



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB3564

by Rep. Robert Rita

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Horse Racing Act of 1975 and the Riverboat Gambling Act to authorize electronic gaming at race tracks (and makes conforming changes in various Acts). Further amends the Illinois Horse Racing Act of 1975. Makes various changes concerning Board members. Contains provisions concerning testing of horses. Further amends the Riverboat Gambling Act. Changes the short title to the Illinois Gambling Act and changes corresponding references to the Act throughout the statutes. Adds 4 additional owners licenses. Authorizes the Illinois Gaming Board to conduct gambling operations on a riverboat or in a casino, through a licensed manager, within the City of Chicago. Provides that the City of Chicago shall select the site for the operation and acquire, upon consultation with the Capital Development Board, any land necessary for its construction, including by condemnation or eminent domain, and the City of Chicago shall convey to the Illinois Gaming Board property so acquired upon reimbursement, plus reasonable interest costs, to the City of Chicago. Requires the Capital Development Board to construct, repair, and maintain, or contract for and supervise the construction, repair, and maintenance of, facilities for use by the Board to conduct the gambling operations. Limits the number of positions that may be operated. Provides that no admissions tax shall be imposed upon admissions. Makes changes in provisions concerning the admission tax and privilege tax. Amends the Illinois Horse Racing Act of 1975, the Riverboat Gambling Act, and the Video Gaming Act to prohibit political contributions from certain licensees. Makes other changes. Contains a severability clause. Effective September 1, 2015.

LRB099 06481 MLM 31222 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

A BILL FOR

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 1. Findings. The General Assembly makes all of the  
5 following findings:

6 (1) That the cumulative reduction to pre-K through 12  
7 education funding since 2009 is approximately  
8 \$861,000,000.

9 (2) That during the last 2 years, general State aid to  
10 Illinois common schools has been underfunded as a result of  
11 budget cuts, resulting in pro-rated payments to school  
12 districts that are less than the foundational level of  
13 \$6,119 per pupil, which represents the minimum each pupil  
14 needs to be educated.

15 (3) That a significant infusion of new revenue is  
16 necessary in order to fully fund the foundation level and  
17 to maintain and support education in Illinois.

18 (4) That the decline of the Illinois horse racing and  
19 breeding program, a \$2.5 billion industry, would be  
20 reversed if this amendatory Act of the 99th General  
21 Assembly would be enacted.

22 (5) That the Illinois horse racing industry is on the  
23 verge of extinction due to fierce competition from fully  
24 developed horse racing and gaming operations in other

1 states.

2 (6) That allowing the State's horse racing venues,  
3 currently licensed gaming destinations, to maximize their  
4 capacities with gaming machines, would generate up to \$120  
5 million to \$200 million for the State in the form of extra  
6 licensing fees, plus an additional \$100 million to \$300  
7 million in recurring annual tax revenue for the State to  
8 help ensure that school, road, and other building projects  
9 promised under the capital plan occur on schedule.

10 (7) That Illinois agriculture and other businesses  
11 that support and supply the horse racing industry, already  
12 a sector that employs over 37,000 Illinoisans, also stand  
13 to substantially benefit and would be much more likely to  
14 create additional jobs should Illinois horse racing once  
15 again become competitive with other states.

16 (8) That by keeping these projects on track, the State  
17 can be sure that significant job and economic growth will  
18 in fact result from previously enacted legislation.

19 (9) That gaming machines at Illinois horse racing  
20 tracks would create an estimated 1,200 to 1,500 permanent  
21 jobs, and an estimated capital investment of up to \$200  
22 million to \$400 million at these race tracks would prompt  
23 additional trade organization jobs necessary to construct  
24 new facilities or remodel race tracks to operate electronic  
25 gaming.

1           Section 5. The State Officials and Employees Ethics Act is  
2 amended by changing Sections 5-45 and 20-10 as follows:

3           (5 ILCS 430/5-45)

4           Sec. 5-45. Procurement; revolving door prohibition.

5           (a) No former officer, member, or State employee, or spouse  
6 or immediate family member living with such person, shall,  
7 within a period of one year immediately after termination of  
8 State employment, knowingly accept employment or receive  
9 compensation or fees for services from a person or entity if  
10 the officer, member, or State employee, during the year  
11 immediately preceding termination of State employment,  
12 participated personally and substantially in the award of State  
13 contracts, or the issuance of State contract change orders,  
14 with a cumulative value of \$25,000 or more to the person or  
15 entity, or its parent or subsidiary.

16           (b) No former officer of the executive branch or State  
17 employee of the executive branch with regulatory or licensing  
18 authority, or spouse or immediate family member living with  
19 such person, shall, within a period of one year immediately  
20 after termination of State employment, knowingly accept  
21 employment or receive compensation or fees for services from a  
22 person or entity if the officer or State employee, during the  
23 year immediately preceding termination of State employment,  
24 participated personally and substantially in making a  
25 regulatory or licensing decision that directly applied to the

1 person or entity, or its parent or subsidiary.

2 (c) Within 6 months after the effective date of this  
3 amendatory Act of the 96th General Assembly, each executive  
4 branch constitutional officer and legislative leader, the  
5 Auditor General, and the Joint Committee on Legislative Support  
6 Services shall adopt a policy delineating which State positions  
7 under his or her jurisdiction and control, by the nature of  
8 their duties, may have the authority to participate personally  
9 and substantially in the award of State contracts or in  
10 regulatory or licensing decisions. The Governor shall adopt  
11 such a policy for all State employees of the executive branch  
12 not under the jurisdiction and control of any other executive  
13 branch constitutional officer.

14 The policies required under subsection (c) of this Section  
15 shall be filed with the appropriate ethics commission  
16 established under this Act or, for the Auditor General, with  
17 the Office of the Auditor General.

18 (d) Each Inspector General shall have the authority to  
19 determine that additional State positions under his or her  
20 jurisdiction, not otherwise subject to the policies required by  
21 subsection (c) of this Section, are nonetheless subject to the  
22 notification requirement of subsection (f) below due to their  
23 involvement in the award of State contracts or in regulatory or  
24 licensing decisions.

25 (e) The Joint Committee on Legislative Support Services,  
26 the Auditor General, and each of the executive branch

1 constitutional officers and legislative leaders subject to  
2 subsection (c) of this Section shall provide written  
3 notification to all employees in positions subject to the  
4 policies required by subsection (c) or a determination made  
5 under subsection (d): (1) upon hiring, promotion, or transfer  
6 into the relevant position; and (2) at the time the employee's  
7 duties are changed in such a way as to qualify that employee.  
8 An employee receiving notification must certify in writing that  
9 the person was advised of the prohibition and the requirement  
10 to notify the appropriate Inspector General in subsection (f).

11 (f) Any State employee in a position subject to the  
12 policies required by subsection (c) or to a determination under  
13 subsection (d), but who does not fall within the prohibition of  
14 subsection (h) below, who is offered non-State employment  
15 during State employment or within a period of one year  
16 immediately after termination of State employment shall, prior  
17 to accepting such non-State employment, notify the appropriate  
18 Inspector General. Within 10 calendar days after receiving  
19 notification from an employee in a position subject to the  
20 policies required by subsection (c), such Inspector General  
21 shall make a determination as to whether the State employee is  
22 restricted from accepting such employment by subsection (a) or  
23 (b). In making a determination, in addition to any other  
24 relevant information, an Inspector General shall assess the  
25 effect of the prospective employment or relationship upon  
26 decisions referred to in subsections (a) and (b), based on the

1 totality of the participation by the former officer, member, or  
2 State employee in those decisions. A determination by an  
3 Inspector General must be in writing, signed and dated by the  
4 Inspector General, and delivered to the subject of the  
5 determination within 10 calendar days or the person is deemed  
6 eligible for the employment opportunity. For purposes of this  
7 subsection, "appropriate Inspector General" means (i) for  
8 members and employees of the legislative branch, the  
9 Legislative Inspector General; (ii) for the Auditor General and  
10 employees of the Office of the Auditor General, the Inspector  
11 General provided for in Section 30-5 of this Act; and (iii) for  
12 executive branch officers and employees, the Inspector General  
13 having jurisdiction over the officer or employee. Notice of any  
14 determination of an Inspector General and of any such appeal  
15 shall be given to the ultimate jurisdictional authority, the  
16 Attorney General, and the Executive Ethics Commission.

17 (g) An Inspector General's determination regarding  
18 restrictions under subsection (a) or (b) may be appealed to the  
19 appropriate Ethics Commission by the person subject to the  
20 decision or the Attorney General no later than the 10th  
21 calendar day after the date of the determination.

22 On appeal, the Ethics Commission or Auditor General shall  
23 seek, accept, and consider written public comments regarding a  
24 determination. In deciding whether to uphold an Inspector  
25 General's determination, the appropriate Ethics Commission or  
26 Auditor General shall assess, in addition to any other relevant

1 information, the effect of the prospective employment or  
2 relationship upon the decisions referred to in subsections (a)  
3 and (b), based on the totality of the participation by the  
4 former officer, member, or State employee in those decisions.  
5 The Ethics Commission shall decide whether to uphold an  
6 Inspector General's determination within 10 calendar days or  
7 the person is deemed eligible for the employment opportunity.

8 (h) The following officers, members, or State employees  
9 shall not, within a period of one year immediately after  
10 termination of office or State employment, knowingly accept  
11 employment or receive compensation or fees for services from a  
12 person or entity if the person or entity or its parent or  
13 subsidiary, during the year immediately preceding termination  
14 of State employment, was a party to a State contract or  
15 contracts with a cumulative value of \$25,000 or more involving  
16 the officer, member, or State employee's State agency, or was  
17 the subject of a regulatory or licensing decision involving the  
18 officer, member, or State employee's State agency, regardless  
19 of whether he or she participated personally and substantially  
20 in the award of the State contract or contracts or the making  
21 of the regulatory or licensing decision in question:

22 (1) members or officers;

23 (2) members of a commission or board created by the  
24 Illinois Constitution;

25 (3) persons whose appointment to office is subject to  
26 the advice and consent of the Senate;



1 (4) the head of a department, commission, board,  
2 division, bureau, authority, or other administrative unit  
3 within the government of this State;

4 (5) chief procurement officers, State purchasing  
5 officers, and their designees whose duties are directly  
6 related to State procurement; ~~and~~

7 (6) chiefs of staff, deputy chiefs of staff, associate  
8 chiefs of staff, assistant chiefs of staff, and deputy  
9 governors;

10 (7) employees of the Illinois Racing Board; and

11 (8) employees of the Illinois Gaming Board.

12 (i) For the purposes of this Section, with respect to  
13 officers or employees of a regional transit board, as defined  
14 in this Act, the phrase "person or entity" does not include:

15 (i) the United States government, (ii) the State, (iii)  
16 municipalities, as defined under Article VII, Section 1 of the  
17 Illinois Constitution, (iv) units of local government, as  
18 defined under Article VII, Section 1 of the Illinois  
19 Constitution, or (v) school districts.

20 (Source: P.A. 96-555, eff. 8-18-09; 97-653, eff. 1-13-12.)

21 (5 ILCS 430/20-10)

22 Sec. 20-10. Offices of Executive Inspectors General.

23 (a) ~~Six~~ Five independent Offices of the Executive Inspector  
24 General are created, one each for the Governor, the Attorney  
25 General, the Secretary of State, the Comptroller, and the

1 Treasurer and one for gaming activities. Each Office shall be  
2 under the direction and supervision of an Executive Inspector  
3 General and shall be a fully independent office with separate  
4 appropriations.

5 (b) The Governor, Attorney General, Secretary of State,  
6 Comptroller, and Treasurer shall each appoint an Executive  
7 Inspector General, and the Governor shall appoint an Executive  
8 Inspector General for gaming activities. Each appointment must  
9 be made without regard to political affiliation and solely on  
10 the basis of integrity and demonstrated ability. Appointments  
11 shall be made by and with the advice and consent of the Senate  
12 by three-fifths of the elected members concurring by record  
13 vote. Any nomination not acted upon by the Senate within 60  
14 session days of the receipt thereof shall be deemed to have  
15 received the advice and consent of the Senate. If, during a  
16 recess of the Senate, there is a vacancy in an office of  
17 Executive Inspector General, the appointing authority shall  
18 make a temporary appointment until the next meeting of the  
19 Senate when the appointing authority shall make a nomination to  
20 fill that office. No person rejected for an office of Executive  
21 Inspector General shall, except by the Senate's request, be  
22 nominated again for that office at the same session of the  
23 Senate or be appointed to that office during a recess of that  
24 Senate.

25 Nothing in this Article precludes the appointment by the  
26 Governor, Attorney General, Secretary of State, Comptroller,

1 or Treasurer of any other inspector general required or  
2 permitted by law. The Governor, Attorney General, Secretary of  
3 State, Comptroller, and Treasurer each may appoint an existing  
4 inspector general as the Executive Inspector General required  
5 by this Article, provided that such an inspector general is not  
6 prohibited by law, rule, jurisdiction, qualification, or  
7 interest from serving as the Executive Inspector General  
8 required by this Article. An appointing authority may not  
9 appoint a relative as an Executive Inspector General.

10 Each Executive Inspector General shall have the following  
11 qualifications:

12 (1) has not been convicted of any felony under the laws  
13 of this State, another State, or the United States;

14 (2) has earned a baccalaureate degree from an  
15 institution of higher education; and

16 (3) has 5 or more years of cumulative service (A) with  
17 a federal, State, or local law enforcement agency, at least  
18 2 years of which have been in a progressive investigatory  
19 capacity; (B) as a federal, State, or local prosecutor; (C)  
20 as a senior manager or executive of a federal, State, or  
21 local agency; (D) as a member, an officer, or a State or  
22 federal judge; or (E) representing any combination of (A)  
23 through (D).

24 The term of each initial Executive Inspector General shall  
25 commence upon qualification and shall run through June 30,  
26 2008. The initial appointments shall be made within 60 days

1 after the effective date of this Act.

2 After the initial term, each Executive Inspector General  
3 shall serve for 5-year terms commencing on July 1 of the year  
4 of appointment and running through June 30 of the fifth  
5 following year. An Executive Inspector General may be  
6 reappointed to one or more subsequent terms.

7 A vacancy occurring other than at the end of a term shall  
8 be filled by the appointing authority only for the balance of  
9 the term of the Executive Inspector General whose office is  
10 vacant.

11 Terms shall run regardless of whether the position is  
12 filled.

13 (c) The Executive Inspector General appointed by the  
14 Attorney General shall have jurisdiction over the Attorney  
15 General and all officers and employees of, and vendors and  
16 others doing business with, State agencies within the  
17 jurisdiction of the Attorney General. The Executive Inspector  
18 General appointed by the Secretary of State shall have  
19 jurisdiction over the Secretary of State and all officers and  
20 employees of, and vendors and others doing business with, State  
21 agencies within the jurisdiction of the Secretary of State. The  
22 Executive Inspector General appointed by the Comptroller shall  
23 have jurisdiction over the Comptroller and all officers and  
24 employees of, and vendors and others doing business with, State  
25 agencies within the jurisdiction of the Comptroller. The  
26 Executive Inspector General appointed by the Treasurer shall

1 have jurisdiction over the Treasurer and all officers and  
2 employees of, and vendors and others doing business with, State  
3 agencies within the jurisdiction of the Treasurer. The  
4 Executive Inspector General appointed by the Governor shall  
5 have jurisdiction over (i) the Governor, (ii) the Lieutenant  
6 Governor, (iii) all officers and employees of, and vendors and  
7 others doing business with, executive branch State agencies  
8 under the jurisdiction of the Executive Ethics Commission and  
9 not within the jurisdiction of the Attorney General, the  
10 Secretary of State, the Comptroller, ~~or~~ the Treasurer, or the  
11 Executive Inspector General for gaming activities, and (iv) all  
12 board members and employees of the Regional Transit Boards and  
13 all vendors and others doing business with the Regional Transit  
14 Boards. The Executive Inspector General for gaming activities  
15 appointed by the Governor has jurisdiction over the Illinois  
16 Gaming Board, all officers and employees of the Illinois Gaming  
17 Board, and all activities of the Illinois Gaming Board.

18 The jurisdiction of each Executive Inspector General is to  
19 investigate allegations of fraud, waste, abuse, mismanagement,  
20 misconduct, nonfeasance, misfeasance, malfeasance, or  
21 violations of this Act or violations of other related laws and  
22 rules.

23 (d) The compensation for each Executive Inspector General  
24 shall be determined by the Executive Ethics Commission and  
25 shall be made from appropriations made to the Comptroller for  
26 this purpose. Subject to Section 20-45 of this Act, each

1 Executive Inspector General has full authority to organize his  
2 or her Office of the Executive Inspector General, including the  
3 employment and determination of the compensation of staff, such  
4 as deputies, assistants, and other employees, as  
5 appropriations permit. A separate appropriation shall be made  
6 for each Office of Executive Inspector General.

7 (e) No Executive Inspector General or employee of the  
8 Office of the Executive Inspector General may, during his or  
9 her term of appointment or employment:

10 (1) become a candidate for any elective office;

11 (2) hold any other elected or appointed public office  
12 except for appointments on governmental advisory boards or  
13 study commissions or as otherwise expressly authorized by  
14 law;

15 (3) be actively involved in the affairs of any  
16 political party or political organization; or

17 (4) advocate for the appointment of another person to  
18 an appointed or elected office or position or actively  
19 participate in any campaign for any elective office.

20 In this subsection an appointed public office means a  
21 position authorized by law that is filled by an appointing  
22 authority as provided by law and does not include employment by  
23 hiring in the ordinary course of business.

24 (e-1) No Executive Inspector General or employee of the  
25 Office of the Executive Inspector General may, for one year  
26 after the termination of his or her appointment or employment:

- 1           (1) become a candidate for any elective office;  
2           (2) hold any elected public office; or  
3           (3) hold any appointed State, county, or local judicial  
4 office.

5           (e-2) The requirements of item (3) of subsection (e-1) may  
6 be waived by the Executive Ethics Commission.

7           (f) An Executive Inspector General may be removed only for  
8 cause and may be removed only by the appointing ~~constitutional~~  
9 officer. At the time of the removal, the appointing  
10 ~~constitutional~~ officer must report to the Executive Ethics  
11 Commission the justification for the removal.

12           (Source: P.A. 96-555, eff. 8-18-09; 96-1528, eff. 7-1-11.)

13           Section 10. The Alcoholism and Other Drug Abuse and  
14 Dependency Act is amended by changing Section 5-20 as follows:

15           (20 ILCS 301/5-20)

16           Sec. 5-20. Compulsive gambling program.

17           (a) Subject to appropriation, the Department shall  
18 establish a program for public education, research, and  
19 training regarding problem and compulsive gambling and the  
20 treatment and prevention of problem and compulsive gambling.  
21 Subject to specific appropriation for these stated purposes,  
22 the program must include all of the following:

- 23           (1) Establishment and maintenance of a toll-free "800"  
24 telephone number to provide crisis counseling and referral

1 services to families experiencing difficulty as a result of  
2 problem or compulsive gambling.

3 (2) Promotion of public awareness regarding the  
4 recognition and prevention of problem and compulsive  
5 gambling.

6 (3) Facilitation, through in-service training and  
7 other means, of the availability of effective assistance  
8 programs for problem and compulsive gamblers.

9 (4) Conducting studies to identify adults and  
10 juveniles in this State who are, or who are at risk of  
11 becoming, problem or compulsive gamblers.

12 (b) Subject to appropriation, the Department shall either  
13 establish and maintain the program or contract with a private  
14 or public entity for the establishment and maintenance of the  
15 program. Subject to appropriation, either the Department or the  
16 private or public entity shall implement the toll-free  
17 telephone number, promote public awareness, and conduct  
18 in-service training concerning problem and compulsive  
19 gambling.

20 (c) Subject to appropriation, the Department shall produce  
21 and supply the signs specified in Section 10.7 of the Illinois  
22 Lottery Law, Section 34.1 of the Illinois Horse Racing Act of  
23 1975, Section 4.3 of the Bingo License and Tax Act, Section 8.1  
24 of the Charitable Games Act, and Section 13.1 of the Illinois  
25 ~~Riverboat~~ Gambling Act.

26 (Source: P.A. 89-374, eff. 1-1-96; 89-626, eff. 8-9-96.)



1 Section 15. The Illinois Lottery Law is amended by changing  
2 Section 9.1 as follows:

3 (20 ILCS 1605/9.1)

4 Sec. 9.1. Private manager and management agreement.

5 (a) As used in this Section:

6 "Offeror" means a person or group of persons that responds  
7 to a request for qualifications under this Section.

8 "Request for qualifications" means all materials and  
9 documents prepared by the Department to solicit the following  
10 from offerors:

11 (1) Statements of qualifications.

12 (2) Proposals to enter into a management agreement,  
13 including the identity of any prospective vendor or vendors  
14 that the offeror intends to initially engage to assist the  
15 offeror in performing its obligations under the management  
16 agreement.

17 "Final offer" means the last proposal submitted by an  
18 offeror in response to the request for qualifications,  
19 including the identity of any prospective vendor or vendors  
20 that the offeror intends to initially engage to assist the  
21 offeror in performing its obligations under the management  
22 agreement.

23 "Final offeror" means the offeror ultimately selected by  
24 the Governor to be the private manager for the Lottery under

1 subsection (h) of this Section.

2 (b) By September 15, 2010, the Governor shall select a  
3 private manager for the total management of the Lottery with  
4 integrated functions, such as lottery game design, supply of  
5 goods and services, and advertising and as specified in this  
6 Section.

7 (c) Pursuant to the terms of this subsection, the  
8 Department shall endeavor to expeditiously terminate the  
9 existing contracts in support of the Lottery in effect on the  
10 effective date of this amendatory Act of the 96th General  
11 Assembly in connection with the selection of the private  
12 manager. As part of its obligation to terminate these contracts  
13 and select the private manager, the Department shall establish  
14 a mutually agreeable timetable to transfer the functions of  
15 existing contractors to the private manager so that existing  
16 Lottery operations are not materially diminished or impaired  
17 during the transition. To that end, the Department shall do the  
18 following:

19 (1) where such contracts contain a provision  
20 authorizing termination upon notice, the Department shall  
21 provide notice of termination to occur upon the mutually  
22 agreed timetable for transfer of functions;

23 (2) upon the expiration of any initial term or renewal  
24 term of the current Lottery contracts, the Department shall  
25 not renew such contract for a term extending beyond the  
26 mutually agreed timetable for transfer of functions; or

1           (3) in the event any current contract provides for  
2           termination of that contract upon the implementation of a  
3           contract with the private manager, the Department shall  
4           perform all necessary actions to terminate the contract on  
5           the date that coincides with the mutually agreed timetable  
6           for transfer of functions.

7           If the contracts to support the current operation of the  
8           Lottery in effect on the effective date of this amendatory Act  
9           of the 96th General Assembly are not subject to termination as  
10          provided for in this subsection (c), then the Department may  
11          include a provision in the contract with the private manager  
12          specifying a mutually agreeable methodology for incorporation.

13          (c-5) The Department shall include provisions in the  
14          management agreement whereby the private manager shall, for a  
15          fee, and pursuant to a contract negotiated with the Department  
16          (the "Employee Use Contract"), utilize the services of current  
17          Department employees to assist in the administration and  
18          operation of the Lottery. The Department shall be the employer  
19          of all such bargaining unit employees assigned to perform such  
20          work for the private manager, and such employees shall be State  
21          employees, as defined by the Personnel Code. Department  
22          employees shall operate under the same employment policies,  
23          rules, regulations, and procedures, as other employees of the  
24          Department. In addition, neither historical representation  
25          rights under the Illinois Public Labor Relations Act, nor  
26          existing collective bargaining agreements, shall be disturbed

1 by the management agreement with the private manager for the  
2 management of the Lottery.

3 (d) The management agreement with the private manager shall  
4 include all of the following:

5 (1) A term not to exceed 10 years, including any  
6 renewals.

7 (2) A provision specifying that the Department:

8 (A) shall exercise actual control over all  
9 significant business decisions;

10 (A-5) has the authority to direct or countermand  
11 operating decisions by the private manager at any time;

12 (B) has ready access at any time to information  
13 regarding Lottery operations;

14 (C) has the right to demand and receive information  
15 from the private manager concerning any aspect of the  
16 Lottery operations at any time; and

17 (D) retains ownership of all trade names,  
18 trademarks, and intellectual property associated with  
19 the Lottery.

20 (3) A provision imposing an affirmative duty on the  
21 private manager to provide the Department with material  
22 information and with any information the private manager  
23 reasonably believes the Department would want to know to  
24 enable the Department to conduct the Lottery.

25 (4) A provision requiring the private manager to  
26 provide the Department with advance notice of any operating

1 decision that bears significantly on the public interest,  
2 including, but not limited to, decisions on the kinds of  
3 games to be offered to the public and decisions affecting  
4 the relative risk and reward of the games being offered, so  
5 the Department has a reasonable opportunity to evaluate and  
6 countermand that decision.

7 (5) A provision providing for compensation of the  
8 private manager that may consist of, among other things, a  
9 fee for services and a performance based bonus as  
10 consideration for managing the Lottery, including terms  
11 that may provide the private manager with an increase in  
12 compensation if Lottery revenues grow by a specified  
13 percentage in a given year.

14 (6) (Blank).

15 (7) A provision requiring the deposit of all Lottery  
16 proceeds to be deposited into the State Lottery Fund except  
17 as otherwise provided in Section 20 of this Act.

18 (8) A provision requiring the private manager to locate  
19 its principal office within the State.

20 (8-5) A provision encouraging that at least 20% of the  
21 cost of contracts entered into for goods and services by  
22 the private manager in connection with its management of  
23 the Lottery, other than contracts with sales agents or  
24 technical advisors, be awarded to businesses that are a  
25 minority owned business, a female owned business, or a  
26 business owned by a person with disability, as those terms

1 are defined in the Business Enterprise for Minorities,  
2 Females, and Persons with Disabilities Act.

3 (9) A requirement that so long as the private manager  
4 complies with all the conditions of the agreement under the  
5 oversight of the Department, the private manager shall have  
6 the following duties and obligations with respect to the  
7 management of the Lottery:

8 (A) The right to use equipment and other assets  
9 used in the operation of the Lottery.

10 (B) The rights and obligations under contracts  
11 with retailers and vendors.

12 (C) The implementation of a comprehensive security  
13 program by the private manager.

14 (D) The implementation of a comprehensive system  
15 of internal audits.

16 (E) The implementation of a program by the private  
17 manager to curb compulsive gambling by persons playing  
18 the Lottery.

19 (F) A system for determining (i) the type of  
20 Lottery games, (ii) the method of selecting winning  
21 tickets, (iii) the manner of payment of prizes to  
22 holders of winning tickets, (iv) the frequency of  
23 drawings of winning tickets, (v) the method to be used  
24 in selling tickets, (vi) a system for verifying the  
25 validity of tickets claimed to be winning tickets,  
26 (vii) the basis upon which retailer commissions are

1 established by the manager, and (viii) minimum  
2 payouts.

3 (10) A requirement that advertising and promotion must  
4 be consistent with Section 7.8a of this Act.

5 (11) A requirement that the private manager market the  
6 Lottery to those residents who are new, infrequent, or  
7 lapsed players of the Lottery, especially those who are  
8 most likely to make regular purchases on the Internet as  
9 permitted by law.

10 (12) A code of ethics for the private manager's  
11 officers and employees.

12 (13) A requirement that the Department monitor and  
13 oversee the private manager's practices and take action  
14 that the Department considers appropriate to ensure that  
15 the private manager is in compliance with the terms of the  
16 management agreement, while allowing the manager, unless  
17 specifically prohibited by law or the management  
18 agreement, to negotiate and sign its own contracts with  
19 vendors.

20 (14) A provision requiring the private manager to  
21 periodically file, at least on an annual basis, appropriate  
22 financial statements in a form and manner acceptable to the  
23 Department.

24 (15) Cash reserves requirements.

25 (16) Procedural requirements for obtaining the prior  
26 approval of the Department when a management agreement or

1 an interest in a management agreement is sold, assigned,  
2 transferred, or pledged as collateral to secure financing.

3 (17) Grounds for the termination of the management  
4 agreement by the Department or the private manager.

5 (18) Procedures for amendment of the agreement.

6 (19) A provision requiring the private manager to  
7 engage in an open and competitive bidding process for any  
8 procurement having a cost in excess of \$50,000 that is not  
9 a part of the private manager's final offer. The process  
10 shall favor the selection of a vendor deemed to have  
11 submitted a proposal that provides the Lottery with the  
12 best overall value. The process shall not be subject to the  
13 provisions of the Illinois Procurement Code, unless  
14 specifically required by the management agreement.

15 (20) The transition of rights and obligations,  
16 including any associated equipment or other assets used in  
17 the operation of the Lottery, from the manager to any  
18 successor manager of the lottery, including the  
19 Department, following the termination of or foreclosure  
20 upon the management agreement.

21 (21) Right of use of copyrights, trademarks, and  
22 service marks held by the Department in the name of the  
23 State. The agreement must provide that any use of them by  
24 the manager shall only be for the purpose of fulfilling its  
25 obligations under the management agreement during the term  
26 of the agreement.



1           (22) The disclosure of any information requested by the  
2           Department to enable it to comply with the reporting  
3           requirements and information requests provided for under  
4           subsection (p) of this Section.

5           (e) Notwithstanding any other law to the contrary, the  
6           Department shall select a private manager through a competitive  
7           request for qualifications process consistent with Section  
8           20-35 of the Illinois Procurement Code, which shall take into  
9           account:

10           (1) the offeror's ability to market the Lottery to  
11           those residents who are new, infrequent, or lapsed players  
12           of the Lottery, especially those who are most likely to  
13           make regular purchases on the Internet;

14           (2) the offeror's ability to address the State's  
15           concern with the social effects of gambling on those who  
16           can least afford to do so;

17           (3) the offeror's ability to provide the most  
18           successful management of the Lottery for the benefit of the  
19           people of the State based on current and past business  
20           practices or plans of the offeror; and

21           (4) the offeror's poor or inadequate past performance  
22           in servicing, equipping, operating or managing a lottery on  
23           behalf of Illinois, another State or foreign government and  
24           attracting persons who are not currently regular players of  
25           a lottery.

26           (f) The Department may retain the services of an advisor or

1 advisors with significant experience in financial services or  
2 the management, operation, and procurement of goods, services,  
3 and equipment for a government-run lottery to assist in the  
4 preparation of the terms of the request for qualifications and  
5 selection of the private manager. Any prospective advisor  
6 seeking to provide services under this subsection (f) shall  
7 disclose any material business or financial relationship  
8 during the past 3 years with any potential offeror, or with a  
9 contractor or subcontractor presently providing goods,  
10 services, or equipment to the Department to support the  
11 Lottery. The Department shall evaluate the material business or  
12 financial relationship of each prospective advisor. The  
13 Department shall not select any prospective advisor with a  
14 substantial business or financial relationship that the  
15 Department deems to impair the objectivity of the services to  
16 be provided by the prospective advisor. During the course of  
17 the advisor's engagement by the Department, and for a period of  
18 one year thereafter, the advisor shall not enter into any  
19 business or financial relationship with any offeror or any  
20 vendor identified to assist an offeror in performing its  
21 obligations under the management agreement. Any advisor  
22 retained by the Department shall be disqualified from being an  
23 offeror. The Department shall not include terms in the request  
24 for qualifications that provide a material advantage whether  
25 directly or indirectly to any potential offeror, or any  
26 contractor or subcontractor presently providing goods,

1 services, or equipment to the Department to support the  
2 Lottery, including terms contained in previous responses to  
3 requests for proposals or qualifications submitted to  
4 Illinois, another State or foreign government when those terms  
5 are uniquely associated with a particular potential offeror,  
6 contractor, or subcontractor. The request for proposals  
7 offered by the Department on December 22, 2008 as  
8 "LOT08GAMESYS" and reference number "22016176" is declared  
9 void.

10 (g) The Department shall select at least 2 offerors as  
11 finalists to potentially serve as the private manager no later  
12 than August 9, 2010. Upon making preliminary selections, the  
13 Department shall schedule a public hearing on the finalists'  
14 proposals and provide public notice of the hearing at least 7  
15 calendar days before the hearing. The notice must include all  
16 of the following:

17 (1) The date, time, and place of the hearing.

18 (2) The subject matter of the hearing.

19 (3) A brief description of the management agreement to  
20 be awarded.

21 (4) The identity of the offerors that have been  
22 selected as finalists to serve as the private manager.

23 (5) The address and telephone number of the Department.

24 (h) At the public hearing, the Department shall (i) provide  
25 sufficient time for each finalist to present and explain its  
26 proposal to the Department and the Governor or the Governor's

1 designee, including an opportunity to respond to questions  
2 posed by the Department, Governor, or designee and (ii) allow  
3 the public and non-selected offerors to comment on the  
4 presentations. The Governor or a designee shall attend the  
5 public hearing. After the public hearing, the Department shall  
6 have 14 calendar days to recommend to the Governor whether a  
7 management agreement should be entered into with a particular  
8 finalist. After reviewing the Department's recommendation, the  
9 Governor may accept or reject the Department's recommendation,  
10 and shall select a final offeror as the private manager by  
11 publication of a notice in the Illinois Procurement Bulletin on  
12 or before September 15, 2010. The Governor shall include in the  
13 notice a detailed explanation and the reasons why the final  
14 offeror is superior to other offerors and will provide  
15 management services in a manner that best achieves the  
16 objectives of this Section. The Governor shall also sign the  
17 management agreement with the private manager.

18 (i) Any action to contest the private manager selected by  
19 the Governor under this Section must be brought within 7  
20 calendar days after the publication of the notice of the  
21 designation of the private manager as provided in subsection  
22 (h) of this Section.

23 (j) The Lottery shall remain, for so long as a private  
24 manager manages the Lottery in accordance with provisions of  
25 this Act, a Lottery conducted by the State, and the State shall  
26 not be authorized to sell or transfer the Lottery to a third

1 party.

2 (k) Any tangible personal property used exclusively in  
3 connection with the lottery that is owned by the Department and  
4 leased to the private manager shall be owned by the Department  
5 in the name of the State and shall be considered to be public  
6 property devoted to an essential public and governmental  
7 function.

8 (l) The Department may exercise any of its powers under  
9 this Section or any other law as necessary or desirable for the  
10 execution of the Department's powers under this Section.

11 (m) Neither this Section nor any management agreement  
12 entered into under this Section prohibits the General Assembly  
13 from authorizing forms of gambling that are not in direct  
14 competition with the Lottery. The forms of gambling authorized  
15 by this amendatory Act of the 99th General Assembly constitute  
16 authorized forms of gambling that are not in direct competition  
17 with the Lottery.

18 (n) The private manager shall be subject to a complete  
19 investigation in the third, seventh, and tenth years of the  
20 agreement (if the agreement is for a 10-year term) by the  
21 Department in cooperation with the Auditor General to determine  
22 whether the private manager has complied with this Section and  
23 the management agreement. The private manager shall bear the  
24 cost of an investigation or reinvestigation of the private  
25 manager under this subsection.

26 (o) The powers conferred by this Section are in addition

1 and supplemental to the powers conferred by any other law. If  
2 any other law or rule is inconsistent with this Section,  
3 including, but not limited to, provisions of the Illinois  
4 Procurement Code, then this Section controls as to any  
5 management agreement entered into under this Section. This  
6 Section and any rules adopted under this Section contain full  
7 and complete authority for a management agreement between the  
8 Department and a private manager. No law, procedure,  
9 proceeding, publication, notice, consent, approval, order, or  
10 act by the Department or any other officer, Department, agency,  
11 or instrumentality of the State or any political subdivision is  
12 required for the Department to enter into a management  
13 agreement under this Section. This Section contains full and  
14 complete authority for the Department to approve any contracts  
15 entered into by a private manager with a vendor providing  
16 goods, services, or both goods and services to the private  
17 manager under the terms of the management agreement, including  
18 subcontractors of such vendors.

19       Upon receipt of a written request from the Chief  
20 Procurement Officer, the Department shall provide to the Chief  
21 Procurement Officer a complete and un-redacted copy of the  
22 management agreement or any contract that is subject to the  
23 Department's approval authority under this subsection (o). The  
24 Department shall provide a copy of the agreement or contract to  
25 the Chief Procurement Officer in the time specified by the  
26 Chief Procurement Officer in his or her written request, but no

1 later than 5 business days after the request is received by the  
2 Department. The Chief Procurement Officer must retain any  
3 portions of the management agreement or of any contract  
4 designated by the Department as confidential, proprietary, or  
5 trade secret information in complete confidence pursuant to  
6 subsection (g) of Section 7 of the Freedom of Information Act.  
7 The Department shall also provide the Chief Procurement Officer  
8 with reasonable advance written notice of any contract that is  
9 pending Department approval.

10 Notwithstanding any other provision of this Section to the  
11 contrary, the Chief Procurement Officer shall adopt  
12 administrative rules, including emergency rules, to establish  
13 a procurement process to select a successor private manager if  
14 a private management agreement has been terminated. The  
15 selection process shall at a minimum take into account the  
16 criteria set forth in items (1) through (4) of subsection (e)  
17 of this Section and may include provisions consistent with  
18 subsections (f), (g), (h), and (i) of this Section. The Chief  
19 Procurement Officer shall also implement and administer the  
20 adopted selection process upon the termination of a private  
21 management agreement. The Department, after the Chief  
22 Procurement Officer certifies that the procurement process has  
23 been followed in accordance with the rules adopted under this  
24 subsection (o), shall select a final offeror as the private  
25 manager and sign the management agreement with the private  
26 manager.

1           Except as provided in Sections 21.2, 21.5, 21.6, 21.7,  
2           21.8, and 21.9, the Department shall distribute all proceeds of  
3           lottery tickets and shares sold in the following priority and  
4           manner:

5                   (1) The payment of prizes and retailer bonuses.

6                   (2) The payment of costs incurred in the operation and  
7                   administration of the Lottery, including the payment of  
8                   sums due to the private manager under the management  
9                   agreement with the Department.

10                  (3) On the last day of each month or as soon thereafter  
11                  as possible, the State Comptroller shall direct and the  
12                  State Treasurer shall transfer from the State Lottery Fund  
13                  to the Common School Fund an amount that is equal to the  
14                  proceeds transferred in the corresponding month of fiscal  
15                  year 2009, as adjusted for inflation, to the Common School  
16                  Fund.

17                  (4) On or before the last day of each fiscal year,  
18                  deposit any remaining proceeds, subject to payments under  
19                  items (1), (2), and (3) into the Capital Projects Fund each  
20                  fiscal year.

21                  (p) The Department shall be subject to the following  
22                  reporting and information request requirements:

23                   (1) the Department shall submit written quarterly  
24                   reports to the Governor and the General Assembly on the  
25                   activities and actions of the private manager selected  
26                   under this Section;



1           (2) upon request of the Chief Procurement Officer, the  
2 Department shall promptly produce information related to  
3 the procurement activities of the Department and the  
4 private manager requested by the Chief Procurement  
5 Officer; the Chief Procurement Officer must retain  
6 confidential, proprietary, or trade secret information  
7 designated by the Department in complete confidence  
8 pursuant to subsection (g) of Section 7 of the Freedom of  
9 Information Act; and

10           (3) at least 30 days prior to the beginning of the  
11 Department's fiscal year, the Department shall prepare an  
12 annual written report on the activities of the private  
13 manager selected under this Section and deliver that report  
14 to the Governor and General Assembly.

15 (Source: P.A. 97-464, eff. 8-19-11; 98-463, eff. 8-16-13;  
16 98-649, eff. 6-16-14.)

17           Section 20. The Department of Revenue Law of the Civil  
18 Administrative Code of Illinois is amended by changing Section  
19 2505-305 as follows:

20           (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

21           Sec. 2505-305. Investigators.

22           (a) The Department has the power to appoint investigators  
23 to conduct all investigations, searches, seizures, arrests,  
24 and other duties imposed under the provisions of any law

1 administered by the Department. Except as provided in  
2 subsection (c), these investigators have and may exercise all  
3 the powers of peace officers solely for the purpose of  
4 enforcing taxing measures administered by the Department.

5 (b) The Director must authorize to each investigator  
6 employed under this Section and to any other employee of the  
7 Department exercising the powers of a peace officer a distinct  
8 badge that, on its face, (i) clearly states that the badge is  
9 authorized by the Department and (ii) contains a unique  
10 identifying number. No other badge shall be authorized by the  
11 Department.

12 (c) The Department may enter into agreements with the  
13 Illinois Gaming Board providing that investigators appointed  
14 under this Section shall exercise the peace officer powers set  
15 forth in paragraph (20.6) of subsection (c) of Section 5 of the  
16 Illinois Riverboat Gambling Act.

17 (Source: P.A. 96-37, eff. 7-13-09.)

18 Section 25. The State Finance Act is amended by adding  
19 Sections 5.866 and 6z-101 and by changing Sections 5d and 6z-45  
20 as follows:

21 (30 ILCS 105/5.866 new)

22 Sec. 5.866. The Gaming Facilities Fee Revenue Fund.

23 (30 ILCS 105/5d) (from Ch. 127, par. 141d)

1           Sec. 5d. State Construction Account Fund.

2           (a) Except as provided in subsection (b) of this Section or  
3 ~~by~~ Section 5e of this Act, the State Construction Account Fund  
4 shall be used exclusively for the construction, reconstruction  
5 and maintenance of the State maintained highway system. Except  
6 as provided by Section 5e of this Act, none of the money  
7 deposited in the State Construction Account Fund shall be used  
8 to pay the cost of administering the Motor Fuel Tax Law as now  
9 or hereafter amended, nor be appropriated for use by the  
10 Department of Transportation to pay the cost of its operations  
11 or administration, nor be used in any manner for the payment of  
12 regular or contractual employees of the State, nor be  
13 transferred or allocated by the Comptroller and Treasurer or be  
14 otherwise used, except for the sole purpose of construction,  
15 reconstruction and maintenance of the State maintained highway  
16 system as the Illinois General Assembly shall provide by  
17 appropriation from this fund. Beginning with the month  
18 immediately following the effective date of this amendatory Act  
19 of 1985, investment income which is attributable to the  
20 investment of moneys of the State Construction Account Fund  
21 shall be retained in that fund for the uses specified in this  
22 Section.

23           (b) None of the money deposited into the State Construction  
24 Account Fund pursuant to subsection (c-40) of Section 13 of the  
25 Illinois Gambling Act shall be used for the construction,  
26 reconstruction, or maintenance of highways located within the

1 City of Chicago.

2 (Source: P.A. 84-431.)

3 (30 ILCS 105/6z-45)

4 Sec. 6z-45. The School Infrastructure Fund.

5 (a) The School Infrastructure Fund is created as a special  
6 fund in the State Treasury.

7 In addition to any other deposits authorized by law,  
8 beginning January 1, 2000, on the first day of each month, or  
9 as soon thereafter as may be practical, the State Treasurer and  
10 State Comptroller shall transfer the sum of \$5,000,000 from the  
11 General Revenue Fund to the School Infrastructure Fund, except  
12 that, notwithstanding any other provision of law, and in  
13 addition to any other transfers that may be provided for by  
14 law, before June 30, 2012, the Comptroller and the Treasurer  
15 shall transfer \$45,000,000 from the General Revenue Fund into  
16 the School Infrastructure Fund, and, for fiscal year 2013 only,  
17 the Treasurer and the Comptroller shall transfer \$1,250,000  
18 from the General Revenue Fund to the School Infrastructure Fund  
19 on the first day of each month; provided, however, that no such  
20 transfers shall be made from July 1, 2001 through June 30,  
21 2003.

22 (b) Subject to the transfer provisions set forth below,  
23 money in the School Infrastructure Fund shall, if and when the  
24 State of Illinois incurs any bonded indebtedness for the  
25 construction of school improvements under the School

1 Construction Law, be set aside and used for the purpose of  
2 paying and discharging annually the principal and interest on  
3 that bonded indebtedness then due and payable, and for no other  
4 purpose.

5 In addition to other transfers to the General Obligation  
6 Bond Retirement and Interest Fund made pursuant to Section 15  
7 of the General Obligation Bond Act, upon each delivery of bonds  
8 issued for construction of school improvements under the School  
9 Construction Law, the State Comptroller shall compute and  
10 certify to the State Treasurer the total amount of principal  
11 of, interest on, and premium, if any, on such bonds during the  
12 then current and each succeeding fiscal year. With respect to  
13 the interest payable on variable rate bonds, such  
14 certifications shall be calculated at the maximum rate of  
15 interest that may be payable during the fiscal year, after  
16 taking into account any credits permitted in the related  
17 indenture or other instrument against the amount of such  
18 interest required to be appropriated for that period.

19 On or before the last day of each month, the State  
20 Treasurer and State Comptroller shall transfer from the School  
21 Infrastructure Fund to the General Obligation Bond Retirement  
22 and Interest Fund an amount sufficient to pay the aggregate of  
23 the principal of, interest on, and premium, if any, on the  
24 bonds payable on their next payment date, divided by the number  
25 of monthly transfers occurring between the last previous  
26 payment date (or the delivery date if no payment date has yet

1 occurred) and the next succeeding payment date. Interest  
2 payable on variable rate bonds shall be calculated at the  
3 maximum rate of interest that may be payable for the relevant  
4 period, after taking into account any credits permitted in the  
5 related indenture or other instrument against the amount of  
6 such interest required to be appropriated for that period.  
7 Interest for which moneys have already been deposited into the  
8 capitalized interest account within the General Obligation  
9 Bond Retirement and Interest Fund shall not be included in the  
10 calculation of the amounts to be transferred under this  
11 subsection.

12 (b-5) The money deposited into the School Infrastructure  
13 Fund from transfers pursuant to subsections (c-30) and (c-35)  
14 of Section 13 of the Illinois Riverboat ~~Riverboat~~ Gambling Act shall be  
15 applied, without further direction, as provided in subsection  
16 (b-3) of Section 5-35 of the School Construction Law.

17 (c) The surplus, if any, in the School Infrastructure Fund  
18 after payments made pursuant to subsections (b) and (b-5) of  
19 this Section shall, subject to appropriation, be used as  
20 follows:

21 First - to make 3 payments to the School Technology  
22 Revolving Loan Fund as follows:

23 Transfer of \$30,000,000 in fiscal year 1999;

24 Transfer of \$20,000,000 in fiscal year 2000; and

25 Transfer of \$10,000,000 in fiscal year 2001.

26 Second - to pay the expenses of the State Board of

1 Education and the Capital Development Board in administering  
2 programs under the School Construction Law, the total expenses  
3 not to exceed \$1,200,000 in any fiscal year.

4 Third - to pay any amounts due for grants for school  
5 construction projects and debt service under the School  
6 Construction Law.

7 Fourth - to pay any amounts due for grants for school  
8 maintenance projects under the School Construction Law.

9 (Source: P.A. 97-732, eff. 6-30-12; 98-18, eff. 6-7-13.)

10 (30 ILCS 105/6z-101 new)

11 Sec. 6z-101. The Gaming Facilities Fee Revenue Fund.

12 (a) The Gaming Facilities Fee Revenue Fund is created as a  
13 special fund in the State treasury.

14 (b) The revenues in the Fund shall be used, subject to  
15 appropriation, by the Comptroller for the purpose of (i)  
16 providing appropriations to the Illinois Gaming Board for the  
17 administration and enforcement of the Illinois Gambling Act,  
18 (ii) providing appropriations to the Illinois Racing Board for  
19 the administration and enforcement of the Illinois Horse Racing  
20 Act of 1975, and (iii) payment of vouchers that are outstanding  
21 for more than 60 days. Whenever practical, the Comptroller must  
22 prioritize voucher payments for expenses related to medical  
23 assistance under the Illinois Public Aid Code, the Children's  
24 Health Insurance Program Act, and the Covering ALL KIDS Health  
25 Insurance Act.

1       (c) The Fund shall consist of fee revenues received  
2 pursuant to subsection (e-10) of Section 7 and subsections (b),  
3 (c), and (d) of Section 7.7 of the Illinois Gambling Act. All  
4 interest earned on moneys in the Fund shall be deposited into  
5 the Fund.

6       (d) The Fund shall not be subject to administrative charges  
7 or chargebacks, including, but not limited to, those authorized  
8 under Section 8h of this Act.

9       Section 27. The General Obligation Bond Act is amended by  
10 changing Sections 2 and 3 as follows:

11       (30 ILCS 330/2) (from Ch. 127, par. 652)

12       Sec. 2. Authorization for Bonds. The State of Illinois is  
13 authorized to issue, sell and provide for the retirement of  
14 General Obligation Bonds of the State of Illinois for the  
15 categories and specific purposes expressed in Sections 2  
16 through 8 of this Act, in the total amount of \$50,817,925,743  
17 ~~\$49,917,925,743~~.

18       The bonds authorized in this Section 2 and in Section 16 of  
19 this Act are herein called "Bonds".

20       Of the total amount of Bonds authorized in this Act, up to  
21 \$2,200,000,000 in aggregate original principal amount may be  
22 issued and sold in accordance with the Baccalaureate Savings  
23 Act in the form of General Obligation College Savings Bonds.

24       Of the total amount of Bonds authorized in this Act, up to



1 \$300,000,000 in aggregate original principal amount may be  
2 issued and sold in accordance with the Retirement Savings Act  
3 in the form of General Obligation Retirement Savings Bonds.

4 Of the total amount of Bonds authorized in this Act, the  
5 additional \$10,000,000,000 authorized by Public Act 93-2, the  
6 \$3,466,000,000 authorized by Public Act 96-43, and the  
7 \$4,096,348,300 authorized by Public Act 96-1497 shall be used  
8 solely as provided in Section 7.2.

9 The issuance and sale of Bonds pursuant to the General  
10 Obligation Bond Act is an economical and efficient method of  
11 financing the long-term capital needs of the State. This Act  
12 will permit the issuance of a multi-purpose General Obligation  
13 Bond with uniform terms and features. This will not only lower  
14 the cost of registration but also reduce the overall cost of  
15 issuing debt by improving the marketability of Illinois General  
16 Obligation Bonds.

17 (Source: P.A. 97-333, eff. 8-12-11; 97-771, eff. 7-10-12;  
18 97-813, eff. 7-13-12; 98-94, eff. 7-17-13; 98-463, eff.  
19 8-16-13; 98-781, eff. 7-22-14.)

20 (30 ILCS 330/3) (from Ch. 127, par. 653)

21 Sec. 3. Capital Facilities. The amount of \$10,653,963,443  
22 ~~\$9,753,963,443~~ is authorized to be used for the acquisition,  
23 development, construction, reconstruction, improvement,  
24 financing, architectural planning and installation of capital  
25 facilities within the State, consisting of buildings,

1 structures, durable equipment, land, interests in land, and the  
2 costs associated with the purchase and implementation of  
3 information technology, including but not limited to the  
4 purchase of hardware and software, for the following specific  
5 purposes:

6 (a) \$3,393,228,000 for educational purposes by State  
7 universities and colleges, the Illinois Community College  
8 Board created by the Public Community College Act and for  
9 grants to public community colleges as authorized by  
10 Sections 5-11 and 5-12 of the Public Community College Act;

11 (b) \$1,648,420,000 for correctional purposes at State  
12 prison and correctional centers;

13 (c) \$599,183,000 for open spaces, recreational and  
14 conservation purposes and the protection of land;

15 (d) \$751,317,000 for child care facilities, mental and  
16 public health facilities, and facilities for the care of  
17 disabled veterans and their spouses;

18 (e) \$2,152,790,000 for use by the State, its  
19 departments, authorities, public corporations, commissions  
20 and agencies;

21 (f) \$818,100 for cargo handling facilities at port  
22 districts and for breakwaters, including harbor entrances,  
23 at port districts in conjunction with facilities for small  
24 boats and pleasure crafts;

25 (g) \$297,177,074 for water resource management  
26 projects;

1           (h) \$16,940,269 for the provision of facilities for  
2 food production research and related instructional and  
3 public service activities at the State universities and  
4 public community colleges;

5           (i) \$36,000,000 for grants by the Secretary of State,  
6 as State Librarian, for central library facilities  
7 authorized by Section 8 of the Illinois Library System Act  
8 and for grants by the Capital Development Board to units of  
9 local government for public library facilities;

10          (j) \$25,000,000 for the acquisition, development,  
11 construction, reconstruction, improvement, financing,  
12 architectural planning and installation of capital  
13 facilities consisting of buildings, structures, durable  
14 equipment and land for grants to counties, municipalities  
15 or public building commissions with correctional  
16 facilities that do not comply with the minimum standards of  
17 the Department of Corrections under Section 3-15-2 of the  
18 Unified Code of Corrections;

19          (k) \$5,000,000 for grants in fiscal year 1988 by the  
20 Department of Conservation for improvement or expansion of  
21 aquarium facilities located on property owned by a park  
22 district;

23          (l) \$599,590,000 to State agencies for grants to local  
24 governments for the acquisition, financing, architectural  
25 planning, development, alteration, installation, and  
26 construction of capital facilities consisting of

1 buildings, structures, durable equipment, and land; and

2 (m) \$228,500,000 for the Illinois Open Land Trust  
3 Program as defined by the Illinois Open Land Trust Act.

4 (n) \$900,000,000 for the acquisition, development,  
5 construction, reconstruction, improvement, financing,  
6 architectural planning, and installation of capital  
7 facilities consisting of buildings, structures, durable  
8 equipment, and land for gambling operations authorized  
9 under Section 7.3a of the Illinois Gambling Act.

10 The amounts authorized above for capital facilities may be  
11 used for the acquisition, installation, alteration,  
12 construction, or reconstruction of capital facilities and for  
13 the purchase of equipment for the purpose of major capital  
14 improvements which will reduce energy consumption in State  
15 buildings or facilities.

16 (Source: P.A. 98-94, eff. 7-17-13.)

17 Section 30. The Illinois Income Tax Act is amended by  
18 changing Section 201 as follows:

19 (35 ILCS 5/201) (from Ch. 120, par. 2-201)

20 Sec. 201. Tax Imposed.

21 (a) In general. A tax measured by net income is hereby  
22 imposed on every individual, corporation, trust and estate for  
23 each taxable year ending after July 31, 1969 on the privilege  
24 of earning or receiving income in or as a resident of this

1 State. Such tax shall be in addition to all other occupation or  
2 privilege taxes imposed by this State or by any municipal  
3 corporation or political subdivision thereof.

4 (b) Rates. The tax imposed by subsection (a) of this  
5 Section shall be determined as follows, except as adjusted by  
6 subsection (d-1):

7 (1) In the case of an individual, trust or estate, for  
8 taxable years ending prior to July 1, 1989, an amount equal  
9 to 2 1/2% of the taxpayer's net income for the taxable  
10 year.

11 (2) In the case of an individual, trust or estate, for  
12 taxable years beginning prior to July 1, 1989 and ending  
13 after June 30, 1989, an amount equal to the sum of (i) 2  
14 1/2% of the taxpayer's net income for the period prior to  
15 July 1, 1989, as calculated under Section 202.3, and (ii)  
16 3% of the taxpayer's net income for the period after June  
17 30, 1989, as calculated under Section 202.3.

18 (3) In the case of an individual, trust or estate, for  
19 taxable years beginning after June 30, 1989, and ending  
20 prior to January 1, 2011, an amount equal to 3% of the  
21 taxpayer's net income for the taxable year.

22 (4) In the case of an individual, trust, or estate, for  
23 taxable years beginning prior to January 1, 2011, and  
24 ending after December 31, 2010, an amount equal to the sum  
25 of (i) 3% of the taxpayer's net income for the period prior  
26 to January 1, 2011, as calculated under Section 202.5, and

1 (ii) 5% of the taxpayer's net income for the period after  
2 December 31, 2010, as calculated under Section 202.5.

3 (5) In the case of an individual, trust, or estate, for  
4 taxable years beginning on or after January 1, 2011, and  
5 ending prior to January 1, 2015, an amount equal to 5% of  
6 the taxpayer's net income for the taxable year.

7 (5.1) In the case of an individual, trust, or estate,  
8 for taxable years beginning prior to January 1, 2015, and  
9 ending after December 31, 2014, an amount equal to the sum  
10 of (i) 5% of the taxpayer's net income for the period prior  
11 to January 1, 2015, as calculated under Section 202.5, and  
12 (ii) 3.75% of the taxpayer's net income for the period  
13 after December 31, 2014, as calculated under Section 202.5.

14 (5.2) In the case of an individual, trust, or estate,  
15 for taxable years beginning on or after January 1, 2015,  
16 and ending prior to January 1, 2025, an amount equal to  
17 3.75% of the taxpayer's net income for the taxable year.

18 (5.3) In the case of an individual, trust, or estate,  
19 for taxable years beginning prior to January 1, 2025, and  
20 ending after December 31, 2024, an amount equal to the sum  
21 of (i) 3.75% of the taxpayer's net income for the period  
22 prior to January 1, 2025, as calculated under Section  
23 202.5, and (ii) 3.25% of the taxpayer's net income for the  
24 period after December 31, 2024, as calculated under Section  
25 202.5.

26 (5.4) In the case of an individual, trust, or estate,

1 for taxable years beginning on or after January 1, 2025, an  
2 amount equal to 3.25% of the taxpayer's net income for the  
3 taxable year.

4 (6) In the case of a corporation, for taxable years  
5 ending prior to July 1, 1989, an amount equal to 4% of the  
6 taxpayer's net income for the taxable year.

7 (7) In the case of a corporation, for taxable years  
8 beginning prior to July 1, 1989 and ending after June 30,  
9 1989, an amount equal to the sum of (i) 4% of the  
10 taxpayer's net income for the period prior to July 1, 1989,  
11 as calculated under Section 202.3, and (ii) 4.8% of the  
12 taxpayer's net income for the period after June 30, 1989,  
13 as calculated under Section 202.3.

14 (8) In the case of a corporation, for taxable years  
15 beginning after June 30, 1989, and ending prior to January  
16 1, 2011, an amount equal to 4.8% of the taxpayer's net  
17 income for the taxable year.

18 (9) In the case of a corporation, for taxable years  
19 beginning prior to January 1, 2011, and ending after  
20 December 31, 2010, an amount equal to the sum of (i) 4.8%  
21 of the taxpayer's net income for the period prior to  
22 January 1, 2011, as calculated under Section 202.5, and  
23 (ii) 7% of the taxpayer's net income for the period after  
24 December 31, 2010, as calculated under Section 202.5.

25 (10) In the case of a corporation, for taxable years  
26 beginning on or after January 1, 2011, and ending prior to

1 January 1, 2015, an amount equal to 7% of the taxpayer's  
2 net income for the taxable year.

3 (11) In the case of a corporation, for taxable years  
4 beginning prior to January 1, 2015, and ending after  
5 December 31, 2014, an amount equal to the sum of (i) 7% of  
6 the taxpayer's net income for the period prior to January  
7 1, 2015, as calculated under Section 202.5, and (ii) 5.25%  
8 of the taxpayer's net income for the period after December  
9 31, 2014, as calculated under Section 202.5.

10 (12) In the case of a corporation, for taxable years  
11 beginning on or after January 1, 2015, and ending prior to  
12 January 1, 2025, an amount equal to 5.25% of the taxpayer's  
13 net income for the taxable year.

14 (13) In the case of a corporation, for taxable years  
15 beginning prior to January 1, 2025, and ending after  
16 December 31, 2024, an amount equal to the sum of (i) 5.25%  
17 of the taxpayer's net income for the period prior to  
18 January 1, 2025, as calculated under Section 202.5, and  
19 (ii) 4.8% of the taxpayer's net income for the period after  
20 December 31, 2024, as calculated under Section 202.5.

21 (14) In the case of a corporation, for taxable years  
22 beginning on or after January 1, 2025, an amount equal to  
23 4.8% of the taxpayer's net income for the taxable year.

24 The rates under this subsection (b) are subject to the  
25 provisions of Section 201.5.

26 (b-5) Surcharge; sale or exchange of assets, properties,



1 and intangibles of electronic gaming licensees. For each of  
2 taxable years 2015 through 2023, a surcharge is imposed on all  
3 taxpayers on income arising from the sale or exchange of  
4 capital assets, depreciable business property, real property  
5 used in the trade or business, and Section 197 intangibles (i)  
6 of an organization licensee under the Illinois Horse Racing Act  
7 of 1975 and (ii) of an electronic gaming licensee under the  
8 Illinois Gambling Act. The amount of the surcharge is equal to  
9 the amount of federal income tax liability for the taxable year  
10 attributable to those sales and exchanges. The surcharge  
11 imposed shall not apply if:

12 (1) the electronic gaming license, organization  
13 license, or race track property is transferred as a result  
14 of any of the following:

15 (A) bankruptcy, a receivership, or a debt  
16 adjustment initiated by or against the initial  
17 licensee or the substantial owners of the initial  
18 licensee;

19 (B) cancellation, revocation, or termination of  
20 any such license by the Illinois Gaming Board or the  
21 Illinois Racing Board;

22 (C) a determination by the Illinois Gaming Board  
23 that transfer of the license is in the best interests  
24 of Illinois gaming;

25 (D) the death of an owner of the equity interest in  
26 a licensee;

1           (E) the acquisition of a controlling interest in  
2           the stock or substantially all of the assets of a  
3           publicly traded company;

4           (F) a transfer by a parent company to a wholly  
5           owned subsidiary; or

6           (G) the transfer or sale to or by one person to  
7           another person where both persons were initial owners  
8           of the license when the license was issued;

9           (2) the controlling interest in the electronic gaming  
10          license, organization license, or race track property is  
11          transferred in a transaction to lineal descendants in which  
12          no gain or loss is recognized or as a result of a  
13          transaction in accordance with Section 351 of the Internal  
14          Revenue Code in which no gain or loss is recognized; or

15          (3) live horse racing was not conducted in 2011 under a  
16          license issued pursuant to the Illinois Horse Racing Act of  
17          1975.

18          The transfer of an electronic gaming license, organization  
19          license, or race track property by a person other than the  
20          initial licensee to receive the electronic gaming license is  
21          not subject to a surcharge. The Department shall adopt rules  
22          necessary to implement and administer this subsection.

23          (c) Personal Property Tax Replacement Income Tax.  
24          Beginning on July 1, 1979 and thereafter, in addition to such  
25          income tax, there is also hereby imposed the Personal Property  
26          Tax Replacement Income Tax measured by net income on every

1 corporation (including Subchapter S corporations), partnership  
2 and trust, for each taxable year ending after June 30, 1979.  
3 Such taxes are imposed on the privilege of earning or receiving  
4 income in or as a resident of this State. The Personal Property  
5 Tax Replacement Income Tax shall be in addition to the income  
6 tax imposed by subsections (a) and (b) of this Section and in  
7 addition to all other occupation or privilege taxes imposed by  
8 this State or by any municipal corporation or political  
9 subdivision thereof.

10 (d) Additional Personal Property Tax Replacement Income  
11 Tax Rates. The personal property tax replacement income tax  
12 imposed by this subsection and subsection (c) of this Section  
13 in the case of a corporation, other than a Subchapter S  
14 corporation and except as adjusted by subsection (d-1), shall  
15 be an additional amount equal to 2.85% of such taxpayer's net  
16 income for the taxable year, except that beginning on January  
17 1, 1981, and thereafter, the rate of 2.85% specified in this  
18 subsection shall be reduced to 2.5%, and in the case of a  
19 partnership, trust or a Subchapter S corporation shall be an  
20 additional amount equal to 1.5% of such taxpayer's net income  
21 for the taxable year.

22 (d-1) Rate reduction for certain foreign insurers. In the  
23 case of a foreign insurer, as defined by Section 35A-5 of the  
24 Illinois Insurance Code, whose state or country of domicile  
25 imposes on insurers domiciled in Illinois a retaliatory tax  
26 (excluding any insurer whose premiums from reinsurance assumed

1 are 50% or more of its total insurance premiums as determined  
2 under paragraph (2) of subsection (b) of Section 304, except  
3 that for purposes of this determination premiums from  
4 reinsurance do not include premiums from inter-affiliate  
5 reinsurance arrangements), beginning with taxable years ending  
6 on or after December 31, 1999, the sum of the rates of tax  
7 imposed by subsections (b) and (d) shall be reduced (but not  
8 increased) to the rate at which the total amount of tax imposed  
9 under this Act, net of all credits allowed under this Act,  
10 shall equal (i) the total amount of tax that would be imposed  
11 on the foreign insurer's net income allocable to Illinois for  
12 the taxable year by such foreign insurer's state or country of  
13 domicile if that net income were subject to all income taxes  
14 and taxes measured by net income imposed by such foreign  
15 insurer's state or country of domicile, net of all credits  
16 allowed or (ii) a rate of zero if no such tax is imposed on such  
17 income by the foreign insurer's state of domicile. For the  
18 purposes of this subsection (d-1), an inter-affiliate includes  
19 a mutual insurer under common management.

20 (1) For the purposes of subsection (d-1), in no event  
21 shall the sum of the rates of tax imposed by subsections  
22 (b) and (d) be reduced below the rate at which the sum of:

23 (A) the total amount of tax imposed on such foreign  
24 insurer under this Act for a taxable year, net of all  
25 credits allowed under this Act, plus

26 (B) the privilege tax imposed by Section 409 of the

1 Illinois Insurance Code, the fire insurance company  
2 tax imposed by Section 12 of the Fire Investigation  
3 Act, and the fire department taxes imposed under  
4 Section 11-10-1 of the Illinois Municipal Code,  
5 equals 1.25% for taxable years ending prior to December 31,  
6 2003, or 1.75% for taxable years ending on or after  
7 December 31, 2003, of the net taxable premiums written for  
8 the taxable year, as described by subsection (1) of Section  
9 409 of the Illinois Insurance Code. This paragraph will in  
10 no event increase the rates imposed under subsections (b)  
11 and (d).

12 (2) Any reduction in the rates of tax imposed by this  
13 subsection shall be applied first against the rates imposed  
14 by subsection (b) and only after the tax imposed by  
15 subsection (a) net of all credits allowed under this  
16 Section other than the credit allowed under subsection (i)  
17 has been reduced to zero, against the rates imposed by  
18 subsection (d).

19 This subsection (d-1) is exempt from the provisions of  
20 Section 250.

21 (e) Investment credit. A taxpayer shall be allowed a credit  
22 against the Personal Property Tax Replacement Income Tax for  
23 investment in qualified property.

24 (1) A taxpayer shall be allowed a credit equal to .5%  
25 of the basis of qualified property placed in service during  
26 the taxable year, provided such property is placed in

1 service on or after July 1, 1984. There shall be allowed an  
2 additional credit equal to .5% of the basis of qualified  
3 property placed in service during the taxable year,  
4 provided such property is placed in service on or after  
5 July 1, 1986, and the taxpayer's base employment within  
6 Illinois has increased by 1% or more over the preceding  
7 year as determined by the taxpayer's employment records  
8 filed with the Illinois Department of Employment Security.  
9 Taxpayers who are new to Illinois shall be deemed to have  
10 met the 1% growth in base employment for the first year in  
11 which they file employment records with the Illinois  
12 Department of Employment Security. The provisions added to  
13 this Section by Public Act 85-1200 (and restored by Public  
14 Act 87-895) shall be construed as declaratory of existing  
15 law and not as a new enactment. If, in any year, the  
16 increase in base employment within Illinois over the  
17 preceding year is less than 1%, the additional credit shall  
18 be limited to that percentage times a fraction, the  
19 numerator of which is .5% and the denominator of which is  
20 1%, but shall not exceed .5%. The investment credit shall  
21 not be allowed to the extent that it would reduce a  
22 taxpayer's liability in any tax year below zero, nor may  
23 any credit for qualified property be allowed for any year  
24 other than the year in which the property was placed in  
25 service in Illinois. For tax years ending on or after  
26 December 31, 1987, and on or before December 31, 1988, the

1 credit shall be allowed for the tax year in which the  
2 property is placed in service, or, if the amount of the  
3 credit exceeds the tax liability for that year, whether it  
4 exceeds the original liability or the liability as later  
5 amended, such excess may be carried forward and applied to  
6 the tax liability of the 5 taxable years following the  
7 excess credit years if the taxpayer (i) makes investments  
8 which cause the creation of a minimum of 2,000 full-time  
9 equivalent jobs in Illinois, (ii) is located in an  
10 enterprise zone established pursuant to the Illinois  
11 Enterprise Zone Act and (iii) is certified by the  
12 Department of Commerce and Community Affairs (now  
13 Department of Commerce and Economic Opportunity) as  
14 complying with the requirements specified in clause (i) and  
15 (ii) by July 1, 1986. The Department of Commerce and  
16 Community Affairs (now Department of Commerce and Economic  
17 Opportunity) shall notify the Department of Revenue of all  
18 such certifications immediately. For tax years ending  
19 after December 31, 1988, the credit shall be allowed for  
20 the tax year in which the property is placed in service,  
21 or, if the amount of the credit exceeds the tax liability  
22 for that year, whether it exceeds the original liability or  
23 the liability as later amended, such excess may be carried  
24 forward and applied to the tax liability of the 5 taxable  
25 years following the excess credit years. The credit shall  
26 be applied to the earliest year for which there is a

1 liability. If there is credit from more than one tax year  
2 that is available to offset a liability, earlier credit  
3 shall be applied first.

4 (2) The term "qualified property" means property  
5 which:

6 (A) is tangible, whether new or used, including  
7 buildings and structural components of buildings and  
8 signs that are real property, but not including land or  
9 improvements to real property that are not a structural  
10 component of a building such as landscaping, sewer  
11 lines, local access roads, fencing, parking lots, and  
12 other appurtenances;

13 (B) is depreciable pursuant to Section 167 of the  
14 Internal Revenue Code, except that "3-year property"  
15 as defined in Section 168(c)(2)(A) of that Code is not  
16 eligible for the credit provided by this subsection  
17 (e);

18 (C) is acquired by purchase as defined in Section  
19 179(d) of the Internal Revenue Code;

20 (D) is used in Illinois by a taxpayer who is  
21 primarily engaged in manufacturing, or in mining coal  
22 or fluorite, or in retailing, or was placed in service  
23 on or after July 1, 2006 in a River Edge Redevelopment  
24 Zone established pursuant to the River Edge  
25 Redevelopment Zone Act; and

26 (E) has not previously been used in Illinois in



1           such a manner and by such a person as would qualify for  
2           the credit provided by this subsection (e) or  
3           subsection (f).

4           (3) For purposes of this subsection (e),  
5           "manufacturing" means the material staging and production  
6           of tangible personal property by procedures commonly  
7           regarded as manufacturing, processing, fabrication, or  
8           assembling which changes some existing material into new  
9           shapes, new qualities, or new combinations. For purposes of  
10          this subsection (e) the term "mining" shall have the same  
11          meaning as the term "mining" in Section 613(c) of the  
12          Internal Revenue Code. For purposes of this subsection (e),  
13          the term "retailing" means the sale of tangible personal  
14          property for use or consumption and not for resale, or  
15          services rendered in conjunction with the sale of tangible  
16          personal property for use or consumption and not for  
17          resale. For purposes of this subsection (e), "tangible  
18          personal property" has the same meaning as when that term  
19          is used in the Retailers' Occupation Tax Act, and, for  
20          taxable years ending after December 31, 2008, does not  
21          include the generation, transmission, or distribution of  
22          electricity.

23          (4) The basis of qualified property shall be the basis  
24          used to compute the depreciation deduction for federal  
25          income tax purposes.

26          (5) If the basis of the property for federal income tax

1 depreciation purposes is increased after it has been placed  
2 in service in Illinois by the taxpayer, the amount of such  
3 increase shall be deemed property placed in service on the  
4 date of such increase in basis.

5 (6) The term "placed in service" shall have the same  
6 meaning as under Section 46 of the Internal Revenue Code.

7 (7) If during any taxable year, any property ceases to  
8 be qualified property in the hands of the taxpayer within  
9 48 months after being placed in service, or the situs of  
10 any qualified property is moved outside Illinois within 48  
11 months after being placed in service, the Personal Property  
12 Tax Replacement Income Tax for such taxable year shall be  
13 increased. Such increase shall be determined by (i)  
14 recomputing the investment credit which would have been  
15 allowed for the year in which credit for such property was  
16 originally allowed by eliminating such property from such  
17 computation and, (ii) subtracting such recomputed credit  
18 from the amount of credit previously allowed. For the  
19 purposes of this paragraph (7), a reduction of the basis of  
20 qualified property resulting from a redetermination of the  
21 purchase price shall be deemed a disposition of qualified  
22 property to the extent of such reduction.

23 (8) Unless the investment credit is extended by law,  
24 the basis of qualified property shall not include costs  
25 incurred after December 31, 2018, except for costs incurred  
26 pursuant to a binding contract entered into on or before

1 December 31, 2018.

2 (9) Each taxable year ending before December 31, 2000,  
3 a partnership may elect to pass through to its partners the  
4 credits to which the partnership is entitled under this  
5 subsection (e) for the taxable year. A partner may use the  
6 credit allocated to him or her under this paragraph only  
7 against the tax imposed in subsections (c) and (d) of this  
8 Section. If the partnership makes that election, those  
9 credits shall be allocated among the partners in the  
10 partnership in accordance with the rules set forth in  
11 Section 704(b) of the Internal Revenue Code, and the rules  
12 promulgated under that Section, and the allocated amount of  
13 the credits shall be allowed to the partners for that  
14 taxable year. The partnership shall make this election on  
15 its Personal Property Tax Replacement Income Tax return for  
16 that taxable year. The election to pass through the credits  
17 shall be irrevocable.

18 For taxable years ending on or after December 31, 2000,  
19 a partner that qualifies its partnership for a subtraction  
20 under subparagraph (I) of paragraph (2) of subsection (d)  
21 of Section 203 or a shareholder that qualifies a Subchapter  
22 S corporation for a subtraction under subparagraph (S) of  
23 paragraph (2) of subsection (b) of Section 203 shall be  
24 allowed a credit under this subsection (e) equal to its  
25 share of the credit earned under this subsection (e) during  
26 the taxable year by the partnership or Subchapter S

1 corporation, determined in accordance with the  
2 determination of income and distributive share of income  
3 under Sections 702 and 704 and Subchapter S of the Internal  
4 Revenue Code. This paragraph is exempt from the provisions  
5 of Section 250.

6 (f) Investment credit; Enterprise Zone; River Edge  
7 Redevelopment Zone.

8 (1) A taxpayer shall be allowed a credit against the  
9 tax imposed by subsections (a) and (b) of this Section for  
10 investment in qualified property which is placed in service  
11 in an Enterprise Zone created pursuant to the Illinois  
12 Enterprise Zone Act or, for property placed in service on  
13 or after July 1, 2006, a River Edge Redevelopment Zone  
14 established pursuant to the River Edge Redevelopment Zone  
15 Act. For partners, shareholders of Subchapter S  
16 corporations, and owners of limited liability companies,  
17 if the liability company is treated as a partnership for  
18 purposes of federal and State income taxation, there shall  
19 be allowed a credit under this subsection (f) to be  
20 determined in accordance with the determination of income  
21 and distributive share of income under Sections 702 and 704  
22 and Subchapter S of the Internal Revenue Code. The credit  
23 shall be .5% of the basis for such property. The credit  
24 shall be available only in the taxable year in which the  
25 property is placed in service in the Enterprise Zone or  
26 River Edge Redevelopment Zone and shall not be allowed to

1 the extent that it would reduce a taxpayer's liability for  
2 the tax imposed by subsections (a) and (b) of this Section  
3 to below zero. For tax years ending on or after December  
4 31, 1985, the credit shall be allowed for the tax year in  
5 which the property is placed in service, or, if the amount  
6 of the credit exceeds the tax liability for that year,  
7 whether it exceeds the original liability or the liability  
8 as later amended, such excess may be carried forward and  
9 applied to the tax liability of the 5 taxable years  
10 following the excess credit year. The credit shall be  
11 applied to the earliest year for which there is a  
12 liability. If there is credit from more than one tax year  
13 that is available to offset a liability, the credit  
14 accruing first in time shall be applied first.

15 (2) The term qualified property means property which:

16 (A) is tangible, whether new or used, including  
17 buildings and structural components of buildings;

18 (B) is depreciable pursuant to Section 167 of the  
19 Internal Revenue Code, except that "3-year property"  
20 as defined in Section 168(c)(2)(A) of that Code is not  
21 eligible for the credit provided by this subsection  
22 (f);

23 (C) is acquired by purchase as defined in Section  
24 179(d) of the Internal Revenue Code;

25 (D) is used in the Enterprise Zone or River Edge  
26 Redevelopment Zone by the taxpayer; and

1           (E) has not been previously used in Illinois in  
2           such a manner and by such a person as would qualify for  
3           the credit provided by this subsection (f) or  
4           subsection (e).

5           (3) The basis of qualified property shall be the basis  
6           used to compute the depreciation deduction for federal  
7           income tax purposes.

8           (4) If the basis of the property for federal income tax  
9           depreciation purposes is increased after it has been placed  
10          in service in the Enterprise Zone or River Edge  
11          Redevelopment Zone by the taxpayer, the amount of such  
12          increase shall be deemed property placed in service on the  
13          date of such increase in basis.

14          (5) The term "placed in service" shall have the same  
15          meaning as under Section 46 of the Internal Revenue Code.

16          (6) If during any taxable year, any property ceases to  
17          be qualified property in the hands of the taxpayer within  
18          48 months after being placed in service, or the situs of  
19          any qualified property is moved outside the Enterprise Zone  
20          or River Edge Redevelopment Zone within 48 months after  
21          being placed in service, the tax imposed under subsections  
22          (a) and (b) of this Section for such taxable year shall be  
23          increased. Such increase shall be determined by (i)  
24          recomputing the investment credit which would have been  
25          allowed for the year in which credit for such property was  
26          originally allowed by eliminating such property from such

1 computation, and (ii) subtracting such recomputed credit  
2 from the amount of credit previously allowed. For the  
3 purposes of this paragraph (6), a reduction of the basis of  
4 qualified property resulting from a redetermination of the  
5 purchase price shall be deemed a disposition of qualified  
6 property to the extent of such reduction.

7 (7) There shall be allowed an additional credit equal  
8 to 0.5% of the basis of qualified property placed in  
9 service during the taxable year in a River Edge  
10 Redevelopment Zone, provided such property is placed in  
11 service on or after July 1, 2006, and the taxpayer's base  
12 employment within Illinois has increased by 1% or more over  
13 the preceding year as determined by the taxpayer's  
14 employment records filed with the Illinois Department of  
15 Employment Security. Taxpayers who are new to Illinois  
16 shall be deemed to have met the 1% growth in base  
17 employment for the first year in which they file employment  
18 records with the Illinois Department of Employment  
19 Security. If, in any year, the increase in base employment  
20 within Illinois over the preceding year is less than 1%,  
21 the additional credit shall be limited to that percentage  
22 times a fraction, the numerator of which is 0.5% and the  
23 denominator of which is 1%, but shall not exceed 0.5%.

24 (g) (Blank).

25 (h) Investment credit; High Impact Business.

26 (1) Subject to subsections (b) and (b-5) of Section 5.5

1 of the Illinois Enterprise Zone Act, a taxpayer shall be  
2 allowed a credit against the tax imposed by subsections (a)  
3 and (b) of this Section for investment in qualified  
4 property which is placed in service by a Department of  
5 Commerce and Economic Opportunity designated High Impact  
6 Business. The credit shall be .5% of the basis for such  
7 property. The credit shall not be available (i) until the  
8 minimum investments in qualified property set forth in  
9 subdivision (a)(3)(A) of Section 5.5 of the Illinois  
10 Enterprise Zone Act have been satisfied or (ii) until the  
11 time authorized in subsection (b-5) of the Illinois  
12 Enterprise Zone Act for entities designated as High Impact  
13 Businesses under subdivisions (a)(3)(B), (a)(3)(C), and  
14 (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone  
15 Act, and shall not be allowed to the extent that it would  
16 reduce a taxpayer's liability for the tax imposed by  
17 subsections (a) and (b) of this Section to below zero. The  
18 credit applicable to such investments shall be taken in the  
19 taxable year in which such investments have been completed.  
20 The credit for additional investments beyond the minimum  
21 investment by a designated high impact business authorized  
22 under subdivision (a)(3)(A) of Section 5.5 of the Illinois  
23 Enterprise Zone Act shall be available only in the taxable  
24 year in which the property is placed in service and shall  
25 not be allowed to the extent that it would reduce a  
26 taxpayer's liability for the tax imposed by subsections (a)



1 and (b) of this Section to below zero. For tax years ending  
2 on or after December 31, 1987, the credit shall be allowed  
3 for the tax year in which the property is placed in  
4 service, or, if the amount of the credit exceeds the tax  
5 liability for that year, whether it exceeds the original  
6 liability or the liability as later amended, such excess  
7 may be carried forward and applied to the tax liability of  
8 the 5 taxable years following the excess credit year. The  
9 credit shall be applied to the earliest year for which  
10 there is a liability. If there is credit from more than one  
11 tax year that is available to offset a liability, the  
12 credit accruing first in time shall be applied first.

13 Changes made in this subdivision (h) (1) by Public Act  
14 88-670 restore changes made by Public Act 85-1182 and  
15 reflect existing law.

16 (2) The term qualified property means property which:

17 (A) is tangible, whether new or used, including  
18 buildings and structural components of buildings;

19 (B) is depreciable pursuant to Section 167 of the  
20 Internal Revenue Code, except that "3-year property"  
21 as defined in Section 168(c) (2) (A) of that Code is not  
22 eligible for the credit provided by this subsection  
23 (h);

24 (C) is acquired by purchase as defined in Section  
25 179(d) of the Internal Revenue Code; and

26 (D) is not eligible for the Enterprise Zone

1 Investment Credit provided by subsection (f) of this  
2 Section.

3 (3) The basis of qualified property shall be the basis  
4 used to compute the depreciation deduction for federal  
5 income tax purposes.

6 (4) If the basis of the property for federal income tax  
7 depreciation purposes is increased after it has been placed  
8 in service in a federally designated Foreign Trade Zone or  
9 Sub-Zone located in Illinois by the taxpayer, the amount of  
10 such increase shall be deemed property placed in service on  
11 the date of such increase in basis.

12 (5) The term "placed in service" shall have the same  
13 meaning as under Section 46 of the Internal Revenue Code.

14 (6) If during any taxable year ending on or before  
15 December 31, 1996, any property ceases to be qualified  
16 property in the hands of the taxpayer within 48 months  
17 after being placed in service, or the situs of any  
18 qualified property is moved outside Illinois within 48  
19 months after being placed in service, the tax imposed under  
20 subsections (a) and (b) of this Section for such taxable  
21 year shall be increased. Such increase shall be determined  
22 by (i) recomputing the investment credit which would have  
23 been allowed for the year in which credit for such property  
24 was originally allowed by eliminating such property from  
25 such computation, and (ii) subtracting such recomputed  
26 credit from the amount of credit previously allowed. For

1 the purposes of this paragraph (6), a reduction of the  
2 basis of qualified property resulting from a  
3 redetermination of the purchase price shall be deemed a  
4 disposition of qualified property to the extent of such  
5 reduction.

6 (7) Beginning with tax years ending after December 31,  
7 1996, if a taxpayer qualifies for the credit under this  
8 subsection (h) and thereby is granted a tax abatement and  
9 the taxpayer relocates its entire facility in violation of  
10 the explicit terms and length of the contract under Section  
11 18-183 of the Property Tax Code, the tax imposed under  
12 subsections (a) and (b) of this Section shall be increased  
13 for the taxable year in which the taxpayer relocated its  
14 facility by an amount equal to the amount of credit  
15 received by the taxpayer under this subsection (h).

16 (i) Credit for Personal Property Tax Replacement Income  
17 Tax. For tax years ending prior to December 31, 2003, a credit  
18 shall be allowed against the tax imposed by subsections (a) and  
19 (b) of this Section for the tax imposed by subsections (c) and  
20 (d) of this Section. This credit shall be computed by  
21 multiplying the tax imposed by subsections (c) and (d) of this  
22 Section by a fraction, the numerator of which is base income  
23 allocable to Illinois and the denominator of which is Illinois  
24 base income, and further multiplying the product by the tax  
25 rate imposed by subsections (a) and (b) of this Section.

26 Any credit earned on or after December 31, 1986 under this

1 subsection which is unused in the year the credit is computed  
2 because it exceeds the tax liability imposed by subsections (a)  
3 and (b) for that year (whether it exceeds the original  
4 liability or the liability as later amended) may be carried  
5 forward and applied to the tax liability imposed by subsections  
6 (a) and (b) of the 5 taxable years following the excess credit  
7 year, provided that no credit may be carried forward to any  
8 year ending on or after December 31, 2003. This credit shall be  
9 applied first to the earliest year for which there is a  
10 liability. If there is a credit under this subsection from more  
11 than one tax year that is available to offset a liability the  
12 earliest credit arising under this subsection shall be applied  
13 first.

14 If, during any taxable year ending on or after December 31,  
15 1986, the tax imposed by subsections (c) and (d) of this  
16 Section for which a taxpayer has claimed a credit under this  
17 subsection (i) is reduced, the amount of credit for such tax  
18 shall also be reduced. Such reduction shall be determined by  
19 recomputing the credit to take into account the reduced tax  
20 imposed by subsections (c) and (d). If any portion of the  
21 reduced amount of credit has been carried to a different  
22 taxable year, an amended return shall be filed for such taxable  
23 year to reduce the amount of credit claimed.

24 (j) Training expense credit. Beginning with tax years  
25 ending on or after December 31, 1986 and prior to December 31,  
26 2003, a taxpayer shall be allowed a credit against the tax

1 imposed by subsections (a) and (b) under this Section for all  
2 amounts paid or accrued, on behalf of all persons employed by  
3 the taxpayer in Illinois or Illinois residents employed outside  
4 of Illinois by a taxpayer, for educational or vocational  
5 training in semi-technical or technical fields or semi-skilled  
6 or skilled fields, which were deducted from gross income in the  
7 computation of taxable income. The credit against the tax  
8 imposed by subsections (a) and (b) shall be 1.6% of such  
9 training expenses. For partners, shareholders of subchapter S  
10 corporations, and owners of limited liability companies, if the  
11 liability company is treated as a partnership for purposes of  
12 federal and State income taxation, there shall be allowed a  
13 credit under this subsection (j) to be determined in accordance  
14 with the determination of income and distributive share of  
15 income under Sections 702 and 704 and subchapter S of the  
16 Internal Revenue Code.

17 Any credit allowed under this subsection which is unused in  
18 the year the credit is earned may be carried forward to each of  
19 the 5 taxable years following the year for which the credit is  
20 first computed until it is used. This credit shall be applied  
21 first to the earliest year for which there is a liability. If  
22 there is a credit under this subsection from more than one tax  
23 year that is available to offset a liability the earliest  
24 credit arising under this subsection shall be applied first. No  
25 carryforward credit may be claimed in any tax year ending on or  
26 after December 31, 2003.

1           (k) Research and development credit. For tax years ending  
2 after July 1, 1990 and prior to December 31, 2003, and  
3 beginning again for tax years ending on or after December 31,  
4 2004, and ending prior to January 1, 2016, a taxpayer shall be  
5 allowed a credit against the tax imposed by subsections (a) and  
6 (b) of this Section for increasing research activities in this  
7 State. The credit allowed against the tax imposed by  
8 subsections (a) and (b) shall be equal to 6 1/2% of the  
9 qualifying expenditures for increasing research activities in  
10 this State. For partners, shareholders of subchapter S  
11 corporations, and owners of limited liability companies, if the  
12 liability company is treated as a partnership for purposes of  
13 federal and State income taxation, there shall be allowed a  
14 credit under this subsection to be determined in accordance  
15 with the determination of income and distributive share of  
16 income under Sections 702 and 704 and subchapter S of the  
17 Internal Revenue Code.

18           For purposes of this subsection, "qualifying expenditures"  
19 means the qualifying expenditures as defined for the federal  
20 credit for increasing research activities which would be  
21 allowable under Section 41 of the Internal Revenue Code and  
22 which are conducted in this State, "qualifying expenditures for  
23 increasing research activities in this State" means the excess  
24 of qualifying expenditures for the taxable year in which  
25 incurred over qualifying expenditures for the base period,  
26 "qualifying expenditures for the base period" means the average

1 of the qualifying expenditures for each year in the base  
2 period, and "base period" means the 3 taxable years immediately  
3 preceding the taxable year for which the determination is being  
4 made.

5 Any credit in excess of the tax liability for the taxable  
6 year may be carried forward. A taxpayer may elect to have the  
7 unused credit shown on its final completed return carried over  
8 as a credit against the tax liability for the following 5  
9 taxable years or until it has been fully used, whichever occurs  
10 first; provided that no credit earned in a tax year ending  
11 prior to December 31, 2003 may be carried forward to any year  
12 ending on or after December 31, 2003.

13 If an unused credit is carried forward to a given year from  
14 2 or more earlier years, that credit arising in the earliest  
15 year will be applied first against the tax liability for the  
16 given year. If a tax liability for the given year still  
17 remains, the credit from the next earliest year will then be  
18 applied, and so on, until all credits have been used or no tax  
19 liability for the given year remains. Any remaining unused  
20 credit or credits then will be carried forward to the next  
21 following year in which a tax liability is incurred, except  
22 that no credit can be carried forward to a year which is more  
23 than 5 years after the year in which the expense for which the  
24 credit is given was incurred.

25 No inference shall be drawn from this amendatory Act of the  
26 91st General Assembly in construing this Section for taxable

1 years beginning before January 1, 1999.

2 (1) Environmental Remediation Tax Credit.

3 (i) For tax years ending after December 31, 1997 and on  
4 or before December 31, 2001, a taxpayer shall be allowed a  
5 credit against the tax imposed by subsections (a) and (b)  
6 of this Section for certain amounts paid for unreimbursed  
7 eligible remediation costs, as specified in this  
8 subsection. For purposes of this Section, "unreimbursed  
9 eligible remediation costs" means costs approved by the  
10 Illinois Environmental Protection Agency ("Agency") under  
11 Section 58.14 of the Environmental Protection Act that were  
12 paid in performing environmental remediation at a site for  
13 which a No Further Remediation Letter was issued by the  
14 Agency and recorded under Section 58.10 of the  
15 Environmental Protection Act. The credit must be claimed  
16 for the taxable year in which Agency approval of the  
17 eligible remediation costs is granted. The credit is not  
18 available to any taxpayer if the taxpayer or any related  
19 party caused or contributed to, in any material respect, a  
20 release of regulated substances on, in, or under the site  
21 that was identified and addressed by the remedial action  
22 pursuant to the Site Remediation Program of the  
23 Environmental Protection Act. After the Pollution Control  
24 Board rules are adopted pursuant to the Illinois  
25 Administrative Procedure Act for the administration and  
26 enforcement of Section 58.9 of the Environmental



1 Protection Act, determinations as to credit availability  
2 for purposes of this Section shall be made consistent with  
3 those rules. For purposes of this Section, "taxpayer"  
4 includes a person whose tax attributes the taxpayer has  
5 succeeded to under Section 381 of the Internal Revenue Code  
6 and "related party" includes the persons disallowed a  
7 deduction for losses by paragraphs (b), (c), and (f)(1) of  
8 Section 267 of the Internal Revenue Code by virtue of being  
9 a related taxpayer, as well as any of its partners. The  
10 credit allowed against the tax imposed by subsections (a)  
11 and (b) shall be equal to 25% of the unreimbursed eligible  
12 remediation costs in excess of \$100,000 per site, except  
13 that the \$100,000 threshold shall not apply to any site  
14 contained in an enterprise zone as determined by the  
15 Department of Commerce and Community Affairs (now  
16 Department of Commerce and Economic Opportunity). The  
17 total credit allowed shall not exceed \$40,000 per year with  
18 a maximum total of \$150,000 per site. For partners and  
19 shareholders of subchapter S corporations, there shall be  
20 allowed a credit under this subsection to be determined in  
21 accordance with the determination of income and  
22 distributive share of income under Sections 702 and 704 and  
23 subchapter S of the Internal Revenue Code.

24 (ii) A credit allowed under this subsection that is  
25 unused in the year the credit is earned may be carried  
26 forward to each of the 5 taxable years following the year

1 for which the credit is first earned until it is used. The  
2 term "unused credit" does not include any amounts of  
3 unreimbursed eligible remediation costs in excess of the  
4 maximum credit per site authorized under paragraph (i).  
5 This credit shall be applied first to the earliest year for  
6 which there is a liability. If there is a credit under this  
7 subsection from more than one tax year that is available to  
8 offset a liability, the earliest credit arising under this  
9 subsection shall be applied first. A credit allowed under  
10 this subsection may be sold to a buyer as part of a sale of  
11 all or part of the remediation site for which the credit  
12 was granted. The purchaser of a remediation site and the  
13 tax credit shall succeed to the unused credit and remaining  
14 carry-forward period of the seller. To perfect the  
15 transfer, the assignor shall record the transfer in the  
16 chain of title for the site and provide written notice to  
17 the Director of the Illinois Department of Revenue of the  
18 assignor's intent to sell the remediation site and the  
19 amount of the tax credit to be transferred as a portion of  
20 the sale. In no event may a credit be transferred to any  
21 taxpayer if the taxpayer or a related party would not be  
22 eligible under the provisions of subsection (i).

23 (iii) For purposes of this Section, the term "site"  
24 shall have the same meaning as under Section 58.2 of the  
25 Environmental Protection Act.

26 (m) Education expense credit. Beginning with tax years

1 ending after December 31, 1999, a taxpayer who is the custodian  
2 of one or more qualifying pupils shall be allowed a credit  
3 against the tax imposed by subsections (a) and (b) of this  
4 Section for qualified education expenses incurred on behalf of  
5 the qualifying pupils. The credit shall be equal to 25% of  
6 qualified education expenses, but in no event may the total  
7 credit under this subsection claimed by a family that is the  
8 custodian of qualifying pupils exceed \$500. In no event shall a  
9 credit under this subsection reduce the taxpayer's liability  
10 under this Act to less than zero. This subsection is exempt  
11 from the provisions of Section 250 of this Act.

12 For purposes of this subsection:

13 "Qualifying pupils" means individuals who (i) are  
14 residents of the State of Illinois, (ii) are under the age of  
15 21 at the close of the school year for which a credit is  
16 sought, and (iii) during the school year for which a credit is  
17 sought were full-time pupils enrolled in a kindergarten through  
18 twelfth grade education program at any school, as defined in  
19 this subsection.

20 "Qualified education expense" means the amount incurred on  
21 behalf of a qualifying pupil in excess of \$250 for tuition,  
22 book fees, and lab fees at the school in which the pupil is  
23 enrolled during the regular school year.

24 "School" means any public or nonpublic elementary or  
25 secondary school in Illinois that is in compliance with Title  
26 VI of the Civil Rights Act of 1964 and attendance at which

1 satisfies the requirements of Section 26-1 of the School Code,  
2 except that nothing shall be construed to require a child to  
3 attend any particular public or nonpublic school to qualify for  
4 the credit under this Section.

5 "Custodian" means, with respect to qualifying pupils, an  
6 Illinois resident who is a parent, the parents, a legal  
7 guardian, or the legal guardians of the qualifying pupils.

8 (n) River Edge Redevelopment Zone site remediation tax  
9 credit.

10 (i) For tax years ending on or after December 31, 2006,  
11 a taxpayer shall be allowed a credit against the tax  
12 imposed by subsections (a) and (b) of this Section for  
13 certain amounts paid for unreimbursed eligible remediation  
14 costs, as specified in this subsection. For purposes of  
15 this Section, "unreimbursed eligible remediation costs"  
16 means costs approved by the Illinois Environmental  
17 Protection Agency ("Agency") under Section 58.14a of the  
18 Environmental Protection Act that were paid in performing  
19 environmental remediation at a site within a River Edge  
20 Redevelopment Zone for which a No Further Remediation  
21 Letter was issued by the Agency and recorded under Section  
22 58.10 of the Environmental Protection Act. The credit must  
23 be claimed for the taxable year in which Agency approval of  
24 the eligible remediation costs is granted. The credit is  
25 not available to any taxpayer if the taxpayer or any  
26 related party caused or contributed to, in any material

1        respect, a release of regulated substances on, in, or under  
2        the site that was identified and addressed by the remedial  
3        action pursuant to the Site Remediation Program of the  
4        Environmental Protection Act. Determinations as to credit  
5        availability for purposes of this Section shall be made  
6        consistent with rules adopted by the Pollution Control  
7        Board pursuant to the Illinois Administrative Procedure  
8        Act for the administration and enforcement of Section 58.9  
9        of the Environmental Protection Act. For purposes of this  
10       Section, "taxpayer" includes a person whose tax attributes  
11       the taxpayer has succeeded to under Section 381 of the  
12       Internal Revenue Code and "related party" includes the  
13       persons disallowed a deduction for losses by paragraphs  
14       (b), (c), and (f) (1) of Section 267 of the Internal Revenue  
15       Code by virtue of being a related taxpayer, as well as any  
16       of its partners. The credit allowed against the tax imposed  
17       by subsections (a) and (b) shall be equal to 25% of the  
18       unreimbursed eligible remediation costs in excess of  
19       \$100,000 per site.

20       (ii) A credit allowed under this subsection that is  
21       unused in the year the credit is earned may be carried  
22       forward to each of the 5 taxable years following the year  
23       for which the credit is first earned until it is used. This  
24       credit shall be applied first to the earliest year for  
25       which there is a liability. If there is a credit under this  
26       subsection from more than one tax year that is available to

1 offset a liability, the earliest credit arising under this  
2 subsection shall be applied first. A credit allowed under  
3 this subsection may be sold to a buyer as part of a sale of  
4 all or part of the remediation site for which the credit  
5 was granted. The purchaser of a remediation site and the  
6 tax credit shall succeed to the unused credit and remaining  
7 carry-forward period of the seller. To perfect the  
8 transfer, the assignor shall record the transfer in the  
9 chain of title for the site and provide written notice to  
10 the Director of the Illinois Department of Revenue of the  
11 assignor's intent to sell the remediation site and the  
12 amount of the tax credit to be transferred as a portion of  
13 the sale. In no event may a credit be transferred to any  
14 taxpayer if the taxpayer or a related party would not be  
15 eligible under the provisions of subsection (i).

16 (iii) For purposes of this Section, the term "site"  
17 shall have the same meaning as under Section 58.2 of the  
18 Environmental Protection Act.

19 (o) For each of taxable years during the Compassionate Use  
20 of Medical Cannabis Pilot Program, a surcharge is imposed on  
21 all taxpayers on income arising from the sale or exchange of  
22 capital assets, depreciable business property, real property  
23 used in the trade or business, and Section 197 intangibles of  
24 an organization registrant under the Compassionate Use of  
25 Medical Cannabis Pilot Program Act. The amount of the surcharge  
26 is equal to the amount of federal income tax liability for the

1 taxable year attributable to those sales and exchanges. The  
2 surcharge imposed does not apply if:

3 (1) the medical cannabis cultivation center  
4 registration, medical cannabis dispensary registration, or  
5 the property of a registration is transferred as a result  
6 of any of the following:

7 (A) bankruptcy, a receivership, or a debt  
8 adjustment initiated by or against the initial  
9 registration or the substantial owners of the initial  
10 registration;

11 (B) cancellation, revocation, or termination of  
12 any registration by the Illinois Department of Public  
13 Health;

14 (C) a determination by the Illinois Department of  
15 Public Health that transfer of the registration is in  
16 the best interests of Illinois qualifying patients as  
17 defined by the Compassionate Use of Medical Cannabis  
18 Pilot Program Act;

19 (D) the death of an owner of the equity interest in  
20 a registrant;

21 (E) the acquisition of a controlling interest in  
22 the stock or substantially all of the assets of a  
23 publicly traded company;

24 (F) a transfer by a parent company to a wholly  
25 owned subsidiary; or

26 (G) the transfer or sale to or by one person to

1 another person where both persons were initial owners  
2 of the registration when the registration was issued;  
3 or

4 (2) the cannabis cultivation center registration,  
5 medical cannabis dispensary registration, or the  
6 controlling interest in a registrant's property is  
7 transferred in a transaction to lineal descendants in which  
8 no gain or loss is recognized or as a result of a  
9 transaction in accordance with Section 351 of the Internal  
10 Revenue Code in which no gain or loss is recognized.

11 (Source: P.A. 97-2, eff. 5-6-11; 97-636, eff. 6-1-12; 97-905,  
12 eff. 8-7-12; 98-109, eff. 7-25-13; 98-122, eff. 1-1-14; 98-756,  
13 eff. 7-16-14.)

14 Section 35. The Joliet Regional Port District Act is  
15 amended by changing Section 5.1 as follows:

16 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

17 Sec. 5.1. Riverboat and casino gambling. Notwithstanding  
18 any other provision of this Act, the District may not regulate  
19 the operation, conduct, or navigation of any riverboat gambling  
20 casino licensed under the Illinois ~~Riverboat~~ Gambling Act, and  
21 the District may not license, tax, or otherwise levy any  
22 assessment of any kind on any riverboat gambling casino  
23 licensed under the Illinois ~~Riverboat~~ Gambling Act. The General  
24 Assembly declares that the powers to regulate the operation,



1 conduct, and navigation of riverboat gambling casinos and to  
2 license, tax, and levy assessments upon riverboat gambling  
3 casinos are exclusive powers of the State of Illinois and the  
4 Illinois Gaming Board as provided in the Illinois Riverboat  
5 Gambling Act.

6 (Source: P.A. 87-1175.)

7 Section 40. The Consumer Installment Loan Act is amended by  
8 changing Section 12.5 as follows:

9 (205 ILCS 670/12.5)

10 Sec. 12.5. Limited purpose branch.

11 (a) Upon the written approval of the Director, a licensee  
12 may maintain a limited purpose branch for the sole purpose of  
13 making loans as permitted by this Act. A limited purpose branch  
14 may include an automatic loan machine. No other activity shall  
15 be conducted at the site, including but not limited to,  
16 accepting payments, servicing the accounts, or collections.

17 (b) The licensee must submit an application for a limited  
18 purpose branch to the Director on forms prescribed by the  
19 Director with an application fee of \$300. The approval for the  
20 limited purpose branch must be renewed concurrently with the  
21 renewal of the licensee's license along with a renewal fee of  
22 \$300 for the limited purpose branch.

23 (c) The books, accounts, records, and files of the limited  
24 purpose branch's transactions shall be maintained at the

1 licensee's licensed location. The licensee shall notify the  
2 Director of the licensed location at which the books, accounts,  
3 records, and files shall be maintained.

4 (d) The licensee shall prominently display at the limited  
5 purpose branch the address and telephone number of the  
6 licensee's licensed location.

7 (e) No other business shall be conducted at the site of the  
8 limited purpose branch unless authorized by the Director.

9 (f) The Director shall make and enforce reasonable rules  
10 for the conduct of a limited purpose branch.

11 (g) A limited purpose branch may not be located within  
12 1,000 feet of a facility operated by an inter-track wagering  
13 licensee or an organization licensee subject to the Illinois  
14 Horse Racing Act of 1975, on a riverboat or in a casino subject  
15 to the Illinois Riverboat Gambling Act, or within 1,000 feet of  
16 the location at which the riverboat docks or within 1,000 feet  
17 of a casino.

18 (Source: P.A. 90-437, eff. 1-1-98.)

19 Section 45. The Illinois Horse Racing Act of 1975 is  
20 amended by changing Sections 1.2, 3.11, 3.12, 6, 9, 15, 19, 20,  
21 21, 24, 25, 26, 27, 30, 30.5, 31, 31.1, 32.1, 36, 40, 54, and  
22 54.75 and by adding Sections 3.31, 3.32, 3.33, 3.35, 3.36,  
23 34.3, 39.2, and 56 as follows:

24 (230 ILCS 5/1.2)

1           Sec. 1.2. Legislative intent. This Act is intended to  
2 benefit the people of the State of Illinois by encouraging the  
3 breeding and production of race horses, assisting economic  
4 development and promoting Illinois tourism. The General  
5 Assembly finds and declares it to be the public policy of the  
6 State of Illinois to:

7           (a) support and enhance Illinois' horse racing industry,  
8 which is a significant component within the agribusiness  
9 industry;

10          (b) ensure that Illinois' horse racing industry remains  
11 competitive with neighboring states;

12          (c) stimulate growth within Illinois' horse racing  
13 industry, thereby encouraging new investment and development  
14 to produce additional tax revenues and to create additional  
15 jobs;

16          (d) promote the further growth of tourism;

17          (e) encourage the breeding of thoroughbred and  
18 standardbred horses in this State; and

19          (f) ensure that public confidence and trust in the  
20 credibility and integrity of racing operations and the  
21 regulatory process is maintained.

22          (Source: P.A. 91-40, eff. 6-25-99.)

23           (230 ILCS 5/3.11) (from Ch. 8, par. 37-3.11)

24           Sec. 3.11. "Organization Licensee" means any person  
25 receiving an organization license from the Board to conduct a

1 race meeting or meetings. With respect only to electronic  
2 gaming, "organization licensee" includes the authorization for  
3 an electronic gaming license under subsection (a) of Section 56  
4 of this Act.

5 (Source: P.A. 79-1185.)

6 (230 ILCS 5/3.12) (from Ch. 8, par. 37-3.12)

7 Sec. 3.12. Pari-mutuel system of wagering. "Pari-mutuel  
8 system of wagering" means a form of wagering on the outcome of  
9 horse races in which wagers are made in various denominations  
10 on a horse or horses and all wagers for each race are pooled  
11 and held by a licensee for distribution in a manner approved by  
12 the Board. "Pari-mutuel system of wagering" does not include  
13 wagering on historic races. Wagers may be placed via any method  
14 or at any location authorized under this Act.

15 (Source: P.A. 96-762, eff. 8-25-09.)

16 (230 ILCS 5/3.31 new)

17 Sec. 3.31. Adjusted gross receipts. "Adjusted gross  
18 receipts" means the gross receipts less winnings paid to  
19 wagerers.

20 (230 ILCS 5/3.32 new)

21 Sec. 3.32. Gross receipts. "Gross receipts" means the total  
22 amount of money exchanged for the purchase of chips, tokens, or  
23 electronic cards by riverboat or casino patrons or electronic

1 gaming patrons.

2 (230 ILCS 5/3.33 new)

3 Sec. 3.33. Electronic gaming. "Electronic gaming" means  
4 slot machine gambling, video game of chance gambling, or  
5 gambling with electronic gambling games as defined in the  
6 Illinois Gambling Act or defined by the Illinois Gaming Board  
7 that is conducted at a race track pursuant to an electronic  
8 gaming license.

9 (230 ILCS 5/3.35 new)

10 Sec. 3.35. Electronic gaming license. "Electronic gaming  
11 license" means a license issued by the Illinois Gaming Board  
12 under Section 7.7 of the Illinois Gambling Act authorizing  
13 electronic gaming at an electronic gaming facility.

14 (230 ILCS 5/3.36 new)

15 Sec. 3.36. Electronic gaming facility. "Electronic gaming  
16 facility" means that portion of an organization licensee's race  
17 track facility at which electronic gaming is conducted.

18 (230 ILCS 5/6) (from Ch. 8, par. 37-6)

19 Sec. 6. Restrictions on Board members.

20 (a) No person shall be appointed a member of the Board or  
21 continue to be a member of the Board if the person or any  
22 member of their immediate family is a member of the Board of

1 Directors, employee, or financially interested in any of the  
2 following: (i) any licensee or other person who has applied for  
3 racing dates to the Board, or the operations thereof including,  
4 but not limited to, concessions, data processing, track  
5 maintenance, track security, and pari-mutuel operations,  
6 located, scheduled, or doing business within the State of  
7 Illinois, (ii) any race horse competing at a meeting under the  
8 Board's jurisdiction, or (iii) any licensee under the Illinois  
9 Gambling Act. No person shall be appointed a member of the  
10 Board or continue to be a member of the Board who is (or any  
11 member of whose family is) a member of the Board of Directors  
12 of, or who is a person financially interested in, any licensee  
13 or other person who has applied for racing dates to the Board,  
14 or the operations thereof including, but not limited to,  
15 concessions, data processing, track maintenance, track  
16 security and pari mutuel operations, located, scheduled or  
17 doing business within the State of Illinois, or in any race  
18 horse competing at a meeting under the Board's jurisdiction. No  
19 Board member shall hold any other public office for which he  
20 shall receive compensation other than necessary travel or other  
21 incidental expenses.

22 (b) No person shall be a member of the Board who is not of  
23 good moral character or who has been convicted of, or is under  
24 indictment for, a felony under the laws of Illinois or any  
25 other state, or the United States.

26 (c) No member of the Board or employee shall engage in any

1 political activity.

2 For the purposes of this subsection (c):

3 "Political activity" means any activity in support of or in  
4 connection with any campaign for State or local elective office  
5 or any political organization, but does not include activities  
6 (i) relating to the support or opposition of any executive,  
7 legislative, or administrative action (as those terms are  
8 defined in Section 2 of the Lobbyist Registration Act), (ii)  
9 relating to collective bargaining, or (iii) that are otherwise  
10 in furtherance of the person's official State duties or  
11 governmental and public service functions.

12 "Political organization" means a party, committee,  
13 association, fund, or other organization (whether or not  
14 incorporated) that is required to file a statement of  
15 organization with the State Board of Elections or county clerk  
16 under Section 9-3 of the Election Code, but only with regard to  
17 those activities that require filing with the State Board of  
18 Elections or county clerk.

19 (d) Board members and employees may not engage in  
20 communications or any activity that may cause or have the  
21 appearance of causing a conflict of interest. A conflict of  
22 interest exists if a situation influences or creates the  
23 appearance that it may influence judgment or performance of  
24 regulatory duties and responsibilities. This prohibition shall  
25 extend to any act identified by Board action that, in the  
26 judgment of the Board, could represent the potential for or the

1 appearance of a conflict of interest.

2 (e) Board members and employees may not accept any gift,  
3 gratuity, service, compensation, travel, lodging, or thing of  
4 value, with the exception of unsolicited items of an incidental  
5 nature, from any person, corporation, limited liability  
6 company, or entity doing business with the Board.

7 (f) A Board member or employee shall not use or attempt to  
8 use his or her official position to secure, or attempt to  
9 secure, any privilege, advantage, favor, or influence for  
10 himself or herself or others. No Board member or employee,  
11 within a period of one year immediately preceding nomination by  
12 the Governor or employment, shall have been employed by or  
13 received compensation or fees for services from a person or  
14 entity, or its parent or affiliate, that has engaged in  
15 business with the Board, a licensee under this Act, or a  
16 licensee under the Illinois Gambling Act. In addition, all  
17 Board members and employees are subject to the restrictions set  
18 forth in Section 5-45 of the State Officials and Employees  
19 Ethics Act.

20 (Source: P.A. 89-16, eff. 5-30-95.)

21 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

22 Sec. 9. The Board shall have all powers necessary and  
23 proper to fully and effectively execute the provisions of this  
24 Act, including, but not limited to, the following:

25 (a) The Board is vested with jurisdiction and supervision



1 over all race meetings in this State, over all licensees doing  
2 business in this State, over all occupation licensees, and over  
3 all persons on the facilities of any licensee. Such  
4 jurisdiction shall include the power to issue licenses to the  
5 Illinois Department of Agriculture authorizing the pari-mutuel  
6 system of wagering on harness and Quarter Horse races held (1)  
7 at the Illinois State Fair in Sangamon County, and (2) at the  
8 DuQuoin State Fair in Perry County. The jurisdiction of the  
9 Board shall also include the power to issue licenses to county  
10 fairs which are eligible to receive funds pursuant to the  
11 Agricultural Fair Act, as now or hereafter amended, or their  
12 agents, authorizing the pari-mutuel system of wagering on horse  
13 races conducted at the county fairs receiving such licenses.  
14 Such licenses shall be governed by subsection (n) of this  
15 Section.

16 Upon application, the Board shall issue a license to the  
17 Illinois Department of Agriculture to conduct harness and  
18 Quarter Horse races at the Illinois State Fair and at the  
19 DuQuoin State Fairgrounds during the scheduled dates of each  
20 fair. The Board shall not require and the Department of  
21 Agriculture shall be exempt from the requirements of Sections  
22 15.3, 18 and 19, paragraphs (a)(2), (b), (c), (d), (e), (e-5),  
23 (e-10), (f), (g), and (h) of Section 20, and Sections 21, 24  
24 and 25. The Board and the Department of Agriculture may extend  
25 any or all of these exemptions to any contractor or agent  
26 engaged by the Department of Agriculture to conduct its race

1 meetings when the Board determines that this would best serve  
2 the public interest and the interest of horse racing.

3 Notwithstanding any provision of law to the contrary, it  
4 shall be lawful for any licensee to operate pari-mutuel  
5 wagering or contract with the Department of Agriculture to  
6 operate pari-mutuel wagering at the DuQuoin State Fairgrounds  
7 or for the Department to enter into contracts with a licensee,  
8 employ its owners, employees or agents and employ such other  
9 occupation licensees as the Department deems necessary in  
10 connection with race meetings and wagerings.

11 (b) The Board is vested with the full power to promulgate  
12 reasonable rules and regulations for the purpose of  
13 administering the provisions of this Act and to prescribe  
14 reasonable rules, regulations and conditions under which all  
15 horse race meetings or wagering in the State shall be  
16 conducted. Such reasonable rules and regulations are to provide  
17 for the prevention of practices detrimental to the public  
18 interest and to promote the best interests of horse racing and  
19 to impose penalties for violations thereof.

20 (c) The Board, and any person or persons to whom it  
21 delegates this power, is vested with the power to enter the  
22 facilities and other places of business of any licensee to  
23 determine whether there has been compliance with the provisions  
24 of this Act and its rules and regulations.

25 (d) The Board, and any person or persons to whom it  
26 delegates this power, is vested with the authority to

1 investigate alleged violations of the provisions of this Act,  
2 its reasonable rules and regulations, orders and final  
3 decisions; the Board shall take appropriate disciplinary  
4 action against any licensee or occupation licensee for  
5 violation thereof or institute appropriate legal action for the  
6 enforcement thereof.

7 (e) The Board, and any person or persons to whom it  
8 delegates this power, may eject or exclude from any race  
9 meeting or the facilities of any licensee, or any part thereof,  
10 any occupation licensee or any other individual whose conduct  
11 or reputation is such that his presence on those facilities  
12 may, in the opinion of the Board, call into question the  
13 honesty and integrity of horse racing or wagering or interfere  
14 with the orderly conduct of horse racing or wagering; provided,  
15 however, that no person shall be excluded or ejected from the  
16 facilities of any licensee solely on the grounds of race,  
17 color, creed, national origin, ancestry, or sex. The power to  
18 eject or exclude an occupation licensee or other individual may  
19 be exercised for just cause by the licensee or the Board,  
20 subject to subsequent hearing by the Board as to the propriety  
21 of said exclusion.

22 (f) The Board is vested with the power to acquire,  
23 establish, maintain and operate (or provide by contract to  
24 maintain and operate) testing laboratories and related  
25 facilities, for the purpose of conducting saliva, blood, urine  
26 and other tests on the horses run or to be run in any horse race

1 meeting, including races run at county fairs, and to purchase  
2 all equipment and supplies deemed necessary or desirable in  
3 connection with any such testing laboratories and related  
4 facilities and all such tests.

5 (g) The Board may require that the records, including  
6 financial or other statements of any licensee or any person  
7 affiliated with the licensee who is involved directly or  
8 indirectly in the activities of any licensee as regulated under  
9 this Act to the extent that those financial or other statements  
10 relate to such activities be kept in such manner as prescribed  
11 by the Board, and that Board employees shall have access to  
12 those records during reasonable business hours. Within 120 days  
13 of the end of its fiscal year, each licensee shall transmit to  
14 the Board an audit of the financial transactions and condition  
15 of the licensee's total operations. All audits shall be  
16 conducted by certified public accountants. Each certified  
17 public accountant must be registered in the State of Illinois  
18 under the Illinois Public Accounting Act. The compensation for  
19 each certified public accountant shall be paid directly by the  
20 licensee to the certified public accountant. A licensee shall  
21 also submit any other financial or related information the  
22 Board deems necessary to effectively administer this Act and  
23 all rules, regulations, and final decisions promulgated under  
24 this Act.

25 (h) The Board shall name and appoint in the manner provided  
26 by the rules and regulations of the Board: an Executive

1 Director; a State director of mutuels; State veterinarians and  
2 representatives to take saliva, blood, urine and other tests on  
3 horses; licensing personnel; revenue inspectors; and State  
4 seasonal employees (excluding admission ticket sellers and  
5 mutuel clerks). All of those named and appointed as provided in  
6 this subsection shall serve during the pleasure of the Board;  
7 their compensation shall be determined by the Board and be paid  
8 in the same manner as other employees of the Board under this  
9 Act.

10 (i) The Board shall require that there shall be 3 stewards  
11 at each horse race meeting, at least 2 of whom shall be named  
12 and appointed by the Board. Stewards appointed or approved by  
13 the Board, while performing duties required by this Act or by  
14 the Board, shall be entitled to the same rights and immunities  
15 as granted to Board members and Board employees in Section 10  
16 of this Act.

17 (j) The Board may discharge any Board employee who fails or  
18 refuses for any reason to comply with the rules and regulations  
19 of the Board, or who, in the opinion of the Board, is guilty of  
20 fraud, dishonesty or who is proven to be incompetent. The Board  
21 shall have no right or power to determine who shall be  
22 officers, directors or employees of any licensee, or their  
23 salaries except the Board may, by rule, require that all or any  
24 officials or employees in charge of or whose duties relate to  
25 the actual running of races be approved by the Board.

26 (k) The Board is vested with the power to appoint delegates

1 to execute any of the powers granted to it under this Section  
2 for the purpose of administering this Act and any rules or  
3 regulations promulgated in accordance with this Act.

4 (l) The Board is vested with the power to impose civil  
5 penalties of up to \$5,000 against an individual and up to  
6 \$10,000 against a licensee for each violation of any provision  
7 of this Act, any rules adopted by the Board, any order of the  
8 Board or any other action which, in the Board's discretion, is  
9 a detriment or impediment to horse racing or wagering.  
10 Beginning on the date when any organization licensee begins  
11 conducting electronic gaming pursuant to an electronic gaming  
12 license issued under the Illinois Gambling Act, the power  
13 granted to the Board pursuant to this subsection (l) shall  
14 authorize the Board to impose penalties of up to \$10,000  
15 against an individual and up to \$25,000 against a licensee. All  
16 such civil penalties shall be deposited into the Horse Racing  
17 Fund.

18 (m) The Board is vested with the power to prescribe a form  
19 to be used by licensees as an application for employment for  
20 employees of each licensee.

21 (n) The Board shall have the power to issue a license to  
22 any county fair, or its agent, authorizing the conduct of the  
23 pari-mutuel system of wagering. The Board is vested with the  
24 full power to promulgate reasonable rules, regulations and  
25 conditions under which all horse race meetings licensed  
26 pursuant to this subsection shall be held and conducted,

1 including rules, regulations and conditions for the conduct of  
2 the pari-mutuel system of wagering. The rules, regulations and  
3 conditions shall provide for the prevention of practices  
4 detrimental to the public interest and for the best interests  
5 of horse racing, and shall prescribe penalties for violations  
6 thereof. Any authority granted the Board under this Act shall  
7 extend to its jurisdiction and supervision over county fairs,  
8 or their agents, licensed pursuant to this subsection. However,  
9 the Board may waive any provision of this Act or its rules or  
10 regulations which would otherwise apply to such county fairs or  
11 their agents.

12 (o) Whenever the Board is authorized or required by law to  
13 consider some aspect of criminal history record information for  
14 the purpose of carrying out its statutory powers and  
15 responsibilities, then, upon request and payment of fees in  
16 conformance with the requirements of Section 2605-400 of the  
17 Department of State Police Law (20 ILCS 2605/2605-400), the  
18 Department of State Police is authorized to furnish, pursuant  
19 to positive identification, such information contained in  
20 State files as is necessary to fulfill the request.

21 (p) To insure the convenience, comfort, and wagering  
22 accessibility of race track patrons, to provide for the  
23 maximization of State revenue, and to generate increases in  
24 purse allotments to the horsemen, the Board shall require any  
25 licensee to staff the pari-mutuel department with adequate  
26 personnel.

1 (Source: P.A. 97-1060, eff. 8-24-12.)

2 (230 ILCS 5/15) (from Ch. 8, par. 37-15)

3 Sec. 15. (a) The Board shall, in its discretion, issue  
4 occupation licenses to horse owners, trainers, harness  
5 drivers, jockeys, agents, apprentices, grooms, stable foremen,  
6 exercise persons, veterinarians, valets, blacksmiths,  
7 concessionaires and others designated by the Board whose work,  
8 in whole or in part, is conducted upon facilities within the  
9 State. Such occupation licenses will be obtained prior to the  
10 persons engaging in their vocation upon such facilities. The  
11 Board shall not license pari-mutuel clerks, parking  
12 attendants, security guards and employees of concessionaires.  
13 No occupation license shall be required of any person who works  
14 at facilities within this State as a pari-mutuel clerk, parking  
15 attendant, security guard or as an employee of a  
16 concessionaire. Concessionaires of the Illinois State Fair and  
17 DuQuoin State Fair and employees of the Illinois Department of  
18 Agriculture shall not be required to obtain an occupation  
19 license by the Board.

20 (b) Each application for an occupation license shall be on  
21 forms prescribed by the Board. Such license, when issued, shall  
22 be for the period ending December 31 of each year, except that  
23 the Board in its discretion may grant 3-year licenses. The  
24 application shall be accompanied by a fee of not more than \$25  
25 per year or, in the case of 3-year occupation license



1 applications, a fee of not more than \$60. Each applicant shall  
2 set forth in the application his full name and address, and if  
3 he had been issued prior occupation licenses or has been  
4 licensed in any other state under any other name, such name,  
5 his age, whether or not a permit or license issued to him in  
6 any other state has been suspended or revoked and if so whether  
7 such suspension or revocation is in effect at the time of the  
8 application, and such other information as the Board may  
9 require. Fees for registration of stable names shall not exceed  
10 \$50.00. Beginning on the date when any organization licensee  
11 begins conducting electronic gaming pursuant to an electronic  
12 gaming license issued under the Illinois Gambling Act, the fee  
13 for registration of stable names shall not exceed \$150, and the  
14 application fee for an occupation license shall not exceed \$75,  
15 per year or, in the case of a 3-year occupation license  
16 application, the fee shall not exceed \$180.

17 (c) The Board may in its discretion refuse an occupation  
18 license to any person:

- 19 (1) who has been convicted of a crime;
- 20 (2) who is unqualified to perform the duties required  
21 of such applicant;
- 22 (3) who fails to disclose or states falsely any  
23 information called for in the application;
- 24 (4) who has been found guilty of a violation of this  
25 Act or of the rules and regulations of the Board; or
- 26 (5) whose license or permit has been suspended, revoked

1 or denied for just cause in any other state.

2 (d) The Board may suspend or revoke any occupation license:

3 (1) for violation of any of the provisions of this Act;

4 or

5 (2) for violation of any of the rules or regulations of  
6 the Board; or

7 (3) for any cause which, if known to the Board, would  
8 have justified the Board in refusing to issue such  
9 occupation license; or

10 (4) for any other just cause.

11 (e) Each applicant shall submit his or her fingerprints  
12 to the Department of State Police in the form and manner  
13 prescribed by the Department of State Police. These  
14 fingerprints shall be checked against the fingerprint records  
15 now and hereafter filed in the Department of State Police and  
16 Federal Bureau of Investigation criminal history records  
17 databases. The Department of State Police shall charge a fee  
18 for conducting the criminal history records check, which shall  
19 be deposited in the State Police Services Fund and shall not  
20 exceed the actual cost of the records check. The Department of  
21 State Police shall furnish, pursuant to positive  
22 identification, records of conviction to the Board. Each  
23 applicant for licensure shall submit with his occupation  
24 license application, on forms provided by the Board, 2 sets of  
25 his fingerprints. All such applicants shall appear in person at  
26 the location designated by the Board for the purpose of

1 submitting such sets of fingerprints; however, with the prior  
2 approval of a State steward, an applicant may have such sets of  
3 fingerprints taken by an official law enforcement agency and  
4 submitted to the Board.

5 (f) The Board may, in its discretion, issue an occupation  
6 license without submission of fingerprints if an applicant has  
7 been duly licensed in another recognized racing jurisdiction  
8 after submitting fingerprints that were subjected to a Federal  
9 Bureau of Investigation criminal history background check in  
10 that jurisdiction.

11 (g) Beginning on the date when any organization licensee  
12 begins conducting electronic gambling pursuant to an  
13 electronic gaming license issued under the Illinois Gambling  
14 Act, the Board may charge each applicant a reasonable  
15 non-refundable fee to defray the costs associated with the  
16 background investigation conducted by the Board. This fee shall  
17 be exclusive of any other fee or fees charged in connection  
18 with an application for and, if applicable, the issuance of, an  
19 electronic gaming license. If the costs of the investigation  
20 exceed the amount of the fee charged, the Board shall  
21 immediately notify the applicant of the additional amount owed,  
22 payment of which must be submitted to the Board within 7 days  
23 after such notification. All information, records, interviews,  
24 reports, statements, memoranda, or other data supplied to or  
25 used by the Board in the course of its review or investigation  
26 of an applicant for a license or renewal under this Act shall

1 be privileged, strictly confidential, and shall be used only  
2 for the purpose of evaluating an applicant for a license or a  
3 renewal. Such information, records, interviews, reports,  
4 statements, memoranda, or other data shall not be admissible as  
5 evidence, nor discoverable, in any action of any kind in any  
6 court or before any tribunal, board, agency, or person, except  
7 for any action deemed necessary by the Board.

8 (Source: P.A. 93-418, eff. 1-1-04.)

9 (230 ILCS 5/19) (from Ch. 8, par. 37-19)

10 Sec. 19. (a) No organization license may be granted to  
11 conduct a horse race meeting:

12 (1) except as provided in subsection (c) of Section 21  
13 of this Act, to any person at any place within 35 miles of  
14 any other place licensed by the Board to hold a race  
15 meeting on the same date during the same hours, the mileage  
16 measurement used in this subsection (a) shall be certified  
17 to the Board by the Bureau of Systems and Services in the  
18 Illinois Department of Transportation as the most commonly  
19 used public way of vehicular travel;

20 (2) to any person in default in the payment of any  
21 obligation or debt due the State under this Act, provided  
22 no applicant shall be deemed in default in the payment of  
23 any obligation or debt due to the State under this Act as  
24 long as there is pending a hearing of any kind relevant to  
25 such matter;

1           (3) to any person who has been convicted of the  
2 violation of any law of the United States or any State law  
3 which provided as all or part of its penalty imprisonment  
4 in any penal institution; to any person against whom there  
5 is pending a Federal or State criminal charge; to any  
6 person who is or has been connected with or engaged in the  
7 operation of any illegal business; to any person who does  
8 not enjoy a general reputation in his community of being an  
9 honest, upright, law-abiding person; provided that none of  
10 the matters set forth in this subparagraph (3) shall make  
11 any person ineligible to be granted an organization license  
12 if the Board determines, based on circumstances of any such  
13 case, that the granting of a license would not be  
14 detrimental to the interests of horse racing and of the  
15 public;

16           (4) to any person who does not at the time of  
17 application for the organization license own or have a  
18 contract or lease for the possession of a finished race  
19 track suitable for the type of racing intended to be held  
20 by the applicant and for the accommodation of the public.

21           (b) (Blank) ~~Horse racing on Sunday shall be prohibited~~  
22 ~~unless authorized by ordinance or referendum of the~~  
23 ~~municipality in which a race track or any of its appurtenances~~  
24 ~~or facilities are located, or utilized.~~

25           (c) If any person is ineligible to receive an organization  
26 license because of any of the matters set forth in subsection

1 (a) (2) or subsection (a) (3) of this Section, any other or  
2 separate person that either (i) controls, directly or  
3 indirectly, such ineligible person or (ii) is controlled,  
4 directly or indirectly, by such ineligible person or by a  
5 person which controls, directly or indirectly, such ineligible  
6 person shall also be ineligible.

7 (Source: P.A. 88-495; 89-16, eff. 5-30-95.)

8 (230 ILCS 5/20) (from Ch. 8, par. 37-20)

9 Sec. 20. (a) Any person desiring to conduct a horse race  
10 meeting may apply to the Board for an organization license. The  
11 application shall be made on a form prescribed and furnished by  
12 the Board. The application shall specify:

13 (1) the dates on which it intends to conduct the horse  
14 race meeting, which dates shall be provided under Section  
15 21;

16 (2) the hours of each racing day between which it  
17 intends to hold or conduct horse racing at such meeting;

18 (3) the location where it proposes to conduct the  
19 meeting; and

20 (4) any other information the Board may reasonably  
21 require.

22 (b) A separate application for an organization license  
23 shall be filed for each horse race meeting which such person  
24 proposes to hold. Any such application, if made by an  
25 individual, or by any individual as trustee, shall be signed

1 and verified under oath by such individual. If the application  
2 is made by individuals, then it shall be signed and verified  
3 under oath by at least 2 of the individuals; if the application  
4 is made by ~~or a partnership, it shall be signed and verified~~  
5 ~~under oath by at least 2 of such individuals or members of such~~  
6 ~~partnership as the case may be. If made by an association, a~~  
7 corporation, a corporate trustee, a limited liability company,  
8 or any other entity, it shall be signed by an authorized  
9 officer, a partner, a member, or a manager, as the case may be,  
10 of the entity ~~the president and attested by the secretary or~~  
11 ~~assistant secretary under the seal of such association, trust~~  
12 ~~or corporation if it has a seal, and shall also be verified~~  
13 ~~under oath by one of the signing officers.~~

14 (c) The application shall specify:

15 (1) the name of the persons, association, trust, or  
16 corporation making such application; ~~and~~

17 (2) the principal ~~post office~~ address of the applicant;

18 (3) if the applicant is a trustee, the names and  
19 addresses of the beneficiaries; if the applicant is a  
20 corporation, the names and ~~post office~~ addresses of all  
21 officers, stockholders and directors; or if such  
22 stockholders hold stock as a nominee or fiduciary, the  
23 names and ~~post office~~ addresses of the parties ~~these~~  
24 ~~persons, partnerships, corporations, or trusts~~ who are the  
25 beneficial owners thereof or who are beneficially  
26 interested therein; ~~and~~ if the applicant is a partnership,

1 the names and ~~post-office~~ addresses of all partners,  
2 general or limited; if the applicant is a limited liability  
3 company, the names and addresses of the manager and  
4 members; and if the applicant is any other entity, the  
5 names and addresses of all officers or other authorized  
6 persons of the entity ~~corporation, the name of the state of~~  
7 ~~its incorporation shall be specified.~~

8 (d) The applicant shall execute and file with the Board a  
9 good faith affirmative action plan to recruit, train, and  
10 upgrade minorities in all classifications within the  
11 association.

12 (e) With such application there shall be delivered to the  
13 Board a certified check or bank draft payable to the order of  
14 the Board for an amount equal to \$1,000. All applications for  
15 the issuance of an organization license shall be filed with the  
16 Board before August 1 of the year prior to the year for which  
17 application is made and shall be acted upon by the Board at a  
18 meeting to be held on such date as shall be fixed by the Board  
19 during the last 15 days of September of such prior year. At  
20 such meeting, the Board shall announce the award of the racing  
21 meets, live racing schedule, and designation of host track to  
22 the applicants and its approval or disapproval of each  
23 application. No announcement shall be considered binding until  
24 a formal order is executed by the Board, which shall be  
25 executed no later than October 15 of that prior year. Absent  
26 the agreement of the affected organization licensees, the Board



1 shall not grant overlapping race meetings to 2 or more tracks  
2 that are within 100 miles of each other to conduct the  
3 thoroughbred racing.

4 (e-1) In awarding standardbred racing dates for calendar  
5 year 2016 and thereafter, the Board shall award at least 310  
6 racing days, and each organization licensee shall average at  
7 least 12 races for each racing day awarded. The Board shall  
8 have the discretion to allocate those racing days among  
9 organization licensees requesting standardbred racing dates.  
10 Once awarded by the Board, organization licensees awarded  
11 standardbred racing dates shall run at least 3,500 races in  
12 total during that calendar year. Standardbred racing conducted  
13 in Sangamon County shall not be considered races under this  
14 subsection (e-1).

15 (e-2) In awarding racing dates for calendar year 2016 and  
16 thereafter, the Board shall award thoroughbred racing days to  
17 Cook County organization licensees commensurate with these  
18 organization licensees' requirement that they shall run at  
19 least 1,950 thoroughbred races in the aggregate, so long as 2  
20 organization licensees are conducting electronic gaming  
21 operations. Additionally, if the organization licensees that  
22 run thoroughbred races in Cook County are conducting electronic  
23 gaming operations, the Board shall increase the number of  
24 thoroughbred races to be run in Cook County in the aggregate to  
25 at least the following:

26 (i) 2,050 races in any year following the most recent

1 preceding complete calendar year when the combined  
2 adjusted gross receipts of the electronic gaming licensees  
3 operating at Cook County race tracks total in excess of  
4 \$200,000,000, but do not exceed \$250,000,000;

5 (ii) 2,125 races in any year following the most recent  
6 preceding complete calendar year when the combined  
7 adjusted gross receipts of the electronic gaming licensees  
8 operating at Cook County race tracks total in excess of  
9 \$250,000,000, but do not exceed \$300,000,000;

10 (iii) 2,200 races in any year following the most recent  
11 preceding complete calendar year when the combined  
12 adjusted gross receipts of the electronic gaming licensees  
13 operating at Cook County race tracks total in excess of  
14 \$300,000,000, but do not exceed \$350,000,000;

15 (iv) 2,300 races in any year following the most recent  
16 preceding complete calendar year when the combined  
17 adjusted gross receipts of the electronic gaming licensees  
18 operating at Cook County race tracks total in excess of  
19 \$350,000,000, but do not exceed \$400,000,000;

20 (v) 2,375 races in any year following the most recent  
21 preceding complete calendar year when the combined  
22 adjusted gross receipts of the electronic gaming licensees  
23 operating at Cook County race tracks total in excess of  
24 \$400,000,000, but do not exceed \$450,000,000;

25 (vi) 2,450 races in any year following the most recent  
26 preceding complete calendar year when the combined

1 adjusted gross receipts of the electronic gaming licensees  
2 operating at Cook County race tracks total in excess of  
3 \$450,000,000, but do not exceed \$500,000,000;

4 (vii) 2,550 races in any year following the most recent  
5 preceding complete calendar year when the combined  
6 adjusted gross receipts of the electronic gaming licensees  
7 operating at Cook County race tracks exceeds \$500,000,000.

8 In awarding racing dates under this subsection (e-2), the  
9 Board shall have the discretion to allocate those thoroughbred  
10 racing dates among these Cook County organization licensees.

11 (e-3) Notwithstanding the provisions of Section 7.7 of the  
12 Illinois Gambling Act or any provision of this Act other than  
13 subsection (e-4), for each calendar year for which an  
14 electronic gaming licensee requests racing dates for a specific  
15 horse breed which results in a number of live races for that  
16 specific breed under its organization license that is less than  
17 the total number of live races for that specific breed which it  
18 conducted in 2011 for standardbred racing and in 2009 for  
19 thoroughbred racing at its race track facility, the electronic  
20 gaming licensee may not conduct electronic gaming for the  
21 calendar year of such requested live races.

22 (e-4) The Board shall ensure that each organization  
23 licensee shall individually run a sufficient number of races  
24 per year to qualify for an electronic gaming license under this  
25 Act. The General Assembly finds that the minimum live racing  
26 guarantees contained in subsections (e-1) and (e-2) are in the

1 best interest of the sport of horse racing, and that such  
2 guarantees may only be reduced in the limited circumstances  
3 described in this subsection. The Board may decrease the number  
4 of racing days without affecting an organization licensee's  
5 ability to conduct electronic gaming only if the Board  
6 determines, after notice and hearing, that:

7 (i) a decrease is necessary to maintain a sufficient  
8 number of betting interests per race to ensure the  
9 integrity of racing;

10 (ii) there are unsafe track conditions due to weather  
11 or acts of God;

12 (iii) there is an agreement between an organization  
13 licensee and the breed association that is applicable to  
14 the involved live racing guarantee, such association  
15 representing either the largest number of thoroughbred  
16 owners and trainers or the largest number of standardbred  
17 owners, trainers, and drivers who race horses at the  
18 involved organization licensee's racing meeting, so long  
19 as the agreement does not compromise the integrity of the  
20 sport of horse racing; or

21 (iv) the horse population or purse levels are  
22 insufficient to provide the number of racing opportunities  
23 otherwise required in this Act.

24 In decreasing the number of racing dates in accordance with  
25 this subsection, the Board shall hold a hearing and shall  
26 provide the public and all interested parties notice and an

1 opportunity to be heard. The Board shall accept testimony from  
2 all interested parties, including any association representing  
3 owners, trainers, jockeys, or drivers who will be affected by  
4 the decrease in racing dates. The Board shall provide a written  
5 explanation of the reasons for the decrease and the Board's  
6 findings. The written explanation shall include a listing and  
7 content of all communication between any party and any Illinois  
8 Racing Board member or staff that does not take place at a  
9 public meeting of the Board.

10 (e-5) In reviewing an application for the purpose of  
11 granting an organization license consistent with the best  
12 interests of the public and the sport of horse racing, the  
13 Board shall consider:

14 (1) the character, reputation, experience, and  
15 financial integrity of the applicant and of any other  
16 separate person that either:

17 (i) controls the applicant, directly or  
18 indirectly, or

19 (ii) is controlled, directly or indirectly, by  
20 that applicant or by a person who controls, directly or  
21 indirectly, that applicant;

22 (2) the applicant's facilities or proposed facilities  
23 for conducting horse racing;

24 (3) the total revenue without regard to Section 32.1 to  
25 be derived by the State and horsemen from the applicant's  
26 conducting a race meeting;

1           (4) the applicant's good faith affirmative action plan  
2           to recruit, train, and upgrade minorities in all employment  
3           classifications;

4           (5) the applicant's financial ability to purchase and  
5           maintain adequate liability and casualty insurance;

6           (6) the applicant's proposed and prior year's  
7           promotional and marketing activities and expenditures of  
8           the applicant associated with those activities;

9           (7) an agreement, if any, among organization licensees  
10          as provided in subsection (b) of Section 21 of this Act;  
11          and

12          (8) the extent to which the applicant exceeds or meets  
13          other standards for the issuance of an organization license  
14          that the Board shall adopt by rule.

15          In granting organization licenses and allocating dates for  
16          horse race meetings, the Board shall have discretion to  
17          determine an overall schedule, including required simulcasts  
18          of Illinois races by host tracks that will, in its judgment, be  
19          conducive to the best interests of the public and the sport of  
20          horse racing.

21          (e-10) The Illinois Administrative Procedure Act shall  
22          apply to administrative procedures of the Board under this Act  
23          for the granting of an organization license, except that (1)  
24          notwithstanding the provisions of subsection (b) of Section  
25          10-40 of the Illinois Administrative Procedure Act regarding  
26          cross-examination, the Board may prescribe rules limiting the

1 right of an applicant or participant in any proceeding to award  
2 an organization license to conduct cross-examination of  
3 witnesses at that proceeding where that cross-examination  
4 would unduly obstruct the timely award of an organization  
5 license under subsection (e) of Section 20 of this Act; (2) the  
6 provisions of Section 10-45 of the Illinois Administrative  
7 Procedure Act regarding proposals for decision are excluded  
8 under this Act; (3) notwithstanding the provisions of  
9 subsection (a) of Section 10-60 of the Illinois Administrative  
10 Procedure Act regarding ex parte communications, the Board may  
11 prescribe rules allowing ex parte communications with  
12 applicants or participants in a proceeding to award an  
13 organization license where conducting those communications  
14 would be in the best interest of racing, provided all those  
15 communications are made part of the record of that proceeding  
16 pursuant to subsection (c) of Section 10-60 of the Illinois  
17 Administrative Procedure Act; (4) the provisions of Section 14a  
18 of this Act and the rules of the Board promulgated under that  
19 Section shall apply instead of the provisions of Article 10 of  
20 the Illinois Administrative Procedure Act regarding  
21 administrative law judges; and (5) the provisions of subsection  
22 (d) of Section 10-65 of the Illinois Administrative Procedure  
23 Act that prevent summary suspension of a license pending  
24 revocation or other action shall not apply.

25 (f) The Board may allot racing dates to an organization  
26 licensee for more than one calendar year but for no more than 3

1 successive calendar years in advance, provided that the Board  
2 shall review such allotment for more than one calendar year  
3 prior to each year for which such allotment has been made. The  
4 granting of an organization license to a person constitutes a  
5 privilege to conduct a horse race meeting under the provisions  
6 of this Act, and no person granted an organization license  
7 shall be deemed to have a vested interest, property right, or  
8 future expectation to receive an organization license in any  
9 subsequent year as a result of the granting of an organization  
10 license. Organization licenses shall be subject to revocation  
11 if the organization licensee has violated any provision of this  
12 Act or the rules and regulations promulgated under this Act or  
13 has been convicted of a crime or has failed to disclose or has  
14 stated falsely any information called for in the application  
15 for an organization license. Any organization license  
16 revocation proceeding shall be in accordance with Section 16  
17 regarding suspension and revocation of occupation licenses.

18 (f-5) If, (i) an applicant does not file an acceptance of  
19 the racing dates awarded by the Board as required under part  
20 (1) of subsection (h) of this Section 20, or (ii) an  
21 organization licensee has its license suspended or revoked  
22 under this Act, the Board, upon conducting an emergency hearing  
23 as provided for in this Act, may reaward on an emergency basis  
24 pursuant to rules established by the Board, racing dates not  
25 accepted or the racing dates associated with any suspension or  
26 revocation period to one or more organization licensees, new



1 applicants, or any combination thereof, upon terms and  
2 conditions that the Board determines are in the best interest  
3 of racing, provided, the organization licensees or new  
4 applicants receiving the awarded racing dates file an  
5 acceptance of those reawarded racing dates as required under  
6 paragraph (1) of subsection (h) of this Section 20 and comply  
7 with the other provisions of this Act. The Illinois  
8 Administrative Procedure Act shall not apply to the  
9 administrative procedures of the Board in conducting the  
10 emergency hearing and the reallocation of racing dates on an  
11 emergency basis.

12 (g) (Blank).

13 (h) The Board shall send the applicant a copy of its  
14 formally executed order by certified mail addressed to the  
15 applicant at the address stated in his application, which  
16 notice shall be mailed within 5 days of the date the formal  
17 order is executed.

18 Each applicant notified shall, within 10 days after receipt  
19 of the final executed order of the Board awarding racing dates:

20 (1) file with the Board an acceptance of such award in  
21 the form prescribed by the Board;

22 (2) pay to the Board an additional amount equal to \$110  
23 for each racing date awarded; and

24 (3) file with the Board the bonds required in Sections  
25 21 and 25 at least 20 days prior to the first day of each  
26 race meeting.

1 Upon compliance with the provisions of paragraphs (1), (2), and  
2 (3) of this subsection (h), the applicant shall be issued an  
3 organization license.

4 If any applicant fails to comply with this Section or fails  
5 to pay the organization license fees herein provided, no  
6 organization license shall be issued to such applicant.

7 (Source: P.A. 97-333, eff. 8-12-11.)

8 (230 ILCS 5/21) (from Ch. 8, par. 37-21)

9 Sec. 21. (a) Applications for organization licenses must be  
10 filed with the Board at a time and place prescribed by the  
11 rules and regulations of the Board. The Board shall examine the  
12 applications within 21 days after the date allowed for filing  
13 with respect to their conformity with this Act and such rules  
14 and regulations as may be prescribed by the Board. If any  
15 application does not comply with this Act or the rules and  
16 regulations prescribed by the Board, such application may be  
17 rejected and an organization license refused to the applicant,  
18 or the Board may, within 21 days of the receipt of such  
19 application, advise the applicant of the deficiencies of the  
20 application under the Act or the rules and regulations of the  
21 Board, and require the submittal of an amended application  
22 within a reasonable time determined by the Board; and upon  
23 submittal of the amended application by the applicant, the  
24 Board may consider the application consistent with the process  
25 described in subsection (e-5) of Section 20 of this Act. If it

1 is found to be in compliance with this Act and the rules and  
2 regulations of the Board, the Board may then issue an  
3 organization license to such applicant.

4 (b) The Board may exercise discretion in granting racing  
5 dates to qualified applicants different from those requested by  
6 the applicants in their applications. However, if all eligible  
7 applicants for organization licenses whose tracks are located  
8 within 100 miles of each other execute and submit to the Board  
9 a written agreement among such applicants as to the award of  
10 racing dates, including where applicable racing programs, for  
11 up to 3 consecutive years, then subject to annual review of  
12 each applicant's compliance with Board rules and regulations,  
13 provisions of this Act and conditions contained in annual dates  
14 orders issued by the Board, the Board may grant such dates and  
15 programs to such applicants as so agreed by them if the Board  
16 determines that the grant of these racing dates is in the best  
17 interests of racing. The Board shall treat any such agreement  
18 as the agreement signatories' joint and several application for  
19 racing dates during the term of the agreement.

20 (c) Where 2 or more applicants propose to conduct horse  
21 race meetings within 35 miles of each other, as certified to  
22 the Board under Section 19 (a) (1) of this Act, on conflicting  
23 dates, the Board may determine and grant the number of racing  
24 days to be awarded to the several applicants in accordance with  
25 the provisions of subsection (e-5) of Section 20 of this Act.

26 (d) (Blank).

1           (e) Prior to the issuance of an organization license, the  
2 applicant shall file with the Board a bond payable to the State  
3 of Illinois in the sum of \$200,000, executed by the applicant  
4 and a surety company or companies authorized to do business in  
5 this State, and conditioned upon the payment by the  
6 organization licensee of all taxes due under Section 27, other  
7 monies due and payable under this Act, all purses due and  
8 payable, and that the organization licensee will upon  
9 presentation of the winning ticket or tickets distribute all  
10 sums due to the patrons of pari-mutuel pools. Beginning on the  
11 date when any organization licensee begins conducting  
12 electronic gaming pursuant to an electronic gaming license  
13 issued under the Illinois Gambling Act, the amount of the bond  
14 required under this subsection (e) shall be \$500,000.

15           (f) Each organization license shall specify the person to  
16 whom it is issued, the dates upon which horse racing is  
17 permitted, and the location, place, track, or enclosure where  
18 the horse race meeting is to be held.

19           (g) Any person who owns one or more race tracks within the  
20 State may seek, in its own name, a separate organization  
21 license for each race track.

22           (h) All racing conducted under such organization license is  
23 subject to this Act and to the rules and regulations from time  
24 to time prescribed by the Board, and every such organization  
25 license issued by the Board shall contain a recital to that  
26 effect.

1           (i) Each such organization licensee may provide that at  
2           least one race per day may be devoted to the racing of quarter  
3           horses, appaloosas, arabians, or paints.

4           (j) In acting on applications for organization licenses,  
5           the Board shall give weight to an organization license which  
6           has implemented a good faith affirmative action effort to  
7           recruit, train and upgrade minorities in all classifications  
8           within the organization license.

9           (Source: P.A. 90-754, eff. 1-1-99; 91-40, eff. 6-25-99.)

10           (230 ILCS 5/24) (from Ch. 8, par. 37-24)

11           Sec. 24. (a) No license shall be issued to or held by an  
12           organization licensee unless all of its officers, directors,  
13           and holders of ownership interests of at least 5% are first  
14           approved by the Board. The Board shall not give approval of an  
15           organization license application to any person who has been  
16           convicted of or is under an indictment for a crime of moral  
17           turpitude or has violated any provision of the racing law of  
18           this State or any rules of the Board.

19           (b) An organization licensee must notify the Board within  
20           10 days of any change in the holders of a direct or indirect  
21           interest in the ownership of the organization licensee. The  
22           Board may, after hearing, revoke the organization license of  
23           any person who registers on its books or knowingly permits a  
24           direct or indirect interest in the ownership of that person  
25           without notifying the Board of the name of the holder in

1 interest within this period.

2 (c) In addition to the provisions of subsection (a) of this  
3 Section, no person shall be granted an organization license if  
4 any public official of the State or member of his or her family  
5 holds any ownership or financial interest, directly or  
6 indirectly, in the person.

7 (d) No person which has been granted an organization  
8 license to hold a race meeting shall give to any public  
9 official or member of his family, directly or indirectly, for  
10 or without consideration, any interest in the person. The Board  
11 shall, after hearing, revoke the organization license granted  
12 to a person which has violated this subsection.

13 (e) (Blank).

14 (f) No organization licensee or concessionaire or officer,  
15 director or holder or controller of 5% or more legal or  
16 beneficial interest in any organization licensee or concession  
17 shall make any sort of gift or contribution that is prohibited  
18 under Article 10 of the State Officials and Employees Ethics  
19 Act ~~of any kind~~ or pay or give any money or other thing of value  
20 to any person who is a public official, or a candidate or  
21 nominee for public office if that payment or gift is prohibited  
22 under Article 10 of the State Officials and Employees Ethics  
23 Act.

24 (Source: P.A. 89-16, eff. 5-30-95.)

25 (230 ILCS 5/25) (from Ch. 8, par. 37-25)

1           Sec. 25. Admission charge; bond; fine.

2           (a) There shall be paid to the Board at such time or times  
3 as it shall prescribe, the sum of fifteen cents (15¢) for each  
4 person entering the grounds or enclosure of each organization  
5 licensee and inter-track wagering licensee upon a ticket of  
6 admission except as provided in subsection (g) of Section 27 of  
7 this Act. If tickets are issued for more than one day then the  
8 sum of fifteen cents (15¢) shall be paid for each person using  
9 such ticket on each day that the same shall be used. Provided,  
10 however, that no charge shall be made on tickets of admission  
11 issued to and in the name of directors, officers, agents or  
12 employees of the organization licensee, or inter-track  
13 wagering licensee, or to owners, trainers, jockeys, drivers and  
14 their employees or to any person or persons entering the  
15 grounds or enclosure for the transaction of business in  
16 connection with such race meeting. The organization licensee or  
17 inter-track wagering licensee may, if it desires, collect such  
18 amount from each ticket holder in addition to the amount or  
19 amounts charged for such ticket of admission. Beginning on the  
20 date when any organization licensee begins conducting  
21 electronic gaming pursuant to an electronic gaming license  
22 issued under the Illinois Gambling Act, the admission charge  
23 imposed by this subsection (a) shall be 40 cents for each  
24 person entering the grounds or enclosure of each organization  
25 licensee and inter-track wagering licensee upon a ticket of  
26 admission, and if such tickets are issued for more than one

1 day, 40 cents shall be paid for each person using such ticket  
2 on each day that the same shall be used.

3 (b) Accurate records and books shall at all times be kept  
4 and maintained by the organization licensees and inter-track  
5 wagering licensees showing the admission tickets issued and  
6 used on each racing day and the attendance thereat of each  
7 horse racing meeting. The Board or its duly authorized  
8 representative or representatives shall at all reasonable  
9 times have access to the admission records of any organization  
10 licensee and inter-track wagering licensee for the purpose of  
11 examining and checking the same and ascertaining whether or not  
12 the proper amount has been or is being paid the State of  
13 Illinois as herein provided. The Board shall also require,  
14 before issuing any license, that the licensee shall execute and  
15 deliver to it a bond, payable to the State of Illinois, in such  
16 sum as it shall determine, not, however, in excess of fifty  
17 thousand dollars (\$50,000), with a surety or sureties to be  
18 approved by it, conditioned for the payment of all sums due and  
19 payable or collected by it under this Section upon admission  
20 fees received for any particular racing meetings. The Board may  
21 also from time to time require sworn statements of the number  
22 or numbers of such admissions and may prescribe blanks upon  
23 which such reports shall be made. Any organization licensee or  
24 inter-track wagering licensee failing or refusing to pay the  
25 amount found to be due as herein provided, shall be deemed  
26 guilty of a business offense and upon conviction shall be



1 punished by a fine of not more than five thousand dollars  
2 (\$5,000) in addition to the amount due from such organization  
3 licensee or inter-track wagering licensee as herein provided.  
4 All fines paid into court by an organization licensee or  
5 inter-track wagering licensee found guilty of violating this  
6 Section shall be transmitted and paid over by the clerk of the  
7 court to the Board. Beginning on the date when any organization  
8 licensee begins conducting electronic gaming pursuant to an  
9 electronic gaming license issued under the Illinois Gambling  
10 Act, any fine imposed pursuant to this subsection (b) shall not  
11 exceed \$10,000.

12 (Source: P.A. 88-495; 89-16, eff. 5-30-95.)

13 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

14 Sec. 26. Wagering.

15 (a) Any licensee may conduct and supervise the pari-mutuel  
16 system of wagering, as defined in Section 3.12 of this Act, on  
17 horse races conducted by an Illinois organization licensee or  
18 conducted at a racetrack located in another state or country  
19 and televised in Illinois in accordance with subsection (g) of  
20 Section 26 of this Act. Subject to the prior consent of the  
21 Board, licensees may supplement any pari-mutuel pool in order  
22 to guarantee a minimum distribution. Such pari-mutuel method of  
23 wagering shall not, under any circumstances if conducted under  
24 the provisions of this Act, be held or construed to be  
25 unlawful, other statutes of this State to the contrary

1 notwithstanding. Subject to rules for advance wagering  
2 promulgated by the Board, any licensee may accept wagers in  
3 advance of the day of the race wagered upon occurs.

4 (b) Except for those gaming activities for which a license  
5 is obtained and authorized under the Illinois Lottery Law, the  
6 Charitable Games Act, the Raffles and Poker Runs Act, or the  
7 Illinois Gambling Act, no ~~no~~ other method of betting, pool  
8 making, wagering or gambling shall be used or permitted by the  
9 licensee. Each licensee may retain, subject to the payment of  
10 all applicable taxes and purses, an amount not to exceed 17% of  
11 all money wagered under subsection (a) of this Section, except  
12 as may otherwise be permitted under this Act.

13 (b-5) An individual may place a wager under the pari-mutuel  
14 system from any licensed location authorized under this Act  
15 provided that wager is electronically recorded in the manner  
16 described in Section 3.12 of this Act. Any wager made  
17 electronically by an individual while physically on the  
18 premises of a licensee shall be deemed to have been made at the  
19 premises of that licensee.

20 (c) Until January 1, 2000, the sum held by any licensee for  
21 payment of outstanding pari-mutuel tickets, if unclaimed prior  
22 to December 31 of the next year, shall be retained by the  
23 licensee for payment of such tickets until that date. Within 10  
24 days thereafter, the balance of such sum remaining unclaimed,  
25 less any uncashed supplements contributed by such licensee for  
26 the purpose of guaranteeing minimum distributions of any

1 pari-mutuel pool, shall be paid to the Illinois Veterans'  
2 Rehabilitation Fund of the State treasury, except as provided  
3 in subsection (g) of Section 27 of this Act.

4 (c-5) Beginning January 1, 2000, the sum held by any  
5 licensee for payment of outstanding pari-mutuel tickets, if  
6 unclaimed prior to December 31 of the next year, shall be  
7 retained by the licensee for payment of such tickets until that  
8 date. Within 10 days thereafter, the balance of such sum  
9 remaining unclaimed, less any uncashed supplements contributed  
10 by such licensee for the purpose of guaranteeing minimum  
11 distributions of any pari-mutuel pool, shall be evenly  
12 distributed to the purse account of the organization licensee  
13 and the organization licensee.

14 (d) A pari-mutuel ticket shall be honored until December 31  
15 of the next calendar year, and the licensee shall pay the same  
16 and may charge the amount thereof against unpaid money  
17 similarly accumulated on account of pari-mutuel tickets not  
18 presented for payment.

19 (e) No licensee shall knowingly permit any minor, other  
20 than an employee of such licensee or an owner, trainer, jockey,  
21 driver, or employee thereof, to be admitted during a racing  
22 program unless accompanied by a parent or guardian, or any  
23 minor to be a patron of the pari-mutuel system of wagering  
24 conducted or supervised by it. The admission of any  
25 unaccompanied minor, other than an employee of the licensee or  
26 an owner, trainer, jockey, driver, or employee thereof at a

1 race track is a Class C misdemeanor.

2 (f) Notwithstanding the other provisions of this Act, an  
3 organization licensee may contract with an entity in another  
4 state or country to permit any legal wagering entity in another  
5 state or country to accept wagers solely within such other  
6 state or country on races conducted by the organization  
7 licensee in this State. Beginning January 1, 2000, these wagers  
8 shall not be subject to State taxation. Until January 1, 2000,  
9 when the out-of-State entity conducts a pari-mutuel pool  
10 separate from the organization licensee, a privilege tax equal  
11 to 7 1/2% of all monies received by the organization licensee  
12 from entities in other states or countries pursuant to such  
13 contracts is imposed on the organization licensee, and such  
14 privilege tax shall be remitted to the Department of Revenue  
15 within 48 hours of receipt of the moneys from the simulcast.  
16 When the out-of-State entity conducts a combined pari-mutuel  
17 pool with the organization licensee, the tax shall be 10% of  
18 all monies received by the organization licensee with 25% of  
19 the receipts from this 10% tax to be distributed to the county  
20 in which the race was conducted.

21 An organization licensee may permit one or more of its  
22 races to be utilized for pari-mutuel wagering at one or more  
23 locations in other states and may transmit audio and visual  
24 signals of races the organization licensee conducts to one or  
25 more locations outside the State or country and may also permit  
26 pari-mutuel pools in other states or countries to be combined

1 with its gross or net wagering pools or with wagering pools  
2 established by other states.

3 (g) A host track may accept interstate simulcast wagers on  
4 horse races conducted in other states or countries and shall  
5 control the number of signals and types of breeds of racing in  
6 its simulcast program, subject to the disapproval of the Board.  
7 The Board may prohibit a simulcast program only if it finds  
8 that the simulcast program is clearly adverse to the integrity  
9 of racing. The host track simulcast program shall include the  
10 signal of live racing of all organization licensees. All  
11 non-host licensees and advance deposit wagering licensees  
12 shall carry the signal of and accept wagers on live racing of  
13 all organization licensees. Advance deposit wagering licensees  
14 shall not be permitted to accept out-of-state wagers on any  
15 Illinois signal provided pursuant to this Section without the  
16 approval and consent of the organization licensee providing the  
17 signal. For one year after the effective date of this  
18 amendatory Act of the 98th General Assembly, non-host licensees  
19 may carry the host track simulcast program and shall accept  
20 wagers on all races included as part of the simulcast program  
21 of horse races conducted at race tracks located within North  
22 America upon which wagering is permitted. For a period of one  
23 year after the effective date of this amendatory Act of the  
24 98th General Assembly, on horse races conducted at race tracks  
25 located outside of North America, non-host licensees may accept  
26 wagers on all races included as part of the simulcast program

1 upon which wagering is permitted. Beginning one year after the  
2 effective date of this amendatory Act of the 98th General  
3 Assembly, non-host licensees may carry the host track simulcast  
4 program and shall accept wagers on all races included as part  
5 of the simulcast program upon which wagering is permitted. All  
6 organization licensees shall provide their live signal to all  
7 advance deposit wagering licensees for a simulcast commission  
8 fee not to exceed 6% of the advance deposit wagering licensee's  
9 Illinois handle on the organization licensee's signal without  
10 prior approval by the Board. The Board may adopt rules under  
11 which it may permit simulcast commission fees in excess of 6%.  
12 The Board shall adopt rules limiting the interstate commission  
13 fees charged to an advance deposit wagering licensee. The Board  
14 shall adopt rules regarding advance deposit wagering on  
15 interstate simulcast races that shall reflect, among other  
16 things, the General Assembly's desire to maximize revenues to  
17 the State, horsemen purses, and organizational licensees.  
18 However, organization licensees providing live signals  
19 pursuant to the requirements of this subsection (g) may  
20 petition the Board to withhold their live signals from an  
21 advance deposit wagering licensee if the organization licensee  
22 discovers and the Board finds reputable or credible information  
23 that the advance deposit wagering licensee is under  
24 investigation by another state or federal governmental agency,  
25 the advance deposit wagering licensee's license has been  
26 suspended in another state, or the advance deposit wagering

1 licensee's license is in revocation proceedings in another  
2 state. The organization licensee's provision of their live  
3 signal to an advance deposit wagering licensee under this  
4 subsection (g) pertains to wagers placed from within Illinois.  
5 Advance deposit wagering licensees may place advance deposit  
6 wagering terminals at wagering facilities as a convenience to  
7 customers. The advance deposit wagering licensee shall not  
8 charge or collect any fee from purses for the placement of the  
9 advance deposit wagering terminals. The costs and expenses of  
10 the host track and non-host licensees associated with  
11 interstate simulcast wagering, other than the interstate  
12 commission fee, shall be borne by the host track and all  
13 non-host licensees incurring these costs. The interstate  
14 commission fee shall not exceed 5% of Illinois handle on the  
15 interstate simulcast race or races without prior approval of  
16 the Board. The Board shall promulgate rules under which it may  
17 permit interstate commission fees in excess of 5%. The  
18 interstate commission fee and other fees charged by the sending  
19 racetrack, including, but not limited to, satellite decoder  
20 fees, shall be uniformly applied to the host track and all  
21 non-host licensees.

22 Notwithstanding any other provision of this Act, until  
23 February 1, 2017, an organization licensee, with the consent of  
24 the horsemen association representing the largest number of  
25 owners, trainers, jockeys, or standardbred drivers who race  
26 horses at that organization licensee's racing meeting, may

1 maintain a system whereby advance deposit wagering may take  
2 place or an organization licensee, with the consent of the  
3 horsemen association representing the largest number of  
4 owners, trainers, jockeys, or standardbred drivers who race  
5 horses at that organization licensee's racing meeting, may  
6 contract with another person to carry out a system of advance  
7 deposit wagering. Such consent may not be unreasonably  
8 withheld. Only with respect to an appeal to the Board that  
9 consent for an organization licensee that maintains its own  
10 advance deposit wagering system is being unreasonably  
11 withheld, the Board shall issue a final order within 30 days  
12 after initiation of the appeal, and the organization licensee's  
13 advance deposit wagering system may remain operational during  
14 that 30-day period. The actions of any organization licensee  
15 who conducts advance deposit wagering or any person who has a  
16 contract with an organization licensee to conduct advance  
17 deposit wagering who conducts advance deposit wagering on or  
18 after January 1, 2013 and prior to the effective date of this  
19 amendatory Act of the 98th General Assembly taken in reliance  
20 on the changes made to this subsection (g) by this amendatory  
21 Act of the 98th General Assembly are hereby validated, provided  
22 payment of all applicable pari-mutuel taxes are remitted to the  
23 Board. All advance deposit wagers placed from within Illinois  
24 must be placed through a Board-approved advance deposit  
25 wagering licensee; no other entity may accept an advance  
26 deposit wager from a person within Illinois. All advance



1 deposit wagering is subject to any rules adopted by the Board.  
2 The Board may adopt rules necessary to regulate advance deposit  
3 wagering through the use of emergency rulemaking in accordance  
4 with Section 5-45 of the Illinois Administrative Procedure Act.  
5 The General Assembly finds that the adoption of rules to  
6 regulate advance deposit wagering is deemed an emergency and  
7 necessary for the public interest, safety, and welfare. An  
8 advance deposit wagering licensee may retain all moneys as  
9 agreed to by contract with an organization licensee. Any moneys  
10 retained by the organization licensee from advance deposit  
11 wagering, not including moneys retained by the advance deposit  
12 wagering licensee, shall be paid 50% to the organization  
13 licensee's purse account and 50% to the organization licensee.  
14 With the exception of any organization licensee that is owned  
15 by a publicly traded company that is incorporated in a state  
16 other than Illinois and advance deposit wagering licensees  
17 under contract with such organization licensees, organization  
18 licensees that maintain advance deposit wagering systems and  
19 advance deposit wagering licensees that contract with  
20 organization licensees shall provide sufficiently detailed  
21 monthly accountings to the horsemen association representing  
22 the largest number of owners, trainers, jockeys, or  
23 standardbred drivers who race horses at that organization  
24 licensee's racing meeting so that the horsemen association, as  
25 an interested party, can confirm the accuracy of the amounts  
26 paid to the purse account at the horsemen association's

1 affiliated organization licensee from advance deposit  
2 wagering. If more than one breed races at the same race track  
3 facility, then the 50% of the moneys to be paid to an  
4 organization licensee's purse account shall be allocated among  
5 all organization licensees' purse accounts operating at that  
6 race track facility proportionately based on the actual number  
7 of host days that the Board grants to that breed at that race  
8 track facility in the current calendar year. To the extent any  
9 fees from advance deposit wagering conducted in Illinois for  
10 wagers in Illinois or other states have been placed in escrow  
11 or otherwise withheld from wagers pending a determination of  
12 the legality of advance deposit wagering, no action shall be  
13 brought to declare such wagers or the disbursement of any fees  
14 previously escrowed illegal.

15 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an  
16 intertrack wagering licensee other than the host track may  
17 supplement the host track simulcast program with  
18 additional simulcast races or race programs, provided that  
19 between January 1 and the third Friday in February of any  
20 year, inclusive, if no live thoroughbred racing is  
21 occurring in Illinois during this period, only  
22 thoroughbred races may be used for supplemental interstate  
23 simulcast purposes. The Board shall withhold approval for a  
24 supplemental interstate simulcast only if it finds that the  
25 simulcast is clearly adverse to the integrity of racing. A  
26 supplemental interstate simulcast may be transmitted from

1 an intertrack wagering licensee to its affiliated non-host  
2 licensees. The interstate commission fee for a  
3 supplemental interstate simulcast shall be paid by the  
4 non-host licensee and its affiliated non-host licensees  
5 receiving the simulcast.

6 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an  
7 intertrack wagering licensee other than the host track may  
8 receive supplemental interstate simulcasts only with the  
9 consent of the host track, except when the Board finds that  
10 the simulcast is clearly adverse to the integrity of  
11 racing. Consent granted under this paragraph (2) to any  
12 intertrack wagering licensee shall be deemed consent to all  
13 non-host licensees. The interstate commission fee for the  
14 supplemental interstate simulcast shall be paid by all  
15 participating non-host licensees.

16 (3) Each licensee conducting interstate simulcast  
17 wagering may retain, subject to the payment of all  
18 applicable taxes and the purses, an amount not to exceed  
19 17% of all money wagered. If any licensee conducts the  
20 pari-mutuel system wagering on races conducted at  
21 racetracks in another state or country, each such race or  
22 race program shall be considered a separate racing day for  
23 the purpose of determining the daily handle and computing  
24 the privilege tax of that daily handle as provided in  
25 subsection (a) of Section 27. Until January 1, 2000, from  
26 the sums permitted to be retained pursuant to this

1 subsection, each intertrack wagering location licensee  
2 shall pay 1% of the pari-mutuel handle wagered on simulcast  
3 wagering to the Horse Racing Tax Allocation Fund, subject  
4 to the provisions of subparagraph (B) of paragraph (11) of  
5 subsection (h) of Section 26 of this Act.

6 (4) A licensee who receives an interstate simulcast may  
7 combine its gross or net pools with pools at the sending  
8 racetracks pursuant to rules established by the Board. All  
9 licensees combining their gross pools at a sending  
10 racetrack shall adopt the take-out percentages of the  
11 sending racetrack. A licensee may also establish a separate  
12 pool and takeout structure for wagering purposes on races  
13 conducted at race tracks outside of the State of Illinois.  
14 The licensee may permit pari-mutuel wagers placed in other  
15 states or countries to be combined with its gross or net  
16 wagering pools or other wagering pools.

17 (5) After the payment of the interstate commission fee  
18 (except for the interstate commission fee on a supplemental  
19 interstate simulcast, which shall be paid by the host track  
20 and by each non-host licensee through the host-track) and  
21 all applicable State and local taxes, except as provided in  
22 subsection (g) of Section 27 of this Act, the remainder of  
23 moneys retained from simulcast wagering pursuant to this  
24 subsection (g), and Section 26.2 shall be divided as  
25 follows:

26 (A) For interstate simulcast wagers made at a host

1 track, 50% to the host track and 50% to purses at the  
2 host track.

3 (B) For wagers placed on interstate simulcast  
4 races, supplemental simulcasts as defined in  
5 subparagraphs (1) and (2), and separately pooled races  
6 conducted outside of the State of Illinois made at a  
7 non-host licensee, 25% to the host track, 25% to the  
8 non-host licensee, and 50% to the purses at the host  
9 track.

10 (6) Notwithstanding any provision in this Act to the  
11 contrary, non-host licensees who derive their licenses  
12 from a track located in a county with a population in  
13 excess of 230,000 and that borders the Mississippi River  
14 may receive supplemental interstate simulcast races at all  
15 times subject to Board approval, which shall be withheld  
16 only upon a finding that a supplemental interstate  
17 simulcast is clearly adverse to the integrity of racing.

18 (7) Notwithstanding any provision of this Act to the  
19 contrary, after payment of all applicable State and local  
20 taxes and interstate commission fees, non-host licensees  
21 who derive their licenses from a track located in a county  
22 with a population in excess of 230,000 and that borders the  
23 Mississippi River shall retain 50% of the retention from  
24 interstate simulcast wagers and shall pay 50% to purses at  
25 the track from which the non-host licensee derives its  
26 license as follows:

1           (A) Between January 1 and the third Friday in  
2 February, inclusive, if no live thoroughbred racing is  
3 occurring in Illinois during this period, when the  
4 interstate simulcast is a standardbred race, the purse  
5 share to its standardbred purse account;

6           (B) Between January 1 and the third Friday in  
7 February, inclusive, if no live thoroughbred racing is  
8 occurring in Illinois during this period, and the  
9 interstate simulcast is a thoroughbred race, the purse  
10 share to its interstate simulcast purse pool to be  
11 distributed under paragraph (10) of this subsection  
12 (g);

13           (C) Between January 1 and the third Friday in  
14 February, inclusive, if live thoroughbred racing is  
15 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.  
16 the purse share from wagers made during this time  
17 period to its thoroughbred purse account and between  
18 6:30 p.m. and 6:30 a.m. the purse share from wagers  
19 made during this time period to its standardbred purse  
20 accounts;

21           (D) Between the third Saturday in February and  
22 December 31, when the interstate simulcast occurs  
23 between the hours of 6:30 a.m. and 6:30 p.m., the purse  
24 share to its thoroughbred purse account;

25           (E) Between the third Saturday in February and  
26 December 31, when the interstate simulcast occurs

1           between the hours of 6:30 p.m. and 6:30 a.m., the purse  
2           share to its standardbred purse account.

3           (7.1) Notwithstanding any other provision of this Act  
4           to the contrary, if no standardbred racing is conducted at  
5           a racetrack located in Madison County during any calendar  
6           year beginning on or after January 1, 2002, all moneys  
7           derived by that racetrack from simulcast wagering and  
8           inter-track wagering that (1) are to be used for purses and  
9           (2) are generated between the hours of 6:30 p.m. and 6:30  
10          a.m. during that calendar year shall be paid as follows:

11           (A) If the licensee that conducts horse racing at  
12          that racetrack requests from the Board at least as many  
13          racing dates as were conducted in calendar year 2000,  
14          80% shall be paid to its thoroughbred purse account;  
15          and

16           (B) Twenty percent shall be deposited into the  
17          Illinois Colt Stakes Purse Distribution Fund and shall  
18          be paid to purses for standardbred races for Illinois  
19          conceived and foaled horses conducted at any county  
20          fairgrounds. The moneys deposited into the Fund  
21          pursuant to this subparagraph (B) shall be deposited  
22          within 2 weeks after the day they were generated, shall  
23          be in addition to and not in lieu of any other moneys  
24          paid to standardbred purses under this Act, and shall  
25          not be commingled with other moneys paid into that  
26          Fund. The moneys deposited pursuant to this

1           subparagraph (B) shall be allocated as provided by the  
2           Department of Agriculture, with the advice and  
3           assistance of the Illinois Standardbred Breeders Fund  
4           Advisory Board.

5           (7.2) Notwithstanding any other provision of this Act  
6           to the contrary, if no thoroughbred racing is conducted at  
7           a racetrack located in Madison County during any calendar  
8           year beginning on or after January 1, 2002, all moneys  
9           derived by that racetrack from simulcast wagering and  
10          inter-track wagering that (1) are to be used for purses and  
11          (2) are generated between the hours of 6:30 a.m. and 6:30  
12          p.m. during that calendar year shall be deposited as  
13          follows:

14                 (A) If the licensee that conducts horse racing at  
15                 that racetrack requests from the Board at least as many  
16                 racing dates as were conducted in calendar year 2000,  
17                 80% shall be deposited into its standardbred purse  
18                 account; and

19                 (B) Twenty percent shall be deposited into the  
20                 Illinois Colt Stakes Purse Distribution Fund. Moneys  
21                 deposited into the Illinois Colt Stakes Purse  
22                 Distribution Fund pursuant to this subparagraph (B)  
23                 shall be paid to Illinois conceived and foaled  
24                 thoroughbred breeders' programs and to thoroughbred  
25                 purses for races conducted at any county fairgrounds  
26                 for Illinois conceived and foaled horses at the



1 discretion of the Department of Agriculture, with the  
2 advice and assistance of the Illinois Thoroughbred  
3 Breeders Fund Advisory Board. The moneys deposited  
4 into the Illinois Colt Stakes Purse Distribution Fund  
5 pursuant to this subparagraph (B) shall be deposited  
6 within 2 weeks after the day they were generated, shall  
7 be in addition to and not in lieu of any other moneys  
8 paid to thoroughbred purses under this Act, and shall  
9 not be commingled with other moneys deposited into that  
10 Fund.

11 (7.3) If no live standardbred racing is conducted at a  
12 racetrack located in Madison County in calendar year 2000  
13 or 2001, an organization licensee who is licensed to  
14 conduct horse racing at that racetrack shall, before  
15 January 1, 2002, pay all moneys derived from simulcast  
16 wagering and inter-track wagering in calendar years 2000  
17 and 2001 and paid into the licensee's standardbred purse  
18 account as follows:

19 (A) Eighty percent to that licensee's thoroughbred  
20 purse account to be used for thoroughbred purses; and

21 (B) Twenty percent to the Illinois Colt Stakes  
22 Purse Distribution Fund.

23 Failure to make the payment to the Illinois Colt Stakes  
24 Purse Distribution Fund before January 1, 2002 shall result  
25 in the immediate revocation of the licensee's organization  
26 license, inter-track wagering license, and inter-track

1           wagering location license.

2           Moneys paid into the Illinois Colt Stakes Purse  
3           Distribution Fund pursuant to this paragraph (7.3) shall be  
4           paid to purses for standardbred races for Illinois  
5           conceived and foaled horses conducted at any county  
6           fairgrounds. Moneys paid into the Illinois Colt Stakes  
7           Purse Distribution Fund pursuant to this paragraph (7.3)  
8           shall be used as determined by the Department of  
9           Agriculture, with the advice and assistance of the Illinois  
10          Standardbred Breeders Fund Advisory Board, shall be in  
11          addition to and not in lieu of any other moneys paid to  
12          standardbred purses under this Act, and shall not be  
13          commingled with any other moneys paid into that Fund.

14          (7.4) If live standardbred racing is conducted at a  
15          racetrack located in Madison County at any time in calendar  
16          year 2001 before the payment required under paragraph (7.3)  
17          has been made, the organization licensee who is licensed to  
18          conduct racing at that racetrack shall pay all moneys  
19          derived by that racetrack from simulcast wagering and  
20          inter-track wagering during calendar years 2000 and 2001  
21          that (1) are to be used for purses and (2) are generated  
22          between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or  
23          2001 to the standardbred purse account at that racetrack to  
24          be used for standardbred purses.

25          (8) Notwithstanding any provision in this Act to the  
26          contrary, an organization licensee from a track located in

1 a county with a population in excess of 230,000 and that  
2 borders the Mississippi River and its affiliated non-host  
3 licensees shall not be entitled to share in any retention  
4 generated on racing, inter-track wagering, or simulcast  
5 wagering at any other Illinois wagering facility.

6 (8.1) Notwithstanding any provisions in this Act to the  
7 contrary, if 2 organization licensees are conducting  
8 standardbred race meetings concurrently between the hours  
9 of 6:30 p.m. and 6:30 a.m., after payment of all applicable  
10 State and local taxes and interstate commission fees, the  
11 remainder of the amount retained from simulcast wagering  
12 otherwise attributable to the host track and to host track  
13 purses shall be split daily between the 2 organization  
14 licensees and the purses at the tracks of the 2  
15 organization licensees, respectively, based on each  
16 organization licensee's share of the total live handle for  
17 that day, provided that this provision shall not apply to  
18 any non-host licensee that derives its license from a track  
19 located in a county with a population in excess of 230,000  
20 and that borders the Mississippi River.

21 (9) (Blank).

22 (10) (Blank).

23 (11) (Blank).

24 (12) The Board shall have authority to compel all host  
25 tracks to receive the simulcast of any or all races  
26 conducted at the Springfield or DuQuoin State fairgrounds

1 and include all such races as part of their simulcast  
2 programs.

3 (13) Notwithstanding any other provision of this Act,  
4 in the event that the total Illinois pari-mutuel handle on  
5 Illinois horse races at all wagering facilities in any  
6 calendar year is less than 75% of the total Illinois  
7 pari-mutuel handle on Illinois horse races at all such  
8 wagering facilities for calendar year 1994, then each  
9 wagering facility that has an annual total Illinois  
10 pari-mutuel handle on Illinois horse races that is less  
11 than 75% of the total Illinois pari-mutuel handle on  
12 Illinois horse races at such wagering facility for calendar  
13 year 1994, shall be permitted to receive, from any amount  
14 otherwise payable to the purse account at the race track  
15 with which the wagering facility is affiliated in the  
16 succeeding calendar year, an amount equal to 2% of the  
17 differential in total Illinois pari-mutuel handle on  
18 Illinois horse races at the wagering facility between that  
19 calendar year in question and 1994 provided, however, that  
20 a wagering facility shall not be entitled to any such  
21 payment until the Board certifies in writing to the  
22 wagering facility the amount to which the wagering facility  
23 is entitled and a schedule for payment of the amount to the  
24 wagering facility, based on: (i) the racing dates awarded  
25 to the race track affiliated with the wagering facility  
26 during the succeeding year; (ii) the sums available or

1 anticipated to be available in the purse account of the  
2 race track affiliated with the wagering facility for purses  
3 during the succeeding year; and (iii) the need to ensure  
4 reasonable purse levels during the payment period. The  
5 Board's certification shall be provided no later than  
6 January 31 of the succeeding year. In the event a wagering  
7 facility entitled to a payment under this paragraph (13) is  
8 affiliated with a race track that maintains purse accounts  
9 for both standardbred and thoroughbred racing, the amount  
10 to be paid to the wagering facility shall be divided  
11 between each purse account pro rata, based on the amount of  
12 Illinois handle on Illinois standardbred and thoroughbred  
13 racing respectively at the wagering facility during the  
14 previous calendar year. Annually, the General Assembly  
15 shall appropriate sufficient funds from the General  
16 Revenue Fund to the Department of Agriculture for payment  
17 into the thoroughbred and standardbred horse racing purse  
18 accounts at Illinois pari-mutuel tracks. The amount paid to  
19 each purse account shall be the amount certified by the  
20 Illinois Racing Board in January to be transferred from  
21 each account to each eligible racing facility in accordance  
22 with the provisions of this Section. Beginning in the  
23 calendar year in which an organization licensee that is  
24 eligible to receive payment under this paragraph (13)  
25 begins to receive funds from electronic gaming, the amount  
26 of the payment due to all wagering facilities licensed

1       under that organization licensee under this paragraph (13)  
2       shall be the amount certified by the Board in January of  
3       that year. An organization licensee and its related  
4       wagering facilities shall no longer be able to receive  
5       payments under this paragraph (13) beginning in the year  
6       subsequent to the first year in which the organization  
7       licensee begins to receive funds from electronic gaming.

8       (h) The Board may approve and license the conduct of  
9       inter-track wagering and simulcast wagering by inter-track  
10       wagering licensees and inter-track wagering location licensees  
11       subject to the following terms and conditions:

12               (1) Any person licensed to conduct a race meeting (i)  
13               at a track where 60 or more days of racing were conducted  
14               during the immediately preceding calendar year or where  
15               over the 5 immediately preceding calendar years an average  
16               of 30 or more days of racing were conducted annually may be  
17               issued an inter-track wagering license; (ii) at a track  
18               located in a county that is bounded by the Mississippi  
19               River, which has a population of less than 150,000  
20               according to the 1990 decennial census, and an average of  
21               at least 60 days of racing per year between 1985 and 1993  
22               may be issued an inter-track wagering license; or (iii) at  
23               a track located in Madison County that conducted at least  
24               100 days of live racing during the immediately preceding  
25               calendar year may be issued an inter-track wagering  
26               license, unless a lesser schedule of live racing is the

1 result of (A) weather, unsafe track conditions, or other  
2 acts of God; (B) an agreement between the organization  
3 licensee and the associations representing the largest  
4 number of owners, trainers, jockeys, or standardbred  
5 drivers who race horses at that organization licensee's  
6 racing meeting; or (C) a finding by the Board of  
7 extraordinary circumstances and that it was in the best  
8 interest of the public and the sport to conduct fewer than  
9 100 days of live racing. Any such person having operating  
10 control of the racing facility may also receive up to 6  
11 inter-track wagering location licenses. In no event shall  
12 more than 6 inter-track wagering locations be established  
13 for each eligible race track, except that an eligible race  
14 track located in a county that has a population of more  
15 than 230,000 and that is bounded by the Mississippi River  
16 may establish up to 7 inter-track wagering locations and an  
17 eligible race track located in Cook County may establish up  
18 to 8 inter-track wagering locations. An application for  
19 said license shall be filed with the Board prior to such  
20 dates as may be fixed by the Board. With an application for  
21 an inter-track wagering location license there shall be  
22 delivered to the Board a certified check or bank draft  
23 payable to the order of the Board for an amount equal to  
24 \$500. The application shall be on forms prescribed and  
25 furnished by the Board. The application shall comply with  
26 all other rules, regulations and conditions imposed by the

1 Board in connection therewith.

2 (2) The Board shall examine the applications with  
3 respect to their conformity with this Act and the rules and  
4 regulations imposed by the Board. If found to be in  
5 compliance with the Act and rules and regulations of the  
6 Board, the Board may then issue a license to conduct  
7 inter-track wagering and simulcast wagering to such  
8 applicant. All such applications shall be acted upon by the  
9 Board at a meeting to be held on such date as may be fixed  
10 by the Board.

11 (3) In granting licenses to conduct inter-track  
12 wagering and simulcast wagering, the Board shall give due  
13 consideration to the best interests of the public, of horse  
14 racing, and of maximizing revenue to the State.

15 (4) Prior to the issuance of a license to conduct  
16 inter-track wagering and simulcast wagering, the applicant  
17 shall file with the Board a bond payable to the State of  
18 Illinois in the sum of \$50,000, executed by the applicant  
19 and a surety company or companies authorized to do business  
20 in this State, and conditioned upon (i) the payment by the  
21 licensee of all taxes due under Section 27 or 27.1 and any  
22 other monies due and payable under this Act, and (ii)  
23 distribution by the licensee, upon presentation of the  
24 winning ticket or tickets, of all sums payable to the  
25 patrons of pari-mutuel pools.

26 (5) Each license to conduct inter-track wagering and



1 simulcast wagering shall specify the person to whom it is  
2 issued, the dates on which such wagering is permitted, and  
3 the track or location where the wagering is to be  
4 conducted.

5 (6) All wagering under such license is subject to this  
6 Act and to the rules and regulations from time to time  
7 prescribed by the Board, and every such license issued by  
8 the Board shall contain a recital to that effect.

9 (7) An inter-track wagering licensee or inter-track  
10 wagering location licensee may accept wagers at the track  
11 or location where it is licensed, or as otherwise provided  
12 under this Act.

13 (8) Inter-track wagering or simulcast wagering shall  
14 not be conducted at any track less than 5 miles from a  
15 track at which a racing meeting is in progress.

16 (8.1) Inter-track wagering location licensees who  
17 derive their licenses from a particular organization  
18 licensee shall conduct inter-track wagering and simulcast  
19 wagering only at locations that are within 140 miles of  
20 that race track where the particular organization licensee  
21 is licensed to conduct racing. However, inter-track  
22 wagering and simulcast wagering shall not be conducted by  
23 those licensees at any location within 5 miles of any race  
24 track at which a horse race meeting has been licensed in  
25 the current year, unless the person having operating  
26 control of such race track has given its written consent to

1 such inter-track wagering location licensees, which  
2 consent must be filed with the Board at or prior to the  
3 time application is made. In the case of any inter-track  
4 wagering location licensee initially licensed after  
5 December 31, 2013, inter-track wagering and simulcast  
6 wagering shall not be conducted by those inter-track  
7 wagering location licensees that are located outside the  
8 City of Chicago at any location within 8 miles of any race  
9 track at which a horse race meeting has been licensed in  
10 the current year, unless the person having operating  
11 control of such race track has given its written consent to  
12 such inter-track wagering location licensees, which  
13 consent must be filed with the Board at or prior to the  
14 time application is made.

15 (8.2) Inter-track wagering or simulcast wagering shall  
16 not be conducted by an inter-track wagering location  
17 licensee at any location within 500 feet of an existing  
18 church, an ~~or~~ existing elementary or secondary public  
19 school, or an existing elementary or secondary private  
20 school registered with or recognized by the State Board of  
21 Education ~~school~~, nor within 500 feet of the residences of  
22 more than 50 registered voters without receiving written  
23 permission from a majority of the registered voters at such  
24 residences. Such written permission statements shall be  
25 filed with the Board. The distance of 500 feet shall be  
26 measured to the nearest part of any building used for

1 worship services, education programs, residential  
2 purposes, or conducting inter-track wagering by an  
3 inter-track wagering location licensee, and not to  
4 property boundaries. However, inter-track wagering or  
5 simulcast wagering may be conducted at a site within 500  
6 feet of a church, school or residences of 50 or more  
7 registered voters if such church, school or residences have  
8 been erected or established, or such voters have been  
9 registered, after the Board issues the original  
10 inter-track wagering location license at the site in  
11 question. Inter-track wagering location licensees may  
12 conduct inter-track wagering and simulcast wagering only  
13 in areas that are zoned for commercial or manufacturing  
14 purposes or in areas for which a special use has been  
15 approved by the local zoning authority. However, no license  
16 to conduct inter-track wagering and simulcast wagering  
17 shall be granted by the Board with respect to any  
18 inter-track wagering location within the jurisdiction of  
19 any local zoning authority which has, by ordinance or by  
20 resolution, prohibited the establishment of an inter-track  
21 wagering location within its jurisdiction. However,  
22 inter-track wagering and simulcast wagering may be  
23 conducted at a site if such ordinance or resolution is  
24 enacted after the Board licenses the original inter-track  
25 wagering location licensee for the site in question.

26 (9) (Blank).

1           (10) An inter-track wagering licensee or an  
2 inter-track wagering location licensee may retain, subject  
3 to the payment of the privilege taxes and the purses, an  
4 amount not to exceed 17% of all money wagered. Each program  
5 of racing conducted by each inter-track wagering licensee  
6 or inter-track wagering location licensee shall be  
7 considered a separate racing day for the purpose of  
8 determining the daily handle and computing the privilege  
9 tax or pari-mutuel tax on such daily handle as provided in  
10 Section 27.

11           (10.1) Except as provided in subsection (g) of Section  
12 27 of this Act, inter-track wagering location licensees  
13 shall pay 1% of the pari-mutuel handle at each location to  
14 the municipality in which such location is situated and 1%  
15 of the pari-mutuel handle at each location to the county in  
16 which such location is situated. In the event that an  
17 inter-track wagering location licensee is situated in an  
18 unincorporated area of a county, such licensee shall pay 2%  
19 of the pari-mutuel handle from such location to such  
20 county.

21           (10.2) Notwithstanding any other provision of this  
22 Act, with respect to intertrack wagering at a race track  
23 located in a county that has a population of more than  
24 230,000 and that is bounded by the Mississippi River ("the  
25 first race track"), or at a facility operated by an  
26 inter-track wagering licensee or inter-track wagering

1 location licensee that derives its license from the  
2 organization licensee that operates the first race track,  
3 on races conducted at the first race track or on races  
4 conducted at another Illinois race track and  
5 simultaneously televised to the first race track or to a  
6 facility operated by an inter-track wagering licensee or  
7 inter-track wagering location licensee that derives its  
8 license from the organization licensee that operates the  
9 first race track, those moneys shall be allocated as  
10 follows:

11 (A) That portion of all moneys wagered on  
12 standardbred racing that is required under this Act to  
13 be paid to purses shall be paid to purses for  
14 standardbred races.

15 (B) That portion of all moneys wagered on  
16 thoroughbred racing that is required under this Act to  
17 be paid to purses shall be paid to purses for  
18 thoroughbred races.

19 (11) (A) After payment of the privilege or pari-mutuel  
20 tax, any other applicable taxes, and the costs and expenses  
21 in connection with the gathering, transmission, and  
22 dissemination of all data necessary to the conduct of  
23 inter-track wagering, the remainder of the monies retained  
24 under either Section 26 or Section 26.2 of this Act by the  
25 inter-track wagering licensee on inter-track wagering  
26 shall be allocated with 50% to be split between the 2

1 participating licensees and 50% to purses, except that an  
2 intertrack wagering licensee that derives its license from  
3 a track located in a county with a population in excess of  
4 230,000 and that borders the Mississippi River shall not  
5 divide any remaining retention with the Illinois  
6 organization licensee that provides the race or races, and  
7 an intertrack wagering licensee that accepts wagers on  
8 races conducted by an organization licensee that conducts a  
9 race meet in a county with a population in excess of  
10 230,000 and that borders the Mississippi River shall not  
11 divide any remaining retention with that organization  
12 licensee.

13 (B) From the sums permitted to be retained pursuant to  
14 this Act each inter-track wagering location licensee shall  
15 pay (i) the privilege or pari-mutuel tax to the State; (ii)  
16 4.75% of the pari-mutuel handle on intertrack wagering at  
17 such location on races as purses, except that an intertrack  
18 wagering location licensee that derives its license from a  
19 track located in a county with a population in excess of  
20 230,000 and that borders the Mississippi River shall retain  
21 all purse moneys for its own purse account consistent with  
22 distribution set forth in this subsection (h), and  
23 intertrack wagering location licensees that accept wagers  
24 on races conducted by an organization licensee located in a  
25 county with a population in excess of 230,000 and that  
26 borders the Mississippi River shall distribute all purse

1 moneys to purses at the operating host track; (iii) until  
2 January 1, 2000, except as provided in subsection (g) of  
3 Section 27 of this Act, 1% of the pari-mutuel handle  
4 wagered on inter-track wagering and simulcast wagering at  
5 each inter-track wagering location licensee facility to  
6 the Horse Racing Tax Allocation Fund, provided that, to the  
7 extent the total amount collected and distributed to the  
8 Horse Racing Tax Allocation Fund under this subsection (h)  
9 during any calendar year exceeds the amount collected and  
10 distributed to the Horse Racing Tax Allocation Fund during  
11 calendar year 1994, that excess amount shall be  
12 redistributed (I) to all inter-track wagering location  
13 licensees, based on each licensee's pro-rata share of the  
14 total handle from inter-track wagering and simulcast  
15 wagering for all inter-track wagering location licensees  
16 during the calendar year in which this provision is  
17 applicable; then (II) the amounts redistributed to each  
18 inter-track wagering location licensee as described in  
19 subpart (I) shall be further redistributed as provided in  
20 subparagraph (B) of paragraph (5) of subsection (g) of this  
21 Section 26 provided first, that the shares of those  
22 amounts, which are to be redistributed to the host track or  
23 to purses at the host track under subparagraph (B) of  
24 paragraph (5) of subsection (g) of this Section 26 shall be  
25 redistributed based on each host track's pro rata share of  
26 the total inter-track wagering and simulcast wagering

1 handle at all host tracks during the calendar year in  
2 question, and second, that any amounts redistributed as  
3 described in part (I) to an inter-track wagering location  
4 licensee that accepts wagers on races conducted by an  
5 organization licensee that conducts a race meet in a county  
6 with a population in excess of 230,000 and that borders the  
7 Mississippi River shall be further redistributed as  
8 provided in subparagraphs (D) and (E) of paragraph (7) of  
9 subsection (g) of this Section 26, with the portion of that  
10 further redistribution allocated to purses at that  
11 organization licensee to be divided between standardbred  
12 purses and thoroughbred purses based on the amounts  
13 otherwise allocated to purses at that organization  
14 licensee during the calendar year in question; and (iv) 8%  
15 of the pari-mutuel handle on inter-track wagering wagered  
16 at such location to satisfy all costs and expenses of  
17 conducting its wagering. The remainder of the monies  
18 retained by the inter-track wagering location licensee  
19 shall be allocated 40% to the location licensee and 60% to  
20 the organization licensee which provides the Illinois  
21 races to the location, except that an intertrack wagering  
22 location licensee that derives its license from a track  
23 located in a county with a population in excess of 230,000  
24 and that borders the Mississippi River shall not divide any  
25 remaining retention with the organization licensee that  
26 provides the race or races and an intertrack wagering



1 location licensee that accepts wagers on races conducted by  
2 an organization licensee that conducts a race meet in a  
3 county with a population in excess of 230,000 and that  
4 borders the Mississippi River shall not divide any  
5 remaining retention with the organization licensee.  
6 Notwithstanding the provisions of clauses (ii) and (iv) of  
7 this paragraph, in the case of the additional inter-track  
8 wagering location licenses authorized under paragraph (1)  
9 of this subsection (h) by this amendatory Act of 1991,  
10 those licensees shall pay the following amounts as purses:  
11 during the first 12 months the licensee is in operation,  
12 5.25% of the pari-mutuel handle wagered at the location on  
13 races; during the second 12 months, 5.25%; during the third  
14 12 months, 5.75%; during the fourth 12 months, 6.25%; and  
15 during the fifth 12 months and thereafter, 6.75%. The  
16 following amounts shall be retained by the licensee to  
17 satisfy all costs and expenses of conducting its wagering:  
18 during the first 12 months the licensee is in operation,  
19 8.25% of the pari-mutuel handle wagered at the location;  
20 during the second 12 months, 8.25%; during the third 12  
21 months, 7.75%; during the fourth 12 months, 7.25%; and  
22 during the fifth 12 months and thereafter, 6.75%. For  
23 additional intertrack wagering location licensees  
24 authorized under this amendatory Act of 1995, purses for  
25 the first 12 months the licensee is in operation shall be  
26 5.75% of the pari-mutuel wagered at the location, purses

1 for the second 12 months the licensee is in operation shall  
2 be 6.25%, and purses thereafter shall be 6.75%. For  
3 additional intertrack location licensees authorized under  
4 this amendatory Act of 1995, the licensee shall be allowed  
5 to retain to satisfy all costs and expenses: 7.75% of the  
6 pari-mutuel handle wagered at the location during its first  
7 12 months of operation, 7.25% during its second 12 months  
8 of operation, and 6.75% thereafter.

9 (C) There is hereby created the Horse Racing Tax  
10 Allocation Fund which shall remain in existence until  
11 December 31, 1999. Moneys remaining in the Fund after  
12 December 31, 1999 shall be paid into the General Revenue  
13 Fund. Until January 1, 2000, all monies paid into the Horse  
14 Racing Tax Allocation Fund pursuant to this paragraph (11)  
15 by inter-track wagering location licensees located in park  
16 districts of 500,000 population or less, or in a  
17 municipality that is not included within any park district  
18 but is included within a conservation district and is the  
19 county seat of a county that (i) is contiguous to the state  
20 of Indiana and (ii) has a 1990 population of 88,257  
21 according to the United States Bureau of the Census, and  
22 operating on May 1, 1994 shall be allocated by  
23 appropriation as follows:

24 Two-sevenths to the Department of Agriculture.  
25 Fifty percent of this two-sevenths shall be used to  
26 promote the Illinois horse racing and breeding

1 industry, and shall be distributed by the Department of  
2 Agriculture upon the advice of a 9-member committee  
3 appointed by the Governor consisting of the following  
4 members: the Director of Agriculture, who shall serve  
5 as chairman; 2 representatives of organization  
6 licensees conducting thoroughbred race meetings in  
7 this State, recommended by those licensees; 2  
8 representatives of organization licensees conducting  
9 standardbred race meetings in this State, recommended  
10 by those licensees; a representative of the Illinois  
11 Thoroughbred Breeders and Owners Foundation,  
12 recommended by that Foundation; a representative of  
13 the Illinois Standardbred Owners and Breeders  
14 Association, recommended by that Association; a  
15 representative of the Horsemen's Benevolent and  
16 Protective Association or any successor organization  
17 thereto established in Illinois comprised of the  
18 largest number of owners and trainers, recommended by  
19 that Association or that successor organization; and a  
20 representative of the Illinois Harness Horsemen's  
21 Association, recommended by that Association.  
22 Committee members shall serve for terms of 2 years,  
23 commencing January 1 of each even-numbered year. If a  
24 representative of any of the above-named entities has  
25 not been recommended by January 1 of any even-numbered  
26 year, the Governor shall appoint a committee member to

1 fill that position. Committee members shall receive no  
2 compensation for their services as members but shall be  
3 reimbursed for all actual and necessary expenses and  
4 disbursements incurred in the performance of their  
5 official duties. The remaining 50% of this  
6 two-sevenths shall be distributed to county fairs for  
7 premiums and rehabilitation as set forth in the  
8 Agricultural Fair Act;

9 Four-sevenths to park districts or municipalities  
10 that do not have a park district of 500,000 population  
11 or less for museum purposes (if an inter-track wagering  
12 location licensee is located in such a park district)  
13 or to conservation districts for museum purposes (if an  
14 inter-track wagering location licensee is located in a  
15 municipality that is not included within any park  
16 district but is included within a conservation  
17 district and is the county seat of a county that (i) is  
18 contiguous to the state of Indiana and (ii) has a 1990  
19 population of 88,257 according to the United States  
20 Bureau of the Census, except that if the conservation  
21 district does not maintain a museum, the monies shall  
22 be allocated equally between the county and the  
23 municipality in which the inter-track wagering  
24 location licensee is located for general purposes) or  
25 to a municipal recreation board for park purposes (if  
26 an inter-track wagering location licensee is located

1 in a municipality that is not included within any park  
2 district and park maintenance is the function of the  
3 municipal recreation board and the municipality has a  
4 1990 population of 9,302 according to the United States  
5 Bureau of the Census); provided that the monies are  
6 distributed to each park district or conservation  
7 district or municipality that does not have a park  
8 district in an amount equal to four-sevenths of the  
9 amount collected by each inter-track wagering location  
10 licensee within the park district or conservation  
11 district or municipality for the Fund. Monies that were  
12 paid into the Horse Racing Tax Allocation Fund before  
13 the effective date of this amendatory Act of 1991 by an  
14 inter-track wagering location licensee located in a  
15 municipality that is not included within any park  
16 district but is included within a conservation  
17 district as provided in this paragraph shall, as soon  
18 as practicable after the effective date of this  
19 amendatory Act of 1991, be allocated and paid to that  
20 conservation district as provided in this paragraph.  
21 Any park district or municipality not maintaining a  
22 museum may deposit the monies in the corporate fund of  
23 the park district or municipality where the  
24 inter-track wagering location is located, to be used  
25 for general purposes; and

26 One-seventh to the Agricultural Premium Fund to be

1 used for distribution to agricultural home economics  
2 extension councils in accordance with "An Act in  
3 relation to additional support and finances for the  
4 Agricultural and Home Economic Extension Councils in  
5 the several counties of this State and making an  
6 appropriation therefor", approved July 24, 1967.

7 Until January 1, 2000, all other monies paid into the  
8 Horse Racing Tax Allocation Fund pursuant to this paragraph  
9 (11) shall be allocated by appropriation as follows:

10 Two-sevenths to the Department of Agriculture.  
11 Fifty percent of this two-sevenths shall be used to  
12 promote the Illinois horse racing and breeding  
13 industry, and shall be distributed by the Department of  
14 Agriculture upon the advice of a 9-member committee  
15 appointed by the Governor consisting of the following  
16 members: the Director of Agriculture, who shall serve  
17 as chairman; 2 representatives of organization  
18 licensees conducting thoroughbred race meetings in  
19 this State, recommended by those licensees; 2  
20 representatives of organization licensees conducting  
21 standardbred race meetings in this State, recommended  
22 by those licensees; a representative of the Illinois  
23 Thoroughbred Breeders and Owners Foundation,  
24 recommended by that Foundation; a representative of  
25 the Illinois Standardbred Owners and Breeders  
26 Association, recommended by that Association; a

1 representative of the Horsemen's Benevolent and  
2 Protective Association or any successor organization  
3 thereto established in Illinois comprised of the  
4 largest number of owners and trainers, recommended by  
5 that Association or that successor organization; and a  
6 representative of the Illinois Harness Horsemen's  
7 Association, recommended by that Association.  
8 Committee members shall serve for terms of 2 years,  
9 commencing January 1 of each even-numbered year. If a  
10 representative of any of the above-named entities has  
11 not been recommended by January 1 of any even-numbered  
12 year, the Governor shall appoint a committee member to  
13 fill that position. Committee members shall receive no  
14 compensation for their services as members but shall be  
15 reimbursed for all actual and necessary expenses and  
16 disbursements incurred in the performance of their  
17 official duties. The remaining 50% of this  
18 two-sevenths shall be distributed to county fairs for  
19 premiums and rehabilitation as set forth in the  
20 Agricultural Fair Act;

21 Four-sevenths to museums and aquariums located in  
22 park districts of over 500,000 population; provided  
23 that the monies are distributed in accordance with the  
24 previous year's distribution of the maintenance tax  
25 for such museums and aquariums as provided in Section 2  
26 of the Park District Aquarium and Museum Act; and

1           One-seventh to the Agricultural Premium Fund to be  
2 used for distribution to agricultural home economics  
3 extension councils in accordance with "An Act in  
4 relation to additional support and finances for the  
5 Agricultural and Home Economic Extension Councils in  
6 the several counties of this State and making an  
7 appropriation therefor", approved July 24, 1967. This  
8 subparagraph (C) shall be inoperative and of no force  
9 and effect on and after January 1, 2000.

10           (D) Except as provided in paragraph (11) of this  
11 subsection (h), with respect to purse allocation from  
12 intertrack wagering, the monies so retained shall be  
13 divided as follows:

14           (i) If the inter-track wagering licensee,  
15 except an intertrack wagering licensee that  
16 derives its license from an organization licensee  
17 located in a county with a population in excess of  
18 230,000 and bounded by the Mississippi River, is  
19 not conducting its own race meeting during the same  
20 dates, then the entire purse allocation shall be to  
21 purses at the track where the races wagered on are  
22 being conducted.

23           (ii) If the inter-track wagering licensee,  
24 except an intertrack wagering licensee that  
25 derives its license from an organization licensee  
26 located in a county with a population in excess of



1           230,000 and bounded by the Mississippi River, is  
2           also conducting its own race meeting during the  
3           same dates, then the purse allocation shall be as  
4           follows: 50% to purses at the track where the races  
5           wagered on are being conducted; 50% to purses at  
6           the track where the inter-track wagering licensee  
7           is accepting such wagers.

8           (iii) If the inter-track wagering is being  
9           conducted by an inter-track wagering location  
10          licensee, except an intertrack wagering location  
11          licensee that derives its license from an  
12          organization licensee located in a county with a  
13          population in excess of 230,000 and bounded by the  
14          Mississippi River, the entire purse allocation for  
15          Illinois races shall be to purses at the track  
16          where the race meeting being wagered on is being  
17          held.

18          (12) The Board shall have all powers necessary and  
19          proper to fully supervise and control the conduct of  
20          inter-track wagering and simulcast wagering by inter-track  
21          wagering licensees and inter-track wagering location  
22          licensees, including, but not limited to the following:

23                (A) The Board is vested with power to promulgate  
24                reasonable rules and regulations for the purpose of  
25                administering the conduct of this wagering and to  
26                prescribe reasonable rules, regulations and conditions

1 under which such wagering shall be held and conducted.  
2 Such rules and regulations are to provide for the  
3 prevention of practices detrimental to the public  
4 interest and for the best interests of said wagering  
5 and to impose penalties for violations thereof.

6 (B) The Board, and any person or persons to whom it  
7 delegates this power, is vested with the power to enter  
8 the facilities of any licensee to determine whether  
9 there has been compliance with the provisions of this  
10 Act and the rules and regulations relating to the  
11 conduct of such wagering.

12 (C) The Board, and any person or persons to whom it  
13 delegates this power, may eject or exclude from any  
14 licensee's facilities, any person whose conduct or  
15 reputation is such that his presence on such premises  
16 may, in the opinion of the Board, call into the  
17 question the honesty and integrity of, or interfere  
18 with the orderly conduct of such wagering; provided,  
19 however, that no person shall be excluded or ejected  
20 from such premises solely on the grounds of race,  
21 color, creed, national origin, ancestry, or sex.

22 (D) (Blank).

23 (E) The Board is vested with the power to appoint  
24 delegates to execute any of the powers granted to it  
25 under this Section for the purpose of administering  
26 this wagering and any rules and regulations

1 promulgated in accordance with this Act.

2 (F) The Board shall name and appoint a State  
3 director of this wagering who shall be a representative  
4 of the Board and whose duty it shall be to supervise  
5 the conduct of inter-track wagering as may be provided  
6 for by the rules and regulations of the Board; such  
7 rules and regulation shall specify the method of  
8 appointment and the Director's powers, authority and  
9 duties.

10 (G) The Board is vested with the power to impose  
11 civil penalties of up to \$5,000 against individuals and  
12 up to \$10,000 against licensees for each violation of  
13 any provision of this Act relating to the conduct of  
14 this wagering, any rules adopted by the Board, any  
15 order of the Board or any other action which in the  
16 Board's discretion, is a detriment or impediment to  
17 such wagering.

18 (13) The Department of Agriculture may enter into  
19 agreements with licensees authorizing such licensees to  
20 conduct inter-track wagering on races to be held at the  
21 licensed race meetings conducted by the Department of  
22 Agriculture. Such agreement shall specify the races of the  
23 Department of Agriculture's licensed race meeting upon  
24 which the licensees will conduct wagering. In the event  
25 that a licensee conducts inter-track pari-mutuel wagering  
26 on races from the Illinois State Fair or DuQuoin State Fair

1 which are in addition to the licensee's previously approved  
2 racing program, those races shall be considered a separate  
3 racing day for the purpose of determining the daily handle  
4 and computing the privilege or pari-mutuel tax on that  
5 daily handle as provided in Sections 27 and 27.1. Such  
6 agreements shall be approved by the Board before such  
7 wagering may be conducted. In determining whether to grant  
8 approval, the Board shall give due consideration to the  
9 best interests of the public and of horse racing. The  
10 provisions of paragraphs (1), (8), (8.1), and (8.2) of  
11 subsection (h) of this Section which are not specified in  
12 this paragraph (13) shall not apply to licensed race  
13 meetings conducted by the Department of Agriculture at the  
14 Illinois State Fair in Sangamon County or the DuQuoin State  
15 Fair in Perry County, or to any wagering conducted on those  
16 race meetings.

17 (i) Notwithstanding the other provisions of this Act, the  
18 conduct of wagering at wagering facilities is authorized on all  
19 days, except as limited by subsection (b) of Section 19 of this  
20 Act.

21 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;  
22 98-624, eff. 1-29-14; 98-968, eff. 8-15-14.)

23 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

24 Sec. 27. (a) In addition to the organization license fee  
25 provided by this Act, until January 1, 2000, a graduated

1 privilege tax is hereby imposed for conducting the pari-mutuel  
2 system of wagering permitted under this Act. Until January 1,  
3 2000, except as provided in subsection (g) of Section 27 of  
4 this Act, all of the breakage of each racing day held by any  
5 licensee in the State shall be paid to the State. Until January  
6 1, 2000, such daily graduated privilege tax shall be paid by  
7 the licensee from the amount permitted to be retained under  
8 this Act. Until January 1, 2000, each day's graduated privilege  
9 tax, breakage, and Horse Racing Tax Allocation funds shall be  
10 remitted to the Department of Revenue within 48 hours after the  
11 close of the racing day upon which it is assessed or within  
12 such other time as the Board prescribes. The privilege tax  
13 hereby imposed, until January 1, 2000, shall be a flat tax at  
14 the rate of 2% of the daily pari-mutuel handle except as  
15 provided in Section 27.1.

16 In addition, every organization licensee, except as  
17 provided in Section 27.1 of this Act, which conducts multiple  
18 wagering shall pay, until January 1, 2000, as a privilege tax  
19 on multiple wagers an amount equal to 1.25% of all moneys  
20 wagered each day on such multiple wagers, plus an additional  
21 amount equal to 3.5% of the amount wagered each day on any  
22 other multiple wager which involves a single betting interest  
23 on 3 or more horses. The licensee shall remit the amount of  
24 such taxes to the Department of Revenue within 48 hours after  
25 the close of the racing day on which it is assessed or within  
26 such other time as the Board prescribes.

1           This subsection (a) shall be inoperative and of no force  
2 and effect on and after January 1, 2000.

3           (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax  
4 at the rate of 1.5% of the daily pari-mutuel handle is imposed  
5 at all pari-mutuel wagering facilities and on advance deposit  
6 wagering from a location other than a wagering facility, except  
7 as otherwise provided for in this subsection (a-5). In addition  
8 to the pari-mutuel tax imposed on advance deposit wagering  
9 pursuant to this subsection (a-5), beginning on August 24, 2012  
10 (the effective date of Public Act 97-1060) until February 1,  
11 2017, an additional pari-mutuel tax at the rate of 0.25% shall  
12 be imposed on advance deposit wagering. Until August 25, 2012,  
13 the additional 0.25% pari-mutuel tax imposed on advance deposit  
14 wagering by Public Act 96-972 shall be deposited into the  
15 Quarter Horse Purse Fund, which shall be created as a  
16 non-appropriated trust fund administered by the Board for  
17 grants to thoroughbred organization licensees for payment of  
18 purses for quarter horse races conducted by the organization  
19 licensee. Beginning on August 26, 2012, the additional 0.25%  
20 pari-mutuel tax imposed on advance deposit wagering shall be  
21 deposited into the Standardbred Purse Fund, which shall be  
22 created as a non-appropriated trust fund administered by the  
23 Board, for grants to the standardbred organization licensees  
24 for payment of purses for standardbred horse races conducted by  
25 the organization licensee. Thoroughbred organization licensees  
26 may petition the Board to conduct quarter horse racing and

1 receive purse grants from the Quarter Horse Purse Fund. The  
2 Board shall have complete discretion in distributing the  
3 Quarter Horse Purse Fund to the petitioning organization  
4 licensees. Beginning on July 26, 2010 (the effective date of  
5 Public Act 96-1287), a pari-mutuel tax at the rate of 0.75% of  
6 the daily pari-mutuel handle is imposed at a pari-mutuel  
7 facility whose license is derived from a track located in a  
8 county that borders the Mississippi River and conducted live  
9 racing in the previous year. The pari-mutuel tax imposed by  
10 this subsection (a-5) shall be remitted to the Department of  
11 Revenue within 48 hours after the close of the racing day upon  
12 which it is assessed or within such other time as the Board  
13 prescribes.

14 (a-10) Beginning on the date when an organization licensee  
15 begins conducting electronic gaming pursuant to an electronic  
16 gaming license, the following pari-mutuel tax is imposed upon  
17 an organization licensee on Illinois races at the licensee's  
18 race track:

19 1.5% of the pari-mutuel handle at or below the average  
20 daily pari-mutuel handle for 2011.

21 2% of the pari-mutuel handle above the average daily  
22 pari-mutuel handle for 2011 up to 125% of the average daily  
23 pari-mutuel handle for 2011.

24 2.5% of the pari-mutuel handle 125% or more above the  
25 average daily pari-mutuel handle for 2011 up to 150% of the  
26 average daily pari-mutuel handle for 2011.

1           3% of the pari-mutuel handle 150% or more above the  
2           average daily pari-mutuel handle for 2011 up to 175% of the  
3           average daily pari-mutuel handle for 2011.

4           3.5% of the pari-mutuel handle 175% or more above the  
5           average daily pari-mutuel handle for 2011.

6           The pari-mutuel tax imposed by this subsection (a-10) shall  
7           be remitted to the Board within 48 hours after the close of the  
8           racing day upon which it is assessed or within such other time  
9           as the Board prescribes.

10           (b) On or before December 31, 1999, in the event that any  
11           organization licensee conducts 2 separate programs of races on  
12           any day, each such program shall be considered a separate  
13           racing day for purposes of determining the daily handle and  
14           computing the privilege tax on such daily handle as provided in  
15           subsection (a) of this Section.

16           (c) Licensees shall at all times keep accurate books and  
17           records of all monies wagered on each day of a race meeting and  
18           of the taxes paid to the Department of Revenue under the  
19           provisions of this Section. The Board or its duly authorized  
20           representative or representatives shall at all reasonable  
21           times have access to such records for the purpose of examining  
22           and checking the same and ascertaining whether the proper  
23           amount of taxes is being paid as provided. The Board shall  
24           require verified reports and a statement of the total of all  
25           monies wagered daily at each wagering facility upon which the  
26           taxes are assessed and may prescribe forms upon which such



1 reports and statement shall be made.

2 (d) Before a license is issued or re-issued, the licensee  
3 shall post a bond in the sum of \$500,000 to the State of  
4 Illinois. The bond shall be used to guarantee that the licensee  
5 faithfully makes the payments, keeps the books and records and  
6 makes reports, and conducts games of chance in conformity with  
7 this Act and the rules adopted by the Board. The bond shall not  
8 be canceled by a surety on less than 30 days' notice in writing  
9 to the Board. If a bond is canceled and the licensee fails to  
10 file a new bond with the Board in the required amount on or  
11 before the effective date of cancellation, the licensee's  
12 license shall be revoked. The total and aggregate liability of  
13 the surety on the bond is limited to the amount specified in  
14 the bond. Any licensee failing or refusing to pay the amount of  
15 any tax due under this Section shall be guilty of a business  
16 offense and upon conviction shall be fined not more than \$5,000  
17 in addition to the amount found due as tax under this Section.  
18 Each day's violation shall constitute a separate offense. All  
19 finances paid into Court by a licensee hereunder shall be  
20 transmitted and paid over by the Clerk of the Court to the  
21 Board.

22 (e) No other license fee, privilege tax, excise tax, or  
23 racing fee, except as provided in this Act, shall be assessed  
24 or collected from any such licensee by the State.

25 (f) No other license fee, privilege tax, excise tax or  
26 racing fee shall be assessed or collected from any such

1 licensee by units of local government except as provided in  
2 paragraph 10.1 of subsection (h) and subsection (f) of Section  
3 26 of this Act. However, any municipality that has a Board  
4 licensed horse race meeting at a race track wholly within its  
5 corporate boundaries or a township that has a Board licensed  
6 horse race meeting at a race track wholly within the  
7 unincorporated area of the township may charge a local  
8 amusement tax not to exceed 10¢ per admission to such horse  
9 race meeting by the enactment of an ordinance. However, any  
10 municipality or county that has a Board licensed inter-track  
11 wagering location facility wholly within its corporate  
12 boundaries may each impose an admission fee not to exceed \$1.00  
13 per admission to such inter-track wagering location facility,  
14 so that a total of not more than \$2.00 per admission may be  
15 imposed. Except as provided in subparagraph (g) of Section 27  
16 of this Act, the inter-track wagering location licensee shall  
17 collect any and all such fees and within 48 hours remit the  
18 fees to the Board, which shall, pursuant to rule, cause the  
19 fees to be distributed to the county or municipality.

20 (g) Notwithstanding any provision in this Act to the  
21 contrary, if in any calendar year the total taxes and fees from  
22 wagering on live racing and from inter-track wagering required  
23 to be collected from licensees and distributed under this Act  
24 to all State and local governmental authorities exceeds the  
25 amount of such taxes and fees distributed to each State and  
26 local governmental authority to which each State and local

1 governmental authority was entitled under this Act for calendar  
2 year 1994, then the first \$11 million of that excess amount  
3 shall be allocated at the earliest possible date for  
4 distribution as purse money for the succeeding calendar year.  
5 Upon reaching the 1994 level, and until the excess amount of  
6 taxes and fees exceeds \$11 million, the Board shall direct all  
7 licensees to cease paying the subject taxes and fees and the  
8 Board shall direct all licensees to allocate any such excess  
9 amount for purses as follows:

10 (i) the excess amount shall be initially divided  
11 between thoroughbred and standardbred purses based on the  
12 thoroughbred's and standardbred's respective percentages  
13 of total Illinois live wagering in calendar year 1994;

14 (ii) each thoroughbred and standardbred organization  
15 licensee issued an organization licensee in that  
16 succeeding allocation year shall be allocated an amount  
17 equal to the product of its percentage of total Illinois  
18 live thoroughbred or standardbred wagering in calendar  
19 year 1994 (the total to be determined based on the sum of  
20 1994 on-track wagering for all organization licensees  
21 issued organization licenses in both the allocation year  
22 and the preceding year) multiplied by the total amount  
23 allocated for standardbred or thoroughbred purses,  
24 provided that the first \$1,500,000 of the amount allocated  
25 to standardbred purses under item (i) shall be allocated to  
26 the Department of Agriculture to be expended with the

1 assistance and advice of the Illinois Standardbred  
2 Breeders Funds Advisory Board for the purposes listed in  
3 subsection (g) of Section 31 of this Act, before the amount  
4 allocated to standardbred purses under item (i) is  
5 allocated to standardbred organization licensees in the  
6 succeeding allocation year.

7 To the extent the excess amount of taxes and fees to be  
8 collected and distributed to State and local governmental  
9 authorities exceeds \$11 million, that excess amount shall be  
10 collected and distributed to State and local authorities as  
11 provided for under this Act.

12 (Source: P.A. 97-1060, eff. 8-24-12; 98-18, eff. 6-7-13;  
13 98-624, eff. 1-29-14.)

14 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

15 Sec. 30. (a) The General Assembly declares that it is the  
16 policy of this State to encourage the breeding of thoroughbred  
17 horses in this State and the ownership of such horses by  
18 residents of this State in order to provide for: sufficient  
19 numbers of high quality thoroughbred horses to participate in  
20 thoroughbred racing meetings in this State, and to establish  
21 and preserve the agricultural and commercial benefits of such  
22 breeding and racing industries to the State of Illinois. It is  
23 the intent of the General Assembly to further this policy by  
24 the provisions of this Act.

25 (b) Each organization licensee conducting a thoroughbred

1 racing meeting pursuant to this Act shall provide at least two  
2 races each day limited to Illinois conceived and foaled horses  
3 or Illinois foaled horses or both. A minimum of 6 races shall  
4 be conducted each week limited to Illinois conceived and foaled  
5 or Illinois foaled horses or both. No horses shall be permitted  
6 to start in such races unless duly registered under the rules  
7 of the Department of Agriculture.

8 (c) Conditions of races under subsection (b) shall be  
9 commensurate with past performance, quality, and class of  
10 Illinois conceived and foaled and Illinois foaled horses  
11 available. If, however, sufficient competition cannot be had  
12 among horses of that class on any day, the races may, with  
13 consent of the Board, be eliminated for that day and substitute  
14 races provided.

15 (d) There is hereby created a special fund of the State  
16 Treasury to be known as the Illinois Thoroughbred Breeders  
17 Fund.

18 Beginning on the effective date of this amendatory Act of  
19 the 99th General Assembly, the Illinois Thoroughbred Breeders  
20 Fund shall become a non-appropriated trust fund held separately  
21 from State moneys. Expenditures from this Fund shall no longer  
22 be subject to appropriation.

23 Except as provided in subsection (g) of Section 27 of this  
24 Act, 8.5% of all the monies received by the State as privilege  
25 taxes on Thoroughbred racing meetings shall be paid into the  
26 Illinois Thoroughbred Breeders Fund.

1        Notwithstanding any provision of law to the contrary,  
2        amounts deposited into the Illinois Thoroughbred Breeders Fund  
3        from revenues generated by electronic gaming after the  
4        effective date of this amendatory Act of the 99th General  
5        Assembly shall be in addition to tax and fee amounts paid under  
6        this Section for calendar year 2015 and thereafter.

7        (e) The Illinois Thoroughbred Breeders Fund shall be  
8        administered by the Department of Agriculture with the advice  
9        and assistance of the Advisory Board created in subsection (f)  
10       of this Section.

11       (f) The Illinois Thoroughbred Breeders Fund Advisory Board  
12       shall consist of the Director of the Department of Agriculture,  
13       who shall serve as Chairman; a member of the Illinois Racing  
14       Board, designated by it; 2 representatives of the organization  
15       licensees conducting thoroughbred racing meetings, recommended  
16       by them; 2 representatives of the Illinois Thoroughbred  
17       Breeders and Owners Foundation, recommended by it; one  
18       representative ~~and 2 representatives~~ of the Horsemen's  
19       Benevolent Protective Association; and one representative from  
20       the Illinois Thoroughbred Horsemen's Association ~~or any~~  
21       ~~successor organization established in Illinois comprised of~~  
22       ~~the largest number of owners and trainers, recommended by it,~~  
23       ~~with one representative of the Horsemen's Benevolent and~~  
24       ~~Protective Association to come from its Illinois Division, and~~  
25       ~~one from its Chicago Division.~~ Advisory Board members shall  
26       serve for 2 years commencing January 1 of each odd numbered

1 year. If representatives of the organization licensees  
2 conducting thoroughbred racing meetings, the Illinois  
3 Thoroughbred Breeders and Owners Foundation, ~~and~~ the  
4 Horsemen's Benevolent Protection Association, and the Illinois  
5 Thoroughbred Horsemen's Association have not been recommended  
6 by January 1, of each odd numbered year, the Director of the  
7 Department of Agriculture shall make an appointment for the  
8 organization failing to so recommend a member of the Advisory  
9 Board. Advisory Board members shall receive no compensation for  
10 their services as members but shall be reimbursed for all  
11 actual and necessary expenses and disbursements incurred in the  
12 execution of their official duties.

13 (g) ~~No monies shall be expended from the Illinois~~  
14 ~~Thoroughbred Breeders Fund except as appropriated by the~~  
15 ~~General Assembly.~~ Monies expended ~~appropriated~~ from the  
16 Illinois Thoroughbred Breeders Fund shall be expended by the  
17 Department of Agriculture, with the advice and assistance of  
18 the Illinois Thoroughbred Breeders Fund Advisory Board, for the  
19 following purposes only:

20 (1) To provide purse supplements to owners of horses  
21 participating in races limited to Illinois conceived and  
22 foaled and Illinois foaled horses. Any such purse  
23 supplements shall not be included in and shall be paid in  
24 addition to any purses, stakes, or breeders' awards offered  
25 by each organization licensee as determined by agreement  
26 between such organization licensee and an organization

1 representing the horsemen. No monies from the Illinois  
2 Thoroughbred Breeders Fund shall be used to provide purse  
3 supplements for claiming races in which the minimum  
4 claiming price is less than \$7,500.

5 (2) To provide stakes and awards to be paid to the  
6 owners of the winning horses in certain races limited to  
7 Illinois conceived and foaled and Illinois foaled horses  
8 designated as stakes races.

9 (2.5) To provide an award to the owner or owners of an  
10 Illinois conceived and foaled or Illinois foaled horse that  
11 wins a maiden special weight, an allowance, overnight  
12 handicap race, or claiming race with claiming price of  
13 \$10,000 or more providing the race is not restricted to  
14 Illinois conceived and foaled or Illinois foaled horses.  
15 Awards shall also be provided to the owner or owners of  
16 Illinois conceived and foaled and Illinois foaled horses  
17 that place second or third in those races. To the extent  
18 that additional moneys are required to pay the minimum  
19 additional awards of 40% of the purse the horse earns for  
20 placing first, second or third in those races for Illinois  
21 foaled horses and of 60% of the purse the horse earns for  
22 placing first, second or third in those races for Illinois  
23 conceived and foaled horses, those moneys shall be provided  
24 from the purse account at the track where earned.

25 (3) To provide stallion awards to the owner or owners  
26 of any stallion that is duly registered with the Illinois



1 Thoroughbred Breeders Fund Program ~~prior to the effective~~  
2 ~~date of this amendatory Act of 1995~~ whose duly registered  
3 Illinois conceived and foaled offspring wins a race  
4 conducted at an Illinois thoroughbred racing meeting other  
5 than a claiming race, provided that the stallion stood  
6 service within Illinois at the time the offspring was  
7 conceived and that the stallion did not stand for service  
8 outside of Illinois at any time during the year in which  
9 the offspring was conceived. ~~Such award shall not be paid~~  
10 ~~to the owner or owners of an Illinois stallion that served~~  
11 ~~outside this State at any time during the calendar year in~~  
12 ~~which such race was conducted.~~

13 (4) To provide \$75,000 annually for purses to be  
14 distributed to county fairs that provide for the running of  
15 races during each county fair exclusively for the  
16 thoroughbreds conceived and foaled in Illinois. The  
17 conditions of the races shall be developed by the county  
18 fair association and reviewed by the Department with the  
19 advice and assistance of the Illinois Thoroughbred  
20 Breeders Fund Advisory Board. There shall be no wagering of  
21 any kind on the running of Illinois conceived and foaled  
22 races at county fairs.

23 (4.1) To provide purse money for an Illinois stallion  
24 stakes program.

25 (5) No less than 90% ~~80%~~ of all monies expended  
26 ~~appropriated~~ from the Illinois Thoroughbred Breeders Fund

1 shall be expended for the purposes in paragraphs (1), (2),  
2 (2.5), (3), (4), (4.1), and (5) as shown above.

3 (6) To provide for educational programs regarding the  
4 thoroughbred breeding industry.

5 (7) To provide for research programs concerning the  
6 health, development and care of the thoroughbred horse.

7 (8) To provide for a scholarship and training program  
8 for students of equine veterinary medicine.

9 (9) To provide for dissemination of public information  
10 designed to promote the breeding of thoroughbred horses in  
11 Illinois.

12 (10) To provide for all expenses incurred in the  
13 administration of the Illinois Thoroughbred Breeders Fund.

14 (h) The Illinois Thoroughbred Breeders Fund is not subject  
15 to administrative charges or chargebacks, including, but not  
16 limited to, those authorized under Section 8h of the State  
17 Finance Act. ~~Whenever the Governor finds that the amount in the~~  
18 ~~Illinois Thoroughbred Breeders Fund is more than the total of~~  
19 ~~the outstanding appropriations from such fund, the Governor~~  
20 ~~shall notify the State Comptroller and the State Treasurer of~~  
21 ~~such fact. The Comptroller and the State Treasurer, upon~~  
22 ~~receipt of such notification, shall transfer such excess amount~~  
23 ~~from the Illinois Thoroughbred Breeders Fund to the General~~  
24 ~~Revenue Fund.~~

25 (i) A sum equal to 13% ~~12-1/2%~~ of the first prize money of  
26 every purse won by an Illinois foaled or an Illinois conceived

1 and foaled horse in races not limited to Illinois foaled horses  
2 or Illinois conceived and foaled horses, or both, shall be paid  
3 by the organization licensee conducting the horse race meeting.  
4 Such sum shall be paid 50% from the organization licensee's  
5 account and 50% from the purse account of the licensee ~~share of~~  
6 ~~the money wagered~~ as follows: 11 1/2% to the breeder of the  
7 winning horse and 1 1/2% ~~1%~~ to the organization representing  
8 thoroughbred breeders and owners whose representative serves  
9 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
10 verifying the amounts of breeders' awards earned, assuring  
11 their distribution in accordance with this Act, and servicing  
12 and promoting the Illinois thoroughbred horse racing industry.  
13 Except for that track that races in Madison County, beginning  
14 in the calendar year in which an organization licensee that is  
15 eligible to receive payment under paragraph (13) of subsection  
16 (g) of Section 26 of this Act begins to receive funds from  
17 electronic gaming, a sum equal to 21 1/2% of the first prize  
18 money of every purse won by an Illinois foaled or an Illinois  
19 conceived and foaled horse in races not limited to Illinois  
20 foaled horses or Illinois conceived and foaled horses, or both,  
21 shall be paid by the organization licensee conducting the horse  
22 race meeting. Such sum shall be paid 30% from the organization  
23 licensee's account and 70% from the purse account of the  
24 licensee as follows: 20% to the breeder of the winning horse  
25 and 1 1/2% to the organization representing thoroughbred  
26 breeders and owners whose representative serves on the Illinois

1 Thoroughbred Breeders Fund Advisory Board for verifying the  
2 amounts of breeders' awards earned, ensuring their  
3 distribution in accordance with this Act, and service and  
4 promotion of the Illinois thoroughbred horse racing industry.

5 The organization representing thoroughbred breeders and owners  
6 shall cause all expenditures of monies received under this  
7 subsection (i) to be audited at least annually by a registered  
8 public accountant. The organization shall file copies of each  
9 annual audit with the Racing Board, the Clerk of the House of  
10 Representatives and the Secretary of the Senate, and shall make  
11 copies of each annual audit available to the public upon  
12 request and upon payment of the reasonable cost of photocopying  
13 the requested number of copies. Such payments shall not reduce  
14 any award to the owner of the horse or reduce the taxes payable  
15 under this Act. Upon completion of its racing meet, each  
16 organization licensee shall deliver to the organization  
17 representing thoroughbred breeders and owners whose  
18 representative serves on the Illinois Thoroughbred Breeders  
19 Fund Advisory Board a listing of all the Illinois foaled and  
20 the Illinois conceived and foaled horses which won breeders'  
21 awards and the amount of such breeders' awards under this  
22 subsection to verify accuracy of payments and assure proper  
23 distribution of breeders' awards in accordance with the  
24 provisions of this Act. Such payments shall be delivered by the  
25 organization licensee within 30 days of the end of each race  
26 meeting.

1 (j) A sum equal to 13% ~~12 1/2%~~ of the first prize money won  
2 in each race limited to Illinois foaled horses or Illinois  
3 conceived and foaled horses, or both, shall be paid in the  
4 following manner by the organization licensee conducting the  
5 horse race meeting, 50% from the organization licensee's  
6 account and 50% from the purse account of the licensee ~~share of~~  
7 ~~the money wagered~~: 11 1/2% to the breeders of the horses in  
8 each such race which are the official first, second, third and  
9 fourth finishers and 1 1/2% ~~1%~~ to the organization representing  
10 thoroughbred breeders and owners whose representative serves  
11 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
12 verifying the amounts of breeders' awards earned, assuring  
13 their proper distribution in accordance with this Act, and  
14 servicing and promoting the Illinois thoroughbred horse racing  
15 industry. The organization representing thoroughbred breeders  
16 and owners shall cause all expenditures of monies received  
17 under this subsection (j) to be audited at least annually by a  
18 registered public accountant. The organization shall file  
19 copies of each annual audit with the Racing Board, the Clerk of  
20 the House of Representatives and the Secretary of the Senate,  
21 and shall make copies of each annual audit available to the  
22 public upon request and upon payment of the reasonable cost of  
23 photocopying the requested number of copies.

24 The 11 1/2% paid to the breeders in accordance with this  
25 subsection shall be distributed as follows:

26 (1) 60% of such sum shall be paid to the breeder of the

1 horse which finishes in the official first position;

2 (2) 20% of such sum shall be paid to the breeder of the  
3 horse which finishes in the official second position;

4 (3) 15% of such sum shall be paid to the breeder of the  
5 horse which finishes in the official third position; and

6 (4) 5% of such sum shall be paid to the breeder of the  
7 horse which finishes in the official fourth position.

8 Such payments shall not reduce any award to the owners of a  
9 horse or reduce the taxes payable under this Act. Upon  
10 completion of its racing meet, each organization licensee shall  
11 deliver to the organization representing thoroughbred breeders  
12 and owners whose representative serves on the Illinois  
13 Thoroughbred Breeders Fund Advisory Board a listing of all the  
14 Illinois foaled and the Illinois conceived and foaled horses  
15 which won breeders' awards and the amount of such breeders'  
16 awards in accordance with the provisions of this Act. Such  
17 payments shall be delivered by the organization licensee within  
18 30 days of the end of each race meeting.

19 (k) The term "breeder", as used herein, means the owner of  
20 the mare at the time the foal is dropped. An "Illinois foaled  
21 horse" is a foal dropped by a mare which enters this State on  
22 or before December 1, in the year in which the horse is bred,  
23 provided the mare remains continuously in this State until its  
24 foal is born. An "Illinois foaled horse" also means a foal born  
25 of a mare in the same year as the mare enters this State on or  
26 before March 1, and remains in this State at least 30 days

1 after foaling, is bred back during the season of the foaling to  
2 an Illinois Registered Stallion (unless a veterinarian  
3 certifies that the mare should not be bred for health reasons),  
4 and is not bred to a stallion standing in any other state  
5 during the season of foaling. An "Illinois foaled horse" also  
6 means a foal born in Illinois of a mare purchased at public  
7 auction subsequent to the mare entering this State on or before  
8 March 1 ~~prior to February 1~~ of the foaling year providing the  
9 mare is owned solely by one or more Illinois residents or an  
10 Illinois entity that is entirely owned by one or more Illinois  
11 residents.

12 (1) The Department of Agriculture shall, by rule, with the  
13 advice and assistance of the Illinois Thoroughbred Breeders  
14 Fund Advisory Board:

15 (1) Qualify stallions for Illinois breeding; such  
16 stallions to stand for service within the State of Illinois  
17 at the time of a foal's conception. Such stallion must not  
18 stand for service at any place outside the State of  
19 Illinois during the calendar year in which the foal is  
20 conceived. The Department of Agriculture may assess and  
21 collect an application fee of up to \$500 ~~fees~~ for the  
22 registration of Illinois-eligible stallions. All fees  
23 collected are to be held in trust accounts for the purposes  
24 set forth in this Act and in accordance with Section 205-15  
25 of the Department of Agriculture Law ~~paid into the Illinois~~  
26 ~~Thoroughbred Breeders Fund.~~

1           (2) Provide for the registration of Illinois conceived  
2           and foaled horses and Illinois foaled horses. No such horse  
3           shall compete in the races limited to Illinois conceived  
4           and foaled horses or Illinois foaled horses or both unless  
5           registered with the Department of Agriculture. The  
6           Department of Agriculture may prescribe such forms as are  
7           necessary to determine the eligibility of such horses. The  
8           Department of Agriculture may assess and collect  
9           application fees for the registration of Illinois-eligible  
10          foals. All fees collected are to be held in trust accounts  
11          for the purposes set forth in this Act and in accordance  
12          with Section 205-15 of the Department of Agriculture Law  
13          ~~paid into the Illinois Thoroughbred Breeders Fund~~. No  
14          person shall knowingly prepare or cause preparation of an  
15          application for registration of such foals containing  
16          false information.

17          (m) The Department of Agriculture, with the advice and  
18          assistance of the Illinois Thoroughbred Breeders Fund Advisory  
19          Board, shall provide that certain races limited to Illinois  
20          conceived and foaled and Illinois foaled horses be stakes races  
21          and determine the total amount of stakes and awards to be paid  
22          to the owners of the winning horses in such races.

23          In determining the stakes races and the amount of awards  
24          for such races, the Department of Agriculture shall consider  
25          factors, including but not limited to, the amount of money  
26          appropriated for the Illinois Thoroughbred Breeders Fund



1 program, organization licensees' contributions, availability  
2 of stakes caliber horses as demonstrated by past performances,  
3 whether the race can be coordinated into the proposed racing  
4 dates within organization licensees' racing dates, opportunity  
5 for colts and fillies and various age groups to race, public  
6 wagering on such races, and the previous racing schedule.

7 (n) The Board and the organizational licensee shall notify  
8 the Department of the conditions and minimum purses for races  
9 limited to Illinois conceived and foaled and Illinois foaled  
10 horses conducted for each organizational licensee conducting a  
11 thoroughbred racing meeting. The Department of Agriculture  
12 with the advice and assistance of the Illinois Thoroughbred  
13 Breeders Fund Advisory Board may allocate monies for purse  
14 supplements for such races. In determining whether to allocate  
15 money and the amount, the Department of Agriculture shall  
16 consider factors, including but not limited to, the amount of  
17 money appropriated for the Illinois Thoroughbred Breeders Fund  
18 program, the number of races that may occur, and the  
19 organizational licensee's purse structure.

20 (o) (Blank).

21 (Source: P.A. 98-692, eff. 7-1-14.)

22 (230 ILCS 5/30.5)

23 Sec. 30.5. Illinois Racing Quarter Horse Breeders Fund.

24 (a) The General Assembly declares that it is the policy of  
25 this State to encourage the breeding of racing quarter horses

1 in this State and the ownership of such horses by residents of  
2 this State in order to provide for sufficient numbers of high  
3 quality racing quarter horses in this State and to establish  
4 and preserve the agricultural and commercial benefits of such  
5 breeding and racing industries to the State of Illinois. It is  
6 the intent of the General Assembly to further this policy by  
7 the provisions of this Act.

8 (b) There is hereby created a non-appropriated trust  
9 ~~special fund in the State Treasury~~ to be known as the Illinois  
10 Racing Quarter Horse Breeders Fund, which is held separately  
11 from State moneys. Except as provided in subsection (g) of  
12 Section 27 of this Act, 8.5% of all the moneys received by the  
13 State as pari-mutuel taxes on quarter horse racing shall be  
14 paid into the Illinois Racing Quarter Horse Breeders Fund. The  
15 Illinois Racing Quarter Horse Breeders Fund shall not be  
16 subject to administrative charges or chargebacks, including,  
17 but not limited to, those authorized under Section 8h of the  
18 State Finance Act.

19 (c) The Illinois Racing Quarter Horse Breeders Fund shall  
20 be administered by the Department of Agriculture with the  
21 advice and assistance of the Advisory Board created in  
22 subsection (d) of this Section.

23 (d) The Illinois Racing Quarter Horse Breeders Fund  
24 Advisory Board shall consist of the Director of the Department  
25 of Agriculture, who shall serve as Chairman; a member of the  
26 Illinois Racing Board, designated by it; one representative of

1 the organization licensees conducting pari-mutuel quarter  
2 horse racing meetings, recommended by them; 2 representatives  
3 of the Illinois Running Quarter Horse Association, recommended  
4 by it; and the Superintendent of Fairs and Promotions from the  
5 Department of Agriculture. Advisory Board members shall serve  
6 for 2 years commencing January 1 of each odd numbered year. If  
7 representatives have not been recommended by January 1 of each  
8 odd numbered year, the Director of the Department of  
9 Agriculture may make an appointment for the organization  
10 failing to so recommend a member of the Advisory Board.  
11 Advisory Board members shall receive no compensation for their  
12 services as members but may be reimbursed for all actual and  
13 necessary expenses and disbursements incurred in the execution  
14 of their official duties.

15 (e) Moneys in ~~No moneys shall be expended from the Illinois~~  
16 ~~Racing Quarter Horse Breeders Fund except as appropriated by~~  
17 ~~the General Assembly. Moneys appropriated from the Illinois~~  
18 Racing Quarter Horse Breeders Fund shall be expended by the  
19 Department of Agriculture, with the advice and assistance of  
20 the Illinois Racing Quarter Horse Breeders Fund Advisory Board,  
21 for the following purposes only:

22 (1) To provide stakes and awards to be paid to the  
23 owners of the winning horses in certain races. This  
24 provision is limited to Illinois conceived and foaled  
25 horses.

26 (2) To provide an award to the owner or owners of an

1 Illinois conceived and foaled horse that wins a race when  
2 pari-mutuel wagering is conducted; providing the race is  
3 not restricted to Illinois conceived and foaled horses.

4 (3) To provide purse money for an Illinois stallion  
5 stakes program.

6 (4) To provide for purses to be distributed for the  
7 running of races during the Illinois State Fair and the  
8 DuQuoin State Fair exclusively for quarter horses  
9 conceived and foaled in Illinois.

10 (5) To provide for purses to be distributed for the  
11 running of races at Illinois county fairs exclusively for  
12 quarter horses conceived and foaled in Illinois.

13 (6) To provide for purses to be distributed for running  
14 races exclusively for quarter horses conceived and foaled  
15 in Illinois at locations in Illinois determined by the  
16 Department of Agriculture with advice and consent of the  
17 Illinois Racing Quarter Horse Breeders Fund Advisory  
18 Board.

19 (7) No less than 90% of all moneys expended  
20 ~~appropriated~~ from the Illinois Racing Quarter Horse  
21 Breeders Fund shall be expended for the purposes in items  
22 (1), (2), (3), (4), and (5) of this subsection (e).

23 (8) To provide for research programs concerning the  
24 health, development, and care of racing quarter horses.

25 (9) To provide for dissemination of public information  
26 designed to promote the breeding of racing quarter horses

1 in Illinois.

2 (10) To provide for expenses incurred in the  
3 administration of the Illinois Racing Quarter Horse  
4 Breeders Fund.

5 (f) The Department of Agriculture shall, by rule, with the  
6 advice and assistance of the Illinois Racing Quarter Horse  
7 Breeders Fund Advisory Board:

8 (1) Qualify stallions for Illinois breeding; such  
9 stallions to stand for service within the State of  
10 Illinois, at the time of a foal's conception. Such stallion  
11 must not stand for service at any place outside the State  
12 of Illinois during the calendar year in which the foal is  
13 conceived. The Department of Agriculture may assess and  
14 collect application fees for the registration of  
15 Illinois-eligible stallions. All fees collected are to be  
16 paid into the Illinois Racing Quarter Horse Breeders Fund.

17 (2) Provide for the registration of Illinois conceived  
18 and foaled horses. No such horse shall compete in the races  
19 limited to Illinois conceived and foaled horses unless it  
20 is registered with the Department of Agriculture. The  
21 Department of Agriculture may prescribe such forms as are  
22 necessary to determine the eligibility of such horses. The  
23 Department of Agriculture may assess and collect  
24 application fees for the registration of Illinois-eligible  
25 foals. All fees collected are to be paid into the Illinois  
26 Racing Quarter Horse Breeders Fund. No person shall

1 knowingly prepare or cause preparation of an application  
2 for registration of such foals that contains false  
3 information.

4 (g) The Department of Agriculture, with the advice and  
5 assistance of the Illinois Racing Quarter Horse Breeders Fund  
6 Advisory Board, shall provide that certain races limited to  
7 Illinois conceived and foaled be stakes races and determine the  
8 total amount of stakes and awards to be paid to the owners of  
9 the winning horses in such races.

10 (Source: P.A. 98-463, eff. 8-16-13.)

11 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

12 Sec. 31. (a) The General Assembly declares that it is the  
13 policy of this State to encourage the breeding of standardbred  
14 horses in this State and the ownership of such horses by  
15 residents of this State in order to provide for: sufficient  
16 numbers of high quality standardbred horses to participate in  
17 harness racing meetings in this State, and to establish and  
18 preserve the agricultural and commercial benefits of such  
19 breeding and racing industries to the State of Illinois. It is  
20 the intent of the General Assembly to further this policy by  
21 the provisions of this Section of this Act.

22 (b) Each organization licensee conducting a harness racing  
23 meeting pursuant to this Act shall provide for at least two  
24 races each race program limited to Illinois conceived and  
25 foaled horses. A minimum of 6 races shall be conducted each

1 week limited to Illinois conceived and foaled horses. No horses  
2 shall be permitted to start in such races unless duly  
3 registered under the rules of the Department of Agriculture.

4 (b-5) Organization licensees, not including the Illinois  
5 State Fair or the DuQuoin State Fair, shall provide stake races  
6 and early closer races for Illinois conceived and foaled horses  
7 so that purses distributed for such races shall be no less than  
8 17% of total purses distributed for harness racing in that  
9 calendar year in addition to any stakes payments and starting  
10 fees contributed by horse owners.

11 (b-10) Each organization licensee conducting a harness  
12 racing meeting pursuant to this Act shall provide an owner  
13 award to be paid from the purse account equal to 25% of the  
14 amount earned by Illinois conceived and foaled horses in races  
15 that are not restricted to Illinois conceived and foaled  
16 horses. The owner awards shall not be paid on races below the  
17 \$10,000 claiming class.

18 (c) Conditions of races under subsection (b) shall be  
19 commensurate with past performance, quality and class of  
20 Illinois conceived and foaled horses available. If, however,  
21 sufficient competition cannot be had among horses of that class  
22 on any day, the races may, with consent of the Board, be  
23 eliminated for that day and substitute races provided.

24 (d) There is hereby created a special fund of the State  
25 Treasury to be known as the Illinois Standardbred Breeders  
26 Fund.

1           During the calendar year 1981, and each year thereafter,  
2           except as provided in subsection (g) of Section 27 of this Act,  
3           eight and one-half per cent of all the monies received by the  
4           State as privilege taxes on harness racing meetings shall be  
5           paid into the Illinois Standardbred Breeders Fund.

6           (e) The Illinois Standardbred Breeders Fund shall be  
7           administered by the Department of Agriculture with the  
8           assistance and advice of the Advisory Board created in  
9           subsection (f) of this Section.

10          (f) The Illinois Standardbred Breeders Fund Advisory Board  
11          is hereby created. The Advisory Board shall consist of the  
12          Director of the Department of Agriculture, who shall serve as  
13          Chairman; the Superintendent of the Illinois State Fair; a  
14          member of the Illinois Racing Board, designated by it; a  
15          representative of the Illinois Standardbred Owners and  
16          Breeders Association, recommended by it; a representative of  
17          the Illinois Association of Agricultural Fairs, recommended by  
18          it, such representative to be from a fair at which Illinois  
19          conceived and foaled racing is conducted; a representative of  
20          the organization licensees conducting harness racing meetings,  
21          recommended by them and a representative of the Illinois  
22          Harness Horsemen's Association, recommended by it. Advisory  
23          Board members shall serve for 2 years commencing January 1, of  
24          each odd numbered year. If representatives of the Illinois  
25          Standardbred Owners and Breeders Associations, the Illinois  
26          Association of Agricultural Fairs, the Illinois Harness



1 Horsemen's Association, and the organization licensees  
2 conducting harness racing meetings have not been recommended by  
3 January 1, of each odd numbered year, the Director of the  
4 Department of Agriculture shall make an appointment for the  
5 organization failing to so recommend a member of the Advisory  
6 Board. Advisory Board members shall receive no compensation for  
7 their services as members but shall be reimbursed for all  
8 actual and necessary expenses and disbursements incurred in the  
9 execution of their official duties.

10 (g) No monies shall be expended from the Illinois  
11 Standardbred Breeders Fund except as appropriated by the  
12 General Assembly. Monies appropriated from the Illinois  
13 Standardbred Breeders Fund shall be expended by the Department  
14 of Agriculture, with the assistance and advice of the Illinois  
15 Standardbred Breeders Fund Advisory Board for the following  
16 purposes only:

17 1. To provide purses for races limited to Illinois  
18 conceived and foaled horses at the State Fair and the  
19 DuQuoin State Fair.

20 2. To provide purses for races limited to Illinois  
21 conceived and foaled horses at county fairs.

22 3. To provide purse supplements for races limited to  
23 Illinois conceived and foaled horses conducted by  
24 associations conducting harness racing meetings.

25 4. No less than 75% of all monies in the Illinois  
26 Standardbred Breeders Fund shall be expended for purses in

1 1, 2 and 3 as shown above.

2 5. In the discretion of the Department of Agriculture  
3 to provide awards to harness breeders of Illinois conceived  
4 and foaled horses which win races conducted by organization  
5 licensees conducting harness racing meetings. A breeder is  
6 the owner of a mare at the time of conception. No more than  
7 10% of all monies appropriated from the Illinois  
8 Standardbred Breeders Fund shall be expended for such  
9 harness breeders awards. No more than 25% of the amount  
10 expended for harness breeders awards shall be expended for  
11 expenses incurred in the administration of such harness  
12 breeders awards.

13 6. To pay for the improvement of racing facilities  
14 located at the State Fair and County fairs.

15 7. To pay the expenses incurred in the administration  
16 of the Illinois Standardbred Breeders Fund.

17 8. To promote the sport of harness racing, including  
18 grants up to a maximum of \$7,500 per fair per year for  
19 conducting pari-mutuel wagering during the advertised  
20 dates of a county fair.

21 9. To pay up to \$50,000 annually for the Department of  
22 Agriculture to conduct drug testing at county fairs racing  
23 standardbred horses.

24 10. To pay up to \$100,000 annually for distribution to  
25 Illinois county fairs to supplement premiums offered in  
26 junior classes.

1           (h) (Blank) ~~Whenever the Governor finds that the amount in~~  
2 ~~the Illinois Standardbred Breeders Fund is more than the total~~  
3 ~~of the outstanding appropriations from such fund, the Governor~~  
4 ~~shall notify the State Comptroller and the State Treasurer of~~  
5 ~~such fact. The Comptroller and the State Treasurer, upon~~  
6 ~~receipt of such notification, shall transfer such excess amount~~  
7 ~~from the Illinois Standardbred Breeders Fund to the General~~  
8 ~~Revenue Fund.~~

9           (i) A sum equal to 13% ~~12-1/2%~~ of the first prize money of  
10 the gross ~~every~~ purse won by an Illinois conceived and foaled  
11 horse shall be paid 50% by the organization licensee conducting  
12 the horse race meeting to the breeder of such winning horse  
13 from the organization licensee's account and 50% from the purse  
14 account of the licensee ~~share of the money wagered~~. Such  
15 payment shall not reduce any award to the owner of the horse or  
16 reduce the taxes payable under this Act. Such payment shall be  
17 delivered by the organization licensee at the end of each  
18 quarter ~~race meeting~~.

19           (j) The Department of Agriculture shall, by rule, with the  
20 assistance and advice of the Illinois Standardbred Breeders  
21 Fund Advisory Board:

- 22           1. Qualify stallions for Illinois Standardbred  
23 Breeders Fund breeding; ~~such stallion shall be owned by a~~  
24 ~~resident of the State of Illinois or by an Illinois~~  
25 ~~corporation all of whose shareholders, directors, officers~~  
26 ~~and incorporators are residents of the State of Illinois.~~

1 Such stallion shall stand for service at and within the  
2 State of Illinois at the time of a foal's conception, and  
3 such stallion must not stand for service at any place,~~nor~~  
4 ~~may semen from such stallion be transported,~~ outside the  
5 State of Illinois during that calendar year in which the  
6 foal is conceived ~~and that the owner of the stallion was~~  
7 ~~for the 12 months prior, a resident of Illinois.~~ Foals  
8 conceived outside the State of Illinois from shipped semen  
9 from a stallion qualified for breeders' awards under this  
10 Section are not eligible to participate in the Illinois  
11 conceived and foaled program. ~~The articles of agreement of~~  
12 ~~any partnership, joint venture, limited partnership,~~  
13 ~~syndicate, association or corporation and any bylaws and~~  
14 ~~stock certificates must contain a restriction that~~  
15 ~~provides that the ownership or transfer of interest by any~~  
16 ~~one of the persons a party to the agreement can only be~~  
17 ~~made to a person who qualifies as an Illinois resident.~~

18 2. Provide for the registration of Illinois conceived  
19 and foaled horses and no such horse shall compete in the  
20 races limited to Illinois conceived and foaled horses  
21 unless registered with the Department of Agriculture. The  
22 Department of Agriculture may prescribe such forms as may  
23 be necessary to determine the eligibility of such horses.  
24 No person shall knowingly prepare or cause preparation of  
25 an application for registration of such foals containing  
26 false information. A mare (dam) must be in the state at

1       least 180 ~~30~~ days prior to foaling and ~~or~~ remain in the  
2       State at least 30 days after ~~at the time of~~ foaling.  
3       Beginning with the 1996 breeding season and for foals of  
4       1997 and thereafter, a foal conceived in the State of  
5       Illinois by transported fresh semen may be eligible for  
6       Illinois conceived and foaled registration provided all  
7       breeding and foaling requirements are met. The stallion  
8       must be qualified for Illinois Standardbred Breeders Fund  
9       breeding at the time of conception and the mare must be  
10      inseminated within the State of Illinois. The foal must be  
11      dropped in Illinois and properly registered with the  
12      Department of Agriculture in accordance with this Act.

13             3. Provide that at least a 5 day racing program shall  
14      be conducted at the State Fair each year, which program  
15      shall include at least the following races limited to  
16      Illinois conceived and foaled horses: (a) a two year old  
17      Trot and Pace, and Filly Division of each; (b) a three year  
18      old Trot and Pace, and Filly Division of each; (c) an aged  
19      Trot and Pace, and Mare Division of each.

20             4. Provide for the payment of nominating, sustaining  
21      and starting fees for races promoting the sport of harness  
22      racing and for the races to be conducted at the State Fair  
23      as provided in subsection (j) 3 of this Section provided  
24      that the nominating, sustaining and starting payment  
25      required from an entrant shall not exceed 2% of the purse  
26      of such race. All nominating, sustaining and starting

1 payments shall be held for the benefit of entrants and  
2 shall be paid out as part of the respective purses for such  
3 races. Nominating, sustaining and starting fees shall be  
4 held in trust accounts for the purposes as set forth in  
5 this Act and in accordance with Section 205-15 of the  
6 Department of Agriculture Law (20 ILCS 205/205-15).

7 5. Provide for the registration with the Department of  
8 Agriculture of Colt Associations or county fairs desiring  
9 to sponsor races at county fairs.

10 6. Provide for the promotion of producing standardbred  
11 racehorses by providing a bonus award program for owners of  
12 2-year-old horses that win multiple major stakes races that  
13 are limited to Illinois conceived and foaled horses.

14 (k) The Department of Agriculture, with the advice and  
15 assistance of the Illinois Standardbred Breeders Fund Advisory  
16 Board, may allocate monies for purse supplements for such  
17 races. In determining whether to allocate money and the amount,  
18 the Department of Agriculture shall consider factors,  
19 including but not limited to, the amount of money appropriated  
20 for the Illinois Standardbred Breeders Fund program, the number  
21 of races that may occur, and an organizational licensee's purse  
22 structure. The organizational licensee shall notify the  
23 Department of Agriculture of the conditions and minimum purses  
24 for races limited to Illinois conceived and foaled horses to be  
25 conducted by each organizational licensee conducting a harness  
26 racing meeting for which purse supplements have been

1 negotiated.

2 (l) All races held at county fairs and the State Fair which  
3 receive funds from the Illinois Standardbred Breeders Fund  
4 shall be conducted in accordance with the rules of the United  
5 States Trotting Association unless otherwise modified by the  
6 Department of Agriculture.

7 (m) At all standardbred race meetings held or conducted  
8 under authority of a license granted by the Board, and at all  
9 standardbred races held at county fairs which are approved by  
10 the Department of Agriculture or at the Illinois or DuQuoin  
11 State Fairs, no one shall jog, train, warm up or drive a  
12 standardbred horse unless he or she is wearing a protective  
13 safety helmet, with the chin strap fastened and in place, which  
14 meets the standards and requirements as set forth in the 1984  
15 Standard for Protective Headgear for Use in Harness Racing and  
16 Other Equestrian Sports published by the Snell Memorial  
17 Foundation, or any standards and requirements for headgear the  
18 Illinois Racing Board may approve. Any other standards and  
19 requirements so approved by the Board shall equal or exceed  
20 those published by the Snell Memorial Foundation. Any  
21 equestrian helmet bearing the Snell label shall be deemed to  
22 have met those standards and requirements.

23 (Source: P.A. 91-239, eff. 1-1-00.)

24 (230 ILCS 5/31.1) (from Ch. 8, par. 37-31.1)

25 Sec. 31.1. (a) Organization licensees collectively shall

1 contribute annually to charity the sum of \$1,000,000 ~~\$750,000~~  
2 to non-profit organizations that provide medical and family,  
3 counseling, and similar services to persons who reside or work  
4 on the backstretch of Illinois racetracks. These contributions  
5 shall be collected as follows: (i) no later than July 1st of  
6 each year the Board shall assess each organization licensee,  
7 except those tracks which are not within 100 miles of each  
8 other which tracks shall pay \$40,000 ~~\$30,000~~ annually apiece  
9 into the Board charity fund, that amount which equals \$920,000  
10 ~~\$690,000~~ multiplied by the amount of pari-mutuel wagering  
11 handled by the organization licensee in the year preceding  
12 assessment and divided by the total pari-mutuel wagering  
13 handled by all Illinois organization licensees, except those  
14 tracks which are not within 100 miles of each other, in the  
15 year preceding assessment; (ii) notice of the assessed  
16 contribution shall be mailed to each organization licensee;  
17 (iii) within thirty days of its receipt of such notice, each  
18 organization licensee shall remit the assessed contribution to  
19 the Board. If an organization licensee wilfully fails to so  
20 remit the contribution, the Board may revoke its license to  
21 conduct horse racing.

22 (b) No later than October 1st of each year, any qualified  
23 charitable organization seeking an allotment of contributed  
24 funds shall submit to the Board an application for those funds,  
25 using the Board's approved form. No later than December 31st of  
26 each year, the Board shall distribute all such amounts



1 collected that year to such charitable organization  
2 applicants.

3 (Source: P.A. 87-110.)

4 (230 ILCS 5/32.1)

5 Sec. 32.1. Pari-mutuel tax credit; statewide racetrack  
6 real estate equalization.

7 (a) In order to encourage new investment in Illinois  
8 racetrack facilities and mitigate differing real estate tax  
9 burdens among all racetracks, the licensees affiliated or  
10 associated with each racetrack that has been awarded live  
11 racing dates in the current year shall receive an immediate  
12 pari-mutuel tax credit in an amount equal to the greater of (i)  
13 50% of the amount of the real estate taxes paid in the prior  
14 year attributable to that racetrack, or (ii) the amount by  
15 which the real estate taxes paid in the prior year attributable  
16 to that racetrack exceeds 60% of the average real estate taxes  
17 paid in the prior year for all racetracks awarded live horse  
18 racing meets in the current year.

19 Each year, regardless of whether the organization licensee  
20 conducted live racing in the year of certification, the Board  
21 shall certify in writing, prior to December 31, the real estate  
22 taxes paid in that year for each racetrack and the amount of  
23 the pari-mutuel tax credit that each organization licensee,  
24 intertrack wagering licensee, and intertrack wagering location  
25 licensee that derives its license from such racetrack is

1 entitled in the succeeding calendar year. The real estate taxes  
2 considered under this Section for any racetrack shall be those  
3 taxes on the real estate parcels and related facilities used to  
4 conduct a horse race meeting and inter-track wagering at such  
5 racetrack under this Act. In no event shall the amount of the  
6 tax credit under this Section exceed the amount of pari-mutuel  
7 taxes otherwise calculated under this Act. The amount of the  
8 tax credit under this Section shall be retained by each  
9 licensee and shall not be subject to any reallocation or  
10 further distribution under this Act. The Board may promulgate  
11 emergency rules to implement this Section.

12 (b) Beginning on January 1 following the calendar year  
13 during which an organization licensee begins conducting  
14 electronic gaming operations pursuant to an electronic gaming  
15 license issued under the Illinois Gambling Act, the  
16 organization licensee shall be ineligible to receive a tax  
17 credit under this Section.

18 (Source: P.A. 91-40, eff. 6-25-99.)

19 (230 ILCS 5/34.3 new)

20 Sec. 34.3. Drug testing. The Illinois Racing Board and the  
21 Department of Agriculture shall jointly establish a program for  
22 the purpose of conducting drug testing of horses at county  
23 fairs and shall adopt any rules necessary for enforcement of  
24 the program. The rules shall include appropriate penalties for  
25 violations.

1 (230 ILCS 5/36) (from Ch. 8, par. 37-36)

2 Sec. 36. (a) Whoever administers or conspires to administer  
3 to any horse a hypnotic, narcotic, stimulant, depressant or any  
4 chemical substance which may affect the speed of a horse at any  
5 time in any race where the purse or any part of the purse is  
6 made of money authorized by any Section of this Act, except  
7 those chemical substances permitted by ruling of the Board,  
8 internally, externally or by hypodermic method in a race or  
9 prior thereto, or whoever knowingly enters a horse in any race  
10 within a period of 24 hours after any hypnotic, narcotic,  
11 stimulant, depressant or any other chemical substance which may  
12 affect the speed of a horse at any time, except those chemical  
13 substances permitted by ruling of the Board, has been  
14 administered to such horse either internally or externally or  
15 by hypodermic method for the purpose of increasing or retarding  
16 the speed of such horse shall be guilty of a Class 4 felony.  
17 The Board shall suspend or revoke such violator's license.

18 (b) The term "hypnotic" as used in this Section includes  
19 all barbituric acid preparations and derivatives.

20 (c) The term "narcotic" as used in this Section includes  
21 opium and all its alkaloids, salts, preparations and  
22 derivatives, cocaine and all its salts, preparations and  
23 derivatives and substitutes.

24 (d) The provisions of this Section 36 and the treatment  
25 authorized herein apply to horses entered in and competing in

1 race meetings as defined in Section 3.07 of this Act and to  
2 horses entered in and competing at any county fair.

3 (Source: P.A. 79-1185.)

4 (230 ILCS 5/39.2 new)

5 Sec. 39.2. Prohibition of political contributions from  
6 certain licensees and applicants.

7 (a) The General Assembly has a compelling interest in  
8 protecting the integrity of both the electoral process and the  
9 legislative process by preventing corruption and the  
10 appearance of corruption which may arise through permitting  
11 certain political campaign contributions by certain persons  
12 involved in the horse racing industry and regulated by the  
13 State. Unlike most other regulated industries, horse racing is  
14 especially susceptible to corruption and potential criminal  
15 influence. In Illinois, only licensed horse racing is legal and  
16 all other such activities are strictly prohibited. Given these  
17 circumstances, it is imperative to eliminate any potential  
18 corrupt influence in the horse racing industry and the  
19 electoral process.

20 Banning political campaign contributions by certain  
21 persons subject to this Section to State officeholders and  
22 candidates for such offices and to county and municipal  
23 officeholders and candidates for such offices in counties and  
24 municipalities that receive financial benefits from horse  
25 racing is necessary to prevent corruption and the appearance of

1 corruption that may arise when political campaign  
2 contributions and horse racing that is regulated by the State  
3 and that confers benefits on counties and municipalities are  
4 intermingled.

5 (b) As used in this Section:

6 "Affiliated entity" means (i) any corporate parent and each  
7 operating subsidiary of the business entity applying for or  
8 holding a license, (ii) each operating subsidiary of the  
9 corporate parent of the business entity applying for or holding  
10 a license, (iii) any organization recognized by the United  
11 States Internal Revenue Service as a tax-exempt organization  
12 described in Section 501(c) of the Internal Revenue Code of  
13 1986 (or any successor provision of federal tax law)  
14 established by one or more business entities seeking or holding  
15 a license, any affiliated entity of such business entity, or  
16 any affiliated person of such business entity, and (iv) any  
17 political committee for which the business entity applying for  
18 or holding a license, or any 501(c) organization described in  
19 item (iii) related to that business entity, is the sponsoring  
20 entity, as defined in Section 9-3 of the Election Code. For  
21 purposes of item (iv), the funding of all business entities  
22 applying for or holding a license shall be aggregated in  
23 determining whether such political committee is an affiliated  
24 entity.

25 "Affiliated person" means (i) any person with any ownership  
26 interest or distributive share in excess of 1% of any business

1 entity applying for or holding a license, (ii) executive  
2 employees of any such business entity, and (iii) the spouse of  
3 the persons described in items (i) and (ii).

4 "Business entity" means any entity doing business for  
5 profit, whether organized as a corporation, partnership, sole  
6 proprietorship, limited liability company, or otherwise.

7 "Contribution" means a contribution as defined in Section  
8 9-1.4 of the Election Code.

9 "Declared candidate" means a person who has filed a  
10 statement of candidacy and petition for nomination or election  
11 in the principal office of the State Board of Elections, or in  
12 the office of the appropriate election authority for any county  
13 or municipality in which a race track is located.

14 "Executive employee" means (i) any person who is an officer  
15 or director or who fulfills duties equivalent to those of an  
16 officer or director of a business entity applying for or  
17 holding a license and (ii) any employee of such business entity  
18 who is required to register under the Lobbyist Registration  
19 Act.

20 "License" means any organization, inter-track wagering,  
21 inter-track wagering location, advance deposit wagering or  
22 concessionaire license issued pursuant to this Act.

23 "Officeholder" means the Governor, Lieutenant Governor,  
24 Attorney General, Secretary of State, Comptroller, Treasurer,  
25 member of the General Assembly, or any officeholder in any  
26 county or municipality in which a race track is located.

1       (c) Any person or business entity applying for or holding a  
2 license, any affiliated entities or persons of such business  
3 entity, any horsemen's association, and any entities or persons  
4 soliciting a contribution or causing a contribution to be made  
5 on behalf of such person, business entity, or horsemen's  
6 association, are prohibited from making any contribution to any  
7 officeholder or declared candidate or any political committee  
8 affiliated with any officeholder or declared candidate, as  
9 defined in Section 9-1.8 of the Election Code. This prohibition  
10 shall commence upon filing of an application for a license and  
11 shall continue for a period of 2 years after termination,  
12 suspension or revocation of the license.

13       The Board shall have authority to suspend, revoke, or  
14 restrict the license and to impose civil penalties of up to  
15 \$100,000 for each violation of this subsection (c). A notice of  
16 each such violation and the penalty imposed shall be published  
17 on the Board's Internet website and in the Illinois Register.  
18 Payments received by the State pursuant to this subsection  
19 shall be deposited into the General Revenue Fund.

20       Any officeholder or declared candidate or any political  
21 committee affiliated with any officeholder or declared  
22 candidate that has received a contribution in violation of this  
23 subsection (c) shall pay an amount equal to the value of the  
24 contribution to the State no more than 30 days after notice of  
25 the violation concerning the contribution appears in the  
26 Illinois Register. Payments received by the State pursuant to

1 this subsection (c) shall be deposited into the General Revenue  
2 Fund.

3 (d) The Board shall post on its website a list of all  
4 persons, business entities, horsemen's associations, and  
5 affiliated entities prohibited from making contributions to  
6 any officeholder or declared candidate political committee  
7 pursuant to subsection (c), which list shall be updated and  
8 published, at a minimum, every 6 months.

9 Any person, business entity, horsemen's association, or  
10 affiliated entity prohibited from making contributions to any  
11 officeholder or declared candidate political committee  
12 pursuant to subsection (c) shall notify the Board within 7 days  
13 after discovering any necessary change or addition to the  
14 information relating to that person, business entity,  
15 horsemen's association, or affiliated entity contained in the  
16 list.

17 An individual who acts in good faith and in reliance on any  
18 information contained in the list shall not be subject to any  
19 penalties or liability imposed for a violation of this Section.

20 (e) If any provision of this Section is held invalid or its  
21 application to any person or circumstance is held invalid, the  
22 invalidity of that provision or application does not affect the  
23 other provisions or applications of this Section that can be  
24 given effect without the invalid application or provision.



1           Sec. 40. (a) The imposition of any fine or penalty provided  
2 in this Act shall not preclude the Board in its rules and  
3 regulations from imposing a fine or penalty for any other  
4 action which, in the Board's discretion, is a detriment or  
5 impediment to horse racing.

6           (b) The Director of Agriculture or his or her authorized  
7 representative shall impose the following monetary penalties  
8 and hold administrative hearings as required for failure to  
9 submit the following applications, lists, or reports within the  
10 time period, date or manner required by statute or rule or for  
11 removing a foal from Illinois prior to inspection:

12           (1) late filing of a renewal application for offering  
13 or standing stallion for service:

14           (A) if an application is submitted no more than 30  
15 days late, \$50;

16           (B) if an application is submitted no more than 45  
17 days late, \$150; or

18           (C) if an application is submitted more than 45  
19 days late, if filing of the application is allowed  
20 under an administrative hearing, \$250;

21           (2) late filing of list or report of mares bred:

22           (A) if a list or report is submitted no more than  
23 30 days late, \$50;

24           (B) if a list or report is submitted no more than  
25 60 days late \$150; or

26           (C) if a list or report is submitted more than 60

1 days late, if filing of the list or report is allowed  
2 under an administrative hearing, \$250;

3 (3) filing an Illinois foaled thoroughbred mare status  
4 report after the statutory deadline as provided in  
5 subsection (k) of Section 30 of this Act ~~December 31~~:

6 (A) if a report is submitted no more than 30 days  
7 late, \$50;

8 (B) if a report is submitted no more than 90 days  
9 late, \$150;

10 (C) if a report is submitted no more than 150 days  
11 late, \$250; or

12 (D) if a report is submitted more than 150 days  
13 late, if filing of the report is allowed under an  
14 administrative hearing, \$500;

15 (4) late filing of application for foal eligibility  
16 certificate:

17 (A) if an application is submitted no more than 30  
18 days late, \$50;

19 (B) if an application is submitted no more than 90  
20 days late, \$150;

21 (C) if an application is submitted no more than 150  
22 days late, \$250; or

23 (D) if an application is submitted more than 150  
24 days late, if filing of the application is allowed  
25 under an administrative hearing, \$500;

26 (5) failure to report the intent to remove a foal from

1 Illinois prior to inspection, identification and  
2 certification by a Department of Agriculture investigator,  
3 \$50; and

4 (6) if a list or report of mares bred is incomplete,  
5 \$50 per mare not included on the list or report.

6 Any person upon whom monetary penalties are imposed under  
7 this Section 3 times within a 5 year period shall have any  
8 further monetary penalties imposed at double the amounts set  
9 forth above. All monies assessed and collected for violations  
10 relating to thoroughbreds shall be paid into the Thoroughbred  
11 Breeders Fund. All monies assessed and collected for violations  
12 relating to standardbreds shall be paid into the Standardbred  
13 Breeders Fund.

14 (Source: P.A. 87-397.)

15 (230 ILCS 5/54)

16 Sec. 54. Horse Racing Equity Fund.

17 (a) There is created in the State Treasury a Fund to be  
18 known as the Horse Racing Equity Fund. The Fund shall consist  
19 of moneys paid into it pursuant to subsection (c-5) of Section  
20 13 of the Illinois ~~Riverboat~~ Gambling Act. The Fund shall be  
21 administered by the Racing Board.

22 (b) The moneys deposited into the Fund shall be distributed  
23 by the Racing Board within 10 days after those moneys are  
24 deposited into the Fund as follows:

25 (1) Fifty percent of all moneys distributed under this

1 subsection shall be distributed to organization licensees  
2 to be distributed at their race meetings as purses.  
3 Fifty-seven percent of the amount distributed under this  
4 paragraph (1) shall be distributed for thoroughbred race  
5 meetings and 43% shall be distributed for standardbred race  
6 meetings. Within each breed, moneys shall be allocated to  
7 each organization licensee's purse fund in accordance with  
8 the ratio between the purses generated for that breed by  
9 that licensee during the prior calendar year and the total  
10 purses generated throughout the State for that breed during  
11 the prior calendar year.

12 (2) The remaining 50% of the moneys distributed under  
13 this subsection (b) shall be distributed pro rata according  
14 to the aggregate proportion of state-wide handle at the  
15 racetrack, inter-track, and inter-track wagering locations  
16 that derive their licenses from a racetrack identified in  
17 this paragraph (2) for calendar years 1994, 1996, and 1997  
18 to (i) any person (or its successors or assigns) who had  
19 operating control of a racing facility at which live racing  
20 was conducted in calendar year 1997 and who has operating  
21 control of an organization licensee that conducted racing  
22 in calendar year 1997 and is a licensee in the current  
23 year, or (ii) any person (or its successors or assigns) who  
24 has operating control of a racing facility located in a  
25 county that is bounded by the Mississippi River that has a  
26 population of less than 150,000 according to the 1990

1 decennial census and conducted an average of 60 days of  
2 racing per year between 1985 and 1993 and has been awarded  
3 an inter-track wagering license in the current year.

4 If any person identified in this paragraph (2) becomes  
5 ineligible to receive moneys from the Fund, such amount  
6 shall be redistributed among the remaining persons in  
7 proportion to their percentages otherwise calculated.

8 (Source: P.A. 98-18, eff. 6-7-13.)

9 (230 ILCS 5/54.75)

10 Sec. 54.75. Horse Racing Equity Trust Fund.

11 (a) There is created a Fund to be known as the Horse Racing  
12 Equity Trust Fund, which is a non-appropriated trust fund held  
13 separate and apart from State moneys. The Fund shall consist of  
14 moneys paid into it by owners licensees under the Illinois  
15 ~~Riverboat~~ Gambling Act for the purposes described in this  
16 Section. The Fund shall be administered by the Board. Moneys in  
17 the Fund shall be distributed as directed and certified by the  
18 Board in accordance with the provisions of subsection (b).

19 (b) The moneys deposited into the Fund, plus any accrued  
20 interest on those moneys, shall be distributed within 10 days  
21 after those moneys are deposited into the Fund as follows:

22 (1) Sixty percent of all moneys distributed under this  
23 subsection shall be distributed to organization licensees  
24 to be distributed at their race meetings as purses.  
25 Fifty-seven percent of the amount distributed under this

1 paragraph (1) shall be distributed for thoroughbred race  
2 meetings and 43% shall be distributed for standardbred race  
3 meetings. Within each breed, moneys shall be allocated to  
4 each organization licensee's purse fund in accordance with  
5 the ratio between the purses generated for that breed by  
6 that licensee during the prior calendar year and the total  
7 purses generated throughout the State for that breed during  
8 the prior calendar year by licensees in the current  
9 calendar year.

10 (2) The remaining 40% of the moneys distributed under  
11 this subsection (b) shall be distributed as follows:

12 (A) 11% shall be distributed to any person (or its  
13 successors or assigns) who had operating control of a  
14 racetrack that conducted live racing in 2002 at a  
15 racetrack in a county with at least 230,000 inhabitants  
16 that borders the Mississippi River and is a licensee in  
17 the current year; and

18 (B) the remaining 89% shall be distributed pro rata  
19 according to the aggregate proportion of total handle  
20 from wagering on live races conducted in Illinois  
21 (irrespective of where the wagers are placed) for  
22 calendar years 2004 and 2005 to any person (or its  
23 successors or assigns) who (i) had majority operating  
24 control of a racing facility at which live racing was  
25 conducted in calendar year 2002, (ii) is a licensee in  
26 the current year, and (iii) is not eligible to receive

1 moneys under subparagraph (A) of this paragraph (2).

2 The moneys received by an organization licensee  
3 under this paragraph (2) shall be used by each  
4 organization licensee to improve, maintain, market,  
5 and otherwise operate its racing facilities to conduct  
6 live racing, which shall include backstretch services  
7 and capital improvements related to live racing and the  
8 backstretch. Any organization licensees sharing common  
9 ownership may pool the moneys received and spent at all  
10 racing facilities commonly owned in order to meet these  
11 requirements.

12 If any person identified in this paragraph (2) becomes  
13 ineligible to receive moneys from the Fund, such amount  
14 shall be redistributed among the remaining persons in  
15 proportion to their percentages otherwise calculated.

16 (c) The Board shall monitor organization licensees to  
17 ensure that moneys paid to organization licensees under this  
18 Section are distributed by the organization licensees as  
19 provided in subsection (b).

20 (Source: P.A. 95-1008, eff. 12-15-08.)

21 (230 ILCS 5/56 new)

22 Sec. 56. Electronic gaming.

23 (a) A person, firm, corporation, or limited liability  
24 company having operating control of a race track located in  
25 Cook, Will, or Rock Island counties may apply to the Gaming

1 Board for an electronic gaming license. An electronic gaming  
2 license shall authorize its holder to conduct electronic gaming  
3 on the grounds of the race track controlled by the licensee's  
4 race track. Only one electronic gaming license may be awarded  
5 for any race track. A holder of an electronic gaming license  
6 shall be subject to the Illinois Gambling Act and rules of the  
7 Illinois Gaming Board concerning electronic gaming. If the  
8 person, firm, corporation, or limited liability company having  
9 operating control of a race track is found by the Illinois  
10 Gaming Board to be unsuitable for an electronic gaming license  
11 under the Illinois Gambling Act and rules of the Gaming Board,  
12 that person, firm, corporation, or limited liability company  
13 shall not be granted an electronic gaming license. Each license  
14 shall specify the number of gaming positions that its holder  
15 may operate.

16 An electronic gaming licensee may not permit persons under  
17 21 years of age to be present in its electronic gaming  
18 facility, but the licensee may accept wagers on live racing and  
19 inter-track wagers at its electronic gaming facility.

20 (b) For purposes of this subsection, "adjusted gross  
21 receipts" means an electronic gaming licensee's gross receipts  
22 less winnings paid to wagerers. The adjusted gross receipts by  
23 an electronic gaming licensee from electronic gaming remaining  
24 after the payment of taxes under Section 13 of the Illinois  
25 Gambling Act shall be distributed as follows:

26 (1) Amounts shall be paid to the purse account at the



1 track at which the organization licensee is conducting  
2 racing equal to the following:

3 12.75% of annual adjusted gross receipts up to and  
4 including \$75,000,000;

5 20% of annual adjusted gross receipts in excess of  
6 \$75,000,000 but not exceeding \$100,000,000;

7 26.5% of annual adjusted gross receipts in excess  
8 of \$100,000,000 but not exceeding \$125,000,000; and

9 20.5% of annual adjusted gross receipts in excess  
10 of \$125,000,000.

11 (2) The remainder shall be retained by the electronic  
12 gaming licensee.

13 (c) Electronic gaming receipts placed into the purse  
14 account of an organization licensee racing thoroughbred horses  
15 shall be used for purses, for health care services or worker's  
16 compensation for racing industry workers, for equine research,  
17 for programs to care for and transition injured and retired  
18 thoroughbred horses that race at the race track, or for horse  
19 ownership promotion, in accordance with the agreement of the  
20 horsemen's association representing the largest number of  
21 owners and trainers who race at that organization licensee's  
22 race meetings.

23 Annually, from the purse account of an organization  
24 licensee racing thoroughbred horses in this State, except for  
25 in Madison County, an amount equal to 12% of the electronic  
26 gaming receipts placed into the purse accounts shall be paid to

1 the Illinois Thoroughbred Breeders Fund and shall be used for  
2 owner awards; a stallion program pursuant to paragraph (3) of  
3 subsection (g) of Section 30 of this Act; and Illinois  
4 conceived and foaled stakes races pursuant to paragraph (2) of  
5 subsection (g) of Section 30 of this Act, as specifically  
6 designated by the horsemen's association representing the  
7 largest number of owners and trainers who race at the  
8 organization licensee's race meetings.

9 (e) The Illinois Gaming Board shall submit a report to the  
10 General Assembly on or before December 31, 2016 that examines  
11 the feasibility of conducting electronic gaming at the Illinois  
12 State Fairgrounds in Sangamon County. At a minimum, this report  
13 shall analyze the projected revenues that will be generated,  
14 the potential for cannibalization of existing riverboats,  
15 casinos, or other electronic gaming facilities, and the  
16 potential detriment to the surrounding area and its population.  
17 The report shall include the Illinois Gaming Board's findings  
18 together with appropriate recommendations for legislative  
19 action.

20 Section 50. The Riverboat Gambling Act is amended by  
21 changing Sections 1, 2, 3, 4, 5, 5.1, 6, 7, 7.3, 7.4, 7.5, 8, 9,  
22 11, 11.1, 12, 13, 14, 15, 17.1, 18, 18.1, 19, 20, and 24 and by  
23 adding Sections 5.3, 7.3a, 7.7, 7.8, 7.9, 7.10, 7.11, 7.12, and  
24 18.2 as follows:

1 (230 ILCS 10/1) (from Ch. 120, par. 2401)

2 Sec. 1. Short title. This Act shall be known and may be  
3 cited as the Illinois ~~Riverboat~~ Gambling Act.

4 (Source: P.A. 86-1029.)

5 (230 ILCS 10/2) (from Ch. 120, par. 2402)

6 Sec. 2. Legislative Intent.

7 (a) This Act is intended to benefit the people of the State  
8 of Illinois by assisting economic development, ~~and~~ promoting  
9 Illinois tourism, ~~and~~ ~~by~~ increasing the amount of revenues  
10 available to the State to assist and support education, to fund  
11 capital projects, and to defray State expenses, including  
12 unpaid bills.

13 (b) While authorization of riverboat and casino gambling  
14 will enhance investment, beautification, development and  
15 tourism in Illinois, it is recognized that it will do so  
16 successfully only if public confidence and trust in the  
17 credibility and integrity of the gambling operations and the  
18 regulatory process is maintained. Therefore, regulatory  
19 provisions of this Act are designed to strictly regulate the  
20 facilities, persons, associations and practices related to  
21 gambling operations pursuant to the police powers of the State,  
22 including comprehensive law enforcement supervision.

23 (c) The Illinois Gaming Board established under this Act  
24 should, as soon as possible, inform each applicant for an  
25 owners license of the Board's intent to grant or deny a

1 license.

2 (Source: P.A. 93-28, eff. 6-20-03.)

3 (230 ILCS 10/3) (from Ch. 120, par. 2403)

4 Sec. 3. ~~Riverboat~~ Gambling Authorized.

5 (a) Riverboat and casino gambling operations and  
6 electronic gaming operations ~~and the system of wagering~~  
7 ~~incorporated therein~~, as defined in this Act, are hereby  
8 authorized to the extent that they are carried out in  
9 accordance with the provisions of this Act.

10 (b) This Act does not apply to the pari-mutuel system of  
11 wagering used or intended to be used in connection with the  
12 horse-race meetings as authorized under the Illinois Horse  
13 Racing Act of 1975, lottery games authorized under the Illinois  
14 Lottery Law, bingo authorized under the Bingo License and Tax  
15 Act, charitable games authorized under the Charitable Games Act  
16 or pull tabs and jar games conducted under the Illinois Pull  
17 Tabs and Jar Games Act. This Act applies to electronic gaming  
18 authorized under the Illinois Horse Racing Act of 1975 to the  
19 extent provided in that Act and in this Act.

20 (c) Riverboat gambling conducted pursuant to this Act may  
21 be authorized upon any water within the State of Illinois or  
22 any water other than Lake Michigan which constitutes a boundary  
23 of the State of Illinois. Notwithstanding any provision in this  
24 subsection (c) to the contrary, a manager conducting gambling  
25 operations on behalf of the State may conduct riverboat

1 gambling on Lake Michigan from a home dock located on Lake  
2 Michigan. Notwithstanding any provision in this subsection (c)  
3 to the contrary, a licensee may conduct gambling at its home  
4 dock facility as provided in Sections 7 and 11. A licensee may  
5 conduct riverboat gambling authorized under this Act  
6 regardless of whether it conducts excursion cruises. A licensee  
7 may permit the continuous ingress and egress of passengers for  
8 the purpose of gambling.

9 (d) Gambling that is conducted in accordance with this Act  
10 using slot machines and video games of chance and other  
11 electronic gambling games as defined in both the Illinois  
12 Gambling Act and the Illinois Horse Racing Act of 1975 is  
13 authorized.

14 (Source: P.A. 91-40, eff. 6-25-99.)

15 (230 ILCS 10/4) (from Ch. 120, par. 2404)

16 Sec. 4. Definitions. As used in this Act:

17 ~~(a)~~ "Board" means the Illinois Gaming Board.

18 ~~(b)~~ "Occupational license" means a license issued by the  
19 Board to a person or entity to perform an occupation which the  
20 Board has identified as requiring a license to engage in  
21 riverboat gambling, casino gambling, or electronic gaming in  
22 Illinois.

23 ~~(c)~~ "Gambling game" includes, but is not limited to,  
24 baccarat, twenty-one, poker, craps, slot machine, video game of  
25 chance, roulette wheel, klondike table, punchboard, faro

1 layout, keno layout, numbers ticket, push card, jar ticket, or  
2 pull tab which is authorized by the Board as a wagering device  
3 under this Act.

4 ~~(d)~~ "Riverboat" means a self-propelled excursion boat, a  
5 permanently moored barge, or permanently moored barges that are  
6 permanently fixed together to operate as one vessel, on which  
7 lawful gambling is authorized and licensed as provided in this  
8 Act.

9 "Slot machine" means any mechanical, electrical, or other  
10 device, contrivance, or machine that is authorized by the Board  
11 as a wagering device under this Act which, upon insertion of a  
12 coin, currency, token, or similar object therein, or upon  
13 payment of any consideration whatsoever, is available to play  
14 or operate, the play or operation of which may deliver or  
15 entitle the person playing or operating the machine to receive  
16 cash, premiums, merchandise, tokens, or anything of value  
17 whatsoever, whether the payoff is made automatically from the  
18 machine or in any other manner whatsoever. A slot machine:

19 (1) may utilize spinning reels or video displays or  
20 both;

21 (2) may or may not dispense coins, tickets, or tokens  
22 to winning patrons;

23 (3) may use an electronic credit system for receiving  
24 wagers and making payouts; and

25 (4) may simulate a table game.

26 "Slot machine" does not include table games authorized by

1 the Board as a wagering device under this Act.

2 ~~(e)~~ "Managers license" means a license issued by the Board  
3 to a person or entity to manage gambling operations conducted  
4 by the State pursuant to Section 7.3 or Section 7.3a.

5 ~~(f)~~ "Dock" means the location where a riverboat moors for  
6 the purpose of embarking passengers for and disembarking  
7 passengers from the riverboat.

8 ~~(g)~~ "Gross receipts" means the total amount of money  
9 exchanged for the purchase of chips, tokens, or electronic  
10 cards by riverboat patrons.

11 ~~(h)~~ "Adjusted gross receipts" means the gross receipts less  
12 winnings paid to wagerers.

13 ~~(i)~~ "Cheat" means to alter the selection of criteria which  
14 determine the result of a gambling game or the amount or  
15 frequency of payment in a gambling game.

16 ~~(j) (Blank).~~

17 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~  
18 gambling games authorized under this Act upon a riverboat or in  
19 a casino or authorized under this Act and the Illinois Horse  
20 Racing Act of 1975 at an electronic gaming facility.

21 ~~(l)~~ "License bid" means the lump sum amount of money that  
22 an applicant bids and agrees to pay the State in return for an  
23 owners license that is issued or re-issued on or after July 1,  
24 2003.

25 "Table game" means a live gaming apparatus upon which  
26 gaming is conducted or that determines an outcome that is the

1 object of a wager, including, but not limited to, baccarat,  
2 twenty-one, blackjack, poker, craps, roulette wheel, klondike  
3 table, punchboard, faro layout, keno layout, numbers ticket,  
4 push card, jar ticket, pull tab, or other similar games that  
5 are authorized by the Board as a wagering device under this  
6 Act. "Table game" does not include slot machines or video games  
7 of chance.

8 ~~(m)~~ The terms "minority person", "female", and "person with  
9 a disability" shall have the same meaning as defined in Section  
10 2 of the Business Enterprise for Minorities, Females, and  
11 Persons with Disabilities Act.

12 "Casino" means a facility at which lawful gambling is  
13 authorized as provided in this Act.

14 "Owners license" means a license to conduct riverboat or  
15 casino gambling operations and the authorization to conduct  
16 gambling operations under Section 7.3a of this Act, but does  
17 not include an electronic gaming license.

18 "Licensed owner" means a person who holds an owners  
19 license.

20 "Electronic gaming" means slot machine gambling, video  
21 game of chance gambling, or gambling with electronic gambling  
22 games as defined in the Illinois Gambling Act or defined by the  
23 Board that is conducted at a race track pursuant to an  
24 electronic gaming license.

25 "Electronic gaming facility" means the area where the Board  
26 has authorized electronic gaming at a race track of an



1 organization licensee under the Illinois Horse Racing Act of  
2 1975 that holds an electronic gaming license.

3 "Electronic gaming license" means a license issued by the  
4 Board under Section 7.7 of this Act authorizing electronic  
5 gaming at an electronic gaming facility.

6 "Electronic gaming licensee" means an entity that holds an  
7 electronic gaming license.

8 "Organization licensee" means an entity authorized by the  
9 Illinois Racing Board to conduct pari-mutuel wagering in  
10 accordance with the Illinois Horse Racing Act of 1975. With  
11 respect only to electronic gaming, "organization licensee"  
12 includes the authorization for electronic gaming created under  
13 subsection (a) of Section 56 of the Illinois Horse Racing Act  
14 of 1975.

15 (Source: P.A. 95-331, eff. 8-21-07; 96-1392, eff. 1-1-11.)

16 (230 ILCS 10/5) (from Ch. 120, par. 2405)

17 Sec. 5. Gaming Board.

18 (a) (1) There is hereby established the Illinois Gaming  
19 Board, which shall have the powers and duties specified in this  
20 Act, and all other powers necessary and proper to fully and  
21 effectively execute this Act for the purpose of administering,  
22 regulating, and enforcing the system of riverboat and casino  
23 gambling and electronic gaming established by this Act. Its  
24 jurisdiction shall extend under this Act to every person,  
25 association, corporation, partnership and trust involved in

1 riverboat and casino gambling operations and electronic gaming  
2 in the State of Illinois.

3 (2) The Board shall consist of 5 members to be appointed by  
4 the Governor with the advice and consent of the Senate, one of  
5 whom shall be designated by the Governor to be chairperson  
6 ~~chairman~~. Each member shall have a reasonable knowledge of the  
7 practice, procedure and principles of gambling operations.  
8 Each member shall either be a resident of Illinois or shall  
9 certify that he or she will become a resident of Illinois  
10 before taking office.

11 On and after the effective date of this amendatory Act of  
12 the 99th General Assembly, new appointees to the Board must  
13 include the following:

14 (A) One member who has received, at a minimum, a  
15 bachelor's degree from an accredited school and at least 10  
16 years of verifiable training and experience in the fields  
17 of investigation and law enforcement.

18 (B) One member who is a certified public accountant  
19 with experience in auditing and with knowledge of complex  
20 corporate structures and transactions.

21 (C) One member who has 5 years' experience as a  
22 principal, senior officer, or director of a company or  
23 business with either material responsibility for the daily  
24 operations and management of the overall company or  
25 business or material responsibility for the policy making  
26 of the company or business.

1           (D) One member who is a lawyer licensed to practice law  
2           in Illinois.

3           Notwithstanding any provision of this subsection (a), the  
4           requirements of subparagraphs (A) through (D) of this paragraph  
5           (2) shall not apply to any person reappointed pursuant to  
6           paragraph (3).

7           No more than 3 members of the Board may be from the same  
8           political party. The Board should reflect the ethnic, cultural,  
9           and geographic diversity of the State. No Board member shall,  
10           within a period of one year immediately preceding nomination,  
11           have been employed or received compensation or fees for  
12           services from a person or entity, or its parent or affiliate,  
13           that has engaged in business with the Board, a licensee, or a  
14           licensee under the Illinois Horse Racing Act of 1975. Board  
15           members must publicly disclose all prior affiliations with  
16           gaming interests, including any compensation, fees, bonuses,  
17           salaries, and other reimbursement received from a person or  
18           entity, or its parent or affiliate, that has engaged in  
19           business with the Board, a licensee, or a licensee under the  
20           Illinois Horse Racing Act of 1975. This disclosure must be made  
21           within 30 days after nomination but prior to confirmation by  
22           the Senate and must be made available to the members of the  
23           Senate. ~~At least one member shall be experienced in law~~  
24           ~~enforcement and criminal investigation, at least one member~~  
25           ~~shall be a certified public accountant experienced in~~  
26           ~~accounting and auditing, and at least one member shall be a~~

1 ~~lawyer licensed to practice law in Illinois.~~

2 (3) The terms of office of the Board members shall be 3  
3 years, except that the terms of office of the initial Board  
4 members appointed pursuant to this Act will commence from the  
5 effective date of this Act and run as follows: one for a term  
6 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for  
7 a term ending July 1, 1993. Upon the expiration of the  
8 foregoing terms, the successors of such members shall serve a  
9 term for 3 years and until their successors are appointed and  
10 qualified for like terms. Vacancies in the Board shall be  
11 filled for the unexpired term in like manner as original  
12 appointments. Each member of the Board shall be eligible for  
13 reappointment at the discretion of the Governor with the advice  
14 and consent of the Senate.

15 (4) Each member of the Board shall receive \$300 for each  
16 day the Board meets and for each day the member conducts any  
17 hearing pursuant to this Act. Each member of the Board shall  
18 also be reimbursed for all actual and necessary expenses and  
19 disbursements incurred in the execution of official duties.

20 (5) No person shall be appointed a member of the Board or  
21 continue to be a member of the Board who is, or whose spouse,  
22 child or parent is, a member of the board of directors of, or a  
23 person financially interested in, any gambling operation  
24 subject to the jurisdiction of this Board, or any race track,  
25 race meeting, racing association or the operations thereof  
26 subject to the jurisdiction of the Illinois Racing Board. No

1 Board member shall hold any other public office. No person  
2 shall be a member of the Board who is not of good moral  
3 character or who has been convicted of, or is under indictment  
4 for, a felony under the laws of Illinois or any other state, or  
5 the United States.

6 (5.5) No member of the Board shall engage in any political  
7 activity. For the purposes of this Section, "political" means  
8 any activity in support of or in connection with any campaign  
9 for federal, State, or local elective office or any political  
10 organization, but does not include activities (i) relating to  
11 the support or opposition of any executive, legislative, or  
12 administrative action (as those terms are defined in Section 2  
13 of the Lobbyist Registration Act), (ii) relating to collective  
14 bargaining, or (iii) that are otherwise in furtherance of the  
15 person's official State duties or governmental and public  
16 service functions.

17 (6) Any member of the Board may be removed by the Governor  
18 for neglect of duty, misfeasance, malfeasance, or nonfeasance  
19 in office or for engaging in any political activity.

20 (7) Before entering upon the discharge of the duties of his  
21 office, each member of the Board shall take an oath that he  
22 will faithfully execute the duties of his office according to  
23 the laws of the State and the rules and regulations adopted  
24 therewith and shall give bond to the State of Illinois,  
25 approved by the Governor, in the sum of \$25,000. Every such  
26 bond, when duly executed and approved, shall be recorded in the

1 office of the Secretary of State. Whenever the Governor  
2 determines that the bond of any member of the Board has become  
3 or is likely to become invalid or insufficient, he shall  
4 require such member forthwith to renew his bond, which is to be  
5 approved by the Governor. Any member of the Board who fails to  
6 take oath and give bond within 30 days from the date of his  
7 appointment, or who fails to renew his bond within 30 days  
8 after it is demanded by the Governor, shall be guilty of  
9 neglect of duty and may be removed by the Governor. The cost of  
10 any bond given by any member of the Board under this Section  
11 shall be taken to be a part of the necessary expenses of the  
12 Board.

13 (7.5) For the examination of all mechanical,  
14 electromechanical, or electronic table games, slot machines,  
15 slot accounting systems, and other electronic gaming equipment  
16 for compliance with this Act, the Board may utilize the  
17 services of one or more independent outside testing  
18 laboratories that have been accredited by a national  
19 accreditation body and that, in the judgment of the Board, are  
20 qualified to perform such examinations.

21 (8) The Board shall employ such personnel as may be  
22 necessary to carry out its functions and shall determine the  
23 salaries of all personnel, except those personnel whose  
24 salaries are determined under the terms of a collective  
25 bargaining agreement. No person shall be employed to serve the  
26 Board who is, or whose spouse, parent or child is, an official

1 of, or has a financial interest in or financial relation with,  
2 any operator engaged in gambling operations within this State  
3 or any organization engaged in conducting horse racing within  
4 this State. For the one year immediately preceding employment,  
5 an employee shall not have been employed or received  
6 compensation or fees for services from a person or entity, or  
7 its parent or affiliate, that has engaged in business with the  
8 Board, a licensee, or a licensee under the Illinois Horse  
9 Racing Act of 1975. Any employee violating these prohibitions  
10 shall be subject to termination of employment. In addition, all  
11 Board members and employees are subject to the restrictions set  
12 forth in Section 5-45 of the State Officials and Employees  
13 Ethics Act.

14 (9) An Administrator shall perform any and all duties that  
15 the Board shall assign him. The salary of the Administrator  
16 shall be determined by the Board and, in addition, he shall be  
17 reimbursed for all actual and necessary expenses incurred by  
18 him in discharge of his official duties. The Administrator  
19 shall keep records of all proceedings of the Board and shall  
20 preserve all records, books, documents and other papers  
21 belonging to the Board or entrusted to its care. The  
22 Administrator shall devote his full time to the duties of the  
23 office and shall not hold any other office or employment.

24 (b) The Board shall have general responsibility for the  
25 implementation of this Act. Its duties include, without  
26 limitation, the following:

1           (1) To decide promptly and in reasonable order all  
2 license applications. Any party aggrieved by an action of  
3 the Board denying, suspending, revoking, restricting or  
4 refusing to renew a license may request a hearing before  
5 the Board. A request for a hearing must be made to the  
6 Board in writing within 5 days after service of notice of  
7 the action of the Board. Notice of the action of the Board  
8 shall be served either by personal delivery or by certified  
9 mail, postage prepaid, to the aggrieved party. Notice  
10 served by certified mail shall be deemed complete on the  
11 business day following the date of such mailing. The Board  
12 shall conduct all requested hearings promptly and in  
13 reasonable order;

14           (2) To conduct all hearings pertaining to civil  
15 violations of this Act or rules and regulations promulgated  
16 hereunder;

17           (3) To promulgate such rules and regulations as in its  
18 judgment may be necessary to protect or enhance the  
19 credibility and integrity of gambling operations  
20 authorized by this Act and the regulatory process  
21 hereunder;

22           (4) To provide for the establishment and collection of  
23 all license and registration fees and taxes imposed by this  
24 Act and the rules and regulations issued pursuant hereto.  
25 All such fees and taxes shall be deposited into the State  
26 Gaming Fund;



1           (5) To provide for the levy and collection of penalties  
2           and fines for the violation of provisions of this Act and  
3           the rules and regulations promulgated hereunder. All such  
4           fines and penalties shall be deposited into the Education  
5           Assistance Fund, created by Public Act 86-0018, of the  
6           State of Illinois;

7           (6) To be present through its inspectors and agents any  
8           time gambling operations are conducted on any riverboat, in  
9           any casino, or at any electronic gaming facility for the  
10          purpose of certifying the revenue thereof, receiving  
11          complaints from the public, and conducting such other  
12          investigations into the conduct of the gambling games and  
13          the maintenance of the equipment as from time to time the  
14          Board may deem necessary and proper;

15          (7) To review and rule upon any complaint by a licensee  
16          regarding any investigative procedures of the State which  
17          are unnecessarily disruptive of gambling operations. The  
18          need to inspect and investigate shall be presumed at all  
19          times. The disruption of a licensee's operations shall be  
20          proved by clear and convincing evidence, and establish  
21          that: (A) the procedures had no reasonable law enforcement  
22          purposes, and (B) the procedures were so disruptive as to  
23          unreasonably inhibit gambling operations;

24          (8) To hold at least one meeting each quarter of the  
25          fiscal year. In addition, special meetings may be called by  
26          the Chairman or any 2 Board members upon 72 hours written

1 notice to each member. All Board meetings shall be subject  
2 to the Open Meetings Act. Three members of the Board shall  
3 constitute a quorum, and 3 votes shall be required for any  
4 final determination by the Board. The Board shall keep a  
5 complete and accurate record of all its meetings. A  
6 majority of the members of the Board shall constitute a  
7 quorum for the transaction of any business, for the  
8 performance of any duty, or for the exercise of any power  
9 which this Act requires the Board members to transact,  
10 perform or exercise en banc, except that, upon order of the  
11 Board, one of the Board members or an administrative law  
12 judge designated by the Board may conduct any hearing  
13 provided for under this Act or by Board rule and may  
14 recommend findings and decisions to the Board. The Board  
15 member or administrative law judge conducting such hearing  
16 shall have all powers and rights granted to the Board in  
17 this Act. The record made at the time of the hearing shall  
18 be reviewed by the Board, or a majority thereof, and the  
19 findings and decision of the majority of the Board shall  
20 constitute the order of the Board in such case;

21 (9) To maintain records which are separate and distinct  
22 from the records of any other State board or commission.  
23 Such records shall be available for public inspection and  
24 shall accurately reflect all Board proceedings;

25 (10) To file a written annual report with the Governor  
26 on or before March 1 each year and such additional reports

1 as the Governor may request. The annual report shall  
2 include a statement of receipts and disbursements by the  
3 Board, actions taken by the Board, and any additional  
4 information and recommendations which the Board may deem  
5 valuable or which the Governor may request;

6 (11) (Blank);

7 (12) (Blank);

8 (13) To assume responsibility for administration and  
9 enforcement of the Video Gaming Act; ~~and~~

10 (13.1) To assume responsibility for the administration  
11 and enforcement of operations at electronic gaming  
12 facilities pursuant to this Act and the Illinois Horse  
13 Racing Act of 1975; and

14 (14) To adopt, by rule, a code of conduct governing  
15 Board members and employees that ensures ~~ensure~~, to the  
16 maximum extent possible, that persons subject to this Code  
17 avoid situations, relationships, or associations that may  
18 represent or lead to a conflict of interest.

19 (c) The Board shall have jurisdiction over and shall  
20 supervise all gambling operations governed by this Act. The  
21 Board shall have all powers necessary and proper to fully and  
22 effectively execute the provisions of this Act, including, but  
23 not limited to, the following:

24 (1) To investigate applicants and determine the  
25 eligibility of applicants for licenses and to select among  
26 competing applicants the applicants which best serve the

1 interests of the citizens of Illinois.

2 (2) To have jurisdiction and supervision over all  
3 ~~riverboat~~ gambling operations authorized under this Act in  
4 ~~this State~~ and all persons in places ~~on riverboats~~ where  
5 gambling operations are conducted.

6 (3) To promulgate rules and regulations for the purpose  
7 of administering the provisions of this Act and to  
8 prescribe rules, regulations and conditions under which  
9 all ~~riverboat~~ gambling operations subject to this Act in  
10 ~~the State~~ shall be conducted. Such rules and regulations  
11 are to provide for the prevention of practices detrimental  
12 to the public interest and for the best interests of  
13 ~~riverboat~~ gambling, including rules and regulations  
14 regarding the inspection of electronic gaming facilities,  
15 casinos, and such riverboats and the review of any permits  
16 or licenses necessary to operate a riverboat, casino, or  
17 electronic gaming facility under any laws or regulations  
18 applicable to riverboats, casinos, or electronic gaming  
19 facilities, and to impose penalties for violations  
20 thereof.

21 (4) To enter the office, riverboats, casinos,  
22 electronic gaming facilities, and other facilities, or  
23 other places of business of a licensee, where evidence of  
24 the compliance or noncompliance with the provisions of this  
25 Act is likely to be found.

26 (5) To investigate alleged violations of this Act or

1 the rules of the Board and to take appropriate disciplinary  
2 action against a licensee or a holder of an occupational  
3 license for a violation, or institute appropriate legal  
4 action for enforcement, or both.

5 (6) To adopt standards for the licensing of all persons  
6 and entities under Section 7 of this Act, as well as for  
7 electronic or mechanical gambling games, and to establish  
8 fees for such licenses.

9 (7) To adopt appropriate standards for all electronic  
10 gaming facilities, riverboats, casinos, and other  
11 facilities authorized under this Act.

12 (8) To require that the records, including financial or  
13 other statements of any licensee under this Act, shall be  
14 kept in such manner as prescribed by the Board and that any  
15 such licensee involved in the ownership or management of  
16 gambling operations submit to the Board an annual balance  
17 sheet and profit and loss statement, list of the  
18 stockholders or other persons having a 1% or greater  
19 beneficial interest in the gambling activities of each  
20 licensee, and any other information the Board deems  
21 necessary in order to effectively administer this Act and  
22 all rules, regulations, orders and final decisions  
23 promulgated under this Act.

24 (9) To conduct hearings, issue subpoenas for the  
25 attendance of witnesses and subpoenas duces tecum for the  
26 production of books, records and other pertinent documents

1 in accordance with the Illinois Administrative Procedure  
2 Act, and to administer oaths and affirmations to the  
3 witnesses, when, in the judgment of the Board, it is  
4 necessary to administer or enforce this Act or the Board  
5 rules.

6 (10) To prescribe a form to be used by any licensee  
7 involved in the ownership or management of gambling  
8 operations as an application for employment for their  
9 employees.

10 (11) To revoke or suspend licenses, as the Board may  
11 see fit and in compliance with applicable laws of the State  
12 regarding administrative procedures, and to review  
13 applications for the renewal of licenses. The Board may  
14 suspend an owners license, electronic gaming license, or  
15 managers license, without notice or hearing, upon a  
16 determination that the safety or health of patrons or  
17 employees is jeopardized by continuing a gambling  
18 operation conducted under that license ~~riverboat's~~  
19 ~~operation~~. The suspension may remain in effect until the  
20 Board determines that the cause for suspension has been  
21 abated. The Board may revoke an ~~the~~ owners license,  
22 electronic gaming license, or managers license upon a  
23 determination that the licensee ~~owner~~ has not made  
24 satisfactory progress toward abating the hazard. The  
25 authority to revoke or suspend licenses under this  
26 paragraph (11) does not extend to the authorization to

1 conduct casino gambling operations under Section 7.3a of  
2 this Act.

3 (12) To eject or exclude or authorize the ejection or  
4 exclusion of, any person from ~~riverboat~~ gambling  
5 facilities where that ~~such~~ person is in violation of this  
6 Act, rules and regulations thereunder, or final orders of  
7 the Board, or where such person's conduct or reputation is  
8 such that his or her presence within the ~~riverboat~~ gambling  
9 facilities may, in the opinion of the Board, call into  
10 question the honesty and integrity of the gambling  
11 operations or interfere with the orderly conduct thereof;  
12 provided that the propriety of such ejection or exclusion  
13 is subject to subsequent hearing by the Board.

14 (13) To require all licensees of gambling operations to  
15 utilize a cashless wagering system whereby all players'  
16 money is converted to tokens, electronic cards, or chips  
17 which shall be used only for wagering in the gambling  
18 establishment.

19 (14) (Blank).

20 (15) To suspend, revoke, l or restrict licenses, to  
21 require the removal of a licensee or an employee of a  
22 licensee for a violation of this Act or a Board rule or for  
23 engaging in a fraudulent practice, and to impose civil  
24 penalties of up to \$5,000 against individuals and up to  
25 \$10,000 or an amount equal to the daily gross receipts,  
26 whichever is larger, against licensees for each violation

1 of any provision of the Act, any rules adopted by the  
2 Board, any order of the Board or any other action which, in  
3 the Board's discretion, is a detriment or impediment to  
4 ~~riverboat~~ gambling operations. The authority to suspend,  
5 revoke, or restrict licenses under this paragraph (15) does  
6 not extend to the authorization to conduct casino gambling  
7 operations under Section 7.3a of this Act.

8 (16) To hire employees to gather information, conduct  
9 investigations and carry out any other tasks contemplated  
10 under this Act.

11 (17) To establish minimum levels of insurance to be  
12 maintained by licensees.

13 (18) To authorize a licensee to sell or serve alcoholic  
14 liquors, wine or beer as defined in the Liquor Control Act  
15 of 1934 on board a riverboat or in a casino and to have  
16 exclusive authority to establish the hours for sale and  
17 consumption of alcoholic liquor on board a riverboat or in  
18 a casino, notwithstanding any provision of the Liquor  
19 Control Act of 1934 or any local ordinance, and regardless  
20 of whether the riverboat makes excursions. The  
21 establishment of the hours for sale and consumption of  
22 alcoholic liquor on board a riverboat or in a casino is an  
23 exclusive power and function of the State. A home rule unit  
24 may not establish the hours for sale and consumption of  
25 alcoholic liquor on board a riverboat or in a casino. This  
26 paragraph (18) amendatory Act of 1991 is a denial and



1 limitation of home rule powers and functions under  
2 subsection (h) of Section 6 of Article VII of the Illinois  
3 Constitution.

4 (19) After consultation with the U.S. Army Corps of  
5 Engineers, to establish binding emergency orders upon the  
6 concurrence of a majority of the members of the Board  
7 regarding the navigability of water, relative to  
8 excursions, in the event of extreme weather conditions,  
9 acts of God or other extreme circumstances.

10 (20) To delegate the execution of any of its powers  
11 under this Act for the purpose of administering and  
12 enforcing this Act and the its rules adopted by the Board  
13 under this Act and regulations hereunder.

14 (20.5) To approve any contract entered into on its  
15 behalf.

16 (20.6) To appoint investigators to conduct  
17 investigations, searches, seizures, arrests, and other  
18 duties imposed under this Act, as deemed necessary by the  
19 Board. These investigators have and may exercise all of the  
20 rights and powers of peace officers, provided that these  
21 powers shall be limited to offenses or violations occurring  
22 or committed in a casino, in an electronic gaming facility,  
23 or on a riverboat or dock, as defined in subsections (d)  
24 and (f) of Section 4, or as otherwise provided by this Act  
25 or any other law.

26 (20.7) To contract with the Department of State Police

1 for the use of trained and qualified State police officers  
2 and with the Department of Revenue for the use of trained  
3 and qualified Department of Revenue investigators to  
4 conduct investigations, searches, seizures, arrests, and  
5 other duties imposed under this Act and to exercise all of  
6 the rights and powers of peace officers, provided that the  
7 powers of Department of Revenue investigators under this  
8 ~~paragraph subdivision~~ (20.7) shall be limited to offenses  
9 or violations occurring or committed in a casino, in an  
10 electronic gaming facility, or on a riverboat or dock, as  
11 defined in subsections (d) and (f) of Section 4, or as  
12 otherwise provided by this Act or any other law. In the  
13 event the Department of State Police or the Department of  
14 Revenue is unable to fill contracted police or  
15 investigative positions, the Board may appoint  
16 investigators to fill those positions pursuant to  
17 ~~paragraph subdivision~~ (20.6).

18 (21) To adopt rules concerning the conduct of  
19 electronic gaming.

20 (22) To have the same jurisdiction and supervision over  
21 casinos and electronic gaming facilities as the Board has  
22 over riverboats, including, but not limited to, the power  
23 to (i) investigate, review, and approve contracts as that  
24 power is applied to riverboats, (ii) adopt standards for  
25 the licensing of all persons involved with a casino or  
26 electronic gaming facility, (iii) investigate alleged

1 violations of this Act by any person involved with a casino  
2 or electronic gaming facility, and (iv) require that  
3 records, including financial or other statements of any  
4 casino or electronic gaming facility, shall be kept in such  
5 manner as prescribed by the Board.

6 (23) ~~(21)~~ To take any other action as may be reasonable  
7 or appropriate to enforce this Act and the rules adopted by  
8 the board under this Act ~~and regulations hereunder.~~

9 All Board powers enumerated in this Section in relation to  
10 licensees shall apply equally to the holder of a managers  
11 license issued pursuant to Section 7.3 of this Act.

12 (d) The Board may seek and shall receive the cooperation of  
13 the Department of State Police in conducting background  
14 investigations of applicants and in fulfilling its  
15 responsibilities under this Section. Costs incurred by the  
16 Department of State Police as a result of such cooperation  
17 shall be paid by the Board in conformance with the requirements  
18 of Section 2605-400 of the Department of State Police Law (20  
19 ILCS 2605/2605-400).

20 (e) The Board must authorize to each investigator and to  
21 any other employee of the Board exercising the powers of a  
22 peace officer a distinct badge that, on its face, (i) clearly  
23 states that the badge is authorized by the Board and (ii)  
24 contains a unique identifying number. No other badge shall be  
25 authorized by the Board.

26 (f) The Board, on behalf of the State of Illinois, is

1 authorized to acquire by conveyance from the City of Chicago in  
2 Cook County, Illinois real estate acquired by the City of  
3 Chicago under subsection (b) of Section 7.3a of this Act.

4 The Board shall have the authority to hold title to  
5 property as provided in subsection (b) of Section 7.3a of this  
6 Act.

7 (Source: P.A. 98-377, eff. 1-1-14; 98-582, eff. 8-27-13.)

8 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

9 Sec. 5.1. Disclosure of records.

10 (a) Notwithstanding any applicable statutory provision to  
11 the contrary, the Board shall, on written request from any  
12 person, provide information furnished by an applicant or  
13 licensee concerning the applicant or licensee, his products,  
14 services or gambling enterprises and his business holdings, as  
15 follows:

16 (1) The name, business address and business telephone  
17 number of any applicant or licensee.

18 (2) An identification of any applicant or licensee  
19 including, if an applicant or licensee is not an  
20 individual, the names and addresses of all stockholders and  
21 directors, if the entity is a corporation; the names and  
22 addresses of all members, if the entity is a limited  
23 liability company; the names and addresses of all partners,  
24 both general and limited, if the entity is a partnership;  
25 and the names and addresses of all beneficiaries, if the

1        ~~entity is a trust the state of incorporation or~~  
2        ~~registration, the corporate officers, and the identity of~~  
3        ~~all shareholders or participants.~~ If an applicant or  
4        licensee has a pending registration statement filed with  
5        the Securities and Exchange Commission, only the names of  
6        those persons or entities holding interest of 5% or more  
7        must be provided.

8            (3) An identification of any business, including, if  
9        applicable, the state of incorporation or registration, in  
10       which an applicant or licensee or an applicant's or  
11       licensee's spouse or children has an equity interest of  
12       more than 1%. If an applicant or licensee is a corporation,  
13       partnership or other business entity, the applicant or  
14       licensee shall identify any other corporation, partnership  
15       or business entity in which it has an equity interest of 1%  
16       or more, including, if applicable, the state of  
17       incorporation or registration. This information need not  
18       be provided by a corporation, partnership or other business  
19       entity that has a pending registration statement filed with  
20       the Securities and Exchange Commission.

21           (4) Whether an applicant or licensee has been indicted,  
22       convicted, pleaded guilty or nolo contendere, or forfeited  
23       bail concerning any criminal offense under the laws of any  
24       jurisdiction, either felony or misdemeanor (except for  
25       traffic violations), including the date, the name and  
26       location of the court, arresting agency and prosecuting

1 agency, the case number, the offense, the disposition and  
2 the location and length of incarceration.

3 (5) Whether an applicant or licensee has had any  
4 license or certificate issued by a licensing authority in  
5 Illinois or any other jurisdiction denied, restricted,  
6 suspended, revoked or not renewed and a statement  
7 describing the facts and circumstances concerning the  
8 denial, restriction, suspension, revocation or  
9 non-renewal, including the licensing authority, the date  
10 each such action was taken, and the reason for each such  
11 action.

12 (6) Whether an applicant or licensee has ever filed or  
13 had filed against it a proceeding in bankruptcy or has ever  
14 been involved in any formal process to adjust, defer,  
15 suspend or otherwise work out the payment of any debt  
16 including the date of filing, the name and location of the  
17 court, the case and number of the disposition.

18 (7) Whether an applicant or licensee has filed, or been  
19 served with a complaint or other notice filed with any  
20 public body, regarding the delinquency in the payment of,  
21 or a dispute over the filings concerning the payment of,  
22 any tax required under federal, State or local law,  
23 including the amount, type of tax, the taxing agency and  
24 time periods involved.

25 (8) A statement listing the names and titles of all  
26 public officials or officers of any unit of government, and

1 relatives of said public officials or officers who,  
2 directly or indirectly, own any financial interest in, have  
3 any beneficial interest in, are the creditors of or hold  
4 any debt instrument issued by, or hold or have any interest  
5 in any contractual or service relationship with, an  
6 applicant or licensee.

7 (9) Whether an applicant or licensee has made, directly  
8 or indirectly, any political contribution, or any loans,  
9 donations or other payments, to any candidate or office  
10 holder, within 5 years from the date of filing the  
11 application, including the amount and the method of  
12 payment.

13 (10) The name and business telephone number of the  
14 counsel representing an applicant or licensee in matters  
15 before the Board.

16 (11) A description of any proposed or approved  
17 riverboat or casino gaming or electronic gaming operation,  
18 including the type of boat, home dock or casino or  
19 electronic gaming location, expected economic benefit to  
20 the community, anticipated or actual number of employees,  
21 any statement from an applicant or licensee regarding  
22 compliance with federal and State affirmative action  
23 guidelines, projected or actual admissions and projected  
24 or actual adjusted gross gaming receipts.

25 (12) A description of the product or service to be  
26 supplied by an applicant for a supplier's license.

1 (b) Notwithstanding any applicable statutory provision to  
2 the contrary, the Board shall, on written request from any  
3 person, also provide the following information:

4 (1) The amount of the wagering tax and admission tax  
5 paid daily to the State of Illinois by the holder of an  
6 owner's license.

7 (2) Whenever the Board finds an applicant for an  
8 owner's license unsuitable for licensing, a copy of the  
9 written letter outlining the reasons for the denial.

10 (3) Whenever the Board has refused to grant leave for  
11 an applicant to withdraw his application, a copy of the  
12 letter outlining the reasons for the refusal.

13 (c) Subject to the above provisions, the Board shall not  
14 disclose any information which would be barred by:

15 (1) Section 7 of the Freedom of Information Act; or

16 (2) The statutes, rules, regulations or  
17 intergovernmental agreements of any jurisdiction.

18 (d) The Board may assess fees for the copying of  
19 information in accordance with Section 6 of the Freedom of  
20 Information Act.

21 (Source: P.A. 96-1392, eff. 1-1-11.)

22 (230 ILCS 10/5.3 new)

23 Sec. 5.3. Ethical conduct.

24 (a) Officials and employees of the corporate authority of a  
25 host community must carry out their duties and responsibilities



1 in such a manner as to promote and preserve public trust and  
2 confidence in the integrity and conduct of gaming.

3 (b) Officials and employees of the corporate authority of a  
4 host community shall not use or attempt to use his or her  
5 official position to secure or attempt to secure any privilege,  
6 advantage, favor, or influence for himself or herself or  
7 others.

8 (c) Officials and employees of the corporate authority of a  
9 host community may not have a financial interest, directly or  
10 indirectly, in his or her own name or in the name of any other  
11 person, partnership, association, trust, corporation, or other  
12 entity in any contract or subcontract for the performance of  
13 any work for a riverboat or casino that is located in the host  
14 community. This prohibition shall extend to the holding or  
15 acquisition of an interest in any entity identified by Board  
16 action that, in the Board's judgment, could represent the  
17 potential for or the appearance of a financial interest. The  
18 holding or acquisition of an interest in such entities through  
19 an indirect means, such as through a mutual fund, shall not be  
20 prohibited, except that the Board may identify specific  
21 investments or funds that, in its judgment, are so influenced  
22 by gaming holdings as to represent the potential for or the  
23 appearance of a conflict of interest.

24 (d) Officials and employees of the corporate authority of a  
25 host community may not accept any gift, gratuity, service,  
26 compensation, travel, lodging, or thing of value, with the

1 exception of unsolicited items of an incidental nature, from  
2 any person, corporation, or entity doing business with the  
3 riverboat or casino that is located in the host community.

4 (e) Officials and employees of the corporate authority of a  
5 host community shall not, during the period that the person is  
6 an official or employee of the corporate authority or for a  
7 period of 2 years immediately after leaving such office,  
8 knowingly accept employment or receive compensation or fees for  
9 services from a person or entity, or its parent or affiliate,  
10 that has engaged in business with the riverboat or casino that  
11 is located in the host community that resulted in contracts  
12 with an aggregate value of at least \$25,000 or if that official  
13 or employee has made a decision that directly applied to the  
14 person or entity, or its parent or affiliate.

15 (f) A spouse, child, or parent of an official or employee  
16 of the corporate authority of a host community may not have a  
17 financial interest, directly or indirectly, in his or her own  
18 name or in the name of any other person, partnership,  
19 association, trust, corporation, or other entity in any  
20 contract or subcontract for the performance of any work for a  
21 riverboat or casino in the host community. This prohibition  
22 shall extend to the holding or acquisition of an interest in  
23 any entity identified by Board action that, in the judgment of  
24 the Board, could represent the potential for or the appearance  
25 of a conflict of interest. The holding or acquisition of an  
26 interest in such entities through an indirect means, such as

1 through a mutual fund, shall not be prohibited, expect that the  
2 Board may identify specific investments or funds that, in its  
3 judgment, are so influenced by gaming holdings as to represent  
4 the potential for or the appearance of a conflict of interest.

5 (g) A spouse, child, or parent of an official or employee  
6 of the corporate authority of a host community may not accept  
7 any gift, gratuity, service, compensation, travel, lodging, or  
8 thing of value, with the exception of unsolicited items of an  
9 incidental nature, from any person, corporation, or entity  
10 doing business with the riverboat or casino that is located in  
11 the host community.

12 (h) A spouse, child, or parent of an official or employee  
13 of the corporate authority of a host community may not, during  
14 the period that the person is an official of the corporate  
15 authority or for a period of 2 years immediately after leaving  
16 such office or employment, knowingly accept employment or  
17 receive compensation or fees for services from a person or  
18 entity, or its parent or affiliate, that has engaged in  
19 business with the riverboat or casino that is located in the  
20 host community that resulted in contracts with an aggregate  
21 value of at least \$25,000 or if that official or employee has  
22 made a decision that directly applied to the person or entity,  
23 or its parent or affiliate.

24 (i) Officials and employees of the corporate authority of a  
25 host community shall not attempt, in any way, to influence any  
26 person or entity doing business with the riverboat or casino

1 that is located in the host community or any officer, agent, or  
2 employee thereof to hire or contract with any person or entity  
3 for any compensated work.

4 (j) Any communication between an official of the corporate  
5 authority of a host community and any applicant for an owners  
6 license in the host community, or an officer, director, or  
7 employee of a riverboat or casino in the host community,  
8 concerning any matter relating in any way to gaming shall be  
9 disclosed to the Board. Such disclosure shall be in writing by  
10 the official within 30 days after the communication and shall  
11 be filed with the Board. Disclosure must consist of the date of  
12 the communication, the identity and job title of the person  
13 with whom the communication was made, a brief summary of the  
14 communication, the action requested or recommended, all  
15 responses made, the identity and job title of the person making  
16 the response, and any other pertinent information. Public  
17 disclosure of the written summary provided to the Board and the  
18 Gaming Board shall be subject to the exemptions provided under  
19 the Freedom of Information Act.

20 This subsection (j) shall not apply to communications  
21 regarding traffic, law enforcement, security, environmental  
22 issues, city services, transportation, or other routine  
23 matters concerning the ordinary operations of the riverboat or  
24 casino. For purposes of this subsection (j), "ordinary  
25 operations" means operations relating to the casino or  
26 riverboat facility other than the conduct of gambling

1 activities, and "routine matters" includes the application  
2 for, issuance of, renewal of, and other processes associated  
3 with municipal permits and licenses.

4 (k) Any official or employee who violates any provision of  
5 this Section is guilty of a Class 4 felony.

6 (l) For purposes of this Section, "host community" or "host  
7 municipality" means a unit of local government that contains a  
8 riverboat or casino within its borders, but does not include  
9 the City of Chicago.

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

11 Sec. 6. Application for Owners License.

12 (a) A qualified person may apply to the Board for an owners  
13 license to conduct a riverboat gambling operation as provided  
14 in Section 7 of this Act. The application shall be made on  
15 forms provided by the Board and shall contain such information  
16 as the Board prescribes, including but not limited to the  
17 identity of the riverboat on which such gambling operation is  
18 to be conducted, if applicable, and the exact location where  
19 such riverboat or casino will be located ~~docked~~, a  
20 certification that the riverboat will be registered under this  
21 Act at all times during which gambling operations are conducted  
22 on board, detailed information regarding the ownership and  
23 management of the applicant, and detailed personal information  
24 regarding the applicant. Any application for an owners license  
25 to be re-issued on or after June 1, 2003 shall also include the

1 applicant's license bid in a form prescribed by the Board.  
2 Information provided on the application shall be used as a  
3 basis for a thorough background investigation which the Board  
4 shall conduct with respect to each applicant. An incomplete  
5 application shall be cause for denial of a license by the  
6 Board.

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

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

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

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

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

1 locations where the applicant or its developer has  
2 performed similar functions as they would perform if the  
3 applicant were granted a license.

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

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

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

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

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

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

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 females.

25 (b) Applicants shall submit with their application all  
26 documents, resolutions, and letters of support from the

1 governing body that represents the municipality or county  
2 wherein the licensee will be located ~~deck~~.

3 (c) Each applicant shall disclose the identity of every  
4 person or entity ~~, association, trust or corporation~~ having a  
5 greater than 1% direct or indirect pecuniary interest in the  
6 ~~riverboat~~ gambling operation with respect to which the license  
7 is sought. If the disclosed entity is a trust, the application  
8 shall disclose the names and addresses of all ~~the~~  
9 beneficiaries; if a corporation, the names and addresses of all  
10 stockholders and directors; if a partnership, the names and  
11 addresses of all partners, both general and limited.

12 (d) An application shall be filed and considered in  
13 accordance with the rules of the Board. Each application shall  
14 be accompanied by a non-refundable ~~An~~ application fee of  
15 \$100,000. In addition, a non-refundable fee of \$50,000 shall be  
16 paid at the time of filing to defray the costs associated with  
17 the background investigation conducted by the Board. If the  
18 costs of the investigation exceed \$50,000, the applicant shall  
19 pay the additional amount to the Board within 7 days after  
20 requested by the Board. If the costs of the investigation are  
21 less than \$50,000, the applicant shall receive a refund of the  
22 remaining amount. All information, records, interviews,  
23 reports, statements, memoranda or other data supplied to or  
24 used by the Board in the course of its review or investigation  
25 of an application for a license or a renewal under this Act  
26 shall be privileged, strictly confidential and shall be used



1 only for the purpose of evaluating an applicant for a license  
2 or a renewal. Such information, records, interviews, reports,  
3 statements, memoranda or other data shall not be admissible as  
4 evidence, nor discoverable in any action of any kind in any  
5 court or before any tribunal, board, agency or person, except  
6 for any action deemed necessary by the Board. The application  
7 fee shall be deposited into the Gaming Facilities Fee Revenue  
8 Fund.

9 (e) The Board shall charge each applicant a fee set by the  
10 Department of State Police to defray the costs associated with  
11 the search and classification of fingerprints obtained by the  
12 Board with respect to the applicant's application. These fees  
13 shall be paid into the State Police Services Fund.

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

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

25 (Source: P.A. 96-1392, eff. 1-1-11.)

1 (230 ILCS 10/7) (from Ch. 120, par. 2407)

2 Sec. 7. Owners Licenses.

3 (a) The Board shall issue owners licenses to persons or  
4 entities ~~, firms or corporations~~ which apply for such licenses  
5 upon payment to the Board of the non-refundable license fee as  
6 provided in subsection (e) or (e-5) ~~set by the Board, upon~~  
7 ~~payment of a \$25,000 license fee for the first year of~~  
8 ~~operation and a \$5,000 license fee for each succeeding year~~ and  
9 upon a determination by the Board that the applicant is  
10 eligible for an owners license pursuant to this Act and the  
11 rules of the Board. From the effective date of this amendatory  
12 Act of the 95th General Assembly until (i) 3 years after the  
13 effective date of this amendatory Act of the 95th General  
14 Assembly, (ii) the date any organization licensee begins to  
15 operate a slot machine or video game of chance under the  
16 Illinois Horse Racing Act of 1975 or this Act, (iii) the date  
17 that payments begin under subsection (c-5) of Section 13 of the  
18 Act, ~~or~~ (iv) the wagering tax imposed under Section 13 of this  
19 Act is increased by law to reflect a tax rate that is at least  
20 as stringent or more stringent than the tax rate contained in  
21 subsection (a-3) of Section 13, or (v) when an owners licensee  
22 holding a license issued pursuant to Section 7.1 of this Act  
23 begins conducting gaming, whichever occurs first, as a  
24 condition of licensure and as an alternative source of payment  
25 for those funds payable under subsection (c-5) of Section 13 of  
26 this ~~the Riverboat Gambling~~ Act, any owners licensee that holds

1 or receives its owners license on or after the effective date  
2 of this amendatory Act of the 94th General Assembly, other than  
3 an owners licensee operating a riverboat with adjusted gross  
4 receipts in calendar year 2004 of less than \$200,000,000, must  
5 pay into the Horse Racing Equity Trust Fund, in addition to any  
6 other payments required under this Act, an amount equal to 3%  
7 of the adjusted gross receipts received by the owners licensee.  
8 The payments required under this Section shall be made by the  
9 owners licensee to the State Treasurer no later than 3:00  
10 o'clock p.m. of the day after the day when the adjusted gross  
11 receipts were received by the owners licensee. A person, ~~firm~~  
12 or entity ~~corporation~~ is ineligible to receive an owners  
13 license if:

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

16 (2) the person has been convicted of any violation of  
17 Article 28 of the Criminal Code of 1961 or the Criminal  
18 Code of 2012, or substantially similar laws of any other  
19 jurisdiction;

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

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

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

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

5           (7) (blank); or

6           (8) a license of the person or entity ~~, firm or~~  
7 ~~corporation~~ issued under this Act, or a license to own or  
8 operate gambling facilities in any other jurisdiction, has  
9 been revoked.

10          The Board is expressly prohibited from making changes to  
11 the requirement that licensees make payment into the Horse  
12 Racing Equity Trust Fund without the express authority of the  
13 Illinois General Assembly and making any other rule to  
14 implement or interpret this amendatory Act of the 95th General  
15 Assembly. For the purposes of this paragraph, "rules" is given  
16 the meaning given to that term in Section 1-70 of the Illinois  
17 Administrative Procedure Act.

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

20           (1) the character, reputation, experience and  
21 financial integrity of the applicants and of any other or  
22 separate person that either:

23           (A) controls, directly or indirectly, such  
24 applicant, or

25           (B) is controlled, directly or indirectly, by such  
26 applicant or by a person which controls, directly or

1 indirectly, such applicant;

2 (2) the facilities or proposed facilities for the  
3 conduct of ~~riverboat~~ gambling;

4 (3) the highest prospective total revenue to be derived  
5 by the State from the conduct of ~~riverboat~~ gambling;

6 (4) the extent to which the ownership of the applicant  
7 reflects the diversity of the State by including minority  
8 persons, females, and persons with a disability and the  
9 good faith affirmative action plan of each applicant to  
10 recruit, train and upgrade minority persons, females, and  
11 persons with a disability in all employment  
12 classifications;

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

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

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

21 (8) the ~~The~~ amount of the applicant's license bid; ~~and~~

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

26 (10) the extent to which the ownership of an applicant

1       includes the most qualified number of minority persons,  
2       females, and persons with a disability.

3       (c) Each owners license shall specify the place where the  
4       casino ~~riverboats~~ shall operate or the riverboat shall operate  
5       and dock.

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

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

1 with Board approval, shall authorize the riverboat to relocate  
2 to a new location that is no more than 10 miles away from its  
3 original location, in a municipality that borders on the  
4 Illinois River or is within 5 miles of the city limits of a  
5 municipality that borders on the Illinois River ~~south of~~  
6 ~~Marshall County~~. The Board shall issue one additional license  
7 to become effective not earlier than March 1, 1992, which shall  
8 authorize riverboat gambling on the Des Plaines River in Will  
9 County. The Board may issue 4 additional licenses to become  
10 effective not earlier than March 1, 1992. In determining the  
11 water upon which riverboats will operate, the Board shall  
12 consider the economic benefit which riverboat gambling confers  
13 on the State, and shall seek to assure that all regions of the  
14 State share in the economic benefits of riverboat gambling.

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

1 the winning bidder. The fee for issuance or renewal of a  
2 license pursuant to this subsection (e) shall be \$100,000.

3 (e-5) In addition to licenses authorized under subsection  
4 (e) of this Section the Board may issue:

5 (1) one owners license authorizing the conduct of  
6 riverboat gambling in Vermilion County;

7 (2) one owners license authorizing the conduct of  
8 riverboat gambling in Lake County;

9 (3) one owners license authorizing the conduct of  
10 riverboat gambling in Winnebago County; and

11 (4) one owners license authorizing the conduct of  
12 riverboat gambling in a municipality that is located in one  
13 of the following townships of Cook County: Bloom, Bremen,  
14 Calumet, Rich, Thornton, or Worth Township.

15 Each application for a license pursuant to this subsection  
16 (e-5) shall be submitted to the Board no later than 6 months  
17 after the effective date of this amendatory Act of the 99th  
18 General Assembly and shall include the non-refundable  
19 application fee and the non-refundable background  
20 investigation fee as provided in subsection (d) of Section 6 of  
21 this Act. In the event that an applicant submits an application  
22 for a license pursuant to this subsection (e-5) prior to the  
23 effective date of this amendatory Act of the 99th General  
24 Assembly, such applicant shall submit the non-refundable  
25 application fee and background investigation fee as provided in  
26 subsection (d) of Section 6 of this Act no later than 6 months



1 after the effective date of this amendatory Act of the 99th  
2 General Assembly.

3 The Board shall consider issuing a license pursuant this  
4 subsection only after the corporate authority of the  
5 municipality in which the riverboat shall be located has  
6 certified to the Board the following:

7 (i) that the applicant has negotiated with the  
8 corporate authority in good faith;

9 (ii) that the applicant and the corporate authority  
10 have mutually agreed on the permanent location of the  
11 riverboat;

12 (iii) that the applicant and the corporate authority  
13 have mutually agreed on the temporary location of the  
14 riverboat;

15 (iv) that the applicant and the corporate authority  
16 have mutually agreed on the percentage of revenues that  
17 will be shared with the municipality, if any; and

18 (v) that the applicant and the corporate authority have  
19 mutually agreed on any zoning, licensing, public health, or  
20 other issues that are within the jurisdiction of the  
21 municipality.

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

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

9 (e-10) The licenses authorized under subsection (e-5) of  
10 this Section shall be issued within 12 months after the date  
11 the license application is submitted. If the Board does not  
12 issue the licenses within that time period, then the Board  
13 shall give a written explanation to the applicant as to why it  
14 has not reached a determination and when it reasonably expects  
15 to make a determination. The fee for the issuance or renewal of  
16 a license issued pursuant to this subsection (e-10) shall be  
17 \$100,000. Additionally, a licensee located outside of Cook  
18 County shall pay a minimum initial fee of \$12,500 per gaming  
19 position, and a licensee located in Cook County shall pay a  
20 minimum initial fee of \$25,000 per gaming position. The initial  
21 fees payable under this subsection (e-10) shall be deposited  
22 into the Gaming Facilities Fee Revenue Fund.

23 (e-20) In addition to any other revocation powers granted  
24 to the Board under this Act, the Board may revoke the owners  
25 license of a licensee which fails to begin conducting gambling  
26 within 15 months of receipt of the Board's approval of the

1 application if the Board determines that license revocation is  
2 in the best interests of the State.

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

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

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

20 A licensee shall limit the number of gaming positions  
21 ~~gaming participants~~ to 1,200 for any such owners license.

22 A licensee may operate both of its riverboats concurrently,  
23 provided that the total number of gaming positions ~~gaming~~  
24 ~~participants~~ on both riverboats does not exceed 1,200.  
25 Riverboats licensed to operate on the Mississippi River and the  
26 Illinois River south of Marshall County shall have an

1 authorized capacity of at least 500 persons. Any other  
2 riverboat licensed under this Act shall have an authorized  
3 capacity of at least 400 persons.

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

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

25 (k) An owners licensee may conduct land-based gambling  
26 operations upon approval by the Board.

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 an  
6 owners licensee and upon a showing of good cause by the owners  
7 licensee, the Board shall extend the period during which the  
8 licensee may conduct gaming at a temporary facility by up to 12  
9 months. The Board shall make rules concerning the conduct of  
10 gaming from temporary facilities.

11       (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

12       (230 ILCS 10/7.3)

13       Sec. 7.3. State conduct of gambling operations; reissued  
14 license.

15       (a) If, after reviewing each application for a re-issued  
16 license, the Board determines that the highest prospective  
17 total revenue to the State would be derived from State conduct  
18 of the gambling operation in lieu of re-issuing the license,  
19 the Board shall inform each applicant of its decision. The  
20 Board shall thereafter have the authority, without obtaining an  
21 owners license, to conduct casino or riverboat gambling  
22 operations as previously authorized by the terminated,  
23 expired, revoked, or nonrenewed license through a licensed  
24 manager selected pursuant to an open and competitive bidding  
25 process as set forth in Section 7.5 and as provided in Section

1 7.4.

2 (b) The Board may locate any casino or riverboat on which a  
3 gambling operation is conducted by the State in any home dock  
4 or other location authorized by Section 3(c) upon receipt of  
5 approval from a majority vote of the governing body of the  
6 municipality or county, as the case may be, in which the  
7 riverboat will dock.

8 (c) The Board shall have jurisdiction over and shall  
9 supervise all gambling operations conducted by the State  
10 provided for in this Act and shall have all powers necessary  
11 and proper to fully and effectively execute the provisions of  
12 this Act relating to gambling operations conducted by the  
13 State.

14 (d) The maximum number of owners licenses authorized under  
15 Section 7 ~~7(e)~~ shall be reduced by one for each instance in  
16 which the Board authorizes the State to conduct a casino or  
17 riverboat gambling operation under subsection (a) in lieu of  
18 re-issuing a license to an applicant under Section 7.1.

19 (Source: P.A. 93-28, eff. 6-20-03.)

20 (230 ILCS 10/7.3a new)

21 Sec. 7.3a. State conduct of gambling operations; Chicago  
22 casino.

23 (a) The Board is authorized to conduct gambling operations  
24 on a riverboat or in a casino, through a licensed manager,  
25 within the City of Chicago.

1       (b) The City of Chicago shall select the site for the  
2 gambling operation and acquire, upon consultation with the  
3 Capital Development Board, any land necessary for its  
4 construction. For the purposes of this subsection (b), the City  
5 of Chicago may acquire, by eminent domain or by condemnation  
6 proceedings in the manner provided by the Eminent Domain Act,  
7 real or personal property or interests in real or personal  
8 property located in the City of Chicago, and the City of  
9 Chicago shall convey to the Illinois Gaming Board property so  
10 acquired upon reimbursement to the City of Chicago of the  
11 purchase price of the property, plus reasonable interest costs.  
12 The acquisition of property under this subsection (b) is  
13 declared to be for a public use.

14       (c) The Capital Development Board shall construct, repair,  
15 and maintain, or contract for and supervise the construction,  
16 repair, or maintenance of, facilities for use by the Board to  
17 conduct gambling operations under this Section.

18       (d) The Board must select and license a manager for the  
19 gambling operations authorized under this Section pursuant to  
20 Section 7.4 of this Act within 6 months after the effective  
21 date of this amendatory Act of the 99th General Assembly. The  
22 Board may, upon written request to the majority and minority  
23 leaders of the House of Representatives and the Senate no less  
24 than 14 days prior to the expiration of the 6-month period,  
25 request an extension on this deadline to select and license a  
26 manager of no more than 45 days. Either house of the General

1 Assembly may, by resolution, deny the 45-day extension.

2 (e) The gambling operation authorized under this Section  
3 shall operate not less than 4,000 positions or more than 6,000  
4 positions.

5 (f) The Board shall have jurisdiction over and shall  
6 supervise all gambling operations conducted by the State  
7 provided for in this Section and shall have all powers  
8 necessary and proper to fully and effectively execute the  
9 provisions of this Section relating to gambling operations  
10 conducted by the State.

11 (230 ILCS 10/7.4)

12 Sec. 7.4. Managers licenses.

13 (a) A qualified person may apply to the Board for a  
14 managers license to operate and manage any gambling operation  
15 conducted by the State. The application shall be made on forms  
16 provided by the Board and shall contain such information as the  
17 Board prescribes, including but not limited to information  
18 required in Sections 6(a), (b), and (c) and information  
19 relating to the applicant's proposed price to manage State  
20 gambling operations and to provide the riverboat, gambling  
21 equipment, and supplies necessary to conduct State gambling  
22 operations.

23 (b) Each applicant must submit evidence to the Board that  
24 minority persons and females hold ownership interests in the  
25 applicant of at least 16% and 4%, respectively.



1 (c) A person, firm, or corporation is ineligible to receive  
2 a managers license if:

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

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

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

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

12 (5) a person defined in paragraph (1), (2), (3), or (4)  
13 is an officer, director, or managerial employee of the firm  
14 or corporation;

15 (6) the firm or corporation employs a person defined in  
16 paragraph (1), (2), (3), or (4) who participates in the  
17 management or operation of gambling operations authorized  
18 under this Act; or

19 (7) a license of the person, firm, or corporation  
20 issued under this Act, or a license to own or operate  
21 gambling facilities in any other jurisdiction, has been  
22 revoked.

23 (d) Each applicant shall submit with his or her  
24 application, on forms prescribed by the Board, 2 sets of his or  
25 her fingerprints.

26 (e) The Board shall charge each applicant a fee, set by the

1 Board, to defray the costs associated with the background  
2 investigation conducted by the Board.

3 (f) A person who knowingly makes a false statement on an  
4 application is guilty of a Class A misdemeanor.

5 (g) The managers license shall be for a term not less than  
6 4 years but not more than ~~to exceed~~ 10 years, shall be  
7 renewable at the Board's option, and shall contain such terms  
8 and provisions as the Board deems necessary to protect or  
9 enhance the credibility and integrity of State gambling  
10 operations, achieve the highest prospective total revenue to  
11 the State, and otherwise serve the interests of the citizens of  
12 Illinois.

13 (h) Issuance of a managers license shall be subject to an  
14 open and competitive bidding process. The Board may select an  
15 applicant other than the lowest bidder by price. If it does not  
16 select the lowest bidder, the Board shall issue a notice of who  
17 the lowest bidder was and a written decision as to why another  
18 bidder was selected.

19 (Source: P.A. 97-1150, eff. 1-25-13.)

20 (230 ILCS 10/7.5)

21 Sec. 7.5. Competitive Bidding. When the Board determines  
22 that (i) it will re-issue an owners license pursuant to an open  
23 and competitive bidding process, as set forth in Section 7.1,  
24 (ii) ~~or that~~ it will issue a managers license pursuant to an  
25 open and competitive bidding process, as set forth in Section

1     7.4, or (iii) it will issue an owners license pursuant to an  
2     open and competitive bidding process, as set forth in Section  
3     7.12, the open and competitive bidding process shall adhere to  
4     the following procedures:

5           (1) The Board shall make applications for owners and  
6     managers licenses available to the public and allow a  
7     reasonable time for applicants to submit applications to the  
8     Board.

9           (2) During the filing period for owners or managers license  
10    applications, the Board may retain the services of an  
11    investment banking firm to assist the Board in conducting the  
12    open and competitive bidding process.

13          (3) After receiving all of the bid proposals, the Board  
14    shall open all of the proposals in a public forum and disclose  
15    the prospective owners or managers names, venture partners, if  
16    any, and, in the case of applicants for owners licenses, the  
17    locations of the proposed development sites.

18          (4) The Board shall summarize the terms of the proposals  
19    and may make this summary available to the public.

20          (5) The Board shall evaluate the proposals within a  
21    reasonable time and select no more than 3 final applicants to  
22    make presentations of their proposals to the Board.

23          (6) The final applicants shall make their presentations to  
24    the Board on the same day during an open session of the Board.

25          (7) As soon as practicable after the public presentations  
26    by the final applicants, the Board, in its discretion, may

1 conduct further negotiations among the 3 final applicants.  
2 During such negotiations, each final applicant may increase its  
3 license bid or otherwise enhance its bid proposal. At the  
4 conclusion of such negotiations, the Board shall select the  
5 winning proposal. In the case of negotiations for an owners  
6 license, the Board may, at the conclusion of such negotiations,  
7 make the determination allowed under Section 7.3(a).

8 (8) Upon selection of a winning bid, the Board shall  
9 evaluate the winning bid within a reasonable period of time for  
10 licensee suitability in accordance with all applicable  
11 statutory and regulatory criteria.

12 (9) If the winning bidder is unable or otherwise fails to  
13 consummate the transaction, (including if the Board determines  
14 that the winning bidder does not satisfy the suitability  
15 requirements), the Board may, on the same criteria, select from  
16 the remaining bidders or make the determination allowed under  
17 Section 7.3(a).

18 (Source: P.A. 93-28, eff. 6-20-03.)

19 (230 ILCS 10/7.7 new)

20 Sec. 7.7. Electronic gaming.

21 (a) The General Assembly finds that the horse racing and  
22 riverboat gambling industries share many similarities and  
23 collectively comprise the bulk of the State's gaming industry.  
24 One feature common to both industries is that each is highly  
25 regulated by the State of Illinois. The General Assembly

1 further finds, however, that despite their shared features each  
2 industry is distinct from the other in that horse racing is and  
3 continues to be intimately tied to Illinois' agricultural  
4 economy and is, at its core, a spectator sport. This  
5 distinction requires the General Assembly to utilize different  
6 methods to regulate and promote the horse racing industry  
7 throughout the State. The General Assembly finds that in order  
8 to promote live horse racing as a spectator sport in Illinois  
9 and the agricultural economy of this State, it is necessary to  
10 allow electronic gaming at Illinois race tracks as an ancillary  
11 use given the success of other states in increasing live racing  
12 purse accounts and improving the quality of horses  
13 participating in horse race meetings.

14 (b) The Illinois Gaming Board shall award one electronic  
15 gaming license to each person or entity having operating  
16 control of a race track that applies under Section 56 of the  
17 Illinois Horse Racing Act of 1975, subject to the application  
18 and eligibility requirements of this Section. Within 60 days  
19 after the effective date of this amendatory Act of the 99th  
20 General Assembly, a person or entity having operating control  
21 of a race track may submit an application for an electronic  
22 gaming license. The application shall be made on such forms as  
23 provided by the Board and shall contain such information as the  
24 Board prescribes, including, but not limited to, the identity  
25 of any race track at which electronic gaming will be conducted,  
26 detailed information regarding the ownership and management of

1 the applicant, and detailed personal information regarding the  
2 applicant. The application shall specify the number of gaming  
3 positions the applicant intends to use and the place where the  
4 electronic gaming facility will operate. A person who knowingly  
5 makes a false statement on an application is guilty of a Class  
6 A misdemeanor.

7 Each applicant shall disclose the identity of every person  
8 or entity having a direct or indirect pecuniary interest  
9 greater than 1% in any race track with respect to which the  
10 license is sought. If the disclosed entity is a corporation,  
11 the applicant shall disclose the names and addresses of all  
12 stockholders and directors. If the disclosed entity is a  
13 limited liability company, the applicant shall disclose the  
14 names and addresses of all members and managers. If the  
15 disclosed entity is a partnership, the applicant shall disclose  
16 the names and addresses of all partners, both general and  
17 limited. If the disclosed entity is a trust, the applicant  
18 shall disclose the names and addresses of all beneficiaries.

19 An application shall be filed and considered in accordance  
20 with the rules of the Board. Each application for an electronic  
21 gaming license shall include a non-refundable application fee  
22 of \$100,000. In addition, a non-refundable fee of \$50,000 shall  
23 be paid at the time of filing to defray the costs associated  
24 with background investigations conducted by the Board. If the  
25 costs of the background investigation exceed \$50,000, the  
26 applicant shall pay the additional amount to the Board within 7

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

17 Each applicant shall submit with his or her application, on  
18 forms provided by the Board, 2 sets of his or her fingerprints.  
19 The Board shall charge each applicant a fee set by the  
20 Department of State Police to defray the costs associated with  
21 the search and classification of fingerprints obtained by the  
22 Board with respect to the applicant's application. This fee  
23 shall be paid into the State Police Services Fund.

24 An application of any person or entity having operating  
25 control of a race track at which 10 or more persons have worked  
26 in the prior year providing or preparing food or beverage or

1 performing custodial or maintenance work must include written  
2 proof that the person or entity has entered into a labor peace  
3 agreement with each labor organization that is actively engaged  
4 in representing and attempting to represent food and beverage,  
5 hospitality, custodial, and maintenance workers in this State.  
6 If the application does not include the written proof that the  
7 applicant has entered into the labor peace agreement, then the  
8 application shall not be processed and the application must be  
9 resubmitted. For the purposes of this paragraph, "labor peace  
10 agreement" means an agreement in which a labor organization  
11 waives the right of itself and its members to strike, picket,  
12 or otherwise boycott the operation for at least 3 years.

13 (c) The Board shall determine within 120 days after  
14 receiving an application for an electronic gaming license  
15 whether to grant an electronic gaming license to the applicant.  
16 If the Board does not make a determination within that time  
17 period, then the Board shall give a written explanation to the  
18 applicant as to why it has not reached a determination and when  
19 it reasonably expects to make a determination.

20 The electronic gaming licensee shall purchase up to the  
21 amount of electronic gaming positions authorized under this Act  
22 within 120 days after receiving its electronic gaming license.  
23 If an electronic gaming licensee is prepared to purchase the  
24 electronic gaming positions, but is temporarily prohibited  
25 from doing so by order of a court of competent jurisdiction or  
26 the Board, then the 120-day period is tolled until a resolution



1 is reached.

2 An electronic gaming license shall authorize its holder to  
3 conduct electronic gaming at its race track at the following  
4 times:

5 (1) On days when it conducts live racing at the track  
6 where its electronic gaming facility is located, from 8:00  
7 a.m. until 3:00 a.m. on the following day.

8 (2) On days when it is scheduled to conduct simulcast  
9 wagering on races run in the United States, from 8:00 a.m.  
10 until 3:00 a.m. on the following day.

11 Additionally, the Board may extend these days of operation  
12 and hours upon request by an organization licensee as the Board  
13 sees fit.

14 A license to conduct electronic gaming and any renewal of  
15 an electronic gaming license shall authorize electronic gaming  
16 for a period of 4 years. The fee for the issuance or renewal of  
17 an electronic gaming license shall be \$100,000.

18 (d) To be eligible to conduct electronic gaming, a person  
19 or entity having operating control of a race track must (i)  
20 obtain an electronic gaming license, (ii) hold an organization  
21 license under the Illinois Horse Racing Act of 1975, (iii) hold  
22 an inter-track wagering license, (iv) pay an initial fee of  
23 \$25,000 per gaming position from electronic gaming licensees  
24 where electronic gaming is conducted in Cook County and \$12,500  
25 for electronic gaming licensees where electronic gaming is  
26 located outside of Cook County before beginning to conduct

1 electronic gaming, (v) conduct at least 240 live races at each  
2 track per year or, for a licensee that is only authorized 175  
3 gaming positions pursuant to subsection (f) of this Section,  
4 have a fully operational facility running at least 96 live  
5 races over a period of at least 15 days per year until such  
6 time as the total number of gaming positions is increased to  
7 450, (vi) meet the requirements of subsection (a) of Section 56  
8 of the Illinois Horse Racing Act of 1975, (vii) for  
9 organization licensees conducting standardbred race meetings  
10 that had an open backstretch in 2009, keep backstretch barns  
11 and dormitories open and operational year-round unless a lesser  
12 schedule is mutually agreed to by the organization licensee and  
13 the horsemen's association racing at that organization  
14 licensee's race meeting, (viii) for organization licensees  
15 conducting thoroughbred race meetings, the organization  
16 licensee must maintain accident medical expense liability  
17 insurance coverage of \$1,000,000 for jockeys, and (ix) meet all  
18 other requirements of this Act that apply to owners licensees.  
19 Only those persons or entities (or its successors or assigns)  
20 that had operating control of a race track and held an  
21 inter-track wagering license authorized by the Illinois Racing  
22 Board in 2009 are eligible.

23 An electronic gaming licensee may enter into a joint  
24 venture with a licensed owner to own, manage, conduct, or  
25 otherwise operate the electronic gaming licensee's electronic  
26 gaming facilities, unless the electronic gaming licensee has a

1 parent company or other affiliated company that is, directly or  
2 indirectly, wholly owned by a parent company that is also  
3 licensed to conduct electronic gaming, casino gaming, or their  
4 equivalent in another state.

5 All payments by licensees under this subsection (c) shall  
6 be deposited into the Gaming Facilities Fee Revenue Fund.

7 (e) A person or entity is ineligible to receive an  
8 electronic gaming license if:

9 (1) the person or entity has been convicted of a felony  
10 under the laws of this State, any other state, or the  
11 United States, including a conviction under the Racketeer  
12 Influenced and Corrupt Organizations Act;

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

16 (3) the person or entity has submitted an application  
17 for a license under this Act that contains false  
18 information;

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

20 (5) a person defined in paragraph (1), (2), (3), or (4)  
21 of this subsection (e) is an officer, director, or  
22 managerial employee of the entity;

23 (6) the person or entity employs a person defined in  
24 paragraph (1), (2), (3), or (4) of this subsection (e) who  
25 participates in the management or operation of gambling  
26 operations authorized under this Act; or

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

4           (f) The Board may approve electronic gaming positions  
5           statewide as provided in this Section. The authority to operate  
6           electronic gaming positions under this Section shall be  
7           allocated as follows: up to 600 gaming positions for any  
8           electronic gaming licensee in Cook County whose electronic  
9           gaming license originates with an organization licensee that  
10           conducted live racing in calendar year 2010; up to 450 gaming  
11           positions for any electronic gaming licensee outside of Cook  
12           County whose electronic gaming license originates with an  
13           organization licensee that conducted live racing in calendar  
14           year 2010; and up to 175 gaming positions for any electronic  
15           gaming licensee whose electronic gaming license originates  
16           with an organization licensee that did not conduct live racing  
17           in calendar year 2010, which shall increase to 450 gaming  
18           positions in the calendar year following the year in which the  
19           electronic gaming licensee conducts 96 live races.

20           (g) Subject to the approval of the Illinois Gaming Board,  
21           an electronic gaming licensee may make modification or  
22           additions to any existing buildings and structures to comply  
23           with the requirements of this Act. The Illinois Gaming Board  
24           shall make its decision after consulting with the Illinois  
25           Racing Board. In no case, however, shall the Illinois Gaming  
26           Board approve any modification or addition that alters the

1 grounds of the organizational licensee such that the act of  
2 live racing is an ancillary activity to electronic gaming.  
3 Electronic gaming may take place in existing structures where  
4 inter-track wagering is conducted at the race track or a  
5 facility within 300 yards of the race track in accordance with  
6 the provisions of this Act and the Illinois Horse Racing Act of  
7 1975.

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

20 Electronic gaming may take place in existing structures  
21 where inter-track wagering is conducted at the race track or a  
22 facility within 300 yards of the race track in accordance with  
23 the provisions of this Act and the Illinois Horse Racing Act of  
24 1975. Any electronic gaming conducted at a permanent facility  
25 within 300 yards of the race track in accordance with this Act  
26 and the Illinois Horse Racing Act of 1975 shall have an

1 all-weather egress connecting the electronic gaming facility  
2 and the race track facility or, on days and hours of live  
3 racing, a complimentary shuttle service between the permanent  
4 electronic gaming facility and the race track facility and  
5 shall not charge electronic gaming participants an additional  
6 admission fee to the race track facility.

7 (i) The Illinois Gaming Board must adopt emergency rules in  
8 accordance with Section 5-45 of the Illinois Administrative  
9 Procedure Act as necessary to ensure compliance with the  
10 provisions of this amendatory Act of the 99th General Assembly  
11 concerning electronic gaming. The adoption of emergency rules  
12 authorized by this subsection (i) shall be deemed to be  
13 necessary for the public interest, safety, and welfare.

14 (j) As soon as practical after a request is made by the  
15 Illinois Gaming Board, to minimize duplicate submissions by the  
16 applicant, the Illinois Racing Board must provide information  
17 on an applicant for an electronic gaming license to the  
18 Illinois Gaming Board.

19 (k) Subject to the approval of the Illinois Gaming Board,  
20 an organization licensee that has received an electronic gaming  
21 license under this Act and has operating control of a race  
22 track facility located in Cook County may relocate its race  
23 track facility as follows:

24 (1) the organization licensee may relocate within a  
25 3-mile radius of its existing race track facility so long  
26 as the organization licensee remains in Cook County and

1 submits its plan to construct a new structure to conduct  
2 electronic gaming operations; and

3 (2) the organization licensee may not relocate within a  
4 5-mile radius of a riverboat if the owners license was  
5 issued prior to December 31, 2011.

6 The relocation must include the race track facility, including  
7 the race track operations used to conduct live racing and the  
8 electronic gaming facility in its entirety. For the purposes of  
9 this subsection (k), "race track facility" means all operations  
10 conducted on the race track property for which it was awarded a  
11 license for pari-mutuel wagering and live racing in the year  
12 2010, except for the real estate itself. The Illinois Gaming  
13 Board shall make its decision after consulting with the  
14 Illinois Racing Board, and any relocation application shall be  
15 subject to all of the provisions of this Act and the Illinois  
16 Horse Racing Act of 1975.

17 (230 ILCS 10/7.8 new)

18 Sec. 7.8. Home rule. The regulation and licensing of  
19 electronic gaming and electronic gaming licensees are  
20 exclusive powers and functions of the State. A home rule unit  
21 may not regulate or license electronic gaming or electronic  
22 gaming licensees. This Section is a denial and limitation of  
23 home rule powers and functions under subsection (h) of Section  
24 6 of Article VII of the Illinois Constitution.

1 (230 ILCS 10/7.9 new)

2 Sec. 7.9. Diversity program.

3 (a) Each owners licensee, electronic gaming licensee, and  
4 suppliers licensee shall establish and maintain a diversity  
5 program to ensure non-discrimination in the award and  
6 administration of contracts. The programs shall establish  
7 goals of awarding not less than 20% of the annual dollar value  
8 of all contracts, purchase orders, or other agreements to  
9 minority-owned businesses and 5% of the annual dollar value of  
10 all contracts to female-owned businesses.

11 (b) Each owners licensee, electronic gaming licensee, and  
12 suppliers licensee shall establish and maintain a diversity  
13 program designed to promote equal opportunity for employment.  
14 The program shall establish hiring goals as the Board and each  
15 licensee determines appropriate. The Board shall monitor the  
16 progress of the gaming licensee's progress with respect to the  
17 program's goals.

18 (c) No later than May 31 of each year, each licensee shall  
19 report to the Board the number of respective employees and the  
20 number of their respective employees who have designated  
21 themselves as members of a minority group and gender. In  
22 addition, all licensees shall submit a report with respect to  
23 the minority-owned and female-owned businesses program created  
24 in this Section to the Board.

25 (230 ILCS 10/7.10 new)



1       Sec. 7.10. Annual report on diversity.

2       (a) Each licensee that receives a license under Sections 7,  
3 7.1, and 7.7 shall execute and file a report with the Board no  
4 later than December 31 of each year that shall contain, but not  
5 be limited to, the following information:

6           (i) a good faith affirmative action plan to recruit,  
7 train, and upgrade minority persons, females, and persons  
8 with a disability in all employment classifications;

9           (ii) the total dollar amount of contracts that were  
10 awarded to businesses owned by minority persons, females,  
11 and persons with a disability;

12           (iii) the total number of businesses owned by minority  
13 persons, females, and persons with a disability that were  
14 utilized by the licensee;

15           (iv) the utilization of businesses owned by minority  
16 persons, females, and persons with disabilities during the  
17 preceding year; and

18           (v) the outreach efforts used by the licensee to  
19 attract investors and businesses consisting of minority  
20 persons, females, and persons with a disability.

21       (b) The Board shall forward a copy of each licensee's  
22 annual reports to the General Assembly no later than February 1  
23 of each year.

24       (230 ILCS 10/7.11 new)

25       Sec. 7.11. Issuance of new owners licenses.

1       (a) Owners licenses authorized pursuant to subsection  
2       (e-5) of Section 7 of this Act may be issued by the Board to a  
3       qualified applicant pursuant to an open and competitive bidding  
4       process, as set forth in Section 7.5, and subject to the  
5       maximum number of authorized licenses set forth in subsection  
6       (e-5) of Section 7 of this Act.

7       (b) To be a qualified applicant, a person or entity may not  
8       be ineligible to receive an owners license under subsection (a)  
9       of Section 7 of this Act and must submit an application for an  
10       owners license that complies with Section 6 of this Act.

11       (c) In determining whether to grant an owners license to an  
12       applicant, the Board shall consider all of the factors set  
13       forth in subsections (b) and (e-10) of Section 7 of this Act,  
14       as well as the amount of the applicant's license bid. The Board  
15       may grant the owners license to an applicant that has not  
16       submitted the highest license bid, but if it does not select  
17       the highest bidder, the Board shall issue a written decision  
18       explaining why another applicant was selected and identifying  
19       the factors set forth in subsections (b) and (e-10) of Section  
20       7 of this Act that favored the winning bidder.

21       (230 ILCS 10/7.12 new)

22       Sec. 7.12. Environmental standards. All permanent  
23       casinos, riverboats, and electronic gaming facilities shall  
24       consist of buildings that are certified as meeting the U.S.  
25       Green Building Council's Leadership in Energy and

1 Environmental Design standards. The provisions of this Section  
2 apply to a holder of an owners license, or electronic gaming  
3 license that (i) begins operations on or after January 1, 2016  
4 or (ii) relocates its facilities on or after the effective date  
5 of this amendatory Act of the 99th General Assembly.

6 (230 ILCS 10/8) (from Ch. 120, par. 2408)

7 Sec. 8. Suppliers licenses.

8 (a) The Board may issue a suppliers license to such  
9 persons, firms or corporations which apply therefor upon the  
10 payment of a non-refundable application fee set by the Board,  
11 upon a determination by the Board that the applicant is  
12 eligible for a suppliers license and upon payment of a \$5,000  
13 annual license fee.

14 (b) The holder of a suppliers license is authorized to sell  
15 or lease, and to contract to sell or lease, gambling equipment  
16 and supplies to any licensee involved in the ownership or  
17 management of gambling operations.

18 (c) Gambling supplies and equipment may not be distributed  
19 unless supplies and equipment conform to standards adopted by  
20 rules of the Board.

21 (d) A person, firm or corporation is ineligible to receive  
22 a suppliers license if:

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

25 (2) the person has been convicted of any violation of

1 Article 28 of the Criminal Code of 1961 or the Criminal  
2 Code of 2012, or substantially similar laws of any other  
3 jurisdiction;

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

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

7 (5) the entity ~~firm or corporation~~ is one in which a  
8 person defined in paragraph (1), (2), (3), or (4), is an  
9 officer, director, or managerial employee;

10 (6) the firm or corporation employs a person who  
11 participates in the management or operation of riverboat  
12 gambling authorized under this Act;

13 (7) the license of the person, firm, or corporation  
14 issued under this Act, or a license to own or operate  
15 gambling facilities in any other jurisdiction, has been  
16 revoked.

17 (e) Any person that supplies any equipment, devices, or  
18 supplies to a licensed riverboat or casino gambling operation  
19 or electronic gaming operation must first obtain a suppliers  
20 license. A supplier shall furnish to the Board a list of all  
21 equipment, devices and supplies offered for sale or lease in  
22 connection with gambling games authorized under this Act. A  
23 supplier shall keep books and records for the furnishing of  
24 equipment, devices and supplies to gambling operations  
25 separate and distinct from any other business that the supplier  
26 might operate. A supplier shall file a quarterly return with

1 the Board listing all sales and leases. A supplier shall  
2 permanently affix its name or a distinctive logo or other mark  
3 or design element identifying the manufacturer or supplier to  
4 all its equipment, devices, and supplies, except gaming chips  
5 without a value impressed, engraved, or imprinted on it, for  
6 gambling operations. The Board may waive this requirement for  
7 any specific product or products if it determines that the  
8 requirement is not necessary to protect the integrity of the  
9 game. Items purchased from a licensed supplier may continue to  
10 be used even though the supplier subsequently changes its name,  
11 distinctive logo, or other mark or design element; undergoes a  
12 change in ownership; or ceases to be licensed as a supplier for  
13 any reason. Any supplier's equipment, devices or supplies which  
14 are used by any person in an unauthorized gambling operation  
15 shall be forfeited to the State. A holder of an owners license  
16 or an electronic gaming license ~~A licensed owner~~ may own its  
17 own equipment, devices and supplies. Each holder of an owners  
18 license or an electronic gaming license or, in the case of a  
19 gambling operation conducted on behalf of the State, a  
20 manager's license under this ~~the~~ Act shall file an annual  
21 report listing its inventories of gambling equipment, devices  
22 and supplies.

23 (f) Any person who knowingly makes a false statement on an  
24 application is guilty of a Class A misdemeanor.

25 (g) Any gambling equipment, devices, and supplies provided  
26 by any licensed supplier may either be repaired on the

1 riverboat, in the casino, or at the electronic gaming facility  
2 or removed from the riverboat, casino, or electronic gaming  
3 facility to a ~~an on-shore~~ facility owned by the holder of an  
4 owners license or electronic gaming license for repair.

5 (Source: P.A. 97-1150, eff. 1-25-13; 98-12, eff. 5-10-13;  
6 98-756, eff. 7-16-14.)

7 (230 ILCS 10/9) (from Ch. 120, par. 2409)

8 Sec. 9. Occupational licenses.

9 (a) The Board may issue an occupational license to an  
10 applicant upon the payment of a non-refundable fee set by the  
11 Board, upon a determination by the Board that the applicant is  
12 eligible for an occupational license and upon payment of an  
13 annual license fee in an amount to be established. To be  
14 eligible for an occupational license, an applicant must:

15 (1) be at least 21 years of age if the applicant will  
16 perform any function involved in gaming by patrons. Any  
17 applicant seeking an occupational license for a non-gaming  
18 function shall be at least 18 years of age;

19 (2) not have been convicted of a felony offense, a  
20 violation of Article 28 of the Criminal Code of 1961 or the  
21 Criminal Code of 2012, or a similar statute of any other  
22 jurisdiction;

23 (2.5) not have been convicted of a crime, other than a  
24 crime described in item (2) of this subsection (a),  
25 involving dishonesty or moral turpitude, except that the

1 Board may, in its discretion, issue an occupational license  
2 to a person who has been convicted of a crime described in  
3 this item (2.5) more than 10 years prior to his or her  
4 application and has not subsequently been convicted of any  
5 other crime;

6 (3) have demonstrated a level of skill or knowledge  
7 which the Board determines to be necessary in order to  
8 operate gambling aboard a riverboat, in a casino, or at an  
9 electronic gaming facility; and

10 (4) have met standards for the holding of an  
11 occupational license as adopted by rules of the Board. Such  
12 rules shall provide that any person or entity seeking an  
13 occupational license to manage gambling operations under  
14 this Act ~~hereunder~~ shall be subject to background inquiries  
15 and further requirements similar to those required of  
16 applicants for an owners license. Furthermore, such rules  
17 shall provide that each such entity shall be permitted to  
18 manage gambling operations for only one licensed owner.

19 (b) Each application for an occupational license shall be  
20 on forms prescribed by the Board and shall contain all  
21 information required by the Board. The applicant shall set  
22 forth in the application: whether he has been issued prior  
23 gambling related licenses; whether he has been licensed in any  
24 other state under any other name, and, if so, such name and his  
25 age; and whether or not a permit or license issued to him in  
26 any other state has been suspended, restricted or revoked, and,

1 if so, for what period of time.

2 (c) Each applicant shall submit with his application, on  
3 forms provided by the Board, 2 sets of his fingerprints. The  
4 Board shall charge each applicant a fee set by the Department  
5 of State Police to defray the costs associated with the search  
6 and classification of fingerprints obtained by the Board with  
7 respect to the applicant's application. These fees shall be  
8 paid into the State Police Services Fund.

9 (d) The Board may in its discretion refuse an occupational  
10 license to any person: (1) who is unqualified to perform the  
11 duties required of such applicant; (2) who fails to disclose or  
12 states falsely any information called for in the application;  
13 (3) who has been found guilty of a violation of this Act or  
14 whose prior gambling related license or application therefor  
15 has been suspended, restricted, revoked or denied for just  
16 cause in any other state; or (4) for any other just cause.

17 (e) The Board may suspend, revoke or restrict any  
18 occupational licensee: (1) for violation of any provision of  
19 this Act; (2) for violation of any of the rules and regulations  
20 of the Board; (3) for any cause which, if known to the Board,  
21 would have disqualified the applicant from receiving such  
22 license; or (4) for default in the payment of any obligation or  
23 debt due to the State of Illinois; or (5) for any other just  
24 cause.

25 (f) A person who knowingly makes a false statement on an  
26 application is guilty of a Class A misdemeanor.



1 (g) Any license issued pursuant to this Section shall be  
2 valid for a period of one year from the date of issuance.

3 (h) Nothing in this Act shall be interpreted to prohibit a  
4 licensed owner or electronic gaming licensee from entering into  
5 an agreement with a public community college or a school  
6 approved under the Private Business and Vocational Schools Act  
7 of 2012 for the training of any occupational licensee. Any  
8 training offered by such a school shall be in accordance with a  
9 written agreement between the licensed owner or electronic  
10 gaming licensee and the school.

11 (i) Any training provided for occupational licensees may be  
12 conducted either at the site of the gambling facility ~~on the~~  
13 ~~riverboat~~ or at a school with which a licensed owner or  
14 electronic gaming licensee has entered into an agreement  
15 pursuant to subsection (h).

16 (Source: P.A. 96-1392, eff. 1-1-11; 97-650, eff. 2-1-12;  
17 97-1150, eff. 1-25-13.)

18 (230 ILCS 10/11) (from Ch. 120, par. 2411)

19 Sec. 11. Conduct of gambling. Gambling may be conducted by  
20 licensed owners or licensed managers on behalf of the State  
21 aboard riverboats or in a casino. Gambling may be conducted by  
22 electronic gaming licensees at electronic gaming facilities.  
23 Gambling authorized under this Section is~~7~~ subject to the  
24 following standards:

25 (1) A licensee may conduct riverboat gambling

1 authorized under this Act regardless of whether it conducts  
2 excursion cruises. A licensee may permit the continuous  
3 ingress and egress of patrons ~~passengers~~ on a riverboat not  
4 used for excursion cruises for the purpose of gambling.  
5 Excursion cruises shall not exceed 4 hours for a round  
6 trip. However, the Board may grant express approval for an  
7 extended cruise on a case-by-case basis.

8 (2) (Blank).

9 (3) Minimum and maximum wagers on games shall be set by  
10 the licensee.

11 (4) Agents of the Board and the Department of State  
12 Police may board and inspect any riverboat, enter and  
13 inspect any portion of a casino, or enter and inspect any  
14 portion of an electronic gaming facility at any time for  
15 the purpose of determining whether this Act is being  
16 complied with. Every riverboat, if under way and being  
17 hailed by a law enforcement officer or agent of the Board,  
18 must stop immediately and lay to.

19 (5) Employees of the Board shall have the right to be  
20 present on the riverboat or in the casino or on adjacent  
21 facilities under the control of the licensee and at the  
22 electronic gaming facility under the control of the  
23 electronic gaming licensee.

24 (6) Gambling equipment and supplies customarily used  
25 in conducting riverboat or casino gambling or electronic  
26 gaming must be purchased or leased only from suppliers

1 licensed for such purpose under this Act. The Board may  
2 approve the transfer, sale, or lease of gambling equipment  
3 and supplies by a licensed owner from or to an affiliate of  
4 the licensed owner as long as the gambling equipment and  
5 supplies were initially acquired from a supplier licensed  
6 in Illinois.

7 (7) Persons licensed under this Act shall permit no  
8 form of wagering on gambling games except as permitted by  
9 this Act.

10 (8) Wagers may be received only from a person present  
11 on a licensed riverboat, in a casino, or at an electronic  
12 gaming facility. No person present on a licensed riverboat,  
13 in a casino, or at an electronic gaming facility shall  
14 place or attempt to place a wager on behalf of another  
15 person who is not present on the riverboat, in a casino, or  
16 at the electronic gaming facility.

17 (9) Wagering, including electronic gaming, shall not  
18 be conducted with money or other negotiable currency.

19 (10) A person under age 21 shall not be permitted on an  
20 area of a riverboat or casino where gambling is being  
21 conducted or at an electronic gaming facility where  
22 gambling is being conducted, except for a person at least  
23 18 years of age who is an employee of the riverboat or  
24 casino gambling operation or electronic gaming operation.  
25 No employee under age 21 shall perform any function  
26 involved in gambling by the patrons. No person under age 21

1 shall be permitted to make a wager under this Act, and any  
2 winnings that are a result of a wager by a person under age  
3 21, whether or not paid by a licensee, shall be treated as  
4 winnings for the privilege tax purposes, confiscated, and  
5 forfeited to the State and deposited into the Education  
6 Assistance Fund.

7 (11) Gambling excursion cruises are permitted only  
8 when the waterway for which the riverboat is licensed is  
9 navigable, as determined by the Board in consultation with  
10 the U.S. Army Corps of Engineers. This paragraph (11) does  
11 not limit the ability of a licensee to conduct gambling  
12 authorized under this Act when gambling excursion cruises  
13 are not permitted.

14 (12) All tokens, chips or electronic cards used to make  
15 wagers must be purchased (i) from a licensed owner or  
16 manager, in the case of a riverboat, either aboard a  
17 riverboat or at an onshore facility which has been approved  
18 by the Board and which is located where the riverboat  
19 docks, (ii) in the case of a casino, from a licensed owner  
20 or licensed manager at the casino, or (iii) from an  
21 electronic gaming licensee at the electronic gaming  
22 facility. The tokens, chips or electronic cards may be  
23 purchased by means of an agreement under which the owner or  
24 manager extends credit to the patron. Such tokens, chips or  
25 electronic cards may be used while aboard the riverboat, in  
26 the casino, or at the electronic gaming facility only for

1 the purpose of making wagers on gambling games.

2 (13) Notwithstanding any other Section of this Act, in  
3 addition to the other licenses authorized under this Act,  
4 the Board may issue special event licenses allowing persons  
5 who are not otherwise licensed to conduct riverboat  
6 gambling to conduct such gambling on a specified date or  
7 series of dates. Riverboat gambling under such a license  
8 may take place on a riverboat not normally used for  
9 riverboat gambling. The Board shall establish standards,  
10 fees and fines for, and limitations upon, such licenses,  
11 which may differ from the standards, fees, fines and  
12 limitations otherwise applicable under this Act. All such  
13 fees shall be deposited into the State Gaming Fund. All  
14 such fines shall be deposited into the Education Assistance  
15 Fund, created by Public Act 86-0018, of the State of  
16 Illinois.

17 (14) In addition to the above, gambling must be  
18 conducted in accordance with all rules adopted by the  
19 Board.

20 (Source: P.A. 96-1392, eff. 1-1-11.)

21 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

22 Sec. 11.1. Collection of amounts owing under credit  
23 agreements. Notwithstanding any applicable statutory provision  
24 to the contrary, a licensed owner, licensed ~~or~~ manager, or  
25 electronic gaming licensee who extends credit to a ~~riverboat~~

1 gambling patron or an electronic gaming patron pursuant to  
2 Section 11 (a) (12) of this Act is expressly authorized to  
3 institute a cause of action to collect any amounts due and  
4 owing under the extension of credit, as well as the licensed  
5 owner's, licensed ~~or~~ manager's, or electronic gaming  
6 licensee's costs, expenses and reasonable attorney's fees  
7 incurred in collection.

8 (Source: P.A. 93-28, eff. 6-20-03.)

9 (230 ILCS 10/12) (from Ch. 120, par. 2412)

10 Sec. 12. Admission tax; fees.

11 (a) A tax is hereby imposed upon admissions to riverboat  
12 and casino gambling facilities ~~riverboats~~ operated by licensed  
13 owners authorized pursuant to Section 7 of this Act. Until July  
14 1, 2002, the rate is \$2 per person admitted. From July 1, 2002  
15 until July 1, 2003, the rate is \$3 per person admitted. From  
16 July 1, 2003 until August 23, 2005 (the effective date of  
17 Public Act 94-673), for a licensee that admitted 1,000,000  
18 persons or fewer in the previous calendar year, the rate is \$3  
19 per person admitted; for a licensee that admitted more than  
20 1,000,000 but no more than 2,300,000 persons in the previous  
21 calendar year, the rate is \$4 per person admitted; and for a  
22 licensee that admitted more than 2,300,000 persons in the  
23 previous calendar year, the rate is \$5 per person admitted.  
24 Beginning on August 23, 2005 (the effective date of Public Act  
25 94-673), for a licensee that admitted 1,000,000 persons or

1 fewer in calendar year 2004, the rate is \$2 per person  
2 admitted, and for all other licensees, including licensees that  
3 were not conducting gambling operations in 2004, the rate is \$3  
4 per person admitted. This admission tax is imposed upon the  
5 licensed owner conducting gambling.

6 (1) The admission tax shall be paid for each admission,  
7 except that a person who exits a riverboat gambling  
8 facility and reenters that riverboat gambling facility  
9 within the same gaming day shall be subject only to the  
10 initial admission tax.

11 (2) (Blank).

12 (3) The riverboat licensee may issue tax-free passes to  
13 actual and necessary officials and employees of the  
14 licensee or other persons actually working on the  
15 riverboat.

16 (4) The number and issuance of tax-free passes is  
17 subject to the rules of the Board, and a list of all  
18 persons to whom the tax-free passes are issued shall be  
19 filed with the Board.

20 (a-5) A fee is hereby imposed upon admissions to gambling  
21 operations operated by licensed managers on behalf of the State  
22 pursuant to Section 7.3 at the rates provided in this  
23 subsection (a-5). For a licensee that admitted 1,000,000  
24 persons or fewer in the previous calendar year, the rate is \$3  
25 per person admitted; for a licensee that admitted more than  
26 1,000,000 but no more than 2,300,000 persons in the previous

1 calendar year, the rate is \$4 per person admitted; and for a  
2 licensee that admitted more than 2,300,000 persons in the  
3 previous calendar year, the rate is \$5 per person admitted.

4 (1) The admission fee shall be paid for each admission.

5 (2) (Blank).

6 (3) The licensed manager may issue fee-free passes to  
7 actual and necessary officials and employees of the manager  
8 or other persons actually working on the riverboat.

9 (4) The number and issuance of fee-free passes is  
10 subject to the rules of the Board, and a list of all  
11 persons to whom the fee-free passes are issued shall be  
12 filed with the Board.

13 (a-10) No fee shall be imposed upon admissions to the  
14 gambling operation operated by a licensed manager on behalf of  
15 the State pursuant to Section 7.3a.

16 (b) Except as otherwise provided in subsection (b-1), from  
17 ~~From~~ the tax imposed under subsection (a) and the fee imposed  
18 under subsection (a-5), a municipality shall receive from the  
19 State \$1 for each person embarking on a riverboat docked within  
20 the municipality or entering a casino located within the  
21 municipality, and a county shall receive \$1 for each person  
22 entering a casino or embarking on a riverboat docked within the  
23 county but outside the boundaries of any municipality. The  
24 municipality's or county's share shall be collected by the  
25 Board on behalf of the State and remitted quarterly by the  
26 State, subject to appropriation, to the treasurer of the unit



1 of local government for deposit in the general fund. The moneys  
2 remitted to units of local government under this subsection (b)  
3 for riverboats and casinos authorized under subsection (e-5) of  
4 Section 7, other than the riverboat or casino authorized under  
5 paragraph (4) of subsection (e-5) of Section 7, shall be used  
6 for capital expenditures or public pension payments, or both.

7 (b-1) From the tax imposed under subsection (a) and the fee  
8 imposed under subsection (a-5) on admissions to a riverboat or  
9 casino gambling facility authorized under paragraph (4) of  
10 subsection (e-5) of Section 7, \$1 shall be distributed as  
11 provided in subsection (b-1) of Section 13.

12 (c) The licensed owner shall pay the entire admission tax  
13 to the Board and the licensed manager shall pay the entire  
14 admission fee to the Board. Such payments shall be made daily.  
15 Accompanying each payment shall be a return on forms provided  
16 by the Board which shall include other information regarding  
17 admissions as the Board may require. Failure to submit either  
18 the payment or the return within the specified time may result  
19 in suspension or revocation of the owners or managers license.

20 (c-1) After payments required under subsection (b) have  
21 been made, all remaining amounts collected under this Section  
22 for riverboats and casinos authorized under subsection (e-5) of  
23 Section 7, other than the riverboat or casino authorized under  
24 paragraph (4) of subsection (e-5) of Section 7, shall be  
25 divided equally and transferred into the Education Assistance  
26 Fund and the Capital Projects Fund.

1       (c-5) A tax is imposed on admissions to electronic gaming  
2 facilities at the rate of \$3 per person admitted by an  
3 electronic gaming licensee. The tax is imposed upon the  
4 electronic gaming licensee.

5           (1) The admission tax shall be paid for each admission,  
6 except that a person who exits an electronic gaming  
7 facility and reenters that electronic gaming facility  
8 within the same gaming day, as the term "gaming day" is  
9 defined by the Board by rule, shall be subject only to the  
10 initial admission tax. The Board shall establish, by rule,  
11 a procedure to determine whether a person admitted to an  
12 electronic gaming facility has paid the admission tax.

13           (2) An electronic gaming licensee may issue tax-free  
14 passes to actual and necessary officials and employees of  
15 the licensee and other persons associated with electronic  
16 gaming operations.

17           (3) The number and issuance of tax-free passes is  
18 subject to the rules of the Board, and a list of all  
19 persons to whom the tax-free passes are issued shall be  
20 filed with the Board.

21           (4) The electronic gaming licensee shall pay the entire  
22 admission tax to the Board.

23       Such payments shall be made daily. Accompanying each  
24 payment shall be a return on forms provided by the Board, which  
25 shall include other information regarding admission as the  
26 Board may require. Failure to submit either the payment or the

1 return within the specified time may result in suspension or  
2 revocation of the electronic gaming license.

3 From the tax imposed under this subsection (c-5), a  
4 municipality in which an electronic gaming facility is located,  
5 or if the electronic gaming facility is not located within a  
6 municipality, then the county in which the electronic gaming  
7 facility is located, shall receive from the State \$1 for each  
8 person who enters the electronic gaming facility. The  
9 municipality's or county's share shall be collected by the  
10 Board on behalf of the State and remitted quarterly by the  
11 State, subject to appropriation, to the unit of local  
12 government and shall be used for capital expenditures or public  
13 pension payments, or both.

14 After payments required under this subsection (c-5) have  
15 been made, all remaining amounts shall be divided equally and  
16 transferred into the Education Assistance Fund and the Capital  
17 Projects Fund.

18 (d) The Board shall administer and collect the admission  
19 tax imposed by this Section, to the extent practicable, in a  
20 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
21 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the  
22 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
23 Penalty and Interest Act.

24 (Source: P.A. 95-663, eff. 10-11-07; 96-1392, eff. 1-1-11.)

1           Sec. 13. Wagering tax; rate; distribution.

2           (a) Until January 1, 1998, a tax is imposed on the adjusted  
3 gross receipts received from gambling games authorized under  
4 this Act at the rate of 20%.

5           (a-1) From January 1, 1998 until July 1, 2002, a privilege  
6 tax is imposed on persons engaged in the business of conducting  
7 riverboat gambling operations, based on the adjusted gross  
8 receipts received by a licensed owner from gambling games  
9 authorized under this Act at the following rates:

10           15% of annual adjusted gross receipts up to and  
11 including \$25,000,000;

12           20% of annual adjusted gross receipts in excess of  
13 \$25,000,000 but not exceeding \$50,000,000;

14           25% of annual adjusted gross receipts in excess of  
15 \$50,000,000 but not exceeding \$75,000,000;

16           30% of annual adjusted gross receipts in excess of  
17 \$75,000,000 but not exceeding \$100,000,000;

18           35% of annual adjusted gross receipts in excess of  
19 \$100,000,000.

20           (a-2) From July 1, 2002 until July 1, 2003, a privilege tax  
21 is imposed on persons engaged in the business of conducting  
22 riverboat gambling operations, other than licensed managers  
23 conducting riverboat gambling operations on behalf of the  
24 State, based on the adjusted gross receipts received by a  
25 licensed owner from gambling games authorized under this Act at  
26 the following rates:

1           15% of annual adjusted gross receipts up to and  
2 including \$25,000,000;

3           22.5% of annual adjusted gross receipts in excess of  
4 \$25,000,000 but not exceeding \$50,000,000;

5           27.5% of annual adjusted gross receipts in excess of  
6 \$50,000,000 but not exceeding \$75,000,000;

7           32.5% of annual adjusted gross receipts in excess of  
8 \$75,000,000 but not exceeding \$100,000,000;

9           37.5% of annual adjusted gross receipts in excess of  
10 \$100,000,000 but not exceeding \$150,000,000;

11          45% of annual adjusted gross receipts in excess of  
12 \$150,000,000 but not exceeding \$200,000,000;

13          50% of annual adjusted gross receipts in excess of  
14 \$200,000,000.

15          (a-3) Beginning July 1, 2003, a privilege tax is imposed on  
16 persons engaged in the business of conducting riverboat  
17 gambling operations, other than licensed managers conducting  
18 riverboat gambling operations on behalf of the State, based on  
19 the adjusted gross receipts received by a licensed owner from  
20 gambling games authorized under this Act at the following  
21 rates:

22           15% of annual adjusted gross receipts up to and  
23 including \$25,000,000;

24           27.5% of annual adjusted gross receipts in excess of  
25 \$25,000,000 but not exceeding \$37,500,000;

26           32.5% of annual adjusted gross receipts in excess of

1           \$37,500,000 but not exceeding \$50,000,000;  
2           37.5% of annual adjusted gross receipts in excess of  
3           \$50,000,000 but not exceeding \$75,000,000;  
4           45% of annual adjusted gross receipts in excess of  
5           \$75,000,000 but not exceeding \$100,000,000;  
6           50% of annual adjusted gross receipts in excess of  
7           \$100,000,000 but not exceeding \$250,000,000;  
8           70% of annual adjusted gross receipts in excess of  
9           \$250,000,000.

10          An amount equal to the amount of wagering taxes collected  
11          under this subsection (a-3) that are in addition to the amount  
12          of wagering taxes that would have been collected if the  
13          wagering tax rates under subsection (a-2) were in effect shall  
14          be paid into the Common School Fund.

15          The privilege tax imposed under this subsection (a-3) shall  
16          no longer be imposed beginning on the earlier of (i) July 1,  
17          2005; (ii) the first date after June 20, 2003 that riverboat  
18          gambling operations are conducted pursuant to a dormant  
19          license; or (iii) the first day that riverboat gambling  
20          operations are conducted under the authority of an owners  
21          license that is in addition to the 10 owners licenses initially  
22          authorized under this Act. For the purposes of this subsection  
23          (a-3), the term "dormant license" means an owners license that  
24          is authorized by this Act under which no riverboat gambling  
25          operations are being conducted on June 20, 2003.

26          (a-4) Beginning on the first day on which the tax imposed

1 under subsection (a-3) is no longer imposed, a privilege tax is  
2 imposed on persons engaged in the business of conducting  
3 riverboat or casino gambling operations or electronic gaming,  
4 other than licensed managers conducting riverboat gambling  
5 operations on behalf of the State, based on the adjusted gross  
6 receipts received by a licensed owner from gambling games  
7 authorized under this Act at the following rates:

8 15% of annual adjusted gross receipts up to and  
9 including \$25,000,000;

10 22.5% of annual adjusted gross receipts in excess of  
11 \$25,000,000 but not exceeding \$50,000,000;

12 27.5% of annual adjusted gross receipts in excess of  
13 \$50,000,000 but not exceeding \$75,000,000;

14 32.5% of annual adjusted gross receipts in excess of  
15 \$75,000,000 but not exceeding \$100,000,000;

16 37.5% of annual adjusted gross receipts in excess of  
17 \$100,000,000 but not exceeding \$150,000,000;

18 45% of annual adjusted gross receipts in excess of  
19 \$150,000,000 but not exceeding \$200,000,000;

20 50% of annual adjusted gross receipts in excess of  
21 \$200,000,000.

22 For the imposition of the privilege tax in this subsection  
23 (a-4), amounts paid pursuant to item (1) of subsection (b) of  
24 Section 56 of the Illinois Horse Racing Act of 1975 shall not  
25 be included in the determination of adjusted gross receipts.

26 (a-8) Riverboat gambling operations conducted by a

1 licensed manager on behalf of the State are not subject to the  
2 tax imposed under this Section.

3 (a-10) The taxes imposed by this Section shall be paid by  
4 the licensed owner or the electronic gaming licensee to the  
5 Board not later than 5:00 o'clock p.m. of the day after the day  
6 when the wagers were made.

7 (a-15) If the privilege tax imposed under subsection (a-3)  
8 is no longer imposed pursuant to item (i) of the last paragraph  
9 of subsection (a-3), then by June 15 of each year, each owners  
10 licensee, other than an owners licensee that admitted 1,000,000  
11 persons or fewer in calendar year 2004, must, in addition to  
12 the payment of all amounts otherwise due under this Section,  
13 pay to the Board a reconciliation payment in the amount, if  
14 any, by which the licensed owner's base amount exceeds the  
15 amount of net privilege tax paid by the licensed owner to the  
16 Board in the then current State fiscal year. A licensed owner's  
17 net privilege tax obligation due for the balance of the State  
18 fiscal year shall be reduced up to the total of the amount paid  
19 by the licensed owner in its June 15 reconciliation payment.  
20 The obligation imposed by this subsection (a-15) is binding on  
21 any person, firm, corporation, or other entity that acquires an  
22 ownership interest in any such owners license. The obligation  
23 imposed under this subsection (a-15) terminates on the earliest  
24 of: (i) July 1, 2007, (ii) the first day after the effective  
25 date of this amendatory Act of the 94th General Assembly that  
26 riverboat gambling operations are conducted pursuant to a



1 dormant license, (iii) the first day that riverboat gambling  
2 operations are conducted under the authority of an owners  
3 license that is in addition to the 10 owners licenses initially  
4 authorized under this Act, or (iv) the first day that a  
5 licensee under the Illinois Horse Racing Act of 1975 conducts  
6 gaming operations with slot machines or other electronic gaming  
7 devices. The Board must reduce the obligation imposed under  
8 this subsection (a-15) by an amount the Board deems reasonable  
9 for any of the following reasons: (A) an act or acts of God,  
10 (B) an act of bioterrorism or terrorism or a bioterrorism or  
11 terrorism threat that was investigated by a law enforcement  
12 agency, or (C) a condition beyond the control of the owners  
13 licensee that does not result from any act or omission by the  
14 owners licensee or any of its agents and that poses a hazardous  
15 threat to the health and safety of patrons. If an owners  
16 licensee pays an amount in excess of its liability under this  
17 Section, the Board shall apply the overpayment to future  
18 payments required under this Section.

19 For purposes of this subsection (a-15):

20 "Act of God" means an incident caused by the operation of  
21 an extraordinary force that cannot be foreseen, that cannot be  
22 avoided by the exercise of due care, and for which no person  
23 can be held liable.

24 "Base amount" means the following:

25 For a riverboat in Alton, \$31,000,000.

26 For a riverboat in East Peoria, \$43,000,000.

- 1 For the Empress riverboat in Joliet, \$86,000,000.  
2 For a riverboat in Metropolis, \$45,000,000.  
3 For the Harrah's riverboat in Joliet, \$114,000,000.  
4 For a riverboat in Aurora, \$86,000,000.  
5 For a riverboat in East St. Louis, \$48,500,000.  
6 For a riverboat in Elgin, \$198,000,000.

7 "Dormant license" has the meaning ascribed to it in  
8 subsection (a-3).

9 "Net privilege tax" means all privilege taxes paid by a  
10 licensed owner to the Board under this Section, less all  
11 payments made from the State Gaming Fund pursuant to subsection  
12 (b) of this Section.

13 The changes made to this subsection (a-15) by Public Act  
14 94-839 are intended to restate and clarify the intent of Public  
15 Act 94-673 with respect to the amount of the payments required  
16 to be made under this subsection by an owners licensee to the  
17 Board.

18 (b) Until January 1, 1998, 25% of the tax revenue deposited  
19 in the State Gaming Fund under this Section shall be paid,  
20 subject to appropriation by the General Assembly, to the unit  
21 of local government which is designated as the home dock of the  
22 riverboat. Except as otherwise provided in this subsection (b),  
23 beginning ~~Beginning~~ January 1, 1998, from the tax revenue  
24 deposited in the State Gaming Fund under this Section, an  
25 amount equal to 5% of adjusted gross receipts generated by a  
26 riverboat or a casino licensed under Section 7 of this Act or

1 by an electronic gaming facility shall be paid monthly, subject  
2 to appropriation by the General Assembly, to the unit of local  
3 government in which the electronic gaming facility or casino is  
4 located or that is designated as the home dock of the  
5 riverboat. The moneys paid to units of local government under  
6 this subsection (b) for electronic gaming facilities and  
7 riverboats and casinos authorized under subsection (e-5) of  
8 Section 7, other than the riverboat or casino authorized under  
9 paragraph (4) of subsection (e-5) of Section 7, shall be used  
10 for capital expenditures or public pension payments, or both.

11 From the tax revenue deposited in the State Gaming Fund  
12 under this Section, an amount equal to 5% of adjusted gross  
13 receipts from riverboat or casino gambling operations  
14 authorized by paragraph (4) of subsection (e-5) of Section 7  
15 shall be distributed as provided in subsection (b-1) of this  
16 Section.

17 From the tax revenue deposited in the State Gaming Fund  
18 pursuant to riverboat or casino gambling operations conducted  
19 by a licensed manager on behalf of the State pursuant to  
20 Section 7.3 of this Act, an amount equal to 5% of adjusted  
21 gross receipts generated pursuant to those riverboat or casino  
22 gambling operations shall be paid monthly, subject to  
23 appropriation by the General Assembly, to the unit of local  
24 government that is designated as the home dock of the riverboat  
25 upon which those riverboat gambling operations are conducted or  
26 in which the casino is located.

1       (b-1) The moneys held in the State Gaming Fund pursuant to  
2 this subsection (b) of this Section and subsection (b-1) of  
3 Section 12 from riverboat or casino gambling operations  
4 authorized by paragraph (4) of subsection (e-5) of Section 7,  
5 shall be paid monthly, subject to appropriation by the General  
6 Assembly, as follows: (i) 20% shall be paid to the municipality  
7 in which the riverboat is docked or the casino is located and  
8 (ii) 80% shall be divided equally among the following  
9 communities: Village of Beecher, City of Blue Island, Village  
10 of Burnham, Calumet City, Village of Calumet Park, City of  
11 Chicago Heights, City of County Club Hills, Village of Dixmoor,  
12 Village of Dolton, Village of East Hazel Crest, Village of  
13 Flossmoor, Village of Ford Heights, Village of Glenwood, City  
14 of Harvey, Village of Hazel Crest, Village of Homewood, Village  
15 of Lansing, Village of Lynwood, City of Markham, Village of  
16 Matteson, Village of Midlothian, City of Oak Forest, Village of  
17 Olympia Fields, Village of Orland Hills, Village of Orland  
18 Park, City of Palos Heights, Village of Park Forest, Village of  
19 Phoenix, Village of Posen, Village of Richton Park, Village of  
20 Riverdale, Village of Robbins, Village of Sauk Village, Village  
21 of South Chicago Heights, Village of South Holland, Village of  
22 Steger, Village of Thornton, Village of Tinley Park; however,  
23 if a community listed in item (ii) is the municipality in which  
24 the riverboat is docked or the casino is located, then that  
25 municipality shall not receive moneys under item (ii).

26       (b-5) Beginning on the effective date of this amendatory

1 Act of the 99th General Assembly, from the tax revenue  
2 deposited in the State Gaming Fund under this Section,  
3 \$5,000,000 shall be paid annually, subject to appropriation, to  
4 the Department of Human Services for the administration of  
5 programs to treat problem gambling.

6 (c) Appropriations, as approved by the General Assembly,  
7 may be made from the State Gaming Fund to the Board (i) for the  
8 administration and enforcement of this Act and the Video Gaming  
9 Act, (ii) for distribution to the Department of State Police  
10 and to the Department of Revenue for the enforcement of this  
11 Act and the Video Gaming Act, and (iii) to the Department of  
12 Human Services for the administration of programs to treat  
13 problem gambling. The Board's annual appropriations request  
14 must separately state its funding needs for the regulation of  
15 electronic gaming, riverboat gaming, casino gaming within the  
16 City of Chicago, and video gaming. From the tax revenue  
17 deposited in the Gaming Facilities Fee Revenue Fund, the first  
18 \$50,000,000 shall be paid to the Board, subject to  
19 appropriation, for the administration and enforcement of the  
20 provisions of this amendatory Act of the 99th General Assembly.

21 (c-3) Appropriations, as approved by the General Assembly,  
22 may be made from the tax revenue deposited into the State  
23 Gaming Fund from electronic gaming pursuant to this Section for  
24 the administration and enforcement of this Act.

25 (c-4) After payments required under subsections (b), (c),  
26 and (c-3) have been made from the tax revenue from electronic

1 gaming facilities and riverboats and casinos authorized under  
2 subsection (e-5) of Section 7, other than the riverboat or  
3 casino authorized under paragraph (4) of subsection (e-5) of  
4 Section 7, deposited into the State Gaming Fund under this  
5 Section, all remaining amounts from electronic gaming  
6 facilities and riverboats and casinos authorized under  
7 subsection (e-5) of Section 7, other than the riverboat or  
8 casino authorized under paragraph (4) of subsection (e-5) of  
9 Section 7, shall be divided equally and transferred into the  
10 Education Assistance Fund and the Capital Projects Fund.

11 (c-5) Before May 26, 2006 (the effective date of Public Act  
12 94-804) and beginning on the effective date of this amendatory  
13 Act of the 95th General Assembly, unless any organization  
14 licensee under the Illinois Horse Racing Act of 1975 begins to  
15 operate a slot machine or video game of chance under the  
16 Illinois Horse Racing Act of 1975 or this Act, after the  
17 payments required under subsections (b) and (c) have been made,  
18 an amount equal to 15% of the adjusted gross receipts of (1) an  
19 owners licensee that relocates pursuant to Section 11.2, (2) an  
20 owners licensee conducting riverboat gambling operations  
21 pursuant to an owners license that is initially issued after  
22 June 25, 1999, or (3) the first riverboat gambling operations  
23 conducted by a licensed manager on behalf of the State under  
24 Section 7.3, whichever comes first, shall be paid from the  
25 State Gaming Fund into the Horse Racing Equity Fund.

26 (c-10) Each year the General Assembly shall appropriate

1 from the General Revenue Fund to the Education Assistance Fund  
2 an amount equal to the amount paid into the Horse Racing Equity  
3 Fund pursuant to subsection (c-5) in the prior calendar year.

4 (c-15) After the payments required under subsections (b),  
5 (c), and (c-5) have been made, an amount equal to 2% of the  
6 adjusted gross receipts of (1) an owners licensee that  
7 relocates pursuant to Section 11.2, (2) an owners licensee  
8 conducting riverboat gambling operations pursuant to an owners  
9 license that is initially issued after June 25, 1999, or (3)  
10 the first riverboat gambling operations conducted by a licensed  
11 manager on behalf of the State under Section 7.3, whichever  
12 comes first, shall be paid, subject to appropriation from the  
13 General Assembly, from the State Gaming Fund to each home rule  
14 county with a population of over 3,000,000 inhabitants for the  
15 purpose of enhancing the county's criminal justice system.

16 (c-20) Each year the General Assembly shall appropriate  
17 from the General Revenue Fund to the Education Assistance Fund  
18 an amount equal to the amount paid to each home rule county  
19 with a population of over 3,000,000 inhabitants pursuant to  
20 subsection (c-15) in the prior calendar year.

21 (c-25) On July 1, 2013 and each July 1 thereafter,  
22 \$1,600,000 shall be transferred from the State Gaming Fund to  
23 the Chicago State University Education Improvement Fund.

24 (c-30) On July 1, 2013 or as soon as possible thereafter,  
25 \$92,000,000 shall be transferred from the State Gaming Fund to  
26 the School Infrastructure Fund and \$23,000,000 shall be

1 transferred from the State Gaming Fund to the Horse Racing  
2 Equity Fund.

3 (c-35) Beginning on July 1, 2013, in addition to any amount  
4 transferred under subsection (c-30) of this Section,  
5 \$5,530,000 shall be transferred monthly from the State Gaming  
6 Fund to the School Infrastructure Fund.

7 (c-40) Revenues from the gambling operation operated by a  
8 licensed manager on behalf of the State pursuant to Section  
9 7.3a deposited into the State Gaming Fund shall be distributed  
10 as follows:

11 (1) reimbursement of any construction costs of the  
12 gambling facility, including debt service on any bonds  
13 issued for that purpose, shall be made to the Capital  
14 Development Board;

15 (2) any amounts due to the licensed manager of the  
16 gambling operation shall be paid in accordance with the  
17 terms of any agreement made with the managers licensee  
18 under Section 7.4 of this Act and during the competitive  
19 bidding process under Section 7.5 of this Act; and

20 (3) the remainder of amounts deposited shall be  
21 distributed as follows:

22 (A) an amount equal to 50% of the remainder shall  
23 be distributed as follows:

24 (i) an amount equal to 2%, at least \$8,000,000  
25 annually, shall be distributed to Cook County to be  
26 used for capital expenditures or public pension



1           payments, or both; and

2                   (ii) the remainder shall be distributed to the  
3           City of Chicago to be used for capital  
4           expenditures, public pension payments, or  
5           education purposes, or any combination thereof; if  
6           used for education purposes, moneys must be  
7           allocated on a per-student basis;

8           (B) an amount equal to 25% of the remainder shall  
9           be appropriated each month to the State Board of  
10           Education to be used for grants to school districts by  
11           the State Board of Education in amounts determined as  
12           follows: the total amount appropriated to the State  
13           Board of Education divided by the number of students in  
14           the State outside of City of Chicago School District  
15           299 and then multiplied by the number of students in  
16           the school district, based on average daily attendance  
17           in that district; moneys distributed under this item  
18           (B) shall be in addition to and not in lieu of other  
19           moneys provided to school districts by the State; and

20                   (C) an amount equal to 25% of the remainder shall  
21           be transferred monthly into the State Construction  
22           Account Fund.

23           (d) From time to time, the Board shall transfer the  
24 remainder of the funds generated by this Act into the Education  
25 Assistance Fund, created by Public Act 86-0018, of the State of  
26 Illinois.

1 (e) Nothing in this Act shall prohibit the unit of local  
2 government designated as the home dock of the riverboat from  
3 entering into agreements with other units of local government  
4 in this State or in other states to share its portion of the  
5 tax revenue.

6 (f) To the extent practicable, the Board shall administer  
7 and collect the wagering taxes imposed by this Section in a  
8 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
9 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the  
10 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
11 Penalty and Interest Act.

12 (Source: P.A. 98-18, eff. 6-7-13.)

13 (230 ILCS 10/14) (from Ch. 120, par. 2414)

14 Sec. 14. Licensees - Records - Reports - Supervision.

15 (a) Licensed owners or, in the case of gambling operations  
16 operated by licensed managers on behalf of the State, licensed  
17 managers and electronic gaming licensees ~~A licensed owner~~ shall  
18 keep ~~his~~ books and records so as to clearly show the following:

19 (1) The amount received daily from admission fees.

20 (2) The total amount of gross receipts.

21 (3) The total amount of the adjusted gross receipts.

22 (b) Licensed owners or, in the case of gambling operations  
23 operated by licensed managers on behalf of the State, licensed  
24 managers and electronic gaming licensees ~~The licensed owner~~  
25 shall furnish to the Board reports and information as the Board

1 may require with respect to its activities on forms designed  
2 and supplied for such purpose by the Board.

3 (c) The books and records kept by a licensed owner as  
4 provided by this Section are public records and the  
5 examination, publication, and dissemination of the books and  
6 records are governed by the provisions of The Freedom of  
7 Information Act.

8 (Source: P.A. 86-1029.)

9 (230 ILCS 10/15) (from Ch. 120, par. 2415)

10 Sec. 15. Audit of Licensee Operations. Annually, the  
11 licensed owner, ~~or~~ manager, or electronic gaming licensee shall  
12 transmit to the Board an audit of the financial transactions  
13 and condition of the licensee's or manager's total operations.  
14 Additionally, within 90 days after the end of each quarter of  
15 each fiscal year, the licensed owner, ~~or~~ manager, or electronic  
16 gaming licensee shall transmit to the Board a compliance report  
17 on engagement procedures determined by the Board. All audits  
18 and compliance engagements shall be conducted by certified  
19 public accountants selected by the Board. Each certified public  
20 accountant must be registered in the State of Illinois under  
21 the Illinois Public Accounting Act. The compensation for each  
22 certified public accountant shall be paid directly by the  
23 licensed owner, ~~or~~ manager, or electronic gaming licensee to  
24 the certified public accountant.

25 (Source: P.A. 96-1392, eff. 1-1-11.)

1 (230 ILCS 10/17.1) (from Ch. 120, par. 2417.1)

2 Sec. 17.1. Judicial Review.

3 (a) Jurisdiction and venue for the judicial review of a  
4 final order of the Board relating to licensed owners,  
5 suppliers, electronic gaming licensees, and ~~or~~ special event  
6 licenses is vested in the Appellate Court of the judicial  
7 district in which Sangamon County is located. A petition for  
8 judicial review of a final order of the Board must be filed in  
9 the Appellate Court, within 35 days from the date that a copy  
10 of the decision sought to be reviewed was served upon the party  
11 affected by the decision.

12 (b) Judicial review of all other final orders of the Board  
13 shall be conducted in accordance with the Administrative Review  
14 Law.

15 (Source: P.A. 88-1.)

16 (230 ILCS 10/18) (from Ch. 120, par. 2418)

17 Sec. 18. Prohibited Activities - Penalty.

18 (a) A person is guilty of a Class A misdemeanor for doing  
19 any of the following:

20 (1) Conducting gambling where wagering is used or to be  
21 used without a license issued by the Board.

22 (2) Conducting gambling where wagering is permitted  
23 other than in the manner specified by Section 11.

24 (b) A person is guilty of a Class B misdemeanor for doing

1 any of the following:

2 (1) permitting a person under 21 years to make a wager;

3 or

4 (2) violating paragraph (12) of subsection (a) of  
5 Section 11 of this Act.

6 (c) A person wagering or accepting a wager at any location  
7 outside the riverboat, casino, or electronic gaming facility in  
8 violation of paragraph ~~is subject to the penalties in~~  
9 ~~paragraphs~~ (1) or (2) of subsection (a) of Section 28-1 of the  
10 Criminal Code of 2012 is subject to the penalties provided in  
11 that Section.

12 (d) A person commits a Class 4 felony and, in addition,  
13 shall be barred for life from gambling operations ~~riverboats~~  
14 under the jurisdiction of the Board, if the person does any of  
15 the following:

16 (1) Offers, promises, or gives anything of value or  
17 benefit to a person who is connected with a riverboat or  
18 casino owner or electronic gaming licensee, including, but  
19 not limited to, an officer or employee of a licensed owner,   
20 electronic gaming licensee, or holder of an occupational  
21 license pursuant to an agreement or arrangement or with the  
22 intent that the promise or thing of value or benefit will  
23 influence the actions of the person to whom the offer,  
24 promise, or gift was made in order to affect or attempt to  
25 affect the outcome of a gambling game, or to influence  
26 official action of a member of the Board.

1           (2) Solicits or knowingly accepts or receives a promise  
2           of anything of value or benefit while the person is  
3           connected with a riverboat, casino, or electronic gaming  
4           facility, including, but not limited to, an officer or  
5           employee of a licensed owner or electronic gaming licensee,  
6           or the holder of an occupational license, pursuant to an  
7           understanding or arrangement or with the intent that the  
8           promise or thing of value or benefit will influence the  
9           actions of the person to affect or attempt to affect the  
10          outcome of a gambling game, or to influence official action  
11          of a member of the Board.

12          (3) Uses or possesses with the intent to use a device  
13          to assist:

14                 (i) In projecting the outcome of the game.

15                 (ii) In keeping track of the cards played.

16                 (iii) In analyzing the probability of the  
17                 occurrence of an event relating to the gambling game.

18                 (iv) In analyzing the strategy for playing or  
19                 betting to be used in the game except as permitted by  
20                 the Board.

21          (4) Cheats at a gambling game.

22          (5) Manufactures, sells, or distributes any cards,  
23          chips, dice, game or device which is intended to be used to  
24          violate any provision of this Act.

25          (6) Alters or misrepresents the outcome of a gambling  
26          game on which wagers have been made after the outcome is

1           made sure but before it is revealed to the players.

2           (7) Places a bet after acquiring knowledge, not  
3           available to all players, of the outcome of the gambling  
4           game which is subject of the bet or to aid a person in  
5           acquiring the knowledge for the purpose of placing a bet  
6           contingent on that outcome.

7           (8) Claims, collects, or takes, or attempts to claim,  
8           collect, or take, money or anything of value in or from the  
9           gambling games, with intent to defraud, without having made  
10          a wager contingent on winning a gambling game, or claims,  
11          collects, or takes an amount of money or thing of value of  
12          greater value than the amount won.

13          (9) Uses counterfeit chips or tokens in a gambling  
14          game.

15          (10) Possesses any key or device designed for the  
16          purpose of opening, entering, or affecting the operation of  
17          a gambling game, drop box, or an electronic or mechanical  
18          device connected with the gambling game or for removing  
19          coins, tokens, chips or other contents of a gambling game.  
20          This paragraph (10) does not apply to a gambling licensee  
21          or employee of a gambling licensee acting in furtherance of  
22          the employee's employment.

23          (e) The possession of more than one of the devices  
24          described in subsection (d), paragraphs (3), (5), or (10)  
25          permits a rebuttable presumption that the possessor intended to  
26          use the devices for cheating.

1 (f) A person under the age of 21 who, except as authorized  
2 under paragraph (10) of Section 11, enters upon a riverboat or  
3 in a casino or electronic gaming facility commits a petty  
4 offense and is subject to a fine of not less than \$100 or more  
5 than \$250 for a first offense and of not less than \$200 or more  
6 than \$500 for a second or subsequent offense.

7 An action to prosecute any crime occurring on a riverboat  
8 shall be tried in the county of the dock at which the riverboat  
9 is based. An action to prosecute any crime occurring in a  
10 casino or electronic gaming facility shall be tried in the  
11 county in which the casino or electronic gaming facility is  
12 located.

13 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

14 (230 ILCS 10/18.1)

15 Sec. 18.1. Distribution of certain fines. If a fine is  
16 imposed on an owner licensee or an electronic gaming licensee  
17 for knowingly sending marketing or promotional materials to any  
18 person placed on the self-exclusion list, then the Board shall  
19 distribute an amount equal to 15% of the fine imposed to the  
20 unit of local government in which the casino, riverboat, or  
21 electronic gaming facility is located for the purpose of  
22 awarding grants to non-profit entities that assist gambling  
23 addicts.

24 (Source: P.A. 96-224, eff. 8-11-09.)



1 (230 ILCS 10/18.2 new)

2 Sec. 18.2. Prohibition on political contributions from  
3 certain licensees and applicants.

4 (a) The General Assembly has a compelling interest in  
5 protecting the integrity of both the electoral process and the  
6 legislative process by preventing corruption and the  
7 appearance of corruption which may arise through permitting  
8 certain political campaign contributions by certain persons  
9 involved in the gaming industry and regulated by the State.  
10 Unlike most other regulated industries, gaming is especially  
11 susceptible to corruption and potential criminal influence.

12 In Illinois, only licensed gaming activities are legal and  
13 all other gaming activities are strictly prohibited. Given  
14 these circumstances, it is imperative to eliminate any  
15 potential corrupt influence in the gaming industry and the  
16 electoral process. Banning political campaign contributions by  
17 certain persons subject to this Section to State officeholders  
18 and candidates for such offices and to county and municipal  
19 officeholders and candidates for such offices in counties and  
20 municipalities that receive financial benefits from gaming  
21 activities is necessary to prevent corruption and the  
22 appearance of corruption that may arise when political campaign  
23 contributions and gaming that is regulated by the State and  
24 that confers benefits on counties and municipalities are  
25 intermingled.

26 The General Assembly has prohibited political campaign

1 contributions to certain State and local officeholders and  
2 candidates for such offices by certain persons with State of  
3 Illinois and Metropolitan Pier and Exposition Authority  
4 contracts and pending bids or proposals for contracts of over  
5 \$50,000 and certain individuals and entities affiliated with  
6 such persons. Certain gaming licensees will receive receipts  
7 far in excess of the base level of contract amounts subject to  
8 such other campaign contribution prohibitions.

9 (b) As used in this Section:

10 "Affiliated entity" means (i) any corporate parent and each  
11 operating subsidiary of the business entity applying for or  
12 holding a license, (ii) each operating subsidiary of the  
13 corporate parent of the business entity applying for or holding  
14 a license, (iii) any organization recognized by the United  
15 States Internal Revenue Service as a tax-exempt organization  
16 described in Section 501(c) of the Internal Revenue Code of  
17 1986 (or any successor provision of federal tax law)  
18 established by one or more business entities seeking or holding  
19 a license, any affiliated entity of such business entity, or  
20 any affiliated person of such business entity, and (iv) any  
21 political committee for which the business entity applying for  
22 or holding a license, or any 501(c) organization described in  
23 item (iii) related to that business entity, is the sponsoring  
24 entity, as defined in Section 9-3 of the Election Code. For  
25 purposes of item (iv), the funding of all business entities  
26 applying for or holding a license shall be aggregated in

1 determining whether such political committee is an affiliated  
2 entity.

3 "Affiliated person" means (i) any person with any ownership  
4 interest or distributive share in excess of 1% of any business  
5 entity applying for or holding a license, (ii) executive  
6 employees of any such business entity, (iii) any person  
7 designated as a key person under this Act, and (iv) the spouse  
8 of such persons.

9 "Contribution" means a contribution as defined in Section  
10 9-1.4 of the Election Code.

11 "Declared candidate" means a person who has filed a  
12 statement of candidacy and petition for nomination or election  
13 in the principal office of the State Board of Elections, or in  
14 the office of the appropriate election authority for any county  
15 or municipality in which a casino or electronic gaming device  
16 is located or proposed or which receives any gaming revenue.

17 "Executive employee" means any person who is (i) an officer  
18 or director or who fulfills duties equivalent to those of an  
19 officer or director of a business entity applying for or  
20 holding a license and (ii) any employee of such business entity  
21 who is required to register under the Lobbyist Registration  
22 Act.

23 "License" means any owners license issued pursuant to  
24 Section 7 of this Act, electronic gaming license issued  
25 pursuant to Section 7.7 of this Act, or managers license issued  
26 pursuant to Section 7.4 of this Act.

1       "Officeholder" means the Governor, Lieutenant Governor,  
2 Attorney General, Secretary of State, Comptroller, Treasurer,  
3 member of the General Assembly, or any officeholder in any  
4 county or municipality in which a riverboat, casino, or  
5 electronic gaming device is located or proposed or which  
6 receives any gaming revenue.

7       "Business entity" means any entity doing business for  
8 profit, whether organized as a corporation, partnership, sole  
9 proprietorship, limited liability company, or partnership or  
10 otherwise.

11       (c) Any person or business entity applying for or holding a  
12 license, any affiliated entities or persons of such business  
13 entity, and any entities or persons soliciting a contribution  
14 or causing a contribution to be made on behalf of such person  
15 or business entity, are prohibited from making any contribution  
16 to any officeholder or declared candidate or any political  
17 committee affiliated with any officeholder or declared  
18 candidate, as defined in Section 9-1.8 of the Election Code.  
19 This prohibition shall commence upon filing of an application  
20 for a license and shall continue for a period of 2 years after  
21 termination, suspension, or revocation of the license.

22       The Board shall have authority to suspend, revoke, or  
23 restrict the license and to impose civil penalties of up to  
24 \$100,000 for each violation of this subsection (c). A notice of  
25 each such violation and the penalty imposed shall be published  
26 on the Board's website and in the Illinois Register. Payments

1 received by the State pursuant to this subsection (c) shall be  
2 deposited into the General Revenue Fund.

3 Any officeholder or declared candidate or any political  
4 committee affiliated with any officeholder or declared  
5 candidate that has received a contribution in violation of this  
6 subsection (c) shall pay an amount equal to the value of the  
7 contribution to the State no more than 30 days after notice of  
8 the violation concerning the contribution appears in the  
9 Illinois Register. Payments received by the State pursuant to  
10 this subsection (c) shall be deposited into the General Revenue  
11 Fund.

12 (d) The Board shall post on its website a list of all  
13 persons, business entities, and affiliated entities prohibited  
14 from making contributions to any officeholder or declared  
15 candidate political committee pursuant to subsection (c),  
16 which list shall be updated and published on, at a minimum, a  
17 semiannual basis.

18 Any person, business entity, or affiliated entity  
19 prohibited from making contributions to any officeholder or  
20 declared candidate political committee pursuant to subsection  
21 (c) shall notify the Board within 7 days after discovering any  
22 necessary change or addition to the information relating to  
23 that person, business entity, or affiliated entity contained in  
24 the list.

25 An individual who acts in good faith and in reliance on any  
26 information contained in the list shall not be subject to any

1 penalties or liability imposed for a violation of this Section.

2 (e) If any provision of this Section is held invalid or its  
3 application to any person or circumstance is held invalid, the  
4 invalidity of that provision or application does not affect the  
5 other provisions or applications of this Section that can be  
6 given effect without the invalid application or provision.

7 (230 ILCS 10/19) (from Ch. 120, par. 2419)

8 Sec. 19. Forfeiture of property.

9 (a) Except as provided in subsection (b), any riverboat,  
10 casino, or electronic gaming facility used for the conduct of  
11 gambling games in violation of this Act shall be considered a  
12 gambling place in violation of Section 28-3 of the Criminal  
13 Code of 2012. Every gambling device found on a riverboat, in a  
14 casino, or at an electronic gaming facility operating gambling  
15 games in violation of this Act and every slot machine and video  
16 game of chance found at an electronic gaming facility operating  
17 gambling games in violation of this Act shall be subject to  
18 seizure, confiscation and destruction as provided in Section  
19 28-5 of the Criminal Code of 2012.

20 (b) It is not a violation of this Act for a riverboat or  
21 other watercraft which is licensed for gaming by a contiguous  
22 state to dock on the shores of this State if the municipality  
23 having jurisdiction of the shores, or the county in the case of  
24 unincorporated areas, has granted permission for docking and no  
25 gaming is conducted on the riverboat or other watercraft while

1 it is docked on the shores of this State. No gambling device  
2 shall be subject to seizure, confiscation or destruction if the  
3 gambling device is located on a riverboat or other watercraft  
4 which is licensed for gaming by a contiguous state and which is  
5 docked on the shores of this State if the municipality having  
6 jurisdiction of the shores, or the county in the case of  
7 unincorporated areas, has granted permission for docking and no  
8 gaming is conducted on the riverboat or other watercraft while  
9 it is docked on the shores of this State.

10 (Source: P.A. 97-1150, eff. 1-25-13.)

11 (230 ILCS 10/20) (from Ch. 120, par. 2420)

12 Sec. 20. Prohibited activities - civil penalties. Any  
13 person who conducts a gambling operation without first  
14 obtaining a license to do so, or who continues to conduct such  
15 games after revocation of his license, or any licensee who  
16 conducts or allows to be conducted any unauthorized gambling  
17 games on a riverboat, in a casino, or at an electronic gaming  
18 facility where it is authorized to conduct its ~~riverboat~~  
19 gambling operation, in addition to other penalties provided,  
20 shall be subject to a civil penalty equal to the amount of  
21 gross receipts derived from wagering on the gambling games,  
22 whether unauthorized or authorized, conducted on that day as  
23 well as confiscation and forfeiture of all gambling game  
24 equipment used in the conduct of unauthorized gambling games.

25 (Source: P.A. 86-1029.)

1 (230 ILCS 10/24)

2 Sec. 24. Applicability of this ~~Illinois Riverboat Gambling~~  
3 Act. The provisions of the this ~~Illinois Riverboat Gambling~~  
4 Act, and all rules promulgated thereunder, shall apply to the  
5 Video Gaming Act, except where there is a conflict between the  
6 2 Acts.

7 (Source: P.A. 96-37, eff. 7-13-09.)

8 Section 55. The Video Gaming Act is amended by changing  
9 Sections 5, 25, 45, 79, and 80 and by adding Section 81 as  
10 follows:

11 (230 ILCS 40/5)

12 Sec. 5. Definitions. As used in this Act:

13 "Board" means the Illinois Gaming Board.

14 "Credit" means one, 5, 10, or 25 cents either won or  
15 purchased by a player.

16 "Distributor" means an individual, partnership,  
17 corporation, or limited liability company licensed under this  
18 Act to buy, sell, lease, or distribute video gaming terminals  
19 or major components or parts of video gaming terminals to or  
20 from terminal operators.

21 "Electronic card" means a card purchased from a licensed  
22 establishment, licensed fraternal establishment, licensed  
23 veterans establishment, or licensed truck stop establishment



1 for use in that establishment as a substitute for cash in the  
2 conduct of gaming on a video gaming terminal.

3 "Electronic voucher" means a voucher printed by an  
4 electronic video game machine that is redeemable in the  
5 licensed establishment for which it was issued.

6 "Terminal operator" means an individual, partnership,  
7 corporation, or limited liability company that is licensed  
8 under this Act and that owns, services, and maintains video  
9 gaming terminals for placement in licensed establishments,  
10 licensed truck stop establishments, licensed fraternal  
11 establishments, or licensed veterans establishments.

12 "Licensed technician" means an individual who is licensed  
13 under this Act to repair, service, and maintain video gaming  
14 terminals.

15 "Licensed terminal handler" means a person, including but  
16 not limited to an employee or independent contractor working  
17 for a manufacturer, distributor, supplier, technician, or  
18 terminal operator, who is licensed under this Act to possess or  
19 control a video gaming terminal or to have access to the inner  
20 workings of a video gaming terminal. A licensed terminal  
21 handler does not include an individual, partnership,  
22 corporation, or limited liability company defined as a  
23 manufacturer, distributor, supplier, technician, or terminal  
24 operator under this Act.

25 "Manufacturer" means an individual, partnership,  
26 corporation, or limited liability company that is licensed

1 under this Act and that manufactures or assembles video gaming  
2 terminals.

3 "Supplier" means an individual, partnership, corporation,  
4 or limited liability company that is licensed under this Act to  
5 supply major components or parts to video gaming terminals to  
6 licensed terminal operators.

7 "Net terminal income" means money put into a video gaming  
8 terminal minus credits paid out to players.

9 "Video gaming terminal" means any electronic video game  
10 machine that, upon insertion of cash, electronic cards or  
11 vouchers, or any combination thereof, is available to play or  
12 simulate the play of a video game, including but not limited to  
13 video poker, line up, and blackjack, as authorized by the Board  
14 utilizing a video display and microprocessors in which the  
15 player may receive free games or credits that can be redeemed  
16 for cash. The term does not include a machine that directly  
17 dispenses coins, cash, or tokens or is for amusement purposes  
18 only.

19 "Licensed establishment" means any licensed retail  
20 establishment where alcoholic liquor is drawn, poured, mixed,  
21 or otherwise served for consumption on the premises, whether  
22 the establishment operates on a nonprofit or for-profit basis.

23 "Licensed establishment" includes any such establishment that  
24 has a contractual relationship with an inter-track wagering  
25 location licensee licensed under the Illinois Horse Racing Act  
26 of 1975, provided any contractual relationship shall not

1 include any transfer or offer of revenue from the operation of  
2 video gaming under this Act to any licensee licensed under the  
3 Illinois Horse Racing Act of 1975. Provided, however, that the  
4 licensed establishment that has such a contractual  
5 relationship with an inter-track wagering location licensee  
6 may not, itself, be (i) an inter-track wagering location  
7 licensee, (ii) the corporate parent or subsidiary of any  
8 licensee licensed under the Illinois Horse Racing Act of 1975,  
9 or (iii) the corporate subsidiary of a corporation that is also  
10 the corporate parent or subsidiary of any licensee licensed  
11 under the Illinois Horse Racing Act of 1975. "Licensed  
12 establishment" does not include a facility operated by an  
13 organization licensee, an inter-track wagering licensee, or an  
14 inter-track wagering location licensee licensed under the  
15 Illinois Horse Racing Act of 1975 or a riverboat licensed under  
16 the Illinois Riverboat ~~Gambling Act~~, except as provided in this  
17 paragraph. The changes made to this definition by Public Act  
18 98-587 are declarative of existing law.

19 "Licensed fraternal establishment" means the location  
20 where a qualified fraternal organization that derives its  
21 charter from a national fraternal organization regularly  
22 meets.

23 "Licensed veterans establishment" means the location where  
24 a qualified veterans organization that derives its charter from  
25 a national veterans organization regularly meets.

26 "Licensed truck stop establishment" means a facility (i)

1 that is at least a 3-acre facility with a convenience store,  
2 (ii) with separate diesel islands for fueling commercial motor  
3 vehicles, (iii) that sells at retail more than 10,000 gallons  
4 of diesel or biodiesel fuel per month, and (iv) with parking  
5 spaces for commercial motor vehicles. "Commercial motor  
6 vehicles" has the same meaning as defined in Section 18b-101 of  
7 the Illinois Vehicle Code. The requirement of item (iii) of  
8 this paragraph may be met by showing that estimated future  
9 sales or past sales average at least 10,000 gallons per month.

10 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;  
11 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; 98-756, eff.  
12 7-16-14.)

13 (230 ILCS 40/25)

14 Sec. 25. Restriction of licensees.

15 (a) Manufacturer. A person may not be licensed as a  
16 manufacturer of a video gaming terminal in Illinois unless the  
17 person has a valid manufacturer's license issued under this  
18 Act. A manufacturer may only sell video gaming terminals for  
19 use in Illinois to persons having a valid distributor's  
20 license.

21 (b) Distributor. A person may not sell, distribute, or  
22 lease or market a video gaming terminal in Illinois unless the  
23 person has a valid distributor's license issued under this Act.  
24 A distributor may only sell video gaming terminals for use in  
25 Illinois to persons having a valid distributor's or terminal

1 operator's license.

2 (c) Terminal operator. A person may not own, maintain, or  
3 place a video gaming terminal unless he has a valid terminal  
4 operator's license issued under this Act. A terminal operator  
5 may only place video gaming terminals for use in Illinois in  
6 licensed establishments, licensed truck stop establishments,  
7 licensed fraternal establishments, and licensed veterans  
8 establishments. No terminal operator may give anything of  
9 value, including but not limited to a loan or financing  
10 arrangement, to a licensed establishment, licensed truck stop  
11 establishment, licensed fraternal establishment, or licensed  
12 veterans establishment as any incentive or inducement to locate  
13 video terminals in that establishment. Of the after-tax profits  
14 from a video gaming terminal, 50% shall be paid to the terminal  
15 operator and 50% shall be paid to the licensed establishment,  
16 licensed truck stop establishment, licensed fraternal  
17 establishment, or licensed veterans establishment,  
18 notwithstanding any agreement to the contrary. A video terminal  
19 operator that violates one or more requirements of this  
20 subsection is guilty of a Class 4 felony and is subject to  
21 termination of his or her license by the Board.

22 (d) Licensed technician. A person may not service,  
23 maintain, or repair a video gaming terminal in this State  
24 unless he or she (1) has a valid technician's license issued  
25 under this Act, (2) is a terminal operator, or (3) is employed  
26 by a terminal operator, distributor, or manufacturer.

1 (d-5) Licensed terminal handler. No person, including, but  
2 not limited to, an employee or independent contractor working  
3 for a manufacturer, distributor, supplier, technician, or  
4 terminal operator licensed pursuant to this Act, shall have  
5 possession or control of a video gaming terminal, or access to  
6 the inner workings of a video gaming terminal, unless that  
7 person possesses a valid terminal handler's license issued  
8 under this Act.

9 (e) Licensed establishment. No video gaming terminal may be  
10 placed in any licensed establishment, licensed veterans  
11 establishment, licensed truck stop establishment, or licensed  
12 fraternal establishment unless the owner or agent of the owner  
13 of the licensed establishment, licensed veterans  
14 establishment, licensed truck stop establishment, or licensed  
15 fraternal establishment has entered into a written use  
16 agreement with the terminal operator for placement of the  
17 terminals. A copy of the use agreement shall be on file in the  
18 terminal operator's place of business and available for  
19 inspection by individuals authorized by the Board. A licensed  
20 establishment, licensed truck stop establishment, licensed  
21 veterans establishment, or licensed fraternal establishment  
22 may operate up to 5 video gaming terminals on its premises at  
23 any time.

24 (f) (Blank).

25 (g) Financial interest restrictions. As used in this Act,  
26 "substantial interest" in a partnership, a corporation, an

1 organization, an association, a business, or a limited  
2 liability company means:

3 (A) When, with respect to a sole proprietorship, an  
4 individual or his or her spouse owns, operates, manages, or  
5 conducts, directly or indirectly, the organization,  
6 association, or business, or any part thereof; or

7 (B) When, with respect to a partnership, the individual  
8 or his or her spouse shares in any of the profits, or  
9 potential profits, of the partnership activities; or

10 (C) When, with respect to a corporation, an individual  
11 or his or her spouse is an officer or director, or the  
12 individual or his or her spouse is a holder, directly or  
13 beneficially, of 5% or more of any class of stock of the  
14 corporation; or

15 (D) When, with respect to an organization not covered  
16 in (A), (B) or (C) above, an individual or his or her  
17 spouse is an officer or manages the business affairs, or  
18 the individual or his or her spouse is the owner of or  
19 otherwise controls 10% or more of the assets of the  
20 organization; or

21 (E) When an individual or his or her spouse furnishes  
22 5% or more of the capital, whether in cash, goods, or  
23 services, for the operation of any business, association,  
24 or organization during any calendar year; or

25 (F) When, with respect to a limited liability company,  
26 an individual or his or her spouse is a member, or the

1 individual or his or her spouse is a holder, directly or  
2 beneficially, of 5% or more of the membership interest of  
3 the limited liability company.

4 For purposes of this subsection (g), "individual" includes  
5 all individuals or their spouses whose combined interest would  
6 qualify as a substantial interest under this subsection (g) and  
7 whose activities with respect to an organization, association,  
8 or business are so closely aligned or coordinated as to  
9 constitute the activities of a single entity.

10 (h) Location restriction. A licensed establishment,  
11 licensed truck stop establishment, licensed fraternal  
12 establishment, or licensed veterans establishment that is (i)  
13 located within 1,000 feet of a facility operated by an  
14 organization licensee licensed under the Illinois Horse Racing  
15 Act of 1975 or a casino or the home dock of a riverboat  
16 licensed under the Illinois ~~Riverboat~~ Gambling Act or (ii)  
17 located within 100 feet of a school or a place of worship under  
18 the Religious Corporation Act, is ineligible to operate a video  
19 gaming terminal. The location restrictions in this subsection  
20 (h) do not apply if (A) a facility operated by an organization  
21 licensee, a school, or a place of worship moves to or is  
22 established within the restricted area after a licensed  
23 establishment, licensed truck stop establishment, licensed  
24 fraternal establishment, or licensed veterans establishment  
25 becomes licensed under this Act or (B) a school or place of  
26 worship moves to or is established within the restricted area



1 after a licensed establishment, licensed truck stop  
2 establishment, licensed fraternal establishment, or licensed  
3 veterans establishment obtains its original liquor license.  
4 For the purpose of this subsection, "school" means an  
5 elementary or secondary public school, or an elementary or  
6 secondary private school registered with or recognized by the  
7 State Board of Education.

8 Notwithstanding the provisions of this subsection (h), the  
9 Board may waive the requirement that a licensed establishment,  
10 licensed truck stop establishment, licensed fraternal  
11 establishment, or licensed veterans establishment not be  
12 located within 1,000 feet from a facility operated by an  
13 organization licensee licensed under the Illinois Horse Racing  
14 Act of 1975 or a casino or the home dock of a riverboat  
15 licensed under the Illinois ~~Riverboat~~ Gambling Act. The Board  
16 shall not grant such waiver if there is any common ownership or  
17 control, shared business activity, or contractual arrangement  
18 of any type between the establishment and the organization  
19 licensee or owners licensee of a riverboat. The Board shall  
20 adopt rules to implement the provisions of this paragraph.

21 (i) Undue economic concentration. In addition to  
22 considering all other requirements under this Act, in deciding  
23 whether to approve the operation of video gaming terminals by a  
24 terminal operator in a location, the Board shall consider the  
25 impact of any economic concentration of such operation of video  
26 gaming terminals. The Board shall not allow a terminal operator

1 to operate video gaming terminals if the Board determines such  
2 operation will result in undue economic concentration. For  
3 purposes of this Section, "undue economic concentration" means  
4 that a terminal operator would have such actual or potential  
5 influence over video gaming terminals in Illinois as to:

6 (1) substantially impede or suppress competition among  
7 terminal operators;

8 (2) adversely impact the economic stability of the  
9 video gaming industry in Illinois; or

10 (3) negatively impact the purposes of the Video Gaming  
11 Act.

12 The Board shall adopt rules concerning undue economic  
13 concentration with respect to the operation of video gaming  
14 terminals in Illinois. The rules shall include, but not be  
15 limited to, (i) limitations on the number of video gaming  
16 terminals operated by any terminal operator within a defined  
17 geographic radius and (ii) guidelines on the discontinuation of  
18 operation of any such video gaming terminals the Board  
19 determines will cause undue economic concentration.

20 (j) The provisions of the Illinois Antitrust Act are fully  
21 and equally applicable to the activities of any licensee under  
22 this Act.

23 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77,  
24 eff. 7-15-13; 98-112, eff. 7-26-13; 98-756, eff. 7-16-14.)

1           Sec. 45. Issuance of license.

2           (a) The burden is upon each applicant to demonstrate his  
3 suitability for licensure. Each video gaming terminal  
4 manufacturer, distributor, supplier, operator, handler,  
5 licensed establishment, licensed truck stop establishment,  
6 licensed fraternal establishment, and licensed veterans  
7 establishment shall be licensed by the Board. The Board may  
8 issue or deny a license under this Act to any person pursuant  
9 to the same criteria set forth in Section 9 of the Illinois  
10 ~~Riverboat~~ Gambling Act.

11           (a-5) The Board shall not grant a license to a person who  
12 has facilitated, enabled, or participated in the use of  
13 coin-operated devices for gambling purposes or who is under the  
14 significant influence or control of such a person. For the  
15 purposes of this Act, "facilitated, enabled, or participated in  
16 the use of coin-operated amusement devices for gambling  
17 purposes" means that the person has been convicted of any  
18 violation of Article 28 of the Criminal Code of 1961 or the  
19 Criminal Code of 2012. If there is pending legal action against  
20 a person for any such violation, then the Board shall delay the  
21 licensure of that person until the legal action is resolved.

22           (b) Each person seeking and possessing a license as a video  
23 gaming terminal manufacturer, distributor, supplier, operator,  
24 handler, licensed establishment, licensed truck stop  
25 establishment, licensed fraternal establishment, or licensed  
26 veterans establishment shall submit to a background

1 investigation conducted by the Board with the assistance of the  
2 State Police or other law enforcement. To the extent that the  
3 corporate structure of the applicant allows, the background  
4 investigation shall include any or all of the following as the  
5 Board deems appropriate or as provided by rule for each  
6 category of licensure: (i) each beneficiary of a trust, (ii)  
7 each partner of a partnership, (iii) each member of a limited  
8 liability company, (iv) each director and officer of a publicly  
9 or non-publicly held corporation, (v) each stockholder of a  
10 non-publicly held corporation, (vi) each stockholder of 5% or  
11 more of a publicly held corporation, or (vii) each stockholder  
12 of 5% or more in a parent or subsidiary corporation.

13 (c) Each person seeking and possessing a license as a video  
14 gaming terminal manufacturer, distributor, supplier, operator,  
15 handler, licensed establishment, licensed truck stop  
16 establishment, licensed fraternal establishment, or licensed  
17 veterans establishment shall disclose the identity of every  
18 person, association, trust, corporation, or limited liability  
19 company having a greater than 1% direct or indirect pecuniary  
20 interest in the video gaming terminal operation for which the  
21 license is sought. If the disclosed entity is a trust, the  
22 application shall disclose the names and addresses of the  
23 beneficiaries; if a corporation, the names and addresses of all  
24 stockholders and directors; if a limited liability company, the  
25 names and addresses of all members; or if a partnership, the  
26 names and addresses of all partners, both general and limited.

1 (d) No person may be licensed as a video gaming terminal  
 2 manufacturer, distributor, supplier, operator, handler,  
 3 licensed establishment, licensed truck stop establishment,  
 4 licensed fraternal establishment, or licensed veterans  
 5 establishment if that person has been found by the Board to:

6 (1) have a background, including a criminal record,  
 7 reputation, habits, social or business associations, or  
 8 prior activities that pose a threat to the public interests  
 9 of the State or to the security and integrity of video  
 10 gaming;

11 (2) create or enhance the dangers of unsuitable,  
 12 unfair, or illegal practices, methods, and activities in  
 13 the conduct of video gaming; or

14 (3) present questionable business practices and  
 15 financial arrangements incidental to the conduct of video  
 16 gaming activities.

17 (e) Any applicant for any license under this Act has the  
 18 burden of proving his or her qualifications to the satisfaction  
 19 of the Board. The Board may adopt rules to establish additional  
 20 qualifications and requirements to preserve the integrity and  
 21 security of video gaming in this State.

22 (f) A non-refundable application fee shall be paid at the  
 23 time an application for a license is filed with the Board in  
 24 the following amounts:

- 25 (1) Manufacturer ..... \$5,000
- 26 (2) Distributor..... \$5,000

- 1 (3) Terminal operator..... \$5,000
- 2 (4) Supplier ..... \$2,500
- 3 (5) Technician ..... \$100
- 4 (6) Terminal Handler ..... \$50

5 (g) The Board shall establish an annual fee for each  
 6 license not to exceed the following:

- 7 (1) Manufacturer ..... \$10,000
- 8 (2) Distributor..... \$10,000
- 9 (3) Terminal operator..... \$5,000
- 10 (4) Supplier ..... \$2,000
- 11 (5) Technician ..... \$100
- 12 (6) Licensed establishment, licensed truck stop  
 13 establishment, licensed fraternal establishment,  
 14 or licensed veterans establishment ..... \$100
- 15 (7) Video gaming terminal..... \$100
- 16 (8) Terminal Handler ..... \$50

17 (h) A terminal operator and a licensed establishment,  
 18 licensed truck stop establishment, licensed fraternal  
 19 establishment, or licensed veterans establishment shall  
 20 equally split the fees specified in item (7) of subsection (g).

21 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;  
 22 98-587, eff. 8-27-13; 98-756, eff. 7-16-14.)

23 (230 ILCS 40/79)

24 Sec. 79. Investigators. Investigators appointed by the  
 25 Board pursuant to the powers conferred upon the Board by

1 paragraph (20.6) of subsection (c) of Section 5 of the Illinois  
2 ~~Riverboat~~ Gambling Act and Section 80 of this Act shall have  
3 authority to conduct investigations, searches, seizures,  
4 arrests, and other duties imposed under this Act and the  
5 Illinois ~~Riverboat~~ Gambling Act, as deemed necessary by the  
6 Board. These investigators have and may exercise all of the  
7 rights and powers of peace officers, provided that these powers  
8 shall be (1) limited to offenses or violations occurring or  
9 committed in connection with conduct subject to this Act,  
10 including, but not limited to, the manufacture, distribution,  
11 supply, operation, placement, service, maintenance, or play of  
12 video gaming terminals and the distribution of profits and  
13 collection of revenues resulting from such play, and (2)  
14 exercised, to the fullest extent practicable, in cooperation  
15 with the local police department of the applicable municipality  
16 or, if these powers are exercised outside the boundaries of an  
17 incorporated municipality or within a municipality that does  
18 not have its own police department, in cooperation with the  
19 police department whose jurisdiction encompasses the  
20 applicable locality.

21 (Source: P.A. 97-809, eff. 7-13-12.)

22 (230 ILCS 40/80)

23 Sec. 80. Applicability of Illinois ~~Riverboat~~ Gambling Act.  
24 The provisions of the Illinois ~~Riverboat~~ Gambling Act, and all  
25 rules promulgated thereunder, shall apply to the Video Gaming

1 Act, except where there is a conflict between the 2 Acts. In  
2 the event of a conflict between the 2 Acts, the provisions of  
3 the Illinois Gambling Act shall prevail. All provisions of the  
4 Uniform Penalty and Interest Act shall apply, as far as  
5 practicable, to the subject matter of this Act to the same  
6 extent as if such provisions were included herein.

7 (Source: P.A. 96-37, eff. 7-13-09.)

8 (230 ILCS 40/81 new)

9 Sec. 81. Prohibition of political contributions from  
10 certain licensees and applicants.

11 (a) The General Assembly has a compelling interest in  
12 protecting the integrity of both the electoral process and the  
13 legislative process by preventing corruption and the  
14 appearance of corruption which may arise through permitting  
15 certain political campaign contributions by certain persons  
16 involved in the gaming industry and regulated by the State.  
17 Unlike most other regulated industries, gaming is especially  
18 susceptible to corruption and potential criminal influence.

19 In Illinois, only licensed gaming activities are legal and  
20 all other gaming activities are strictly prohibited. Given  
21 these circumstances, it is imperative to eliminate any  
22 potential corrupt influence in the gaming industry and the  
23 electoral process. Banning political campaign contributions by  
24 certain persons subject to this Section to State officeholders  
25 and candidates for such offices and, where necessary, to county



1 and municipal officeholders and candidates for such offices in  
2 counties and municipalities that receive financial benefits  
3 from gaming activities is necessary to prevent corruption and  
4 the appearance of corruption that may arise when political  
5 campaign contributions and gaming that is regulated by the  
6 State and that confers benefits on counties and municipalities  
7 are intermingled.

8 (b) As used in this Section:

9 "Affiliated entity" means (i) any corporate parent and each  
10 operating subsidiary of the business entity applying for or  
11 holding a license, (ii) each operating subsidiary of the  
12 corporate parent of the business entity applying for or holding  
13 a license, (iii) any organization recognized by the United  
14 States Internal Revenue Service as a tax-exempt organization  
15 described in Section 501(c) of the Internal Revenue Code of  
16 1986 (or any successor provision of federal tax law)  
17 established by one or more business entities seeking or holding  
18 a license, any affiliated entity of such business entity, or  
19 any affiliated person of such business entity, and (iv) any  
20 political committee for which the business entity applying for  
21 or holding a license, or any 501(c) organization described in  
22 item (iii) related to that business entity, is the sponsoring  
23 entity, as defined in Section 9-3 of the Election Code. For  
24 purposes of item (iv), the funding of all business entities  
25 applying for or holding a license shall be aggregated in  
26 determining whether such political committee is an affiliated

1 entity.

2 "Affiliated person" means (i) any person with any ownership  
3 interest or distributive share in excess of 1% of any business  
4 entity applying for or holding a license, (ii) executive  
5 employees of any such business entity, (iii) any person  
6 designated as a person of significant influence and control  
7 under the Video Gaming Act, and (iv) the spouse of such  
8 persons.

9 "Business entity" means any entity doing business for  
10 profit, whether organized as a corporation, partnership, sole  
11 proprietorship, limited liability company, or partnership or  
12 otherwise.

13 "Contribution" means a contribution as defined in Section  
14 9-1.4 of the Election Code.

15 "Declared candidate" means a person who has filed a  
16 statement of candidacy and petition for nomination or election  
17 in the principal office of the State Board of Elections, or in  
18 the office of the appropriate election authority for any county  
19 or municipality in which a video gaming terminal is located or  
20 proposed or which receives any video gaming revenue, for the  
21 office of Governor, Lieutenant Governor, Attorney General,  
22 Secretary of State, Comptroller, Treasurer, member of the  
23 General Assembly, chief executive or any member of the  
24 legislative body of any municipality in which a video gaming  
25 terminal is located or proposed or which receives any video  
26 gaming revenue, or chief executive or any member of the

1 legislative body of any county containing any unincorporated  
2 area in which a video gaming terminal is located or which  
3 receives any video gaming revenue.

4 "Executive employee" means any person who is an officer or  
5 director or who fulfills duties equivalent to those of an  
6 officer or director of a business entity applying for or  
7 holding a license; and (ii) any employee of such business  
8 entity who is required to register under the Lobbyist  
9 Registration Act.

10 "License" means any license issued pursuant to this Act.

11 "Officeholder" means the Governor, the Lieutenant  
12 Governor, the Attorney General, the Secretary of State, the  
13 Comptroller, the Treasurer, a member of the General Assembly,  
14 the chief executive or any member of the legislative body of  
15 any municipality in which a video gaming terminal is located or  
16 proposed or which receives any video gaming revenue, or the  
17 chief executive or any member of the legislative body of any  
18 county containing any unincorporated area in which a video  
19 gaming terminal is located or which receives any video gaming  
20 revenue.

21 (c) Any person or business entity applying for or holding a  
22 manufacturer or distributor license, any affiliated entities  
23 or persons of such business entity, and any entities or persons  
24 soliciting a contribution or causing a contribution to be made  
25 on behalf of such person or business entity, are prohibited  
26 from making any contribution to any officeholder or declared

1 candidate or any political committee affiliated with any  
2 officeholder or declared candidate, as defined in Section 9-1.8  
3 of the Election Code.

4 The Board shall have authority to suspend, revoke, or  
5 restrict the license and to impose civil penalties of up to  
6 \$100,000, for each violation of this subsection (c). A notice  
7 of each such violation and the penalty imposed shall be  
8 published on the Board's website and in the Illinois Register.  
9 Payments received by the State pursuant to this subsection  
10 shall be deposited into the General Revenue Fund.

11 Any person or business entity applying for or holding a  
12 terminal operator license, any affiliated entities or persons  
13 of such business entity, and any entities or persons soliciting  
14 a contribution or causing a contribution to be made on behalf  
15 of such person or business entity, are prohibited from making  
16 any contribution to any officeholder or declared candidate or  
17 any political committee affiliated with any officeholder or  
18 declared candidate, as defined in Section 9-1.8 of the Election  
19 Code, except that any such person or entity may make a  
20 contribution to the chief executive or any member of the  
21 legislative body of any municipality in which a video gaming  
22 terminal is located or proposed or which receives any video  
23 gaming revenue, the chief executive or any member of the  
24 legislative body of any county containing any unincorporated  
25 area in which a video gaming terminal is located or which  
26 receives any video gaming revenue, or any declared candidates

1 for such offices, so long as the video gaming terminal  
2 associated with the terminal operator license held or applied  
3 for is not located in the same municipality or county in which  
4 the officeholder or declared candidate holds or is seeking  
5 office. This prohibition shall commence upon filing of an  
6 application for a license and shall continue for a period of 2  
7 years after termination, suspension, or revocation of the  
8 license.

9 Any officeholder or declared candidate or any political  
10 committee affiliated with any officeholder or declared  
11 candidate that has received a contribution in violation of this  
12 subsection (c) shall pay an amount equal to the value of the  
13 contribution to the State no more than 30 days after notice of  
14 the violation concerning the contribution appears in the  
15 Illinois Register. Payments received by the State pursuant to  
16 this subsection shall be deposited into the General Revenue  
17 Fund.

18 The provisions of this subsection (c) shall apply only to  
19 persons or entities applying for or holding a manufacturer  
20 license, a distributor license, or a terminal operator license  
21 and shall not apply to persons or entities applying for or  
22 holding any other licenses under this Act.

23 (d) The Board shall post on its website a list of all  
24 persons, business entities, and affiliated entities prohibited  
25 from making contributions to any officeholder or declared  
26 candidate political committee pursuant to subsection (c),

1 which list shall be updated and published on, at a minimum, a  
2 semiannual basis.

3 Any person, business entity, or affiliated entity  
4 prohibited from making contributions to any officeholder or  
5 declared candidate political committee pursuant to subsection  
6 (c) of this Section shall notify the Board within 7 days after  
7 discovering any necessary change or addition to the information  
8 relating to that person, business entity, or affiliated entity  
9 contained in the list.

10 An individual who acts in good faith and in reliance on any  
11 information contained in the list shall not be subject to any  
12 penalties or liability imposed for a violation of this Section.

13 (e) If any provision of this Section is held invalid or its  
14 application to any person or circumstance is held invalid, the  
15 invalidity of that provision or application does not affect the  
16 other provisions or applications of this Section that can be  
17 given effect without the invalid application or provision.

18 Section 60. The Liquor Control Act of 1934 is amended by  
19 changing Sections 5-1 and 6-30 as follows:

20 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

21 Sec. 5-1. Licenses issued by the Illinois Liquor Control  
22 Commission shall be of the following classes:

23 (a) Manufacturer's license - Class 1. Distiller, Class 2.  
24 Rectifier, Class 3. Brewer, Class 4. First Class Wine

1 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.  
2 First Class Winemaker, Class 7. Second Class Winemaker, Class  
3 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class  
4 10. Craft Brewer,

5 (b) Distributor's license,

6 (c) Importing Distributor's license,

7 (d) Retailer's license,

8 (e) Special Event Retailer's license (not-for-profit),

9 (f) Railroad license,

10 (g) Boat license,

11 (h) Non-Beverage User's license,

12 (i) Wine-maker's premises license,

13 (j) Airplane license,

14 (k) Foreign importer's license,

15 (l) Broker's license,

16 (m) Non-resident dealer's license,

17 (n) Brew Pub license,

18 (o) Auction liquor license,

19 (p) Caterer retailer license,

20 (q) Special use permit license,

21 (r) Winery shipper's license.

22 No person, firm, partnership, corporation, or other legal  
23 business entity that is engaged in the manufacturing of wine  
24 may concurrently obtain and hold a wine-maker's license and a  
25 wine manufacturer's license.

26 (a) A manufacturer's license shall allow the manufacture,

1 importation in bulk, storage, distribution and sale of  
2 alcoholic liquor to persons without the State, as may be  
3 permitted by law and to licensees in this State as follows:

4 Class 1. A Distiller may make sales and deliveries of  
5 alcoholic liquor to distillers, rectifiers, importing  
6 distributors, distributors and non-beverage users and to no  
7 other licensees.

8 Class 2. A Rectifier, who is not a distiller, as defined  
9 herein, may make sales and deliveries of alcoholic liquor to  
10 rectifiers, importing distributors, distributors, retailers  
11 and non-beverage users and to no other licensees.

12 Class 3. A Brewer may make sales and deliveries of beer to  
13 importing distributors and distributors and may make sales as  
14 authorized under subsection (e) of Section 6-4 of this Act.

15 Class 4. A first class wine-manufacturer may make sales and  
16 deliveries of up to 50,000 gallons of wine to manufacturers,  
17 importing distributors and distributors, and to no other  
18 licensees.

19 Class 5. A second class Wine manufacturer may make sales  
20 and deliveries of more than 50,000 gallons of wine to  
21 manufacturers, importing distributors and distributors and to  
22 no other licensees.

23 Class 6. A first-class wine-maker's license shall allow the  
24 manufacture of up to 50,000 gallons of wine per year, and the  
25 storage and sale of such wine to distributors in the State and  
26 to persons without the State, as may be permitted by law. A



1 person who, prior to the effective date of this amendatory Act  
2 of the 95th General Assembly, is a holder of a first-class  
3 wine-maker's license and annually produces more than 25,000  
4 gallons of its own wine and who distributes its wine to  
5 licensed retailers shall cease this practice on or before July  
6 1, 2008 in compliance with this amendatory Act of the 95th  
7 General Assembly.

8 Class 7. A second-class wine-maker's license shall allow  
9 the manufacture of between 50,000 and 150,000 gallons of wine  
10 per year, and the storage and sale of such wine to distributors  
11 in this State and to persons without the State, as may be  
12 permitted by law. A person who, prior to the effective date of  
13 this amendatory Act of the 95th General Assembly, is a holder  
14 of a second-class wine-maker's license and annually produces  
15 more than 25,000 gallons of its own wine and who distributes  
16 its wine to licensed retailers shall cease this practice on or  
17 before July 1, 2008 in compliance with this amendatory Act of  
18 the 95th General Assembly.

19 Class 8. A limited wine-manufacturer may make sales and  
20 deliveries not to exceed 40,000 gallons of wine per year to  
21 distributors, and to non-licensees in accordance with the  
22 provisions of this Act.

23 Class 9. A craft distiller license shall allow the  
24 manufacture of up to 30,000 gallons of spirits by distillation  
25 for one year after the effective date of this amendatory Act of  
26 the 97th General Assembly and up to 35,000 gallons of spirits

1 by distillation per year thereafter and the storage of such  
2 spirits. If a craft distiller licensee is not affiliated with  
3 any other manufacturer, then the craft distiller licensee may  
4 sell such spirits to distributors in this State and up to 2,500  
5 gallons of such spirits to non-licensees to the extent  
6 permitted by any exemption approved by the Commission pursuant  
7 to Section 6-4 of this Act.

8 Any craft distiller licensed under this Act who on the  
9 effective date of this amendatory Act of the 96th General  
10 Assembly was licensed as a distiller and manufactured no more  
11 spirits than permitted by this Section shall not be required to  
12 pay the initial licensing fee.

13 Class 10. A craft brewer's license, which may only be  
14 issued to a licensed brewer or licensed non-resident dealer,  
15 shall allow the manufacture of up to 930,000 gallons of beer  
16 per year. A craft brewer licensee may make sales and deliveries  
17 to importing distributors and distributors and to retail  
18 licensees in accordance with the conditions set forth in  
19 paragraph (18) of subsection (a) of Section 3-12 of this Act.

20 (a-1) A manufacturer which is licensed in this State to  
21 make sales or deliveries of alcoholic liquor to licensed  
22 distributors or importing distributors and which enlists  
23 agents, representatives, or individuals acting on its behalf  
24 who contact licensed retailers on a regular and continual basis  
25 in this State must register those agents, representatives, or  
26 persons acting on its behalf with the State Commission.

1 Registration of agents, representatives, or persons acting  
2 on behalf of a manufacturer is fulfilled by submitting a form  
3 to the Commission. The form shall be developed by the  
4 Commission and shall include the name and address of the  
5 applicant, the name and address of the manufacturer he or she  
6 represents, the territory or areas assigned to sell to or  
7 discuss pricing terms of alcoholic liquor, and any other  
8 questions deemed appropriate and necessary. All statements in  
9 the forms required to be made by law or by rule shall be deemed  
10 material, and any person who knowingly misstates any material  
11 fact under oath in an application is guilty of a Class B  
12 misdemeanor. Fraud, misrepresentation, false statements,  
13 misleading statements, evasions, or suppression of material  
14 facts in the securing of a registration are grounds for  
15 suspension or revocation of the registration. The State  
16 Commission shall post a list of registered agents on the  
17 Commission's website.

18 (b) A distributor's license shall allow the wholesale  
19 purchase and storage of alcoholic liquors and sale of alcoholic  
20 liquors to licensees in this State and to persons without the  
21 State, as may be permitted by law.

22 (c) An importing distributor's license may be issued to and  
23 held by those only who are duly licensed distributors, upon the  
24 filing of an application by a duly licensed distributor, with  
25 the Commission and the Commission shall, without the payment of  
26 any fee, immediately issue such importing distributor's

1 license to the applicant, which shall allow the importation of  
2 alcoholic liquor by the licensee into this State from any point  
3 in the United States outside this State, and the purchase of  
4 alcoholic liquor in barrels, casks or other bulk containers and  
5 the bottling of such alcoholic liquors before resale thereof,  
6 but all bottles or containers so filled shall be sealed,  
7 labeled, stamped and otherwise made to comply with all  
8 provisions, rules and regulations governing manufacturers in  
9 the preparation and bottling of alcoholic liquors. The  
10 importing distributor's license shall permit such licensee to  
11 purchase alcoholic liquor from Illinois licensed non-resident  
12 dealers and foreign importers only.

13 (d) A retailer's license shall allow the licensee to sell  
14 and offer for sale at retail, only in the premises specified in  
15 the license, alcoholic liquor for use or consumption, but not  
16 for resale in any form. Nothing in this amendatory Act of the  
17 95th General Assembly shall deny, limit, remove, or restrict  
18 the ability of a holder of a retailer's license to transfer,  
19 deliver, or ship alcoholic liquor to the purchaser for use or  
20 consumption subject to any applicable local law or ordinance.  
21 Any retail license issued to a manufacturer shall only permit  
22 the manufacturer to sell beer at retail on the premises  
23 actually occupied by the manufacturer. For the purpose of  
24 further describing the type of business conducted at a retail  
25 licensed premises, a retailer's licensee may be designated by  
26 the State Commission as (i) an on premise consumption retailer,

1 (ii) an off premise sale retailer, or (iii) a combined on  
2 premise consumption and off premise sale retailer.

3 Notwithstanding any other provision of this subsection  
4 (d), a retail licensee may sell alcoholic liquors to a special  
5 event retailer licensee for resale to the extent permitted  
6 under subsection (e).

7 (e) A special event retailer's license (not-for-profit)  
8 shall permit the licensee to purchase alcoholic liquors from an  
9 Illinois licensed distributor (unless the licensee purchases  
10 less than \$500 of alcoholic liquors for the special event, in  
11 which case the licensee may purchase the alcoholic liquors from  
12 a licensed retailer) and shall allow the licensee to sell and  
13 offer for sale, at retail, alcoholic liquors for use or  
14 consumption, but not for resale in any form and only at the  
15 location and on the specific dates designated for the special  
16 event in the license. An applicant for a special event retailer  
17 license must (i) furnish with the application: (A) a resale  
18 number issued under Section 2c of the Retailers' Occupation Tax  
19 Act or evidence that the applicant is registered under Section  
20 2a of the Retailers' Occupation Tax Act, (B) a current, valid  
21 exemption identification number issued under Section 1g of the  
22 Retailers' Occupation Tax Act, and a certification to the  
23 Commission that the purchase of alcoholic liquors will be a  
24 tax-exempt purchase, or (C) a statement that the applicant is  
25 not registered under Section 2a of the Retailers' Occupation  
26 Tax Act, does not hold a resale number under Section 2c of the

1 Retailers' Occupation Tax Act, and does not hold an exemption  
2 number under Section 1g of the Retailers' Occupation Tax Act,  
3 in which event the Commission shall set forth on the special  
4 event retailer's license a statement to that effect; (ii)  
5 submit with the application proof satisfactory to the State  
6 Commission that the applicant will provide dram shop liability  
7 insurance in the maximum limits; and (iii) show proof  
8 satisfactory to the State Commission that the applicant has  
9 obtained local authority approval.

10 (f) A railroad license shall permit the licensee to import  
11 alcoholic liquors into this State from any point in the United  
12 States outside this State and to store such alcoholic liquors  
13 in this State; to make wholesale purchases of alcoholic liquors  
14 directly from manufacturers, foreign importers, distributors  
15 and importing distributors from within or outside this State;  
16 and to store such alcoholic liquors in this State; provided  
17 that the above powers may be exercised only in connection with  
18 the importation, purchase or storage of alcoholic liquors to be  
19 sold or dispensed on a club, buffet, lounge or dining car  
20 operated on an electric, gas or steam railway in this State;  
21 and provided further, that railroad licensees exercising the  
22 above powers shall be subject to all provisions of Article VIII  
23 of this Act as applied to importing distributors. A railroad  
24 license shall also permit the licensee to sell or dispense  
25 alcoholic liquors on any club, buffet, lounge or dining car  
26 operated on an electric, gas or steam railway regularly

1 operated by a common carrier in this State, but shall not  
 2 permit the sale for resale of any alcoholic liquors to any  
 3 licensee within this State. A license shall be obtained for  
 4 each car in which such sales are made.

5 (g) A boat license shall allow the sale of alcoholic liquor  
 6 in individual drinks, on any passenger boat regularly operated  
 7 as a common carrier on navigable waters in this State or on any  
 8 riverboat operated under the Illinois Riverboat ~~Riverboat~~ Gambling Act,  
 9 which boat or riverboat maintains a public dining room or  
 10 restaurant thereon.

11 (h) A non-beverage user's license shall allow the licensee  
 12 to purchase alcoholic liquor from a licensed manufacturer or  
 13 importing distributor, without the imposition of any tax upon  
 14 the business of such licensed manufacturer or importing  
 15 distributor as to such alcoholic liquor to be used by such  
 16 licensee solely for the non-beverage purposes set forth in  
 17 subsection (a) of Section 8-1 of this Act, and such licenses  
 18 shall be divided and classified and shall permit the purchase,  
 19 possession and use of limited and stated quantities of  
 20 alcoholic liquor as follows:

- 21 Class 1, not to exceed ..... 500 gallons
- 22 Class 2, not to exceed ..... 1,000 gallons
- 23 Class 3, not to exceed ..... 5,000 gallons
- 24 Class 4, not to exceed ..... 10,000 gallons
- 25 Class 5, not to exceed ..... 50,000 gallons

26 (i) A wine-maker's premises license shall allow a licensee

1 that concurrently holds a first-class wine-maker's license to  
2 sell and offer for sale at retail in the premises specified in  
3 such license not more than 50,000 gallons of the first-class  
4 wine-maker's wine that is made at the first-class wine-maker's  
5 licensed premises per year for use or consumption, but not for  
6 resale in any form. A wine-maker's premises license shall allow  
7 a licensee who concurrently holds a second-class wine-maker's  
8 license to sell and offer for sale at retail in the premises  
9 specified in such license up to 100,000 gallons of the  
10 second-class wine-maker's wine that is made at the second-class  
11 wine-maker's licensed premises per year for use or consumption  
12 but not for resale in any form. A wine-maker's premises license  
13 shall allow a licensee that concurrently holds a first-class  
14 wine-maker's license or a second-class wine-maker's license to  
15 sell and offer for sale at retail at the premises specified in  
16 the wine-maker's premises license, for use or consumption but  
17 not for resale in any form, any beer, wine, and spirits  
18 purchased from a licensed distributor. Upon approval from the  
19 State Commission, a wine-maker's premises license shall allow  
20 the licensee to sell and offer for sale at (i) the wine-maker's  
21 licensed premises and (ii) at up to 2 additional locations for  
22 use and consumption and not for resale. Each location shall  
23 require additional licensing per location as specified in  
24 Section 5-3 of this Act. A wine-maker's premises licensee shall  
25 secure liquor liability insurance coverage in an amount at  
26 least equal to the maximum liability amounts set forth in



1 subsection (a) of Section 6-21 of this Act.

2 (j) An airplane license shall permit the licensee to import  
3 alcoholic liquors into this State from any point in the United  
4 States outside this State and to store such alcoholic liquors  
5 in this State; to make wholesale purchases of alcoholic liquors  
6 directly from manufacturers, foreign importers, distributors  
7 and importing distributors from within or outside this State;  
8 and to store such alcoholic liquors in this State; provided  
9 that the above powers may be exercised only in connection with  
10 the importation, purchase or storage of alcoholic liquors to be  
11 sold or dispensed on an airplane; and provided further, that  
12 airplane licensees exercising the above powers shall be subject  
13 to all provisions of Article VIII of this Act as applied to  
14 importing distributors. An airplane licensee shall also permit  
15 the sale or dispensing of alcoholic liquors on any passenger  
16 airplane regularly operated by a common carrier in this State,  
17 but shall not permit the sale for resale of any alcoholic  
18 liquors to any licensee within this State. A single airplane  
19 license shall be required of an airline company if liquor  
20 service is provided on board aircraft in this State. The annual  
21 fee for such license shall be as determined in Section 5-3.

22 (k) A foreign importer's license shall permit such licensee  
23 to purchase alcoholic liquor from Illinois licensed  
24 non-resident dealers only, and to import alcoholic liquor other  
25 than in bulk from any point outside the United States and to  
26 sell such alcoholic liquor to Illinois licensed importing

1 distributors and to no one else in Illinois; provided that (i)  
2 the foreign importer registers with the State Commission every  
3 brand of alcoholic liquor that it proposes to sell to Illinois  
4 licensees during the license period, (ii) the foreign importer  
5 complies with all of the provisions of Section 6-9 of this Act  
6 with respect to registration of such Illinois licensees as may  
7 be granted the right to sell such brands at wholesale, and  
8 (iii) the foreign importer complies with the provisions of  
9 Sections 6-5 and 6-6 of this Act to the same extent that these  
10 provisions apply to manufacturers.

11 (1) (i) A broker's license shall be required of all persons  
12 who solicit orders for, offer to sell or offer to supply  
13 alcoholic liquor to retailers in the State of Illinois, or who  
14 offer to retailers to ship or cause to be shipped or to make  
15 contact with distillers, rectifiers, brewers or manufacturers  
16 or any other party within or without the State of Illinois in  
17 order that alcoholic liquors be shipped to a distributor,  
18 importing distributor or foreign importer, whether such  
19 solicitation or offer is consummated within or without the  
20 State of Illinois.

21 No holder of a retailer's license issued by the Illinois  
22 Liquor Control Commission shall purchase or receive any  
23 alcoholic liquor, the order for which was solicited or offered  
24 for sale to such retailer by a broker unless the broker is the  
25 holder of a valid broker's license.

26 The broker shall, upon the acceptance by a retailer of the

1 broker's solicitation of an order or offer to sell or supply or  
2 deliver or have delivered alcoholic liquors, promptly forward  
3 to the Illinois Liquor Control Commission a notification of  
4 said transaction in such form as the Commission may by  
5 regulations prescribe.

6 (ii) A broker's license shall be required of a person  
7 within this State, other than a retail licensee, who, for a fee  
8 or commission, promotes, solicits, or accepts orders for  
9 alcoholic liquor, for use or consumption and not for resale, to  
10 be shipped from this State and delivered to residents outside  
11 of this State by an express company, common carrier, or  
12 contract carrier. This Section does not apply to any person who  
13 promotes, solicits, or accepts orders for wine as specifically  
14 authorized in Section 6-29 of this Act.

15 A broker's license under this subsection (1) shall not  
16 entitle the holder to buy or sell any alcoholic liquors for his  
17 own account or to take or deliver title to such alcoholic  
18 liquors.

19 This subsection (1) shall not apply to distributors,  
20 employees of distributors, or employees of a manufacturer who  
21 has registered the trademark, brand or name of the alcoholic  
22 liquor pursuant to Section 6-9 of this Act, and who regularly  
23 sells such alcoholic liquor in the State of Illinois only to  
24 its registrants thereunder.

25 Any agent, representative, or person subject to  
26 registration pursuant to subsection (a-1) of this Section shall

1 not be eligible to receive a broker's license.

2 (m) A non-resident dealer's license shall permit such  
3 licensee to ship into and warehouse alcoholic liquor into this  
4 State from any point outside of this State, and to sell such  
5 alcoholic liquor to Illinois licensed foreign importers and  
6 importing distributors and to no one else in this State;  
7 provided that (i) said non-resident dealer shall register with  
8 the Illinois Liquor Control Commission each and every brand of  
9 alcoholic liquor which it proposes to sell to Illinois  
10 licensees during the license period, (ii) it shall comply with  
11 all of the provisions of Section 6-9 hereof with respect to  
12 registration of such Illinois licensees as may be granted the  
13 right to sell such brands at wholesale, and (iii) the  
14 non-resident dealer shall comply with the provisions of  
15 Sections 6-5 and 6-6 of this Act to the same extent that these  
16 provisions apply to manufacturers.

17 (n) A brew pub license shall allow the licensee (i) to  
18 manufacture beer only on the premises specified in the license,  
19 (ii) to make sales of the beer manufactured on the premises or,  
20 with the approval of the Commission, beer manufactured on  
21 another brew pub licensed premises that is substantially owned  
22 and operated by the same licensee to importing distributors,  
23 distributors, and to non-licensees for use and consumption,  
24 (iii) to store the beer upon the premises, and (iv) to sell and  
25 offer for sale at retail from the licensed premises, provided  
26 that a brew pub licensee shall not sell for off-premises

1 consumption more than 50,000 gallons per year. A person who  
2 holds a brew pub license may simultaneously hold a craft brewer  
3 license if he or she otherwise qualifies for the craft brewer  
4 license and the craft brewer license is for a location separate  
5 from the brew pub's licensed premises. A brew pub license shall  
6 permit a person who has received prior approval from the  
7 Commission to annually transfer no more than a total of 50,000  
8 gallons of beer manufactured on premises to all other licensed  
9 brew pubs that are substantially owned and operated by the same  
10 person.

11 (o) A caterer retailer license shall allow the holder to  
12 serve alcoholic liquors as an incidental part of a food service  
13 that serves prepared meals which excludes the serving of snacks  
14 as the primary meal, either on or off-site whether licensed or  
15 unlicensed.

16 (p) An auction liquor license shall allow the licensee to  
17 sell and offer for sale at auction wine and spirits for use or  
18 consumption, or for resale by an Illinois liquor licensee in  
19 accordance with provisions of this Act. An auction liquor  
20 license will be issued to a person and it will permit the  
21 auction liquor licensee to hold the auction anywhere in the  
22 State. An auction liquor license must be obtained for each  
23 auction at least 14 days in advance of the auction date.

24 (q) A special use permit license shall allow an Illinois  
25 licensed retailer to transfer a portion of its alcoholic liquor  
26 inventory from its retail licensed premises to the premises

1 specified in the license hereby created, and to sell or offer  
2 for sale at retail, only in the premises specified in the  
3 license hereby created, the transferred alcoholic liquor for  
4 use or consumption, but not for resale in any form. A special  
5 use permit license may be granted for the following time  
6 periods: one day or less; 2 or more days to a maximum of 15 days  
7 per location in any 12 month period. An applicant for the  
8 special use permit license must also submit with the  
9 application proof satisfactory to the State Commission that the  
10 applicant will provide dram shop liability insurance to the  
11 maximum limits and have local authority approval.

12 (r) A winery shipper's license shall allow a person with a  
13 first-class or second-class wine manufacturer's license, a  
14 first-class or second-class wine-maker's license, or a limited  
15 wine manufacturer's license or who is licensed to make wine  
16 under the laws of another state to ship wine made by that  
17 licensee directly to a resident of this State who is 21 years  
18 of age or older for that resident's personal use and not for  
19 resale. Prior to receiving a winery shipper's license, an  
20 applicant for the license must provide the Commission with a  
21 true copy of its current license in any state in which it is  
22 licensed as a manufacturer of wine. An applicant for a winery  
23 shipper's license must also complete an application form that  
24 provides any other information the Commission deems necessary.  
25 The application form shall include an acknowledgement  
26 consenting to the jurisdiction of the Commission, the Illinois

1 Department of Revenue, and the courts of this State concerning  
2 the enforcement of this Act and any related laws, rules, and  
3 regulations, including authorizing the Department of Revenue  
4 and the Commission to conduct audits for the purpose of  
5 ensuring compliance with this amendatory Act.

6 A winery shipper licensee must pay to the Department of  
7 Revenue the State liquor gallonage tax under Section 8-1 for  
8 all wine that is sold by the licensee and shipped to a person  
9 in this State. For the purposes of Section 8-1, a winery  
10 shipper licensee shall be taxed in the same manner as a  
11 manufacturer of wine. A licensee who is not otherwise required  
12 to register under the Retailers' Occupation Tax Act must  
13 register under the Use Tax Act to collect and remit use tax to  
14 the Department of Revenue for all gallons of wine that are sold  
15 by the licensee and shipped to persons in this State. If a  
16 licensee fails to remit the tax imposed under this Act in  
17 accordance with the provisions of Article VIII of this Act, the  
18 winery shipper's license shall be revoked in accordance with  
19 the provisions of Article VII of this Act. If a licensee fails  
20 to properly register and remit tax under the Use Tax Act or the  
21 Retailers' Occupation Tax Act for all wine that is sold by the  
22 winery shipper and shipped to persons in this State, the winery  
23 shipper's license shall be revoked in accordance with the  
24 provisions of Article VII of this Act.

25 A winery shipper licensee must collect, maintain, and  
26 submit to the Commission on a semi-annual basis the total

1 number of cases per resident of wine shipped to residents of  
2 this State. A winery shipper licensed under this subsection (r)  
3 must comply with the requirements of Section 6-29 of this  
4 amendatory Act.

5 (Source: P.A. 97-5, eff. 6-1-11; 97-455, eff. 8-19-11; 97-813,  
6 eff. 7-13-12; 97-1166, eff. 3-1-13; 98-394, eff. 8-16-13;  
7 98-401, eff. 8-16-13; 98-756, eff. 7-16-14.)

8 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

9 Sec. 6-30. Notwithstanding any other provision of this Act,  
10 the Illinois Gaming Board shall have exclusive authority to  
11 establish the hours for sale and consumption of alcoholic  
12 liquor on board a riverboat during riverboat gambling  
13 excursions conducted in accordance with the Illinois Riverboat  
14 Gambling Act.

15 (Source: P.A. 87-826.)

16 Section 65. The Illinois Public Aid Code is amended by  
17 changing Section 10-17.15 as follows:

18 (305 ILCS 5/10-17.15)

19 Sec. 10-17.15. Certification of information to State  
20 gaming licensees.

21 (a) For purposes of this Section, "State gaming licensee"  
22 means, as applicable, an organization licensee or advance  
23 deposit wagering licensee licensed under the Illinois Horse



1 Racing Act of 1975, an owners licensee licensed under the  
2 Illinois Riverboat Gambling Act, an electronic gaming licensee  
3 under the Illinois Gambling Act and the Illinois Horse Racing  
4 Act of 1975, or a licensee that operates, under any law of this  
5 State, one or more facilities or gaming locations at which  
6 lawful gambling is authorized and licensed as provided in the  
7 Illinois Riverboat Gambling Act.

8 (b) The Department may provide, by rule, for certification  
9 to any State gaming licensee of past due child support owed by  
10 a responsible relative under a support order entered by a court  
11 or administrative body of this or any other State on behalf of  
12 a resident or non-resident receiving child support services  
13 under this Article in accordance with the requirements of Title  
14 IV-D, Part D, of the Social Security Act. The State gaming  
15 licensee shall have the ability to withhold from winnings  
16 required to be reported to the Internal Revenue Service on Form  
17 W-2G, up to the full amount of winnings necessary to pay the  
18 winner's past due child support. The rule shall provide for  
19 notice to and an opportunity to be heard by each responsible  
20 relative affected and any final administrative decision  
21 rendered by the Department shall be reviewed only under and in  
22 accordance with the Administrative Review Law.

23 (c) For withholding of winnings, the State gaming licensee  
24 shall be entitled to an administrative fee not to exceed the  
25 lesser of 4% of the total amount of cash winnings paid to the  
26 gambling winner or \$150.

1 (d) In no event may the total amount withheld from the cash  
2 payout, including the administrative fee, exceed the total cash  
3 winnings claimed by the obligor. If the cash payout claimed is  
4 greater than the amount sufficient to satisfy the obligor's  
5 delinquent child support payments, the State gaming licensee  
6 shall pay the obligor the remaining balance of the payout, less  
7 the administrative fee authorized by subsection (c) of this  
8 Section, at the time it is claimed.

9 (e) A State gaming licensee who in good faith complies with  
10 the requirements of this Section shall not be liable to the  
11 gaming winner or any other individual or entity.

12 (Source: P.A. 98-318, eff. 8-12-13.)

13 Section 70. The Firearm Concealed Carry Act is amended by  
14 changing Section 65 as follows:

15 (430 ILCS 66/65)

16 Sec. 65. Prohibited areas.

17 (a) A licensee under this Act shall not knowingly carry a  
18 firearm on or into:

19 (1) Any building, real property, and parking area under  
20 the control of a public or private elementary or secondary  
21 school.

22 (2) Any building, real property, and parking area under  
23 the control of a pre-school or child care facility,  
24 including any room or portion of a building under the

1 control of a pre-school or child care facility. Nothing in  
2 this paragraph shall prevent the operator of a child care  
3 facility in a family home from owning or possessing a  
4 firearm in the home or license under this Act, if no child  
5 under child care at the home is present in the home or the  
6 firearm in the home is stored in a locked container when a  
7 child under child care at the home is present in the home.

8 (3) Any building, parking area, or portion of a  
9 building under the control of an officer of the executive  
10 or legislative branch of government, provided that nothing  
11 in this paragraph shall prohibit a licensee from carrying a  
12 concealed firearm onto the real property, bikeway, or trail  
13 in a park regulated by the Department of Natural Resources  
14 or any other designated public hunting area or building  
15 where firearm possession is permitted as established by the  
16 Department of Natural Resources under Section 1.8 of the  
17 Wildlife Code.

18 (4) Any building designated for matters before a  
19 circuit court, appellate court, or the Supreme Court, or  
20 any building or portion of a building under the control of  
21 the Supreme Court.

22 (5) Any building or portion of a building under the  
23 control of a unit of local government.

24 (6) Any building, real property, and parking area under  
25 the control of an adult or juvenile detention or  
26 correctional institution, prison, or jail.

1           (7) Any building, real property, and parking area under  
2 the control of a public or private hospital or hospital  
3 affiliate, mental health facility, or nursing home.

4           (8) Any bus, train, or form of transportation paid for  
5 in whole or in part with public funds, and any building,  
6 real property, and parking area under the control of a  
7 public transportation facility paid for in whole or in part  
8 with public funds.

9           (9) Any building, real property, and parking area under  
10 the control of an establishment that serves alcohol on its  
11 premises, if more than 50% of the establishment's gross  
12 receipts within the prior 3 months is from the sale of  
13 alcohol. The owner of an establishment who knowingly fails  
14 to prohibit concealed firearms on its premises as provided  
15 in this paragraph or who knowingly makes a false statement  
16 or record to avoid the prohibition on concealed firearms  
17 under this paragraph is subject to the penalty under  
18 subsection (c-5) of Section 10-1 of the Liquor Control Act  
19 of 1934.

20           (10) Any public gathering or special event conducted on  
21 property open to the public that requires the issuance of a  
22 permit from the unit of local government, provided this  
23 prohibition shall not apply to a licensee who must walk  
24 through a public gathering in order to access his or her  
25 residence, place of business, or vehicle.

26           (11) Any building or real property that has been issued

1 a Special Event Retailer's license as defined in Section  
2 1-3.17.1 of the Liquor Control Act during the time  
3 designated for the sale of alcohol by the Special Event  
4 Retailer's license, or a Special use permit license as  
5 defined in subsection (q) of Section 5-1 of the Liquor  
6 Control Act during the time designated for the sale of  
7 alcohol by the Special use permit license.

8 (12) Any public playground.

9 (13) Any public park, athletic area, or athletic  
10 facility under the control of a municipality or park  
11 district, provided nothing in this Section shall prohibit a  
12 licensee from carrying a concealed firearm while on a trail  
13 or bikeway if only a portion of the trail or bikeway  
14 includes a public park.

15 (14) Any real property under the control of the Cook  
16 County Forest Preserve District.

17 (15) Any building, classroom, laboratory, medical  
18 clinic, hospital, artistic venue, athletic venue,  
19 entertainment venue, officially recognized  
20 university-related organization property, whether owned or  
21 leased, and any real property, including parking areas,  
22 sidewalks, and common areas under the control of a public  
23 or private community college, college, or university.

24 (16) Any building, real property, or parking area under  
25 the control of a gaming facility licensed under the  
26 Illinois Riverboat ~~Riverboat~~ Gambling Act or the Illinois Horse

1 Racing Act of 1975, including an inter-track wagering  
2 location licensee.

3 (17) Any stadium, arena, or the real property or  
4 parking area under the control of a stadium, arena, or any  
5 collegiate or professional sporting event.

6 (18) Any building, real property, or parking area under  
7 the control of a public library.

8 (19) Any building, real property, or parking area under  
9 the control of an airport.

10 (20) Any building, real property, or parking area under  
11 the control of an amusement park.

12 (21) Any building, real property, or parking area under  
13 the control of a zoo or museum.

14 (22) Any street, driveway, parking area, property,  
15 building, or facility, owned, leased, controlled, or used  
16 by a nuclear energy, storage, weapons, or development site  
17 or facility regulated by the federal Nuclear Regulatory  
18 Commission. The licensee shall not under any circumstance  
19 store a firearm or ammunition in his or her vehicle or in a  
20 compartment or container within a vehicle located anywhere  
21 in or on the street, driveway, parking area, property,  
22 building, or facility described in this paragraph.

23 (23) Any area where firearms are prohibited under  
24 federal law.

25 (a-5) Nothing in this Act shall prohibit a public or  
26 private community college, college, or university from:

1           (1) prohibiting persons from carrying a firearm within  
2           a vehicle owned, leased, or controlled by the college or  
3           university;

4           (2) developing resolutions, regulations, or policies  
5           regarding student, employee, or visitor misconduct and  
6           discipline, including suspension and expulsion;

7           (3) developing resolutions, regulations, or policies  
8           regarding the storage or maintenance of firearms, which  
9           must include designated areas where persons can park  
10          vehicles that carry firearms; and

11          (4) permitting the carrying or use of firearms for the  
12          purpose of instruction and curriculum of officially  
13          recognized programs, including but not limited to military  
14          science and law enforcement training programs, or in any  
15          designated area used for hunting purposes or target  
16          shooting.

17          (a-10) The owner of private real property of any type may  
18          prohibit the carrying of concealed firearms on the property  
19          under his or her control. The owner must post a sign in  
20          accordance with subsection (d) of this Section indicating that  
21          firearms are prohibited on the property, unless the property is  
22          a private residence.

23          (b) Notwithstanding subsections (a), (a-5), and (a-10) of  
24          this Section except under paragraph (22) or (23) of subsection  
25          (a), any licensee prohibited from carrying a concealed firearm  
26          into the parking area of a prohibited location specified in

1 subsection (a), (a-5), or (a-10) of this Section shall be  
2 permitted to carry a concealed firearm on or about his or her  
3 person within a vehicle into the parking area and may store a  
4 firearm or ammunition concealed in a case within a locked  
5 vehicle or locked container out of plain view within the  
6 vehicle in the parking area. A licensee may carry a concealed  
7 firearm in the immediate area surrounding his or her vehicle  
8 within a prohibited parking lot area only for the limited  
9 purpose of storing or retrieving a firearm within the vehicle's  
10 trunk, provided the licensee ensures the concealed firearm is  
11 unloaded prior to exiting the vehicle. For purposes of this  
12 subsection, "case" includes a glove compartment or console that  
13 completely encloses the concealed firearm or ammunition, the  
14 trunk of the vehicle, or a firearm carrying box, shipping box,  
15 or other container.

16 (c) A licensee shall not be in violation of this Section  
17 while he or she is traveling along a public right of way that  
18 touches or crosses any of the premises under subsection (a),  
19 (a-5), or (a-10) of this Section if the concealed firearm is  
20 carried on his or her person in accordance with the provisions  
21 of this Act or is being transported in a vehicle by the  
22 licensee in accordance with all other applicable provisions of  
23 law.

24 (d) Signs stating that the carrying of firearms is  
25 prohibited shall be clearly and conspicuously posted at the  
26 entrance of a building, premises, or real property specified in



1 this Section as a prohibited area, unless the building or  
2 premises is a private residence. Signs shall be of a uniform  
3 design as established by the Department and shall be 4 inches  
4 by 6 inches in size. The Department shall adopt rules for  
5 standardized signs to be used under this subsection.

6 (Source: P.A. 98-63, eff. 7-9-13.)

7 Section 75. The Criminal Code of 2012 is amended by  
8 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as  
9 follows:

10 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

11 Sec. 28-1. Gambling.

12 (a) A person commits gambling when he or she:

13 (1) knowingly plays a game of chance or skill for money  
14 or other thing of value, unless excepted in subsection (b)  
15 of this Section;

16 (2) knowingly makes a wager upon the result of any  
17 game, contest, or any political nomination, appointment or  
18 election;

19 (3) knowingly operates, keeps, owns, uses, purchases,  
20 exhibits, rents, sells, bargains for the sale or lease of,  
21 manufactures or distributes any gambling device;

22 (4) contracts to have or give himself or herself or  
23 another the option to buy or sell, or contracts to buy or  
24 sell, at a future time, any grain or other commodity

1           whatsoever, or any stock or security of any company, where  
2           it is at the time of making such contract intended by both  
3           parties thereto that the contract to buy or sell, or the  
4           option, whenever exercised, or the contract resulting  
5           therefrom, shall be settled, not by the receipt or delivery  
6           of such property, but by the payment only of differences in  
7           prices thereof; however, the issuance, purchase, sale,  
8           exercise, endorsement or guarantee, by or through a person  
9           registered with the Secretary of State pursuant to Section  
10          8 of the Illinois Securities Law of 1953, or by or through  
11          a person exempt from such registration under said Section  
12          8, of a put, call, or other option to buy or sell  
13          securities which have been registered with the Secretary of  
14          State or which are exempt from such registration under  
15          Section 3 of the Illinois Securities Law of 1953 is not  
16          gambling within the meaning of this paragraph (4);

17           (5) knowingly owns or possesses any book, instrument or  
18           apparatus by means of which bets or wagers have been, or  
19           are, recorded or registered, or knowingly possesses any  
20           money which he has received in the course of a bet or  
21           wager;

22           (6) knowingly sells pools upon the result of any game  
23           or contest of skill or chance, political nomination,  
24           appointment or election;

25           (7) knowingly sets up or promotes any lottery or sells,  
26           offers to sell or transfers any ticket or share for any

1 lottery;

2 (8) knowingly sets up or promotes any policy game or  
3 sells, offers to sell or knowingly possesses or transfers  
4 any policy ticket, slip, record, document or other similar  
5 device;

6 (9) knowingly drafts, prints or publishes any lottery  
7 ticket or share, or any policy ticket, slip, record,  
8 document or similar device, except for such activity  
9 related to lotteries, bingo games and raffles authorized by  
10 and conducted in accordance with the laws of Illinois or  
11 any other state or foreign government;

12 (10) knowingly advertises any lottery or policy game,  
13 except for such activity related to lotteries, bingo games  
14 and raffles authorized by and conducted in accordance with  
15 the laws of Illinois or any other state;

16 (11) knowingly transmits information as to wagers,  
17 betting odds, or changes in betting odds by telephone,  
18 telegraph, radio, semaphore or similar means; or knowingly  
19 installs or maintains equipment for the transmission or  
20 receipt of such information; except that nothing in this  
21 subdivision (11) prohibits transmission or receipt of such  
22 information for use in news reporting of sporting events or  
23 contests; or

24 (12) knowingly establishes, maintains, or operates an  
25 Internet site that permits a person to play a game of  
26 chance or skill for money or other thing of value by means

1 of the Internet or to make a wager upon the result of any  
2 game, contest, political nomination, appointment, or  
3 election by means of the Internet. This item (12) does not  
4 apply to activities referenced in items (6) and (6.1) of  
5 subsection (b) of this Section.

6 (b) Participants in any of the following activities shall  
7 not be convicted of gambling:

8 (1) Agreements to compensate for loss caused by the  
9 happening of chance including without limitation contracts  
10 of indemnity or guaranty and life or health or accident  
11 insurance.

12 (2) Offers of prizes, award or compensation to the  
13 actual contestants in any bona fide contest for the  
14 determination of skill, speed, strength or endurance or to  
15 the owners of animals or vehicles entered in such contest.

16 (3) Pari-mutuel betting as authorized by the law of  
17 this State.

18 (4) Manufacture of gambling devices, including the  
19 acquisition of essential parts therefor and the assembly  
20 thereof, for transportation in interstate or foreign  
21 commerce to any place outside this State when such  
22 transportation is not prohibited by any applicable Federal  
23 law; or the manufacture, distribution, or possession of  
24 video gaming terminals, as defined in the Video Gaming Act,  
25 by manufacturers, distributors, and terminal operators  
26 licensed to do so under the Video Gaming Act.

1           (5) The game commonly known as "bingo", when conducted  
2 in accordance with the Bingo License and Tax Act.

3           (6) Lotteries when conducted by the State of Illinois  
4 in accordance with the Illinois Lottery Law. This exemption  
5 includes any activity conducted by the Department of  
6 Revenue to sell lottery tickets pursuant to the provisions  
7 of the Illinois Lottery Law and its rules.

8           (6.1) The purchase of lottery tickets through the  
9 Internet for a lottery conducted by the State of Illinois  
10 under the program established in Section 7.12 of the  
11 Illinois Lottery Law.

12           (7) Possession of an antique slot machine that is  
13 neither used nor intended to be used in the operation or  
14 promotion of any unlawful gambling activity or enterprise.  
15 For the purpose of this subparagraph (b) (7), an antique  
16 slot machine is one manufactured 25 years ago or earlier.

17           (8) Raffles and poker runs when conducted in accordance  
18 with the Raffles and Poker Runs Act.

19           (9) Charitable games when conducted in accordance with  
20 the Charitable Games Act.

21           (10) Pull tabs and jar games when conducted under the  
22 Illinois Pull Tabs and Jar Games Act.

23           (11) Gambling games ~~conducted on riverboats~~ when  
24 authorized by the Illinois Riverboat Gambling Act.

25           (12) Video gaming terminal games at a licensed  
26 establishment, licensed truck stop establishment, licensed

1 fraternal establishment, or licensed veterans  
2 establishment when conducted in accordance with the Video  
3 Gaming Act.

4 (13) Games of skill or chance where money or other  
5 things of value can be won but no payment or purchase is  
6 required to participate.

7 (c) Sentence.

8 Gambling is a Class A misdemeanor. A second or subsequent  
9 conviction under subsections (a) (3) through (a) (12), is a Class  
10 4 felony.

11 (d) Circumstantial evidence.

12 In prosecutions under this Section circumstantial evidence  
13 shall have the same validity and weight as in any criminal  
14 prosecution.

15 (Source: P.A. 97-1108, eff. 1-1-13; 98-644, eff. 6-10-14.)

16 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

17 Sec. 28-1.1. Syndicated gambling.

18 (a) Declaration of Purpose. Recognizing the close  
19 relationship between professional gambling and other organized  
20 crime, it is declared to be the policy of the legislature to  
21 restrain persons from engaging in the business of gambling for  
22 profit in this State. This Section shall be liberally construed  
23 and administered with a view to carrying out this policy.

24 (b) A person commits syndicated gambling when he or she  
25 operates a "policy game" or engages in the business of

1 bookmaking.

2 (c) A person "operates a policy game" when he or she  
3 knowingly uses any premises or property for the purpose of  
4 receiving or knowingly does receive from what is commonly  
5 called "policy":

6 (1) money from a person other than the bettor or player  
7 whose bets or plays are represented by the money; or

8 (2) written "policy game" records, made or used over  
9 any period of time, from a person other than the bettor or  
10 player whose bets or plays are represented by the written  
11 record.

12 (d) A person engages in bookmaking when he or she knowingly  
13 receives or accepts more than five bets or wagers upon the  
14 result of any trials or contests of skill, speed or power of  
15 endurance or upon any lot, chance, casualty, unknown or  
16 contingent event whatsoever, which bets or wagers shall be of  
17 such size that the total of the amounts of money paid or  
18 promised to be paid to the bookmaker on account thereof shall  
19 exceed \$2,000. Bookmaking is the receiving or accepting of bets  
20 or wagers regardless of the form or manner in which the  
21 bookmaker records them.

22 (e) Participants in any of the following activities shall  
23 not be convicted of syndicated gambling:

24 (1) Agreements to compensate for loss caused by the  
25 happening of chance including without limitation contracts  
26 of indemnity or guaranty and life or health or accident

1 insurance;

2 (2) Offers of prizes, award or compensation to the  
3 actual contestants in any bona fide contest for the  
4 determination of skill, speed, strength or endurance or to  
5 the owners of animals or vehicles entered in the contest;

6 (3) Pari-mutuel betting as authorized by law of this  
7 State;

8 (4) Manufacture of gambling devices, including the  
9 acquisition of essential parts therefor and the assembly  
10 thereof, for transportation in interstate or foreign  
11 commerce to any place outside this State when the  
12 transportation is not prohibited by any applicable Federal  
13 law;

14 (5) Raffles and poker runs when conducted in accordance  
15 with the Raffles and Poker Runs Act;

16 (6) Gambling games conducted on riverboats, in  
17 casinos, or at electronic gaming facilities when  
18 authorized by the Illinois Riverboat Gambling Act; and

19 (7) Video gaming terminal games at a licensed  
20 establishment, licensed truck stop establishment, licensed  
21 fraternal establishment, or licensed veterans  
22 establishment when conducted in accordance with the Video  
23 Gaming Act.

24 (f) Sentence. Syndicated gambling is a Class 3 felony.

25 (Source: P.A. 97-1108, eff. 1-1-13; 98-644, eff. 6-10-14.)



1 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

2 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is  
3 any real estate, vehicle, boat or any other property whatsoever  
4 used for the purposes of gambling other than gambling conducted  
5 in the manner authorized by the Illinois Riverboat ~~Riverboat~~ Gambling Act  
6 or the Video Gaming Act. Any person who knowingly permits any  
7 premises or property owned or occupied by him or under his  
8 control to be used as a gambling place commits a Class A  
9 misdemeanor. Each subsequent offense is a Class 4 felony. When  
10 any premises is determined by the circuit court to be a  
11 gambling place:

12 (a) Such premises is a public nuisance and may be proceeded  
13 against as such, and

14 (b) All licenses, permits or certificates issued by the  
15 State of Illinois or any subdivision or public agency thereof  
16 authorizing the serving of food or liquor on such premises  
17 shall be void; and no license, permit or certificate so  
18 cancelled shall be reissued for such premises for a period of  
19 60 days thereafter; nor shall any person convicted of keeping a  
20 gambling place be reissued such license for one year from his  
21 conviction and, after a second conviction of keeping a gambling  
22 place, any such person shall not be reissued such license, and

23 (c) Such premises of any person who knowingly permits  
24 thereon a violation of any Section of this Article shall be  
25 held liable for, and may be sold to pay any unsatisfied  
26 judgment that may be recovered and any unsatisfied fine that

1 may be levied under any Section of this Article.

2 (Source: P.A. 96-34, eff. 7-13-09.)

3 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

4 Sec. 28-5. Seizure of gambling devices and gambling funds.

5 (a) Every device designed for gambling which is incapable  
6 of lawful use or every device used unlawfully for gambling  
7 shall be considered a "gambling device", and shall be subject  
8 to seizure, confiscation and destruction by the Department of  
9 State Police or by any municipal, or other local authority,  
10 within whose jurisdiction the same may be found. As used in  
11 this Section, a "gambling device" includes any slot machine,  
12 and includes any machine or device constructed for the  
13 reception of money or other thing of value and so constructed  
14 as to return, or to cause someone to return, on chance to the  
15 player thereof money, property or a right to receive money or  
16 property. With the exception of any device designed for  
17 gambling which is incapable of lawful use, no gambling device  
18 shall be forfeited or destroyed unless an individual with a  
19 property interest in said device knows of the unlawful use of  
20 the device.

21 (b) Every gambling device shall be seized and forfeited to  
22 the county wherein such seizure occurs. Any money or other  
23 thing of value integrally related to acts of gambling shall be  
24 seized and forfeited to the county wherein such seizure occurs.

25 (c) If, within 60 days after any seizure pursuant to

1 subparagraph (b) of this Section, a person having any property  
2 interest in the seized property is charged with an offense, the  
3 court which renders judgment upon such charge shall, within 30  
4 days after such judgment, conduct a forfeiture hearing to  
5 determine whether such property was a gambling device at the  
6 time of seizure. Such hearing shall be commenced by a written  
7 petition by the State, including material allegations of fact,  
8 the name and address of every person determined by the State to  
9 have any property interest in the seized property, a  
10 representation that written notice of the date, time and place  
11 of such hearing has been mailed to every such person by  
12 certified mail at least 10 days before such date, and a request  
13 for forfeiture. Every such person may appear as a party and  
14 present evidence at such hearing. The quantum of proof required  
15 shall be a preponderance of the evidence, and the burden of  
16 proof shall be on the State. If the court determines that the  
17 seized property was a gambling device at the time of seizure,  
18 an order of forfeiture and disposition of the seized property  
19 shall be entered: a gambling device shall be received by the  
20 State's Attorney, who shall effect its destruction, except that  
21 valuable parts thereof may be liquidated and the resultant  
22 money shall be deposited in the general fund of the county  
23 wherein such seizure occurred; money and other things of value  
24 shall be received by the State's Attorney and, upon  
25 liquidation, shall be deposited in the general fund of the  
26 county wherein such seizure occurred. However, in the event

1 that a defendant raises the defense that the seized slot  
2 machine is an antique slot machine described in subparagraph  
3 (b) (7) of Section 28-1 of this Code and therefore he is exempt  
4 from the charge of a gambling activity participant, the seized  
5 antique slot machine shall not be destroyed or otherwise  
6 altered until a final determination is made by the Court as to  
7 whether it is such an antique slot machine. Upon a final  
8 determination by the Court of this question in favor of the  
9 defendant, such slot machine shall be immediately returned to  
10 the defendant. Such order of forfeiture and disposition shall,  
11 for the purposes of appeal, be a final order and judgment in a  
12 civil proceeding.

13 (d) If a seizure pursuant to subparagraph (b) of this  
14 Section is not followed by a charge pursuant to subparagraph  
15 (c) of this Section, or if the prosecution of such charge is  
16 permanently terminated or indefinitely discontinued without  
17 any judgment of conviction or acquittal (1) the State's  
18 Attorney shall commence an in rem proceeding for the forfeiture  
19 and destruction of a gambling device, or for the forfeiture and  
20 deposit in the general fund of the county of any seized money  
21 or other things of value, or both, in the circuit court and (2)  
22 any person having any property interest in such seized gambling  
23 device, money or other thing of value may commence separate  
24 civil proceedings in the manner provided by law.

25 (e) Any gambling device displayed for sale to a riverboat  
26 gambling operation, casino gambling operation, or electronic

1 gaming facility or used to train occupational licensees of a  
2 riverboat gambling operation, casino gambling operation, or  
3 electronic gaming facility as authorized under the Illinois  
4 ~~Riverboat~~ Gambling Act is exempt from seizure under this  
5 Section.

6 (f) Any gambling equipment, devices, and supplies provided  
7 by a licensed supplier in accordance with the Illinois  
8 ~~Riverboat~~ Gambling Act which are removed from a the riverboat,  
9 casino, or electronic gaming facility for repair are exempt  
10 from seizure under this Section.

11 (g) The following video gaming terminals are exempt from  
12 seizure under this Section:

13 (1) Video gaming terminals for sale to a licensed  
14 distributor or operator under the Video Gaming Act.

15 (2) Video gaming terminals used to train licensed  
16 technicians or licensed terminal handlers.

17 (3) Video gaming terminals that are removed from a  
18 licensed establishment, licensed truck stop establishment,  
19 licensed fraternal establishment, or licensed veterans  
20 establishment for repair.

21 (Source: P.A. 98-31, eff. 6-24-13.)

22 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

23 Sec. 28-7. Gambling contracts void.

24 (a) All promises, notes, bills, bonds, covenants,  
25 contracts, agreements, judgments, mortgages, or other

1 securities or conveyances made, given, granted, drawn, or  
2 entered into, or executed by any person whatsoever, where the  
3 whole or any part of the consideration thereof is for any money  
4 or thing of value, won or obtained in violation of any Section  
5 of this Article are null and void.

6 (b) Any obligation void under this Section may be set aside  
7 and vacated by any court of competent jurisdiction, upon a  
8 complaint filed for that purpose, by the person so granting,  
9 giving, entering into, or executing the same, or by his  
10 executors or administrators, or by any creditor, heir, legatee,  
11 purchaser or other person interested therein; or if a judgment,  
12 the same may be set aside on motion of any person stated above,  
13 on due notice thereof given.

14 (c) No assignment of any obligation void under this Section  
15 may in any manner affect the defense of the person giving,  
16 granting, drawing, entering into or executing such obligation,  
17 or the remedies of any person interested therein.

18 (d) This Section shall not prevent a licensed owner or  
19 licensed manager of a riverboat gambling operation, casino  
20 gambling operation, or an electronic gaming licensee under the  
21 Illinois Gambling Act and the Illinois Horse Racing Act of 1975  
22 from instituting a cause of action to collect any amount due  
23 and owing under an extension of credit to a ~~riverboat~~ gambling  
24 patron as authorized under Section 11.1 of the Illinois  
25 ~~Riverboat~~ Gambling Act.

26 (Source: P.A. 87-826.)

1 Section 82. The Eminent Domain Act is amended by changing  
2 Section 15-5-25 as follows:

3 (735 ILCS 30/15-5-25)

4 Sec. 15-5-25. Eminent domain powers in ILCS Chapters 205  
5 through 430. The following provisions of law may include  
6 express grants of the power to acquire property by condemnation  
7 or eminent domain:

8 (220 ILCS 5/8-509); Public Utilities Act; public utilities; for  
9 construction of certain improvements.

10 (220 ILCS 15/1); Gas Storage Act; corporations engaged in the  
11 distribution, transportation, or storage of natural gas or  
12 manufactured gas; for their operations.

13 (220 ILCS 15/2 and 15/6); Gas Storage Act; corporations engaged  
14 in the distribution, transportation, or storage of natural  
15 gas or manufactured gas; for use of an underground  
16 geological formation for gas storage.

17 (220 ILCS 30/13); Electric Supplier Act; electric  
18 cooperatives; for general purposes.

19 (220 ILCS 55/3); Telegraph Act; telegraph companies; for  
20 telegraph lines.

21 (220 ILCS 65/4); Telephone Company Act; telecommunications  
22 carriers; for telephone company purposes.

23 (225 ILCS 435/23); Ferries Act; ferry operators; for a landing,

1           ferryhouse, or approach.

2           (225 ILCS 440/9); Highway Advertising Control Act of 1971;

3           Department of Transportation; for removal of signs

4           adjacent to highways.

5           (230 ILCS 10/7.3a); Illinois Gambling Act; City of Chicago; for

6           construction of gambling facilities.

7           (310 ILCS 5/6 and 5/38); State Housing Act; housing

8           corporations; for general purposes.

9           (310 ILCS 10/8.3); Housing Authorities Act; housing

10          authorities; for general purposes.

11          (310 ILCS 10/8.15); Housing Authorities Act; housing

12          authorities; for implementation of conservation plans and

13          demolition.

14          (310 ILCS 10/9); Housing Authorities Act; housing authorities;

15          for general purposes.

16          (310 ILCS 20/5); Housing Development and Construction Act;

17          housing authorities; for development or redevelopment.

18          (310 ILCS 35/2); House Relocation Act; political subdivisions

19          and municipal corporations; for relocation of dwellings

20          for highway construction.

21          (315 ILCS 5/14); Blighted Areas Redevelopment Act of 1947; land

22          clearance commissions; for redevelopment projects.

23          (315 ILCS 10/5); Blighted Vacant Areas Development Act of 1949;

24          State of Illinois; for housing development.

25          (315 ILCS 20/9 and 20/42); Neighborhood Redevelopment

26          Corporation Law; neighborhood redevelopment corporations;



1           for general purposes.  
2           (315 ILCS 25/4 and 25/6); Urban Community Conservation Act;  
3           municipal conservation boards; for conservation areas.  
4           (315 ILCS 30/12); Urban Renewal Consolidation Act of 1961;  
5           municipal departments of urban renewal; for blighted area  
6           redevelopment projects.  
7           (315 ILCS 30/20 and 30/22); Urban Renewal Consolidation Act of  
8           1961; municipal departments of urban renewal; for  
9           implementing conservation areas.  
10          (315 ILCS 30/24); Urban Renewal Consolidation Act of 1961;  
11          municipal departments of urban renewal; for general  
12          purposes.  
13          (415 ILCS 95/6); Junkyard Act; Department of Transportation;  
14          for junkyards or scrap processing facilities.  
15          (420 ILCS 35/1); Radioactive Waste Storage Act; Illinois  
16          Emergency Management Agency; for radioactive by-product  
17          and waste storage.  
18          (Source: P.A. 94-1055, eff. 1-1-07.)

19           Section 85. The Payday Loan Reform Act is amended by  
20           changing Section 3-5 as follows:

21           (815 ILCS 122/3-5)

22           Sec. 3-5. Licensure.

23           (a) A license to make a payday loan shall state the  
24           address, including city and state, at which the business is to

1 be conducted and shall state fully the name of the licensee.  
2 The license shall be conspicuously posted in the place of  
3 business of the licensee and shall not be transferable or  
4 assignable.

5 (b) An application for a license shall be in writing and in  
6 a form prescribed by the Secretary. The Secretary may not issue  
7 a payday loan license unless and until the following findings  
8 are made:

9 (1) that the financial responsibility, experience,  
10 character, and general fitness of the applicant are such as  
11 to command the confidence of the public and to warrant the  
12 belief that the business will be operated lawfully and  
13 fairly and within the provisions and purposes of this Act;  
14 and

15 (2) that the applicant has submitted such other  
16 information as the Secretary may deem necessary.

17 (c) A license shall be issued for no longer than one year,  
18 and no renewal of a license may be provided if a licensee has  
19 substantially violated this Act and has not cured the violation  
20 to the satisfaction of the Department.

21 (d) A licensee shall appoint, in writing, the Secretary as  
22 attorney-in-fact upon whom all lawful process against the  
23 licensee may be served with the same legal force and validity  
24 as if served on the licensee. A copy of the written  
25 appointment, duly certified, shall be filed in the office of  
26 the Secretary, and a copy thereof certified by the Secretary

1 shall be sufficient evidence to subject a licensee to  
2 jurisdiction in a court of law. This appointment shall remain  
3 in effect while any liability remains outstanding in this State  
4 against the licensee. When summons is served upon the Secretary  
5 as attorney-in-fact for a licensee, the Secretary shall  
6 immediately notify the licensee by registered mail, enclosing  
7 the summons and specifying the hour and day of service.

8 (e) A licensee must pay an annual fee of \$1,000. In  
9 addition to the license fee, the reasonable expense of any  
10 examination or hearing by the Secretary under any provisions of  
11 this Act shall be borne by the licensee. If a licensee fails to  
12 renew its license by December 31, its license shall  
13 automatically expire; however, the Secretary, in his or her  
14 discretion, may reinstate an expired license upon:

15 (1) payment of the annual fee within 30 days of the  
16 date of expiration; and

17 (2) proof of good cause for failure to renew.

18 (f) Not more than one place of business shall be maintained  
19 under the same license, but the Secretary may issue more than  
20 one license to the same licensee upon compliance with all the  
21 provisions of this Act governing issuance of a single license.  
22 The location, except those locations already in existence as of  
23 June 1, 2005, may not be within one mile of a horse race track  
24 subject to the Illinois Horse Racing Act of 1975, within one  
25 mile of a facility at which gambling is conducted under the  
26 Illinois ~~Riverboat~~ Gambling Act, within one mile of the

1 location at which a riverboat subject to the Illinois Riverboat  
2 Gambling Act docks, or within one mile of any State of Illinois  
3 or United States military base or naval installation.

4 (g) No licensee shall conduct the business of making loans  
5 under this Act within any office, suite, room, or place of  
6 business in which (1) any loans are offered or made under the  
7 Consumer Installment Loan Act other than title secured loans as  
8 defined in subsection (a) of Section 15 of the Consumer  
9 Installment Loan Act and governed by Title 38, Section 110.330  
10 of the Illinois Administrative Code or (2) any other business  
11 is solicited or engaged in unless the other business is  
12 licensed by the Department or, in the opinion of the Secretary,  
13 the other business would not be contrary to the best interests  
14 of consumers and is authorized by the Secretary in writing.

15 (g-5) Notwithstanding subsection (g) of this Section, a  
16 licensee may obtain a license under the Consumer Installment  
17 Loan Act (CILA) for the exclusive purpose and use of making  
18 title secured loans, as defined in subsection (a) of Section 15  
19 of CILA and governed by Title 38, Section 110.300 of the  
20 Illinois Administrative Code. A licensee may continue to  
21 service Consumer Installment Loan Act loans that were  
22 outstanding as of the effective date of this amendatory Act of  
23 the 96th General Assembly.

24 (h) The Secretary shall maintain a list of licensees that  
25 shall be available to interested consumers and lenders and the  
26 public. The Secretary shall maintain a toll-free number whereby

1 consumers may obtain information about licensees. The  
2 Secretary shall also establish a complaint process under which  
3 an aggrieved consumer may file a complaint against a licensee  
4 or non-licensee who violates any provision of this Act.  
5 (Source: P.A. 96-936, eff. 3-21-11.)

6 Section 90. The Travel Promotion Consumer Protection Act is  
7 amended by changing Section 2 as follows:

8 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

9 Sec. 2. Definitions.

10 (a) "Travel promoter" means a person, including a tour  
11 operator, who sells, provides, furnishes, contracts for,  
12 arranges or advertises that he or she will arrange wholesale or  
13 retail transportation by air, land, sea or navigable stream,  
14 either separately or in conjunction with other services.  
15 "Travel promoter" does not include (1) an air carrier; (2) a  
16 sea carrier; (3) an officially appointed agent of an air  
17 carrier who is a member in good standing of the Airline  
18 Reporting Corporation; (4) a travel promoter who has in force  
19 \$1,000,000 or more of liability insurance coverage for  
20 professional errors and omissions and a surety bond or  
21 equivalent surety in the amount of \$100,000 or more for the  
22 benefit of consumers in the event of a bankruptcy on the part  
23 of the travel promoter; or (5) a riverboat subject to  
24 regulation under the Illinois ~~Riverboat~~ Gambling Act.

1           (b) "Advertise" means to make any representation in the  
2 solicitation of passengers and includes communication with  
3 other members of the same partnership, corporation, joint  
4 venture, association, organization, group or other entity.

5           (c) "Passenger" means a person on whose behalf money or  
6 other consideration has been given or is to be given to  
7 another, including another member of the same partnership,  
8 corporation, joint venture, association, organization, group  
9 or other entity, for travel.

10           (d) "Ticket or voucher" means a writing or combination of  
11 writings which is itself good and sufficient to obtain  
12 transportation and other services for which the passenger has  
13 contracted.

14           (Source: P.A. 91-357, eff. 7-29-99.)

15           Section 997. Severability. The provisions of this Act are  
16 severable under Section 1.31 of the Statute on Statutes.

17           Section 999. Effective date. This Act takes effect  
18 September 1, 2015.

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