



Rep. Jay Hoffman

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10200SB1360ham002

LRB102 11132 SMS 26325 a

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 the effective date of this amendatory Act of the 102nd
12 General Assembly May 1, 1998, renewal shall be for a period of
13 4 years, ~~unless the Board sets a shorter period.~~

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

17 An owners licensee of a casino or riverboat that is
18 located in the City of Chicago pursuant to paragraph (1) of
19 subsection (e-5) of this Section shall limit the number of
20 gaming positions to 4,000 for such owner. An owners licensee
21 authorized under subsection (e) or paragraph (2), (3), (4), or
22 (5) of subsection (e-5) of this Section shall limit the number
23 of gaming positions to 2,000 for any such owners license. An
24 owners licensee authorized under paragraph (6) of subsection
25 (e-5) of this Section shall limit the number of gaming
26 positions to 1,200 for such owner. The initial fee for each

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

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

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

25 A licensee may operate both of its riverboats
26 concurrently, provided that the total number of gaming

1 positions on both riverboats does not exceed the limit
2 established pursuant to this subsection. Riverboats licensed
3 to operate on the Mississippi River and the Illinois River
4 south of Marshall County shall have an authorized capacity of
5 at least 500 persons. Any other riverboat licensed under this
6 Act shall have an authorized capacity of at least 400 persons.

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

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

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

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

25 (l) An owners licensee may conduct gaming at a temporary
26 facility pending the construction of a permanent facility or

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

9 (Source: P.A. 100-391, eff. 8-25-17; 100-1152, eff. 12-14-18;
10 101-31, eff. 6-28-19; 101-648, eff. 6-30-20; revised 8-19-20.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."