

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 Riverboat Gambling Act is amended by  
5 changing Section 7 as follows:

6 (230 ILCS 10/7) (from Ch. 120, par. 2407)

7 Sec. 7. Owners Licenses.

8 (a) The Board shall issue owners licenses to persons, firms  
9 or corporations which apply for such licenses upon payment to  
10 the Board of the non-refundable license fee set by the Board,  
11 upon payment of a \$25,000 license fee for the first year of  
12 operation and a \$5,000 license fee for each succeeding year and  
13 upon a determination by the Board that the applicant is  
14 eligible for an owners license pursuant to this Act and the  
15 rules of the Board. A person, firm or corporation is ineligible  
16 to receive an owners license if:

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

19 (2) the person has been convicted of any violation of  
20 Article 28 of the Criminal Code of 1961, or substantially  
21 similar laws of any other jurisdiction;

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

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

25 (5) a person defined in (1), (2), (3) or (4) is an  
26 officer, director or managerial employee of the firm or  
27 corporation;

28 (6) the firm or corporation employs a person defined in  
29 (1), (2), (3) or (4) who participates in the management or  
30 operation of gambling operations authorized under this  
31 Act;

32 (7) (blank); or

1 (8) a license of the person, firm or corporation issued  
2 under this Act, or a license to own or operate gambling  
3 facilities in any other jurisdiction, has been revoked.

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

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

9 (A) controls, directly or indirectly, such  
10 applicant, or

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

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

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

18 (4) the extent to which the ownership of the applicant  
19 reflects the diversity of the State by including minority  
20 persons and females and the good faith affirmative action  
21 plan of each applicant to recruit, train and upgrade  
22 minority persons and females in all employment  
23 classifications;

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

26 (6) whether the applicant has adequate capitalization  
27 to provide and maintain, for the duration of a license, a  
28 riverboat;

29 (7) the extent to which the applicant exceeds or meets  
30 other standards for the issuance of an owners license which  
31 the Board may adopt by rule; and

32 (8) The amount of the applicant's license bid.

33 (c) Each owners license shall specify the place where  
34 riverboats shall operate and dock.

35 (d) Each applicant shall submit with his application, on  
36 forms provided by the Board, 2 sets of his fingerprints.

1 (e) The Board may issue up to 10 licenses authorizing the  
2 holders of such licenses to own riverboats. In the application  
3 for an owners license, the applicant shall state the dock at  
4 which the riverboat is based and the water on which the  
5 riverboat will be located. The Board shall issue 5 licenses to  
6 become effective not earlier than January 1, 1991. Three of  
7 such licenses shall authorize riverboat gambling on the  
8 Mississippi River, or, with approval by the municipality in  
9 which the riverboat was ~~is~~ docked on August 7, 2003 and with  
10 Board approval, be authorized to relocate to a new location ~~the~~  
11 ~~effective date of this amendatory Act of the 93rd Assembly,~~ in  
12 a municipality that (1) borders on the Mississippi River or is  
13 within 5 miles of the city limits of a municipality that  
14 borders on the Mississippi River and (2), on August 7, 2003,  
15 had ~~the effective date of this amendatory Act of the 93rd~~  
16 ~~General Assembly,~~ has a riverboat conducting riverboat  
17 gambling operations pursuant to a license issued under this  
18 Act;<sup>7</sup> one of which shall authorize riverboat gambling from a  
19 home dock in the city of East St. Louis. One other license  
20 shall authorize riverboat gambling on the Illinois River south  
21 of Marshall County. The Board shall issue one additional  
22 license to become effective not earlier than March 1, 1992,  
23 which shall authorize riverboat gambling on the Des Plaines  
24 River in Will County. The Board may issue 4 additional licenses  
25 to become effective not earlier than March 1, 1992. In  
26 determining the water upon which riverboats will operate, the  
27 Board shall consider the economic benefit which riverboat  
28 gambling confers on the State, and shall seek to assure that  
29 all regions of the State share in the economic benefits of  
30 riverboat gambling.

31 In granting all licenses, the Board may give favorable  
32 consideration to economically depressed areas of the State, to  
33 applicants presenting plans which provide for significant  
34 economic development over a large geographic area, and to  
35 applicants who currently operate non-gambling riverboats in  
36 Illinois. The Board shall review all applications for owners

1 licenses, and shall inform each applicant of the Board's  
2 decision. The Board may grant an owners license to an applicant  
3 that has not submitted the highest license bid, but if it does  
4 not select the highest bidder, the Board shall issue a written  
5 decision explaining why another applicant was selected and  
6 identifying the factors set forth in this Section that favored  
7 the winning bidder.

8 In addition to any other revocation powers granted to the  
9 Board under this Act, the Board may revoke the owners license  
10 of a licensee which fails to begin conducting gambling within  
11 15 months of receipt of the Board's approval of the application  
12 if the Board determines that license revocation is in the best  
13 interests of the State.

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

20 (g) Upon the termination, expiration, or revocation of each  
21 of the first 10 licenses, which shall be issued for a 3 year  
22 period, all licenses are renewable annually upon payment of the  
23 fee and a determination by the Board that the licensee  
24 continues to meet all of the requirements of this Act and the  
25 Board's rules. However, for licenses renewed on or after May 1,  
26 1998, renewal shall be for a period of 4 years, unless the  
27 Board sets a shorter period.

28 (h) An owners license shall entitle the licensee to own up  
29 to 2 riverboats. A licensee shall limit the number of gambling  
30 participants to 1,200 for any such owners license. A licensee  
31 may operate both of its riverboats concurrently, provided that  
32 the total number of gambling participants on both riverboats  
33 does not exceed 1,200. Riverboats licensed to operate on the  
34 Mississippi River and the Illinois River south of Marshall  
35 County shall have an authorized capacity of at least 500  
36 persons. Any other riverboat licensed under this Act shall have

1 an authorized capacity of at least 400 persons.

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

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

23 (Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03;  
24 93-453, eff. 8-7-03; revised 1-27-04.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.