



Rep. Robert Rita

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1 AMENDMENT TO SENATE BILL 1739

2 AMENDMENT NO. _____. Amend Senate Bill 1739, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

7 (20 ILCS 301/5-20)

8 Sec. 5-20. Compulsive gambling program.

9 (a) Subject to appropriation, the Department shall
10 establish a program for public education, research, and
11 training regarding problem and compulsive gambling and the
12 treatment and prevention of problem and compulsive gambling.
13 Subject to specific appropriation for these stated purposes,
14 the program must include all of the following:

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

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

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

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

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

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

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

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

1 Section 10. The Illinois Lottery Law is amended by changing
2 Section 9.1 as follows:

3 (20 ILCS 1605/9.1)

4 Sec. 9.1. Private manager and management agreement.

5 (a) As used in this Section:

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

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

11 (1) Statements of qualifications.

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

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

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

1 subsection (h) of this Section.

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

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

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

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

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

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

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

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

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

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

7 (2) A provision specifying that the Department:

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

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

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

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

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

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

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

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

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

14 (6) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (15) Cash reserves requirements.

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

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

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

5 (18) Procedures for amendment of the agreement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 (2) The subject matter of the hearing.

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

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

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

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

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

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

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

1 party.

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

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

11 (m) Neither this Section nor any management agreement
12 entered into under this Section prohibits the General Assembly
13 from authorizing forms of gambling that are not in direct
14 competition with the Lottery. The forms of gambling authorized
15 by this amendatory Act of the 98th General Assembly constitute
16 authorized forms of gambling that are not in direct competition
17 with the Lottery.

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (2) upon request of the Chief Procurement Officer, the

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

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

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

15 Section 15. The Department of Revenue Law of the Civil
16 Administrative Code of Illinois is amended by changing Section
17 2505-305 as follows:

18 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

19 Sec. 2505-305. Investigators.

20 (a) The Department has the power to appoint investigators
21 to conduct all investigations, searches, seizures, arrests,
22 and other duties imposed under the provisions of any law
23 administered by the Department. Except as provided in
24 subsection (c), these investigators have and may exercise all

1 the powers of peace officers solely for the purpose of
2 enforcing taxing measures administered by the Department.

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

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

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

16 Section 20. The State Finance Act is amended by changing
17 Sections 5d and 6z-45 as follows:

18 (30 ILCS 105/5d) (from Ch. 127, par. 141d)

19 Sec. 5d. State Construction Account Fund.

20 (a) Except as provided in subsection (b) of this Section or
21 by Section 5e of this Act, the State Construction Account Fund
22 shall be used exclusively for the construction, reconstruction
23 and maintenance of the State maintained highway system. Except
24 as provided by Section 5e of this Act, none of the money

1 deposited in the State Construction Account Fund shall be used
2 to pay the cost of administering the Motor Fuel Tax Law as now
3 or hereafter amended, nor be appropriated for use by the
4 Department of Transportation to pay the cost of its operations
5 or administration, nor be used in any manner for the payment of
6 regular or contractual employees of the State, nor be
7 transferred or allocated by the Comptroller and Treasurer or be
8 otherwise used, except for the sole purpose of construction,
9 reconstruction and maintenance of the State maintained highway
10 system as the Illinois General Assembly shall provide by
11 appropriation from this fund. Beginning with the month
12 immediately following the effective date of this amendatory Act
13 of 1985, investment income which is attributable to the
14 investment of moneys of the State Construction Account Fund
15 shall be retained in that fund for the uses specified in this
16 Section.

17 (b) None of the money deposited into the State Construction
18 Account Fund pursuant to subsection (c-40) of Section 13 of the
19 Illinois Gambling Act shall be used for the construction,
20 reconstruction, or maintenance of highways located within the
21 City of Chicago.

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

23 (30 ILCS 105/6z-45)

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

25 (a) The School Infrastructure Fund is created as a special

1 fund in the State Treasury.

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

17 (b) Subject to the transfer provisions set forth below,
18 money in the School Infrastructure Fund shall, if and when the
19 State of Illinois incurs any bonded indebtedness for the
20 construction of school improvements under the School
21 Construction Law, be set aside and used for the purpose of
22 paying and discharging annually the principal and interest on
23 that bonded indebtedness then due and payable, and for no other
24 purpose.

25 In addition to other transfers to the General Obligation
26 Bond Retirement and Interest Fund made pursuant to Section 15

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

13 On or before the last day of each month, the State
14 Treasurer and State Comptroller shall transfer from the School
15 Infrastructure Fund to the General Obligation Bond Retirement
16 and Interest Fund an amount sufficient to pay the aggregate of
17 the principal of, interest on, and premium, if any, on the
18 bonds payable on their next payment date, divided by the number
19 of monthly transfers occurring between the last previous
20 payment date (or the delivery date if no payment date has yet
21 occurred) and the next succeeding payment date. Interest
22 payable on variable rate bonds shall be calculated at the
23 maximum rate of interest that may be payable for the relevant
24 period, after taking into account any credits permitted in the
25 related indenture or other instrument against the amount of
26 such interest required to be appropriated for that period.

1 Interest for which moneys have already been deposited into the
2 capitalized interest account within the General Obligation
3 Bond Retirement and Interest Fund shall not be included in the
4 calculation of the amounts to be transferred under this
5 subsection.

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

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

15 First - to make 3 payments to the School Technology
16 Revolving Loan Fund as follows:

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

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

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

20 Second - to pay the expenses of the State Board of
21 Education and the Capital Development Board in administering
22 programs under the School Construction Law, the total expenses
23 not to exceed \$1,200,000 in any fiscal year.

24 Third - to pay any amounts due for grants for school
25 construction projects and debt service under the School
26 Construction Law.

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

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

4 Section 22. The General Obligation Bond Act is amended by
5 changing Sections 2 and 3 as follows:

6 (30 ILCS 330/2) (from Ch. 127, par. 652)

7 Sec. 2. Authorization for Bonds. The State of Illinois is
8 authorized to issue, sell and provide for the retirement of
9 General Obligation Bonds of the State of Illinois for the
10 categories and specific purposes expressed in Sections 2
11 through 8 of this Act, in the total amount of \$50,217,925,743
12 ~~\$49,317,925,743~~.

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

15 Of the total amount of Bonds authorized in this Act, up to
16 \$2,200,000,000 in aggregate original principal amount may be
17 issued and sold in accordance with the Baccalaureate Savings
18 Act in the form of General Obligation College Savings Bonds.

19 Of the total amount of Bonds authorized in this Act, up to
20 \$300,000,000 in aggregate original principal amount may be
21 issued and sold in accordance with the Retirement Savings Act
22 in the form of General Obligation Retirement Savings Bonds.

23 Of the total amount of Bonds authorized in this Act, the
24 additional \$10,000,000,000 authorized by Public Act 93-2, the

1 \$3,466,000,000 authorized by Public Act 96-43, and the
2 \$4,096,348,300 authorized by Public Act 96-1497 shall be used
3 solely as provided in Section 7.2.

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

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

15 (30 ILCS 330/3) (from Ch. 127, par. 653)

16 Sec. 3. Capital Facilities. The amount of \$10,653,963,443
17 ~~\$9,753,963,443~~ is authorized to be used for the acquisition,
18 development, construction, reconstruction, improvement,
19 financing, architectural planning and installation of capital
20 facilities within the State, consisting of buildings,
21 structures, durable equipment, land, interests in land, and the
22 costs associated with the purchase and implementation of
23 information technology, including but not limited to the
24 purchase of hardware and software, for the following specific
25 purposes:

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

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

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

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

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

16 (f) \$818,100 for cargo handling facilities at port
17 districts and for breakwaters, including harbor entrances,
18 at port districts in conjunction with facilities for small
19 boats and pleasure crafts;

20 (g) \$297,177,074 for water resource management
21 projects;

22 (h) \$16,940,269 for the provision of facilities for
23 food production research and related instructional and
24 public service activities at the State universities and
25 public community colleges;

26 (i) \$36,000,000 for grants by the Secretary of State,

1 as State Librarian, for central library facilities
2 authorized by Section 8 of the Illinois Library System Act
3 and for grants by the Capital Development Board to units of
4 local government for public library facilities;

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

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

18 (l) \$599,590,000 to State agencies for grants to local
19 governments for the acquisition, financing, architectural
20 planning, development, alteration, installation, and
21 construction of capital facilities consisting of
22 buildings, structures, durable equipment, and land; and

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

25 (n) \$900,000,000 for the acquisition, development,
26 construction, reconstruction, improvement, financing,

1 architectural planning, and installation of capital
2 facilities consisting of buildings, structures, durable
3 equipment, and land for gambling operations authorized
4 under Section 7.3a of the Illinois Gambling Act.

5 The amounts authorized above for capital facilities may be
6 used for the acquisition, installation, alteration,
7 construction, or reconstruction of capital facilities and for
8 the purchase of equipment for the purpose of major capital
9 improvements which will reduce energy consumption in State
10 buildings or facilities.

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

12 Section 25. The Joliet Regional Port District Act is
13 amended by changing Section 5.1 as follows:

14 (70 ILCS 1825/5.1) (from Ch. 19, par. 255.1)

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

1 casinos are exclusive powers of the State of Illinois and the
2 Illinois Gaming Board as provided in the Illinois Riverboat
3 Gambling Act.

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

5 Section 30. The Consumer Installment Loan Act is amended by
6 changing Section 12.5 as follows:

7 (205 ILCS 670/12.5)

8 Sec. 12.5. Limited purpose branch.

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

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

21 (c) The books, accounts, records, and files of the limited
22 purpose branch's transactions shall be maintained at the
23 licensee's licensed location. The licensee shall notify the
24 Director of the licensed location at which the books, accounts,

1 records, and files shall be maintained.

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

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

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

9 (g) A limited purpose branch may not be located within
10 1,000 feet of a facility operated by an inter-track wagering
11 licensee or an organization licensee subject to the Illinois
12 Horse Racing Act of 1975, on a riverboat or in a casino subject
13 to the Illinois Riverboat Gambling Act, or within 1,000 feet of
14 the location at which the riverboat docks or within 1,000 feet
15 of a casino.

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

17 Section 35. The Illinois Horse Racing Act of 1975 is
18 amended by changing Sections 54 and 54.75 as follows:

19 (230 ILCS 5/54)

20 Sec. 54. Horse Racing Equity Fund.

21 (a) There is created in the State Treasury a Fund to be
22 known as the Horse Racing Equity Fund. The Fund shall consist
23 of moneys paid into it pursuant to subsection (c-5) of Section
24 13 of the Illinois Riverboat Gambling Act. The Fund shall be

1 administered by the Racing Board.

2 (b) The moneys deposited into the Fund shall be distributed
3 by the Racing Board within 10 days after those moneys are
4 deposited into the Fund as follows:

5 (1) Fifty percent of all moneys distributed under this
6 subsection shall be distributed to organization licensees
7 to be distributed at their race meetings as purses.
8 Fifty-seven percent of the amount distributed under this
9 paragraph (1) shall be distributed for thoroughbred race
10 meetings and 43% shall be distributed for standardbred race
11 meetings. Within each breed, moneys shall be allocated to
12 each organization licensee's purse fund in accordance with
13 the ratio between the purses generated for that breed by
14 that licensee during the prior calendar year and the total
15 purses generated throughout the State for that breed during
16 the prior calendar year.

17 (2) The remaining 50% of the moneys distributed under
18 this subsection (b) shall be distributed pro rata according
19 to the aggregate proportion of state-wide handle at the
20 racetrack, inter-track, and inter-track wagering locations
21 that derive their licenses from a racetrack identified in
22 this paragraph (2) for calendar years 1994, 1996, and 1997
23 to (i) any person (or its successors or assigns) who had
24 operating control of a racing facility at which live racing
25 was conducted in calendar year 1997 and who has operating
26 control of an organization licensee that conducted racing

1 in calendar year 1997 and is a licensee in the current
2 year, or (ii) any person (or its successors or assigns) who
3 has operating control of a racing facility located in a
4 county that is bounded by the Mississippi River that has a
5 population of less than 150,000 according to the 1990
6 decennial census and conducted an average of 60 days of
7 racing per year between 1985 and 1993 and has been awarded
8 an inter-track wagering license in the current year.

9 If any person identified in this paragraph (2) becomes
10 ineligible to receive moneys from the Fund, such amount
11 shall be redistributed among the remaining persons in
12 proportion to their percentages otherwise calculated.

13 (Source: P.A. 98-18, eff. 6-7-13.)

14 (230 ILCS 5/54.75)

15 Sec. 54.75. Horse Racing Equity Trust Fund.

16 (a) There is created a Fund to be known as the Horse Racing
17 Equity Trust Fund, which is a non-appropriated trust fund held
18 separate and apart from State moneys. The Fund shall consist of
19 moneys paid into it by owners licensees under the Illinois
20 ~~Riverboat~~ Gambling Act for the purposes described in this
21 Section. The Fund shall be administered by the Board. Moneys in
22 the Fund shall be distributed as directed and certified by the
23 Board in accordance with the provisions of subsection (b).

24 (b) The moneys deposited into the Fund, plus any accrued
25 interest on those moneys, shall be distributed within 10 days

1 after those moneys are deposited into the Fund as follows:

2 (1) Sixty percent of all moneys distributed under this
3 subsection shall be distributed to organization licensees
4 to be distributed at their race meetings as purses.
5 Fifty-seven percent of the amount distributed under this
6 paragraph (1) shall be distributed for thoroughbred race
7 meetings and 43% shall be distributed for standardbred race
8 meetings. Within each breed, moneys shall be allocated to
9 each organization licensee's purse fund in accordance with
10 the ratio between the purses generated for that breed by
11 that licensee during the prior calendar year and the total
12 purses generated throughout the State for that breed during
13 the prior calendar year by licensees in the current
14 calendar year.

15 (2) The remaining 40% of the moneys distributed under
16 this subsection (b) shall be distributed as follows:

17 (A) 11% shall be distributed to any person (or its
18 successors or assigns) who had operating control of a
19 racetrack that conducted live racing in 2002 at a
20 racetrack in a county with at least 230,000 inhabitants
21 that borders the Mississippi River and is a licensee in
22 the current year; and

23 (B) the remaining 89% shall be distributed pro rata
24 according to the aggregate proportion of total handle
25 from wagering on live races conducted in Illinois
26 (irrespective of where the wagers are placed) for

1 calendar years 2004 and 2005 to any person (or its
2 successors or assigns) who (i) had majority operating
3 control of a racing facility at which live racing was
4 conducted in calendar year 2002, (ii) is a licensee in
5 the current year, and (iii) is not eligible to receive
6 moneys under subparagraph (A) of this paragraph (2).

7 The moneys received by an organization licensee
8 under this paragraph (2) shall be used by each
9 organization licensee to improve, maintain, market,
10 and otherwise operate its racing facilities to conduct
11 live racing, which shall include backstretch services
12 and capital improvements related to live racing and the
13 backstretch. Any organization licensees sharing common
14 ownership may pool the moneys received and spent at all
15 racing facilities commonly owned in order to meet these
16 requirements.

17 If any person identified in this paragraph (2) becomes
18 ineligible to receive moneys from the Fund, such amount
19 shall be redistributed among the remaining persons in
20 proportion to their percentages otherwise calculated.

21 (c) The Board shall monitor organization licensees to
22 ensure that moneys paid to organization licensees under this
23 Section are distributed by the organization licensees as
24 provided in subsection (b).

25 (Source: P.A. 95-1008, eff. 12-15-08.)

1 Section 40. The Riverboat Gambling Act is amended by
2 changing Sections 1, 2, 3, 4, 5, 5.1, 6, 7, 7.3, 7.4, 8, 9, 11,
3 11.1, 12, 13, 14, 15, 18, 18.1, 19, 20, and 24 and by adding
4 Sections 7.3a and 18.2 as follows:

5 (230 ILCS 10/1) (from Ch. 120, par. 2401)

6 Sec. 1. Short title. This Act shall be known and may be
7 cited as the Illinois Riverboat Gambling Act.

8 (Source: P.A. 86-1029.)

9 (230 ILCS 10/2) (from Ch. 120, par. 2402)

10 Sec. 2. Legislative Intent.

11 (a) This Act is intended to benefit the people of the State
12 of Illinois by assisting economic development, ~~and~~ promoting
13 Illinois tourism, ~~and~~ ~~by~~ increasing the amount of revenues
14 available to the State to assist and support education, and to
15 defray State expenses.

16 (b) While authorization of riverboat and casino gambling
17 will enhance investment, beautification, development and
18 tourism in Illinois, it is recognized that it will do so
19 successfully only if public confidence and trust in the
20 credibility and integrity of the gambling operations and the
21 regulatory process is maintained. Therefore, regulatory
22 provisions of this Act are designed to strictly regulate the
23 facilities, persons, associations and practices related to
24 gambling operations pursuant to the police powers of the State,

1 including comprehensive law enforcement supervision.

2 (c) The Illinois Gaming Board established under this Act
3 should, as soon as possible, inform each applicant for an
4 owners license of the Board's intent to grant or deny a
5 license.

6 (Source: P.A. 93-28, eff. 6-20-03.)

7 (230 ILCS 10/3) (from Ch. 120, par. 2403)

8 Sec. 3. ~~Riverboat~~ Gambling Authorized.

9 (a) Riverboat and casino gambling operations ~~and the system~~
10 ~~of wagering incorporated therein~~, as defined in this Act, are
11 hereby authorized to the extent that they are carried out in
12 accordance with the provisions of this Act.

13 (b) This Act does not apply to the pari-mutuel system of
14 wagering used or intended to be used in connection with the
15 horse-race meetings as authorized under the Illinois Horse
16 Racing Act of 1975, lottery games authorized under the Illinois
17 Lottery Law, bingo authorized under the Bingo License and Tax
18 Act, charitable games authorized under the Charitable Games Act
19 or pull tabs and jar games conducted under the Illinois Pull
20 Tabs and Jar Games Act.

21 (c) Riverboat gambling conducted pursuant to this Act may
22 be authorized upon any water within the State of Illinois or
23 any water other than Lake Michigan which constitutes a boundary
24 of the State of Illinois. Notwithstanding any provision in this
25 subsection (c) to the contrary, a manager conducting gambling

1 operations on behalf of the State may conduct riverboat
2 gambling on Lake Michigan from a home dock located on Lake
3 Michigan. A licensee may conduct riverboat gambling authorized
4 under this Act regardless of whether it conducts excursion
5 cruises. A licensee may permit the continuous ingress and
6 egress of passengers for the purpose of gambling.

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

8 (230 ILCS 10/4) (from Ch. 120, par. 2404)

9 Sec. 4. Definitions. As used in this Act:

10 ~~(a)~~ "Board" means the Illinois Gaming Board.

11 ~~(b)~~ "Occupational license" means a license issued by the
12 Board to a person or entity to perform an occupation which the
13 Board has identified as requiring a license to engage in
14 riverboat gambling or casino gambling in Illinois.

15 ~~(c)~~ "Gambling game" includes, but is not limited to,
16 baccarat, twenty-one, poker, craps, slot machine, video game of
17 chance, roulette wheel, klondike table, punchboard, faro
18 layout, keno layout, numbers ticket, push card, jar ticket, or
19 pull tab which is authorized by the Board as a wagering device
20 under this Act.

21 ~~(d)~~ "Riverboat" means a self-propelled excursion boat, a
22 permanently moored barge, or permanently moored barges that are
23 permanently fixed together to operate as one vessel, on which
24 lawful gambling is authorized and licensed as provided in this
25 Act.

1 ~~(e)~~ "Managers license" means a license issued by the Board
2 to a person or entity to manage gambling operations conducted
3 by the State pursuant to Section 7.3 or Section 7.3a.

4 ~~(f)~~ "Dock" means the location where a riverboat moors for
5 the purpose of embarking passengers for and disembarking
6 passengers from the riverboat.

7 ~~(g)~~ "Gross receipts" means the total amount of money
8 exchanged for the purchase of chips, tokens, or electronic
9 cards by riverboat patrons.

10 ~~(h)~~ "Adjusted gross receipts" means the gross receipts less
11 winnings paid to wagerers.

12 ~~(i)~~ "Cheat" means to alter the selection of criteria which
13 determine the result of a gambling game or the amount or
14 frequency of payment in a gambling game.

15 ~~(j)~~ ~~(Blank)~~.

16 ~~(k)~~ "Gambling operation" means the conduct of ~~authorized~~
17 gambling games authorized under this Act upon a riverboat or in
18 a casino.

19 ~~(l)~~ "License bid" means the lump sum amount of money that
20 an applicant bids and agrees to pay the State in return for an
21 owners license that is re-issued on or after July 1, 2003.

22 ~~(m)~~ The terms "minority person", "female", and "person with
23 a disability" shall have the same meaning as defined in Section
24 2 of the Business Enterprise for Minorities, Females, and
25 Persons with Disabilities Act.

26 "Casino" means a facility at which lawful gambling is

1 authorized as provided in this Act.

2 "Owners license" means a license to conduct riverboat or
3 casino gambling operations and the authorization to conduct
4 gambling operations under Section 7.3a of this Act.

5 "Licensed owner" means a person or entity who holds an
6 owners license.

7 (Source: P.A. 95-331, eff. 8-21-07; 96-1392, eff. 1-1-11.)

8 (230 ILCS 10/5) (from Ch. 120, par. 2405)

9 Sec. 5. Gaming Board.

10 (a) (1) There is hereby established the Illinois Gaming
11 Board, which shall have the powers and duties specified in this
12 Act, and all other powers necessary and proper to fully and
13 effectively execute this Act for the purpose of administering,
14 regulating, and enforcing the system of riverboat and casino
15 gambling established by this Act. Its jurisdiction shall extend
16 under this Act to every person, association, corporation,
17 partnership and trust involved in riverboat and casino gambling
18 operations in the State of Illinois.

19 (2) The Board shall consist of 5 members to be appointed by
20 the Governor with the advice and consent of the Senate, one of
21 whom shall be designated by the Governor to be chairperson
22 ~~chairman~~. Each member shall have a reasonable knowledge of the
23 practice, procedure and principles of gambling operations.
24 Each member shall either be a resident of Illinois or shall
25 certify that he or she will become a resident of Illinois

1 before taking office.

2 On and after the effective date of this amendatory Act of
3 the 98th General Assembly, new appointees to the Board must
4 include the following:

5 (A) One member who has received, at a minimum, a
6 bachelor's degree from an accredited school and at least 10
7 years of verifiable training and experience in the fields
8 of investigation and law enforcement.

9 (B) One member who is a certified public accountant
10 with experience in auditing and with knowledge of complex
11 corporate structures and transactions.

12 (C) One member who has 5 years' experience as a
13 principal, senior officer, or director of a company or
14 business with either material responsibility for the daily
15 operations and management of the overall company or
16 business or material responsibility for the policy making
17 of the company or business.

18 (D) One member who is a lawyer licensed to practice law
19 in Illinois.

20 Notwithstanding any provision of this subsection (a), the
21 requirements of subparagraphs (A) through (D) of this paragraph
22 (2) shall not apply to any person reappointed pursuant to
23 paragraph (3).

24 No more than 3 members of the Board may be from the same
25 political party. The Board should reflect the ethnic, cultural,
26 and geographic diversity of the State. No Board member shall,

1 within a period of one year immediately preceding nomination,
2 have been employed or received compensation or fees for
3 services from a person or entity, or its parent or affiliate,
4 that has engaged in business with the Board, a licensee, or a
5 licensee under the Illinois Horse Racing Act of 1975. Board
6 members must publicly disclose all prior affiliations with
7 gaming interests, including any compensation, fees, bonuses,
8 salaries, and other reimbursement received from a person or
9 entity, or its parent or affiliate, that has engaged in
10 business with the Board, a licensee, or a licensee under the
11 Illinois Horse Racing Act of 1975. This disclosure must be made
12 within 30 days after nomination but prior to confirmation by
13 the Senate and must be made available to the members of the
14 Senate. At least one member shall be experienced in law
15 enforcement and criminal investigation, at least one member
16 shall be a certified public accountant experienced in
17 accounting and auditing, and at least one member shall be a
18 lawyer licensed to practice law in Illinois.

19 (3) The terms of office of the Board members shall be 3
20 years, except that the terms of office of the initial Board
21 members appointed pursuant to this Act will commence from the
22 effective date of this Act and run as follows: one for a term
23 ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for
24 a term ending July 1, 1993. Upon the expiration of the
25 foregoing terms, the successors of such members shall serve a
26 term for 3 years and until their successors are appointed and

1 qualified for like terms. Vacancies in the Board shall be
2 filled for the unexpired term in like manner as original
3 appointments. Each member of the Board shall be eligible for
4 reappointment at the discretion of the Governor with the advice
5 and consent of the Senate.

6 (4) Each member of the Board shall receive \$300 for each
7 day the Board meets and for each day the member conducts any
8 hearing pursuant to this Act. Each member of the Board shall
9 also be reimbursed for all actual and necessary expenses and
10 disbursements incurred in the execution of official duties.

11 (5) No person shall be appointed a member of the Board or
12 continue to be a member of the Board who is, or whose spouse,
13 child or parent is, a member of the board of directors of, or a
14 person financially interested in, any gambling operation
15 subject to the jurisdiction of this Board, or any race track,
16 race meeting, racing association or the operations thereof
17 subject to the jurisdiction of the Illinois Racing Board. No
18 Board member shall hold any other public office. No person
19 shall be a member of the Board who is not of good moral
20 character or who has been convicted of, or is under indictment
21 for, a felony under the laws of Illinois or any other state, or
22 the United States.

23 (5.5) No member of the Board shall engage in any political
24 activity. For the purposes of this Section, "political" means
25 any activity in support of or in connection with any campaign
26 for federal, State, or local elective office or any political

1 organization, but does not include activities (i) relating to
2 the support or opposition of any executive, legislative, or
3 administrative action (as those terms are defined in Section 2
4 of the Lobbyist Registration Act), (ii) relating to collective
5 bargaining, or (iii) that are otherwise in furtherance of the
6 person's official State duties or governmental and public
7 service functions.

8 (6) Any member of the Board may be removed by the Governor
9 for neglect of duty, misfeasance, malfeasance, or nonfeasance
10 in office or for engaging in any political activity.

11 (7) Before entering upon the discharge of the duties of his
12 office, each member of the Board shall take an oath that he
13 will faithfully execute the duties of his office according to
14 the laws of the State and the rules and regulations adopted
15 therewith and shall give bond to the State of Illinois,
16 approved by the Governor, in the sum of \$25,000. Every such
17 bond, when duly executed and approved, shall be recorded in the
18 office of the Secretary of State. Whenever the Governor
19 determines that the bond of any member of the Board has become
20 or is likely to become invalid or insufficient, he shall
21 require such member forthwith to renew his bond, which is to be
22 approved by the Governor. Any member of the Board who fails to
23 take oath and give bond within 30 days from the date of his
24 appointment, or who fails to renew his bond within 30 days
25 after it is demanded by the Governor, shall be guilty of
26 neglect of duty and may be removed by the Governor. The cost of

1 any bond given by any member of the Board under this Section
2 shall be taken to be a part of the necessary expenses of the
3 Board.

4 (7.5) For the examination of all mechanical,
5 electromechanical, or electronic table games, slot machines,
6 slot accounting systems, and other electronic gaming equipment
7 for compliance with this Act, the Board may utilize the
8 services of one or more independent outside testing
9 laboratories that have been accredited by a national
10 accreditation body and that, in the judgment of the Board, are
11 qualified to perform such examinations.

12 (8) The Board shall employ such personnel as may be
13 necessary to carry out its functions and shall determine the
14 salaries of all personnel, except those personnel whose
15 salaries are determined under the terms of a collective
16 bargaining agreement. No person shall be employed to serve the
17 Board who is, or whose spouse, parent or child is, an official
18 of, or has a financial interest in or financial relation with,
19 any operator engaged in gambling operations within this State
20 or any organization engaged in conducting horse racing within
21 this State. Any employee violating these prohibitions shall be
22 subject to termination of employment.

23 (9) An Administrator shall perform any and all duties that
24 the Board shall assign him. The salary of the Administrator
25 shall be determined by the Board and, in addition, he shall be
26 reimbursed for all actual and necessary expenses incurred by

1 him in discharge of his official duties. The Administrator
2 shall keep records of all proceedings of the Board and shall
3 preserve all records, books, documents and other papers
4 belonging to the Board or entrusted to its care. The
5 Administrator shall devote his full time to the duties of the
6 office and shall not hold any other office or employment.

7 (b) The Board shall have general responsibility for the
8 implementation of this Act. Its duties include, without
9 limitation, the following:

10 (1) To decide promptly and in reasonable order all
11 license applications. Any party aggrieved by an action of
12 the Board denying, suspending, revoking, restricting or
13 refusing to renew a license may request a hearing before
14 the Board. A request for a hearing must be made to the
15 Board in writing within 5 days after service of notice of
16 the action of the Board. Notice of the action of the Board
17 shall be served either by personal delivery or by certified
18 mail, postage prepaid, to the aggrieved party. Notice
19 served by certified mail shall be deemed complete on the
20 business day following the date of such mailing. The Board
21 shall conduct all requested hearings promptly and in
22 reasonable order;

23 (2) To conduct all hearings pertaining to civil
24 violations of this Act or rules and regulations promulgated
25 hereunder;

26 (3) To promulgate such rules and regulations as in its

1 judgment may be necessary to protect or enhance the
2 credibility and integrity of gambling operations
3 authorized by this Act and the regulatory process
4 hereunder;

5 (4) To provide for the establishment and collection of
6 all license and registration fees and taxes imposed by this
7 Act and the rules and regulations issued pursuant hereto.
8 All such fees and taxes shall be deposited into the State
9 Gaming Fund;

10 (5) To provide for the levy and collection of penalties
11 and fines for the violation of provisions of this Act and
12 the rules and regulations promulgated hereunder. All such
13 fines and penalties shall be deposited into the Education
14 Assistance Fund, created by Public Act 86-0018, of the
15 State of Illinois;

16 (6) To be present through its inspectors and agents any
17 time gambling operations are conducted on any riverboat or
18 in any casino for the purpose of certifying the revenue
19 thereof, receiving complaints from the public, and
20 conducting such other investigations into the conduct of
21 the gambling games and the maintenance of the equipment as
22 from time to time the Board may deem necessary and proper;

23 (7) To review and rule upon any complaint by a licensee
24 regarding any investigative procedures of the State which
25 are unnecessarily disruptive of gambling operations. The
26 need to inspect and investigate shall be presumed at all

1 times. The disruption of a licensee's operations shall be
2 proved by clear and convincing evidence, and establish
3 that: (A) the procedures had no reasonable law enforcement
4 purposes, and (B) the procedures were so disruptive as to
5 unreasonably inhibit gambling operations;

6 (8) To hold at least one meeting each quarter of the
7 fiscal year. In addition, special meetings may be called by
8 the Chairman or any 2 Board members upon 72 hours written
9 notice to each member. All Board meetings shall be subject
10 to the Open Meetings Act. Three members of the Board shall
11 constitute a quorum, and 3 votes shall be required for any
12 final determination by the Board. The Board shall keep a
13 complete and accurate record of all its meetings. A
14 majority of the members of the Board shall constitute a
15 quorum for the transaction of any business, for the
16 performance of any duty, or for the exercise of any power
17 which this Act requires the Board members to transact,
18 perform or exercise en banc, except that, upon order of the
19 Board, one of the Board members or an administrative law
20 judge designated by the Board may conduct any hearing
21 provided for under this Act or by Board rule and may
22 recommend findings and decisions to the Board. The Board
23 member or administrative law judge conducting such hearing
24 shall have all powers and rights granted to the Board in
25 this Act. The record made at the time of the hearing shall
26 be reviewed by the Board, or a majority thereof, and the

1 findings and decision of the majority of the Board shall
2 constitute the order of the Board in such case;

3 (9) To maintain records which are separate and distinct
4 from the records of any other State board or commission.
5 Such records shall be available for public inspection and
6 shall accurately reflect all Board proceedings;

7 (10) To file a written annual report with the Governor
8 on or before March 1 each year and such additional reports
9 as the Governor may request. The annual report shall
10 include a statement of receipts and disbursements by the
11 Board, actions taken by the Board, and any additional
12 information and recommendations which the Board may deem
13 valuable or which the Governor may request;

14 (11) (Blank);

15 (12) (Blank);

16 (13) To assume responsibility for administration and
17 enforcement of the Video Gaming Act; and

18 (14) To adopt, by rule, a code of conduct governing
19 Board members and employees that ensures ~~ensure~~, to the
20 maximum extent possible, that persons subject to this Code
21 avoid situations, relationships, or associations that may
22 represent or lead to a conflict of interest.

23 (c) The Board shall have jurisdiction over and shall
24 supervise all gambling operations governed by this Act. The
25 Board shall have all powers necessary and proper to fully and
26 effectively execute the provisions of this Act, including, but

1 not limited to, the following:

2 (1) To investigate applicants and determine the
3 eligibility of applicants for licenses and to select among
4 competing applicants the applicants which best serve the
5 interests of the citizens of Illinois.

6 (2) To have jurisdiction and supervision over all
7 ~~riverboat~~ gambling operations authorized under this Act in
8 ~~this State~~ and all persons in places ~~on riverboats~~ where
9 gambling operations are conducted.

10 (3) To promulgate rules and regulations for the purpose
11 of administering the provisions of this Act and to
12 prescribe rules, regulations and conditions under which
13 all ~~riverboat~~ gambling operations subject to this Act in
14 ~~the State~~ shall be conducted. Such rules and regulations
15 are to provide for the prevention of practices detrimental
16 to the public interest and for the best interests of
17 ~~riverboat~~ gambling, including rules and regulations
18 regarding the inspection of casinos and ~~such~~ riverboats,
19 and the review of any permits or licenses necessary to
20 operate a riverboat or casino under any laws or regulations
21 applicable to riverboats or casinos, and to impose
22 penalties for violations thereof.

23 (4) To enter the office, riverboats, casinos, and other
24 facilities, or other places of business of a licensee,
25 where evidence of the compliance or noncompliance with the
26 provisions of this Act is likely to be found.

1 (5) To investigate alleged violations of this Act or
2 the rules of the Board and to take appropriate disciplinary
3 action against a licensee or a holder of an occupational
4 license for a violation, or institute appropriate legal
5 action for enforcement, or both.

6 (6) To adopt standards for the licensing of all persons
7 and entities under Section 7 of this Act, as well as for
8 electronic or mechanical gambling games, and to establish
9 fees for such licenses.

10 (7) To adopt appropriate standards for all riverboats,
11 casinos, and other facilities authorized under this Act.

12 (8) To require that the records, including financial or
13 other statements of any licensee under this Act, shall be
14 kept in such manner as prescribed by the Board and that any
15 such licensee involved in the ownership or management of
16 gambling operations submit to the Board an annual balance
17 sheet and profit and loss statement, list of the
18 stockholders or other persons having a 1% or greater
19 beneficial interest in the gambling activities of each
20 licensee, and any other information the Board deems
21 necessary in order to effectively administer this Act and
22 all rules, regulations, orders and final decisions
23 promulgated under this Act.

24 (9) To conduct hearings, issue subpoenas for the
25 attendance of witnesses and subpoenas duces tecum for the
26 production of books, records and other pertinent documents

1 in accordance with the Illinois Administrative Procedure
2 Act, and to administer oaths and affirmations to the
3 witnesses, when, in the judgment of the Board, it is
4 necessary to administer or enforce this Act or the Board
5 rules.

6 (10) To prescribe a form to be used by any licensee
7 involved in the ownership or management of gambling
8 operations as an application for employment for their
9 employees.

10 (11) To revoke or suspend licenses, as the Board may
11 see fit and in compliance with applicable laws of the State
12 regarding administrative procedures, and to review
13 applications for the renewal of licenses. The Board may
14 suspend an owners license, without notice or hearing, upon
15 a determination that the safety or health of patrons or
16 employees is jeopardized by continuing a gambling
17 operation conducted under that license ~~riverboat's~~
18 ~~operation~~. The suspension may remain in effect until the
19 Board determines that the cause for suspension has been
20 abated. The Board may revoke an ~~the~~ owners license upon a
21 determination that the licensee ~~owner~~ has not made
22 satisfactory progress toward abating the hazard. The
23 authority to revoke or suspend licenses under this
24 paragraph (11) does not extend to the authorization to
25 conduct casino gambling operations under Section 7.3a of
26 this Act.

1 (12) To eject or exclude or authorize the ejection or
2 exclusion of, any person from ~~riverboat~~ gambling
3 facilities where that ~~such~~ person is in violation of this
4 Act, rules and regulations thereunder, or final orders of
5 the Board, or where such person's conduct or reputation is
6 such that his or her presence within the ~~riverboat~~ gambling
7 facilities may, in the opinion of the Board, call into
8 question the honesty and integrity of the gambling
9 operations or interfere with the orderly conduct thereof;
10 provided that the propriety of such ejection or exclusion
11 is subject to subsequent hearing by the Board.

12 (13) To require all licensees of gambling operations to
13 utilize a cashless wagering system whereby all players'
14 money is converted to tokens, electronic cards, or chips
15 which shall be used only for wagering in the gambling
16 establishment.

17 (14) (Blank).

18 (15) To suspend, revoke, or restrict licenses, to
19 require the removal of a licensee or an employee of a
20 licensee for a violation of this Act or a Board rule or for
21 engaging in a fraudulent practice, and to impose civil
22 penalties of up to \$5,000 against individuals and up to
23 \$10,000 or an amount equal to the daily gross receipts,
24 whichever is larger, against licensees for each violation
25 of any provision of the Act, any rules adopted by the
26 Board, any order of the Board or any other action which, in

1 the Board's discretion, is a detriment or impediment to
2 riverboat gambling operations. The authority to suspend,
3 revoke, or restrict licenses under this paragraph (15) does
4 not extend to the authorization to conduct casino gambling
5 operations under Section 7.3a of this Act.

6 (16) To hire employees to gather information, conduct
7 investigations and carry out any other tasks contemplated
8 under this Act.

9 (17) To establish minimum levels of insurance to be
10 maintained by licensees.

11 (18) To authorize a licensee to sell or serve alcoholic
12 liquors, wine or beer as defined in the Liquor Control Act
13 of 1934 on board a riverboat or in a casino and to have
14 exclusive authority to establish the hours for sale and
15 consumption of alcoholic liquor on board a riverboat or in
16 a casino, notwithstanding any provision of the Liquor
17 Control Act of 1934 or any local ordinance, and regardless
18 of whether the riverboat makes excursions. The
19 establishment of the hours for sale and consumption of
20 alcoholic liquor on board a riverboat or in a casino is an
21 exclusive power and function of the State. A home rule unit
22 may not establish the hours for sale and consumption of
23 alcoholic liquor on board a riverboat or in a casino. This
24 subdivision (18) amendatory Act of 1991 is a denial and
25 limitation of home rule powers and functions under
26 subsection (h) of Section 6 of Article VII of the Illinois

1 Constitution.

2 (19) After consultation with the U.S. Army Corps of
3 Engineers, to establish binding emergency orders upon the
4 concurrence of a majority of the members of the Board
5 regarding the navigability of water, relative to
6 excursions, in the event of extreme weather conditions,
7 acts of God or other extreme circumstances.

8 (20) To delegate the execution of any of its powers
9 under this Act for the purpose of administering and
10 enforcing this Act and the its rules adopted by the Board
11 under this Act and regulations hereunder.

12 (20.5) To approve any contract entered into on its
13 behalf.

14 (20.6) To appoint investigators to conduct
15 investigations, searches, seizures, arrests, and other
16 duties imposed under this Act, as deemed necessary by the
17 Board. These investigators have and may exercise all of the
18 rights and powers of peace officers, provided that these
19 powers shall be limited to offenses or violations occurring
20 or committed in a casino or on a riverboat or dock, as
21 defined in subsections (d) and (f) of Section 4, or as
22 otherwise provided by this Act or any other law.

23 (20.7) To contract with the Department of State Police
24 for the use of trained and qualified State police officers
25 and with the Department of Revenue for the use of trained
26 and qualified Department of Revenue investigators to

1 conduct investigations, searches, seizures, arrests, and
2 other duties imposed under this Act and to exercise all of
3 the rights and powers of peace officers, provided that the
4 powers of Department of Revenue investigators under this
5 subdivision (20.7) shall be limited to offenses or
6 violations occurring or committed in a casino or on a
7 riverboat or dock, as defined in subsections (d) and (f) of
8 Section 4, or as otherwise provided by this Act or any
9 other law. In the event the Department of State Police or
10 the Department of Revenue is unable to fill contracted
11 police or investigative positions, the Board may appoint
12 investigators to fill those positions pursuant to
13 subdivision (20.6).

14 (21) To take any other action as may be reasonable or
15 appropriate to enforce this Act and the rules adopted by
16 the Board under this Act ~~and regulations hereunder.~~

17 All Board powers enumerated in this Section in relation to
18 licensees shall apply equally to the holder of a managers
19 license issued pursuant to Section 7.3 of this Act.

20 (d) The Board may seek and shall receive the cooperation of
21 the Department of State Police in conducting background
22 investigations of applicants and in fulfilling its
23 responsibilities under this Section. Costs incurred by the
24 Department of State Police as a result of such cooperation
25 shall be paid by the Board in conformance with the requirements
26 of Section 2605-400 of the Department of State Police Law (20

1 ILCS 2605/2605-400).

2 (e) The Board must authorize to each investigator and to
3 any other employee of the Board exercising the powers of a
4 peace officer a distinct badge that, on its face, (i) clearly
5 states that the badge is authorized by the Board and (ii)
6 contains a unique identifying number. No other badge shall be
7 authorized by the Board.

8 (f) The Board, on behalf of the State of Illinois, is
9 authorized to acquire by conveyance from the City of Chicago in
10 Cook County, Illinois real estate acquired by the City of
11 Chicago under subsection (b) of Section 7.3a of this Act.

12 The Board shall have the authority to hold title to
13 property as provided in subsection (b) of Section 7.3a of this
14 Act.

15 (Source: P.A. 98-377, eff. 1-1-14; 98-582, eff. 8-27-13.)

16 (230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

17 Sec. 5.1. Disclosure of records.

18 (a) Notwithstanding any applicable statutory provision to
19 the contrary, the Board shall, on written request from any
20 person, provide information furnished by an applicant or
21 licensee concerning the applicant or licensee, his products,
22 services or gambling enterprises and his business holdings, as
23 follows:

24 (1) The name, business address and business telephone
25 number of any applicant or licensee.

1 (2) An identification of any applicant or licensee
2 including, if an applicant or licensee is not an
3 individual, the state of incorporation or registration,
4 the corporate officers, and the identity of all
5 shareholders or participants. If an applicant or licensee
6 has a pending registration statement filed with the
7 Securities and Exchange Commission, only the names of those
8 persons or entities holding interest of 5% or more must be
9 provided.

10 (3) An identification of any business, including, if
11 applicable, the state of incorporation or registration, in
12 which an applicant or licensee or an applicant's or
13 licensee's spouse or children has an equity interest of
14 more than 1%. If an applicant or licensee is a corporation,
15 partnership or other business entity, the applicant or
16 licensee shall identify any other corporation, partnership
17 or business entity in which it has an equity interest of 1%
18 or more, including, if applicable, the state of
19 incorporation or registration. This information need not
20 be provided by a corporation, partnership or other business
21 entity that has a pending registration statement filed with
22 the Securities and Exchange Commission.

23 (4) Whether an applicant or licensee has been indicted,
24 convicted, pleaded guilty or nolo contendere, or forfeited
25 bail concerning any criminal offense under the laws of any
26 jurisdiction, either felony or misdemeanor (except for

1 traffic violations), including the date, the name and
2 location of the court, arresting agency and prosecuting
3 agency, the case number, the offense, the disposition and
4 the location and length of incarceration.

5 (5) Whether an applicant or licensee has had any
6 license or certificate issued by a licensing authority in
7 Illinois or any other jurisdiction denied, restricted,
8 suspended, revoked or not renewed and a statement
9 describing the facts and circumstances concerning the
10 denial, restriction, suspension, revocation or
11 non-renewal, including the licensing authority, the date
12 each such action was taken, and the reason for each such
13 action.

14 (6) Whether an applicant or licensee has ever filed or
15 had filed against it a proceeding in bankruptcy or has ever
16 been involved in any formal process to adjust, defer,
17 suspend or otherwise work out the payment of any debt
18 including the date of filing, the name and location of the
19 court, the case and number of the disposition.

20 (7) Whether an applicant or licensee has filed, or been
21 served with a complaint or other notice filed with any
22 public body, regarding the delinquency in the payment of,
23 or a dispute over the filings concerning the payment of,
24 any tax required under federal, State or local law,
25 including the amount, type of tax, the taxing agency and
26 time periods involved.

1 (8) A statement listing the names and titles of all
2 public officials or officers of any unit of government, and
3 relatives of said public officials or officers who,
4 directly or indirectly, own any financial interest in, have
5 any beneficial interest in, are the creditors of or hold
6 any debt instrument issued by, or hold or have any interest
7 in any contractual or service relationship with, an
8 applicant or licensee.

9 (9) Whether an applicant or licensee has made, directly
10 or indirectly, any political contribution, or any loans,
11 donations or other payments, to any candidate or office
12 holder, within 5 years from the date of filing the
13 application, including the amount and the method of
14 payment.

15 (10) The name and business telephone number of the
16 counsel representing an applicant or licensee in matters
17 before the Board.

18 (11) A description of any proposed or approved
19 riverboat or casino gaming operation, including the type of
20 boat, home dock or casino location, expected economic
21 benefit to the community, anticipated or actual number of
22 employees, any statement from an applicant or licensee
23 regarding compliance with federal and State affirmative
24 action guidelines, projected or actual admissions and
25 projected or actual adjusted gross gaming receipts.

26 (12) A description of the product or service to be

1 supplied by an applicant for a supplier's license.

2 (b) Notwithstanding any applicable statutory provision to
3 the contrary, the Board shall, on written request from any
4 person, also provide the following information:

5 (1) The amount of the wagering tax and admission tax
6 paid daily to the State of Illinois by the holder of an
7 owner's license.

8 (2) Whenever the Board finds an applicant for an
9 owner's license unsuitable for licensing, a copy of the
10 written letter outlining the reasons for the denial.

11 (3) Whenever the Board has refused to grant leave for
12 an applicant to withdraw his application, a copy of the
13 letter outlining the reasons for the refusal.

14 (c) Subject to the above provisions, the Board shall not
15 disclose any information which would be barred by:

16 (1) Section 7 of the Freedom of Information Act; or

17 (2) The statutes, rules, regulations or
18 intergovernmental agreements of any jurisdiction.

19 (d) The Board may assess fees for the copying of
20 information in accordance with Section 6 of the Freedom of
21 Information Act.

22 (Source: P.A. 96-1392, eff. 1-1-11.)

23 (230 ILCS 10/6) (from Ch. 120, par. 2406)

24 Sec. 6. Application for Owners License.

25 (a) A qualified person may apply to the Board for an owners

1 license to conduct a riverboat gambling operation as provided
2 in Section 7 of this Act. The application shall be made on
3 forms provided by the Board and shall contain such information
4 as the Board prescribes, including but not limited to the
5 identity of the riverboat on which such gambling operation is
6 to be conducted and the exact location where such riverboat
7 will be docked, a certification that the riverboat will be
8 registered under this Act at all times during which gambling
9 operations are conducted on board, detailed information
10 regarding the ownership and management of the applicant, and
11 detailed personal information regarding the applicant. Any
12 application for an owners license to be re-issued on or after
13 June 1, 2003 shall also include the applicant's license bid in
14 a form prescribed by the Board. Information provided on the
15 application shall be used as a basis for a thorough background
16 investigation which the Board shall conduct with respect to
17 each applicant. An incomplete application shall be cause for
18 denial of a license by the Board.

19 (b) Applicants shall submit with their application all
20 documents, resolutions, and letters of support from the
21 governing body that represents the municipality or county
22 wherein the licensee will dock.

23 (c) Each applicant shall disclose the identity of every
24 person, association, trust or corporation having a greater than
25 1% direct or indirect pecuniary interest in the riverboat
26 gambling operation with respect to which the license is sought.

1 If the disclosed entity is a trust, the application shall
2 disclose the names and addresses of the beneficiaries; if a
3 corporation, the names and addresses of all stockholders and
4 directors; if a partnership, the names and addresses of all
5 partners, both general and limited.

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

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

1 the search and classification of fingerprints obtained by the
2 Board with respect to the applicant's application. These fees
3 shall be paid into the State Police Services Fund.

4 (f) The licensed owner shall be the person primarily
5 responsible for the boat itself. Only one riverboat gambling
6 operation may be authorized by the Board on any riverboat. The
7 applicant must identify each riverboat it intends to use and
8 certify that the riverboat: (1) has the authorized capacity
9 required in this Act; (2) is accessible to disabled persons;
10 and (3) is fully registered and licensed in accordance with any
11 applicable laws.

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

14 (Source: P.A. 96-1392, eff. 1-1-11.)

15 (230 ILCS 10/7) (from Ch. 120, par. 2407)

16 Sec. 7. Owners Licenses.

17 (a) The Board shall issue owners licenses to persons or
18 entities ~~, firms or corporations~~ which apply for such licenses
19 upon payment to the Board of the non-refundable license fee set
20 by the Board, upon payment of a \$25,000 license fee for the
21 first year of operation and a \$5,000 license fee for each
22 succeeding year and upon a determination by the Board that the
23 applicant is eligible for an owners license pursuant to this
24 Act and the rules of the Board. From the effective date of this
25 amendatory Act of the 95th General Assembly until (i) 3 years

1 after the effective date of this amendatory Act of the 95th
2 General Assembly, (ii) the date any organization licensee
3 begins to operate a slot machine or video game of chance under
4 the Illinois Horse Racing Act of 1975 or this Act, (iii) the
5 date that payments begin under subsection (c-5) of Section 13
6 of the Act, or (iv) the wagering tax imposed under Section 13
7 of this Act is increased by law to reflect a tax rate that is at
8 least as stringent or more stringent than the tax rate
9 contained in subsection (a-3) of Section 13, whichever occurs
10 first, as a condition of licensure and as an alternative source
11 of payment for those funds payable under subsection (c-5) of
12 Section 13 of this ~~the Riverboat Gambling~~ Act, any owners
13 licensee that holds or receives its owners license on or after
14 the effective date of this amendatory Act of the 94th General
15 Assembly, other than an owners licensee operating a riverboat
16 with adjusted gross receipts in calendar year 2004 of less than
17 \$200,000,000, must pay into the Horse Racing Equity Trust Fund,
18 in addition to any other payments required under this Act, an
19 amount equal to 3% of the adjusted gross receipts received by
20 the owners licensee. The payments required under this Section
21 shall be made by the owners licensee to the State Treasurer no
22 later than 3:00 o'clock p.m. of the day after the day when the
23 adjusted gross receipts were received by the owners licensee. A
24 person, ~~firm~~ or entity ~~corporation~~ is ineligible to receive an
25 owners license if:

26 (1) the person has been convicted of a felony under the

1 laws of this State, any other state, or the United States;

2 (2) the person has been convicted of any violation of
3 Article 28 of the Criminal Code of 1961 or the Criminal
4 Code of 2012, or substantially similar laws of any other
5 jurisdiction;

6 (3) the person or entity has submitted an application
7 for a license under this Act which contains false
8 information;

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

10 (5) a person defined in (1), (2), (3) or (4) is an
11 officer, director or managerial employee of the entity ~~firm~~
12 ~~or corporation~~;

13 (6) the entity ~~firm or corporation~~ employs a person
14 defined in (1), (2), (3) or (4) who participates in the
15 management or operation of gambling operations authorized
16 under this Act;

17 (7) (blank); or

18 (8) a license of the person or entity ~~, firm or~~
19 ~~corporation~~ issued under this Act, or a license to own or
20 operate gambling facilities in any other jurisdiction, has
21 been revoked.

22 The Board is expressly prohibited from making changes to
23 the requirement that licensees make payment into the Horse
24 Racing Equity Trust Fund without the express authority of the
25 Illinois General Assembly and making any other rule to
26 implement or interpret this amendatory Act of the 95th General

1 Assembly. For the purposes of this paragraph, "rules" is given
2 the meaning given to that term in Section 1-70 of the Illinois
3 Administrative Procedure Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (e) The Board may issue up to 10 licenses authorizing the
13 holders of such licenses to own riverboats. In the application
14 for an owners license, the applicant shall state the dock at
15 which the riverboat is based and the water on which the
16 riverboat will be located. The Board shall issue 5 licenses to
17 become effective not earlier than January 1, 1991. Three of
18 such licenses shall authorize riverboat gambling on the
19 Mississippi River, or, with approval by the municipality in
20 which the riverboat was docked on August 7, 2003 and with Board
21 approval, be authorized to relocate to a new location, in a
22 municipality that (1) borders on the Mississippi River or is
23 within 5 miles of the city limits of a municipality that
24 borders on the Mississippi River and (2), on August 7, 2003,
25 had a riverboat conducting riverboat gambling operations
26 pursuant to a license issued under this Act; one of which shall

1 authorize riverboat gambling from a home dock in the city of
2 East St. Louis. One other license shall authorize riverboat
3 gambling on the Illinois River south of Marshall County. The
4 Board shall issue one additional license to become effective
5 not earlier than March 1, 1992, which shall authorize riverboat
6 gambling on the Des Plaines River in Will County. The Board may
7 issue 4 additional licenses to become effective not earlier
8 than March 1, 1992. In determining the water upon which
9 riverboats will operate, the Board shall consider the economic
10 benefit which riverboat gambling confers on the State, and
11 shall seek to assure that all regions of the State share in the
12 economic benefits of riverboat gambling.

13 In granting all licenses, the Board may give favorable
14 consideration to economically depressed areas of the State, to
15 applicants presenting plans which provide for significant
16 economic development over a large geographic area, and to
17 applicants who currently operate non-gambling riverboats in
18 Illinois. The Board shall review all applications for owners
19 licenses, and shall inform each applicant of the Board's
20 decision. The Board may grant an owners license to an applicant
21 that has not submitted the highest license bid, but if it does
22 not select the highest bidder, the Board shall issue a written
23 decision explaining why another applicant was selected and
24 identifying the factors set forth in this Section that favored
25 the winning bidder.

26 (e-10) In addition to any other revocation powers granted

1 to the Board under this Act, the Board may revoke the owners
2 license of a licensee which fails to begin conducting gambling
3 within 15 months of receipt of the Board's approval of the
4 application if the Board determines that license revocation is
5 in the best interests of the State.

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

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

20 (h) An owners license issued under this Section shall
21 entitle the licensee to own up to 2 riverboats.

22 A licensee shall limit the number of gaming positions
23 ~~gambling participants~~ to 1,200 for any such owners license.

24 A licensee may operate both of its riverboats concurrently,
25 provided that the total number of gaming positions ~~gambling~~
26 ~~participants~~ on both riverboats does not exceed 1,200.

1 Riverboats licensed to operate on the Mississippi River and the
2 Illinois River south of Marshall County shall have an
3 authorized capacity of at least 500 persons. Any other
4 riverboat licensed under this Act shall have an authorized
5 capacity of at least 400 persons.

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

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

1 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

2 (230 ILCS 10/7.3)

3 Sec. 7.3. State conduct of gambling operations; reissued
4 license.

5 (a) If, after reviewing each application for a re-issued
6 license, the Board determines that the highest prospective
7 total revenue to the State would be derived from State conduct
8 of the gambling operation in lieu of re-issuing the license,
9 the Board shall inform each applicant of its decision. The
10 Board shall thereafter have the authority, without obtaining an
11 owners license, to conduct riverboat gambling operations as
12 previously authorized by the terminated, expired, revoked, or
13 nonrenewed license through a licensed manager selected
14 pursuant to an open and competitive bidding process as set
15 forth in Section 7.5 and as provided in Section 7.4.

16 (b) The Board may locate any riverboat on which a gambling
17 operation is conducted by the State in any home dock location
18 authorized by Section 3(c) upon receipt of approval from a
19 majority vote of the governing body of the municipality or
20 county, as the case may be, in which the riverboat will dock.

21 (c) The Board shall have jurisdiction over and shall
22 supervise all gambling operations conducted by the State
23 provided for in this Act and shall have all powers necessary
24 and proper to fully and effectively execute the provisions of
25 this Act relating to gambling operations conducted by the

1 State.

2 (d) The maximum number of owners licenses authorized under
3 Section 7 ~~7(e)~~ shall be reduced by one for each instance in
4 which the Board authorizes the State to conduct a riverboat
5 gambling operation under subsection (a) in lieu of re-issuing a
6 license to an applicant under Section 7.1.

7 (Source: P.A. 93-28, eff. 6-20-03.)

8 (230 ILCS 10/7.3a new)

9 Sec. 7.3a. State conduct of gambling operations; Chicago
10 casino.

11 (a) The Board is authorized to conduct gambling operations
12 on a riverboat or in a casino, through a licensed manager,
13 within the City of Chicago.

14 (b) The City of Chicago shall select the site for the
15 gambling operation and acquire, upon consultation with the
16 Capital Development Board, any land necessary for its
17 construction. For the purposes of this subsection (b), the City
18 of Chicago may acquire, by eminent domain or by condemnation
19 proceedings in the manner provided by the Eminent Domain Act,
20 real or personal property or interests in real or personal
21 property located in the City of Chicago, and the City of
22 Chicago shall convey to the Illinois Gaming Board property so
23 acquired upon reimbursement to the City of Chicago of the
24 purchase price of the property, plus reasonable interest costs.
25 The acquisition of property under this subsection (b) is

1 declared to be for a public use.

2 (c) The Capital Development Board shall construct, repair,
3 and maintain, or contract for and supervise the construction,
4 repair, and maintenance of, facilities for use by the Board to
5 conduct gambling operations under this Section.

6 (d) The Board must select and license a manager for the
7 gambling operations authorized under this Section pursuant to
8 Section 7.4 of this Act within 6 months after the effective
9 date of this amendatory Act of the 98th General Assembly. The
10 Board may, upon written request to the majority and minority
11 leaders of the House of Representatives and the Senate no less
12 than 14 days prior to the expiration of the 6-month period,
13 request an extension on this deadline to select and license a
14 manager of no more than 45 days. Either house of the General
15 Assembly may, by resolution, deny the 45-day extension.

16 (e) The gambling operation authorized under this Section
17 shall operate not less than 4,000 positions or more than 10,000
18 positions.

19 (f) The Board shall have jurisdiction over and shall
20 supervise all gambling operations conducted by the State
21 provided for in this Section and shall have all powers
22 necessary and proper to fully and effectively execute the
23 provisions of this Section relating to gambling operations
24 conducted by the State.

1 Sec. 7.4. Managers licenses.

2 (a) A qualified person may apply to the Board for a
3 managers license to operate and manage any gambling operation
4 conducted by the State. The application shall be made on forms
5 provided by the Board and shall contain such information as the
6 Board prescribes, including but not limited to information
7 required in Sections 6(a), (b), and (c) and information
8 relating to the applicant's proposed price to manage State
9 gambling operations and to provide the riverboat, gambling
10 equipment, and supplies necessary to conduct State gambling
11 operations.

12 (b) Each applicant must submit evidence to the Board that
13 minority persons and females hold ownership interests in the
14 applicant of at least 16% and 4%, respectively.

15 (c) A person, firm, or corporation is ineligible to receive
16 a managers license if:

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

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

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

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

26 (5) a person defined in paragraph (1), (2), (3), or (4)

1 is an officer, director, or managerial employee of the firm
2 or corporation;

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

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

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

14 (e) The Board shall charge each applicant a fee, set by the
15 Board, to defray the costs associated with the background
16 investigation conducted by the Board.

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

19 (g) The managers license shall be for a term not less than
20 4 years but not more than ~~to exceed~~ 10 years, shall be
21 renewable at the Board's option, and shall contain such terms
22 and provisions as the Board deems necessary to protect or
23 enhance the credibility and integrity of State gambling
24 operations, achieve the highest prospective total revenue to
25 the State, and otherwise serve the interests of the citizens of
26 Illinois.

1 (h) Issuance of a managers license shall be subject to an
2 open and competitive bidding process. The Board may select an
3 applicant other than the lowest bidder by price. If it does not
4 select the lowest bidder, the Board shall issue a notice of who
5 the lowest bidder was and a written decision as to why another
6 bidder was selected.

7 (Source: P.A. 97-1150, eff. 1-25-13.)

8 (230 ILCS 10/8) (from Ch. 120, par. 2408)

9 Sec. 8. Suppliers licenses.

10 (a) The Board may issue a suppliers license to such
11 persons, firms or corporations which apply therefor upon the
12 payment of a non-refundable application fee set by the Board,
13 upon a determination by the Board that the applicant is
14 eligible for a suppliers license and upon payment of a \$5,000
15 annual license fee.

16 (b) The holder of a suppliers license is authorized to sell
17 or lease, and to contract to sell or lease, gambling equipment
18 and supplies to any licensee involved in the ownership or
19 management of gambling operations.

20 (c) Gambling supplies and equipment may not be distributed
21 unless supplies and equipment conform to standards adopted by
22 rules of the Board.

23 (d) A person, firm or corporation is ineligible to receive
24 a suppliers license if:

25 (1) the person has been convicted of a felony under the

1 laws of this State, any other state, or the United States;

2 (2) the person has been convicted of any violation of
3 Article 28 of the Criminal Code of 1961 or the Criminal
4 Code of 2012, or substantially similar laws of any other
5 jurisdiction;

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

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

9 (5) the entity ~~firm or corporation~~ is one in which a
10 person defined in paragraph (1), (2), (3)✓ or (4)✓ is an
11 officer, director,✓ or managerial employee;

12 (6) the firm or corporation employs a person who
13 participates in the management or operation of riverboat
14 gambling authorized under this Act;

15 (7) the license of the person, firm,✓ or corporation
16 issued under this Act, or a license to own or operate
17 gambling facilities in any other jurisdiction, has been
18 revoked.

19 (e) Any person that supplies any equipment, devices, or
20 supplies to a licensed riverboat gambling operation or casino
21 gambling operation must first obtain a suppliers license. A
22 supplier shall furnish to the Board a list of all equipment,
23 devices and supplies offered for sale or lease in connection
24 with gambling games authorized under this Act. A supplier shall
25 keep books and records for the furnishing of equipment, devices
26 and supplies to gambling operations separate and distinct from

1 any other business that the supplier might operate. A supplier
2 shall file a quarterly return with the Board listing all sales
3 and leases. A supplier shall permanently affix its name or a
4 distinctive logo or other mark or design element identifying
5 the manufacturer or supplier to all its equipment, devices, and
6 supplies, except gaming chips without a value impressed,
7 engraved, or imprinted on it, for gambling operations. The
8 Board may waive this requirement for any specific product or
9 products if it determines that the requirement is not necessary
10 to protect the integrity of the game. Items purchased from a
11 licensed supplier may continue to be used even though the
12 supplier subsequently changes its name, distinctive logo, or
13 other mark or design element; undergoes a change in ownership;
14 or ceases to be licensed as a supplier for any reason. Any
15 supplier's equipment, devices or supplies which are used by any
16 person in an unauthorized gambling operation shall be forfeited
17 to the State. A licensed owner may own its own equipment,
18 devices, and supplies. Each holder of an owners license or, in
19 the case of a gambling operation conducted on behalf of the
20 State, a manager's license under this ~~the~~ Act shall file an
21 annual report listing its inventories of gambling equipment,
22 devices and supplies.

23 (f) Any person who knowingly makes a false statement on an
24 application is guilty of a Class A misdemeanor.

25 (g) Any gambling equipment, devices, and supplies provided
26 by any licensed supplier may either be repaired on the

1 riverboat or in the casino or removed from the riverboat or
2 casino to a ~~an on-shore~~ facility owned by the holder of an
3 owners license for repair.

4 (Source: P.A. 97-1150, eff. 1-25-13; 98-12, eff. 5-10-13;
5 revised 6-10-13.)

6 (230 ILCS 10/9) (from Ch. 120, par. 2409)

7 Sec. 9. Occupational licenses.

8 (a) The Board may issue an occupational license to an
9 applicant upon the payment of a non-refundable fee set by the
10 Board, upon a determination by the Board that the applicant is
11 eligible for an occupational license and upon payment of an
12 annual license fee in an amount to be established. To be
13 eligible for an occupational license, an applicant must:

14 (1) be at least 21 years of age if the applicant will
15 perform any function involved in gaming by patrons. Any
16 applicant seeking an occupational license for a non-gaming
17 function shall be at least 18 years of age;

18 (2) not have been convicted of a felony offense, a
19 violation of Article 28 of the Criminal Code of 1961 or the
20 Criminal Code of 2012, or a similar statute of any other
21 jurisdiction;

22 (2.5) not have been convicted of a crime, other than a
23 crime described in item (2) of this subsection (a),
24 involving dishonesty or moral turpitude, except that the
25 Board may, in its discretion, issue an occupational license

1 to a person who has been convicted of a crime described in
2 this item (2.5) more than 10 years prior to his or her
3 application and has not subsequently been convicted of any
4 other crime;

5 (3) have demonstrated a level of skill or knowledge
6 which the Board determines to be necessary in order to
7 operate gambling aboard a riverboat or in a casino; and

8 (4) have met standards for the holding of an
9 occupational license as adopted by rules of the Board. Such
10 rules shall provide that any person or entity seeking an
11 occupational license to manage gambling operations under
12 this Act ~~hereunder~~ shall be subject to background inquiries
13 and further requirements similar to those required of
14 applicants for an owners license. Furthermore, such rules
15 shall provide that each such entity shall be permitted to
16 manage gambling operations for only one licensed owner.

17 (b) Each application for an occupational license shall be
18 on forms prescribed by the Board and shall contain all
19 information required by the Board. The applicant shall set
20 forth in the application: whether he has been issued prior
21 gambling related licenses; whether he has been licensed in any
22 other state under any other name, and, if so, such name and his
23 age; and whether or not a permit or license issued to him in
24 any other state has been suspended, restricted or revoked, and,
25 if so, for what period of time.

26 (c) Each applicant shall submit with his application, on

1 forms provided by the Board, 2 sets of his fingerprints. The
2 Board shall charge each applicant a fee set by the Department
3 of State Police to defray the costs associated with the search
4 and classification of fingerprints obtained by the Board with
5 respect to the applicant's application. These fees shall be
6 paid into the State Police Services Fund.

7 (d) The Board may in its discretion refuse an occupational
8 license to any person: (1) who is unqualified to perform the
9 duties required of such applicant; (2) who fails to disclose or
10 states falsely any information called for in the application;
11 (3) who has been found guilty of a violation of this Act or
12 whose prior gambling related license or application therefor
13 has been suspended, restricted, revoked or denied for just
14 cause in any other state; or (4) for any other just cause.

15 (e) The Board may suspend, revoke or restrict any
16 occupational licensee: (1) for violation of any provision of
17 this Act; (2) for violation of any of the rules and regulations
18 of the Board; (3) for any cause which, if known to the Board,
19 would have disqualified the applicant from receiving such
20 license; or (4) for default in the payment of any obligation or
21 debt due to the State of Illinois; or (5) for any other just
22 cause.

23 (f) A person who knowingly makes a false statement on an
24 application is guilty of a Class A misdemeanor.

25 (g) Any license issued pursuant to this Section shall be
26 valid for a period of one year from the date of issuance.

1 (h) Nothing in this Act shall be interpreted to prohibit a
2 licensed owner from entering into an agreement with a public
3 community college or a school approved under the Private
4 Business and Vocational Schools Act of 2012 for the training of
5 any occupational licensee. Any training offered by such a
6 school shall be in accordance with a written agreement between
7 the licensed owner and the school.

8 (i) Any training provided for occupational licensees may be
9 conducted either at the site of the gambling facility ~~on the~~
10 ~~riverboat~~ or at a school with which a licensed owner has
11 entered into an agreement pursuant to subsection (h).

12 (Source: P.A. 96-1392, eff. 1-1-11; 97-650, eff. 2-1-12;
13 97-1150, eff. 1-25-13.)

14 (230 ILCS 10/11) (from Ch. 120, par. 2411)

15 Sec. 11. Conduct of gambling. Gambling may be conducted by
16 licensed owners or licensed managers on behalf of the State
17 aboard riverboats. Gambling may be conducted by a licensed
18 manager at a casino. Gambling authorized under this Section is,
19 subject to the following standards:

20 (1) A licensee may conduct riverboat gambling
21 authorized under this Act regardless of whether it conducts
22 excursion cruises. A licensee may permit the continuous
23 ingress and egress of patrons ~~passengers~~ on a riverboat not
24 used for excursion cruises for the purpose of gambling.
25 Excursion cruises shall not exceed 4 hours for a round

1 trip. However, the Board may grant express approval for an
2 extended cruise on a case-by-case basis.

3 (2) (Blank).

4 (3) Minimum and maximum wagers on games shall be set by
5 the licensee.

6 (4) Agents of the Board and the Department of State
7 Police may board and inspect any riverboat or enter and
8 inspect any portion of a casino at any time for the purpose
9 of determining whether this Act is being complied with.
10 Every riverboat, if under way and being hailed by a law
11 enforcement officer or agent of the Board, must stop
12 immediately and lay to.

13 (5) Employees of the Board shall have the right to be
14 present on the riverboat or in the casino or on adjacent
15 facilities under the control of the licensee.

16 (6) Gambling equipment and supplies customarily used
17 in conducting riverboat or casino gambling must be
18 purchased or leased only from suppliers licensed for such
19 purpose under this Act. The Board may approve the transfer,
20 sale, or lease of gambling equipment and supplies by a
21 licensed owner from or to an affiliate of the licensed
22 owner as long as the gambling equipment and supplies were
23 initially acquired from a supplier licensed in Illinois.

24 (7) Persons licensed under this Act shall permit no
25 form of wagering on gambling games except as permitted by
26 this Act.

1 (8) Wagers may be received only from a person present
2 on a licensed riverboat or in a casino. No person present
3 on a licensed riverboat or in a casino shall place or
4 attempt to place a wager on behalf of another person who is
5 not present on the riverboat or in a casino.

6 (9) Wagering shall not be conducted with money or other
7 negotiable currency.

8 (10) A person under age 21 shall not be permitted on an
9 area of a riverboat or casino where gambling is being
10 conducted, except for a person at least 18 years of age who
11 is an employee of the riverboat or casino gambling
12 operation. No employee under age 21 shall perform any
13 function involved in gambling by the patrons. No person
14 under age 21 shall be permitted to make a wager under this
15 Act, and any winnings that are a result of a wager by a
16 person under age 21, whether or not paid by a licensee,
17 shall be treated as winnings for the privilege tax
18 purposes, confiscated, and forfeited to the State and
19 deposited into the Education Assistance Fund.

20 (11) Gambling excursion cruises are permitted only
21 when the waterway for which the riverboat is licensed is
22 navigable, as determined by the Board in consultation with
23 the U.S. Army Corps of Engineers. This paragraph (11) does
24 not limit the ability of a licensee to conduct gambling
25 authorized under this Act when gambling excursion cruises
26 are not permitted.

1 (12) All tokens, chips or electronic cards used to make
2 wagers must be purchased (i) from a licensed owner or
3 manager, in the case of a riverboat, either aboard a
4 riverboat or at an onshore facility which has been approved
5 by the Board and which is located where the riverboat docks
6 or (ii) in the case of a casino, from a licensed manager at
7 the casino. The tokens, chips or electronic cards may be
8 purchased by means of an agreement under which the owner or
9 manager extends credit to the patron. Such tokens, chips or
10 electronic cards may be used while aboard the riverboat or
11 in the casino only for the purpose of making wagers on
12 gambling games.

13 (13) Notwithstanding any other Section of this Act, in
14 addition to the other licenses authorized under this Act,
15 the Board may issue special event licenses allowing persons
16 who are not otherwise licensed to conduct riverboat
17 gambling to conduct such gambling on a specified date or
18 series of dates. Riverboat gambling under such a license
19 may take place on a riverboat not normally used for
20 riverboat gambling. The Board shall establish standards,
21 fees and fines for, and limitations upon, such licenses,
22 which may differ from the standards, fees, fines and
23 limitations otherwise applicable under this Act. All such
24 fees shall be deposited into the State Gaming Fund. All
25 such fines shall be deposited into the Education Assistance
26 Fund, created by Public Act 86-0018, of the State of

1 Illinois.

2 (14) In addition to the above, gambling must be
3 conducted in accordance with all rules adopted by the
4 Board.

5 (Source: P.A. 96-1392, eff. 1-1-11.)

6 (230 ILCS 10/11.1) (from Ch. 120, par. 2411.1)

7 Sec. 11.1. Collection of amounts owing under credit
8 agreements. Notwithstanding any applicable statutory provision
9 to the contrary, a licensed owner or manager who extends credit
10 to a ~~riverboat~~ gambling patron pursuant to Section 11 (a) (12)
11 of this Act is expressly authorized to institute a cause of
12 action to collect any amounts due and owing under the extension
13 of credit, as well as the licensed owner's or manager's costs,
14 expenses and reasonable attorney's fees incurred in
15 collection.

16 (Source: P.A. 93-28, eff. 6-20-03.)

17 (230 ILCS 10/12) (from Ch. 120, par. 2412)

18 Sec. 12. Admission tax; fees.

19 (a) A tax is hereby imposed upon admissions to riverboats
20 operated by licensed owners authorized pursuant to Section 7 of
21 this Act. Until July 1, 2002, the rate is \$2 per person
22 admitted. From July 1, 2002 until July 1, 2003, the rate is \$3
23 per person admitted. From July 1, 2003 until August 23, 2005
24 (the effective date of Public Act 94-673), for a licensee that

1 admitted 1,000,000 persons or fewer in the previous calendar
2 year, the rate is \$3 per person admitted; for a licensee that
3 admitted more than 1,000,000 but no more than 2,300,000 persons
4 in the previous calendar year, the rate is \$4 per person
5 admitted; and for a licensee that admitted more than 2,300,000
6 persons in the previous calendar year, the rate is \$5 per
7 person admitted. Beginning on August 23, 2005 (the effective
8 date of Public Act 94-673), for a licensee that admitted
9 1,000,000 persons or fewer in calendar year 2004, the rate is
10 \$2 per person admitted, and for all other licensees, including
11 licensees that were not conducting gambling operations in 2004,
12 the rate is \$3 per person admitted. This admission tax is
13 imposed upon the licensed owner conducting gambling.

14 (1) The admission tax shall be paid for each admission,
15 except that a person who exits a riverboat gambling
16 facility and reenters that riverboat gambling facility
17 within the same gaming day shall be subject only to the
18 initial admission tax.

19 (2) (Blank).

20 (3) The riverboat licensee may issue tax-free passes to
21 actual and necessary officials and employees of the
22 licensee or other persons actually working on the
23 riverboat.

24 (4) The number and issuance of tax-free passes is
25 subject to the rules of the Board, and a list of all
26 persons to whom the tax-free passes are issued shall be

1 filed with the Board.

2 (a-5) A fee is hereby imposed upon admissions to gambling
3 operations operated by licensed managers on behalf of the State
4 pursuant to Section 7.3 at the rates provided in this
5 subsection (a-5). For a licensee that admitted 1,000,000
6 persons or fewer in the previous calendar year, the rate is \$3
7 per person admitted; for a licensee that admitted more than
8 1,000,000 but no more than 2,300,000 persons in the previous
9 calendar year, the rate is \$4 per person admitted; and for a
10 licensee that admitted more than 2,300,000 persons in the
11 previous calendar year, the rate is \$5 per person admitted.

12 (1) The admission fee shall be paid for each admission.

13 (2) (Blank).

14 (3) The licensed manager may issue fee-free passes to
15 actual and necessary officials and employees of the manager
16 or other persons actually working on the riverboat.

17 (4) The number and issuance of fee-free passes is
18 subject to the rules of the Board, and a list of all
19 persons to whom the fee-free passes are issued shall be
20 filed with the Board.

21 (a-10) No fee shall be imposed upon admissions to the
22 gambling operation operated by a licensed manager on behalf of
23 the State pursuant to Section 7.3a.

24 (b) From the tax imposed under subsection (a) and the fee
25 imposed under subsection (a-5), a municipality shall receive
26 from the State \$1 for each person embarking on a riverboat

1 docked within the municipality, and a county shall receive \$1
2 for each person embarking on a riverboat docked within the
3 county but outside the boundaries of any municipality. The
4 municipality's or county's share shall be collected by the
5 Board on behalf of the State and remitted quarterly by the
6 State, subject to appropriation, to the treasurer of the unit
7 of local government for deposit in the general fund.

8 (c) The licensed owner shall pay the entire admission tax
9 to the Board and the licensed manager shall pay the entire
10 admission fee to the Board. Such payments shall be made daily.
11 Accompanying each payment shall be a return on forms provided
12 by the Board which shall include other information regarding
13 admissions as the Board may require. Failure to submit either
14 the payment or the return within the specified time may result
15 in suspension or revocation of the owners or managers license.

16 (d) The Board shall administer and collect the admission
17 tax imposed by this Section, to the extent practicable, in a
18 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
19 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9 and 10 of the
20 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
21 Penalty and Interest Act.

22 (Source: P.A. 95-663, eff. 10-11-07; 96-1392, eff. 1-1-11.)

23 (230 ILCS 10/13) (from Ch. 120, par. 2413)

24 Sec. 13. Wagering tax; rate; distribution.

25 (a) Until January 1, 1998, a tax is imposed on the adjusted

1 gross receipts received from gambling games authorized under
2 this Act at the rate of 20%.

3 (a-1) From January 1, 1998 until July 1, 2002, a privilege
4 tax is imposed on persons engaged in the business of conducting
5 riverboat gambling operations, based on the adjusted gross
6 receipts received by a licensed owner from gambling games
7 authorized under this Act at the following rates:

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

10 20% of annual adjusted gross receipts in excess of
11 \$25,000,000 but not exceeding \$50,000,000;

12 25% of annual adjusted gross receipts in excess of
13 \$50,000,000 but not exceeding \$75,000,000;

14 30% of annual adjusted gross receipts in excess of
15 \$75,000,000 but not exceeding \$100,000,000;

16 35% of annual adjusted gross receipts in excess of
17 \$100,000,000.

18 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
19 is imposed on persons engaged in the business of conducting
20 riverboat gambling operations, other than licensed managers
21 conducting riverboat gambling operations on behalf of the
22 State, based on the adjusted gross receipts received by a
23 licensed owner from gambling games authorized under this Act at
24 the following rates:

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

1 22.5% of annual adjusted gross receipts in excess of
2 \$25,000,000 but not exceeding \$50,000,000;

3 27.5% of annual adjusted gross receipts in excess of
4 \$50,000,000 but not exceeding \$75,000,000;

5 32.5% of annual adjusted gross receipts in excess of
6 \$75,000,000 but not exceeding \$100,000,000;

7 37.5% of annual adjusted gross receipts in excess of
8 \$100,000,000 but not exceeding \$150,000,000;

9 45% of annual adjusted gross receipts in excess of
10 \$150,000,000 but not exceeding \$200,000,000;

11 50% of annual adjusted gross receipts in excess of
12 \$200,000,000.

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

20 15% of annual adjusted gross receipts up to and
21 including \$25,000,000;

22 27.5% of annual adjusted gross receipts in excess of
23 \$25,000,000 but not exceeding \$37,500,000;

24 32.5% of annual adjusted gross receipts in excess of
25 \$37,500,000 but not exceeding \$50,000,000;

26 37.5% of annual adjusted gross receipts in excess of

1 \$50,000,000 but not exceeding \$75,000,000;

2 45% of annual adjusted gross receipts in excess of
3 \$75,000,000 but not exceeding \$100,000,000;

4 50% of annual adjusted gross receipts in excess of
5 \$100,000,000 but not exceeding \$250,000,000;

6 70% of annual adjusted gross receipts in excess of
7 \$250,000,000.

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

13 The privilege tax imposed under this subsection (a-3) shall
14 no longer be imposed beginning on the earlier of (i) July 1,
15 2005; (ii) the first date after June 20, 2003 that riverboat
16 gambling operations are conducted pursuant to a dormant
17 license; or (iii) the first day that riverboat gambling
18 operations are conducted under the authority of an owners
19 license that is in addition to the 10 owners licenses initially
20 authorized under this Act. For the purposes of this subsection
21 (a-3), the term "dormant license" means an owners license that
22 is authorized by this Act under which no riverboat gambling
23 operations are being conducted on June 20, 2003.

24 (a-4) Beginning on the first day on which the tax imposed
25 under subsection (a-3) is no longer imposed, a privilege tax is
26 imposed on persons engaged in the business of conducting

1 riverboat gambling operations, other than licensed managers
2 conducting riverboat gambling operations on behalf of the
3 State, based on the adjusted gross receipts received by a
4 licensed owner from gambling games authorized under this Act at
5 the following rates:

6 15% of annual adjusted gross receipts up to and
7 including \$25,000,000;

8 22.5% of annual adjusted gross receipts in excess of
9 \$25,000,000 but not exceeding \$50,000,000;

10 27.5% of annual adjusted gross receipts in excess of
11 \$50,000,000 but not exceeding \$75,000,000;

12 32.5% of annual adjusted gross receipts in excess of
13 \$75,000,000 but not exceeding \$100,000,000;

14 37.5% of annual adjusted gross receipts in excess of
15 \$100,000,000 but not exceeding \$150,000,000;

16 45% of annual adjusted gross receipts in excess of
17 \$150,000,000 but not exceeding \$200,000,000;

18 50% of annual adjusted gross receipts in excess of
19 \$200,000,000.

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

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

26 (a-15) If the privilege tax imposed under subsection (a-3)

1 is no longer imposed pursuant to item (i) of the last paragraph
2 of subsection (a-3), then by June 15 of each year, each owners
3 licensee, other than an owners licensee that admitted 1,000,000
4 persons or fewer in calendar year 2004, must, in addition to
5 the payment of all amounts otherwise due under this Section,
6 pay to the Board a reconciliation payment in the amount, if
7 any, by which the licensed owner's base amount exceeds the
8 amount of net privilege tax paid by the licensed owner to the
9 Board in the then current State fiscal year. A licensed owner's
10 net privilege tax obligation due for the balance of the State
11 fiscal year shall be reduced up to the total of the amount paid
12 by the licensed owner in its June 15 reconciliation payment.
13 The obligation imposed by this subsection (a-15) is binding on
14 any person, firm, corporation, or other entity that acquires an
15 ownership interest in any such owners license. The obligation
16 imposed under this subsection (a-15) terminates on the earliest
17 of: (i) July 1, 2007, (ii) the first day after the effective
18 date of this amendatory Act of the 94th General Assembly that
19 riverboat gambling operations are conducted pursuant to a
20 dormant license, (iii) the first day that riverboat gambling
21 operations are conducted under the authority of an owners
22 license that is in addition to the 10 owners licenses initially
23 authorized under this Act, or (iv) the first day that a
24 licensee under the Illinois Horse Racing Act of 1975 conducts
25 gaming operations with slot machines or other electronic gaming
26 devices. The Board must reduce the obligation imposed under

1 this subsection (a-15) by an amount the Board deems reasonable
2 for any of the following reasons: (A) an act or acts of God,
3 (B) an act of bioterrorism or terrorism or a bioterrorism or
4 terrorism threat that was investigated by a law enforcement
5 agency, or (C) a condition beyond the control of the owners
6 licensee that does not result from any act or omission by the
7 owners licensee or any of its agents and that poses a hazardous
8 threat to the health and safety of patrons. If an owners
9 licensee pays an amount in excess of its liability under this
10 Section, the Board shall apply the overpayment to future
11 payments required under this Section.

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

13 "Act of God" means an incident caused by the operation of
14 an extraordinary force that cannot be foreseen, that cannot be
15 avoided by the exercise of due care, and for which no person
16 can be held liable.

17 "Base amount" means the following:

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

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

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

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

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

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

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

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

26 "Dormant license" has the meaning ascribed to it in

1 subsection (a-3).

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

6 The changes made to this subsection (a-15) by Public Act
7 94-839 are intended to restate and clarify the intent of Public
8 Act 94-673 with respect to the amount of the payments required
9 to be made under this subsection by an owners licensee to the
10 Board.

11 (b) ~~From Until January 1, 1998, 25% of the tax revenue~~
12 ~~deposited in the State Gaming Fund under this Section shall be~~
13 ~~paid, subject to appropriation by the General Assembly, to the~~
14 ~~unit of local government which is designated as the home dock~~
15 ~~of the riverboat. Beginning January 1, 1998, from the tax~~
16 ~~revenue from owners licenses issued under Section 7 of this Act~~
17 ~~that~~ deposited in the State Gaming Fund under this Section, an
18 amount equal to 5% of adjusted gross receipts generated by a
19 riverboat shall be paid monthly, subject to appropriation by
20 the General Assembly, to the unit of local government that is
21 designated as the home dock of the riverboat. From the tax
22 revenue deposited in the State Gaming Fund pursuant to
23 riverboat gambling operations conducted by a licensed manager
24 on behalf of the State under Section 7.3 of this Act, an amount
25 equal to 5% of adjusted gross receipts generated pursuant to
26 those riverboat gambling operations shall be paid monthly,

1 subject to appropriation by the General Assembly, to the unit
2 of local government that is designated as the home dock of the
3 riverboat upon which those riverboat gambling operations are
4 conducted.

5 (c) Appropriations, as approved by the General Assembly,
6 may be made from the State Gaming Fund to the Board (i) for the
7 administration and enforcement of this Act and the Video Gaming
8 Act, (ii) for distribution to the Department of State Police
9 and to the Department of Revenue for the enforcement of this
10 Act, and (iii) to the Department of Human Services for the
11 administration of programs to treat problem gambling.

12 (c-5) Before May 26, 2006 (the effective date of Public Act
13 94-804) and beginning on the effective date of this amendatory
14 Act of the 95th General Assembly, unless any organization
15 licensee under the Illinois Horse Racing Act of 1975 begins to
16 operate a slot machine or video game of chance under the
17 Illinois Horse Racing Act of 1975 or this Act, after the
18 payments required under subsections (b) and (c) have been made,
19 an amount equal to 15% of the adjusted gross receipts of (1) an
20 owners licensee that relocates pursuant to Section 11.2, (2) an
21 owners licensee conducting riverboat gambling operations
22 pursuant to an owners license that is initially issued after
23 June 25, 1999, or (3) the first riverboat gambling operations
24 conducted by a licensed manager on behalf of the State under
25 Section 7.3, whichever comes first, shall be paid from the
26 State Gaming Fund into the Horse Racing Equity Fund.

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

5 (c-15) After the payments required under subsections (b),
6 (c), and (c-5) have been made, an amount equal to 2% of the
7 adjusted gross receipts of (1) an owners licensee that
8 relocates pursuant to Section 11.2, (2) an owners licensee
9 conducting riverboat gambling operations pursuant to an owners
10 license that is initially issued after June 25, 1999, or (3)
11 the first riverboat gambling operations conducted by a licensed
12 manager on behalf of the State under Section 7.3, whichever
13 comes first, shall be paid, subject to appropriation from the
14 General Assembly, from the State Gaming Fund to each home rule
15 county with a population of over 3,000,000 inhabitants for the
16 purpose of enhancing the county's criminal justice system.

17 (c-20) Each year the General Assembly shall appropriate
18 from the General Revenue Fund to the Education Assistance Fund
19 an amount equal to the amount paid to each home rule county
20 with a population of over 3,000,000 inhabitants pursuant to
21 subsection (c-15) in the prior calendar year.

22 (c-25) On July 1, 2013 and each July 1 thereafter,
23 \$1,600,000 shall be transferred from the State Gaming Fund to
24 the Chicago State University Education Improvement Fund.

25 (c-30) On July 1, 2013 or as soon as possible thereafter,
26 \$92,000,000 shall be transferred from the State Gaming Fund to

1 the School Infrastructure Fund and \$23,000,000 shall be
2 transferred from the State Gaming Fund to the Horse Racing
3 Equity Fund.

4 (c-35) Beginning on July 1, 2013, in addition to any amount
5 transferred under subsection (c-30) of this Section,
6 \$5,530,000 shall be transferred monthly from the State Gaming
7 Fund to the School Infrastructure Fund.

8 (c-40) Revenues from the gambling operation operated by a
9 licensed manager on behalf of the State pursuant to Section
10 7.3a deposited into the State Gaming Fund shall be distributed
11 as follows:

12 (1) reimbursement of any construction costs of the
13 gambling facility, including debt service on any bonds
14 issued for that purpose, shall be made to the Capital
15 Development Board;

16 (2) any amounts due to the licensed manager of the
17 gambling operation shall be paid in accordance with the
18 terms of any agreement made with the managers licensee
19 under Section 7.4 of this Act and during the competitive
20 bidding process under Section 7.5 of this Act;

21 (3) \$5,000,000 shall be paid annually, subject to
22 appropriation, to the Department of Human Services for the
23 administration of programs to treat problem gambling; and

24 (4) the remainder of amounts deposited shall be
25 distributed as follows:

26 (A) an amount equal to 50% of the remainder shall

1 be distributed as follows:

2 (i) an amount equal to 2%, at least \$8,000,000
3 annually, shall be distributed to Cook County to be
4 used for capital expenditures or public pension
5 payments, or both;

6 (ii) an amount equal to 1 1/2%, at least
7 \$6,000,000 annually, shall be distributed (A) in
8 accordance with a regional capital development
9 plan entered into by the following communities:

10 Village of Beecher, City of Blue Island, Village of
11 Burnham, Calumet City, Village of Calumet Park,
12 City of Chicago Heights, City of County Club Hills,
13 Village of Dixmoor, Village of Dolton, Village of
14 East Hazel Crest, Village of Flossmoor, Village of
15 Ford Heights, Village of Glenwood, City of Harvey,
16 Village of Hazel Crest, Village of Homewood,
17 Village of Lansing, Village of Lynwood, City of
18 Markham, Village of Matteson, Village of
19 Midlothian, City of Oak Forest, Village of Olympia
20 Fields, Village of Orland Hills, Village of Orland
21 Park, City of Palos Heights, Village of Park
22 Forest, Village of Phoenix, Village of Posen,
23 Village of Richton Park, Village of Riverdale,
24 Village of Robbins, Village of Sauk Village,
25 Village of South Chicago Heights, Village of South
26 Holland, Village of Steger, Village of Thornton,

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

6 (iii) the remainder shall be distributed to
7 the City of Chicago to be used for capital
8 expenditures, public pension payments, or
9 education purposes, or any combination thereof; if
10 used for education purposes, moneys must be
11 allocated on a per-student basis;

12 (B) an amount equal to 25% of the remainder shall
13 be appropriated each month to the State Board of
14 Education to be used for grants to school districts by
15 the State Board of Education in amounts determined as
16 follows: the total amount appropriated to the State
17 Board of Education divided by the number of students in
18 the State outside of City of Chicago School District
19 299 and then multiplied by the number of students in
20 the school district, based on average daily attendance
21 in that district; moneys distributed under this item
22 (B) shall be in addition to and not in lieu of other
23 moneys provided to school districts by the State; and

24 (C) an amount equal to 25% of the remainder shall
25 be transferred monthly into the State Construction
26 Account Fund.

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

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

10 (f) To the extent practicable, the Board shall administer
11 and collect the wagering taxes imposed by this Section in a
12 manner consistent with the provisions of Sections 4, 5, 5a, 5b,
13 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the
14 Retailers' Occupation Tax Act and Section 3-7 of the Uniform
15 Penalty and Interest Act.

16 (Source: P.A. 98-18, eff. 6-7-13.)

17 (230 ILCS 10/14) (from Ch. 120, par. 2414)

18 Sec. 14. Licensees - Records - Reports - Supervision.

19 (a) Licensed owners or, in the case of the gambling
20 operation operated by a licensed manager on behalf of the
21 State, the licensed manager ~~A licensed owner~~ shall keep ~~his~~
22 books and records so as to clearly show the following:

23 (1) The amount received daily from admission fees.

24 (2) The total amount of gross receipts.

25 (3) The total amount of the adjusted gross receipts.

1 (b) Licensed owners or, in the case of the gambling
2 operation operated by a licensed manager on behalf of the
3 State, the licensed manager ~~The licensed owner~~ shall furnish to
4 the Board reports and information as the Board may require with
5 respect to its activities on forms designed and supplied for
6 such purpose by the Board.

7 (c) The books and records kept by a licensed owner as
8 provided by this Section are public records and the
9 examination, publication, and dissemination of the books and
10 records are governed by the provisions of The Freedom of
11 Information Act.

12 (Source: P.A. 86-1029.)

13 (230 ILCS 10/15) (from Ch. 120, par. 2415)

14 Sec. 15. Audit of Licensee Operations. Annually, the
15 licensed owner or manager shall transmit to the Board an audit
16 of the financial transactions and condition of the licensee's
17 or manager's total operations. Additionally, within 90 days
18 after the end of each quarter of each fiscal year, the licensed
19 owner or manager shall transmit to the Board a compliance
20 report on engagement procedures determined by the Board. All
21 audits and compliance engagements shall be conducted by
22 certified public accountants selected by the Board. Each
23 certified public accountant must be registered in the State of
24 Illinois under the Illinois Public Accounting Act. The
25 compensation for each certified public accountant shall be paid

1 directly by the licensed owner or manager to the certified
2 public accountant.

3 (Source: P.A. 96-1392, eff. 1-1-11.)

4 (230 ILCS 10/18) (from Ch. 120, par. 2418)

5 Sec. 18. Prohibited Activities - Penalty.

6 (a) A person is guilty of a Class A misdemeanor for doing
7 any of the following:

8 (1) Conducting gambling where wagering is used or to be
9 used without a license issued by the Board.

10 (2) Conducting gambling where wagering is permitted
11 other than in the manner specified by Section 11.

12 (b) A person is guilty of a Class B misdemeanor for doing
13 any of the following:

14 (1) permitting a person under 21 years to make a wager;
15 or

16 (2) violating paragraph (12) of subsection (a) of
17 Section 11 of this Act.

18 (c) A person wagering or accepting a wager at any location
19 outside the riverboat or casino in violation of paragraph ~~is~~
20 ~~subject to the penalties in paragraphs~~ (1) or (2) of subsection
21 (a) of Section 28-1 of the Criminal Code of 2012 is subject to
22 the penalties provided in that Section.

23 (d) A person commits a Class 4 felony and, in addition,
24 shall be barred for life from gambling operations ~~riverboats~~
25 under the jurisdiction of the Board, if the person does any of

1 the following:

2 (1) Offers, promises, or gives anything of value or
3 benefit to a person who is connected with a riverboat or
4 casino owner including, but not limited to, an officer or
5 employee of a licensed owner or holder of an occupational
6 license pursuant to an agreement or arrangement or with the
7 intent that the promise or thing of value or benefit will
8 influence the actions of the person to whom the offer,
9 promise, or gift was made in order to affect or attempt to
10 affect the outcome of a gambling game, or to influence
11 official action of a member of the Board.

12 (2) Solicits or knowingly accepts or receives a promise
13 of anything of value or benefit while the person is
14 connected with a riverboat or casino, including, but not
15 limited to, an officer or employee of a licensed owner, or
16 the holder of an occupational license, pursuant to an
17 understanding or arrangement or with the intent that the
18 promise or thing of value or benefit will influence the
19 actions of the person to affect or attempt to affect the
20 outcome of a gambling game, or to influence official action
21 of a member of the Board.

22 (3) Uses or possesses with the intent to use a device
23 to assist:

- 24 (i) In projecting the outcome of the game.
25 (ii) In keeping track of the cards played.
26 (iii) In analyzing the probability of the

1 occurrence of an event relating to the gambling game.

2 (iv) In analyzing the strategy for playing or
3 betting to be used in the game except as permitted by
4 the Board.

5 (4) Cheats at a gambling game.

6 (5) Manufactures, sells, or distributes any cards,
7 chips, dice, game or device which is intended to be used to
8 violate any provision of this Act.

9 (6) Alters or misrepresents the outcome of a gambling
10 game on which wagers have been made after the outcome is
11 made sure but before it is revealed to the players.

12 (7) Places a bet after acquiring knowledge, not
13 available to all players, of the outcome of the gambling
14 game which is subject of the bet or to aid a person in
15 acquiring the knowledge for the purpose of placing a bet
16 contingent on that outcome.

17 (8) Claims, collects, or takes, or attempts to claim,
18 collect, or take, money or anything of value in or from the
19 gambling games, with intent to defraud, without having made
20 a wager contingent on winning a gambling game, or claims,
21 collects, or takes an amount of money or thing of value of
22 greater value than the amount won.

23 (9) Uses counterfeit chips or tokens in a gambling
24 game.

25 (10) Possesses any key or device designed for the
26 purpose of opening, entering, or affecting the operation of

1 a gambling game, drop box, or an electronic or mechanical
2 device connected with the gambling game or for removing
3 coins, tokens, chips or other contents of a gambling game.
4 This paragraph (10) does not apply to a gambling licensee
5 or employee of a gambling licensee acting in furtherance of
6 the employee's employment.

7 (e) The possession of more than one of the devices
8 described in subsection (d), paragraphs (3), (5), or (10)
9 permits a rebuttable presumption that the possessor intended to
10 use the devices for cheating.

11 (f) A person under the age of 21 who, except as authorized
12 under paragraph (10) of Section 11, enters upon a riverboat or
13 in a casino commits a petty offense and is subject to a fine of
14 not less than \$100 or more than \$250 for a first offense and of
15 not less than \$200 or more than \$500 for a second or subsequent
16 offense.

17 An action to prosecute any crime occurring on a riverboat
18 shall be tried in the county of the dock at which the riverboat
19 is based. An action to prosecute any crime occurring in a
20 casino shall be tried in the county in which the casino is
21 located.

22 (Source: P.A. 96-1392, eff. 1-1-11; 97-1150, eff. 1-25-13.)

23 (230 ILCS 10/18.1)

24 Sec. 18.1. Distribution of certain fines. If a fine is
25 imposed on an owner licensee for knowingly sending marketing or

1 promotional materials to any person placed on the
2 self-exclusion list, then the Board shall distribute an amount
3 equal to 15% of the fine imposed to the unit of local
4 government in which the riverboat or casino is located for the
5 purpose of awarding grants to non-profit entities that assist
6 gambling addicts.

7 (Source: P.A. 96-224, eff. 8-11-09.)

8 (230 ILCS 10/18.2 new)

9 Sec. 18.2. Prohibition on political contributions from
10 certain licensees and applicants.

11 (a) The General Assembly has a compelling interest in
12 protecting the integrity of both the electoral process and the
13 legislative process by preventing corruption and the
14 appearance of corruption which may arise through permitting
15 certain political campaign contributions by certain persons
16 involved in the gaming industry and regulated by the State.
17 Unlike most other regulated industries, gaming is especially
18 susceptible to corruption and potential criminal influence.

19 In Illinois, only licensed gaming activities are legal and
20 all other gaming activities are strictly prohibited. Given
21 these circumstances, it is imperative to eliminate any
22 potential corrupt influence in the gaming industry and the
23 electoral process. Banning political campaign contributions by
24 certain persons subject to this Section to State officeholders
25 and candidates for such offices and to county and municipal

1 officeholders and candidates for such offices in counties and
2 municipalities that receive financial benefits from gaming
3 activities is necessary to prevent corruption and the
4 appearance of corruption that may arise when political campaign
5 contributions and gaming that is regulated by the State and
6 that confers benefits on counties and municipalities are
7 intermingled.

8 The General Assembly has prohibited political campaign
9 contributions to certain State and local officeholders and
10 candidates for such offices by certain persons with State of
11 Illinois and Metropolitan Pier and Exposition Authority
12 contracts and pending bids or proposals for contracts of over
13 \$50,000 and certain individuals and entities affiliated with
14 such persons. Certain gaming licensees will receive receipts
15 far in excess of the base level of contract amounts subject to
16 such other campaign contribution prohibitions.

17 (b) As used in this Section:

18 "Affiliated entity" means (i) any corporate parent and each
19 operating subsidiary of the business entity applying for or
20 holding a license, (ii) each operating subsidiary of the
21 corporate parent of the business entity applying for or holding
22 a license, (iii) any organization recognized by the United
23 States Internal Revenue Service as a tax-exempt organization
24 described in Section 501(c) of the Internal Revenue Code of
25 1986 (or any successor provision of federal tax law)
26 established by one or more business entities seeking or holding

1 a license, any affiliated entity of such business entity, or
2 any affiliated person of such business entity, and (iv) any
3 political committee for which the business entity applying for
4 or holding a license, or any 501(c) organization described in
5 item (iii) related to that business entity, is the sponsoring
6 entity, as defined in Section 9-3 of the Election Code. For
7 purposes of item (iv), the funding of all business entities
8 applying for or holding a license shall be aggregated in
9 determining whether such political committee is an affiliated
10 entity.

11 "Affiliated person" means (i) any person with any ownership
12 interest or distributive share in excess of 1% of any business
13 entity applying for or holding a license, (ii) executive
14 employees of any such business entity, (iii) any person
15 designated as a key person under this Act, and (iv) the spouse
16 of such persons.

17 "Contribution" means a contribution as defined in Section
18 9-1.4 of the Election Code.

19 "Declared candidate" means a person who has filed a
20 statement of candidacy and petition for nomination or election
21 in the principal office of the State Board of Elections, or in
22 the office of the appropriate election authority for any county
23 or municipality in which a casino or electronic gaming device
24 is located or proposed or which receives any gaming revenue.

25 "Executive employee" means any person who is (i) an officer
26 or director or who fulfills duties equivalent to those of an

1 officer or director of a business entity applying for or
2 holding a license and (ii) any employee of such business entity
3 who is required to register under the Lobbyist Registration
4 Act.

5 "License" means any owners license issued pursuant to
6 Section 7 of this Act or managers license issued pursuant to
7 Section 7.4 of this Act.

8 "Officeholder" means the Governor, Lieutenant Governor,
9 Attorney General, Secretary of State, Comptroller, Treasurer,
10 member of the General Assembly, or any officeholder in any
11 county or municipality in which a riverboat, casino, or
12 electronic gaming device is located or proposed or which
13 receives any gaming revenue.

14 "Business entity" means any entity doing business for
15 profit, whether organized as a corporation, partnership, sole
16 proprietorship, limited liability company, or partnership or
17 otherwise.

18 (c) Any person or business entity applying for or holding a
19 license, any affiliated entities or persons of such business
20 entity, and any entities or persons soliciting a contribution
21 or causing a contribution to be made on behalf of such person
22 or business entity, are prohibited from making any contribution
23 to any officeholder or declared candidate or any political
24 committee affiliated with any officeholder or declared
25 candidate, as defined in Section 9-1.8 of the Election Code.
26 This prohibition shall commence upon filing of an application

1 for a license and shall continue for a period of 2 years after
2 termination, suspension, or revocation of the license.

3 The Board shall have authority to suspend, revoke, or
4 restrict the license and to impose civil penalties of up to
5 \$100,000 for each violation of this subsection (c). A notice of
6 each such violation and the penalty imposed shall be published
7 on the Board's website and in the Illinois Register. Payments
8 received by the State pursuant to this subsection (c) shall be
9 deposited into the General Revenue Fund.

10 Any officeholder or declared candidate or any political
11 committee affiliated with any officeholder or declared
12 candidate that has received a contribution in violation of this
13 subsection (c) shall pay an amount equal to the value of the
14 contribution to the State no more than 30 days after notice of
15 the violation concerning the contribution appears in the
16 Illinois Register. Payments received by the State pursuant to
17 this subsection (c) shall be deposited into the General Revenue
18 Fund.

19 (d) The Board shall post on its website a list of all
20 persons, business entities, and affiliated entities prohibited
21 from making contributions to any officeholder or declared
22 candidate political committee pursuant to subsection (c),
23 which list shall be updated and published on, at a minimum, a
24 semiannual basis.

25 Any person, business entity, or affiliated entity
26 prohibited from making contributions to any officeholder or

1 declared candidate political committee pursuant to subsection
2 (c) shall notify the Board within 7 days after discovering any
3 necessary change or addition to the information relating to
4 that person, business entity, or affiliated entity contained in
5 the list.

6 An individual who acts in good faith and in reliance on any
7 information contained in the list shall not be subject to any
8 penalties or liability imposed for a violation of this Section.

9 (e) If any provision of this Section is held invalid or its
10 application to any person or circumstance is held invalid, the
11 invalidity of that provision or application does not affect the
12 other provisions or applications of this Section that can be
13 given effect without the invalid application or provision.

14 (230 ILCS 10/19) (from Ch. 120, par. 2419)

15 Sec. 19. Forfeiture of property.

16 (a) Except as provided in subsection (b), any riverboat or
17 casino used for the conduct of gambling games in violation of
18 this Act shall be considered a gambling place in violation of
19 Section 28-3 of the Criminal Code of 2012. Every gambling
20 device found on a riverboat or in a casino operating gambling
21 games in violation of this Act shall be subject to seizure,
22 confiscation and destruction as provided in Section 28-5 of the
23 Criminal Code of 2012.

24 (b) It is not a violation of this Act for a riverboat or
25 other watercraft which is licensed for gaming by a contiguous

1 state to dock on the shores of this State if the municipality
2 having jurisdiction of the shores, or the county in the case of
3 unincorporated areas, has granted permission for docking and no
4 gaming is conducted on the riverboat or other watercraft while
5 it is docked on the shores of this State. No gambling device
6 shall be subject to seizure, confiscation or destruction if the
7 gambling device is located on a riverboat or other watercraft
8 which is licensed for gaming by a contiguous state and which is
9 docked on the shores of this State if the municipality having
10 jurisdiction of the shores, or the county in the case of
11 unincorporated areas, has granted permission for docking and no
12 gaming is conducted on the riverboat or other watercraft while
13 it is docked on the shores of this State.

14 (Source: P.A. 97-1150, eff. 1-25-13.)

15 (230 ILCS 10/20) (from Ch. 120, par. 2420)

16 Sec. 20. Prohibited activities - civil penalties. Any
17 person who conducts a gambling operation without first
18 obtaining a license to do so, or who continues to conduct such
19 games after revocation of his license, or any licensee who
20 conducts or allows to be conducted any unauthorized gambling
21 games on a riverboat or in a casino where it is authorized to
22 conduct its ~~riverboat~~ gambling operation, in addition to other
23 penalties provided, shall be subject to a civil penalty equal
24 to the amount of gross receipts derived from wagering on the
25 gambling games, whether unauthorized or authorized, conducted

1 on that day as well as confiscation and forfeiture of all
2 gambling game equipment used in the conduct of unauthorized
3 gambling games.

4 (Source: P.A. 86-1029.)

5 (230 ILCS 10/24)

6 Sec. 24. Applicability of this ~~Illinois Riverboat Gambling~~
7 Act. The provisions of the this ~~Illinois Riverboat Gambling~~
8 Act, and all rules promulgated thereunder, shall apply to the
9 Video Gaming Act, except where there is a conflict between the
10 2 Acts.

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

12 Section 45. The Video Gaming Act is amended by changing
13 Sections 5, 25, 45, 79, and 80 and by adding Section 81 as
14 follows:

15 (230 ILCS 40/5)

16 Sec. 5. Definitions. As used in this Act:

17 "Board" means the Illinois Gaming Board.

18 "Credit" means one, 5, 10, or 25 cents either won or
19 purchased by a player.

20 "Distributor" means an individual, partnership,
21 corporation, or limited liability company licensed under this
22 Act to buy, sell, lease, or distribute video gaming terminals
23 or major components or parts of video gaming terminals to or

1 from terminal operators.

2 "Electronic card" means a card purchased from a licensed
3 establishment, licensed fraternal establishment, licensed
4 veterans establishment, or licensed truck stop establishment
5 for use in that establishment as a substitute for cash in the
6 conduct of gaming on a video gaming terminal.

7 "Electronic voucher" means a voucher printed by an
8 electronic video game machine that is redeemable in the
9 licensed establishment for which it was issued.

10 "Terminal operator" means an individual, partnership,
11 corporation, or limited liability company that is licensed
12 under this Act and that owns, services, and maintains video
13 gaming terminals for placement in licensed establishments,
14 licensed truck stop establishments, licensed fraternal
15 establishments, or licensed veterans establishments.

16 "Licensed technician" means an individual who is licensed
17 under this Act to repair, service, and maintain video gaming
18 terminals.

19 "Licensed terminal handler" means a person, including but
20 not limited to an employee or independent contractor working
21 for a manufacturer, distributor, supplier, technician, or
22 terminal operator, who is licensed under this Act to possess or
23 control a video gaming terminal or to have access to the inner
24 workings of a video gaming terminal. A licensed terminal
25 handler does not include an individual, partnership,
26 corporation, or limited liability company defined as a

1 manufacturer, distributor, supplier, technician, or terminal
2 operator under this Act.

3 "Manufacturer" means an individual, partnership,
4 corporation, or limited liability company that is licensed
5 under this Act and that manufactures or assembles video gaming
6 terminals.

7 "Supplier" means an individual, partnership, corporation,
8 or limited liability company that is licensed under this Act to
9 supply major components or parts to video gaming terminals to
10 licensed terminal operators.

11 "Net terminal income" means money put into a video gaming
12 terminal minus credits paid out to players.

13 "Video gaming terminal" means any electronic video game
14 machine that, upon insertion of cash, electronic cards or
15 vouchers, or any combination thereof, ~~electronic voucher, or~~
16 ~~any combination thereof~~, is available to play or simulate the
17 play of a video game, including but not limited to video poker,
18 line up, and blackjack, as authorized by the Board utilizing a
19 video display and microprocessors in which the player may
20 receive free games or credits that can be redeemed for cash.
21 The term does not include a machine that directly dispenses
22 coins, cash, or tokens or is for amusement purposes only.

23 "Licensed establishment" means any licensed retail
24 establishment where alcoholic liquor is drawn, poured, mixed,
25 or otherwise served for consumption on the premises, whether
26 the establishment operates on a nonprofit or for-profit basis.

1 "Licensed establishment" includes any such establishment that
2 has a contractual relationship with an inter-track wagering
3 location licensee licensed under the Illinois Horse Racing Act
4 of 1975, provided any contractual relationship shall not
5 include any transfer or offer of revenue from the operation of
6 video gaming under this Act to any licensee licensed under the
7 Illinois Horse Racing Act of 1975. Provided, however, that the
8 licensed establishment that has such a contractual
9 relationship with an inter-track wagering location licensee
10 may not, itself, be (i) an inter-track wagering location
11 licensee, (ii) the corporate parent or subsidiary of any
12 licensee licensed under the Illinois Horse Racing Act of 1975,
13 or (iii) the corporate subsidiary of a corporation that is also
14 the corporate parent or subsidiary of any licensee licensed
15 under the Illinois Horse Racing Act of 1975. "Licensed
16 establishment" does not include a facility operated by an
17 organization licensee, an inter-track wagering licensee, or an
18 inter-track wagering location licensee licensed under the
19 Illinois Horse Racing Act of 1975 or a riverboat licensed under
20 the Illinois Riverboat Gambling Act, except as provided in this
21 paragraph. The changes made to this definition by Public Act
22 98-587 ~~this amendatory Act of the 98th General Assembly~~ are
23 declarative of existing law.

24 "Licensed fraternal establishment" means the location
25 where a qualified fraternal organization that derives its
26 charter from a national fraternal organization regularly

1 meets.

2 "Licensed veterans establishment" means the location where
3 a qualified veterans organization that derives its charter from
4 a national veterans organization regularly meets.

5 "Licensed truck stop establishment" means a facility (i)
6 that is at least a 3-acre facility with a convenience store,
7 (ii) with separate diesel islands for fueling commercial motor
8 vehicles, (iii) that sells at retail more than 10,000 gallons
9 of diesel or biodiesel fuel per month, and (iv) with parking
10 spaces for commercial motor vehicles. "Commercial motor
11 vehicles" has the same meaning as defined in Section 18b-101 of
12 the Illinois Vehicle Code. The requirement of item (iii) of
13 this paragraph may be met by showing that estimated future
14 sales or past sales average at least 10,000 gallons per month.
15 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;
16 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; revised 9-19-13.)

17 (230 ILCS 40/25)

18 Sec. 25. Restriction of licensees.

19 (a) Manufacturer. A person may not be licensed as a
20 manufacturer of a video gaming terminal in Illinois unless the
21 person has a valid manufacturer's license issued under this
22 Act. A manufacturer may only sell video gaming terminals for
23 use in Illinois to persons having a valid distributor's
24 license.

25 (b) Distributor. A person may not sell, distribute, or

1 lease or market a video gaming terminal in Illinois unless the
2 person has a valid distributor's license issued under this Act.
3 A distributor may only sell video gaming terminals for use in
4 Illinois to persons having a valid distributor's or terminal
5 operator's license.

6 (c) Terminal operator. A person may not own, maintain, or
7 place a video gaming terminal unless he has a valid terminal
8 operator's license issued under this Act. A terminal operator
9 may only place video gaming terminals for use in Illinois in
10 licensed establishments, licensed truck stop establishments,
11 licensed fraternal establishments, and licensed veterans
12 establishments. No terminal operator may give anything of
13 value, including but not limited to a loan or financing
14 arrangement, to a licensed establishment, licensed truck stop
15 establishment, licensed fraternal establishment, or licensed
16 veterans establishment as any incentive or inducement to locate
17 video terminals in that establishment. Of the after-tax profits
18 from a video gaming terminal, 50% shall be paid to the terminal
19 operator and 50% shall be paid to the licensed establishment,
20 licensed truck stop establishment, licensed fraternal
21 establishment, or licensed veterans establishment,
22 notwithstanding any agreement to the contrary. A video terminal
23 operator that violates one or more requirements of this
24 subsection is guilty of a Class 4 felony and is subject to
25 termination of his or her license by the Board.

26 (d) Licensed technician. A person may not service,

1 maintain, or repair a video gaming terminal in this State
2 unless he or she (1) has a valid technician's license issued
3 under this Act, (2) is a terminal operator, or (3) is employed
4 by a terminal operator, distributor, or manufacturer.

5 (d-5) Licensed terminal handler. No person, including, but
6 not limited to, an employee or independent contractor working
7 for a manufacturer, distributor, supplier, technician, or
8 terminal operator licensed pursuant to this Act, shall have
9 possession or control of a video gaming terminal, or access to
10 the inner workings of a video gaming terminal, unless that
11 person possesses a valid terminal handler's license issued
12 under this Act.

13 (e) Licensed establishment. No video gaming terminal may be
14 placed in any licensed establishment, licensed veterans
15 establishment, licensed truck stop establishment, or licensed
16 fraternal establishment unless the owner or agent of the owner
17 of the licensed establishment, licensed veterans
18 establishment, licensed truck stop establishment, or licensed
19 fraternal establishment has entered into a written use
20 agreement with the terminal operator for placement of the
21 terminals. A copy of the use agreement shall be on file in the
22 terminal operator's place of business and available for
23 inspection by individuals authorized by the Board. A licensed
24 establishment, licensed truck stop establishment, licensed
25 veterans establishment, or licensed fraternal establishment
26 may operate up to 5 video gaming terminals on its premises at

1 any time.

2 (f) (Blank).

3 (g) Financial interest restrictions. As used in this Act,
4 "substantial interest" in a partnership, a corporation, an
5 organization, an association, a business, or a limited
6 liability company means:

7 (A) When, with respect to a sole proprietorship, an
8 individual or his or her spouse owns, operates, manages, or
9 conducts, directly or indirectly, the organization,
10 association, or business, or any part thereof; or

11 (B) When, with respect to a partnership, the individual
12 or his or her spouse shares in any of the profits, or
13 potential profits, of the partnership activities; or

14 (C) When, with respect to a corporation, an individual
15 or his or her spouse is an officer or director, or the
16 individual or his or her spouse is a holder, directly or
17 beneficially, of 5% or more of any class of stock of the
18 corporation; or

19 (D) When, with respect to an organization not covered
20 in (A), (B) or (C) above, an individual or his or her
21 spouse is an officer or manages the business affairs, or
22 the individual or his or her spouse is the owner of or
23 otherwise controls 10% or more of the assets of the
24 organization; or

25 (E) When an individual or his or her spouse furnishes
26 5% or more of the capital, whether in cash, goods, or

1 services, for the operation of any business, association,
2 or organization during any calendar year; or

3 (F) When, with respect to a limited liability company,
4 an individual or his or her spouse is a member, or the
5 individual or his or her spouse is a holder, directly or
6 beneficially, of 5% or more of the membership interest of
7 the limited liability company.

8 For purposes of this subsection (g), "individual" includes
9 all individuals or their spouses whose combined interest would
10 qualify as a substantial interest under this subsection (g) and
11 whose activities with respect to an organization, association,
12 or business are so closely aligned or coordinated as to
13 constitute the activities of a single entity.

14 (h) Location restriction. A licensed establishment,
15 licensed truck stop establishment, licensed fraternal
16 establishment, or licensed veterans establishment that is (i)
17 located within 1,000 feet of a facility operated by an
18 organization licensee licensed under the Illinois Horse Racing
19 Act of 1975 or a casino or the home dock of a riverboat
20 licensed under the Illinois ~~Riverboat~~ Gambling Act or (ii)
21 located within 100 feet of a school or a place of worship under
22 the Religious Corporation Act, is ineligible to operate a video
23 gaming terminal. The location restrictions in this subsection
24 (h) do not apply if (A) a facility operated by an organization
25 licensee, a school, or a place of worship moves to or is
26 established within the restricted area after a licensed

1 establishment, licensed truck stop establishment, licensed
2 fraternal establishment, or licensed veterans establishment
3 becomes licensed under this Act or (B) a school or place of
4 worship moves to or is established within the restricted area
5 after a licensed establishment, licensed truck stop
6 establishment, licensed fraternal establishment, or licensed
7 veterans establishment obtains its original liquor license.
8 For the purpose of this subsection, "school" means an
9 elementary or secondary public school, or an elementary or
10 secondary private school registered with or recognized by the
11 State Board of Education.

12 Notwithstanding the provisions of this subsection (h), the
13 Board may waive the requirement that a licensed establishment,
14 licensed truck stop establishment, licensed fraternal
15 establishment, or licensed veterans establishment not be
16 located within 1,000 feet from a facility operated by an
17 organization licensee ~~or~~ licensed under the Illinois Horse
18 Racing Act of 1975 or a casino or the home dock of a riverboat
19 licensed under the Illinois ~~Riverboat~~ Gambling Act. The Board
20 shall not grant such waiver if there is any common ownership or
21 control, shared business activity, or contractual arrangement
22 of any type between the establishment and the organization
23 licensee or owners licensee of a riverboat. The Board shall
24 adopt rules to implement the provisions of this paragraph.

25 (i) Undue economic concentration. In addition to
26 considering all other requirements under this Act, in deciding

1 whether to approve the operation of video gaming terminals by a
2 terminal operator in a location, the Board shall consider the
3 impact of any economic concentration of such operation of video
4 gaming terminals. The Board shall not allow a terminal operator
5 to operate video gaming terminals if the Board determines such
6 operation will result in undue economic concentration. For
7 purposes of this Section, "undue economic concentration" means
8 that a terminal operator would have such actual or potential
9 influence over video gaming terminals in Illinois as to:

10 (1) substantially impede or suppress competition among
11 terminal operators;

12 (2) adversely impact the economic stability of the
13 video gaming industry in Illinois; or

14 (3) negatively impact the purposes of the Video Gaming
15 Act.

16 The Board shall adopt rules concerning undue economic
17 concentration with respect to the operation of video gaming
18 terminals in Illinois. The rules shall include, but not be
19 limited to, (i) limitations on the number of video gaming
20 terminals operated by any terminal operator within a defined
21 geographic radius and (ii) guidelines on the discontinuation of
22 operation of any such video gaming terminals the Board
23 determines will cause undue economic concentration.

24 (j) The provisions of the Illinois Antitrust Act are fully
25 and equally applicable to the activities of any licensee under
26 this Act.

1 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13; 98-77,
2 eff. 7-15-13; 98-112, eff. 7-26-13; revised 10-17-13.)

3 (230 ILCS 40/45)

4 Sec. 45. Issuance of license.

5 (a) The burden is upon each applicant to demonstrate his
6 suitability for licensure. Each video gaming terminal
7 manufacturer, distributor, supplier, operator, handler,
8 licensed establishment, licensed truck stop establishment,
9 licensed fraternal establishment, and licensed veterans
10 establishment shall be licensed by the Board. The Board may
11 issue or deny a license under this Act to any person pursuant
12 to the same criteria set forth in Section 9 of the Illinois
13 ~~Riverboat~~ Gambling Act.

14 (a-5) The Board shall not grant a license to a person who
15 has facilitated, enabled, or participated in the use of
16 coin-operated devices for gambling purposes or who is under the
17 significant influence or control of such a person. For the
18 purposes of this Act, "facilitated, enabled, or participated in
19 the use of coin-operated amusement devices for gambling
20 purposes" means that the person has been convicted of any
21 violation of Article 28 of the Criminal Code of 1961 or the
22 Criminal Code of 2012. If there is pending legal action against
23 a person for any such violation, then the Board shall delay the
24 licensure of that person until the legal action is resolved.

25 (b) Each person seeking and possessing a license as a video

1 gaming terminal manufacturer, distributor, supplier, operator,
2 handler, licensed establishment, licensed truck stop
3 establishment, licensed fraternal establishment, or licensed
4 veterans establishment shall submit to a background
5 investigation conducted by the Board with the assistance of the
6 State Police or other law enforcement. To the extent that the
7 corporate structure of the applicant allows, the background
8 investigation shall include any or all of the following as the
9 Board deems appropriate or as provided by rule for each
10 category of licensure: (i) each beneficiary of a trust, (ii)
11 each partner of a partnership, (iii) each member of a limited
12 liability company, (iv) each director and officer of a publicly
13 or non-publicly held corporation, (v) each stockholder of a
14 non-publicly held corporation, (vi) each stockholder of 5% or
15 more of a publicly held corporation, or (vii) each stockholder
16 of 5% or more in a parent or subsidiary corporation.

17 (c) Each person seeking and possessing a license as a video
18 gaming terminal manufacturer, distributor, supplier, operator,
19 handler, licensed establishment, licensed truck stop
20 establishment, licensed fraternal establishment, or licensed
21 veterans establishment shall disclose the identity of every
22 person, association, trust, corporation, or limited liability
23 company having a greater than 1% direct or indirect pecuniary
24 interest in the video gaming terminal operation for which the
25 license is sought. If the disclosed entity is a trust, the
26 application shall disclose the names and addresses of the

1 beneficiaries; if a corporation, the names and addresses of all
2 stockholders and directors; if a limited liability company, the
3 names and addresses of all members; or if a partnership, the
4 names and addresses of all partners, both general and limited.

5 (d) No person may be licensed as a video gaming terminal
6 manufacturer, distributor, supplier, operator, handler,
7 licensed establishment, licensed truck stop establishment,
8 licensed fraternal establishment, or licensed veterans
9 establishment if that person has been found by the Board to:

10 (1) have a background, including a criminal record,
11 reputation, habits, social or business associations, or
12 prior activities that pose a threat to the public interests
13 of the State or to the security and integrity of video
14 gaming;

15 (2) create or enhance the dangers of unsuitable,
16 unfair, or illegal practices, methods, and activities in
17 the conduct of video gaming; or

18 (3) present questionable business practices and
19 financial arrangements incidental to the conduct of video
20 gaming activities.

21 (e) Any applicant for any license under this Act has the
22 burden of proving his or her qualifications to the satisfaction
23 of the Board. The Board may adopt rules to establish additional
24 qualifications and requirements to preserve the integrity and
25 security of video gaming in this State.

26 (f) A non-refundable application fee shall be paid at the

1 time an application for a license is filed with the Board in
2 the following amounts:

- 3 (1) Manufacturer \$5,000
4 (2) Distributor..... \$5,000
5 (3) Terminal operator..... \$5,000
6 (4) Supplier \$2,500
7 (5) Technician \$100
8 (6) Terminal Handler \$50

9 (g) The Board shall establish an annual fee for each
10 license not to exceed the following:

- 11 (1) Manufacturer \$10,000
12 (2) Distributor..... \$10,000
13 (3) Terminal operator..... \$5,000
14 (4) Supplier \$2,000
15 (5) Technician \$100
16 (6) Licensed establishment, licensed truck stop
17 establishment, licensed fraternal establishment,
18 or licensed veterans establishment \$100
19 (7) Video gaming terminal..... \$100
20 (8) Terminal Handler \$50

21 (h) A terminal operator and a licensed establishment,
22 licensed truck stop establishment, licensed fraternal
23 establishment, or licensed veterans establishment shall
24 equally split the fees specified in item (7) of subsection (g).

25 (Source: P.A. 97-1150, eff. 1-25-13; 98-31, eff. 6-24-13;
26 98-587, eff. 8-27-13; revised 9-19-13.)

1 (230 ILCS 40/79)

2 Sec. 79. Investigators. Investigators appointed by the
3 Board pursuant to the powers conferred upon the Board by
4 paragraph (20.6) of subsection (c) of Section 5 of the Illinois
5 ~~Riverboat~~ Gambling Act and Section 80 of this Act shall have
6 authority to conduct investigations, searches, seizures,
7 arrests, and other duties imposed under this Act and the
8 Illinois ~~Riverboat~~ Gambling Act, as deemed necessary by the
9 Board. These investigators have and may exercise all of the
10 rights and powers of peace officers, provided that these powers
11 shall be (1) limited to offenses or violations occurring or
12 committed in connection with conduct subject to this Act,
13 including, but not limited to, the manufacture, distribution,
14 supply, operation, placement, service, maintenance, or play of
15 video gaming terminals and the distribution of profits and
16 collection of revenues resulting from such play, and (2)
17 exercised, to the fullest extent practicable, in cooperation
18 with the local police department of the applicable municipality
19 or, if these powers are exercised outside the boundaries of an
20 incorporated municipality or within a municipality that does
21 not have its own police department, in cooperation with the
22 police department whose jurisdiction encompasses the
23 applicable locality.

24 (Source: P.A. 97-809, eff. 7-13-12.)

1 (230 ILCS 40/80)

2 Sec. 80. Applicability of Illinois ~~Riverboat~~ Gambling Act.
3 The provisions of the Illinois ~~Riverboat~~ Gambling Act, and all
4 rules promulgated thereunder, shall apply to the Video Gaming
5 Act, except where there is a conflict between the 2 Acts. All
6 provisions of the Uniform Penalty and Interest Act shall apply,
7 as far as practicable, to the subject matter of this Act to the
8 same extent as if such provisions were included herein.

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

10 (230 ILCS 40/81 new)

11 Sec. 81. Prohibition of political contributions from
12 certain licensees and applicants.

13 (a) The General Assembly has a compelling interest in
14 protecting the integrity of both the electoral process and the
15 legislative process by preventing corruption and the
16 appearance of corruption which may arise through permitting
17 certain political campaign contributions by certain persons
18 involved in the gaming industry and regulated by the State.
19 Unlike most other regulated industries, gaming is especially
20 susceptible to corruption and potential criminal influence.

21 In Illinois, only licensed gaming activities are legal and
22 all other gaming activities are strictly prohibited. Given
23 these circumstances, it is imperative to eliminate any
24 potential corrupt influence in the gaming industry and the
25 electoral process. Banning political campaign contributions by

1 certain persons subject to this Section to State officeholders
2 and candidates for such offices and, where necessary, to county
3 and municipal officeholders and candidates for such offices in
4 counties and municipalities that receive financial benefits
5 from gaming activities is necessary to prevent corruption and
6 the appearance of corruption that may arise when political
7 campaign contributions and gaming that is regulated by the
8 State and that confers benefits on counties and municipalities
9 are intermingled.

10 (b) As used in this Section:

11 "Affiliated entity" means (i) any corporate parent and each
12 operating subsidiary of the business entity applying for or
13 holding a license, (ii) each operating subsidiary of the
14 corporate parent of the business entity applying for or holding
15 a license, (iii) any organization recognized by the United
16 States Internal Revenue Service as a tax-exempt organization
17 described in Section 501(c) of the Internal Revenue Code of
18 1986 (or any successor provision of federal tax law)
19 established by one or more business entities seeking or holding
20 a license, any affiliated entity of such business entity, or
21 any affiliated person of such business entity, and (iv) any
22 political committee for which the business entity applying for
23 or holding a license, or any 501(c) organization described in
24 item (iii) related to that business entity, is the sponsoring
25 entity, as defined in Section 9-3 of the Election Code. For
26 purposes of item (iv), the funding of all business entities

1 applying for or holding a license shall be aggregated in
2 determining whether such political committee is an affiliated
3 entity.

4 "Affiliated person" means (i) any person with any ownership
5 interest or distributive share in excess of 1% of any business
6 entity applying for or holding a license, (ii) executive
7 employees of any such business entity, (iii) any person
8 designated as a person of significant influence and control
9 under the Video Gaming Act, and (iv) the spouse of such
10 persons.

11 "Business entity" means any entity doing business for
12 profit, whether organized as a corporation, partnership, sole
13 proprietorship, limited liability company, or partnership or
14 otherwise.

15 "Contribution" means a contribution as defined in Section
16 9-1.4 of the Election Code.

17 "Declared candidate" means a person who has filed a
18 statement of candidacy and petition for nomination or election
19 in the principal office of the State Board of Elections, or in
20 the office of the appropriate election authority for any county
21 or municipality in which a video gaming terminal is located or
22 proposed or which receives any video gaming revenue, for the
23 office of Governor, Lieutenant Governor, Attorney General,
24 Secretary of State, Comptroller, Treasurer, member of the
25 General Assembly, chief executive or any member of the
26 legislative body of any municipality in which a video gaming

1 terminal is located or proposed or which receives any video
2 gaming revenue, or chief executive or any member of the
3 legislative body of any county containing any unincorporated
4 area in which a video gaming terminal is located or which
5 receives any video gaming revenue.

6 "Executive employee" means any person who is an officer or
7 director or who fulfills duties equivalent to those of an
8 officer or director of a business entity applying for or
9 holding a license; and (ii) any employee of such business
10 entity who is required to register under the Lobbyist
11 Registration Act.

12 "License" means any license issued pursuant to this Act.

13 "Officeholder" means the Governor, the Lieutenant
14 Governor, the Attorney General, the Secretary of State, the
15 Comptroller, the Treasurer, a member of the General Assembly,
16 the chief executive or any member of the legislative body of
17 any municipality in which a video gaming terminal is located or
18 proposed or which receives any video gaming revenue, or the
19 chief executive or any member of the legislative body of any
20 county containing any unincorporated area in which a video
21 gaming terminal is located or which receives any video gaming
22 revenue.

23 (c) Any person or business entity applying for or holding a
24 manufacturer or distributor license, any affiliated entities
25 or persons of such business entity, and any entities or persons
26 soliciting a contribution or causing a contribution to be made

1 on behalf of such person or business entity, are prohibited
2 from making any contribution to any officeholder or declared
3 candidate or any political committee affiliated with any
4 officeholder or declared candidate, as defined in Section 9-1.8
5 of the Election Code.

6 The Board shall have authority to suspend, revoke, or
7 restrict the license and to impose civil penalties of up to
8 \$100,000, for each violation of this subsection (c). A notice
9 of each such violation and the penalty imposed shall be
10 published on the Board's website and in the Illinois Register.
11 Payments received by the State pursuant to this subsection
12 shall be deposited into the General Revenue Fund.

13 Any person or business entity applying for or holding a
14 terminal operator license, any affiliated entities or persons
15 of such business entity, and any entities or persons soliciting
16 a contribution or causing a contribution to be made on behalf
17 of such person or business entity, are prohibited from making
18 any contribution to any officeholder or declared candidate or
19 any political committee affiliated with any officeholder or
20 declared candidate, as defined in Section 9-1.8 of the Election
21 Code, except that any such person or entity may make a
22 contribution to the chief executive or any member of the
23 legislative body of any municipality in which a video gaming
24 terminal is located or proposed or which receives any video
25 gaming revenue, the chief executive or any member of the
26 legislative body of any county containing any unincorporated

1 area in which a video gaming terminal is located or which
2 receives any video gaming revenue, or any declared candidates
3 for such offices, so long as the video gaming terminal
4 associated with the terminal operator license held or applied
5 for is not located in the same municipality or county in which
6 the officeholder or declared candidate holds or is seeking
7 office. This prohibition shall commence upon filing of an
8 application for a license and shall continue for a period of 2
9 years after termination, suspension, or revocation of the
10 license.

11 Any officeholder or declared candidate or any political
12 committee affiliated with any officeholder or declared
13 candidate that has received a contribution in violation of this
14 subsection (c) shall pay an amount equal to the value of the
15 contribution to the State no more than 30 days after notice of
16 the violation concerning the contribution appears in the
17 Illinois Register. Payments received by the State pursuant to
18 this subsection shall be deposited into the General Revenue
19 Fund.

20 The provisions of this subsection (c) shall apply only to
21 persons or entities applying for or holding a manufacturer
22 license, a distributor license, or a terminal operator license
23 and shall not apply to persons or entities applying for or
24 holding any other licenses under this Act.

25 (d) The Board shall post on its website a list of all
26 persons, business entities, and affiliated entities prohibited

1 from making contributions to any officeholder or declared
2 candidate political committee pursuant to subsection (c),
3 which list shall be updated and published on, at a minimum, a
4 semiannual basis.

5 Any person, business entity, or affiliated entity
6 prohibited from making contributions to any officeholder or
7 declared candidate political committee pursuant to subsection
8 (c) of this Section shall notify the Board within 7 days after
9 discovering any necessary change or addition to the information
10 relating to that person, business entity, or affiliated entity
11 contained in the list.

12 An individual who acts in good faith and in reliance on any
13 information contained in the list shall not be subject to any
14 penalties or liability imposed for a violation of this Section.

15 (e) If any provision of this Section is held invalid or its
16 application to any person or circumstance is held invalid, the
17 invalidity of that provision or application does not affect the
18 other provisions or applications of this Section that can be
19 given effect without the invalid application or provision.

20 Section 50. The Liquor Control Act of 1934 is amended by
21 changing Sections 5-1 and 6-30 as follows:

22 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

23 Sec. 5-1. Licenses issued by the Illinois Liquor Control
24 Commission shall be of the following classes:

1 (a) Manufacturer's license - Class 1. Distiller, Class 2.
2 Rectifier, Class 3. Brewer, Class 4. First Class Wine
3 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.
4 First Class Winemaker, Class 7. Second Class Winemaker, Class
5 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class
6 10. Craft Brewer,

7 (b) Distributor's license,

8 (c) Importing Distributor's license,

9 (d) Retailer's license,

10 (e) Special Event Retailer's license (not-for-profit),

11 (f) Railroad license,

12 (g) Boat license,

13 (h) Non-Beverage User's license,

14 (i) Wine-maker's premises license,

15 (j) Airplane license,

16 (k) Foreign importer's license,

17 (l) Broker's license,

18 (m) Non-resident dealer's license,

19 (n) Brew Pub license,

20 (o) Auction liquor license,

21 (p) Caterer retailer license,

22 (q) Special use permit license,

23 (r) Winery shipper's license.

24 No person, firm, partnership, corporation, or other legal
25 business entity that is engaged in the manufacturing of wine
26 may concurrently obtain and hold a wine-maker's license and a

1 wine manufacturer's license.

2 (a) A manufacturer's license shall allow the manufacture,
3 importation in bulk, storage, distribution and sale of
4 alcoholic liquor to persons without the State, as may be
5 permitted by law and to licensees in this State as follows:

6 Class 1. A Distiller may make sales and deliveries of
7 alcoholic liquor to distillers, rectifiers, importing
8 distributors, distributors and non-beverage users and to no
9 other licensees.

10 Class 2. A Rectifier, who is not a distiller, as defined
11 herein, may make sales and deliveries of alcoholic liquor to
12 rectifiers, importing distributors, distributors, retailers
13 and non-beverage users and to no other licensees.

14 Class 3. A Brewer may make sales and deliveries of beer to
15 importing distributors and distributors and may make sales as
16 authorized under subsection (e) of Section 6-4 of this Act.

17 Class 4. A first class wine-manufacturer may make sales and
18 deliveries of up to 50,000 gallons of wine to manufacturers,
19 importing distributors and distributors, and to no other
20 licensees.

21 Class 5. A second class Wine manufacturer may make sales
22 and deliveries of more than 50,000 gallons of wine to
23 manufacturers, importing distributors and distributors and to
24 no other licensees.

25 Class 6. A first-class wine-maker's license shall allow the
26 manufacture of up to 50,000 gallons of wine per year, and the

1 storage and sale of such wine to distributors in the State and
2 to persons without the State, as may be permitted by law. A
3 person who, prior to the effective date of this amendatory Act
4 of the 95th General Assembly, is a holder of a first-class
5 wine-maker's license and annually produces more than 25,000
6 gallons of its own wine and who distributes its wine to
7 licensed retailers shall cease this practice on or before July
8 1, 2008 in compliance with this amendatory Act of the 95th
9 General Assembly.

10 Class 7. A second-class wine-maker's license shall allow
11 the manufacture of between 50,000 and 150,000 gallons of wine
12 per year, and the storage and sale of such wine to distributors
13 in this State and to persons without the State, as may be
14 permitted by law. A person who, prior to the effective date of
15 this amendatory Act of the 95th General Assembly, is a holder
16 of a second-class wine-maker's license and annually produces
17 more than 25,000 gallons of its own wine and who distributes
18 its wine to licensed retailers shall cease this practice on or
19 before July 1, 2008 in compliance with this amendatory Act of
20 the 95th General Assembly.

21 Class 8. A limited wine-manufacturer may make sales and
22 deliveries not to exceed 40,000 gallons of wine per year to
23 distributors, and to non-licensees in accordance with the
24 provisions of this Act.

25 Class 9. A craft distiller license shall allow the
26 manufacture of up to 30,000 gallons of spirits by distillation

1 for one year after the effective date of this amendatory Act of
2 the 97th General Assembly and up to 35,000 gallons of spirits
3 by distillation per year thereafter and the storage of such
4 spirits. If a craft distiller licensee is not affiliated with
5 any other manufacturer, then the craft distiller licensee may
6 sell such spirits to distributors in this State and up to 2,500
7 gallons of such spirits to non-licensees to the extent
8 permitted by any exemption approved by the Commission pursuant
9 to Section 6-4 of this Act.

10 Any craft distiller licensed under this Act who on the
11 effective date of this amendatory Act of the 96th General
12 Assembly was licensed as a distiller and manufactured no more
13 spirits than permitted by this Section shall not be required to
14 pay the initial licensing fee.

15 Class 10. A craft brewer's license, which may only be
16 issued to a licensed brewer or licensed non-resident dealer,
17 shall allow the manufacture of up to 930,000 gallons of beer
18 per year. A craft brewer licensee may make sales and deliveries
19 to importing distributors and distributors and to retail
20 licensees in accordance with the conditions set forth in
21 paragraph (18) of subsection (a) of Section 3-12 of this Act.

22 (a-1) A manufacturer which is licensed in this State to
23 make sales or deliveries of alcoholic liquor to licensed
24 distributors or importing distributors and which enlists
25 agents, representatives, or individuals acting on its behalf
26 who contact licensed retailers on a regular and continual basis

1 in this State must register those agents, representatives, or
2 persons acting on its behalf with the State Commission.

3 Registration of agents, representatives, or persons acting
4 on behalf of a manufacturer is fulfilled by submitting a form
5 to the Commission. The form shall be developed by the
6 Commission and shall include the name and address of the
7 applicant, the name and address of the manufacturer he or she
8 represents, the territory or areas assigned to sell to or
9 discuss pricing terms of alcoholic liquor, and any other
10 questions deemed appropriate and necessary. All statements in
11 the forms required to be made by law or by rule shall be deemed
12 material, and any person who knowingly misstates any material
13 fact under oath in an application is guilty of a Class B
14 misdemeanor. Fraud, misrepresentation, false statements,
15 misleading statements, evasions, or suppression of material
16 facts in the securing of a registration are grounds for
17 suspension or revocation of the registration. The State
18 Commission shall post a list of registered agents on the
19 Commission's website.

20 (b) A distributor's license shall allow the wholesale
21 purchase and storage of alcoholic liquors and sale of alcoholic
22 liquors to licensees in this State and to persons without the
23 State, as may be permitted by law.

24 (c) An importing distributor's license may be issued to and
25 held by those only who are duly licensed distributors, upon the
26 filing of an application by a duly licensed distributor, with

1 the Commission and the Commission shall, without the payment of
2 any fee, immediately issue such importing distributor's
3 license to the applicant, which shall allow the importation of
4 alcoholic liquor by the licensee into this State from any point
5 in the United States outside this State, and the purchase of
6 alcoholic liquor in barrels, casks or other bulk containers and
7 the bottling of such alcoholic liquors before resale thereof,
8 but all bottles or containers so filled shall be sealed,
9 labeled, stamped and otherwise made to comply with all
10 provisions, rules and regulations governing manufacturers in
11 the preparation and bottling of alcoholic liquors. The
12 importing distributor's license shall permit such licensee to
13 purchase alcoholic liquor from Illinois licensed non-resident
14 dealers and foreign importers only.

15 (d) A retailer's license shall allow the licensee to sell
16 and offer for sale at retail, only in the premises specified in
17 the license, alcoholic liquor for use or consumption, but not
18 for resale in any form. Nothing in this amendatory Act of the
19 95th General Assembly shall deny, limit, remove, or restrict
20 the ability of a holder of a retailer's license to transfer,
21 deliver, or ship alcoholic liquor to the purchaser for use or
22 consumption subject to any applicable local law or ordinance.
23 Any retail license issued to a manufacturer shall only permit
24 the manufacturer to sell beer at retail on the premises
25 actually occupied by the manufacturer. For the purpose of
26 further describing the type of business conducted at a retail

1 licensed premises, a retailer's licensee may be designated by
2 the State Commission as (i) an on premise consumption retailer,
3 (ii) an off premise sale retailer, or (iii) a combined on
4 premise consumption and off premise sale retailer.

5 Notwithstanding any other provision of this subsection
6 (d), a retail licensee may sell alcoholic liquors to a special
7 event retailer licensee for resale to the extent permitted
8 under subsection (e).

9 (e) A special event retailer's license (not-for-profit)
10 shall permit the licensee to purchase alcoholic liquors from an
11 Illinois licensed distributor (unless the licensee purchases
12 less than \$500 of alcoholic liquors for the special event, in
13 which case the licensee may purchase the alcoholic liquors from
14 a licensed retailer) and shall allow the licensee to sell and
15 offer for sale, at retail, alcoholic liquors for use or
16 consumption, but not for resale in any form and only at the
17 location and on the specific dates designated for the special
18 event in the license. An applicant for a special event retailer
19 license must (i) furnish with the application: (A) a resale
20 number issued under Section 2c of the Retailers' Occupation Tax
21 Act or evidence that the applicant is registered under Section
22 2a of the Retailers' Occupation Tax Act, (B) a current, valid
23 exemption identification number issued under Section 1g of the
24 Retailers' Occupation Tax Act, and a certification to the
25 Commission that the purchase of alcoholic liquors will be a
26 tax-exempt purchase, or (C) a statement that the applicant is

1 not registered under Section 2a of the Retailers' Occupation
2 Tax Act, does not hold a resale number under Section 2c of the
3 Retailers' Occupation Tax Act, and does not hold an exemption
4 number under Section 1g of the Retailers' Occupation Tax Act,
5 in which event the Commission shall set forth on the special
6 event retailer's license a statement to that effect; (ii)
7 submit with the application proof satisfactory to the State
8 Commission that the applicant will provide dram shop liability
9 insurance in the maximum limits; and (iii) show proof
10 satisfactory to the State Commission that the applicant has
11 obtained local authority approval.

12 (f) A railroad license shall permit the licensee to import
13 alcoholic liquors into this State from any point in the United
14 States outside this State and to store such alcoholic liquors
15 in this State; to make wholesale purchases of alcoholic liquors
16 directly from manufacturers, foreign importers, distributors
17 and importing distributors from within or outside this State;
18 and to store such alcoholic liquors in this State; provided
19 that the above powers may be exercised only in connection with
20 the importation, purchase or storage of alcoholic liquors to be
21 sold or dispensed on a club, buffet, lounge or dining car
22 operated on an electric, gas or steam railway in this State;
23 and provided further, that railroad licensees exercising the
24 above powers shall be subject to all provisions of Article VIII
25 of this Act as applied to importing distributors. A railroad
26 license shall also permit the licensee to sell or dispense

1 alcoholic liquors on any club, buffet, lounge or dining car
 2 operated on an electric, gas or steam railway regularly
 3 operated by a common carrier in this State, but shall not
 4 permit the sale for resale of any alcoholic liquors to any
 5 licensee within this State. A license shall be obtained for
 6 each car in which such sales are made.

7 (g) A boat license shall allow the sale of alcoholic liquor
 8 in individual drinks, on any passenger boat regularly operated
 9 as a common carrier on navigable waters in this State or on any
 10 riverboat operated under the Illinois Riverboat ~~Riverboat~~ Gambling Act,
 11 which boat or riverboat maintains a public dining room or
 12 restaurant thereon.

13 (h) A non-beverage user's license shall allow the licensee
 14 to purchase alcoholic liquor from a licensed manufacturer or
 15 importing distributor, without the imposition of any tax upon
 16 the business of such licensed manufacturer or importing
 17 distributor as to such alcoholic liquor to be used by such
 18 licensee solely for the non-beverage purposes set forth in
 19 subsection (a) of Section 8-1 of this Act, and such licenses
 20 shall be divided and classified and shall permit the purchase,
 21 possession and use of limited and stated quantities of
 22 alcoholic liquor as follows:

- 23 Class 1, not to exceed 500 gallons
- 24 Class 2, not to exceed 1,000 gallons
- 25 Class 3, not to exceed 5,000 gallons
- 26 Class 4, not to exceed 10,000 gallons

1 Class 5, not to exceed 50,000 gallons

2 (i) A wine-maker's premises license shall allow a licensee
3 that concurrently holds a first-class wine-maker's license to
4 sell and offer for sale at retail in the premises specified in
5 such license not more than 50,000 gallons of the first-class
6 wine-maker's wine that is made at the first-class wine-maker's
7 licensed premises per year for use or consumption, but not for
8 resale in any form. A wine-maker's premises license shall allow
9 a licensee who concurrently holds a second-class wine-maker's
10 license to sell and offer for sale at retail in the premises
11 specified in such license up to 100,000 gallons of the
12 second-class wine-maker's wine that is made at the second-class
13 wine-maker's licensed premises per year for use or consumption
14 but not for resale in any form. A wine-maker's premises license
15 shall allow a licensee that concurrently holds a first-class
16 wine-maker's license or a second-class wine-maker's license to
17 sell and offer for sale at retail at the premises specified in
18 the wine-maker's premises license, for use or consumption but
19 not for resale in any form, any beer, wine, and spirits
20 purchased from a licensed distributor. Upon approval from the
21 State Commission, a wine-maker's premises license shall allow
22 the licensee to sell and offer for sale at (i) the wine-maker's
23 licensed premises and (ii) at up to 2 additional locations for
24 use and consumption and not for resale. Each location shall
25 require additional licensing per location as specified in
26 Section 5-3 of this Act. A wine-maker's premises licensee shall

1 secure liquor liability insurance coverage in an amount at
2 least equal to the maximum liability amounts set forth in
3 subsection (a) of Section 6-21 of this Act.

4 (j) An airplane license shall permit the licensee to import
5 alcoholic liquors into this State from any point in the United
6 States outside this State and to store such alcoholic liquors
7 in this State; to make wholesale purchases of alcoholic liquors
8 directly from manufacturers, foreign importers, distributors
9 and importing distributors from within or outside this State;
10 and to store such alcoholic liquors in this State; provided
11 that the above powers may be exercised only in connection with
12 the importation, purchase or storage of alcoholic liquors to be
13 sold or dispensed on an airplane; and provided further, that
14 airplane licensees exercising the above powers shall be subject
15 to all provisions of Article VIII of this Act as applied to
16 importing distributors. An airplane licensee shall also permit
17 the sale or dispensing of alcoholic liquors on any passenger
18 airplane regularly operated by a common carrier in this State,
19 but shall not permit the sale for resale of any alcoholic
20 liquors to any licensee within this State. A single airplane
21 license shall be required of an airline company if liquor
22 service is provided on board aircraft in this State. The annual
23 fee for such license shall be as determined in Section 5-3.

24 (k) A foreign importer's license shall permit such licensee
25 to purchase alcoholic liquor from Illinois licensed
26 non-resident dealers only, and to import alcoholic liquor other

1 than in bulk from any point outside the United States and to
2 sell such alcoholic liquor to Illinois licensed importing
3 distributors and to no one else in Illinois; provided that (i)
4 the foreign importer registers with the State Commission every
5 brand of alcoholic liquor that it proposes to sell to Illinois
6 licensees during the license period, (ii) the foreign importer
7 complies with all of the provisions of Section 6-9 of this Act
8 with respect to registration of such Illinois licensees as may
9 be granted the right to sell such brands at wholesale, and
10 (iii) the foreign importer complies with the provisions of
11 Sections 6-5 and 6-6 of this Act to the same extent that these
12 provisions apply to manufacturers.

13 (1) (i) A broker's license shall be required of all persons
14 who solicit orders for, offer to sell or offer to supply
15 alcoholic liquor to retailers in the State of Illinois, or who
16 offer to retailers to ship or cause to be shipped or to make
17 contact with distillers, rectifiers, brewers or manufacturers
18 or any other party within or without the State of Illinois in
19 order that alcoholic liquors be shipped to a distributor,
20 importing distributor or foreign importer, whether such
21 solicitation or offer is consummated within or without the
22 State of Illinois.

23 No holder of a retailer's license issued by the Illinois
24 Liquor Control Commission shall purchase or receive any
25 alcoholic liquor, the order for which was solicited or offered
26 for sale to such retailer by a broker unless the broker is the

1 holder of a valid broker's license.

2 The broker shall, upon the acceptance by a retailer of the
3 broker's solicitation of an order or offer to sell or supply or
4 deliver or have delivered alcoholic liquors, promptly forward
5 to the Illinois Liquor Control Commission a notification of
6 said transaction in such form as the Commission may by
7 regulations prescribe.

8 (ii) A broker's license shall be required of a person
9 within this State, other than a retail licensee, who, for a fee
10 or commission, promotes, solicits, or accepts orders for
11 alcoholic liquor, for use or consumption and not for resale, to
12 be shipped from this State and delivered to residents outside
13 of this State by an express company, common carrier, or
14 contract carrier. This Section does not apply to any person who
15 promotes, solicits, or accepts orders for wine as specifically
16 authorized in Section 6-29 of this Act.

17 A broker's license under this subsection (1) shall not
18 entitle the holder to buy or sell any alcoholic liquors for his
19 own account or to take or deliver title to such alcoholic
20 liquors.

21 This subsection (1) shall not apply to distributors,
22 employees of distributors, or employees of a manufacturer who
23 has registered the trademark, brand or name of the alcoholic
24 liquor pursuant to Section 6-9 of this Act, and who regularly
25 sells such alcoholic liquor in the State of Illinois only to
26 its registrants thereunder.

1 Any agent, representative, or person subject to
2 registration pursuant to subsection (a-1) of this Section shall
3 not be eligible to receive a broker's license.

4 (m) A non-resident dealer's license shall permit such
5 licensee to ship into and warehouse alcoholic liquor into this
6 State from any point outside of this State, and to sell such
7 alcoholic liquor to Illinois licensed foreign importers and
8 importing distributors and to no one else in this State;
9 provided that (i) said non-resident dealer shall register with
10 the Illinois Liquor Control Commission each and every brand of
11 alcoholic liquor which it proposes to sell to Illinois
12 licensees during the license period, (ii) it shall comply with
13 all of the provisions of Section 6-9 hereof with respect to
14 registration of such Illinois licensees as may be granted the
15 right to sell such brands at wholesale, and (iii) the
16 non-resident dealer shall comply with the provisions of
17 Sections 6-5 and 6-6 of this Act to the same extent that these
18 provisions apply to manufacturers.

19 (n) A brew pub license shall allow the licensee (i) to
20 manufacture beer only on the premises specified in the license,
21 (ii) to make sales of the beer manufactured on the premises or,
22 with the approval of the Commission, beer manufactured on
23 another brew pub licensed premises that is substantially owned
24 and operated by the same licensee to importing distributors,
25 distributors, and to non-licensees for use and consumption,
26 (iii) to store the beer upon the premises, and (iv) to sell and

1 offer for sale at retail from the licensed premises, provided
2 that a brew pub licensee shall not sell for off-premises
3 consumption more than 50,000 gallons per year. A person who
4 holds a brew pub license may simultaneously hold a craft brewer
5 license if he or she otherwise qualifies for the craft brewer
6 license and the craft brewer license is for a location separate
7 from the brew pub's licensed premises. A brew pub license shall
8 permit a person who has received prior approval from the
9 Commission to annually transfer no more than a total of 50,000
10 gallons of beer manufactured on premises to all other licensed
11 brew pubs that are substantially owned and operated by the same
12 person.

13 (o) A caterer retailer license shall allow the holder to
14 serve alcoholic liquors as an incidental part of a food service
15 that serves prepared meals which excludes the serving of snacks
16 as the primary meal, either on or off-site whether licensed or
17 unlicensed.

18 (p) An auction liquor license shall allow the licensee to
19 sell and offer for sale at auction wine and spirits for use or
20 consumption, or for resale by an Illinois liquor licensee in
21 accordance with provisions of this Act. An auction liquor
22 license will be issued to a person and it will permit the
23 auction liquor licensee to hold the auction anywhere in the
24 State. An auction liquor license must be obtained for each
25 auction at least 14 days in advance of the auction date.

26 (q) A special use permit license shall allow an Illinois

1 licensed retailer to transfer a portion of its alcoholic liquor
2 inventory from its retail licensed premises to the premises
3 specified in the license hereby created, and to sell or offer
4 for sale at retail, only in the premises specified in the
5 license hereby created, the transferred alcoholic liquor for
6 use or consumption, but not for resale in any form. A special
7 use permit license may be granted for the following time
8 periods: one day or less; 2 or more days to a maximum of 15 days
9 per location in any 12 month period. An applicant for the
10 special use permit license must also submit with the
11 application proof satisfactory to the State Commission that the
12 applicant will provide dram shop liability insurance to the
13 maximum limits and have local authority approval.

14 (r) A winery shipper's license shall allow a person with a
15 first-class or second-class wine manufacturer's license, a
16 first-class or second-class wine-maker's license, or a limited
17 wine manufacturer's license or who is licensed to make wine
18 under the laws of another state to ship wine made by that
19 licensee directly to a resident of this State who is 21 years
20 of age or older for that resident's personal use and not for
21 resale. Prior to receiving a winery shipper's license, an
22 applicant for the license must provide the Commission with a
23 true copy of its current license in any state in which it is
24 licensed as a manufacturer of wine. An applicant for a winery
25 shipper's license must also complete an application form that
26 provides any other information the Commission deems necessary.

1 The application form shall include an acknowledgement
2 consenting to the jurisdiction of the Commission, the Illinois
3 Department of Revenue, and the courts of this State concerning
4 the enforcement of this Act and any related laws, rules, and
5 regulations, including authorizing the Department of Revenue
6 and the Commission to conduct audits for the purpose of
7 ensuring compliance with this amendatory Act.

8 A winery shipper licensee must pay to the Department of
9 Revenue the State liquor gallonage tax under Section 8-1 for
10 all wine that is sold by the licensee and shipped to a person
11 in this State. For the purposes of Section 8-1, a winery
12 shipper licensee shall be taxed in the same manner as a
13 manufacturer of wine. A licensee who is not otherwise required
14 to register under the Retailers' Occupation Tax Act must
15 register under the Use Tax Act to collect and remit use tax to
16 the Department of Revenue for all gallons of wine that are sold
17 by the licensee and shipped to persons in this State. If a
18 licensee fails to remit the tax imposed under this Act in
19 accordance with the provisions of Article VIII of this Act, the
20 winery shipper's license shall be revoked in accordance with
21 the provisions of Article VII of this Act. If a licensee fails
22 to properly register and remit tax under the Use Tax Act or the
23 Retailers' Occupation Tax Act for all wine that is sold by the
24 winery shipper and shipped to persons in this State, the winery
25 shipper's license shall be revoked in accordance with the
26 provisions of Article VII of this Act.

1 A winery shipper licensee must collect, maintain, and
2 submit to the Commission on a semi-annual basis the total
3 number of cases per resident of wine shipped to residents of
4 this State. A winery shipper licensed under this subsection (r)
5 must comply with the requirements of Section 6-29 of this
6 amendatory Act.

7 (Source: P.A. 97-5, eff. 6-1-11; 97-455, eff. 8-19-11; 97-813,
8 eff. 7-13-12; 97-1166, eff. 3-1-13; 98-394, eff. 8-16-13;
9 98-401, eff. 8-16-13; revised 9-12-13.)

10 (235 ILCS 5/6-30) (from Ch. 43, par. 144f)

11 Sec. 6-30. Notwithstanding any other provision of this Act,
12 the Illinois Gaming Board shall have exclusive authority to
13 establish the hours for sale and consumption of alcoholic
14 liquor on board a riverboat during riverboat gambling
15 excursions and in a casino conducted in accordance with the
16 Illinois Riverboat Gambling Act.

17 (Source: P.A. 87-826.)

18 Section 55. The Illinois Public Aid Code is amended by
19 changing Section 10-17.15 as follows:

20 (305 ILCS 5/10-17.15)

21 Sec. 10-17.15. Certification of information to State
22 gaming licensees.

23 (a) For purposes of this Section, "State gaming licensee"

1 means, as applicable, an organization licensee or advance
2 deposit wagering licensee licensed under the Illinois Horse
3 Racing Act of 1975, an owners licensee licensed under the
4 Illinois Riverboat Gambling Act, or a licensee that operates,
5 under any law of this State, one or more facilities or gaming
6 locations at which lawful gambling is authorized and licensed
7 as provided in the Illinois Riverboat Gambling Act.

8 (b) The Department may provide, by rule, for certification
9 to any State gaming licensee of past due child support owed by
10 a responsible relative under a support order entered by a court
11 or administrative body of this or any other State on behalf of
12 a resident or non-resident receiving child support services
13 under this Article in accordance with the requirements of Title
14 IV-D, Part D, of the Social Security Act. The State gaming
15 licensee shall have the ability to withhold from winnings
16 required to be reported to the Internal Revenue Service on Form
17 W-2G, up to the full amount of winnings necessary to pay the
18 winner's past due child support. The rule shall provide for
19 notice to and an opportunity to be heard by each responsible
20 relative affected and any final administrative decision
21 rendered by the Department shall be reviewed only under and in
22 accordance with the Administrative Review Law.

23 (c) For withholding of winnings, the State gaming licensee
24 shall be entitled to an administrative fee not to exceed the
25 lesser of 4% of the total amount of cash winnings paid to the
26 gambling winner or \$150.

1 (d) In no event may the total amount withheld from the cash
2 payout, including the administrative fee, exceed the total cash
3 winnings claimed by the obligor. If the cash payout claimed is
4 greater than the amount sufficient to satisfy the obligor's
5 delinquent child support payments, the State gaming licensee
6 shall pay the obligor the remaining balance of the payout, less
7 the administrative fee authorized by subsection (c) of this
8 Section, at the time it is claimed.

9 (e) A State gaming licensee who in good faith complies with
10 the requirements of this Section shall not be liable to the
11 gaming winner or any other individual or entity.

12 (Source: P.A. 98-318, eff. 8-12-13.)

13 Section 60. The Firearm Concealed Carry Act is amended by
14 changing Section 65 as follows:

15 (430 ILCS 66/65)

16 Sec. 65. Prohibited areas.

17 (a) A licensee under this Act shall not knowingly carry a
18 firearm on or into:

19 (1) Any building, real property, and parking area under
20 the control of a public or private elementary or secondary
21 school.

22 (2) Any building, real property, and parking area under
23 the control of a pre-school or child care facility,
24 including any room or portion of a building under the

1 control of a pre-school or child care facility. Nothing in
2 this paragraph shall prevent the operator of a child care
3 facility in a family home from owning or possessing a
4 firearm in the home or license under this Act, if no child
5 under child care at the home is present in the home or the
6 firearm in the home is stored in a locked container when a
7 child under child care at the home is present in the home.

8 (3) Any building, parking area, or portion of a
9 building under the control of an officer of the executive
10 or legislative branch of government, provided that nothing
11 in this paragraph shall prohibit a licensee from carrying a
12 concealed firearm onto the real property, bikeway, or trail
13 in a park regulated by the Department of Natural Resources
14 or any other designated public hunting area or building
15 where firearm possession is permitted as established by the
16 Department of Natural Resources under Section 1.8 of the
17 Wildlife Code.

18 (4) Any building designated for matters before a
19 circuit court, appellate court, or the Supreme Court, or
20 any building or portion of a building under the control of
21 the Supreme Court.

22 (5) Any building or portion of a building under the
23 control of a unit of local government.

24 (6) Any building, real property, and parking area under
25 the control of an adult or juvenile detention or
26 correctional institution, prison, or jail.

1 (7) Any building, real property, and parking area under
2 the control of a public or private hospital or hospital
3 affiliate, mental health facility, or nursing home.

4 (8) Any bus, train, or form of transportation paid for
5 in whole or in part with public funds, and any building,
6 real property, and parking area under the control of a
7 public transportation facility paid for in whole or in part
8 with public funds.

9 (9) Any building, real property, and parking area under
10 the control of an establishment that serves alcohol on its
11 premises, if more than 50% of the establishment's gross
12 receipts within the prior 3 months is from the sale of
13 alcohol. The owner of an establishment who knowingly fails
14 to prohibit concealed firearms on its premises as provided
15 in this paragraph or who knowingly makes a false statement
16 or record to avoid the prohibition on concealed firearms
17 under this paragraph is subject to the penalty under
18 subsection (c-5) of Section 10-1 of the Liquor Control Act
19 of 1934.

20 (10) Any public gathering or special event conducted on
21 property open to the public that requires the issuance of a
22 permit from the unit of local government, provided this
23 prohibition shall not apply to a licensee who must walk
24 through a public gathering in order to access his or her
25 residence, place of business, or vehicle.

26 (11) Any building or real property that has been issued

1 a Special Event Retailer's license as defined in Section
2 1-3.17.1 of the Liquor Control Act during the time
3 designated for the sale of alcohol by the Special Event
4 Retailer's license, or a Special use permit license as
5 defined in subsection (q) of Section 5-1 of the Liquor
6 Control Act during the time designated for the sale of
7 alcohol by the Special use permit license.

8 (12) Any public playground.

9 (13) Any public park, athletic area, or athletic
10 facility under the control of a municipality or park
11 district, provided nothing in this Section shall prohibit a
12 licensee from carrying a concealed firearm while on a trail
13 or bikeway if only a portion of the trail or bikeway
14 includes a public park.

15 (14) Any real property under the control of the Cook
16 County Forest Preserve District.

17 (15) Any building, classroom, laboratory, medical
18 clinic, hospital, artistic venue, athletic venue,
19 entertainment venue, officially recognized
20 university-related organization property, whether owned or
21 leased, and any real property, including parking areas,
22 sidewalks, and common areas under the control of a public
23 or private community college, college, or university.

24 (16) Any building, real property, or parking area under
25 the control of a gaming facility licensed under the
26 Illinois Riverboat Gambling Act or the Illinois Horse

1 Racing Act of 1975, including an inter-track wagering
2 location licensee.

3 (17) Any stadium, arena, or the real property or
4 parking area under the control of a stadium, arena, or any
5 collegiate or professional sporting event.

6 (18) Any building, real property, or parking area under
7 the control of a public library.

8 (19) Any building, real property, or parking area under
9 the control of an airport.

10 (20) Any building, real property, or parking area under
11 the control of an amusement park.

12 (21) Any building, real property, or parking area under
13 the control of a zoo or museum.

14 (22) Any street, driveway, parking area, property,
15 building, or facility, owned, leased, controlled, or used
16 by a nuclear energy, storage, weapons, or development site
17 or facility regulated by the federal Nuclear Regulatory
18 Commission. The licensee shall not under any circumstance
19 store a firearm or ammunition in his or her vehicle or in a
20 compartment or container within a vehicle located anywhere
21 in or on the street, driveway, parking area, property,
22 building, or facility described in this paragraph.

23 (23) Any area where firearms are prohibited under
24 federal law.

25 (a-5) Nothing in this Act shall prohibit a public or
26 private community college, college, or university from:

1 (1) prohibiting persons from carrying a firearm within
2 a vehicle owned, leased, or controlled by the college or
3 university;

4 (2) developing resolutions, regulations, or policies
5 regarding student, employee, or visitor misconduct and
6 discipline, including suspension and expulsion;

7 (3) developing resolutions, regulations, or policies
8 regarding the storage or maintenance of firearms, which
9 must include designated areas where persons can park
10 vehicles that carry firearms; and

11 (4) permitting the carrying or use of firearms for the
12 purpose of instruction and curriculum of officially
13 recognized programs, including but not limited to military
14 science and law enforcement training programs, or in any
15 designated area used for hunting purposes or target
16 shooting.

17 (a-10) The owner of private real property of any type may
18 prohibit the carrying of concealed firearms on the property
19 under his or her control. The owner must post a sign in
20 accordance with subsection (d) of this Section indicating that
21 firearms are prohibited on the property, unless the property is
22 a private residence.

23 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
24 this Section except under paragraph (22) or (23) of subsection
25 (a), any licensee prohibited from carrying a concealed firearm
26 into the parking area of a prohibited location specified in

1 subsection (a), (a-5), or (a-10) of this Section shall be
2 permitted to carry a concealed firearm on or about his or her
3 person within a vehicle into the parking area and may store a
4 firearm or ammunition concealed in a case within a locked
5 vehicle or locked container out of plain view within the
6 vehicle in the parking area. A licensee may carry a concealed
7 firearm in the immediate area surrounding his or her vehicle
8 within a prohibited parking lot area only for the limited
9 purpose of storing or retrieving a firearm within the vehicle's
10 trunk, provided the licensee ensures the concealed firearm is
11 unloaded prior to exiting the vehicle. For purposes of this
12 subsection, "case" includes a glove compartment or console that
13 completely encloses the concealed firearm or ammunition, the
14 trunk of the vehicle, or a firearm carrying box, shipping box,
15 or other container.

16 (c) A licensee shall not be in violation of this Section
17 while he or she is traveling along a public right of way that
18 touches or crosses any of the premises under subsection (a),
19 (a-5), or (a-10) of this Section if the concealed firearm is
20 carried on his or her person in accordance with the provisions
21 of this Act or is being transported in a vehicle by the
22 licensee in accordance with all other applicable provisions of
23 law.

24 (d) Signs stating that the carrying of firearms is
25 prohibited shall be clearly and conspicuously posted at the
26 entrance of a building, premises, or real property specified in

1 this Section as a prohibited area, unless the building or
2 premises is a private residence. Signs shall be of a uniform
3 design as established by the Department and shall be 4 inches
4 by 6 inches in size. The Department shall adopt rules for
5 standardized signs to be used under this subsection.

6 (Source: P.A. 98-63, eff. 7-9-13.)

7 Section 65. The Criminal Code of 2012 is amended by
8 changing Sections 28-1, 28-1.1, 28-3, 28-5, and 28-7 as
9 follows:

10 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

11 Sec. 28-1. Gambling.

12 (a) A person commits gambling when he or she:

13 (1) knowingly plays a game of chance or skill for money
14 or other thing of value, unless excepted in subsection (b)
15 of this Section;

16 (2) knowingly makes a wager upon the result of any
17 game, contest, or any political nomination, appointment or
18 election;

19 (3) knowingly operates, keeps, owns, uses, purchases,
20 exhibits, rents, sells, bargains for the sale or lease of,
21 manufactures or distributes any gambling device;

22 (4) contracts to have or give himself or herself or
23 another the option to buy or sell, or contracts to buy or
24 sell, at a future time, any grain or other commodity

1 whatsoever, or any stock or security of any company, where
2 it is at the time of making such contract intended by both
3 parties thereto that the contract to buy or sell, or the
4 option, whenever exercised, or the contract resulting
5 therefrom, shall be settled, not by the receipt or delivery
6 of such property, but by the payment only of differences in
7 prices thereof; however, the issuance, purchase, sale,
8 exercise, endorsement or guarantee, by or through a person
9 registered with the Secretary of State pursuant to Section
10 8 of the Illinois Securities Law of 1953, or by or through
11 a person exempt from such registration under said Section
12 8, of a put, call, or other option to buy or sell
13 securities which have been registered with the Secretary of
14 State or which are exempt from such registration under
15 Section 3 of the Illinois Securities Law of 1953 is not
16 gambling within the meaning of this paragraph (4);

17 (5) knowingly owns or possesses any book, instrument or
18 apparatus by means of which bets or wagers have been, or
19 are, recorded or registered, or knowingly possesses any
20 money which he has received in the course of a bet or
21 wager;

22 (6) knowingly sells pools upon the result of any game
23 or contest of skill or chance, political nomination,
24 appointment or election;

25 (7) knowingly sets up or promotes any lottery or sells,
26 offers to sell or transfers any ticket or share for any

1 lottery;

2 (8) knowingly sets up or promotes any policy game or
3 sells, offers to sell or knowingly possesses or transfers
4 any policy ticket, slip, record, document or other similar
5 device;

6 (9) knowingly drafts, prints or publishes any lottery
7 ticket or share, or any policy ticket, slip, record,
8 document or similar device, except for such activity
9 related to lotteries, bingo games and raffles authorized by
10 and conducted in accordance with the laws of Illinois or
11 any other state or foreign government;

12 (10) knowingly advertises any lottery or policy game,
13 except for such activity related to lotteries, bingo games
14 and raffles authorized by and conducted in accordance with
15 the laws of Illinois or any other state;

16 (11) knowingly transmits information as to wagers,
17 betting odds, or changes in betting odds by telephone,
18 telegraph, radio, semaphore or similar means; or knowingly
19 installs or maintains equipment for the transmission or
20 receipt of such information; except that nothing in this
21 subdivision (11) prohibits transmission or receipt of such
22 information for use in news reporting of sporting events or
23 contests; or

24 (12) knowingly establishes, maintains, or operates an
25 Internet site that permits a person to play a game of
26 chance or skill for money or other thing of value by means

1 of the Internet or to make a wager upon the result of any
2 game, contest, political nomination, appointment, or
3 election by means of the Internet. This item (12) does not
4 apply to activities referenced in items (6) and (6.1) of
5 subsection (b) of this Section.

6 (b) Participants in any of the following activities shall
7 not be convicted of gambling:

8 (1) Agreements to compensate for loss caused by the
9 happening of chance including without limitation contracts
10 of indemnity or guaranty and life or health or accident
11 insurance.

12 (2) Offers of prizes, award or compensation to the
13 actual contestants in any bona fide contest for the
14 determination of skill, speed, strength or endurance or to
15 the owners of animals or vehicles entered in such contest.

16 (3) Pari-mutuel betting as authorized by the law of
17 this State.

18 (4) Manufacture of gambling devices, including the
19 acquisition of essential parts therefor and the assembly
20 thereof, for transportation in interstate or foreign
21 commerce to any place outside this State when such
22 transportation is not prohibited by any applicable Federal
23 law; or the manufacture, distribution, or possession of
24 video gaming terminals, as defined in the Video Gaming Act,
25 by manufacturers, distributors, and terminal operators
26 licensed to do so under the Video Gaming Act.

1 (5) The game commonly known as "bingo", when conducted
2 in accordance with the Bingo License and Tax Act.

3 (6) Lotteries when conducted by the State of Illinois
4 in accordance with the Illinois Lottery Law. This exemption
5 includes any activity conducted by the Department of
6 Revenue to sell lottery tickets pursuant to the provisions
7 of the Illinois Lottery Law and its rules.

8 (6.1) The purchase of lottery tickets through the
9 Internet for a lottery conducted by the State of Illinois
10 under the program established in Section 7.12 of the
11 Illinois Lottery Law.

12 (7) Possession of an antique slot machine that is
13 neither used nor intended to be used in the operation or
14 promotion of any unlawful gambling activity or enterprise.
15 For the purpose of this subparagraph (b)(7), an antique
16 slot machine is one manufactured 25 years ago or earlier.

17 (8) Raffles when conducted in accordance with the
18 Raffles Act.

19 (9) Charitable games when conducted in accordance with
20 the Charitable Games Act.

21 (10) Pull tabs and jar games when conducted under the
22 Illinois Pull Tabs and Jar Games Act.

23 (11) Gambling games ~~conducted on riverboats~~ when
24 authorized by the Illinois Riverboat Gambling Act.

25 (12) Video gaming terminal games at a licensed
26 establishment, licensed truck stop establishment, licensed

1 fraternal establishment, or licensed veterans
2 establishment when conducted in accordance with the Video
3 Gaming Act.

4 (13) Games of skill or chance where money or other
5 things of value can be won but no payment or purchase is
6 required to participate.

7 (c) Sentence.

8 Gambling is a Class A misdemeanor. A second or subsequent
9 conviction under subsections (a) (3) through (a) (12), is a Class
10 4 felony.

11 (d) Circumstantial evidence.

12 In prosecutions under this Section circumstantial evidence
13 shall have the same validity and weight as in any criminal
14 prosecution.

15 (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09;
16 96-1203, eff. 7-22-10; 97-1108, eff. 1-1-13.)

17 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

18 Sec. 28-1.1. Syndicated gambling.

19 (a) Declaration of Purpose. Recognizing the close
20 relationship between professional gambling and other organized
21 crime, it is declared to be the policy of the legislature to
22 restrain persons from engaging in the business of gambling for
23 profit in this State. This Section shall be liberally construed
24 and administered with a view to carrying out this policy.

25 (b) A person commits syndicated gambling when he or she

1 operates a "policy game" or engages in the business of
2 bookmaking.

3 (c) A person "operates a policy game" when he or she
4 knowingly uses any premises or property for the purpose of
5 receiving or knowingly does receive from what is commonly
6 called "policy":

7 (1) money from a person other than the bettor or player
8 whose bets or plays are represented by the money; or

9 (2) written "policy game" records, made or used over
10 any period of time, from a person other than the bettor or
11 player whose bets or plays are represented by the written
12 record.

13 (d) A person engages in bookmaking when he or she knowingly
14 receives or accepts more than five bets or wagers upon the
15 result of any trials or contests of skill, speed or power of
16 endurance or upon any lot, chance, casualty, unknown or
17 contingent event whatsoever, which bets or wagers shall be of
18 such size that the total of the amounts of money paid or
19 promised to be paid to the bookmaker on account thereof shall
20 exceed \$2,000. Bookmaking is the receiving or accepting of bets
21 or wagers regardless of the form or manner in which the
22 bookmaker records them.

23 (e) Participants in any of the following activities shall
24 not be convicted of syndicated gambling:

25 (1) Agreements to compensate for loss caused by the
26 happening of chance including without limitation contracts

1 of indemnity or guaranty and life or health or accident
2 insurance;

3 (2) Offers of prizes, award or compensation to the
4 actual contestants in any bona fide contest for the
5 determination of skill, speed, strength or endurance or to
6 the owners of animals or vehicles entered in the contest;

7 (3) Pari-mutuel betting as authorized by law of this
8 State;

9 (4) Manufacture of gambling devices, including the
10 acquisition of essential parts therefor and the assembly
11 thereof, for transportation in interstate or foreign
12 commerce to any place outside this State when the
13 transportation is not prohibited by any applicable Federal
14 law;

15 (5) Raffles when conducted in accordance with the
16 Raffles Act;

17 (6) Gambling games conducted on riverboats or in
18 casinos when authorized by the Illinois Riverboat Gambling
19 Act; and

20 (7) Video gaming terminal games at a licensed
21 establishment, licensed truck stop establishment, licensed
22 fraternal establishment, or licensed veterans
23 establishment when conducted in accordance with the Video
24 Gaming Act.

25 (f) Sentence. Syndicated gambling is a Class 3 felony.

26 (Source: P.A. 96-34, eff. 7-13-09; 97-1108, eff. 1-1-13.)

1 (720 ILCS 5/28-3) (from Ch. 38, par. 28-3)

2 Sec. 28-3. Keeping a Gambling Place. A "gambling place" is
3 any real estate, vehicle, boat or any other property whatsoever
4 used for the purposes of gambling other than gambling conducted
5 in the manner authorized by the Illinois ~~Riverboat~~ Gambling Act
6 or the Video Gaming Act. Any person who knowingly permits any
7 premises or property owned or occupied by him or under his
8 control to be used as a gambling place commits a Class A
9 misdemeanor. Each subsequent offense is a Class 4 felony. When
10 any premises is determined by the circuit court to be a
11 gambling place:

12 (a) Such premises is a public nuisance and may be proceeded
13 against as such, and

14 (b) All licenses, permits or certificates issued by the
15 State of Illinois or any subdivision or public agency thereof
16 authorizing the serving of food or liquor on such premises
17 shall be void; and no license, permit or certificate so
18 cancelled shall be reissued for such premises for a period of
19 60 days thereafter; nor shall any person convicted of keeping a
20 gambling place be reissued such license for one year from his
21 conviction and, after a second conviction of keeping a gambling
22 place, any such person shall not be reissued such license, and

23 (c) Such premises of any person who knowingly permits
24 thereon a violation of any Section of this Article shall be
25 held liable for, and may be sold to pay any unsatisfied

1 judgment that may be recovered and any unsatisfied fine that
2 may be levied under any Section of this Article.

3 (Source: P.A. 96-34, eff. 7-13-09.)

4 (720 ILCS 5/28-5) (from Ch. 38, par. 28-5)

5 Sec. 28-5. Seizure of gambling devices and gambling funds.

6 (a) Every device designed for gambling which is incapable
7 of lawful use or every device used unlawfully for gambling
8 shall be considered a "gambling device", and shall be subject
9 to seizure, confiscation and destruction by the Department of
10 State Police or by any municipal, or other local authority,
11 within whose jurisdiction the same may be found. As used in
12 this Section, a "gambling device" includes any slot machine,
13 and includes any machine or device constructed for the
14 reception of money or other thing of value and so constructed
15 as to return, or to cause someone to return, on chance to the
16 player thereof money, property or a right to receive money or
17 property. With the exception of any device designed for
18 gambling which is incapable of lawful use, no gambling device
19 shall be forfeited or destroyed unless an individual with a
20 property interest in said device knows of the unlawful use of
21 the device.

22 (b) Every gambling device shall be seized and forfeited to
23 the county wherein such seizure occurs. Any money or other
24 thing of value integrally related to acts of gambling shall be
25 seized and forfeited to the county wherein such seizure occurs.

1 (c) If, within 60 days after any seizure pursuant to
2 subparagraph (b) of this Section, a person having any property
3 interest in the seized property is charged with an offense, the
4 court which renders judgment upon such charge shall, within 30
5 days after such judgment, conduct a forfeiture hearing to
6 determine whether such property was a gambling device at the
7 time of seizure. Such hearing shall be commenced by a written
8 petition by the State, including material allegations of fact,
9 the name and address of every person determined by the State to
10 have any property interest in the seized property, a
11 representation that written notice of the date, time and place
12 of such hearing has been mailed to every such person by
13 certified mail at least 10 days before such date, and a request
14 for forfeiture. Every such person may appear as a party and
15 present evidence at such hearing. The quantum of proof required
16 shall be a preponderance of the evidence, and the burden of
17 proof shall be on the State. If the court determines that the
18 seized property was a gambling device at the time of seizure,
19 an order of forfeiture and disposition of the seized property
20 shall be entered: a gambling device shall be received by the
21 State's Attorney, who shall effect its destruction, except that
22 valuable parts thereof may be liquidated and the resultant
23 money shall be deposited in the general fund of the county
24 wherein such seizure occurred; money and other things of value
25 shall be received by the State's Attorney and, upon
26 liquidation, shall be deposited in the general fund of the

1 county wherein such seizure occurred. However, in the event
2 that a defendant raises the defense that the seized slot
3 machine is an antique slot machine described in subparagraph
4 (b) (7) of Section 28-1 of this Code and therefore he is exempt
5 from the charge of a gambling activity participant, the seized
6 antique slot machine shall not be destroyed or otherwise
7 altered until a final determination is made by the Court as to
8 whether it is such an antique slot machine. Upon a final
9 determination by the Court of this question in favor of the
10 defendant, such slot machine shall be immediately returned to
11 the defendant. Such order of forfeiture and disposition shall,
12 for the purposes of appeal, be a final order and judgment in a
13 civil proceeding.

14 (d) If a seizure pursuant to subparagraph (b) of this
15 Section is not followed by a charge pursuant to subparagraph
16 (c) of this Section, or if the prosecution of such charge is
17 permanently terminated or indefinitely discontinued without
18 any judgment of conviction or acquittal (1) the State's
19 Attorney shall commence an in rem proceeding for the forfeiture
20 and destruction of a gambling device, or for the forfeiture and
21 deposit in the general fund of the county of any seized money
22 or other things of value, or both, in the circuit court and (2)
23 any person having any property interest in such seized gambling
24 device, money or other thing of value may commence separate
25 civil proceedings in the manner provided by law.

26 (e) Any gambling device displayed for sale to a riverboat

1 gambling operation or casino gambling operation or used to
2 train occupational licensees of a riverboat gambling operation
3 or casino gambling operation as authorized under the Illinois
4 ~~Riverboat~~ Gambling Act is exempt from seizure under this
5 Section.

6 (f) Any gambling equipment, devices and supplies provided
7 by a licensed supplier in accordance with the Illinois
8 ~~Riverboat~~ Gambling Act which are removed from a ~~the~~ riverboat
9 or casino for repair are exempt from seizure under this
10 Section.

11 (g) The following video gaming terminals are exempt from
12 seizure under this Section:

13 (1) Video gaming terminals for sale to a licensed
14 distributor or operator under the Video Gaming Act.

15 (2) Video gaming terminals used to train licensed
16 technicians or licensed terminal handlers.

17 (3) Video gaming terminals that are removed from a
18 licensed establishment, licensed truck stop establishment,
19 licensed fraternal establishment, or licensed veterans
20 establishment for repair.

21 (Source: P.A. 98-31, eff. 6-24-13.)

22 (720 ILCS 5/28-7) (from Ch. 38, par. 28-7)

23 Sec. 28-7. Gambling contracts void.

24 (a) All promises, notes, bills, bonds, covenants,
25 contracts, agreements, judgments, mortgages, or other

1 securities or conveyances made, given, granted, drawn, or
2 entered into, or executed by any person whatsoever, where the
3 whole or any part of the consideration thereof is for any money
4 or thing of value, won or obtained in violation of any Section
5 of this Article are null and void.

6 (b) Any obligation void under this Section may be set aside
7 and vacated by any court of competent jurisdiction, upon a
8 complaint filed for that purpose, by the person so granting,
9 giving, entering into, or executing the same, or by his
10 executors or administrators, or by any creditor, heir, legatee,
11 purchaser or other person interested therein; or if a judgment,
12 the same may be set aside on motion of any person stated above,
13 on due notice thereof given.

14 (c) No assignment of any obligation void under this Section
15 may in any manner affect the defense of the person giving,
16 granting, drawing, entering into or executing such obligation,
17 or the remedies of any person interested therein.

18 (d) This Section shall not prevent a licensed owner or
19 licensed manager of a riverboat gambling operation or casino
20 gambling operation from instituting a cause of action to
21 collect any amount due and owing under an extension of credit
22 to a ~~riverboat~~ gambling patron as authorized under Section 11.1
23 of the Illinois Riverboat Gambling Act.

24 (Source: P.A. 87-826.)

25 Section 70. The Eminent Domain Act is amended by changing

1 Section 15-5-25 as follows:

2 (735 ILCS 30/15-5-25)

3 Sec. 15-5-25. Eminent domain powers in ILCS Chapters 205
4 through 430. The following provisions of law may include
5 express grants of the power to acquire property by condemnation
6 or eminent domain:

7 (220 ILCS 5/8-509); Public Utilities Act; public utilities; for
8 construction of certain improvements.

9 (220 ILCS 15/1); Gas Storage Act; corporations engaged in the
10 distribution, transportation, or storage of natural gas or
11 manufactured gas; for their operations.

12 (220 ILCS 15/2 and 15/6); Gas Storage Act; corporations engaged
13 in the distribution, transportation, or storage of natural
14 gas or manufactured gas; for use of an underground
15 geological formation for gas storage.

16 (220 ILCS 30/13); Electric Supplier Act; electric
17 cooperatives; for general purposes.

18 (220 ILCS 55/3); Telegraph Act; telegraph companies; for
19 telegraph lines.

20 (220 ILCS 65/4); Telephone Company Act; telecommunications
21 carriers; for telephone company purposes.

22 (225 ILCS 435/23); Ferries Act; ferry operators; for a landing,
23 ferryhouse, or approach.

24 (225 ILCS 440/9); Highway Advertising Control Act of 1971;

1 Department of Transportation; for removal of signs
2 adjacent to highways.

3 (230 ILCS 10/7.3a); Illinois Gambling Act; City of Chicago; for
4 construction of gambling facilities.

5 (310 ILCS 5/6 and 5/38); State Housing Act; housing
6 corporations; for general purposes.

7 (310 ILCS 10/8.3); Housing Authorities Act; housing
8 authorities; for general purposes.

9 (310 ILCS 10/8.15); Housing Authorities Act; housing
10 authorities; for implementation of conservation plans and
11 demolition.

12 (310 ILCS 10/9); Housing Authorities Act; housing authorities;
13 for general purposes.

14 (310 ILCS 20/5); Housing Development and Construction Act;
15 housing authorities; for development or redevelopment.

16 (310 ILCS 35/2); House Relocation Act; political subdivisions
17 and municipal corporations; for relocation of dwellings
18 for highway construction.

19 (315 ILCS 5/14); Blighted Areas Redevelopment Act of 1947; land
20 clearance commissions; for redevelopment projects.

21 (315 ILCS 10/5); Blighted Vacant Areas Development Act of 1949;
22 State of Illinois; for housing development.

23 (315 ILCS 20/9 and 20/42); Neighborhood Redevelopment
24 Corporation Law; neighborhood redevelopment corporations;
25 for general purposes.

26 (315 ILCS 25/4 and 25/6); Urban Community Conservation Act;

1 municipal conservation boards; for conservation areas.
2 (315 ILCS 30/12); Urban Renewal Consolidation Act of 1961;
3 municipal departments of urban renewal; for blighted area
4 redevelopment projects.
5 (315 ILCS 30/20 and 30/22); Urban Renewal Consolidation Act of
6 1961; municipal departments of urban renewal; for
7 implementing conservation areas.
8 (315 ILCS 30/24); Urban Renewal Consolidation Act of 1961;
9 municipal departments of urban renewal; for general
10 purposes.
11 (415 ILCS 95/6); Junkyard Act; Department of Transportation;
12 for junkyards or scrap processing facilities.
13 (420 ILCS 35/1); Radioactive Waste Storage Act; Illinois
14 Emergency Management Agency; for radioactive by-product
15 and waste storage.
16 (Source: P.A. 94-1055, eff. 1-1-07.)

17 Section 75. The Payday Loan Reform Act is amended by
18 changing Section 3-5 as follows:

19 (815 ILCS 122/3-5)

20 Sec. 3-5. Licensure.

21 (a) A license to make a payday loan shall state the
22 address, including city and state, at which the business is to
23 be conducted and shall state fully the name of the licensee.
24 The license shall be conspicuously posted in the place of

1 business of the licensee and shall not be transferable or
2 assignable.

3 (b) An application for a license shall be in writing and in
4 a form prescribed by the Secretary. The Secretary may not issue
5 a payday loan license unless and until the following findings
6 are made:

7 (1) that the financial responsibility, experience,
8 character, and general fitness of the applicant are such as
9 to command the confidence of the public and to warrant the
10 belief that the business will be operated lawfully and
11 fairly and within the provisions and purposes of this Act;
12 and

13 (2) that the applicant has submitted such other
14 information as the Secretary may deem necessary.

15 (c) A license shall be issued for no longer than one year,
16 and no renewal of a license may be provided if a licensee has
17 substantially violated this Act and has not cured the violation
18 to the satisfaction of the Department.

19 (d) A licensee shall appoint, in writing, the Secretary as
20 attorney-in-fact upon whom all lawful process against the
21 licensee may be served with the same legal force and validity
22 as if served on the licensee. A copy of the written
23 appointment, duly certified, shall be filed in the office of
24 the Secretary, and a copy thereof certified by the Secretary
25 shall be sufficient evidence to subject a licensee to
26 jurisdiction in a court of law. This appointment shall remain

1 in effect while any liability remains outstanding in this State
2 against the licensee. When summons is served upon the Secretary
3 as attorney-in-fact for a licensee, the Secretary shall
4 immediately notify the licensee by registered mail, enclosing
5 the summons and specifying the hour and day of service.

6 (e) A licensee must pay an annual fee of \$1,000. In
7 addition to the license fee, the reasonable expense of any
8 examination or hearing by the Secretary under any provisions of
9 this Act shall be borne by the licensee. If a licensee fails to
10 renew its license by December 31, its license shall
11 automatically expire; however, the Secretary, in his or her
12 discretion, may reinstate an expired license upon:

13 (1) payment of the annual fee within 30 days of the
14 date of expiration; and

15 (2) proof of good cause for failure to renew.

16 (f) Not more than one place of business shall be maintained
17 under the same license, but the Secretary may issue more than
18 one license to the same licensee upon compliance with all the
19 provisions of this Act governing issuance of a single license.
20 The location, except those locations already in existence as of
21 June 1, 2005, may not be within one mile of a horse race track
22 subject to the Illinois Horse Racing Act of 1975, within one
23 mile of a facility at which gambling is conducted under the
24 Illinois Riverboat ~~Riverboat~~ Gambling Act, within one mile of the
25 location at which a riverboat subject to the Illinois Riverboat
26 Gambling Act docks, or within one mile of any State of Illinois

1 or United States military base or naval installation.

2 (g) No licensee shall conduct the business of making loans
3 under this Act within any office, suite, room, or place of
4 business in which (1) any loans are offered or made under the
5 Consumer Installment Loan Act other than title secured loans as
6 defined in subsection (a) of Section 15 of the Consumer
7 Installment Loan Act and governed by Title 38, Section 110.330
8 of the Illinois Administrative Code or (2) any other business
9 is solicited or engaged in unless the other business is
10 licensed by the Department or, in the opinion of the Secretary,
11 the other business would not be contrary to the best interests
12 of consumers and is authorized by the Secretary in writing.

13 (g-5) Notwithstanding subsection (g) of this Section, a
14 licensee may obtain a license under the Consumer Installment
15 Loan Act (CILA) for the exclusive purpose and use of making
16 title secured loans, as defined in subsection (a) of Section 15
17 of CILA and governed by Title 38, Section 110.300 of the
18 Illinois Administrative Code. A licensee may continue to
19 service Consumer Installment Loan Act loans that were
20 outstanding as of the effective date of this amendatory Act of
21 the 96th General Assembly.

22 (h) The Secretary shall maintain a list of licensees that
23 shall be available to interested consumers and lenders and the
24 public. The Secretary shall maintain a toll-free number whereby
25 consumers may obtain information about licensees. The
26 Secretary shall also establish a complaint process under which

1 an aggrieved consumer may file a complaint against a licensee
2 or non-licensee who violates any provision of this Act.

3 (Source: P.A. 96-936, eff. 3-21-11.)

4 Section 80. The Travel Promotion Consumer Protection Act is
5 amended by changing Section 2 as follows:

6 (815 ILCS 420/2) (from Ch. 121 1/2, par. 1852)

7 Sec. 2. Definitions.

8 (a) "Travel promoter" means a person, including a tour
9 operator, who sells, provides, furnishes, contracts for,
10 arranges or advertises that he or she will arrange wholesale or
11 retail transportation by air, land, sea or navigable stream,
12 either separately or in conjunction with other services.
13 "Travel promoter" does not include (1) an air carrier; (2) a
14 sea carrier; (3) an officially appointed agent of an air
15 carrier who is a member in good standing of the Airline
16 Reporting Corporation; (4) a travel promoter who has in force
17 \$1,000,000 or more of liability insurance coverage for
18 professional errors and omissions and a surety bond or
19 equivalent surety in the amount of \$100,000 or more for the
20 benefit of consumers in the event of a bankruptcy on the part
21 of the travel promoter; or (5) a riverboat subject to
22 regulation under the Illinois Riverboat ~~Riverboat~~ Gambling Act.

23 (b) "Advertise" means to make any representation in the
24 solicitation of passengers and includes communication with

1 other members of the same partnership, corporation, joint
2 venture, association, organization, group or other entity.

3 (c) "Passenger" means a person on whose behalf money or
4 other consideration has been given or is to be given to
5 another, including another member of the same partnership,
6 corporation, joint venture, association, organization, group
7 or other entity, for travel.

8 (d) "Ticket or voucher" means a writing or combination of
9 writings which is itself good and sufficient to obtain
10 transportation and other services for which the passenger has
11 contracted.

12 (Source: P.A. 91-357, eff. 7-29-99.)

13 Section 97. Severability. The provisions of this Act are
14 severable under Section 1.31 of the Statute on Statutes.

15 Section 99. Effective date. This Act takes effect September
16 1, 2014."