to
5 make regular purchases on the Internet;

6 (2) the offeror's ability to address the State's
7 concern with the social effects of gambling on those who
8 can least afford to do so;

9 (3) the offeror's ability to provide the most
10 successful management of the Lottery for the benefit of the
11 people of the State based on current and past business
12 practices or plans of the offeror; and

13 (4) the offeror's poor or inadequate past performance
14 in servicing, equipping, operating or managing a lottery on
15 behalf of Illinois, another State or foreign government and
16 attracting persons who are not currently regular players of
17 a lottery.

18 (f) The Department may retain the services of an advisor or
19 advisors with significant experience in financial services or
20 the management, operation, and procurement of goods, services,
21 and equipment for a government-run lottery to assist in the
22 preparation of the terms of the request for qualifications and
23 selection of the private manager. Any prospective advisor
24 seeking to provide services under this subsection (f) shall
25 disclose any material business or financial relationship
26 during the past 3 years with any potential offeror, or with a

1 contractor or subcontractor presently providing goods,
2 services, or equipment to the Department to support the
3 Lottery. The Department shall evaluate the material business or
4 financial relationship of each prospective advisor. The
5 Department shall not select any prospective advisor with a
6 substantial business or financial relationship that the
7 Department deems to impair the objectivity of the services to
8 be provided by the prospective advisor. During the course of
9 the advisor's engagement by the Department, and for a period of
10 one year thereafter, the advisor shall not enter into any
11 business or financial relationship with any offeror or any
12 vendor identified to assist an offeror in performing its
13 obligations under the management agreement. Any advisor
14 retained by the Department shall be disqualified from being an
15 offeror. The Department shall not include terms in the request
16 for qualifications that provide a material advantage whether
17 directly or indirectly to any potential offeror, or any
18 contractor or subcontractor presently providing goods,
19 services, or equipment to the Department to support the
20 Lottery, including terms contained in previous responses to
21 requests for proposals or qualifications submitted to
22 Illinois, another State or foreign government when those terms
23 are uniquely associated with a particular potential offeror,
24 contractor, or subcontractor. The request for proposals
25 offered by the Department on December 22, 2008 as
26 "LOT08GAMESYS" and reference number "22016176" is declared

1 void.

2 (g) The Department shall select at least 2 offerors as
3 finalists to potentially serve as the private manager no later
4 than August 9, 2010. Upon making preliminary selections, the
5 Department shall schedule a public hearing on the finalists'
6 proposals and provide public notice of the hearing at least 7
7 calendar days before the hearing. The notice must include all
8 of the following:

9 (1) The date, time, and place of the hearing.

10 (2) The subject matter of the hearing.

11 (3) A brief description of the management agreement to
12 be awarded.

13 (4) The identity of the offerors that have been
14 selected as finalists to serve as the private manager.

15 (5) The address and telephone number of the Department.

16 (h) At the public hearing, the Department shall (i) provide
17 sufficient time for each finalist to present and explain its
18 proposal to the Department and the Governor or the Governor's
19 designee, including an opportunity to respond to questions
20 posed by the Department, Governor, or designee and (ii) allow
21 the public and non-selected offerors to comment on the
22 presentations. The Governor or a designee shall attend the
23 public hearing. After the public hearing, the Department shall
24 have 14 calendar days to recommend to the Governor whether a
25 management agreement should be entered into with a particular
26 finalist. After reviewing the Department's recommendation, the

1 Governor may accept or reject the Department's recommendation,
2 and shall select a final offeror as the private manager by
3 publication of a notice in the Illinois Procurement Bulletin on
4 or before September 15, 2010. The Governor shall include in the
5 notice a detailed explanation and the reasons why the final
6 offeror is superior to other offerors and will provide
7 management services in a manner that best achieves the
8 objectives of this Section. The Governor shall also sign the
9 management agreement with the private manager.

10 (i) Any action to contest the private manager selected by
11 the Governor under this Section must be brought within 7
12 calendar days after the publication of the notice of the
13 designation of the private manager as provided in subsection
14 (h) of this Section.

15 (j) The Lottery shall remain, for so long as a private
16 manager manages the Lottery in accordance with provisions of
17 this Act, a Lottery conducted by the State, and the State shall
18 not be authorized to sell or transfer the Lottery to a third
19 party.

20 (k) Any tangible personal property used exclusively in
21 connection with the lottery that is owned by the Department and
22 leased to the private manager shall be owned by the Department
23 in the name of the State and shall be considered to be public
24 property devoted to an essential public and governmental
25 function.

26 (l) The Department may exercise any of its powers under

1 this Section or any other law as necessary or desirable for the
2 execution of the Department's powers under this Section.

3 (m) Neither this Section nor any management agreement
4 entered into under this Section prohibits the General Assembly
5 from authorizing forms of gambling that are not in direct
6 competition with the Lottery. The forms of gambling authorized
7 by this amendatory Act of the 99th General Assembly constitute
8 authorized forms of gambling that are not in direct competition
9 with the Lottery.

10 (n) The private manager shall be subject to a complete
11 investigation in the third, seventh, and tenth years of the
12 agreement (if the agreement is for a 10-year term) by the
13 Department in cooperation with the Auditor General to determine
14 whether the private manager has complied with this Section and
15 the management agreement. The private manager shall bear the
16 cost of an investigation or reinvestigation of the private
17 manager under this subsection.

18 (o) The powers conferred by this Section are in addition
19 and supplemental to the powers conferred by any other law. If
20 any other law or rule is inconsistent with this Section,
21 including, but not limited to, provisions of the Illinois
22 Procurement Code, then this Section controls as to any
23 management agreement entered into under this Section. This
24 Section and any rules adopted under this Section contain full
25 and complete authority for a management agreement between the
26 Department and a private manager. No law, procedure,

1 proceeding, publication, notice, consent, approval, order, or
2 act by the Department or any other officer, Department, agency,
3 or instrumentality of the State or any political subdivision is
4 required for the Department to enter into a management
5 agreement under this Section. This Section contains full and
6 complete authority for the Department to approve any contracts
7 entered into by a private manager with a vendor providing
8 goods, services, or both goods and services to the private
9 manager under the terms of the management agreement, including
10 subcontractors of such vendors.

11 Upon receipt of a written request from the Chief
12 Procurement Officer, the Department shall provide to the Chief
13 Procurement Officer a complete and un-redacted copy of the
14 management agreement or any contract that is subject to the
15 Department's approval authority under this subsection (o). The
16 Department shall provide a copy of the agreement or contract to
17 the Chief Procurement Officer in the time specified by the
18 Chief Procurement Officer in his or her written request, but no
19 later than 5 business days after the request is received by the
20 Department. The Chief Procurement Officer must retain any
21 portions of the management agreement or of any contract
22 designated by the Department as confidential, proprietary, or
23 trade secret information in complete confidence pursuant to
24 subsection (g) of Section 7 of the Freedom of Information Act.
25 The Department shall also provide the Chief Procurement Officer
26 with reasonable advance written notice of any contract that is

1 pending Department approval.

2 Notwithstanding any other provision of this Section to the
3 contrary, the Chief Procurement Officer shall adopt
4 administrative rules, including emergency rules, to establish
5 a procurement process to select a successor private manager if
6 a private management agreement has been terminated. The
7 selection process shall at a minimum take into account the
8 criteria set forth in items (1) through (4) of subsection (e)
9 of this Section and may include provisions consistent with
10 subsections (f), (g), (h), and (i) of this Section. The Chief
11 Procurement Officer shall also implement and administer the
12 adopted selection process upon the termination of a private
13 management agreement. The Department, after the Chief
14 Procurement Officer certifies that the procurement process has
15 been followed in accordance with the rules adopted under this
16 subsection (o), shall select a final offeror as the private
17 manager and sign the management agreement with the private
18 manager.

19 Except as provided in Sections 21.2, 21.5, 21.6, 21.7,
20 21.8, and 21.9, the Department shall distribute all proceeds of
21 lottery tickets and shares sold in the following priority and
22 manner:

23 (1) The payment of prizes and retailer bonuses.

24 (2) The payment of costs incurred in the operation and
25 administration of the Lottery, including the payment of
26 sums due to the private manager under the management

1 agreement with the Department.

2 (3) On the last day of each month or as soon thereafter
3 as possible, the State Comptroller shall direct and the
4 State Treasurer shall transfer from the State Lottery Fund
5 to the Common School Fund an amount that is equal to the
6 proceeds transferred in the corresponding month of fiscal
7 year 2009, as adjusted for inflation, to the Common School
8 Fund.

9 (4) On or before the last day of each fiscal year,
10 deposit any remaining proceeds, subject to payments under
11 items (1), (2), and (3) into the Capital Projects Fund each
12 fiscal year.

13 (p) The Department shall be subject to the following
14 reporting and information request requirements:

15 (1) the Department shall submit written quarterly
16 reports to the Governor and the General Assembly on the
17 activities and actions of the private manager selected
18 under this Section;

19 (2) upon request of the Chief Procurement Officer, the
20 Department shall promptly produce information related to
21 the procurement activities of the Department and the
22 private manager requested by the Chief Procurement
23 Officer; the Chief Procurement Officer must retain
24 confidential, proprietary, or trade secret information
25 designated by the Department in complete confidence
26 pursuant to subsection (g) of Section 7 of the Freedom of

1 Information Act; and

2 (3) at least 30 days prior to the beginning of the
3 Department's fiscal year, the Department shall prepare an
4 annual written report on the activities of the private
5 manager selected under this Section and deliver that report
6 to the Governor and General Assembly.

7 (Source: P.A. 97-464, eff. 8-19-11; 98-463, eff. 8-16-13;
8 98-649, eff. 6-16-14.)

9 Section 15. The Department of Revenue Law of the Civil
10 Administrative Code of Illinois is amended by changing Section
11 2505-305 as follows:

12 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

13 Sec. 2505-305. Investigators.

14 (a) The Department has the power to appoint investigators
15 to conduct all investigations, searches, seizures, arrests,
16 and other duties imposed under the provisions of any law
17 administered by the Department. Except as provided in
18 subsection (c), these investigators have and may exercise all
19 the powers of peace officers solely for the purpose of
20 enforcing taxing measures administered by the Department.

21 (b) The Director must authorize to each investigator
22 employed under this Section and to any other employee of the
23 Department exercising the powers of a peace officer a distinct
24 badge that, on its face, (i) clearly states that the badge is

1 authorized by the Department and (ii) contains a unique
2 identifying number. No other badge shall be authorized by the
3 Department.

4 (c) The Department may enter into agreements with the
5 Illinois Gaming Board providing that investigators appointed
6 under this Section shall exercise the peace officer powers set
7 forth in paragraph (20.6) of subsection (c) of Section 5 of the
8 Illinois Riverboat Gambling Act.

9 (Source: P.A. 96-37, eff. 7-13-09.)

10 Section 20. The State Finance Act is amended by changing
11 Sections 5d and 6z-45 as follows:

12 (30 ILCS 105/5d) (from Ch. 127, par. 141d)

13 Sec. 5d. State Construction Account Fund.

14 (a) Except as provided in subsection (b) of this Section or
15 ~~by~~ Section 5e of this Act, the State Construction Account Fund
16 shall be used exclusively for the construction, reconstruction
17 and maintenance of the State maintained highway system. Except
18 as provided by Section 5e of this Act, none of the money
19 deposited in the State Construction Account Fund shall be used
20 to pay the cost of administering the Motor Fuel Tax Law as now
21 or hereafter amended, nor be appropriated for use by the
22 Department of Transportation to pay the cost of its operations
23 or administration, nor be used in any manner for the payment of
24 regular or contractual employees of the State, nor be

1 transferred or allocated by the Comptroller and Treasurer or be
2 otherwise used, except for the sole purpose of construction,
3 reconstruction and maintenance of the State maintained highway
4 system as the Illinois General Assembly shall provide by
5 appropriation from this fund. Beginning with the month
6 immediately following the effective date of this amendatory Act
7 of 1985, investment income which is attributable to the
8 investment of moneys of the State Construction Account Fund
9 shall be retained in that fund for the uses specified in this
10 Section.

11 (b) None of the money deposited into the State Construction
12 Account Fund pursuant to subsection (c-40) of Section 13 of the
13 Illinois Gambling Act shall be used for the construction,
14 reconstruction, or maintenance of highways located within the
15 City of Chicago.

16 (Source: P.A. 84-431.)

17 (30 ILCS 105/6z-45)

18 Sec. 6z-45. The School Infrastructure Fund.

19 (a) The School Infrastructure Fund is created as a special
20 fund in the State Treasury.

21 In addition to any other deposits authorized by law,
22 beginning January 1, 2000, on the first day of each month, or
23 as soon thereafter as may be practical, the State Treasurer and
24 State Comptroller shall transfer the sum of \$5,000,000 from the
25 General Revenue Fund to the School Infrastructure Fund, except

1 that, notwithstanding any other provision of law, and in
2 addition to any other transfers that may be provided for by
3 law, before June 30, 2012, the Comptroller and the Treasurer
4 shall transfer \$45,000,000 from the General Revenue Fund into
5 the School Infrastructure Fund, and, for fiscal year 2013 only,
6 the Treasurer and the Comptroller shall transfer \$1,250,000
7 from the General Revenue Fund to the School Infrastructure Fund
8 on the first day of each month; provided, however, that no such
9 transfers shall be made from July 1, 2001 through June 30,
10 2003.

11 (b) Subject to the transfer provisions set forth below,
12 money in the School Infrastructure Fund shall, if and when the
13 State of Illinois incurs any bonded indebtedness for the
14 construction of school improvements under the School
15 Construction Law, be set aside and used for the purpose of
16 paying and discharging annually the principal and interest on
17 that bonded indebtedness then due and payable, and for no other
18 purpose.

19 In addition to other transfers to the General Obligation
20 Bond Retirement and Interest Fund made pursuant to Section 15
21 of the General Obligation Bond Act, upon each delivery of bonds
22 issued for construction of school improvements under the School
23 Construction Law, the State Comptroller shall compute and
24 certify to the State Treasurer the total amount of principal
25 of, interest on, and premium, if any, on such bonds during the
26 then current and each succeeding fiscal year. With respect to

1 the interest payable on variable rate bonds, such
2 certifications shall be calculated at the maximum rate of
3 interest that may be payable during the fiscal year, after
4 taking into account any credits permitted in the related
5 indenture or other instrument against the amount of such
6 interest required to be appropriated for that period.

7 On or before the last day of each month, the State
8 Treasurer and State Comptroller shall transfer from the School
9 Infrastructure Fund to the General Obligation Bond Retirement
10 and Interest Fund an amount sufficient to pay the aggregate of
11 the principal of, interest on, and premium, if any, on the
12 bonds payable on their next payment date, divided by the number
13 of monthly transfers occurring between the last previous
14 payment date (or the delivery date if no payment date has yet
15 occurred) and the next succeeding payment date. Interest
16 payable on variable rate bonds shall be calculated at the
17 maximum rate of interest that may be payable for the relevant
18 period, after taking into account any credits permitted in the
19 related indenture or other instrument against the amount of
20 such interest required to be appropriated for that period.
21 Interest for which moneys have already been deposited into the
22 capitalized interest account within the General Obligation
23 Bond Retirement and Interest Fund shall not be included in the
24 calculation of the amounts to be transferred under this
25 subsection.

26 (b-5) The money deposited into the School Infrastructure

1 Fund from transfers pursuant to subsections (c-30) and (c-35)
2 of Section 13 of the Illinois Riverboat Gambling Act shall be
3 applied, without further direction, as provided in subsection
4 (b-3) of Section 5-35 of the School Construction Law.

5 (c) The surplus, if any, in the School Infrastructure Fund
6 after payments made pursuant to subsections (b) and (b-5) of
7 this Section shall, subject to appropriation, be used as
8 follows:

9 First - to make 3 payments to the School Technology
10 Revolving Loan Fund as follows:

11 Transfer of \$30,000,000 in fiscal year 1999;

12 Transfer of \$20,000,000 in fiscal year 2000; and

13 Transfer of \$10,000,000 in fiscal year 2001.

14 Second - to pay the expenses of the State Board of
15 Education and the Capital Development Board in administering
16 programs under the School Construction Law, the total expenses
17 not to exceed \$1,200,000 in any fiscal year.

18 Third - to pay any amounts due for grants for school
19 construction projects and debt service under the School
20 Construction Law.

21 Fourth - to pay any amounts due for grants for school
22 maintenance projects under the School Construction Law.

23 (Source: P.A. 97-732, eff. 6-30-12; 98-18, eff. 6-7-13.)

24 Section 22. The General Obligation Bond Act is amended by
25 changing Sections 2 and 3 as follows:

1 (30 ILCS 330/2) (from Ch. 127, par. 652)

2 Sec. 2. Authorization for Bonds. The State of Illinois is
3 authorized to issue, sell and provide for the retirement of
4 General Obligation Bonds of the State of Illinois for the
5 categories and specific purposes expressed in Sections 2
6 through 8 of this Act, in the total amount of \$50,817,925,743
7 ~~\$49,917,925,743~~.

8 The bonds authorized in this Section 2 and in Section 16 of
9 this Act are herein called "Bonds".

10 Of the total amount of Bonds authorized in this Act, up to
11 \$2,200,000,000 in aggregate original principal amount may be
12 issued and sold in accordance with the Baccalaureate Savings
13 Act in the form of General Obligation College Savings Bonds.

14 Of the total amount of Bonds authorized in this Act, up to
15 \$300,000,000 in aggregate original principal amount may be
16 issued and sold in accordance with the Retirement Savings Act
17 in the form of General Obligation Retirement Savings Bonds.

18 Of the total amount of Bonds authorized in this Act, the
19 additional \$10,000,000,000 authorized by Public Act 93-2, the
20 \$3,466,000,000 authorized by Public Act 96-43, and the
21 \$4,096,348,300 authorized by Public Act 96-1497 shall be used
22 solely as provided in Section 7.2.

23 The issuance and sale of Bonds pursuant to the General
24 Obligation Bond Act is an economical and efficient method of
25 financing the long-term capital needs of the State. This Act

1 will permit the issuance of a multi-purpose General Obligation
2 Bond with uniform terms and features. This will not only lower
3 the cost of registration but also reduce the overall cost of
4 issuing debt by improving the marketability of Illinois General
5 Obligation Bonds.

6 (Source: P.A. 97-333, eff. 8-12-11; 97-771, eff. 7-10-12;
7 97-813, eff. 7-13-12; 98-94, eff. 7-17-13; 98-463, eff.
8 8-16-13; 98-781, eff. 7-22-14.)

9 (30 ILCS 330/3) (from Ch. 127, par. 653)

10 Sec. 3. Capital Facilities. The amount of \$10,653,963,443
11 ~~\$9,753,963,443~~ is authorized to be used for the acquisition,
12 development, construction, reconstruction, improvement,
13 financing, architectural planning and installation of capital
14 facilities within the State, consisting of buildings,
15 structures, durable equipment, land, interests in land, and the
16 costs associated with the purchase and implementation of
17 information technology, including but not limited to the
18 purchase of hardware and software, for the following specific
19 purposes:

20 (a) \$3,393,228,000 for educational purposes by State
21 universities and colleges, the Illinois Community College
22 Board created by the Public Community College Act and for
23 grants to public community colleges as authorized by
24 Sections 5-11 and 5-12 of the Public Community College Act;

25 (b) \$1,648,420,000 for correctional purposes at State

1 prison and correctional centers;

2 (c) \$599,183,000 for open spaces, recreational and
3 conservation purposes and the protection of land;

4 (d) \$751,317,000 for child care facilities, mental and
5 public health facilities, and facilities for the care of
6 disabled veterans and their spouses;

7 (e) \$2,152,790,000 for use by the State, its
8 departments, authorities, public corporations, commissions
9 and agencies;

10 (f) \$818,100 for cargo handling facilities at port
11 districts and for breakwaters, including harbor entrances,
12 at port districts in conjunction with facilities for small
13 boats and pleasure crafts;

14 (g) \$297,177,074 for water resource management
15 projects;

16 (h) \$16,940,269 for the provision of facilities for
17 food production research and related instructional and
18 public service activities at the State universities and
19 public community colleges;

20 (i) \$36,000,000 for grants by the Secretary of State,
21 as State Librarian, for central library facilities
22 authorized by Section 8 of the Illinois Library System Act
23 and for grants by the Capital Development Board to units of
24 local government for public library facilities;

25 (j) \$25,000,000 for the acquisition, development,
26 construction, reconstruction, improvement, financing,

1 architectural planning and installation of capital
2 facilities consisting of buildings, structures, durable
3 equipment and land for grants to counties, municipalities
4 or public building commissions with correctional
5 facilities that do not comply with the minimum standards of
6 the Department of Corrections under Section 3-15-2 of the
7 Unified Code of Corrections;

8 (k) \$5,000,000 for grants in fiscal year 1988 by the
9 Department of Conservation for improvement or expansion of
10 aquarium facilities located on property owned by a park
11 district;

12 (l) \$599,590,000 to State agencies for grants to local
13 governments for the acquisition, financing, architectural
14 planning, development, alteration, installation, and
15 construction of capital facilities consisting of
16 buildings, structures, durable equipment, and land; and

17 (m) \$228,500,000 for the Illinois Open Land Trust
18 Program as defined by the Illinois Open Land Trust Act.

19 (n) \$900,000,000 for the acquisition, development,
20 construction, reconstruction, improvement, financing,
21 architectural planning, and installation of capital
22 facilities consisting of buildings, structures, durable
23 equipment, and land for gambling operations authorized
24 under Section 7.3a of the Illinois Gambling Act.

25 The amounts authorized above for capital facilities may be
26 used for the acquisition, installation, alteration,

1 construction, or reconstruction of capital facilities and for
2 the purchase of equipment for the purpose of major capital
3 improvements which will reduce energy consumption in State
4 buildings or facilities.

5 (Source: P.A. 98-94, eff. 7-17-13.)

6 Section 25. The Joliet Regional Port District Act is
7 amended by changing Section 5.1 as follows:

8 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

9 Sec. 5.1. Riverboat and casino gambling. Notwithstanding
10 any other provision of this Act, the District may not regulate
11 the operation, conduct, or navigation of any riverboat gambling
12 casino licensed under the Illinois Riverboat Gambling Act, and
13 the District may not license, tax, or otherwise levy any
14 assessment of any kind on any riverboat gambling casino
15 licensed under the Illinois Riverboat Gambling Act. The General
16 Assembly declares that the powers to regulate the operation,
17 conduct, and navigation of riverboat gambling casinos and to
18 license, tax, and levy assessments upon riverboat gambling
19 casinos are exclusive powers of the State of Illinois and the
20 Illinois Gaming Board as provided in the Illinois Riverboat
21 Gambling Act.

22 (Source: P.A. 87-1175.)

23 Section 30. The Consumer Installment Loan Act is amended by

1 changing Section 12.5 as follows:

2 (205 ILCS 670/12.5)

3 Sec. 12.5. Limited purpose branch.

4 (a) Upon the written approval of the Director, a licensee
5 may maintain a limited purpose branch for the sole purpose of
6 making loans as permitted by this Act. A limited purpose branch
7 may include an automatic loan machine. No other activity shall
8 be conducted at the site, including but not limited to,
9 accepting payments, servicing the accounts, or collections.

10 (b) The licensee must submit an application for a limited
11 purpose branch to the Director on forms prescribed by the
12 Director with an application fee of \$300. The approval for the
13 limited purpose branch must be renewed concurrently with the
14 renewal of the licensee's license along with a renewal fee of
15 \$300 for the limited purpose branch.

16 (c) The books, accounts, records, and files of the limited
17 purpose branch's transactions shall be maintained at the
18 licensee's licensed location. The licensee shall notify the
19 Director of the licensed location at which the books, accounts,
20 records, and files shall be maintained.

21 (d) The licensee shall prominently display at the limited
22 purpose branch the address and telephone number of the
23 licensee's licensed location.

24 (e) No other business shall be conducted at the site of the
25 limited purpose branch unless authorized by the Director.

1 (f) The Director shall make and enforce reasonable rules
2 for the conduct of a limited purpose branch.

3 (g) A limited purpose branch may not be located within
4 1,000 feet of a facility operated by an inter-track wagering
5 licensee or an organization licensee subject to the Illinois
6 Horse Racing Act of 1975, on a riverboat or in a casino subject
7 to the Illinois Riverboat Gambling Act, or within 1,000 feet of
8 the location at which the riverboat docks or within 1,000 feet
9 of a casino.

10 (Source: P.A. 90-437, eff. 1-1-98.)

11 Section 35. The Illinois Horse Racing Act of 1975 is
12 amended by changing Sections 54 and 54.75 as follows:

13 (230 ILCS 5/54)

14 Sec. 54. Horse Racing Equity Fund.

15 (a) There is created in the State Treasury a Fund to be
16 known as the Horse Racing Equity Fund. The Fund shall consist
17 of moneys paid into it pursuant to subsection (c-5) of Section
18 13 of the Illinois Riverboat Gambling Act. The Fund shall be
19 administered by the Racing Board.

20 (b) The moneys deposited into the Fund shall be distributed
21 by the Racing Board within 10 days after those moneys are
22 deposited into the Fund as follows:

23 (1) Fifty percent of all moneys distributed under this
24 subsection shall be distributed to organization licensees

1 to be distributed at their race meetings as purses.
2 Fifty-seven percent of the amount distributed under this
3 paragraph (1) shall be distributed for thoroughbred race
4 meetings and 43% shall be distributed for standardbred race
5 meetings. Within each breed, moneys shall be allocated to
6 each organization licensee's purse fund in accordance with
7 the ratio between the purses generated for that breed by
8 that licensee during the prior calendar year and the total
9 purses generated throughout the State for that breed during
10 the prior calendar year.

11 (2) The remaining 50% of the moneys distributed under
12 this subsection (b) shall be distributed pro rata according
13 to the aggregate proportion of state-wide handle at the
14 racetrack, inter-track, and inter-track wagering locations
15 that derive their licenses from a racetrack identified in
16 this paragraph (2) for calendar years 1994, 1996, and 1997
17 to (i) any person (or its successors or assigns) who had
18 operating control of a racing facility at which live racing
19 was conducted in calendar year 1997 and who has operating
20 control of an organization licensee that conducted racing
21 in calendar year 1997 and is a licensee in the current
22 year, or (ii) any person (or its successors or assigns) who
23 has operating control of a racing facility located in a
24 county that is bounded by the Mississippi River that has a
25 population of less than 150,000 according to the 1990
26 decennial census and conducted an average of 60 days of

1 racing per year between 1985 and 1993 and has been awarded
2 an inter-track wagering license in the current year.

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

7 (Source: P.A. 98-18, eff. 6-7-13.)

8 (230 ILCS 5/54.75)

9 Sec. 54.75. Horse Racing Equity Trust Fund.

10 (a) There is created a Fund to be known as the Horse Racing
11 Equity Trust Fund, which is a non-appropriated trust fund held
12 separate and apart from State moneys. The Fund shall consist of
13 moneys paid into it by owners licensees under the Illinois
14 ~~Riverboat~~ Gambling Act for the purposes described in this
15 Section. The Fund shall be administered by the Board. Moneys in
16 the Fund shall be distributed as directed and certified by the
17 Board in accordance with the provisions of subsection (b).

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

21 (1) Sixty percent of all moneys distributed under this
22 subsection shall be distributed to organization licensees
23 to be distributed at their race meetings as purses.
24 Fifty-seven percent of the amount distributed under this
25 paragraph (1) shall be distributed for thoroughbred race

1 meetings and 43% shall be distributed for standardbred race
2 meetings. Within each breed, moneys shall be allocated to
3 each organization licensee's purse fund in accordance with
4 the ratio between the purses generated for that breed by
5 that licensee during the prior calendar year and the total
6 purses generated throughout the State for that breed during
7 the prior calendar year by licensees in the current
8 calendar year.

9 (2) The remaining 40% of the moneys distributed under
10 this subsection (b) shall be distributed as follows:

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

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

1 The moneys received by an organization licensee
2 under this paragraph (2) shall be used by each
3 organization licensee to improve, maintain, market,
4 and otherwise operate its racing facilities to conduct
5 live racing, which shall include backstretch services
6 and capital improvements related to live racing and the
7 backstretch. Any organization licensees sharing common
8 ownership may pool the moneys received and spent at all
9 racing facilities commonly owned in order to meet these
10 requirements.

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

15 (c) The Board shall monitor organization licensees to
16 ensure that moneys paid to organization licensees under this
17 Section are distributed by the organization licensees as
18 provided in subsection (b).

19 (Source: P.A. 95-1008, eff. 12-15-08.)

20 Section 40. The Riverboat Gambling Act is amended by
21 changing Sections 1, 2, 3, 4, 5, 5.1, 6, 7, 7.3, 7.4, 8, 9, 11,
22 11.1, 12, 13, 14, 15, 18, 18.1, 19, 20, and 24 and by adding
23 Sections 7.3a and 18.2 as follows:

24 (230 ILCS 10/1) (from Ch. 120, par. 2401)

1 Sec. 1. Short title. This Act shall be known and may be
2 cited as the Illinois ~~Riverboat~~ Gambling Act.

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

4 (230 ILCS 10/2) (from Ch. 120, par. 2402)

5 Sec. 2. Legislative Intent.

6 (a) This Act is intended to benefit the people of the State
7 of Illinois by assisting economic development, ~~and~~ promoting
8 Illinois tourism, ~~and~~ ~~by~~ increasing the amount of revenues
9 available to the State to assist and support education, and to
10 defray State expenses.

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

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

25 (Source: P.A. 93-28, eff. 6-20-03.)

1 (230 ILCS 10/3) (from Ch. 120, par. 2403)

2 Sec. 3. ~~Riverboat~~ Gambling Authorized.

3 (a) Riverboat and casino gambling operations ~~and the system~~
4 ~~of wagering incorporated therein~~, as defined in this Act, are
5 hereby authorized to the extent that they are carried out in
6 accordance with the provisions of this Act.

7 (b) This Act does not apply to the pari-mutuel system of
8 wagering used or intended to be used in connection with the
9 horse-race meetings as authorized under the Illinois Horse
10 Racing Act of 1975, lottery games authorized under the Illinois
11 Lottery Law, bingo authorized under the Bingo License and Tax
12 Act, charitable games authorized under the Charitable Games Act
13 or pull tabs and jar games conducted under the Illinois Pull
14 Tabs and Jar Games Act.

15 (c) Riverboat gambling conducted pursuant to this Act may
16 be authorized upon any water within the State of Illinois or
17 any water other than Lake Michigan which constitutes a boundary
18 of the State of Illinois. Notwithstanding any provision in this
19 subsection (c) to the contrary, a manager conducting gambling
20 operations on behalf of the State may conduct riverboat
21 gambling on Lake Michigan from a home dock located on Lake
22 Michigan. A licensee may conduct riverboat gambling authorized
23 under this Act regardless of whether it conducts excursion
24 cruises. A licensee may permit the continuous ingress and
25 egress of passengers for the purpose of gambling.

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

2 (230 ILCS 10/4) (from Ch. 120, par. 2404)

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

4 ~~(a)~~ "Board" means the Illinois Gaming Board.

5 ~~(b)~~ "Occupational license" means a license issued by the
6 Board to a person or entity to perform an occupation which the
7 Board has identified as requiring a license to engage in
8 riverboat gambling or casino gambling in Illinois.

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

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

20 ~~(e)~~ "Managers license" means a license issued by the Board
21 to a person or entity to manage gambling operations conducted
22 by the State pursuant to Section 7.3 or Section 7.3a.

23 ~~(f)~~ "Dock" means the location where a riverboat moors for
24 the purpose of embarking passengers for and disembarking
25 passengers from the riverboat.

1 ~~(g)~~ "Gross receipts" means the total amount of money
2 exchanged for the purchase of chips, tokens, or electronic
3 cards by riverboat patrons.

4 ~~(h)~~ "Adjusted gross receipts" means the gross receipts less
5 winnings paid to wagerers.

6 ~~(i)~~ "Cheat" means to alter the selection of criteria which
7 determine the result of a gambling game or the amount or
8 frequency of payment in a gambling game.

9 ~~(j)~~ ~~(Blank)~~.

10 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~
11 gambling games authorized under this Act upon a riverboat or in
12 a casino.

13 ~~(l)~~ "License bid" means the lump sum amount of money that
14 an applicant bids and agrees to pay the State in return for an
15 owners license that is re-issued on or after July 1, 2003.

16 ~~(m)~~ The terms "minority person", "female", and "person with
17 a disability" shall have the same meaning as defined in Section
18 2 of the Business Enterprise for Minorities, Females, and
19 Persons with Disabilities Act.

20 "Casino" means a facility at which lawful gambling is
21 authorized as provided in this Act.

22 "Owners license" means a license to conduct riverboat or
23 casino gambling operations and the authorization to conduct
24 gambling operations under Section 7.3a of this Act.

25 "Licensed owner" means a person or entity who holds an
26 owners license.

1 (Source: P.A. 95-331, eff. 8-21-07; 96-1392, eff. 1-1-11.)

2 (230 ILCS 10/5) (from Ch. 120, par. 2405)

3 Sec. 5. Gaming Board.

4 (a) (1) There is hereby established the Illinois Gaming
5 Board, which shall have the powers and duties specified in this
6 Act, and all other powers necessary and proper to fully and
7 effectively execute this Act for the purpose of administering,
8 regulating, and enforcing the system of riverboat and casino
9 gambling established by this Act. Its jurisdiction shall extend
10 under this Act to every person, association, corporation,
11 partnership and trust involved in riverboat and casino gambling
12 operations in the State of Illinois.

13 (2) The Board shall consist of 5 members to be appointed by
14 the Governor with the advice and consent of the Senate, one of
15 whom shall be designated by the Governor to be chairperson
16 ~~chairman~~. Each member shall have a reasonable knowledge of the
17 practice, procedure and principles of gambling operations.
18 Each member shall either be a resident of Illinois or shall
19 certify that he or she will become a resident of Illinois
20 before taking office.

21 On and after the effective date of this amendatory Act of
22 the 99th General Assembly, new appointees to the Board must
23 include the following:

24 (A) One member who has received, at a minimum, a
25 bachelor's degree from an accredited school and at least 10

1 years of verifiable training and experience in the fields
2 of investigation and law enforcement.

3 (B) One member who is a certified public accountant
4 with experience in auditing and with knowledge of complex
5 corporate structures and transactions.

6 (C) One member who has 5 years' experience as a
7 principal, senior officer, or director of a company or
8 business with either material responsibility for the daily
9 operations and management of the overall company or
10 business or material responsibility for the policy making
11 of the company or business.

12 (D) One member who is a lawyer licensed to practice law
13 in Illinois.

14 Notwithstanding any provision of this subsection (a), the
15 requirements of subparagraphs (A) through (D) of this paragraph
16 (2) shall not apply to any person reappointed pursuant to
17 paragraph (3).

18 No more than 3 members of the Board may be from the same
19 political party. The Board should reflect the ethnic, cultural,
20 and geographic diversity of the State. No Board member shall,
21 within a period of one year immediately preceding nomination,
22 have been employed or received compensation or fees for
23 services from a person or entity, or its parent or affiliate,
24 that has engaged in business with the Board, a licensee, or a
25 licensee under the Illinois Horse Racing Act of 1975. Board
26 members must publicly disclose all prior affiliations with

1 gaming interests, including any compensation, fees, bonuses,
2 salaries, and other reimbursement received from a person or
3 entity, or its parent or affiliate, that has engaged in
4 business with the Board, a licensee, or a licensee under the
5 Illinois Horse Racing Act of 1975. This disclosure must be made
6 within 30 days after nomination but prior to confirmation by
7 the Senate and must be made available to the members of the
8 Senate. ~~At least one member shall be experienced in law~~
9 ~~enforcement and criminal investigation, at least one member~~
10 ~~shall be a certified public accountant experienced in~~
11 ~~accounting and auditing, and at least one member shall be a~~
12 ~~lawyer licensed to practice law in Illinois.~~

13 (3) The terms of office of the Board members shall be 3
14 years, except that the terms of office of the initial Board
15 members appointed pursuant to this Act will commence from the
16 effective date of this Act and run as follows: one for a term
17 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for
18 a term ending July 1, 1993. Upon the expiration of the
19 foregoing terms, the successors of such members shall serve a
20 term for 3 years and until their successors are appointed and
21 qualified for like terms. Vacancies in the Board shall be
22 filled for the unexpired term in like manner as original
23 appointments. Each member of the Board shall be eligible for
24 reappointment at the discretion of the Governor with the advice
25 and consent of the Senate.

26 (4) Each member of the Board shall receive \$300 for each

1 day the Board meets and for each day the member conducts any
2 hearing pursuant to this Act. Each member of the Board shall
3 also be reimbursed for all actual and necessary expenses and
4 disbursements incurred in the execution of official duties.

5 (5) No person shall be appointed a member of the Board or
6 continue to be a member of the Board who is, or whose spouse,
7 child or parent is, a member of the board of directors of, or a
8 person financially interested in, any gambling operation
9 subject to the jurisdiction of this Board, or any race track,
10 race meeting, racing association or the operations thereof
11 subject to the jurisdiction of the Illinois Racing Board. No
12 Board member shall hold any other public office. No person
13 shall be a member of the Board who is not of good moral
14 character or who has been convicted of, or is under indictment
15 for, a felony under the laws of Illinois or any other state, or
16 the United States.

17 (5.5) No member of the Board shall engage in any political
18 activity. For the purposes of this Section, "political" means
19 any activity in support of or in connection with any campaign
20 for federal, State, or local elective office or any political
21 organization, but does not include activities (i) relating to
22 the support or opposition of any executive, legislative, or
23 administrative action (as those terms are defined in Section 2
24 of the Lobbyist Registration Act), (ii) relating to collective
25 bargaining, or (iii) that are otherwise in furtherance of the
26 person's official State duties or governmental and public

1 service functions.

2 (6) Any member of the Board may be removed by the Governor
3 for neglect of duty, misfeasance, malfeasance, or nonfeasance
4 in office or for engaging in any political activity.

5 (7) Before entering upon the discharge of the duties of his
6 office, each member of the Board shall take an oath that he
7 will faithfully execute the duties of his office according to
8 the laws of the State and the rules and regulations adopted
9 therewith and shall give bond to the State of Illinois,
10 approved by the Governor, in the sum of \$25,000. Every such
11 bond, when duly executed and approved, shall be recorded in the
12 office of the Secretary of State. Whenever the Governor
13 determines that the bond of any member of the Board has become
14 or is likely to become invalid or insufficient, he shall
15 require such member forthwith to renew his bond, which is to be
16 approved by the Governor. Any member of the Board who fails to
17 take oath and give bond within 30 days from the date of his
18 appointment, or who fails to renew his bond within 30 days
19 after it is demanded by the Governor, shall be guilty of
20 neglect of duty and may be removed by the Governor. The cost of
21 any bond given by any member of the Board under this Section
22 shall be taken to be a part of the necessary expenses of the
23 Board.

24 (7.5) For the examination of all mechanical,
25 electromechanical, or electronic table games, slot machines,
26 slot accounting systems, and other electronic gaming equipment

1 for compliance with this Act, the Board may utilize the
2 services of one or more independent outside testing
3 laboratories that have been accredited by a national
4 accreditation body and that, in the judgment of the Board, are
5 qualified to perform such examinations.

6 (8) The Board shall employ such personnel as may be
7 necessary to carry out its functions and shall determine the
8 salaries of all personnel, except those personnel whose
9 salaries are determined under the terms of a collective
10 bargaining agreement. No person shall be employed to serve the
11 Board who is, or whose spouse, parent or child is, an official
12 of, or has a financial interest in or financial relation with,
13 any operator engaged in gambling operations within this State
14 or any organization engaged in conducting horse racing within
15 this State. Any employee violating these prohibitions shall be
16 subject to termination of employment.

17 (9) An Administrator shall perform any and all duties that
18 the Board shall assign him. The salary of the Administrator
19 shall be determined by the Board and, in addition, he shall be
20 reimbursed for all actual and necessary expenses incurred by
21 him in discharge of his official duties. The Administrator
22 shall keep records of all proceedings of the Board and shall
23 preserve all records, books, documents and other papers
24 belonging to the Board or entrusted to its care. The
25 Administrator shall devote his full time to the duties of the
26 office and shall not hold any other office or employment.

1 (b) The Board shall have general responsibility for the
2 implementation of this Act. Its duties include, without
3 limitation, the following:

4 (1) To decide promptly and in reasonable order all
5 license applications. Any party aggrieved by an action of
6 the Board denying, suspending, revoking, restricting or
7 refusing to renew a license may request a hearing before
8 the Board. A request for a hearing must be made to the
9 Board in writing within 5 days after service of notice of
10 the action of the Board. Notice of the action of the Board
11 shall be served either by personal delivery or by certified
12 mail, postage prepaid, to the aggrieved party. Notice
13 served by certified mail shall be deemed complete on the
14 business day following the date of such mailing. The Board
15 shall conduct all requested hearings promptly and in
16 reasonable order;

17 (2) To conduct all hearings pertaining to civil
18 violations of this Act or rules and regulations promulgated
19 hereunder;

20 (3) To promulgate such rules and regulations as in its
21 judgment may be necessary to protect or enhance the
22 credibility and integrity of gambling operations
23 authorized by this Act and the regulatory process
24 hereunder;

25 (4) To provide for the establishment and collection of
26 all license and registration fees and taxes imposed by this

1 Act and the rules and regulations issued pursuant hereto.
2 All such fees and taxes shall be deposited into the State
3 Gaming Fund;

4 (5) To provide for the levy and collection of penalties
5 and fines for the violation of provisions of this Act and
6 the rules and regulations promulgated hereunder. All such
7 fines and penalties shall be deposited into the Education
8 Assistance Fund, created by Public Act 86-0018, of the
9 State of Illinois;

10 (6) To be present through its inspectors and agents any
11 time gambling operations are conducted on any riverboat or
12 in any casino for the purpose of certifying the revenue
13 thereof, receiving complaints from the public, and
14 conducting such other investigations into the conduct of
15 the gambling games and the maintenance of the equipment as
16 from time to time the Board may deem necessary and proper;

17 (7) To review and rule upon any complaint by a licensee
18 regarding any investigative procedures of the State which
19 are unnecessarily disruptive of gambling operations. The
20 need to inspect and investigate shall be presumed at all
21 times. The disruption of a licensee's operations shall be
22 proved by clear and convincing evidence, and establish
23 that: (A) the procedures had no reasonable law enforcement
24 purposes, and (B) the procedures were so disruptive as to
25 unreasonably inhibit gambling operations;

26 (8) To hold at least one meeting each quarter of the

1 fiscal year. In addition, special meetings may be called by
2 the Chairman or any 2 Board members upon 72 hours written
3 notice to each member. All Board meetings shall be subject
4 to the Open Meetings Act. Three members of the Board shall
5 constitute a quorum, and 3 votes shall be required for any
6 final determination by the Board. The Board shall keep a
7 complete and accurate record of all its meetings. A
8 majority of the members of the Board shall constitute a
9 quorum for the transaction of any business, for the
10 performance of any duty, or for the exercise of any power
11 which this Act requires the Board members to transact,
12 perform or exercise en banc, except that, upon order of the
13 Board, one of the Board members or an administrative law
14 judge designated by the Board may conduct any hearing
15 provided for under this Act or by Board rule and may
16 recommend findings and decisions to the Board. The Board
17 member or administrative law judge conducting such hearing
18 shall have all powers and rights granted to the Board in
19 this Act. The record made at the time of the hearing shall
20 be reviewed by the Board, or a majority thereof, and the
21 findings and decision of the majority of the Board shall
22 constitute the order of the Board in such case;

23 (9) To maintain records which are separate and distinct
24 from the records of any other State board or commission.
25 Such records shall be available for public inspection and
26 shall accurately reflect all Board proceedings;

1 (10) To file a written annual report with the Governor
2 on or before March 1 each year and such additional reports
3 as the Governor may request. The annual report shall
4 include a statement of receipts and disbursements by the
5 Board, actions taken by the Board, and any additional
6 information and recommendations which the Board may deem
7 valuable or which the Governor may request;

8 (11) (Blank);

9 (12) (Blank);

10 (13) To assume responsibility for administration and
11 enforcement of the Video Gaming Act; and

12 (14) To adopt, by rule, a code of conduct governing
13 Board members and employees that ensures ~~ensure~~, to the
14 maximum extent possible, that persons subject to this Code
15 avoid situations, relationships, or associations that may
16 represent or lead to a conflict of interest.

17 (c) The Board shall have jurisdiction over and shall
18 supervise all gambling operations governed by this Act. The
19 Board shall have all powers necessary and proper to fully and
20 effectively execute the provisions of this Act, including, but
21 not limited to, the following:

22 (1) To investigate applicants and determine the
23 eligibility of applicants for licenses and to select among
24 competing applicants the applicants which best serve the
25 interests of the citizens of Illinois.

26 (2) To have jurisdiction and supervision over all

1 ~~riverboat~~ gambling operations authorized under this Act in
2 ~~this State~~ and all persons in places ~~on riverboats~~ where
3 gambling operations are conducted.

4 (3) To promulgate rules and regulations for the purpose
5 of administering the provisions of this Act and to
6 prescribe rules, regulations and conditions under which
7 all ~~riverboat~~ gambling operations subject to this Act in
8 ~~the State~~ shall be conducted. Such rules and regulations
9 are to provide for the prevention of practices detrimental
10 to the public interest and for the best interests of
11 ~~riverboat~~ gambling, including rules and regulations
12 regarding the inspection of casinos and ~~such~~ riverboats,
13 and the review of any permits or licenses necessary to
14 operate a riverboat or casino under any laws or regulations
15 applicable to riverboats or casinos, and to impose
16 penalties for violations thereof.

17 (4) To enter the office, riverboats, casinos, and other
18 facilities, or other places of business of a licensee,
19 where evidence of the compliance or noncompliance with the
20 provisions of this Act is likely to be found.

21 (5) To investigate alleged violations of this Act or
22 the rules of the Board and to take appropriate disciplinary
23 action against a licensee or a holder of an occupational
24 license for a violation, or institute appropriate legal
25 action for enforcement, or both.

26 (6) To adopt standards for the licensing of all persons

1 and entities under Section 7 of this Act, as well as for
2 electronic or mechanical gambling games, and to establish
3 fees for such licenses.

4 (7) To adopt appropriate standards for all riverboats,
5 casinos, and other facilities authorized under this Act.

6 (8) To require that the records, including financial or
7 other statements of any licensee under this Act, shall be
8 kept in such manner as prescribed by the Board and that any
9 such licensee involved in the ownership or management of
10 gambling operations submit to the Board an annual balance
11 sheet and profit and loss statement, list of the
12 stockholders or other persons having a 1% or greater
13 beneficial interest in the gambling activities of each
14 licensee, and any other information the Board deems
15 necessary in order to effectively administer this Act and
16 all rules, regulations, orders and final decisions
17 promulgated under this Act.

18 (9) To conduct hearings, issue subpoenas for the
19 attendance of witnesses and subpoenas duces tecum for the
20 production of books, records and other pertinent documents
21 in accordance with the Illinois Administrative Procedure
22 Act, and to administer oaths and affirmations to the
23 witnesses, when, in the judgment of the Board, it is
24 necessary to administer or enforce this Act or the Board
25 rules.

26 (10) To prescribe a form to be used by any licensee

1 involved in the ownership or management of gambling
2 operations as an application for employment for their
3 employees.

4 (11) To revoke or suspend licenses, as the Board may
5 see fit and in compliance with applicable laws of the State
6 regarding administrative procedures, and to review
7 applications for the renewal of licenses. The Board may
8 suspend an owners license, without notice or hearing, upon
9 a determination that the safety or health of patrons or
10 employees is jeopardized by continuing a gambling
11 operation conducted under that license ~~riverboat's~~
12 ~~operation~~. The suspension may remain in effect until the
13 Board determines that the cause for suspension has been
14 abated. The Board may revoke an ~~the~~ owners license upon a
15 determination that the licensee ~~owner~~ has not made
16 satisfactory progress toward abating the hazard. The
17 authority to revoke or suspend licenses under this
18 paragraph (11) does not extend to the authorization to
19 conduct casino gambling operations under Section 7.3a of
20 this Act.

21 (12) To eject or exclude or authorize the ejection or
22 exclusion of, any person from ~~riverboat~~ gambling
23 facilities where that ~~such~~ person is in violation of this
24 Act, rules and regulations thereunder, or final orders of
25 the Board, or where such person's conduct or reputation is
26 such that his or her presence within the ~~riverboat~~ gambling

1 facilities may, in the opinion of the Board, call into
2 question the honesty and integrity of the gambling
3 operations or interfere with the orderly conduct thereof;
4 provided that the propriety of such ejection or exclusion
5 is subject to subsequent hearing by the Board.

6 (13) To require all licensees of gambling operations to
7 utilize a cashless wagering system whereby all players'
8 money is converted to tokens, electronic cards, or chips
9 which shall be used only for wagering in the gambling
10 establishment.

11 (14) (Blank).

12 (15) To suspend, revoke, or restrict licenses, to
13 require the removal of a licensee or an employee of a
14 licensee for a violation of this Act or a Board rule or for
15 engaging in a fraudulent practice, and to impose civil
16 penalties of up to \$5,000 against individuals and up to
17 \$10,000 or an amount equal to the daily gross receipts,
18 whichever is larger, against licensees for each violation
19 of any provision of the Act, any rules adopted by the
20 Board, any order of the Board or any other action which, in
21 the Board's discretion, is a detriment or impediment to
22 riverboat gambling operations. The authority to suspend,
23 revoke, or restrict licenses under this paragraph (15) does
24 not extend to the authorization to conduct casino gambling
25 operations under Section 7.3a of this Act.

26 (16) To hire employees to gather information, conduct

1 investigations and carry out any other tasks contemplated
2 under this Act.

3 (17) To establish minimum levels of insurance to be
4 maintained by licensees.

5 (18) To authorize a licensee to sell or serve alcoholic
6 liquors, wine or beer as defined in the Liquor Control Act
7 of 1934 on board a riverboat or in a casino and to have
8 exclusive authority to establish the hours for sale and
9 consumption of alcoholic liquor on board a riverboat or in
10 a casino, notwithstanding any provision of the Liquor
11 Control Act of 1934 or any local ordinance, and regardless
12 of whether the riverboat makes excursions. The
13 establishment of the hours for sale and consumption of
14 alcoholic liquor on board a riverboat or in a casino is an
15 exclusive power and function of the State. A home rule unit
16 may not establish the hours for sale and consumption of
17 alcoholic liquor on board a riverboat or in a casino. This
18 paragraph (18) ~~amendatory Act of 1991~~ is a denial and
19 limitation of home rule powers and functions under
20 subsection (h) of Section 6 of Article VII of the Illinois
21 Constitution.

22 (19) After consultation with the U.S. Army Corps of
23 Engineers, to establish binding emergency orders upon the
24 concurrence of a majority of the members of the Board
25 regarding the navigability of water, relative to
26 excursions, in the event of extreme weather conditions,

1 acts of God or other extreme circumstances.

2 (20) To delegate the execution of any of its powers
3 under this Act for the purpose of administering and
4 enforcing this Act and the ~~its~~ rules adopted by the Board
5 under this Act and regulations hereunder.

6 (20.5) To approve any contract entered into on its
7 behalf.

8 (20.6) To appoint investigators to conduct
9 investigations, searches, seizures, arrests, and other
10 duties imposed under this Act, as deemed necessary by the
11 Board. These investigators have and may exercise all of the
12 rights and powers of peace officers, provided that these
13 powers shall be limited to offenses or violations occurring
14 or committed in a casino or on a riverboat or dock, as
15 defined in subsections (d) and (f) of Section 4, or as
16 otherwise provided by this Act or any other law.

17 (20.7) To contract with the Department of State Police
18 for the use of trained and qualified State police officers
19 and with the Department of Revenue for the use of trained
20 and qualified Department of Revenue investigators to
21 conduct investigations, searches, seizures, arrests, and
22 other duties imposed under this Act and to exercise all of
23 the rights and powers of peace officers, provided that the
24 powers of Department of Revenue investigators under this
25 paragraph ~~subdivision~~ (20.7) shall be limited to offenses
26 or violations occurring or committed in a casino or on a

1 riverboat or dock, as defined in subsections (d) and (f) of
2 Section 4, or as otherwise provided by this Act or any
3 other law. In the event the Department of State Police or
4 the Department of Revenue is unable to fill contracted
5 police or investigative positions, the Board may appoint
6 investigators to fill those positions pursuant to
7 paragraph subdivision (20.6).

8 (21) To take any other action as may be reasonable or
9 appropriate to enforce this Act and the rules adopted by
10 the Board under this Act ~~and regulations hereunder~~.

11 All Board powers enumerated in this Section in relation to
12 licensees shall apply equally to the holder of a managers
13 license issued pursuant to Section 7.3 of this Act.

14 (d) The Board may seek and shall receive the cooperation of
15 the Department of State Police in conducting background
16 investigations of applicants and in fulfilling its
17 responsibilities under this Section. Costs incurred by the
18 Department of State Police as a result of such cooperation
19 shall be paid by the Board in conformance with the requirements
20 of Section 2605-400 of the Department of State Police Law (20
21 ILCS 2605/2605-400).

22 (e) The Board must authorize to each investigator and to
23 any other employee of the Board exercising the powers of a
24 peace officer a distinct badge that, on its face, (i) clearly
25 states that the badge is authorized by the Board and (ii)
26 contains a unique identifying number. No other badge shall be

1 authorized by the Board.

2 (f) The Board, on behalf of the State of Illinois, is
3 authorized to acquire by conveyance from the City of Chicago in
4 Cook County, Illinois real estate acquired by the City of
5 Chicago under subsection (b) of Section 7.3a of this Act.

6 The Board shall have the authority to hold title to
7 property as provided in subsection (b) of Section 7.3a of this
8 Act.

9 (Source: P.A. 98-377, eff. 1-1-14; 98-582, eff. 8-27-13.)

10 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

11 Sec. 5.1. Disclosure of records.

12 (a) Notwithstanding any applicable statutory provision to
13 the contrary, the Board shall, on written request from any
14 person, provide information furnished by an applicant or
15 licensee concerning the applicant or licensee, his products,
16 services or gambling enterprises and his business holdings, as
17 follows:

18 (1) The name, business address and business telephone
19 number of any applicant or licensee.

20 (2) An identification of any applicant or licensee
21 including, if an applicant or licensee is not an
22 individual, the state of incorporation or registration,
23 the corporate officers, and the identity of all
24 shareholders or participants. If an applicant or licensee
25 has a pending registration statement filed with the

1 Securities and Exchange Commission, only the names of those
2 persons or entities holding interest of 5% or more must be
3 provided.

4 (3) An identification of any business, including, if
5 applicable, the state of incorporation or registration, in
6 which an applicant or licensee or an applicant's or
7 licensee's spouse or children has an equity interest of
8 more than 1%. If an applicant or licensee is a corporation,
9 partnership or other business entity, the applicant or
10 licensee shall identify any other corporation, partnership
11 or business entity in which it has an equity interest of 1%
12 or more, including, if applicable, the state of
13 incorporation or registration. This information need not
14 be provided by a corporation, partnership or other business
15 entity that has a pending registration statement filed with
16 the Securities and Exchange Commission.

17 (4) Whether an applicant or licensee has been indicted,
18 convicted, pleaded guilty or nolo contendere, or forfeited
19 bail concerning any criminal offense under the laws of any
20 jurisdiction, either felony or misdemeanor (except for
21 traffic violations), including the date, the name and
22 location of the court, arresting agency and prosecuting
23 agency, the case number, the offense, the disposition and
24 the location and length of incarceration.

25 (5) Whether an applicant or licensee has had any
26 license or certificate issued by a licensing authority in

1 Illinois or any other jurisdiction denied, restricted,
2 suspended, revoked or not renewed and a statement
3 describing the facts and circumstances concerning the
4 denial, restriction, suspension, revocation or
5 non-renewal, including the licensing authority, the date
6 each such action was taken, and the reason for each such
7 action.

8 (6) Whether an applicant or licensee has ever filed or
9 had filed against it a proceeding in bankruptcy or has ever
10 been involved in any formal process to adjust, defer,
11 suspend or otherwise work out the payment of any debt
12 including the date of filing, the name and location of the
13 court, the case and number of the disposition.

14 (7) Whether an applicant or licensee has filed, or been
15 served with a complaint or other notice filed with any
16 public body, regarding the delinquency in the payment of,
17 or a dispute over the filings concerning the payment of,
18 any tax required under federal, State or local law,
19 including the amount, type of tax, the taxing agency and
20 time periods involved.

21 (8) A statement listing the names and titles of all
22 public officials or officers of any unit of government, and
23 relatives of said public officials or officers who,
24 directly or indirectly, own any financial interest in, have
25 any beneficial interest in, are the creditors of or hold
26 any debt instrument issued by, or hold or have any interest

1 in any contractual or service relationship with, an
2 applicant or licensee.

3 (9) Whether an applicant or licensee has made, directly
4 or indirectly, any political contribution, or any loans,
5 donations or other payments, to any candidate or office
6 holder, within 5 years from the date of filing the
7 application, including the amount and the method of
8 payment.

9 (10) The name and business telephone number of the
10 counsel representing an applicant or licensee in matters
11 before the Board.

12 (11) A description of any proposed or approved
13 riverboat or casino gaming operation, including the type of
14 boat, home dock or casino location, expected economic
15 benefit to the community, anticipated or actual number of
16 employees, any statement from an applicant or licensee
17 regarding compliance with federal and State affirmative
18 action guidelines, projected or actual admissions and
19 projected or actual adjusted gross gaming receipts.

20 (12) A description of the product or service to be
21 supplied by an applicant for a supplier's license.

22 (b) Notwithstanding any applicable statutory provision to
23 the contrary, the Board shall, on written request from any
24 person, also provide the following information:

25 (1) The amount of the wagering tax and admission tax
26 paid daily to the State of Illinois by the holder of an

1 owner's license.

2 (2) Whenever the Board finds an applicant for an
3 owner's license unsuitable for licensing, a copy of the
4 written letter outlining the reasons for the denial.

5 (3) Whenever the Board has refused to grant leave for
6 an applicant to withdraw his application, a copy of the
7 letter outlining the reasons for the refusal.

8 (c) Subject to the above provisions, the Board shall not
9 disclose any information which would be barred by:

10 (1) Section 7 of the Freedom of Information Act; or

11 (2) The statutes, rules, regulations or
12 intergovernmental agreements of any jurisdiction.

13 (d) The Board may assess fees for the copying of
14 information in accordance with Section 6 of the Freedom of
15 Information Act.

16 (Source: P.A. 96-1392, eff. 1-1-11.)

17 (230 ILCS 10/6) (from Ch. 120, par. 2406)

18 Sec. 6. Application for Owners License.

19 (a) A qualified person may apply to the Board for an owners
20 license to conduct a riverboat gambling operation as provided
21 in Section 7 of this Act. The application shall be made on
22 forms provided by the Board and shall contain such information
23 as the Board prescribes, including but not limited to the
24 identity of the riverboat on which such gambling operation is
25 to be conducted and the exact location where such riverboat

1 will be docked, a certification that the riverboat will be
2 registered under this Act at all times during which gambling
3 operations are conducted on board, detailed information
4 regarding the ownership and management of the applicant, and
5 detailed personal information regarding the applicant. Any
6 application for an owners license to be re-issued on or after
7 June 1, 2003 shall also include the applicant's license bid in
8 a form prescribed by the Board. Information provided on the
9 application shall be used as a basis for a thorough background
10 investigation which the Board shall conduct with respect to
11 each applicant. An incomplete application shall be cause for
12 denial of a license by the Board.

13 (b) Applicants shall submit with their application all
14 documents, resolutions, and letters of support from the
15 governing body that represents the municipality or county
16 wherein the licensee will dock.

17 (c) Each applicant shall disclose the identity of every
18 person, association, trust or corporation having a greater than
19 1% direct or indirect pecuniary interest in the riverboat
20 gambling operation with respect to which the license is sought.
21 If the disclosed entity is a trust, the application shall
22 disclose the names and addresses of the beneficiaries; if a
23 corporation, the names and addresses of all stockholders and
24 directors; if a partnership, the names and addresses of all
25 partners, both general and limited.

26 (d) An application shall be filed and considered in

1 accordance with the rules of the Board. An application fee of
2 \$50,000 shall be paid at the time of filing to defray the costs
3 associated with the background investigation conducted by the
4 Board. If the costs of the investigation exceed \$50,000, the
5 applicant shall pay the additional amount to the Board. If the
6 costs of the investigation are less than \$50,000, the applicant
7 shall receive a refund of the remaining amount. All
8 information, records, interviews, reports, statements,
9 memoranda or other data supplied to or used by the Board in the
10 course of its review or investigation of an application for a
11 license or a renewal under this Act shall be privileged,
12 strictly confidential and shall be used only for the purpose of
13 evaluating an applicant for a license or a renewal. Such
14 information, records, interviews, reports, statements,
15 memoranda or other data shall not be admissible as evidence,
16 nor discoverable in any action of any kind in any court or
17 before any tribunal, board, agency or person, except for any
18 action deemed necessary by the Board.

19 (e) The Board shall charge each applicant a fee set by the
20 Department of State Police to defray the costs associated with
21 the search and classification of fingerprints obtained by the
22 Board with respect to the applicant's application. These fees
23 shall be paid into the State Police Services Fund.

24 (f) The licensed owner shall be the person primarily
25 responsible for the boat itself. Only one riverboat gambling
26 operation may be authorized by the Board on any riverboat. The

1 applicant must identify each riverboat it intends to use and
2 certify that the riverboat: (1) has the authorized capacity
3 required in this Act; (2) is accessible to disabled persons;
4 and (3) is fully registered and licensed in accordance with any
5 applicable laws.

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

8 (Source: P.A. 96-1392, eff. 1-1-11.)

9 (230 ILCS 10/7) (from Ch. 120, par. 2407)

10 Sec. 7. Owners Licenses.

11 (a) The Board shall issue owners licenses to persons or
12 entities, ~~firms or corporations~~ which apply for such licenses
13 upon payment to the Board of the non-refundable license fee set
14 by the Board, upon payment of a \$25,000 license fee for the
15 first year of operation and a \$5,000 license fee for each
16 succeeding year and upon a determination by the Board that the
17 applicant is eligible for an owners license pursuant to this
18 Act and the rules of the Board. From the effective date of this
19 amendatory Act of the 95th General Assembly until (i) 3 years
20 after the effective date of this amendatory Act of the 95th
21 General Assembly, (ii) the date any organization licensee
22 begins to operate a slot machine or video game of chance under
23 the Illinois Horse Racing Act of 1975 or this Act, (iii) the
24 date that payments begin under subsection (c-5) of Section 13
25 of the Act, or (iv) the wagering tax imposed under Section 13

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

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

22 (2) the person has been convicted of any violation of
23 Article 28 of the Criminal Code of 1961 or the Criminal
24 Code of 2012, or substantially similar laws of any other
25 jurisdiction;

26 (3) the person or entity has submitted an application

1 for a license under this Act which contains false
2 information;

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

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

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

11 (7) (blank); or

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

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

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

26 (1) the character, reputation, experience and

1 financial integrity of the applicants and of any other or
2 separate person that either:

3 (A) controls, directly or indirectly, such
4 applicant, or

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

8 (2) the facilities or proposed facilities for the
9 conduct of riverboat gambling;

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

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

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

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

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

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

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

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

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

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

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

20 (e-10) In addition to any other revocation powers granted
21 to the Board under this Act, the Board may revoke the owners
22 license of a licensee which fails to begin conducting gambling
23 within 15 months of receipt of the Board's approval of the
24 application if the Board determines that license revocation is
25 in the best interests of the State.

26 (f) The first 10 owners licenses issued under this Act

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

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

14 (h) An owners license issued under this Section shall
15 entitle the licensee to own up to 2 riverboats.

16 A licensee shall limit the number of gaming positions
17 ~~gambling participants~~ to 1,200 for any such owners license.

18 A licensee may operate both of its riverboats concurrently,
19 provided that the total number of gaming positions ~~gambling~~
20 ~~participants~~ on both riverboats does not exceed 1,200.
21 Riverboats licensed to operate on the Mississippi River and the
22 Illinois River south of Marshall County shall have an
23 authorized capacity of at least 500 persons. Any other
24 riverboat licensed under this Act shall have an authorized
25 capacity of at least 400 persons.

26 (i) A licensed owner is authorized to apply to the Board

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

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

21 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

22 (230 ILCS 10/7.3)

23 Sec. 7.3. State conduct of gambling operations; reissued
24 license.

25 (a) If, after reviewing each application for a re-issued

1 license, the Board determines that the highest prospective
2 total revenue to the State would be derived from State conduct
3 of the gambling operation in lieu of re-issuing the license,
4 the Board shall inform each applicant of its decision. The
5 Board shall thereafter have the authority, without obtaining an
6 owners license, to conduct riverboat gambling operations as
7 previously authorized by the terminated, expired, revoked, or
8 nonrenewed license through a licensed manager selected
9 pursuant to an open and competitive bidding process as set
10 forth in Section 7.5 and as provided in Section 7.4.

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

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

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

1 (Source: P.A. 93-28, eff. 6-20-03.)

2 (230 ILCS 10/7.3a new)

3 Sec. 7.3a. State conduct of gambling operations; Chicago
4 casino.

5 (a) The Board is authorized to conduct gambling operations
6 on a riverboat or in a casino, through a licensed manager,
7 within the City of Chicago.

8 (b) The City of Chicago shall select the site for the
9 gambling operation and acquire, upon consultation with the
10 Capital Development Board, any land necessary for its
11 construction. For the purposes of this subsection (b), the City
12 of Chicago may acquire, by eminent domain or by condemnation
13 proceedings in the manner provided by the Eminent Domain Act,
14 real or personal property or interests in real or personal
15 property located in the City of Chicago, and the City of
16 Chicago shall convey to the Illinois Gaming Board property so
17 acquired upon reimbursement to the City of Chicago of the
18 purchase price of the property, plus reasonable interest costs.
19 The acquisition of property under this subsection (b) is
20 declared to be for a public use.

21 (c) The Capital Development Board shall construct, repair,
22 and maintain, or contract for and supervise the construction,
23 repair, and maintenance of, facilities for use by the Board to
24 conduct gambling operations under this Section.

25 (d) The Board must select and license a manager for the

1 gambling operations authorized under this Section pursuant to
2 Section 7.4 of this Act within 6 months after the effective
3 date of this amendatory Act of the 99th General Assembly. The
4 Board may, upon written request to the majority and minority
5 leaders of the House of Representatives and the Senate no less
6 than 14 days prior to the expiration of the 6-month period,
7 request an extension on this deadline to select and license a
8 manager of no more than 45 days. Either house of the General
9 Assembly may, by resolution, deny the 45-day extension.

10 (e) The gambling operation authorized under this Section
11 shall operate not less than 4,000 positions or more than 10,000
12 positions.

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

19 (230 ILCS 10/7.4)

20 Sec. 7.4. Managers licenses.

21 (a) A qualified person may apply to the Board for a
22 managers license to operate and manage any gambling operation
23 conducted by the State. The application shall be made on forms
24 provided by the Board and shall contain such information as the
25 Board prescribes, including but not limited to information

1 required in Sections 6(a), (b), and (c) and information
2 relating to the applicant's proposed price to manage State
3 gambling operations and to provide the riverboat, gambling
4 equipment, and supplies necessary to conduct State gambling
5 operations.

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

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

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

13 (2) the person has been convicted of any violation of
14 Article 28 of the Criminal Code of 1961 or the Criminal
15 Code of 2012, or substantially similar laws of any other
16 jurisdiction;

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

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

20 (5) a person defined in paragraph (1), (2), (3), or (4)
21 is an officer, director, or managerial employee of the firm
22 or corporation;

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

1 (7) a license of the person, firm, or corporation
2 issued under this Act, or a license to own or operate
3 gambling facilities in any other jurisdiction, has been
4 revoked.

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

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

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

13 (g) The managers license shall be for a term not less than
14 4 years but not more than ~~to exceed~~ 10 years, shall be
15 renewable at the Board's option, and shall contain such terms
16 and provisions as the Board deems necessary to protect or
17 enhance the credibility and integrity of State gambling
18 operations, achieve the highest prospective total revenue to
19 the State, and otherwise serve the interests of the citizens of
20 Illinois.

21 (h) Issuance of a managers license shall be subject to an
22 open and competitive bidding process. The Board may select an
23 applicant other than the lowest bidder by price. If it does not
24 select the lowest bidder, the Board shall issue a notice of who
25 the lowest bidder was and a written decision as to why another
26 bidder was selected.

1 (Source: P.A. 97-1150, eff. 1-25-13.)

2 (230 ILCS 10/8) (from Ch. 120, par. 2408)

3 Sec. 8. Suppliers licenses.

4 (a) The Board may issue a suppliers license to such
5 persons, firms or corporations which apply therefor upon the
6 payment of a non-refundable application fee set by the Board,
7 upon a determination by the Board that the applicant is
8 eligible for a suppliers license and upon payment of a \$5,000
9 annual license fee.

10 (b) The holder of a suppliers license is authorized to sell
11 or lease, and to contract to sell or lease, gambling equipment
12 and supplies to any licensee involved in the ownership or
13 management of gambling operations.

14 (c) Gambling supplies and equipment may not be distributed
15 unless supplies and equipment conform to standards adopted by
16 rules of the Board.

17 (d) A person, firm or corporation is ineligible to receive
18 a suppliers license if:

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

21 (2) the person has been convicted of any violation of
22 Article 28 of the Criminal Code of 1961 or the Criminal
23 Code of 2012, or substantially similar laws of any other
24 jurisdiction;

25 (3) the person has submitted an application for a

1 license under this Act which contains false information;

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

3 (5) the entity ~~firm or corporation~~ is one in which a
4 person defined in paragraph (1), (2), (3), or (4) ~~is~~ is an
5 officer, director, or managerial employee;

6 (6) the firm or corporation employs a person who
7 participates in the management or operation of riverboat
8 gambling authorized under this Act;

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

13 (e) Any person that supplies any equipment, devices, or
14 supplies to a licensed riverboat gambling operation or casino
15 gambling operation must first obtain a suppliers license. A
16 supplier shall furnish to the Board a list of all equipment,
17 devices and supplies offered for sale or lease in connection
18 with gambling games authorized under this Act. A supplier shall
19 keep books and records for the furnishing of equipment, devices
20 and supplies to gambling operations separate and distinct from
21 any other business that the supplier might operate. A supplier
22 shall file a quarterly return with the Board listing all sales
23 and leases. A supplier shall permanently affix its name or a
24 distinctive logo or other mark or design element identifying
25 the manufacturer or supplier to all its equipment, devices, and
26 supplies, except gaming chips without a value impressed,

1 engraved, or imprinted on it, for gambling operations. The
2 Board may waive this requirement for any specific product or
3 products if it determines that the requirement is not necessary
4 to protect the integrity of the game. Items purchased from a
5 licensed supplier may continue to be used even though the
6 supplier subsequently changes its name, distinctive logo, or
7 other mark or design element; undergoes a change in ownership;
8 or ceases to be licensed as a supplier for any reason. Any
9 supplier's equipment, devices or supplies which are used by any
10 person in an unauthorized gambling operation shall be forfeited
11 to the State. A licensed owner may own its own equipment,
12 devices, and supplies. Each holder of an owners license or, in
13 the case of a gambling operation conducted on behalf of the
14 State, a manager's license under this ~~the~~ Act shall file an
15 annual report listing its inventories of gambling equipment,
16 devices and supplies.

17 (f) Any person who knowingly makes a false statement on an
18 application is guilty of a Class A misdemeanor.

19 (g) Any gambling equipment, devices, and supplies provided
20 by any licensed supplier may either be repaired on the
21 riverboat or in the casino or removed from the riverboat or
22 casino to a ~~an on-shore~~ facility owned by the holder of an
23 owners license for repair.

24 (Source: P.A. 97-1150, eff. 1-25-13; 98-12, eff. 5-10-13;
25 98-756, eff. 7-16-14.)

1 (230 ILCS 10/9) (from Ch. 120, par. 2409)

2 Sec. 9. Occupational licenses.

3 (a) The Board may issue an occupational license to an
4 applicant upon the payment of a non-refundable fee set by the
5 Board, upon a determination by the Board that the applicant is
6 eligible for an occupational license and upon payment of an
7 annual license fee in an amount to be established. To be
8 eligible for an occupational license, an applicant must:

9 (1) be at least 21 years of age if the applicant will
10 perform any function involved in gaming by patrons. Any
11 applicant seeking an occupational license for a non-gaming
12 function shall be at least 18 years of age;

13 (2) not have been convicted of a felony offense, a
14 violation of Article 28 of the Criminal Code of 1961 or the
15 Criminal Code of 2012, or a similar statute of any other
16 jurisdiction;

17 (2.5) not have been convicted of a crime, other than a
18 crime described in item (2) of this subsection (a),
19 involving dishonesty or moral turpitude, except that the
20 Board may, in its discretion, issue an occupational license
21 to a person who has been convicted of a crime described in
22 this item (2.5) more than 10 years prior to his or her
23 application and has not subsequently been convicted of any
24 other crime;

25 (3) have demonstrated a level of skill or knowledge
26 which the Board determines to be necessary in order to

1 operate gambling aboard a riverboat or in a casino; and

2 (4) have met standards for the holding of an
3 occupational license as adopted by rules of the Board. Such
4 rules shall provide that any person or entity seeking an
5 occupational license to manage gambling operations under
6 this Act ~~hereunder~~ shall be subject to background inquiries
7 and further requirements similar to those required of
8 applicants for an owners license. Furthermore, such rules
9 shall provide that each such entity shall be permitted to
10 manage gambling operations for only one licensed owner.

11 (b) Each application for an occupational license shall be
12 on forms prescribed by the Board and shall contain all
13 information required by the Board. The applicant shall set
14 forth in the application: whether he has been issued prior
15 gambling related licenses; whether he has been licensed in any
16 other state under any other name, and, if so, such name and his
17 age; and whether or not a permit or license issued to him in
18 any other state has been suspended, restricted or revoked, and,
19 if so, for what period of time.

20 (c) Each applicant shall submit with his application, on
21 forms provided by the Board, 2 sets of his fingerprints. The
22 Board shall charge each applicant a fee set by the Department
23 of State Police to defray the costs associated with the search
24 and classification of fingerprints obtained by the Board with
25 respect to the applicant's application. These fees shall be
26 paid into the State Police Services Fund.

1 (d) The Board may in its discretion refuse an occupational
2 license to any person: (1) who is unqualified to perform the
3 duties required of such applicant; (2) who fails to disclose or
4 states falsely any information called for in the application;
5 (3) who has been found guilty of a violation of this Act or
6 whose prior gambling related license or application therefor
7 has been suspended, restricted, revoked or denied for just
8 cause in any other state; or (4) for any other just cause.

9 (e) The Board may suspend, revoke or restrict any
10 occupational licensee: (1) for violation of any provision of
11 this Act; (2) for violation of any of the rules and regulations
12 of the Board; (3) for any cause which, if known to the Board,
13 would have disqualified the applicant from receiving such
14 license; or (4) for default in the payment of any obligation or
15 debt due to the State of Illinois; or (5) for any other just
16 cause.

17 (f) A person who knowingly makes a false statement on an
18 application is guilty of a Class A misdemeanor.

19 (g) Any license issued pursuant to this Section shall be
20 valid for a period of one year from the date of issuance.

21 (h) Nothing in this Act shall be interpreted to prohibit a
22 licensed owner from entering into an agreement with a public
23 community college or a school approved under the Private
24 Business and Vocational Schools Act of 2012 for the training of
25 any occupational licensee. Any training offered by such a
26 school shall be in accordance with a written agreement between

1 the licensed owner and the school.

2 (i) Any training provided for occupational licensees may be
3 conducted either at the site of the gambling facility ~~on the~~
4 ~~riverboat~~ or at a school with which a licensed owner has
5 entered into an agreement pursuant to subsection (h).

6 (Source: P.A. 96-1392, eff. 1-1-11; 97-650, eff. 2-1-12;
7 97-1150, eff. 1-25-13.)

8 (230 ILCS 10/11) (from Ch. 120, par. 2411)

9 Sec. 11. Conduct of gambling. Gambling may be conducted by
10 licensed owners or licensed managers on behalf of the State
11 aboard riverboats. Gambling may be conducted by a licensed
12 manager at a casino. Gambling authorized under this Section is
13 subject to the following standards:

14 (1) A licensee may conduct riverboat gambling
15 authorized under this Act regardless of whether it conducts
16 excursion cruises. A licensee may permit the continuous
17 ingress and egress of patrons ~~passengers~~ on a riverboat not
18 used for excursion cruises for the purpose of gambling.
19 Excursion cruises shall not exceed 4 hours for a round
20 trip. However, the Board may grant express approval for an
21 extended cruise on a case-by-case basis.

22 (2) (Blank).

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

25 (4) Agents of the Board and the Department of State

1 Police may board and inspect any riverboat or enter and
2 inspect any portion of a casino at any time for the purpose
3 of determining whether this Act is being complied with.
4 Every riverboat, if under way and being hailed by a law
5 enforcement officer or agent of the Board, must stop
6 immediately and lay to.

7 (5) Employees of the Board shall have the right to be
8 present on the riverboat or in the casino or on adjacent
9 facilities under the control of the licensee.

10 (6) Gambling equipment and supplies customarily used
11 in conducting riverboat or casino gambling must be
12 purchased or leased only from suppliers licensed for such
13 purpose under this Act. The Board may approve the transfer,
14 sale, or lease of gambling equipment and supplies by a
15 licensed owner from or to an affiliate of the licensed
16 owner as long as the gambling equipment and supplies were
17 initially acquired from a supplier licensed in Illinois.

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

21 (8) Wagers may be received only from a person present
22 on a licensed riverboat or in a casino. No person present
23 on a licensed riverboat or in a casino shall place or
24 attempt to place a wager on behalf of another person who is
25 not present on the riverboat or in a casino.

26 (9) Wagering shall not be conducted with money or other

1 negotiable currency.

2 (10) A person under age 21 shall not be permitted on an
3 area of a riverboat or casino where gambling is being
4 conducted, except for a person at least 18 years of age who
5 is an employee of the riverboat or casino gambling
6 operation. No employee under age 21 shall perform any
7 function involved in gambling by the patrons. No person
8 under age 21 shall be permitted to make a wager under this
9 Act, and any winnings that are a result of a wager by a
10 person under age 21, whether or not paid by a licensee,
11 shall be treated as winnings for the privilege tax
12 purposes, confiscated, and forfeited to the State and
13 deposited into the Education Assistance Fund.

14 (11) Gambling excursion cruises are permitted only
15 when the waterway for which the riverboat is licensed is
16 navigable, as determined by the Board in consultation with
17 the U.S. Army Corps of Engineers. This paragraph (11) does
18 not limit the ability of a licensee to conduct gambling
19 authorized under this Act when gambling excursion cruises
20 are not permitted.

21 (12) All tokens, chips or electronic cards used to make
22 wagers must be purchased (i) from a licensed owner or
23 manager, in the case of a riverboat, either aboard a
24 riverboat or at an onshore facility which has been approved
25 by the Board and which is located where the riverboat docks
26 or (ii) in the case of a casino, from a licensed manager at

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

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

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

25 (Source: P.A. 96-1392, eff. 1-1-11.)

1 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

2 Sec. 11.1. Collection of amounts owing under credit
3 agreements. Notwithstanding any applicable statutory provision
4 to the contrary, a licensed owner or manager who extends credit
5 to a ~~riverboat~~ gambling patron pursuant to Section 11 (a) (12)
6 of this Act is expressly authorized to institute a cause of
7 action to collect any amounts due and owing under the extension
8 of credit, as well as the licensed owner's or manager's costs,
9 expenses and reasonable attorney's fees incurred in
10 collection.

11 (Source: P.A. 93-28, eff. 6-20-03.)

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

13 Sec. 12. Admission tax; fees.

14 (a) A tax is hereby imposed upon admissions to riverboats
15 operated by licensed owners authorized pursuant to Section 7 of
16 this Act. Until July 1, 2002, the rate is \$2 per person
17 admitted. From July 1, 2002 until July 1, 2003, the rate is \$3
18 per person admitted. From July 1, 2003 until August 23, 2005
19 (the effective date of Public Act 94-673), for a licensee that
20 admitted 1,000,000 persons or fewer in the previous calendar
21 year, the rate is \$3 per person admitted; for a licensee that
22 admitted more than 1,000,000 but no more than 2,300,000 persons
23 in the previous calendar year, the rate is \$4 per person
24 admitted; and for a licensee that admitted more than 2,300,000
25 persons in the previous calendar year, the rate is \$5 per

1 person admitted. Beginning on August 23, 2005 (the effective
2 date of Public Act 94-673), for a licensee that admitted
3 1,000,000 persons or fewer in calendar year 2004, the rate is
4 \$2 per person admitted, and for all other licensees, including
5 licensees that were not conducting gambling operations in 2004,
6 the rate is \$3 per person admitted. This admission tax is
7 imposed upon the licensed owner conducting gambling.

8 (1) The admission tax shall be paid for each admission,
9 except that a person who exits a riverboat gambling
10 facility and reenters that riverboat gambling facility
11 within the same gaming day shall be subject only to the
12 initial admission tax.

13 (2) (Blank).

14 (3) The riverboat licensee may issue tax-free passes to
15 actual and necessary officials and employees of the
16 licensee or other persons actually working on the
17 riverboat.

18 (4) The number and issuance of tax-free passes is
19 subject to the rules of the Board, and a list of all
20 persons to whom the tax-free passes are issued shall be
21 filed with the Board.

22 (a-5) A fee is hereby imposed upon admissions to gambling
23 operations operated by licensed managers on behalf of the State
24 pursuant to Section 7.3 at the rates provided in this
25 subsection (a-5). For a licensee that admitted 1,000,000
26 persons or fewer in the previous calendar year, the rate is \$3

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

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

7 (2) (Blank).

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

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

15 (a-10) No fee shall be imposed upon admissions to the
16 gambling operation operated by a licensed manager on behalf of
17 the State pursuant to Section 7.3a.

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

1 of local government for deposit in the general fund.

2 (c) The licensed owner shall pay the entire admission tax
3 to the Board and the licensed manager shall pay the entire
4 admission fee to the Board. Such payments shall be made daily.
5 Accompanying each payment shall be a return on forms provided
6 by the Board which shall include other information regarding
7 admissions as the Board may require. Failure to submit either
8 the payment or the return within the specified time may result
9 in suspension or revocation of the owners or managers license.

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

16 (Source: P.A. 95-663, eff. 10-11-07; 96-1392, eff. 1-1-11.)

17 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

22 (a-1) From January 1, 1998 until July 1, 2002, a privilege
23 tax is imposed on persons engaged in the business of conducting
24 riverboat gambling operations, based on the adjusted gross
25 receipts received by a licensed owner from gambling games

1 authorized under this Act at the following rates:

2 15% of annual adjusted gross receipts up to and
3 including \$25,000,000;

4 20% of annual adjusted gross receipts in excess of
5 \$25,000,000 but not exceeding \$50,000,000;

6 25% of annual adjusted gross receipts in excess of
7 \$50,000,000 but not exceeding \$75,000,000;

8 30% of annual adjusted gross receipts in excess of
9 \$75,000,000 but not exceeding \$100,000,000;

10 35% of annual adjusted gross receipts in excess of
11 \$100,000,000.

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

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

21 22.5% of annual adjusted gross receipts in excess of
22 \$25,000,000 but not exceeding \$50,000,000;

23 27.5% of annual adjusted gross receipts in excess of
24 \$50,000,000 but not exceeding \$75,000,000;

25 32.5% of annual adjusted gross receipts in excess of
26 \$75,000,000 but not exceeding \$100,000,000;

1 37.5% of annual adjusted gross receipts in excess of
2 \$100,000,000 but not exceeding \$150,000,000;

3 45% of annual adjusted gross receipts in excess of
4 \$150,000,000 but not exceeding \$200,000,000;

5 50% of annual adjusted gross receipts in excess of
6 \$200,000,000.

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

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

16 27.5% of annual adjusted gross receipts in excess of
17 \$25,000,000 but not exceeding \$37,500,000;

18 32.5% of annual adjusted gross receipts in excess of
19 \$37,500,000 but not exceeding \$50,000,000;

20 37.5% of annual adjusted gross receipts in excess of
21 \$50,000,000 but not exceeding \$75,000,000;

22 45% of annual adjusted gross receipts in excess of
23 \$75,000,000 but not exceeding \$100,000,000;

24 50% of annual adjusted gross receipts in excess of
25 \$100,000,000 but not exceeding \$250,000,000;

26 70% of annual adjusted gross receipts in excess of

1 \$250,000,000.

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

7 The privilege tax imposed under this subsection (a-3) shall
8 no longer be imposed beginning on the earlier of (i) July 1,
9 2005; (ii) the first date after June 20, 2003 that riverboat
10 gambling operations are conducted pursuant to a dormant
11 license; or (iii) the first day that riverboat gambling
12 operations are conducted under the authority of an owners
13 license that is in addition to the 10 owners licenses initially
14 authorized under this Act. For the purposes of this subsection
15 (a-3), the term "dormant license" means an owners license that
16 is authorized by this Act under which no riverboat gambling
17 operations are being conducted on June 20, 2003.

18 (a-4) Beginning on the first day on which the tax imposed
19 under subsection (a-3) is no longer imposed, a privilege tax is
20 imposed on persons engaged in the business of conducting
21 riverboat gambling operations, other than licensed managers
22 conducting riverboat gambling operations on behalf of the
23 State, based on the adjusted gross receipts received by a
24 licensed owner from gambling games authorized under this Act at
25 the following rates:

26 15% of annual adjusted gross receipts up to and

1 including \$25,000,000;

2 22.5% of annual adjusted gross receipts in excess of
3 \$25,000,000 but not exceeding \$50,000,000;

4 27.5% of annual adjusted gross receipts in excess of
5 \$50,000,000 but not exceeding \$75,000,000;

6 32.5% of annual adjusted gross receipts in excess of
7 \$75,000,000 but not exceeding \$100,000,000;

8 37.5% of annual adjusted gross receipts in excess of
9 \$100,000,000 but not exceeding \$150,000,000;

10 45% of annual adjusted gross receipts in excess of
11 \$150,000,000 but not exceeding \$200,000,000;

12 50% of annual adjusted gross receipts in excess of
13 \$200,000,000.

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

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

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

1 any, by which the licensed owner's base amount exceeds the
2 amount of net privilege tax paid by the licensed owner to the
3 Board in the then current State fiscal year. A licensed owner's
4 net privilege tax obligation due for the balance of the State
5 fiscal year shall be reduced up to the total of the amount paid
6 by the licensed owner in its June 15 reconciliation payment.
7 The obligation imposed by this subsection (a-15) is binding on
8 any person, firm, corporation, or other entity that acquires an
9 ownership interest in any such owners license. The obligation
10 imposed under this subsection (a-15) terminates on the earliest
11 of: (i) July 1, 2007, (ii) the first day after the effective
12 date of this amendatory Act of the 94th General Assembly that
13 riverboat gambling operations are conducted pursuant to a
14 dormant license, (iii) the first day that riverboat gambling
15 operations are conducted under the authority of an owners
16 license that is in addition to the 10 owners licenses initially
17 authorized under this Act, or (iv) the first day that a
18 licensee under the Illinois Horse Racing Act of 1975 conducts
19 gaming operations with slot machines or other electronic gaming
20 devices. The Board must reduce the obligation imposed under
21 this subsection (a-15) by an amount the Board deems reasonable
22 for any of the following reasons: (A) an act or acts of God,
23 (B) an act of bioterrorism or terrorism or a bioterrorism or
24 terrorism threat that was investigated by a law enforcement
25 agency, or (C) a condition beyond the control of the owners
26 licensee that does not result from any act or omission by the

1 owners licensee or any of its agents and that poses a hazardous
2 threat to the health and safety of patrons. If an owners
3 licensee pays an amount in excess of its liability under this
4 Section, the Board shall apply the overpayment to future
5 payments required under this Section.

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

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

11 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

26 The changes made to this subsection (a-15) by Public Act

1 94-839 are intended to restate and clarify the intent of Public
2 Act 94-673 with respect to the amount of the payments required
3 to be made under this subsection by an owners licensee to the
4 Board.

5 (b) ~~From Until January 1, 1998, 25% of the tax revenue~~
6 ~~deposited in the State Gaming Fund under this Section shall be~~
7 ~~paid, subject to appropriation by the General Assembly, to the~~
8 ~~unit of local government which is designated as the home dock~~
9 ~~of the riverboat. Beginning January 1, 1998, from the tax~~
10 revenue from owners licenses issued under Section 7 of this Act
11 deposited in the State Gaming Fund under this Section, an
12 amount equal to 5% of adjusted gross receipts generated by a
13 riverboat shall be paid monthly, subject to appropriation by
14 the General Assembly, to the unit of local government that is
15 designated as the home dock of the riverboat. From the tax
16 revenue deposited in the State Gaming Fund pursuant to
17 riverboat gambling operations conducted by a licensed manager
18 on behalf of the State under Section 7.3 of this Act, an amount
19 equal to 5% of adjusted gross receipts generated pursuant to
20 those riverboat gambling operations shall be paid monthly,
21 subject to appropriation by the General Assembly, to the unit
22 of local government that is designated as the home dock of the
23 riverboat upon which those riverboat gambling operations are
24 conducted.

25 (c) Appropriations, as approved by the General Assembly,
26 may be made from the State Gaming Fund to the Board (i) for the

1 administration and enforcement of this Act and the Video Gaming
2 Act, (ii) for distribution to the Department of State Police
3 and to the Department of Revenue for the enforcement of this
4 Act, and (iii) to the Department of Human Services for the
5 administration of programs to treat problem gambling.

6 (c-5) Before May 26, 2006 (the effective date of Public Act
7 94-804) and beginning on the effective date of this amendatory
8 Act of the 95th General Assembly, unless any organization
9 licensee under the Illinois Horse Racing Act of 1975 begins to
10 operate a slot machine or video game of chance under the
11 Illinois Horse Racing Act of 1975 or this Act, after the
12 payments required under subsections (b) and (c) have been made,
13 an amount equal to 15% of the adjusted gross receipts of (1) an
14 owners licensee that relocates pursuant to Section 11.2, (2) an
15 owners licensee conducting riverboat gambling operations
16 pursuant to an owners license that is initially issued after
17 June 25, 1999, or (3) the first riverboat gambling operations
18 conducted by a licensed manager on behalf of the State under
19 Section 7.3, whichever comes first, shall be paid from the
20 State Gaming Fund into the Horse Racing Equity Fund.

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

25 (c-15) After the payments required under subsections (b),
26 (c), and (c-5) have been made, an amount equal to 2% of the

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

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

16 (c-25) On July 1, 2013 and each July 1 thereafter,
17 \$1,600,000 shall be transferred from the State Gaming Fund to
18 the Chicago State University Education Improvement Fund.

19 (c-30) On July 1, 2013 or as soon as possible thereafter,
20 \$92,000,000 shall be transferred from the State Gaming Fund to
21 the School Infrastructure Fund and \$23,000,000 shall be
22 transferred from the State Gaming Fund to the Horse Racing
23 Equity Fund.

24 (c-35) Beginning on July 1, 2013, in addition to any amount
25 transferred under subsection (c-30) of this Section,
26 \$5,530,000 shall be transferred monthly from the State Gaming

1 Fund to the School Infrastructure Fund.

2 (c-40) Revenues from the gambling operation operated by a
3 licensed manager on behalf of the State pursuant to Section
4 7.3a deposited into the State Gaming Fund shall be distributed
5 as follows:

6 (1) reimbursement of any construction costs of the
7 gambling facility, including debt service on any bonds
8 issued for that purpose, shall be made to the Capital
9 Development Board;

10 (2) any amounts due to the licensed manager of the
11 gambling operation shall be paid in accordance with the
12 terms of any agreement made with the managers licensee
13 under Section 7.4 of this Act and during the competitive
14 bidding process under Section 7.5 of this Act;

15 (3) \$5,000,000 shall be paid annually, subject to
16 appropriation, to the Department of Human Services for the
17 administration of programs to treat problem gambling; and

18 (4) the remainder of amounts deposited shall be
19 distributed as follows:

20 (A) an amount equal to 50% of the remainder shall
21 be distributed as follows:

22 (i) an amount equal to 2%, at least \$8,000,000
23 annually, shall be distributed to Cook County to be
24 used for capital expenditures or public pension
25 payments, or both;

26 (ii) an amount equal to 1 1/2%, at least

1 \$6,000,000 annually, shall be distributed (A) in
2 accordance with a regional capital development
3 plan entered into by the following communities:
4 Village of Beecher, City of Blue Island, Village of
5 Burnham, Calumet City, Village of Calumet Park,
6 City of Chicago Heights, City of County Club Hills,
7 Village of Dixmoor, Village of Dolton, Village of
8 East Hazel Crest, Village of Flossmoor, Village of
9 Ford Heights, Village of Glenwood, City of Harvey,
10 Village of Hazel Crest, Village of Homewood,
11 Village of Lansing, Village of Lynwood, City of
12 Markham, Village of Matteson, Village of
13 Midlothian, City of Oak Forest, Village of Olympia
14 Fields, Village of Orland Hills, Village of Orland
15 Park, City of Palos Heights, Village of Park
16 Forest, Village of Phoenix, Village of Posen,
17 Village of Richton Park, Village of Riverdale,
18 Village of Robbins, Village of Sauk Village,
19 Village of South Chicago Heights, Village of South
20 Holland, Village of Steger, Village of Thornton,
21 and Village of Tinley Park or (B) if no regional
22 capital development plan exists, equally among the
23 communities listed in item (A) of this subdivision
24 (ii) to be used for capital expenditures or public
25 pension payments, or both; and
26 (iii) the remainder shall be distributed to

1 the City of Chicago to be used for capital
2 expenditures, public pension payments, or
3 education purposes, or any combination thereof; if
4 used for education purposes, moneys must be
5 allocated on a per-student basis;

6 (B) an amount equal to 25% of the remainder shall
7 be appropriated each month to the State Board of
8 Education to be used for grants to school districts by
9 the State Board of Education in amounts determined as
10 follows: the total amount appropriated to the State
11 Board of Education divided by the number of students in
12 the State outside of City of Chicago School District
13 299 and then multiplied by the number of students in
14 the school district, based on average daily attendance
15 in that district; moneys distributed under this item
16 (B) shall be in addition to and not in lieu of other
17 moneys provided to school districts by the State; and

18 (C) an amount equal to 25% of the remainder shall
19 be transferred monthly into the State Construction
20 Account Fund.

21 (d) From time to time, the Board shall transfer the
22 remainder of the funds generated by this Act into the Education
23 Assistance Fund, created by Public Act 86-0018, of the State of
24 Illinois.

25 (e) Nothing in this Act shall prohibit the unit of local
26 government designated as the home dock of the riverboat from

1 entering into agreements with other units of local government
2 in this State or in other states to share its portion of the
3 tax revenue.

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

10 (Source: P.A. 98-18, eff. 6-7-13.)

11 (230 ILCS 10/14) (from Ch. 120, par. 2414)

12 Sec. 14. Licensees - Records - Reports - Supervision.

13 (a) Licensed owners or, in the case of the gambling
14 operation operated by a licensed manager on behalf of the
15 State, the licensed manager ~~A licensed owner~~ shall keep ~~his~~
16 books and records so as to clearly show the following:

17 (1) The amount received daily from admission fees.

18 (2) The total amount of gross receipts.

19 (3) The total amount of the adjusted gross receipts.

20 (b) Licensed owners or, in the case of the gambling
21 operation operated by a licensed manager on behalf of the
22 State, the licensed manager ~~The licensed owner~~ shall furnish to
23 the Board reports and information as the Board may require with
24 respect to its activities on forms designed and supplied for
25 such purpose by the Board.

1 (c) The books and records kept by a licensed owner as
2 provided by this Section are public records and the
3 examination, publication, and dissemination of the books and
4 records are governed by the provisions of The Freedom of
5 Information Act.

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

7 (230 ILCS 10/15) (from Ch. 120, par. 2415)

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

22 (Source: P.A. 96-1392, eff. 1-1-11.)

23 (230 ILCS 10/18) (from Ch. 120, par. 2418)

24 Sec. 18. Prohibited Activities - Penalty.

1 (a) A person is guilty of a Class A misdemeanor for doing
2 any of the following:

3 (1) Conducting gambling where wagering is used or to be
4 used without a license issued by the Board.

5 (2) Conducting gambling where wagering is permitted
6 other than in the manner specified by Section 11.

7 (b) A person is guilty of a Class B misdemeanor for doing
8 any of the following:

9 (1) permitting a person under 21 years to make a wager;
10 or

11 (2) violating paragraph (12) of subsection (a) of
12 Section 11 of this Act.

13 (c) A person wagering or accepting a wager at any location
14 outside the riverboat or casino in violation of paragraph ~~is~~
15 ~~subject to the penalties in paragraphs~~ (1) or (2) of subsection
16 (a) of Section 28-1 of the Criminal Code of 2012 is subject to
17 the penalties provided in that Section.

18 (d) A person commits a Class 4 felony and, in addition,
19 shall be barred for life from gambling operations ~~riverboats~~
20 under the jurisdiction of the Board, if the person does any of
21 the following:

22 (1) Offers, promises, or gives anything of value or
23 benefit to a person who is connected with a riverboat or
24 casino owner including, but not limited to, an officer or
25 employee of a licensed owner or holder of an occupational
26 license pursuant to an agreement or arrangement or with the

1 intent that the promise or thing of value or benefit will
2 influence the actions of the person to whom the offer,
3 promise, or gift was made in order to affect or attempt to
4 affect the outcome of a gambling game, or to influence
5 official action of a member of the Board.

6 (2) Solicits or knowingly accepts or receives a promise
7 of anything of value or benefit while the person is
8 connected with a riverboat or casino, including, but not
9 limited to, an officer or employee of a licensed owner, or
10 the holder of an occupational license, pursuant to an
11 understanding or arrangement or with the intent that the
12 promise or thing of value or benefit will influence the
13 actions of the person to affect or attempt to affect the
14 outcome of a gambling game, or to influence official action
15 of a member of the Board.

16 (3) Uses or possesses with the intent to use a device
17 to assist:

18 (i) In projecting the outcome of the game.

19 (ii) In keeping track of the cards played.

20 (iii) In analyzing the probability of the
21 occurrence of an event relating to the gambling game.

22 (iv) In analyzing the strategy for playing or
23 betting to be used in the game except as permitted by
24 the Board.

25 (4) Cheats at a gambling game.

26 (5) Manufactures, sells, or distributes any cards,

1 chips, dice, game or device which is intended to be used to
2 violate any provision of this Act.

3 (6) Alters or misrepresents the outcome of a gambling
4 game on which wagers have been made after the outcome is
5 made sure but before it is revealed to the players.

6 (7) Places a bet after acquiring knowledge, not
7 available to all players, of the outcome of the gambling
8 game which is subject of the bet or to aid a person in
9 acquiring the knowledge for the purpose of placing a bet
10 contingent on that outcome.

11 (8) Claims, collects, or takes, or attempts to claim,
12 collect, or take, money or anything of value in or from the
13 gambling games, with intent to defraud, without having made
14 a wager contingent on winning a gambling game, or claims,
15 collects, or takes an amount of money or thing of value of
16 greater value than the amount won.

17 (9) Uses counterfeit chips or tokens in a gambling
18 game.

19 (10) Possesses any key or device designed for the
20 purpose of opening, entering, or affecting the operation of
21 a gambling game, drop box, or an electronic or mechanical
22 device connected with the gambling game or for removing
23 coins, tokens, chips or other contents of a gambling game.
24 This paragraph (10) does not apply to a gambling licensee
25 or employee of a gambling licensee acting in furtherance of
26 the employee's employment.

1 (e) The possession of more than one of the devices
2 described in subsection (d), paragraphs (3), (5), or (10)
3 permits a rebuttable presumption that the possessor intended to
4 use the devices for cheating.

5 (f) A person under the age of 21 who, except as authorized
6 under paragraph (10) of Section 11, enters upon a riverboat or
7 in a casino commits a petty offense and is subject to a fine of
8 not less than \$100 or more than \$250 for a first offense and of
9 not less than \$200 or more than \$500 for a second or subsequent
10 offense.

11 An action to prosecute any crime occurring on a riverboat
12 shall be tried in the county of the dock at which the riverboat
13 is based. An action to prosecute any crime occurring in a
14 casino shall be tried in the county in which the casino is
15 located.

16 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

17 (230 ILCS 10/18.1)

18 Sec. 18.1. Distribution of certain fines. If a fine is
19 imposed on an owner licensee for knowingly sending marketing or
20 promotional materials to any person placed on the
21 self-exclusion list, then the Board shall distribute an amount
22 equal to 15% of the fine imposed to the unit of local
23 government in which the riverboat or casino is located for the
24 purpose of awarding grants to non-profit entities that assist
25 gambling addicts.

1 (Source: P.A. 96-224, eff. 8-11-09.)

2 (230 ILCS 10/18.2 new)

3 Sec. 18.2. Prohibition on political contributions from
4 certain licensees and applicants.

5 (a) The General Assembly has a compelling interest in
6 protecting the integrity of both the electoral process and the
7 legislative process by preventing corruption and the
8 appearance of corruption which may arise through permitting
9 certain political campaign contributions by certain persons
10 involved in the gaming industry and regulated by the State.
11 Unlike most other regulated industries, gaming is especially
12 susceptible to corruption and potential criminal influence.

13 In Illinois, only licensed gaming activities are legal and
14 all other gaming activities are strictly prohibited. Given
15 these circumstances, it is imperative to eliminate any
16 potential corrupt influence in the gaming industry and the
17 electoral process. Banning political campaign contributions by
18 certain persons subject to this Section to State officeholders
19 and candidates for such offices and to county and municipal
20 officeholders and candidates for such offices in counties and
21 municipalities that receive financial benefits from gaming
22 activities is necessary to prevent corruption and the
23 appearance of corruption that may arise when political campaign
24 contributions and gaming that is regulated by the State and
25 that confers benefits on counties and municipalities are

1 intermingled.

2 The General Assembly has prohibited political campaign
3 contributions to certain State and local officeholders and
4 candidates for such offices by certain persons with State of
5 Illinois and Metropolitan Pier and Exposition Authority
6 contracts and pending bids or proposals for contracts of over
7 \$50,000 and certain individuals and entities affiliated with
8 such persons. Certain gaming licensees will receive receipts
9 far in excess of the base level of contract amounts subject to
10 such other campaign contribution prohibitions.

11 (b) As used in this Section:

12 "Affiliated entity" means (i) any corporate parent and each
13 operating subsidiary of the business entity applying for or
14 holding a license, (ii) each operating subsidiary of the
15 corporate parent of the business entity applying for or holding
16 a license, (iii) any organization recognized by the United
17 States Internal Revenue Service as a tax-exempt organization
18 described in Section 501(c) of the Internal Revenue Code of
19 1986 (or any successor provision of federal tax law)
20 established by one or more business entities seeking or holding
21 a license, any affiliated entity of such business entity, or
22 any affiliated person of such business entity, and (iv) any
23 political committee for which the business entity applying for
24 or holding a license, or any 501(c) organization described in
25 item (iii) related to that business entity, is the sponsoring
26 entity, as defined in Section 9-3 of the Election Code. For

1 purposes of item (iv), the funding of all business entities
2 applying for or holding a license shall be aggregated in
3 determining whether such political committee is an affiliated
4 entity.

5 "Affiliated person" means (i) any person with any ownership
6 interest or distributive share in excess of 1% of any business
7 entity applying for or holding a license, (ii) executive
8 employees of any such business entity, (iii) any person
9 designated as a key person under this Act, and (iv) the spouse
10 of such persons.

11 "Contribution" means a contribution as defined in Section
12 9-1.4 of the Election Code.

13 "Declared candidate" means a person who has filed a
14 statement of candidacy and petition for nomination or election
15 in the principal office of the State Board of Elections, or in
16 the office of the appropriate election authority for any county
17 or municipality in which a casino or electronic gaming device
18 is located or proposed or which receives any gaming revenue.

19 "Executive employee" means any person who is (i) an officer
20 or director or who fulfills duties equivalent to those of an
21 officer or director of a business entity applying for or
22 holding a license and (ii) any employee of such business entity
23 who is required to register under the Lobbyist Registration
24 Act.

25 "License" means any owners license issued pursuant to
26 Section 7 of this Act or managers license issued pursuant to

1 Section 7.4 of this Act.

2 "Officeholder" means the Governor, Lieutenant Governor,
3 Attorney General, Secretary of State, Comptroller, Treasurer,
4 member of the General Assembly, or any officeholder in any
5 county or municipality in which a riverboat, casino, or
6 electronic gaming device is located or proposed or which
7 receives any gaming revenue.

8 "Business entity" means any entity doing business for
9 profit, whether organized as a corporation, partnership, sole
10 proprietorship, limited liability company, or partnership or
11 otherwise.

12 (c) Any person or business entity applying for or holding a
13 license, any affiliated entities or persons of such business
14 entity, and any entities or persons soliciting a contribution
15 or causing a contribution to be made on behalf of such person
16 or business entity, are prohibited from making any contribution
17 to any officeholder or declared candidate or any political
18 committee affiliated with any officeholder or declared
19 candidate, as defined in Section 9-1.8 of the Election Code.
20 This prohibition shall commence upon filing of an application
21 for a license and shall continue for a period of 2 years after
22 termination, suspension, or revocation of the license.

23 The Board shall have authority to suspend, revoke, or
24 restrict the license and to impose civil penalties of up to
25 \$100,000 for each violation of this subsection (c). A notice of
26 each such violation and the penalty imposed shall be published

1 on the Board's website and in the Illinois Register. Payments
2 received by the State pursuant to this subsection (c) shall be
3 deposited into the General Revenue Fund.

4 Any officeholder or declared candidate or any political
5 committee affiliated with any officeholder or declared
6 candidate that has received a contribution in violation of this
7 subsection (c) shall pay an amount equal to the value of the
8 contribution to the State no more than 30 days after notice of
9 the violation concerning the contribution appears in the
10 Illinois Register. Payments received by the State pursuant to
11 this subsection (c) shall be deposited into the General Revenue
12 Fund.

13 (d) The Board shall post on its website a list of all
14 persons, business entities, and affiliated entities prohibited
15 from making contributions to any officeholder or declared
16 candidate political committee pursuant to subsection (c),
17 which list shall be updated and published on, at a minimum, a
18 semiannual basis.

19 Any person, business entity, or affiliated entity
20 prohibited from making contributions to any officeholder or
21 declared candidate political committee pursuant to subsection
22 (c) shall notify the Board within 7 days after discovering any
23 necessary change or addition to the information relating to
24 that person, business entity, or affiliated entity contained in
25 the list.

26 An individual who acts in good faith and in reliance on any

1 information contained in the list shall not be subject to any
2 penalties or liability imposed for a violation of this Section.

3 (e) If any provision of this Section is held invalid or its
4 application to any person or circumstance is held invalid, the
5 invalidity of that provision or application does not affect the
6 other provisions or applications of this Section that can be
7 given effect without the invalid application or provision.

8 (230 ILCS 10/19) (from Ch. 120, par. 2419)

9 Sec. 19. Forfeiture of property.

10 (a) Except as provided in subsection (b), any riverboat or
11 casino used for the conduct of gambling games in violation of
12 this Act shall be considered a gambling place in violation of
13 Section 28-3 of the Criminal Code of 2012. Every gambling
14 device found on a riverboat or in a casino operating gambling
15 games in violation of this Act shall be subject to seizure,
16 confiscation and destruction as provided in Section 28-5 of the
17 Criminal Code of 2012.

18 (b) It is not a violation of this Act for a riverboat or
19 other watercraft which is licensed for gaming by a contiguous
20 state to dock on the shores of this State if the municipality
21 having jurisdiction of the shores, or the county in the case of
22 unincorporated areas, has granted permission for docking and no
23 gaming is conducted on the riverboat or other watercraft while
24 it is docked on the shores of this State. No gambling device
25 shall be subject to seizure, confiscation or destruction if the

1 gambling device is located on a riverboat or other watercraft
2 which is licensed for gaming by a contiguous state and which is
3 docked on the shores of this State if the municipality having
4 jurisdiction of the shores, or the county in the case of
5 unincorporated areas, has granted permission for docking and no
6 gaming is conducted on the riverboat or other watercraft while
7 it is docked on the shores of this State.

8 (Source: P.A. 97-1150, eff. 1-25-13.)

9 (230 ILCS 10/20) (from Ch. 120, par. 2420)

10 Sec. 20. Prohibited activities - civil penalties. Any
11 person who conducts a gambling operation without first
12 obtaining a license to do so, or who continues to conduct such
13 games after revocation of his license, or any licensee who
14 conducts or allows to be conducted any unauthorized gambling
15 games on a riverboat or in a casino where it is authorized to
16 conduct its ~~riverboat~~ gambling operation, in addition to other
17 penalties provided, shall be subject to a civil penalty equal
18 to the amount of gross receipts derived from wagering on the
19 gambling games, whether unauthorized or authorized, conducted
20 on that day as well as confiscation and forfeiture of all
21 gambling game equipment used in the conduct of unauthorized
22 gambling games.

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

24 (230 ILCS 10/24)

1 Sec. 24. Applicability of this ~~Illinois Riverboat Gambling~~
2 Act. The provisions of the this ~~Illinois Riverboat Gambling~~
3 Act, and all rules promulgated thereunder, shall apply to the
4 Video Gaming Act, except where there is a conflict between the
5 2 Acts.

6 (Source: P.A. 96-37, eff. 7-13-09.)

7 Section 45. The Video Gaming Act is amended by changing
8 Sections 5, 25, 45, 79, and 80 and by adding Section 81 as
9 follows:

10 (230 ILCS 40/5)

11 Sec. 5. Definitions. As used in this Act:

12 "Board" means the Illinois Gaming Board.

13 "Credit" means one, 5, 10, or 25 cents either won or
14 purchased by a player.

15 "Distributor" means an individual, partnership,
16 corporation, or limited liability company licensed under this
17 Act to buy, sell, lease, or distribute video gaming terminals
18 or major components or parts of video gaming terminals to or
19 from terminal operators.

20 "Electronic card" means a card purchased from a licensed
21 establishment, licensed fraternal establishment, licensed
22 veterans establishment, or licensed truck stop establishment
23 for use in that establishment as a substitute for cash in the
24 conduct of gaming on a video gaming terminal.

1 "Electronic voucher" means a voucher printed by an
2 electronic video game machine that is redeemable in the
3 licensed establishment for which it was issued.

4 "Terminal operator" means an individual, partnership,
5 corporation, or limited liability company that is licensed
6 under this Act and that owns, services, and maintains video
7 gaming terminals for placement in licensed establishments,
8 licensed truck stop establishments, licensed fraternal
9 establishments, or licensed veterans establishments.

10 "Licensed technician" means an individual who is licensed
11 under this Act to repair, service, and maintain video gaming
12 terminals.

13 "Licensed terminal handler" means a person, including but
14 not limited to an employee or independent contractor working
15 for a manufacturer, distributor, supplier, technician, or
16 terminal operator, who is licensed under this Act to possess or
17 control a video gaming terminal or to have access to the inner
18 workings of a video gaming terminal. A licensed terminal
19 handler does not include an individual, partnership,
20 corporation, or limited liability company defined as a
21 manufacturer, distributor, supplier, technician, or terminal
22 operator under this Act.

23 "Manufacturer" means an individual, partnership,
24 corporation, or limited liability company that is licensed
25 under this Act and that manufactures or assembles video gaming
26 terminals.

1 "Supplier" means an individual, partnership, corporation,
2 or limited liability company that is licensed under this Act to
3 supply major components or parts to video gaming terminals to
4 licensed terminal operators.

5 "Net terminal income" means money put into a video gaming
6 terminal minus credits paid out to players.

7 "Video gaming terminal" means any electronic video game
8 machine that, upon insertion of cash, electronic cards or
9 vouchers, or any combination thereof, is available to play or
10 simulate the play of a video game, including but not limited to
11 video poker, line up, and blackjack, as authorized by the Board
12 utilizing a video display and microprocessors in which the
13 player may receive free games or credits that can be redeemed
14 for cash. The term does not include a machine that directly
15 dispenses coins, cash, or tokens or is for amusement purposes
16 only.

17 "Licensed establishment" means any licensed retail
18 establishment where alcoholic liquor is drawn, poured, mixed,
19 or otherwise served for consumption on the premises, whether
20 the establishment operates on a nonprofit or for-profit basis.

21 "Licensed establishment" includes any such establishment that
22 has a contractual relationship with an inter-track wagering
23 location licensee licensed under the Illinois Horse Racing Act
24 of 1975, provided any contractual relationship shall not
25 include any transfer or offer of revenue from the operation of
26 video gaming under this Act to any licensee licensed under the

1 Illinois Horse Racing Act of 1975. Provided, however, that the
2 licensed establishment that has such a contractual
3 relationship with an inter-track wagering location licensee
4 may not, itself, be (i) an inter-track wagering location
5 licensee, (ii) the corporate parent or subsidiary of any
6 licensee licensed under the Illinois Horse Racing Act of 1975,
7 or (iii) the corporate subsidiary of a corporation that is also
8 the corporate parent or subsidiary of any licensee licensed
9 under the Illinois Horse Racing Act of 1975. "Licensed
10 establishment" does not include a facility operated by an
11 organization licensee, an inter-track wagering licensee, or an
12 inter-track wagering location licensee licensed under the
13 Illinois Horse Racing Act of 1975 or a riverboat licensed under
14 the Illinois Riverboat ~~Riverboat~~ Gambling Act, except as provided in this
15 paragraph. The changes made to this definition by Public Act
16 98-587 are declarative of existing law.

17 "Licensed fraternal establishment" means the location
18 where a qualified fraternal organization that derives its
19 charter from a national fraternal organization regularly
20 meets.

21 "Licensed veterans establishment" means the location where
22 a qualified veterans organization that derives its charter from
23 a national veterans organization regularly meets.

24 "Licensed truck stop establishment" means a facility (i)
25 that is at least a 3-acre facility with a convenience store,
26 (ii) with separate diesel islands for fueling commercial motor

1 vehicles, (iii) that sells at retail more than 10,000 gallons
2 of diesel or biodiesel fuel per month, and (iv) with parking
3 spaces for commercial motor vehicles. "Commercial motor
4 vehicles" has the same meaning as defined in Section 18b-101 of
5 the Illinois Vehicle Code. The requirement of item (iii) of
6 this paragraph may be met by showing that estimated future
7 sales or past sales average at least 10,000 gallons per month.

8 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;
9 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; 98-756, eff.
10 7-16-14.)

11 (230 ILCS 40/25)

12 Sec. 25. Restriction of licensees.

13 (a) Manufacturer. A person may not be licensed as a
14 manufacturer of a video gaming terminal in Illinois unless the
15 person has a valid manufacturer's license issued under this
16 Act. A manufacturer may only sell video gaming terminals for
17 use in Illinois to persons having a valid distributor's
18 license.

19 (b) Distributor. A person may not sell, distribute, or
20 lease or market a video gaming terminal in Illinois unless the
21 person has a valid distributor's license issued under this Act.
22 A distributor may only sell video gaming terminals for use in
23 Illinois to persons having a valid distributor's or terminal
24 operator's license.

25 (c) Terminal operator. A person may not own, maintain, or

1 place a video gaming terminal unless he has a valid terminal
2 operator's license issued under this Act. A terminal operator
3 may only place video gaming terminals for use in Illinois in
4 licensed establishments, licensed truck stop establishments,
5 licensed fraternal establishments, and licensed veterans
6 establishments. No terminal operator may give anything of
7 value, including but not limited to a loan or financing
8 arrangement, to a licensed establishment, licensed truck stop
9 establishment, licensed fraternal establishment, or licensed
10 veterans establishment as any incentive or inducement to locate
11 video terminals in that establishment. Of the after-tax profits
12 from a video gaming terminal, 50% shall be paid to the terminal
13 operator and 50% shall be paid to the licensed establishment,
14 licensed truck stop establishment, licensed fraternal
15 establishment, or licensed veterans establishment,
16 notwithstanding any agreement to the contrary. A video terminal
17 operator that violates one or more requirements of this
18 subsection is guilty of a Class 4 felony and is subject to
19 termination of his or her license by the Board.

20 (d) Licensed technician. A person may not service,
21 maintain, or repair a video gaming terminal in this State
22 unless he or she (1) has a valid technician's license issued
23 under this Act, (2) is a terminal operator, or (3) is employed
24 by a terminal operator, distributor, or manufacturer.

25 (d-5) Licensed terminal handler. No person, including, but
26 not limited to, an employee or independent contractor working

1 for a manufacturer, distributor, supplier, technician, or
2 terminal operator licensed pursuant to this Act, shall have
3 possession or control of a video gaming terminal, or access to
4 the inner workings of a video gaming terminal, unless that
5 person possesses a valid terminal handler's license issued
6 under this Act.

7 (e) Licensed establishment. No video gaming terminal may be
8 placed in any licensed establishment, licensed veterans
9 establishment, licensed truck stop establishment, or licensed
10 fraternal establishment unless the owner or agent of the owner
11 of the licensed establishment, licensed veterans
12 establishment, licensed truck stop establishment, or licensed
13 fraternal establishment has entered into a written use
14 agreement with the terminal operator for placement of the
15 terminals. A copy of the use agreement shall be on file in the
16 terminal operator's place of business and available for
17 inspection by individuals authorized by the Board. A licensed
18 establishment, licensed truck stop establishment, licensed
19 veterans establishment, or licensed fraternal establishment
20 may operate up to 5 video gaming terminals on its premises at
21 any time.

22 (f) (Blank).

23 (g) Financial interest restrictions. As used in this Act,
24 "substantial interest" in a partnership, a corporation, an
25 organization, an association, a business, or a limited
26 liability company means:

1 (A) When, with respect to a sole proprietorship, an
2 individual or his or her spouse owns, operates, manages, or
3 conducts, directly or indirectly, the organization,
4 association, or business, or any part thereof; or

5 (B) When, with respect to a partnership, the individual
6 or his or her spouse shares in any of the profits, or
7 potential profits, of the partnership activities; or

8 (C) When, with respect to a corporation, an individual
9 or his or her spouse is an officer or director, or the
10 individual or his or her spouse is a holder, directly or
11 beneficially, of 5% or more of any class of stock of the
12 corporation; or

13 (D) When, with respect to an organization not covered
14 in (A), (B) or (C) above, an individual or his or her
15 spouse is an officer or manages the business affairs, or
16 the individual or his or her spouse is the owner of or
17 otherwise controls 10% or more of the assets of the
18 organization; or

19 (E) When an individual or his or her spouse furnishes
20 5% or more of the capital, whether in cash, goods, or
21 services, for the operation of any business, association,
22 or organization during any calendar year; or

23 (F) When, with respect to a limited liability company,
24 an individual or his or her spouse is a member, or the
25 individual or his or her spouse is a holder, directly or
26 beneficially, of 5% or more of the membership interest of

1 the limited liability company.

2 For purposes of this subsection (g), "individual" includes
3 all individuals or their spouses whose combined interest would
4 qualify as a substantial interest under this subsection (g) and
5 whose activities with respect to an organization, association,
6 or business are so closely aligned or coordinated as to
7 constitute the activities of a single entity.

8 (h) Location restriction. A licensed establishment,
9 licensed truck stop establishment, licensed fraternal
10 establishment, or licensed veterans establishment that is (i)
11 located within 1,000 feet of a facility operated by an
12 organization licensee licensed under the Illinois Horse Racing
13 Act of 1975 or a casino or the home dock of a riverboat
14 licensed under the Illinois ~~Riverboat~~ Gambling Act or (ii)
15 located within 100 feet of a school or a place of worship under
16 the Religious Corporation Act, is ineligible to operate a video
17 gaming terminal. The location restrictions in this subsection
18 (h) do not apply if (A) a facility operated by an organization
19 licensee, a school, or a place of worship moves to or is
20 established within the restricted area after a licensed
21 establishment, licensed truck stop establishment, licensed
22 fraternal establishment, or licensed veterans establishment
23 becomes licensed under this Act or (B) a school or place of
24 worship moves to or is established within the restricted area
25 after a licensed establishment, licensed truck stop
26 establishment, licensed fraternal establishment, or licensed

1 veterans establishment obtains its original liquor license.
2 For the purpose of this subsection, "school" means an
3 elementary or secondary public school, or an elementary or
4 secondary private school registered with or recognized by the
5 State Board of Education.

6 Notwithstanding the provisions of this subsection (h), the
7 Board may waive the requirement that a licensed establishment,
8 licensed truck stop establishment, licensed fraternal
9 establishment, or licensed veterans establishment not be
10 located within 1,000 feet from a facility operated by an
11 organization licensee licensed under the Illinois Horse Racing
12 Act of 1975 or a casino or the home dock of a riverboat
13 licensed under the Illinois ~~Riverboat~~ Gambling Act. The Board
14 shall not grant such waiver if there is any common ownership or
15 control, shared business activity, or contractual arrangement
16 of any type between the establishment and the organization
17 licensee or owners licensee of a riverboat. The Board shall
18 adopt rules to implement the provisions of this paragraph.

19 (i) Undue economic concentration. In addition to
20 considering all other requirements under this Act, in deciding
21 whether to approve the operation of video gaming terminals by a
22 terminal operator in a location, the Board shall consider the
23 impact of any economic concentration of such operation of video
24 gaming terminals. The Board shall not allow a terminal operator
25 to operate video gaming terminals if the Board determines such
26 operation will result in undue economic concentration. For

1 purposes of this Section, "undue economic concentration" means
2 that a terminal operator would have such actual or potential
3 influence over video gaming terminals in Illinois as to:

4 (1) substantially impede or suppress competition among
5 terminal operators;

6 (2) adversely impact the economic stability of the
7 video gaming industry in Illinois; or

8 (3) negatively impact the purposes of the Video Gaming
9 Act.

10 The Board shall adopt rules concerning undue economic
11 concentration with respect to the operation of video gaming
12 terminals in Illinois. The rules shall include, but not be
13 limited to, (i) limitations on the number of video gaming
14 terminals operated by any terminal operator within a defined
15 geographic radius and (ii) guidelines on the discontinuation of
16 operation of any such video gaming terminals the Board
17 determines will cause undue economic concentration.

18 (j) The provisions of the Illinois Antitrust Act are fully
19 and equally applicable to the activities of any licensee under
20 this Act.

21 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77,
22 eff. 7-15-13; 98-112, eff. 7-26-13; 98-756, eff. 7-16-14.)

23 (230 ILCS 40/45)

24 Sec. 45. Issuance of license.

25 (a) The burden is upon each applicant to demonstrate his

1 suitability for licensure. Each video gaming terminal
2 manufacturer, distributor, supplier, operator, handler,
3 licensed establishment, licensed truck stop establishment,
4 licensed fraternal establishment, and licensed veterans
5 establishment shall be licensed by the Board. The Board may
6 issue or deny a license under this Act to any person pursuant
7 to the same criteria set forth in Section 9 of the Illinois
8 ~~Riverboat~~ Gambling Act.

9 (a-5) The Board shall not grant a license to a person who
10 has facilitated, enabled, or participated in the use of
11 coin-operated devices for gambling purposes or who is under the
12 significant influence or control of such a person. For the
13 purposes of this Act, "facilitated, enabled, or participated in
14 the use of coin-operated amusement devices for gambling
15 purposes" means that the person has been convicted of any
16 violation of Article 28 of the Criminal Code of 1961 or the
17 Criminal Code of 2012. If there is pending legal action against
18 a person for any such violation, then the Board shall delay the
19 licensure of that person until the legal action is resolved.

20 (b) Each person seeking and possessing a license as a video
21 gaming terminal manufacturer, distributor, supplier, operator,
22 handler, licensed establishment, licensed truck stop
23 establishment, licensed fraternal establishment, or licensed
24 veterans establishment shall submit to a background
25 investigation conducted by the Board with the assistance of the
26 State Police or other law enforcement. To the extent that the

1 corporate structure of the applicant allows, the background
2 investigation shall include any or all of the following as the
3 Board deems appropriate or as provided by rule for each
4 category of licensure: (i) each beneficiary of a trust, (ii)
5 each partner of a partnership, (iii) each member of a limited
6 liability company, (iv) each director and officer of a publicly
7 or non-publicly held corporation, (v) each stockholder of a
8 non-publicly held corporation, (vi) each stockholder of 5% or
9 more of a publicly held corporation, or (vii) each stockholder
10 of 5% or more in a parent or subsidiary corporation.

11 (c) Each person seeking and possessing a license as a video
12 gaming terminal manufacturer, distributor, supplier, operator,
13 handler, licensed establishment, licensed truck stop
14 establishment, licensed fraternal establishment, or licensed
15 veterans establishment shall disclose the identity of every
16 person, association, trust, corporation, or limited liability
17 company having a greater than 1% direct or indirect pecuniary
18 interest in the video gaming terminal operation for which the
19 license is sought. If the disclosed entity is a trust, the
20 application shall disclose the names and addresses of the
21 beneficiaries; if a corporation, the names and addresses of all
22 stockholders and directors; if a limited liability company, the
23 names and addresses of all members; or if a partnership, the
24 names and addresses of all partners, both general and limited.

25 (d) No person may be licensed as a video gaming terminal
26 manufacturer, distributor, supplier, operator, handler,

1 licensed establishment, licensed truck stop establishment,
2 licensed fraternal establishment, or licensed veterans
3 establishment if that person has been found by the Board to:

4 (1) have a background, including a criminal record,
5 reputation, habits, social or business associations, or
6 prior activities that pose a threat to the public interests
7 of the State or to the security and integrity of video
8 gaming;

9 (2) create or enhance the dangers of unsuitable,
10 unfair, or illegal practices, methods, and activities in
11 the conduct of video gaming; or

12 (3) present questionable business practices and
13 financial arrangements incidental to the conduct of video
14 gaming activities.

15 (e) Any applicant for any license under this Act has the
16 burden of proving his or her qualifications to the satisfaction
17 of the Board. The Board may adopt rules to establish additional
18 qualifications and requirements to preserve the integrity and
19 security of video gaming in this State.

20 (f) A non-refundable application fee shall be paid at the
21 time an application for a license is filed with the Board in
22 the following amounts:

- 23 (1) Manufacturer \$5,000
- 24 (2) Distributor..... \$5,000
- 25 (3) Terminal operator..... \$5,000
- 26 (4) Supplier \$2,500

1 (5) Technician \$100

2 (6) Terminal Handler \$50

3 (g) The Board shall establish an annual fee for each
4 license not to exceed the following:

5 (1) Manufacturer \$10,000

6 (2) Distributor..... \$10,000

7 (3) Terminal operator..... \$5,000

8 (4) Supplier \$2,000

9 (5) Technician \$100

10 (6) Licensed establishment, licensed truck stop
11 establishment, licensed fraternal establishment,
12 or licensed veterans establishment \$100

13 (7) Video gaming terminal..... \$100

14 (8) Terminal Handler \$50

15 (h) A terminal operator and a licensed establishment,
16 licensed truck stop establishment, licensed fraternal
17 establishment, or licensed veterans establishment shall
18 equally split the fees specified in item (7) of subsection (g).

19 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;
20 98-587, eff. 8-27-13; 98-756, eff. 7-16-14.)

21 (230 ILCS 40/79)

22 Sec. 79. Investigators. Investigators appointed by the
23 Board pursuant to the powers conferred upon the Board by
24 paragraph (20.6) of subsection (c) of Section 5 of the Illinois
25 ~~Riverboat~~ Gambling Act and Section 80 of this Act shall have

1 authority to conduct investigations, searches, seizures,
2 arrests, and other duties imposed under this Act and the
3 Illinois Riverboat Gambling Act, as deemed necessary by the
4 Board. These investigators have and may exercise all of the
5 rights and powers of peace officers, provided that these powers
6 shall be (1) limited to offenses or violations occurring or
7 committed in connection with conduct subject to this Act,
8 including, but not limited to, the manufacture, distribution,
9 supply, operation, placement, service, maintenance, or play of
10 video gaming terminals and the distribution of profits and
11 collection of revenues resulting from such play, and (2)
12 exercised, to the fullest extent practicable, in cooperation
13 with the local police department of the applicable municipality
14 or, if these powers are exercised outside the boundaries of an
15 incorporated municipality or within a municipality that does
16 not have its own police department, in cooperation with the
17 police department whose jurisdiction encompasses the
18 applicable locality.

19 (Source: P.A. 97-809, eff. 7-13-12.)

20 (230 ILCS 40/80)

21 Sec. 80. Applicability of Illinois ~~Riverboat~~ Gambling Act.
22 The provisions of the Illinois ~~Riverboat~~ Gambling Act, and all
23 rules promulgated thereunder, shall apply to the Video Gaming
24 Act, except where there is a conflict between the 2 Acts. All
25 provisions of the Uniform Penalty and Interest Act shall apply,

1 as far as practicable, to the subject matter of this Act to the
2 same extent as if such provisions were included herein.

3 (Source: P.A. 96-37, eff. 7-13-09.)

4 (230 ILCS 40/81 new)

5 Sec. 81. Prohibition of political contributions from
6 certain licensees and applicants.

7 (a) The General Assembly has a compelling interest in
8 protecting the integrity of both the electoral process and the
9 legislative process by preventing corruption and the
10 appearance of corruption which may arise through permitting
11 certain political campaign contributions by certain persons
12 involved in the gaming industry and regulated by the State.
13 Unlike most other regulated industries, gaming is especially
14 susceptible to corruption and potential criminal influence.

15 In Illinois, only licensed gaming activities are legal and
16 all other gaming activities are strictly prohibited. Given
17 these circumstances, it is imperative to eliminate any
18 potential corrupt influence in the gaming industry and the
19 electoral process. Banning political campaign contributions by
20 certain persons subject to this Section to State officeholders
21 and candidates for such offices and, where necessary, to county
22 and municipal officeholders and candidates for such offices in
23 counties and municipalities that receive financial benefits
24 from gaming activities is necessary to prevent corruption and
25 the appearance of corruption that may arise when political

1 campaign contributions and gaming that is regulated by the
2 State and that confers benefits on counties and municipalities
3 are intermingled.

4 (b) As used in this Section:

5 "Affiliated entity" means (i) any corporate parent and each
6 operating subsidiary of the business entity applying for or
7 holding a license, (ii) each operating subsidiary of the
8 corporate parent of the business entity applying for or holding
9 a license, (iii) any organization recognized by the United
10 States Internal Revenue Service as a tax-exempt organization
11 described in Section 501(c) of the Internal Revenue Code of
12 1986 (or any successor provision of federal tax law)
13 established by one or more business entities seeking or holding
14 a license, any affiliated entity of such business entity, or
15 any affiliated person of such business entity, and (iv) any
16 political committee for which the business entity applying for
17 or holding a license, or any 501(c) organization described in
18 item (iii) related to that business entity, is the sponsoring
19 entity, as defined in Section 9-3 of the Election Code. For
20 purposes of item (iv), the funding of all business entities
21 applying for or holding a license shall be aggregated in
22 determining whether such political committee is an affiliated
23 entity.

24 "Affiliated person" means (i) any person with any ownership
25 interest or distributive share in excess of 1% of any business
26 entity applying for or holding a license, (ii) executive

1 employees of any such business entity, (iii) any person
2 designated as a person of significant influence and control
3 under the Video Gaming Act, and (iv) the spouse of such
4 persons.

5 "Business entity" means any entity doing business for
6 profit, whether organized as a corporation, partnership, sole
7 proprietorship, limited liability company, or partnership or
8 otherwise.

9 "Contribution" means a contribution as defined in Section
10 9-1.4 of the Election Code.

11 "Declared candidate" means a person who has filed a
12 statement of candidacy and petition for nomination or election
13 in the principal office of the State Board of Elections, or in
14 the office of the appropriate election authority for any county
15 or municipality in which a video gaming terminal is located or
16 proposed or which receives any video gaming revenue, for the
17 office of Governor, Lieutenant Governor, Attorney General,
18 Secretary of State, Comptroller, Treasurer, member of the
19 General Assembly, chief executive or any member of the
20 legislative body of any municipality in which a video gaming
21 terminal is located or proposed or which receives any video
22 gaming revenue, or chief executive or any member of the
23 legislative body of any county containing any unincorporated
24 area in which a video gaming terminal is located or which
25 receives any video gaming revenue.

26 "Executive employee" means any person who is an officer or

1 director or who fulfills duties equivalent to those of an
2 officer or director of a business entity applying for or
3 holding a license; and (ii) any employee of such business
4 entity who is required to register under the Lobbyist
5 Registration Act.

6 "License" means any license issued pursuant to this Act.

7 "Officeholder" means the Governor, the Lieutenant
8 Governor, the Attorney General, the Secretary of State, the
9 Comptroller, the Treasurer, a member of the General Assembly,
10 the chief executive or any member of the legislative body of
11 any municipality in which a video gaming terminal is located or
12 proposed or which receives any video gaming revenue, or the
13 chief executive or any member of the legislative body of any
14 county containing any unincorporated area in which a video
15 gaming terminal is located or which receives any video gaming
16 revenue.

17 (c) Any person or business entity applying for or holding a
18 manufacturer or distributor license, any affiliated entities
19 or persons of such business entity, and any entities or persons
20 soliciting a contribution or causing a contribution to be made
21 on behalf of such person or business entity, are prohibited
22 from making any contribution to any officeholder or declared
23 candidate or any political committee affiliated with any
24 officeholder or declared candidate, as defined in Section 9-1.8
25 of the Election Code.

26 The Board shall have authority to suspend, revoke, or

1 restrict the license and to impose civil penalties of up to
2 \$100,000, for each violation of this subsection (c). A notice
3 of each such violation and the penalty imposed shall be
4 published on the Board's website and in the Illinois Register.
5 Payments received by the State pursuant to this subsection
6 shall be deposited into the General Revenue Fund.

7 Any person or business entity applying for or holding a
8 terminal operator license, any affiliated entities or persons
9 of such business entity, and any entities or persons soliciting
10 a contribution or causing a contribution to be made on behalf
11 of such person or business entity, are prohibited from making
12 any contribution to any officeholder or declared candidate or
13 any political committee affiliated with any officeholder or
14 declared candidate, as defined in Section 9-1.8 of the Election
15 Code, except that any such person or entity may make a
16 contribution to the chief executive or any member of the
17 legislative body of any municipality in which a video gaming
18 terminal is located or proposed or which receives any video
19 gaming revenue, the chief executive or any member of the
20 legislative body of any county containing any unincorporated
21 area in which a video gaming terminal is located or which
22 receives any video gaming revenue, or any declared candidates
23 for such offices, so long as the video gaming terminal
24 associated with the terminal operator license held or applied
25 for is not located in the same municipality or county in which
26 the officeholder or declared candidate holds or is seeking

1 office. This prohibition shall commence upon filing of an
2 application for a license and shall continue for a period of 2
3 years after termination, suspension, or revocation of the
4 license.

5 Any officeholder or declared candidate or any political
6 committee affiliated with any officeholder or declared
7 candidate that has received a contribution in violation of this
8 subsection (c) shall pay an amount equal to the value of the
9 contribution to the State no more than 30 days after notice of
10 the violation concerning the contribution appears in the
11 Illinois Register. Payments received by the State pursuant to
12 this subsection shall be deposited into the General Revenue
13 Fund.

14 The provisions of this subsection (c) shall apply only to
15 persons or entities applying for or holding a manufacturer
16 license, a distributor license, or a terminal operator license
17 and shall not apply to persons or entities applying for or
18 holding any other licenses under this Act.

19 (d) The Board shall post on its website a list of all
20 persons, business entities, and affiliated entities prohibited
21 from making contributions to any officeholder or declared
22 candidate political committee pursuant to subsection (c),
23 which list shall be updated and published on, at a minimum, a
24 semiannual basis.

25 Any person, business entity, or affiliated entity
26 prohibited from making contributions to any officeholder or

1 declared candidate political committee pursuant to subsection
2 (c) of this Section shall notify the Board within 7 days after
3 discovering any necessary change or addition to the information
4 relating to that person, business entity, or affiliated entity
5 contained in the list.

6 An individual who acts in good faith and in reliance on any
7 information contained in the list shall not be subject to any
8 penalties or liability imposed for a violation of this Section.

9 (e) If any provision of this Section is held invalid or its
10 application to any person or circumstance is held invalid, the
11 invalidity of that provision or application does not affect the
12 other provisions or applications of this Section that can be
13 given effect without the invalid application or provision.

14 Section 50. The Liquor Control Act of 1934 is amended by
15 changing Sections 5-1 and 6-30 as follows:

16 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

17 Sec. 5-1. Licenses issued by the Illinois Liquor Control
18 Commission shall be of the following classes:

19 (a) Manufacturer's license - Class 1. Distiller, Class 2.
20 Rectifier, Class 3. Brewer, Class 4. First Class Wine
21 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.
22 First Class Winemaker, Class 7. Second Class Winemaker, Class
23 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class
24 10. Craft Brewer,

- 1 (b) Distributor's license,
- 2 (c) Importing Distributor's license,
- 3 (d) Retailer's license,
- 4 (e) Special Event Retailer's license (not-for-profit),
- 5 (f) Railroad license,
- 6 (g) Boat license,
- 7 (h) Non-Beverage User's license,
- 8 (i) Wine-maker's premises license,
- 9 (j) Airplane license,
- 10 (k) Foreign importer's license,
- 11 (l) Broker's license,
- 12 (m) Non-resident dealer's license,
- 13 (n) Brew Pub license,
- 14 (o) Auction liquor license,
- 15 (p) Caterer retailer license,
- 16 (q) Special use permit license,
- 17 (r) Winery shipper's license.

18 No person, firm, partnership, corporation, or other legal
19 business entity that is engaged in the manufacturing of wine
20 may concurrently obtain and hold a wine-maker's license and a
21 wine manufacturer's license.

22 (a) A manufacturer's license shall allow the manufacture,
23 importation in bulk, storage, distribution and sale of
24 alcoholic liquor to persons without the State, as may be
25 permitted by law and to licensees in this State as follows:

26 Class 1. A Distiller may make sales and deliveries of

1 alcoholic liquor to distillers, rectifiers, importing
2 distributors, distributors and non-beverage users and to no
3 other licensees.

4 Class 2. A Rectifier, who is not a distiller, as defined
5 herein, may make sales and deliveries of alcoholic liquor to
6 rectifiers, importing distributors, distributors, retailers
7 and non-beverage users and to no other licensees.

8 Class 3. A Brewer may make sales and deliveries of beer to
9 importing distributors and distributors and may make sales as
10 authorized under subsection (e) of Section 6-4 of this Act.

11 Class 4. A first class wine-manufacturer may make sales and
12 deliveries of up to 50,000 gallons of wine to manufacturers,
13 importing distributors and distributors, and to no other
14 licensees.

15 Class 5. A second class Wine manufacturer may make sales
16 and deliveries of more than 50,000 gallons of wine to
17 manufacturers, importing distributors and distributors and to
18 no other licensees.

19 Class 6. A first-class wine-maker's license shall allow the
20 manufacture of up to 50,000 gallons of wine per year, and the
21 storage and sale of such wine to distributors in the State and
22 to persons without the State, as may be permitted by law. A
23 person who, prior to the effective date of this amendatory Act
24 of the 95th General Assembly, is a holder of a first-class
25 wine-maker's license and annually produces more than 25,000
26 gallons of its own wine and who distributes its wine to

1 licensed retailers shall cease this practice on or before July
2 1, 2008 in compliance with this amendatory Act of the 95th
3 General Assembly.

4 Class 7. A second-class wine-maker's license shall allow
5 the manufacture of between 50,000 and 150,000 gallons of wine
6 per year, and the storage and sale of such wine to distributors
7 in this State and to persons without the State, as may be
8 permitted by law. A person who, prior to the effective date of
9 this amendatory Act of the 95th General Assembly, is a holder
10 of a second-class wine-maker's license and annually produces
11 more than 25,000 gallons of its own wine and who distributes
12 its wine to licensed retailers shall cease this practice on or
13 before July 1, 2008 in compliance with this amendatory Act of
14 the 95th General Assembly.

15 Class 8. A limited wine-manufacturer may make sales and
16 deliveries not to exceed 40,000 gallons of wine per year to
17 distributors, and to non-licensees in accordance with the
18 provisions of this Act.

19 Class 9. A craft distiller license shall allow the
20 manufacture of up to 30,000 gallons of spirits by distillation
21 for one year after the effective date of this amendatory Act of
22 the 97th General Assembly and up to 35,000 gallons of spirits
23 by distillation per year thereafter and the storage of such
24 spirits. If a craft distiller licensee is not affiliated with
25 any other manufacturer, then the craft distiller licensee may
26 sell such spirits to distributors in this State and up to 2,500

1 gallons of such spirits to non-licensees to the extent
2 permitted by any exemption approved by the Commission pursuant
3 to Section 6-4 of this Act.

4 Any craft distiller licensed under this Act who on the
5 effective date of this amendatory Act of the 96th General
6 Assembly was licensed as a distiller and manufactured no more
7 spirits than permitted by this Section shall not be required to
8 pay the initial licensing fee.

9 Class 10. A craft brewer's license, which may only be
10 issued to a licensed brewer or licensed non-resident dealer,
11 shall allow the manufacture of up to 930,000 gallons of beer
12 per year. A craft brewer licensee may make sales and deliveries
13 to importing distributors and distributors and to retail
14 licensees in accordance with the conditions set forth in
15 paragraph (18) of subsection (a) of Section 3-12 of this Act.

16 (a-1) A manufacturer which is licensed in this State to
17 make sales or deliveries of alcoholic liquor to licensed
18 distributors or importing distributors and which enlists
19 agents, representatives, or individuals acting on its behalf
20 who contact licensed retailers on a regular and continual basis
21 in this State must register those agents, representatives, or
22 persons acting on its behalf with the State Commission.

23 Registration of agents, representatives, or persons acting
24 on behalf of a manufacturer is fulfilled by submitting a form
25 to the Commission. The form shall be developed by the
26 Commission and shall include the name and address of the

1 applicant, the name and address of the manufacturer he or she
2 represents, the territory or areas assigned to sell to or
3 discuss pricing terms of alcoholic liquor, and any other
4 questions deemed appropriate and necessary. All statements in
5 the forms required to be made by law or by rule shall be deemed
6 material, and any person who knowingly misstates any material
7 fact under oath in an application is guilty of a Class B
8 misdemeanor. Fraud, misrepresentation, false statements,
9 misleading statements, evasions, or suppression of material
10 facts in the securing of a registration are grounds for
11 suspension or revocation of the registration. The State
12 Commission shall post a list of registered agents on the
13 Commission's website.

14 (b) A distributor's license shall allow the wholesale
15 purchase and storage of alcoholic liquors and sale of alcoholic
16 liquors to licensees in this State and to persons without the
17 State, as may be permitted by law.

18 (c) An importing distributor's license may be issued to and
19 held by those only who are duly licensed distributors, upon the
20 filing of an application by a duly licensed distributor, with
21 the Commission and the Commission shall, without the payment of
22 any fee, immediately issue such importing distributor's
23 license to the applicant, which shall allow the importation of
24 alcoholic liquor by the licensee into this State from any point
25 in the United States outside this State, and the purchase of
26 alcoholic liquor in barrels, casks or other bulk containers and

1 the bottling of such alcoholic liquors before resale thereof,
2 but all bottles or containers so filled shall be sealed,
3 labeled, stamped and otherwise made to comply with all
4 provisions, rules and regulations governing manufacturers in
5 the preparation and bottling of alcoholic liquors. The
6 importing distributor's license shall permit such licensee to
7 purchase alcoholic liquor from Illinois licensed non-resident
8 dealers and foreign importers only.

9 (d) A retailer's license shall allow the licensee to sell
10 and offer for sale at retail, only in the premises specified in
11 the license, alcoholic liquor for use or consumption, but not
12 for resale in any form. Nothing in this amendatory Act of the
13 95th General Assembly shall deny, limit, remove, or restrict
14 the ability of a holder of a retailer's license to transfer,
15 deliver, or ship alcoholic liquor to the purchaser for use or
16 consumption subject to any applicable local law or ordinance.
17 Any retail license issued to a manufacturer shall only permit
18 the manufacturer to sell beer at retail on the premises
19 actually occupied by the manufacturer. For the purpose of
20 further describing the type of business conducted at a retail
21 licensed premises, a retailer's licensee may be designated by
22 the State Commission as (i) an on premise consumption retailer,
23 (ii) an off premise sale retailer, or (iii) a combined on
24 premise consumption and off premise sale retailer.

25 Notwithstanding any other provision of this subsection
26 (d), a retail licensee may sell alcoholic liquors to a special

1 event retailer licensee for resale to the extent permitted
2 under subsection (e).

3 (e) A special event retailer's license (not-for-profit)
4 shall permit the licensee to purchase alcoholic liquors from an
5 Illinois licensed distributor (unless the licensee purchases
6 less than \$500 of alcoholic liquors for the special event, in
7 which case the licensee may purchase the alcoholic liquors from
8 a licensed retailer) and shall allow the licensee to sell and
9 offer for sale, at retail, alcoholic liquors for use or
10 consumption, but not for resale in any form and only at the
11 location and on the specific dates designated for the special
12 event in the license. An applicant for a special event retailer
13 license must (i) furnish with the application: (A) a resale
14 number issued under Section 2c of the Retailers' Occupation Tax
15 Act or evidence that the applicant is registered under Section
16 2a of the Retailers' Occupation Tax Act, (B) a current, valid
17 exemption identification number issued under Section 1g of the
18 Retailers' Occupation Tax Act, and a certification to the
19 Commission that the purchase of alcoholic liquors will be a
20 tax-exempt purchase, or (C) a statement that the applicant is
21 not registered under Section 2a of the Retailers' Occupation
22 Tax Act, does not hold a resale number under Section 2c of the
23 Retailers' Occupation Tax Act, and does not hold an exemption
24 number under Section 1g of the Retailers' Occupation Tax Act,
25 in which event the Commission shall set forth on the special
26 event retailer's license a statement to that effect; (ii)

1 submit with the application proof satisfactory to the State
2 Commission that the applicant will provide dram shop liability
3 insurance in the maximum limits; and (iii) show proof
4 satisfactory to the State Commission that the applicant has
5 obtained local authority approval.

6 (f) A railroad license shall permit the licensee to import
7 alcoholic liquors into this State from any point in the United
8 States outside this State and to store such alcoholic liquors
9 in this State; to make wholesale purchases of alcoholic liquors
10 directly from manufacturers, foreign importers, distributors
11 and importing distributors from within or outside this State;
12 and to store such alcoholic liquors in this State; provided
13 that the above powers may be exercised only in connection with
14 the importation, purchase or storage of alcoholic liquors to be
15 sold or dispensed on a club, buffet, lounge or dining car
16 operated on an electric, gas or steam railway in this State;
17 and provided further, that railroad licensees exercising the
18 above powers shall be subject to all provisions of Article VIII
19 of this Act as applied to importing distributors. A railroad
20 license shall also permit the licensee to sell or dispense
21 alcoholic liquors on any club, buffet, lounge or dining car
22 operated on an electric, gas or steam railway regularly
23 operated by a common carrier in this State, but shall not
24 permit the sale for resale of any alcoholic liquors to any
25 licensee within this State. A license shall be obtained for
26 each car in which such sales are made.

1 (g) A boat license shall allow the sale of alcoholic liquor
 2 in individual drinks, on any passenger boat regularly operated
 3 as a common carrier on navigable waters in this State or on any
 4 riverboat operated under the Illinois ~~Riverboat~~ Gambling Act,
 5 which boat or riverboat maintains a public dining room or
 6 restaurant thereon.

7 (h) A non-beverage user's license shall allow the licensee
 8 to purchase alcoholic liquor from a licensed manufacturer or
 9 importing distributor, without the imposition of any tax upon
 10 the business of such licensed manufacturer or importing
 11 distributor as to such alcoholic liquor to be used by such
 12 licensee solely for the non-beverage purposes set forth in
 13 subsection (a) of Section 8-1 of this Act, and such licenses
 14 shall be divided and classified and shall permit the purchase,
 15 possession and use of limited and stated quantities of
 16 alcoholic liquor as follows:

- 17 Class 1, not to exceed 500 gallons
- 18 Class 2, not to exceed 1,000 gallons
- 19 Class 3, not to exceed 5,000 gallons
- 20 Class 4, not to exceed 10,000 gallons
- 21 Class 5, not to exceed 50,000 gallons

22 (i) A wine-maker's premises license shall allow a licensee
 23 that concurrently holds a first-class wine-maker's license to
 24 sell and offer for sale at retail in the premises specified in
 25 such license not more than 50,000 gallons of the first-class
 26 wine-maker's wine that is made at the first-class wine-maker's

1 licensed premises per year for use or consumption, but not for
2 resale in any form. A wine-maker's premises license shall allow
3 a licensee who concurrently holds a second-class wine-maker's
4 license to sell and offer for sale at retail in the premises
5 specified in such license up to 100,000 gallons of the
6 second-class wine-maker's wine that is made at the second-class
7 wine-maker's licensed premises per year for use or consumption
8 but not for resale in any form. A wine-maker's premises license
9 shall allow a licensee that concurrently holds a first-class
10 wine-maker's license or a second-class wine-maker's license to
11 sell and offer for sale at retail at the premises specified in
12 the wine-maker's premises license, for use or consumption but
13 not for resale in any form, any beer, wine, and spirits
14 purchased from a licensed distributor. Upon approval from the
15 State Commission, a wine-maker's premises license shall allow
16 the licensee to sell and offer for sale at (i) the wine-maker's
17 licensed premises and (ii) at up to 2 additional locations for
18 use and consumption and not for resale. Each location shall
19 require additional licensing per location as specified in
20 Section 5-3 of this Act. A wine-maker's premises licensee shall
21 secure liquor liability insurance coverage in an amount at
22 least equal to the maximum liability amounts set forth in
23 subsection (a) of Section 6-21 of this Act.

24 (j) An airplane license shall permit the licensee to import
25 alcoholic liquors into this State from any point in the United
26 States outside this State and to store such alcoholic liquors

1 in this State; to make wholesale purchases of alcoholic liquors
2 directly from manufacturers, foreign importers, distributors
3 and importing distributors from within or outside this State;
4 and to store such alcoholic liquors in this State; provided
5 that the above powers may be exercised only in connection with
6 the importation, purchase or storage of alcoholic liquors to be
7 sold or dispensed on an airplane; and provided further, that
8 airplane licensees exercising the above powers shall be subject
9 to all provisions of Article VIII of this Act as applied to
10 importing distributors. An airplane licensee shall also permit
11 the sale or dispensing of alcoholic liquors on any passenger
12 airplane regularly operated by a common carrier in this State,
13 but shall not permit the sale for resale of any alcoholic
14 liquors to any licensee within this State. A single airplane
15 license shall be required of an airline company if liquor
16 service is provided on board aircraft in this State. The annual
17 fee for such license shall be as determined in Section 5-3.

18 (k) A foreign importer's license shall permit such licensee
19 to purchase alcoholic liquor from Illinois licensed
20 non-resident dealers only, and to import alcoholic liquor other
21 than in bulk from any point outside the United States and to
22 sell such alcoholic liquor to Illinois licensed importing
23 distributors and to no one else in Illinois; provided that (i)
24 the foreign importer registers with the State Commission every
25 brand of alcoholic liquor that it proposes to sell to Illinois
26 licensees during the license period, (ii) the foreign importer

1 complies with all of the provisions of Section 6-9 of this Act
2 with respect to registration of such Illinois licensees as may
3 be granted the right to sell such brands at wholesale, and
4 (iii) the foreign importer complies with the provisions of
5 Sections 6-5 and 6-6 of this Act to the same extent that these
6 provisions apply to manufacturers.

7 (1) (i) A broker's license shall be required of all persons
8 who solicit orders for, offer to sell or offer to supply
9 alcoholic liquor to retailers in the State of Illinois, or who
10 offer to retailers to ship or cause to be shipped or to make
11 contact with distillers, rectifiers, brewers or manufacturers
12 or any other party within or without the State of Illinois in
13 order that alcoholic liquors be shipped to a distributor,
14 importing distributor or foreign importer, whether such
15 solicitation or offer is consummated within or without the
16 State of Illinois.

17 No holder of a retailer's license issued by the Illinois
18 Liquor Control Commission shall purchase or receive any
19 alcoholic liquor, the order for which was solicited or offered
20 for sale to such retailer by a broker unless the broker is the
21 holder of a valid broker's license.

22 The broker shall, upon the acceptance by a retailer of the
23 broker's solicitation of an order or offer to sell or supply or
24 deliver or have delivered alcoholic liquors, promptly forward
25 to the Illinois Liquor Control Commission a notification of
26 said transaction in such form as the Commission may by

1 regulations prescribe.

2 (ii) A broker's license shall be required of a person
3 within this State, other than a retail licensee, who, for a fee
4 or commission, promotes, solicits, or accepts orders for
5 alcoholic liquor, for use or consumption and not for resale, to
6 be shipped from this State and delivered to residents outside
7 of this State by an express company, common carrier, or
8 contract carrier. This Section does not apply to any person who
9 promotes, solicits, or accepts orders for wine as specifically
10 authorized in Section 6-29 of this Act.

11 A broker's license under this subsection (1) shall not
12 entitle the holder to buy or sell any alcoholic liquors for his
13 own account or to take or deliver title to such alcoholic
14 liquors.

15 This subsection (1) shall not apply to distributors,
16 employees of distributors, or employees of a manufacturer who
17 has registered the trademark, brand or name of the alcoholic
18 liquor pursuant to Section 6-9 of this Act, and who regularly
19 sells such alcoholic liquor in the State of Illinois only to
20 its registrants thereunder.

21 Any agent, representative, or person subject to
22 registration pursuant to subsection (a-1) of this Section shall
23 not be eligible to receive a broker's license.

24 (m) A non-resident dealer's license shall permit such
25 licensee to ship into and warehouse alcoholic liquor into this
26 State from any point outside of this State, and to sell such

1 alcoholic liquor to Illinois licensed foreign importers and
2 importing distributors and to no one else in this State;
3 provided that (i) said non-resident dealer shall register with
4 the Illinois Liquor Control Commission each and every brand of
5 alcoholic liquor which it proposes to sell to Illinois
6 licensees during the license period, (ii) it shall comply with
7 all of the provisions of Section 6-9 hereof with respect to
8 registration of such Illinois licensees as may be granted the
9 right to sell such brands at wholesale, and (iii) the
10 non-resident dealer shall comply with the provisions of
11 Sections 6-5 and 6-6 of this Act to the same extent that these
12 provisions apply to manufacturers.

13 (n) A brew pub license shall allow the licensee (i) to
14 manufacture beer only on the premises specified in the license,
15 (ii) to make sales of the beer manufactured on the premises or,
16 with the approval of the Commission, beer manufactured on
17 another brew pub licensed premises that is substantially owned
18 and operated by the same licensee to importing distributors,
19 distributors, and to non-licensees for use and consumption,
20 (iii) to store the beer upon the premises, and (iv) to sell and
21 offer for sale at retail from the licensed premises, provided
22 that a brew pub licensee shall not sell for off-premises
23 consumption more than 50,000 gallons per year. A person who
24 holds a brew pub license may simultaneously hold a craft brewer
25 license if he or she otherwise qualifies for the craft brewer
26 license and the craft brewer license is for a location separate

1 from the brew pub's licensed premises. A brew pub license shall
2 permit a person who has received prior approval from the
3 Commission to annually transfer no more than a total of 50,000
4 gallons of beer manufactured on premises to all other licensed
5 brew pubs that are substantially owned and operated by the same
6 person.

7 (o) A caterer retailer license shall allow the holder to
8 serve alcoholic liquors as an incidental part of a food service
9 that serves prepared meals which excludes the serving of snacks
10 as the primary meal, either on or off-site whether licensed or
11 unlicensed.

12 (p) An auction liquor license shall allow the licensee to
13 sell and offer for sale at auction wine and spirits for use or
14 consumption, or for resale by an Illinois liquor licensee in
15 accordance with provisions of this Act. An auction liquor
16 license will be issued to a person and it will permit the
17 auction liquor licensee to hold the auction anywhere in the
18 State. An auction liquor license must be obtained for each
19 auction at least 14 days in advance of the auction date.

20 (q) A special use permit license shall allow an Illinois
21 licensed retailer to transfer a portion of its alcoholic liquor
22 inventory from its retail licensed premises to the premises
23 specified in the license hereby created, and to sell or offer
24 for sale at retail, only in the premises specified in the
25 license hereby created, the transferred alcoholic liquor for
26 use or consumption, but not for resale in any form. A special

1 use permit license may be granted for the following time
2 periods: one day or less; 2 or more days to a maximum of 15 days
3 per location in any 12 month period. An applicant for the
4 special use permit license must also submit with the
5 application proof satisfactory to the State Commission that the
6 applicant will provide dram shop liability insurance to the
7 maximum limits and have local authority approval.

8 (r) A winery shipper's license shall allow a person with a
9 first-class or second-class wine manufacturer's license, a
10 first-class or second-class wine-maker's license, or a limited
11 wine manufacturer's license or who is licensed to make wine
12 under the laws of another state to ship wine made by that
13 licensee directly to a resident of this State who is 21 years
14 of age or older for that resident's personal use and not for
15 resale. Prior to receiving a winery shipper's license, an
16 applicant for the license must provide the Commission with a
17 true copy of its current license in any state in which it is
18 licensed as a manufacturer of wine. An applicant for a winery
19 shipper's license must also complete an application form that
20 provides any other information the Commission deems necessary.
21 The application form shall include an acknowledgement
22 consenting to the jurisdiction of the Commission, the Illinois
23 Department of Revenue, and the courts of this State concerning
24 the enforcement of this Act and any related laws, rules, and
25 regulations, including authorizing the Department of Revenue
26 and the Commission to conduct audits for the purpose of

1 ensuring compliance with this amendatory Act.

2 A winery shipper licensee must pay to the Department of
3 Revenue the State liquor gallonage tax under Section 8-1 for
4 all wine that is sold by the licensee and shipped to a person
5 in this State. For the purposes of Section 8-1, a winery
6 shipper licensee shall be taxed in the same manner as a
7 manufacturer of wine. A licensee who is not otherwise required
8 to register under the Retailers' Occupation Tax Act must
9 register under the Use Tax Act to collect and remit use tax to
10 the Department of Revenue for all gallons of wine that are sold
11 by the licensee and shipped to persons in this State. If a
12 licensee fails to remit the tax imposed under this Act in
13 accordance with the provisions of Article VIII of this Act, the
14 winery shipper's license shall be revoked in accordance with
15 the provisions of Article VII of this Act. If a licensee fails
16 to properly register and remit tax under the Use Tax Act or the
17 Retailers' Occupation Tax Act for all wine that is sold by the
18 winery shipper and shipped to persons in this State, the winery
19 shipper's license shall be revoked in accordance with the
20 provisions of Article VII of this Act.

21 A winery shipper licensee must collect, maintain, and
22 submit to the Commission on a semi-annual basis the total
23 number of cases per resident of wine shipped to residents of
24 this State. A winery shipper licensed under this subsection (r)
25 must comply with the requirements of Section 6-29 of this
26 amendatory Act.

1 (Source: P.A. 97-5, eff. 6-1-11; 97-455, eff. 8-19-11; 97-813,
2 eff. 7-13-12; 97-1166, eff. 3-1-13; 98-394, eff. 8-16-13;
3 98-401, eff. 8-16-13; 98-756, eff. 7-16-14.)

4 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

5 Sec. 6-30. Notwithstanding any other provision of this Act,
6 the Illinois Gaming Board shall have exclusive authority to
7 establish the hours for sale and consumption of alcoholic
8 liquor on board a riverboat during riverboat gambling
9 excursions and in a casino conducted in accordance with the
10 Illinois Riverboat Gambling Act.

11 (Source: P.A. 87-826.)

12 Section 55. The Illinois Public Aid Code is amended by
13 changing Section 10-17.15 as follows:

14 (305 ILCS 5/10-17.15)

15 Sec. 10-17.15. Certification of information to State
16 gaming licensees.

17 (a) For purposes of this Section, "State gaming licensee"
18 means, as applicable, an organization licensee or advance
19 deposit wagering licensee licensed under the Illinois Horse
20 Racing Act of 1975, an owners licensee licensed under the
21 Illinois Riverboat Gambling Act, or a licensee that operates,
22 under any law of this State, one or more facilities or gaming
23 locations at which lawful gambling is authorized and licensed

1 as provided in the Illinois Riverboat ~~Riverboat~~ Gambling Act.

2 (b) The Department may provide, by rule, for certification
3 to any State gaming licensee of past due child support owed by
4 a responsible relative under a support order entered by a court
5 or administrative body of this or any other State on behalf of
6 a resident or non-resident receiving child support services
7 under this Article in accordance with the requirements of Title
8 IV-D, Part D, of the Social Security Act. The State gaming
9 licensee shall have the ability to withhold from winnings
10 required to be reported to the Internal Revenue Service on Form
11 W-2G, up to the full amount of winnings necessary to pay the
12 winner's past due child support. The rule shall provide for
13 notice to and an opportunity to be heard by each responsible
14 relative affected and any final administrative decision
15 rendered by the Department shall be reviewed only under and in
16 accordance with the Administrative Review Law.

17 (c) For withholding of winnings, the State gaming licensee
18 shall be entitled to an administrative fee not to exceed the
19 lesser of 4% of the total amount of cash winnings paid to the
20 gambling winner or \$150.

21 (d) In no event may the total amount withheld from the cash
22 payout, including the administrative fee, exceed the total cash
23 winnings claimed by the obligor. If the cash payout claimed is
24 greater than the amount sufficient to satisfy the obligor's
25 delinquent child support payments, the State gaming licensee
26 shall pay the obligor the remaining balance of the payout, less

1 the administrative fee authorized by subsection (c) of this
2 Section, at the time it is claimed.

3 (e) A State gaming licensee who in good faith complies with
4 the requirements of this Section shall not be liable to the
5 gaming winner or any other individual or entity.

6 (Source: P.A. 98-318, eff. 8-12-13.)

7 Section 60. The Firearm Concealed Carry Act is amended by
8 changing Section 65 as follows:

9 (430 ILCS 66/65)

10 Sec. 65. Prohibited areas.

11 (a) A licensee under this Act shall not knowingly carry a
12 firearm on or into:

13 (1) Any building, real property, and parking area under
14 the control of a public or private elementary or secondary
15 school.

16 (2) Any building, real property, and parking area under
17 the control of a pre-school or child care facility,
18 including any room or portion of a building under the
19 control of a pre-school or child care facility. Nothing in
20 this paragraph shall prevent the operator of a child care
21 facility in a family home from owning or possessing a
22 firearm in the home or license under this Act, if no child
23 under child care at the home is present in the home or the
24 firearm in the home is stored in a locked container when a

1 child under child care at the home is present in the home.

2 (3) Any building, parking area, or portion of a
3 building under the control of an officer of the executive
4 or legislative branch of government, provided that nothing
5 in this paragraph shall prohibit a licensee from carrying a
6 concealed firearm onto the real property, bikeway, or trail
7 in a park regulated by the Department of Natural Resources
8 or any other designated public hunting area or building
9 where firearm possession is permitted as established by the
10 Department of Natural Resources under Section 1.8 of the
11 Wildlife Code.

12 (4) Any building designated for matters before a
13 circuit court, appellate court, or the Supreme Court, or
14 any building or portion of a building under the control of
15 the Supreme Court.

16 (5) Any building or portion of a building under the
17 control of a unit of local government.

18 (6) Any building, real property, and parking area under
19 the control of an adult or juvenile detention or
20 correctional institution, prison, or jail.

21 (7) Any building, real property, and parking area under
22 the control of a public or private hospital or hospital
23 affiliate, mental health facility, or nursing home.

24 (8) Any bus, train, or form of transportation paid for
25 in whole or in part with public funds, and any building,
26 real property, and parking area under the control of a

1 public transportation facility paid for in whole or in part
2 with public funds.

3 (9) Any building, real property, and parking area under
4 the control of an establishment that serves alcohol on its
5 premises, if more than 50% of the establishment's gross
6 receipts within the prior 3 months is from the sale of
7 alcohol. The owner of an establishment who knowingly fails
8 to prohibit concealed firearms on its premises as provided
9 in this paragraph or who knowingly makes a false statement
10 or record to avoid the prohibition on concealed firearms
11 under this paragraph is subject to the penalty under
12 subsection (c-5) of Section 10-1 of the Liquor Control Act
13 of 1934.

14 (10) Any public gathering or special event conducted on
15 property open to the public that requires the issuance of a
16 permit from the unit of local government, provided this
17 prohibition shall not apply to a licensee who must walk
18 through a public gathering in order to access his or her
19 residence, place of business, or vehicle.

20 (11) Any building or real property that has been issued
21 a Special Event Retailer's license as defined in Section
22 1-3.17.1 of the Liquor Control Act during the time
23 designated for the sale of alcohol by the Special Event
24 Retailer's license, or a Special use permit license as
25 defined in subsection (q) of Section 5-1 of the Liquor
26 Control Act during the time designated for the sale of

1 alcohol by the Special use permit license.

2 (12) Any public playground.

3 (13) Any public park, athletic area, or athletic
4 facility under the control of a municipality or park
5 district, provided nothing in this Section shall prohibit a
6 licensee from carrying a concealed firearm while on a trail
7 or bikeway if only a portion of the trail or bikeway
8 includes a public park.

9 (14) Any real property under the control of the Cook
10 County Forest Preserve District.

11 (15) Any building, classroom, laboratory, medical
12 clinic, hospital, artistic venue, athletic venue,
13 entertainment venue, officially recognized
14 university-related organization property, whether owned or
15 leased, and any real property, including parking areas,
16 sidewalks, and common areas under the control of a public
17 or private community college, college, or university.

18 (16) Any building, real property, or parking area under
19 the control of a gaming facility licensed under the
20 Illinois Riverboat Gambling Act or the Illinois Horse
21 Racing Act of 1975, including an inter-track wagering
22 location licensee.

23 (17) Any stadium, arena, or the real property or
24 parking area under the control of a stadium, arena, or any
25 collegiate or professional sporting event.

26 (18) Any building, real property, or parking area under

1 the control of a public library.

2 (19) Any building, real property, or parking area under
3 the control of an airport.

4 (20) Any building, real property, or parking area under
5 the control of an amusement park.

6 (21) Any building, real property, or parking area under
7 the control of a zoo or museum.

8 (22) Any street, driveway, parking area, property,
9 building, or facility, owned, leased, controlled, or used
10 by a nuclear energy, storage, weapons, or development site
11 or facility regulated by the federal Nuclear Regulatory
12 Commission. The licensee shall not under any circumstance
13 store a firearm or ammunition in his or her vehicle or in a
14 compartment or container within a vehicle located anywhere
15 in or on the street, driveway, parking area, property,
16 building, or facility described in this paragraph.

17 (23) Any area where firearms are prohibited under
18 federal law.

19 (a-5) Nothing in this Act shall prohibit a public or
20 private community college, college, or university from:

21 (1) prohibiting persons from carrying a firearm within
22 a vehicle owned, leased, or controlled by the college or
23 university;

24 (2) developing resolutions, regulations, or policies
25 regarding student, employee, or visitor misconduct and
26 discipline, including suspension and expulsion;

1 (3) developing resolutions, regulations, or policies
2 regarding the storage or maintenance of firearms, which
3 must include designated areas where persons can park
4 vehicles that carry firearms; and

5 (4) permitting the carrying or use of firearms for the
6 purpose of instruction and curriculum of officially
7 recognized programs, including but not limited to military
8 science and law enforcement training programs, or in any
9 designated area used for hunting purposes or target
10 shooting.

11 (a-10) The owner of private real property of any type may
12 prohibit the carrying of concealed firearms on the property
13 under his or her control. The owner must post a sign in
14 accordance with subsection (d) of this Section indicating that
15 firearms are prohibited on the property, unless the property is
16 a private residence.

17 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
18 this Section except under paragraph (22) or (23) of subsection
19 (a), any licensee prohibited from carrying a concealed firearm
20 into the parking area of a prohibited location specified in
21 subsection (a), (a-5), or (a-10) of this Section shall be
22 permitted to carry a concealed firearm on or about his or her
23 person within a vehicle into the parking area and may store a
24 firearm or ammunition concealed in a case within a locked
25 vehicle or locked container out of plain view within the
26 vehicle in the parking area. A licensee may carry a concealed

1 firearm in the immediate area surrounding his or her vehicle
2 within a prohibited parking lot area only for the limited
3 purpose of storing or retrieving a firearm within the vehicle's
4 trunk, provided the licensee ensures the concealed firearm is
5 unloaded prior to exiting the vehicle. For purposes of this
6 subsection, "case" includes a glove compartment or console that
7 completely encloses the concealed firearm or ammunition, the
8 trunk of the vehicle, or a firearm carrying box, shipping box,
9 or other container.

10 (c) A licensee shall not be in violation of this Section
11 while he or she is traveling along a public right of way that
12 touches or crosses any of the premises under subsection (a),
13 (a-5), or (a-10) of this Section if the concealed firearm is
14 carried on his or her person in accordance with the provisions
15 of this Act or is being transported in a vehicle by the
16 licensee in accordance with all other applicable provisions of
17 law.

18 (d) Signs stating that the carrying of firearms is
19 prohibited shall be clearly and conspicuously posted at the
20 entrance of a building, premises, or real property specified in
21 this Section as a prohibited area, unless the building or
22 premises is a private residence. Signs shall be of a uniform
23 design as established by the Department and shall be 4 inches
24 by 6 inches in size. The Department shall adopt rules for
25 standardized signs to be used under this subsection.

26 (Source: P.A. 98-63, eff. 7-9-13.)

1 Section 65. The Criminal Code of 2012 is amended by
2 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as
3 follows:

4 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

5 Sec. 28-1. Gambling.

6 (a) A person commits gambling when he or she:

7 (1) knowingly plays a game of chance or skill for money
8 or other thing of value, unless excepted in subsection (b)
9 of this Section;

10 (2) knowingly makes a wager upon the result of any
11 game, contest, or any political nomination, appointment or
12 election;

13 (3) knowingly operates, keeps, owns, uses, purchases,
14 exhibits, rents, sells, bargains for the sale or lease of,
15 manufactures or distributes any gambling device;

16 (4) contracts to have or give himself or herself or
17 another the option to buy or sell, or contracts to buy or
18 sell, at a future time, any grain or other commodity
19 whatsoever, or any stock or security of any company, where
20 it is at the time of making such contract intended by both
21 parties thereto that the contract to buy or sell, or the
22 option, whenever exercised, or the contract resulting
23 therefrom, shall be settled, not by the receipt or delivery
24 of such property, but by the payment only of differences in

1 prices thereof; however, the issuance, purchase, sale,
2 exercise, endorsement or guarantee, by or through a person
3 registered with the Secretary of State pursuant to Section
4 8 of the Illinois Securities Law of 1953, or by or through
5 a person exempt from such registration under said Section
6 8, of a put, call, or other option to buy or sell
7 securities which have been registered with the Secretary of
8 State or which are exempt from such registration under
9 Section 3 of the Illinois Securities Law of 1953 is not
10 gambling within the meaning of this paragraph (4);

11 (5) knowingly owns or possesses any book, instrument or
12 apparatus by means of which bets or wagers have been, or
13 are, recorded or registered, or knowingly possesses any
14 money which he has received in the course of a bet or
15 wager;

16 (6) knowingly sells pools upon the result of any game
17 or contest of skill or chance, political nomination,
18 appointment or election;

19 (7) knowingly sets up or promotes any lottery or sells,
20 offers to sell or transfers any ticket or share for any
21 lottery;

22 (8) knowingly sets up or promotes any policy game or
23 sells, offers to sell or knowingly possesses or transfers
24 any policy ticket, slip, record, document or other similar
25 device;

26 (9) knowingly drafts, prints or publishes any lottery

1 ticket or share, or any policy ticket, slip, record,
2 document or similar device, except for such activity
3 related to lotteries, bingo games and raffles authorized by
4 and conducted in accordance with the laws of Illinois or
5 any other state or foreign government;

6 (10) knowingly advertises any lottery or policy game,
7 except for such activity related to lotteries, bingo games
8 and raffles authorized by and conducted in accordance with
9 the laws of Illinois or any other state;

10 (11) knowingly transmits information as to wagers,
11 betting odds, or changes in betting odds by telephone,
12 telegraph, radio, semaphore or similar means; or knowingly
13 installs or maintains equipment for the transmission or
14 receipt of such information; except that nothing in this
15 subdivision (11) prohibits transmission or receipt of such
16 information for use in news reporting of sporting events or
17 contests; or

18 (12) knowingly establishes, maintains, or operates an
19 Internet site that permits a person to play a game of
20 chance or skill for money or other thing of value by means
21 of the Internet or to make a wager upon the result of any
22 game, contest, political nomination, appointment, or
23 election by means of the Internet. This item (12) does not
24 apply to activities referenced in items (6) and (6.1) of
25 subsection (b) of this Section.

26 (b) Participants in any of the following activities shall

1 not be convicted of gambling:

2 (1) Agreements to compensate for loss caused by the
3 happening of chance including without limitation contracts
4 of indemnity or guaranty and life or health or accident
5 insurance.

6 (2) Offers of prizes, award or compensation to the
7 actual contestants in any bona fide contest for the
8 determination of skill, speed, strength or endurance or to
9 the owners of animals or vehicles entered in such contest.

10 (3) Pari-mutuel betting as authorized by the law of
11 this State.

12 (4) Manufacture of gambling devices, including the
13 acquisition of essential parts therefor and the assembly
14 thereof, for transportation in interstate or foreign
15 commerce to any place outside this State when such
16 transportation is not prohibited by any applicable Federal
17 law; or the manufacture, distribution, or possession of
18 video gaming terminals, as defined in the Video Gaming Act,
19 by manufacturers, distributors, and terminal operators
20 licensed to do so under the Video Gaming Act.

21 (5) The game commonly known as "bingo", when conducted
22 in accordance with the Bingo License and Tax Act.

23 (6) Lotteries when conducted by the State of Illinois
24 in accordance with the Illinois Lottery Law. This exemption
25 includes any activity conducted by the Department of
26 Revenue to sell lottery tickets pursuant to the provisions

1 of the Illinois Lottery Law and its rules.

2 (6.1) The purchase of lottery tickets through the
3 Internet for a lottery conducted by the State of Illinois
4 under the program established in Section 7.12 of the
5 Illinois Lottery Law.

6 (7) Possession of an antique slot machine that is
7 neither used nor intended to be used in the operation or
8 promotion of any unlawful gambling activity or enterprise.
9 For the purpose of this subparagraph (b)(7), an antique
10 slot machine is one manufactured 25 years ago or earlier.

11 (8) Raffles and poker runs when conducted in accordance
12 with the Raffles and Poker Runs Act.

13 (9) Charitable games when conducted in accordance with
14 the Charitable Games Act.

15 (10) Pull tabs and jar games when conducted under the
16 Illinois Pull Tabs and Jar Games Act.

17 (11) Gambling games ~~conducted on riverboats~~ when
18 authorized by the Illinois Riverboat Gambling Act.

19 (12) Video gaming terminal games at a licensed
20 establishment, licensed truck stop establishment, licensed
21 fraternal establishment, or licensed veterans
22 establishment when conducted in accordance with the Video
23 Gaming Act.

24 (13) Games of skill or chance where money or other
25 things of value can be won but no payment or purchase is
26 required to participate.

1 (c) Sentence.

2 Gambling is a Class A misdemeanor. A second or subsequent
3 conviction under subsections (a) (3) through (a) (12), is a Class
4 4 felony.

5 (d) Circumstantial evidence.

6 In prosecutions under this Section circumstantial evidence
7 shall have the same validity and weight as in any criminal
8 prosecution.

9 (Source: P.A. 97-1108, eff. 1-1-13; 98-644, eff. 6-10-14.)

10 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

11 Sec. 28-1.1. Syndicated gambling.

12 (a) Declaration of Purpose. Recognizing the close
13 relationship between professional gambling and other organized
14 crime, it is declared to be the policy of the legislature to
15 restrain persons from engaging in the business of gambling for
16 profit in this State. This Section shall be liberally construed
17 and administered with a view to carrying out this policy.

18 (b) A person commits syndicated gambling when he or she
19 operates a "policy game" or engages in the business of
20 bookmaking.

21 (c) A person "operates a policy game" when he or she
22 knowingly uses any premises or property for the purpose of
23 receiving or knowingly does receive from what is commonly
24 called "policy":

25 (1) money from a person other than the bettor or player

1 whose bets or plays are represented by the money; or

2 (2) written "policy game" records, made or used over
3 any period of time, from a person other than the bettor or
4 player whose bets or plays are represented by the written
5 record.

6 (d) A person engages in bookmaking when he or she knowingly
7 receives or accepts more than five bets or wagers upon the
8 result of any trials or contests of skill, speed or power of
9 endurance or upon any lot, chance, casualty, unknown or
10 contingent event whatsoever, which bets or wagers shall be of
11 such size that the total of the amounts of money paid or
12 promised to be paid to the bookmaker on account thereof shall
13 exceed \$2,000. Bookmaking is the receiving or accepting of bets
14 or wagers regardless of the form or manner in which the
15 bookmaker records them.

16 (e) Participants in any of the following activities shall
17 not be convicted of syndicated gambling:

18 (1) Agreements to compensate for loss caused by the
19 happening of chance including without limitation contracts
20 of indemnity or guaranty and life or health or accident
21 insurance;

22 (2) Offers of prizes, award or compensation to the
23 actual contestants in any bona fide contest for the
24 determination of skill, speed, strength or endurance or to
25 the owners of animals or vehicles entered in the contest;

26 (3) Pari-mutuel betting as authorized by law of this

1 State;

2 (4) Manufacture of gambling devices, including the
3 acquisition of essential parts therefor and the assembly
4 thereof, for transportation in interstate or foreign
5 commerce to any place outside this State when the
6 transportation is not prohibited by any applicable Federal
7 law;

8 (5) Raffles and poker runs when conducted in accordance
9 with the Raffles and Poker Runs Act;

10 (6) Gambling games conducted on riverboats or in
11 casinos when authorized by the Illinois ~~Riverboat~~ Gambling
12 Act; and

13 (7) Video gaming terminal games at a licensed
14 establishment, licensed truck stop establishment, licensed
15 fraternal establishment, or licensed veterans
16 establishment when conducted in accordance with the Video
17 Gaming Act.

18 (f) Sentence. Syndicated gambling is a Class 3 felony.

19 (Source: P.A. 97-1108, eff. 1-1-13; 98-644, eff. 6-10-14.)

20 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

21 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is
22 any real estate, vehicle, boat or any other property whatsoever
23 used for the purposes of gambling other than gambling conducted
24 in the manner authorized by the Illinois ~~Riverboat~~ Gambling Act
25 or the Video Gaming Act. Any person who knowingly permits any

1 premises or property owned or occupied by him or under his
2 control to be used as a gambling place commits a Class A
3 misdemeanor. Each subsequent offense is a Class 4 felony. When
4 any premises is determined by the circuit court to be a
5 gambling place:

6 (a) Such premises is a public nuisance and may be proceeded
7 against as such, and

8 (b) All licenses, permits or certificates issued by the
9 State of Illinois or any subdivision or public agency thereof
10 authorizing the serving of food or liquor on such premises
11 shall be void; and no license, permit or certificate so
12 cancelled shall be reissued for such premises for a period of
13 60 days thereafter; nor shall any person convicted of keeping a
14 gambling place be reissued such license for one year from his
15 conviction and, after a second conviction of keeping a gambling
16 place, any such person shall not be reissued such license, and

17 (c) Such premises of any person who knowingly permits
18 thereon a violation of any Section of this Article shall be
19 held liable for, and may be sold to pay any unsatisfied
20 judgment that may be recovered and any unsatisfied fine that
21 may be levied under any Section of this Article.

22 (Source: P.A. 96-34, eff. 7-13-09.)

23 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

24 Sec. 28-5. Seizure of gambling devices and gambling funds.

25 (a) Every device designed for gambling which is incapable

1 of lawful use or every device used unlawfully for gambling
2 shall be considered a "gambling device", and shall be subject
3 to seizure, confiscation and destruction by the Department of
4 State Police or by any municipal, or other local authority,
5 within whose jurisdiction the same may be found. As used in
6 this Section, a "gambling device" includes any slot machine,
7 and includes any machine or device constructed for the
8 reception of money or other thing of value and so constructed
9 as to return, or to cause someone to return, on chance to the
10 player thereof money, property or a right to receive money or
11 property. With the exception of any device designed for
12 gambling which is incapable of lawful use, no gambling device
13 shall be forfeited or destroyed unless an individual with a
14 property interest in said device knows of the unlawful use of
15 the device.

16 (b) Every gambling device shall be seized and forfeited to
17 the county wherein such seizure occurs. Any money or other
18 thing of value integrally related to acts of gambling shall be
19 seized and forfeited to the county wherein such seizure occurs.

20 (c) If, within 60 days after any seizure pursuant to
21 subparagraph (b) of this Section, a person having any property
22 interest in the seized property is charged with an offense, the
23 court which renders judgment upon such charge shall, within 30
24 days after such judgment, conduct a forfeiture hearing to
25 determine whether such property was a gambling device at the
26 time of seizure. Such hearing shall be commenced by a written

1 petition by the State, including material allegations of fact,
2 the name and address of every person determined by the State to
3 have any property interest in the seized property, a
4 representation that written notice of the date, time and place
5 of such hearing has been mailed to every such person by
6 certified mail at least 10 days before such date, and a request
7 for forfeiture. Every such person may appear as a party and
8 present evidence at such hearing. The quantum of proof required
9 shall be a preponderance of the evidence, and the burden of
10 proof shall be on the State. If the court determines that the
11 seized property was a gambling device at the time of seizure,
12 an order of forfeiture and disposition of the seized property
13 shall be entered: a gambling device shall be received by the
14 State's Attorney, who shall effect its destruction, except that
15 valuable parts thereof may be liquidated and the resultant
16 money shall be deposited in the general fund of the county
17 wherein such seizure occurred; money and other things of value
18 shall be received by the State's Attorney and, upon
19 liquidation, shall be deposited in the general fund of the
20 county wherein such seizure occurred. However, in the event
21 that a defendant raises the defense that the seized slot
22 machine is an antique slot machine described in subparagraph
23 (b) (7) of Section 28-1 of this Code and therefore he is exempt
24 from the charge of a gambling activity participant, the seized
25 antique slot machine shall not be destroyed or otherwise
26 altered until a final determination is made by the Court as to

1 whether it is such an antique slot machine. Upon a final
2 determination by the Court of this question in favor of the
3 defendant, such slot machine shall be immediately returned to
4 the defendant. Such order of forfeiture and disposition shall,
5 for the purposes of appeal, be a final order and judgment in a
6 civil proceeding.

7 (d) If a seizure pursuant to subparagraph (b) of this
8 Section is not followed by a charge pursuant to subparagraph
9 (c) of this Section, or if the prosecution of such charge is
10 permanently terminated or indefinitely discontinued without
11 any judgment of conviction or acquittal (1) the State's
12 Attorney shall commence an in rem proceeding for the forfeiture
13 and destruction of a gambling device, or for the forfeiture and
14 deposit in the general fund of the county of any seized money
15 or other things of value, or both, in the circuit court and (2)
16 any person having any property interest in such seized gambling
17 device, money or other thing of value may commence separate
18 civil proceedings in the manner provided by law.

19 (e) Any gambling device displayed for sale to a riverboat
20 gambling operation or casino gambling operation or used to
21 train occupational licensees of a riverboat gambling operation
22 or casino gambling operation as authorized under the Illinois
23 ~~Riverboat~~ Gambling Act is exempt from seizure under this
24 Section.

25 (f) Any gambling equipment, devices and supplies provided
26 by a licensed supplier in accordance with the Illinois

1 ~~Riverboat~~ Gambling Act which are removed from a ~~the~~ riverboat
2 or casino for repair are exempt from seizure under this
3 Section.

4 (g) The following video gaming terminals are exempt from
5 seizure under this Section:

6 (1) Video gaming terminals for sale to a licensed
7 distributor or operator under the Video Gaming Act.

8 (2) Video gaming terminals used to train licensed
9 technicians or licensed terminal handlers.

10 (3) Video gaming terminals that are removed from a
11 licensed establishment, licensed truck stop establishment,
12 licensed fraternal establishment, or licensed veterans
13 establishment for repair.

14 (Source: P.A. 98-31, eff. 6-24-13.)

15 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

16 Sec. 28-7. Gambling contracts void.

17 (a) All promises, notes, bills, bonds, covenants,
18 contracts, agreements, judgments, mortgages, or other
19 securities or conveyances made, given, granted, drawn, or
20 entered into, or executed by any person whatsoever, where the
21 whole or any part of the consideration thereof is for any money
22 or thing of value, won or obtained in violation of any Section
23 of this Article are null and void.

24 (b) Any obligation void under this Section may be set aside
25 and vacated by any court of competent jurisdiction, upon a

1 complaint filed for that purpose, by the person so granting,
2 giving, entering into, or executing the same, or by his
3 executors or administrators, or by any creditor, heir, legatee,
4 purchaser or other person interested therein; or if a judgment,
5 the same may be set aside on motion of any person stated above,
6 on due notice thereof given.

7 (c) No assignment of any obligation void under this Section
8 may in any manner affect the defense of the person giving,
9 granting, drawing, entering into or executing such obligation,
10 or the remedies of any person interested therein.

11 (d) This Section shall not prevent a licensed owner or
12 licensed manager of a riverboat gambling operation or casino
13 gambling operation from instituting a cause of action to
14 collect any amount due and owing under an extension of credit
15 to a ~~riverboat~~ gambling patron as authorized under Section 11.1
16 of the Illinois Riverboat Gambling Act.

17 (Source: P.A. 87-826.)

18 Section 70. The Eminent Domain Act is amended by changing
19 Section 15-5-25 as follows:

20 (735 ILCS 30/15-5-25)

21 Sec. 15-5-25. Eminent domain powers in ILCS Chapters 205
22 through 430. The following provisions of law may include
23 express grants of the power to acquire property by condemnation
24 or eminent domain:

1 (220 ILCS 5/8-509); Public Utilities Act; public utilities; for
2 construction of certain improvements.

3 (220 ILCS 15/1); Gas Storage Act; corporations engaged in the
4 distribution, transportation, or storage of natural gas or
5 manufactured gas; for their operations.

6 (220 ILCS 15/2 and 15/6); Gas Storage Act; corporations engaged
7 in the distribution, transportation, or storage of natural
8 gas or manufactured gas; for use of an underground
9 geological formation for gas storage.

10 (220 ILCS 30/13); Electric Supplier Act; electric
11 cooperatives; for general purposes.

12 (220 ILCS 55/3); Telegraph Act; telegraph companies; for
13 telegraph lines.

14 (220 ILCS 65/4); Telephone Company Act; telecommunications
15 carriers; for telephone company purposes.

16 (225 ILCS 435/23); Ferries Act; ferry operators; for a landing,
17 ferryhouse, or approach.

18 (225 ILCS 440/9); Highway Advertising Control Act of 1971;
19 Department of Transportation; for removal of signs
20 adjacent to highways.

21 (230 ILCS 10/7.3a); Illinois Gambling Act; City of Chicago; for
22 construction of gambling facilities.

23 (310 ILCS 5/6 and 5/38); State Housing Act; housing
24 corporations; for general purposes.

25 (310 ILCS 10/8.3); Housing Authorities Act; housing

1 authorities; for general purposes.

2 (310 ILCS 10/8.15); Housing Authorities Act; housing
3 authorities; for implementation of conservation plans and
4 demolition.

5 (310 ILCS 10/9); Housing Authorities Act; housing authorities;
6 for general purposes.

7 (310 ILCS 20/5); Housing Development and Construction Act;
8 housing authorities; for development or redevelopment.

9 (310 ILCS 35/2); House Relocation Act; political subdivisions
10 and municipal corporations; for relocation of dwellings
11 for highway construction.

12 (315 ILCS 5/14); Blighted Areas Redevelopment Act of 1947; land
13 clearance commissions; for redevelopment projects.

14 (315 ILCS 10/5); Blighted Vacant Areas Development Act of 1949;
15 State of Illinois; for housing development.

16 (315 ILCS 20/9 and 20/42); Neighborhood Redevelopment
17 Corporation Law; neighborhood redevelopment corporations;
18 for general purposes.

19 (315 ILCS 25/4 and 25/6); Urban Community Conservation Act;
20 municipal conservation boards; for conservation areas.

21 (315 ILCS 30/12); Urban Renewal Consolidation Act of 1961;
22 municipal departments of urban renewal; for blighted area
23 redevelopment projects.

24 (315 ILCS 30/20 and 30/22); Urban Renewal Consolidation Act of
25 1961; municipal departments of urban renewal; for
26 implementing conservation areas.

1 (315 ILCS 30/24); Urban Renewal Consolidation Act of 1961;
2 municipal departments of urban renewal; for general
3 purposes.

4 (415 ILCS 95/6); Junkyard Act; Department of Transportation;
5 for junkyards or scrap processing facilities.

6 (420 ILCS 35/1); Radioactive Waste Storage Act; Illinois
7 Emergency Management Agency; for radioactive by-product
8 and waste storage.

9 (Source: P.A. 94-1055, eff. 1-1-07.)

10 Section 75. The Payday Loan Reform Act is amended by
11 changing Section 3-5 as follows:

12 (815 ILCS 122/3-5)

13 Sec. 3-5. Licensure.

14 (a) A license to make a payday loan shall state the
15 address, including city and state, at which the business is to
16 be conducted and shall state fully the name of the licensee.
17 The license shall be conspicuously posted in the place of
18 business of the licensee and shall not be transferable or
19 assignable.

20 (b) An application for a license shall be in writing and in
21 a form prescribed by the Secretary. The Secretary may not issue
22 a payday loan license unless and until the following findings
23 are made:

24 (1) that the financial responsibility, experience,

1 character, and general fitness of the applicant are such as
2 to command the confidence of the public and to warrant the
3 belief that the business will be operated lawfully and
4 fairly and within the provisions and purposes of this Act;
5 and

6 (2) that the applicant has submitted such other
7 information as the Secretary may deem necessary.

8 (c) A license shall be issued for no longer than one year,
9 and no renewal of a license may be provided if a licensee has
10 substantially violated this Act and has not cured the violation
11 to the satisfaction of the Department.

12 (d) A licensee shall appoint, in writing, the Secretary as
13 attorney-in-fact upon whom all lawful process against the
14 licensee may be served with the same legal force and validity
15 as if served on the licensee. A copy of the written
16 appointment, duly certified, shall be filed in the office of
17 the Secretary, and a copy thereof certified by the Secretary
18 shall be sufficient evidence to subject a licensee to
19 jurisdiction in a court of law. This appointment shall remain
20 in effect while any liability remains outstanding in this State
21 against the licensee. When summons is served upon the Secretary
22 as attorney-in-fact for a licensee, the Secretary shall
23 immediately notify the licensee by registered mail, enclosing
24 the summons and specifying the hour and day of service.

25 (e) A licensee must pay an annual fee of \$1,000. In
26 addition to the license fee, the reasonable expense of any

1 examination or hearing by the Secretary under any provisions of
2 this Act shall be borne by the licensee. If a licensee fails to
3 renew its license by December 31, its license shall
4 automatically expire; however, the Secretary, in his or her
5 discretion, may reinstate an expired license upon:

6 (1) payment of the annual fee within 30 days of the
7 date of expiration; and

8 (2) proof of good cause for failure to renew.

9 (f) Not more than one place of business shall be maintained
10 under the same license, but the Secretary may issue more than
11 one license to the same licensee upon compliance with all the
12 provisions of this Act governing issuance of a single license.
13 The location, except those locations already in existence as of
14 June 1, 2005, may not be within one mile of a horse race track
15 subject to the Illinois Horse Racing Act of 1975, within one
16 mile of a facility at which gambling is conducted under the
17 Illinois ~~Riverboat~~ Gambling Act, within one mile of the
18 location at which a riverboat subject to the Illinois ~~Riverboat~~
19 Gambling Act docks, or within one mile of any State of Illinois
20 or United States military base or naval installation.

21 (g) No licensee shall conduct the business of making loans
22 under this Act within any office, suite, room, or place of
23 business in which (1) any loans are offered or made under the
24 Consumer Installment Loan Act other than title secured loans as
25 defined in subsection (a) of Section 15 of the Consumer
26 Installment Loan Act and governed by Title 38, Section 110.330

1 of the Illinois Administrative Code or (2) any other business
2 is solicited or engaged in unless the other business is
3 licensed by the Department or, in the opinion of the Secretary,
4 the other business would not be contrary to the best interests
5 of consumers and is authorized by the Secretary in writing.

6 (g-5) Notwithstanding subsection (g) of this Section, a
7 licensee may obtain a license under the Consumer Installment
8 Loan Act (CILA) for the exclusive purpose and use of making
9 title secured loans, as defined in subsection (a) of Section 15
10 of CILA and governed by Title 38, Section 110.300 of the
11 Illinois Administrative Code. A licensee may continue to
12 service Consumer Installment Loan Act loans that were
13 outstanding as of the effective date of this amendatory Act of
14 the 96th General Assembly.

15 (h) The Secretary shall maintain a list of licensees that
16 shall be available to interested consumers and lenders and the
17 public. The Secretary shall maintain a toll-free number whereby
18 consumers may obtain information about licensees. The
19 Secretary shall also establish a complaint process under which
20 an aggrieved consumer may file a complaint against a licensee
21 or non-licensee who violates any provision of this Act.

22 (Source: P.A. 96-936, eff. 3-21-11.)

23 Section 80. The Travel Promotion Consumer Protection Act is
24 amended by changing Section 2 as follows:

1 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

2 Sec. 2. Definitions.

3 (a) "Travel promoter" means a person, including a tour
4 operator, who sells, provides, furnishes, contracts for,
5 arranges or advertises that he or she will arrange wholesale or
6 retail transportation by air, land, sea or navigable stream,
7 either separately or in conjunction with other services.
8 "Travel promoter" does not include (1) an air carrier; (2) a
9 sea carrier; (3) an officially appointed agent of an air
10 carrier who is a member in good standing of the Airline
11 Reporting Corporation; (4) a travel promoter who has in force
12 \$1,000,000 or more of liability insurance coverage for
13 professional errors and omissions and a surety bond or
14 equivalent surety in the amount of \$100,000 or more for the
15 benefit of consumers in the event of a bankruptcy on the part
16 of the travel promoter; or (5) a riverboat subject to
17 regulation under the Illinois Riverboat ~~Riverboat~~ Gambling Act.

18 (b) "Advertise" means to make any representation in the
19 solicitation of passengers and includes communication with
20 other members of the same partnership, corporation, joint
21 venture, association, organization, group or other entity.

22 (c) "Passenger" means a person on whose behalf money or
23 other consideration has been given or is to be given to
24 another, including another member of the same partnership,
25 corporation, joint venture, association, organization, group
26 or other entity, for travel.

1 (d) "Ticket or voucher" means a writing or combination of
2 writings which is itself good and sufficient to obtain
3 transportation and other services for which the passenger has
4 contracted.

5 (Source: P.A. 91-357, eff. 7-29-99.)

6 Section 97. Severability. The provisions of this Act are
7 severable under Section 1.31 of the Statute on Statutes.

8 Section 99. Effective date. This Act takes effect September
9 1, 2015.

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4	20 ILCS 1605/9.1	
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6	30 ILCS 105/5d	from Ch. 127, par. 141d
7	30 ILCS 105/6z-45	
8	30 ILCS 330/2	from Ch. 127, par. 652
9	30 ILCS 330/3	from Ch. 127, par. 653
10	70 ILCS 1825/5.1	from Ch. 19, par. 255.1
11	205 ILCS 670/12.5	
12	230 ILCS 5/54	
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- 1 720 ILCS 5/28-5 from Ch. 38, par. 28-5
- 2 720 ILCS 5/28-7 from Ch. 38, par. 28-7
- 3 735 ILCS 30/15-5-25
- 4 815 ILCS 122/3-5
- 5 815 ILCS 420/2 from Ch. 121 1/2, par. 1852