

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 6 and 7 as follows:

6 (230 ILCS 10/6) (from Ch. 120, par. 2406)

7 Sec. 6. Application for owners license.

8 (a) A qualified person may apply to the Board for an owners  
9 license to conduct a gambling operation as provided in this  
10 Act. The application shall be made on forms provided by the  
11 Board and shall contain such information as the Board  
12 prescribes, including but not limited to the identity of the  
13 riverboat on which such gambling operation is to be conducted,  
14 if applicable, and the exact location where such riverboat or  
15 casino will be located, a certification that the riverboat  
16 will be registered under this Act at all times during which  
17 gambling operations are conducted on board, detailed  
18 information regarding the ownership and management of the  
19 applicant, and detailed personal information regarding the  
20 applicant. Any application for an owners license to be  
21 re-issued on or after June 1, 2003 shall also include the  
22 applicant's license bid in a form prescribed by the Board.  
23 Information provided on the application shall be used as a

1 basis for a thorough background investigation which the Board  
2 shall conduct with respect to each applicant. An incomplete  
3 application shall be cause for denial of a license by the  
4 Board.

5 (a-5) In addition to any other information required under  
6 this Section, each application for an owners license must  
7 include the following information:

8 (1) The history and success of the applicant and each  
9 person and entity disclosed under subsection (c) of this  
10 Section in developing tourism facilities ancillary to  
11 gaming, if applicable.

12 (2) The likelihood that granting a license to the  
13 applicant will lead to the creation of quality, living  
14 wage jobs and permanent, full-time jobs for residents of  
15 the State and residents of the unit of local government  
16 that is designated as the home dock of the proposed  
17 facility where gambling is to be conducted by the  
18 applicant.

19 (3) The projected number of jobs that would be created  
20 if the license is granted and the projected number of new  
21 employees at the proposed facility where gambling is to be  
22 conducted by the applicant.

23 (4) The record, if any, of the applicant and its  
24 developer in meeting commitments to local agencies,  
25 community-based organizations, and employees at other  
26 locations where the applicant or its developer has

1 performed similar functions as they would perform if the  
2 applicant were granted a license.

3 (5) Identification of adverse effects that might be  
4 caused by the proposed facility where gambling is to be  
5 conducted by the applicant, including the costs of meeting  
6 increased demand for public health care, child care,  
7 public transportation, affordable housing, and social  
8 services, and a plan to mitigate those adverse effects.

9 (6) The record, if any, of the applicant and its  
10 developer regarding compliance with:

11 (A) federal, state, and local discrimination, wage  
12 and hour, disability, and occupational and  
13 environmental health and safety laws; and

14 (B) state and local labor relations and employment  
15 laws.

16 (7) The applicant's record, if any, in dealing with  
17 its employees and their representatives at other  
18 locations.

19 (8) A plan concerning the utilization of  
20 minority-owned and women-owned businesses and concerning  
21 the hiring of minorities and women.

22 (9) Evidence the applicant used its best efforts to  
23 reach a goal of 25% ownership representation by minority  
24 persons and 5% ownership representation by women.

25 (10) Evidence the applicant has entered into a  
26 construction project labor agreement that includes

1 provisions establishing wages, benefits, and other  
2 compensation for employees performing work under the  
3 project labor agreement at that location and a commitment  
4 to pay a prevailing wage for employees who are engaged in  
5 construction. The project labor agreements must conform to  
6 the requirements contained in Sections 20 and 25 of the  
7 Project Labor Agreements Act. For any pending application  
8 before the Board on the effective date of this amendatory  
9 Act of the 102nd General Assembly, the applicant shall  
10 submit evidence complying with this paragraph within 30  
11 days after the effective date of this amendatory Act of  
12 the 102nd General Assembly. The Board shall not award any  
13 pending applications until the applicant has submitted  
14 this information.

15 (b) Applicants shall submit with their application all  
16 documents, resolutions, and letters of support from the  
17 governing body that represents the municipality or county  
18 wherein the licensee will be located.

19 (c) Each applicant shall disclose the identity of every  
20 person or entity having a greater than 1% direct or indirect  
21 pecuniary interest in the gambling operation with respect to  
22 which the license is sought. If the disclosed entity is a  
23 trust, the application shall disclose the names and addresses  
24 of all beneficiaries; if a corporation, the names and  
25 addresses of all stockholders and directors; if a partnership,  
26 the names and addresses of all partners, both general and

1 limited.

2 (d) An application shall be filed and considered in  
3 accordance with the rules of the Board. Each application shall  
4 be accompanied by a nonrefundable application fee of \$250,000.  
5 In addition, a nonrefundable fee of \$50,000 shall be paid at  
6 the time of filing to defray the costs associated with the  
7 background investigation conducted by the Board. If the costs  
8 of the investigation exceed \$50,000, the applicant shall pay  
9 the additional amount to the Board within 7 days after  
10 requested by the Board. If the costs of the investigation are  
11 less than \$50,000, the applicant shall receive a refund of the  
12 remaining amount. All information, records, interviews,  
13 reports, statements, memoranda or other data supplied to or  
14 used by the Board in the course of its review or investigation  
15 of an application for a license or a renewal under this Act  
16 shall be privileged, strictly confidential and shall be used  
17 only for the purpose of evaluating an applicant for a license  
18 or a renewal. Such information, records, interviews, reports,  
19 statements, memoranda or other data shall not be admissible as  
20 evidence, nor discoverable in any action of any kind in any  
21 court or before any tribunal, board, agency or person, except  
22 for any action deemed necessary by the Board. The application  
23 fee shall be deposited into the State Gaming Fund.

24 (e) The Board shall charge each applicant a fee set by the  
25 Department of State Police to defray the costs associated with  
26 the search and classification of fingerprints obtained by the

1 Board with respect to the applicant's application. These fees  
2 shall be paid into the State Police Services Fund. In order to  
3 expedite the application process, the Board may establish  
4 rules allowing applicants to acquire criminal background  
5 checks and financial integrity reviews as part of the initial  
6 application process from a list of vendors approved by the  
7 Board.

8 (f) The licensed owner shall be the person primarily  
9 responsible for the boat or casino itself. Only one gambling  
10 operation may be authorized by the Board on any riverboat or in  
11 any casino. The applicant must identify the riverboat or  
12 premises it intends to use and certify that the riverboat or  
13 premises: (1) has the authorized capacity required in this  
14 Act; (2) is accessible to persons with disabilities; and (3)  
15 is fully registered and licensed in accordance with any  
16 applicable laws.

17 (g) A person who knowingly makes a false statement on an  
18 application is guilty of a Class A misdemeanor.

19 (Source: P.A. 101-31, eff. 6-28-19.)

20 (230 ILCS 10/7) (from Ch. 120, par. 2407)

21 Sec. 7. Owners licenses.

22 (a) The Board shall issue owners licenses to persons or  
23 entities that apply for such licenses upon payment to the  
24 Board of the non-refundable license fee as provided in  
25 subsection (e) or (e-5) and upon a determination by the Board

1 that the applicant is eligible for an owners license pursuant  
2 to this Act and the rules of the Board. From December 15, 2008  
3 ~~(the effective date of Public Act 95-1008) this amendatory Act~~  
4 ~~of the 95th General Assembly~~ until (i) 3 years after December  
5 15, 2008 ~~(the effective date of Public Act 95-1008) this~~  
6 ~~amendatory Act of the 95th General Assembly~~, (ii) the date any  
7 organization licensee begins to operate a slot machine or  
8 video game of chance under the Illinois Horse Racing Act of  
9 1975 or this Act, (iii) the date that payments begin under  
10 subsection (c-5) of Section 13 of this Act, (iv) the wagering  
11 tax imposed under Section 13 of this Act is increased by law to  
12 reflect a tax rate that is at least as stringent or more  
13 stringent than the tax rate contained in subsection (a-3) of  
14 Section 13, or (v) when an owners licensee holding a license  
15 issued pursuant to Section 7.1 of this Act begins conducting  
16 gaming, whichever occurs first, as a condition of licensure  
17 and as an alternative source of payment for those funds  
18 payable under subsection (c-5) of Section 13 of this Act, any  
19 owners licensee that holds or receives its owners license on  
20 or after May 26, 2006 ~~(the effective date of Public Act 94-804)~~  
21 ~~this amendatory Act of the 94th General Assembly~~, other than  
22 an owners licensee operating a riverboat with adjusted gross  
23 receipts in calendar year 2004 of less than \$200,000,000, must  
24 pay into the Horse Racing Equity Trust Fund, in addition to any  
25 other payments required under this Act, an amount equal to 3%  
26 of the adjusted gross receipts received by the owners

1 licensee. The payments required under this Section shall be  
2 made by the owners licensee to the State Treasurer no later  
3 than 3:00 o'clock p.m. of the day after the day when the  
4 adjusted gross receipts were received by the owners licensee.  
5 A person or entity is ineligible to receive an owners license  
6 if:

7 (1) the person has been convicted of a felony under  
8 the laws of this State, any other state, or the United  
9 States;

10 (2) the person has been convicted of any violation of  
11 Article 28 of the Criminal Code of 1961 or the Criminal  
12 Code of 2012, or substantially similar laws of any other  
13 jurisdiction;

14 (3) the person has submitted an application for a  
15 license under this Act which contains false information;

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

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

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

23 (7) (blank); or

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



1           The Board is expressly prohibited from making changes to  
2 the requirement that licensees make payment into the Horse  
3 Racing Equity Trust Fund without the express authority of the  
4 Illinois General Assembly and making any other rule to  
5 implement or interpret Public Act 95-1008 ~~this amendatory Act~~  
6 ~~of the 95th General Assembly~~. For the purposes of this  
7 paragraph, "rules" is given the meaning given to that term in  
8 Section 1-70 of the Illinois Administrative Procedure Act.

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

11           (1) the character, reputation, experience, and  
12 financial integrity of the applicants and of any other or  
13 separate person that either:

14           (A) controls, directly or indirectly, such  
15 applicant; ~~or~~

16           (B) is controlled, directly or indirectly, by such  
17 applicant or by a person which controls, directly or  
18 indirectly, such applicant;

19           (2) the facilities or proposed facilities for the  
20 conduct of gambling;

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

23           (4) the extent to which the ownership of the applicant  
24 reflects the diversity of the State by including minority  
25 persons, women, and persons with a disability and the good  
26 faith affirmative action plan of each applicant to

1 recruit, train and upgrade minority persons, women, and  
2 persons with a disability in all employment  
3 classifications; the Board shall further consider granting  
4 an owners license and giving preference to an applicant  
5 under this Section to applicants in which minority persons  
6 and women hold ownership interest of at least 16% and 4%,  
7 respectively;~~;~~

8 (4.5) the extent to which the ownership of the  
9 applicant includes veterans of service in the armed forces  
10 of the United States, and the good faith affirmative  
11 action plan of each applicant to recruit, train, and  
12 upgrade veterans of service in the armed forces of the  
13 United States in all employment classifications;

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

16 (6) whether the applicant has adequate capitalization  
17 to provide and maintain, for the duration of a license, a  
18 riverboat or casino;

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

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

23 (9) the extent to which the applicant or the proposed  
24 host municipality plans to enter into revenue sharing  
25 agreements with communities other than the host  
26 municipality; ~~and~~

1 (10) the extent to which the ownership of an applicant  
2 includes the most qualified number of minority persons,  
3 women, and persons with a disability; ~~and~~

4 (11) whether the applicant has entered into a  
5 construction project labor agreement that includes  
6 provisions establishing wages, benefits, and other  
7 compensation for employees performing work under the  
8 project labor agreement at that location; the project  
9 labor agreements must conform to the requirements  
10 contained in Sections 20 and 25 of the Project Labor  
11 Agreements Act; and

12 (12) whether the applicant pays a prevailing wage for  
13 employees who are engaged in construction.

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

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

19 (e) In addition to any licenses authorized under  
20 subsection (e-5) of this Section, the Board may issue up to 10  
21 licenses authorizing the holders of such licenses to own  
22 riverboats. In the application for an owners license, the  
23 applicant shall state the dock at which the riverboat is based  
24 and the water on which the riverboat will be located. The Board  
25 shall issue 5 licenses to become effective not earlier than  
26 January 1, 1991. Three of such licenses shall authorize

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

26 In granting all licenses, the Board may give favorable

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

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

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

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

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

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

25 (5) the Board may issue one owners license authorizing  
26 the conduct of riverboat gambling in a municipality that

1 is wholly or partially located in one of the following  
2 townships of Cook County: Bloom, Bremen, Calumet, Rich,  
3 Thornton, or Worth Township; and

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

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

22 The Board shall consider issuing a license pursuant to  
23 paragraphs (1) through (6) of this subsection only after the  
24 corporate authority of the municipality or the county board of  
25 the county in which the riverboat or casino shall be located  
26 has certified to the Board the following:

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

3           (ii) that the applicant and the corporate authority or  
4 county board have mutually agreed on the permanent  
5 location of the riverboat or casino;

6           (iii) that the applicant and the corporate authority  
7 or county board have mutually agreed on the temporary  
8 location of the riverboat or casino;

9           (iv) that the applicant and the corporate authority or  
10 the county board have mutually agreed on the percentage of  
11 revenues that will be shared with the municipality or  
12 county, if any;

13           (v) that the applicant and the corporate authority or  
14 county board have mutually agreed on any zoning,  
15 licensing, public health, or other issues that are within  
16 the jurisdiction of the municipality or county;

17           (vi) that the corporate authority or county board has  
18 passed a resolution or ordinance in support of the  
19 riverboat or casino in the municipality or county;

20           (vii) the applicant for a license under paragraph (1)  
21 has made a public presentation concerning its casino  
22 proposal; and

23           (viii) the applicant for a license under paragraph (1)  
24 has prepared a summary of its casino proposal and such  
25 summary has been posted on a public website of the  
26 municipality or the county.

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

16           In addition, within 10 days after June 28, 2019 (the  
17 effective date of Public Act 101-31), the Board, with consent  
18 and at the expense of the City of Chicago, shall select and  
19 retain the services of a nationally recognized casino gaming  
20 feasibility consultant. Within 45 days after June 28, 2019  
21 (the effective date of Public Act 101-31), the consultant  
22 shall prepare and deliver to the Board a study concerning the  
23 feasibility of, and the ability to finance, a casino in the  
24 City of Chicago. The feasibility study shall be delivered to  
25 the Mayor of the City of Chicago, the Governor, the President  
26 of the Senate, and the Speaker of the House of



1 Representatives. Ninety days after receipt of the feasibility  
2 study, the Board shall make a determination, based on the  
3 results of the feasibility study, whether to recommend to the  
4 General Assembly that the terms of the license under paragraph  
5 (1) of this subsection (e-5) should be modified. The Board may  
6 begin accepting applications for the owners license under  
7 paragraph (1) of this subsection (e-5) upon the determination  
8 to issue such an owners license.

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

14 (e-10) The licenses authorized under subsection (e-5) of  
15 this Section shall be issued within 12 months after the date  
16 the license application is submitted. If the Board does not  
17 issue the licenses within that time period, then the Board  
18 shall give a written explanation to the applicant as to why it  
19 has not reached a determination and when it reasonably expects  
20 to make a determination. The fee for the issuance or renewal of  
21 a license issued pursuant to this subsection (e-10) shall be  
22 \$250,000. Additionally, a licensee located outside of Cook  
23 County shall pay a minimum initial fee of \$17,500 per gaming  
24 position, and a licensee located in Cook County shall pay a  
25 minimum initial fee of \$30,000 per gaming position. The  
26 initial fees payable under this subsection (e-10) shall be

1 deposited into the Rebuild Illinois Projects Fund. If at any  
2 point after June 1, 2020 there are no pending applications for  
3 a license under subsection (e-5) and not all licenses  
4 authorized under subsection (e-5) have been issued, then the  
5 Board shall reopen the license application process for those  
6 licenses authorized under subsection (e-5) that have not been  
7 issued. The Board shall follow the licensing process provided  
8 in subsection (e-5) with all time frames tied to the last date  
9 of a final order issued by the Board under subsection (e-5)  
10 rather than the effective date of the amendatory Act.

11 (e-15) Each licensee of a license authorized under  
12 subsection (e-5) of this Section shall make a reconciliation  
13 payment 3 years after the date the licensee begins operating  
14 in an amount equal to 75% of the adjusted gross receipts for  
15 the most lucrative 12-month period of operations, minus an  
16 amount equal to the initial payment per gaming position paid  
17 by the specific licensee. Each licensee shall pay a  
18 \$15,000,000 reconciliation fee upon issuance of an owners  
19 license. If this calculation results in a negative amount,  
20 then the licensee is not entitled to any reimbursement of fees  
21 previously paid. This reconciliation payment may be made in  
22 installments over a period of no more than 6 years.

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

25 (e-20) In addition to any other revocation powers granted  
26 to the Board under this Act, the Board may revoke the owners

1 license of a licensee which fails to begin conducting gambling  
2 within 15 months of receipt of the Board's approval of the  
3 application if the Board determines that license revocation is  
4 in the best interests of the State.

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

11 (g) Upon the termination, expiration, or revocation of  
12 each of the first 10 licenses, which shall be issued for a  
13 3-year period, all licenses are renewable annually upon  
14 payment of the fee and a determination by the Board that the  
15 licensee continues to meet all of the requirements of this Act  
16 and the Board's rules. However, for licenses renewed on or  
17 after May 1, 1998, renewal shall be for a period of 4 years,  
18 unless the Board sets a shorter period.

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

22 An owners licensee of a casino or riverboat that is  
23 located in the City of Chicago pursuant to paragraph (1) of  
24 subsection (e-5) of this Section shall limit the number of  
25 gaming positions to 4,000 for such owner. An owners licensee  
26 authorized under subsection (e) or paragraph (2), (3), (4), or

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

16 Each owners licensee under subsection (e) of this Section  
17 shall reserve its gaming positions within 30 days after June  
18 28, 2019 (the effective date of Public Act 101-31). The Board  
19 may grant an extension to this 30-day period, provided that  
20 the owners licensee submits a written request and explanation  
21 as to why it is unable to reserve its positions within the  
22 30-day period.

23 Each owners licensee under subsection (e-5) of this  
24 Section shall reserve its gaming positions within 30 days  
25 after issuance of its owners license. The Board may grant an  
26 extension to this 30-day period, provided that the owners

1 licensee submits a written request and explanation as to why  
2 it is unable to reserve its positions within the 30-day  
3 period.

4 A licensee may operate both of its riverboats  
5 concurrently, provided that the total number of gaming  
6 positions on both riverboats does not exceed the limit  
7 established pursuant to this subsection. Riverboats licensed  
8 to operate on the Mississippi River and the Illinois River  
9 south of Marshall County shall have an authorized capacity of  
10 at least 500 persons. Any other riverboat licensed under this  
11 Act shall have an authorized capacity of at least 400 persons.

12 (h-5) An owners licensee who conducted gambling operations  
13 prior to January 1, 2012 and obtains positions pursuant to  
14 Public Act 101-31 shall make a reconciliation payment 3 years  
15 after any additional gaming positions begin operating in an  
16 amount equal to 75% of the owners licensee's average gross  
17 receipts for the most lucrative 12-month period of operations  
18 minus an amount equal to the initial fee that the owners  
19 licensee paid per additional gaming position. For purposes of  
20 this subsection (h-5), "average gross receipts" means (i) the  
21 increase in adjusted gross receipts for the most lucrative  
22 12-month period of operations over the adjusted gross receipts  
23 for 2019, multiplied by (ii) the percentage derived by  
24 dividing the number of additional gaming positions that an  
25 owners licensee had obtained by the total number of gaming  
26 positions operated by the owners licensee. If this calculation

1 results in a negative amount, then the owners licensee is not  
2 entitled to any reimbursement of fees previously paid. This  
3 reconciliation payment may be made in installments over a  
4 period of no more than 6 years. These reconciliation payments  
5 shall be deposited into the Rebuild Illinois Projects Fund.

6 (i) A licensed owner is authorized to apply to the Board  
7 for and, if approved therefor, to receive all licenses from  
8 the Board necessary for the operation of a riverboat or  
9 casino, including a liquor license, a license to prepare and  
10 serve food for human consumption, and other necessary  
11 licenses. All use, occupation, and excise taxes which apply to  
12 the sale of food and beverages in this State and all taxes  
13 imposed on the sale or use of tangible personal property apply  
14 to such sales aboard the riverboat or in the casino.

15 (j) The Board may issue or re-issue a license authorizing  
16 a riverboat to dock in a municipality or approve a relocation  
17 under Section 11.2 only if, prior to the issuance or  
18 re-issuance of the license or approval, the governing body of  
19 the municipality in which the riverboat will dock has by a  
20 majority vote approved the docking of riverboats in the  
21 municipality. The Board may issue or re-issue a license  
22 authorizing a riverboat to dock in areas of a county outside  
23 any municipality or approve a relocation under Section 11.2  
24 only if, prior to the issuance or re-issuance of the license or  
25 approval, the governing body of the county has by a majority  
26 vote approved of the docking of riverboats within such areas.

1           (k) An owners licensee may conduct land-based gambling  
2 operations upon approval by the Board and payment of a fee of  
3 \$250,000, which shall be deposited into the State Gaming Fund.

4           (l) An owners licensee may conduct gaming at a temporary  
5 facility pending the construction of a permanent facility or  
6 the remodeling or relocation of an existing facility to  
7 accommodate gaming participants for up to 24 months after the  
8 temporary facility begins to conduct gaming. Upon request by  
9 an owners licensee and upon a showing of good cause by the  
10 owners licensee, the Board shall extend the period during  
11 which the licensee may conduct gaming at a temporary facility  
12 by up to 12 months. The Board shall make rules concerning the  
13 conduct of gaming from temporary facilities.

14           (Source: P.A. 100-391, eff. 8-25-17; 100-1152, eff. 12-14-18;  
15 101-31, eff. 6-28-19; 101-648, eff. 6-30-20; revised 8-19-20.)

16           Section 99. Effective date. This Act takes effect upon  
17 becoming law.