



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2358

Introduced 2/17/2021, by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

230 ILCS 10/5
230 ILCS 10/13

from Ch. 120, par. 2405
from Ch. 120, par. 2413

Amends the Illinois Gambling Act. Makes changes to Illinois Gaming Board duties regarding internal controls and data systems for casinos. Provides that a request to the Gaming Board for approval of a new data system or changes to an existing data system is required only for a data system that affects any critical gaming system of a casino. Provides that new critical data systems and changes to certain existing critical systems must be reviewed and either approved or denied with cause within 30 days after receipt by the Board. Extends and makes changes to certain construction tax credits available to owners licensees. Makes other changes.

LRB102 12583 SMS 17921 b

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 Sections 5 and 13 as follows:

6 (230 ILCS 10/5) (from Ch. 120, par. 2405)

7 Sec. 5. Gaming Board.

8 (a) (1) There is hereby established the Illinois Gaming
9 Board, which shall have the powers and duties specified in
10 this Act, and all other powers necessary and proper to fully
11 and effectively execute this Act for the purpose of
12 administering, regulating, and enforcing the system of
13 riverboat and casino gambling established by this Act and
14 gaming pursuant to an organization gaming license issued under
15 this Act. Its jurisdiction shall extend under this Act to
16 every person, association, corporation, partnership and trust
17 involved in riverboat and casino gambling operations and
18 gaming pursuant to an organization gaming license issued under
19 this Act in the State of Illinois.

20 (2) The Board shall consist of 5 members to be appointed by
21 the Governor with the advice and consent of the Senate, one of
22 whom shall be designated by the Governor to be chairperson.
23 Each member shall have a reasonable knowledge of the practice,

1 procedure and principles of gambling operations. Each member
2 shall either be a resident of Illinois or shall certify that he
3 or she will become a resident of Illinois before taking
4 office.

5 On and after the effective date of this amendatory Act of
6 the 101st General Assembly, new appointees to the Board must
7 include the following:

8 (A) One member who has received, at a minimum, a
9 bachelor's degree from an accredited school and at least
10 10 years of verifiable experience in the fields of
11 investigation and law enforcement.

12 (B) One member who is a certified public accountant
13 with experience in auditing and with knowledge of complex
14 corporate structures and transactions.

15 (C) One member who has 5 years' experience as a
16 principal, senior officer, or director of a company or
17 business with either material responsibility for the daily
18 operations and management of the overall company or
19 business or material responsibility for the policy making
20 of the company or business.

21 (D) One member who is an attorney licensed to practice
22 law in Illinois for at least 5 years.

23 Notwithstanding any provision of this subsection (a), the
24 requirements of subparagraphs (A) through (D) of this
25 paragraph (2) shall not apply to any person reappointed
26 pursuant to paragraph (3).

1 No more than 3 members of the Board may be from the same
2 political party. No Board member shall, within a period of one
3 year immediately preceding nomination, have been employed or
4 received compensation or fees for services from a person or
5 entity, or its parent or affiliate, that has engaged in
6 business with the Board, a licensee, or a licensee under the
7 Illinois Horse Racing Act of 1975. Board members must publicly
8 disclose all prior affiliations with gaming interests,
9 including any compensation, fees, bonuses, salaries, and other
10 reimbursement received from a person or entity, or its parent
11 or affiliate, that has engaged in business with the Board, a
12 licensee, or a licensee under the Illinois Horse Racing Act of
13 1975. This disclosure must be made within 30 days after
14 nomination but prior to confirmation by the Senate and must be
15 made available to the members of the Senate.

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

1 reappointment at the discretion of the Governor with the
2 advice and consent of the Senate.

3 (4) Each member of the Board shall receive \$300 for each
4 day the Board meets and for each day the member conducts any
5 hearing pursuant to this Act. Each member of the Board shall
6 also be reimbursed for all actual and necessary expenses and
7 disbursements incurred in the execution of official duties.

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

20 (5.5) No member of the Board shall engage in any political
21 activity. For the purposes of this Section, "political" means
22 any activity in support of or in connection with any campaign
23 for federal, State, or local elective office or any political
24 organization, but does not include activities (i) relating to
25 the support or opposition of any executive, legislative, or
26 administrative action (as those terms are defined in Section 2

1 of the Lobbyist Registration Act), (ii) relating to collective
2 bargaining, or (iii) that are otherwise in furtherance of the
3 person's official State duties or governmental and public
4 service functions.

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

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

1 (7.5) For the examination of all mechanical,
2 electromechanical, or electronic table games, slot machines,
3 slot accounting systems, sports wagering systems, and other
4 electronic gaming equipment, and the field inspection of such
5 systems, games, and machines, for compliance with this Act,
6 the Board shall utilize the services of independent outside
7 testing laboratories that have been accredited in accordance
8 with ISO/IEC 17025 by an accreditation body that is a
9 signatory to the International Laboratory Accreditation
10 Cooperation Mutual Recognition Agreement signifying they are
11 qualified to perform such examinations. Notwithstanding any
12 law to the contrary, the Board shall consider the licensing of
13 independent outside testing laboratory applicants in
14 accordance with procedures established by the Board by rule.
15 The Board shall not withhold its approval of an independent
16 outside testing laboratory license applicant that has been
17 accredited as required under this paragraph (7.5) and is
18 licensed in gaming jurisdictions comparable to Illinois. Upon
19 the finalization of required rules, the Board shall license
20 independent testing laboratories and accept the test reports
21 of any licensed testing laboratory of the system's, game's, or
22 machine manufacturer's choice, notwithstanding the existence
23 of contracts between the Board and any independent testing
24 laboratory.

25 (8) The Board shall employ such personnel as may be
26 necessary to carry out its functions and shall determine the

1 salaries of all personnel, except those personnel whose
2 salaries are determined under the terms of a collective
3 bargaining agreement. No person shall be employed to serve the
4 Board who is, or whose spouse, parent or child is, an official
5 of, or has a financial interest in or financial relation with,
6 any operator engaged in gambling operations within this State
7 or any organization engaged in conducting horse racing within
8 this State. For the one year immediately preceding employment,
9 an employee shall not have been employed or received
10 compensation or fees for services from a person or entity, or
11 its parent or affiliate, that has engaged in business with the
12 Board, a licensee, or a licensee under the Illinois Horse
13 Racing Act of 1975. Any employee violating these prohibitions
14 shall be subject to termination of employment.

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

25 (b) The Board shall have general responsibility for the
26 implementation of this Act. Its duties include, without

1 limitation, the following:

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

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

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

23 (4) To provide for the establishment and collection of
24 all license and registration fees and taxes imposed by
25 this Act and the rules and regulations issued pursuant
26 hereto. All such fees and taxes shall be deposited into

1 the State Gaming Fund;

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

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

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

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

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

24 (9) To maintain records which are separate and
25 distinct from the records of any other State board or
26 commission. Such records shall be available for public

1 inspection and shall accurately reflect all Board
2 proceedings;

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

10 (11) (Blank);

11 (12) (Blank);

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

14 (13.1) To assume responsibility for the administration
15 and enforcement of operations at organization gaming
16 facilities pursuant to this Act and the Illinois Horse
17 Racing Act of 1975;

18 (13.2) To assume responsibility for the administration
19 and enforcement of the Sports Wagering Act; and

20 (14) To adopt, by rule, a code of conduct governing
21 Board members and employees that ensure, to the maximum
22 extent possible, that persons subject to this Code avoid
23 situations, relationships, or associations that may
24 represent or lead to a conflict of interest.

25 Internal controls and changes submitted by licensees,
26 other than internal controls required for initial licensure,

1 must be reviewed and either approved or denied with cause
2 within 60 ~~90~~ days after receipt of submission ~~is deemed final~~
3 by the Illinois Gaming Board. In the event an internal control
4 submission or change does not meet the standards set by the
5 Board, staff of the Board must provide technical assistance to
6 the licensee to rectify such deficiencies within 30 ~~90~~ days
7 after the initial submission and the revised submission must
8 be reviewed and approved or denied with cause within 30 ~~90~~ days
9 after the date the revised submission is received ~~deemed final~~
10 by the Board. ~~For the purposes of this paragraph, "with cause"~~
11 ~~means that the approval of the submission would jeopardize the~~
12 ~~integrity of gaming. In the event the Board staff has not acted~~
13 ~~within the timeframe, the submission shall be deemed approved.~~

14 A request for approval of a new data system or changes to
15 an existing data system is required only for a data system that
16 affects any critical gaming system of a casino. A data system
17 is considered to affect a critical gaming system only if the
18 data system has the ability to write or alter data within the
19 critical data system. A data system that merely receives
20 critical system data does not require notice or approval and
21 need not be provided by a licensed supplier. New critical data
22 systems and changes to existing critical systems, other than
23 those required for initial licensure, must be reviewed and
24 either approved or denied with cause within 30 days after
25 receipt by the Board. If a data system submission or change
26 does not meet the standards set by the Board, staff of the

1 Board must provide technical assistance to the licensee to
2 rectify all such deficiencies within 15 days after the initial
3 submission, and the revised submission must be reviewed and
4 approved or denied with cause within 30 days after the date
5 that the revised submission is received by the Board.

6 As used in this subsection (b):

7 "Critical gaming system" means a licensee's casino
8 management system, ticket-in ticket-out voucher system, or
9 wagering system.

10 "With cause" means that the approval of the submission
11 would jeopardize the integrity of gaming.

12 If the Board staff has not acted within these timeframes,
13 the submission shall be deemed approved.

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

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

23 (2) To have jurisdiction and supervision over all
24 riverboat gambling operations authorized under this Act
25 and all persons in places where gambling operations are
26 conducted.

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

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

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

25 (6) To adopt standards for the licensing of all
26 persons and entities under this Act, as well as for

1 electronic or mechanical gambling games, and to establish
2 fees for such licenses.

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

6 (8) To require that the records, including financial
7 or other statements of any licensee under this Act, shall
8 be kept in such manner as prescribed by the Board and that
9 any such licensee involved in the ownership or management
10 of gambling operations submit to the Board an annual
11 balance 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
6 State regarding administrative procedures, and to review
7 applications for the renewal of licenses. The Board may
8 suspend an owners license or an organization gaming
9 license without notice or hearing upon a determination
10 that the safety or health of patrons or employees is
11 jeopardized by continuing a gambling operation conducted
12 under that license. The suspension may remain in effect
13 until the Board determines that the cause for suspension
14 has been abated. The Board may revoke an owners license or
15 organization gaming license upon a determination that the
16 licensee has not made satisfactory progress toward abating
17 the hazard.

18 (12) To eject or exclude or authorize the ejection or
19 exclusion of, any person from gambling facilities where
20 that person is in violation of this Act, rules and
21 regulations thereunder, or final orders of the Board, or
22 where such person's conduct or reputation is such that his
23 or her presence within the gambling facilities may, in the
24 opinion of the Board, call into question the honesty and
25 integrity of the gambling operations or interfere with the
26 orderly conduct thereof; provided that the propriety of

1 such ejection or exclusion is subject to subsequent
2 hearing by the Board.

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

8 (14) (Blank).

9 (15) To suspend, revoke or restrict licenses, to
10 require the removal of a licensee or an employee of a
11 licensee for a violation of this Act or a Board rule or for
12 engaging in a fraudulent practice, and to impose civil
13 penalties of up to \$5,000 against individuals and up to
14 \$10,000 or an amount equal to the daily gross receipts,
15 whichever is larger, against licensees for each violation
16 of any provision of the Act, any rules adopted by the
17 Board, any order of the Board or any other action which, in
18 the Board's discretion, is a detriment or impediment to
19 gambling operations.

20 (16) To hire employees to gather information, conduct
21 investigations and carry out any other tasks contemplated
22 under this Act.

23 (17) To establish minimum levels of insurance to be
24 maintained by licensees.

25 (18) To authorize a licensee to sell or serve
26 alcoholic liquors, wine or beer as defined in the Liquor

1 Control Act of 1934 on board a riverboat or in a casino and
2 to have exclusive authority to establish the hours for
3 sale and consumption of alcoholic liquor on board a
4 riverboat or in a casino, notwithstanding any provision of
5 the Liquor Control Act of 1934 or any local ordinance, and
6 regardless of whether the riverboat makes excursions. The
7 establishment of the hours for sale and consumption of
8 alcoholic liquor on board a riverboat or in a casino is an
9 exclusive power and function of the State. A home rule
10 unit may not establish the hours for sale and consumption
11 of alcoholic liquor on board a riverboat or in a casino.
12 This subdivision (18) is a denial and limitation of home
13 rule powers and functions under subsection (h) of Section
14 6 of Article VII of the Illinois Constitution.

15 (19) After consultation with the U.S. Army Corps of
16 Engineers, to establish binding emergency orders upon the
17 concurrence of a majority of the members of the Board
18 regarding the navigability of water, relative to
19 excursions, in the event of extreme weather conditions,
20 acts of God or other extreme circumstances.

21 (20) To delegate the execution of any of its powers
22 under this Act for the purpose of administering and
23 enforcing this Act and the rules adopted by the Board.

24 (20.5) To approve any contract entered into on its
25 behalf.

26 (20.6) To appoint investigators to conduct

1 investigations, searches, seizures, arrests, and other
2 duties imposed under this Act, as deemed necessary by the
3 Board. These investigators have and may exercise all of
4 the rights and powers of peace officers, provided that
5 these powers shall be limited to offenses or violations
6 occurring or committed in a casino, in an organization
7 gaming facility, or on a riverboat or dock, as defined in
8 subsections (d) and (f) of Section 4, or as otherwise
9 provided by this Act or any other law.

10 (20.7) To contract with the Department of State Police
11 for the use of trained and qualified State police officers
12 and with the Department of Revenue for the use of trained
13 and qualified Department of Revenue investigators to
14 conduct investigations, searches, seizures, arrests, and
15 other duties imposed under this Act and to exercise all of
16 the rights and powers of peace officers, provided that the
17 powers of Department of Revenue investigators under this
18 subdivision (20.7) shall be limited to offenses or
19 violations occurring or committed in a casino, in an
20 organization gaming facility, or on a riverboat or dock,
21 as defined in subsections (d) and (f) of Section 4, or as
22 otherwise provided by this Act or any other law. In the
23 event the Department of State Police or the Department of
24 Revenue is unable to fill contracted police or
25 investigative positions, the Board may appoint
26 investigators to fill those positions pursuant to

1 subdivision (20.6).

2 (21) To adopt rules concerning the conduct of gaming
3 pursuant to an organization gaming license issued under
4 this Act.

5 (22) To have the same jurisdiction and supervision
6 over casinos and organization gaming facilities as the
7 Board has over riverboats, including, but not limited to,
8 the power to (i) investigate, review, and approve
9 contracts as that power is applied to riverboats, (ii)
10 adopt rules for administering the provisions of this Act,
11 (iii) adopt standards for the licensing of all persons
12 involved with a casino or organization gaming facility,
13 (iv) investigate alleged violations of this Act by any
14 person involved with a casino or organization gaming
15 facility, and (v) require that records, including
16 financial or other statements of any casino or
17 organization gaming facility, shall be kept in such manner
18 as prescribed by the Board.

19 (23) To take any other action as may be reasonable or
20 appropriate to enforce this Act and the rules adopted by
21 the Board.

22 (d) The Board may seek and shall receive the cooperation
23 of the Department of State Police in conducting background
24 investigations of applicants and in fulfilling its
25 responsibilities under this Section. Costs incurred by the
26 Department of State Police as a result of such cooperation

1 shall be paid by the Board in conformance with the
2 requirements of Section 2605-400 of the Department of State
3 Police Law.

4 (e) The Board must authorize to each investigator and to
5 any other employee of the Board exercising the powers of a
6 peace officer a distinct badge that, on its face, (i) clearly
7 states that the badge is authorized by the Board and (ii)
8 contains a unique identifying number. No other badge shall be
9 authorized by the Board.

10 (Source: P.A. 100-1152, eff. 12-14-18; 101-31, eff. 6-28-19.)

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
18 conducting riverboat gambling operations, based on the
19 adjusted gross receipts received by a licensed owner from
20 gambling games authorized under this Act at the following
21 rates:

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

24 20% of annual adjusted gross receipts in excess of
25 \$25,000,000 but not exceeding \$50,000,000;

1 25% of annual adjusted gross receipts in excess of
2 \$50,000,000 but not exceeding \$75,000,000;

3 30% of annual adjusted gross receipts in excess of
4 \$75,000,000 but not exceeding \$100,000,000;

5 35% of annual adjusted gross receipts in excess of
6 \$100,000,000.

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

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

16 22.5% of annual adjusted gross receipts in excess of
17 \$25,000,000 but not exceeding \$50,000,000;

18 27.5% of annual adjusted gross receipts in excess of
19 \$50,000,000 but not exceeding \$75,000,000;

20 32.5% of annual adjusted gross receipts in excess of
21 \$75,000,000 but not exceeding \$100,000,000;

22 37.5% of annual adjusted gross receipts in excess of
23 \$100,000,000 but not exceeding \$150,000,000;

24 45% of annual adjusted gross receipts in excess of
25 \$150,000,000 but not exceeding \$200,000,000;

26 50% of annual adjusted gross receipts in excess of

1 \$200,000,000.

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

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

11 27.5% of annual adjusted gross receipts in excess of
12 \$25,000,000 but not exceeding \$37,500,000;

13 32.5% of annual adjusted gross receipts in excess of
14 \$37,500,000 but not exceeding \$50,000,000;

15 37.5% of annual adjusted gross receipts in excess of
16 \$50,000,000 but not exceeding \$75,000,000;

17 45% of annual adjusted gross receipts in excess of
18 \$75,000,000 but not exceeding \$100,000,000;

19 50% of annual adjusted gross receipts in excess of
20 \$100,000,000 but not exceeding \$250,000,000;

21 70% of annual adjusted gross receipts in excess of
22 \$250,000,000.

23 An amount equal to the amount of wagering taxes collected
24 under this subsection (a-3) that are in addition to the amount
25 of wagering taxes that would have been collected if the
26 wagering tax rates under subsection (a-2) were in effect shall

1 be paid into the Common School Fund.

2 The privilege tax imposed under this subsection (a-3)
3 shall no longer be imposed beginning on the earlier of (i) July
4 1, 2005; (ii) the first date after June 20, 2003 that riverboat
5 gambling operations are conducted pursuant to a dormant
6 license; or (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
9 initially authorized under this Act. For the purposes of this
10 subsection (a-3), the term "dormant license" means an owners
11 license that is authorized by this Act under which no
12 riverboat gambling operations are being conducted on June 20,
13 2003.

14 (a-4) Beginning on the first day on which the tax imposed
15 under subsection (a-3) is no longer imposed and ending upon
16 the imposition of the privilege tax under subsection (a-5) of
17 this Section, a privilege tax is imposed on persons engaged in
18 the business of conducting gambling operations, other than
19 licensed managers conducting riverboat gambling operations on
20 behalf of the State, based on the adjusted gross receipts
21 received by a licensed owner from gambling games authorized
22 under this Act at the following rates:

23 15% of annual adjusted gross receipts up to and
24 including \$25,000,000;

25 22.5% of annual adjusted gross receipts in excess of
26 \$25,000,000 but not exceeding \$50,000,000;

1 27.5% of annual adjusted gross receipts in excess of
2 \$50,000,000 but not exceeding \$75,000,000;

3 32.5% of annual adjusted gross receipts in excess of
4 \$75,000,000 but not exceeding \$100,000,000;

5 37.5% of annual adjusted gross receipts in excess of
6 \$100,000,000 but not exceeding \$150,000,000;

7 45% of annual adjusted gross receipts in excess of
8 \$150,000,000 but not exceeding \$200,000,000;

9 50% of annual adjusted gross receipts in excess of
10 \$200,000,000.

11 For the imposition of the privilege tax in this subsection
12 (a-4), amounts paid pursuant to item (1) of subsection (b) of
13 Section 56 of the Illinois Horse Racing Act of 1975 shall not
14 be included in the determination of adjusted gross receipts.

15 (a-5)(1) Beginning on July 1, 2020, a privilege tax is
16 imposed on persons engaged in the business of conducting
17 gambling operations, other than the owners licensee under
18 paragraph (1) of subsection (e-5) of Section 7 and licensed
19 managers conducting riverboat gambling operations on behalf of
20 the State, based on the adjusted gross receipts received by
21 such licensee from the gambling games authorized under this
22 Act. The privilege tax for all gambling games other than table
23 games, including, but not limited to, slot machines, video
24 game of chance gambling, and electronic gambling games shall
25 be at 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 The privilege tax for table games shall be at the
15 following rates:

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

18 20% of annual adjusted gross receipts in excess of
19 \$25,000,000.

20 For the imposition of the privilege tax in this subsection
21 (a-5), amounts paid pursuant to item (1) of subsection (b) of
22 Section 56 of the Illinois Horse Racing Act of 1975 shall not
23 be included in the determination of adjusted gross receipts.

24 (2) Beginning on the first day that an owners licensee
25 under paragraph (1) of subsection (e-5) of Section 7 conducts
26 gambling operations, either in a temporary facility or a

1 permanent facility, a privilege tax is imposed on persons
2 engaged in the business of conducting gambling operations
3 under paragraph (1) of subsection (e-5) of Section 7, other
4 than licensed managers conducting riverboat gambling
5 operations on behalf of the State, based on the adjusted gross
6 receipts received by such licensee from the gambling games
7 authorized under this Act. The privilege tax for all gambling
8 games other than table games, including, but not limited to,
9 slot machines, video game of chance gambling, and electronic
10 gambling games shall be at the following rates:

11 12% of annual adjusted gross receipts up to and
12 including \$25,000,000 to the State and 10.5% of annual
13 adjusted gross receipts up to and including \$25,000,000 to
14 the City of Chicago;

15 16% of annual adjusted gross receipts in excess of
16 \$25,000,000 but not exceeding \$50,000,000 to the State and
17 14% of annual adjusted gross receipts in excess of
18 \$25,000,000 but not exceeding \$50,000,000 to the City of
19 Chicago;

20 20.1% of annual adjusted gross receipts in excess of
21 \$50,000,000 but not exceeding \$75,000,000 to the State and
22 17.4% of annual adjusted gross receipts in excess of
23 \$50,000,000 but not exceeding \$75,000,000 to the City of
24 Chicago;

25 21.4% of annual adjusted gross receipts in excess of
26 \$75,000,000 but not exceeding \$100,000,000 to the State

1 and 18.6% of annual adjusted gross receipts in excess of
2 \$75,000,000 but not exceeding \$100,000,000 to the City of
3 Chicago;

4 22.7% of annual adjusted gross receipts in excess of
5 \$100,000,000 but not exceeding \$150,000,000 to the State
6 and 19.8% of annual adjusted gross receipts in excess of
7 \$100,000,000 but not exceeding \$150,000,000 to the City of
8 Chicago;

9 24.1% of annual adjusted gross receipts in excess of
10 \$150,000,000 but not exceeding \$225,000,000 to the State
11 and 20.9% of annual adjusted gross receipts in excess of
12 \$150,000,000 but not exceeding \$225,000,000 to the City of
13 Chicago;

14 26.8% of annual adjusted gross receipts in excess of
15 \$225,000,000 but not exceeding \$1,000,000,000 to the State
16 and 23.2% of annual adjusted gross receipts in excess of
17 \$225,000,000 but not exceeding \$1,000,000,000 to the City
18 of Chicago;

19 40% of annual adjusted gross receipts in excess of
20 \$1,000,000,000 to the State and 34.7% of annual gross
21 receipts in excess of \$1,000,000,000 to the City of
22 Chicago.

23 The privilege tax for table games shall be at the
24 following rates:

25 8.1% of annual adjusted gross receipts up to and
26 including \$25,000,000 to the State and 6.9% of annual

1 adjusted gross receipts up to and including \$25,000,000 to
2 the City of Chicago;

3 10.7% of annual adjusted gross receipts in excess of
4 \$25,000,000 but not exceeding \$75,000,000 to the State and
5 9.3% of annual adjusted gross receipts in excess of
6 \$25,000,000 but not exceeding \$75,000,000 to the City of
7 Chicago;

8 11.2% of annual adjusted gross receipts in excess of
9 \$75,000,000 but not exceeding \$175,000,000 to the State
10 and 9.8% of annual adjusted gross receipts in excess of
11 \$75,000,000 but not exceeding \$175,000,000 to the City of
12 Chicago;

13 13.5% of annual adjusted gross receipts in excess of
14 \$175,000,000 but not exceeding \$225,000,000 to the State
15 and 11.5% of annual adjusted gross receipts in excess of
16 \$175,000,000 but not exceeding \$225,000,000 to the City of
17 Chicago;

18 15.1% of annual adjusted gross receipts in excess of
19 \$225,000,000 but not exceeding \$275,000,000 to the State
20 and 12.9% of annual adjusted gross receipts in excess of
21 \$225,000,000 but not exceeding \$275,000,000 to the City of
22 Chicago;

23 16.2% of annual adjusted gross receipts in excess of
24 \$275,000,000 but not exceeding \$375,000,000 to the State
25 and 13.8% of annual adjusted gross receipts in excess of
26 \$275,000,000 but not exceeding \$375,000,000 to the City of

1 Chicago;

2 18.9% of annual adjusted gross receipts in excess of
3 \$375,000,000 to the State and 16.1% of annual gross
4 receipts in excess of \$375,000,000 to the City of Chicago.

5 For the imposition of the privilege tax in this subsection
6 (a-5), amounts paid pursuant to item (1) of subsection (b) of
7 Section 56 of the Illinois Horse Racing Act of 1975 shall not
8 be included in the determination of adjusted gross receipts.

9 Notwithstanding the provisions of this subsection (a-5),
10 for the first 10 years that the privilege tax is imposed under
11 this subsection (a-5), the privilege tax shall be imposed on
12 the modified annual adjusted gross receipts of a riverboat or
13 casino conducting gambling operations in the City of East St.
14 Louis, unless:

15 (1) the riverboat or casino fails to employ at least
16 450 people;

17 (2) the riverboat or casino fails to maintain
18 operations in a manner consistent with this Act or is not a
19 viable riverboat or casino subject to the approval of the
20 Board; or

21 (3) the owners licensee is not an entity in which
22 employees participate in an employee stock ownership plan.

23 As used in this subsection (a-5), "modified annual
24 adjusted gross receipts" means:

25 (A) for calendar year 2020, the annual adjusted gross
26 receipts for the current year minus the difference between

1 an amount equal to the average annual adjusted gross
2 receipts from a riverboat or casino conducting gambling
3 operations in the City of East St. Louis for 2014, 2015,
4 2016, 2017, and 2018 and the annual adjusted gross
5 receipts for 2018;

6 (B) for calendar year 2021, the annual adjusted gross
7 receipts for the current year minus the difference between
8 an amount equal to the average annual adjusted gross
9 receipts from a riverboat or casino conducting gambling
10 operations in the City of East St. Louis for 2014, 2015,
11 2016, 2017, and 2018 and the annual adjusted gross
12 receipts for 2019; and

13 (C) for calendar years 2022 through 2029, the annual
14 adjusted gross receipts for the current year minus the
15 difference between an amount equal to the average annual
16 adjusted gross receipts from a riverboat or casino
17 conducting gambling operations in the City of East St.
18 Louis for 3 years preceding the current year and the
19 annual adjusted gross receipts for the immediately
20 preceding year.

21 (a-6) From June 28, 2019 (the effective date of Public Act
22 101-31) until June 30, 2024 ~~2023~~, an owners licensee that
23 conducted gambling operations prior to January 1, 2011 shall
24 receive a dollar-for-dollar credit against the tax imposed
25 under this Section for any renovation or construction costs
26 paid by the owners licensee, but in no event shall the credit

1 exceed \$2,000,000.

2 Additionally, from June 28, 2019 (the effective date of
3 Public Act 101-31) until December 31, 2023 ~~2022~~, an owners
4 licensee that (i) is located within 15 miles of the Missouri
5 border, and (ii) has at least 3 riverboats, casinos, or their
6 equivalent within a 45-mile radius, may be authorized to
7 relocate to a new location with the approval of both the unit
8 of local government designated as the home dock and the Board,
9 so long as the new location is within the same unit of local
10 government and no more than 3 miles away from its original
11 location. Such owners licensee shall receive a credit against
12 the tax imposed under this Section equal to 8% of the total
13 project costs, as approved by the Board, for any renovation or
14 construction costs paid by the owners licensee for the
15 construction of the new facility, provided that the new
16 facility is operational by July 1, 2022. In determining
17 whether or not to approve a relocation, the Board must
18 consider the extent to which the relocation will diminish the
19 gaming revenues received by other Illinois gaming facilities.

20 (a-7) Beginning in the initial adjustment year and through
21 the final adjustment year, if the total obligation imposed
22 pursuant to ~~either~~ subsection (a-5) ~~or (a-6)~~ will result in an
23 owners licensee receiving less after-tax adjusted gross
24 receipts than it received in calendar year 2018, then the
25 total amount of privilege taxes that the owners licensee is
26 required to pay for that calendar year shall be reduced to the

1 extent necessary so that the after-tax adjusted gross receipts
2 in that calendar year equals the after-tax adjusted gross
3 receipts in calendar year 2018, but the privilege tax
4 reduction shall not exceed the annual adjustment cap. If
5 pursuant to this subsection (a-7), the total obligation
6 imposed pursuant to ~~either~~ subsection (a-5) ~~or (a-6)~~ shall be
7 reduced, then the owners licensee shall not receive a refund
8 from the State at the end of the subject calendar year but
9 instead shall be able to apply that amount as a credit against
10 any payments it owes to the State in the following calendar
11 year to satisfy its total obligation under ~~either~~ subsection
12 (a-5) ~~or (a-6)~~. The credit for the final adjustment year shall
13 occur in the calendar year following the final adjustment
14 year.

15 Additionally, if ~~If~~ an owners licensee that conducted
16 gambling operations prior to January 1, 2019 expands its
17 riverboat or casino, including, but not limited to, with
18 respect to its gaming floor, additional non-gaming amenities
19 such as restaurants, bars, and hotels and other additional
20 facilities, and incurs construction and other costs related to
21 such expansion from June 28, 2019 (the effective date of
22 Public Act 101-31) until June 28, 2025 ~~2024~~ (the 6th ~~5th~~
23 anniversary of the effective date of Public Act 101-31), then
24 for each \$15,000,000 spent for any such construction or other
25 costs related to expansion paid by the owners licensee, the
26 final adjustment year shall be extended by one year and the

1 annual adjustment cap shall increase by 1% ~~0.2%~~ of adjusted
2 gross receipts during each calendar year until and including
3 the final adjustment year. If an owners licensee does not
4 qualify for a credit due to reduced adjusted gross receipts,
5 the owners licensee shall still qualify for up to a 1%
6 adjustment for each \$15,000,000 expended up to a total of 5%
7 and the owners licensee shall not receive a refund from the
8 State at the end of the subject calendar year but instead shall
9 be able to apply that amount as a credit against any payments
10 it owes to the State in the following calendar year. No further
11 modifications to the final adjustment year or annual
12 adjustment cap shall be made after \$75,000,000 is incurred in
13 construction or other costs related to expansion so that the
14 final adjustment year shall not extend beyond the 9th calendar
15 year after the initial adjustment year, not including the
16 initial adjustment year, and the annual adjustment cap shall
17 not exceed 15% ~~4%~~ of adjusted gross receipts in a particular
18 calendar year. Construction and other costs related to
19 expansion shall include all project related costs, including,
20 but not limited to, all hard and soft costs, financing costs,
21 on or off-site ground, road or utility work, cost of gaming
22 equipment and all other personal property, initial fees
23 assessed for each incremental gaming position, and the cost of
24 incremental land acquired for such expansion. Soft costs shall
25 include, but not be limited to, legal fees, architect,
26 engineering and design costs, other consultant costs,

1 insurance cost, permitting costs, and pre-opening costs
2 related to the expansion, including, but not limited to, any
3 of the following: marketing, real estate taxes, personnel,
4 training, travel and out-of-pocket expenses, supply,
5 inventory, and other costs, and any other project related soft
6 costs.

7 To be eligible for the tax credits in subsection (a-6),
8 all construction contracts shall include a requirement that
9 the contractor enter into a project labor agreement with the
10 building and construction trades council with geographic
11 jurisdiction of the location of the proposed gaming facility.

12 ~~Notwithstanding any other provision of this subsection~~
13 ~~(a-7), this subsection (a-7) does not apply to an owners~~
14 ~~licensee unless such owners licensee spends at least~~
15 ~~\$15,000,000 on construction and other costs related to its~~
16 ~~expansion, excluding the initial fees assessed for each~~
17 ~~incremental gaming position.~~

18 This subsection (a-7) does not apply to owners licensees
19 authorized pursuant to subsection (e-5) of Section 7 of this
20 Act.

21 For purposes of this subsection (a-7):

22 "Building and construction trades council" means any
23 organization representing multiple construction entities that
24 are monitoring or attentive to compliance with public or
25 workers' safety laws, wage and hour requirements, or other
26 statutory requirements or that are making or maintaining

1 collective bargaining agreements.

2 "Initial adjustment year" means the year commencing on
3 January 1 of the calendar year immediately following the
4 earlier of the following:

5 (1) the commencement of gambling operations, either in
6 a temporary or permanent facility, with respect to the
7 owners license authorized under paragraph (1) of
8 subsection (e-5) of Section 7 of this Act; or

9 (2) June 28, 2022 (~~36 2021~~ ~~(24~~ months after the
10 effective date of Public Act 101-31);

11 provided the initial adjustment year shall not commence
12 earlier than June 28, 2020 (12 months after the effective date
13 of Public Act 101-31).

14 "Final adjustment year" means the 5th ~~2nd~~ calendar year
15 after the initial adjustment year, not including the initial
16 adjustment year, and as may be extended further as described
17 in this subsection (a-7).

18 "Annual adjustment cap" means 10% ~~3%~~ of adjusted gross
19 receipts in a particular calendar year, and as may be
20 increased further as otherwise described in this subsection
21 (a-7).

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

25 (a-9) Beginning on January 1, 2020, the calculation of
26 gross receipts or adjusted gross receipts, for the purposes of

1 this Section, for a riverboat, a casino, or an organization
2 gaming facility shall not include the dollar amount of
3 non-cashable vouchers, coupons, and electronic promotions
4 redeemed by wagerers upon the riverboat, in the casino, or in
5 the organization gaming facility up to and including an amount
6 not to exceed 20% of a riverboat's, a casino's, or an
7 organization gaming facility's adjusted gross receipts.

8 The Illinois Gaming Board shall submit to the General
9 Assembly a comprehensive report no later than March 31, 2023
10 detailing, at a minimum, the effect of removing non-cashable
11 vouchers, coupons, and electronic promotions from this
12 calculation on net gaming revenues to the State in calendar
13 years 2020 through 2022, the increase or reduction in wagerers
14 as a result of removing non-cashable vouchers, coupons, and
15 electronic promotions from this calculation, the effect of the
16 tax rates in subsection (a-5) on net gaming revenues to this
17 State, and proposed modifications to the calculation.

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

22 (a-15) If the privilege tax imposed under subsection (a-3)
23 is no longer imposed pursuant to item (i) of the last paragraph
24 of subsection (a-3), then by June 15 of each year, each owners
25 licensee, other than an owners licensee that admitted
26 1,000,000 persons or fewer in calendar year 2004, must, in

1 addition to the payment of all amounts otherwise due under
2 this Section, pay to the Board a reconciliation payment in the
3 amount, if any, by which the licensed owner's base amount
4 exceeds the amount of net privilege tax paid by the licensed
5 owner to the Board in the then current State fiscal year. A
6 licensed owner's net privilege tax obligation due for the
7 balance of the State fiscal year shall be reduced up to the
8 total of the amount paid by the licensed owner in its June 15
9 reconciliation payment. The obligation imposed by this
10 subsection (a-15) is binding on any person, firm, corporation,
11 or other entity that acquires an ownership interest in any
12 such owners license. The obligation imposed under this
13 subsection (a-15) terminates on the earliest of: (i) July 1,
14 2007, (ii) the first day after the effective date of this
15 amendatory Act of the 94th General Assembly that riverboat
16 gambling operations are conducted pursuant to a dormant
17 license, (iii) the first day that riverboat gambling
18 operations are conducted under the authority of an owners
19 license that is in addition to the 10 owners licenses
20 initially authorized under this Act, or (iv) the first day
21 that a licensee under the Illinois Horse Racing Act of 1975
22 conducts gaming operations with slot machines or other
23 electronic gaming devices. The Board must reduce the
24 obligation imposed under this subsection (a-15) by an amount
25 the Board deems reasonable for any of the following reasons:
26 (A) an act or acts of God, (B) an act of bioterrorism or

1 terrorism or a bioterrorism or terrorism threat that was
2 investigated by a law enforcement agency, or (C) a condition
3 beyond the control of the owners licensee that does not result
4 from any act or omission by the owners licensee or any of its
5 agents and that poses a hazardous threat to the health and
6 safety of patrons. If an owners licensee pays an amount in
7 excess of its liability under this Section, the Board shall
8 apply the overpayment to future payments required under this
9 Section.

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

11 "Act of God" means an incident caused by the operation of
12 an extraordinary force that cannot be foreseen, that cannot be
13 avoided by the exercise of due care, and for which no person
14 can be held liable.

15 "Base amount" means the following:

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

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

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

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

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

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

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

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

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

26 "Net privilege tax" means all privilege taxes paid by a

1 licensed owner to the Board under this Section, less all
2 payments made from the State Gaming Fund pursuant to
3 subsection (b) of this Section.

4 The changes made to this subsection (a-15) by Public Act
5 94-839 are intended to restate and clarify the intent of
6 Public Act 94-673 with respect to the amount of the payments
7 required to be made under this subsection by an owners
8 licensee to the Board.

9 (b) From the tax revenue from riverboat or casino gambling
10 deposited in the State Gaming Fund under this Section, an
11 amount equal to 5% of adjusted gross receipts generated by a
12 riverboat or a casino, other than a riverboat or casino
13 designated in paragraph (1), (3), or (4) of subsection (e-5)
14 of Section 7, shall be paid monthly, subject to appropriation
15 by the General Assembly, to the unit of local government in
16 which the casino is located or that is designated as the home
17 dock of the riverboat. Notwithstanding anything to the
18 contrary, beginning on the first day that an owners licensee
19 under paragraph (1), (2), (3), (4), (5), or (6) of subsection
20 (e-5) of Section 7 conducts gambling operations, either in a
21 temporary facility or a permanent facility, and for 2 years
22 thereafter, a unit of local government designated as the home
23 dock of a riverboat whose license was issued before January 1,
24 2019, other than a riverboat conducting gambling operations in
25 the City of East St. Louis, shall not receive less under this
26 subsection (b) than the amount the unit of local government

1 received under this subsection (b) in calendar year 2018.
2 Notwithstanding anything to the contrary and because the City
3 of East St. Louis is a financially distressed city, beginning
4 on the first day that an owners licensee under paragraph (1),
5 (2), (3), (4), (5), or (6) of subsection (e-5) of Section 7
6 conducts gambling operations, either in a temporary facility
7 or a permanent facility, and for 10 years thereafter, a unit of
8 local government designated as the home dock of a riverboat
9 conducting gambling operations in the City of East St. Louis
10 shall not receive less under this subsection (b) than the
11 amount the unit of local government received under this
12 subsection (b) in calendar year 2018.

13 From the tax revenue deposited in the State Gaming Fund
14 pursuant to riverboat or casino gambling operations conducted
15 by a licensed manager on behalf of the State, an amount equal
16 to 5% of adjusted gross receipts generated pursuant to those
17 riverboat or casino gambling operations shall be paid monthly,
18 subject to appropriation by the General Assembly, to the unit
19 of local government that is designated as the home dock of the
20 riverboat upon which those riverboat gambling operations are
21 conducted or in which the casino is located.

22 From the tax revenue from riverboat or casino gambling
23 deposited in the State Gaming Fund under this Section, an
24 amount equal to 5% of the adjusted gross receipts generated by
25 a riverboat designated in paragraph (3) of subsection (e-5) of
26 Section 7 shall be divided and remitted monthly, subject to

1 appropriation, as follows: 70% to Waukegan, 10% to Park City,
2 15% to North Chicago, and 5% to Lake County.

3 From the tax revenue from riverboat or casino gambling
4 deposited in the State Gaming Fund under this Section, an
5 amount equal to 5% of the adjusted gross receipts generated by
6 a riverboat designated in paragraph (4) of subsection (e-5) of
7 Section 7 shall be remitted monthly, subject to appropriation,
8 as follows: 70% to the City of Rockford, 5% to the City of
9 Loves Park, 5% to the Village of Machesney, and 20% to
10 Winnebago County.

11 From the tax revenue from riverboat or casino gambling
12 deposited in the State Gaming Fund under this Section, an
13 amount equal to 5% of the adjusted gross receipts generated by
14 a riverboat designated in paragraph (5) of subsection (e-5) of
15 Section 7 shall be remitted monthly, subject to appropriation,
16 as follows: 2% to the unit of local government in which the
17 riverboat or casino is located, and 3% shall be distributed:
18 (A) in accordance with a regional capital development plan
19 entered into by the following communities: Village of Beecher,
20 City of Blue Island, Village of Burnham, City of Calumet City,
21 Village of Calumet Park, City of Chicago Heights, City of
22 Country Club Hills, Village of Crestwood, Village of Crete,
23 Village of Dixmoor, Village of Dolton, Village of East Hazel
24 Crest, Village of Flossmoor, Village of Ford Heights, Village
25 of Glenwood, City of Harvey, Village of Hazel Crest, Village
26 of Homewood, Village of Lansing, Village of Lynwood, City of

1 Markham, Village of Matteson, Village of Midlothian, Village
2 of Monee, City of Oak Forest, Village of Olympia Fields,
3 Village of Orland Hills, Village of Orland Park, City of Palos
4 Heights, Village of Park Forest, Village of Phoenix, Village
5 of Posen, Village of Richton Park, Village of Riverdale,
6 Village of Robbins, Village of Sauk Village, Village of South
7 Chicago Heights, Village of South Holland, Village of Steger,
8 Village of Thornton, Village of Tinley Park, Village of
9 University Park and Village of Worth; or (B) if no regional
10 capital development plan exists, equally among the communities
11 listed in item (A) to be used for capital expenditures or
12 public pension payments, or both.

13 Units of local government may refund any portion of the
14 payment that they receive pursuant to this subsection (b) to
15 the riverboat or casino.

16 (b-4) Beginning on the first day the licensee under
17 paragraph (5) of subsection (e-5) of Section 7 conducts
18 gambling operations, either in a temporary facility or a
19 permanent facility, and ending on July 31, 2042, from the tax
20 revenue deposited in the State Gaming Fund under this Section,
21 \$5,000,000 shall be paid annually, subject to appropriation,
22 to the host municipality of that owners licensee of a license
23 issued or re-issued pursuant to Section 7.1 of this Act before
24 January 1, 2012. Payments received by the host municipality
25 pursuant to this subsection (b-4) may not be shared with any
26 other unit of local government.

1 (b-5) Beginning on June 28, 2019 (the effective date of
2 Public Act 101-31), from the tax revenue deposited in the
3 State Gaming Fund under this Section, an amount equal to 3% of
4 adjusted gross receipts generated by each organization gaming
5 facility located outside Madison County shall be paid monthly,
6 subject to appropriation by the General Assembly, to a
7 municipality other than the Village of Stickney in which each
8 organization gaming facility is located or, if the
9 organization gaming facility is not located within a
10 municipality, to the county in which the organization gaming
11 facility is located, except as otherwise provided in this
12 Section. From the tax revenue deposited in the State Gaming
13 Fund under this Section, an amount equal to 3% of adjusted
14 gross receipts generated by an organization gaming facility
15 located in the Village of Stickney shall be paid monthly,
16 subject to appropriation by the General Assembly, as follows:
17 25% to the Village of Stickney, 5% to the City of Berwyn, 50%
18 to the Town of Cicero, and 20% to the Stickney Public Health
19 District.

20 From the tax revenue deposited in the State Gaming Fund
21 under this Section, an amount equal to 5% of adjusted gross
22 receipts generated by an organization gaming facility located
23 in the City of Collinsville shall be paid monthly, subject to
24 appropriation by the General Assembly, as follows: 30% to the
25 City of Alton, 30% to the City of East St. Louis, and 40% to
26 the City of Collinsville.

1 Municipalities and counties may refund any portion of the
2 payment that they receive pursuant to this subsection (b-5) to
3 the organization gaming facility.

4 (b-6) Beginning on June 28, 2019 (the effective date of
5 Public Act 101-31), from the tax revenue deposited in the
6 State Gaming Fund under this Section, an amount equal to 2% of
7 adjusted gross receipts generated by an organization gaming
8 facility located outside Madison County shall be paid monthly,
9 subject to appropriation by the General Assembly, to the
10 county in which the organization gaming facility is located
11 for the purposes of its criminal justice system or health care
12 system.

13 Counties may refund any portion of the payment that they
14 receive pursuant to this subsection (b-6) to the organization
15 gaming facility.

16 (b-7) From the tax revenue from the organization gaming
17 licensee located in one of the following townships of Cook
18 County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or
19 Worth, an amount equal to 5% of the adjusted gross receipts
20 generated by that organization gaming licensee shall be
21 remitted monthly, subject to appropriation, as follows: 2% to
22 the unit of local government in which the organization gaming
23 licensee is located, and 3% shall be distributed: (A) in
24 accordance with a regional capital development plan entered
25 into by the following communities: Village of Beecher, City of
26 Blue Island, Village of Burnham, City of Calumet City, Village

1 of Calumet Park, City of Chicago Heights, City of Country Club
2 Hills, Village of Crestwood, Village of Crete, Village of
3 Dixmoor, Village of Dolton, Village of East Hazel Crest,
4 Village of Flossmoor, Village of Ford Heights, Village of
5 Glenwood, City of Harvey, Village of Hazel Crest, Village of
6 Homewood, Village of Lansing, Village of Lynwood, City of
7 Markham, Village of Matteson, Village of Midlothian, Village
8 of Monee, City of Oak Forest, Village of Olympia Fields,
9 Village of Orland Hills, Village of Orland Park, City of Palos
10 Heights, Village of Park Forest, Village of Phoenix, Village
11 of Posen, Village of Richton Park, Village of Riverdale,
12 Village of Robbins, Village of Sauk Village, Village of South
13 Chicago Heights, Village of South Holland, Village of Steger,
14 Village of Thornton, Village of Tinley Park, Village of
15 University Park, and Village of Worth; or (B) if no regional
16 capital development plan exists, equally among the communities
17 listed in item (A) to be used for capital expenditures or
18 public pension payments, or both.

19 (b-8) In lieu of the payments under subsection (b) of this
20 Section, from the tax revenue deposited in the State Gaming
21 Fund pursuant to riverboat or casino gambling operations
22 conducted by an owners licensee under paragraph (1) of
23 subsection (e-5) of Section 7, an amount equal to the tax
24 revenue generated from the privilege tax imposed by paragraph
25 (2) of subsection (a-5) that is to be paid to the City of
26 Chicago shall be paid monthly, subject to appropriation by the

1 General Assembly, as follows: (1) an amount equal to 0.5% of
2 the annual adjusted gross receipts generated by the owners
3 licensee under paragraph (1) of subsection (e-5) of Section 7
4 to the home rule county in which the owners licensee is located
5 for the purpose of enhancing the county's criminal justice
6 system; and (2) the balance to the City of Chicago and shall be
7 expended or obligated by the City of Chicago for pension
8 payments in accordance with Public Act 99-506.

9 (c) Appropriations, as approved by the General Assembly,
10 may be made from the State Gaming Fund to the Board (i) for the
11 administration and enforcement of this Act and the Video
12 Gaming Act, (ii) for distribution to the Department of State
13 Police and to the Department of Revenue for the enforcement of
14 this Act and the Video Gaming Act, and (iii) to the Department
15 of Human Services for the administration of programs to treat
16 problem gambling, including problem gambling from sports
17 wagering. The Board's annual appropriations request must
18 separately state its funding needs for the regulation of
19 gaming authorized under Section 7.7, riverboat gaming, casino
20 gaming, video gaming, and sports wagering.

21 (c-2) An amount equal to 2% of the adjusted gross receipts
22 generated by an organization gaming facility located within a
23 home rule county with a population of over 3,000,000
24 inhabitants shall be paid, subject to appropriation from the
25 General Assembly, from the State Gaming Fund to the home rule
26 county in which the organization gaming licensee is located

1 for the purpose of enhancing the county's criminal justice
2 system.

3 (c-3) Appropriations, as approved by the General Assembly,
4 may be made from the tax revenue deposited into the State
5 Gaming Fund from organization gaming licensees pursuant to
6 this Section for the administration and enforcement of this
7 Act.

8 (c-4) After payments required under subsections (b),
9 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from
10 the tax revenue from organization gaming licensees deposited
11 into the State Gaming Fund under this Section, all remaining
12 amounts from organization gaming licensees shall be
13 transferred into the Capital Projects Fund.

14 (c-5) (Blank).

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

19 (c-15) After the payments required under subsections (b),
20 (c), and (c-5) have been made, an amount equal to 2% of the
21 adjusted gross receipts of (1) an owners licensee that
22 relocates pursuant to Section 11.2, (2) an owners licensee
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
26 licensed manager on behalf of the State under Section 7.3,

1 whichever comes first, shall be paid, subject to appropriation
2 from the General Assembly, from the State Gaming Fund to each
3 home rule county with a population of over 3,000,000
4 inhabitants for the purpose of enhancing the county's criminal
5 justice system.

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

11 (c-21) After the payments required under subsections (b),
12 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have
13 been made, an amount equal to 0.5% of the adjusted gross
14 receipts generated by the owners licensee under paragraph (1)
15 of subsection (e-5) of Section 7 shall be paid monthly,
16 subject to appropriation from the General Assembly, from the
17 State Gaming Fund to the home rule county in which the owners
18 licensee is located for the purpose of enhancing the county's
19 criminal justice system.

20 (c-22) After the payments required under subsections (b),
21 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), (c-4), and
22 (c-21) have been made, an amount equal to 2% of the adjusted
23 gross receipts generated by the owners licensee under
24 paragraph (5) of subsection (e-5) of Section 7 shall be paid,
25 subject to appropriation from the General Assembly, from the
26 State Gaming Fund to the home rule county in which the owners

1 licensee is located for the purpose of enhancing the county's
2 criminal justice system.

3 (c-25) From July 1, 2013 and each July 1 thereafter
4 through July 1, 2019, \$1,600,000 shall be transferred from the
5 State Gaming Fund to the Chicago State University Education
6 Improvement Fund.

7 On July 1, 2020 and each July 1 thereafter, \$3,000,000
8 shall be transferred from the State Gaming Fund to the Chicago
9 State University Education Improvement Fund.

10 (c-30) On July 1, 2013 or as soon as possible thereafter,
11 \$92,000,000 shall be transferred from the State Gaming Fund to
12 the School Infrastructure Fund and \$23,000,000 shall be
13 transferred from the State Gaming Fund to the Horse Racing
14 Equity Fund.

15 (c-35) Beginning on July 1, 2013, in addition to any
16 amount transferred under subsection (c-30) of this Section,
17 \$5,530,000 shall be transferred monthly from the State Gaming
18 Fund to the School Infrastructure Fund.

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

23 (e) Nothing in this Act shall prohibit the unit of local
24 government designated as the home dock of the riverboat from
25 entering into agreements with other units of local government
26 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,
5 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of
6 the Retailers' Occupation Tax Act and Section 3-7 of the
7 Uniform Penalty and Interest Act.

8 (Source: P.A. 101-31, Article 25, Section 25-910, eff.
9 6-28-19; 101-31, Article 35, Section 35-55, eff. 6-28-19;
10 101-648, eff. 6-30-20.)