



Rep. Jay Hoffman

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1 AMENDMENT TO SENATE BILL 1360

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1360 by replacing  
3 everything after the enacting clause with the following:

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

1 gambling operations are conducted on board, detailed  
2 information regarding the ownership and management of the  
3 applicant, and detailed personal information regarding the  
4 applicant. Any application for an owners license to be  
5 re-issued on or after June 1, 2003 shall also include the  
6 applicant's license bid in a form prescribed by the Board.  
7 Information provided on the application shall be used as a  
8 basis for a thorough background investigation which the Board  
9 shall conduct with respect to each applicant. An incomplete  
10 application shall be cause for denial of a license by the  
11 Board.

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

15 (1) The history and success of the applicant and each  
16 person and entity disclosed under subsection (c) of this  
17 Section in developing tourism facilities ancillary to  
18 gaming, if applicable.

19 (2) The likelihood that granting a license to the  
20 applicant will lead to the creation of quality, living  
21 wage jobs and permanent, full-time jobs for residents of  
22 the State and residents of the unit of local government  
23 that is designated as the home dock of the proposed  
24 facility where gambling is to be conducted by the  
25 applicant.

26 (3) The projected number of jobs that would be created

1 if the license is granted and the projected number of new  
2 employees at the proposed facility where gambling is to be  
3 conducted by the applicant.

4 (4) The record, if any, of the applicant and its  
5 developer in meeting commitments to local agencies,  
6 community-based organizations, and employees at other  
7 locations where the applicant or its developer has  
8 performed similar functions as they would perform if the  
9 applicant were granted a license.

10 (5) Identification of adverse effects that might be  
11 caused by the proposed facility where gambling is to be  
12 conducted by the applicant, including the costs of meeting  
13 increased demand for public health care, child care,  
14 public transportation, affordable housing, and social  
15 services, and a plan to mitigate those adverse effects.

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

18 (A) federal, state, and local discrimination, wage  
19 and hour, disability, and occupational and  
20 environmental health and safety laws; and

21 (B) state and local labor relations and employment  
22 laws.

23 (7) The applicant's record, if any, in dealing with  
24 its employees and their representatives at other  
25 locations.

26 (8) A plan concerning the utilization of

1 minority-owned and women-owned businesses and concerning  
2 the hiring of minorities and women.

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

6 (10) Evidence the applicant has entered into a fully  
7 executed project labor agreement with the applicable local  
8 building trades council. For any pending application  
9 before the Board on the effective date of this amendatory  
10 Act of the 102nd General Assembly, the applicant shall  
11 submit evidence complying with this paragraph within 30  
12 days after the effective date of this amendatory Act of  
13 the 102nd General Assembly. The Board shall not award any  
14 pending applications until the applicant has submitted  
15 this information.

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

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

1 the names and addresses of all partners, both general and  
2 limited.

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

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

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

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

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

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

21 (230 ILCS 10/7) (from Ch. 120, par. 2407)

22 Sec. 7. Owners licenses.

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

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

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

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

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

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

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

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

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

24 (7) (blank); or

25 (8) a license of the person or entity issued under  
26 this Act, or a license to own or operate gambling



1 facilities in any other jurisdiction, has been revoked.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 municipality; ~~and~~

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

5 (11) whether the applicant has entered into a fully  
6 executed construction project labor agreement with the  
7 applicable local building trades council.

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

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

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

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

20 In granting all licenses, the Board may give favorable  
21 consideration to economically depressed areas of the State, to  
22 applicants presenting plans which provide for significant  
23 economic development over a large geographic area, and to  
24 applicants who currently operate non-gambling riverboats in  
25 Illinois. The Board shall review all applications for owners  
26 licenses, and shall inform each applicant of the Board's

1 decision. The Board may grant an owners license to an  
2 applicant that has not submitted the highest license bid, but  
3 if it does not select the highest bidder, the Board shall issue  
4 a written decision explaining why another applicant was  
5 selected and identifying the factors set forth in this Section  
6 that favored the winning bidder. The fee for issuance or  
7 renewal of a license pursuant to this subsection (e) shall be  
8 \$250,000.

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

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

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

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

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

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

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

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

16           The Board shall consider issuing a license pursuant to  
17 paragraphs (1) through (6) of this subsection only after the  
18 corporate authority of the municipality or the county board of  
19 the county in which the riverboat or casino shall be located  
20 has certified to the Board the following:

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

23           (ii) that the applicant and the corporate authority or  
24 county board have mutually agreed on the permanent  
25 location of the riverboat or casino;

26           (iii) that the applicant and the corporate authority

1 or county board have mutually agreed on the temporary  
2 location of the riverboat or casino;

3 (iv) that the applicant and the corporate authority or  
4 the county board have mutually agreed on the percentage of  
5 revenues that will be shared with the municipality or  
6 county, if any;

7 (v) that the applicant and the corporate authority or  
8 county board have mutually agreed on any zoning,  
9 licensing, public health, or other issues that are within  
10 the jurisdiction of the municipality or county;

11 (vi) that the corporate authority or county board has  
12 passed a resolution or ordinance in support of the  
13 riverboat or casino in the municipality or county;

14 (vii) the applicant for a license under paragraph (1)  
15 has made a public presentation concerning its casino  
16 proposal; and

17 (viii) the applicant for a license under paragraph (1)  
18 has prepared a summary of its casino proposal and such  
19 summary has been posted on a public website of the  
20 municipality or the county.

21 At least 7 days before the corporate authority of a  
22 municipality or county board of the county submits a  
23 certification to the Board concerning items (i) through (viii)  
24 of this subsection, it shall hold a public hearing to discuss  
25 items (i) through (viii), as well as any other details  
26 concerning the proposed riverboat or casino in the

1 municipality or county. The corporate authority or county  
2 board must subsequently memorialize the details concerning the  
3 proposed riverboat or casino in a resolution that must be  
4 adopted by a majority of the corporate authority or county  
5 board before any certification is sent to the Board. The Board  
6 shall not alter, amend, change, or otherwise interfere with  
7 any agreement between the applicant and the corporate  
8 authority of the municipality or county board of the county  
9 regarding the location of any temporary or permanent facility.

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



1 paragraph (1) of this subsection (e-5) upon the determination  
2 to issue such an owners license.

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

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

1 issued. The Board shall follow the licensing process provided  
2 in subsection (e-5) with all time frames tied to the last date  
3 of a final order issued by the Board under subsection (e-5)  
4 rather than the effective date of the amendatory Act.

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

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

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

25 (f) The first 10 owners licenses issued under this Act  
26 shall permit the holder to own up to 2 riverboats and equipment

1 thereon for a period of 3 years after the effective date of the  
2 license. Holders of the first 10 owners licenses must pay the  
3 annual license fee for each of the 3 years during which they  
4 are authorized to own riverboats.

5 (g) Upon the termination, expiration, or revocation of  
6 each of the first 10 licenses, which shall be issued for a  
7 3-year period, all licenses are renewable annually upon  
8 payment of the fee and a determination by the Board that the  
9 licensee continues to meet all of the requirements of this Act  
10 and the Board's rules. However, for licenses renewed on or  
11 after May 1, 1998, renewal shall be for a period of 4 years,  
12 unless the Board sets a shorter period. A license shall not be  
13 renewed if the licensee fails to provide evidence of a fully  
14 executed project labor agreement with the applicable local  
15 building trades council.

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

19 An owners licensee of a casino or riverboat that is  
20 located in the City of Chicago pursuant to paragraph (1) of  
21 subsection (e-5) of this Section shall limit the number of  
22 gaming positions to 4,000 for such owner. An owners licensee  
23 authorized under subsection (e) or paragraph (2), (3), (4), or  
24 (5) of subsection (e-5) of this Section shall limit the number  
25 of gaming positions to 2,000 for any such owners license. An  
26 owners licensee authorized under paragraph (6) of subsection

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

13 Each owners licensee under subsection (e) of this Section  
14 shall reserve its gaming positions within 30 days after June  
15 28, 2019 (the effective date of Public Act 101-31). The Board  
16 may grant an extension to this 30-day period, provided that  
17 the owners licensee submits a written request and explanation  
18 as to why it is unable to reserve its positions within the  
19 30-day period.

20 Each owners licensee under subsection (e-5) of this  
21 Section shall reserve its gaming positions within 30 days  
22 after issuance of its owners license. The Board may grant an  
23 extension to this 30-day period, provided that the owners  
24 licensee submits a written request and explanation as to why  
25 it is unable to reserve its positions within the 30-day  
26 period.

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

9           (h-5) An owners licensee who conducted gambling operations  
10 prior to January 1, 2012 and obtains positions pursuant to  
11 Public Act 101-31 shall make a reconciliation payment 3 years  
12 after any additional gaming positions begin operating in an  
13 amount equal to 75% of the owners licensee's average gross  
14 receipts for the most lucrative 12-month period of operations  
15 minus an amount equal to the initial fee that the owners  
16 licensee paid per additional gaming position. For purposes of  
17 this subsection (h-5), "average gross receipts" means (i) the  
18 increase in adjusted gross receipts for the most lucrative  
19 12-month period of operations over the adjusted gross receipts  
20 for 2019, multiplied by (ii) the percentage derived by  
21 dividing the number of additional gaming positions that an  
22 owners licensee had obtained by the total number of gaming  
23 positions operated by the owners licensee. If this calculation  
24 results in a negative amount, then the owners licensee is not  
25 entitled to any reimbursement of fees previously paid. This  
26 reconciliation payment may be made in installments over a

1 period of no more than 6 years. These reconciliation payments  
2 shall be deposited into the Rebuild Illinois Projects Fund.

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

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

24 (k) An owners licensee may conduct land-based gambling  
25 operations upon approval by the Board and payment of a fee of  
26 \$250,000, which shall be deposited into the State Gaming Fund.

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

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

13           Section 99. Effective date. This Act takes effect upon  
14 becoming law."