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1 AN ACT concerning gaming.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Gambling Act is amended by changing
5 Sections 7, 7.7, and 13 as follows:

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

7 Sec. 7. Owners licenses.

8 (a) The Board shall issue owners licenses to persons or
9 entities that apply for such licenses upon payment to the Board
10 of the non-refundable license fee as provided in subsection (e)
11 or (e-5) and upon a determination by the Board that the
12 applicant is eligible for an owners license pursuant to this
13 Act and the rules of the Board. From the effective date of this
14 amendatory Act of the 95th General Assembly until (i) 3 years
15 after the effective date of this amendatory Act of the 95th
16 General Assembly, (ii) the date any organization licensee
17 begins to operate a slot machine or video game of chance under
18 the Illinois Horse Racing Act of 1975 or this Act, (iii) the
19 date that payments begin under subsection (c-5) of Section 13
20 of ~~this the~~ Act, (iv) the wagering tax imposed under Section 13
21 of this Act is increased by law to reflect a tax rate that is at
22 least as stringent or more stringent than the tax rate
23 contained in subsection (a-3) of Section 13, or (v) when an

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1 owners licensee holding a license issued pursuant to Section
2 7.1 of this Act begins conducting gaming, whichever occurs
3 first, as a condition of licensure and as an alternative source
4 of payment for those funds payable under subsection (c-5) of
5 Section 13 of this Act, any owners licensee that holds or
6 receives its owners license on or after the effective date of
7 this amendatory Act of the 94th General Assembly, other than an
8 owners licensee operating a riverboat with adjusted gross

9 receipts in calendar year 2004 of less than \$200,000,000, must
10 pay into the Horse Racing Equity Trust Fund, in addition to any
11 other payments required under this Act, an amount equal to 3%
12 of the adjusted gross receipts received by the owners licensee.
13 The payments required under this Section shall be made by the
14 owners licensee to the State Treasurer no later than 3:00
15 o'clock p.m. of the day after the day when the adjusted gross
16 receipts were received by the owners licensee. A person or
17 entity is ineligible to receive an owners license if:

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

20 (2) the person has been convicted of any violation of
21 Article 28 of the Criminal Code of 1961 or the Criminal
22 Code of 2012, or substantially similar laws of any other
23 jurisdiction;

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

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

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

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

6 (7) (blank); or

7 (8) a license of the person or entity issued under this
8 Act, or a license to own or operate gambling facilities in
9 any other jurisdiction, has 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 financial integrity of the applicants and of any other or separate person that either:

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

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

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indirectly, such applicant;

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

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

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

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

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

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

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

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

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

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

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

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

(e) In addition to any licenses authorized under subsection (e-5) of this Section, the Board may issue up to 10 licenses authorizing the holders of such licenses to own riverboats. In the application for an owners license, the applicant shall state the dock at which the riverboat is based and the water on which the riverboat will be located. The Board shall issue 5 licenses to become effective not earlier than January 1, 1991. Three of such licenses shall authorize riverboat gambling on the Mississippi River, or, with approval by the municipality in which the riverboat was docked on August 7, 2003 and with Board

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approval, be authorized to relocate to a new location, in a municipality that (1) borders on the Mississippi River or is within 5 miles of the city limits of a municipality that borders on the Mississippi River and (2) on August 7, 2003, had a riverboat conducting riverboat gambling operations pursuant to a license issued under this Act; one of which shall authorize riverboat gambling from a home dock in the city of East St. Louis; and one of which shall authorize riverboat gambling from a home dock in the City of Alton. One other license shall authorize riverboat gambling on the Illinois River in the City of East Peoria or, with Board approval, shall authorize land-based gambling operations anywhere within the

corporate limits of the City of Peoria. The Board shall issue one additional license to become effective not earlier than March 1, 1992, which shall authorize riverboat gambling on the Des Plaines River in Will County. The Board may issue 4 additional licenses to become effective not earlier than March 1, 1992. In determining the water upon which riverboats will operate, the Board shall consider the economic benefit which riverboat gambling confers on the State, and shall seek to assure that all regions of the State share in the economic benefits of riverboat gambling.

In granting all licenses, the Board may give favorable consideration to economically depressed areas of the State, to applicants presenting plans which provide for significant economic development over a large geographic area, and to

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applicants who currently operate non-gambling riverboats in Illinois. The Board shall review all applications for owners licenses, and shall inform each applicant of the Board's decision. The Board may grant an owners license to an applicant that has not submitted the highest license bid, but if it does not select the highest bidder, the Board shall issue a written decision explaining why another applicant was selected and identifying the factors set forth in this Section that favored the winning bidder. The fee for issuance or renewal of a license pursuant to this subsection (e) shall be \$250,000.

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

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

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

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

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

(5) the Board may issue one owners license authorizing the conduct of riverboat gambling in a municipality that is wholly or partially located in one of the following

25 townships of Cook County: Bloom, Bremen, Calumet, Rich,
26 Thornton, or Worth Township; and

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

4 Except for the license authorized under paragraph (1), each
5 application for a license pursuant to this subsection (e-5)
6 shall be submitted to the Board no later than 120 days after
7 June 28, 2019 (the effective date of Public Act 101-31). ~~this~~
8 ~~amendatory Act of the 101st General Assembly~~. All applications
9 for a license under this subsection (e-5) shall include the
10 nonrefundable application fee and the nonrefundable background
11 investigation fee as provided in subsection (d) of Section 6 of
12 this Act. In the event that an applicant submits an application
13 for a license pursuant to this subsection (e-5) prior to June
14 28, 2019 (the effective date of Public Act 101-31). ~~this~~
15 ~~amendatory Act of the 101st General Assembly~~, such applicant
16 shall submit the nonrefundable application fee and background
17 investigation fee as provided in subsection (d) of Section 6 of
18 this Act no later than 6 months after June 28, 2019 (the
19 effective date of Public Act 101-31). ~~this amendatory Act of the~~
20 ~~101st General Assembly~~.

21 The Board shall consider issuing a license pursuant to
22 paragraphs (1) through (6) of this subsection only after the
23 corporate authority of the municipality or the county board of
24 the county in which the riverboat or casino shall be located
25 has certified to the Board the following:

26 (i) that the applicant has negotiated with the

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1 corporate authority or county board in good faith;

2 (ii) that the applicant and the corporate authority or
3 county board have mutually agreed on the permanent location
4 of the riverboat or casino;

5 (iii) that the applicant and the corporate authority or
6 county board have mutually agreed on the temporary location

of the riverboat or casino;

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

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

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

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

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

At least 7 days before the corporate authority of a

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municipality or county board of the county submits a certification to the Board concerning items (i) through (viii). ~~(vi)~~ of this subsection, it shall hold a public hearing to discuss items (i) through (viii). ~~(vi)~~, as well as any other details concerning the proposed riverboat or casino in the municipality or county. The corporate authority or county board must subsequently memorialize the details concerning the proposed riverboat or casino in a resolution that must be adopted by a majority of the corporate authority or county board before any certification is sent to the Board. The Board shall not alter, amend, change, or otherwise interfere with any agreement between the applicant and the corporate authority of the municipality or county board of the county regarding the location of any temporary or permanent facility.

In addition, within 10 days after June 28, 2019 (the effective date of Public Act 101-31). ~~this amendatory Act of the 101st General Assembly~~, the Board, with consent and at the

18 expense of the City of Chicago, shall select and retain the
19 services of a nationally recognized casino gaming feasibility
20 consultant. Within 45 days after June 28, 2019 (the effective
21 date of Public Act 101-31), ~~this amendatory Act of the 101st~~
22 ~~General Assembly~~, the consultant shall prepare and deliver to
23 the Board a study concerning the feasibility of, and the
24 ability to finance, a casino in the City of Chicago. The
25 feasibility study shall be delivered to the Mayor of the City
26 of Chicago, the Governor, the President of the Senate, and the

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1 Speaker of the House of Representatives. Ninety days after
2 receipt of the feasibility study, the Board shall make a
3 determination, based on the results of the feasibility study,
4 whether to recommend to the General Assembly that the terms of
5 the license under paragraph (1) of this subsection (e-5) should
6 be modified. The Board may begin accepting applications for the
7 owners license under paragraph (1) of this subsection (e-5)
8 upon the determination to issue such an owners license.

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

14 (e-10) The licenses authorized under subsection (e-5) of
15 this Section shall be issued within 12 months after the date
16 the license application is submitted. If the Board does not
17 issue the licenses within that time period, then the Board
18 shall give a written explanation to the applicant as to why it
19 has not reached a determination and when it reasonably expects
20 to make a determination. The fee for the issuance or renewal of
21 a license issued pursuant to this subsection (e-10) shall be
22 \$250,000. Additionally, a licensee located outside of Cook
23 County shall pay a minimum initial fee of \$17,500 per gaming
24 position, and a licensee located in Cook County shall pay a
25 minimum initial fee of \$30,000 per gaming position. The initial
26 fees payable under this subsection (e-10) shall be deposited

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1 into the Rebuild Illinois Projects Fund. If at any point after
2 June 1, 2020 there are no pending applications for a license
3 under subsection (e-5) and not all licenses authorized under
4 subsection (e-5) have been issued, then the Board shall reopen
5 the license application process for those licenses authorized
6 under subsection (e-5) that have not been issued. The Board
7 shall follow the licensing process provided in subsection (e-5).
8 with all time frames tied to the last date of a final order
9 issued by the Board under subsection (e-5) rather than the
10 effective date of the amendatory Act.

11 (e-15) Each licensee of a license authorized under
12 subsection (e-5) of this Section shall make a reconciliation
13 payment 3 years after the date the licensee begins operating in
14 an amount equal to 75% of the adjusted gross receipts for the
15 most lucrative 12-month period of operations, minus an amount
16 equal to the initial payment per gaming position paid by the
17 specific licensee. Each licensee shall pay a \$15,000,000
18 reconciliation fee upon issuance of an owners license. If this
19 calculation results in a negative amount, then the licensee is
20 not entitled to any reimbursement of fees previously paid. This
21 reconciliation payment may be made in installments over a
22 period of no more than 6 2 years, subject to Board approval.
23 ~~Any installment payments shall include an annual market~~
24 ~~interest rate as determined by the Board.~~

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

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

7 (f) The first 10 owners licenses issued under this Act
8 shall permit the holder to own up to 2 riverboats and equipment
9 thereon for a period of 3 years after the effective date of the
10 license. Holders of the first 10 owners licenses must pay the
11 annual license fee for each of the 3 years during which they

12 are authorized to own riverboats.

13 (g) Upon the termination, expiration, or revocation of each
14 of the first 10 licenses, which shall be issued for a 3-year ~~3~~
15 ~~year~~ period, all licenses are renewable annually upon payment
16 of the fee and a determination by the Board that the licensee
17 continues to meet all of the requirements of this Act and the
18 Board's rules. However, for licenses renewed on or after May 1,
19 1998, renewal shall be for a period of 4 years, unless the
20 Board sets a shorter period.

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

24 An owners licensee of a casino or riverboat that is located
25 in the City of Chicago pursuant to paragraph (1) of subsection
26 (e-5) of this Section shall limit the number of gaming

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1 positions to 4,000 for such owner. An owners licensee
2 authorized under subsection (e) or paragraph (2), (3), (4), or
3 (5) of subsection (e-5) of this Section shall limit the number
4 of gaming positions to 2,000 for any such owners license. An
5 owners licensee authorized under paragraph (6) of subsection
6 (e-5) of this Section shall limit the number of gaming
7 positions to 1,200 for such owner. The initial fee for each
8 gaming position obtained on or after June 28, 2019 (the
9 effective date of Public Act 101-31). ~~this amendatory Act of the~~
10 ~~101st General Assembly~~ shall be a minimum of \$17,500 for
11 licensees not located in Cook County and a minimum of \$30,000
12 for licensees located in Cook County, in addition to the
13 reconciliation payment, as set forth in subsection (e-15) of
14 this Section. The fees under this subsection (h) shall be
15 deposited into the Rebuild Illinois Projects Fund. The fees
16 under this subsection (h) that are paid by an owners licensee
17 authorized under subsection (e) shall be paid by July 1, 2021
18 ~~2020~~.

19 Each owners licensee under subsection (e) of this Section
20 shall reserve its gaming positions within 30 days after June
21 28, 2019 (the effective date of Public Act 101-31). ~~this~~
22 ~~amendatory Act of the 101st General Assembly~~. The Board may
23 grant an extension to this 30-day period, provided that the

24 owners licensee submits a written request and explanation as to
25 why it is unable to reserve its positions within the 30-day
26 period.

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

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

15 (h-5) An owners licensee who conducted gambling operations
16 prior to January 1, 2012 and obtains positions pursuant to
17 ~~Public Act 101-31 this amendatory Act of the 101st General~~
18 ~~Assembly~~ shall make a reconciliation payment 3 years after any
19 additional gaming positions begin operating in an amount equal
20 to 75% of the owners licensee's average gross receipts for the
21 most lucrative 12-month period of operations minus an amount
22 equal to the initial fee that the owners licensee paid per
23 additional gaming position. For purposes of this subsection
24 (h-5), "average gross receipts" means (i) the increase in
25 adjusted gross receipts for the most lucrative 12-month period
26 of operations over the adjusted gross receipts for 2019,

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1 multiplied by (ii) the percentage derived by dividing the
2 number of additional gaming positions that an owners licensee
3 had obtained by the total number of gaming positions operated
4 by the owners licensee. If this calculation results in a
5 negative amount, then the owners licensee is not entitled to

6 any reimbursement of fees previously paid. This reconciliation
7 payment may be made in installments over a period of no more
8 than 6 2 years, ~~subject to Board approval. Any installment~~
9 ~~payments shall include an annual market interest rate as~~
10 ~~determined by the Board.~~ These reconciliation payments shall be
11 deposited into the Rebuild Illinois Projects Fund.

12 (i) A licensed owner is authorized to apply to the Board
13 for and, if approved therefor, to receive all licenses from the
14 Board necessary for the operation of a riverboat or casino,
15 including a liquor license, a license to prepare and serve food
16 for human consumption, and other necessary licenses. All use,
17 occupation, and excise taxes which apply to the sale of food
18 and beverages in this State and all taxes imposed on the sale
19 or use of tangible personal property apply to such sales aboard
20 the riverboat or in the casino.

21 (j) The Board may issue or re-issue a license authorizing a
22 riverboat to dock in a municipality or approve a relocation
23 under Section 11.2 only if, prior to the issuance or
24 re-issuance of the license or approval, the governing body of
25 the municipality in which the riverboat will dock has by a
26 majority vote approved the docking of riverboats in the

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1 municipality. The Board may issue or re-issue a license
2 authorizing a riverboat to dock in areas of a county outside
3 any municipality or approve a relocation under Section 11.2
4 only if, prior to the issuance or re-issuance of the license or
5 approval, the governing body of the county has by a majority
6 vote approved of the docking of riverboats within such areas.

7 (k) An owners licensee may conduct land-based gambling
8 operations upon approval by the Board and payment of a fee of
9 \$250,000, which shall be deposited into the State Gaming Fund.

10 (l) An owners licensee may conduct gaming at a temporary
11 facility pending the construction of a permanent facility or
12 the remodeling or relocation of an existing facility to
13 accommodate gaming participants for up to 24 months after the
14 temporary facility begins to conduct gaming. Upon request by an
15 owners licensee and upon a showing of good cause by the owners
16 licensee, the Board shall extend the period during which the
17 licensee may conduct gaming at a temporary facility by up to 12

18 months. The Board shall make rules concerning the conduct of
19 gaming from temporary facilities.
20 (Source: P.A. 100-391, eff. 8-25-17; 100-1152, eff. 12-14-18;
21 101-31, eff. 6-28-19; revised 9-20-19.)

22 (230 ILCS 10/7.7)

23 Sec. 7.7. Organization gaming licenses.

24 (a) The Illinois Gaming Board shall award one organization
25 gaming license to each person or entity having operating

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1 control of a racetrack that applies under Section 56 of the
2 Illinois Horse Racing Act of 1975, subject to the application
3 and eligibility requirements of this Section. Within 60 days
4 after the effective date of this amendatory Act of the 101st
5 General Assembly, a person or entity having operating control
6 of a racetrack may submit an application for an organization
7 gaming license. The application shall be made on such forms as
8 provided by the Board and shall contain such information as the
9 Board prescribes, including, but not limited to, the identity
10 of any racetrack at which gaming will be conducted pursuant to
11 an organization gaming license, detailed information regarding
12 the ownership and management of the applicant, and detailed
13 personal information regarding the applicant. The application
14 shall specify the number of gaming positions the applicant
15 intends to use and the place where the organization gaming
16 facility will operate. A person who knowingly makes a false
17 statement on an application is guilty of a Class A misdemeanor.

18 Each applicant shall disclose the identity of every person
19 or entity having a direct or indirect pecuniary interest
20 greater than 1% in any racetrack with respect to which the
21 license is sought. If the disclosed entity is a corporation,
22 the applicant shall disclose the names and addresses of all
23 officers, stockholders, and directors. If the disclosed entity
24 is a limited liability company, the applicant shall disclose
25 the names and addresses of all members and managers. If the
26 disclosed entity is a partnership, the applicant shall disclose

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1 the names and addresses of all partners, both general and
2 limited. If the disclosed entity is a trust, the applicant
3 shall disclose the names and addresses of all beneficiaries.

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

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1 Any applicant or key person, including the applicant's
2 owners, officers, directors (if a corporation), managers and
3 members (if a limited liability company), and partners (if a
4 partnership), for an organization gaming license shall have his
5 or her fingerprints submitted to the Department of State Police
6 in an electronic format that complies with the form and manner
7 for requesting and furnishing criminal history record
8 information as prescribed by the Department of State Police.
9 These fingerprints shall be checked against the Department of
10 State Police and Federal Bureau of Investigation criminal
11 history record databases now and hereafter filed, including,

12 but not limited to, civil, criminal, and latent fingerprint
13 databases. The Department of State Police shall charge
14 applicants a fee for conducting the criminal history records
15 check, which shall be deposited into the State Police Services
16 Fund and shall not exceed the actual cost of the records check.
17 The Department of State Police shall furnish, pursuant to
18 positive identification, records of Illinois criminal history
19 to the Department.

20 (b) The Board shall determine within 120 days after
21 receiving an application for an organization gaming license
22 whether to grant an organization gaming license to the
23 applicant. If the Board does not make a determination within
24 that time period, then the Board shall give a written
25 explanation to the applicant as to why it has not reached a
26 determination and when it reasonably expects to make a

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1 determination.

2 The organization gaming licensee shall purchase up to the
3 amount of gaming positions authorized under this Act within 120
4 days after receiving its organization gaming license. If an
5 organization gaming licensee is prepared to purchase the gaming
6 positions, but is temporarily prohibited from doing so by order
7 of a court of competent jurisdiction or the Board, then the
8 120-day period is tolled until a resolution is reached.

9 An organization gaming license shall authorize its holder
10 to conduct gaming under this Act at its racetracks on the same
11 days of the year and hours of the day that owners licenses are
12 allowed to operate under approval of the Board.

13 An organization gaming license and any renewal of an
14 organization gaming license shall authorize gaming pursuant to
15 this Section for a period of 4 years. The fee for the issuance
16 or renewal of an organization gaming license shall be \$250,000.

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

19 (c) To be eligible to conduct gaming under this Section, a
20 person or entity having operating control of a racetrack must
21 (i) obtain an organization gaming license, (ii) hold an
22 organization license under the Illinois Horse Racing Act of
23 1975, (iii) hold an inter-track wagering license, (iv) pay an

24 initial fee of \$30,000 per gaming position from organization
25 gaming licensees where gaming is conducted in Cook County and,
26 except as provided in subsection (c-5), \$17,500 for

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1 organization gaming licensees where gaming is conducted
2 outside of Cook County before beginning to conduct gaming plus
3 make the reconciliation payment required under subsection (k),
4 (v) conduct live racing in accordance with subsections (e-1),
5 (e-2), and (e-3) of Section 20 of the Illinois Horse Racing Act
6 of 1975, (vi) meet the requirements of subsection (a) of
7 Section 56 of the Illinois Horse Racing Act of 1975, (vii) for
8 organization licensees conducting standardbred race meetings,
9 keep backstretch barns and dormitories open and operational
10 year-round unless a lesser schedule is mutually agreed to by
11 the organization licensee and the horsemen association racing
12 at that organization licensee's race meeting, (viii) for
13 organization licensees conducting thoroughbred race meetings,
14 the organization licensee must maintain accident medical
15 expense liability insurance coverage of \$1,000,000 for
16 jockeys, and (ix) meet all other requirements of this Act that
17 apply to owners licensees.

18 An organization gaming licensee may enter into a joint
19 venture with a licensed owner to own, manage, conduct, or
20 otherwise operate the organization gaming licensee's
21 organization gaming facilities, unless the organization gaming
22 licensee has a parent company or other affiliated company that
23 is, directly or indirectly, wholly owned by a parent company
24 that is also licensed to conduct organization gaming, casino
25 gaming, or their equivalent in another state.

26 All payments by licensees under this subsection (c) shall

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1 be deposited into the Rebuild Illinois Projects Fund.

2 (c-5) A person or entity having operating control of a
3 racetrack located in Madison County shall only pay the initial
4 fees specified in subsection (c) for 540 of the gaming
5 positions authorized under the license.

6 (d) A person or entity is ineligible to receive an
7 organization gaming license if:

8 (1) the person or entity has been convicted of a felony
9 under the laws of this State, any other state, or the
10 United States, including a conviction under the Racketeer
11 Influenced and Corrupt Organizations Act;

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

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

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

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

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

26 (7) a license of the person or entity issued under this

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1 Act or a license to own or operate gambling facilities in
2 any other jurisdiction has been revoked.

3 (e) The Board may approve gaming positions pursuant to an
4 organization gaming license statewide as provided in this
5 Section. The authority to operate gaming positions under this
6 Section shall be allocated as follows: up to 1,200 gaming
7 positions for any organization gaming licensee in Cook County
8 and up to 900 gaming positions for any organization gaming
9 licensee outside of Cook County.

10 (f) Each applicant for an organization gaming license shall
11 specify in its application for licensure the number of gaming
12 positions it will operate, up to the applicable limitation set
13 forth in subsection (e) of this Section. Any unreserved gaming
14 positions that are not specified shall be forfeited and
15 retained by the Board. For the purposes of this subsection (f),
16 an organization gaming licensee that did not conduct live
17 racing in 2010 and is located within 3 miles of the Mississippi

18 River may reserve up to 900 positions and shall not be
19 penalized under this Section for not operating those positions
20 until it meets the requirements of subsection (e) of this
21 Section, but such licensee shall not request unreserved gaming
22 positions under this subsection (f) until its 900 positions are
23 all operational.

24 Thereafter, the Board shall publish the number of
25 unreserved gaming positions and shall accept requests for
26 additional positions from any organization gaming licensee

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1 that initially reserved all of the positions that were offered.
2 The Board shall allocate expeditiously the unreserved gaming
3 positions to requesting organization gaming licensees in a
4 manner that maximizes revenue to the State. The Board may
5 allocate any such unused gaming positions pursuant to an open
6 and competitive bidding process, as provided under Section 7.5
7 of this Act. This process shall continue until all unreserved
8 gaming positions have been purchased. All positions obtained
9 pursuant to this process and all positions the organization
10 gaming licensee specified it would operate in its application
11 must be in operation within 18 months after they were obtained
12 or the organization gaming licensee forfeits the right to
13 operate those positions, but is not entitled to a refund of any
14 fees paid. The Board may, after holding a public hearing, grant
15 extensions so long as the organization gaming licensee is
16 working in good faith to make the positions operational. The
17 extension may be for a period of 6 months. If, after the period
18 of the extension, the organization gaming licensee has not made
19 the positions operational, then another public hearing must be
20 held by the Board before it may grant another extension.

21 Unreserved gaming positions retained from and allocated to
22 organization gaming licensees by the Board pursuant to this
23 subsection (f) shall not be allocated to owners licensees under
24 this Act.

25 For the purpose of this subsection (f), the unreserved
26 gaming positions for each organization gaming licensee shall be

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1 the applicable limitation set forth in subsection (e) of this
2 Section, less the number of reserved gaming positions by such
3 organization gaming licensee, and the total unreserved gaming
4 positions shall be the aggregate of the unreserved gaming
5 positions for all organization gaming licensees.

6 (g) An organization gaming licensee is authorized to
7 conduct the following at a racetrack:

8 (1) slot machine gambling;

9 (2) video game of chance gambling;

10 (3) gambling with electronic gambling games as defined
11 in this Act or defined by the Illinois Gaming Board; and

12 (4) table games.

13 (h) Subject to the approval of the Illinois Gaming Board,
14 an organization gaming licensee may make modification or
15 additions to any existing buildings and structures to comply
16 with the requirements of this Act. The Illinois Gaming Board
17 shall make its decision after consulting with the Illinois
18 Racing Board. In no case, however, shall the Illinois Gaming
19 Board approve any modification or addition that alters the
20 grounds of the organization licensee such that the act of live
21 racing is an ancillary activity to gaming authorized under this
22 Section. Gaming authorized under this Section may take place in
23 existing structures where inter-track wagering is conducted at
24 the racetrack or a facility within 300 yards of the racetrack
25 in accordance with the provisions of this Act and the Illinois
26 Horse Racing Act of 1975.

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

12 authorized under this Section from temporary facilities.

13 The gaming authorized under this Section may take place in
14 existing structures where inter-track wagering is conducted at
15 the racetrack or a facility within 300 yards of the racetrack
16 in accordance with the provisions of this Act and the Illinois
17 Horse Racing Act of 1975.

18 (i-5) Under no circumstances shall an organization gaming
19 licensee conduct gaming at any State or county fair.

20 (j) The Illinois Gaming Board must adopt emergency rules in
21 accordance with Section 5-45 of the Illinois Administrative
22 Procedure Act as necessary to ensure compliance with the
23 provisions of this amendatory Act of the 101st General Assembly
24 concerning the conduct of gaming by an organization gaming
25 licensee. The adoption of emergency rules authorized by this
26 subsection (j) shall be deemed to be necessary for the public

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1 interest, safety, and welfare.

2 (k) Each organization gaming licensee who obtains gaming
3 positions must make a reconciliation payment 3 years after the
4 date the organization gaming licensee begins operating the
5 positions in an amount equal to 75% of the difference between
6 its adjusted gross receipts from gaming authorized under this
7 Section and amounts paid to its purse accounts pursuant to item
8 (1) of subsection (b) of Section 56 of the Illinois Horse
9 Racing Act of 1975 for the 12-month period for which such
10 difference was the largest, minus an amount equal to the
11 initial per position fee paid by the organization gaming
12 licensee. If this calculation results in a negative amount,
13 then the organization gaming licensee is not entitled to any
14 reimbursement of fees previously paid. This reconciliation
15 payment may be made in installments over a period of no more
16 than 6 2 years, ~~subject to Board approval. Any installment~~
17 ~~payments shall include an annual market interest rate as~~
18 ~~determined by the Board.~~

19 All payments by licensees under this subsection (k) shall
20 be deposited into the Rebuild Illinois Projects Fund.

21 (1) As soon as practical after a request is made by the
22 Illinois Gaming Board, to minimize duplicate submissions by the
23 applicant, the Illinois Racing Board must provide information

on an applicant for an organization gaming license to the
Illinois Gaming Board.
(Source: P.A. 101-31, eff. 6-28-19; 101-597, eff. 12-6-19.)

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(230 ILCS 10/13) (from Ch. 120, par. 2413)
Sec. 13. Wagering tax; rate; distribution.
(a) Until January 1, 1998, a tax is imposed on the adjusted
gross receipts received from gambling games authorized under
this Act at the rate of 20%.
(a-1) From January 1, 1998 until July 1, 2002, a privilege
tax is imposed on persons engaged in the business of conducting
riverboat gambling operations, based on the adjusted gross
receipts received by a licensed owner from gambling games
authorized under this Act at the following rates:
15% of annual adjusted gross receipts up to and
including \$25,000,000;
20% of annual adjusted gross receipts in excess of
\$25,000,000 but not exceeding \$50,000,000;
25% of annual adjusted gross receipts in excess of
\$50,000,000 but not exceeding \$75,000,000;
30% of annual adjusted gross receipts in excess of
\$75,000,000 but not exceeding \$100,000,000;
35% of annual adjusted gross receipts in excess of
\$100,000,000.
(a-2) From July 1, 2002 until July 1, 2003, a privilege tax
is imposed on persons engaged in the business of conducting
riverboat gambling operations, other than licensed managers
conducting riverboat gambling operations on behalf of the
State, based on the adjusted gross receipts received by a

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licensed owner from gambling games authorized under this Act at
the following rates:
15% of annual adjusted gross receipts up to and
including \$25,000,000;
22.5% of annual adjusted gross receipts in excess of

6 \$25,000,000 but not exceeding \$50,000,000;

7 27.5% of annual adjusted gross receipts in excess of
8 \$50,000,000 but not exceeding \$75,000,000;

9 32.5% of annual adjusted gross receipts in excess of
10 \$75,000,000 but not exceeding \$100,000,000;

11 37.5% of annual adjusted gross receipts in excess of
12 \$100,000,000 but not exceeding \$150,000,000;

13 45% of annual adjusted gross receipts in excess of
14 \$150,000,000 but not exceeding \$200,000,000;

15 50% of annual adjusted gross receipts in excess of
16 \$200,000,000.

17 (a-3) Beginning July 1, 2003, a privilege tax is imposed on
18 persons engaged in the business of conducting riverboat
19 gambling operations, other than licensed managers conducting
20 riverboat gambling operations on behalf of the State, based on
21 the adjusted gross receipts received by a licensed owner from
22 gambling games authorized under this Act at the following
23 rates:

24 15% of annual adjusted gross receipts up to and
25 including \$25,000,000;

26 27.5% of annual adjusted gross receipts in excess of

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1 \$25,000,000 but not exceeding \$37,500,000;

2 32.5% of annual adjusted gross receipts in excess of
3 \$37,500,000 but not exceeding \$50,000,000;

4 37.5% of annual adjusted gross receipts in excess of
5 \$50,000,000 but not exceeding \$75,000,000;

6 45% of annual adjusted gross receipts in excess of
7 \$75,000,000 but not exceeding \$100,000,000;

8 50% of annual adjusted gross receipts in excess of
9 \$100,000,000 but not exceeding \$250,000,000;

10 70% of annual adjusted gross receipts in excess of
11 \$250,000,000.

12 An amount equal to the amount of wagering taxes collected
13 under this subsection (a-3) that are in addition to the amount
14 of wagering taxes that would have been collected if the
15 wagering tax rates under subsection (a-2) were in effect shall
16 be paid into the Common School Fund.

17 The privilege tax imposed under this subsection (a-3) shall

no longer be imposed beginning on the earlier of (i) July 1, 2005; (ii) the first date after June 20, 2003 that riverboat gambling operations are conducted pursuant to a dormant license; or (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act. For the purposes of this subsection (a-3), the term "dormant license" means an owners license that is authorized by this Act under which no riverboat gambling

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operations are being conducted on June 20, 2003.

(a-4) Beginning on the first day on which the tax imposed under subsection (a-3) is no longer imposed and ending upon the imposition of the privilege tax under subsection (a-5) of this Section, a privilege tax is imposed on persons engaged in the business of conducting gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including \$25,000,000;

22.5% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$50,000,000;

27.5% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000;

32.5% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000;

37.5% of annual adjusted gross receipts in excess of \$100,000,000 but not exceeding \$150,000,000;

45% of annual adjusted gross receipts in excess of \$150,000,000 but not exceeding \$200,000,000;

50% of annual adjusted gross receipts in excess of \$200,000,000.

For the imposition of the privilege tax in this subsection (a-4), amounts paid pursuant to item (1) of subsection (b) of

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1 Section 56 of the Illinois Horse Racing Act of 1975 shall not
2 be included in the determination of adjusted gross receipts.

3 (a-5)(1). Beginning on July 1, 2020 ~~the first day that an~~
4 ~~owners licensee under paragraph (1), (2), (3), (4), (5), or (6)~~
5 ~~of subsection (e-5) of Section 7 conducts gambling operations,~~
6 ~~either in a temporary facility or a permanent facility,~~ a
7 privilege tax is imposed on persons engaged in the business of
8 conducting gambling operations, other than the owners licensee
9 under paragraph (1) of subsection (e-5) of Section 7 and
10 licensed managers conducting riverboat gambling operations on
11 behalf of the State, based on the adjusted gross receipts
12 received by such licensee from the gambling games authorized
13 under this Act. The privilege tax for all gambling games other
14 than table games, including, but not limited to, slot machines,
15 video game of chance gambling, and electronic gambling games
16 shall be at the following rates:

17 15% of annual adjusted gross receipts up to and
18 including \$25,000,000;

19 22.5% of annual adjusted gross receipts in excess of
20 \$25,000,000 but not exceeding \$50,000,000;

21 27.5% of annual adjusted gross receipts in excess of
22 \$50,000,000 but not exceeding \$75,000,000;

23 32.5% of annual adjusted gross receipts in excess of
24 \$75,000,000 but not exceeding \$100,000,000;

25 37.5% of annual adjusted gross receipts in excess of
26 \$100,000,000 but not exceeding \$150,000,000;

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1 45% of annual adjusted gross receipts in excess of
2 \$150,000,000 but not exceeding \$200,000,000;

3 50% of annual adjusted gross receipts in excess of
4 \$200,000,000.

5 The privilege tax for table games shall be at the following
6 rates:

7 15% of annual adjusted gross receipts up to and
8 including \$25,000,000;

9 20% of annual adjusted gross receipts in excess of
10 \$25,000,000.

For the imposition of the privilege tax in this subsection (a-5), amounts paid pursuant to item (1) of subsection (b) of Section 56 of the Illinois Horse Racing Act of 1975 shall not be included in the determination of adjusted gross receipts.

(2) Beginning on the first day that an owners licensee under paragraph (1) of subsection (e-5) of Section 7 conducts gambling operations, either in a temporary facility or a permanent facility, a privilege tax is imposed on persons engaged in the business of conducting gambling operations under paragraph (1) of subsection (e-5) of Section 7, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by such licensee from the gambling games authorized under this Act. The privilege tax for all gambling games other than table games, including, but not limited to, slot machines, video game of chance gambling, and electronic gambling games

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shall be at the following rates:

12% of annual adjusted gross receipts up to and including \$25,000,000 to the State and 10.5% of annual adjusted gross receipts up to and including \$25,000,000 to the City of Chicago;

16% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$50,000,000 to the State and 14% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$50,000,000 to the City of Chicago;

20.1% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000 to the State and 17.4% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000 to the City of Chicago;

21.4% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000 to the State and 18.6% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000 to the City of Chicago;

22.7% of annual adjusted gross receipts in excess of \$100,000,000 but not exceeding \$150,000,000 to the State

23 and 19.8% of annual adjusted gross receipts in excess of
24 \$100,000,000 but not exceeding \$150,000,000 to the City of
25 Chicago;

26 24.1% of annual adjusted gross receipts in excess of

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1 \$150,000,000 but not exceeding \$225,000,000 to the State
2 and 20.9% of annual adjusted gross receipts in excess of
3 \$150,000,000 but not exceeding \$225,000,000 to the City of
4 Chicago;

5 26.8% of annual adjusted gross receipts in excess of
6 \$225,000,000 but not exceeding \$1,000,000,000 to the State
7 and 23.2% of annual adjusted gross receipts in excess of
8 \$225,000,000 but not exceeding \$1,000,000,000 to the City
9 of Chicago;

10 40% of annual adjusted gross receipts in excess of
11 \$1,000,000,000 to the State and 34.7% of annual gross
12 receipts in excess of \$1,000,000,000 to the City of
13 Chicago.

14 The privilege tax for table games shall be at the following
15 rates:

16 8.1% of annual adjusted gross receipts up to and
17 including \$25,000,000 to the State and 6.9% of annual
18 adjusted gross receipts up to and including \$25,000,000 to
19 the City of Chicago;

20 10.7% of annual adjusted gross receipts in excess of
21 \$25,000,000 but not exceeding \$75,000,000 to the State and
22 9.3% of annual adjusted gross receipts in excess of
23 \$25,000,000 but not exceeding \$75,000,000 to the City of
24 Chicago;

25 11.2% of annual adjusted gross receipts in excess of
26 \$75,000,000 but not exceeding \$175,000,000 to the State and

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1 9.8% of annual adjusted gross receipts in excess of
2 \$75,000,000 but not exceeding \$175,000,000 to the City of
3

Chicago;

13.5% of annual adjusted gross receipts in excess of \$175,000,000 but not exceeding \$225,000,000 to the State and 11.5% of annual adjusted gross receipts in excess of \$175,000,000 but not exceeding \$225,000,000 to the City of Chicago;

15.1% of annual adjusted gross receipts in excess of \$225,000,000 but not exceeding \$275,000,000 to the State and 12.9% of annual adjusted gross receipts in excess of \$225,000,000 but not exceeding \$275,000,000 to the City of Chicago;

16.2% of annual adjusted gross receipts in excess of \$275,000,000 but not exceeding \$375,000,000 to the State and 13.8% of annual adjusted gross receipts in excess of \$275,000,000 but not exceeding \$375,000,000 to the City of Chicago;

18.9% of annual adjusted gross receipts in excess of \$375,000,000 to the State and 16.1% of annual gross receipts in excess of \$375,000,000 to the City of Chicago.

For the imposition of the privilege tax in this subsection (a-5), amounts paid pursuant to item (1) of subsection (b) of Section 56 of the Illinois Horse Racing Act of 1975 shall not be included in the determination of adjusted gross receipts.

Notwithstanding the provisions of this subsection (a-5),

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for the first 10 years that the privilege tax is imposed under this subsection (a-5), the privilege tax shall be imposed on the modified annual adjusted gross receipts of a riverboat or casino conducting gambling operations in the City of East St. Louis, unless:

(1) the riverboat or casino fails to employ at least 450 people;

(2) the riverboat or casino fails to maintain operations in a manner consistent with this Act or is not a viable riverboat or casino subject to the approval of the Board; or

(3) the owners licensee is not an entity in which employees participate in an employee stock ownership plan.

14 As used in this subsection (a-5), "modified annual adjusted
15 gross receipts" means:

16 (A) for calendar year 2020, the annual adjusted gross
17 receipts for the current year minus the difference between
18 an amount equal to the average annual adjusted gross
19 receipts from a riverboat or casino conducting gambling
20 operations in the City of East St. Louis for 2014, 2015,
21 2016, 2017, and 2018 and the annual adjusted gross receipts
22 for 2018;

23 (B) for calendar year 2021, the annual adjusted gross
24 receipts for the current year minus the difference between
25 an amount equal to the average annual adjusted gross
26 receipts from a riverboat or casino conducting gambling

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1 operations in the City of East St. Louis for 2014, 2015,
2 2016, 2017, and 2018 and the annual adjusted gross receipts
3 for 2019; and

4 (C) for calendar years 2022 through 2029, the annual
5 adjusted gross receipts for the current year minus the
6 difference between an amount equal to the average annual
7 adjusted gross receipts from a riverboat or casino
8 conducting gambling operations in the City of East St.
9 Louis for 3 years preceding the current year and the annual
10 adjusted gross receipts for the immediately preceding
11 year.

12 ~~(a-5.5) In addition to the privilege tax imposed under~~
13 ~~subsection (a-5), a privilege tax is imposed on the owners~~
14 ~~licensee under paragraph (1) of subsection (e-5) of Section 7~~
15 ~~at the rate of one-third of the owners licensee's adjusted~~
16 ~~gross receipts.~~

17 ~~For the imposition of the privilege tax in this subsection~~
18 ~~(a-5.5), amounts paid pursuant to item (1) of subsection (b) of~~
19 ~~Section 56 of the Illinois Horse Racing Act of 1975 shall not~~
20 ~~be included in the determination of adjusted gross receipts.~~

21 (a-6) From June 28, 2019 (the effective date of Public Act
22 101-31) ~~this amendatory Act of the 101st General Assembly~~ until
23 June 30, 2023, an owners licensee that conducted gambling
24 operations prior to January 1, 2011 shall receive a
25

dollar-for-dollar credit against the tax imposed under this
Section for any renovation or construction costs paid by the

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owners licensee, but in no event shall the credit exceed
\$2,000,000.

Additionally, from June 28, 2019 (the effective date of
Public Act 101-31) ~~this amendatory Act of the 101st General~~
~~Assembly~~ until December 31, 2022, an owners licensee that (i)
is located within 15 miles of the Missouri border, and (ii) has
at least 3 riverboats, casinos, or their equivalent within a
45-mile radius, may be authorized to relocate to a new location
with the approval of both the unit of local government
designated as the home dock and the Board, so long as the new
location is within the same unit of local government and no
more than 3 miles away from its original location. Such owners
licensee shall receive a credit against the tax imposed under
this Section equal to 8% of the total project costs, as
approved by the Board, for any renovation or construction costs
paid by the owners licensee for the construction of the new
facility, provided that the new facility is operational by July
1, 2022. In determining whether or not to approve a relocation,
the Board must consider the extent to which the relocation will
diminish the gaming revenues received by other Illinois gaming
facilities.

(a-7) Beginning in the initial adjustment year and through
the final adjustment year, if the total obligation imposed
pursuant to either subsection (a-5) or (a-6) will result in an
owners licensee receiving less after-tax adjusted gross
receipts than it received in calendar year 2018, then the total

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amount of privilege taxes that the owners licensee is required
to pay for that calendar year shall be reduced to the extent
necessary so that the after-tax adjusted gross receipts in that
calendar year equals the after-tax adjusted gross receipts in
calendar year 2018, but the privilege tax reduction shall not
exceed the annual adjustment cap. If pursuant to this

subsection (a-7), the total obligation imposed pursuant to either subsection (a-5) or (a-6) shall be reduced, then the owners licensee shall not receive a refund from the State at the end of the subject calendar year but instead shall be able to apply that amount as a credit against any payments it owes to the State in the following calendar year to satisfy its total obligation under either subsection (a-5) or (a-6). The credit for the final adjustment year shall occur in the calendar year following the final adjustment year.

If an owners licensee that conducted gambling operations prior to January 1, 2019 expands its riverboat or casino, including, but not limited to, with respect to its gaming floor, additional non-gaming amenities such as restaurants, bars, and hotels and other additional facilities, and incurs construction and other costs related to such expansion from June 28, 2019 (the effective date of Public Act 101-31). ~~this amendatory Act of the 101st General Assembly~~ until June 28, 2024 (the 5th anniversary of the effective date of Public Act 101-31). ~~this amendatory Act of the 101st General Assembly~~, then for each \$15,000,000 spent for any such construction or other

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costs related to expansion paid by the owners licensee, the final adjustment year shall be extended by one year and the annual adjustment cap shall increase by 0.2% of adjusted gross receipts during each calendar year until and including the final adjustment year. No further modifications to the final adjustment year or annual adjustment cap shall be made after \$75,000,000 is incurred in construction or other costs related to expansion so that the final adjustment year shall not extend beyond the 9th calendar year after the initial adjustment year, not including the initial adjustment year, and the annual adjustment cap shall not exceed 4% of adjusted gross receipts in a particular calendar year. Construction and other costs related to expansion shall include all project related costs, including, but not limited to, all hard and soft costs, financing costs, on or off-site ground, road or utility work, cost of gaming equipment and all other personal property, initial fees assessed for each incremental gaming position, and the cost of incremental land acquired for such expansion. Soft

costs shall include, but not be limited to, legal fees, architect, engineering and design costs, other consultant costs, insurance cost, permitting costs, and pre-opening costs related to the expansion, including, but not limited to, any of the following: marketing, real estate taxes, personnel, training, travel and out-of-pocket expenses, supply, inventory, and other costs, and any other project related soft costs.

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To be eligible for the tax credits in subsection (a-6), all construction contracts shall include a requirement that the contractor enter into a project labor agreement with the building and construction trades council with geographic jurisdiction of the location of the proposed gaming facility.

Notwithstanding any other provision of this subsection (a-7), this subsection (a-7) does not apply to an owners licensee unless such owners licensee spends at least \$15,000,000 on construction and other costs related to its expansion, excluding the initial fees assessed for each incremental gaming position.

This subsection (a-7) does not apply to owners licensees authorized pursuant to subsection (e-5) of Section 7 of this Act.

For purposes of this subsection (a-7):

"Building and construction trades council" means any organization representing multiple construction entities that are monitoring or attentive to compliance with public or workers' safety laws, wage and hour requirements, or other statutory requirements or that are making or maintaining collective bargaining agreements.

"Initial adjustment year" means the year commencing on January 1 of the calendar year immediately following the earlier of the following:

(1) the commencement of gambling operations, either in a temporary or permanent facility, with respect to the

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owners license authorized under paragraph (1) of subsection (e-5) of Section 7 of this Act; or

(2) June 28, 2021 (24 months after the effective date of Public Act 101-31); ~~this amendatory Act of the 101st General Assembly,~~

provided the initial adjustment year shall not commence earlier than June 28, 2020 (12 months after the effective date of Public Act 101-31). ~~this amendatory Act of the 101st General Assembly.~~

"Final adjustment year" means the 2nd calendar year after the initial adjustment year, not including the initial adjustment year, and as may be extended further as described in this subsection (a-7).

"Annual adjustment cap" means 3% of adjusted gross receipts in a particular calendar year, and as may be increased further as otherwise described in this subsection (a-7).

(a-8) Riverboat gambling operations conducted by a licensed manager on behalf of the State are not subject to the tax imposed under this Section.

(a-9) Beginning on January 1, 2020, the calculation of gross receipts or adjusted gross receipts, for the purposes of this Section, for a riverboat, a casino, or an organization gaming facility shall not include the dollar amount of non-cashable vouchers, coupons, and electronic promotions redeemed by wagerers upon the riverboat, in the casino, or in the organization gaming facility up to and including an amount

not to exceed 20% of a riverboat's, a casino's, or an organization gaming facility's adjusted gross receipts.

The Illinois Gaming Board shall submit to the General Assembly a comprehensive report no later than March 31, 2023 detailing, at a minimum, the effect of removing non-cashable vouchers, coupons, and electronic promotions from this calculation on net gaming revenues to the State in calendar years 2020 through 2022, the increase or reduction in wagerers as a result of removing non-cashable vouchers, coupons, and electronic promotions from this calculation, the effect of the tax rates in subsection (a-5) on net gaming revenues to this State, and proposed modifications to the calculation.

(a-10) The taxes imposed by this Section shall be paid by the licensed owner or the organization gaming licensee to the Board not later than 5:00 o'clock p.m. of the day after the day when the wagers were made.

(a-15) If the privilege tax imposed under subsection (a-3) is no longer imposed pursuant to item (i) of the last paragraph of subsection (a-3), then by June 15 of each year, each owners licensee, other than an owners licensee that admitted 1,000,000 persons or fewer in calendar year 2004, must, in addition to the payment of all amounts otherwise due under this Section, pay to the Board a reconciliation payment in the amount, if any, by which the licensed owner's base amount exceeds the amount of net privilege tax paid by the licensed owner to the Board in the then current State fiscal year. A licensed owner's

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net privilege tax obligation due for the balance of the State fiscal year shall be reduced up to the total of the amount paid by the licensed owner in its June 15 reconciliation payment. The obligation imposed by this subsection (a-15) is binding on any person, firm, corporation, or other entity that acquires an ownership interest in any such owners license. The obligation imposed under this subsection (a-15) terminates on the earliest of: (i) July 1, 2007, (ii) the first day after the effective date of this amendatory Act of the 94th General Assembly that riverboat gambling operations are conducted pursuant to a dormant license, (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act, or (iv) the first day that a licensee under the Illinois Horse Racing Act of 1975 conducts gaming operations with slot machines or other electronic gaming devices. The Board must reduce the obligation imposed under this subsection (a-15) by an amount the Board deems reasonable for any of the following reasons: (A) an act or acts of God, (B) an act of bioterrorism or terrorism or a bioterrorism or terrorism threat that was investigated by a law enforcement agency, or (C) a condition beyond the control of the owners licensee that does not result from any act or omission by the owners licensee or any of its agents and that poses a hazardous

25 threat to the health and safety of patrons. If an owners
26 licensee pays an amount in excess of its liability under this

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1 Section, the Board shall apply the overpayment to future
2 payments required under this Section.

3 For purposes of this subsection (a-15):

4 "Act of God" means an incident caused by the operation of
5 an extraordinary force that cannot be foreseen, that cannot be
6 avoided by the exercise of due care, and for which no person
7 can be held liable.

8 "Base amount" means the following:

9 For a riverboat in Alton, \$31,000,000.

10 For a riverboat in East Peoria, \$43,000,000.

11 For the Empress riverboat in Joliet, \$86,000,000.

12 For a riverboat in Metropolis, \$45,000,000.

13 For the Harrah's riverboat in Joliet, \$114,000,000.

14 For a riverboat in Aurora, \$86,000,000.

15 For a riverboat in East St. Louis, \$48,500,000.

16 For a riverboat in Elgin, \$198,000,000.

17 "Dormant license" has the meaning ascribed to it in
18 subsection (a-3).

19 "Net privilege tax" means all privilege taxes paid by a
20 licensed owner to the Board under this Section, less all
21 payments made from the State Gaming Fund pursuant to subsection
22 (b) of this Section.

23 The changes made to this subsection (a-15) by Public Act
24 94-839 are intended to restate and clarify the intent of Public
25 Act 94-673 with respect to the amount of the payments required
26 to be made under this subsection by an owners licensee to the

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1 Board.

2 (b) From the tax revenue from riverboat or casino gambling
3 deposited in the State Gaming Fund under this Section, an
4 amount equal to 5% of adjusted gross receipts generated by a
5 riverboat or a casino, other than a riverboat or casino
6 designated in paragraph (1), (3), or (4) of subsection (e-5) of

7 Section 7, shall be paid monthly, subject to appropriation by
8 the General Assembly, to the unit of local government in which
9 the casino is located or that is designated as the home dock of
10 the riverboat. Notwithstanding anything to the contrary,
11 beginning on the first day that an owners licensee under
12 paragraph (1), (2), (3), (4), (5), or (6) of subsection (e-5)
13 of Section 7 conducts gambling operations, either in a
14 temporary facility or a permanent facility, and for 2 years
15 thereafter, a unit of local government designated as the home
16 dock of a riverboat whose license was issued before January 1,
17 2019, other than a riverboat conducting gambling operations in
18 the City of East St. Louis, shall not receive less under this
19 subsection (b) than the amount the unit of local government
20 received under this subsection (b) in calendar year 2018.
21 Notwithstanding anything to the contrary and because the City
22 of East St. Louis is a financially distressed city, beginning
23 on the first day that an owners licensee under paragraph (1),
24 (2), (3), (4), (5), or (6) of subsection (e-5) of Section 7
25 conducts gambling operations, either in a temporary facility or
26 a permanent facility, and for 10 years thereafter, a unit of

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1 local government designated as the home dock of a riverboat
2 conducting gambling operations in the City of East St. Louis
3 shall not receive less under this subsection (b) than the
4 amount the unit of local government received under this
5 subsection (b) in calendar year 2018.

6 From the tax revenue deposited in the State Gaming Fund
7 pursuant to riverboat or casino gambling operations conducted
8 by a licensed manager on behalf of the State, an amount equal
9 to 5% of adjusted gross receipts generated pursuant to those
10 riverboat or casino gambling operations shall be paid monthly,
11 subject to appropriation by the General Assembly, to the unit
12 of local government that is designated as the home dock of the
13 riverboat upon which those riverboat gambling operations are
14 conducted or in which the casino is located.

15 From the tax revenue from riverboat or casino gambling
16 deposited in the State Gaming Fund under this Section, an
17 amount equal to 5% of the adjusted gross receipts generated by
18 a riverboat designated in paragraph (3) of subsection (e-5) of

Section 7 shall be divided and remitted monthly, subject to appropriation, as follows: 70% to Waukegan, 10% to Park City, 15% to North Chicago, and 5% to Lake County.

From the tax revenue from riverboat or casino gambling deposited in the State Gaming Fund under this Section, an amount equal to 5% of the adjusted gross receipts generated by a riverboat designated in paragraph (4) of subsection (e-5) of Section 7 shall be remitted monthly, subject to appropriation,

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as follows: 70% to the City of Rockford, 5% to the City of Loves Park, 5% to the Village of Machesney, and 20% to Winnebago County.

From the tax revenue from riverboat or casino gambling deposited in the State Gaming Fund under this Section, an amount equal to 5% of the adjusted gross receipts generated by a riverboat designated in paragraph (5) of subsection (e-5) of Section 7 shall be remitted monthly, subject to appropriation, as follows: 2% to the unit of local government in which the riverboat or casino is located, and 3% shall be distributed:

(A) in accordance with a regional capital development plan entered into by the following communities: Village of Beecher, City of Blue Island, Village of Burnham, City of Calumet City, Village of Calumet Park, City of Chicago Heights, City of Country Club Hills, Village of Crestwood, Village of Crete, Village of Dixmoor, Village of Dolton, Village of East Hazel Crest, Village of Flossmoor, Village of Ford Heights, Village of Glenwood, City of Harvey, Village of Hazel Crest, Village of Homewood, Village of Lansing, Village of Lynwood, City of Markham, Village of Matteson, Village of Midlothian, Village of Monee, City of Oak Forest, Village of Olympia Fields, Village of Orland Hills, Village of Orland Park, City of Palos Heights, Village of Park Forest, Village of Phoenix, Village of Posen, Village of Richton Park, Village of Riverdale, Village of Robbins, Village of Sauk Village, Village of South Chicago Heights, Village of South Holland, Village of Steger, Village

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1 of Thornton, Village of Tinley Park, Village of University Park
2 and Village of Worth; or (B) if no regional capital development
3 plan exists, equally among the communities listed in item (A)
4 to be used for capital expenditures or public pension payments,
5 or both.

6 Units of local government may refund any portion of the
7 payment that they receive pursuant to this subsection (b) to
8 the riverboat or casino.

9 (b-4) Beginning on the first day the licensee under
10 paragraph (5) of subsection (e-5) of Section 7 conducts
11 gambling operations, either in a temporary facility or a
12 permanent facility, and ending on July 31, 2042, from the tax
13 revenue deposited in the State Gaming Fund under this Section,
14 \$5,000,000 shall be paid annually, subject to appropriation, to
15 the host municipality of that owners licensee of a license
16 issued or re-issued pursuant to Section 7.1 of this Act before
17 January 1, 2012. Payments received by the host municipality
18 pursuant to this subsection (b-4) may not be shared with any
19 other unit of local government.

20 (b-5) Beginning on June 28, 2019 (the effective date of
21 Public Act 101-31) ~~this amendatory Act of the 101st General~~
22 ~~Assembly~~, from the tax revenue deposited in the State Gaming
23 Fund under this Section, an amount equal to 3% of adjusted
24 gross receipts generated by each organization gaming facility
25 located outside Madison County shall be paid monthly, subject
26 to appropriation by the General Assembly, to a municipality

1 other than the Village of Stickney in which each organization
2 gaming facility is located or, if the organization gaming
3 facility is not located within a municipality, to the county in
4 which the organization gaming facility is located, except as
5 otherwise provided in this Section. From the tax revenue
6 deposited in the State Gaming Fund under this Section, an
7 amount equal to 3% of adjusted gross receipts generated by an
8 organization gaming facility located in the Village of Stickney
9 shall be paid monthly, subject to appropriation by the General
10 Assembly, as follows: 25% to the Village of Stickney, 5% to the
11 City of Berwyn, 50% to the Town of Cicero, and 20% to the
12 Stickney Public Health District.

From the tax revenue deposited in the State Gaming Fund under this Section, an amount equal to 5% of adjusted gross receipts generated by an organization gaming facility located in the City of Collinsville shall be paid monthly, subject to appropriation by the General Assembly, as follows: 30% to the City of Alton, 30% to the City of East St. Louis, and 40% to the City of Collinsville.

Municipalities and counties may refund any portion of the payment that they receive pursuant to this subsection (b-5) to the organization gaming facility.

(b-6) Beginning on June 28, 2019 (the effective date of Public Act 101-31), ~~this amendatory Act of the 101st General Assembly~~, from the tax revenue deposited in the State Gaming Fund under this Section, an amount equal to 2% of adjusted

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gross receipts generated by an organization gaming facility located outside Madison County shall be paid monthly, subject to appropriation by the General Assembly, to the county in which the organization gaming facility is located for the purposes of its criminal justice system or health care system.

Counties may refund any portion of the payment that they receive pursuant to this subsection (b-6) to the organization gaming facility.

(b-7) From the tax revenue from the organization gaming licensee located in one of the following townships of Cook County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or Worth, an amount equal to 5% of the adjusted gross receipts generated by that organization gaming licensee shall be remitted monthly, subject to appropriation, as follows: 2% to the unit of local government in which the organization gaming licensee is located, and 3% shall be distributed: (A) in accordance with a regional capital development plan entered into by the following communities: Village of Beecher, City of Blue Island, Village of Burnham, City of Calumet City, Village of Calumet Park, City of Chicago Heights, City of Country Club Hills, Village of Crestwood, Village of Crete, Village of Dixmoor, Village of Dolton, Village of East Hazel Crest, Village of Flossmoor, Village of Ford Heights, Village of Glenwood, City of Harvey, Village of Hazel Crest, Village of

25 Homewood, Village of Lansing, Village of Lynwood, City of
26 Markham, Village of Matteson, Village of Midlothian, Village of

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1 Monee, City of Oak Forest, Village of Olympia Fields, Village
2 of Orland Hills, Village of Orland Park, City of Palos Heights,
3 Village of Park Forest, Village of Phoenix, Village of Posen,
4 Village of Richton Park, Village of Riverdale, Village of
5 Robbins, Village of Sauk Village, Village of South Chicago
6 Heights, Village of South Holland, Village of Steger, Village
7 of Thornton, Village of Tinley Park, Village of University
8 Park, and Village of Worth; or (B) if no regional capital
9 development plan exists, equally among the communities listed
10 in item (A) to be used for capital expenditures or public
11 pension payments, or both.

12 (b-8) In lieu of the payments under subsection (b) of this
13 Section, from the tax revenue deposited in the State Gaming
14 Fund pursuant to riverboat or casino gambling operations
15 conducted by an owners licensee under paragraph (1) of
16 subsection (e-5) of Section 7, an amount equal to the tax
17 revenue generated ~~the tax revenue~~ from the privilege tax
18 imposed by paragraph (2) of subsection (a-5) that is to be paid
19 to the City of Chicago ~~(a-5.5)~~ shall be paid monthly, subject
20 to appropriation by the General Assembly, as follows: (1) an
21 amount equal to 0.5% of the annual adjusted gross receipts
22 generated by the owners licensee under paragraph (1) of
23 subsection (e-5) of Section 7 to the home rule county in which
24 the owners licensee is located for the purpose of enhancing the
25 county's criminal justice system; and (2) the balance to the
26 City of Chicago and shall be expended or obligated by the City

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1 of Chicago for pension payments in accordance with Public Act
2 99-506.

3 (c) Appropriations, as approved by the General Assembly,
4 may be made from the State Gaming Fund to the Board (i) for the
5 administration and enforcement of this Act and the Video Gaming
6 Act, (ii) for distribution to the Department of State Police

7 and to the Department of Revenue for the enforcement of this
8 Act, and the Video Gaming Act, and (iii) to the Department of
9 Human Services for the administration of programs to treat
10 problem gambling, including problem gambling from sports
11 wagering. The Board's annual appropriations request must
12 separately state its funding needs for the regulation of gaming
13 authorized under Section 7.7, riverboat gaming, casino gaming,
14 video gaming, and sports wagering.

15 (c-2) An amount equal to 2% of the adjusted gross receipts
16 generated by an organization gaming facility located within a
17 home rule county with a population of over 3,000,000
18 inhabitants shall be paid, subject to appropriation from the
19 General Assembly, from the State Gaming Fund to the home rule
20 county in which the organization gaming licensee is located for
21 the purpose of enhancing the county's criminal justice system.

22 (c-3) Appropriations, as approved by the General Assembly,
23 may be made from the tax revenue deposited into the State
24 Gaming Fund from organization gaming licensees pursuant to this
25 Section for the administration and enforcement of this Act.

26 (c-4) After payments required under subsections (b),

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1 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from
2 the tax revenue from organization gaming licensees deposited
3 into the State Gaming Fund under this Section, all remaining
4 amounts from organization gaming licensees shall be
5 transferred into the Capital Projects Fund.

6 (c-5) (Blank).

7 (c-10) Each year the General Assembly shall appropriate
8 from the General Revenue Fund to the Education Assistance Fund
9 an amount equal to the amount paid into the Horse Racing Equity
10 Fund pursuant to subsection (c-5) in the prior calendar year.

11 (c-15) After the payments required under subsections (b),
12 (c), and (c-5) have been made, an amount equal to 2% of the
13 adjusted gross receipts of (1) an owners licensee that
14 relocates pursuant to Section 11.2, (2) an owners licensee
15 conducting riverboat gambling operations pursuant to an owners
16 license that is initially issued after June 25, 1999, or (3)
17 the first riverboat gambling operations conducted by a licensed
18 manager on behalf of the State under Section 7.3, whichever

comes first, shall be paid, subject to appropriation from the General Assembly, from the State Gaming Fund to each home rule county with a population of over 3,000,000 inhabitants for the purpose of enhancing the county's criminal justice system.

(c-20) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid to each home rule county with a population of over 3,000,000 inhabitants pursuant to

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subsection (c-15) in the prior calendar year.

(c-21) After the payments required under subsections (b), (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have been made, an amount equal to 0.5% ~~2%~~ of the adjusted gross receipts generated by the owners licensee under paragraph (1) of subsection (e-5) of Section 7 shall be paid monthly, subject to appropriation from the General Assembly, from the State Gaming Fund to the home rule county in which the owners licensee is located for the purpose of enhancing the county's criminal justice system.

(c-22) After the payments required under subsections (b), (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), (c-4), and (c-21) have been made, an amount equal to 2% of the adjusted gross receipts generated by the owners licensee under paragraph (5) of subsection (e-5) of Section 7 shall be paid, subject to appropriation from the General Assembly, from the State Gaming Fund to the home rule county in which the owners licensee is located for the purpose of enhancing the county's criminal justice system.

(c-25) From July 1, 2013 and each July 1 thereafter through July 1, 2019, \$1,600,000 shall be transferred from the State Gaming Fund to the Chicago State University Education Improvement Fund.

On July 1, 2020 and each July 1 thereafter, \$3,000,000 shall be transferred from the State Gaming Fund to the Chicago State University Education Improvement Fund.

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(c-30) On July 1, 2013 or as soon as possible thereafter, \$92,000,000 shall be transferred from the State Gaming Fund to the School Infrastructure Fund and \$23,000,000 shall be transferred from the State Gaming Fund to the Horse Racing Equity Fund.

(c-35) Beginning on July 1, 2013, in addition to any amount transferred under subsection (c-30) of this Section, \$5,530,000 shall be transferred monthly from the State Gaming Fund to the School Infrastructure Fund.

(d) From time to time, the Board shall transfer the remainder of the funds generated by this Act into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois.

(e) Nothing in this Act shall prohibit the unit of local government designated as the home dock of the riverboat from entering into agreements with other units of local government in this State or in other states to share its portion of the tax revenue.

(f) To the extent practicable, the Board shall administer and collect the wagering taxes imposed by this Section in a manner consistent with the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act.

(Source: P.A. 101-31, Article 25, Section 25-910, eff. 6-28-19; 101-31, Article 35, Section 35-55, eff. 6-28-19; revised

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8-23-19.)

Section 7. The Sports Wagering Act is amended by changing Sections 25-30 and 25-35 as follows:

(230 ILCS 45/25-30)

Sec. 25-30. Master sports wagering license issued to an organization licensee.

(a) An organization licensee may apply to the Board for a master sports wagering license. To the extent permitted by federal and State law, the Board shall actively seek to achieve racial, ethnic, and geographic diversity when issuing master sports wagering licenses to organization licensees and

12 encourage minority-owned businesses, women-owned businesses,
13 veteran-owned businesses, and businesses owned by persons with
14 disabilities to apply for licensure. Additionally, the report
15 published under subsection (m) of Section 25-45 shall impact
16 the issuance of the master sports wagering license to the
17 extent permitted by federal and State law.

18 For the purposes of this subsection (a), "minority-owned
19 business", "women-owned business", and "business owned by
20 persons with disabilities" have the meanings given to those
21 terms in Section 2 of the Business Enterprise for Minorities,
22 Women, and Persons with Disabilities Act.

23 (b) Except as otherwise provided in this subsection (b),
24 the initial license fee for a master sports wagering license

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1 for an organization licensee is 5% of its handle from the
2 preceding calendar year or the lowest amount that is required
3 to be paid as an initial license fee by an owners licensee
4 under subsection (b) of Section 25-35, whichever is greater. No
5 initial license fee shall exceed \$10,000,000. An organization
6 licensee licensed on the effective date of this Act shall pay
7 the initial master sports wagering license fee by July 1, 2021
8 ~~2020~~. For an organization licensee licensed after the effective
9 date of this Act, the master sports wagering license fee shall
10 be \$5,000,000, but the amount shall be adjusted 12 months after
11 the organization licensee begins racing operations based on 5%
12 of its handle from the first 12 months of racing operations.
13 The master sports wagering license is valid for 4 years.

14 (c) The organization licensee may renew the master sports
15 wagering license for a period of 4 years by paying a \$1,000,000
16 renewal fee to the Board.

17 (d) An organization licensee issued a master sports
18 wagering license may conduct sports wagering:

19 (1) at its facility at which inter-track wagering is
20 conducted pursuant to an inter-track wagering license
21 under the Illinois Horse Racing Act of 1975;

22 (2) at 3 inter-track wagering locations if the
23 inter-track wagering location licensee from which it
24 derives its license is an organization licensee that is
25 issued a master sports wagering license; and

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1 (e) The sports wagering offered over the Internet or
2 through a mobile application shall only be offered under either
3 the same brand as the organization licensee is operating under
4 or a brand owned by a direct or indirect holding company that
5 owns at least an 80% interest in that organization licensee on
6 the effective date of this Act.

7 (f) Until issuance of the first license under Section
8 25-45, an individual must create a sports wagering account in
9 person at a facility under paragraph (1) or (2) of subsection
10 (d) to participate in sports wagering offered over the Internet
11 or through a mobile application.

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

13 (230 ILCS 45/25-35)

14 Sec. 25-35. Master sports wagering license issued to an
15 owners licensee.

16 (a) An owners licensee may apply to the Board for a master
17 sports wagering license. To the extent permitted by federal and
18 State law, the Board shall actively seek to achieve racial,
19 ethnic, and geographic diversity when issuing master sports
20 wagering licenses to owners licensees and encourage
21 minority-owned businesses, women-owned businesses,
22 veteran-owned businesses, and businesses owned by persons with
23 disabilities to apply for licensure. Additionally, the report
24 published under subsection (m) of Section 25-45 shall impact
25 the issuance of the master sports wagering license to the

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1 extent permitted by federal and State law.

2 For the purposes of this subsection (a), "minority-owned
3 business", "women-owned business", and "business owned by
4 persons with disabilities" have the meanings given to those
5 terms in Section 2 of the Business Enterprise for Minorities,
6 Women, and Persons with Disabilities Act.

7 (b) Except as otherwise provided in subsection (b-5), the

8 initial license fee for a master sports wagering license for an
9 owners licensee is 5% of its adjusted gross receipts from the
10 preceding calendar year. No initial license fee shall exceed
11 \$10,000,000. An owners licensee licensed on the effective date
12 of this Act shall pay the initial master sports wagering
13 license fee by July 1, 2021 ~~2020~~. The master sports wagering
14 license is valid for 4 years.

15 (b-5) For an owners licensee licensed after the effective
16 date of this Act, the master sports wagering license fee shall
17 be \$5,000,000, but the amount shall be adjusted 12 months after
18 the owners licensee begins gambling operations under the
19 Illinois Gambling Act based on 5% of its adjusted gross
20 receipts from the first 12 months of gambling operations. The
21 master sports wagering license is valid for 4 years.

22 (c) The owners licensee may renew the master sports
23 wagering license for a period of 4 years by paying a \$1,000,000
24 renewal fee to the Board.

25 (d) An owners licensee issued a master sports wagering
26 license may conduct sports wagering:

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1 (1) at its facility in this State that is authorized to
2 conduct gambling operations under the Illinois Gambling
3 Act; and

4 (2) over the Internet or through a mobile application.

5 (e) The sports wagering offered over the Internet or
6 through a mobile application shall only be offered under either
7 the same brand as the owners licensee is operating under or a
8 brand owned by a direct or indirect holding company that owns
9 at least an 80% interest in that owners licensee on the
10 effective date of this Act.

11 (f) Until issuance of the first license under Section
12 25-45, an individual must create a sports wagering account in
13 person at a facility under paragraph (1) of subsection (d) to
14 participate in sports wagering offered over the Internet or
15 through a mobile application.

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

17 Section 10. The State Fair Gaming Act is amended by
18 changing Sections 30-5, 30-10, and 30-15 as follows:

(230 ILCS 50/30-5)

Sec. 30-5. Definitions. As used in this Act:

"Board" means the Illinois Gaming Board.

"Department" means the Department of Agriculture.

"State Fair" has the meaning given to that term in the State Fair Act.

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

(230 ILCS 50/30-10)

Sec. 30-10. Gaming ~~Gambling~~ at the State Fair.

(a) The Board shall issue a licensed establishment license ~~as provided under Section 25 of the Video Gaming Act to the~~ Department to operate video gaming ~~a concessioner who will~~ operate at the Illinois State Fairgrounds and at the DuQuoin State Fairgrounds. The Department shall select, ~~concessioner~~ shall be chosen under the Illinois Procurement Code, Board-licensed terminal operators for an operational period not to exceed 3 years. At the conclusion of each 3-year cycle, the Illinois Procurement Code shall be used to determine the new terminal operators ~~concessioner~~.

(b) Moneys bid by the terminal operators ~~concessioner~~ shall be deposited into the State Fairgrounds Capital Improvements and Harness Racing Fund.

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

(230 ILCS 50/30-15)

Sec. 30-15. Video gaming at the State Fair.

(a) The Department ~~concessioner~~ ~~issued a licensed~~ ~~establishment license under Section 30-10~~ may operate: (1) up to 50 video gaming terminals as provided in the Video Gaming Act during the scheduled dates of the Illinois State Fair; and (2) up to 30 video gaming terminals as provided in the Video

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Gaming Act during the scheduled dates of the DuQuoin State Fair.

(b) No more than 10 video gaming terminals may be placed in

4 any temporary pavilion where alcoholic beverages are served at
5 either State Fair.
6 (Source: P.A. 101-31, eff. 6-28-19.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.