

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 fully
26 executed project labor agreement with the applicable local

1 building trades council. For any pending application
2 before the Board on the effective date of this amendatory
3 Act of the 102nd General Assembly, the applicant shall
4 submit evidence complying with this paragraph within 30
5 days after the effective date of this amendatory Act of
6 the 102nd General Assembly. The Board shall not award any
7 pending applications until the applicant has submitted
8 this information.

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

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

22 (d) An application shall be filed and considered in
23 accordance with the rules of the Board. Each application shall
24 be accompanied by a nonrefundable application fee of \$250,000.
25 In addition, a nonrefundable fee of \$50,000 shall be paid at
26 the time of filing to defray the costs associated with the

1 background investigation conducted by the Board. If the costs
2 of the investigation exceed \$50,000, the applicant shall pay
3 the additional amount to the Board within 7 days after
4 requested by the Board. If the costs of the investigation are
5 less than \$50,000, the applicant shall receive a refund of the
6 remaining amount. All information, records, interviews,
7 reports, statements, memoranda or other data supplied to or
8 used by the Board in the course of its review or investigation
9 of an application for a license or a renewal under this Act
10 shall be privileged, strictly confidential and shall be used
11 only for the purpose of evaluating an applicant for a license
12 or a renewal. Such information, records, interviews, reports,
13 statements, memoranda or other data shall not be admissible as
14 evidence, nor discoverable in any action of any kind in any
15 court or before any tribunal, board, agency or person, except
16 for any action deemed necessary by the Board. The application
17 fee shall be deposited into the State Gaming Fund.

18 (e) The Board shall charge each applicant a fee set by the
19 Department of State Police to defray the costs associated with
20 the search and classification of fingerprints obtained by the
21 Board with respect to the applicant's application. These fees
22 shall be paid into the State Police Services Fund. In order to
23 expedite the application process, the Board may establish
24 rules allowing applicants to acquire criminal background
25 checks and financial integrity reviews as part of the initial
26 application process from a list of vendors approved by the

1 Board.

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

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

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

14 (230 ILCS 10/7) (from Ch. 120, par. 2407)

15 Sec. 7. Owners licenses.

16 (a) The Board shall issue owners licenses to persons or
17 entities that apply for such licenses upon payment to the
18 Board of the non-refundable license fee as provided in
19 subsection (e) or (e-5) and upon a determination by the Board
20 that the applicant is eligible for an owners license pursuant
21 to this Act and the rules of the Board. From December 15, 2008
22 (the effective date of Public Act 95-1008) ~~this amendatory Act~~
23 ~~of the 95th General Assembly~~ until (i) 3 years after December
24 15, 2008 (the effective date of Public Act 95-1008) ~~this~~
25 ~~amendatory Act of the 95th General Assembly,~~ (ii) the date any

1 organization licensee begins to operate a slot machine or
2 video game of chance under the Illinois Horse Racing Act of
3 1975 or this Act, (iii) the date that payments begin under
4 subsection (c-5) of Section 13 of this Act, (iv) the wagering
5 tax imposed under Section 13 of this Act is increased by law to
6 reflect a tax rate that is at least as stringent or more
7 stringent than the tax rate contained in subsection (a-3) of
8 Section 13, or (v) when an owners licensee holding a license
9 issued pursuant to Section 7.1 of this Act begins conducting
10 gaming, whichever occurs first, as a condition of licensure
11 and as an alternative source of payment for those funds
12 payable under subsection (c-5) of Section 13 of this Act, any
13 owners licensee that holds or receives its owners license on
14 or after May 26, 2006 (the effective date of Public Act 94-804)
15 ~~this amendatory Act of the 94th General Assembly~~, other than
16 an owners licensee operating a riverboat with adjusted gross
17 receipts in calendar year 2004 of less than \$200,000,000, must
18 pay into the Horse Racing Equity Trust Fund, in addition to any
19 other payments required under this Act, an amount equal to 3%
20 of the adjusted gross receipts received by the owners
21 licensee. The payments required under this Section shall be
22 made by the owners licensee to the State Treasurer no later
23 than 3:00 o'clock p.m. of the day after the day when the
24 adjusted gross receipts were received by the owners licensee.
25 A person or entity is ineligible to receive an owners license
26 if:

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

4 (2) the person has been convicted of any violation of
5 Article 28 of the Criminal Code of 1961 or the Criminal
6 Code of 2012, or substantially similar laws of any other
7 jurisdiction;

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

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

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

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

17 (7) (blank); or

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

21 The Board is expressly prohibited from making changes to
22 the requirement that licensees make payment into the Horse
23 Racing Equity Trust Fund without the express authority of the
24 Illinois General Assembly and making any other rule to
25 implement or interpret Public Act 95-1008 ~~this amendatory Act~~
26 ~~of the 95th General Assembly~~. For the purposes of this

1 paragraph, "rules" is given the meaning given to that term in
2 Section 1-70 of the Illinois Administrative Procedure Act.

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

5 (1) the character, reputation, experience, and
6 financial integrity of the applicants and of any other or
7 separate person that either:

8 (A) controls, directly or indirectly, such
9 applicant;~~;~~ or

10 (B) is controlled, directly or indirectly, by such
11 applicant or by a person which controls, directly or
12 indirectly, such applicant;

13 (2) the facilities or proposed facilities for the
14 conduct of gambling;

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

17 (4) the extent to which the ownership of the applicant
18 reflects the diversity of the State by including minority
19 persons, women, and persons with a disability and the good
20 faith affirmative action plan of each applicant to
21 recruit, train and upgrade minority persons, women, and
22 persons with a disability in all employment
23 classifications; the Board shall further consider granting
24 an owners license and giving preference to an applicant
25 under this Section to applicants in which minority persons
26 and women hold ownership interest of at least 16% and 4%,

1 respectively;~~;~~

2 (4.5) the extent to which the ownership of the
3 applicant includes veterans of service in the armed forces
4 of the United States, and the good faith affirmative
5 action plan of each applicant to recruit, train, and
6 upgrade veterans of service in the armed forces of the
7 United States in all employment classifications;

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

10 (6) whether the applicant has adequate capitalization
11 to provide and maintain, for the duration of a license, a
12 riverboat or casino;

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

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

17 (9) the extent to which the applicant or the proposed
18 host municipality plans to enter into revenue sharing
19 agreements with communities other than the host
20 municipality; ~~and~~

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

24 (11) whether the applicant has entered into a fully
25 executed construction project labor agreement with the
26 applicable local building trades council.

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

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

6 (e) In addition to any licenses authorized under
7 subsection (e-5) of this Section, the Board may issue up to 10
8 licenses authorizing the holders of such licenses to own
9 riverboats. In the application for an owners license, the
10 applicant shall state the dock at which the riverboat is based
11 and the water on which the riverboat will be located. The Board
12 shall issue 5 licenses to become effective not earlier than
13 January 1, 1991. Three of such licenses shall authorize
14 riverboat gambling on the Mississippi River, or, with approval
15 by the municipality in which the riverboat was docked on
16 August 7, 2003 and with Board approval, be authorized to
17 relocate to a new location, in a municipality that (1) borders
18 on the Mississippi River or is within 5 miles of the city
19 limits of a municipality that borders on the Mississippi River
20 and (2) on August 7, 2003, had a riverboat conducting
21 riverboat gambling operations pursuant to a license issued
22 under this Act; one of which shall authorize riverboat
23 gambling from a home dock in the city of East St. Louis; and
24 one of which shall authorize riverboat gambling from a home
25 dock in the City of Alton. One other license shall authorize
26 riverboat gambling on the Illinois River in the City of East

1 Peoria or, with Board approval, shall authorize land-based
2 gambling operations anywhere within the corporate limits of
3 the City of Peoria. The Board shall issue one additional
4 license to become effective not earlier than March 1, 1992,
5 which shall authorize riverboat gambling on the Des Plaines
6 River in Will County. The Board may issue 4 additional
7 licenses to become effective not earlier than March 1, 1992.
8 In determining the water upon which riverboats will operate,
9 the Board shall consider the economic benefit which riverboat
10 gambling confers on the State, and shall seek to assure that
11 all regions of the State share in the economic benefits of
12 riverboat gambling.

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

1 \$250,000.

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

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

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

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

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

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

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

20 Except for the license authorized under paragraph (1),
21 each application for a license pursuant to this subsection
22 (e-5) shall be submitted to the Board no later than 120 days
23 after June 28, 2019 (the effective date of Public Act 101-31).
24 All applications for a license under this subsection (e-5)
25 shall include the nonrefundable application fee and the
26 nonrefundable background investigation fee as provided in

1 subsection (d) of Section 6 of this Act. In the event that an
2 applicant submits an application for a license pursuant to
3 this subsection (e-5) prior to June 28, 2019 (the effective
4 date of Public Act 101-31), such applicant shall submit the
5 nonrefundable application fee and background investigation fee
6 as provided in subsection (d) of Section 6 of this Act no later
7 than 6 months after June 28, 2019 (the effective date of Public
8 Act 101-31).

9 The Board shall consider issuing a license pursuant to
10 paragraphs (1) through (6) of this subsection only after the
11 corporate authority of the municipality or the county board of
12 the county in which the riverboat or casino shall be located
13 has certified to the Board the following:

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

16 (ii) that the applicant and the corporate authority or
17 county board have mutually agreed on the permanent
18 location of the riverboat or casino;

19 (iii) that the applicant and the corporate authority
20 or county board have mutually agreed on the temporary
21 location of the riverboat or casino;

22 (iv) that the applicant and the corporate authority or
23 the county board have mutually agreed on the percentage of
24 revenues that will be shared with the municipality or
25 county, if any;

26 (v) that the applicant and the corporate authority or

1 county board have mutually agreed on any zoning,
2 licensing, public health, or other issues that are within
3 the jurisdiction of the municipality or county;

4 (vi) that the corporate authority or county board has
5 passed a resolution or ordinance in support of the
6 riverboat or casino in the municipality or county;

7 (vii) the applicant for a license under paragraph (1)
8 has made a public presentation concerning its casino
9 proposal; and

10 (viii) the applicant for a license under paragraph (1)
11 has prepared a summary of its casino proposal and such
12 summary has been posted on a public website of the
13 municipality or the county.

14 At least 7 days before the corporate authority of a
15 municipality or county board of the county submits a
16 certification to the Board concerning items (i) through (viii)
17 of this subsection, it shall hold a public hearing to discuss
18 items (i) through (viii), as well as any other details
19 concerning the proposed riverboat or casino in the
20 municipality or county. The corporate authority or county
21 board must subsequently memorialize the details concerning the
22 proposed riverboat or casino in a resolution that must be
23 adopted by a majority of the corporate authority or county
24 board before any certification is sent to the Board. The Board
25 shall not alter, amend, change, or otherwise interfere with
26 any agreement between the applicant and the corporate

1 authority of the municipality or county board of the county
2 regarding the location of any temporary or permanent facility.

3 In addition, within 10 days after June 28, 2019 (the
4 effective date of Public Act 101-31), the Board, with consent
5 and at the expense of the City of Chicago, shall select and
6 retain the services of a nationally recognized casino gaming
7 feasibility consultant. Within 45 days after June 28, 2019
8 (the effective date of Public Act 101-31), the consultant
9 shall prepare and deliver to the Board a study concerning the
10 feasibility of, and the ability to finance, a casino in the
11 City of Chicago. The feasibility study shall be delivered to
12 the Mayor of the City of Chicago, the Governor, the President
13 of the Senate, and the Speaker of the House of
14 Representatives. Ninety days after receipt of the feasibility
15 study, the Board shall make a determination, based on the
16 results of the feasibility study, whether to recommend to the
17 General Assembly that the terms of the license under paragraph
18 (1) of this subsection (e-5) should be modified. The Board may
19 begin accepting applications for the owners license under
20 paragraph (1) of this subsection (e-5) upon the determination
21 to issue such an owners license.

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

1 (e-10) The licenses authorized under subsection (e-5) of
2 this Section shall be issued within 12 months after the date
3 the license application is submitted. If the Board does not
4 issue the licenses within that time period, then the Board
5 shall give a written explanation to the applicant as to why it
6 has not reached a determination and when it reasonably expects
7 to make a determination. The fee for the issuance or renewal of
8 a license issued pursuant to this subsection (e-10) shall be
9 \$250,000. Additionally, a licensee located outside of Cook
10 County shall pay a minimum initial fee of \$17,500 per gaming
11 position, and a licensee located in Cook County shall pay a
12 minimum initial fee of \$30,000 per gaming position. The
13 initial fees payable under this subsection (e-10) shall be
14 deposited into the Rebuild Illinois Projects Fund. If at any
15 point after June 1, 2020 there are no pending applications for
16 a license under subsection (e-5) and not all licenses
17 authorized under subsection (e-5) have been issued, then the
18 Board shall reopen the license application process for those
19 licenses authorized under subsection (e-5) that have not been
20 issued. The Board shall follow the licensing process provided
21 in subsection (e-5) with all time frames tied to the last date
22 of a final order issued by the Board under subsection (e-5)
23 rather than the effective date of the amendatory Act.

24 (e-15) Each licensee of a license authorized under
25 subsection (e-5) of this Section shall make a reconciliation
26 payment 3 years after the date the licensee begins operating

1 in an amount equal to 75% of the adjusted gross receipts for
2 the most lucrative 12-month period of operations, minus an
3 amount equal to the initial payment per gaming position paid
4 by the specific licensee. Each licensee shall pay a
5 \$15,000,000 reconciliation fee upon issuance of an owners
6 license. If this calculation results in a negative amount,
7 then the licensee is not entitled to any reimbursement of fees
8 previously paid. This reconciliation payment may be made in
9 installments over a period of no more than 6 years.

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

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

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

24 (g) Upon the termination, expiration, or revocation of
25 each of the first 10 licenses, which shall be issued for a
26 3-year period, all licenses are renewable annually upon

1 payment of the fee and a determination by the Board that the
2 licensee continues to meet all of the requirements of this Act
3 and the Board's rules. However, for licenses renewed on or
4 after the effective date of this amendatory Act of the 102nd
5 General Assembly ~~May 1, 1998~~, renewal shall be for a period of
6 4 years, ~~unless the Board sets a shorter period.~~

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

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

1 The fees under this subsection (h) that are paid by an owners
2 licensee authorized under subsection (e) shall be paid by July
3 1, 2021.

4 Each owners licensee under subsection (e) of this Section
5 shall reserve its gaming positions within 30 days after June
6 28, 2019 (the effective date of Public Act 101-31). The Board
7 may grant an extension to this 30-day period, provided that
8 the owners licensee submits a written request and explanation
9 as to why it is unable to reserve its positions within the
10 30-day period.

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

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

26 (h-5) An owners licensee who conducted gambling operations

1 prior to January 1, 2012 and obtains positions pursuant to
2 Public Act 101-31 shall make a reconciliation payment 3 years
3 after any additional gaming positions begin operating in an
4 amount equal to 75% of the owners licensee's average gross
5 receipts for the most lucrative 12-month period of operations
6 minus an amount equal to the initial fee that the owners
7 licensee paid per additional gaming position. For purposes of
8 this subsection (h-5), "average gross receipts" means (i) the
9 increase in adjusted gross receipts for the most lucrative
10 12-month period of operations over the adjusted gross receipts
11 for 2019, multiplied by (ii) the percentage derived by
12 dividing the number of additional gaming positions that an
13 owners licensee had obtained by the total number of gaming
14 positions operated by the owners licensee. If this calculation
15 results in a negative amount, then the owners licensee is not
16 entitled to any reimbursement of fees previously paid. This
17 reconciliation payment may be made in installments over a
18 period of no more than 6 years. These reconciliation payments
19 shall be deposited into the Rebuild Illinois Projects Fund.

20 (i) A licensed owner is authorized to apply to the Board
21 for and, if approved therefor, to receive all licenses from
22 the Board necessary for the operation of a riverboat or
23 casino, including a liquor license, a license to prepare and
24 serve food for human consumption, and other necessary
25 licenses. All use, occupation, and excise taxes which apply to
26 the sale of food and beverages in this State and all taxes

1 imposed on the sale or use of tangible personal property apply
2 to such sales aboard the riverboat or in the casino.

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

15 (k) An owners licensee may conduct land-based gambling
16 operations upon approval by the Board and payment of a fee of
17 \$250,000, which shall be deposited into the State Gaming Fund.

18 (l) An owners licensee may conduct gaming at a temporary
19 facility pending the construction of a permanent facility or
20 the remodeling or relocation of an existing facility to
21 accommodate gaming participants for up to 24 months after the
22 temporary facility begins to conduct gaming. Upon request by
23 an owners licensee and upon a showing of good cause by the
24 owners licensee, the Board shall extend the period during
25 which the licensee may conduct gaming at a temporary facility
26 by up to 12 months. The Board shall make rules concerning the

1 conduct of gaming from temporary facilities.

2 (Source: P.A. 100-391, eff. 8-25-17; 100-1152, eff. 12-14-18;

3 101-31, eff. 6-28-19; 101-648, eff. 6-30-20; revised 8-19-20.)

4 Section 99. Effective date. This Act takes effect upon

5 becoming law.