



Rep. Elizabeth Hernandez

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1 AMENDMENT TO HOUSE BILL 275

2 AMENDMENT NO. _____. Amend House Bill 275 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Commerce and Economic
5 Opportunity Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 605-530 as follows:

7 (20 ILCS 605/605-530 new)

8 Sec. 605-530. The Commission on the Future of Economic
9 Development of the Latino Community.

10 (a) There is hereby created the Commission on the Future of
11 Economic Development of the Latino Community within the
12 Department. The purpose of the Commission shall be to maintain
13 and develop the economy of Latinos and to provide opportunities
14 for this community that will enhance and expand the quality of
15 their lives.

16 The Commission must concentrate its major efforts on

1 strategic planning, policy research and analysis, advocacy,
2 evaluation, and promoting coordination and collaboration.

3 During each regular legislative session, the Commission
4 must consult with appropriate legislative committees about the
5 State's economic development needs and opportunities in the
6 Latino Community.

7 By October 1st of each even-numbered year, the Commission
8 must submit to the Governor and General Assembly a biennial
9 comprehensive statewide economic development strategy for the
10 Latino Community with a report on progress from the previous
11 comprehensive strategy.

12 The comprehensive statewide economic development strategy
13 may include:

14 (1) an assessment of the Latino community's economic
15 vitality;

16 (2) recommended goals, objectives, and priorities for
17 the next biennium and the future;

18 (3) a common set of outcomes and benchmarks for the
19 economic development system as a whole for the Latino
20 community;

21 (4) recommendations for removing barriers for Latinos
22 in employment;

23 (5) an inventory of existing relevant programs
24 compiled by the Commission from materials submitted by
25 agencies;

26 (6) recommendations for expanding, discontinuing, or

1 redirecting existing programs or adding new programs to
2 better serve the Latino community; and

3 (7) recommendations of best practices and public and
4 private sector roles in implementing the comprehensive
5 statewide economic development strategy.

6 In developing the biennial statewide economic development
7 strategy, plans, inventories, assessments, and policy
8 research, the Commission must consult, collaborate, and
9 coordinate with relevant State agencies, private sector
10 businesses, nonprofit organizations involved in economic
11 development, trade associations, associate development
12 organizations, and relevant local organizations in order to
13 avoid duplication of effort.

14 State agencies must cooperate with the Commission and
15 provide information as the Commission may reasonably request.

16 The Commission shall review and make budget
17 recommendations to the Governor's Office of Management and
18 Budget and the General Assembly in areas relating to the
19 economic development in the State's Latino community.

20 The Commission must evaluate its own performance on a
21 regular basis.

22 The Commission may accept gifts, grants, donations,
23 sponsorships, or contributions from any federal, State, or
24 local governmental agency or program or any private source and
25 expend the same for any purpose consistent with this Act.

26 (b) The Commission shall consist of 12 voting members

1 appointed by the Governor. The chairperson of the Commission
2 shall be one of the appointed members and shall be chosen by
3 the Commission. The members of the Commission shall be
4 representative, to the extent possible, of the various
5 geographic areas of the State. The Director shall serve as an
6 ad hoc nonvoting member of the Commission. In appointing the
7 members, the Governor shall appoint individuals representing
8 the following private industry sectors:

9 (1) production agriculture;

10 (2) transportation, construction and logistics;

11 (3) travel and tourism;

12 (4) financial services and insurance;

13 (5) information technology and communications; and

14 (6) biotechnology.

15 In addition, the Governor shall appoint at least 2 individuals
16 representing manufacturing, one such individual shall
17 represent a company with no more than 75 employees.

18 Members appointed by the Governor serve for not more than 2
19 consecutive 3-year terms, except that, as determined by the
20 Governor, of the initial appointees of the Commission, the
21 terms of 4 members shall expire on October 1, 2014, the terms
22 of 4 shall expire on October 1, 2015, and the terms of 4
23 members shall expire on October 1, 2016. Thereafter, all terms
24 are for 3 years. Vacancies must be filled in the same manner as
25 the original appointments. The members of the Commission shall
26 serve without compensation.

1 (c) The Commission shall meet at least 4 times a year, with
2 at least one meeting each calendar quarter, at the call of the
3 Director or 4 voting members of the Commission. The staff and
4 support for the Commission shall be provided by the Department.

5 (d) The Commission and Department are encouraged to involve
6 other essential groups in the work of the Commission,
7 including, but not limited to, (1) public universities, (2)
8 community colleges, (3) other educational institutions, and
9 (4) the Illinois Department of Labor.

10 (e) The Commission shall make recommendations, which must
11 be approved by a majority of the Commission, to the Department
12 concerning the award of grants from amounts appropriated to the
13 Department from the Latino Community Economic Development
14 Fund, a special fund created in the State treasury. The
15 Department must make grants to public or private entities
16 submitting proposals to the Commission to assist in the
17 economic development of the Latino community. Grants may be
18 used by these entities only for those purposes specified in the
19 grant. The Commission shall coordinate with the Department to
20 develop grant criteria.

21 (f) For purposes of this Section, "educational
22 institutions" means nonprofit public and private colleges,
23 community colleges, State colleges, and universities in the
24 State.

25 Section 10. The State Finance Act is amended by adding

1 Section 5.826 as follows:

2 (30 ILCS 105/5.826 new)

3 Sec. 5.826. The Latino Community Economic Development
4 Fund.

5 Section 15. The Riverboat Gambling Act is amended by
6 changing Section 13 as follows:

7 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

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

19 20% of annual adjusted gross receipts in excess of
20 \$25,000,000 but not exceeding \$50,000,000;

21 25% of annual adjusted gross receipts in excess of
22 \$50,000,000 but not exceeding \$75,000,000;

23 30% of annual adjusted gross receipts in excess of

1 \$75,000,000 but not exceeding \$100,000,000;

2 35% of annual adjusted gross receipts in excess of
3 \$100,000,000.

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

11 15% of annual adjusted gross receipts up to and
12 including \$25,000,000;

13 22.5% of annual adjusted gross receipts in excess of
14 \$25,000,000 but not exceeding \$50,000,000;

15 27.5% of annual adjusted gross receipts in excess of
16 \$50,000,000 but not exceeding \$75,000,000;

17 32.5% of annual adjusted gross receipts in excess of
18 \$75,000,000 but not exceeding \$100,000,000;

19 37.5% of annual adjusted gross receipts in excess of
20 \$100,000,000 but not exceeding \$150,000,000;

21 45% of annual adjusted gross receipts in excess of
22 \$150,000,000 but not exceeding \$200,000,000;

23 50% of annual adjusted gross receipts in excess of
24 \$200,000,000.

25 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
26 persons engaged in the business of conducting riverboat

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

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

8 27.5% of annual adjusted gross receipts in excess of
9 \$25,000,000 but not exceeding \$37,500,000;

10 32.5% of annual adjusted gross receipts in excess of
11 \$37,500,000 but not exceeding \$50,000,000;

12 37.5% of annual adjusted gross receipts in excess of
13 \$50,000,000 but not exceeding \$75,000,000;

14 45% of annual adjusted gross receipts in excess of
15 \$75,000,000 but not exceeding \$100,000,000;

16 50% of annual adjusted gross receipts in excess of
17 \$100,000,000 but not exceeding \$250,000,000;

18 70% of annual adjusted gross receipts in excess of
19 \$250,000,000.

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

25 The privilege tax imposed under this subsection (a-3) shall
26 no longer be imposed beginning on the earlier of (i) July 1,

1 2005; (ii) the first date after June 20, 2003 that riverboat
2 gambling operations are conducted pursuant to a dormant
3 license; or (iii) the first day that riverboat gambling
4 operations are conducted under the authority of an owners
5 license that is in addition to the 10 owners licenses initially
6 authorized under this Act. For the purposes of this subsection
7 (a-3), the term "dormant license" means an owners license that
8 is authorized by this Act under which no riverboat gambling
9 operations are being conducted on June 20, 2003.

10 (a-4) Beginning on the first day on which the tax imposed
11 under subsection (a-3) is no longer imposed, a privilege tax is
12 imposed on persons engaged in the business of conducting
13 riverboat gambling operations, other than licensed managers
14 conducting riverboat gambling operations on behalf of the
15 State, based on the adjusted gross receipts received by a
16 licensed owner from gambling games authorized under this Act at
17 the following rates:

18 15% of annual adjusted gross receipts up to and
19 including \$25,000,000;

20 22.5% of annual adjusted gross receipts in excess of
21 \$25,000,000 but not exceeding \$50,000,000;

22 27.5% of annual adjusted gross receipts in excess of
23 \$50,000,000 but not exceeding \$75,000,000;

24 32.5% of annual adjusted gross receipts in excess of
25 \$75,000,000 but not exceeding \$100,000,000;

26 37.5% of annual adjusted gross receipts in excess of

1 \$100,000,000 but not exceeding \$150,000,000;

2 45% of annual adjusted gross receipts in excess of
3 \$150,000,000 but not exceeding \$200,000,000;

4 50% of annual adjusted gross receipts in excess of
5 \$200,000,000.

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

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

12 (a-15) If the privilege tax imposed under subsection (a-3)
13 is no longer imposed pursuant to item (i) of the last paragraph
14 of subsection (a-3), then by June 15 of each year, each owners
15 licensee, other than an owners licensee that admitted 1,000,000
16 persons or fewer in calendar year 2004, must, in addition to
17 the payment of all amounts otherwise due under this Section,
18 pay to the Board a reconciliation payment in the amount, if
19 any, by which the licensed owner's base amount exceeds the
20 amount of net privilege tax paid by the licensed owner to the
21 Board in the then current State fiscal year. A licensed owner's
22 net privilege tax obligation due for the balance of the State
23 fiscal year shall be reduced up to the total of the amount paid
24 by the licensed owner in its June 15 reconciliation payment.
25 The obligation imposed by this subsection (a-15) is binding on
26 any person, firm, corporation, or other entity that acquires an

1 ownership interest in any such owners license. The obligation
2 imposed under this subsection (a-15) terminates on the earliest
3 of: (i) July 1, 2007, (ii) the first day after the effective
4 date of this amendatory Act of the 94th General Assembly that
5 riverboat gambling operations are conducted pursuant to a
6 dormant license, (iii) the first day that riverboat gambling
7 operations are conducted under the authority of an owners
8 license that is in addition to the 10 owners licenses initially
9 authorized under this Act, or (iv) the first day that a
10 licensee under the Illinois Horse Racing Act of 1975 conducts
11 gaming operations with slot machines or other electronic gaming
12 devices. The Board must reduce the obligation imposed under
13 this subsection (a-15) by an amount the Board deems reasonable
14 for any of the following reasons: (A) an act or acts of God,
15 (B) an act of bioterrorism or terrorism or a bioterrorism or
16 terrorism threat that was investigated by a law enforcement
17 agency, or (C) a condition beyond the control of the owners
18 licensee that does not result from any act or omission by the
19 owners licensee or any of its agents and that poses a hazardous
20 threat to the health and safety of patrons. If an owners
21 licensee pays an amount in excess of its liability under this
22 Section, the Board shall apply the overpayment to future
23 payments required under this Section.

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

25 "Act of God" means an incident caused by the operation of
26 an extraordinary force that cannot be foreseen, that cannot be

1 avoided by the exercise of due care, and for which no person
2 can be held liable.

3 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

18 The changes made to this subsection (a-15) by Public Act
19 94-839 are intended to restate and clarify the intent of Public
20 Act 94-673 with respect to the amount of the payments required
21 to be made under this subsection by an owners licensee to the
22 Board.

23 (b) Until January 1, 1998, 25% of the tax revenue deposited
24 in the State Gaming Fund under this Section shall be paid,
25 subject to appropriation by the General Assembly, to the unit
26 of local government which is designated as the home dock of the

1 riverboat. Beginning January 1, 1998, from the tax revenue
2 deposited in the State Gaming Fund under this Section, an
3 amount equal to 5% of adjusted gross receipts generated by a
4 riverboat shall be paid monthly, subject to appropriation by
5 the General Assembly, to the unit of local government that is
6 designated as the home dock of the riverboat. From the tax
7 revenue deposited in the State Gaming Fund pursuant to
8 riverboat gambling operations conducted by a licensed manager
9 on behalf of the State, an amount equal to 5% of adjusted gross
10 receipts generated pursuant to those riverboat gambling
11 operations shall be paid monthly, subject to appropriation by
12 the General Assembly, to the unit of local government that is
13 designated as the home dock of the riverboat upon which those
14 riverboat gambling operations are conducted.

15 (c) Appropriations, as approved by the General Assembly,
16 may be made from the State Gaming Fund to the Board (i) for the
17 administration and enforcement of this Act and the Video Gaming
18 Act, (ii) for distribution to the Department of State Police
19 and to the Department of Revenue for the enforcement of this
20 Act, and (iii) to the Department of Human Services for the
21 administration of programs to treat problem gambling.

22 (c-5) Before May 26, 2006 (the effective date of Public Act
23 94-804) and beginning on the effective date of this amendatory
24 Act of the 95th General Assembly, unless any organization
25 licensee under the Illinois Horse Racing Act of 1975 begins to
26 operate a slot machine or video game of chance under the

1 Illinois Horse Racing Act of 1975 or this Act, after the
2 payments required under subsections (b) and (c) have been made,
3 an amount equal to 15% of the adjusted gross receipts of (1) an
4 owners licensee that relocates pursuant to Section 11.2, (2) an
5 owners licensee conducting riverboat gambling operations
6 pursuant to an owners license that is initially issued after
7 June 25, 1999, or (3) the first riverboat gambling operations
8 conducted by a licensed manager on behalf of the State under
9 Section 7.3, whichever comes first, shall be paid from the
10 State Gaming Fund into the Horse Racing Equity Fund.

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

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

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

6 (c-25) After the payments required under subsections (b),
7 (c), (c-5) and (c-15) have been made, an amount equal to 2% of
8 the adjusted gross receipts of (1) an owners licensee that
9 relocates pursuant to Section 11.2, (2) an owners licensee
10 conducting riverboat gambling operations pursuant to an owners
11 license that is initially issued after June 25, 1999, or (3)
12 the first riverboat gambling operations conducted by a licensed
13 manager on behalf of the State under Section 7.3, whichever
14 comes first, shall be paid from the State Gaming Fund to
15 Chicago State University.

16 (c-30) After the payments required under subsections (b),
17 (c), (c-5), (c-15), and (c-25) have been made, \$10,000,000
18 shall be transferred annually from the State Gaming Fund into
19 the Latino Community Economic Development Fund.

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

24 (e) Nothing in this Act shall prohibit the unit of local
25 government designated as the home dock of the riverboat from
26 entering into agreements with other units of local government

1 in this State or in other states to share its portion of the
2 tax revenue.

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

9 (Source: P.A. 95-331, eff. 8-21-07; 95-1008, eff. 12-15-08;
10 96-37, eff. 7-13-09; 96-1392, eff. 1-1-11.)".