



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 Council on the Future of Economic  
9 Development of the Latino Community.

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

1 lives.

2 The Council must concentrate its major efforts on strategic  
3 planning, policy research and analysis, advocacy, evaluation,  
4 and promoting coordination and collaboration.

5 During each regular legislative session, the Council must  
6 consult with appropriate legislative committees about the  
7 State's economic development needs and opportunities in the  
8 Latino community.

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

14 The comprehensive statewide economic development strategy  
15 may include:

16 (1) an assessment of the Latino community's economic  
17 vitality;

18 (2) recommended goals, objectives, and priorities for  
19 the next biennium and the future;

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

23 (4) recommendations for removing barriers for Latinos  
24 in employment;

25 (5) an inventory of existing relevant programs  
26 compiled by the Council from materials submitted by

1 agencies;

2 (6) recommendations for expanding, discontinuing, or  
3 redirecting existing programs or adding new programs to  
4 better serve the Latino community; and

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

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

16 State agencies must cooperate with the Council and provide  
17 information as the Council may reasonably request.

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

22 The Council must evaluate its own performance on a regular  
23 basis.

24 The Council may accept gifts, grants, donations,  
25 sponsorships, or contributions from any federal, State, or  
26 local governmental agency or program or any private source and

1 expend the same for any purpose consistent with this Act.

2 (b) The Council shall consist of 12 voting members. The  
3 Governor shall appoint 4 members. The Speaker of the House, the  
4 President of the Senate, and the Minority Leaders of the  
5 General Assembly shall each appoint 2 members. The chairperson  
6 of the Council shall be one of the appointed members and shall  
7 be chosen by the Council. The members of the Council shall be  
8 representative, to the extent possible, of the various  
9 geographic areas of the State. The Director of the Department  
10 and the Director of the Commission shall serve as ex officio  
11 nonvoting members of the Council. In appointing the members,  
12 the individuals should represent the following private  
13 industry sectors:

14 (1) production agriculture;

15 (2) transportation, construction and logistics;

16 (3) travel and tourism;

17 (4) financial services and insurance;

18 (5) information technology and communications; and

19 (6) biotechnology.

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

23 Members appointed shall serve for not more than 2  
24 consecutive 3-year terms, except that, of the initial  
25 appointees of the Council, the terms of 4 members shall expire  
26 on October 1, 2014, the terms of 4 shall expire on October 1,

1 2015, and the terms of 4 members shall expire on October 1,  
2 2016. Thereafter, all terms are for 3 years. Vacancies must be  
3 filled in the same manner as the original appointments. The  
4 members of the Council shall serve without compensation.

5 (c) The Council shall meet at least 4 times a year, with at  
6 least one meeting each calendar quarter, at the call of the  
7 Director or 4 voting members of the Council. The staff and  
8 support for the Council shall be provided by the Department in  
9 collaboration with the Commission.

10 (d) The Council and Department are encouraged to involve  
11 other essential groups in the work of the Council, including,  
12 but not limited to, (1) public universities, (2) community  
13 colleges, (3) other educational institutions, and (4) the  
14 Illinois Department of Labor.

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

26 (f) For purposes of this Section: "educational

1 institutions" means nonprofit public and private colleges,  
2 community colleges, State colleges, and universities in the  
3 State; and "Commission" means the Illinois Latino Family  
4 Commission.

5 Section 10. The State Finance Act is amended by adding  
6 Section 5.826 as follows:

7 (30 ILCS 105/5.826 new)

8 Sec. 5.826. The Latino Community Economic Development  
9 Fund.

10 Section 15. The Riverboat Gambling Act is amended by  
11 changing Section 13 as follows:

12 (230 ILCS 10/13) (from Ch. 120, par. 2413)

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

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

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

22 15% of annual adjusted gross receipts up to and

1 including \$25,000,000;

2 20% of annual adjusted gross receipts in excess of  
3 \$25,000,000 but not exceeding \$50,000,000;

4 25% of annual adjusted gross receipts in excess of  
5 \$50,000,000 but not exceeding \$75,000,000;

6 30% of annual adjusted gross receipts in excess of  
7 \$75,000,000 but not exceeding \$100,000,000;

8 35% of annual adjusted gross receipts in excess of  
9 \$100,000,000.

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

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

19 22.5% of annual adjusted gross receipts in excess of  
20 \$25,000,000 but not exceeding \$50,000,000;

21 27.5% of annual adjusted gross receipts in excess of  
22 \$50,000,000 but not exceeding \$75,000,000;

23 32.5% of annual adjusted gross receipts in excess of  
24 \$75,000,000 but not exceeding \$100,000,000;

25 37.5% of annual adjusted gross receipts in excess of  
26 \$100,000,000 but not exceeding \$150,000,000;

1           45% of annual adjusted gross receipts in excess of  
2           \$150,000,000 but not exceeding \$200,000,000;

3           50% of annual adjusted gross receipts in excess of  
4           \$200,000,000.

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

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

14           27.5% of annual adjusted gross receipts in excess of  
15 \$25,000,000 but not exceeding \$37,500,000;

16           32.5% of annual adjusted gross receipts in excess of  
17 \$37,500,000 but not exceeding \$50,000,000;

18           37.5% of annual adjusted gross receipts in excess of  
19 \$50,000,000 but not exceeding \$75,000,000;

20           45% of annual adjusted gross receipts in excess of  
21 \$75,000,000 but not exceeding \$100,000,000;

22           50% of annual adjusted gross receipts in excess of  
23 \$100,000,000 but not exceeding \$250,000,000;

24           70% of annual adjusted gross receipts in excess of  
25 \$250,000,000.

26           An amount equal to the amount of wagering taxes collected



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

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

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

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

26 22.5% of annual adjusted gross receipts in excess of

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

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

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

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

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

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

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

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

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

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

1 licensee pays an amount in excess of its liability under this  
2 Section, the Board shall apply the overpayment to future  
3 payments required under this Section.

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

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

9 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

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

24 The changes made to this subsection (a-15) by Public Act  
25 94-839 are intended to restate and clarify the intent of Public  
26 Act 94-673 with respect to the amount of the payments required

1 to be made under this subsection by an owners licensee to the  
2 Board.

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

21 (c) Appropriations, as approved by the General Assembly,  
22 may be made from the State Gaming Fund to the Board (i) for the  
23 administration and enforcement of this Act and the Video Gaming  
24 Act, (ii) for distribution to the Department of State Police  
25 and to the Department of Revenue for the enforcement of this  
26 Act, and (iii) to the Department of Human Services for the

1 administration of programs to treat problem gambling.

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

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

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

1 the first riverboat gambling operations conducted by a licensed  
2 manager on behalf of the State under Section 7.3, whichever  
3 comes first, shall be paid, subject to appropriation from the  
4 General Assembly, from the State Gaming Fund to each home rule  
5 county with a population of over 3,000,000 inhabitants for the  
6 purpose of enhancing the county's criminal justice system.

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

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

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

26 (d) From time to time, the Board shall transfer the

1 remainder of the funds generated by this Act into the Education  
2 Assistance Fund, created by Public Act 86-0018, of the State of  
3 Illinois.

4 (e) Nothing in this Act shall prohibit the unit of local  
5 government designated as the home dock of the riverboat from  
6 entering into agreements with other units of local government  
7 in this State or in other states to share its portion of the  
8 tax revenue.

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

15 (Source: P.A. 95-331, eff. 8-21-07; 95-1008, eff. 12-15-08;  
16 96-37, eff. 7-13-09; 96-1392, eff. 1-1-11.)".