



Rep. Wyvetter H. Younge

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09400HB1271ham003

LRB094 09263 AMC 44968 a

1 AMENDMENT TO HOUSE BILL 1271

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1271, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The State Finance Act is amended by adding  
6 Section 5.640 as follows:

7 (30 ILCS 105/5.640 new)

8 Sec. 5.640. The Depressed Municipalities Fund.

9 Section 10. The Riverboat Gambling Act is amended by  
10 changing Sections 13 and 23 and adding Section 13.2 as follows:

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

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

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

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

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

1           20% of annual adjusted gross receipts in excess of  
2           \$25,000,000 but not exceeding \$50,000,000;

3           25% of annual adjusted gross receipts in excess of  
4           \$50,000,000 but not exceeding \$75,000,000;

5           30% of annual adjusted gross receipts in excess of  
6           \$75,000,000 but not exceeding \$100,000,000;

7           35% of annual adjusted gross receipts in excess of  
8           \$100,000,000.

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

16          15% of annual adjusted gross receipts up to and  
17          including \$25,000,000;

18          22.5% of annual adjusted gross receipts in excess of  
19          \$25,000,000 but not exceeding \$50,000,000;

20          27.5% of annual adjusted gross receipts in excess of  
21          \$50,000,000 but not exceeding \$75,000,000;

22          32.5% of annual adjusted gross receipts in excess of  
23          \$75,000,000 but not exceeding \$100,000,000;

24          37.5% of annual adjusted gross receipts in excess of  
25          \$100,000,000 but not exceeding \$150,000,000;

26          45% of annual adjusted gross receipts in excess of  
27          \$150,000,000 but not exceeding \$200,000,000;

28          50% of annual adjusted gross receipts in excess of  
29          \$200,000,000.

30          (a-3) Beginning July 1, 2003, a privilege tax is imposed on  
31          persons engaged in the business of conducting riverboat  
32          gambling operations, other than licensed managers conducting  
33          riverboat gambling operations on behalf of the State, based on  
34          the adjusted gross receipts received by a licensed owner from

1 gambling games authorized under this Act at the following  
2 rates:

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

5 27.5% of annual adjusted gross receipts in excess of  
6 \$25,000,000 but not exceeding \$37,500,000;

7 32.5% of annual adjusted gross receipts in excess of  
8 \$37,500,000 but not exceeding \$50,000,000;

9 37.5% of annual adjusted gross receipts in excess of  
10 \$50,000,000 but not exceeding \$75,000,000;

11 45% of annual adjusted gross receipts in excess of  
12 \$75,000,000 but not exceeding \$100,000,000;

13 50% of annual adjusted gross receipts in excess of  
14 \$100,000,000 but not exceeding \$250,000,000;

15 70% of annual adjusted gross receipts in excess of  
16 \$250,000,000.

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

22 The privilege tax imposed under this subsection (a-3) shall  
23 no longer be imposed beginning on the earlier of (i) July 1,  
24 2005; (ii) the first date after June 20, 2003 ~~the effective~~  
25 ~~date of this amendatory Act of the 93rd General Assembly~~ that  
26 riverboat gambling operations are conducted pursuant to a  
27 dormant license; or (iii) the first day that riverboat gambling  
28 operations are conducted under the authority of an owners  
29 license that is in addition to the 10 owners licenses initially  
30 authorized under this Act. For the purposes of this subsection  
31 (a-3), the term "dormant license" means an owners license that  
32 is authorized by this Act under which no riverboat gambling  
33 operations are being conducted on June 20, 2003 ~~the effective~~  
34 ~~date of this amendatory Act of the 93rd General Assembly~~.

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

9 15% of annual adjusted gross receipts up to and  
10 including \$25,000,000;

11 22.5% of annual adjusted gross receipts in excess of  
12 \$25,000,000 but not exceeding \$50,000,000;

13 27.5% of annual adjusted gross receipts in excess of  
14 \$50,000,000 but not exceeding \$75,000,000;

15 32.5% of annual adjusted gross receipts in excess of  
16 \$75,000,000 but not exceeding \$100,000,000;

17 37.5% of annual adjusted gross receipts in excess of  
18 \$100,000,000 but not exceeding \$150,000,000;

19 45% of annual adjusted gross receipts in excess of  
20 \$150,000,000 but not exceeding \$200,000,000;

21 50% of annual adjusted gross receipts in excess of  
22 \$200,000,000.

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

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

29 (b) Until January 1, 1998, 25% of the tax revenue deposited  
30 in the State Gaming Fund under this Section shall be paid,  
31 subject to appropriation by the General Assembly, to the unit  
32 of local government which is designated as the home dock of the  
33 riverboat. Beginning January 1, 1998, from the tax revenue  
34 deposited in the State Gaming Fund under this Section, an

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

13 (c) Appropriations, as approved by the General Assembly,  
14 may be made from the State Gaming Fund to the Department of  
15 Revenue and the Department of State Police for the  
16 administration and enforcement of this Act, or to the  
17 Department of Human Services for the administration of programs  
18 to treat problem gambling.

19 (c-5) After the payments required under subsections (b) and  
20 (c) have been made, an amount equal to 15% of the adjusted  
21 gross receipts of (1) an owners licensee that relocates  
22 pursuant to Section 11.2, (2) an owners licensee ~~license~~  
23 conducting riverboat gambling operations pursuant to an owners  
24 license that is initially issued after June 25, 1999, or (3)  
25 the first riverboat gambling operations conducted by a licensed  
26 manager on behalf of the State under Section 7.3 ~~7.2~~, whichever  
27 comes first, shall be paid from the State Gaming Fund into the  
28 Horse Racing Equity Fund.

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

33 (c-15) After the payments required under subsections (b),  
34 (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 ~~7.2~~, 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) After the payments required under subsections (b),  
17 (c), (c-5) and (c-15) have been made, an amount equal to 2% of  
18 the adjusted gross receipts of (1) an owners licensee ~~license~~  
19 that relocates pursuant to Section 11.2, (2) an owners licensee  
20 ~~license~~ conducting riverboat gambling operations pursuant to  
21 an owners license that is initially issued after June 25, 1999,  
22 or (3) the first riverboat gambling operations conducted by a  
23 licensed manager on behalf of the State under Section 7.3 ~~7.2~~,  
24 whichever comes first, shall be paid from the State Gaming Fund  
25 to Chicago State University.

26 (d) From time to time, the Board shall transfer the  
27 remainder of the funds generated by this Act, except the tax  
28 revenue generated pursuant to Section 13.2, into the Education  
29 Assistance Fund, created by Public Act 86-0018, of the State of  
30 Illinois.

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

1 tax revenue.

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

8 (Source: P.A. 92-595, eff. 6-28-02; 93-27, eff. 6-20-03; 93-28,  
9 eff. 6-20-03; revised 1-28-04.)

10 (230 ILCS 10/13.2 new)

11 Sec. 13.2. Revenue sharing. Beginning January 1, 2006, each  
12 licensed owner conducting gambling operations under this Act  
13 shall pay an amount equal to 0.5% of adjusted gross receipts to  
14 the Board. Payments under this Section shall be made by the  
15 licensed owner to the Board not later than 3:00 o'clock p.m. of  
16 the day after the day when the wagers were made. The moneys  
17 received from a licensee shall be placed in that licensee's  
18 special account within the Depressed Municipalities Fund,  
19 which is hereby created as a special fund in the State  
20 treasury. Moneys in an account in the Fund shall be paid in  
21 equal shares at the beginning of each month to municipalities  
22 that are (1) located in the county where the riverboat that  
23 paid into that account docks or in a county that is contiguous  
24 to that county and (2) in the bottom 10% in per capita income  
25 in that group of counties. Moneys paid to a municipality  
26 pursuant to this Section shall be used for infrastructure  
27 improvement projects within that municipality.

28 (230 ILCS 10/23) (from Ch. 120, par. 2423)

29 Sec. 23. The State Gaming Fund. On or after the effective  
30 date of this Act, all of the fees and taxes collected pursuant  
31 to subsections of this Act, except tax revenue collected  
32 pursuant to Section 13.2, shall be deposited into the State

1 Gaming Fund, a special fund in the State Treasury, which is  
2 hereby created. The adjusted gross receipts of any riverboat  
3 gambling operations conducted by a licensed manager on behalf  
4 of the State remaining after the payment of the fees and  
5 expenses of the licensed manager shall be deposited into the  
6 State Gaming Fund. Fines and penalties collected pursuant to  
7 this Act shall be deposited into the Education Assistance Fund,  
8 created by Public Act 86-0018, of the State of Illinois.  
9 (Source: P.A. 93-28, eff. 6-20-03.)

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law."