

SB2723



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2723

Introduced 10/28/2025, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

230 ILCS 10/7

from Ch. 120, par. 2407

Amends the Illinois Gambling Act. Provides that each licensee shall make a reconciliation payment 3 years after the date the licensee begins operating in an amount equal to 75% of the adjusted gross receipts for the most lucrative consecutive 12-month period of operations, minus an amount equal to (i) the initial payment per gaming position paid by the specific licensee and (ii) the \$15,000,000 reconciliation fee.

LRB104 15890 LNS 29116 b

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 Illinois Gambling Act is amended by
5 changing Section 7 as follows:

6 (230 ILCS 10/7) (from Ch. 120, par. 2407)

7 Sec. 7. Owners licenses.

8 (a) The Board shall issue owners licenses to persons or
9 entities that apply for such licenses upon payment to the
10 Board of the non-refundable license fee as provided in
11 subsection (e) or (e-5) and upon a determination by the Board
12 that the applicant is eligible for an owners license pursuant
13 to this Act and the rules of the Board. From December 15, 2008
14 (the effective date of Public Act 95-1008) until (i) 3 years
15 after December 15, 2008 (the effective date of Public Act
16 95-1008), (ii) the date any organization licensee begins to
17 operate a slot machine or video game of chance under the
18 Illinois Horse Racing Act of 1975 or this Act, (iii) the date
19 that payments begin under subsection (c-5) of Section 13 of
20 this Act, (iv) the wagering tax imposed under Section 13 of
21 this Act is increased by law to reflect a tax rate that is at
22 least as stringent or more stringent than the tax rate
23 contained in subsection (a-3) of Section 13, or (v) when an

1 owners licensee holding a license issued pursuant to Section
2 7.1 of this Act begins conducting gaming, whichever occurs
3 first, as a condition of licensure and as an alternative
4 source of payment for those funds payable under subsection
5 (c-5) of Section 13 of this Act, any owners licensee that holds
6 or receives its owners license on or after May 26, 2006 (the
7 effective date of Public Act 94-804), other than an owners
8 licensee operating a riverboat with adjusted gross receipts in
9 calendar year 2004 of less than \$200,000,000, must pay into
10 the Horse Racing Equity Trust Fund, in addition to any other
11 payments required under this Act, an amount equal to 3% of the
12 adjusted gross receipts received by the owners licensee. The
13 payments required under this Section shall be made by the
14 owners licensee to the State Treasurer no later than 3:00
15 ~~o'clock~~ p.m. of the day after the day when the adjusted gross
16 receipts were received by the owners licensee. A person or
17 entity is ineligible to receive an owners license if:

18 (1) the person has been convicted of a felony under
19 the laws of this State, any other state, or the United
20 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
26 license under this Act which contains false information;

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

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

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

8 (7) (blank); or

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

12 The Board is expressly prohibited from making changes to
13 the requirement that licensees make payment into the Horse
14 Racing Equity Trust Fund without the express authority of the
15 Illinois General Assembly and making any other rule to
16 implement or interpret Public Act 95-1008. For the purposes of
17 this paragraph, "rules" is given the meaning given to that
18 term in Section 1-70 of the Illinois Administrative Procedure
19 Act.

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

22 (1) the character, reputation, experience, and
23 financial integrity of the applicants and of any other or
24 separate person that either:

25 (A) controls, directly or indirectly, such
26 applicant; or

1 (B) is controlled, directly or indirectly, by such
2 applicant or by a person which controls, directly or
3 indirectly, such applicant;

4 (2) the facilities or proposed facilities for the
5 conduct of gambling;

6 (3) the highest prospective total revenue to be
7 derived by the State from the conduct of gambling;

8 (4) the extent to which the ownership of the applicant
9 reflects the diversity of the State by including minority
10 persons, women, and persons with a disability and the good
11 faith affirmative action plan of each applicant to
12 recruit, train, and upgrade minority persons, women, and
13 persons with a disability in all employment
14 classifications; the Board shall further consider granting
15 an owners license and giving preference to an applicant
16 under this Section to applicants in which minority persons
17 and women hold ownership interest of at least 16% and 4%,
18 respectively;

19 (4.5) the extent to which the ownership of the
20 applicant includes veterans of service in the armed forces
21 of the United States, and the good faith affirmative
22 action plan of each applicant to recruit, train, and
23 upgrade veterans of service in the armed forces of the
24 United States in all employment classifications;

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

1 (6) whether the applicant has adequate capitalization
2 to provide and maintain, for the duration of a license, a
3 riverboat or casino;

4 (7) the extent to which the applicant exceeds or meets
5 other standards for the issuance of an owners license
6 which the Board may adopt by rule;

7 (8) the amount of the applicant's license bid;

8 (9) the extent to which the applicant or the proposed
9 host municipality plans to enter into revenue sharing
10 agreements with communities other than the host
11 municipality;

12 (10) the extent to which the ownership of an applicant
13 includes the most qualified number of minority persons,
14 women, and persons with a disability; and

15 (11) whether the applicant has entered into a fully
16 executed construction project labor agreement with the
17 applicable local building trades council.

18 (c) Each owners license shall specify the place where the
19 casino shall operate or the riverboat shall operate and dock.

20 (d) Each applicant shall submit with his or her
21 application, on forms provided by the Board, 2 sets of his or
22 her fingerprints.

23 (e) In addition to any licenses authorized under
24 subsection (e-5) of this Section, the Board may issue up to 10
25 licenses authorizing the holders of such licenses to own
26 riverboats. In the application for an owners license, the

1 applicant shall state the dock at which the riverboat is based
2 and the water on which the riverboat will be located. The Board
3 shall issue 5 licenses to become effective not earlier than
4 January 1, 1991. Three of such licenses shall authorize
5 riverboat gambling on the Mississippi River, or, with approval
6 by the municipality in which the riverboat was docked on
7 August 7, 2003 and with Board approval, be authorized to
8 relocate to a new location, in a municipality that (1) borders
9 on the Mississippi River or is within 5 miles of the city
10 limits of a municipality that borders on the Mississippi River
11 and (2) on August 7, 2003, had a riverboat conducting
12 riverboat gambling operations pursuant to a license issued
13 under this Act; one of which shall authorize riverboat
14 gambling from a home dock in the city of East St. Louis; and
15 one of which shall authorize riverboat gambling from a home
16 dock in the City of Alton. One other license shall authorize
17 riverboat gambling on the Illinois River in the City of East
18 Peoria or, with Board approval, shall authorize land-based
19 gambling operations anywhere within the corporate limits of
20 the City of Peoria. The Board shall issue one additional
21 license to become effective not earlier than March 1, 1992,
22 which shall authorize riverboat gambling on the Des Plaines
23 River in Will County. The Board may issue 4 additional
24 licenses to become effective not earlier than March 1, 1992.
25 In determining the water upon which riverboats will operate,
26 the Board shall consider the economic benefit which riverboat

1 gambling confers on the State~~7~~ and shall seek to ensure ~~assure~~
2 that all regions of the State share in the economic benefits of
3 riverboat gambling.

4 In granting all licenses, the Board may give favorable
5 consideration to economically depressed areas of the State, to
6 applicants presenting plans which provide for significant
7 economic development over a large geographic area, and to
8 applicants who currently operate non-gambling riverboats in
9 Illinois. The Board shall review all applications for owners
10 licenses~~7~~ and shall inform each applicant of the Board's
11 decision. The Board may grant an owners license to an
12 applicant that has not submitted the highest license bid, but
13 if it does not select the highest bidder, the Board shall issue
14 a written decision explaining why another applicant was
15 selected and identifying the factors set forth in this Section
16 that favored the winning bidder. The fee for issuance or
17 renewal of a license pursuant to this subsection (e) shall be
18 \$250,000.

19 (e-5) In addition to licenses authorized under subsection
20 (e) of this Section:

21 (1) the Board may issue one owners license authorizing
22 the conduct of casino gambling in the City of Chicago;

23 (2) the Board may issue one owners license authorizing
24 the conduct of riverboat gambling in the City of Danville;

25 (3) the Board may issue one owners license authorizing
26 the conduct of riverboat gambling in the City of Waukegan;

1 (4) the Board may issue one owners license authorizing
2 the conduct of riverboat gambling in the City of Rockford;

3 (5) the Board may issue one owners license authorizing
4 the conduct of riverboat gambling in a municipality that
5 is wholly or partially located in one of the following
6 townships of Cook County: Bloom, Bremen, Calumet, Rich,
7 Thornton, or Worth Township; and

8 (6) the Board may issue one owners license authorizing
9 the conduct of riverboat gambling in the unincorporated
10 area of Williamson County adjacent to the Big Muddy River.

11 Except for the license authorized under paragraph (1),
12 each application for a license pursuant to this subsection
13 (e-5) shall be submitted to the Board no later than 120 days
14 after June 28, 2019 (the effective date of Public Act 101-31).
15 All applications for a license under this subsection (e-5)
16 shall include the nonrefundable application fee and the
17 nonrefundable background investigation fee as provided in
18 subsection (d) of Section 6 of this Act. In the event that an
19 applicant submits an application for a license pursuant to
20 this subsection (e-5) prior to June 28, 2019 (the effective
21 date of Public Act 101-31), such applicant shall submit the
22 nonrefundable application fee and background investigation fee
23 as provided in subsection (d) of Section 6 of this Act no later
24 than 6 months after June 28, 2019 (the effective date of Public
25 Act 101-31).

26 The Board shall consider issuing a license pursuant to

1 paragraphs (1) through (6) of this subsection only after the
2 corporate authority of the municipality or the county board of
3 the county in which the riverboat or casino shall be located
4 has certified to the Board the following:

5 (i) that the applicant has negotiated with the
6 corporate authority or county board in good faith;

7 (ii) that the applicant and the corporate authority or
8 county board have mutually agreed on the permanent
9 location of the riverboat or casino;

10 (iii) that the applicant and the corporate authority
11 or county board have mutually agreed on the temporary
12 location of the riverboat or casino;

13 (iv) that the applicant and the corporate authority or
14 the county board have mutually agreed on the percentage of
15 revenues that will be shared with the municipality or
16 county, if any;

17 (v) that the applicant and the corporate authority or
18 county board have mutually agreed on any zoning,
19 licensing, public health, or other issues that are within
20 the jurisdiction of the municipality or county;

21 (vi) that the corporate authority or county board has
22 passed a resolution or ordinance in support of the
23 riverboat or casino in the municipality or county;

24 (vii) that the applicant for a license under paragraph
25 (1) has made a public presentation concerning its casino
26 proposal; and

1 (viii) that the applicant for a license under
2 paragraph (1) has prepared a summary of its casino
3 proposal and such summary has been posted on a public
4 website of the municipality or the county.

5 At least 7 days before the corporate authority of a
6 municipality or county board of the county submits a
7 certification to the Board concerning items (i) through (viii)
8 of this subsection, it shall hold a public hearing to discuss
9 items (i) through (viii), as well as any other details
10 concerning the proposed riverboat or casino in the
11 municipality or county. The corporate authority or county
12 board must subsequently memorialize the details concerning the
13 proposed riverboat or casino in a resolution that must be
14 adopted by a majority of the corporate authority or county
15 board before any certification is sent to the Board. The Board
16 shall not alter, amend, change, or otherwise interfere with
17 any agreement between the applicant and the corporate
18 authority of the municipality or county board of the county
19 regarding the location of any temporary or permanent facility.

20 In addition, within 10 days after June 28, 2019 (the
21 effective date of Public Act 101-31), the Board, with consent
22 and at the expense of the City of Chicago, shall select and
23 retain the services of a nationally recognized casino gaming
24 feasibility consultant. Within 45 days after June 28, 2019
25 (the effective date of Public Act 101-31), the consultant
26 shall prepare and deliver to the Board a study concerning the

1 feasibility of, and the ability to finance, a casino in the
2 City of Chicago. The feasibility study shall be delivered to
3 the Mayor of the City of Chicago, the Governor, the President
4 of the Senate, and the Speaker of the House of
5 Representatives. Ninety days after receipt of the feasibility
6 study, the Board shall make a determination, based on the
7 results of the feasibility study, whether to recommend to the
8 General Assembly that the terms of the license under paragraph
9 (1) of this subsection (e-5) should be modified. The Board may
10 begin accepting applications for the owners license under
11 paragraph (1) of this subsection (e-5) upon the determination
12 to issue such an owners license.

13 In addition, prior to the Board issuing the owners license
14 authorized under paragraph (4) of this subsection (e-5), an
15 impact study shall be completed to determine what location in
16 the city will provide the greater impact to the region,
17 including the creation of jobs and the generation of tax
18 revenue.

19 (e-10) The licenses authorized under subsection (e-5) of
20 this Section shall be issued within 12 months after the date
21 the license application is submitted. If the Board does not
22 issue the licenses within that time period, then the Board
23 shall give a written explanation to the applicant as to why it
24 has not reached a determination and when it reasonably expects
25 to make a determination. The fee for the issuance or renewal of
26 a license issued pursuant to this subsection (e-10) shall be

1 \$250,000. Additionally, a licensee located outside of Cook
2 County shall pay a minimum initial fee of \$17,500 per gaming
3 position, and a licensee located in Cook County shall pay a
4 minimum initial fee of \$30,000 per gaming position. The
5 initial fees payable under this subsection (e-10) shall be
6 deposited into the Rebuild Illinois Projects Fund. If at any
7 point after June 1, 2020 there are no pending applications for
8 a license under subsection (e-5) and not all licenses
9 authorized under subsection (e-5) have been issued, then the
10 Board shall reopen the license application process for those
11 licenses authorized under subsection (e-5) that have not been
12 issued. The Board shall follow the licensing process provided
13 in subsection (e-5) with all time frames tied to the last date
14 of a final order issued by the Board under subsection (e-5)
15 rather than the effective date of the amendatory Act.

16 (e-15) Each licensee of a license authorized under
17 subsection (e-5) of this Section shall pay a \$15,000,000
18 reconciliation fee upon issuance of an owners license. Each
19 licensee authorized under subsection (e-5) shall make a
20 reconciliation payment 3 years after the date the licensee
21 begins operating in an amount equal to 75% of the adjusted
22 gross receipts for the most lucrative consecutive 12-month
23 period of operations, minus an amount equal to (i) the initial
24 payment per gaming position paid by the specific licensee and
25 (ii) the \$15,000,000 reconciliation fee. Each licensee shall
26 pay a \$15,000,000 reconciliation fee upon issuance of an

1 ~~owners license.~~ If this calculation results in a negative
2 amount, then the licensee is not entitled to any reimbursement
3 of fees previously paid. This reconciliation payment may be
4 made in installments over a period of no more than 6 years.

5 All payments by licensees under this subsection (e-15)
6 shall be deposited into the Rebuild Illinois Projects Fund.

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

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

19 (g) Upon the termination, expiration, or revocation of
20 each of the first 10 licenses, which shall be issued for a
21 3-year period, all licenses are renewable annually upon
22 payment of the fee and a determination by the Board that the
23 licensee continues to meet all of the requirements of this Act
24 and the Board's rules. However, for licenses renewed on or
25 after June 10, 2021 (the effective date of Public Act 102-13)
26 ~~this amendatory Act of the 102nd General Assembly~~, renewal

1 shall be for a period of 4 years.

2 (h) An owners license, except for an owners license issued
3 under subsection (e-5) of this Section, shall entitle the
4 licensee to own up to 2 riverboats.

5 An owners licensee of a casino or riverboat that is
6 located in the City of Chicago pursuant to paragraph (1) of
7 subsection (e-5) of this Section shall limit the number of
8 gaming positions to 4,000 for such owner. An owners licensee
9 authorized under subsection (e) or paragraph (2), (3), (4), or
10 (5) of subsection (e-5) of this Section shall limit the number
11 of gaming positions to 2,000 for any such owners license. An
12 owners licensee authorized under paragraph (6) of subsection
13 (e-5) of this Section shall limit the number of gaming
14 positions to 1,200 for such owner. The initial fee for each
15 gaming position obtained on or after June 28, 2019 (the
16 effective date of Public Act 101-31) shall be a minimum of
17 \$17,500 for licensees not located in Cook County and a minimum
18 of \$30,000 for licensees located in Cook County, in addition
19 to the reconciliation payment, as set forth in subsection
20 (e-15) of this Section. The fees under this subsection (h)
21 shall be deposited into the Rebuild Illinois Projects Fund.
22 The fees under this subsection (h) that are paid by an owners
23 licensee authorized under subsection (e) shall be paid by July
24 1, 2021.

25 Each owners licensee under subsection (e) of this Section
26 shall reserve its gaming positions within 30 days after June

1 28, 2019 (the effective date of Public Act 101-31). The Board
2 may grant an extension to this 30-day period, provided that
3 the owners licensee submits a written request and explanation
4 as to why it is unable to reserve its positions within the
5 30-day period.

6 Each owners licensee under subsection (e-5) of this
7 Section shall reserve its gaming positions within 30 days
8 after issuance of its owners license. The Board may grant an
9 extension to this 30-day period, provided that the owners
10 licensee submits a written request and explanation as to why
11 it is unable to reserve its positions within the 30-day
12 period.

13 A licensee may operate both of its riverboats
14 concurrently, provided that the total number of gaming
15 positions on both riverboats does not exceed the limit
16 established pursuant to this subsection. Riverboats licensed
17 to operate on the Mississippi River and the Illinois River
18 south of Marshall County shall have an authorized capacity of
19 at least 500 persons. Any other riverboat licensed under this
20 Act shall have an authorized capacity of at least 400 persons.

21 (h-5) An owners licensee who conducted gambling operations
22 prior to January 1, 2012 and obtains positions pursuant to
23 Public Act 101-31 shall make a reconciliation payment 3 years
24 after any additional gaming positions begin operating in an
25 amount equal to 75% of the owners licensee's average gross
26 receipts for the most lucrative 12-month period of operations

1 minus an amount equal to the initial fee that the owners
2 licensee paid per additional gaming position. For purposes of
3 this subsection (h-5), "average gross receipts" means (i) the
4 increase in adjusted gross receipts for the most lucrative
5 12-month period of operations over the adjusted gross receipts
6 for 2019, multiplied by (ii) the percentage derived by
7 dividing the number of additional gaming positions that an
8 owners licensee had obtained by the total number of gaming
9 positions operated by the owners licensee. If this calculation
10 results in a negative amount, then the owners licensee is not
11 entitled to any reimbursement of fees previously paid. This
12 reconciliation payment may be made in installments over a
13 period of no more than 6 years. These reconciliation payments
14 shall be deposited into the Rebuild Illinois Projects Fund.

15 (i) A licensed owner is authorized to apply to the Board
16 for and, if approved therefor, to receive all licenses from
17 the Board necessary for the operation of a riverboat or
18 casino, including a liquor license, a license to prepare and
19 serve food for human consumption, and other necessary
20 licenses. All use, occupation, and excise taxes which apply to
21 the sale of food and beverages in this State and all taxes
22 imposed on the sale or use of tangible personal property apply
23 to such sales aboard the riverboat or in the casino.

24 (j) The Board may issue or re-issue a license authorizing
25 a riverboat to dock in a municipality or approve a relocation
26 under Section 11.2 only if, prior to the issuance or

1 re-issuance of the license or approval, the governing body of
2 the municipality in which the riverboat will dock has by a
3 majority vote approved the docking of riverboats in the
4 municipality. The Board may issue or re-issue a license
5 authorizing a riverboat to dock in areas of a county outside
6 any municipality or approve a relocation under Section 11.2
7 only if, prior to the issuance or re-issuance of the license or
8 approval, the governing body of the county has by a majority
9 vote approved of the docking of riverboats within such areas.

10 (k) An owners licensee may conduct land-based gambling
11 operations upon approval by the Board and payment of a fee of
12 \$250,000, which shall be deposited into the State Gaming Fund.

13 (l) An owners licensee may conduct gaming at a temporary
14 facility pending the construction of a permanent facility or
15 the remodeling or relocation of an existing facility to
16 accommodate gaming participants for up to 24 months after the
17 temporary facility begins to conduct gaming. Upon request by
18 an owners licensee and upon a showing of good cause by the
19 owners licensee: (i) for a licensee authorized under paragraph
20 (3) of subsection (e-5), the Board shall extend the period
21 during which the licensee may conduct gaming at a temporary
22 facility by up to 30 months; and (ii) for all other licensees,
23 the Board shall extend the period during which the licensee
24 may conduct gaming at a temporary facility by up to 12 months.
25 The Board shall make rules concerning the conduct of gaming
26 from temporary facilities.

1 (Source: P.A. 102-13, eff. 6-10-21; 102-558, eff. 8-20-21;
2 103-574, eff. 12-8-23; revised 6-26-25.)